

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Roland Soltesz

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

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

1. THE PLEDGE OF ALLEGIANCE –

2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments 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.

- No Items

5. PUBLIC HEARING – Paul Bernal

Conditional Use Permit No. 2013-31: A request by Shohreh Khademi to establish an outpatient surgery center in an existing 2,654 square foot tenant space. The site is zoned PA (Professional / Administrative Office) and is located at 210 South Johnson Street (APN: 093-203-001). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2013-76.

6. PUBLIC HEARING – Andrew Chamberlain

Conditional Use Permit No. 2013-32: A request by Matthew Graham to establish a Broadcasting Station with On-Site Antenna, and to Convert 16,700 square feet of Service Commercial space to General Office, in the Service Commercial (CS) zone, located at 700 E. Mineral King Avenue (APN 094-222-030, 029). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2013-74.

## 7. 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 NOVEMBER 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, DECEMBER 9, 2013**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** November 12, 2013

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

**SUBJECT: Conditional Use Permit No. 2013-31:** A request by Shohreh Khademi to establish an outpatient surgery center in an existing 2,654 square foot tenant space. The site is zoned PA (Professional / Administrative Office) and is located at 210 South Johnson Street (APN: 093-203-001).

## STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 2013-51 for Conditional Use Permit No. 2013-31 based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2013-31 based on the findings and conditions in Resolution No. 2013-51.

## PROJECT DESCRIPTION

The Conditional Use Permit is a request to establish an outpatient cosmetic surgery center in an existing 2,654 square foot tenant space as depicted on Exhibit "A". The surgery center will occupy the larger tenant space of a multi-tenant building (see Exhibit "A"). The two remaining tenant spaces, located to the north of the surgery center are currently unoccupied. The site is located at 210 South Johnson Street and is zoned PA (Professional / Administrative Office)

The applicant is only proposing interior improvements to the surgery center tenant space to meet California Building Code requirements for facilities that provide surgical procedures. The tenant space will be remodeled to accommodate offices, pre-screening / exam rooms, lobby, surgery rooms and patient recovery rooms. The applicant is not proposing exterior modifications to the building and the two remaining lease spaces will not be modified with this project.

According to the lessee's Operational Statement (Exhibit "B"), in addition to the primary surgeon, three employees will be present onsite during business hours. The surgery center will be open three days a week from 8:00 a.m. to 5:00 p.m.

The site has previously been occupied by a general practitioners office, wellness center and a day spa but has been vacant for the past few months.

## BACKGROUND INFORMATION

General Plan Land Use Designation: Professional / Administrative Office

Zoning: P-A (Professional / Administrative Office)

Surrounding Zoning and Land Use: North: CDT (Central Business District) – American's Best Value Inn Motel  
South: PA (Professional / Admin. Office) – Offices  
East: P-A (Professional / Admin. Office) – Medical Offices

West: P-A (Professional / Admin. Office) – City Hall  
& Council Chambers

Environmental Document

Categorical Exemption No. 2013-76

Site Plan:

Site Plan Review No. 2013-151

Special District:

Parking District “A” & Parcel Based Improvement  
District

### **RELATED PROJECTS**

Conditional Use Permit No. 2012-21 was approved allowing a day spa business in an existing 1,630 square foot tenant space in the P-A (Professional / Administrative Office) zone located at 210 South Johnson Street.

### **Related Plans and Policies**

Please see attached summary of related plans and policies.

## **PROJECT EVALUATION**

Staff supports the requested conditional use permit based on project consistency with the General Plan and the Zoning Ordinance.

### **Land Use Compatibility**

The project site is located in an area of downtown that is quickly becoming a primary area for medical office uses given the close proximity to Kaweah Delta Hospital. The PA zone identifies a wide range of “Permitted” professional / medical office uses that can be effectively integrated into surrounding areas. However, “surgery centers” are “Conditionally Permitted” in the PA zone regardless of building square footage or the frequency on the number of surgical produces conducted on a daily/weekly basis.

Based on the applicant’s operational statement, number of employees, and hours of operation, staff has concluded that the proposed use will not have a negative impact on surrounding uses given the site’s close proximity to other medical type uses. Staff believes that the proposed medical surgery center is consistent in nature and character with the existing uses surrounding the project site.

### **Parking**

The parking requirement for a medical use is one parking space per 200 square feet of building area. This use requires 13 parking spaces, however, only six spaces are provide onsite (see Exhibit “A”). However, the building is located in the Central Business District Parking Zone District “A” and the Parcel Based Improvement District (PBID). Parking District “A” would allow the applicant and/or property owner to pay for any additional required parking that is not provided on-site. The formation of PBID suspended the Parking In-lieu parking fee program for uses considered a change-in-use where no new building construction is proposed. The surgery center is modifying an existing tenant space, is not proposing to increase the building square footage, and therefore is not subject to the Parking In-lieu fee requirement given that the proposed use is considered a change-in-use project.

### **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. 2013-76).

## **RECOMMENDED FINDINGS**

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for minor alterations in land use limitations. (Categorical Exemption No. 2013-76).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2013-151.
2. That the site be developed in substantial compliance with the site plan, floor plan, (Exhibit "A"), and the operational statement (Exhibit "B"), attached herein.
3. That one handicap stall be stripped onsite per California Building Code requirements.
4. That all signs require a separate building permit.
5. That all applicable federal, state and city laws, 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. 2013-31, prior to the issuance of any building permits for this project.

## **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 425 East Oak Avenue, Suite 301, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.ci.visalia.ca.us](http://www.ci.visalia.ca.us) or from the city clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2013-51
- Exhibit "A" – Site Plan
- Exhibit "B" – Operational Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

Related Plans & Policies  
Conditional Use Permits  
**(Section 17.38)**

17.38.010 Purposes and powers

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

17.38.020 Application procedures

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

17.38.030 Lapse of conditional use permit

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

17.38.040 Revocation

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

#### 17.38.050 New application

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

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

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

#### 17.38.065 Abandonment of conditional use permit

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

#### 17.38.070 Temporary uses or structures

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



#### 17.38.080 Public hearing--Notice

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

#### 17.38.090 Investigation and report

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

#### 17.38.100 Public hearing--Procedure

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

#### 17.38.110 Action by planning commission

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

#### 17.38.120 Appeal to city council

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

#### 17.38.130 Effective date of conditional use permit

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

RESOLUTION NO. 2013-51

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-31, A REQUEST BY SHOHREH KHADEMI TO ESTABLISH AN OUTPATIENT SURGERY CENTER IN AN EXISTING 2,654 SQUARE FOOT TENANT SPACE. THE SITE IS ZONED PA (PROFESSIONAL / ADMINISTRATIVE OFFICE) AND IS LOCATED AT 210 SOUTH JOHNSON STREET (APN: 093-203-001)

**WHEREAS**, Conditional Use Permit No. 2013-31, is a request by Shohreh Khademi to establish an outpatient surgery center in an existing 2,654 square foot tenant space. The site is zoned PA (Professional / Administrative Office) and is located at 210 South Johnson Street (APN: 093-203-001); and

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

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

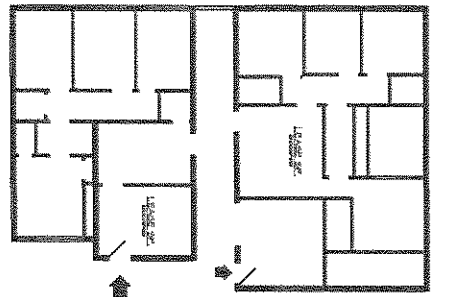
**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15301.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-76).

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

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2013-151.
2. That the site be developed in substantial compliance with the site plan, floor plan, (Exhibit "A"), and the operational statement (Exhibit "B"), attached herein.
3. That one handicap stall be stripped onsite per California Building Code requirements.
4. That all signs require a separate building permit.
5. That all applicable federal, state and city laws, 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. 2013-31, prior to the issuance of any building permits for this project.

