

# PLANNING COMMISSION AGENDA

CHAIRPERSON:  
Lawrence Segrue



VICE CHAIRPERSON:  
Adam Peck

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

MONDAY AUGUST 12, 2013; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. ELECTION OF OFFICERS
3. 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.
4. CHANGES OR COMMENTS TO THE AGENDA–
5. 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.
6. PUBLIC HEARING –Jose Saenz  
Conditional Use Permit No. 2013-24: A request by Cres Ancheta to establish a 2,500 square foot personal fitness training studio in the Light Industrial (IL) zone. The site is located at 7112 W. Pershing Avenue, (APN: 081-150-007). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2013-44.
7. PUBLIC HEARING – Alyssa Netto
  - a. Consideration of Negative Declaration No. 2013-42
  - b. Conditional Use Permit No. 2013-23: A request by IDA to establish a 1,200 square foot fast food restaurant with a drive-thru lane for Wienerschnitzel in the Commercial Shopping/Office (CSO) zone. The property is located at 1400 E. Noble Ave, the north side of Noble Avenue, east of Ben Maddox Way (APN: 100-030-022).
8. PUBLIC HEARING – Andrew Chamberlain  
Tentative Parcel Map No. 2013-02: A request by Jesus Gutierrez to subdivide an existing 0.81 acre parcel into four parcels in the R-M-2 (Medium Density Residential) Zone. The site is located at 2324 S. Linwood Street, on the southeast corner of Linwood Street and Mary Avenue (APN: 119-050-042). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2013-57.

9. PUBLIC HEARING – Brandon Smith

- a. Consideration of Mitigated Negative Declaration No. 2013-54.
- b. Conditional Use Permit No. 2013-25: A request by Bridgecourt Homes L.P., to allow a master-planned commercial development on 9.8 acres, consisting of 55,701 sq. ft. of commercial and office uses in the Planned Shopping / Office Commercial (C-SO) Zone. The first phase of the development will consist of a 4,524 sq. ft. gasoline service station, 1,038 sq. ft. automated car wash, 3,061 sq. ft. convenience store, and 3,302 sq. ft. fast food restaurant with drive-thru service.
- c. Tentative Parcel Map No. 2013-01: A request by Bridgecourt Homes L.P., to divide 16.47 acres into three parcels, one lettered lot held in common, and two remainder parcels.
- d. General Plan Amendment No. 2011-14: A request by Bridgecourt Homes L.P., to change the General Plan land use designation from Residential Low Density to Shopping/Office Commercial on 9.8 acres.
- e. Change of Zone No. 2011-15: A request by Bridgecourt Homes L.P., to change the Zoning Designation from Single-family Residential (R-1-6) to Planned Shopping / Office Commercial (C-SO) on 9.8 acres.

10. WORK SESSION –

- Presentation on the work program to amend the Zoning Ordinance regulating telecommunication tower development standards and locations.

11. 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 AUGUST 22, 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, AUGUST 26, 2013**

## City of Visalia



**To:** Planning Commission

**From:** Paul Scheibel, AICP, Planning Services Manager

**Date:** August 12, 2013

**Re:** Agenda Item 2: Election of Planning Commission Officers

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On February 13, 2012, the Planning Commission voted to amend its process for electing Planning Commission officers (Chair and Vice-Chair). The Commission determined that the term of the offices should be from July to the following July. This is to ensure the Planning Commissioners have at least one year remaining on their term of appointment to the Planning Commission.

The last election of officers took place on August 13, 2012 for a period of one year. It is anticipated that the terms of the Planning Commissioners elected as officers will run to July 2014. All five Planning Commissioners have at least one year remaining on their current terms of appointment to the Planning Commission.

# ACTION

## PLANNING COMMISSION AGENDA



CHAIRPERSON: Lawrence Segrue

VICE CHAIRPERSON: Adam Peck

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

COMMISSIONERS ABSENT:

MONDAY, AUGUST 13, 2012 7:00 P.M., CITY HALL WEST, 707 WEST ACEQUIA, VISALIA CA

- 7:00 TO 7:00
1. THE PLEDGE OF ALLEGIANCE
- 7:00 TO 7:03
2. SWEARING IN OF BRETT TAYLOR –
- Commissioner Taylor was sworn in by Leslie Caviglia
- 7:03 TO 7:06
3. ELECTION OF OFFICERS-
- Chair: Commissioner Segrue, nomination approved (Peck, Salinas) 5-0
- Vice-Chair: Commissioner Peck, nomination approved (Salinas, Soltesz) 5-0
- 7:06 TO 7:07
- No one spoke:
4. 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.
- 7:07 TO 7:07
- Late correspondences for item 6
- 7:07 TO 7:07
- No items on consent calendar
5. CHANGES OR COMMENTS TO THE AGENDA–
6. 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.
- No Items on Consent Calendar

7:07 TO 7:43

Approved as  
recommended  
(Peck, Soltész) 5-0

7. PUBLIC HEARING-Paul Bernal  
Conditional Use Permit No. 2012-29: A request by Tulare County to relocate the Department of Mental Health and improve the former 38,452 square foot Fairway Market building for office uses in the C-N (Neighborhood Commercial) zone. The site is located at 520 East Tulare Avenue. (APN: 097-094-070, 041 & 042)

7:43 TO 7:53

Motion to adjourn  
(Segrue, Peck) 5-0

8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION:
- City Council Electronic Communications Policy
  - 2012/13 & 2013/14 Budget in Brief
  - Next GPURC meeting August 30, 2012

The Planning Commission meeting adjourned at 7:53 PM. Respectfully  
Submitted by, Susan Currier Planning Commission Recording Secretary.

