

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Roland Soltesz

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

MONDAY, JANUARY 13, 2014; 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 on Consent Calendar
5. PUBLIC HEARING – Brandon Smith  
Conditional Use Permit No. 2013-34: a request by Janine Settimi Family Trust to allow a new two-story mixed-use commercial building containing two residential dwelling units in the Professional / Administrative Office (PA) zone. The site is located at 800 and 806 W. Acequia Avenue, on the northwest corner of Acequia Avenue and Stevenson Street. (APN: 093-198-005, 006). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2013-88
6. PUBLIC HEARING – Andrew Chamberlain  
Conditional Use Permit No. 2013-36: A request by Matthew Graham to establish a 3,960 square foot fitness facility in the Service Commercial (C-S) zone. The site is located at 1927 and 1929 E. Main St., between Main Street and Ben Maddox (APN: 098-130-034). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2013-86.

7. PUBLIC HEARING – Andrew Chamberlain

Conditional Use Permit No. 2013-35: A request by Dr. Yasuda to establish a 2,000 sq. ft. Medical (Optometrist) office in the Regional Retail (CR) zone. The site is located at 3300 S Fairway Street (APN 122-300-040). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2013-85.

8. 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 JANUARY 23, 2014 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, FEBRUARY 10, 2014**



## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** January 13, 2014

**PROJECT PLANNER:** Brandon Smith, Senior Planner  
Phone No: (559) 713-4636

**SUBJECT: Conditional Use Permit No. 2013-34:** a request by Janine Settimi Family Trust to allow a new two-story mixed-use commercial building containing two residential dwelling units in the Professional / Administrative Office (PA) zone. The site is located at 800 and 806 W. Acequia Avenue, on the northwest corner of Acequia Avenue and Stevenson Street. (APN: 093-198-005, 006)

### STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2013-34 based upon the findings and conditions in Resolution No. 2013-57. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

### RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2013-34 based on the findings and conditions in Resolution No. 2013-57.

### PROJECT DESCRIPTION

Conditional Use Permit No. 2013-34 is a request to construct a new two-story mixed-use building that contains office use on the ground floor and residential uses on the second floor. The mixed-use project will consist of a 2,800 sq. ft. ground floor tenant space to be used by a dentist office, Settimi Family Dentistry. An additional 1,050 square feet on the ground floor is associated with the residences' garage and utility rooms. The second floor will consist of two residential units totaling 1,950 square feet. The proposed site plan is illustrated in the attached Exhibit "A" and the floor plans are attached in the attached Exhibits "B" and "C". Elevation views are attached as Exhibits "D" and "E".

The project site currently consists of two adjacent lots facing Acequia Avenue and located on the northwest corner of Acequia and Stevenson Street. The easterly lot facing the corner contains an existing dental office and parking lot, and the westerly lot is vacant excepting for a utility shed. The proposed mixed-use building will be constructed on the westerly lot, and a parking lot will be formed on the easterly lot. The lots will be merged into a single lot by separate action.

The project will result in the expansion of the dentist office – a permitted use in the Professional Administrative Office (PA) zone – from approximately 1,700 square feet to 2,800 square feet. According to the floor plan, the office will have a total of seven exam rooms.

The two residential dwelling units on the second floor will gain entry from a partially-enclosed vestibule, which can be accessed from a rear entrance to the building or from within the office. The front doors to the residences on the second story are partially visible from the Stevenson

Street frontage. The units are approximately 900 sq. ft. in area and each contain two bedrooms, two bathrooms, kitchen and living/dining room.

A parking lot containing 11 parking stalls will be located between the building and Stevenson Street, with access points located on Stevenson to the east and the alley to the north. A two-car attached garage and a compact parking space perpendicular to the garage are intended for the residences. Based on parking requirements, the project will be required to pay parking in-lieu fees for three additional parking stalls.

The building exteriors illustrate a Mediterranean Villa style building, similar to the two-story Barbis building on the south side of Acequia Street. Exterior improvements include a plaster finish, roof tile, aluminum louvered awnings, exposed wood trellis and beams, and 4:12 pitched roof. Excepting for the office waiting room, the proposed building will have no west-facing windows since it will be located at property line and requires a solid fire-rated wall.

## **BACKGROUND INFORMATION**

General Plan Land Use Designation:	Central Business District
Zoning:	PA (Professional / Administrative Office)
Surrounding Land Uses and Zoning:	North: PA / Professional offices (real estate, salon) South: PA / Medical offices East: PA / Professional offices (real estate) West: PA / Professional offices (architect)
Environmental Review:	Categorical Exemption No. 2013-88
Special Districts:	Design District "D"
Site Plan:	2013-152

### **RELATED PROJECTS**

In the past decade there have been two mixed-use residential projects built in the downtown.

On June 9, 2008, the Visalia Planning Commission approved Conditional Use Permit No. 2008-17, a request by Sam and Marlene Sciacca to allow a residential dwelling unit above a ground floor retail use in an existing 4,100 sq. ft. building in the C-DT zone located at 114 E. Main St.

On February 9, 2004, the Visalia Planning Commission approved Conditional Use Permit No. 2003-52, a request by Troy Korsgaden to allow a residential dwelling unit on the 3<sup>rd</sup> floor of a new building in the C-DT zone containing Crawdaddy's Restaurant, located at 333 W. Main St.

## **PROJECT EVALUATION**

Staff recommends approval of the Conditional Use Permit No. 2013-34, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

### **Land Use Compatibility**

Staff has concluded that the proposed residential dwelling units will not have a negative impact on surrounding commercial and office uses. The proposed building's layout and elevations remain consistent with and in character with other office uses in the immediate vicinity,

particularly with the existing office building to the south that utilizes a similar architectural motif. The building's office uses will be maintained on the ground floor which provides maximum accessibility and visibility to patrons. The residential function of the building is minimized by its building elevations and the separate parking area and entrance located at the rear of the building. The residences will benefit local businesses by locating dwelling units proximate to areas of commerce. Additionally, the mixed use provides environmental benefits by reducing household-to-job vehicle miles traveled and by placing housing within walking distance to services.

Downtown Visalia continues to experience strong economic activity and steady development of complementary uses. Recent development activities indicate that the City's current efforts on revitalization and downtown enhancement are successful. This is evident based on the number of both public and private projects that are currently under construction and/or have been completed. While these projects reflect the ongoing strength and vibrancy of commercial and professional office development in the downtown area, only two residential mixed-use projects have come to fruition in the downtown area. The City has encouraged these types of developments and has emphasized the downtown as the ideal geographical area for mixed-use projects to be developed.

#### Consistency with Zoning Ordinance

Pursuant to Section 17.20.010.A.2 of the Visalia Zoning Ordinance which lists the purposes of office zones as well as Objective 1.1.D of the Visalia Land Use Element, the Central Business District (which extends westerly to Conyer Street) shall be maintained "as Visalia's traditional, medical, professional, retail, government, and cultural center." Zoning Ordinance Section 17.20.010.B.1 further defines the purpose and intent of the PA zone to provide areas for professional and administrative offices where they can be effectively integrated into surrounding areas. While the inclusion of residential uses in offices zones is not specifically mentioned in the City's codes, mixed uses that may include residential uses are strongly supported by the Land Use Element where such uses can be effectively integrated.

The Zoning Matrix identifies residential units - either new or expansion of - as conditionally-allowed uses in all Office zones. Residences in the Office zones may or may not be associated with a commercial activity. Through the CUP process potential impacts can be addressed thereby ensuring compatibility between the proposed use and surrounding uses.

#### Consistency with General Plan

The City of Visalia's General Plan includes several goals and policies that encourage the mixing of uses which is in part, a return to times before Euclidean zoning introduced the segregation of uses. Since then, there was a strong belief, reflected across many communities, that segregating uses was ideal. More recently, mixed-use development has become more common given its many benefits. In this particular case, the owner is attempting to maximize the use of the building by locating a professional office on the ground floor with high street-level visibility which will help the business become economically viable, and placing residential units on the second story.

This project complies with Land Use Element policies which are analyzed as follows:

*Policy 2.3.2 Encourage projects which incorporate mixed land uses.*

Staff supports this mixed-use project. There are several examples in other communities located throughout the State that show how residential and retail uses can be combined into successful mixed-use projects, particularly in downtown areas. The technique of mixing uses in a dense

urban setting has become widely acceptable because it facilitates activities in a manner that promotes interaction among visitors, business owners and residents which helps strengthen the economic viability of the downtown area. In addition, mixing commercial, office and residential uses within an urban downtown setting can result in a reduction of vehicle trips traveled by employees and residents of the downtown area and may increase transit use, walking and bicycling as means of transportation.

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

The City has long committed to keeping the downtown core area as the geographic center of the community. This is evident with the City's efforts to retain uses and approve projects that enhance and stimulate development within the downtown area. To further improve the downtown's economic viability, the City has adopted policies that encourage the mixing of land uses, and more particularly, encouraging residential uses within the downtown area when feasible. This project is an example of the City's desire to support projects that incorporate residential uses into the downtown area as a means of creating an efficient, sustainable and desirable community.

### Parking

The building is located within the Central Business District Parking Zone. The central business district parking zone was formed to ensure that uses established within this zone meet the parking requirements of the VMC or, that uses pay in-lieu fees for future downtown parking facilities. These fees would be used exclusively for the purpose of acquiring and developing off-street parking facilities to serve the central business district.

Parking space requirements are assessed individually for each land use. The dental office requires 14 spaces based on 2,800 sq. ft. of medical office space at one per 200 sq. ft., and the residences require three spaces based on two residences at 1.5 spaces each. A total of 14 spaces will be provided on-site, comprised of 11 stalls in the building's adjacent parking lot, two in a garage accessed via the alley, and one adjacent to the garage. Because the site is three parking spaces short of the total 17 required, parking in-lieu fees must be paid for the three spaces. The fees shall be paid with the issuance of the building permit.

### Environmental Review

This project is considered Categorical Exempt under Section 15332 (Class 32) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) as an in-fill development project (Categorical Exemption No. 2013-88).

Class 32 consists of projects characterized as in-fill development meeting the following:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

### **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 Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-88).

### **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-152.
2. That the site be developed in compliance with the site plan shown in Exhibit "A", floor plan shown in Exhibits "B" and "C", and elevation plans shown in Exhibit "D" and "E". Substantial changes to the site plan, floor plan, and/or elevation plan may require an amendment to the Conditional Use Permit.
3. That any project signage shall be obtained under a separate permit.
4. That all project signage shall comply with all City codes and ordinances.
5. That all applicable federal, state, regional, county 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. 2013-34.

## APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.045, 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
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan – First Floor
- Exhibit "C" – Floor Plan – Second Floor
- Exhibit "D" – Elevation Plan – South & East
- Exhibit "E" – Elevation Plan – North & West
- Exhibit "F" – Existing Site Plan
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map



## RELATED PLANS AND POLICIES

**Visalia Municipal Code  
Title 17: Zoning Ordinance  
Chapter 17.38: Conditional Use Permits**

**17.38.010 Purposes and powers.**

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

**17.38.030 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)

**17.38.060 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)

Proposed Zoning Designation N/A

Proposed Land Use Designation N/A

Site area (acres, or square feet if less than one acre) 093-198-005 = 6788.07 SF; 093-198-006 = 6788.56 SF

Existing streets directly adjacent to the site S. Stevenson St.

Existing use(s) Dental Office, Vacant Lot

Existing improvements/structures 093-198-005 = Existing Dental Office 093-198-006 = Vacant Lot

**PROPERTY OWNER(S):**

If more than two owners, please provide information and signature(s) on a separate sheet.

Name (print) The Janine Settini Family Trust Name (print) \_\_\_\_\_

Mailing Address 800 W. Apollo, Visalia, CA 93291 Mailing Address \_\_\_\_\_

Phone (559) 734-1148 Phone \_\_\_\_\_

Statement: I/We declare under penalty of perjury that I am/we are the legal owner(s) of the property involved in this application. I/We authorize the person named in this application as the Project Main Contact to act as my/our representative with City Staff regarding the processing of this application.

8/26/13  
Date

  
Property Owner Signature

8/26/13  
Date

  
Property Owner Signature

**PROJECT MAIN CONTACT/REPRESENTATIVE:**

(This is the person who will be the main contact with City Staff, and will receive all correspondence.)

Name (print) Deborah J Woodle

Firm/Company DJW Architect

Mailing Address 615 S. Main Street, Suite B, Templeton CA 93465

Phone 805-434-3431 Fax 805-434-3432 E-Mail 805-235-3863

Statement: I will be the main contact and representative of the proposed project with City Staff during the processing of this application. I declare under penalty of perjury that all statements and documents submitted with this application are true and correct to the best of my knowledge.

11.09.13  
Date

*[Signature]*  
Project Main Contact/Representative Signature

**OTHER INVOLVED PARTIES:**

Fill in all that apply.  
Is the property currently in escrow? If so, to whom? None  
(Write "none" if property is not in escrow.)

Developer/Builder \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Contractor \_\_\_\_\_

Engineer Alan Mok Engineering, 7415 N. Palm Ave, Suite 104, Fresno

Architect DjW Architect, 615 Main Street, Suite B, Templeton, CA 93465

**NAMES OF PRINCIPALS, PARTNERS, AND/OR TRUSTEES:**

List the names of any and all principals, partners, and/or trustees where any property owner or developer/builder is a corporation, partnership, or trust. For corporations provide names of officers and directors. For trusts provide names of trustees and beneficiaries.

Janine Settini, DDS  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION NO. 2013-57

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-34, A REQUEST BY JANINE SETTIMI FAMILY TRUST TO ALLOW A NEW TWO-STORY MIXED-USE COMMERCIAL BUILDING CONTAINING TWO RESIDENTIAL DWELLING UNITS IN THE PROFESSIONAL / ADMINISTRATIVE OFFICE (PA) ZONE. THE SITE IS LOCATED AT 800 AND 806 W. ACEQUIA AVENUE, ON THE NORTHWEST CORNER OF ACEQUIA AVENUE AND STEVENSON STREET. (APN: 093-198-005, 006)

**WHEREAS**, Conditional Use Permit No. 2013-34 is a request by Janine Settimi Family Trust to allow a new two-story mixed-use commercial building containing two residential dwelling units in the Professional / Administrative Office (PA) zone. The site is located at 800 and 806 W. Acequia Avenue, on the northwest corner of Acequia Avenue and Stevenson Street. (APN: 093-198-005, 006); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on January 13, 2014; 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 Categorical Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the project is considered Categorical Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-88). The project is therefore exempt from further environmental review pursuant to CEQA Section 15332.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
  - a) 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.