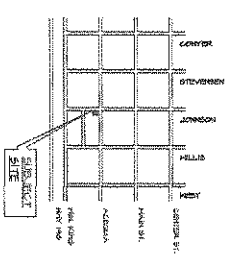


FLOOR PLAN

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

VICINITY MAP

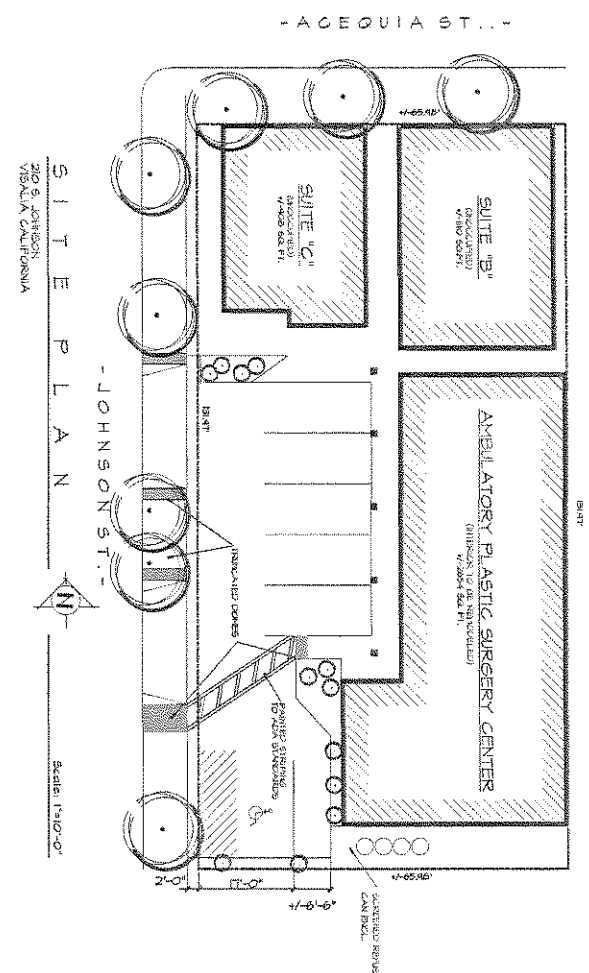
NO SCALE



OPERATIONAL STATEMENT  
AMBULATORY PLASTIC SURGERY CENTER

THE APPLICANT'S INTENT IS TO REDEVELOP THE EXISTING BUILDING INTO A SURGERY CENTER FOR THE AMBULATORY PLASTIC SURGERY CENTER. THE BUILDING IS CURRENTLY USED AS A STORAGE WAREHOUSE. THE APPLICANT IS REQUESTING A REZONING FROM AN AGRICULTURAL ZONE TO A COMMERCIAL ZONE TO ALLOW FOR THE CONSTRUCTION OF THE AMBULATORY PLASTIC SURGERY CENTER. THE APPLICANT IS REQUESTING A REZONING FROM AN AGRICULTURAL ZONE TO A COMMERCIAL ZONE TO ALLOW FOR THE CONSTRUCTION OF THE AMBULATORY PLASTIC SURGERY CENTER. THE APPLICANT IS REQUESTING A REZONING FROM AN AGRICULTURAL ZONE TO A COMMERCIAL ZONE TO ALLOW FOR THE CONSTRUCTION OF THE AMBULATORY PLASTIC SURGERY CENTER.

NOTE:  
SITES "B" & "C" ARE 1/4 ACRES EACH.  
SITES "A" & "D" ARE 1/4 ACRES EACH.  
TOTAL SITE AREA: 1/2 ACRE



SITE PLAN

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

08  
SHEET

A INTERIOR REMODEL FOR:  
**AMBULATORY PLASTIC SURGERY CENTER**  
210 S. JOHNSON VISALIA, CALIF.

Blank area for notes or additional information.

STEPHEN D. SPARSHOTT  
DESIGN & CONSTRUCTION  
210 S. JOHNSON  
VISALIA, CALIF. 93291  
951-255-4000

## Exhibit "B"

### OPERATIONAL STATEMENT AMBULATORY PLASTIC SURGERY CENTER

THE AMBULATORY PLASTIC SURGERY CENTER WILL BE THE PRIVATE PRACTICE OF DR. TALAKSOON KHADEMI WHO HAS BEEN TRAINED IN AND PRACTICED SURGERY FOR 25 YEARS. IT WILL BE AN OUTPATIENT FACILITY SPECIALIZING IN COSMETIC PLASTIC SURGERY, ABDOMINAL PLASTY, BREAST REDUCTION, BREAST AUGMENTATION, LIPO-SUCTION AND BOTOX INJECTIONS. THERE WILL BE A STAFF CONSISTING OF THE DOCTOR & THREE ADDITIONAL EMPLOYEES. THE FACILITY WILL BE OPEN 3-DAYS A WEEK FROM 8-5 AND WILL SEE A MAXIMUM OF 5 PATIENTS A DAY FOR EITHER CONSULTATION OR SURGERY. THE PATIENTS WILL BE DELIVERED AND PICKED UP AS THERE WILL BE A SURGERY PROCESS OF 4-5 HRS.

DR. TALAKSOON KHADEMI  
210 S. JOHNSON ST.  
VISALIA, CA.



MEETING DATE 10/02/2013  
SITE PLAN NO. 13-151  
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*



RECYCLED PAPER

#1

MEETING DATE OCTOBER 2, 2013

SITE PLAN NO. 13-151

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.

**REVISE AND PROCEED** (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

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

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION CUP

PARK/RECREATION

HISTORIC PRESERVATION

OTHER \_\_\_\_\_

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

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

Site Plan Review Committee





**QUALITY ASSURANCE DIVISION**  
**SITE PLAN REVIEW COMMENTS**

ITEM NO: 1                      DATE: October 02, 2013

SITE PLAN NO:                SPR13151                      *RESUBMIT*

PROJECT TITLE:              AMBULATORY SURGERY CENTER

DESCRIPTION:                AMBULATORY SURGERY CENTER IN EXISTING  
4,500 SF BUILDING ON 8,714 SF AREA (PA ZONED)  
(DISTRICT D)

APPLICANT:                  TALAKSOON SHONNEH KHADEMI

PROP OWNER:                PILLSBURTY CONNIE JONES (TR)(SEP PROP TR

LOCATION:                     210 S JOHNSON ST

APN(S):                      093-203-001

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

*John Smith*

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

9-30-13

\_\_\_\_\_  
DATE

**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 1 DATE: OCTOBER 2, 2013

SITE PLAN NO.: 13-151 RESUBMITTAL  
PROJECT TITLE: AMBULATORY SURGERY CENTER  
DESCRIPTION: AMBULATORY SURGERY CENTER IN EXISTING  
4,500 SF BUILDING ON 8,714 SF AREA (PA  
ZONED) (DISTRICT D)  
APPLICANT: TALAKSOON SHONNEH KHADEMI  
PROP OWNER: PILLSBURY CONNIE JONES (TR) (SEP PROP  
TR)  
LOCATION: 210 S JOHNSON ST  
APN: 093-203-001

**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. ADA compliant van-accessible handicap stall to City standards. Accessible pathway from load/unload zone to entrance may not be necessary per building code.***
- 2. Previous Dental/Medical use will offset impact fees associated with proposed surgery center. Building permit plan review and inspections fees will apply.***
- 3. Parking lot striping to meet current City standards.***

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 13-151 RESUBMITTAL

Date: 10/2/2013

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.)

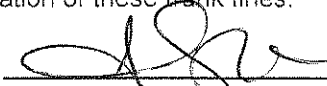
(Fee Schedule Date:8/16/2013)  
(Project type for fee rates:MEDICAL)

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

FEE ITEM	FEE RATE
<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

# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: October 2, 2013

SITE PLAN NO: 13-151 RESUBMITTAL  
PROJECT: AMBULATORY SURGERY CENTER  
DESCRIPTION: AMBULATORY SURGERY CENTER IN EXISTING 4,500 SF BUILDING ON 8,714 SF AREA (PA ZONED) (DISTRICT D)  
APPLICANT: TALAKSOON SHONNEH KHADEMI  
PROP. OWNER: PILLSBURTY CONNIE JONES (TR)(SEP PROP TR)  
LOCATION TITLE: 210 S JOHNSON ST  
APN TITLE: 093-203-001

General Plan: CDT – (Central Business District)  
Existing Zoning: PA – (Professional / Administrative Office)

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Conditional Use Permit for Surgery Center
- Building Permit
- Additional Information as Needed

## **PROJECT SPECIFIC INFORMATION: 09/18/2013**

1. Site is located in PBID and is considered a Change-in-use from a medical office to a surgery/medical office. Additional parking is not required.
2. Identify/label the two remaining tenant spaces. Please note, some medical uses may require a CUP for those tenant spaces not occupied. The CUP for the surgery center will only cover this use at this location.

## **PREVIOUS COMMENTS**

## **PROJECT SPECIFIC INFORMATION: 09/18/2013**

1. Submit a detailed site plan depicting how the tenant space will be modified to meet the surgery centers demands/needs. Clearly define waiting rooms, exam rooms, surgery rooms, reception area, etc.
2. Provide a detailed operational statement. Operational statement should clearly state the type of procedures occur at this location, hours, number of employees, etc.
3. Although the site is located in the Parcel Based Improvement District, staff is requesting a parking analysis be provided for the entire site. Identify all existing business currently operating at this location.
4. Surgery centers are identified as a "Conditionally Permitted" use in the PA zone. Conditional Uses are a discretionary action and require approval from the Planning Commission. This use is subject to the public hearing procedures / timeline, which includes public noticing and an appeal period before any permits can be issued.

## 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: "D" [17.30.190]**

**Maximum Building Height:** 100 Feet

**Minimum Setbacks:**

	<b>Building</b>	<b>Landscaping</b>
➤ Front	0 Feet	5 Feet*
➤ Side	0 Feet	5 Feet*
➤ Street side on corner lot	0 Feet	5 Feet*
➤ Side abutting residential zone	15 Feet	5 Feet
➤ Rear	0 Feet	0 Feet*
➤ Rear abutting residential zone	10 Feet	0 Feet

\*(Except where building is on property line)

**Minimum Site Area:** 3,000 square feet

**Parking:** As prescribed in Chapter 17.34; off-street parking areas shall be set back a minimum of five feet from property lines abutting a street.

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

1. Site is located in Parking District "A". A review of permits for this site does not identify any Parking In-lieu fee credits, which may have been established when the building was originally constructed. However, the building is located in the Parcel Based Improvement District (PBID). The formation of PBID suspended the Parking In-lieu parking fee program for uses considered a change-in-use where no new construction is proposed. The surgery center is considered a change-in-use project, and therefore is not subject to the Parking In-lieu fee requirement. In the event that the PBID agreement were to cease, Parking In-lieu fees will be assessed based on the parking requirements as stipulated in the Zoning Ordinance. Both new construction and change-in-use projects will be subject to the Parking In-lieu fee for all required parking stalls not provided on-site.

