

# PLANNING COMMISSION AGENDA

CHAIRPERSON:  
Lawrence Segrue



VICE CHAIRPERSON:  
Adam Peck

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

MONDAY, MARCH 25, 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 the Visalia Unified School District's Acquisition for a School Site at the Southwest Corner of Walnut Avenue and Linwood Street (APNs: 119-640-001, 119-600-031, & 119-650-026)
5. PUBLIC HEARING – Paul Bernal
  - a. Conditional Use Permit No. 2013-09: A request by Imagine-U to construct a new 15,600 square foot children's educational facility in the Service Commercial (CS) zone. The property is located at 603 East Oak Avenue (APN: 094-240-032 & 037).
  - b. Variance 2013-01: A request by Imagine-U to construct a new 15,600 square foot educational facility with reduced building and landscaping setback requirements of Design District "E" along the front and street side property lines. The property is located at 603 East Oak Avenue (APN: 094-240-032 & 037).
6. PUBLIC HEARING – Alyssa Netto  
Conditional Use Permit No. 2013-11: A request by Tracy Byerlee to establish a salon in 819 square feet of an existing 6650 square foot building in the P-A (Professional/Administrative Office) zone. The site is located at 1640 W. Mineral King Avenue (Suite 104), near Mineral King Avenue and Central Street. (APN: 093-292-011)

7. PUBLIC HEARING – Andy Chamberlain  
Conditional Use Permit No. 2013-10: A request by Victory Outreach to amend Conditional Use Permit No. 2012-13: to establish a phased development plan for the previously approved 200 seat church facility in the Commercial Shopping Office (CSO) zone. The site is located at 421 N. Johnson Street (APN 093-177-007, 006).
  
8. PUBLIC HEARING – Andy Chamberlain  
Conditional Use Permit No. 2013-07: A request by Daria Majzoubi to establish a medical office in the Key West Shopping Center in the Neighborhood Commercial (NC) zone. The site is located at 5109 W. Goshen Avenue (APN 085-040-088).
  
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 APRIL 4, 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](http://www.ci.visalia.ca.us) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, APRIL 8, 2013**

# City of Visalia



**To:** Planning Commission

**From:** Josh McDonnell, Assistant Community  
Development Director/City Planner (713-4364)

**Date:** March 25, 2013

**Re: Request for Finding of Consistency for the Visalia Unified School District's Acquisition of a School Site at the Southwest Corner of Walnut Avenue and Linwood Street (APNs 119-640-001, 119-600-031, 119-650-026)**

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## RECOMMENDATION

Staff recommends that Planning Commission make a Finding of Consistency for the Acquisition of a School Site by the Visalia Unified School District (VUSD) at the Southwest Corner of Walnut Avenue and Linwood Street.

## DISCUSSION

The VUSD has a lease from the College of the Sequoias on an approximately 26-acre site at the Southwest Corner of Walnut Avenue and Linwood Street. The VUSD is using the site for its agricultural vocation education program. The VUSD intends to purchase the property and continue the educational activities on the site. Pursuant to Government Code section 65402, the action must be affirmed for consistency with the host City's General Plan.

The site has a mix of General Plan Land Use and Zoning designations. The majority of the site is (Q-P) Quasi-Public. The remainder of the site is Low Density Residential (R-1 Zoning), and RM-2 (Medium Density Residential). Schools are conditionally allowed uses in the Q-P, RM-2, and R-1 Zone Districts. In addition, the site is in use as an educational facility. The site is also shown as a MDM on the draft Preliminary Preferred Plan of the General Plan Update. Consequently, the findings for consistency with the current and anticipated General Plan Update can be made.

## ATTACHMENTS

- Letter of Request
- Aerial Photo

Craig Wheaton, Ed.D.  
Superintendent

Robert Gröeber  
Assistant Superintendent  
Administrative Services

# Visalia

## UNIFIED SCHOOL DISTRICT

*"Every Student Succeeds"*

### Board of Education

Tim Chaney  
Rodney Elder  
William A. Fulmer  
Donna Martin  
Jim L. Qualls  
Charles Ulmschneider  
Lucia Vazquez

March 6, 2013

Josh McDonnell, AICP  
Assistant Director, City Planner  
City of Visalia Planning Division  
315 E. Acequia Avenue  
Visalia, CA 93291

**Subject: Notice of Proposed School Site Acquisition by the Visalia Unified School District for the Visalia Technical Education Center**

Dear Mr. McDonnell:

In accordance with Public Resources Code Section 21151.2 and Government Code Section 65402, this letter serves as formal notice to the City of Visalia Planning Division regarding the proposed acquisition of the following subject property for construction and operation of a public school facility:

Approximately 26.29 acres located at the southwest corner of Walnut Avenue and Linwood Street in Visalia, Tulare County; including the following parcels, APN 119-640-001, 119-600-031, and 119-650-026.

We request that the Planning Department/Planning Commission analyze the subject property to determine conformity with the underlying General Plan Land Use Designation so that a written report of the investigation and the Planning Commission's recommendations concerning acquisition of the site can be submitted to our governing board.

Please submit findings to Robert Gröeber, Assistant Superintendent of Administrative Services at the Visalia Unified School District, 5000 W Cypress Avenue, Visalia, CA 93277 within **30 days of receiving this notice.**

If you have any questions regarding this request, please contact me at (559) 730-7529.

Sincerely,



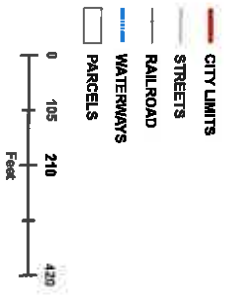
Robert Gröeber  
Assistant Superintendent, Administrative Services

Cc: School Site Solutions, Inc.

5000 West Cypress Avenue • Visalia, California 93277  
(559) 730-7529 • FAX (559) 730-7346



# VUSD





## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** March 25, 2013

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

**SUBJECT: Conditional Use Permit No. 2013-09:** A request by ImagineU to construct a new 15,600 square foot children's educational facility in the Service Commercial (CS) zone. The property is located at 603 East Oak Avenue (APN: 094-240-032 & 037).

**Variance No. 2013-01:** A request by ImagineU to reduce the front and street side setback requirements of Design District "E" from 10 feet to range of 0 to 14 feet. The property is located at 603 East Oak Avenue (APN: 094-240-032 & 037).

### STAFF RECOMMENDATION

#### Conditional Use Permit No. 2013-09

Staff recommends approval of Conditional Use Permit No. 2013-09, as conditioned, based upon the findings and conditions in Resolution No. 2013-14. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Noise Ordinances.

#### Variance No. 2013-01

Staff recommends approval of Variance No. 2013-01, as conditioned, based on the findings and conditions in Resolution No. 2013-15. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

### RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2013-09, based on the findings and conditions in Resolution No. 2013-14.

I move to approve Variance No. 2013-01, based on the findings and conditions in Resolution No. 2013-15.

### PROJECT DESCRIPTION

Conditional Use Permit No. 2013-09 seeks to construct and establish a children's educational facility in the C-S (Service Commercial) zone. The proposed project would be located on Oak Avenue, with frontage on Tipton Street and East Center Avenue, and bordered by Mill Creek as shown in the Site Plan in Exhibit "A". The site will be setback from Mill Creek with a 25-foot riparian area that will contain a meandering trail and conservation space, which is not part of this project.

The Floor Plan in Exhibit "B" shows the new building will be a 15,600 square foot, LEED (Leadership in Energy and Environmental Design) certified solar powered facility. The site will include indoor and outdoor interactive exhibit areas that are intended to be educational for children. In addition to the exhibits, there will also be a small outdoor amphitheater for children's performances. The exterior building elevations are provided in Exhibit "C" and the conceptual landscape plan is shown in Exhibit "D".



As explained by the applicant in the operation statement in Exhibit "E", the facility will operate from 10:00 a.m. until 5:00 p.m., Tuesday through Saturday, and from 11:00 a.m. through 5:00 p.m. on Sundays. The ImagineU facility will be closed Mondays. Peak visiting hours are anticipated to be from 10:00 a.m. until 2:00 p.m. The new facility is expected to have approximately seven employees. The operational statement also projects that there will be approximately 30,000 annual visitors.

Variance No. 2013-01 is a request to reduce the front setback on Oak Street and street side setback on Tipton Avenue in Design District "E" from 10 feet to a range of 0 to 14 feet. The site plan in Exhibit "A" shows the building footprint staggering along the street frontages resulting in a series of cutouts for landscaping and pedestrian use. This allows the building to maximize its size while being laid-out at an angle to the street and front property lines.

The project also requires a lot line adjustment to acquire approximately 9,481 square feet of property directly to the east of the building as depicted in Exhibit "A".

## **BACKGROUND INFORMATION**

General Plan Land Use Designation:	Service Commercial
Zoning:	C-S (Service Commercial)
Surrounding Land Use and Zoning:	North: C-S (Service Commercial) / Future Oak Avenue roadway & City Parking Lot 44 South: CDT (Central Business District) / Mill Creek & Commercial Business East: C-S (Service Commercial) / Future Civic Center Park West: C-S (Service Commercial) / Tipton Street and City Parking Lot 42
Environmental Review:	Categorical Exemption No. 2013-18
Special Districts:	Parking District "A"
Design District:	"E"
Site Plan Review No:	2012-049 & 2012-210

### **RELATED PLANS & POLICIES**

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

### **RELATED PROJECTS**

The items identified below represent projects that were approved in the downtown area.

Conditional Use Permit No. 2009-15, approved by the Planning Commission on February 23, 2009, was a request by the City of Visalia Transit Division, to expand the existing transit center with 12 bus bays, pedestrian bus shelters, and outdoor plaza.

Conditional Use Permit No. 2011-16, approved by the Planning Commission on August 8, 2011, was a request by Family Health Care Network to construct a new 29,128 square foot two-story addition to the Health Center.

General Plan Amendment No. 2011-01 and Change of Zone No. 2011-02, approved by the City Council on March 21, 2011, was a request by the City of Visalia to change the land use designation and zoning from Service Commercial (CS) to Central Business District (CDT) for 12.47 acres of land located along Santa Fe Street.

General Plan Amendment No. 2012-01, approved by the City Council on April 2, 2012, was initiated by the City Council to re-establish Burke Street from a local roadway to a collector status roadway given interest in Downtown related uses for the Burke Street corridor.

## PROJECT EVALUATION

Staff supports the conditional use permit and variance, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance's policies for approval of conditional use permits and variances.

### **Land Use Compatibility**

The ImagineU project represents the City's vision of transforming a predominately underutilized area of the community while reinforcing General Plan policies that encourage concentric growth and reinvestment in the core area. The development of a new building, along with infrastructure improvements, may help in attracting new businesses and visitors. Staff concludes the proposed project will not have a negative impact on surrounding uses.

In addition to enhancing the downtown area, the project complies with Land Use Element policy 3.5.9:

### **Policy**

*3.5.9 Preserve and enhance the Central Business District (CBD) (Conyer St. to Tipton and Mineral King Ave. to Murray including Locust-Court corridor to the Lincoln Oval area) as Visalia's historic medical and professional services center. Promote retail commercial, specialty retail, professional/administrative office, public and community facilities and urban residential uses. Designate the Locust and Court corridor between Murray and Race for office conversions to provide for a functional connection between the Oval area and Downtown. Maintain the downtown as the geographic center of the community.*

Visalia has long committed to keeping the downtown core area as the geographic center of the community. This is evident with the City's efforts to retain uses and approve projects that enhance and stimulate development within the downtown area. To improve the downtown's economic viability, the City has policies that encourage concentric growth. This project is an example of the City's desire to support projects that reinvest in the downtown core as a means of creating an efficient, sustainable, and desirable community.

Although the existing ImagineU facility is located on East Main Street, and in the East Downtown area, the new ImagineU project represents a continued commitment to the downtown area. Visalia's downtown continues to experience strong economic activity and steady development of complementary uses. Recent development activities indicate the City's current efforts on revitalization and downtown enhancement continue to be successful. While these projects reflect the ongoing strength and vibrancy of commercial and professional development in the downtown area, Visalia will have to continue to invest in infrastructure improvements in an effort to transition the East Downtown area into a vital component of the urban core.

## **General Plan Update**

The City is undergoing a comprehensive update of the General Plan Land Use Element. At this time in the process, the "Preferred Plan" shows that the subject site is to remain designated as a Service Commercial type use. The project property is surrounded by Public/Intitutional Land Use designations to the north and Downtown Mixed Use designations to the west. The nature of the proposed children's educational museum is compatible with the Public/Institutional designation to the north while the variance to setbacks helps extend the design standards of the Downtown Mixed Use designation that is to the west.

## **ImagineU Parking**

### **Central Business Parking In-Lieu Program (Parking District "A")**

The proposed ImagineU site is located within the boundaries of the Central Business Parking Zone, Parking District "A". The parking district was created to allow greater flexibility to site development. Properties in Parking District "A" can develop without having to construct their required "onsite" parking. Rather, parking in-lieu fees may be used to replace up to one hundred (100) percent of the required onsite parking spaces for properties in Parking District "A".

It should be noted, a variance to parking cannot be applied for properties located in the Parking District. The Parking District is unique to the downtown area and provides property owners the option of developing their sites with their required parking or paying in-lieu fees, which are to be used for future parking lots / structures. Any request to consider waiving parking in-lieu fees is an action that can only be considered by the City Council.

Per the ImagineU site plan (see Exhibit "A"), on-site parking is not provided. ImagineU plans to utilize the Parking In-lieu fee program to fulfill their parking requirements. Currently, the Parking In-lieu fee amount identified in the City's Fee Schedule is \$3,909.00 per parking space (fee is increased annually).

### **Parking Requirements**

During the Site Plan Review process, it became evident to staff and the applicant that parking ratios established in the Zoning Ordinance were not practical when applying them to the 15,600 square foot ImagineU facility. The Zoning Ordinance provides a methodology of establishing parking requirements based on a wide range of uses. For example, the zoning ordinance identifies parking requirements for museums at one parking stall per 30 square feet of principal assembly area. Assigning the "museum" parking requirement to ImagineU's main exhibit hall ( $\pm 6,900$  sq. ft., see Exhibit "B"), 236 parking spaces would be required. Staff concluded the zoning ordinance, in this particular case, is not explicit on establishing reasonable parking ratios for a use like ImagineU.

Given the uniqueness and overall daily operations of ImagineU, and taking into account that the vast majority of visitors to the current facility will be children, staff requested the applicant prepare a parking analysis to identify parking demands for this facility. Staff required a registered licensed professional to conduct the parking analysis. The study would need to document findings and conclusions based on the parking needs for the children's museum. Once parking requirements are established, Parking In-lieu fees will be assessed against the number of parking spaces required for this use, minus any parking credits associated with the site.

Peters Engineering Group conducted a parking analysis, (see Exhibit "F", dated January 4, 2013). The parking analysis used current and projected visitor information and daily operations to derive projected trip visits to the children's museum. The parking analysis also provided information on a parking study conducted for a children's museum / educational facility in Santa Barbara. Using the Institute of Transportation Engineers' Parking Generation Manual 4<sup>th</sup> Edition, in addition to ImagineU's existing / projected visitor information and daily operations, the parking analysis concluded that ImagineU would need to provide 25 to 30 parking stalls for their new facility.

Staff is amenable to the findings and conclusions presented in the parking analysis. The parking numbers established per the study are reasonable given the nature of ImagineU's operation. Staff recommends that the Planning Commission approve CUP Condition No. 3, which establishes 30 parking spaces as the baseline for ImagineU's required parking. The condition also states that "final" parking calculations will be assessed against the Parking In-lieu fee at the time of building permits wherein the actual building size is established, minus any parking credit.

The 30 parking stall requirement is established using the formula provided in the parking analysis. The formula was revised to account for the change in building square footage from 13,000 square feet, as stated in the parking analysis, to 15,600 square feet which has been identified per the ImagineU site plan (Exhibit "A") and Operational Statement (Exhibit "E").

Although no "onsite" parking is provided, the proposed ImagineU site is within close proximity to four City owned parking lots (Parking Lots 41 through 44). These four lots are designated as "All Day" parking. In addition, the site is also within one block of the City's transit center. The transit center can provide visitors and employees of ImagineU, as well as visitors to the downtown area, greater access to regional transit services that are within walking distance of the proposed use.

### **Reduced Setbacks in Future East Downtown Area**

ImagineU is requesting to reduce the front and street side building and landscaping setbacks (Oak Avenue alignment and Tipton Street). The site has a Design District "E" designation which requires 10-foot front and street side setbacks. The request, if approved, will allow the building and wrought iron fencing to be built on the two respective property lines as depicted on Exhibit "A". Staff supports this request given the site's location in the East Downtown area, proximity to the Central Business District, and the emphasis on architectural design of the building.

Variances may be used to prevent unnecessary hardships that would result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title. In this case, the applicant has demonstrated without relief from the setback requirements, other site constraints pose issues with the overall development of the site. One site constraint is the unique shape of the property and the 25-foot riparian setback along Mill Creek. The 25-foot setback allows for the construction of the trail, a major asset to the East Downtown area and the City's trail network. Staff noted that infringing into the trail setback would not be supported.

The Planning Commission has the authority to grant variances to regulations as prescribed in the Zoning Ordinance. According to Zoning Ordinance Section 17.42.030 and 17.42.090, the Commission may grant a variance with respect to setbacks. Specific findings must be made for Variances. The findings are as follows:

- 1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;*

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;*
3. *That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;*
4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;*
5. *That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

The applicant has prepared responses to the five variance findings (see Exhibit "G") justifying the reduction to building and landscaping setbacks. Staff supports the applicant's findings given the City's plans and vision for East Downtown, which place a strong emphasis on urban form related to architecture, building types, natural features, and variations in street and block configurations. The building's placement on the future corner of Oak Avenue and Tipton Street is a continued extension of this concept and Visalia's Central Business District, which promotes compact urban design.

Although ImagineU is not proposing to install the 10-foot of landscaping areas along Tipton and Oak, the overall design incorporates several landscape features to soften the visual appearance. New street trees will be installed along Tipton Street and the future Oak Avenue alignment along with pockets of accent planting along the north and west building facades. In addition, unlike ImagineU's current facility, this site will include outdoor exhibit areas that combine green-space and hardscape areas (see Exhibit "D").

Visalia's downtown district allows buildings to be constructed on the property line. ImagineU will expand this design concept to their site by providing a unique use with similar development standards found in the downtown area. The East Downtown Plan also identifies buildings as a major part of the physical environment. Street design and the architectural characteristics of buildings will reflect and contribute to the future character of East Downtown, as a logical extension of Visalia's urban core.

### **Traffic Circulation and Capital Improvement Project**

ImagineU is required to construct sidewalks and install any utilities along the future Oak Avenue alignment as noted per Engineering Division's Site Plan Review comments. The Oak Avenue CIP will be a City undertaking and will require coordination between staff and ImagineU's construction team to ensure that the necessary utilities are installed to avoid potential street cuts during site development.

The transformation of Oak Avenue from a stubbed roadway to full local street poses some unique challenges. Engineering staff has been in contact with owners of the rail line to come up with a street design that accounts and provides adequate space between the rail line and the east/west travel lanes. Although a construction start date has not been identified, staff will continue to update ImagineU on the status of the Oak Avenue CIP.

## **Street Trees and On-site Landscaping**

Street tree landscaping placement along Tipton Street and future Oak Avenue alignment will comply with City Ordinance Requirements. 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. The Landscape Plan, (see Exhibit "D") has been prepared by Urban Tree Foundation who is familiar with MWELO requirements.

## **Environmental Review**

This project is considered Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for In-fill Development Projects that are consistent applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations (Categorical Exemption No. 2013-18).

## **RECOMMENDED FINDINGS**

### **Conditional Use Permit No. 2013-09**

1. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.
2. That the proposed conditional use permit is compatible with adjacent land uses.
3. That the proposed location is in close proximity to public transit facilities and City parking lots which link the site to the downtown and related citywide and regional public transportation facilities.
4. That the proposed location of the Conditional Use Permit and the conditions under which it would be built or maintained will not be detrimental to the public health, safety, or welfare nor materially injurious to properties or improvements in the vicinity.
5. That the project is Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2013-18).

### **Variance No. 2013-01**

1. *That strict or literal interpretation and enforcement of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.*

The proposed project is on a site that is irregularly shaped and adjacent to Mill Creek. The Downtown District to the west has developed in an urban setting with zero setbacks on street frontages. The proposed variance to setbacks would be in keeping with an urban setting and allow adequate outdoor space for exhibits and recreation areas for the children.



2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply to other properties classified in the same zone.*

The proposed project is on a site that is irregularly shaped and adjacent to Mill Creek. The Downtown District to the west has developed in an urban setting with zero setbacks on street frontages. The proposed variance to setbacks would be in keeping with an urban setting and allow adequate outdoor space for exhibits and recreations areas for the children.

3. *That strict or literal interpretation and enforcement of the ordinance would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone.*

Other properties in the immediate vicinity zoned CS, Commercial Service, have minimal or no setbacks in areas where they about a more urban or Downtown area.

4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone.*

Other properties in the immediate vicinity zoned CS, Commercial Service, have minimal or no setbacks in areas where they about a more urban or Downtown area.

5. *That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

The granting of the variance would not result in an impact to public health, safety or welfare or me materially injurious to the other properties in the area. The granting of the variance will allow more outdoor recreation areas to be dedicated to activities associated with the ImagineU museum.

6. That the project is Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2013-18).

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **Conditional Use Permit No. 2013-09**

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2012-049 and Site Plan Review No. 2012-210, incorporated herein by reference.
2. That the site be developed in substantial compliance with the site plan, floor plan, elevations, and landscape plans shown in Exhibits "A", "B", "C" and "D".
3. Based on the Parking Analysis dated January 4, 2013 (see Exhibit "F"), 30 parking spaces are required for the ImagineU facility. Based on the site plan, ImagineU will utilize the Parking In-lieu fee program to pay in-lieu fees for the required parking, minus any parking credits established to the site. Parking In-lieu Fees shall be calculated at the time of building permit wherein the actual building size will be finalized. Parking In-lieu fees will be assessed to the building permit with the payment of the fees being paid at time of building permit issuance.
4. All fencing shall be wrought iron as identified on the site plan Exhibit "A" and shall not exceed seven feet in height.

5. That landscape and irrigation plans be submitted with the building permit, designed by a professional landscape architect. Landscape and irrigation plans shall comply with the State Model Water Efficient Landscape Ordinance by submittal of Landscape Documentation Packages and Certificates of Compliance certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by ordinance.
6. That the 25-foot riparian setback shall remain free and clear of any structures and/or equipment.
7. That all other federal and state laws and city codes and ordinances be complied with.
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. 2013-09, prior to the issuance of any building permit for this project.

**Variance No. 2013-01**

1. That the Variance shall be developed consistent with the comments and conditions of Site Plan Review No. 2012-049 and Site Plan Review No. 2012-210, incorporated herein by reference.
2. That the site be developed in substantial compliance with the site plan, floor plan, elevations, and landscape plans shown in Exhibits "A", "B", "C" and "D".
3. That Conditional Use Permit No. 2013-09 shall be approved, and that requirements of the use permit which relate to this variance shall be fulfilled. That Variance No. 2013-01 shall be null and void unless Conditional Use Permit No. 2013-01 is approved.
4. That the time limit extensions for Variance No. 2013-01 shall be tied to the time line extensions for Conditional Use Permit No. 2013-09.
5. That the 25-foot riparian setback shall remain free and clear of any structures and/or equipment.
6. That all other federal and state laws and city codes and ordinances be complied with.
7. 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 Variance No. 2013-01, prior to the issuance of any building permits for this project.

<b>APPEAL INFORMATION</b>
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According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.28.080, 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](http://www.ci.visalia.ca.us) or from the City Clerk.

**Attachments:**

- Related Plans & Policies
- Resolution No. 2013-14 (Conditional Use Permit No. 2013-09)
- Resolution No. 2013-15 (Variance No. 2013-01)
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Elevations
- Exhibit "D" – Landscape Plan
- Exhibit "E" – ImagineU Operational Statement
- Exhibit "F" – Parking Analysis dated January 4, 2013
- Exhibit "G" – Applicant's Variance Findings
- Site Plan Review Comments 2012-049 & 2012-210
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

## **RELATED PLANS AND 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)

Variance  
(Section 17.42)

**17.42.010 Variance purposes.**

The city planning commission may grant variances in order to prevent unnecessary hardships that would result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title. A practical difficulty or unnecessary hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from population densities, street locations or traffic conditions in the immediate vicinity. The power to grant variances does not extend to use regulations, because the flexibility necessary to avoid results inconsistent with the objectives of the zoning ordinance is provided by the conditional use provisions of this title. (Prior code § 7555)

**17.42.030 Variance powers of city planning commission.**

The city planning commission may grant variances to the regulations prescribed by this title with respect to fences and walls, site area, width, frontage coverage, front yard, rear yard, side yards, height of structures, distance between structures and off-street parking facilities, in accordance with the procedures prescribed in this chapter. (Prior code § 7557)

**17.42.070 Investigation and report.**

The city planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the city planning commission. (Prior code § 7561)

**17.42.080 Public hearing procedure.**

At a public hearing the city planning commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in Section 17.42.090. (Prior code § 7562)

**17.42.090 Variance action of the city planning commission.**

- A. The city planning commission may grant a variance to a regulation prescribed by this title with respect to fences and walls, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distances between structures or landscaped areas or in modified form if, on the basis of the application, the report of the city planning staff or the evidence submitted, the commission makes the following findings:
1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;
  2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;
  3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;
  4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;
  5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. The city planning commission may grant a variance to a regulation prescribed by this title with respect to off-street parking facilities, if, on the basis of the application, the report of the city planner or the evidence submitted the commission makes the findings prescribed in subsection

(A)(1) of this section and that the granting of the variance will not result in the parking of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.

- C. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe.
- D. The city planning commission may deny a variance application. (Prior code § 7563)

**17.42.110 Appeal to city council.**

- A. Within five (5) working days following the date of a decision of the city planning commission on a variance or exception application, the decision may be appealed to the city council by the applicant or any other interested party. An appeal shall be made on a form prescribed by the commission and shall be filed with the city clerk. The appeal shall specify errors or abuses of discretion by the commission, or decisions not supported by the evidence in the record.
- B. The city clerk shall give notice to the applicant and the appellant (if the applicant is not the appellant) and may give notice to any other interested party of the time when the appeal will be considered by the city council. (Prior code § 7565)

**Section 17.42.140 Revocation.**

A variance granted subject to a condition or conditions shall be revoked by the city planning commission if the condition or conditions are not complied with. (Prior code § 7568)



RESOLUTION NO. 2013-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-09, A REQUEST BY IMAGINE-U TO CONSTRUCT A NEW 15,600 SQUARE FOOT CHILDREN'S EDUCATIONAL FACILITY IN THE SERVICE COMMERCIAL (CS) ZONE. THE PROPERTY IS LOCATED AT 603 EAST OAK AVENUE (APN: 094-240-032 & 037).

**WHEREAS**, Conditional Use Permit No. 2013-09, A request by Imagine-U to construct a new 15,600 square foot children's educational facility in the Service Commercial (CS) zone. The property is located at 603 East Oak Avenue (APN: 094-240-032 & 037); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 25, 2013; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2013-09, 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 Categorical Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15332.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required 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 ImagineU project represents the City's vision of transforming a predominately-underutilized area of the community while reinforcing the City's core General Plan policies that encourage concentric growth and reinvestment in the core area. The development of a new building, along with infrastructure improvements, may help promote the area in attracting new businesses and visitors. In addition to enhancing the downtown area, the project complies with Land Use Element policy 3.5.9: *Preserve and enhance the Central Business District (CBD) (Conyer St. to Tipton and Mineral King Ave. to Murray including Locust-Court corridor to the Lincoln Oval area) as Visalia's historic medical and professional services center.* This project is an example of the City's desire to

support projects that reinvest in the downtown core as a means of creating an efficient, sustainable and desirable community.

- 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. The ImagineU project represents the City's vision of transforming a predominately-underutilized area of the community while reinforcing the City's core General Plan policies that encourage concentric growth and reinvestment in the core area. The development of a new building, along with infrastructure improvements, may help promote the area in attracting new businesses and visitors.
3. That the project is Categorical Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2013-18).

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

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2012-049 and Site Plan Review No. 2012-210, incorporated herein by reference.
2. That the site be developed in substantial compliance with the site plan, floor plan, elevations, and landscape plans shown in Exhibits "A", "B", "C" and "D".
3. Based on the Parking Analysis dated January 4, 2013 (see Exhibit "F"), 30 parking spaces are required for the ImagineU facility. Based on the site plan, ImagineU will utilize the Parking In-lieu fee program to pay in-lieu fees for the required parking, minus any parking credits established to the site. Parking In-lieu Fees shall be calculated at the time of building permit wherein the actual building size will be finalized. Parking In-lieu fees will be assessed to the building permit with the payment of the fees being paid at time of building permit issuance.
4. All fencing shall be wrought iron as identified on the site plan Exhibit "A" and shall not exceed seven feet in height.
5. That landscape and irrigation plans be submitted with the building permit, designed by a professional landscape architect. Landscape and irrigation plans shall comply with the State Model Water Efficient Landscape Ordinance by submittal of Landscape Documentation Packages and Certificates of Compliance certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by ordinance.
6. That the 25-foot riparian setback shall remain free and clear of any structures and/or equipment
7. That all other federal and state laws and city codes and ordinances be complied with.

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. 2013-09, prior to the issuance of any building permit for this project.

RESOLUTION NO. 2013-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2013-01, A REQUEST BY IMAGINE-U TO CONSTRUCT A NEW 15,600 SQUARE FOOT EDUCATIONAL FACILITY WITH REDUCED BUILDING AND LANDSCAPING SETBACK REQUIREMENTS OF DESIGN DISTRICT "E" ALONG THE FRONT AND STREET SIDE PROPERTY LINES. THE PROPERTY IS LOCATED AT 603 EAST OAK AVENUE (APN: 094-240-032 & 037).

**WHEREAS**, Variance No. 2013-01, is a request by Imagine-U to construct a new 15,600 square foot educational facility with reduced building and landscaping setback requirements of Design District "E" along the front and street-side property lines. The property is located at 603 East Oak Avenue (APN: 094-240-032 & 037); and

**WHEREAS**, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on March 25, 2013; and

**WHEREAS**, the Planning Commission of the City of Visalia finds Variance No. 2011-03, is consistent with the Section 17.42 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

**WHEREAS**, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15332.

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

1. *That strict or literal interpretation and enforcement of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.*

The proposed project is on a site that is irregularly shaped and adjacent to Mill Creek. The Downtown District to the west has developed in an urban setting with zero setbacks on street frontages. The proposed variance to setbacks would be in keeping with an urban setting and allow adequate outdoor space for exhibits and recreation areas for the children.

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property, which do not apply to other properties classified in the same zone.*

The proposed project is on a site that is irregularly shaped and adjacent to Mill Creek. The Downtown District to the west has developed in an urban setting with zero setbacks on street frontages. The proposed variance to setbacks would be in keeping with an urban setting and allow adequate outdoor space for exhibits and recreations areas for the children.

3. *That strict or literal interpretation and enforcement of the ordinance would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone*

Other properties in the immediate vicinity zoned CS, Commercial Service, have minimal or no setbacks in areas where they about a more urban or Downtown area.