- b) 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 Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-152.
2. That the site be developed in compliance with the site plan shown in Exhibit "A", floor plan shown in Exhibits "B" and "C", and elevation plans shown in Exhibit "D" and "E". Substantial changes to the site plan, floor plan, and/or elevation plan may require an amendment to the Conditional Use Permit.
3. That any project signage shall be obtained under a separate permit.
4. That all project signage shall comply with all City codes and ordinances.
5. That all applicable federal, state, regional, county 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. 2013-34.

**GENERAL NOTES:**

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE TO FACE UNLESS SPECIFIED OTHERWISE.

2. ALL FINISHES TO BE AS NOTED OR AS PER STANDARD SPECIFICATIONS FOR CONSTRUCTION.

3. ALL UTILITIES TO BE MAINTAINED OR RELOCATED AS NOTED.

4. ALL WORK TO BE ACCORDING TO THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE LOCAL ORDINANCES.

**OWNER:** JARINE & STEPHANIE BETTING

**ADDRESS:** 300 WEST ACEQUIA AVE VILLAGIA, CA 94134

**PROJECT:** NEW RESIDENCE DENTAL OFFICE

**DATE:** 11.03.18

**ARCHITECT:** [Firm Name]

**DATE:** 11.03.18

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

**DATE:** 11.03.18

**LEGAL:**

300 WEST ACEQUIA AVE, VILLAGIA, CA 94134

APN: [Number]

**DATUM:**

THE ELEVATIONS SHOWN WERE OBTAINED FROM THE VERTICAL DATUM OF 1985. ANY 3RD PARTY ELEVATIONS WERE OBTAINED FROM THE 1985 DATUM.

**BENCHMARK:**

BM 1985 - 1985 BENCHMARK ON THE CORNER OF 300 WEST ACEQUIA AVE AND CENTRE STREET.

**A-0.1**

SITE PLAN

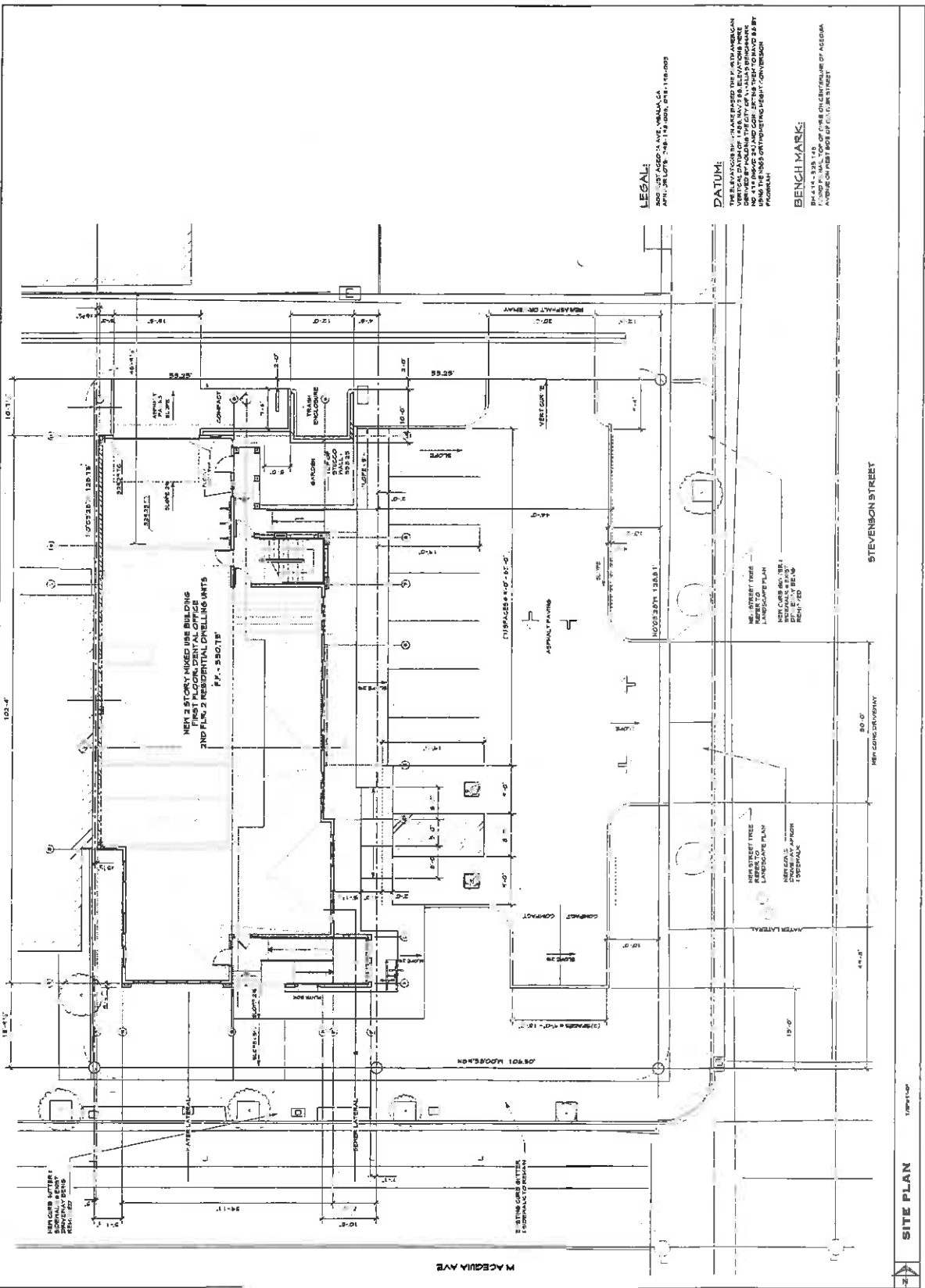



Exhibit "A"

		<b>PROJECT TITLE</b> BETTINI FAMILY DENTISTRY MED. OFFICE DENTAL OFFICE 100 WEST ACEQUIA AVE VISALIA, CA	
<b>OWNER</b> BETTINI		<b>ARCHITECT</b> JAMES S. STEINHILBER BETTINI 100 WEST ACEQUIA AVE VISALIA, CA	
<b>DATE</b> 11.06.15		<b>SCALE</b> AS SHOWN	
<b>PROJECT NO.</b> 11.06.15		<b>PROJECT NAME</b> BETTINI	

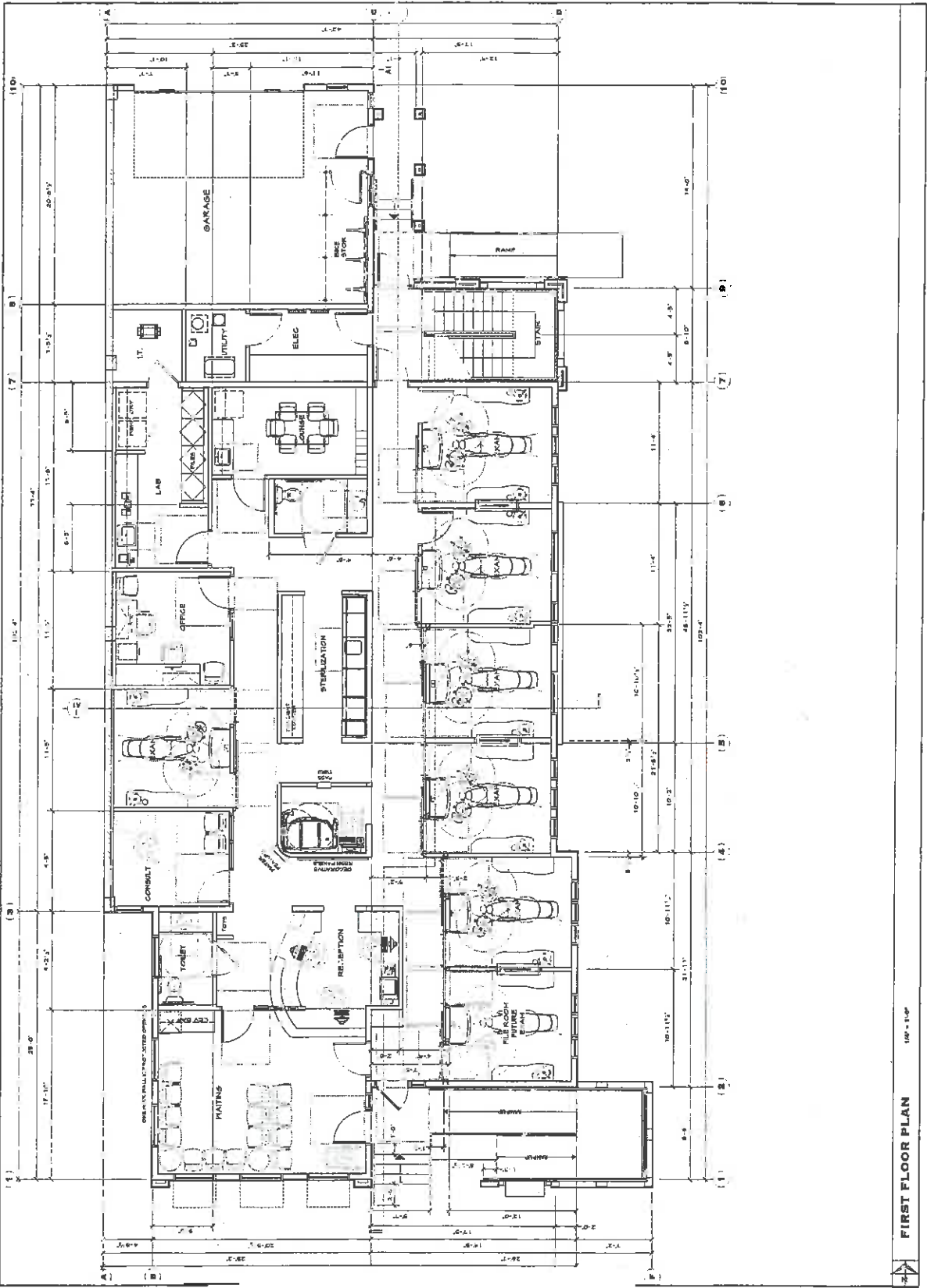
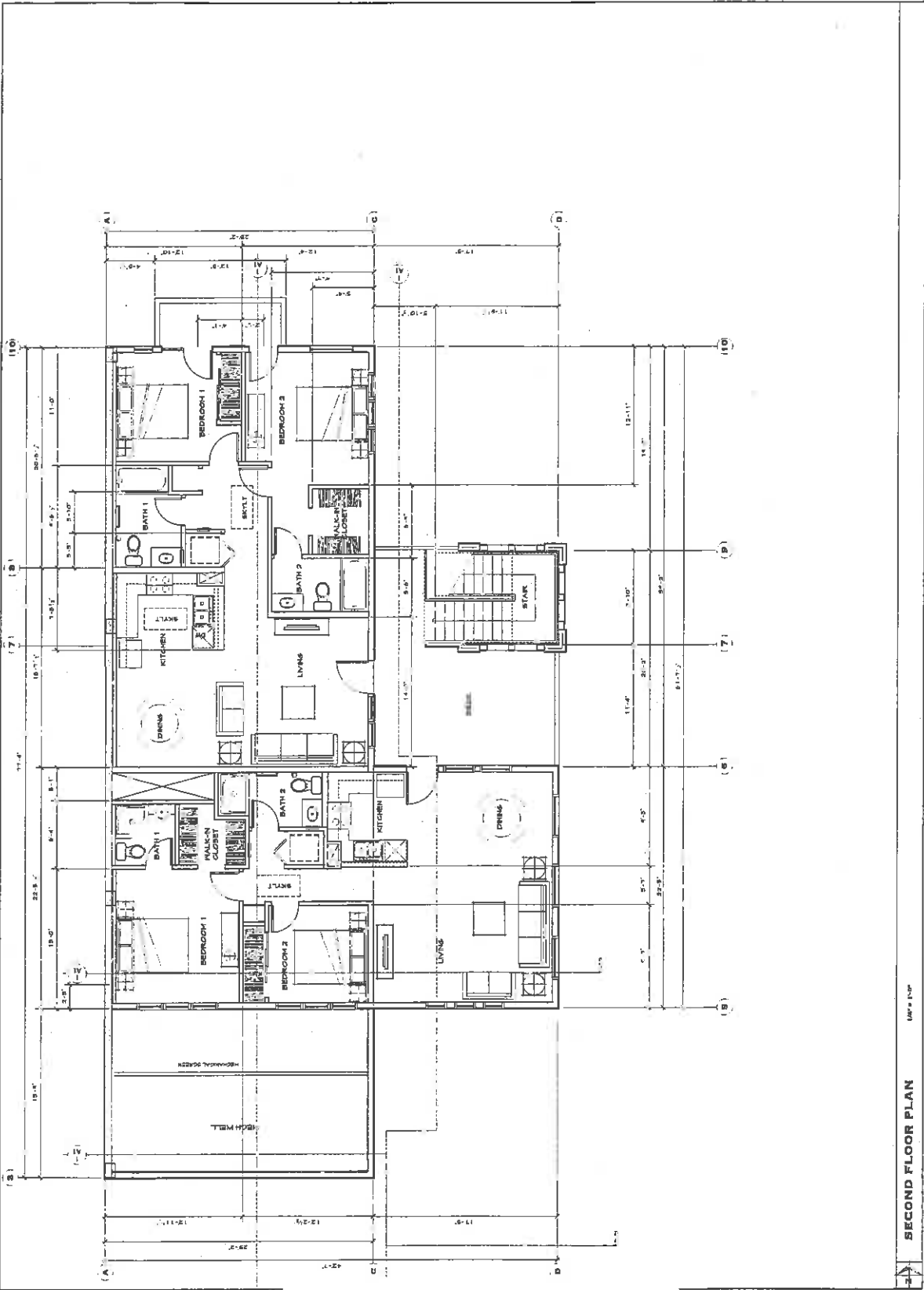


Exhibit "B"



	<b>DEVELOPER:</b> JTC ARCHITECTS 10000 Wilshire Blvd, Suite 1000 Beverly Hills, CA 90210 Tel: 310.277.1111 Fax: 310.277.1112 www.jtcarchitects.com		<b>ARCHITECT:</b> J. J. ... 10000 Wilshire Blvd, Suite 1000 Beverly Hills, CA 90210 Tel: 310.277.1111 Fax: 310.277.1112 www.jtcarchitects.com	<b>PROJECT:</b> NEW RESIDENTIAL DENTAL OFFICE 1000 WEST ACACUA AVE VESPA, CA	<b>OWNER:</b> JANINE & MICHAEL BETTINI 1000 WEST ACACUA AVE VESPA, CA	SHEET NO.: _____	SHEET TITLE: _____
	<b>DATE:</b> _____					DATE PLOTTED: _____	SCALE: _____



SECOND FLOOR PLAN 1/8" = 1'-0"

Exhibit "C"