**Parking:**

1. There are seven parking stalls provided on-site. Additional parking is not required based on the sites location in PBID. Reference "Downtown Parking District" (see above) regarding parking requirements for this site. Staff is requesting square footages for each tenant space be provided so that staff may accurately identify the number of parking spaces required for this building based on the medical office ratio of one stall per 200 square feet of floor area.
2. Staff does recognizes that some of the tenant spaces were previously occupied with medical office uses.
3. Provide handicapped space(s) [see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. It is highly recommended that bicycle rack(s) be provided on site plan.

**Landscaping:**

1. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
2. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.

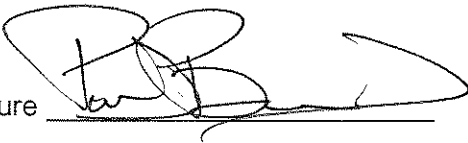
Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be 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 

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA NEIGHBORHOOD PRESERVATION/CODE ENFORCEMENT DIVISION

October 2, 2013

ITEM NO: <u>1</u>	RESUBMTL
SITE PLAN NO:	SPR13151
PROJECT TITLE:	AMBULATORY SURGERY CENTER
DESCRIPTION:	AMBULATORY SURGERY CENTER IN EXISTING 4,500 SF BUILDING ON 8,714 SF AREA (PA ZONED) (DISTRICT D)
APPLICANT:	TALAKSOON SHONNEH KHADEMI
PROP. OWNER:	PILLSBURTY CONNIE JONES (TR)(SEP PROP TR)
LOCATION:	210 S JOHNSON ST
APN(S):	093-203-001

No Comments

See Previous Site Plan Comments

Provide Shopping Cart Retrieval Plan For any Retail That Will Require Shopping Carts

Additional Comments:

  
Tracy Robertshaw



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

ITEM NO: 1

DATE: October 02, 2013

SITE PLAN NO:

SPR13151

**RESUBMIT**

PROJECT TITLE:

AMBULATORY SURGERY CENTER

DESCRIPTION:

AMBULATORY SURGERY CENTER IN EXISTING  
4,500 SF BUILDING ON 8,714 SF AREA (PA ZONED)  
(DISTRICT D)

APPLICANT:

TALAKSOON SHONNEH KHADEMI

PROP OWNER:

PILLSBURTY CONNIE JONES (TR)(SEP PROP TR

LOCATION:

210 S JOHNSON ST

APN(S):

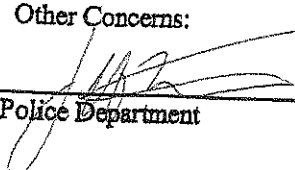
093-203-001

### 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

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

**COMMERCIAL BIN SERVICE**

ITEM NO: 1  
SITE PLAN NO: SPR13151 **RESUBMIT**  
PROJECT TITLE: AMBULATORY SURGERY CENTER  
DESCRIPTION: AMBULATORY SURGERY CENTER IN EXISTING  
4,500 SF BUILDING ON 8,714 SF AREA (PA ZONED  
(DISTRICT D)  
APPLICANT: TALAKSOON SHONNEH KHADEMI  
PROP OWNER: PILLSBURTY CONNIE JONES (TR)(SEP PROP TR  
LOCATION: 210 S JOHNSON ST  
APN(S): 093-203-001

No comments.

Same comments as as

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

Resubmittal required. See comments below.

Customer responsible for all cardboard and other bulky recyclables to be broken down  
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.

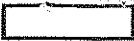
Bin enclosures are for city refuse containers only. Grease drums or any other  
items are not allowed to be stored inside bin enclosures.

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.

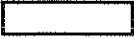


Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post  
see page 2 for instructions



CUSTOMER WILL GO INTO RESIDENTIAL CAN SERVICE, THAT WILL NEED TO BE ROLL OUT CURB SIDE FOR SERVICE ON COLLECTION SERVICE DAYS.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

October 2, 2013

ITEM NO: 1	RESUBMTL
SITE PLAN NO:	SPR13151
PROJECT TITLE:	AMBULATORY SURGERY CENTER
DESCRIPTION:	AMBULATORY SURGERY CENTER IN EXISTING 4,500 SF BUILDING ON 8,714 SF AREA (PA ZONED) (DISTRICT D)
APPLICANT:	TALAKSOON SHONNEH KHADEMI
PROP. OWNER:	PILLSBURTY CONNIE JONES (TR)(SEP PROP TR)
LOCATION:	210 S JOHNSON ST
APN(S):	093-203-001

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

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.

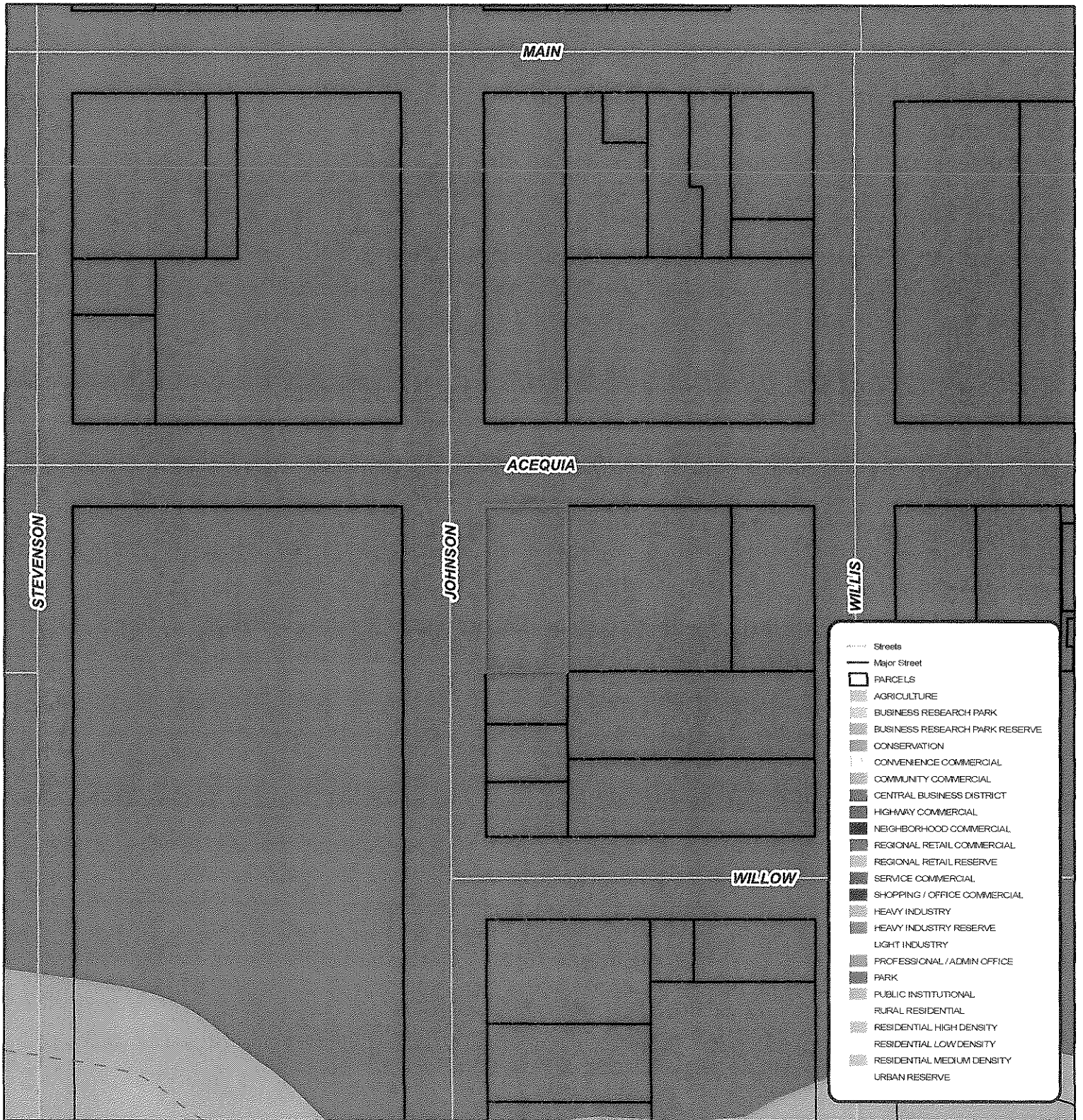
**Additional Comments:**

- Does not appear to have enough on site parking.