4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone.*

Other properties in the immediate vicinity zoned CS, Commercial Service, have minimal or no setbacks in areas where they about a more urban or Downtown area.

5. *That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

The granting of the variance would not result in an impact to public health, safety or welfare or me materially injurious to the other properties in the area. The granting of the variance will allow more outdoor recreation areas to be dedicated to activities associated with the ImagineU museum.

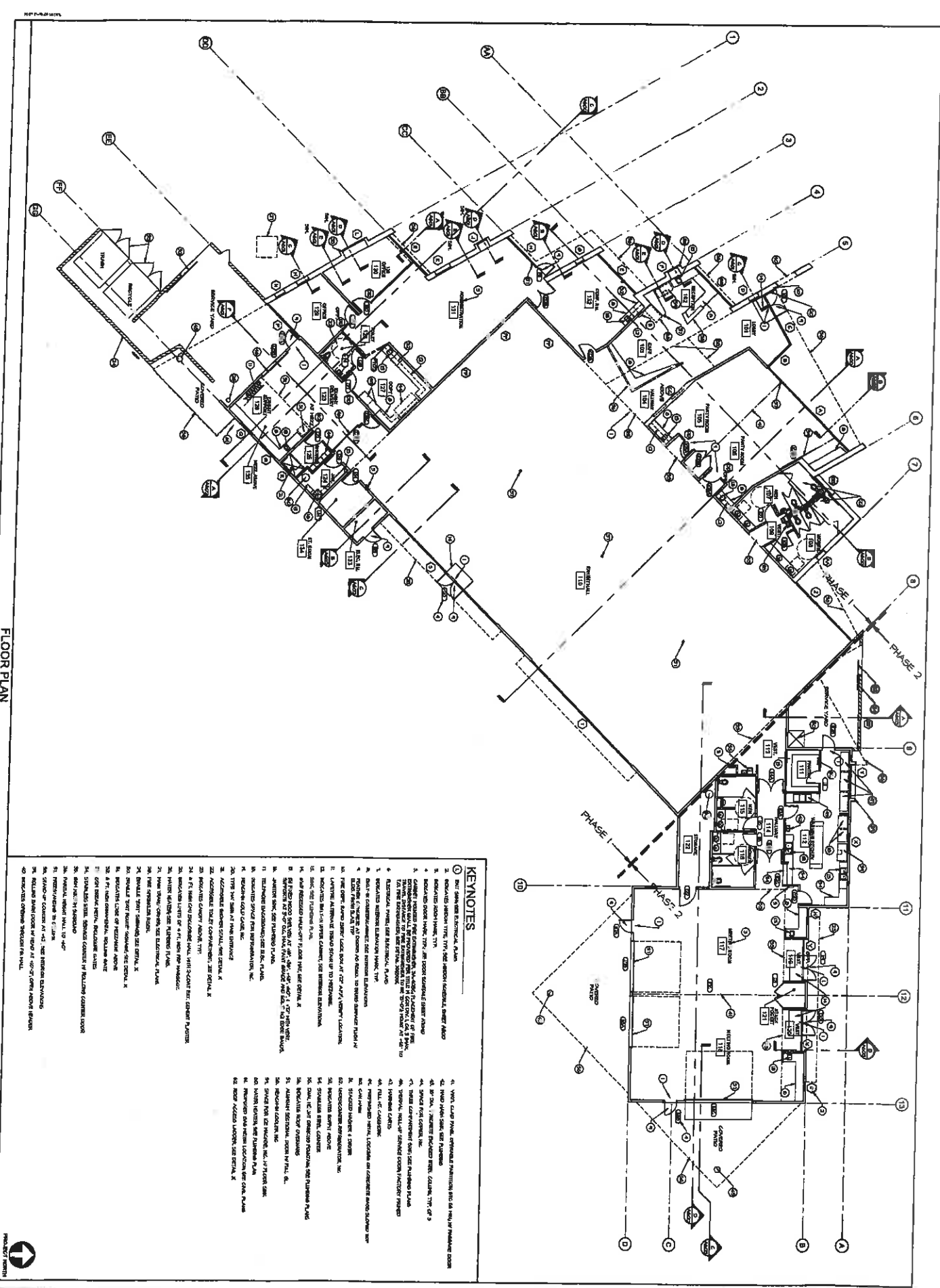
6. That the project is Categorical Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2013-18).

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves Variance No. 2013-01, as conditioned, on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.48.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the Variance shall be developed consistent with the comments and conditions of Site Plan Review No. 2012-049 and Site Plan Review No. 2012-210, incorporated herein by reference.
2. That the site be developed in substantial compliance with the site plan, floor plan, elevations, and landscape plans shown in Exhibits "A", "B", "C" and "D".
3. That Conditional Use Permit No. 2013-09 shall be approved, and that requirements of the use permit which relate to this variance shall be fulfilled. That Variance No. 2013-01 shall be null and void unless Conditional Use Permit No. 2013-01 is approved.

4. That the time limit extensions for Variance No. 2013-01 shall be tied to the time line extensions for Conditional Use Permit No. 2013-09.
5. That the 25-foot riparian setback shall remain free and clear of any structures and/or equipment
6. That all other federal and state laws and city codes and ordinances be complied with.
7. 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 Variance No. 2013-01, prior to the issuance of any building permits for this project.





FLOOR PLAN

**KEYNOTES**

1. SEE SHEET 100-1000 FOR GENERAL NOTES
2. EXISTING ROOMS TO REMAIN, UNLESS NOTED OTHERWISE
3. EXISTING ROOMS TO BE DEMOLISHED, UNLESS NOTED OTHERWISE
4. EXISTING ROOMS TO BE REFINISHED, UNLESS NOTED OTHERWISE
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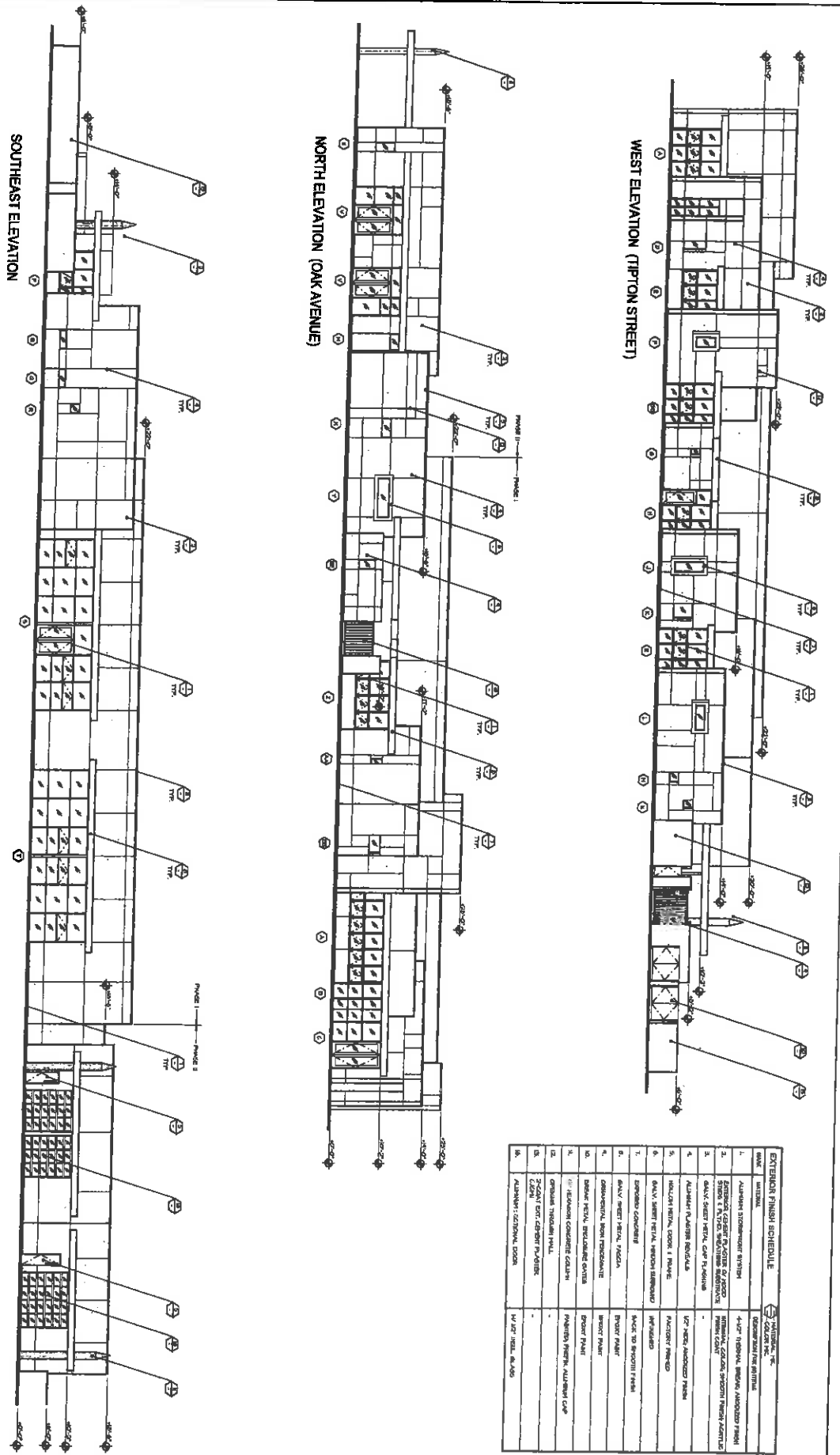
**IMAGINE U  
NEW CHILDREN'S MUSEUM**  
VIBALIA, CA  
FLOOR PLAN

NO.	DATE	DESCRIPTION

NOT FOR  
CONSTRUCTION







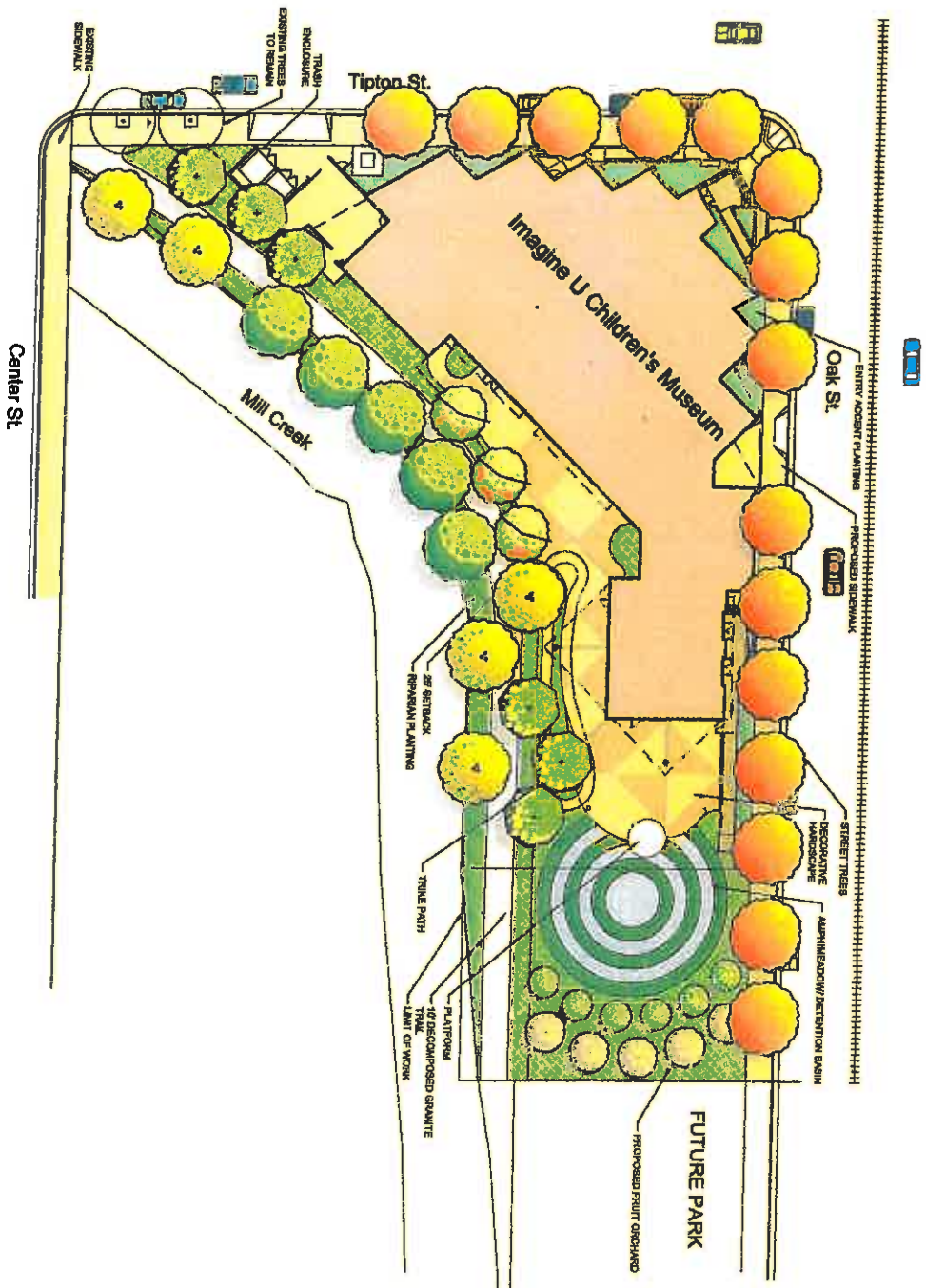
**EXTERIOR FINISH SCHEDULE**

NO.	DESCRIPTION	FINISH
1.	EXTERIOR STONEWORK SYSTEM	4-1/2" TRUSLOW SYSTEM MASONRY
2.	EXTERIOR CONCRETE FINISHES OF ROOF SLABS & WALLS INCLUDING SUBTILING	TRUSLOW SYSTEM MASONRY
3.	GLASS CURTAIN WALL SYSTEM	TRUSLOW SYSTEM MASONRY
4.	ALUMINUM FINISHES	UPPER MASONRY FINISH
5.	GLASS CURTAIN WALL SYSTEM	UPPER MASONRY FINISH
6.	GLASS CURTAIN WALL SYSTEM	UPPER MASONRY FINISH
7.	EXTERIOR CONCRETE	MADE TO SPECIFIC FINISH
8.	GLASS CURTAIN WALL SYSTEM	UPPER MASONRY FINISH
9.	CONCRETE BLOCK FINISHES	UPPER MASONRY FINISH
10.	BRICK FINISH, INCLUDING CURBS	UPPER MASONRY FINISH
11.	TRUSLOW SYSTEM MASONRY	UPPER MASONRY FINISH
12.	TRUSLOW SYSTEM MASONRY	UPPER MASONRY FINISH
13.	TRUSLOW SYSTEM MASONRY	UPPER MASONRY FINISH
14.	TRUSLOW SYSTEM MASONRY	UPPER MASONRY FINISH
15.	TRUSLOW SYSTEM MASONRY	UPPER MASONRY FINISH
16.	TRUSLOW SYSTEM MASONRY	UPPER MASONRY FINISH
17.	TRUSLOW SYSTEM MASONRY	UPPER MASONRY FINISH
18.	TRUSLOW SYSTEM MASONRY	UPPER MASONRY FINISH

EXTERIOR ELEVATIONS

Exhibit "D"

# Imagine U Children's Museum Visalia, Ca



PLANT PALETTE

Symbol: 3" - 1/2" diameter, 6" - 12" height, 20" - 30" width

Symbol	Plant Name	Quantity	Notes
1	Redwood	1	10' x 10'
2	Orange	1	10' x 10'
3	Yellow	1	10' x 10'
4	Green	1	10' x 10'
5	Blue	1	10' x 10'
6	Purple	1	10' x 10'
7	White	1	10' x 10'
8	Black	1	10' x 10'
9	Grey	1	10' x 10'
10	Light Green	1	10' x 10'
11	Light Yellow	1	10' x 10'
12	Light Orange	1	10' x 10'
13	Light Red	1	10' x 10'
14	Light Blue	1	10' x 10'
15	Light Purple	1	10' x 10'
16	Light Grey	1	10' x 10'
17	Light Black	1	10' x 10'
18	Light White	1	10' x 10'

NOTES:  
 - TOTAL LANDSCAPE AREA: 1,125 SQ. FT.  
 - TOTAL PUBLIC LANDSCAPE AREA: 1,125 SQ. FT.  
 - PLANTER AND CURB SHALL BE DESIGNED BY THE LANDSCAPE ARCHITECT.  
 - TREES SHALL BE A MINIMUM OF 1.5" CALIBER IN HEIGHT AND SHALL BE A MINIMUM OF 1" CALIBER IN Girth. OTHER SPECIFICATIONS SHALL BE AS PER THE LANDSCAPE ARCHITECT'S SPECIFICATIONS.  
 - ALL LANDSCAPE PLANTS AND MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE AND SHALL BE INSTALLED IN ACCORDANCE WITH THE LANDSCAPE ARCHITECT'S SPECIFICATIONS.  
 - THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VISALIA.

DATE: 02.14.13

Scale: 1" = 20'-0"

North Arrow

Urban Tree Foundation  
 700 E. Murray Ave.  
 Visalia, Ca 93291  
 (559) 713-0831  
 www.urbantree.org

Sheet No. LC-1  
 1 of 1

## Exhibit "E"

### ImagineU Operational Statement

#### **Narrative:**

ImagineU was established as a nonprofit organization in 2002 in Visalia, California. ImagineU operates to provide a multi-cultural learning center designed to provide scientific, artistic, cultural and musical hands-on exhibits for children and their families.

The newly designed center will be 15,500 square foot, LEED certified solar powered facility. The building and exhibits will be completed by sidewalks, lighting inside, and outside exhibits. The exhibits include Fusion Café, Grove Pick and Pack, Imagination Station Majestic Oak Tree Climber, Ready-Set- Grow, U Fix-it Garage, Outdoor Wonders Wonderful Water, and an outdoor space that can be used as an Amphimeadow for outdoor children's performances.

All exhibits are interactive. Some will totally immerse visitors in a new world: others will be engaging by inviting interaction with the body and mind to make something happen.

#### **Hours of Operation:**

Monday Closed

Tuesday – Saturday 10:00 am – 5:00 pm

Sunday: 11:00 a.m. – 5:00 p.m.

#### **Number of Employees:**

The facility currently has one full-time director and two part-time employees. It is anticipated that the future facility would have one full-time director and one full-time floor manager and five part-time employees doing maintenance and other activities.

#### **Visitors:**

Currently, the facility services approximately 12,000 visitors annually. It is anticipated that the new facility will service approximately 30,000 visitors a year, with peak hours occurring during the week between 10:00 a.m. and 2:00 p.m.

#### **Parking:**

Based on current users at the existing facility, a high percentage (50%) of visitors will utilize buses or public transportation to get to the site. A bus loading area is planned as part of the improvements. One of the reasons for the proposed location is the proximity to transit to allow the facility to serve underprivileged areas in Visalia.

A parking study was completed by Peters Engineering Group, attached. The study indicates that the parking demand for the facility would be 25-30 spaces. The study was completed before the final design and was based on a square footage of 13,000 square feet; however, demand was based on projected visitors, which remains the same.

The estimated parking demand of 25-30 spaces is consistent with other similar facilities, such as the Santa Barbara Children's Museum mentioned in the study.

ImagineU plans to utilize parking in-lieu fees to supply the required parking. Based on the parking study, it is anticipated that the peak parking demand would be less than 30 spaces. The existing commercial service site has a building that is approximately 15,400 square feet and contains 13 parking spaces. The existing parking demand for the current facility is 31 spaces based on a requirement of one space per 500 square feet for commercial service uses. Using the methodology used by the City to determine parking credits for parking in-lieu fees, the site would have a credit of 18 spaces.

If the facility provides no on-site parking, they would be required to pay in-lieu fees for 12 parking spaces. Prior to final submittal for a building permit, ImagineU may investigate the sharing of parking with adjacent uses, which would further reduce the required payment of parking in-lieu fees.

**Loading Area:**

We will request that the City designate a portion of the adjacent street on Tipton to be a loading area, which will be used for bus unloading and loading as well as a loading area for future exhibits that may be delivered.

**Special Events:**

It is anticipated that fundraising events may be held at the facility. The type and size of events is currently unknown. Any event that takes place will occur in the evening during non-facility hours. Evening events would be off-peak to other surrounding uses and not impact other businesses in the area.

Exhibit "F"



PETERS ENGINEERING GROUP  
A CALIFORNIA CORPORATION

952 POLLASKY AVENUE  
OLEVIS, CALIFORNIA 93612

PHONE (559) 299-1544  
FAX (559) 299-1722

January 4, 2013

Ms. Dariene Mata  
DR Mata Consulting  
P.O. Box 7354  
Visalia, CA 93290

Subject: InscineU Educational Facility, Visalia, California

This letter represents findings and conclusions from our analysis of parking needs for the proposed children's museum to be located in Downtown Visalia at Tipton Street and Douglas Avenue.

Based on an analysis of current and projected visitor information there are 10,150 existing visitors per year at the current 2,500-square-foot facility, located at 700 East Main Street in Visalia, California. It is anticipated that there will be approximately 30,850 visitors to the proposed 13,000-square-foot facility based on past visitor information (see attached projections). Of those visitors, 14,750 are projected to arrive by car, 12,750 by bus (including the after school program children), and approximately 3,350 walk-ins either already in the downtown area or using City transit. This results in a high percentage (50 percent) of visitors utilizing buses or public transportation to get to the site. A bus loading area is planned as part of the improvements and an after school program may be offered, with children being transferred to the facility by bus.

The facility is planned to be open 312 days per year, with an anticipated 47 visitors per day by car and 40 by bus. Based on an occupancy of two persons per vehicle and five employees, 29 trips per day are anticipated on an average day with peaks from 10:00 a.m. to 2:00 p.m. Assuming 80 percent of visitors occupy the museum at the peak period, 25 parking stalls would be required. The Institute of Transportation Engineers' (ITE) *Parking Generation Manual, 4<sup>th</sup> Edition*, indicates that the 85<sup>th</sup> percentile parking ratio for a museum is 1.79 vehicles per 1,000 square feet of building space. This results in a parking requirement of  $(13,000/1,000 \times 1.79 + 5 \text{ employees}) = 29$  stalls.

A recently approved children's museum/educational facility in Santa Barbara completed a parking study on a future 17,000-square-foot facility. The parking study determined that, similar to the Visalia facility, 50 percent of the visitors would use public transportation or buses. The parking study determined that the facility had a peak parking demand of 13 to 26 spaces during the week.

It is recommended that the proposed ImagineU children's museum provide 25 to 30 parking stalls to accommodate visitors based upon past recorded visitor data and ITE's Parking Generation Manual.

If you have any questions regarding this issue, please do not hesitate to call me. It's been a pleasure to assist you on this important project.

**PETERS ENGINEERING GROUP**

David Peters, PE, TE, PTOE  
President/Principal Engineer

**ImagineU Interactive Children's Museum  
Current & Projected Visitation**

7/19/2012

Current Annual Visitation	Car	Bus	Walk-In	
By Car	6,400			
By walk In / City Transit			100	
Camps or programs	1,150			
Field Trips (Bussed)		2500		
<b>Total</b>	<b>7,550</b>	<b>2,500</b>	<b>100</b>	<b>10,150</b>

Current Sq ft of museum - 2,500 s.f.

Future Sq ft of new museum- 13,000 s.f.

Projected Annual Visitation	Car	Bus	Walk-In	
By Car	11,000			
By walk In / City Transit			3350	
Camps or programs	3,750			
Field Trips (Bussed)		8250		
Afterschool Program (Bussed)		4500		
<b>Projected Total</b>	<b>14,750</b>	<b>12,750</b>	<b>3,350</b>	<b>30,850</b>

**Employees - Current**

Full-time	1
Part-time	2
<b>Total</b>	<b>3</b>

**Employees - Projected**

Full-time	2
Part-time	3
<b>Total</b>	<b>5</b>

\* Many visitors have mentioned that they are looking forward to being able to take the bus, once we are at our new location.

## Exhibit "G"

Applicant requests a variance to allow front and street side setbacks to be reduced to zero from the required 10 feet the Oak and Tipton Street frontages (front and street side) and allow a six foot wrought iron fence to be located on the property lines.

### CITY STANDARDS

#### 17.30.200 Development standards--Design district E.

The following development standards shall apply to property located in district E. See Chapter 17.24 for additional BRP zone design standards:

- A. Building height: sixty (60) feet maximum.
- B. Required yards:
  - 1. Front: ten feet minimum, excepting properties within the P-C-DT zone district in which case structure may be located on property line;
  - 2. Side: zero;
  - 3. Street side on corner lot: ten feet minimum, except for corner properties fronting Main Street within the P-C-DT zone;
  - 4. Side yards abutting an R-A, R-1 or R-M district: fifteen (15) feet minimum;
  - 5. Rear: zero;
  - 6. Rear yards abutting R-A, R-1 or R-M district: fifteen (15) feet minimum;

### VARIANCE FINDINGS PER APPLICATION:

- 1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;

The proposed project is on a site that it irregularly shaped and adjacent to Mill Creek. The Downtown District to the west has developed in an urban setting with zero setbacks on street frontages. The proposed variance to setbacks would be in keeping with an urban setting and allow adequate outdoor space for exhibits and recreation areas for the children.

- 2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;

The proposed project is on a site that it irregularly shaped and adjacent to Mill Creek. The Downtown District to the west has developed in an urban setting with zero setbacks on street frontages. The proposed variance to setbacks would be in



keeping with an urban setting and allow adequate outdoor space for exhibits and recreation areas for the children.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;

Other properties in the immediate vicinity zoned CS, Commercial Service, have minimal or no setbacks in areas where they abut a more urban or Downtown area.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;

Other properties in the immediate vicinity zoned CS, Commercial Service, have minimal or no setbacks in areas where they abut a more urban or Downtown area.

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The granting of the variance would not result in an impact to public health, safety or welfare or be materially injurious to other properties in the area. The granting of the variance will allow more outdoor recreation areas that can be fenced for playing children, which is safer for children.



MEETING DATE                      March 7, 2012  
SITE PLAN NO.                      12-049  
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
- |                                      |   |                                     |
|--------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Planning    | <input type="checkbox"/> Engineering          |                                     |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks and Recreation | <input type="checkbox"/> 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 type="checkbox"/> PLANNING COMMISSION   | <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*



MEETING DATE 3-7-12  
SITE PLAN NO. 12-049  
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.
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- |  |  |
|--|--|
| <input type="checkbox"/> CITY COUNCIL          | <input type="checkbox"/> REDEVELOPMENT   |
| <input type="checkbox"/> PLANNING COMMISSION   | <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.

# Building Site Plan Review Comments

ITEM NO: 5

DATE: March 07, 2012

SITE PLAN NO:

SPR12049

PROJECT TITLE:

IMAGINE U INTERACTIVE CHILDRENS MUSEUM

DESCRIPTION:

CHILDRENS MUSEUM IN 15,000 SF BUILDING ON  
39,364 SF AREA (CS ZONED)

APPLICANT:

IMAGINE U INTERACTIVE CHILDRENS MUSEUM

PROP OWNER:

VISALIA CITY OF

LOCATION:

210 N TIPTON ST

APN(S):

094-240-037

## 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.


- Submit 3 sets of engineered plans and 2 sets of calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- Meet city and state requirements for accessibility for persons with disabilities.
- Submit 3 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.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- Obtain required permits from San Joaquin Valley Air Pollution Board.
- Location of cashier must provide clear view of gas pump island
- Calculations of free-standing carport.
- Treatment connection charge to be assessed based on use. Credits FOR EXISTING USE.
- Must comply with state energy requirements.
- Plans must be approved by the Tulare County Health Department.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- Project is located in flood zone AE \*  A building permit will be required
- All accessible units required to be adaptable for the physically handicapped.
- Acceptable as submitted  Arrange for an on-site inspection.
- Hazardous materials report.  A demolition permit & deposit is required.
- 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.

G. FERRELO

Signature



- 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.
- 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: Plans are lacking in dimensions, also exiting layout looks insufficient for the use of the building. Office area has dead end corridor.

  
 Kurtis Brown, Assistant Fire Marshal

ITEM NO: 5	DATE: March 07, 2012
SITE PLAN NO: SPR12049	
PROJECT TITLE: IMAGINE U INTERACTIVE CHILDRENS MUSEUM	
DESCRIPTION: CHILDRENS MUSEUM IN 15,000 SF BUILDING ON 39,364 SF AREA (CS ZONED)	
APPLICANT: IMAGINE U INTERACTIVE CHILDRENS MUSEUM	
PROP OWNER: VISALIA CITY OF	
LOCATION: 210 N TIPTON ST	
APN(S): 094-240-037	

**City of Visalia**  
**Police Department**  
303 S. Johnson St.  
Visalia, Ca. 93292  
(559) 713-4573

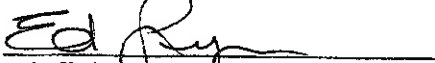
### Site Plan Review Comments

- 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:  
\_\_\_\_\_

  
\_\_\_\_\_  
Visalia Police Department





**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 5 DATE: MARCH 07, 2012

SITE PLAN NO.: 12-049  
PROJECT TITLE: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
DISCRIPTION: CHILDRENS MUSEUM IN 15,000 SF BLDG ON  
39,364 SF AREA (CS ZONED)  
APPLICANT: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
PROP OWNER: VISALIA CITY OF  
LOCATION: 210 N TIPTON ST  
APN: 094-240-037, 094-240-132

**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 10' width;  with tree wells 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 25' 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. **If necessary**
- 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:**

**Comments are for the conceptual "test fit" only of the building and exterior amenities, fees and additional comments will be made after a detailed plan has been submitted.**

- 1.) A lot adjustment may be required to remove/relocate a parcel line if the proposed building crosses the current lot line.**
- 2.) Provide cross section/topographical information detailing the ditch and the 25' setback area from top of ditch bank in relation to the proposed building and improvements. It is the intent of the City to construct a pedestrian path in this setback. Coordination between the City and the Imagine U representatives will need to take place in order to allow for a public pedestrian path, as well as accommodate the required outdoor amenities for Imagine U.**
- 3.) Any improvements within the 25' creek setback must allow for City crews to maintain the creek channel at all times, including providing for vehicular/equipment access when necessary.**
- 4.) Oak Ave will be constructed with a City improvement project (sidewalk is required by this development). As plans are developed for the museum, coordination will need to occur to ensure that, when possible, the necessary utilities are installed to the site to avoid potential street-cuts during site development.**
- 5.) Additional operational information is necessary in order for the Planning Division to calculate the required parking spaces.**
- 6.) Use and square footage of the existing building (approx. 15,400 sf) to be demolished will be credited towards impact fees due for the Imagine U project.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 12-049  
Date: 3/07/12

**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.)**

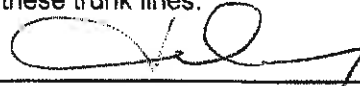
(Fee Schedule Date: )  
(Project type for fee rates: )

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.

  
\_\_\_\_\_  
Jason Huckleberry

# SITE PLAN REVIEW COMMENTS

## CITY OF VISALIA TRAFFIC SAFETY DIVISION

ITEM NO: 5  
SITE PLAN NO: SPR12049  
PROJECT TITLE: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
DESCRIPTION: CHILDRENS MUSEUM IN 15,000 SF BUILDING ON 39,364 SF AREA (CS ZONED)  
APPLICANT: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
PROP. OWNER: VISALIA CITY OF  
LOCATION: 210 N TIPTON ST  
APN(S): 094-240-037

**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:

Show location(s) of proposed unloading zones.