**STEVENSON ARCHITECTURE**  
 100 WEST ALLEGRIA AVE  
 VERONA, WI 53593  
 TEL: 262.771.1111  
 FAX: 262.771.1112  
 WWW.STEVENSONARCHITECTURE.COM

**PROJECT TITLE**  
**FAMILY DENTISTRY**

**CLIENT/OWNER**  
 CENTRAL OFFICE  
 100 WEST ALLEGRIA AVE  
 VERONA, WI

**DESIGNER**  
 JENNIFER STEVENSON  
 ARCHITECT

**PROJECT ADDRESS**  
 100 WEST ALLEGRIA AVE  
 VERONA, WI

DATE	DESCRIPTION
11/11/18	CONCEPT
11/11/18	SCHEMATIC
11/11/18	PRELIMINARY
11/11/18	FINAL

**EXTERIOR ELEVATION**

**A-3.3.1**  
 OF TOTAL SHEET 7

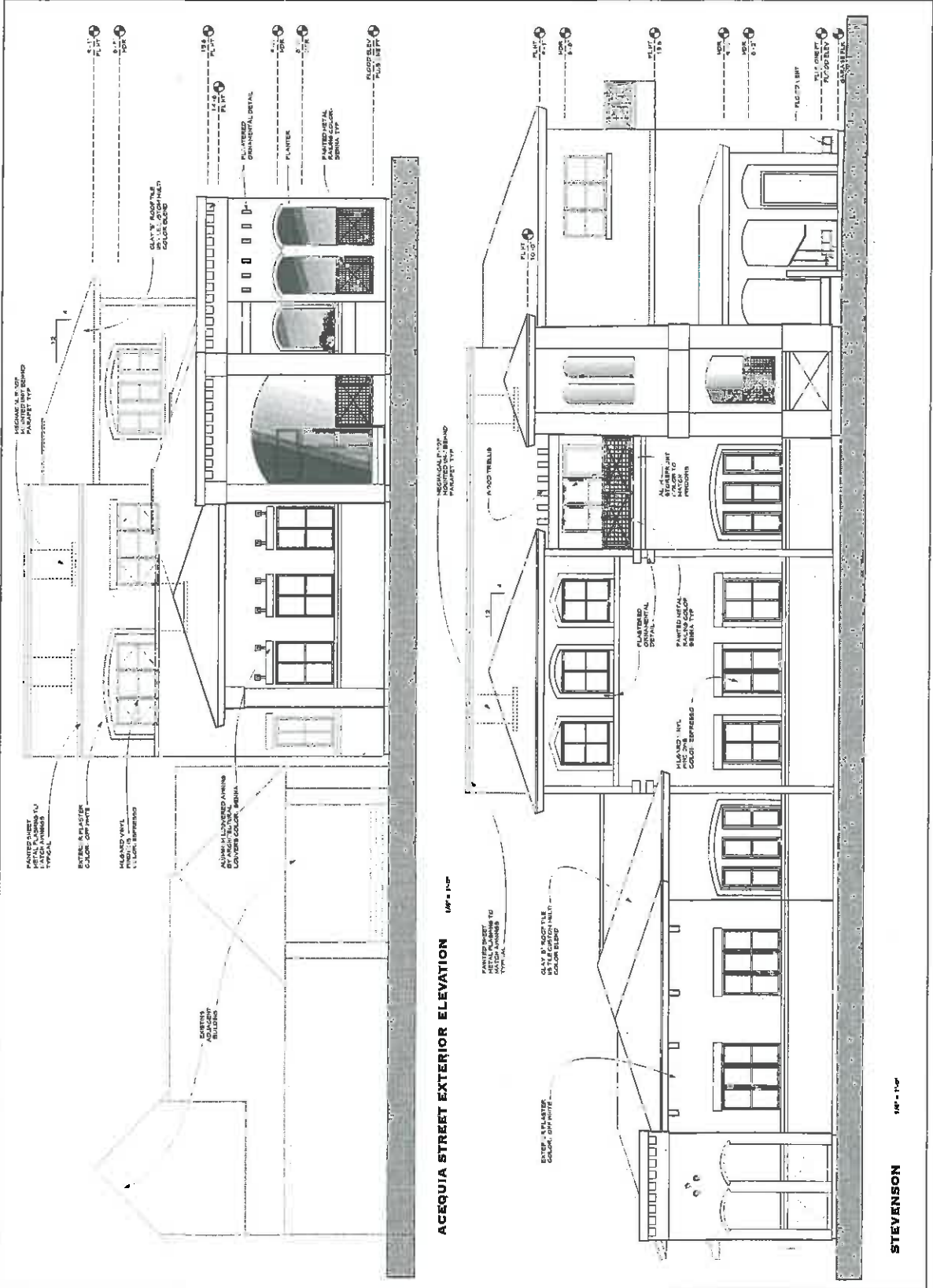


EXHIBIT D

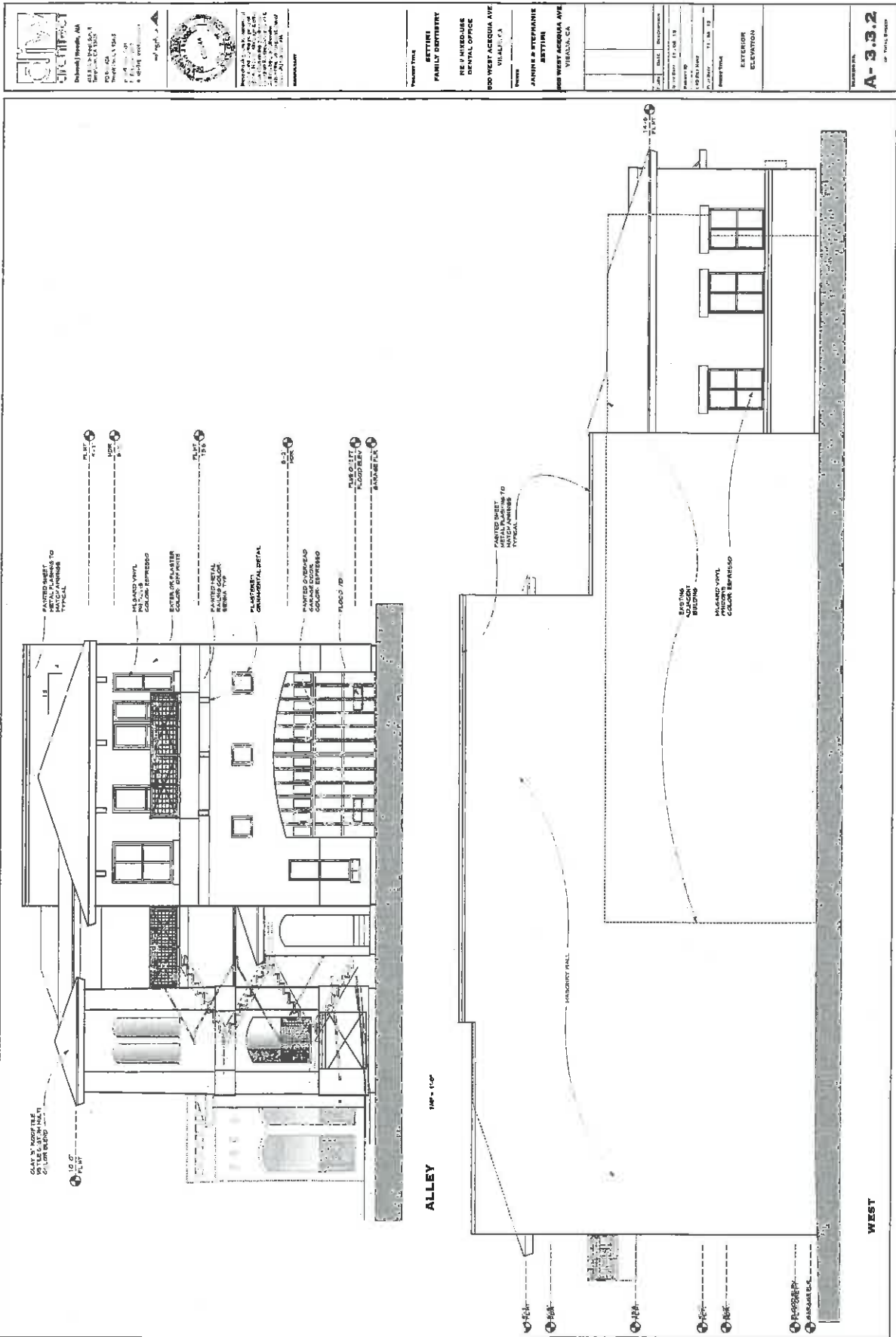


Exhibit "E"



JANNINE & STEPHANIE  
 ARCHITECTS  
 1000 WEST ACACIA AVE  
 VISALIA, CA 93291  
 TEL: (559) 735-1111  
 FAX: (559) 735-1112  
 WWW: WWW.JANNINEANDSTEPHANIE.COM



PROJECT: RECEPTIONS DENTAL OFFICE  
 ADDRESS: 500 WEST ACACIA AVE  
 VISALIA, CA 93291  
 DATE: 10/20/2019  
 DRAWING NO: 19-00000001-01

OWNER: JANNINE & STEPHANIE  
 ARCHITECTS  
 1000 WEST ACACIA AVE  
 VISALIA, CA 93291  
 TEL: (559) 735-1111  
 FAX: (559) 735-1112  
 WWW: WWW.JANNINEANDSTEPHANIE.COM

PROJECT: RECEPTIONS DENTAL OFFICE  
 ADDRESS: 500 WEST ACACIA AVE  
 VISALIA, CA 93291  
 DATE: 10/20/2019  
 DRAWING NO: 19-00000001-01

OWNER: JANNINE & STEPHANIE  
 ARCHITECTS  
 1000 WEST ACACIA AVE  
 VISALIA, CA 93291  
 TEL: (559) 735-1111  
 FAX: (559) 735-1112  
 WWW: WWW.JANNINEANDSTEPHANIE.COM

PROJECT: RECEPTIONS DENTAL OFFICE  
 ADDRESS: 500 WEST ACACIA AVE  
 VISALIA, CA 93291  
 DATE: 10/20/2019  
 DRAWING NO: 19-00000001-01

OWNER: JANNINE & STEPHANIE  
 ARCHITECTS  
 1000 WEST ACACIA AVE  
 VISALIA, CA 93291  
 TEL: (559) 735-1111  
 FAX: (559) 735-1112  
 WWW: WWW.JANNINEANDSTEPHANIE.COM

PROJECT: RECEPTIONS DENTAL OFFICE  
 ADDRESS: 500 WEST ACACIA AVE  
 VISALIA, CA 93291  
 DATE: 10/20/2019  
 DRAWING NO: 19-00000001-01

Alan Mok, PE, PLS,  
DEED AP  
Principal

1415 N. PALM AVENUE #101  
FRESNO, CALIFORNIA 93711  
TEL: 551-432-8879  
FAX: 551-432-8887  
www.alanmokeengineering.com

**Alan Mok Engineering**

PROJECT:  
**Settimi Family Dentistry**

LOCATION:  
800 West Sequoia Street  
Fresno, CA 93721

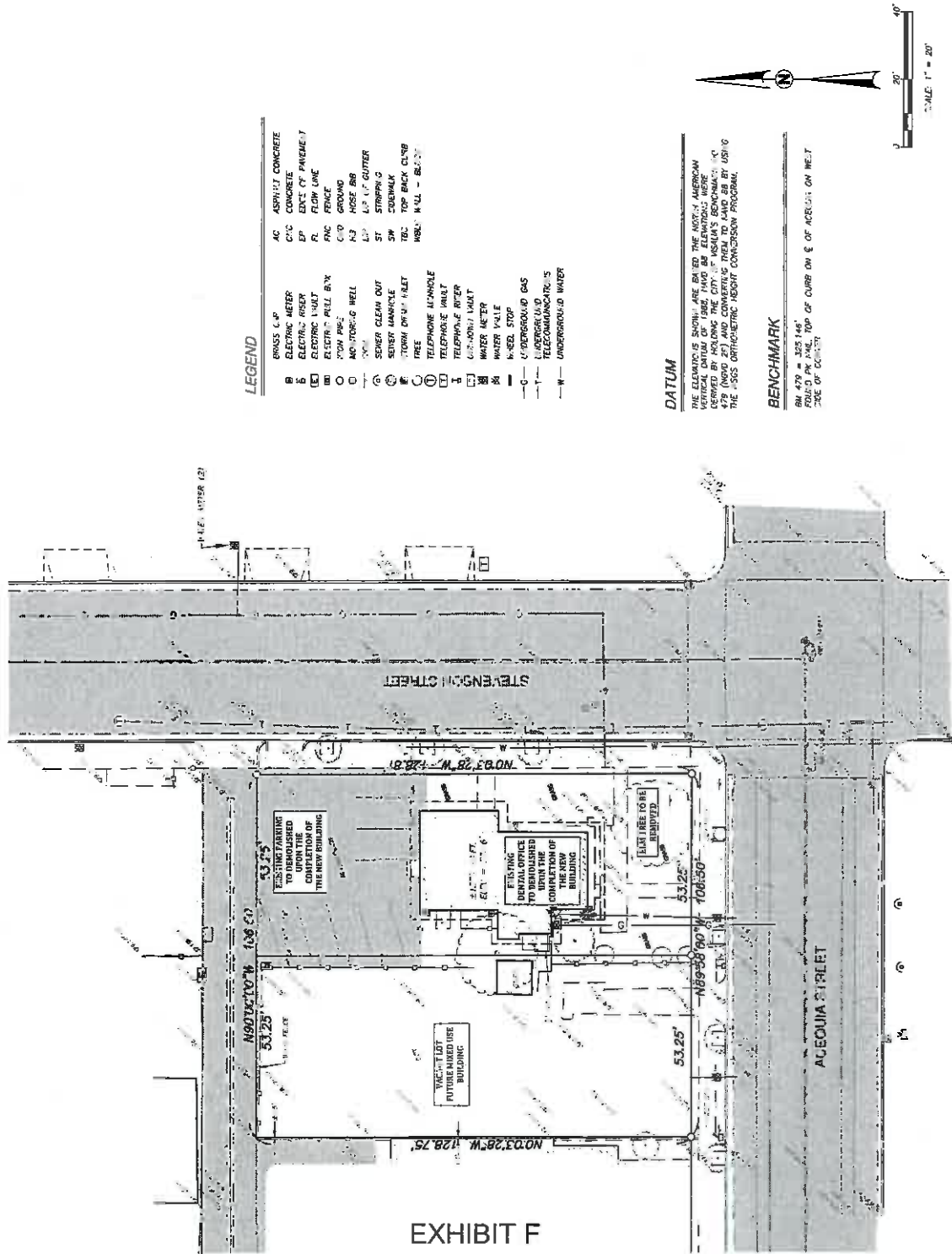
DRAWN FOR:  
**Deborah Woodle**



ALAN K. MOK, L.S. 8008

PROJECT COORDINATOR	SKM
PROJECT NO.	212-0164
DATE	11/21/2012
SCALE	1" = 20'

**C1**



**EXHIBIT F**



MEETING DATE 9/18/2013  
SITE PLAN NO. 13-152  
PARCEL MAP NO.  
SUBDIVISION  
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

**RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with  
 Planning  Engineering prior to resubmittal plans for Site Plan Review.  
 Solid Waste  Parks and Recreation  Fire Dept.