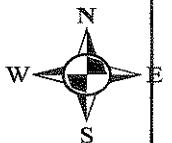
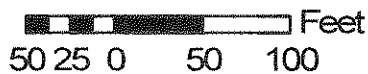
  
\_\_\_\_\_  
Leslie Blair

# Conditional Use Permit No. 2013-31

APN: 093-203-001

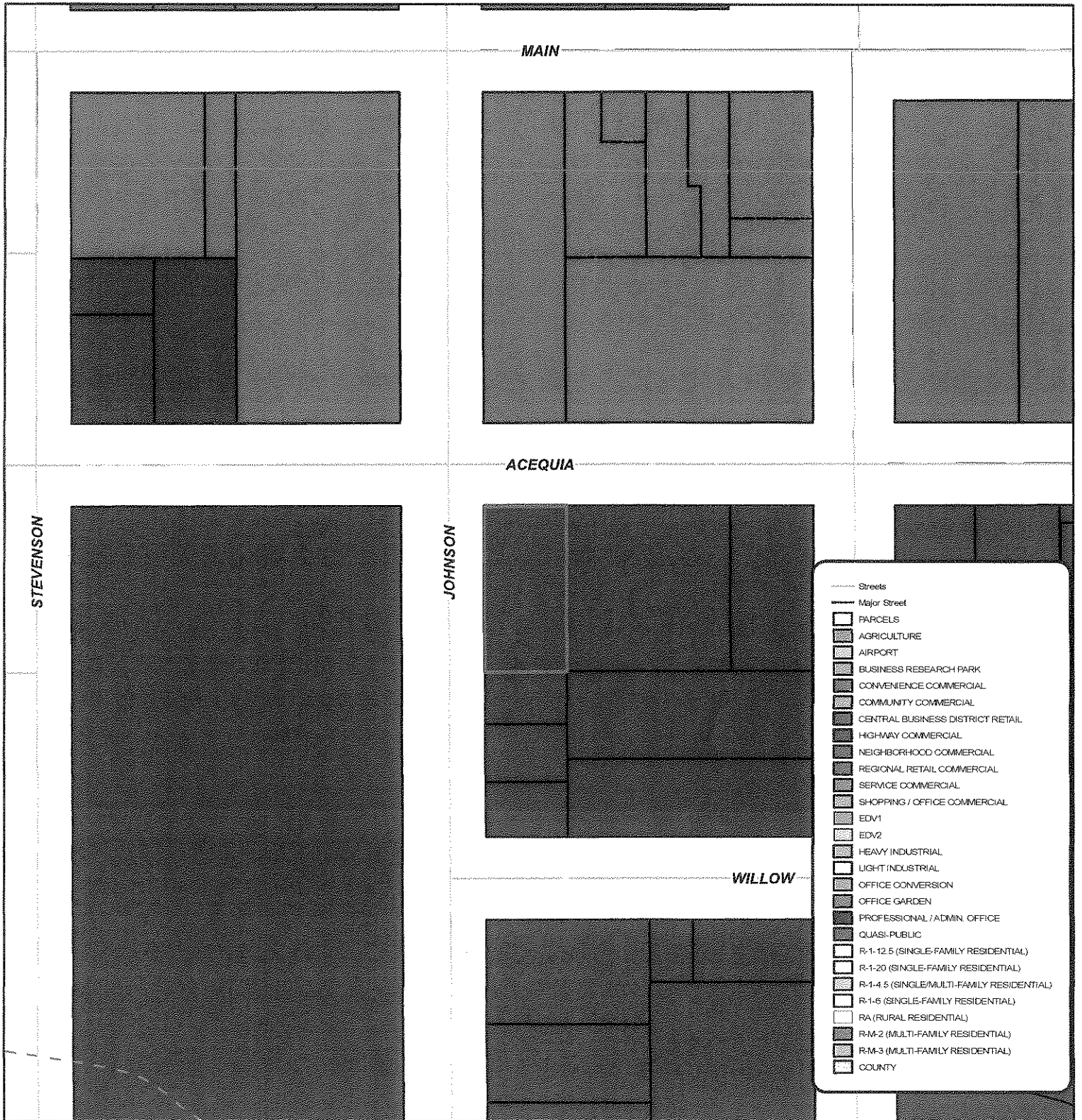


## General Plan Land Use Map



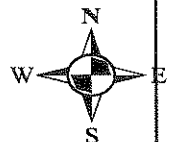
# Conditional Use Permit No. 2013-31

APN: 093-203-001



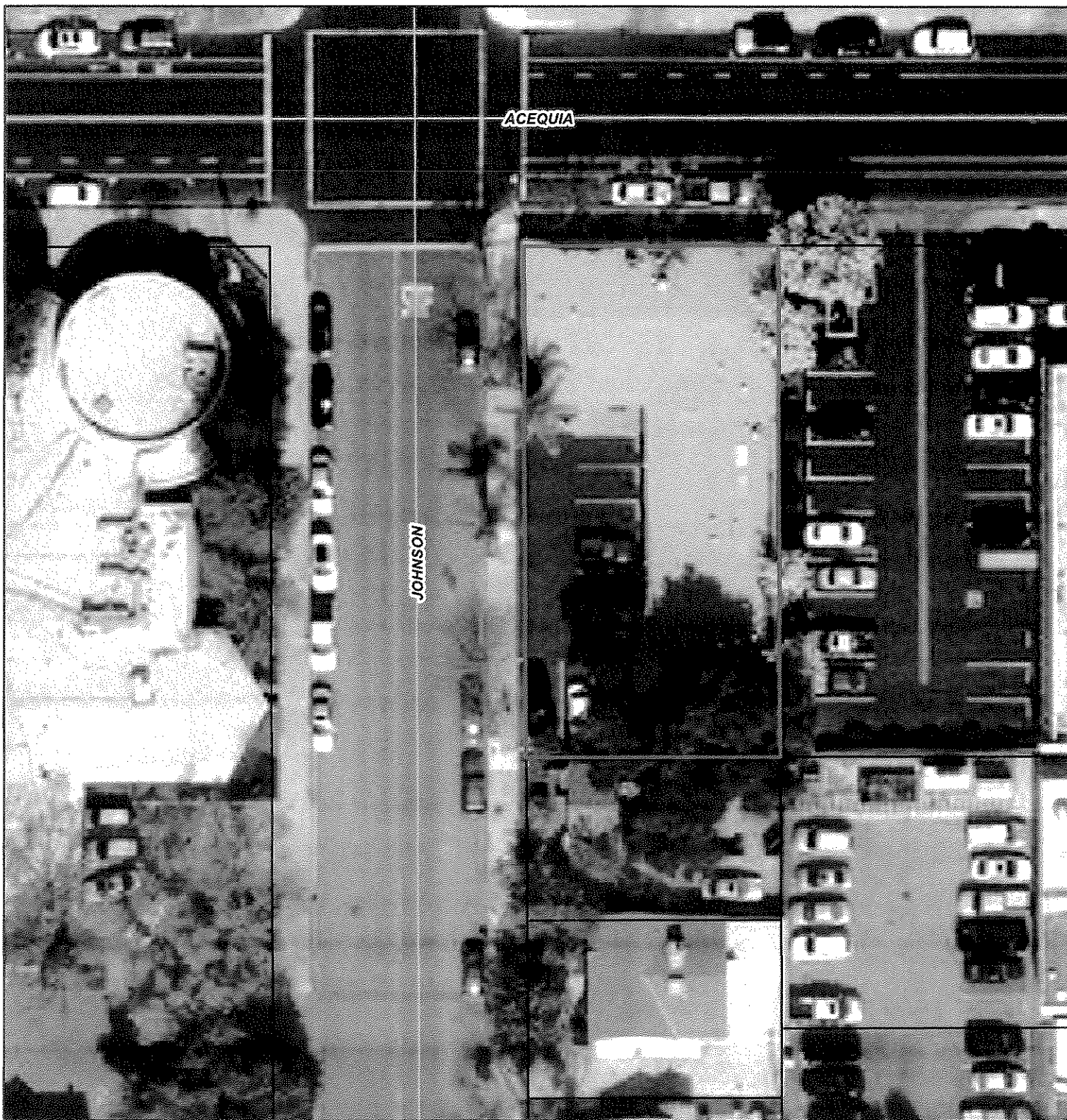
## Zoning Map

50 25 0 50 100 Feet

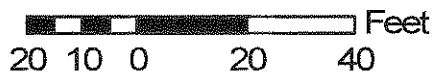


# Conditional Use Permit No. 2013-31

APN: 093-203-001

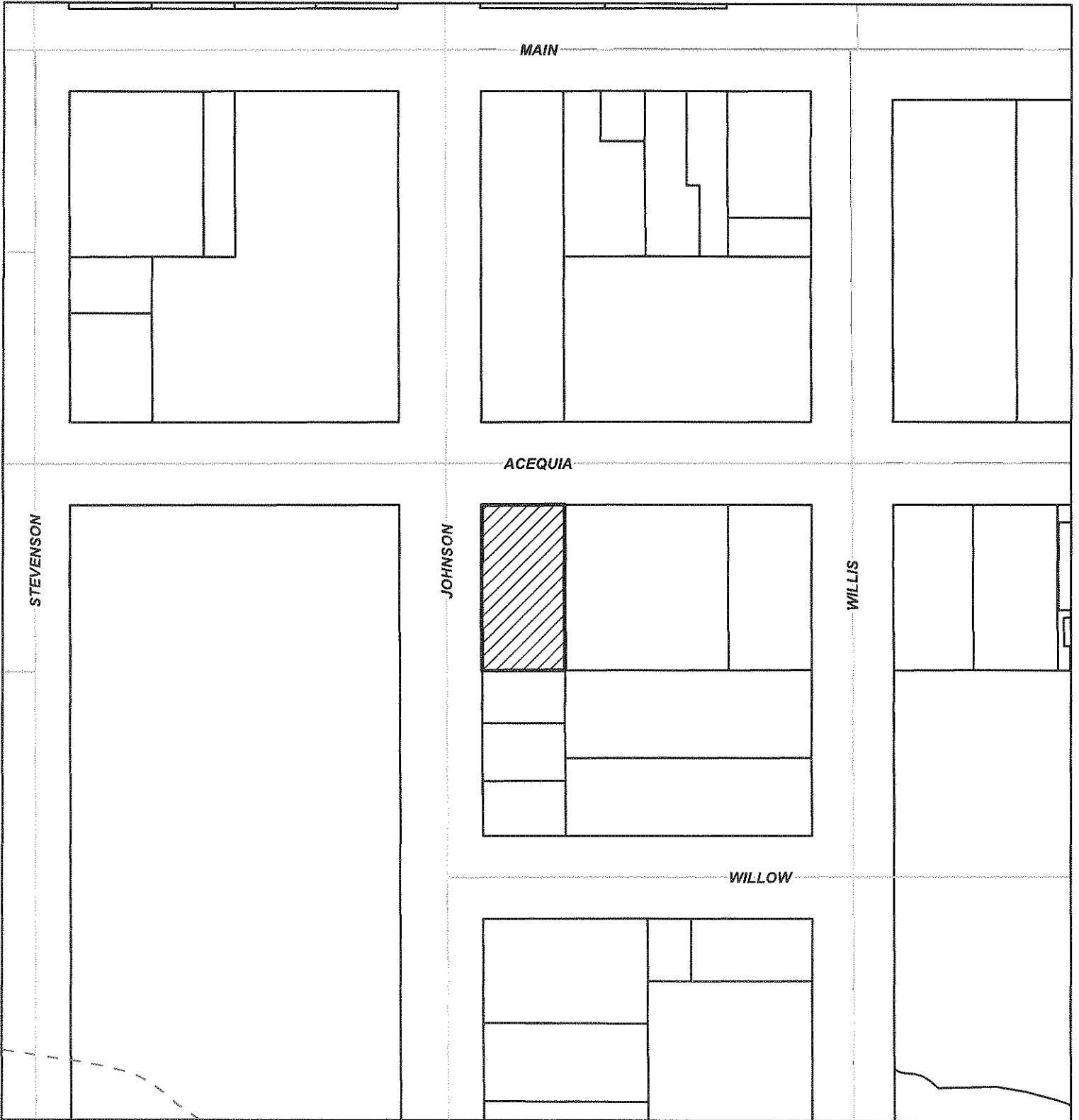


## Aerial Photo

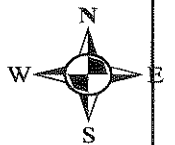


# Conditional Use Permit No. 2013-31

APN: 093-203-001



## Vicinity Map







## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** November 12, 2013

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

**SUBJECT:** Conditional Use Permit No. 2013-32: A request by Matthew Graham to establish a broadcasting station with on-site antenna, and to convert 16,700 square feet of Service Commercial space to General Office, in the Service Commercial (CS) zone, located at 700 E. Mineral King Avenue (APN 094-222-030)

### STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2012-32 based upon the findings and conditions in Resolution No. 2013-52. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

### RECOMMENDED MOTION

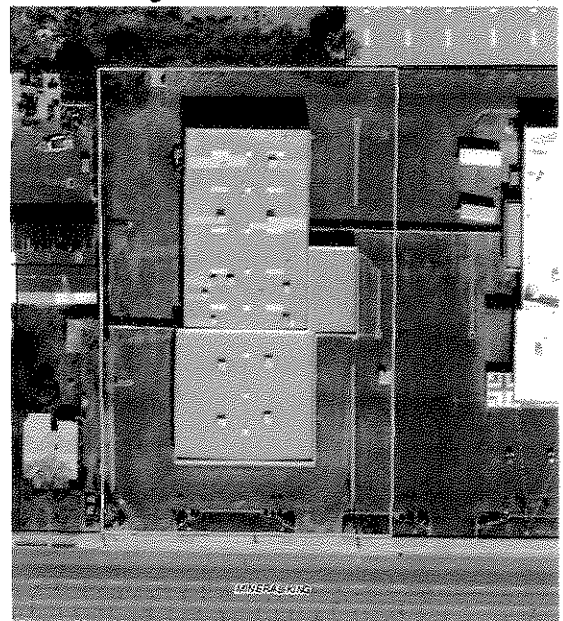
I move to approve Conditional Use Permit No. 2012-32 based on the findings and conditions in Resolution No. 2013-52.

### PROJECT DESCRIPTION

The applicant is requesting approval of a radio broadcasting station with on-site antenna, and the conversion of an existing 16,700 sq. ft. building to non-medical office use in the CS (Service Commercial) zone. As depicted in Exhibit "A", the broadcast studio would occupy Office Space "B" which is 5,184 sq. ft. with Office Space "A" at 7,776 sq. ft. remaining vacant at this time. The remaining 3,740 sq. ft. is a mezzanine space which the applicant is considering removing due to the cost of conversion of this space. The antenna is to be located at the rear (north) of the site adjacent to the trash enclosure. The antenna would be 60 feet high as shown in Exhibit "C", and designed to only accommodate the proposed radio broadcasting antennas.

The site would be redeveloped with added landscaping and parking lot improvements as shown in Exhibit "A". This would include the addition of some small privacy walls around sections of the building.

Parking for the building will be provided on-site and through Parking In Lieu Fees. The parking fees may be eliminated through a shared parking agreement in the near future. The applicant proposes to submit a use permit for shared parking and office conversion on the site to the east as shown in Exhibit "B". The conceptual master plan would allow for on-site circulation of vehicles and pedestrians across both sites all the way to Burke Street, which informally exists at this time, but would be formalized through a master plan.