  
Eric Bons

# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: March 7, 2012

SITE PLAN NO: 12-049  
PROJECT TITLE: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
DESCRIPTION: CHILDRENS MUSEUM IN 15,000 SF BUILDING ON 39,364 SF AREA (CS ZONED)  
APPLICANT TITLE: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
PROP. OWNER: CITY OF VISALIA  
LOCATION TITLE: 620 E MAIN ST  
APN TITLE: 094-231-007

General Plan: CS – Service Commercial  
Existing Zoning: CS – Service Commercial

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Building Permits
- Conditional Use Permit & Variance Applications

## **PROJECT SPECIFIC INFORMATION: 03/07/2012**

1. A CUP is required for this facility. In addition, property is located in Design District "E" which requires landscaping setbacks. The building is proposed with zero lot lines which is similar to other buildings located in the downtown district.
2. Given the conceptual nature of the site plan, staffs comments will reflect items that need to be addressed with the next site plan submittal. A more defined site plan that includes building square footages for office space, conference rooms, display areas, bathrooms, etc., will give staff the opportunity to craft comments and conditions that are more comprehensive to the overall development plan, including an accurate assessment of impact fees for development and parking in-lieu.
3. Provide a detailed parking analysis and/or operational plan that illustrates information regarding actual parking needs based on the daily use of the operation. Staff will analyze this information to determine parking demand for the children's museum.
4. Given that the site is located within Parking District "A", parking in-lieu fees can be paid to offset the parking demand for this facility. Provide parking analysis for this use as stated in comment no. 3 above.
5. Provide the existing building square footage. The prior use of the building was an automobile repair shop. Parking requirements for automobile repair are calculated at one parking space per 400 square feet.
6. Per a site visit conducted by staff, a total of 18 parking spaces are provided on-site. A parking credit "may" or "may not" be established once parking totals are provided on the site plan. Upon initial review of this site plan review item, parking credits cannot be demonstrated and/or calculated at this time.
7. Staff recommends any fencing proposed around the children's museum be wrought iron.
8. The riparian setback along Mill Creek is 25-feet from top of bank. This setback is required and matches the setback for the proposed Civic Center Park located directly to the east of this site. No structures are allowed to encroach into this area.

9. Include a meandering walkway in the 25-foot riparian setback area. Landscaping in the riparian area shall be planted with native species.
10. Any disturbance to the Mill Creek channel may require additional permits issued through other state agencies.
11. Providing a lighting plan and depict location of all exterior lighting. Outdoor public areas should incorporate "bollard" lighting (i.e., plaza area, along pedestrian paths).
12. Identify the main entrance into this facility.
13. Landscaping plans shall note tree and plant species. A landscape plan shall be submitted with any discretionary entitlement application.
14. Identify if hardscape features (i.e., concrete seating) is provided in the outdoor amphitheater area.

**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:**

	<b>Building</b>	<b>Landscaping</b>
➤ 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 "A": [Zoning Ordinance Section 17.30.019A Article 2]**

1. No parking is being provided on-site. Parking requirements established for this use may pay parking in-lieu fees to offset their on-site parking requirements.
2. The current parking in-lieu fee rate per space is **\$3,824.86** / per parking stall. (Fee increased annually see City of Visalia Development Fee Schedule)

**San Joaquin Valley Air Pollution Control District (SJVAPCD)**

Please note that the project is subject to SJVAPCD Rule 9510. The applicant is encouraged to do early indirect source modeling consultation with the Air District (please see [http://www.aqmd.gov/rules/proposed/2301/sjvapcd\\_rule9510.pdf](http://www.aqmd.gov/rules/proposed/2301/sjvapcd_rule9510.pdf)).

**Parking:**

1. City's standards require parking at one (1) parking stall for every 30 sq. ft. of floor area for the main assembly area.
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot. (See 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. (See **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. (See **Zoning Ordinance Section 17.34.030.F**)
7. Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents. (See **Zoning Ordinance Section 17.34.030.J**)
8. Provide off-street loading facility. (See **Zoning Ordinance Section 17.34.070 & 17.34.080**)
9. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.

#### **Fencing and Screening:**

1. Provide screening for roof mounted equipment. (See **Zoning Ordinance Section 17.30.130.F**)
2. Provide screened trash enclosure with solid screening gates. (See **Zoning Ordinance Section 17.30.130.F**)
3. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material. (See **Zoning Ordinance Section 17.30.130.F**)
4. Outdoor retail sales prohibited.
5. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
6. All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights. (See **Zoning Ordinance Section 17.30.130.F**)
7. 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.
8. 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. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size. (See **Zoning Ordinance Section 17.30.130.C**)
2. All landscape areas to be protected with 6-inch concrete curbs. (See **Zoning Ordinance Section 17.30.130.F**)
3. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
4. Provide a detailed landscape and irrigation plan as a part of the building permit package. (See **Zoning Ordinance Section 17.34.040**)
5. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls. (See **Zoning Ordinance Section 17.30.130.C**)
6. 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.
7. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).


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.

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.

**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.**

Signature  \_\_\_\_\_





MEETING DATE 10/17/2012  
SITE PLAN NO. 12-210  
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
- |                                      |   |   |
|--------------------------------------|---|---|
| <input type="checkbox"/> Planning    | <input type="checkbox"/> Engineering          | <input type="checkbox"/> prior to resubmittal plans for Site Plan Review. |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks and Recreation | <input type="checkbox"/> 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 type="checkbox"/> PLANNING COMMISSION   | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER _____     |

**ADDITIONAL COMMENTS** Parking analysis required prior to Conditional Use Permit submittal.

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

*Site Plan Review Committee*





# SITE PLAN REVIEW COMMENTS

**Paul Bernal, Planning Division (559) 713-4025**

Date: October 17, 2012

SITE PLAN NO: 12-210  
PROJECT TITLE: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
DESCRIPTION: CHILDRENS MUSEUM IN 15,000 SF BUILDING ON 39,364 SF AREA (CS ZONED)  
APPLICANT TITLE: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
PROP. OWNER: CITY OF VISALIA  
LOCATION TITLE: 620 E MAIN ST  
APN TITLE: 094-240-032 & 094-240-037

General Plan: CS – Service Commercial  
Existing Zoning: CS – Service Commercial

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Building Permits
- Conditional Use Permit for "Other Recreational Facilities" in C-S
- Variance to Building/Landscaping Setbacks

## **PROJECT SPECIFIC INFORMATION: 03/07/2012**

1. Comply with comments for Site Plan Review No. 2012-049 which were issued March 7, 2012. Staff supports the proposed Children's Museum, however, the following items need to be resolved prior to entitlement application submittal.
2. Provide a detailed parking analysis and/or operational plan that illustrates information regarding actual parking needs based on the daily use of the operation. Staff will analyze this information to determine parking demand for the children's museum.
3. Based on information provided in the parking analysis, staff may identify "Parking In-lieu" fees that will be accessed against this project.
4. Staff recommends bus loading/unloading zones be identified. If off-sites are to be used by the Children's Museum, identify parking lots that will be used for bus parking.
5. Given that the site is located within Parking District "A", parking in-lieu fees can be paid to offset the parking demand for this facility. Provide parking analysis for this use as stated in comment number 3 above.
6. Per a site visit conducted by staff, a total of 18 parking spaces are provided on-site. A parking credit "may" or "may not" be established once parking totals are provided on the site plan. Upon initial review of this site plan review item, parking credits cannot be demonstrated and/or calculated at this time.
7. Staff recommends any fencing proposed around the children's museum be wrought iron.
8. The riparian setback along Mill Creek is 25-feet from top of bank. This setback is required and matches the setback for the proposed Civic Center Park located directly to the east of this site. No structures are allowed to encroach into this area.
9. Include a meandering walkway in the 25-foot riparian setback area. Landscaping in the riparian area shall be plated with native species.
10. Any disturbance to the Mill Creek channel may require additional permits issued through other state agencies.

7. Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents. **(See Zoning Ordinance Section 17.34.030.J)**
8. Provide off-street loading facility. **(See Zoning Ordinance Section 17.34.070 & 17.34.080)**
9. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.

**Fencing and Screening:**

1. Provide screening for roof mounted equipment. **(See Zoning Ordinance Section 17.30.130.F)**
2. Provide screened trash enclosure with solid screening gates. **(See Zoning Ordinance Section 17.30.130.F)**
3. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material. **(See Zoning Ordinance Section 17.30.130.F)**
4. Outdoor retail sales prohibited.
5. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
6. All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights. **(See Zoning Ordinance Section 17.30.130.F)**
7. 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.
8. 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. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size. **(See Zoning Ordinance Section 17.30.130.C)**
2. All landscape areas to be protected with 6-inch concrete curbs. **(See Zoning Ordinance Section 17.30.130.F)**
3. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
4. Provide a detailed landscape and irrigation plan as a part of the building permit package. **(See Zoning Ordinance Section 17.34.040)**
5. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls. **(See Zoning Ordinance Section 17.30.130.C)**
6. 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.
7. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).

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)

# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: March 7, 2012

SITE PLAN NO: 12-049  
PROJECT TITLE: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
DESCRIPTION: CHILDRENS MUSEUM IN 15,000 SF BUILDING ON 39,364 SF AREA (CS ZONED)  
APPLICANT TITLE: IMAGINE U INTERACTIVE CHILDRENS MUSEUM  
PROP. OWNER: CITY OF VISALIA  
LOCATION TITLE: 620 E MAIN ST  
APN TITLE: 094-231-007

General Plan: CS – Service Commercial  
Existing Zoning: CS – Service Commercial

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## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Building Permits
- Conditional Use Permit & Variance Applications

## **PROJECT SPECIFIC INFORMATION: 03/07/2012**

1. A CUP is required for this facility. In addition, property is located in Design District "E" which requires landscaping setbacks. The building is proposed with zero lot lines which is similar to other buildings located in the downtown district.
2. Given the conceptual nature of the site plan, staffs comments will reflect items that need to be addressed with the next site plan submittal. A more defined site plan that includes building square footages for office space, conference rooms, display areas, bathrooms, etc., will give staff the opportunity to craft comments and conditions that are more comprehensive to the overall development plan, including an accurate assessment of impact fees for development and parking in-lieu.
3. Provide a detailed parking analysis and/or operational plan that illustrates information regarding actual parking needs based on the daily use of the operation. Staff will analyze this information to determine parking demand for the children's museum.
4. Given that the site is located within Parking District "A", parking in-lieu fees can be paid to offset the parking demand for this facility. Provide parking analysis for this use as stated in comment no. 3 above.
5. Provide the existing building square footage. The prior use of the building was an automobile repair shop. Parking requirements for automobile repair are calculated at one parking space per 400 square feet.
6. Per a site visit conducted by staff, a total of 18 parking spaces are provided on-site. A parking credit "may" or "may not" be established once parking totals are provided on the site plan. Upon initial review of this site plan review item, parking credits cannot be demonstrated and/or calculated at this time.
7. Staff recommends any fencing proposed around the children's museum be wrought iron.
8. The riparian setback along Mill Creek is 25-feet from top of bank. This setback is required and matches the setback for the proposed Civic Center Park located directly to the east of this site. No structures are allowed to encroach into this area.

4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls. (See **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. (See **Zoning Ordinance Section 17.34.030.F**)
7. Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents. (See **Zoning Ordinance Section 17.34.030.J**)
8. Provide off-street loading facility. (See **Zoning Ordinance Section 17.34.070 & 17.34.080**)
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#### **Fencing and Screening:**

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3. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material. (See **Zoning Ordinance Section 17.30.130.F**)
4. Outdoor retail sales prohibited.
5. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
6. All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights. (See **Zoning Ordinance Section 17.30.130.F**)
7. 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.
8. 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. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size. (See **Zoning Ordinance Section 17.30.130.C**)
2. All landscape areas to be protected with 6-inch concrete curbs. (See **Zoning Ordinance Section 17.30.130.F**)
3. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
4. Provide a detailed landscape and irrigation plan as a part of the building permit package. (See **Zoning Ordinance Section 17.34.040**)
5. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls. (See **Zoning Ordinance Section 17.30.130.C**)
6. 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.
7. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).

**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 2	DATE: OCTOBER 17, 2012
SITE PLAN NO.:	12-210
PROJECT TITLE:	IMAGINE U CHILDRENS MUSEUM
DISCRIPTION:	SINGLE STORY CHILDRENS MUSEUM IN 15,300 SF BLDG ON 39,364 SF AREA (CS ZONED)
APPLICANT:	IMAGINE U INTERACTIVE CHILDRENS MUSEUM
PROP OWNER:	VISALIA CITY OF
LOCATION:	603 E OAK AVE
APN:	094-240-032 094-240-037

**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: 10' width;  with tree wells 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:

**8.) Install trees in tree wells along Oak & Tipton Street.**



QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS

ITEM NO: 2                      DATE: October 17, 2012  
SITE PLAN NO:                SPR12210  
PROJECT TITLE:                IMAGINE U CHILDRENS MUSEUM  
DESCRIPTION:                 SINGLE STORY CHILDRENS MUSEUM IN 15,300 SF  
    BUILDING ON 39,364 SF AREA (CS ZONED)  
APPLICANT:                    IMAGINE U CHILDRENS MUSEUM  
PROP OWNER:                 VISALIA CITY OF  
LOCATION:                        603 E OAK AVE  
APN(S):                         094-240-037 094-240-032

YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT \_\_\_\_\_
- GREASE INTERCEPTOR \_\_\_\_\_ min. 1000 GAL
- GARBAGE GRINDER – ¾ HP. MAXIMUM \_\_\_\_\_
- SUBMISSION OF A DRY PROCESS DECLARATION \_\_\_\_\_
- NO SINGLE PASS COOLING WATER IS PERMITTED \_\_\_\_\_
- OTHER \_\_\_\_\_
- SITE PLAN REVIEWED – NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA  
PUBLIC WORKS DEPARTMENT  
QUALITY ASSURANCE DIVISION  
7579 AVENUE 288  
VISALIA, CA 93277

*[Signature]*  
AUTHORIZED SIGNATURE

10-12-12  
DATE

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

October 17, 2012

ITEM NO: 2  
SITE PLAN NO: SPR12210  
PROJECT TITLE: IMAGINE U CHILDRENS MUSEUM  
DESCRIPTION: SINGLE STORY CHILDRENS MUSEUM IN 15,300 SF BUILDING ON 39,364 SF AREA (CS ZONED)  
APPLICANT: IMAGINE U CHILDRENS MUSEUM  
PROP. OWNER: VISALIA CITY OF  
LOCATION: 603 E OAK AVE  
APN(S): 094-240-032 094-240-037

**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:

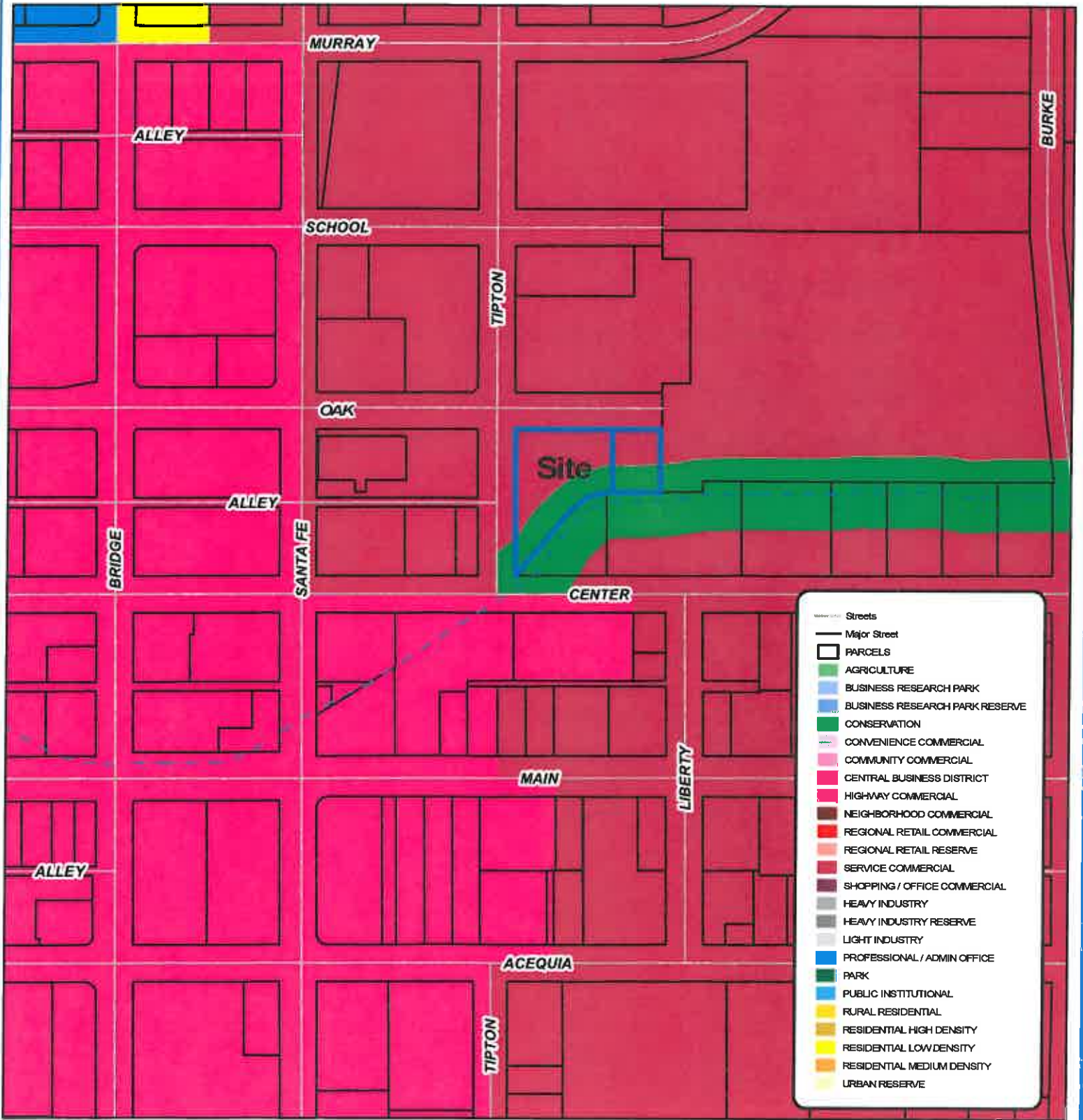
Where is the parking for this building? Address where loading/unloading areas are proposed for buses and automobiles.

Parking on Oak Avenue will be restricted due to the presence of the active railroad tracks and may be subject to other restrictions as directed by the railroad.

Show the location of the proposed tree planting within the public right of way.

  
Eric Bons

**Conditional Use Permit No. 2013-09 & Variance No. 2013-01**  
**APN: 094-240-032 & 037**

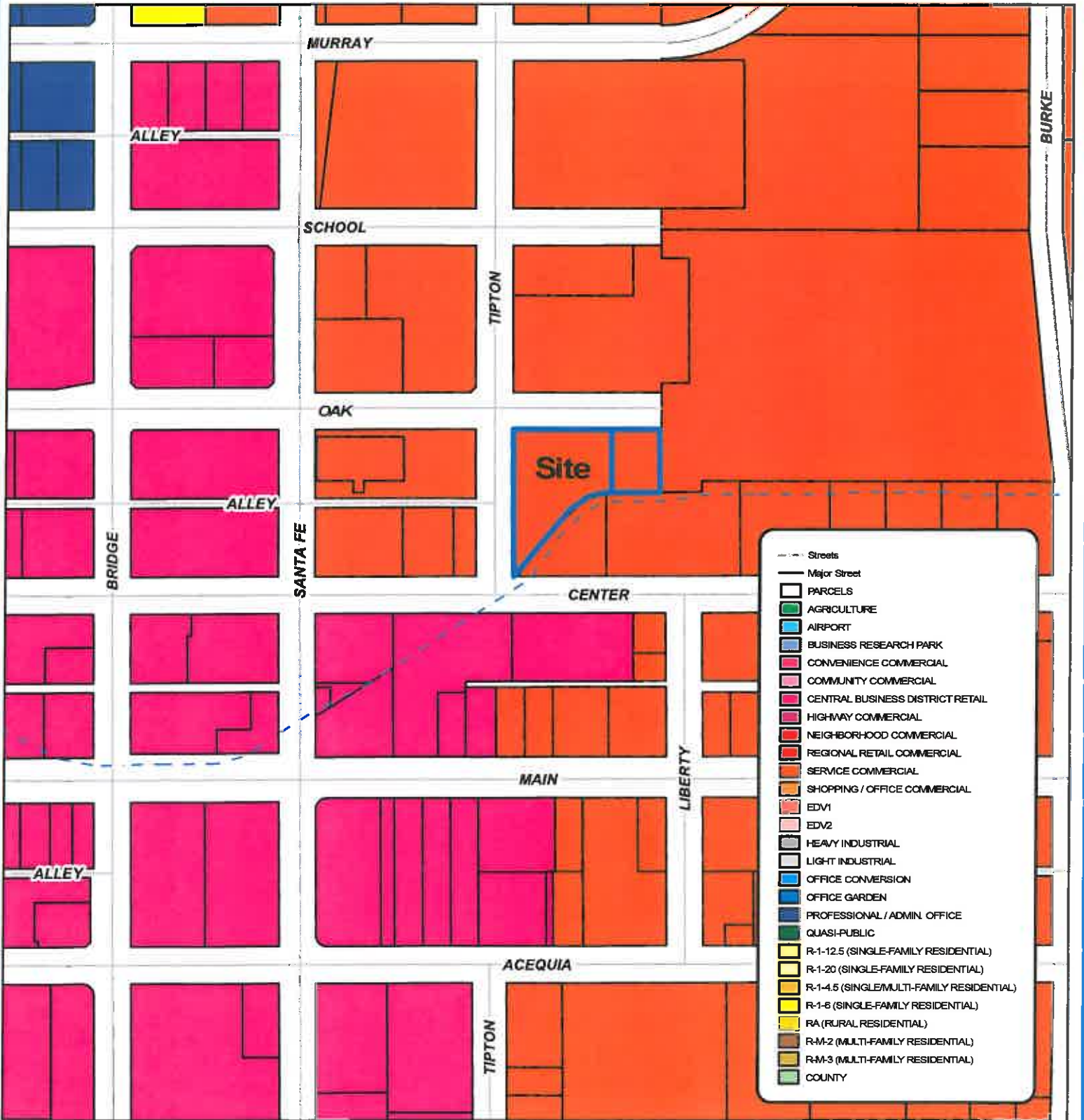


**General Plan Land Use Map**

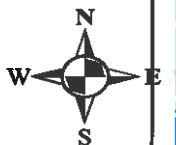


# Conditional Use Permit No. 2013-09 & Variance No. 2013-01

## APN: 094-240-032 & 037



# Zoning Map



# Conditional Use Permit No. 2013-09 & Variance No. 2013-01

APN: 094-240-032 & 037



## Vicinity Map





# Conditional Use Permit No. 2013-09 & Variance No. 2013-01

APN: 094-240-032 & 037



## Aerial Map

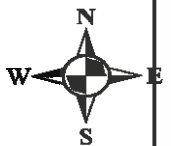




**Conditional Use Permit No. 2013-09 & Variance No. 2013-01**  
**APN: 094-240-032 & 037**



**Aerial Map**





# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** March 25, 2013

**PROJECT PLANNER:** Alyssa Netto, Assistant Planner  
(559) 713-4256

**SUBJECT:** Conditional Use Permit No. 2013-11: A request by Tracy Byerlee to establish a salon in 819 square feet of an existing 6,650 square foot building in the P-A (Professional/Administrative Office) zone. The site is located at 1640 W Mineral King Avenue (Suite 104), near Mineral King Avenue and Central Street. (APN: 093-292-011)

## STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2013-11 based upon the findings and conditions in Resolution No. 2013-16. 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. 2013-11 based on the findings and conditions in Resolution No. 2013-16.

## PROJECT DESCRIPTION

Conditional Use Permit (CUP) No. 2013-11, is a request to legally establish a beauty salon within an existing 819 square foot tenant space located at the Mineral King Professional Office building complex (see Exhibit "A"). The Floor Plan provided by the applicant in Exhibit "B" shows that the facility will have a small reception area, a restroom, and one hair stylist station.

The facility will only be used by one hair stylist and her established clientele. The Operational Statement provided by the applicant in Exhibit "C" explains that she is an independent hair stylist who operates by appointment-only. She intends to work four days per week (Tuesday, Wednesday, Friday, and Saturday) and no more than six hours per day. She expects one client per hour for approximately six customers each day.

## BACKGROUND INFORMATION

General Plan Land Use Designation:	Planned Professional / Administrative Office
Zoning:	P-A (Professional / Administrative Office)
Surrounding Land Use and Zoning:	North: R-1-6 (Single-Family Residential) / Burrell Avenue, single-family residences
	South: R-1-6 (Single-Family Residential) / Noble Ave, single-family residences
	East: P-A (Professional / Administrative Office) / Office building
	West: P-A (Professional / Administrative Office) / Office building
Environmental Review:	Categorical Exemption No. 2013-20



Special Districts: Design District "C"  
Site Plan Review: No. 2012-079

### **RELATED PROJECTS**

Conditional Use Permit No. 2012-22 was approved by Planning Commission on June 11, 2012 (per Resolution No. 2012-42). The project was a request to establish a hair and nail salon in a 420 square foot tenant space in the P-A (Professional / Administrative Office) zone. The site is located at 1640 West Mineral King Avenue, within the same office building as CUP 2013-11 (APN: 093-292-011).

### **RELATED PLANS AND POLICIES**

Please see attached summary of related plans and policies.

## **PROJECT EVALUATION**

Staff recommends approval of the Conditional Use Permit No. 2013-11, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

### **Land Use Compatibility**

The Visalia Zoning Matrix identifies Barbers/Hairstylists as a conditional use in the P-A zone and requires the approval of a CUP application by the Planning Commission. Through the CUP process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing uses in the area. Staff has concluded that the proposed salon will not have a negative impact on surrounding uses given the fact that ample on-site parking is provided, the sites proximity to the major street and other commercial/office uses that are located adjacent to the property.

As mentioned in the "Related Projects" section, the Planning Commission approved a conditional use permit in June 2012 for a hair and nail salon of similar nature within the same office building complex. The hair salon operates in similar intensity as the proposed project—with one hair stylist on-site who operates only through appointments. Due to the very low-intensity nature of these hair salons, staff finds them to be compatible uses in the office-oriented PA zone.

### **Parking**

The City of Visalia Zoning Ordinance (Section 17.34.020.F.9 of the Municipal Code) requires that barber shops/beauty salons provide two parking spaces per each barber or beautician, with a minimum of four spaces. The Zoning Ordinance also requires general offices provide parking at one parking space for each 250 square feet of floor area and medical offices provide one parking space for each 200 square feet of floor area. The office development has various general and/or medical office uses, and provides a total of 34 parking spaces.

Based on the applicant's operational statement, staff requests that the Planning Commission require only two parking spaces for this use rather than the minimum of four that is required per the Zoning Ordinance. Staff's justification for this request is based on the applicant's operating hours which identify that she is the only stylist on-site during their hours of operation and that the site will operate only four days per week. Staff has included the condition that the applicant complies with her operational statement to ensure that operational hours remain consistent as stated. Significant changes to operational hours and/or intensifying this business through the addition of another chair or work station will require further discretionary review.

## Environmental Review

The requested action is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-20).

### **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 similar in nature and intensity to other surrounding businesses in the area. The project site has adequate ingress and egress and parking for the salon.
  - 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. The proposed use is similar in nature and intensity to other surrounding businesses in the area. The project site has adequate ingress and egress and parking for the proposed salon.
3. That two stalls will provide adequate parking as inferred from the nature and intensity of the salon that is described in the operational statement in Exhibit "C". The minimum four stall requirement is not needed because the operational profile provided by the applicant limits number of people on site.
4. That the project is considered Categorically Exempt under Section 15303 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-20)

### **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. 2011-135.
2. That the use be operated in substantial compliance with the site plan shown in Exhibit "A", Floor Plan shown in Exhibit "B" and the Operational Statement in Exhibit "C", including the hours of operation.
3. That the business is limited to one hair stylist chair/work station.
4. That all applicable federal, state and city laws, codes and ordinances be met.
5. 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. 2013-11.

### **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](http://www.ci.visalia.ca.us) or from the City Clerk.

**Attachments:**

- Summary of Related Plans and Policies
- Resolution No. 2013-16
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Operational Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo

## **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. 2013-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-11, A REQUEST BY TRACY BYERLEE TO ESTABLISH A SALON IN 819 SQUARE FEET OF AN EXISTING 6,650 SQUARE FOOT BUILDING IN THE P-A (PROFESSIONAL/ADMINISTRATIVE OFFICE) ZONE. THE SITE IS LOCATED AT 1640 WEST MINERAL KING AVENUE, SUITE 104. (APN: 093-292-011)

**WHEREAS**, Conditional Use Permit No. 2012-22, is a request by Tracy Byerlee to establish a salon in 819 square feet of an existing 6,650 square foot building in the P-A (Professional/Administrative Office) zone. The site is located at 1640 W Mineral King Avenue (Suite 104), near Mineral King Avenue and Central Street. (APN: 093-292-011)

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 25, 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 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 similar in nature and intensity to other surrounding businesses in the area. The project site has adequate ingress and egress and parking for the salon.
  - 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. The proposed use is similar in nature and intensity to other surrounding businesses in the area. The project site has adequate ingress and egress and parking for the proposed salon.

3. That two stalls will provide adequate parking as inferred from the nature and intensity of the salon that is described in the operational statement in Exhibit "C". The minimum four stall requirement is not needed because the operational profile provided by the applicant limits number of people on site.
4. That the project is considered Categorical Exempt under Section 15303 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-20)

**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 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. 2011-135.
2. That the use be operated in substantial compliance with the site plan shown in Exhibit "A", Floor Plan shown in Exhibit "B" and the Operational Statement in Exhibit "C", including the hours of operation.
3. That the business is limited to one hair stylist chair/work station.
4. That all applicable federal, state and city laws, codes and ordinances be met.
5. 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. 2013-11.