**REVISE AND PROCEED** (see below)

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

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

Your plans must be reviewed by:

CITY COUNCIL  REDEVELOPMENT  
 PLANNING COMMISSION  PARK/RECREATION  
 HISTORIC PRESERVATION  OTHER \_\_\_\_\_

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

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

*Site Plan Review Committee*



MEETING DATE SEPT. 18, 2013  
SITE PLAN NO. 13-152  
PARCEL MAP NO.  
SUBDIVISION  
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

- RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.
- During site plan design/policy concerns were identified, schedule a meeting with
- |                                      |   |
|--------------------------------------|---|
| <input type="checkbox"/> Planning    | <input type="checkbox"/> Engineering          |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks and Recreation |
|                                      | <input type="checkbox"/> Fire Dept.           |
- 

**REVISE AND PROCEED** (see below)

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

Your plans must be reviewed by:

- |  |  |
|--|--|
| <input type="checkbox"/> CITY COUNCIL                              | <input type="checkbox"/> REDEVELOPMENT   |
| <input checked="" type="checkbox"/> PLANNING COMMISSION <u>CVP</u> | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION                     | <input type="checkbox"/> OTHER _____     |
- 

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

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

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

ITEM NO: 2                      DATE: September 18, 2013  
 SITE PLAN NO:                SPR13152  
 PROJECT TITLE:              DENTAL OFFICE & RESIDENTIAL  
 DESCRIPTION:                NEW 2 STORY WORK/LIVE BUILDING, DENTAL  
    OFFICE ON GROUND FLOOR WITH 2 RESIDENTIAL  
    UNITS ON THE SECOND FLOOR ON 13,576 SF AREA  
    (PA ZONED) (DISTRICT C)  
 APPLICANT:                    DJW ARCHITECT - DEBORAH WOODLE  
 PROP OWNER:                 SETTIMI JANINE(TR)(FAM TR)  
 LOCATION:                    800 W ACEQUIA AVE  
 APN(S):                        093-198-005 093-198-006

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project  
 Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 5 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 5 sets of plans prepared by an architect or engineer. Must comply with 2010 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (559) 230-6000*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone AE \*  Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$146.40) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.47 per square foot. Residential \$2.97 per square foot. **CREDIT FOR**  
**PERMITS**
- Park Development fee \$ \_\_\_\_\_ per unit collected with building permits.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments:

G. Ferrero  
 Signature



**Site Plan Review Comments For:**

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

ITEM NO: 2

DATE: September 18, 2013

SITE PLAN NO:

SPR13152

PROJECT TITLE:

DENTAL OFFICE & RESIDENTIAL

DESCRIPTION:

NEW 2 STORY WORK/LIVE BUILDING, DENTAL OFFICE ON GROUND FLOOR WITH 2 RESIDENTIAL UNITS ON THE SECOND FLOOR ON 13,576 SF AREA (PA ZONED) (DISTRICT C)

APPLICANT:

DJW ARCHITECT - DEBORAH WOODLE

PROP OWNER:

SETTIMI JANINE(TR)(FAM TR)

LOCATION:

800 W ACEQUIA AVE

APN(S):

093-198-005 093-198-006

The following comments are applicable when checked:

- Refer to previous comments dated .
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
- The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are fire hydrants required for this project. (See marked plans for fire hydrant locations.)
- A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding a 80,000 pound piece of fire apparatus.
- The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- Subdivision streets shall be a minimum of 36 feet wide from curb to curb to allow fire department access and to permit parking on both sides of the street.
- Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.



- A fire lane is required for this project. The location will be given to you during the site plan meeting. Fire lanes shall allow fire apparatus to be within 150 feet of all points around the building. Fire lanes shall be a minimum of 20 feet wide with no parking allowed at any time.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting though-out building.
- All Fire and Life Safety systems located within the building shall be maintained.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Special comments: R-3 - 13D fire sprinklers

  
Kurtis Brown, Assistant Fire Marshal

**QUALITY ASSURANCE DIVISION  
SITE PLAN REVIEW COMMENTS**

ITEM NO: 2                      DATE: September 18, 2013  
SITE PLAN NO:                SPR13152  
PROJECT TITLE:                DENTAL OFFICE & RESIDENTIAL  
DESCRIPTION:                 NEW 2 STORY WORK/LIVE BUILDING, DENTAL  
   OFFICE ON GROUND FLOOR WITH 2 RESIDENTIAL  
   UNITS ON THE SECOND FLOOR ON 13,576 SF AREA  
   (PA ZONED) (DISTRICT C)  
APPLICANT:                    DJW ARCHITECT - DEBORAH WOODLE  
PROP OWNER:                 SETTIMI JANINE(TR)(FAM TR)  
LOCATION:                      800 W ACEQUIA AVE  
APN(S):                        093-198-005 093-198-006

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 R. Knight*

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

9-16-13

\_\_\_\_\_  
DATE

SPR 13152



### CITY OF VISALIA NONSIGNIFICANT WASTEWATER DISCHARGE PERMIT APPLICATION

Agency Use:
Permit No: _____
Code No: _____
Data Entry By: _____

**PLEASE PRINT OR TYPE**

APPLICANT BUSINESS NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

BUSINESS OWNER: \_\_\_\_\_ PHONE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ TITLE: \_\_\_\_\_

NATURE OF BUSINESS: (printing, laboratory, warehousing, manufacturer, etc.)

NO. OF EMPLOYEES: \_\_\_\_\_ HOURS OPEN: \_\_\_\_\_ AM/PM TO \_\_\_\_\_ AM/PM

DAYS PER WEEK BUSINESS OPEN: MON TUES WED THUR FRI SAT SUN

Does your facility have any pretreatment devices or processes used for treating wastewater or sludge?  
YES NO If yes, please indicate type e.g. chlorination, silver recovery, solvent separation, pH adjustment, spill containment, sedimentation, etc. \_\_\_\_\_

Does your facility store or handle any hazardous materials? YES NO If yes, give name and quantity. \_\_\_\_\_

I hereby affirm that all information furnished is true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature Date

Public Works Department  
Quality Assurance Division  
7579 Ave. 288  
Visalia CA 93277  
(559) 713-4487

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

ITEM NO: 2      DATE: September 18, 2013  
SITE PLAN NO:      SPR13152  
PROJECT TITLE:      DENTAL OFFICE & RESIDENTIAL  
DESCRIPTION:      NEW 2 STORY WORK/LIVE BUILDING, DENTAL  
                                 OFFICE ON GROUND FLOOR WITH 2 RESIDENTIAL  
                                 UNITS ON THE SECOND FLOOR ON 13,576 SF AREA  
                                 (PA ZONED) (DISTRICT C)  
APPLICANT:      DJW ARCHITECT - DEBORAH WOODLE  
PROP OWNER:      SETTIMI JANINE(TR)(FAM TR)  
LOCATION:      800 W ACEQUIA AVE  
APN(S):      093-198-005 093-198-006

### Site Plan Review Comments

- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact fee:  
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code  
Effective date - August 17, 2001  
  
Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure or improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:  
\_\_\_\_\_
- Territorial Reinforcement: Define property lines (private/public space).  
\_\_\_\_\_
- Access Controlled / Restricted etc:  
\_\_\_\_\_
- Lighting Concerns:  
\_\_\_\_\_
- Landscaping Concerns:  
\_\_\_\_\_
- Traffic Concerns:  
\_\_\_\_\_
- Surveillance Issues:  
\_\_\_\_\_
- Line of Sight Issues:  
\_\_\_\_\_
- Other Concerns:  
\_\_\_\_\_

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

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

September 18, 2013

ITEM NO: 2  
SITE PLAN NO: SPR13152  
PROJECT TITLE: DENTAL OFFICE & RESIDENTIAL  
DESCRIPTION: NEW 2 STORY WORK/LIVE BUILDING, DENTAL OFFICE ON GROUND FLOOR WITH 2  
RESIDENTIAL UNITS ON THE SECOND FLOOR ON 13,576 SF AREA (PA. ZONED) (DISTRICT C)  
APPLICANT: DJW ARCHITECT - DEBORAH WOODLE  
PROP. OWNER: SETTINI JANINE (TR) (FAM TR)  
LOCATION: 800 W ACEQUIA AVE  
APN(S): 093-198-005 093-198-006

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

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

**Additional Comments:**

- Provide handicap parking and access per City standards.
- Alley Driveway approach is too narrow.

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

# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: September 18, 2013

SITE PLAN NO: 13-152  
PROJECT: DENTAL OFFICE & RESIDENTIAL  
DESCRIPTION: NEW 2 STORY WORK/LIVE BUILDING, DENTAL OFFICE ON GROUND FLOOR WITH 2 RESIDENTIAL UNITS ON THE SECOND FLOOR ON 13,576 SF AREA (PA ZONED) (DISTRICT C)  
APPLICANT: DJW ARCHITECT - DEBORAH WOODLE  
PROP. OWNER: SETTIMI JANINE(TR)(FAM TR)  
LOCATION TITLE: 800 W ACEQUIA AVE  
APN TITLE: 093-198-005 & 006

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

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Conditional Use Permit (CUP) required for the residential units (Full Fee)
- Lot Line Adjustment
- Building Permit
- Additional Information as Needed

## PROJECT SPECIFIC INFORMATION: 09/18/2013

1. The proposed mixed-use project will require the submittal of a CUP application. The CUP is required based on the proposed residential dwelling units. Residential units in the P-A (Professional / Administrative Office) zone are "Conditionally Permitted", while the dental office is a "Permitted" use.
2. A variance to the landscaping setback along Stevenson Street is not required. The landscape setback along Stevenson is 10-feet, which is depicted on the site plan.
3. Staff recommends the exterior facade of the building be consistent with the architectural theme of the neighborhood. The applicant/architect provided elevations of the proposed building to staff during the Site Plan Review meeting. The elevations are consistent with the Mediterranean theme that was established with the Acequia Medical Plaza building to the south.
4. Refer to the Parking Section Below regarding the assessment of Parking In-Lieu fees for this project.
5. Provide elevations, and floor plans with the CUP application submittal.
6. Relocate the bike rack out of the 15-foot front yard setback (Acequia Ave.).
7. The owner/developer shall be responsible for the replacement of any street tree damaged during construction.
8. A Lot Line Adjustment is required to adjust the property line. Lot Line Adjustment applications and filing fee can be found on the City's website.

## 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:**

	<b>Building</b>	<b>Landscaping</b>
➤ 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. This project requires 17 onsite parking spaces per the following: **14** parking spaces for the dental office (2,800 sq. ft. of medical office space ÷ 200 = 14). Provide **three (3)** spaces for each dwelling unit (1.5 parking spaces per unit × 2 units = 3) [see Zoning Ordinance Section 17.34.020].
2. The site plan depicts 15 parking stalls provided onsite with two covered parking stalls located adjacent to the alley. The Parking In-lieu fee is calculated against the number of required parking stalls not provided onsite. A Parking In-lieu fee of **\$7,820.40** will be calculated toward the cost of the building permit for this project. Please note, the Parking In-lieu fee is increased annually (see City of Visalia Development Fee Schedule for current fee).
3. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
4. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
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 (Zoning Ordinance Section 17.34.030.J).
9. Parking lot to be screened from view by a 3-foot tall solid shrubs when located adjacent to a public street.
10. Provide shared parking/access agreements. Said agreements/ easements to be approved and recorded prior to issuance of building permits (Zoning Ordinance Section 17.34.050).
11. Provide off-street loading facility(Zoning Ordinance Section 17.34.070 & 17.34.080).
12. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.

**Fencing and Screening:**

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide second-story screening for all windows that may intrude into adjacent residential properties. Details and cross-sections will be required to be reviewed and approved prior to issuance of building permits (Zoning Ordinance Section 17.30.130.F).
3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).

4. Outdoor retail sales prohibited.
5. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
6. If there is an anticipated grade difference of more than 12-inches between this site and the adjacent sites, a cross section of the difference and the walls must be provided as a part of the Subdivision and/or CUP application package.
7. 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 

**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 2 DATE: SEPTEMBER 18, 2013

SITE PLAN NO.: 13-152  
PROJECT TITLE: DENTAL OFFICE & RESIDENTIAL  
DESCRIPTION: NEW 2 STORY WORK/LIVE BUILDING, DENTAL OFFICE ON GROUND WITH 2 RESIDENTIAL UNITS ON THE SECOND FLOOR ON 13,576 SF AREA (PA ZONED)  
APPLICANT: DJW ARCHITECT - DEBORAH WOODLE  
PROP OWNER: SETTIMI JANINE (TR) (FAM TR)  
LOCATION: 800 W ACEQUIA AVE  
APN: 093-2198-005, 093-192-006

**SITE PLAN REVIEW COMMENTS**

REQUIREMENTS (indicated by checked boxes)

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

Install curb;  gutter

Drive approach size: 30'  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. **2' alley dedication**

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. The proposed drive approach shall meet the minimum 30' width; refer to City standard commercial approach with radial returns.***
- 2. Parking lot striping to meet current City standards.***
- 3. The driveway opening into the alley is suggested to be 24' width, 20' is minimum required.***
- 4. The parallel parking stall to the alley will be permitted without the landscape curbing, as proposed.***
- 5. A 2-foot right-of-way dedication is required along the north property lines, adjacent to the alley. A Grant Deed shall be submitted, per City standards and procedures, prior to or at time of building permit. Further coordination with Engineering Dept. is necessary.***
- 6. Credit will be given for a previously demolished single family dwelling and the proposed demo of the existing dental office. Credit will be applied to the associated impact fees for new residential and dental office development. Refer to page 3 for fee summary.***
- 7. Proposed refuse enclosure to meet City standards and shall have gates and concrete apron.***
- 3. Provide square footage of demolished dental office building.***

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 13-152  
Date: 9/18/2013

**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.)**

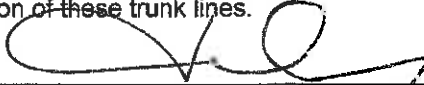
(Fee Schedule Date:8/16/2013)  
(Project type for fee rates:MULTI-FAMILY/ DENTAL)

Existing uses may qualify for credits on Development Impact Fees. Credit for one single family dwelling & existing dental office