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.

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#### **APPEAL PROCEDURE**

#### **THE LAST DAY TO FILE AN APPEAL IS AUGUST 23, 2012 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, AUGUST 27, 2012**

# ACTION

## PLANNING COMMISSION AGENDA

CHAIRPERSON: Lawrence Segrue



VICE CHAIRPERSON: Adam Peck

COMMISSIONERS PRESENT: Adam Peck, Roland Soltesz, Vincent Salinas, Lawrence Segrue

COMMISSIONERS ABSENT EXCUSED: Terese Lane

COMMISSIONERS ABSENT UNEXCUSED:

MONDAY, FEBRUARY 13, 2012 7:00 P.M., CITY HALL WEST, 707 WEST ACEQUIA, VISALIA CA

7:00 TO 7:00

### 1. THE PLEDGE OF ALLEGIANCE

7:00 TO 7:06

### 2. ELECTION OF PLANNING COMMISSION OFFICERS

Adam Peck nominated Larry Segrue to remain as Chairperson (Peck, Salinas) 4-0  
Vincent Salinas nominated Adam Peck to remain as Vice-Chairperson (Salinas, Soltesz) 4-0; Both will remain until the end of Term in June.



7:06 TO 7:06

### 3. 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.

No one spoke

7:06 TO 7:08

### 4. CITY PLANNER AGENDA COMMENTS-

No comments

7:08 TO 7:08

### 5. CHANGES TO THE AGENDA – Change to location on item 6c- North E. corner of Giddings/Murray

7:08 TO 7:10

### 6. 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.

Consent Calendar was approved ( Peck, Salinas) 4-0 Lane absent

- a. Request for Determination of General Plan Consistency, Proposed Site Acquisition by the Visalia Unified School District for the proposed Northwest School Complex
- b. Request for Determination of General Plan Consistency, Proposed Site Acquisition by the Visalia Unified School District for future K-6 School proposed at Shirk and Ferguson
- c. Time Extension for Variance No. 2010-08

7:10 TO 7:16

Public Hearing  
Open:7:12  
Close:7:13

Spoke:  
Angela Eller

Approved as  
recommended  
(Salinas, Soltesz ) 4-0  
Lane absent

7:16 TO 7:22

Public Hearing  
Open:7:19  
Close:7:20

Spoke:  
Jose M. Reyes

Approved as  
recommended  
(Soltesz, Peck) 4-0  
Lane absent

7:22 TO 7:31

Public Hearing  
Open:7:26  
Close:7:29

Spoke:

1. Gloria Villarreal
2. William Mitchell

Approved as  
recommended  
(Salinas, Peck ) 4-0  
Lane absent

7:31 TO 8:07

Public Hearing  
Open:7:38  
Close:7:54

Spoke:  
Corbin McDonald  
(Opposed Project)

Recommended to the  
City Council (Peck,  
Salinas ) 4-0 Lane  
absent

8:07 TO 8:36

Public Hearing  
Open:8:34  
Close:8:34

No one spoke:

Recommended to the  
City Council  
(Soltesz, Peck ) 4-0  
Lane absent

8:36 TO 8:45

Motion to adjourn  
(Peck, Soltesz) 4-0  
Lane absent

7. PUBLIC HEARING– Andy Chamberlain  
Conditional Use Permit No. 2012-07: A request by Angela Eller to allow the establishment of a photography studio in the Professional / Administrative Office (PA) zone, located at 2318 West Sunnyside Avenue (APN: 121-100-088).
8. PUBLIC HEARING– Paul Bernal  
Variance No. 2012-01: A request by Jose M. Reyes to exceed the rear yard area coverage by 84 square feet for a second dwelling unit in the Single Family Residential (R-1-6) zone. This site is located at 1534 N. Edison Street. (APN: 091-073-010)
9. PUBLIC HEARING– Brandon Smith  
Conditional Use Permit No. 2012-01: A request by Gloria Villarreal to expand the existing Glory Days Assisted Living care facility from 6 to 9 individuals in the Single Family Residential (R-1-6) zone, located at 1303 S. Pinkham Street (APN 100-140-038).
10. PUBLIC HEARING – Paul Bernal  
General Plan Amendment No. 2012-01: A request by the City of Visalia to amend the General Plan Circulation Element to classify Burke Street from Houston Avenue continuing south to Tulare Avenue as a collector status street. This portion of Burke Street is currently classified as a local street.
11. PUBLIC HEARING –Paul Scheibel
  - a. GPA No. 2011-06: A request by the City of Visalia to Amend the General Plan Land Use Element Polies 4.1.19 and 4.1.20 pertaining to multi-family residences Citywide to implement the 2010 General Plan Housing Element Update.
  - b. Change of Zone No. 2011-07: A request by the City of Visalia to Amend various portions of Municipal Code Title 17 (Zoning) to implement the 2010 General Plan Housing Element Update.
12. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION:
  - a. City Council Annual Workshop- Animated, Banner and Non-profit Signs
  - b. Smart Valley Places Meeting 02/27/2012; Paul Scheibel will give Presentation
  - c. Next GPURC Meeting is 02/ 17/12 at 3pm in the Convention Center

The Planning Commission meeting adjourned at 8:45 pm. Respectfully  
Submitted by, Susan Currier Planning Commission Recording Secretary.

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**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, FEBRUARY 27, 2012**





# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** August 12, 2013  
**PROJECT PLANNER:** Jose Saenz, Planning Intern  
Phone: (559) 713-4330

**SUBJECT:** Conditional Use Permit No. 2013-24: A request by Cres Ancheta to establish a 2,500 square foot personal fitness training studio in the Light Industrial (IL) zone. The site is located at 7112 West Pershing Avenue (APN: 081-150-007).

## STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2013-24, based on the findings and conditions in Resolution No. 2013-32. Staff's recommendation is based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

## PROJECT DESCRIPTION

Conditional Use Permit No. 2013-24 is a request to establish a fitness facility in an existing building in the Pershing Court Industrial Park. The fitness facility will lease 2,500 square feet as shown in Exhibit "A".

According to the Operational Statement in Exhibit "B", the proposed fitness facility will operate through appointment-only classes with a maximum of five (5) participants and one (1) instructor per session.

The fitness facility will be operated by appointment-based only, Monday – Friday, with typical hours of 5:00 a.m. to 6:00 p.m.

## BACKGROUND INFORMATION

General Plan Land Use Designation: Light Industry  
Zoning: I-L (Light Industrial)  
Surrounding Land Use and Zoning: North: I-L (Light Industrial)  
South: I-L (Light Industrial)  
East: I-L (Light Industrial)  
West: I-L (Light Industrial)  
Environmental Review: Categorical Exemption No. 2013-44 under Section 15301  
Special Districts: Design District "H"  
Site Plan: 2012-215

## RELATED PROJECTS

Conditional Use Permit No. 2012-34 was a request by Jacob Hutchinson to establish a fitness facility in an existing 4,950 square foot warehouse building in the IL (Light Industrial) zone. The site is located at 6840 West Pershing Ave (APN: 081-150-007).

## PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2013-24, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

The proposed personal fitness facility is similar in nature and intensity to “other recreational facilities” that have been approved in the Light Industrial zone. Staff concludes that “small personal fitness facilities” are not synonymous with athletic or health clubs (i.e., In-Shape, Lifestyles), which are designed to accommodate a high volume of customers per day. These small personal fitness facilities provide specialized training in small group settings and do not accept walk-in customers. As stated in the operational statement, the personal training will consist of one person and one coach per session with no set hours or days of the week to accommodate clients’ needs. The semi-private training will consist of two to five persons and one coach per session and will be offered to clients as little as one time per week and as many as five times per week. The team training will be mobile at the client’s site session. Through this distinction, staff finds that a personal fitness facility, categorized under “other recreational facilities” in the zoning ordinance, would be a compatible land use in the Light Industrial zone.



Due to the proposal’s recreational nature, concerns regarding the surrounding light industrial uses and how the project may be affected by such uses must be addressed. In the I-L Zone, permitted uses would include low-intensity research and development, warehousing, and limited manufacturing or packaging. These permitted uses do not typically create high levels of noise or truck traffic impacts. Staff finds that the customers and employees of the fitness facility would not place any significant impact on any existing land uses in the Pershing Industrial park area.

Staff also recommends approval of this project due to compatibility with other surrounding similar uses. There are existing private fitness centers located within the Industrial park, one located on Pershing Avenue immediately east of the subject site. Similarly, a dance studio and an indoor baseball-training field are located within a quarter mile of the requested site. Staff finds the requested personal fitness facility compatible with the proposed location in the Light Industrial zone based upon the limited size of the facility and no apparent conflicts with adjacent land uses.

Parking

A personal fitness facility is parked similar to a gymnasium which is required to have one parking space for every 500 square feet of floor area, per Section 17.34.020.D.5 of the Visalia Zoning Ordinance. Based on this requirement, a total of five (5) parking spaces are required. There are 24 on-site parking stalls, whereas the proposed fitness facility will not create an



impact on the existing parking since there is more parking provided than required per the Zoning Ordinance.

Based upon the operational statement, with classes of a maximum of five (5) participants and one instructor per session, the available parking would appear to meet demand. The operational statement will lock in the class size and frequency, with any significant changes requiring Site Plan Review, and a potential amendment to this Conditional Use permit, prior to said changes.

## Environmental Review

The requested action is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2013-44).

### **RECOMMENDED FINDINGS**

1. That the proposed project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required findings 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 Light Industrial zone in which the site is located. The gym operates outside of standard business hours of the industrial park and with lower intensity than a larger health club. In addition, the site has ample parking, and is in close proximity to other similar recreational uses.
  - The proposed location of the conditional use in the Light Industrial zone and the conditions of lower intensity of clientele and sufficient on-site parking under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2013-44).

### **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. 2012-215.
2. That the use be operated in compliance with the site plan shown in Exhibit "A" and the operational statement shown in Exhibit "B". Substantial changes to the site plan, and/or operational statement will require Site Plan Review and a potential amendment to the Conditional Use Permit, prior to said changes.
3. That the owner/operator maintains maximum class size of 5 participants thereby limiting the number of employees and clients on-site.
4. That building signage shall be obtained under a separate permit.
5. That all applicable federal, state and city codes and ordinances be met.
6. 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. 2013-24.

### **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. 2013-32
- Exhibit "A" - Site Plan
- Exhibit "B" – Operational Statement
- Site Plan Review No. 2012-215
- General Plan Land Use Map
- Zoning Map
- Aerial Photograph
- Vicinity Map

## **Related Plans & Policies Conditional Use Permits**

### **17.38.010 Purposes and powers**

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

### **17.38.020 Application procedures**

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
  - 1. Name and address of the applicant;
  - 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
  - 3. Address and legal description of the property;
  - 4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
  - 5. The purposes of the conditional use permit and the general description of the use proposed;
  - 6. Additional information as required by the historic preservation advisory committee.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application. (Prior code § 7526)

### **17.38.030 Lapse of conditional use permit**

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

### **17.38.040 Revocation**

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Prior code § 7528)

### **17.38.050 New application**

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of

the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

**17.38.060 Conditional use permit to run with the land**

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

**17.38.065 Abandonment of conditional use permit**

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

**17.38.070 Temporary uses or structures**

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
  - 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
  - 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
  - 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.
  - 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
  - 5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
  - 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
  - 7. Signing for temporary uses shall be subject to the approval of the city planner.
  - 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
- C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532).