Google earth

feet  
meters

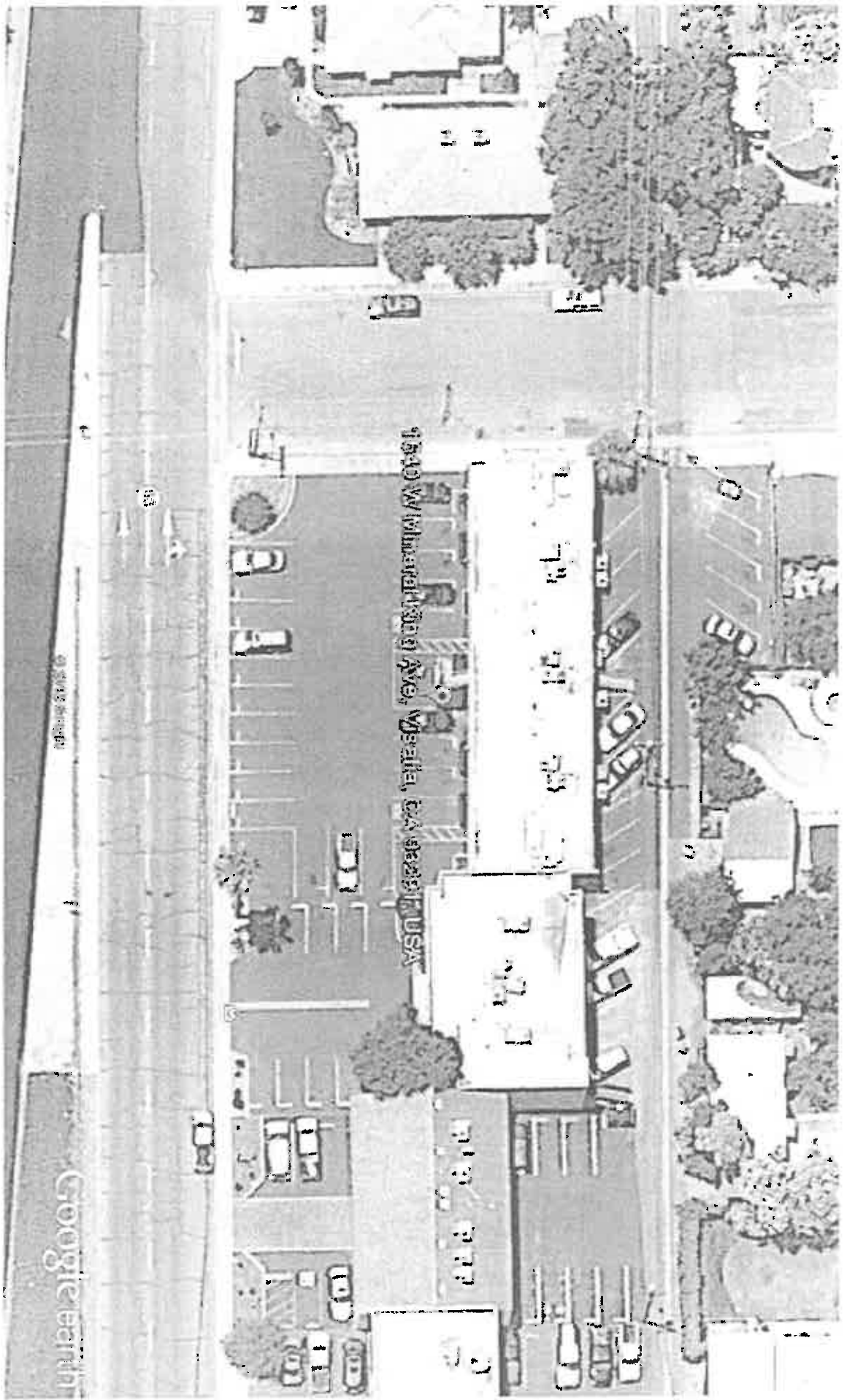


Exhibit "A"

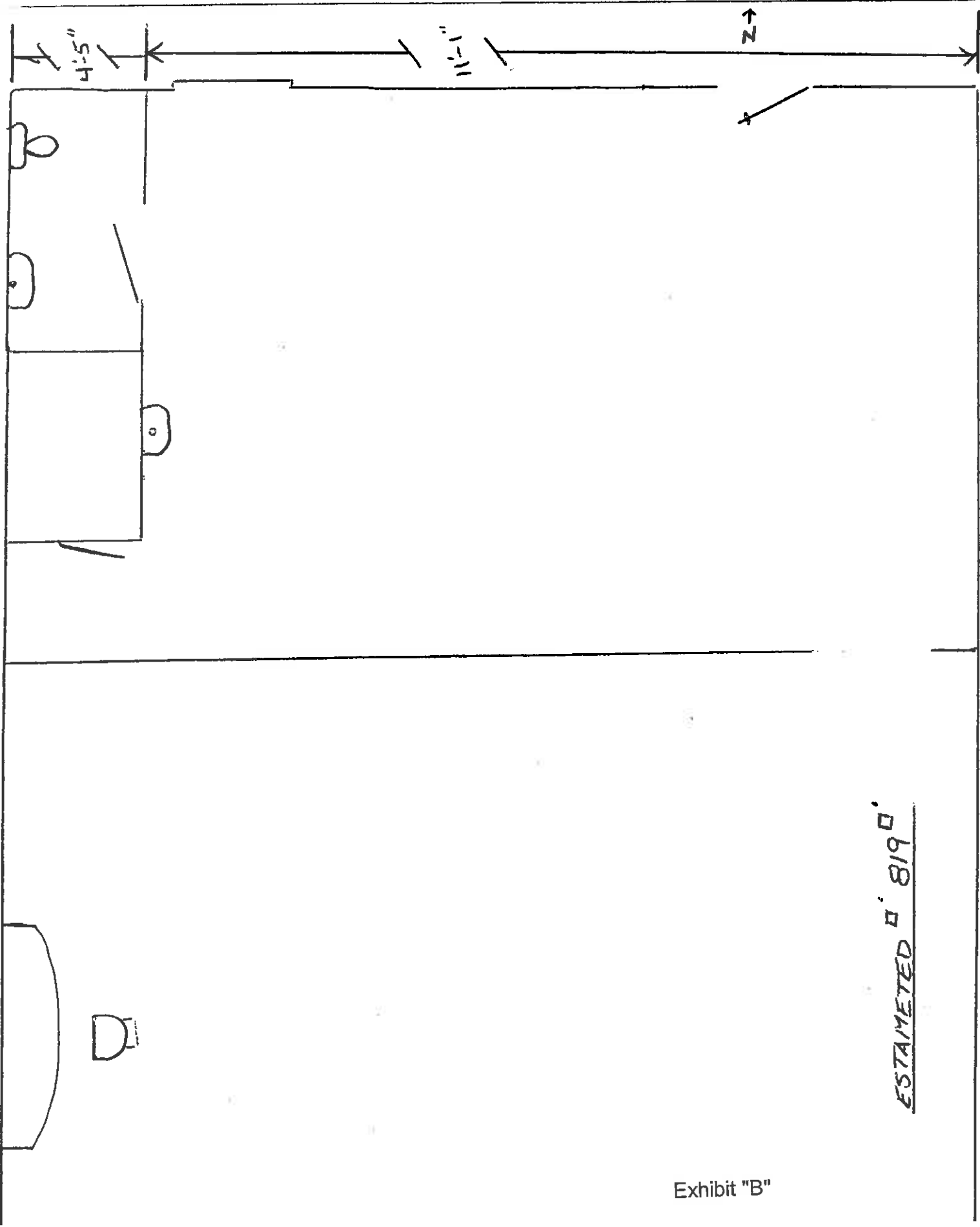
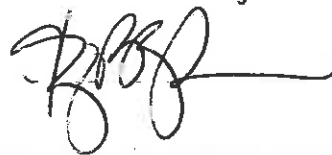


Exhibit "B"

I am an independent hair-dresser of 20 years and have an established clientele. I do not accept walk-ins, my business is run by appointment only. I work with one client per hour on average. I have no one else that works with me. There is always ample parking. My hours of operation are Tuesday, Wednesday, Friday, Saturday, averaging about six hours per day/evening.



MEETING DATE 4-11-12  
SITE PLAN NO. 12-079  
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 <i>CUP</i> | <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

Paul Bernal, Planning Division (559) 713-4025

Date: April 11, 2012

SITE PLAN NO: 12-079  
PROJECT TITLE: STUDIO ONE  
DESCRIPTION: HAIR DRESSING IN 6650 SF BUILDING ON 16,235 SF AREA (PA ZONED)  
APPLICANT TITLE: BYERLEE TRACY  
PROP. OWNER: H & E DEVELOPMENT LLC  
LOCATION TITLE: 1640 W MINERAL KING AVE  
APN TITLE: 093-292-011

General Plan: PAO – Professional / Admin. Office  
Existing Zoning: PA – Professional / Admin. Office

---

## **Planning Division Recommendation:**

- Revise and Proceed  
 Resubmit

## **Project Requirements**

- Building Permits
- Minor Conditional Use Permit for a beautician/salon

## **PROJECT SPECIFIC INFORMATION: 04/11/2012**

1. A minor Conditional Use Permit is required for the salon.
2. Submit a detailed floor plan depicting how the interior space is used. Identify the hair cutting station and any hair washing sinks located in the business.
3. Provide an operational statement with the Conditional Use Permit application. The CUP will be conditioned to comply with the operational statement. Any additional hair cutting stations may require Site Plan Review and amending the Conditional Use Permit.

## **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.

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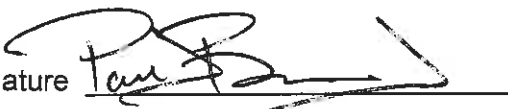
## **Parking:**

1. Parking shall be provided at two parking spaces per station. Based on the floor plan and operational statement, only two parking spaces are required (see Zoning Ordinance Section 17.34.020).

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.

**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.**

Signature



# Building Site Plan Review Comments

ITEM NO: 1

DATE: April 2012

SITE PLAN NO:

SPR12079

PROJECT TITLE:

STUDIO ONE

DESCRIPTION:

HAIR DRESSING IN 6650 SF BUILDING ON 16,235 SF AREA (PA ZONED)

APPLICANT:

BYERLEE TRACY

PROP OWNER:

H & E DEVELOPMENT LLC

LOCATION:

1640 W MINERAL KING AVE

APN(S):

093-292-011

## 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.

- Submit 3 sets of engineered plans and 2 sets of calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- Meet State and Federal requirements for accessibility for persons with disabilities.
- Submit 3 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.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- Obtain required permits from San Joaquin Valley Air Pollution Board.
- Location of cashier must provide clear view of gas pump island
- Calculations of free-standing carport.
- Treatment connection charge to be assessed based on use. Credits \_\_\_\_\_
- Must comply with state energy requirements.
- Plans must be approved by the Tulare County Health Department.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- Project is located in flood zone \_\_\_\_\_ \*  A building permit will be required *Plumbing*
- All accessible units required to be adaptable for the physically handicapped.
- Acceptable as submitted  Arrange for an on-site inspection.
- Hazardous materials report.  A demolition permit & deposit is required.
- 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.

~~Possible permit~~  
Plumbing permit for sink

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: 1

DATE: April 11, 2012

SITE PLAN NO:

SPR12079

PROJECT TITLE:

STUDIO ONE

DESCRIPTION:

HAIR DRESSING IN 6650 SF BUILDING ON 16,235 SF AREA (PA ZONED)

APPLICANT:

BYERLEE TRACY

PROP OWNER:

H & E DEVELOPMENT LLC

LOCATION:

1640 W MINERAL KING AVE

APN(S):

093-292-011

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.
- X A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office.
- 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



**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 1 DATE: APRIL 11, 2012

SITE PLAN NO.: 12-079  
PROJECT TITLE: STUDIO ONE  
DISCRIPTION: HAIR DRESSING IN 6650 SF BLDG ON 16,235 SF  
AREA (PA ZONED)  
APPLICANT: BYERLEE TRACY  
PROP OWNER: H & E DEVELOPMENT LLC  
LOCATION: 1640 W MINERAL KING AVE  
APN: 093-292-011

**SITE PLAN REVIEW COMMENTS**

REQUIREMENTS (indicated by checked boxes)

Install curb return with ramp, with \_\_\_\_\_ radius;

Install curb;  gutter

Drive approach size:  Use radius return;

Sidewalk: \_\_\_\_\_ width;  \_\_\_\_\_ parkway width at

Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.

Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.

Right-of-way dedication required. A title report is required for verification of ownership.

Deed required prior to issuing building permit;

City Encroachment Permit Required.

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:



**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 12-079  
Date: 4/11/12

**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.)**

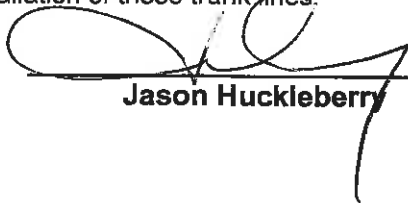
(Fee Schedule Date: )  
(Project type for fee rates: )

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.

  
\_\_\_\_\_  
Jason Huckleberry

ITEM NO: 1

DATE: April 11, 2012

SITE PLAN NO:

SPR12079

PROJECT TITLE:

STUDIO ONE

DESCRIPTION:

HAIR DRESSING IN 6650 SF BUILDING ON 16,235 SF AREA (PA ZONED)

APPLICANT:

BYERLEE TRACY

PROP OWNER:

H & E DEVELOPMENT LLC

LOCATION:

1640 W MINERAL KING AVE

APN(S):

093-292-011

# 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:

\_\_\_\_\_  
Visalia Police Department

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

SITE PLAN NO: SPR12079  
PROJECT TITLE: STUDIO ONE  
DESCRIPTION: HAIR DRESSING IN 6650 SF BUILDING ON 16,235 SF  
AREA (PA ZONED)  
APPLICANT: BYERLEE TRACY  
PROP OWNER: H & E DEVELOPMENT LLC  
LOCATION: 1640 W MINERAL KING AVE  
APN(S): 093-292-011

**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 rear must have a clearance of 3 feet from any wall 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 BIN SERVICE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION


**ITEM NO: 1**

SITE PLAN NO: SPR12079  
PROJECT TITLE: STUDIO ONE  
DESCRIPTION: HAIR DRESSING IN 6650 SF BUILDING ON 16,235 SF AREA (PA ZONED)  
APPLICANT: BYERLEE TRACY  
PROP. OWNER: H & E DEVELOPMENT LLC  
LOCATION: 1640 W MINERAL KING AVE  
APN(S): 093-292-011

**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.
- 

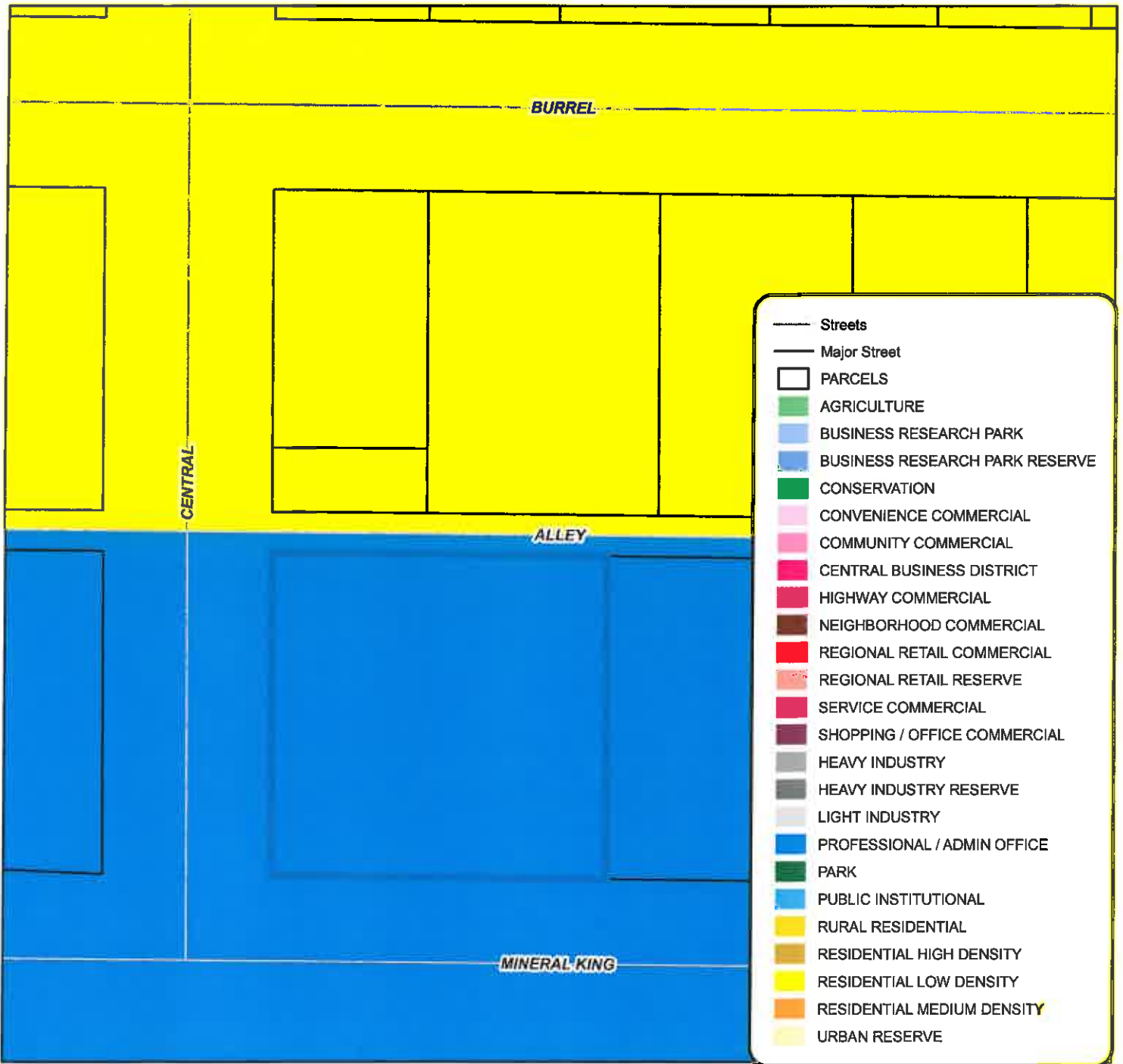
**Additional Comments:**



Eric Bons



# General Plan Land Use Map

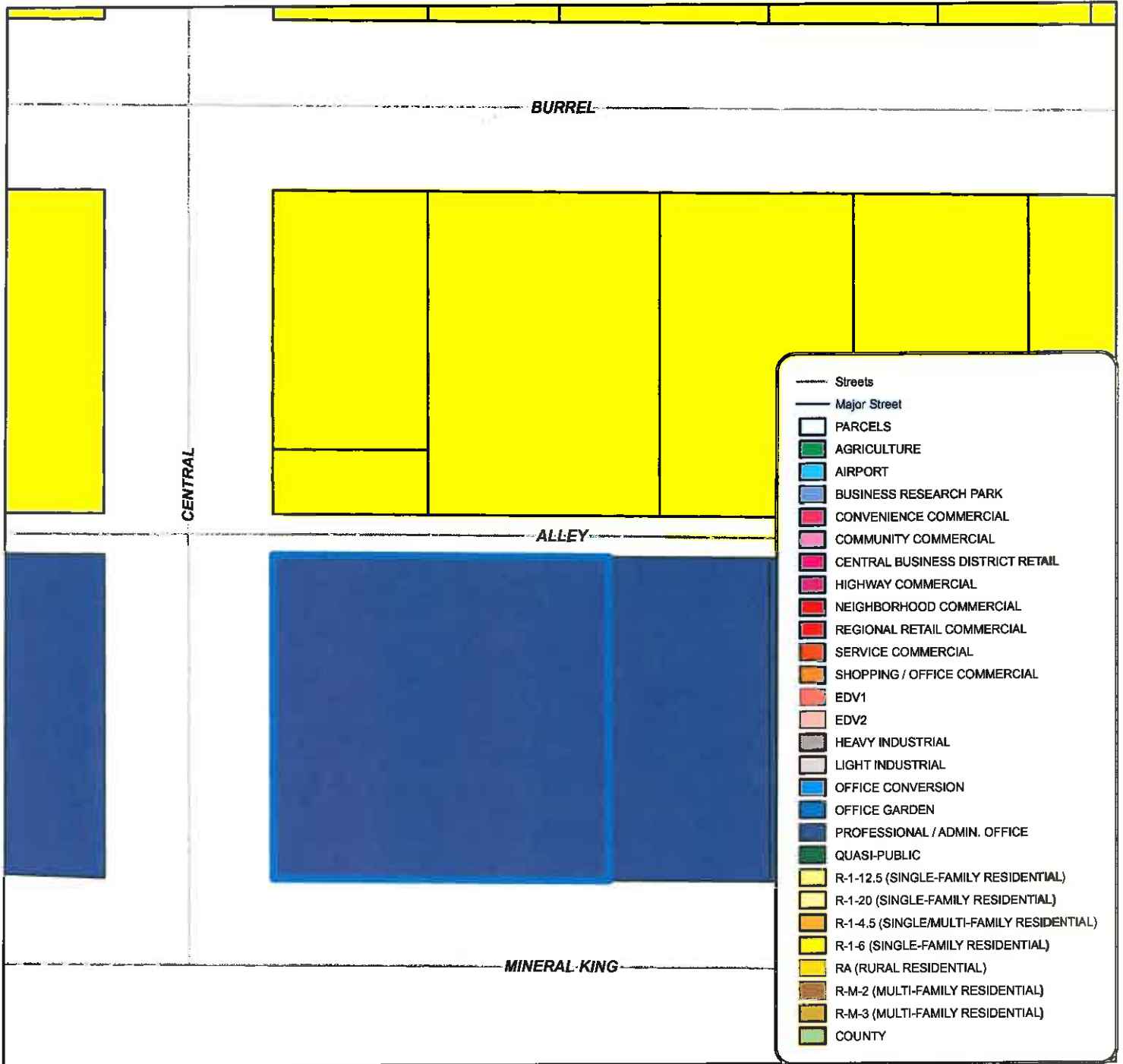


## Conditional Use Permit No. 2013-11

APN: 093-292-011

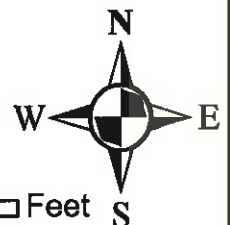


# Zoning Map



## Conditional Use Permit No. 2013-11

APN: 093-292-011

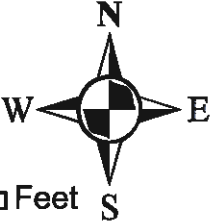


# Aerial Photo



**Conditional Use  
Permit No. 2013-11**

**APN: 093-292-011**





## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** April 23, 2012

**PROJECT PLANNER:** Andrew Chamberlain, Senior Planner  
Phone No.: (559) 713-4003

**SUBJECT:** Conditional Use Permit No. 2013-10: A request by Victory Outreach to amend Conditional Use Permit No. 2012-13 to establish a phased development plan for the previously approved 200-seat church facility in the Commercial Shopping Office (CSO) zone, located at 421 N. Johnson Street (APN: 093-177-007, 006)

### STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2013-10 based upon the findings and conditions in Resolution No. 2013-12. 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. 2013-10 based on the findings and conditions in Resolution No. 2013-12.

### PROJECT DESCRIPTION

The requested action is to phase the church project which the Planning Commission approved as Conditional Use Permit No. 2012-13 on April 23, 2012. The staff report from CUP 2012-13 is attached for reference purposes.

The proposed phasing would result in the following:

Phase One – Sanctuary and office construction along with 84 parking stalls. The installation of the perimeter landscaping along all street frontages with required dedications and sidewalk improvements would be done with this phase.

Phase Two – The 7,800 sq. ft. classroom conversion at the rear (south side) of the building. At the time of this permit, consideration would be given to additional parking which could result in the expansion of the formal parking area to the west.

Phase Three – The construction of approximately 6,775 sq. ft. of Administrative office on the front (north side) of the building, consideration would be given to additional parking which could result in the expansion of the formal parking area to the west.

This is further detailed in the exhibit discussions below.

Exhibit "A" illustrates the applicant's desire to start with the east side of the site. The building improvements would include the primary area of the building for the sanctuary and related uses. The front expansion towards Murray Avenue would be done as a part of proposed Phase Three. Phase One parking would consist of 84 parking stalls. The parking along the north side of the building (parking row shown as spaces 25 through 39) would be stripped with no landscape islands required with Phase One. This area would be reconfigured in Phase Two at which time the landscape islands would be required. All of the landscaping and landscape islands per City

requirements would be required along the perimeter of the improved parking area with Phase One, including the parking adjacent to the building on the west side.

Exhibit "B" illustrates Proposed Phases Two and Three. This would reconfigure the parking area on the north side of the building and convert the "Covered Parking" area on the south side of the building into classrooms. Staff has included conditions that would allow the Phase Two and Three improvements to be integrated/segregated into other permitting phases with approval of the Site Plan Review Committee for compliance with this use permit, codes and ordinances. This provides some flexibility for the timing of the identified improvements for Phase Two and Three without amending the conditions of this use permit unless otherwise determined through the Site Plan Review process. Additional parking improvements will be required with these phases as the use of the site intensifies.

## **BACKGROUND INFORMATION**

General Plan Land Use Designation:	Commercial Shopping Office
Zoning:	CSO (Commercial Shopping Office)
Surrounding Land Uses and Zoning:	North: CSO/R-M-3 / Apartments & Retail South: CSO/PA / Service Commercial East: CDT / Retail & Service Commercial West: CSO / Service Commercial
Environmental Review:	Categorical Exemption No. 2013-21
Special Districts:	Design District "E"
Site Plan:	2011-115 & 2012-167

### **RELATED PLANS & POLICIES**

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

### **RELATED PROJECTS**

The Planning Commission approved Conditional Use Permit No. 2012-13 on April 23, 2012 permitting the establishment of the church facility.

Code Compliance Actions: The site has been the subject of the following code compliance activities.

September 17, 2012 – Code Compliance noted the building was being used as an office without any permits. A "Cease and Desist" order was sent on September 19, 2012 asking that the building not be used prior to any permitting, construction and final or approval of the Chief Building Official.

December 19, 2012 – Code Compliance received notice that it appeared that church services were being held at the building on December 19<sup>th</sup>.

January 2, 2013 – Code Compliance sent a Notice and Order requiring that the owners schedule an inspection with Code Enforcement to assure that work had not been done without permits.



January 10, 2013 – the city met with representatives of Victory Outreach to let them know that the building/site could not be used without all of the appropriate permits, inspections and finals.

January 13, 2013 – Code Compliance verified/witnessed the use of the site and building for what appeared to be church services.

February 3, 2013 – The Fire Department found services being held in the building and required an immediate cease and desist, and evacuated the building.

February 8, 2013 – The Fire and Building Departments conducted an inspection of the building and found that significant construction had occurred on the inside including stages, walls, rooms, and sleeping quarters with resident(s). The amount of unpermitted work resulted in an “unsafe to occupy” building, wherein the City of Visalia locked the site to prevent access.

Subsequent to these actions, the project applicant filed the subject CUP amendment request, offered herein for Planning Commission review.

## PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2013-10, as conditioned, based on the project’s consistency with the General Plan and the Zoning Ordinance.

### Land Use Compatibility

The proposed phasing of the improvements will not change the land use compatibility of the church at this site. Churches are a conditional use in the Commercial Shopping Office zone.

### Parking

The Phase One improvements will provide 84 on-site parking stalls which would accommodate the Phase One use of the building for a sanctuary. The church is limited to a maximum of 200 persons in the sanctuary per service. The code requires one stall per every 30 sq. ft. (231 parking stalls) or one stall per every four fixed seats (50 parking stalls) for this use.

Staff has determined the proposed 84 stalls would meet the parking demand for sanctuary use, but may not be adequate for the related ancillary uses such as the added classrooms in Phase Two/Three and large fellowship gatherings. Due to the fluid nature of parking demands for these types of facilities, staff will work with the applicants to provide the maximum use of the facility with the available parking.

Staff has included a condition that Phase One shall only allow the use of the sanctuary for regular services and the church office for routine office uses. No other activities such as classrooms, training, or large fellowship gatherings, which cannot be accommodated by the existing parking, shall be allowed without the addition of parking to accommodate said activities which may have been permitted with the original use permit. The addition of parking on the “Future” portion of the site with Site Plan Review and City standards shall not require an amendment to this use permit unless otherwise determined at the time by the Site Plan



Review process per City codes and ordinances. This provides the applicant flexibility in prioritizing their activities and expanding the parking to accommodate the activity. This would not prohibit children's daycare and basic Sunday School activities in conjunction with the regular services as long as the parking can be accommodated on-site. This would also allow typical church events such as weddings and baptisms.

### **Conditions of Approval**

Staff has prepared an extensive list of conditions for the phased development of the site. This is to help clarify some of the more significant requirements for the applicant. The conditions of approval for CUP No. 2012-13 have been included along with the original site plan, floor plan, and operational statement.

### **Environmental Review**

The requested action is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-21).

## **RECOMMENDED FINDINGS**

1. That the proposed project phasing 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 that parcels APN 093-177-007 and 093-177-006 are considered the "subject site" for the purposes of meeting the requirements of Conditional Use Permit No. 2013-10.
4. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-21).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. That Phase One shall only allow the use of the sanctuary for regular services and the church office for routine office uses. No other activities such as classrooms, training, or large fellowship gatherings, which cannot be accommodated by the existing parking, shall be allowed without the addition of parking to accommodate said activities which may have been permitted with the original use permit. The addition of parking on the "Future" portion of the site with Site Plan Review and City standards shall not require an amendment to this use permit unless otherwise determined at the time by the Site Plan Review process per City codes and ordinances. Staff will work with the church to allow the maximum use of the facility with the available parking, such as Sunday School and daycare during the services. The church would be able to use the sanctuary for fellowship and related uses (weddings, baptisms) which can be accommodated by the available parking.

2. Prior to Phase One occupancy, relocate/remove fencing from the required setbacks along the street frontages and remove any barbed/razor type wire.
3. Relocation of fences requires a building permit, which may be incorporated into other on-site permits. All gates are to be shown on plans, recessed behind the required setback, and meet Engineering requirements for stacking and function.
4. Show pedestrian gates if the site is fenced. An ADA compliant path of travel from the Johnson Street and Murray Avenue public sidewalks to the building shall be denoted on the plan, approved by the Community Development Department and constructed prior to Phase One occupancy.
5. Prior to Phase One Occupancy, install landscaping improvements in the right-of-way islands (six-foot sidewalk, four-foot parkway standard) and required on-site setbacks along the entire frontage of Johnson Street, Murray Avenue and School Avenue, to include all street trees, landscape trees, shrubs and ground covers. (10-foot landscape setbacks are required along Murray Street, School Street and 15-foot Johnson Avenue). The required five-foot wide landscape strip along the west property line may be deferred to a future Phase as may be required by Site Plan Review)
6. Prior to Phase One occupancy, install landscape islands in the parking lot. A minimum 80 sq. ft. landscape well is required every 10 parking stalls, excepting stalls 25 through 39 wherein the islands may be painted until phase two, or any other significant site improvement after five years from the issuance of permits for the Phase One site improvements.
7. Required landscape islands may not have the fire hydrant and related FDC/PIV located in them unless the island has been expanded to accommodate the equipment and the required tree and landscaping.
8. Trees are required in all landscape wells, light poles must be located so as to not interfere with tree planting.
9. Prior to Phase One occupancy, the parking along the west side of Phase One will need to be improved to meet City standards for landscape islands and the required setbacks for landscaping, fences, and gates.
10. Landscape and irrigation plans are required with the building permit for the site improvements. The plans are required to be prepared by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.
11. Prior to Phase One Occupancy, on-site lighting shall be depicted on the site improvement plans, installed, and approved by the Community Development Department.
12. No persons are allowed to sleep overnight or live at the site.
13. The sanctuary and related facilities may not be used for any church or related business purposes until such time as the Phase One site and building improvements have been finalized and a certificate of occupancy issued.
14. The unimproved areas west of the Phase One parking lot shall not be used for the purpose of outdoor storage, parking and/or any other activity unless otherwise approved by the City Planner in writing. This includes the areas noted for future development on the site plan. The unimproved areas of the site shall be blocked off to vehicular access.
15. Comply with all Conditions of Project Approval for CUP No. 2012-13.