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$1,857.00 RESIDENTIAL \$12,354/1000SF DENTAL (CREDIT TBD)
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$677.50 RESIDENTIAL TREATMENT FEE & DENTAL OFFICE \$199.50/1000SF  \$89.60 RESIDENTIAL TRUNK LINE \$84.00/1000SF DENTAL OFFICE
<input type="checkbox"/> Sewer Front Foot Fee	
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	\$1,893.90/AC X 0.19 = \$359.84
<input checked="" type="checkbox"/> Park Acq/Dev Fee	\$2,781.90/UNIT X 1
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$1,390.22/AC X 0.19 = \$264.14
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	\$1,546.30/AC X 0.19 = \$293.80
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input checked="" type="checkbox"/> Public Facility Impact Fee	\$383.30 RESIDENTIAL & \$583.90/1000SF DENTAL
<input type="checkbox"/> Parking In-Lieu	

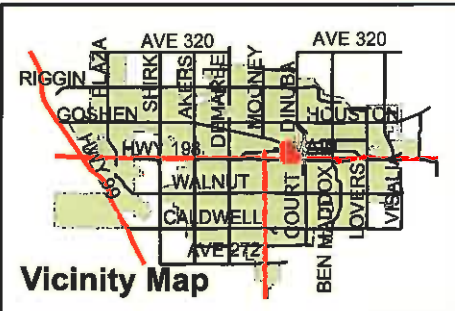
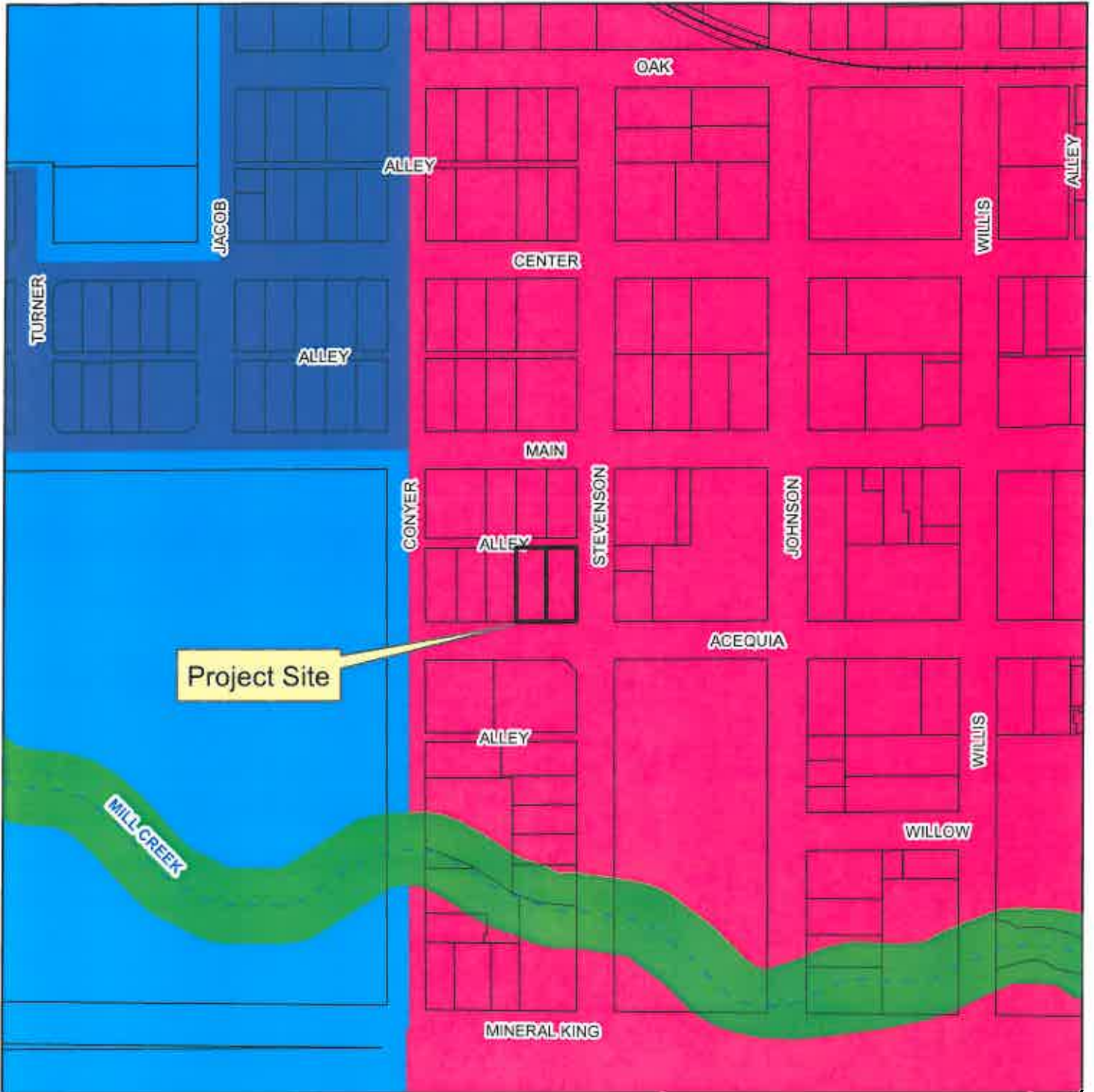
**Reimbursement:**

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.

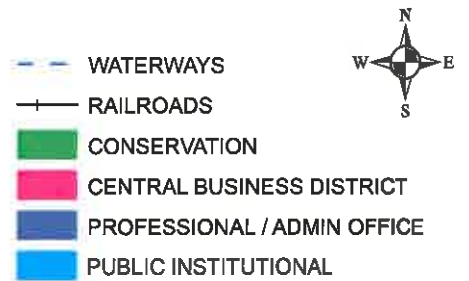
  
\_\_\_\_\_  
Jason Huckleberry

# Conditional Use Permit No. 2013-34

The site is located at 800 and 806 W. Acequia Avenue, on the northwest corner of Acequia Avenue and Stevenson Street. (APN: 093-198-005, 006)

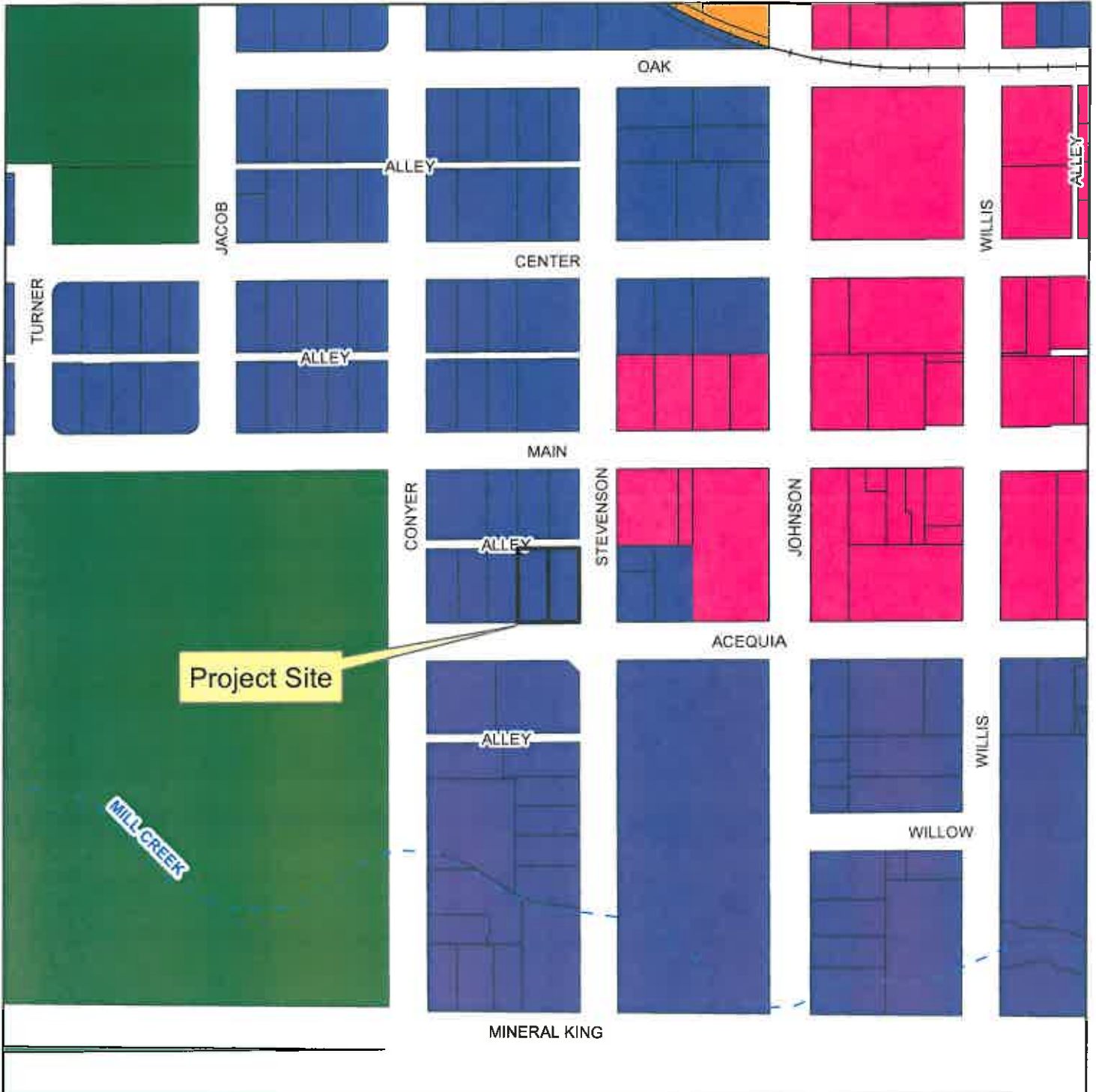


## General Plan Land Use Map

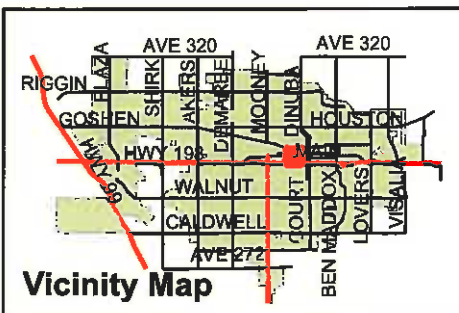


# Conditional Use Permit No. 2013-34

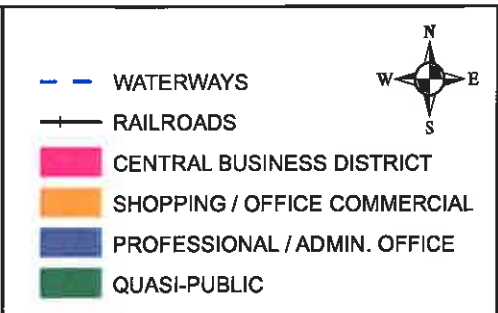
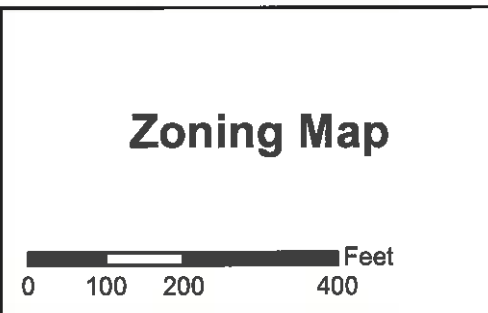
The site is located at 800 and 806 W. Acequia Avenue, on the northwest corner of Acequia Avenue and Stevenson Street. (APN: 093-198-005, 006)



Project Site



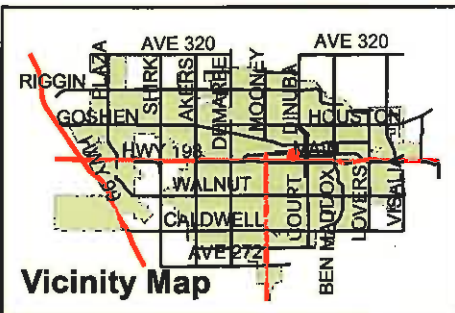
Vicinity Map





# Conditional Use Permit No. 2013-34

The site is located at 800 and 806 W. Acequia Avenue, on the northwest corner of Acequia Avenue and Stevenson Street. (APN: 093-198-005, 006)



## Aerial Photo

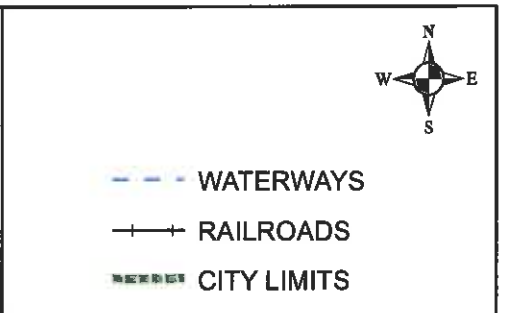
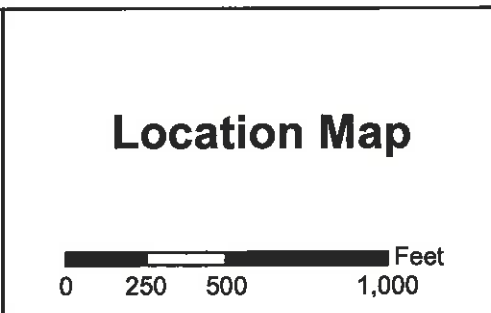
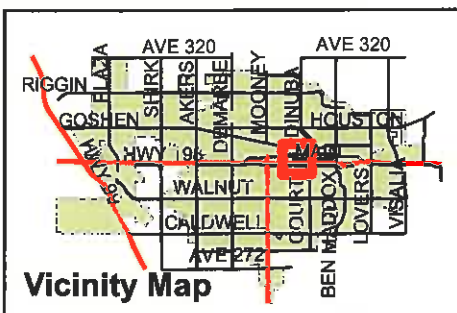
Photo Taken March 2012

0 25 50 100 Feet

- WATERWAYS
- RAILROADS
- CITY LIMITS

# Conditional Use Permit No. 2013-34

The site is located at 800 and 806 W. Acequia Avenue, on the northwest corner of Acequia Avenue and Stevenson Street. (APN: 093-198-005, 006)





# REPORT TO CITY OF VISALIA PLANNING COMMISSION



**HEARING DATE:** January 13, 2014

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

**SUBJECT:** Conditional Use Permit No. 2013-36: A request by Felix Lara to establish a 3,960 square foot fitness facility in the Service Commercial (C-S) zone. The site is located at 1929 and 1931 E. Main St. (APN: 098-130-034)

## STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2013-36, based on the findings and conditions in Resolution No. 2013-59. Staff's recommendation is 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. 2013-36 based on the findings and conditions in Resolution No. 2013-59.

## PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to allow a personal training facility, classified as an Other Recreational Facility, in the CS (Service Commercial) zone, located at 1929 and 1931 E. Main St. The proposed facility (5.0 Fitness) would occupy an existing 3,960 square foot tenant space as shown in Exhibit "A". The floor plan in Exhibit "B" shows the two tenant spaces which will be open areas behind the lobby entrance. These open areas would be used as is, with the potential to add various free standing equipment as needed.

According to the operational statement, Exhibit "C", this facility would consist of a personal training business that would be used as an office as well as a training facility for clients. There would be up to three employees covering the morning and evening hours. The owner has identified the proposed hours of operation in Exhibit "C" as Monday through Friday from 5:00 am - 12:00 pm and from 4:00 pm - 8:30 pm.

## BACKGROUND INFORMATION

General Plan Land Use Designation:	Service Commercial
Zoning:	CS (Service Commercial Zone)
Surrounding Land Use and Zoning	North: CS (Service Commercial Zone) South: CS (Service Commercial Zone) East: CS (Service Commercial Zone) West: CS (Service Commercial Zone)
Environmental Review:	Categorical Exemption No. 2013-86 under Section 15301
Special Districts:	Design District "C"
Site Plan	2013-164

## **RELATED PROJECTS**

Conditional Use Permit No. 2013-26, a request by Jake Ryan Blankenship to allow a 4,800 square foot group fitness training studio at 1421 E. Mineral King Avenue (approximately x mile east of the site), was approved by the Planning Commission on September 9, 2013.

Conditional Use Permit No. 2013-16, a request by Tom Knox to allow a 3,800 square foot martial arts studio center at 1911 E. Main Street (across the parking lot from this site), was approved by the Planning Commission on May 13, 2013.

## **PROJECT EVALUATION**

Staff recommends approval of the Conditional Use Permit No. 2013-36, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

### **Land Use Compatibility**

Staff finds that the proposed facility is compatible with the other service commercial land uses at this location based upon the limited size of the facility and no apparent conflicts with adjacent land uses. Personal Fitness Trainers with low volume studios are classified under the "Other Recreational Facilities" heading in the Zoning Matrix. These types of facilities have been previously approved in the commercial downtown (CDT), light industrial (IL) and service commercial (CS) zones. In this case, the site is in a service commercial building on East Main Street. This complex is comprised of two multiple tenant service commercial buildings which face each other across a large parking lot with cross access.

Across the parking lot from this site is a martial arts studio which was approved as CUP No. 2013-16 and operates in a similar fashion to the proposed fitness facility.

### **Operational Statement**

The operational statement in Exhibit "C" indicated that there will be three employees for two shifts with the shift times varying to meet client's needs. The facility would operate Monday through Friday from 5 am to 8:30 pm depending upon client schedules. The personal trainers will serve up to four clients at a time, and the facility is not intended to operate as fitness/health club which invites customers to drop by any time.

### **Parking**

Staff calculated the parking requirement for the personal fitness facility at one parking space for every 500 square feet of floor area for a gym, per Section 17.34.020.D.5 of the Visalia Zoning Ordinance. Based on this requirement, eight parking spaces are required. The existing parking credit is 10 stalls for the for the tenant space based upon one stall per 400 sq. ft. Based upon the operational statement with three employees/trainers for two shifts and limited numbers of clients, the facility should not have a significant affect upon the existing parking for the center.

Staff concludes the proposed fitness facility will not create an impact on parking because there is substantially more parking provided than required per the Zoning Ordinance through both parking credits and parking that is available on the adjacent parcel.



### Facility Status

This facility is already in operation on the project site. The applicant was unaware that a use permit was required when they opened the facility.

### Environmental Review

The requested action is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). This category exempts the exterior and interior alterations of existing facilities. (Categorical Exemption No. 2013-86).

## **RECOMMENDED FINDINGS**

1. That the proposed project will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required findings of the Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the Central Business District in which the site is located. The gym operates with lower intensity than a larger health club, the site has ample parking, and is in close proximity to other similar recreational uses.
  - The proposed location of the conditional use in Central Business District and the conditions of lower intensity of clientele and abundant parking under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
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. 2013-86).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-164.
2. That the use be operated in compliance with the site plan and floor plan shown in Exhibit "A" and Exhibit "B", and the operational statement in Exhibit "C". Substantial changes to the site plan, floor plan, and/or operational statement will require Site Plan Review and a potential amendment to the Conditional Use Permit, prior to said changes.
3. That building signage shall be obtained under a separate permit.
4. That all applicable federal, state and city codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-36.

## **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
- Exhibit "A" - Site Plan and Floor Plan
- Exhibit "B" – Operational Statement
- Site Plan Review No. 2013-164
- General Plan Land Use Map
- Zoning Map
- Aerial Photograph
- Vicinity Map

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

### **17.38.010 Purposes and powers**

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

### **17.38.020 Application procedures**

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

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

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

### **17.38.040 Revocation**

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

### **17.38.050 New application**

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



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

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

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

**17.38.065 Abandonment of conditional use permit**

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

**17.38.070 Temporary uses or structures**

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

**17.38.080 Public hearing--Notice**

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

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

**17.38.090 Investigation and report**

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

**17.38.100 Public hearing--Procedure**

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

**17.38.110 Action by planning commission**

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

**17.38.120 Appeal to city council**

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

**17.38.130 Effective date of conditional use permit**

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

RESOLUTION NO. 2013-59

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-36, A REQUEST BY FELIX LARA TO ESTABLISH A 3,960 SQUARE FOOT FITNESS FACILITY IN THE SERVICE COMMERCIAL (C-S) ZONE. THE SITE IS LOCATED AT 1929 AND 1931 E. MAIN ST. (APN 098-130-034)

**WHEREAS**, Conditional Use Permit No. 2013-36 is a request by Felix Lara to establish a 3,960 square foot fitness facility in the Service Commercial (C-S) zone. The site is located at 1929 and 1931 E. Main St. (APN 098-130-034); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on January 13, 2014, 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 Categorical Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-86). The project is therefore 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:

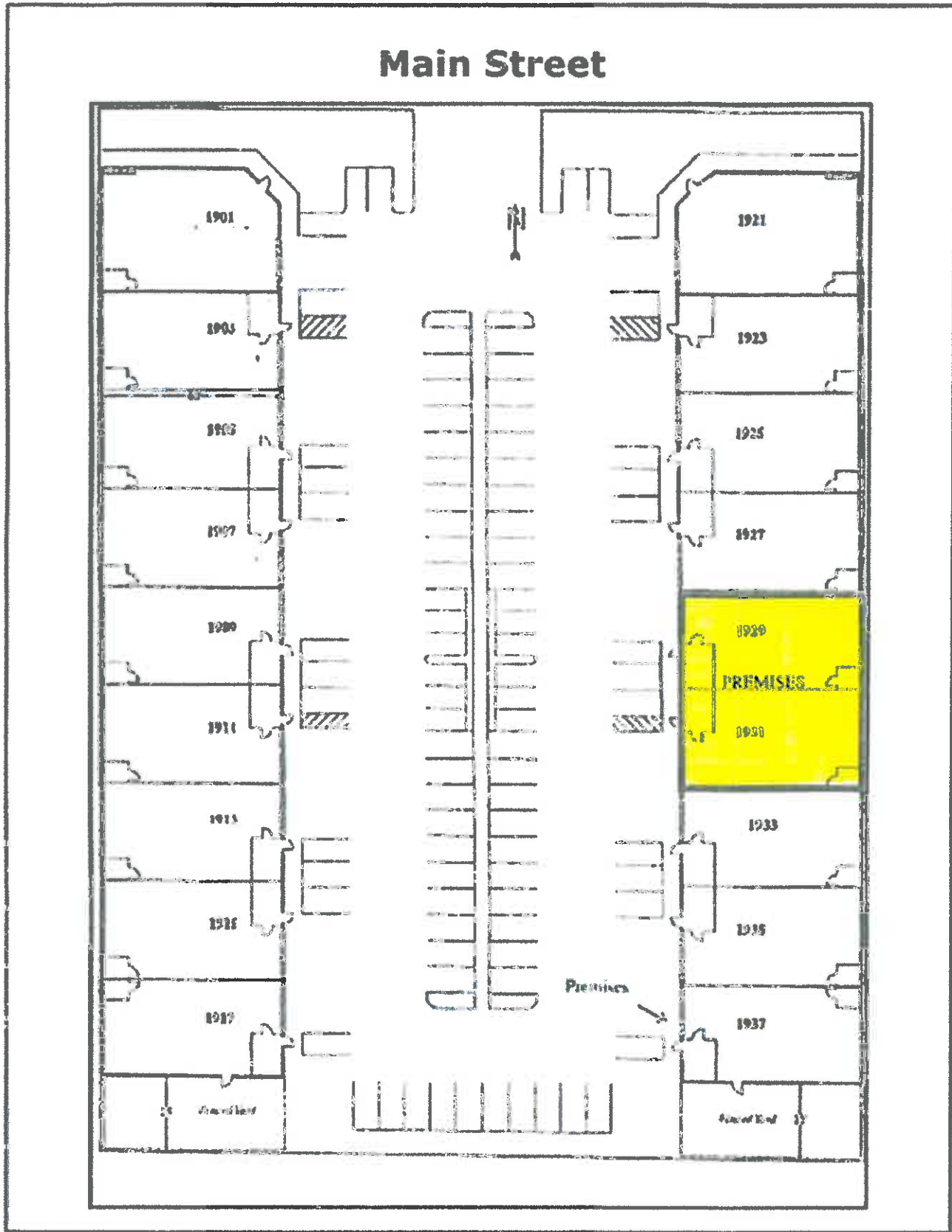
1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required findings of the Zoning Ordinance Section 17.38.110:
  - a) The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located, because the site provides ample parking and is in close proximity to other similar uses.
  - b) 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 Ordinance Code of the City of Visalia, subject to the following conditions:

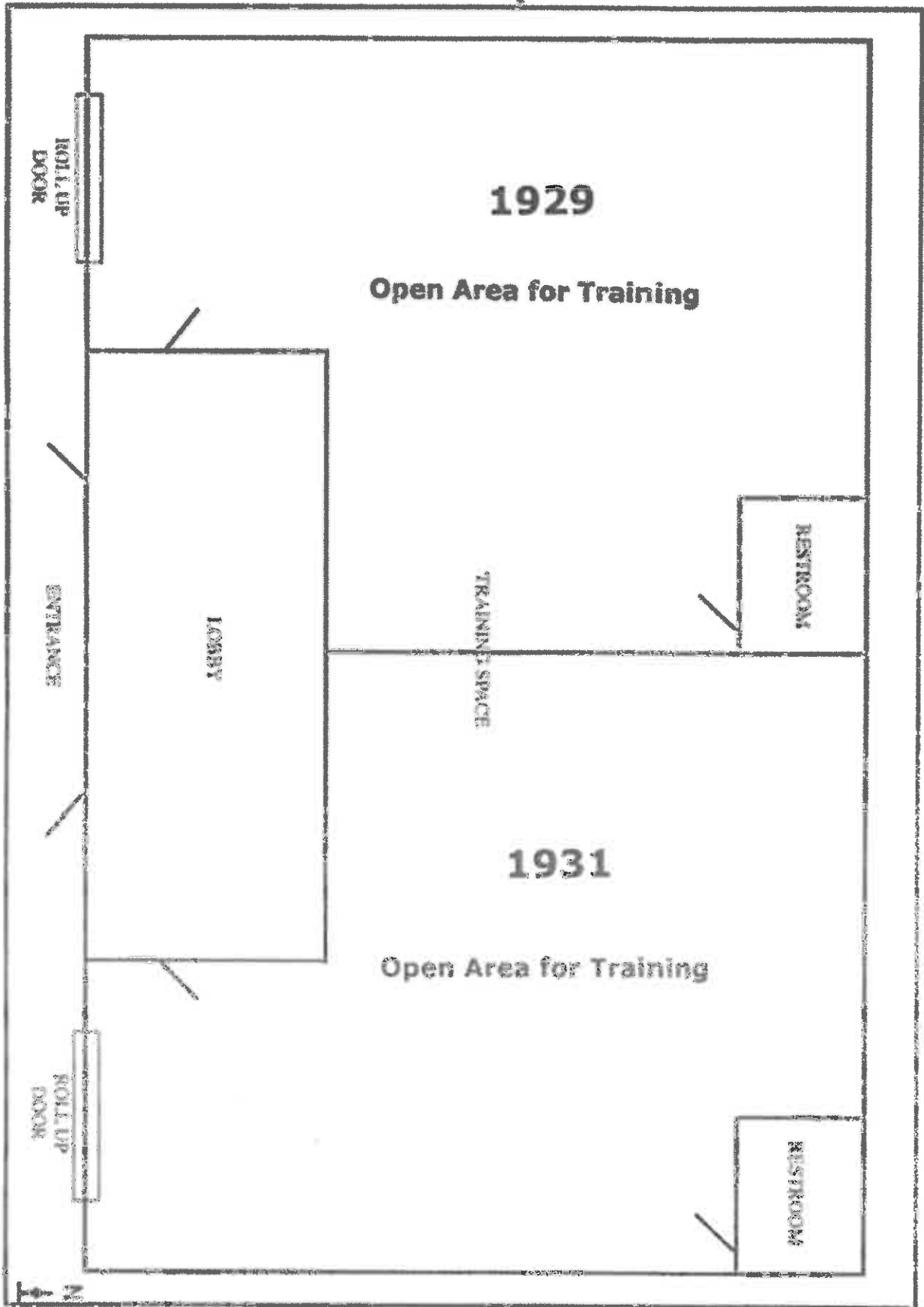
1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2013-164.
2. That the use be operated in compliance with the site plan and floor plan shown in Exhibit "A" and Exhibit "B", and the operational statement in Exhibit "C". Substantial changes to the site plan, floor plan, and/or operational statement will require Site Plan Review and a potential amendment to the Conditional Use Permit, prior to said changes.
3. That building signage shall be obtained under a separate permit.
4. That all applicable federal, state and city codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-36.

**EXHIBIT - "A"**



**EXHIBIT - "A"**

**EXHIBIT - "B"**



**Floor Plan**

**EXHIBIT - "B"**

## EXHIBIT – "C"



January 6, 2014

To whom it may concern;

We are interested in the space at 1927/1929 East Main Street in Visalia for a personal training business. This location will be used as an office as well as a training facility for clients. There will be approximately three (3) employees at this location for two (2) various shifts. The maximum number of clients per training session is approximately four. The operating hours will be Monday – Friday from 5:00am – 12:00pm and from 4:00pm – 8:30pm. The property is not expected to have much activity at one time and we anticipate the flow of traffic to be steady throughout our business hours.