**17.38.080 Public hearing--Notice**

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.

- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

**17.38.090 Investigation and report**

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

**17.38.100 Public hearing--Procedure**

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Prior code § 7535)

**17.38.110 Action by planning commission**

- A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:
  - 1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
  - 2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit. (Prior code § 7536)

**17.38.120 Appeal to city council**

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

**17.38.130 Effective date of conditional use permit**

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

RESOLUTION NO. 2013-32

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-24, A REQUEST BY CRES ANCHETA TO ESTABLISH A 2,500 SQUARE FOOT FITNESS / PERSONAL TRAINING STUDIO IN THE LIGHT INDUSTRIAL (IL) ZONE. THE SITE IS LOCATED AT 7112 WEST PERSHING AVENUE (APN: 081-150-007).

**WHEREAS**, Conditional Use Permit No. 2013-24, is a request by Cres Ancheta to establish a 2,500 square foot personal fitness training studio in the Light Industrial (IL) zone. The site is located at 7112 West Pershing Avenue (APN: 081-150-007); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on August 12, 2013; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2013-24, 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 (Categorical Exemption No. 2013-44).

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15301.

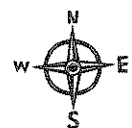
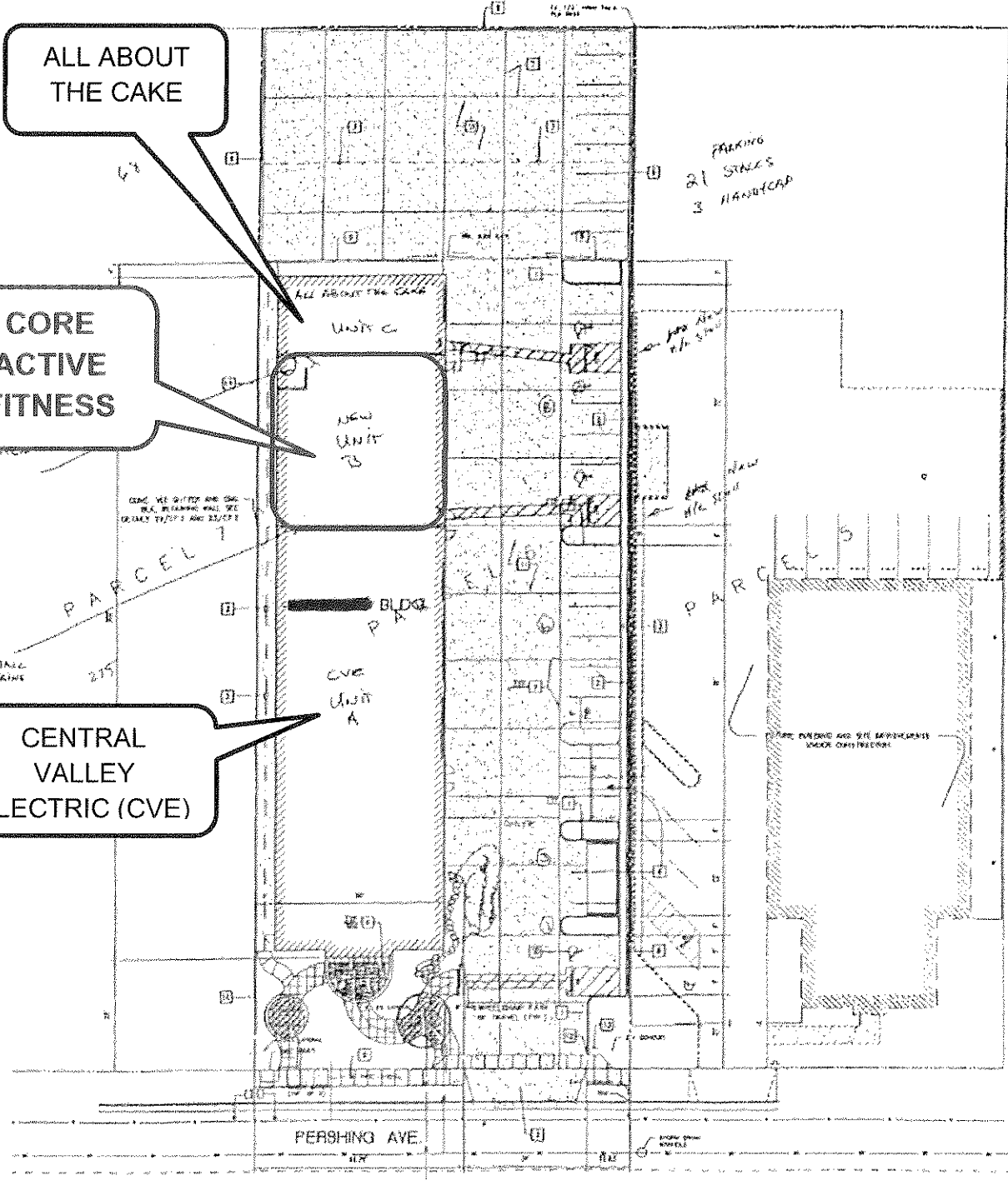
**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required findings 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 Central Business District in which the site is located. The gym operates with lower intensity than a larger health club, the site has ample parking, and is in close proximity to other similar recreational uses.
  - The proposed location of the conditional use in Central Business District and the conditions of lower intensity of clientele and abundant parking 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.