16. There shall be no storage of church materials during construction on the site or in the building unless approved in writing by the City Planner, Building Official and Fire Marshal.
17. Maximum seating in the sanctuary is 200 seats.
18. The operational statement included in CUP No. 2012-13 shall apply.
19. No work shall be allowed on-site until the CUP is approved, and subsequently, building permits are issued.
20. Meet Community Noise Standards – The residential areas directly north of the site are considered a “Noise Sensitive Land Use”.
21. Prior to Phase One occupancy, provide five feet of dedication on Murray Avenue, unless otherwise determined in writing by the City Engineer.
22. Prior to Phase One occupancy, the applicant shall dedicate property sufficient to accommodate a City standard 20’ radius return at the Murray/Johnson and Johnson/School corners.
23. Prior to Phase One occupancy, install sidewalk along entire frontage on Murray, Johnson, and School including the ADA compliant ramps at corners Per SPR No’s 2011-115 and 2012-167.
24. Prior to Phase One occupancy, the applicant shall install drive approaches on Murray, School and Johnson streets that are a minimum 30 feet wide with 20-foot radius returns.
25. The site shall be upgraded to full ADA compliance.
26. All gates shall be a minimum of 25 feet behind the property line, and shall not be installed so as to allow them to swing into the 25 feet.
27. Submit civil improvement plans prepared by a licensed engineer at the time of the building permit.
28. All signs shall be required to obtain a sign permit.
29. Prior to Phase One occupancy, the parking lot shall be designed and constructed to City standards.
30. Building shall comply with A-3 occupancy requirements.
31. Install Knox Box at all gates as required by the Fire Marshal with Phase One.
32. Prior to Phase One occupancy, the applicant shall install an automatic fire sprinkler system will be required for this building. The Fire Hydrant, fire department connection (FDC) and the PIV valve should be located together and a minimum of 25 feet from the building.
33. Prior to Phase One occupancy, a refuse enclosure with gates to R-3 or R-4 standards shall be installed in a manner and location determined to be acceptable to the Community Development Department. A concrete slab per City requirements is required in front of the enclosure, to be striped “No Parking”. Only City refuse containers are allowed to be kept in the enclosure.
34. The building plans shall be prepared by a licensed architect or engineer.
35. The identified actions for Phases Two and Three May be integrated/segregated into other permitting phases with approval of the Site Plan Review Committee for compliance with this use permit, codes and ordinances.
36. Significant changes to the operational statement, or proposed use of the site will require an amendment to this use permit. The development of the “future” areas on the west side of the

site will require Site Plan Review and any discretionary actions as determined through the Site Plan process.

37. The area identified as "Covered Parking" along the south side (rear) of the building shall not be used for any purpose unless approved through the Site Plan Review process and any related discretionary actions which may be identified as part of the Site Plan process.
38. The applicant shall 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. 2013-10.
39. Failure to abide by the Conditions of Approval set forth in this CUP shall constitute grounds for revocation of the CUP.

**Existing Conditions of Approval for CUP No. 2012-13** *(Still applicable through this amendment, provided here for reference purposes)*

1. That the site be developed in substantial compliance with the comments from the approved Site Plan Review No. 2011-115.
2. That the requested use be operated and maintained in substantial compliance with the site plan attached as Exhibit "A" and the floor plan attached as Exhibit "B".
3. That the facility be operated in compliance with the operational statement in Exhibit "C", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That the site may not be used for any church purposes prior to the installation of the improvements required by this conditional use permit.
5. That that the "sanctuary" and "fellowship" areas may not be used for services or similar high occupancy uses at the same time, which would result in exceeding the parking demand established for the sanctuary.
6. That the maximum seating for the sanctuary, including the choir and pulpit areas, shall not exceed 200 seats.
7. That the existing fencing around the north, east and south sides of the site be removed prior to any occupancy or final for the site or sanctuary.
8. That the landscaping and parking be developed for the entire site as shown in Exhibit "A" prior to, or in conjunction with, any occupancy or final for the site or sanctuary. This includes the 10-foot landscape setback on the "Future" portion along the School Avenue frontage.
9. That the tree wells, landscape diamonds and angle pop-outs into the parking lot be planted with trees and that any light standards or similar infrastructure be located so as to not prevent the planting of trees in the landscape tree wells.
10. That the on-site gates remain open during any use of the site for the church or related activities.
11. That landscape and irrigation plans be submitted as a part of the building permit package.
12. That all other Federal, State, Regional, and City codes and ordinances be met.
13. 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. 2012-13.

## 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](http://www.ci.visalia.ca.us) or from the city clerk.

### Attachments:

- Related Plans & Policies
- Resolution 2013-12
- Exhibit "A" – Site Plan – Phase One
- Exhibit "B" – Site Plan – Phase Two/Three
- Exhibit "C" – Original Operation Statement 2012
- Exhibit "D" – Site Plan (full page) 2013
- Exhibit "E" – Original Site Plan 2012
- Exhibit "F" – Original Floor Plan 2012
- Site Plan Review No. 2011-115 Comments
- Site Plan Review No. 2012-167 Comments
- Staff Report CUP No. 2012-13
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

## **Related Plans & Policies**

### **Conditional Use Permits - (Excerpts from 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)

#### **17.38.030 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.

**17.38.080 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. 2013-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-10, A REQUEST BY VICTORY OUTREACH TO AMEND CONDITIONAL USE PERMIT NO. 2012-13 TO ESTABLISH A PHASED DEVELOPMENT PLAN FOR THE PREVIOUSLY APPROVED 200-SEAT CHURCH FACILITY IN THE COMMERCIAL SHOPPING OFFICE (CSO) ZONE, LOCATED AT 421 N. JOHNSON STREET (APN: 093-177-007, 006)

**WHEREAS**, Conditional Use Permit No. 2013-10 is a request by Victory Outreach to amend Conditional Use Permit No. 2012-13 to establish a phased development plan for the previously approved 200-seat church facility in the Commercial Shopping Office (CSO) zone, located at 421 N. Johnson Street (APN: 093-177-007, 006); and

**WHEREAS**, after published notice, a public hearing was held before the Planning Commission on March 25, 2013; 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 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 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 phasing 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 that parcels APN 093-177-007 and 093-177-006 are considered the "subject site" for the purposes of meeting the requirements of Conditional Use Permit No. 2013-10.
4. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-21).

**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 and 17.40 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That Phase One shall only allow the use of the sanctuary for regular services and the church office for routine office uses. No other activities such as classrooms, training, or large fellowship gatherings, which cannot be accommodated by the existing parking, shall be allowed without the addition of parking to accommodate said activities which may have been permitted with the original use permit. The addition of parking on the "Future" portion of the site with Site Plan Review and City standards shall not require an amendment to this use permit unless otherwise determined at the time by the Site Plan Review process per City codes and ordinances. Staff will work with the church to allow the maximum use of the facility with the available parking, such as Sunday School and daycare during the services. The church would be able to use the sanctuary for fellowship and related uses (weddings, baptisms) which can be accommodated by the available parking.
2. Prior to Phase One occupancy, relocate/remove fencing from the required setbacks along the street frontages and remove any barbed/razor type wire.
3. Relocation of fences requires a building permit, which may be incorporated into other on-site permits. All gates are to be shown on plans, recessed behind the required setback, and meet Engineering requirements for stacking and function.
4. Show pedestrian gates if the site is fenced. An ADA compliant path of travel from the Johnson Street and Murray Avenue public sidewalks to the building shall be denoted on the plan, approved by the Community Development Department and constructed prior to Phase One occupancy.
5. Prior to Phase One Occupancy, install landscaping improvements in the right-of-way islands (six-foot sidewalk, four-foot parkway standard) and required on-site setbacks along the entire frontage of Johnson Street, Murray Avenue and School Avenue, to include all street trees, landscape trees, shrubs and ground covers. (10-foot landscape setbacks are required along Murray Street, School Street and 15-foot Johnson Avenue). The required five-foot wide landscape strip along the west property line may be deferred to a future Phase as may be required by Site Plan Review)
6. Prior to Phase One occupancy, install landscape islands in the parking lot. A minimum 80 sq. ft. landscape well is required every 10 parking stalls, excepting stalls 25 through 39 wherein the islands may be painted until phase two, or any other significant site improvement after five years from the issuance of permits for the Phase One site improvements.

7. Required landscape islands may not have the fire hydrant and related FDC/PIV located in them unless the island has been expanded to accommodate the equipment and the required tree and landscaping.
8. Trees are required in all landscape wells, light poles must be located so as to not interfere with tree planting.
9. Prior to Phase One occupancy, the parking along the west side of Phase One will need to be improved to meet City standards for landscape islands and the required setbacks for landscaping, fences, and gates.
10. Landscape and irrigation plans are required with the building permit for the site improvements. The plans are required to be prepared by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.
11. Prior to Phase One Occupancy, on-site lighting shall be depicted on the site improvement plans, installed, and approved by the Community Development Department.
12. No persons are allowed to sleep overnight or live at the site.
13. The sanctuary and related facilities may not be used for any church or related business purposes until such time as the Phase One site and building improvements have been finalized and a certificate of occupancy issued.
14. The unimproved areas west of the Phase One parking lot shall not be used for the purpose of outdoor storage, parking and/or any other activity unless otherwise approved by the City Planner in writing. This includes the areas noted for future development on the site plan. The unimproved areas of the site shall be blocked off to vehicular access.
15. Comply with all Conditions of Project Approval for CUP No. 2012-13.
16. There shall be no storage of church materials during construction on the site or in the building unless approved in writing by the City Planner, Building Official and Fire Marshal.
17. Maximum seating in the sanctuary is 200 seats.
18. The operational statement included in CUP No. 2012-13 shall apply.
19. No work shall be allowed on-site until the CUP is approved, and subsequently, building permits are issued.
20. Meet Community Noise Standards – The residential areas directly north of the site are considered a "Noise Sensitive Land Use".
21. Prior to Phase One occupancy, provide five feet of dedication on Murray Avenue, unless otherwise determined in writing by the City Engineer.
22. Prior to Phase One occupancy, the applicant shall dedicate property sufficient to accommodate a City standard 20' radius return at the Murray/Johnson and Johnson/School corners.
23. Prior to Phase One occupancy, install sidewalk along entire frontage on Murray, Johnson, and School including the ADA compliant ramps at corners Per SPR No's 2011-115 and 2012-167.
24. Prior to Phase One occupancy, the applicant shall install drive approaches on Murray, School and Johnson streets that are a minimum 30 feet wide with 20-foot radius returns.
25. The site shall be upgraded to full ADA compliance.



26. All gates shall be a minimum of 25 feet behind the property line, and shall not be installed so as to allow them to swing into the 25 feet.
27. Submit civil improvement plans prepared by a licensed engineer at the time of the building permit.
28. All signs shall be required to obtain a sign permit.
29. Prior to Phase One occupancy, the parking lot shall be designed and constructed to City standards.
30. Building shall comply with A-3 occupancy requirements.
31. Install Knox Box at all gates as required by the Fire Marshal with Phase One.
32. Prior to Phase One occupancy, the applicant shall install an automatic fire sprinkler system will be required for this building. The Fire Hydrant, fire department connection (FDC) and the PIV valve should be located together and a minimum of 25 feet from the building.
33. Prior to Phase One occupancy, a refuse enclosure with gates to R-3 or R-4 standards shall be installed in a manner and location determined to be acceptable to the Community Development Department. A concrete slab per City requirements is required in front of the enclosure, to be striped "No Parking". Only City refuse containers are allowed to be kept in the enclosure.
34. The building plans shall be prepared by a licensed architect or engineer.
35. The identified actions for Phases Two and Three May be integrated/segregated into other permitting phases with approval of the Site Plan Review Committee for compliance with this use permit, codes and ordinances.
36. Significant changes to the operational statement, or proposed use of the site will require an amendment to this use permit. The development of the "future" areas on the west side of the site will require Site Plan Review and any discretionary actions as determined through the Site Plan process.
37. The area identified as "Covered Parking" along the south side (rear) of the building shall not be used for any purpose unless approved through the Site Plan Review process and any related discretionary actions which may be identified as part of the Site Plan process.
38. The applicant shall 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. 2013-10.
39. Failure to abide by the Conditions of Approval set forth in this CUP shall constitute grounds for revocation of the CUP.

PROVIDE 6' SIDEWALK AND 4' PARKWAY AT MURRAY, JOHNSON & PHASE 1

- MURRAY -

36' W. APPROACH TO CITY STANDARDS

10' LANDSCAPE SETBACK @ JOHNSON ST.

PROVIDE ADA COMPLIANT RAMPS

DASHED LINE IND. WOOD BARRIER ALL AROUND AS IND.

15' LANDSCAPE SETBACK @ JOHNSON ST. EXISTING GATE TO BE REMOVED

**NOTE:**  
 PARKING IMPROVEMENTS FOR PARKING STALLS 1-20 TO BE PERMANENTLY INSTALLED TO BE COMPLETED BY PHASE 4.  
 EXISTING CHAIN LINK FENCE TO BE RELOCATED TO ENCOMPASS FUTURE PARKING AREA

REFUSE ENCL. STD R-5

PROVIDE 6' SIDEWALK AND 4' PARKWAY AT MURRAY, JOHNSON & SCHOOL

PROVIDE ADA COMPLIANT RAMPS

DRIVE APPROACH & RECESSED GATE TO CITY STANDARDS

PROVIDE 6' SIDEWALK AND 4' PARKWAY AT MURRAY, JOHNSON & SCHOOL ST.

- SCHOOL -



**SITE PLAN**

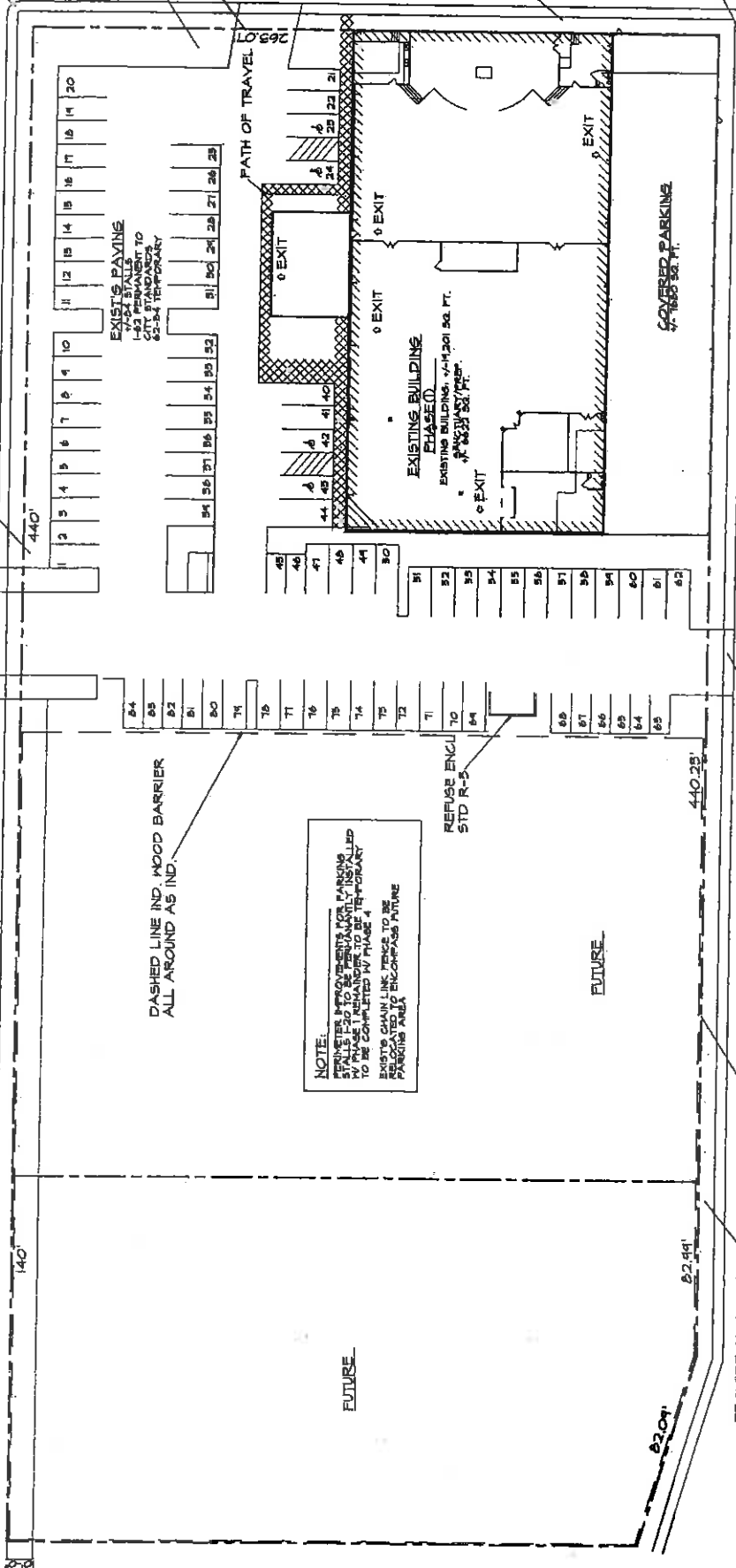
APN 093-171-006-007  
 421 N. JOHNSON  
 VISALIA, CALIFORNIA

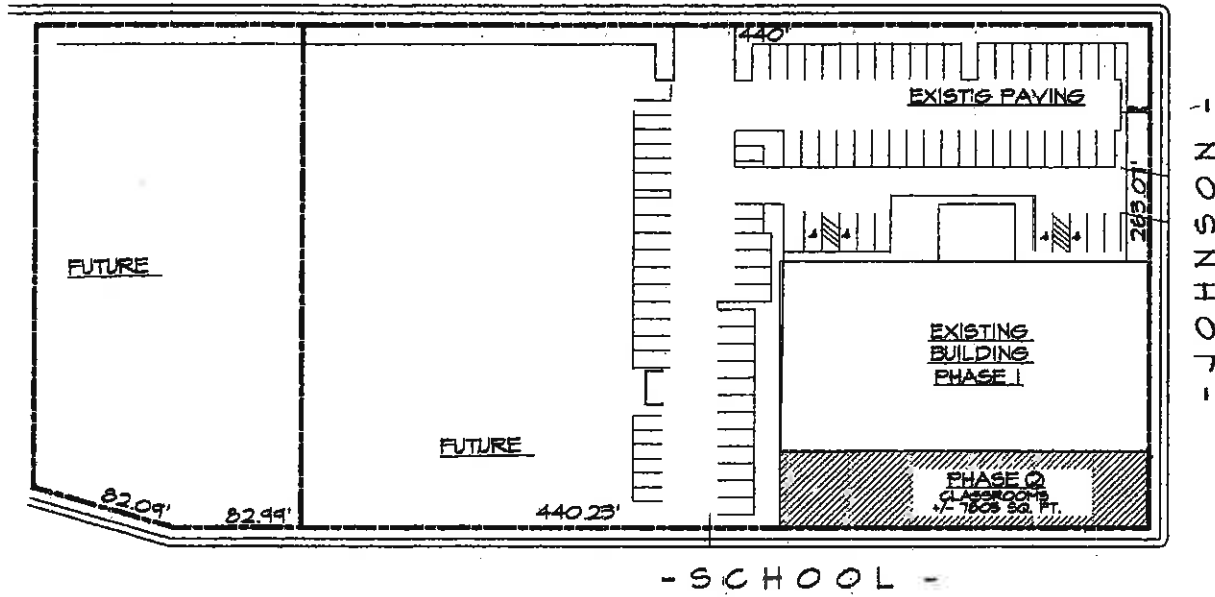
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Exhibit "A"

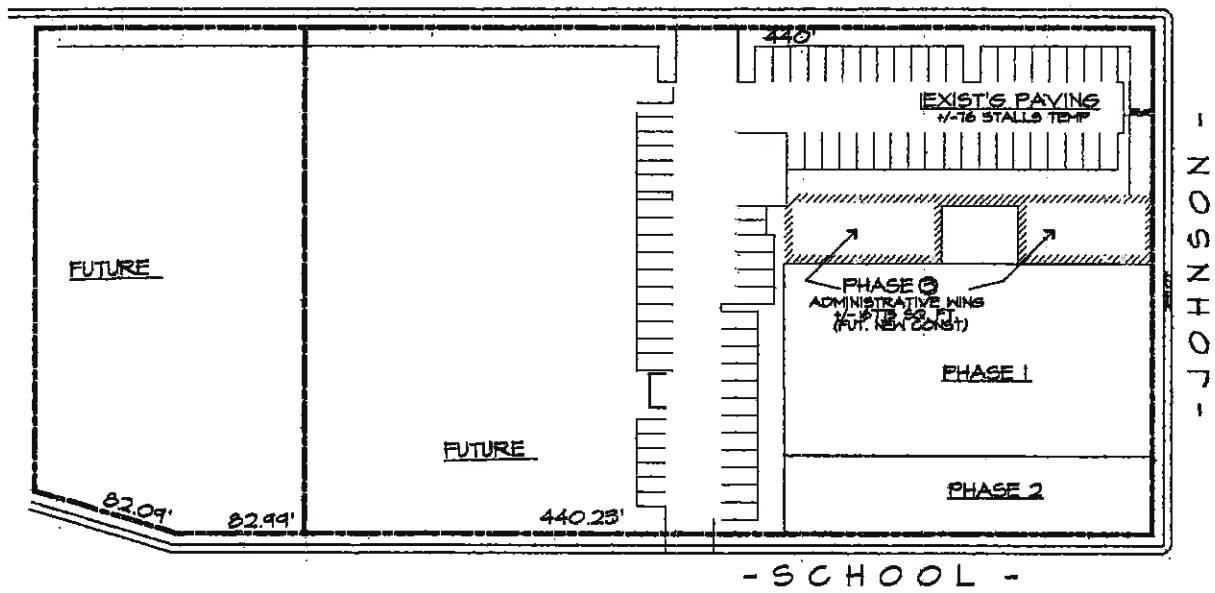
PHASE ONE BUILDING REFURBISHING FOR:  
**VICTORY OUTREACH**  
 421 N. JOHNSON  
 VISALIA, CALIFORNIA

REVISED USE





PHASE ②



PHASE ③

## **Victory Outreach Operational Statement**

**Services are held every Sunday morning from 8am-1pm; these services consist of music, preaching, and child care.**

**Every Friday we have services from 5pm-9pm; these services consist of music, preaching, and child care.**

**Every Monday night from 6-8 choir practice will be in session with no children.**

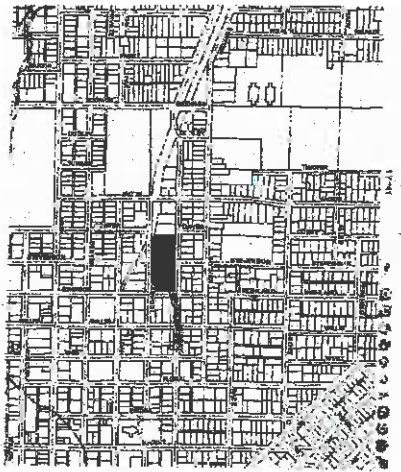
**Every Wednesdays from 6pm-8pm we have a youth service from ages 13-20 no children will be present.**

**Office hours are from Monday-Friday 8am-4pm. These hours are only for office business and staff meetings.**

**Note: No food lines or food handling to the public will be offered at anytime.**

**No overnight live in care taker will be on site.**

**No car washes or yard sales of any kind will be allowed.**



### CITY REQUIREMENTS

- ADDRESS NUMBERS TO BE PLACED ON THE EXTERIOR OF THE BUILDING CLEARLY VISIBLE CONTRASTING COLOR MIN. 6" TALL.
- BOTH ENTRY DOOR & SECURITY GATES TO HAVE A KNOX BOX SIGN. GATES MAY BE LOCKED WITH A CHAIN WHICH CAN BE CUT WITH BOLT CUTTER.
- COMMERCIAL EXTERIORS NOT TO BE STORED WITH UP BUILDING UNLESS A SPRINKLER SYSTEM IS PROVIDED.
- COMMERCIAL EXTERIORS ON EIGHT FLOORS IS TO COMPLY WITH CALIFORNIA FIRE CODE ILLUMINATED EXIT SIGNS TO BE PROVIDED. ALL FIRE CODE RELATED ORDINANCES TO BE MADE FROM TO ANY PORTION BEING UP GRABED.
- DO NOT ALLOW TO BE APPROVED TO ACCOMMODATE PHASING.
- DO NOT ALLOW TO BE APPROVED TO ACCOMMODATE PHASING.
- ALL PERMANENT IMPROVEMENTS, BOTH ON-SITE & FRINGE TO MEET CITY OF VISALIA STANDARDS.

APN 093-177-06 & 07

PHASE ONE BUILDING REFURISHING FOR VICTORY OUTREACH

SITE INFO:

EXISTING USE: VACANT BUILDING

PROPOSED USE: CHURCH FACILITY

ZONED: C52 SHOPPING/OFFICE COMMERCIAL

GEN. PLAN DIST. DESIGN DISTRICT

TELEPHONE: 926 TELEPHONE CO.

WATER: CALIFORNIA WATER SERVICE CO.

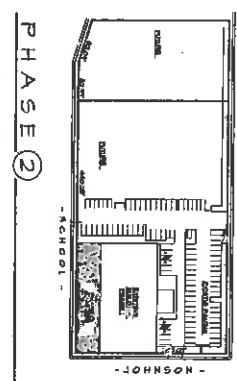
SEWER: CITY OF VISALIA

STUDY PLAT: COUNTY OF VISALIA

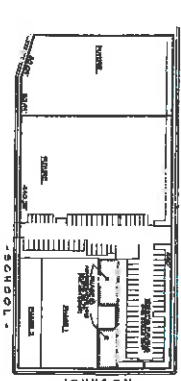
SALE: THE 545 CO

POWER: SOUTHERN CALIF. Edison CO.

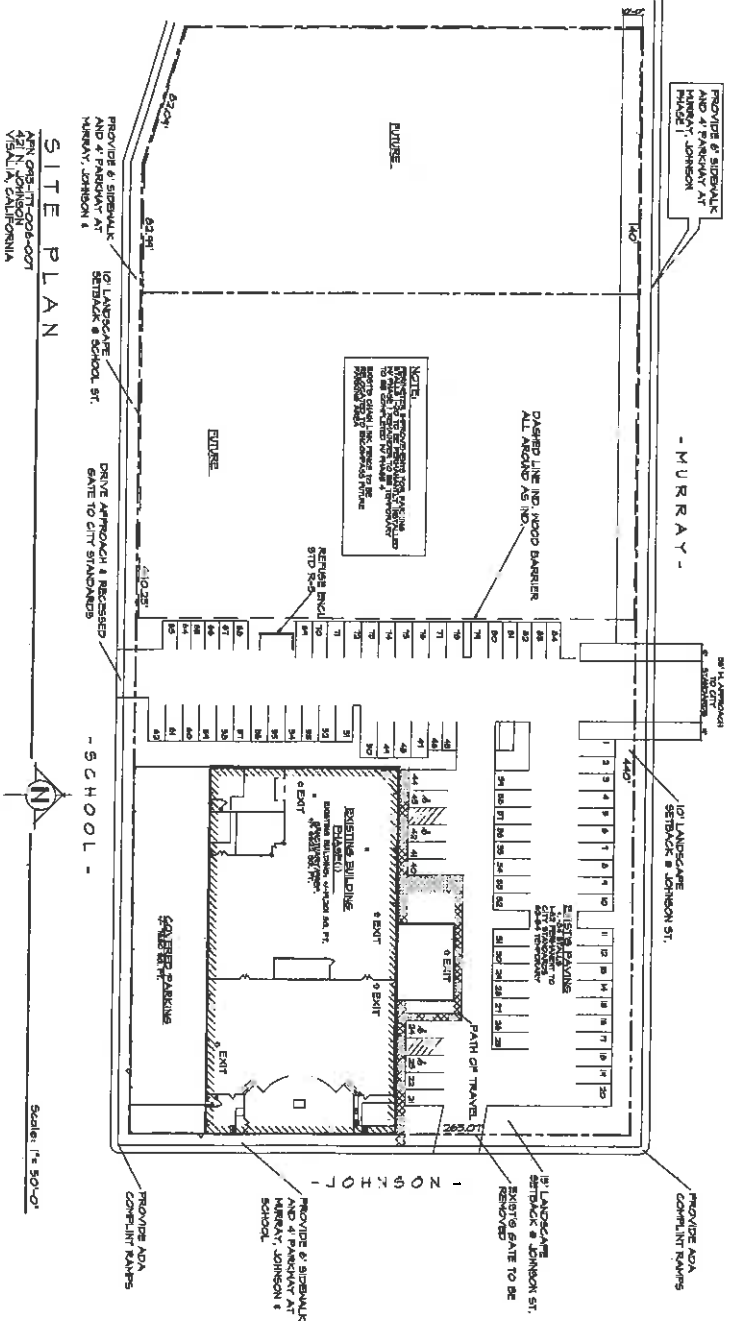
SPR 11-115



PHASE 2



PHASE 3



### SITE PLAN

Scale: 1" = 50'-0"

APN 093-177-06-007  
VISALIA, CALIFORNIA

PHASE ONE BUILDING REFURISHING FOR  
**VICTORY OUTREACH**  
421 N. JOHNSON VISALIA, CALIFORNIA

EXHIBIT "D"

APPROVED USE PERMIT 1-24-12



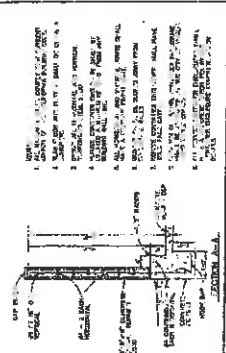
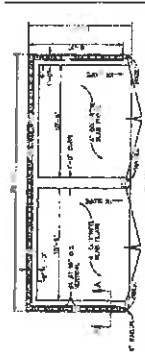
VICINITY MAP  No Scale

APN 093-171-06 & 07

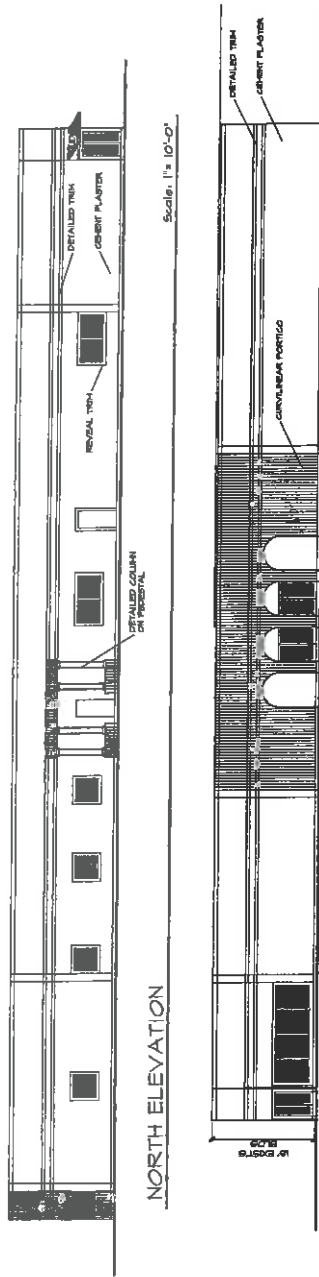
**A NEW CHURCH FACILITY FOR:  
VICTORY OUTREACH**

**SITE INFO:**

EXISTING USE: VACANT BUILDING  
 PROPOSED USE: CHURCH FACILITY  
 ZONED: C-20 SHOPPING/ OFFICE COMMERCIAL  
 GEN. PLAN CDT DESIGN DISTRICT "E"  
 TELEPHONE: SBC TELEPHONE CO.  
 WATER: CALIFORNIA WATER SERVICE CO.  
 SEWER: CITY OF VISALIA  
 GAS: VISALIA GAS COMPANY  
 SOLID WASTE: ON SITE CITY OF VISALIA  
 GAS: THE GAS CO.  
 POWER: SOUTHERN CALIF. EDISON CO.