MEETING DATE 10/02/2013  
SITE PLAN NO. 13-164  
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** Conditional Use Permit is required.

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

*Site Plan Review Committee*



# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: October 2, 2013

SITE PLAN NO: 13-164  
PROJECT: FITNESS FACILITY  
DESCRIPTION: 3,960 SQ. FT FITNESS FACILITY BLDG ON 88,824 SQ. FT AREA (CS ZONED)  
(DISTRICT C)  
APPLICANT: LARA FELIX  
PROP. OWNER: TWT LLC  
LOCATION TITLE: 1921 E MAIN ST  
APN TITLE: 098-130-034

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

---

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Building Permits
- Conditional Use Permit
- Additional Information as needed

## **PROJECT SPECIFIC INFORMATION: 12/19/2012**

1. The project will require a minor CUP in the CS zone.
2. Need detailed operational statement, emphasize where areas are located on the floor plan.
3. Provide square footage of the existing tenant space used for the fitness studio.

## CITY GENERAL PLAN CONSISTENCY

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

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## **Design District: "C" [17.30.180]**

### Maximum Building Height: 50 Feet

### Minimum Setbacks:

	<b>Building</b>	<b>Landscaping</b>
➤ 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

### Parking:

1. Parking is calculated at one parking space per 500 sq. ft. of area dedicated to the martial art studio. Provide tenant space square footage with the CUP site plan submittal (see Zoning Ordinance Section 17.34.020).
2. Provide handicapped space(s) [see Zoning Ordinance Section 17.34.030.H).

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: <b>6</b>	
SITE PLAN NO:	SPR13164
PROJECT TITLE:	FITNESS FACILITY
DESCRIPTION:	3,960 SQ. FT FITNESS FACILITY BLDG ON 88,824 SQ. FT AREA (CS ZONED) (DISTRICT C)
APPLICANT:	LARA FELIX
PROP. OWNER:	TWT LLC
LOCATION:	1921 E MAIN ST
APN(S):	098-130-034

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

**COMMERCIAL BIN SERVICE**

ITEM NO. 2  
SITE PLAN NO: SPR13164  
PROJECT TITLE: FITNESS FACILITY  
DESCRIPTION: 3,960 SQ. FT FITNESS FACILITY BLDG ON 88,824 SQ. FT AREA (CS ZONED) (DISTRICT C)  
APPLICANT: LARA FELIX  
PROP OWNER: TWT LLC  
LOCATION: 1821 E MAIN ST  
APN(S): 098-130-034

- No comments.
- Same comments as as
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down be fore disposing of in recycle containers.  
ALL refuse enclosures must be R-3 or R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of :  
Commercial ( X ) 50 ft. outside 36 ft. inside; Residential ( ) 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards



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

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



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

**EXISTING REFUSE SERVICE OK.**

**Javier Hernandez, Solid Waste Front Load Supervisor 713-4338**



**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 6 DATE: OCTOBER 2, 2013

SITE PLAN NO.: 13-164  
 PROJECT TITLE: FITNESS FACILITY  
 DESCRIPTION: 3,960 SQ FT FITNESS FACILITY BLDG ON 88,824 SQ FT AREA (CS ZONED) (DISTRICT C)  
 APPLICANT: LARA FELIX  
 PROP OWNER: TWT LLC  
 LOCATION: 1921 E MAIN ST  
 APN: 098-130-034

**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. Existing handicap stall to comply with current ADA standards.

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 13-164  
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:OFFICE)

Existing uses may qualify for credits on Development Impact Fees. OFFICE

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input type="checkbox"/> Transportation Impact Fee	
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<input type="checkbox"/> Parking In-Lieu	

**Reimbursement:**

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.

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



**Site Plan Review Comments For:**

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


ITEM NO: 6	DATE: <u>October 02, 2013</u>
SITE PLAN NO:	SPR13164
PROJECT TITLE:	FITNESS FACILITY
DESCRIPTION:	3,960 SQ. FT FITNESS FACILITY BLDG ON 88,824 SQ. FT AREA (CS ZONED) (DISTRICT C)
APPLICANT:	LARA FELIX
PROP OWNER:	TWT LLC
LOCATION:	1921 E MAIN ST
APN(S):	098-130-034

The following comments are applicable when checked:

- Refer to previous comments dated
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
- The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are fire hydrants required for this project. (See marked plans for fire hydrant locations.)
- A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding a 80,000 pound piece of fire apparatus.
- The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- Subdivision streets shall be a minimum of 36 feet wide from curb to curb to allow fire department access and to permit parking on both sides of the street.
- Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.



- A fire lane is required for this project. The location will be given to you during the site plan meeting. Fire lanes shall allow fire apparatus to be within 150 feet of all points around the building. Fire lanes shall be a minimum of 20 feet wide with no parking allowed at any time.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, dobt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting though-out building.
- All Fire and Life Safety systems located within the building shall be maintained.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Special comments:

  
Kurtis Brown, Assistant Fire Marshal



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

October 2, 2013

ITEM NO: 6  
SITE PLAN NO: SPR13164  
PROJECT TITLE: FITNESS FACILITY  
DESCRIPTION: 3,960 SQ. FT FITNESS FACILITY BLDG ON 88,824 SQ. FT AREA (CS ZONED) (DISTRICT C)  
APPLICANT: LARA FELIX  
PROP. OWNER: TWT LLC  
LOCATION: 1921 E MAIN ST  
APN(S): 098-130-034