**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. 2012-215.
2. That the use be operated in compliance with the site plan shown in Exhibit "A", and the operational statement shown in Exhibit "B". Substantial changes to the site plan, and/or operational statement will require Site Plan Review and a potential amendment to the Conditional Use Permit, prior to said changes.
3. That building signage shall be obtained under a separate permit.
4. That all applicable federal, state and city 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. 2013-24.



**EXHIBIT "A"**

# Operational Statement

The services that Core Active Fitness will offer are: personal training, and semi-private training in an open floor training area.

Each of our programs will require a month to month contract.

**Personal Training:** Our personal training will consist of one person and one coach per session. This will be offered to clients as little as one time per week and as many as five times per week. Each session will be paid for on a monthly basis in the form of 4-20 session packages. This program includes a personalized fitness program to the client's specific goals.

**Semi-Private Training:** Our semi-private training will consist of two to five persons and one coach per session. This will be offered to our clients as little as one times per week, and as many as five times per week. Each session will be paid for on a monthly basis in the form of 4-20 session packages. This program includes semi-personalized fitness programs to the individuals.

**Sports Team Training:** Our Team Training will be a mobile at their site session. This will consist of one professional coach and several assistant coaches all depending on the number of athletes. This will be offered as one to three times a week. All team training will be paid as a full package before training.

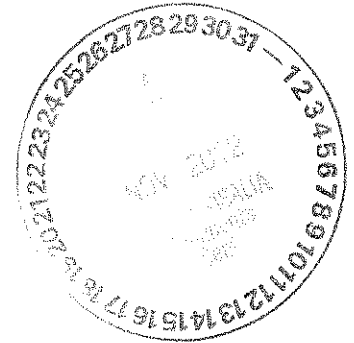
**Competitive Features:** Core Active Fitness will offer personal programs, personal coaching, and accountability to each client. The focus is to keep a minimum number of people to a session to ensure each client gets the adequate attention during the session.

- Personalized program for every individual
- Team goals and rewards
- Accountability Folders; progress photos, measurement log, individual program with workout log.
- Nutritional coaching
- Free assessments
- Educated coach



Scanned

MEETING DATE 10/24/2012  
SITE PLAN NO. 12-215  
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 OCTOBER 24, 2012  
SITE PLAN NO. 12-215  
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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- 

**REVISE AND PROCEED** (see below)

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Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION CUP

PARK/RECREATION

HISTORIC PRESERVATION

OTHER \_\_\_\_\_

---

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

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

*Site Plan Review Committee*

**City of Visalia**  
**Building: Site Plan**  
**Review Comments**

ITEM NO: 5      DATE: October 24, 2012  
SITE PLAN NO:      SPR12215  
PROJECT TITLE:      CORE ACTIVE  
DESCRIPTION:      CORE ACTIVE GYM IN EXISTING 2500 SF BUILDING  
ON 34,106 SF AREA (IL ZONED)  
APPLICANT:      ANCHETA CRES  
PROP OWNER:      DE GROOT JOHN & KAREN L (TRS)  
LOCATION:      7112 W PERSHING CT  
APN(S):      081-150-007

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: \_\_\_\_\_

G. Ferrero      Date: 10-24-12  
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: 5                      DATE: October 24, 2012  
SITE PLAN NO:                      SPR12215  
PROJECT TITLE:                      CORE ACTIVE  
DESCRIPTION:                      CORE ACTIVE GYM IN EXISTING 2500 SF BUILDING  
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LOCATION:                              7112 W PERSHING CT  
APN(S):                                081-150-007

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:

  
 Kurtis Brown, Assistant Fire Marshal



ITEM NO: 5                      DATE: October 24, 2012  
 SITE PLAN NO:                      SPR12215  
 PROJECT TITLE:                    CORE ACTIVE  
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 LOCATION:                         7112 W PERSHING CT  
 APN(S):                              081-150-007

**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

# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025/Andrew Chamberlain (559) 713-4003

Date: October 24, 2012

SITE PLAN NO: 12-215  
PROJECT TITLE: CORE ACTIVE  
DESCRIPTION: CORE ACTIVE GYM IN EXISTING 2500 SF BUILDING ON 34,106 SF AREA (IL ZONED)  
APPLICANT TITLE: ANCHETA CRES  
PROP. OWNER: DE GROOT JOHN & KAREN L (TRS)  
LOCATION TITLE: 7112 W PERSHING CT St: B  
APN TITLE: 081-150-007

General Plan: IL – Light Industrial  
Existing Zoning: IL – Light Industrial

---

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Building Permits

### **PROJECT SPECIFIC INFORMATION:** 10/24/2012

1. A conditional use permit is required for the proposed use.
2. Provide a detailed operational statement.
3. Parking demand and availability needs to be confirmed by the applicant. This is established based upon the operational statement which would be used to condition the intensity of use through the CUP process. As described by the applicant, (4 clients and 2 instructor maximum at any one time) would appear to be covered by the existing on-site parking.