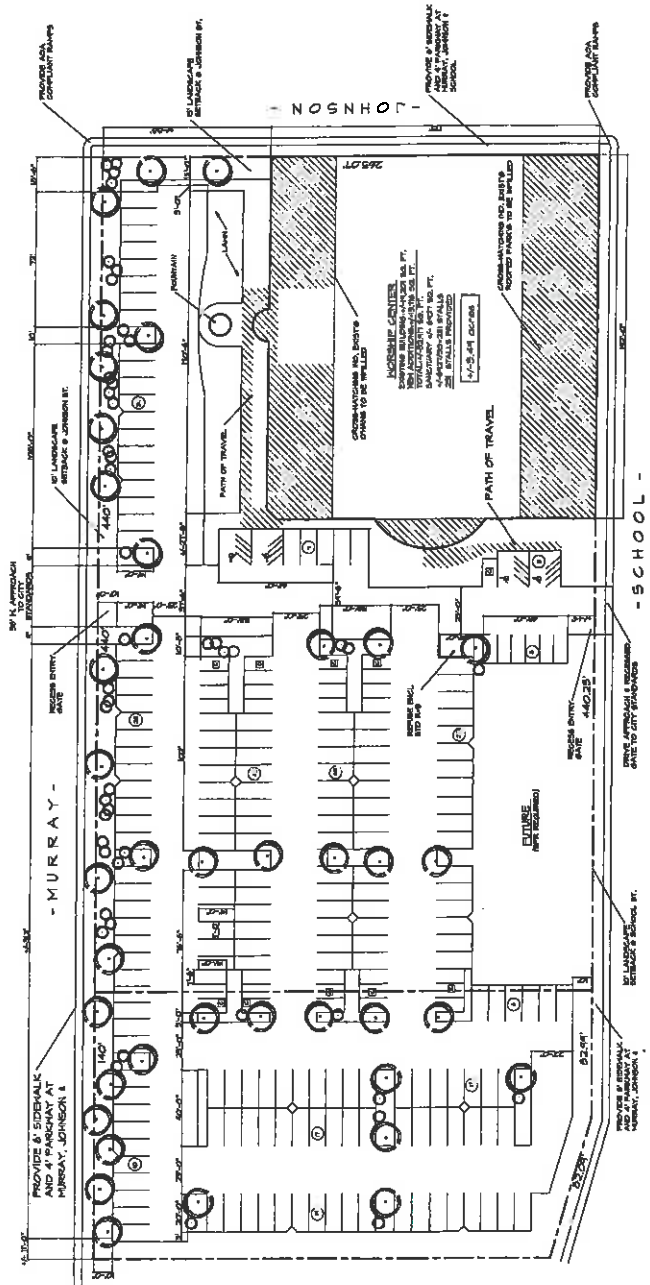


CITY OF VISALIA  
 DESIGN & IMPROVEMENT STANDARDS  
 24' REFUSE CONTAINER ENCLOSURE R-3



NORTH ELEVATION

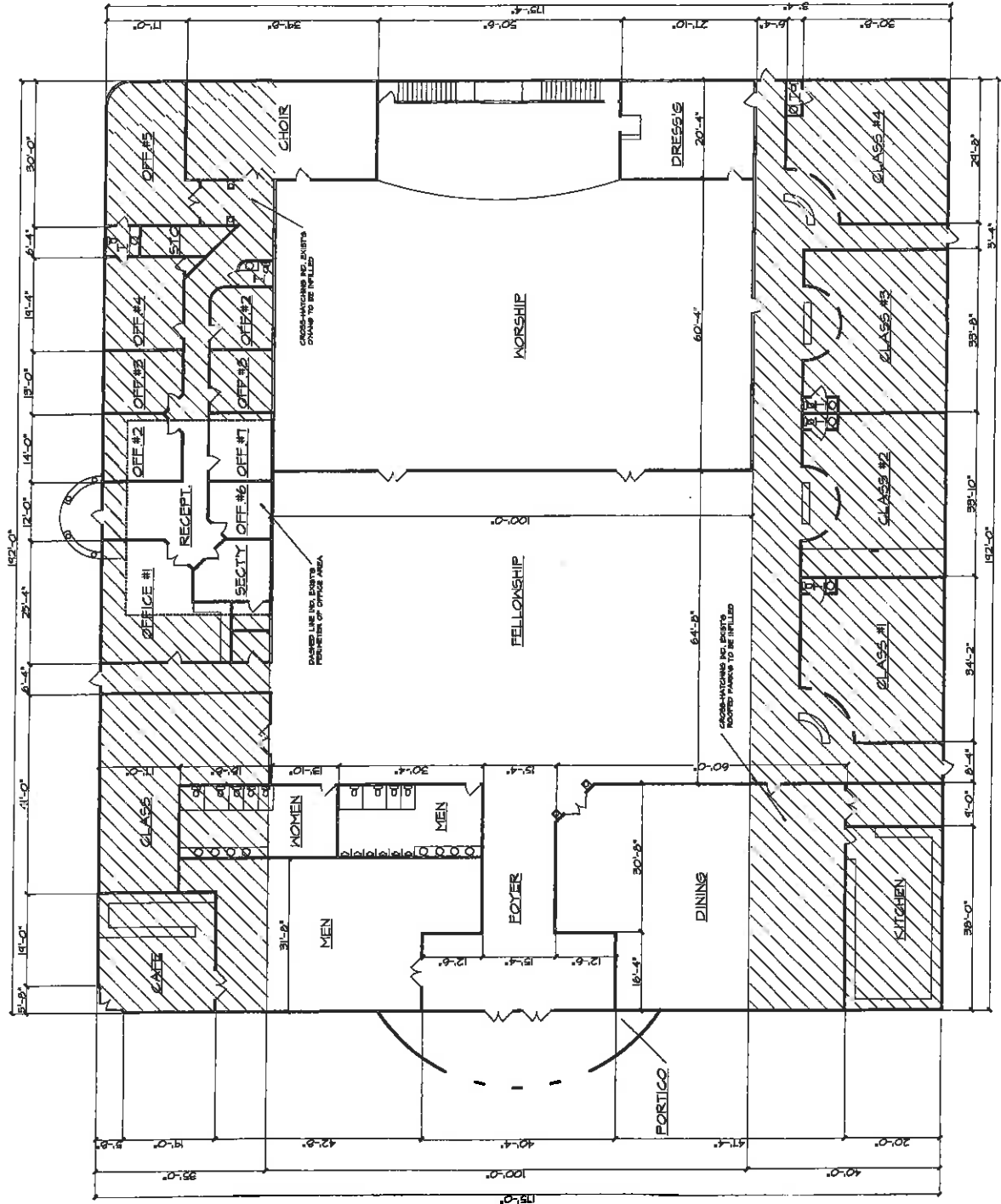
WEST ELEVATION



SITE PLAN

APN 093-171-06 & 07  
 VISALIA, CALIFORNIA

Scale: 1" = 30'-0"



**FLOOR PLAN**  
 EXISTING BUILDING: 7,192 SQ. FT.  
 NEW ADDITIONS: 7,157 SQ. FT.  
 TOTAL: 14,349 SQ. FT.



Scale: 1" = 10'-0"



MEETING DATE 10/12/2011  
SITE PLAN NO. 11-115  
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*





# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: October 12, 2011

SITE PLAN NO: 11-115 RESUBMITTAL  
PROJECT: VICTORY OUTREACH  
WORSHIP CENTER IN EXISTING 54,000 SF BUILDING ON 3.48 ACRES  
(CSO ZONED)

APPLICANT TITLE: VICTORY OUTREACH, PENDERGRAFT FAMILY PARTNERSHIP  
(PROP. OWNER)

LOCATION TITLE: 421 JOHNSON, N.

APN TITLE: 093-177-006, 007

General Plan: CSO – Shopping / Office Commercial

Existing Zoning: CSO – Shopping / Office Commercial

## Planning Division Recommendation:

Revise and Proceed

Resubmit

## Project Requirements

- Building Permits
- Conditional Use Permit for a Church with up to 200 seats

### **PROJECT SPECIFIC INFORMATION: 10/12/2011**

1. Comply with previous comments.
2. The floor plan depicts a reduction in the main sanctuary seating area meeting the 200 maximum seat count permitted in the CSO.
3. Provide a detailed operational statement with the CUP application submittal.
4. Any unimproved area shall not be used for the purpose of parking and/or any other activity. This includes the areas noted for future development on the site plan.
5. Parking lot shall be designed to City standards.
6. No work on shall be allowed on-site until an entitlement is approved for the church use and building permits are issued.
7. Building permits are required for all work proposed with this site plan review.
8. Include building elevations for the exterior modifications to the building with the CUP application submittal.

## **Previous Comments**

### **PROJECT SPECIFIC INFORMATION: 10/05/2011**

9. Comply with previous comments.
10. Based on the proposed floor plan submitted, the main assembly area exceeds the 200 maximum seats allowed per the C-SO zone. Reduce the main assembly area allowing for only 200 seats. This may also result in reducing the number of parking spaces required for the church site. Any additional parking not required at this time may be depicted but identified as a future phase of the development.
11. No work shall be allowed on-site until the CUP is approved, and subsequently, building permits are issued.
12. If dormitories are provided on-site, depict their location and provide square footage for areas dedicated to this use. If no dormitories are provided, the CUP will be conditioned requiring that no sleeping accommodations are provided on-site which will result in having to amend the CUP to include this use a future time.

**Previous Comments**

**PROJECT SPECIFIC INFORMATION: 09/07/2011**

1. The proposed use is a change in use and requires full site improvements.
2. A Church, up to 200 seats, is a conditionally allowed use in the CSO zone.
3. Provide a detailed operational statement for all portions of the site plan. Provide a floor plan for depicting the main sanctuary area, classrooms/day care, dormitories, meeting rooms, etc. The operational plan shall state how the church site will function, days of service, number of services during the day, any church related activities during the week/weekend, etc.
4. The site is within the CSO zone, with a General Plan designation of CDT, and in Design District "E". 10-foot landscape setbacks are required along Murray Street, School Street and 15-foot Johnson Avenue. There is also a 5-foot wide landscape strip along the west property line.
5. Relocate the fence out of all landscape setback areas along the public streets, and remove any barbed/razor type wire.
6. Provide recessed gates on School Avenue, and Johnson Street access points. (Engineering, Traffic and Planning)
7. Provide Street trees per City requirements. Landscape and irrigation plans will be required with the site improvements.
8. Provide on-site landscaping layout, how will trees and related landscaping be integrated into the main body of the site?
9. Will there be additional on-site lighting for night time and security, if so please show on the site plan.

**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.

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

**Maximum Building Height: 60 Feet**

**Minimum Setbacks:**

	<b>Building</b>	<b>Landscaping</b>
➤ 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. Parking needs to be provided on the site or Parking In Lieu Fees may be used if parking is not provided on-site.

### **Parking:**

1. Parking for churches shall be provided at one parking space for every four (4) permanent seats in the principal assembly area or room, or one parking space for every 30 square feet of floor area, whichever is greater (see Zoning 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. A planter is required every other row. Said planter shall be 5 feet in width and shall contain trees on twenty (20) foot centers (Zoning Ordinance Section 17.30.130.C.6).
6. No repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).
7. It is highly recommended that bicycle rack(s) be provided on site plan.
8. No parking shall be permitted in a required front/rear/side yard.
9. Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents (Zoning Ordinance Section 17.34.030.J).
10. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.
11. Provide transit facilities on site plan.
12. Provide shared parking/access agreements. Said agreements/ easements to be approved and recorded prior to issuance of building permits (Zoning Ordinance Section 17.34.050).
13. Provide off-street loading facility(Zoning Ordinance Section 17.34.070 & 17.34.080).
14. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.

### **Fencing and Screening:**

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide second-story screening for all windows that may intrude into adjacent residential properties. Details and cross-sections will be required to be reviewed and approved prior to issuance of building permits (Zoning Ordinance Section 17.30.130.F).
3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
4. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
5. Outdoor retail sales prohibited.
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 conceptual landscape plan for resubmittal or planning commission review.
8. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).

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)

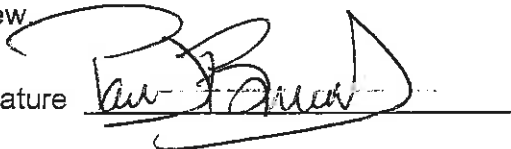
**Lighting:**

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



**QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS**

<b>ITEM NO:</b> 2	<b>DATE:</b> <u>OCTOBER 12, 2011</u>
<b>SITE PLAN NO:</b>	11-115 RESUBMITTAL
<b>PROJECT:</b>	VICTORY OUTREACH
<b>APPLICANT TITLE:</b>	WORSHIP CENTER IN EXISTING 54,000 SF BUILDING ON 3.48 ACRES (CSO ZONED)
<b>LOCATION TITLE:</b>	VICTORY OUTREACH, PENDERGRAFT FAMILY PARTNERSHIP (PROP. OWNER)
<b>APN TITLE:</b>	JOHNSON, N. 093-177-006, 007

YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR - 3 COMPARTMENT \_\_\_\_\_
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER - ¼ HP. MAXIMUM \_\_\_\_\_
- SUBMISSION OF A DRY PROCESS DECLARATION \_\_\_\_\_
- NO SINGLE PASS COOLING WATER IS PERMITTED \_\_\_\_\_
- OTHER \_\_\_\_\_
- SITE PLAN REVIEWED - NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA  
PUBLIC WORKS DEPARTMENT  
QUALITY ASSURANCE DIVISION  
7579 AVENUE 288  
VISALIA, CA 93277

*Dr. N. Knight*

\_\_\_\_\_  
AUTHORIZED SIGNATURE

10-10-11

\_\_\_\_\_  
DATE

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

ITEM NO: 2  
SITE PLAN NO:  
PROJECT:  
APPLICANT TITLE:

DATE: OCT ER 12, 2011  
11-115 RE-SUBMITTAL  
VICTORY OUTREACH  
WORSHIP CENTER IN EXISTING  
54,000 SF BUILDING ON 3.48 ACRES  
(CSO ZONED)  
LOCATION TITLE: VICTORY OUTREACH, PENDERGRAFT  
FAMILY PARTNERSHIP (PROP. OWNER)  
APN TITLE: JOHNSON, N.  
093-177-006, 007

**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 m have a clearance of 3 feet from any wall ( oth 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.

X

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

THE DRIVE APPROACH ENTRANCE SHOULD BE 25 FEET WIDE FROM ENTRANCE OF GATE TO CONTAIN APPROACH TO GIVE OUR TRUCKS MORE ROOM TO MANEUVER.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

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

ITEM NO: 2  
SITE PLAN NO:  
PROJECT:  
APPLICANT TITLE:

DATE: O. BER 12, 2011  
11-115 RESUBMITTAL  
VICTORY OUTREACH  
WORSHIP CENTER IN EXISTING  
54,000 SF BUILDING ON 3.48 ACRES  
(CSO ZONED)  
VICTORY OUTREACH, PENDERGRAFT  
FAMILY PARTNERSHIP (PROP. OWNER)  
JOHNSON, N.  
093-177-006, 007

LOCATION TITLE:  
APN TITLE:

## 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 LIVING ON PROPERTY. IMPROVEMENTS MUST BE COMPLETED PRIOR TO OCCUPANCY.**

*Steven Phillips*  
Lieutenant Steven Phillips  
Visalia Police Department



**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 2 DATE: OCTOBER 12, 2011

SITE PLAN NO.: 11-115 2<sup>ND</sup> RESUBMITTAL  
PROJECT: WORSHIP CENTER IN EXISTING 54,000 SF BLDG  
ON 3.48 ACRES (CSO ZONED)  
APPLICANT: VICTORY OUTREACH, PENDERGRAFT FAMILY  
PARTNERSHIP (PROP OWNER)  
LOCATION: 421 N JOHNSON ST  
APN: 093-177-006, 007

**SITE PLAN REVIEW COMMENTS**

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with \_\_\_\_\_ radius;
- Install curb;  gutter
- Drive approach size: **Minimum 301 for 2-way traffic**  Use radius return;
- Sidewalk **6'** width  **4'** parkway width at **Murray, Johnson & School**
- 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' dedication along Murray & the corner cut at Johnson with diagonal for a 20' radius.**
- 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 = 0.020%, 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: **1** each at **300' intervals on Solid Waste route.**
- 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
- 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:**

**1.) Parking lot to meet City of Visalia standards. The drive approach on Murray needs to be a minimum of 30' wide with a minimum of 20' radius returns. The drive needs to be located in line with the drive aisle to the south.**

**2.) Install ADA compliant ramps on Johnson at Murray and School.**

**3.) Provide a detailed grading and drainage plan with dimensions with building permit submittal.**

**4.) Acreage fees will be based on the undeveloped (unpaved) portion of the site. Transportation Impact fees will be based on the use of the building areas with credit for warehouse and receive a 25% downtown infill credit.**

**5.) Provide a turnaround area at the east end of the north drive aisle.**

**6.) If fencing and gating the parking lot, show location of fencing and gates, provide adequate room for a car to pull completely off of street in order to open gate. (See Traffic Safety comments for additional detail).**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 11-115 2<sup>ND</sup> Resubmittal

Date: 10/12/11

**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.)**

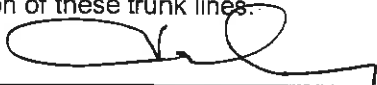
(Fee Schedule Date:9/19/11)  
(Project type for fee rates:31,478 sf Church with out kitchen)

Existing uses may qualify for credits on Development Impact Fees. 19,201 sq ft of Warehouse/Distribution

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	$(\$1794/1000 \text{ sf} \times 31,478) - (\$1092/1000 \text{ sf} \times 19,201) = \$35,504.04$
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	$(\$5.49/\text{seat} \times ?) - (\$20.04/1000 \text{ sf} \times 19,201 \text{ sf}) = ?$
<input type="checkbox"/> Sewer Front Foot Fee	
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	$\$5154/\text{ac} \times 2.35 \text{ ac} = \$ 12,111.90$
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	$\$4029.21/\text{ac} \times 2.35 \text{ ac} = \$9,468.64$
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	$\$7317.07/\text{ac} \times 2.35 \text{ ac} = \$17,195.11$
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire	$\$1601.01/\text{ac} \times 2.35 \text{ ac} = \$3,7632.37$
<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.




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Jason Hucleberry

# Building Site Plan Review Comments

**ITEM NO:** 2                      **DATE:** OCTOBER 12, 2011  
**SITE PLAN NO:** 11-115                      RESUBMITTAL  
**PROJECT:** VICTORY OUTREACH  
**APPLICANT TITLE:** WORSHIP CENTER IN EXISTING  
54,000 SF BUILDING ON 3.48 ACRES  
(CSO ZONED)  
**LOCATION TITLE:** VICTORY OUTREACH, PENDERGRAFT  
FAMILY PARTNERSHIP (PROP. OWNER)  
**APN TITLE:** JOHNSON, N.  
093-177-006, 007

- Submit 3 sets of engineered plans and 2 sets of calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- Meet city and state requirements for accessibility for persons with disabilities.
- Submit 3 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.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- Obtain required permits from San Joaquin Valley Air Pollution Board.
- Location of cashier must provide clear view of gas pump island
- Calculations of free-standing carport.
- Treatment connection charge to be assessed based on use. Credits \_\_\_\_\_
- Must comply with state energy requirements.
- Plans must be approved by the Tulare County Health Department.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- Project is located in flood zone \_\_\_\_\_\*. Minimum finished floor elevation requires \_\_\_\_\_.  
\*Flood Zone determination and finished floor elevation are based on the official FEMA NAVD 88 elevation converted to the equivalent NGVD 29 elevation using FEMA's established conversion factor of 2.73. Effective June 16, 2009.
- All accessible units required to be adaptable for the physically handicapped.
- Acceptable as submitted                       Arrange for an on-site inspection.
- Hazardous materials report.                       A demolition permit & deposit is required.
- 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.

SEE PREVIOUS COMMENTS

G. FERRERO

Signature

**Site Plan Review Comments For:**

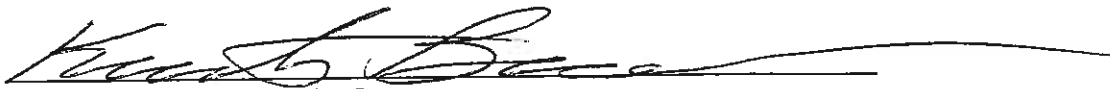
Visalia Fire Department  
Kurtis Brown, Senior Fire Inspector  
707 W Acequia  
Visalia, CA 93291  
559-713-4261 *office*  
559-713-4808 *fax*

<u>ITEM NO:</u> 2	<u>DATE:</u> <u>OCTOBER 12, 2011</u>
SITE PLAN NO:	11-115 RESUBMITTAL
PROJECT:	VICTORY OUTREACH
APPLICANT TITLE:	WORSHIP CENTER IN EXISTING 54,000 SF BUILDING ON 3.48 ACRES (CSO ZONED)
LOCATION TITLE:	VICTORY OUTREACH, PENDERGRAFT FAMILY PARTNERSHIP (PROP. OWNER)
APN TITLE:	JOHNSON, N. 093-177-006, 007

The following comments are applicable when checked:

- Refer to previous comments dated **9-14-2011 & 10-5-2011.**
- 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.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. 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.
- 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.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1433.90 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments:

  
Kurtis Brown, Senior Fire Inspector



**Site Plan Review Comments For:**

Visalia Fire Department  
Kurtis Brown, Senior Fire Inspector  
707 W Acequia  
Visalia, CA 93291  
559-713-4261 *office*  
559-713-4808 *fax*

Item # 4                      Date 10-05-11  
Site Plan # 11-115  
Project Victory Outreach  
Applicant Victory Outreach, Pendergraft Family  
Location 421 N. Johnson  
APN 093-177-006, 007

The following comments are applicable when checked:

- Refer to previous comments dated 9-14-11.
- 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.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. 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.
- 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.

- 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.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1433.90 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments: Comply with all A-3 occupancy requirements, such as egress and emergency lighting, fire alarms.

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Kurtis Brown, Senior Fire Inspector



<p><b>Site Plan Review Comments For:</b></p> <p>Visalia Fire Department  Kurtis Brown, Senior Fire Inspector  707 W Acequia  Visalia, CA 93291  559-713-4261 <i>office</i>  559-713-4808 <i>fax</i></p>	<p>Item # <u>3</u>                      Date <u>9-14-11</u>  Site Plan # <u>11-115</u>  Project <u>Victory Outreach</u>  Applicant <u>Victory Outreach, Pendergraft Family</u>  Location <u>421 N. Johnson</u>  APN <u>093-177-006, 007</u></p>
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The following comments are applicable when checked:

- No comments at this time for this project.
- Refer to previous comments dated \_\_\_\_\_.
- 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.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. 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.
- 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.
- 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.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1433.90 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments: Comply with all A-3 occupancy requirements, such as egress and emergency lighting.

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Kurtis Brown, Senior Fire Inspector

# SITE PLAN REVIEW COMMENTS

## CITY OF VISALIA TRAFFIC SAFETY DIVISION

<input checked="" type="checkbox"/> Eric Bons	713-4350
<input type="checkbox"/>	
<input type="checkbox"/>	

ITEM NO: <u>002</u>	DATE: <u>OCTOBER 12, 2011</u>
SITE PLAN NO.: PROJECT:	11-115 RESUBMITTAL VICTORY OUTREACH WORSHIP CENTER IN EXISTING 54,000 SF BUILDING ON 3.48 ACRES (CSO ZONED)
APPLICANT:	VICTORY OUTREACH, PENDERGRAFT FAMILY PARTNERSHIP (PROP. OWNER)
LOCATION: APN:	421 JOHNSON, N. 093-177-006, 007

**THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY**

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) on Marbelite 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:**

*Provide an operational statement which indicates the amount of traffic that will be generated by this site.*

*Provide a cross access agreement between the parcels.*

*The parking lot shall be improved in accordance with City standards.*

*The proposed driveway onto School Avenue should be moved to the west to minimize the impact to the on-street parking on School Avenue.*

  
Eric Bons



MEETING DATE 1-23-2013  
SITE PLAN NO. 12-167  
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)

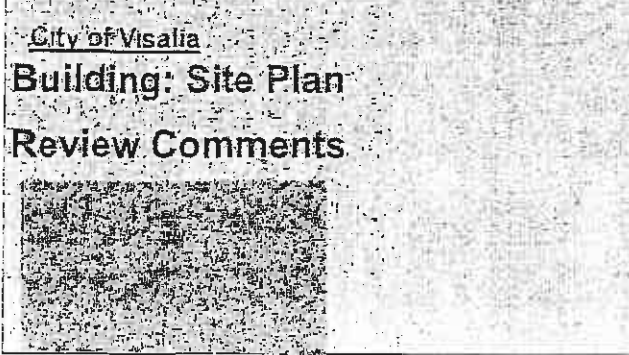
- A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.
- Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
- Your plans 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*





ITEM NO: 5      DATE: January 23, 2013  
 SITE PLAN NO: SPR12167      **RESUBMIT**  
 PROJECT TITLE: VICTORY OUTREACH TEMP USE  
 DESCRIPTION: PHASED PLAN FOR TEMPORARY USE OF 6200 SF WITHIN EXISTING 32,900 SF BUILDING FOR WORSHIP CENTER ON 3.5 ACRES (CSO ZONED) (REFER 11-115)  
 APPLICANT: SPARSHOTT STEVE  
 PROP OWNER: PENDEGRAFT FAMILY PARTNERSHIP  
 LOCATION: 421 N JOHNSON ST  
 APN(S): 093-177-006 093-177-007

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: SEE PREVIOUS COMMENTS

\_\_\_\_\_  
 Signature      Date: 1-23-13

**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

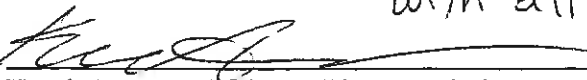
DATE: January 23, 2013

SITE PLAN NO: SPR12167 **RESUBMIT**  
PROJECT TITLE: VICTORY OUTREACH TEMP USE  
DESCRIPTION: PHASED PLAN FOR TEMPORARY USE OF 6200 SF WITHIN EXISTING 32,900 SF BUILDING FOR WORSHIP CENTER ON 3.5 ACRES (CSO ZONED) (REFER 11-115)  
APPLICANT: SPARSHOTT STEVE  
PROP OWNER: PENDEGRAFT FAMILY PARTNERSHIP  
LOCATION: 421 N JOHNSON ST  
APN(S): 093-177-006 093-177-007

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: 1. Building shall comply as an A3 occupancy.  
2. Building shall not be used until 100% compliant with all Building, fire and city standards.

  
 Kurtis Brown, Assistant Fire Marshal





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

SITE PLAN NO: SPR12167      *RESUBMIT*  
PROJECT TITLE: VICTORY OUTREACH TEMP USE  
DESCRIPTION: PHASED PLAN FOR TEMPORARY USE OF 6200 SF  
WITHIN EXISTING 32,900 SF BUILDING FOR  
WORSHIP CENTER ON 3.5 ACRES (CSO ZONED)  
(REFER 11-115)  
APPLICANT: SPARSHOTT STEVE  
PROP OWNER: PENDEGRAFT FAMILY PARTNERSHIP  
LOCATION: 421 N JOHNSON ST  
APN(S): 093-177-006 093-177-007

**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

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Javier Hernandez, Solid Waste Front Load Supervisor 713-4338



# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: January 23, 2013

SITE PLAN NO: 12-167 RESUBMITTAL  
PROJECT TITLE: VICTORY OUTREACH  
DESCRIPTION: TEMPORARY USE OF 6200 SF WITHIN EXISTING 32,900 SF BUILDING FOR WORSHIP CENTER ON 3.5 ACRES (CSO ZONED) (REFER 11-115)  
APPLICANT TITLE: VICTORY OUTREACH / STEVE SPARSHOTT  
PROP. OWNER: PENDEGRAFT FAMILY PARTNERSHIP  
LOCATION TITLE: 421 N JOHNSON ST  
APN TITLE: 093-177-006 & 007

General Plan: CDT – Central Business District  
Existing Zoning: CSO – Shopping / Office Commercial

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Additional Information As Needed
- Building Permits
- Amendment to Conditional Use Permit No. 2012-13

### **PROJECT SPECIFIC INFORMATION: 01/23/2013**

1. A "Revise & Proceed" to filing an Amended CUP has been issued for this project.
2. The revised site plan for the CUP shall depict all required improvements associated with Phase 1. This includes clearly depicting building improvements, detailing the landscaping setbacks along all three streets, detailed parking lot landscaping and parking lot improvements, depicting all fence locations, all public improvements including new sidewalks along Murray and School streets and any other improvements associated with Phase 1.
3. Failure to clearly demonstrate and detail all improvements proposed with Phase 1 may result in staff recommending denial on the Phasing Plan. Staff has requested detailed plans to ensure that the applicant and Planning Commissioners understand the improvements to be completed under Phase 1 and any other subsequent Phasing.
4. Comply with all Conditions of Project Approval for CUP No. 2012-13.
5. The site cannot be occupied and/or used by the church until building plans are submitted, building plans approved, building permits issued and the building and site is finalized by City Staff. Failure to comply with the requirements as stated by staff may result in Code Enforcement Action.

## **PREVIOUS COMMENTS**

### **PROJECT SPECIFIC INFORMATION: 11/14/2012 & 08/01/2012**

1. Staff requires the following for the Phase 1 improvements: entire frontage improvements along Johnson Street, Murray Avenue and School Avenue be completed including replacing curb, gutter and installing sidewalks, street trees and landscaping along these streets; parking lot improvements to meet the church's parking requirements per CUP No. 2012-13 including installing tree wells to achieve 50% parking lot shading and irrigation to all landscaped and/or tree well areas; install barricades preventing use of the unimproved portions of the site; complete tenant improvements for the building including the office space area.

2. Staff will allow Phasing of the canopy structures located on the north and south side of the buildings. These open canopies shall require building permits when proposed to be enclosed. These areas shall not be used for any other church related activity until a building permit is approved and finalized by City of Visalia staff.
3. The request to Phase requires amending CUP No. 2012-13.
4. Comply with all Conditions of Project Approval for CUP No. 2012-13.
5. This site cannot be occupied and/or used by the church until building plans are submitted, building plans approved, building permits issued and the building and site is finalized by City Staff. Failure to comply with the requirements as stated by staff may result in Code Enforcement Action.
6. Resubmit the site plan depicting the Phase 1 improvements as noted by staff during the Site Plan Review meeting on December 19, 2012.

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

**Maximum Building Height:** 60 Feet

<b><u>Minimum Setbacks:</u></b>	<b>Building</b>	<b>Landscaping</b>
➤ 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. Parking needs to be provided on the site or Parking In Lieu Fees may be used if parking is not provided on-site.