## BACKGROUND INFORMATION

General Plan Land Use Designation:	Service Commercial
Zoning:	CS (Service Commercial)
Surrounding Land Uses and Zoning:	North: CS (Service Commercial) South: CS (Mineral King Ave & HWY 198) East: CS (Service Commercial) West: CS (Service Commercial)
Environmental Review:	Categorical Exemption No. 2013-74
Design District	C
Special Districts:	Parking District "A"
Site Plan:	2013-154

### RELATED PLANS & POLICIES

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

### RELATED PROJECTS

CUP No. 2013-15 was approved by the Planning Commission on 5-13-13, allowing the conversion of an existing service commercial building to 12,220 sq. ft. of office at the southeast corner of Main and Burke Streets.

## PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2013-32, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

### Land Use Compatibility

Radio broadcasting stations are a permitted use in the CS zone; it is the on-site antenna which requires a conditional use permit. In addition, general office over 2,000 sq. ft. is a conditional use in the CS zone. The proposed on-site antenna and up to 16,700 sq. ft. of general office space requires a conditional use permit. Medical office is not a permitted or conditional use in the CS zone and therefore would not be allowed through this use permit.

The subject site was last used at full capacity as an automobile dealership, along with the related buildings east of the subject building, which are currently still used for auto and motorcycle sales and service. The site directly west of the subject property is still in single family residential use, though a portion of it has been used for the adjacent business and for personal storage at the rear of the site. The proposed use and site improvements would likely reduce conflicts between the residence and existing service commercial use of the site.

The north side of the subject site has a vacant dirt yard and a portion of a service commercial building which would not appear to be impacted by the proposed office use and radio station antenna.

Staff finds that the proposed office conversion, and radio broadcasting studio with on-site antenna to be consistent with the adjacent land uses as presented in this proposal.



**Office in the CS Zone**

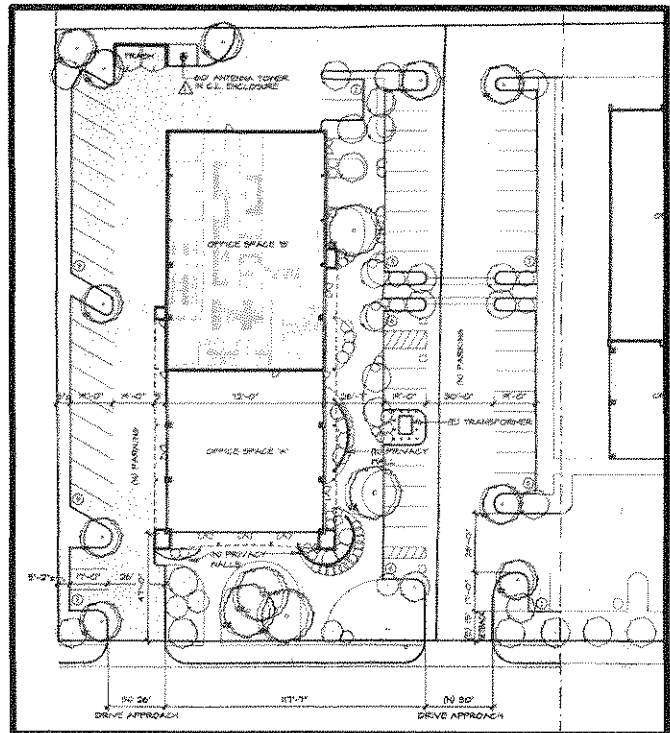
The staff recommendation to approve the proposed office conversion of up to 16,700 sq. ft. in the CS zone is based upon this area transitioning to Commercial Mixed Use in the current General Plan Update – Preferred Plan. The conversion of these types of space to office is conditional in the CS zone, and would potentially be allowed as a permitted use in the proposed General Plan’s Commercial Mixed Use zone designation.

**Access**

The site will have primary access from Mineral King Avenue and a secondary access to Burke Street. Mineral King Avenue is a three lane west bound collector status street along the frontage of the subject site.