## 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: "H" (No construction proposed) [17.30.230]**

**Landscaping:** 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.

**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 

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

October 24, 2012

ITEM NO: 5  
SITE PLAN NO: SPR12215  
PROJECT TITLE: CORE ACTIVE  
DESCRIPTION: CORE ACTIVE GYM IN EXISTING 2500 SF BUILDING ON 34,106 SF AREA (IL ZONED)  
APPLICANT: ANCHETA CRES  
PROP. OWNER: DE GROOT JOHN & KAREN L (TRS)  
LOCATION: 7112 W PERSHING CT  
APN(S): 081-150-007

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

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

**COMMERCIAL BIN SERVICE**

TEM NO: 5

DATE: October 24, 2012

SITE PLAN NO:

SPR12215

PROJECT TITLE:

CORE ACTIVE

DESCRIPTION:

CORE ACTIVE GYM IN EXISTING 2500 SF BUILDING  
ON 34,106 SF AREA (IL ZONED)

APPLICANT:

ANCHETA CRES

PROP OWNER:

DE GROOT JOHN & KAREN L (TRS)

LOCATION:

7112 W PERSHING CT

APN(S):

081-150-007

No comments.

Same comments as as

Revisions required prior to submitting final plans. See comments below.

Resubmittal required. See comments below.

Customer responsible for all cardboard and other bulky recyclables to be broken down  
before disposing of in recycle containers.

ALL refuse enclosures must be R-3 or R-4

Customer must provide combination or keys for access to locked gates/bins

Type of refuse service not indicated.

Location of bin enclosure not acceptable. See comments below.

Bin enclosure not to city standards double.

Inadequate number of bins to provide sufficient service. See comments below.

Drive approach too narrow for refuse trucks access. See comments below.

Area not adequate for allowing refuse truck turning radius of :  
Commercial ( X ) 50 ft. outside 36 ft. inside; Residential ( ) 35 ft. outside, 20 ft. inside.

Paved areas should be engineered to withstand a 55,000 lb. refuse truck.

Bin enclosure gates are required

Hammerhead turnaround must be built per city standards.

Cul - de - sac must be built per city standards.

Bin enclosures are for city refuse containers only. Grease drums or any other  
items are not allowed to be stored inside bin enclosures.

Area in front of refuse enclosure must be marked off indicating no parking

Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)

Customer will be required to roll container out to curb for service.

Must be a concrete slab in front of enclosure as per city standards

The width of the enclosure by ten(10) feet, minimum of six(6) inches depth.

Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

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

EXISTING REFUSE ENCLOSURE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 5 DATE: OCTOBER 24, 2012

SITE PLAN NO.: 12-215  
PROJECT TITLE: CORE ACTIVE  
DESCRIPTION: CORE ACTIVE GYM IN EXISTING 2500 SF BUILDING ON 34,106 SF AREA (IL ZONED)  
APPLICANT: ANCHETA CRES  
PROP OWNER: DE GROOT JOHN & KAREN L (TRS)  
LOCATION: 7112 W PERSHING CT  
APN: 081-150-007

**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.
- 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. Handicap stall and path of travel to comply with current ADA standards.**
- 2. Gen. office impact fees apply to small/personal gym type use. Previous warehouse credit will be assessed with fee calculation. See Page 3 for summary.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 12-215

Date: 10/24/2012

**Summary of applicable Development Impact Fees to be collected at the time of building permit:**  
**(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)**

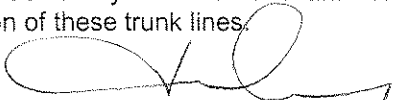
(Fee Schedule Date:8/17/2012)  
(Project type for fee rates:GEN. OFFICE)

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

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$4,761-\$1,488CR=\$3,273/1000SF \$3,273/1000SF X 2.5=\$8,182.50
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$84-\$20.50CR=\$63.50/1000SF \$63.50/1000SF X 2.5=\$158.75
	Treatment Plant Connection Fee
	= \$424.15 Total
<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.




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Jason Huckleberry



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

**COMMERCIAL BIN SERVICE**

PERMIT NO: \_\_\_\_\_  
SITE PLAN NO: SPR12215  
PROJECT TITLE: CORE ACTIVE  
DESCRIPTION: CORE ACTIVE GYM IN EXISTING 2500 SF BUILDING  
ON 34,106 SF AREA (IL ZONED)  
APPLICANT: ANCHETA CRES  
PROP OWNER: DE GROOT JOHN & KAREN L (TRS)  
LOCATION: 7112 W PERSHING CT  
APN(S): 081-150-007

- 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 ENCLOSURE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

[ ]

QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS

ITEM NO: 5                      DATE: October 24, 2012  
SITE PLAN NO:                  SPR12215  
PROJECT TITLE:                CORE ACTIVE  
DESCRIPTION:                 CORE ACTIVE GYM IN EXISTING 2500 SF BUILDING  
   ON 34,106 SF AREA (IL ZONED)  
APPLICANT:                    ANCHETA CRES  
PROP OWNER:                 DE GROOT JOHN & KAREN L (TRS)  
LOCATION:                      7112 W PERSHING CT  
APN(S):                      081-150-007