**Parking:**

1. Parking for churches shall be provided at one parking space for every four (4) permanent seats in the principal assembly area or room, or one parking space for every 30 square feet of floor area, whichever is greater (see Zoning 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. A planter is required every other row. Said planter shall be 5 feet in width and shall contain trees on twenty (20) foot centers (Zoning Ordinance Section 17.30.130.C.6).
6. No repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).

7. It is highly recommended that bicycle rack(s) be provided on site plan.
8. No parking shall be permitted in a required front/rear/side yard.
9. Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents (Zoning Ordinance Section 17.34.030.J).
10. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.
11. Provide transit facilities on site plan.
12. Provide shared parking/access agreements. Said agreements/ easements to be approved and recorded prior to issuance of building permits (Zoning Ordinance Section 17.34.050).
13. Provide off-street loading facility(Zoning Ordinance Section 17.34.070 & 17.34.080).
14. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.

#### **Fencing and Screening:**

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide second-story screening for all windows that may intrude into adjacent residential properties. Details and cross-sections will be required to be reviewed and approved prior to issuance of building permits (Zoning Ordinance Section 17.30.130.F).
3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
4. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
5. Outdoor retail sales prohibited.
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. **NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.**
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 conceptual landscape plan for resubmittal or planning commission review.
8. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).

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 be 'Jan B.', written over a horizontal line.



**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 5 DATE: JANUARY 23, 2013

SITE PLAN NO.: 12-167 3<sup>RD</sup> RESUBMITTAL  
PROJECT TITLE: VICTORY OUTREACH TEMP USE  
DESCRIPTION: PHASED PLAN FOR TEMPORARY USE OF 6,200 SF WITHIN EXISTING 32,900 SF BUILDING FOR WORSHIP CENTER ON 3.5 ACRES (CSO ZONED) (REFER 11-115)

APPLICANT: SPARSHOTT STEVE  
PROP OWNER: PENDERGRAFT FAMILY PARTNERSHIP  
LOCATION: 421 N JOHNSON ST  
APN: 093-177-006 093-177-007

**SITE PLAN REVIEW COMMENTS**

- REQUIREMENTS (indicated by checked boxes)
  - Install curb return with ramp, with \_\_\_\_\_ radius;
  - Install curb;  gutter
  - Drive approach size:  Use radius return;
  - Sidewalk: \_\_\_\_\_ width;  \_\_\_\_\_ parkway width at \_\_\_\_\_
  - Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
  - Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
  - Right-of-way dedication required. A title report is required for verification of ownership. **See SPR 11-115**
  - 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.





**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 12-167 3<sup>rd</sup> RESUBMITTAL

Date: 1/23/2013

**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: )

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.

  
\_\_\_\_\_  
Adrian Rubalcaba



## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** April 23, 2012

**PROJECT PLANNER:** Andrew Chamberlain, Senior Planner  
Phone No.: (559) 713-4003

**SUBJECT:** **Conditional Use Permit No. 2012-13:** A request by Victory Outreach to establish a 200-seat church in the Commercial Shopping Office (CSO) zone, located at 421 N. Johnson Street (APN: 093-177-007, 006)

### STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2012-13 based upon the findings and conditions in Resolution No. 2012-26. 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. 2012-13 based on the findings and conditions in Resolution No. 2012-26.

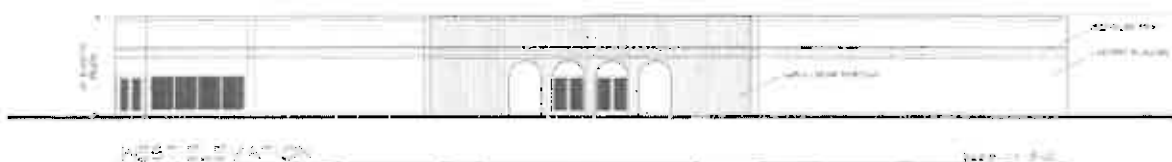
### PROJECT DESCRIPTION

The Commercial Shopping Office (CSO) zone allows for churches up to 200 seats as a "conditional" use. The applicant is requesting approval of a 200 seat church facility with related facilities in an existing building located at 421 N. Johnson Street.

The applicant's site plan shown in Exhibit "A" illustrates the conversion of the existing building and storage yard to a 200 seat church facility with a 231 stall parking lot. The site is a vacant service commercial site previously operated as a pipe yard with storage building. The proposed church would improve the entire site as one phase with only the "Future" area along School Street as an unimproved portion.

The site would have vehicular access points on Murray and School Avenues with gates to control access when the site is not in use. The street frontages would be improved with City standard sidewalks and landscaping along the street frontages except where the existing building is located on the property line.

The existing 19,201 sq. ft. building would be expanded by 13,716 sq. ft. for a total of 32,917 sq. ft. as shown in Exhibit "B". The expansion would be accomplished by the enclosure of the loading docks and roof over-hang areas. The interior layout includes offices, classrooms, a kitchen and dining area and a café.



## 2012 Staff Report – CUP 2012-13 – Attachment

The operational statement in Exhibit “C” indicates that there would be Friday and Sunday services along with child care, and youth services on Wednesday evenings. The office hours would be Monday thru Friday from 8 am to 4 pm. There would be no food offered to the public at any time and no overnight caretaker or residents on the site.

### BACKGROUND INFORMATION

General Plan Land Use Designation:	Commercial Shopping Office
Zoning:	CSO (Commercial Shopping Office)
Surrounding Land Uses and Zoning:	North: CSO/R-M-3 / Apartments & Retail South: CSO/PA / Service Commercial East: CDT / Retail & Service Commercial West: CSO / Service Commercial
Environmental Review:	Categorical Exemption No. 2012-25
Special Districts:	Design District “E”
Site Plan:	2011-115

### RELATED PLANS & POLICIES

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

### RELATED PROJECTS

There are no related projects located on this site.

### PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2012-13, as conditioned, based on the project’s consistency with the General Plan and the Zoning Ordinance.

#### Land Use Compatibility

Churches and other religious institutions with up to 200 seats are identified as a conditional use in Commercial Shopping Office zone. The site is an old service commercial site which previously operated as a pipe yard and associated storage building. The applicant intends to convert the entire site to the church facility, converting the existing building to the new church structure with the open yard area used for the required parking.

The land uses adjacent to the site include multiple family residential, office, service commercial and retail. Staff has determined that



## 2012 Staff Report – CUP 2012-13 – Attachment

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the proposed church facility would not conflict with any of the adjacent land uses based upon the proposed improvements and operational statement. The installation of the landscaping and other site improvements would result in an enhanced streetscape along Murray, Johnson, and School streets, which would be compatible with contemporary development, rather than the existing chain link fencing and unimproved sidewalk area on the site frontages.

The building elevations illustrated in Exhibit “A” are compatible with the surrounding buildings, which include residential, service commercial and warehousing. The building façades would be plastered and some minor horizontal trim elements added along with a curvilinear portico on the north elevation facing Murray Avenue.

Since the site is within the CSO zone, which allows a maximum of 200 seats in the sanctuary, staff has included a condition that there may be no more seating in the sanctuary than would accommodate 200 persons, including the choir and pulpit areas.

### **Parking**

The Zoning Ordinance requires churches to provide one parking space for every four seats in the primary meeting room or for every 30 square feet, whichever is greater. In this case there would not be fixed seating, so the main sanctuary area of 6,927 sq. ft. is being used to calculate the requirement. With a parking demand of one stall per 30 square feet of main sanctuary area, the resulting requirement is 231 parking stalls. The site plan shows the installation of the required 231 parking stalls. The balance of the 32,917 square-foot building would be used for ancillary uses.

The parking requirement for churches is based upon the sanctuary, with other ancillary uses being covered by the sanctuary parking. In this case the proposal would meet its parking requirement. Since the building also contains a 6,400 sq. ft. fellowship area, staff has included a condition that the sanctuary and fellowship areas may not be utilized for services or other high occupancy uses at the same time which would result in exceeding the parking demand established by the sanctuary.

### **Fencing**

The existing chain link fencing along the street frontages will be removed, and if replaced, would be relocated at or behind the required landscape setback. The site is within Design District “E”, which requires 10-foot landscape, building, and fencing setbacks along the street frontages. Should the applicant desire to fence the site, staff would not require them to amend this use permit for decorative fencing, such as wrought iron, which meets City setback and height requirements. Solid fencing or chain link fencing may require an amendment to this use permit.

The site plan includes gates which the applicant has indicated may not be installed. In the event the applicant chooses to install any gates, staff has included a condition requiring that the parking lot gates be open at all times that there are any activities or persons on the site.

### **Phasing**

The site would be developed in one phase with only a small portion identified as “Future” in Exhibit “A” remaining undeveloped. Staff has included a condition that the site may not be occupied or used for any church activities until all of the improvements have been installed, including the parking lot and landscaping. This includes the 10-foot landscape setback on the “Future” portion along the School Avenue frontage.

### **Parcels**

## 2012 Staff Report – CUP 2012-13 – Attachment

The subject site is comprised of two parcels which may be joined in the future through a lot line elimination process, or may remain separate. The combining of these parcels is not required by this action. If approved, this conditional use permit would tie the parcel together by virtue of the need to act in combination to meet the requirements of the use permit regardless of ownership. A finding has been included, that parcels APN 093-177-007 and 093-177-006 are considered the “subject site” for the purposes of meeting the requirements of Conditional Use Permit No. 2012-13. This finding does not preclude the City of Visalia from requiring cross access easements between them.

### **Environmental Review**

The requested action is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2012-25).

### **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 that parcels APN 093-177-007 and 093-177-006 are considered the “subject site” for the purposes of meeting the requirements of Conditional Use Permit No. 2012-13.
4. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2012-25).

### **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the site be developed in substantial compliance with the comments from the approved Site Plan Review No. 2011-115.
2. That the requested use be operated and maintained in substantial compliance with the site plan attached as Exhibit “A” and the floor plan attached as Exhibit “B”.
3. That the facility be operated in compliance with the operational statement in Exhibit “C”, and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That the site may not be used for any church purposes prior to the installation of the improvements required by this conditional use permit.

## 2012 Staff Report – CUP 2012-13 – Attachment

5. That that the “sanctuary” and “fellowship” areas may not be used for services or similar high occupancy uses at the same time, which would result in exceeding the parking demand established for the sanctuary.
6. That the maximum seating for the sanctuary, including the choir and pulpit areas, shall not exceed 200 seats.
7. That the existing fencing around the north, east and south sides of the site be removed prior to any occupancy or final for the site or sanctuary.
8. That the landscaping and parking be developed for the entire site as shown in Exhibit “A” prior to, or in conjunction with, any occupancy or final for the site or sanctuary. This includes the 10-foot landscape setback on the “Future” portion along the School Avenue frontage.
9. That the tree wells, landscape diamonds and angle pop-outs into the parking lot be planted with trees and that any light standards or similar infrastructure be located so as to not prevent the planting of trees in the landscape tree wells.
10. That the on-site gates remain open during any use of the site for the church or related activities.
11. That landscape and irrigation plans be submitted as a part of the building permit package.
12. That all other Federal, State, Regional, and City codes and ordinances be met.
13. 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. 2012-13.

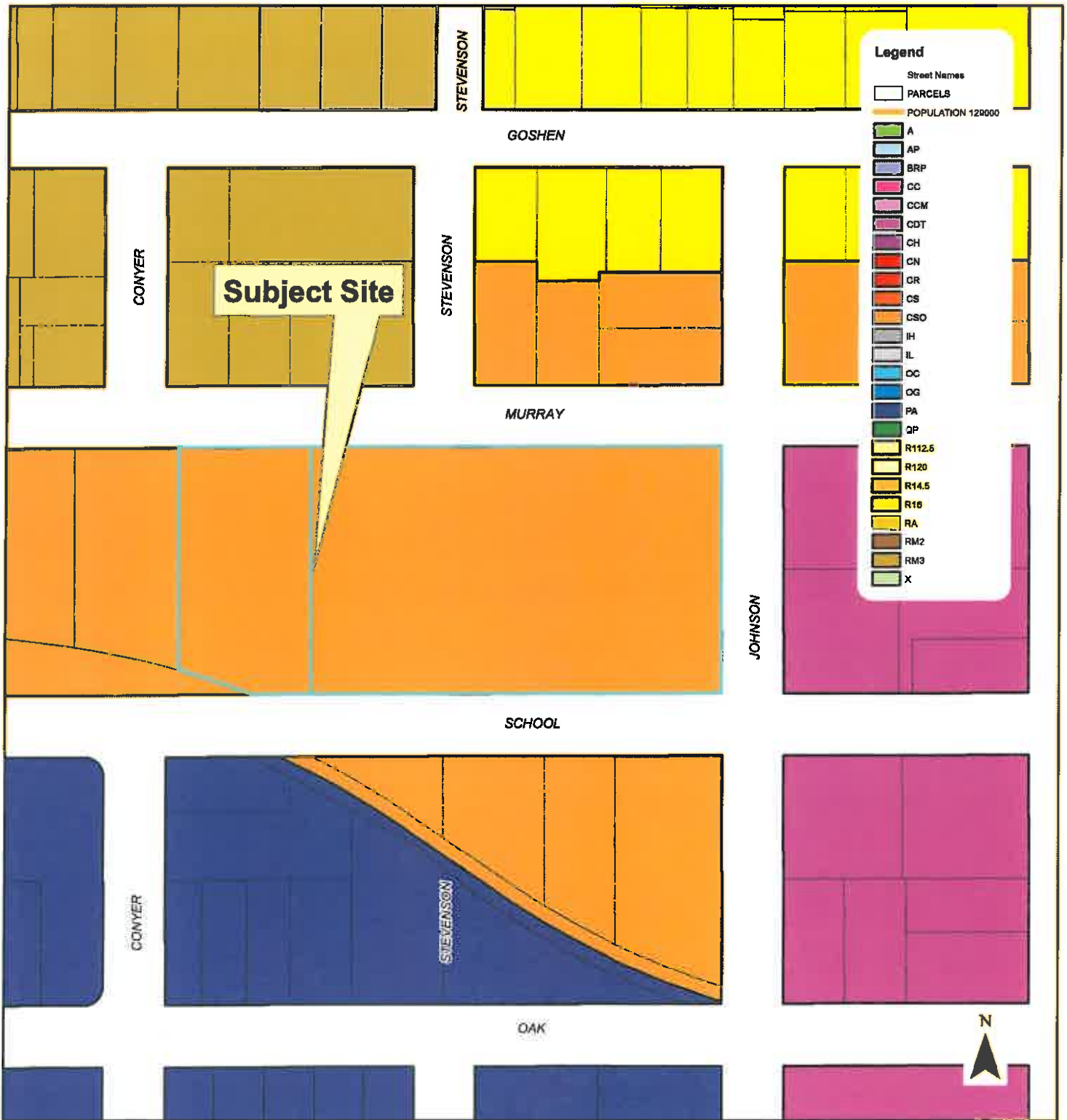
### APPEAL INFORMATION

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](http://www.ci.visalia.ca.us) or from the city clerk.

#### Attachments:

- Related Plans & Policies
- Resolution 2012-26
- Exhibit "A" – Site Plan / Elevations
- Exhibit "B" – Floor Plan
- Exhibit "C" – Operation Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map

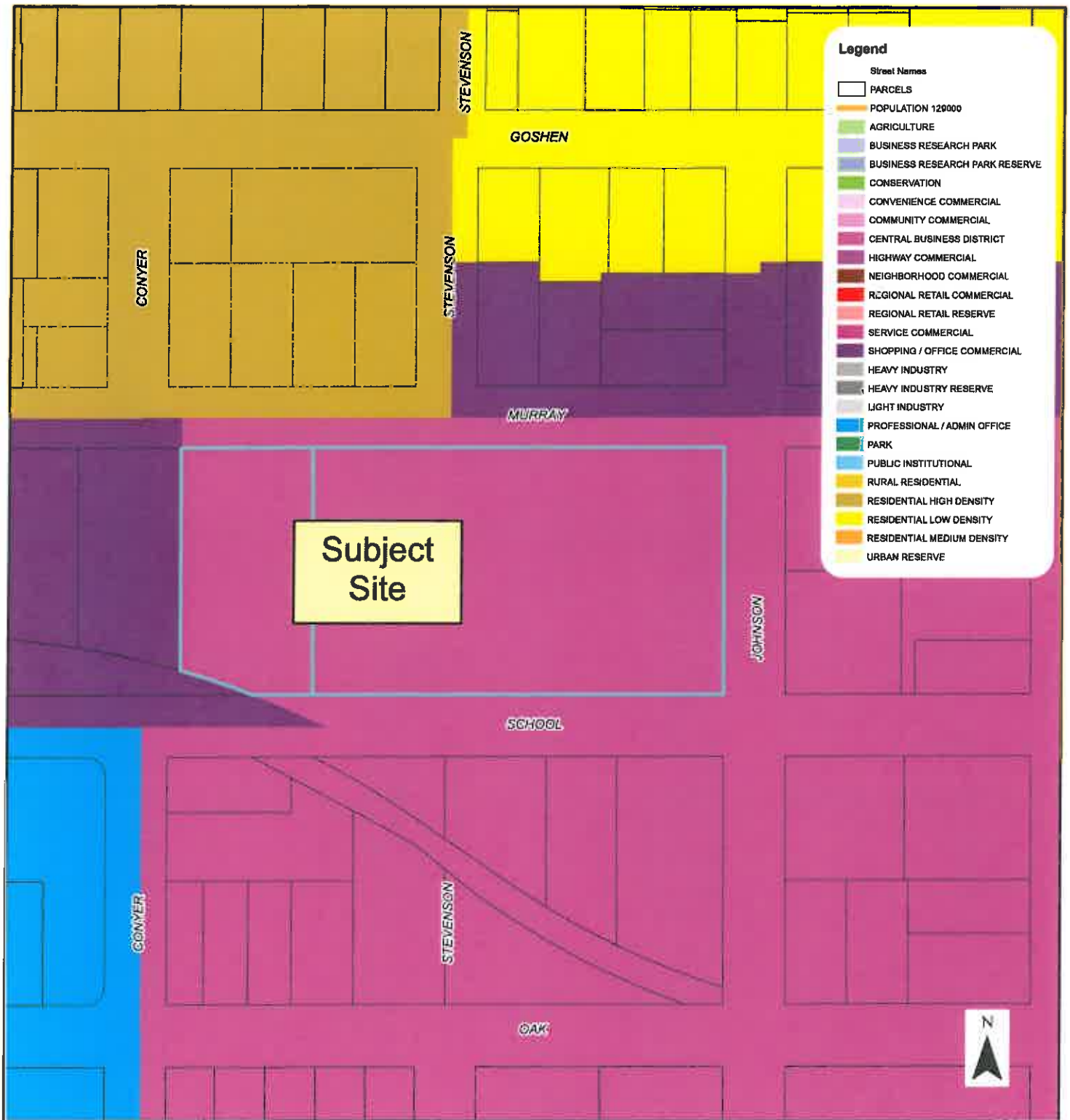
# City of Visalia



## Zoning Designations



# City of Visalia



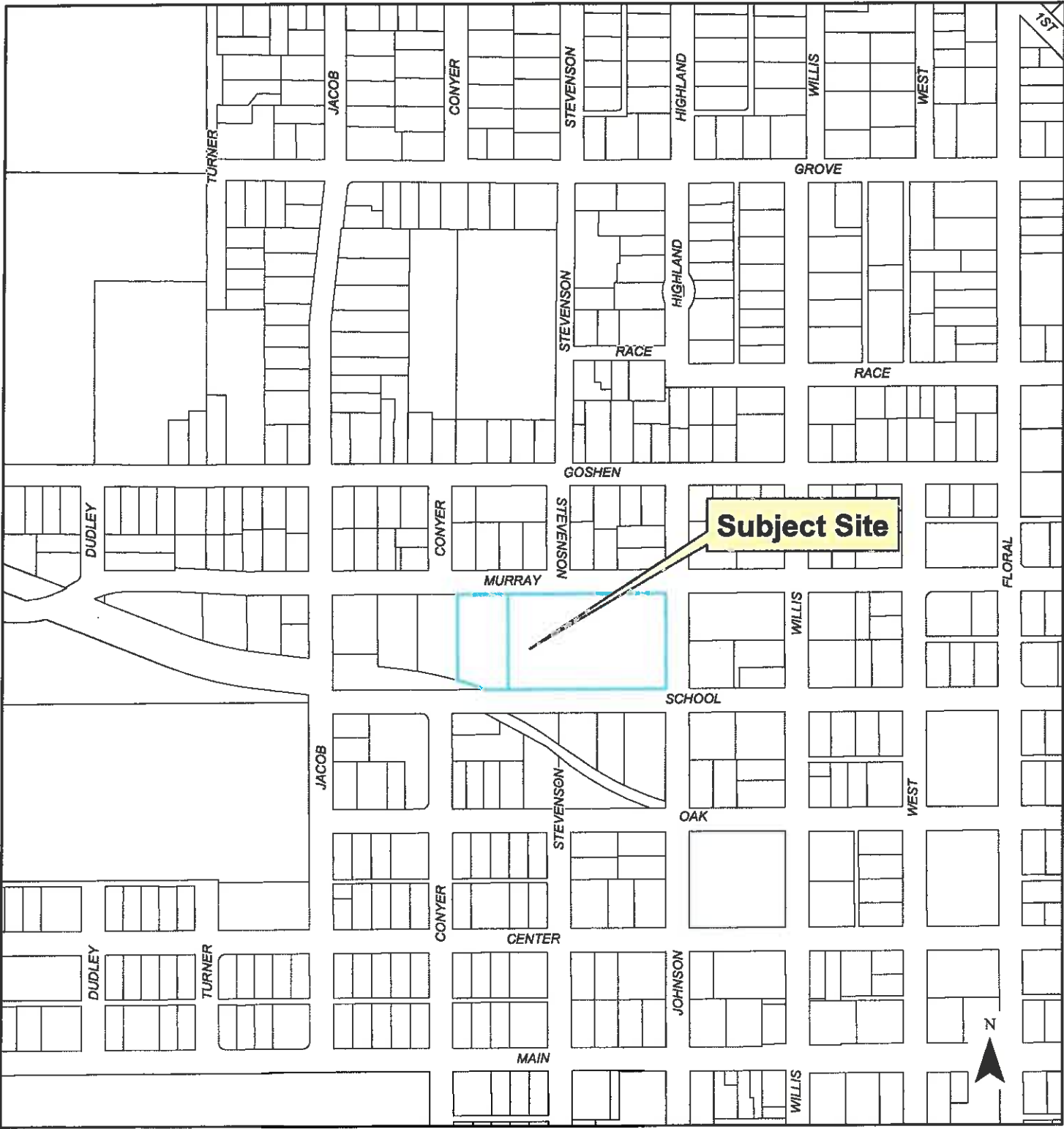
## Land Use Designations

# City of Visalia



## Aerial Photo

# City of Visalia



# Location Map

# REPORT TO CITY OF VISALIA PLANNING COMMISSION



**HEARING DATE:** March 25, 2013

**PROJECT PLANNER:** Andrew Chamberlain  
Senior Planner (713-4003)

**SUBJECT: Conditional Use Permit No. 2013-07:** A request by Daria Majzoubi to establish a medical office in the Key West Shopping Center in the Neighborhood Commercial (C-NC) zone. The site is located at 5109 W. Goshen Avenue (APN: 085-040-088).

## STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 2013-13 for Conditional Use Permit No. 2013-07 based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to adopt Resolution No. 2013-13 approving Conditional Use Permit No. 2013-07.

## PROJECT DESCRIPTION

This request is to establish a medical office in the Key West Shopping Center. The applicant is proposing to lease a 2,505 square foot tenant space within a row of shop buildings as shown in Exhibit "A". The interior space will be divided into a waiting/reception room, six exam rooms, and office spaces for staff (see Exhibit "B"). No exterior alterations to the building are proposed with this project.

The office would be for appointments and walk-in patients as described in the operational statement in Exhibit "C". The office would operate Monday through Friday from 8:00 a.m. to 6:00 p.m. and Saturdays from 8:00 a.m. to 1:00 p.m.

## BACKGROUND INFORMATION

General Plan Land Use Designation:	Neighborhood Commercial
Zoning:	C-N (Neighborhood Commercial)
Surrounding Zoning and Land Use:	North: C-N (Neighborhood Commercial) / Me & Ed's Pizza Restaurant South: R-1-6 (Single-Family Residential 6,000 sq. ft. min. site area) / Undeveloped National Guard property East: R-M-3 (Multiple-Family Residential) / Summerfield Apartments West: C-N (Neighborhood Commercial) / Savemart Supermarket
Environmental Document	Categorical Exemption No. 2013-22
Site Plan:	Site Plan Review No. 2013-030
Design District	Design District K



## **RELATED PLANS & POLICIES**

The proposed project is consistent with applicable plans and policies of the General Plan Land Use Element and Zoning Ordinance. Physician / medical offices are a conditionally allowed use in the C-N zone with discretionary approval of a Conditional Use Permit, pursuant to Section 17.18.050 of the Zoning Ordinance.

## **RELATED PROJECTS**

On December 8, 2008, when the Planning Commission approved Conditional Use Permit No. 2008-42 by Resolution No. 2008-81. This allowed a 2,400 sq. ft. medical office in the C-CM (Community Commercial) zone. The site is located in the Visalia Pavilion Shopping Center on the east side of Chinowth Street.

## **PROJECT EVALUATION**

### **Land Use Compatibility**

The proposed 2,505 square foot medical office in the fully improved Key West neighborhood shopping center would not conflict with other uses in the center or adjacent neighborhood. The proposed medical walk in clinic will not have a negative impact on surrounding uses given ample on-site parking is provided, the sites proximity to other office and commercial uses within the surrounding area. In addition, no on or off-site improvements are required in conjunction with this proposed medical office. If approved, the applicant would need a permit for tenant improvements within the suite.

### **Parking and Access**

The parking requirement for medical offices is one space per 200 square feet of floor area, or four parking spaces for each doctor, whichever is greater (Zoning Section 17.34.020). The project building area is 2,500 square feet, which requires 13 parking stalls. Staff calculated that approximately 126 spaces are available for the project and shared parking and access is provided for all tenant spaces. The 126 spaces appear sufficient for the existing uses located in the shopping center.

### **Environmental Review**

This project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) because the project is proposed within an existing facility. (Categorical Exemption No. 2013-22)

## **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 project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) because the project is proposed within an existing facility. (Categorical Exemption No. 2013-22)

### **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. 2013-030.
2. That the medical office be operated in compliance with the site plan, floor plan and operational statement in exhibits "A" through "C".
3. That substantial changes to the site plan, operational statement or floor plan will require an amendment to this Conditional Use Permit.
4. That separate sign permits be obtained.
5. 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. 2013-07, prior to the issuance of any building permits for this project.
6. That all other federal, state and city codes, ordinances and laws be met.

### **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 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](http://www.ci.visalia.ca.us) or from the city clerk.

#### **Attachments:**

- Related Plans and Policies
- Resolution No. 2013-13
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan of Optometric Office
- Exhibit "C" – Operational Statement
- Site Plan Review Comments
- General Land Use Plan Map
- Zoning Map
- Aerial Map
- Location 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. 2013-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-07, A REQUEST BY DARIA MAJZOUBI TO ESTABLISH A MEDICAL OFFICE IN THE KEY WEST SHOPPING CENTER IN THE NEIGHBORHOOD COMMERCIAL (C-NC) ZONE. THE SITE IS LOCATED AT 5109 W. GOSHEN AVENUE (APN: 085-040-088)

**WHEREAS**, Conditional Use Permit No. 2013-07, is a request by Daria Majzoubi to establish a medical office in the Key West Shopping Center in the neighborhood Commercial (C-NC) zone. The site is located at 5109 W. Goshen Avenue (APN: 085-040-088); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on March 25, 2013; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2013-07, 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.

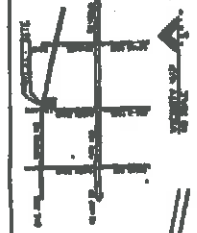
**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

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 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 because staff has concluded that the proposed medical walk-in clinic will not have a negative impact on surrounding uses given that ample on-site parking is provided, and the sites proximity to other office and commercial uses in the area.

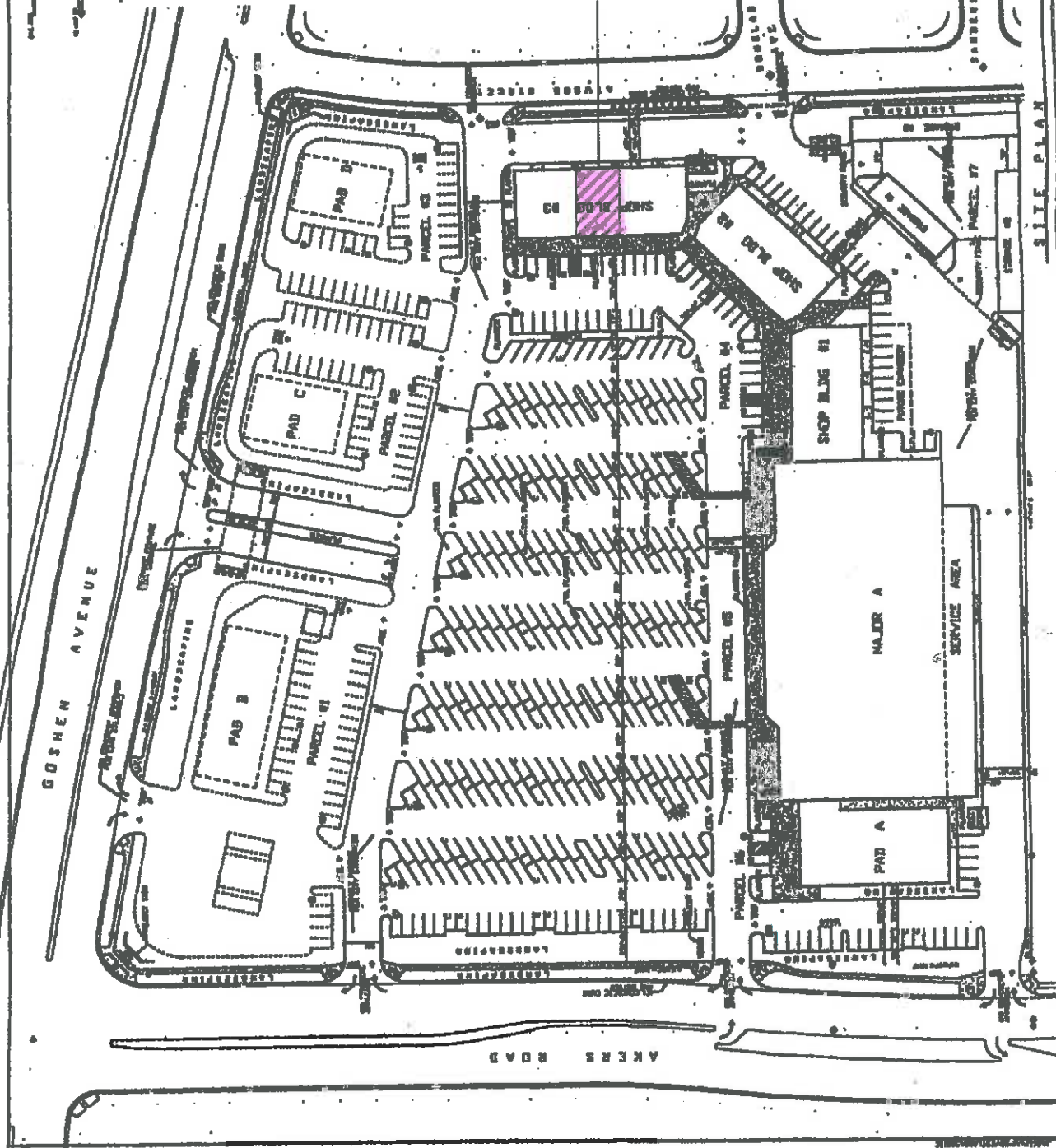
- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The proposed use is similar in nature and intensity to other surrounding uses in the area. The project site has adequate ingress/egress and parking for the proposed medical walk-in clinic.
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. 2013-22).