**Parking**

The proposed office conversion of up to 16,700 sq. ft. would require a maximum of 67 parking stalls of which only 42 stalls are on the subject parcel. The site is within Parking District “A” which would allow for the purchase of any parking stalls which are not provided on the site. The applicant has indicated that only Office Space “B” at 7,776 sq. ft. would be occupied at this time which would require 31 parking stalls which can be accommodated on the site. The applicant has indicated that they will be pursuing the conceptual master plan in Exhibit “B” through the use permit process which would include shared parking between the sites. To this end staff has included a condition that any required parking for Office Space “A” or “B” which cannot be accommodated on the subject site shall be covered through an adopted shared parking program or through Parking In Lieu Fees.



An adopted shared parking program is established through the use permit process. As seen in Exhibit “B” the applicant is in the process of master planning the entire site to the east for office

use which would include shared parking and access. The applicant intends to submit this project to the Planning Commission as a CUP action in the near future. This would allow the use of parking on the adjacent parcel and eliminate the requirement for the payment of Parking In Lieu Fees. The preliminary version of the master plan in Exhibit "B" identifies approximately 40,608 sq. ft. of building area with 212 parking stalls which exceeds the 162 stalls required for a general office use of this size.

### **Fencing and Walls**

There is currently a single family residence, zoned CS, directly to the west of the subject site. A wood fence approximately six feet in height separates the sites. Staff believes the proposed use for office to be less intrusive than the service commercial auto dealerships that have occupied the project site in the past, and therefore is not requiring the addition of a block wall. The proposal includes the restoration of landscaping along the west property line which would provide additional buffering to the residential use.

### **Broadcast Station**

The applicant has indicated that the broadcast station would operate 24 hours a day, 365 days a year which is routine for this type of use. Employees would range from approximately 11 during the daytime to seven in the evening and two overnight. The facility would include office space, production areas and studio space for marketing and commercial development.

### **Antenna**

The location of the proposed 60-foot high antenna approximately ten feet from the north property line is within the allowable building area. The setback is zero along the lot line at the rear. The height limit is 50 feet plus an added 25 feet for antennas, spires and similar features. Thus the antenna is within the allowable height and setback areas. As a radio broadcast antenna, staff is not requiring co-location for future cellular use. Likewise, staff would allow co-location through the Site Plan Review process for the existing antenna, or may require an amendment to this use permit for a higher antenna, to a maximum height of 75 feet.

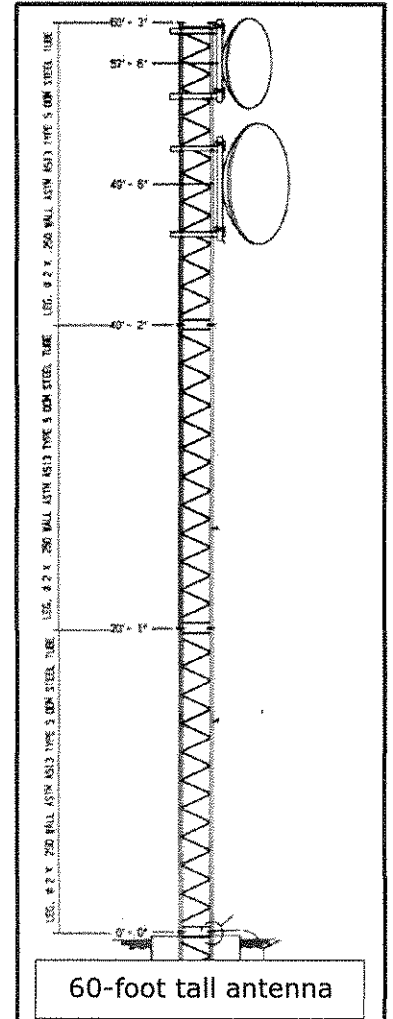
### **Future Master Plan**

This project represents the first phase of an office conversion for both parcels which would extend all the way to Burke Street on the east. As seen in Exhibit "B", the Conceptual Master Plan, the overall area covered by the auto and motorcycle dealerships would be enhanced with landscaping and new striping in the parking lot. This would provide access for both parcels to Burke Street on the east and several access points to Mineral King Avenue along the south side of the sites.

The proposed office conversion for the rest of the site requires a conditional use permit for the creation and/or conversion of more than 2,000 sq. ft. of office space in the CS zone. The master plan CUP application had not been filed at the time of the preparation of this use permit.

### **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. 2013-74).



## **RECOMMENDED FINDINGS**

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-74).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the site be developed in substantial compliance with the comments from the approved Site Plan Review No. 2013-154.
2. That the site be improved with parking and landscaping as provided in Exhibit "A".
3. That any required parking for Office Space "A" or "B" which cannot be accommodated on the subject site shall be covered through an adopted shared parking program or through Parking In Lieu Fees.
4. That the radio tower/antenna be installed as presented in Exhibit "C".
5. That no outdoor PA (public address) systems, music or other sound emitting devices be used outside of the building.
6. That all lighting be installed and shielded so as to prevent direct or indirect light from falling upon the adjacent residential areas.
7. That landscape and irrigation plans be submitted as a part of the building permit for broadcast studio and office conversion.
8. That all other Federal, State, Regional, and City codes and ordinances be met.
9. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-32.

## **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 2013-52**
- **Exhibit "A" – Broadcasting Station with Antenna On-site & Office Conversion**
- **Exhibit "B" – Conceptual Master Plan**
- **Exhibit "C" – Radio Tower/Antenna**
- **Site Plan Review Comments**
- **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. 2013-52

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-32, A REQUEST BY MATTHEW GRAHAM TO ESTABLISH A BROADCASTING STATION WITH ON-SITE ANTENNA AND 16,700 SQUARE FEET OF GENERAL OFFICE IN THE SERVICE COMMERCIAL (CS) ZONE. (APN: 094-222-030).

**WHEREAS**, Conditional Use Permit No. 2013-32, is a request by Matthew Graham to establish a Broadcasting Station with On-Site Antenna and 16,700 square feet of General Office in the Service Commercial (CS) zone. (APN: 094-222-030); and

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

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2013-32, 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. 2013-74).

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

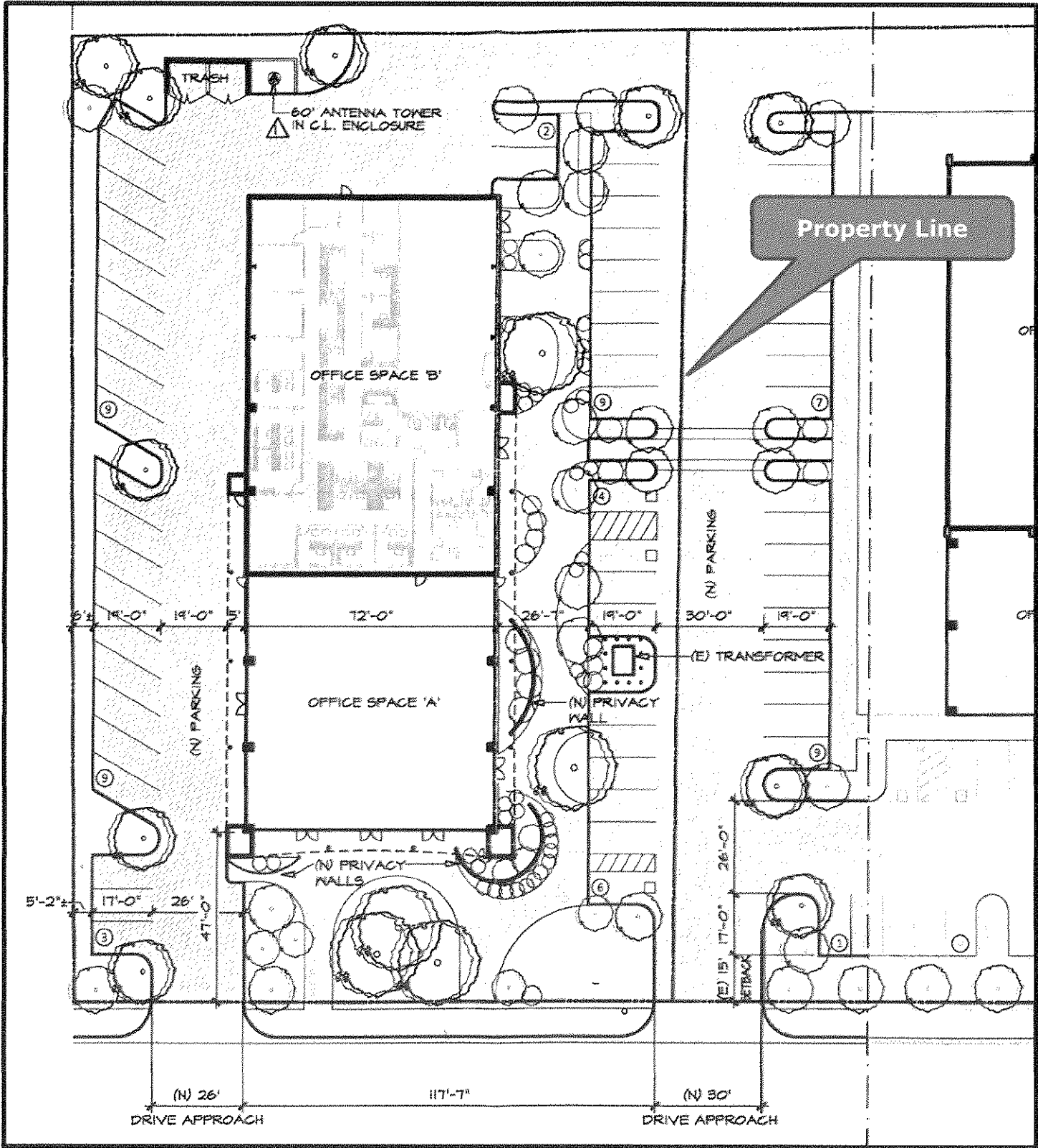
**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