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

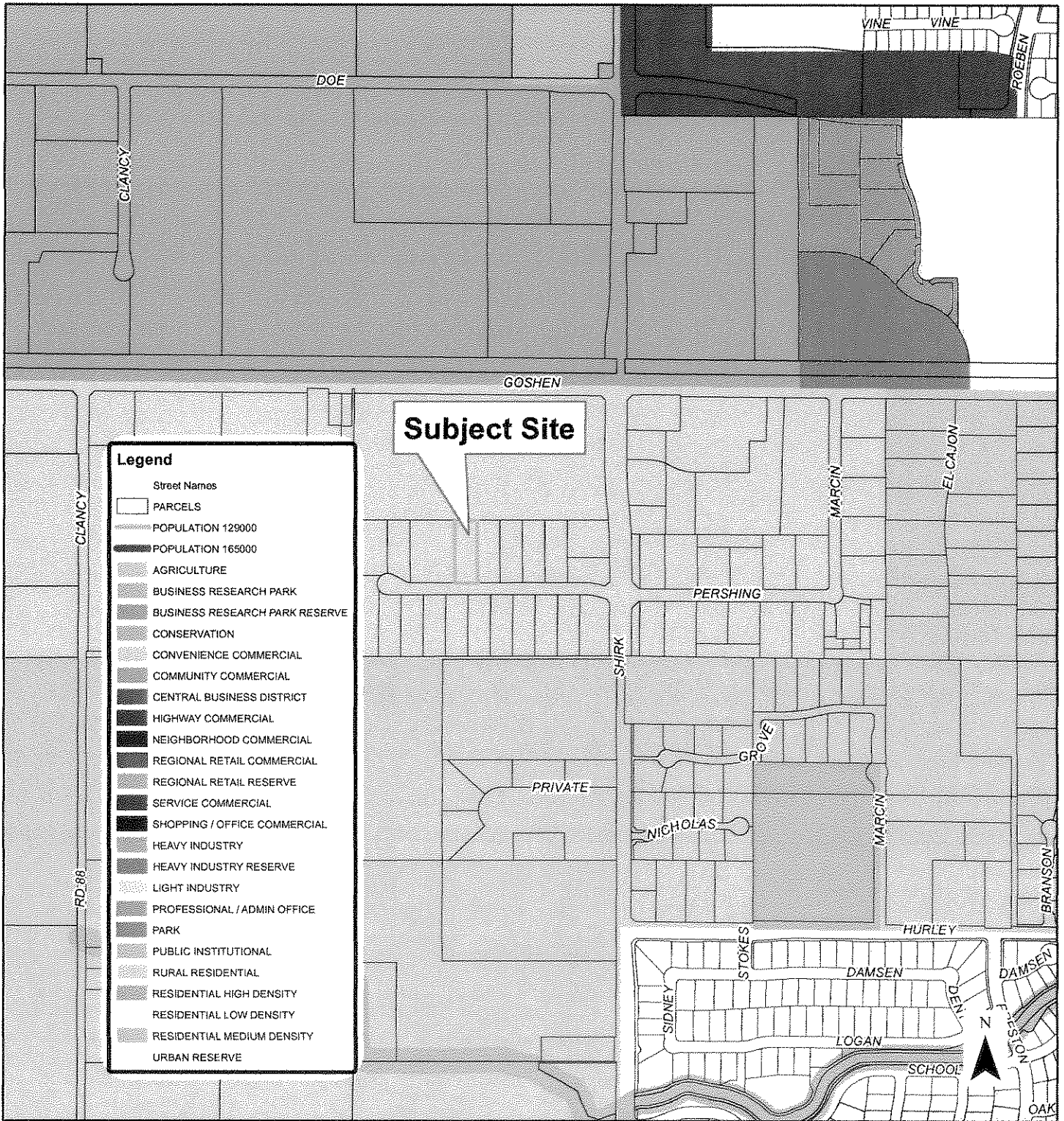


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AUTHORIZED SIGNATURE

10-22-12

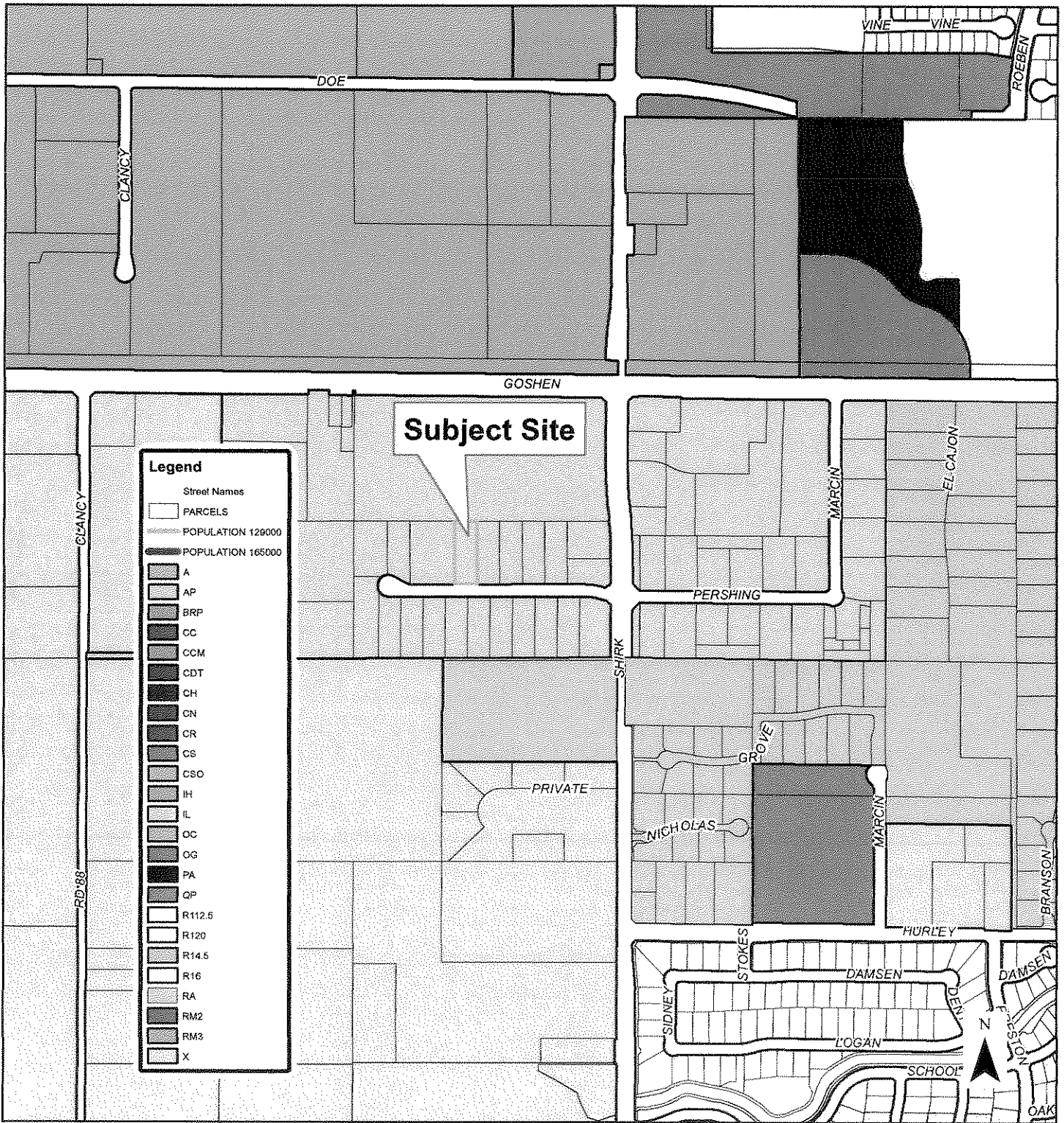