**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. 2013-030.
2. That the medical office be operated in compliance with the site plan, floor plan and operational statement in exhibits "A" through "C".
3. That substantial changes to the site plan, operational statement or floor plan will require an amendment to this Conditional Use Permit.
4. That separate sign permits be obtained.
5. 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. 2013-07, prior to the issuance of any building permits for this project.
6. That all other federal, state and city codes, ordinances and laws be met.



+ 2,505 Sq. Ft.



SITE PLAN

This site plan is prepared for information only to show approximate locations, and no information on the plan constitutes a contract, representation or agreement on the part of the Landlord or Developer as to any lease use, occupancy or other matter shown on the plan.

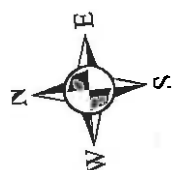


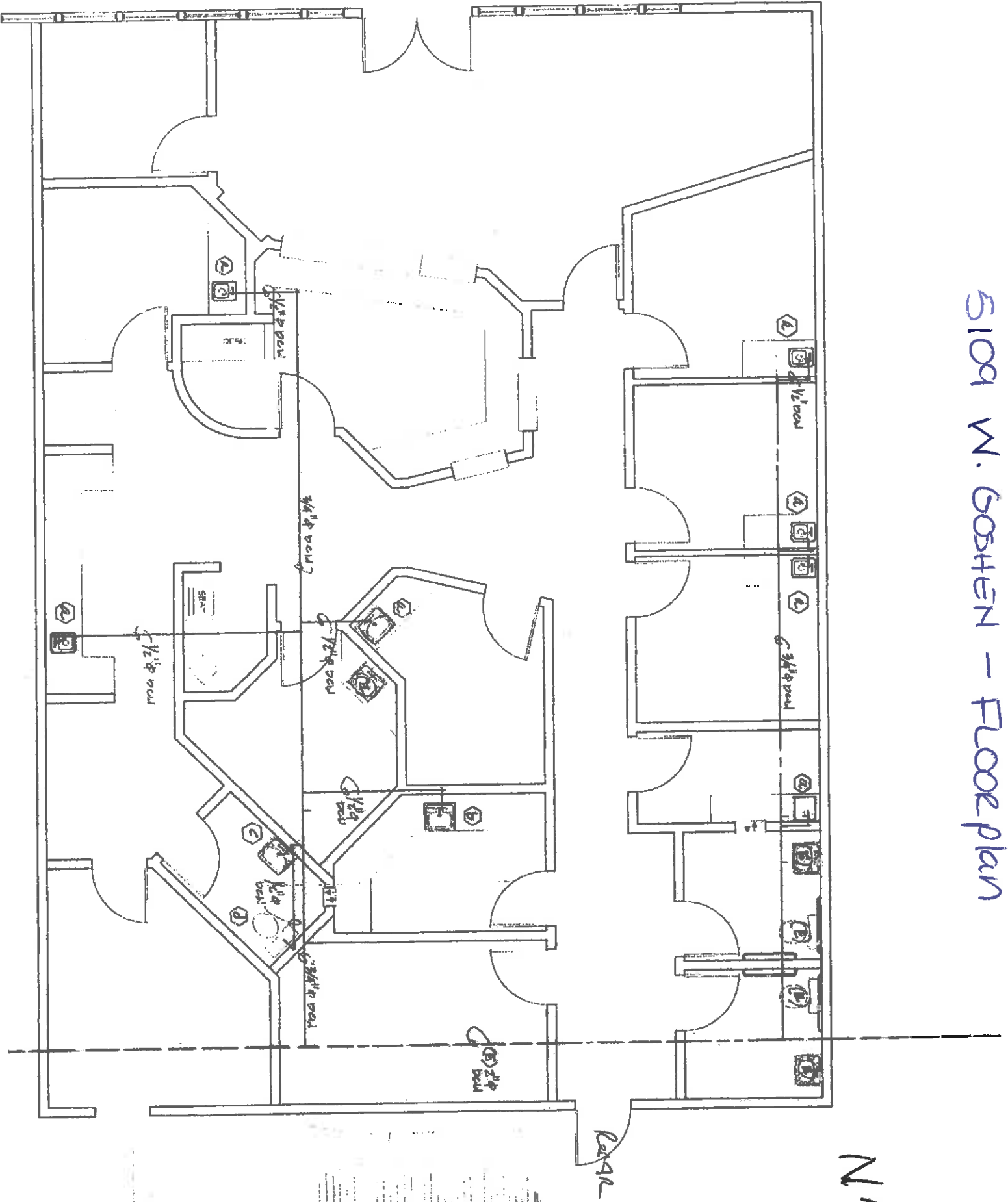
Exhibit "A"

INITIAL HERE

[Handwritten initials]

Exhibit "B"

5109 W. GOSHEN - Floor plan



NOTE:  
UNDEK  
PLANT  
OR: 14.

- 5109 W. GOSHEN
- ① SINK, T
  - ② SINK, T
  - ③ SINK, T
  - ④ SINK, T
  - ⑤ SINK, T
  - ⑥ SINK, T
  - ⑦ SINK, T
  - ⑧ SINK, T
  - ⑨ SINK, T
  - ⑩ SINK, T

## Exhibit "C"

**OPERATIONAL STATEMENT**

***Address: 5109 W. Goshen Avenue***

Primary Care Physician's office engaged in the practice of medicine. Hours of operations will be 8AM-6PM, treating children & Adults, and all activities related to the practice of Medicine. Services available for scheduled & non-scheduled/walk-in patients.

**Hours of Operation:**

Scheduled/Non Scheduled Patients (M-F) → 8:00 AM-4:15 PM

After-Hour Walk-In (M-F) → 4:30 PM-6:00 PM

Saturday Walk-Ins → 8:00 AM-1:00 PM



2/22/13

**Daria Majzoubi, M.D.**  
***Board Certified in Family Medicine***



MEETING DATE 2/13/2013  
SITE PLAN NO. 13-030  
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 2/13/13  
SITE PLAN NO. 13-030  
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.

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Solid Waste  Parks and Recreation  Fire Dept.

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Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION *CUP*

PARK/RECREATION

HISTORIC PRESERVATION

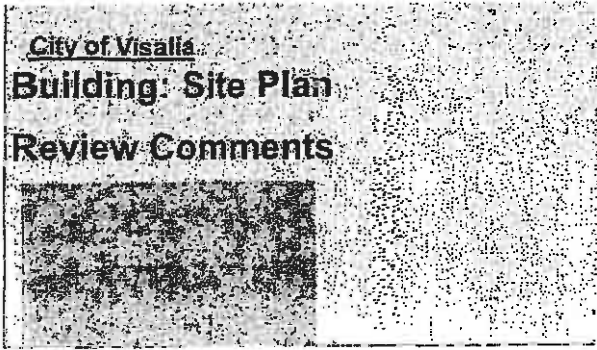
OTHER \_\_\_\_\_

**ADDITIONAL COMMENTS** \_\_\_\_\_

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

*Site Plan Review Committee*





ITEM NO: 7      DATE: February 13, 2013  
 SITE PLAN NO: SPR13030  
 PROJECT TITLE: DOCTOR OFFICE  
 DESCRIPTION: TENANT IMPROVEMENT FOR DOCTORS OFFICE IN 2,500 SF OF 8,600 SF BUILDING ON 2.7 ACRES (CN ZONED)  
 APPLICANT: MAJZOUBI DR  
 PROP OWNER: KEY WEST PLAZA OF VISALIA LLC  
 LOCATION: 5109 W GOSHEN AVE  
 APN(S): 085-040-088

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 EXISTING USE.
  - 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: ELECTRICAL IN EXAM ROOMS.

G. FERRERO      Date: 2-12-13  
 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: 7

DATE: February 13, 2013

SITE PLAN NO:

SPR13030

PROJECT TITLE:

DOCTOR OFFICE

DESCRIPTION:

TENANT IMPROVEMENT FOR DOCTORS OFFICE IN 2,500 SF OF 8,600 SF BUILDING ON 2.7 ACRES (CN ZONED)

APPLICANT:

MAJZOUBI DR

PROP OWNER:

KEY WEST PLAZA OF VISALIA LLC

LOCATION:

5109 W GOSHEN AVE

APN(S):

085-040-088

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

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

ITEM NO: Z      DATE:                       
SITE PLAN NO:      SPR13030  
PROJECT TITLE:      DOCTOR OFFICE  
DESCRIPTION:      TENANT IMPROVEMENT FOR DOCTORS OFFICE IN  
                                 2,500 SF OF 8,600 SF BUILDING ON 2.7 ACRES (CN  
                                 ZONED)  
APPLICANT:      MAJZOUBI DR  
PROP OWNER:      KEY WEST PLAZA OF VISALIA LLC  
LOCATION:      5109 W GOSHEN AVE  
APN(S):      085-040-088

**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**

**QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS**

ITEM NO: Z                      DATE: February 13, 2013  
SITE PLAN NO:                  SPR13030  
PROJECT TITLE:                 DOCTOR OFFICE  
DESCRIPTION:                   TENANT IMPROVEMENT FOR DOCTORS OFFICE IN  
   2,500 SF OF 8,600 SF BUILDING ON 2.7 ACRES (CN  
   ZONED)  
APPLICANT:                      MAJZOUBI DR  
PROP OWNER:                    KEY WEST PLAZA OF VISALIA LLC  
LOCATION:                         5109 W GOSHEN AVE  
APN(S):                         085-040-088

YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES, THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR - 3 COMPARTMENT \_\_\_\_\_
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER - ¼ HP. MAXIMUM \_\_\_\_\_
- SUBMISSION OF A DRY PROCESS DECLARATION \_\_\_\_\_
- NO SINGLE PASS COOLING WATER IS PERMITTED \_\_\_\_\_
- OTHER \_\_\_\_\_
- SITE PLAN REVIEWED - NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY QUESTIONS.

CITY OF VISALIA  
PUBLIC WORKS DEPARTMENT  
QUALITY ASSURANCE DIVISION  
7579 AVENUE 288  
VISALIA, CA 93277

*Ma Kim*  
AUTHORIZED SIGNATURE

2-12-13

# SITE PLAN REVIEW COMMENTS

**Alyssa Netto, Planning Division (559) 713-4256**

Date: February 13, 2012

SITE PLAN NO: 13-030  
PROJECT TITLE: DOCTOR OFFICE  
DESCRIPTION: TENANT IMPROVEMENT FOR DOCTORS OFFICE IN 2,500 SF OF  
8,600 SF BUILDING ON 2.7 ACRES (CN ZONED)  
APPLICANT TITLE: MAJZOUBI DR  
PROP. OWNER: KEY WEST SHOPPING CENTER  
LOCATION: 5109 W GOSHEN AVE  
APN TITLE: 085-040-088

General Plan: CN – Neighborhood Commercial  
Existing Zoning: CN – Neighborhood Commercial

---

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Conditional Use Permit
- Building Permit

## **PROJECT SPECIFIC INFORMATION: 02/13/2013**

1. Medical offices are conditionally permitted in the neighborhood commercial (CN) zone—the project will require a minor CUP.

## 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: "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. Provide 13 spaces based on 1 spaces per unit or one space per 200 square feet of gross floor area (see Zoning Ordinance Section 17.34.020).
2. Provide 1 handicapped space(s) [see Zoning Ordinance Section 17.34.030.H).
3. It is highly recommended that bicycle rack(s) be provided on site plan.
4. Provide shared parking/access agreements. Said agreements/ easements to be approved and recorded prior to issuance of building permits (Zoning Ordinance Section 17.34.050).

**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. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
4. Outdoor retail sales prohibited.
5. All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights (Zoning Ordinance Section 17.30.130.F).


**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. 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.
3. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
4. 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

 ARN



**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 7 DATE: FEBRUARY 13, 2013

SITE PLAN NO.: 13-030  
 PROJECT TITLE: DOCTOR OFFICE  
 DESCRIPTION: TENANT IMPROVEMENT FOR DOCTORS OFFICE  
 IN 2,500 SF OF 8,600 SF BUILDING ON 2.7  
 ACRES (CN ZONED)

APPLICANT: MAJZOUBI DR  
 PROP OWNER: KEY WEST PLAZA OF VISALIA LLC  
 LOCATION: 5109 W GOSHEN AVE  
 APN: 085-040-088

**SITE PLAN REVIEW COMMENTS**

- REQUIREMENTS (indicated by checked boxes)
  - Install curb return with ramp, with \_\_\_\_\_ radius;
  - Install curb;  gutter
  - Drive approach size:  Use radius return;
  - Sidewalk width:  parkway width at \_\_\_\_\_
  - Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
  - Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
  - Right-of-way dedication required. A title report is required for verification of ownership.
  - Deed required prior to issuing building permit;
  - City Encroachment Permit Required.
    - 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. Impact fees apply to proposed Medical use over previous Retail. See page 3 for fee summary.**

**2. Plan check and inspection fees apply. All fees due at time of building permit issuance.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 13-030  
Date: 2/13/2013

**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:MEDICAL)

Existing uses may qualify for credits on Development Impact Fees. **RETAIL**

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$11,596 - RETAIL(\$10,642)/1000SF => \$954 X 2.5 = \$2,385
<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.

  
\_\_\_\_\_  
Adrian Rubalcaba

**City of Visalia**  
**Police Department**  
303 S. Johnson St.  
Visalia, Ca. 93292  
(559) 713-4573

ITEM NO: 7      DATE: February 13, 2013  
SITE PLAN NO: SPR13030  
PROJECT TITLE: DOCTOR OFFICE  
DESCRIPTION: TENANT IMPROVEMENT FOR DOCTORS OFFICE IN  
2,500 SF OF 8,800 SF BUILDING ON 2.7 ACRES (CN  
ZONED)  
APPLICANT: MAJZOUBI DR  
PROP OWNER: KEY WEST PLAZA OF VISALIA LLC  
LOCATION: 5109 W GOSHEN AVE  
APN(S): 085-040-088

### 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:  
\_\_\_\_\_

  
\_\_\_\_\_  
Visalia Police Department

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

February 13, 2013

ITEM NO: 7  
SITE PLAN NO: SPR13030  
PROJECT TITLE: DOCTOR OFFICE  
DESCRIPTION: TENANT IMPROVEMENT FOR DOCTORS OFFICE IN 2,500 SF OF 8,600 SF BUILDING ON 2.7 ACRES (CN ZONED)  
APPLICANT: MAJZOUBI DR  
PROP. OWNER: KEY WEST PLAZA OF VISALIA LLC  
LOCATION: 5109 W GOSHEN AVE  
APN(S): 085-040-088

**THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY**

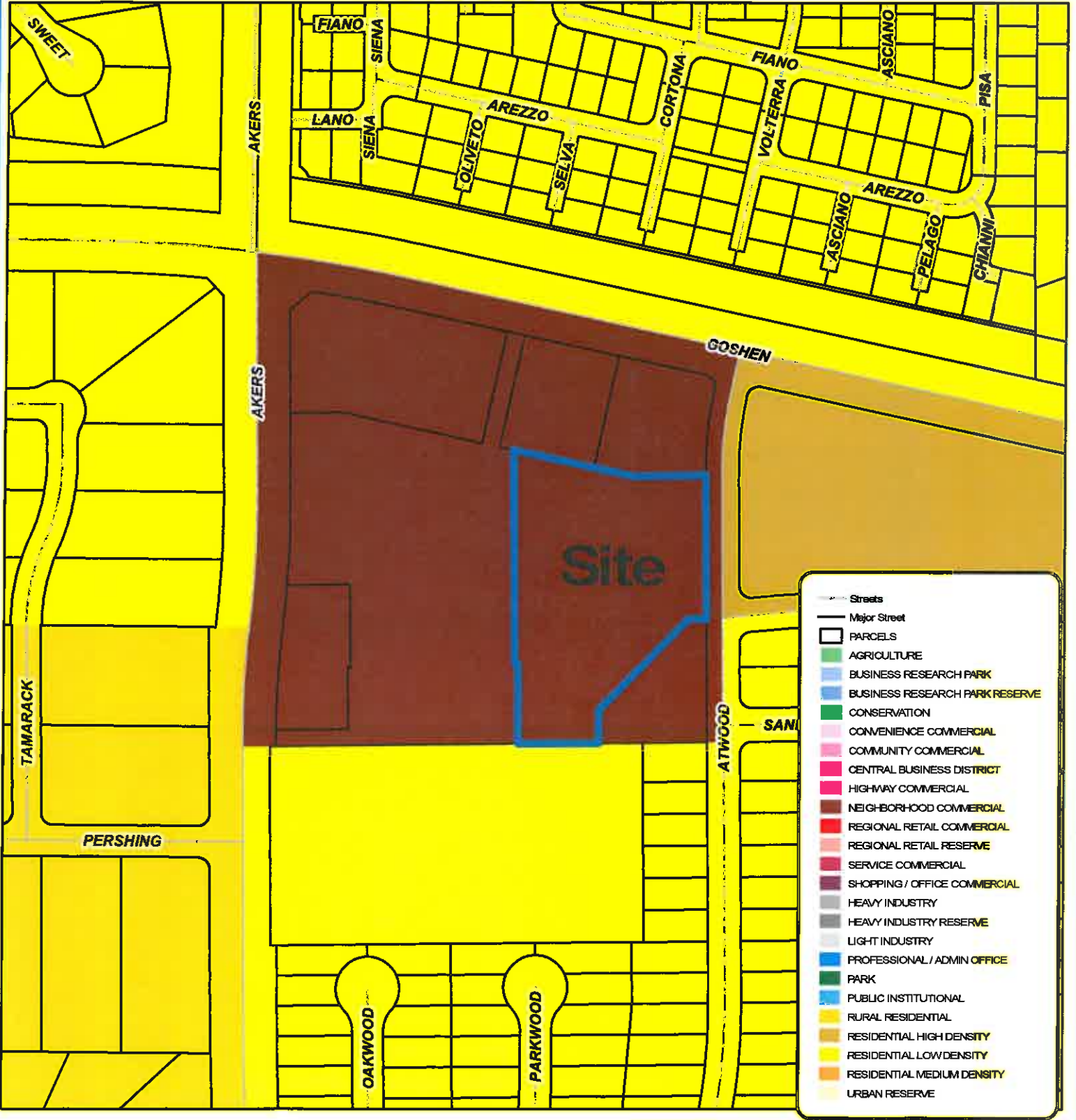
- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at           Locations.
- Install Stop Signs at each exit location.
- Construct parking per City Standards PK-1 through PK-4. include the appropriate handicap parking with all the pavement markings and signs.
- Construct drive approach per City Standards.
- Traffic Impact Study required.

**Additional Comments:**

  
Eric Bons

# Conditional Use Permit No. 2013-07

## APN: 085-040-088



Streets	
—	Major Street
□	PARCELS
■	AGRICULTURE
■	BUSINESS RESEARCH PARK
■	BUSINESS RESEARCH PARK RESERVE
■	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

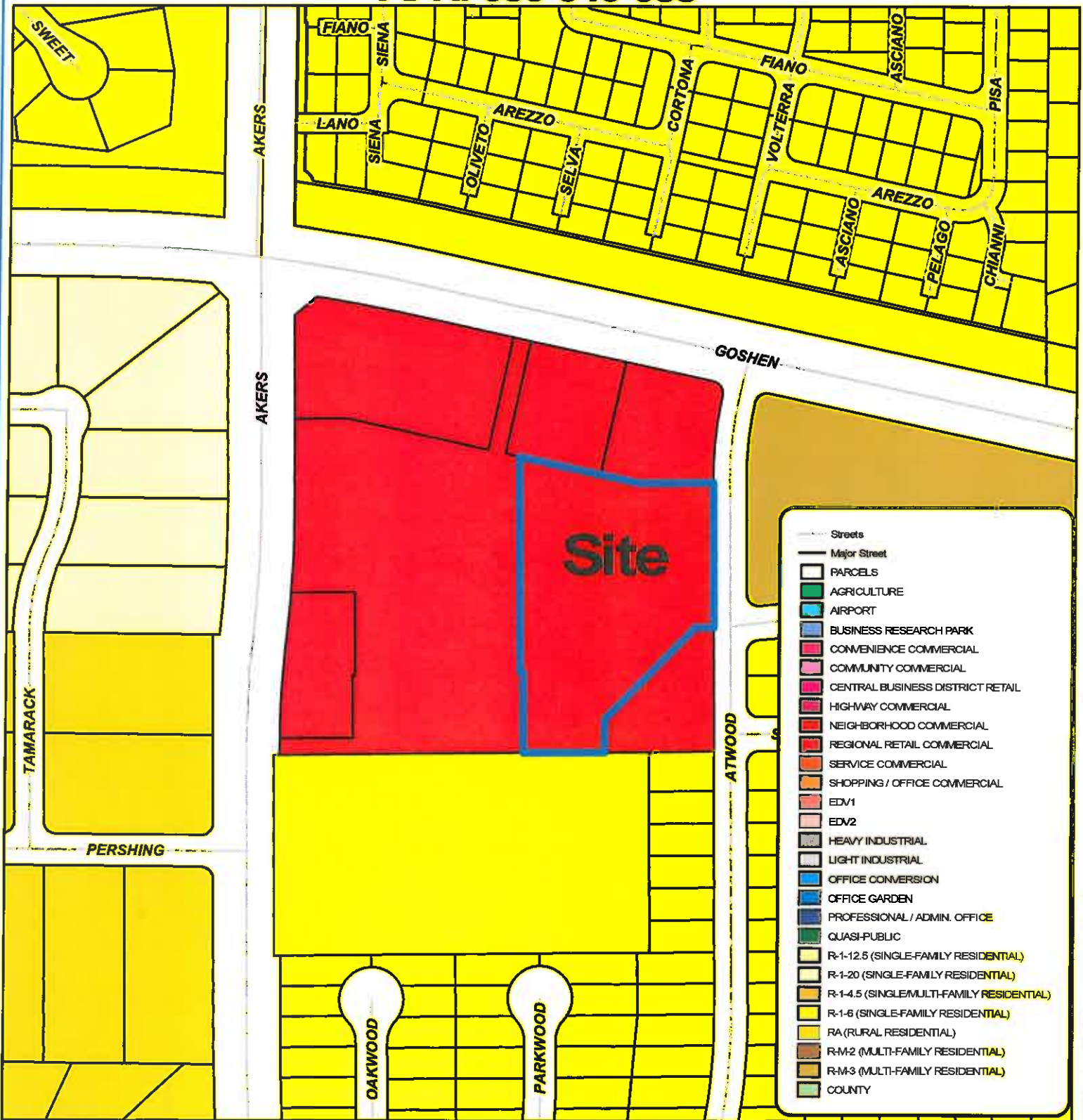


# General Plan Land Use Map



# Conditional Use Permit No. 2013-07

APN: 085-040-088



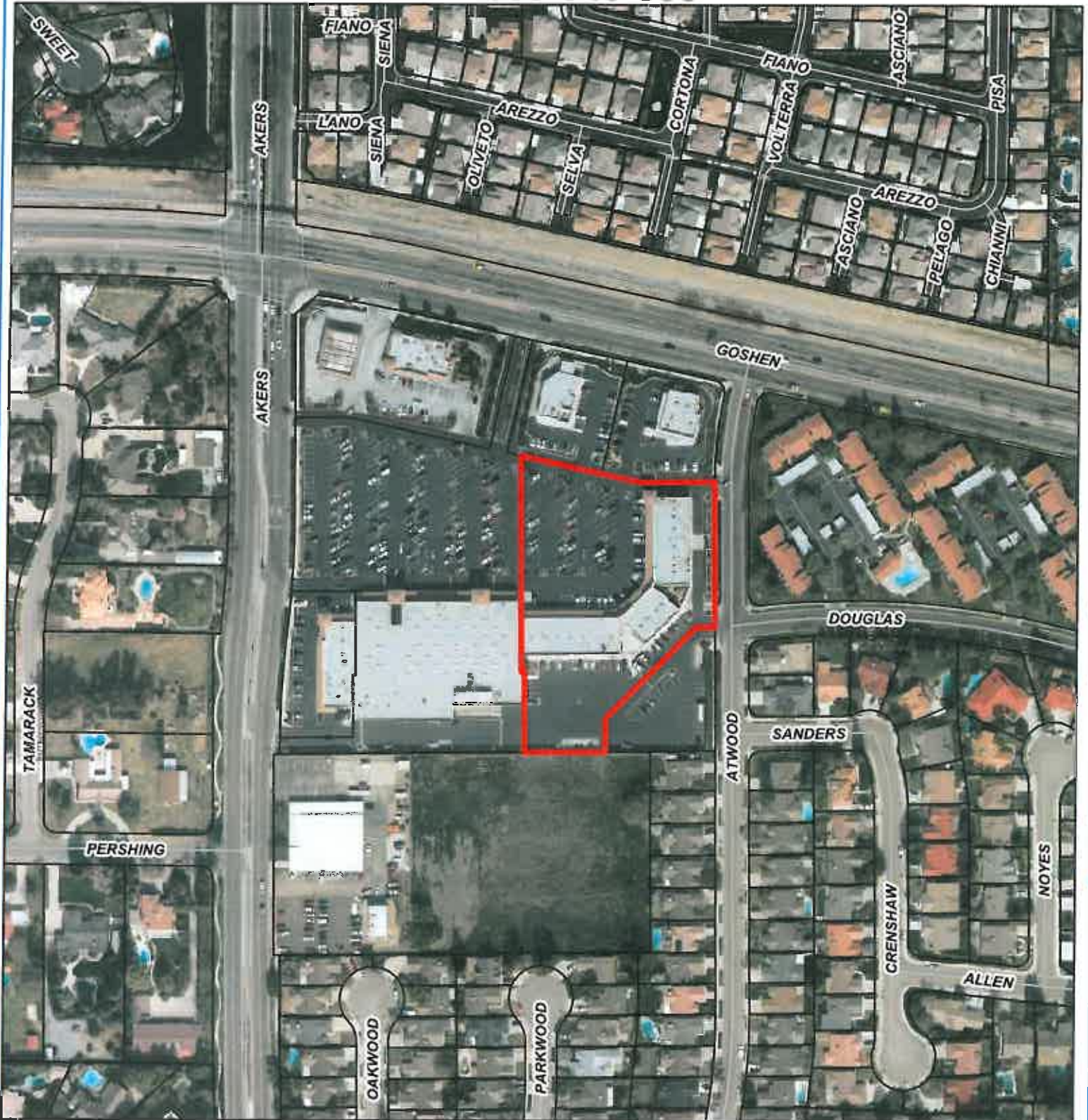
## Zoning Map



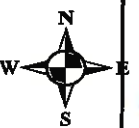


# Conditional Use Permit No. 2013-07

APN: 085-040-088



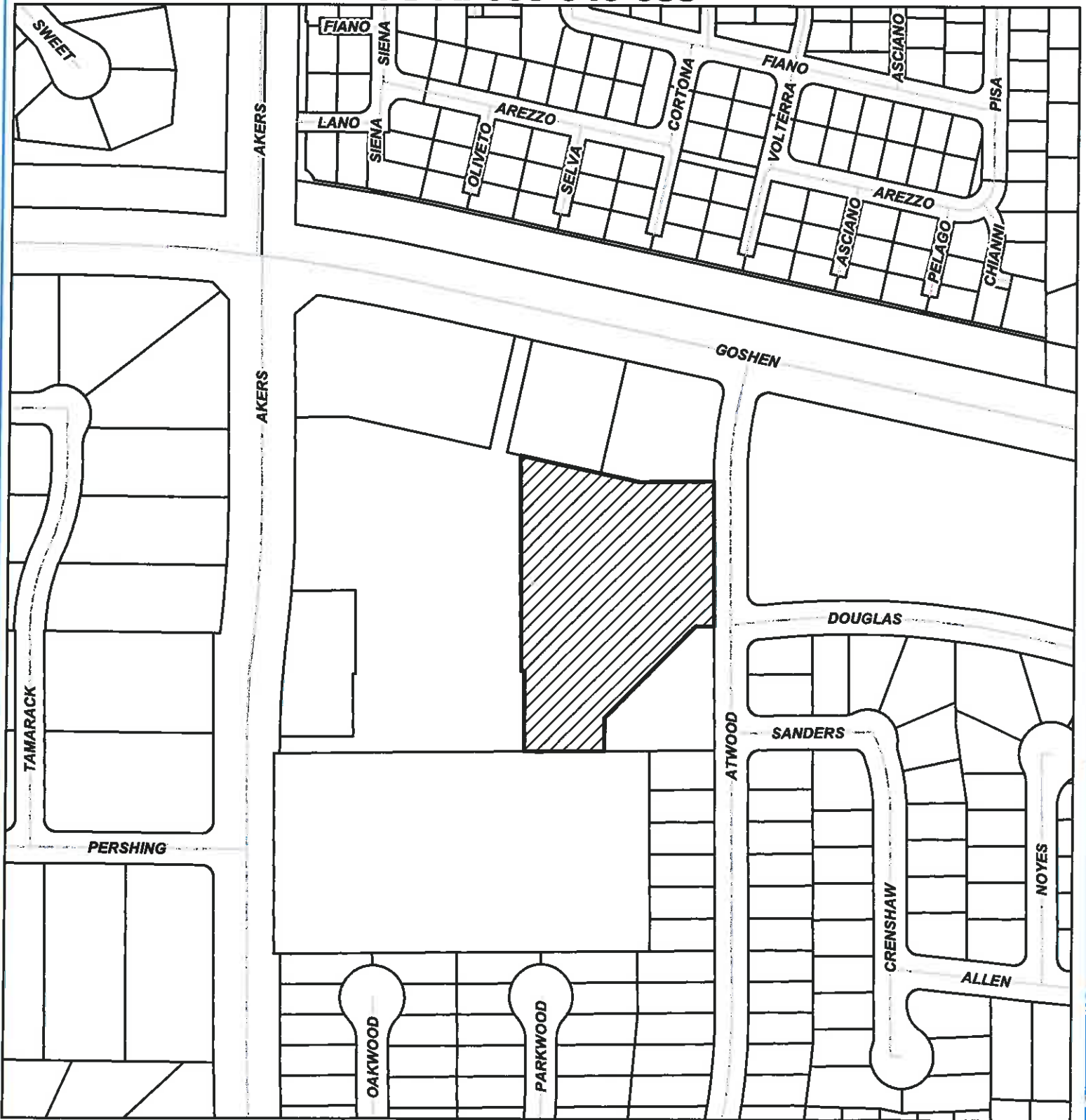
## Aerial Map





# Conditional Use Permit No. 2013-07

APN: 085-040-088



## Vicinity Map