**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 Zoning Ordinance of the City of Visalia, subject to the following conditions:

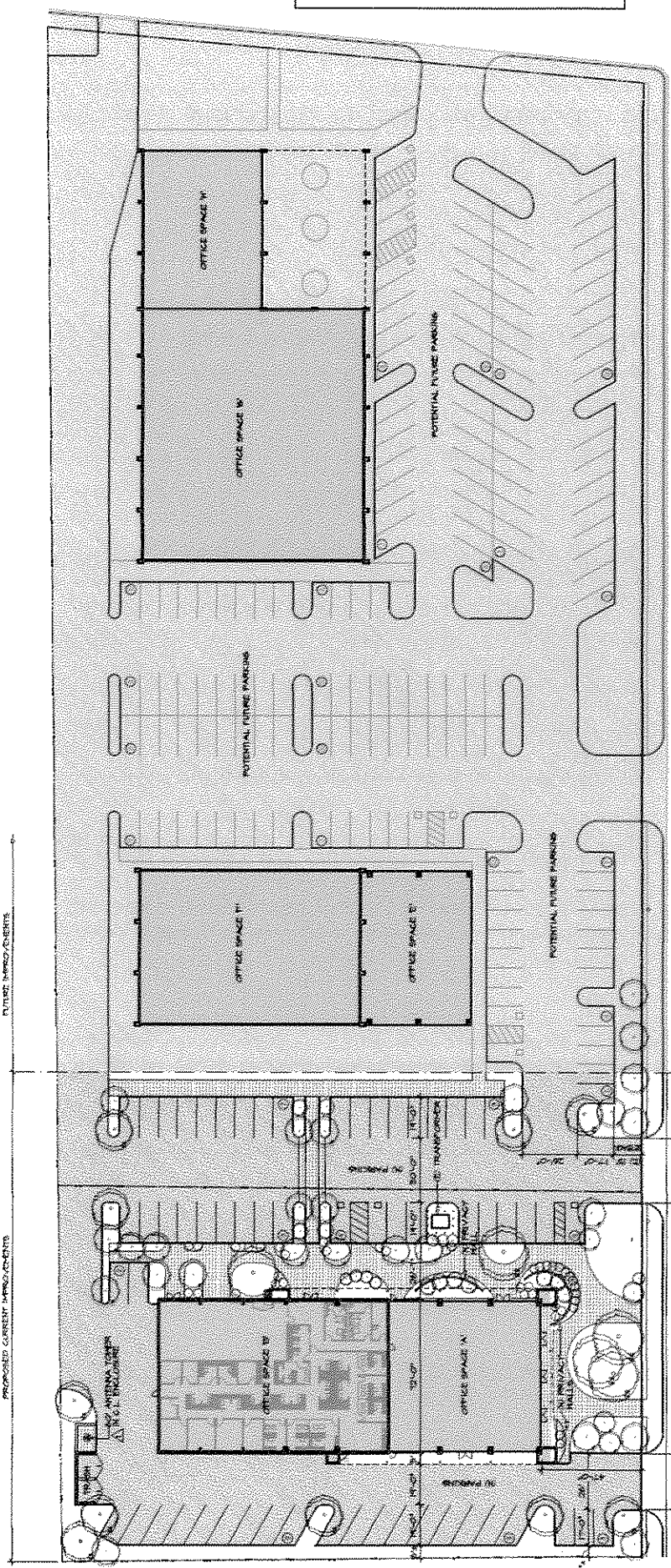
1. That the site be developed in substantial compliance with the comments from the approved Site Plan Review No. 2013-154.
2. That the site be improved with parking and landscaping as provided in Exhibit "A".
3. That any required parking for Office Space "A" or "B" which cannot be accommodated on the subject site shall be covered through an adopted shared parking program or through Parking In Lieu Fees.
4. That the radio tower/antenna be installed as presented in Exhibit "C".
5. That no outdoor PA (public address) systems, music or other sound emitting devices be used outside of the building.
6. That all lighting be installed and shielded so as to prevent direct or indirect light from falling upon the adjacent residential areas.
7. That landscape and irrigation plans be submitted as a part of the building permit for broadcast studio and office conversion.
8. That all other Federal, State, Regional, and City codes and ordinances be met.
9. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-32.

**EXHIBIT - "A"**



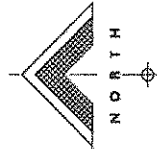
**EXHIBIT - "A"**

# EXHIBIT - "B"



## PROJECT DATA

BUILDING AREA		PARKING REQUIRED	
OFFICE SPACE A	5,844 S.F. / 250	OFFICE SPACE A	21
OFFICE SPACE B	7,716 S.F. / 290	OFFICE SPACE B	31
OFFICE SPACE C	8,744 S.F. / 290	OFFICE SPACE C	31
OFFICE SPACE D	7,408 S.F. / 250	OFFICE SPACE D	30
OFFICE SPACE E	12,213 S.F. / 250	OFFICE SPACE E	48
OFFICE SPACE F	4,166 S.F. / 250	OFFICE SPACE F	17
		<b>TOTAL STALLS</b>	<b>185 STALLS</b>
		<b>PARKING PROVIDED</b>	<b>158 STALLS</b>
		<b>ACCESSIBLE STALLS PROVIDED</b>	<b>8</b>
		<b>PARKING PROVIDED</b>	<b>150 STALLS</b>
		<b>ACCESSIBLE STALLS PROVIDED</b>	<b>8</b>



# Conceptual Master Plan

## SITE PLAN

SCALE: 1" = 50'-0"

# EXHIBIT - "B"



# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: September 25, 2013

SITE PLAN NO: 13-154  
PROJECT: BROADCASTING STATION  
DESCRIPTION: PROPOSED 6,900 SF BROADCASTING STATION IN EXISTING 16,000 SF BUILDING ON 1 ACRE (CS ZONED) (DISTRICT C)  
APPLICANT: GRAHAM MATTHEW  
PROP. OWNER: BLAM-JADE LP  
LOCATION TITLE: 700 E MINERAL KING AVE  
APN TITLE: 094-222-030

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

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Conditional Use Permit (CUP)
- Building Permit
- Additional Information as Needed

## PROJECT SPECIFIC INFORMATION: 09/25/2013

1. A CUP is required for a broadcasting station with an antenna on-site.
2. Provide elevations for the antenna and clearly define the height of the antenna.
3. Clearly define the landscape areas on the site plan.
4. The parking lot area shall be restriped to accommodate the new use of the building.
5. Provide a parking summary on the CUP site plan submittal and include an Operation Statement for the new use.
6. Provide copies of the recorded cross-access agreement for both properties.

## 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: "C" [17.30.180]

Maximum Building Height: 50 Feet

### Minimum Setbacks:

	Building	Landscaping
➤ Front	15 Feet	15 Feet
➤ Side	0 Feet	5 Feet*
➤ Street side on corner lot	15 Feet	10 Feet
➤ Side abutting residential zone	15 Feet	5 Feet
➤ Rear	0 Feet	5 Feet*
➤ Rear abutting residential zone	10 Feet	5 Feet

\*(Except where building is on property line)

Minimum Site Area: 6,000 square feet

**Parking:** As prescribed in Chapter 17.34

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

1. Existing parking provided based on the prior use of the site as an automobile dealership. Based on the new use, parking spaces not provided onsite shall be assessed with the Parking In-lieu fee as required by code.
2. As a part of the building permit or business license, staff will be requesting a written confirmation from the property owner/manager that the 1,500 sq. ft. exemption for parking in-lieu fees for the entire building on this site is being used by this operation.

**Parking:**

1. Parking for the broadcasting station shall be provided at one space per 250 square feet of gross floor area (see Zoning Ordinance Section 17.34.020). The broadcasting use is required to have 28 parking spaces.
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. No repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).
6. It is highly recommended that bicycle rack(s) be provided on site plan.
7. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
8. 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).
9. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.

**Fencing and Screening:**

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
3. Outdoor retail sales prohibited.
4. 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).
5. 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. 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 \_\_\_\_\_



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

September 25, 2013

ITEM NO: 2  
SITE PLAN NO: SPR13154  
PROJECT TITLE: BROADCASTING STATION  
DESCRIPTION: PROPOSED 6,900 SF BROADCASTING STATION IN EXISTING 16,000 SF BUILDING ON 1 ACRE (CS ZONED) (DISTRICT C)  
APPLICANT: GRAHAM MATTHEW  
PROP. OWNER: BLAM-JADE LP  
LOCATION: 700 E MINERAL KING AVE  
APN(S): 094-222-030

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 Analysis required.