\_\_\_\_\_  
DATE

# City of Visalia



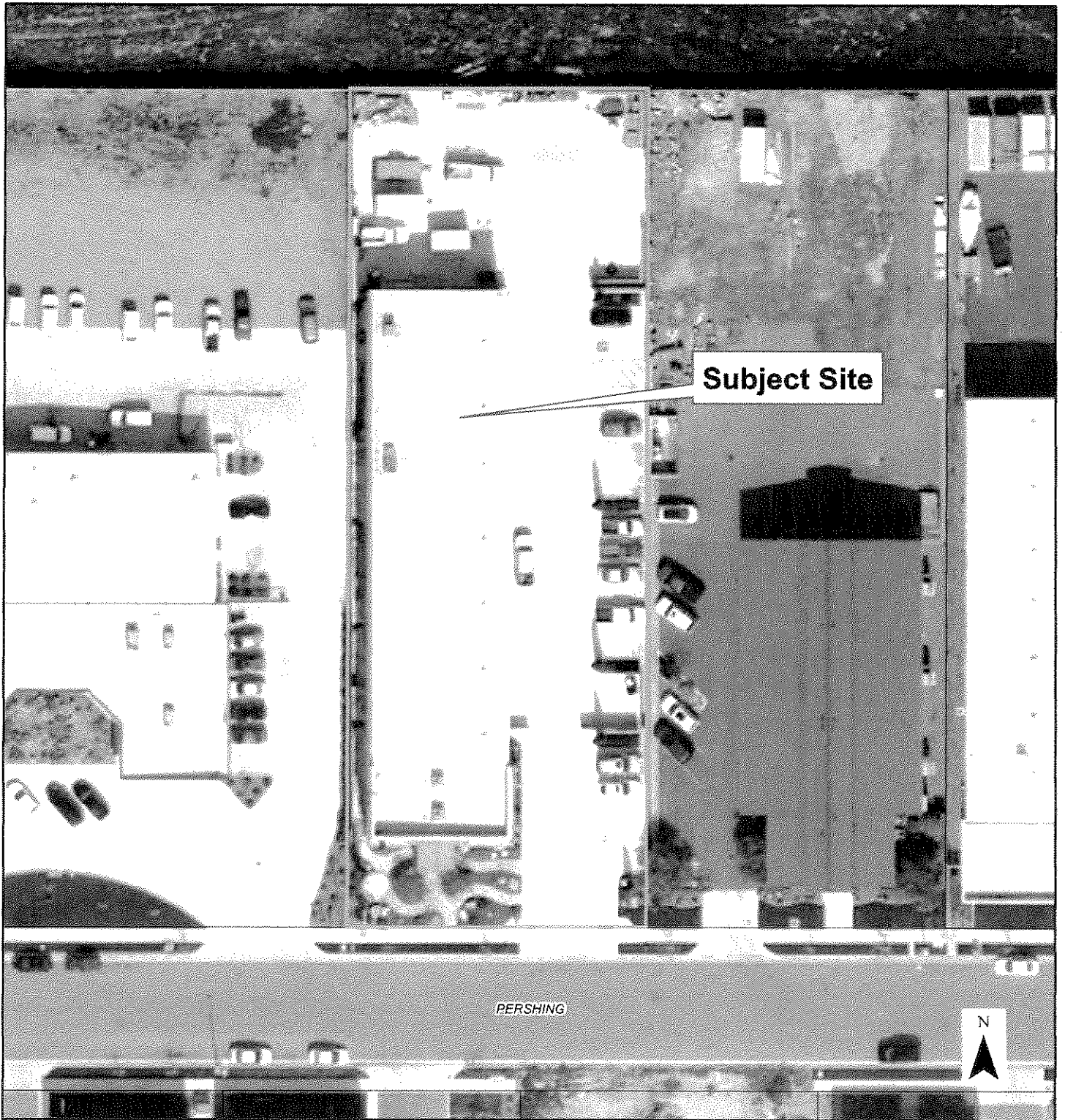
# Land Use Designations

# City of Visalia



# Zoning Designations

# City of Visalia



# Aerial Photo

# City of Visalia



# Location Map