**Additional Comments:**

•

  
\_\_\_\_\_  
Leslie Blair

**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 7 DATE: OCTOBER 9, 2013

SITE PLAN NO.: 13-171  
PROJECT TITLE: OFFICE SPACE  
DESCRIPTION: NEW TENANT IN EXISTING 7,291 SF OFFICE SPACE IN EXISTING 14,674 SF BUILDING ON 47,340 SF AREA (CS ZONED) (DISTRICT C)  
APPLICANT: GRAHAM MATTHEW  
PROP OWNER: BLAM-JADE LP  
LOCATION: 700 E MINERAL KING AVE  
APN: 094-222-030

**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; **COMM. STANDARDS**
- Sidewalk: **8-10** width;  parkway width at **MINERAL KING**
- 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. ANY WORK IN CITY RIGHT OF WAY  
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. Proposed parking lot improvements to comply with City & ADA standards.*
- 2. Install curb, gutter, and sidewalk to City std. with drive approach demo.*
- 3. Proposed new drive approaches to commercial city standards with min. 20' radius returns.*
- 4. Replace broken sidewalk along Mineral King street frontage.*
- 5. Impact fees apply to proposed office use. Previous building use will be credited towards applicable impact fees. Refer to page 3 for fee summary.*
- 6. Plan review and inspection fees apply, due at time of building permit issuance.*
- 7. Future phased development, if incorporated into CUP, to be processed through Site Plan Review.*

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 13-171  
Date: 10/9/2013

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

(Fee Schedule Date: 8/16/2013)  
(Project type for fee rates: OFFICE)

Existing uses may qualify for credits on Development Impact Fees.

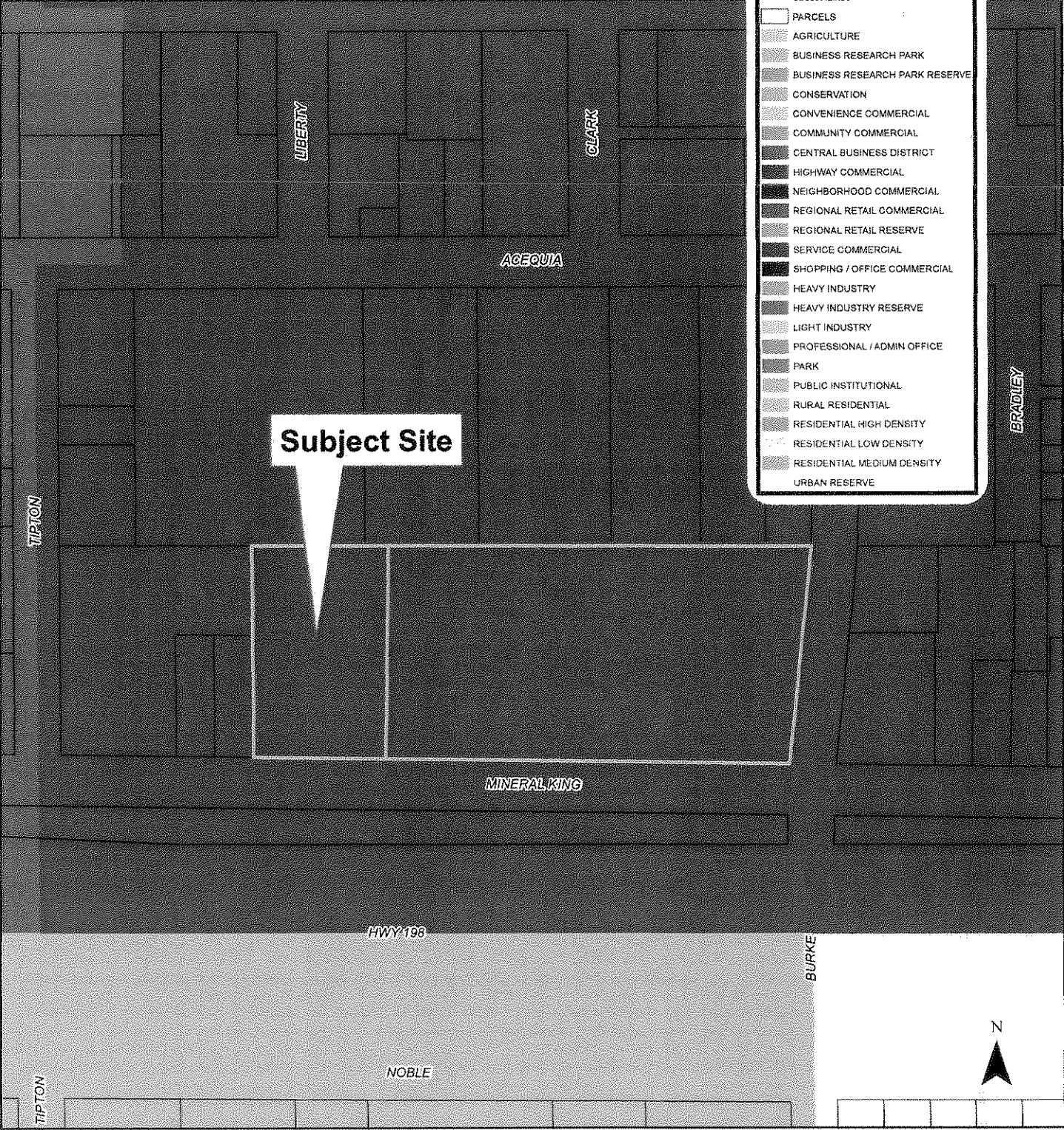
FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input type="checkbox"/> Transportation Impact Fee	
<input type="checkbox"/> Trunk Line Capacity Fee	\$63.50/1000SF X 7.3 = \$463.55
	<b>TREATMENT PLANT FEE</b>
	<b>\$199.60/1000SF X 7.3 = \$1,457.08</b>
<input type="checkbox"/> 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.

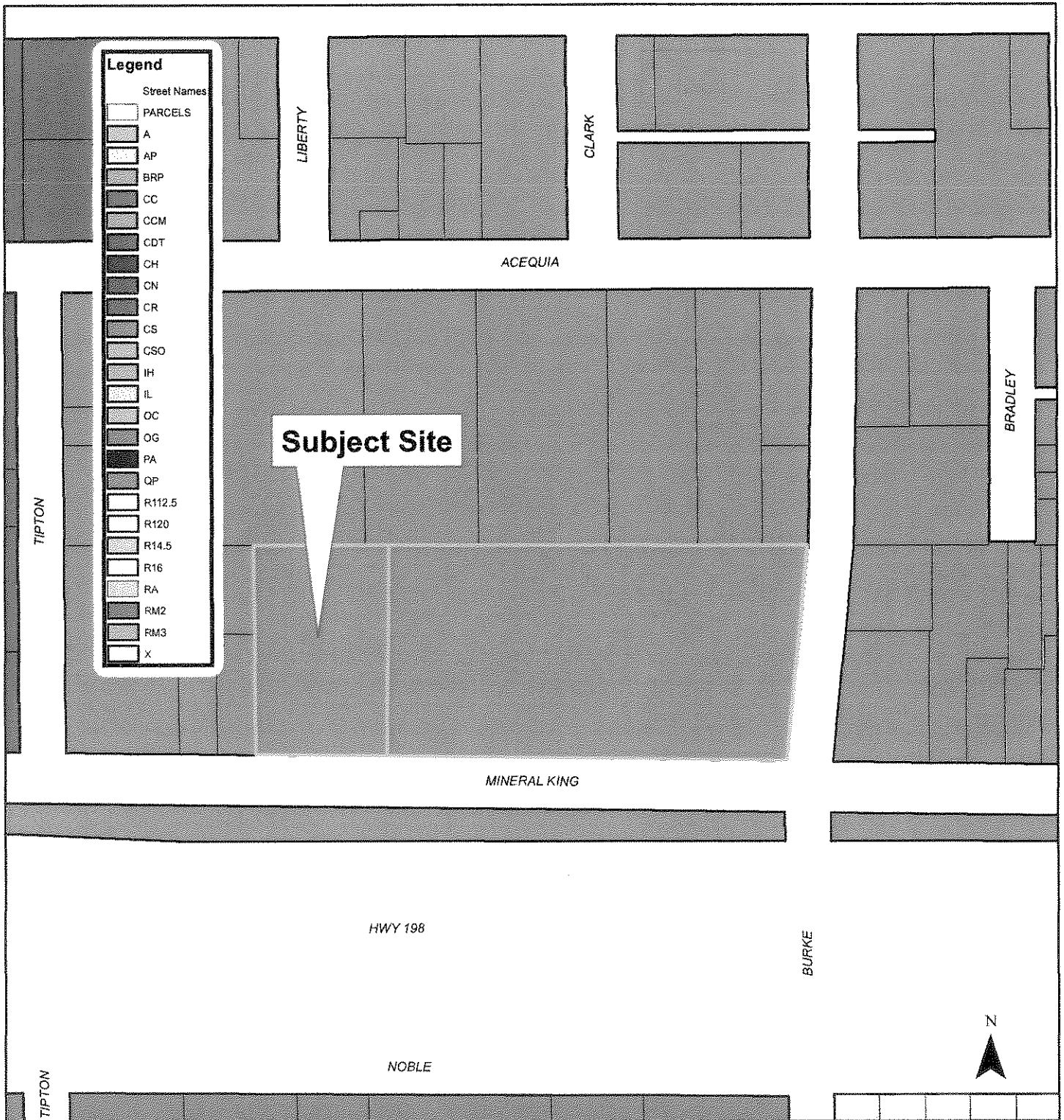
  
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Adrian Rubalcaba

# City of Visalia



# Land Use Designations

# City of Visalia



## Zoning Designations