**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.

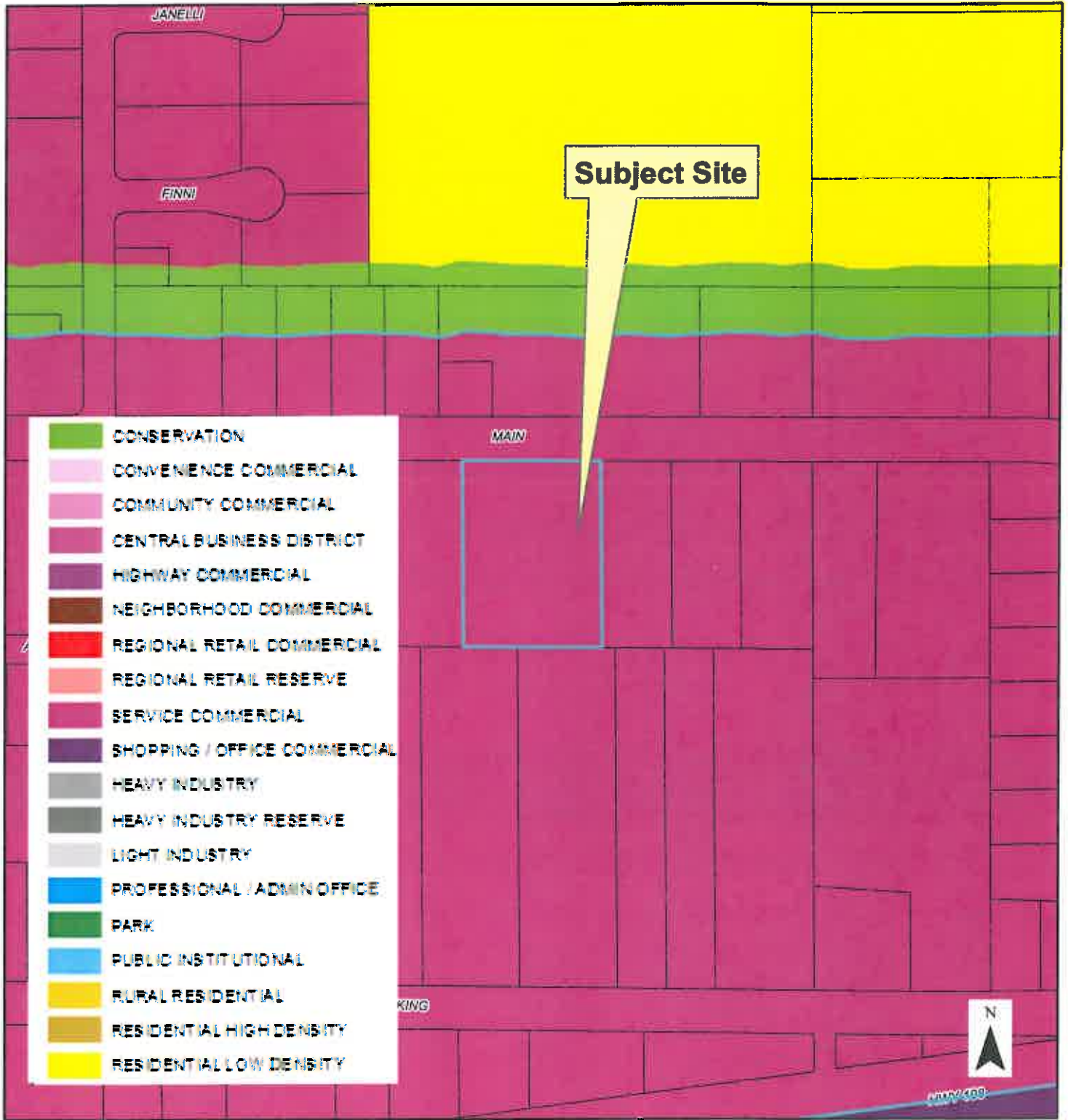
**Additional Comments:**

•



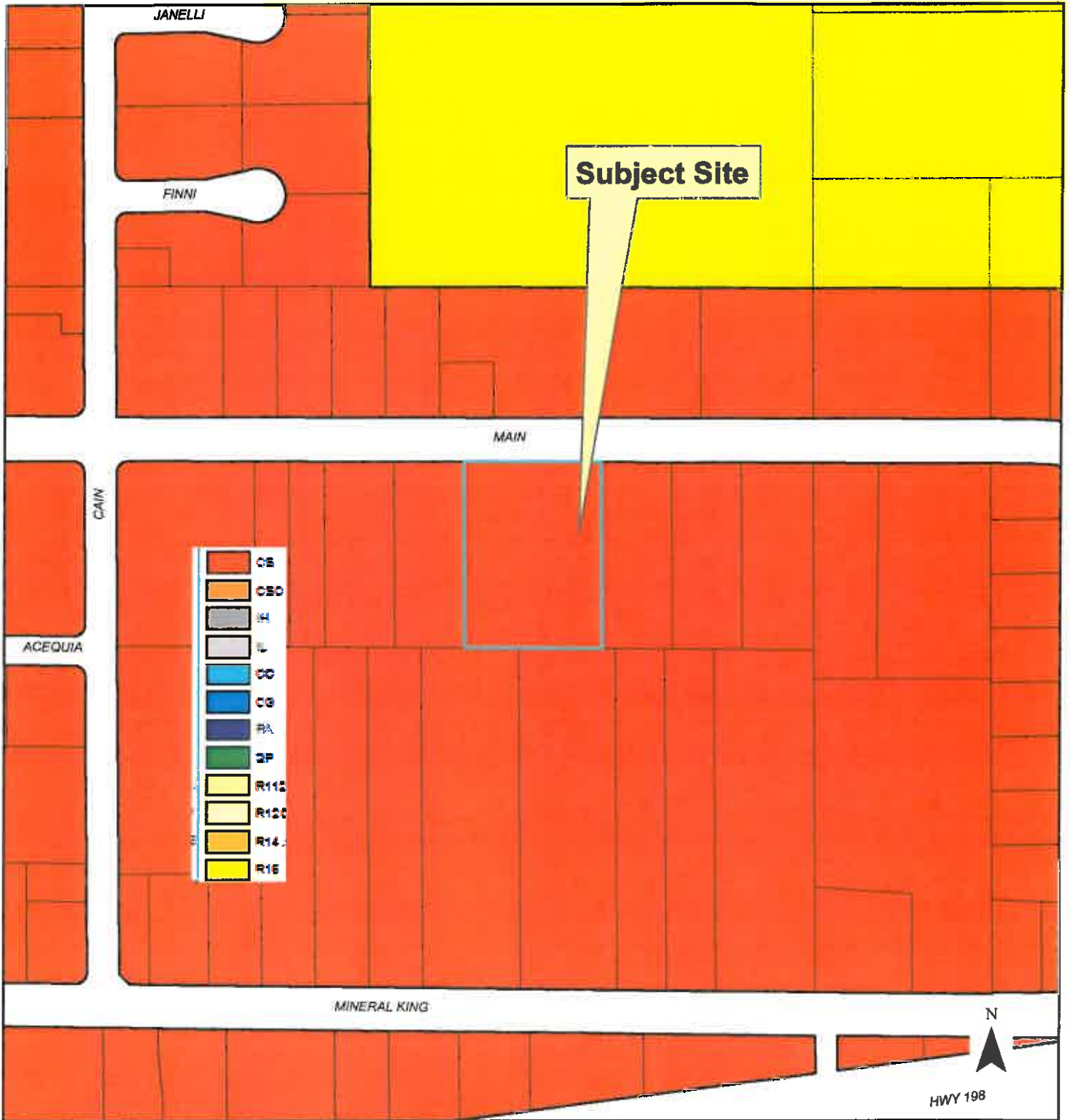
Leslie Blair

# City of Visalia



## Land Use Designations

# City of Visalia



## Zoning Designations

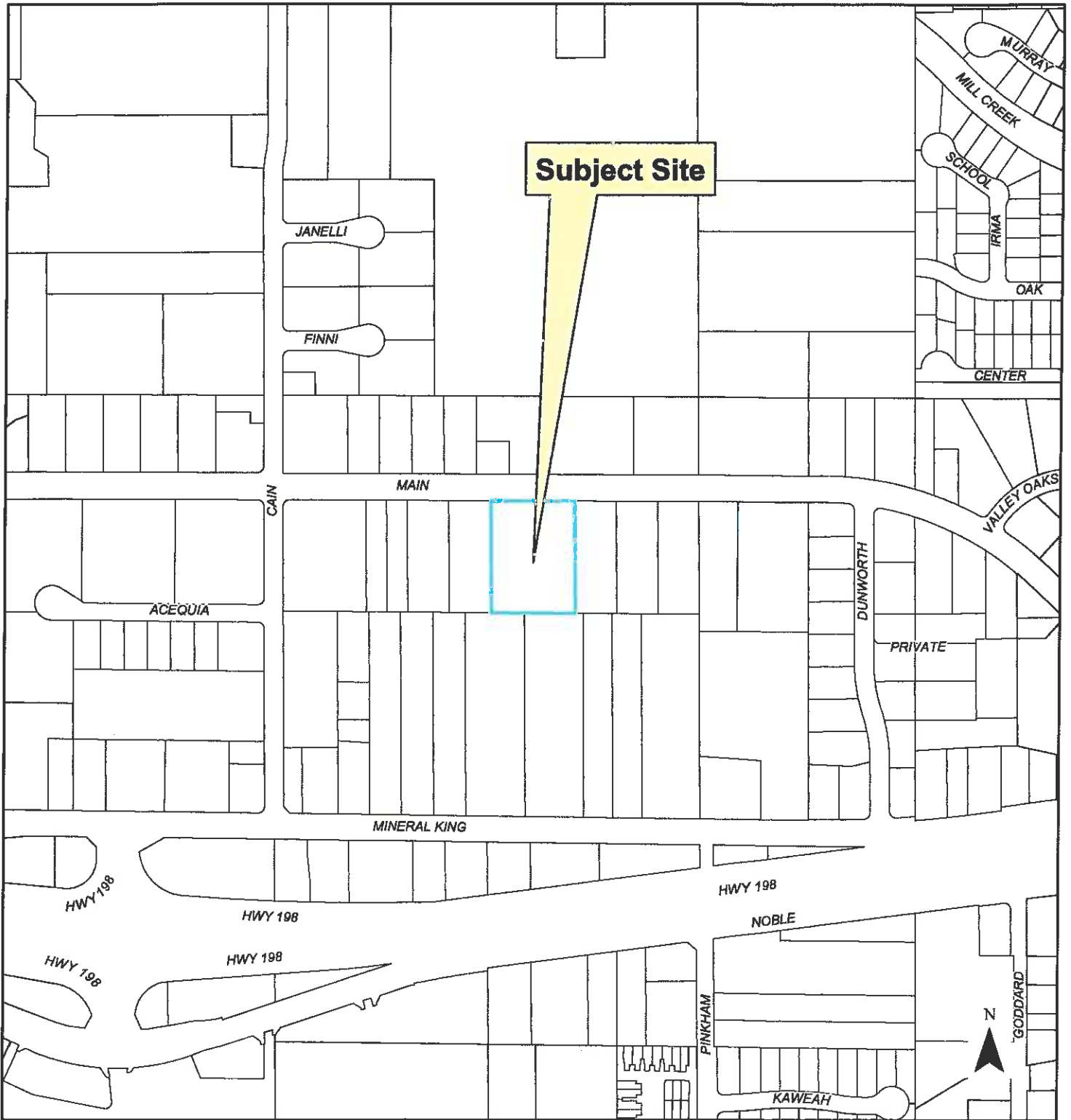


# City of Visalia



## Aerial Photo

# City of Visalia



# Location Map





## REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** January 13, 2014

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

**SUBJECT:** Conditional Use Permit No. 2013-35: A request by Dr. Yasuda to establish a 2,000 square foot medical office (Optometrist) in the Regional Retail (CR) zone, located at 3300 S. Fairway Street (APN 122-300-040)

### STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2012-35 based upon the findings and conditions in Resolution No. 2013-58. 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. 2012-35 based on the findings and conditions in Resolution No. 2013-58.

### PROJECT DESCRIPTION

The applicant is requesting approval of a 2,000 sq. ft. medical office, which is a conditional use in the Regional Retail zone, for an Optometrist. This is within an existing 18,750 sq. ft. office building located in a commercial and office development on Fairway Street. As shown in Exhibit "A", the project would only occupy a small portion of the building which is currently vacant. The previous user was Tulare County Mental Health Services. The applicant's parking analysis in Exhibit "B" provides building sq. ft. and parking provided for the commercial complex which consists of five buildings with parking and access drives.

The Optometrist office would have typical Monday through Friday hours from 8 am to 5 pm, with an average staff of two to four persons.

The site is accessed from two driveways on Fairway Street. Site parking is established adjacent to the buildings and would not require any changes. Solid waste pick-up will not be affected. There is one vacant pad with associated parking within the complex which has not been developed.



## BACKGROUND INFORMATION

General Plan Land Use Designation:	Regional Retail
Zoning:	CR (Regional Retail)
Surrounding Land Uses and Zoning:	North: CR (Regional Retail) South: CR (Regional Retail) East: R-1-6 (Single Family Residential) West: CR (Regional Retail)
Environmental Review:	Categorical Exemption No. 2013-85
Design District	A
Special Districts:	None
Site Plan:	2013-167

### **RELATED PLANS & POLICIES**

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

### **RELATED PROJECTS**

CUP No. 2003-28 Approved for medical office at 3362 S. Fairway Street.

CUP No. 2003-53 & Variance No. 2003-19 Approved a banquet room for Tokyo Garden Restaurant with no required added parking due to the off-hours use of the banquet room related to the other typical offices use within the complex.

CUP No. 2007-65 Approved a 750 sq. ft. medical office at 3342 S. Fairway Street.

## PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2013-35, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

### **Land Use Compatibility**

Medical offices are a conditional use in the Regional Retail zoning designation. The proposed location is in an office development on Fairway Street to the east of Mooney Boulevard. The proposed use is consistent with the location and existing development pattern on the site which is predominantly office and similar uses excepting for Tokyo Garden restaurant. The proposed 2,000 sq. ft. medical office for an Optometrist is consistent with other similar approvals for medical offices in this area.

### **Parking**

The proposed office conversion from general to medical will require two additional parking stalls for the 2,000 sq. ft. space. The parking analysis provided in Exhibit "B" indicates that there are 196 existing parking stalls on the site, and that the demand with this project is 201 stalls for a shortfall of five parking stalls. Based upon this analysis, the site was already three stalls short prior to this request, which requires two additional stalls for the medical office use. Staff is recommending approval of this use permit with the condition that an administrative adjustment to the five stall shortfall be applied for and approved.

The administrative adjustment would be an approximately 2.4% adjustment. A site is eligible for the administrative adjustment process under Zoning Ordinance Section 17.02.150. Administrative adjustments may be granted up to 20% of the required parking, setback or height subject to approval by the City Planner. The City Planner has reviewed this project and determined that the potential administrative adjustment could be approved if this use permit is granted. Approval of this administrative adjustment would be based upon the size of the center and minor nature of the request, approximately 2.4% of the available parking. If approved, the required administrative adjustment would be required to be subtracted/included in any future administrative adjustment for parking so as to not exceed the 20% limit.

### **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. 2013-85).

## **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. 2013-85).

## **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the use be operated in substantial compliance with the comments from the approved Site Plan Review No. 2013-167.
2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A", and hours as described in the Parking Schedule in Exhibit "B".
3. That an administrative adjustment for five parking stalls be applied for with fees, and approved. Said Administrative Adjustment shall be subtracted from, or included as a part of, any potential future adjustments to parking so as to not exceed the 20% limit.
4. That all other Federal, State, Regional, and City codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-35.

## 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 2013-58
- Exhibit "A" – Site Plan
- Exhibit "B" – Parking Schedule – Hours of Operation
- 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)

**Article 2. Administrative Adjustments**

**17.02.150 Purpose.**

The purpose of an administrative adjustment is to provide action on projects which are routine in nature but may require an interpretation of established policies and standards set forth in the zoning ordinance. (Prior code § 7213.1)

**17.02.160 Scope of authority.**

A. Notwithstanding the provisions of Chapter 17.42, the city planner or his/her designee shall have the authority to grant administrative adjustments to development standards contained within this title.

B. Upon written request, the city planner may approve, conditionally approve or deny without notice minor adjustments to the following development standards; setbacks, site area, lot width, building height.

C. Any administrative adjustment shall be limited to no more than ten percent of a required development standard. In making the adjustment, the city planner shall make a finding that the adjustment is consistent with the criteria listed in Section 17.02.170. With respect to adjustments to building setbacks and building height, the adjustment shall also be approved by the fire chief and director of public works or his/her designee prior to granting said administrative adjustment. (Ord. 9605 § 30 (part), 1996: prior code § 7213.2)

**17.02.170 Adjustment criteria.**

The city planner shall record the decision in writing and shall recite therein the basis for same. The city planner may approve and/or modify an application in whole or in part, with or without conditions, only if all the following criteria are met:

A. That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, creating a practical difficulty or unnecessary hardship;

B. That granting of the administrative adjustment is necessary to provide consistency with properties in the same vicinity and land use designation or design district within which the administrative adjustment is sought;

C. That granting the administrative adjustment will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and land use designation or design district in which the property is located;

D. That granting the administrative adjustment will not be inconsistent with the goals and policies of the general plan. (Ord. 9605 § 30 (part), 1996: prior code § 7213.3)

**17.02.180 Report to planning commission.**

No later than January 31st, the city planner shall report to the planning commission a summary of the administrative adjustment applications that have been processed and approved during the proceeding calendar year. (Ord. 9605 § 30 (part), 1996: prior code § 7213.4)



RESOLUTION NO. 2013-58

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2013-35, A REQUEST BY DR. YASUDA TO ESTABLISH A 2,000 SQUARE FOOT MEDICAL OFFICE (OPTOMETRIST) IN THE REGIONAL RETAIL (CR) ZONE. THE SITE IS LOCATED 3300 S. FAIRWAY STREET (APN 122-300-040)

**WHEREAS**, Conditional Use Permit No. 2013-35 is a request by Dr. Yasuda to establish a 2,000 square foot medical office (Optometrist) in the Regional Retail (CR) zone. The site is located at 3300 S. Fairway Street (APN 122-300-040); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on January 13, 2014, 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 Categorical Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-85). The project is therefore 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 findings of the Zoning Ordinance Section 17.38.110:
  - a) The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located, because the site provides ample parking and is in close proximity to other similar uses.
  - b) 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 Ordinance Code of the City of Visalia, subject to the following conditions:

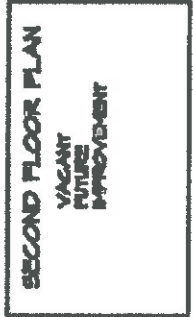
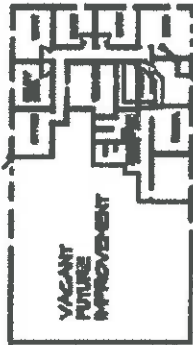
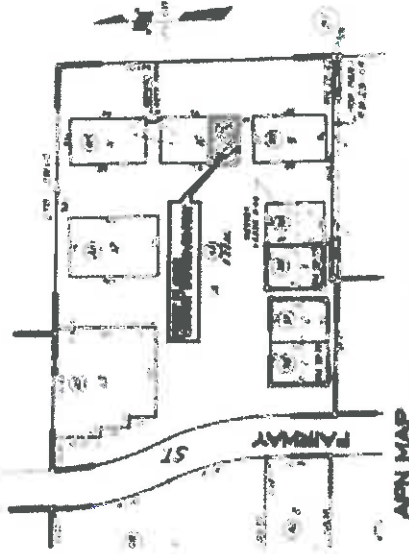
1. That the use be operated in substantial compliance with the comments from the approved Site Plan Review No. 2013-167.
2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A", and hours as described in the Parking Schedule in Exhibit "B".
3. That an administrative adjustment for five parking stalls be applied for with fees, and approved. Said Administrative Adjustment shall be subtracted from, or included as a part of, any potential future adjustments to parking so as to not exceed the 20% limit.
4. That all other Federal, State, Regional, and City codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-35.

# EXHIBIT - "A"

122-30

R 25E, M.D.R.&M

TAX CODE AREA  
006-003  
006-076  
006-109

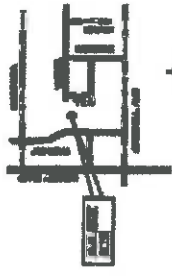


FIRST FLOOR PLAN



IMPROVEMENT PLAN

EXISTING FLOOR PLAN: 1980S  
PROPOSED FLOOR PLAN: 2024  
FLOOR NUMBER: 1ST FLOOR  
2ND FLOOR  
3RD FLOOR  
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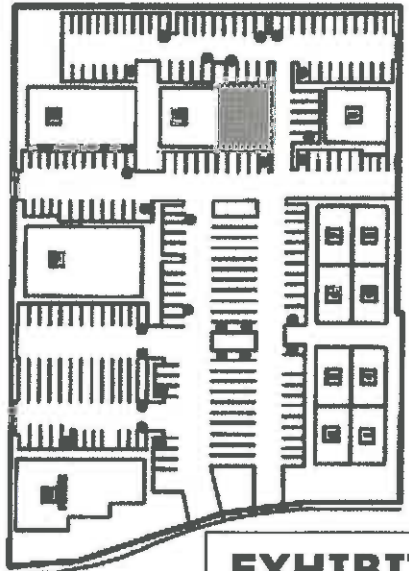
VICINITY MAP



SITE PLAN

PARKING SCHEDULE

DAY	TIME	TYPE	AMOUNT
MONDAY	7:00 AM - 6:00 PM	PERMIT	100
TUESDAY	7:00 AM - 6:00 PM	PERMIT	100
WEDNESDAY	7:00 AM - 6:00 PM	PERMIT	100
THURSDAY	7:00 AM - 6:00 PM	PERMIT	100
FRIDAY	7:00 AM - 6:00 PM	PERMIT	100
SATURDAY	7:00 AM - 6:00 PM	PERMIT	100
SUNDAY	7:00 AM - 6:00 PM	PERMIT	100
MONDAY	6:00 PM - 7:00 PM	PERMIT	100
TUESDAY	6:00 PM - 7:00 PM	PERMIT	100
WEDNESDAY	6:00 PM - 7:00 PM	PERMIT	100
THURSDAY	6:00 PM - 7:00 PM	PERMIT	100
FRIDAY	6:00 PM - 7:00 PM	PERMIT	100
SATURDAY	6:00 PM - 7:00 PM	PERMIT	100
SUNDAY	6:00 PM - 7:00 PM	PERMIT	100



PARKING COUNT

# EXHIBIT - "A"

JERRY A. YARDA O.P., INC.  
1000 S. FAIRMAY ST.  
MILWAUKEE, WI 53214  
414-221-1111

**EXHIBIT - "B"**

# PARKING SCHEDULE

<b>FARCEL #</b>	<b>OCCUPANCY TYPE</b>	<b>FLOOR AREA</b>	<b>REQUIRED PARKING</b>	<b>HOURS OF OPERATION</b>
1,2	RESTAURANT LOUNGE	3000/100	10*	11:30 AM-2:00 PM 5:00 PM-11:00 PM
3,4	RESTAURANT LOUNGE	3000/100	30	11:30 AM-2:00 PM 5:00 PM-11:00 PM
5,6	OFFICE	3000/250	12	8:00 AM-5:00 PM
7,8	OFFICE	2250/300	8	8:00 AM-5:00 PM
PORTION 7	MED OFFICE	750/200	4	8:00 AM-5:00 PM
9	OFFICE	6300/250	26	8:00 AM-5:00 PM
10,11	OFFICE (VACANT)	16765/250	67	8:00 AM-5:00 PM
PORTION 10	(REQUESTED OPTOMETRIST OFFICE)	1985/200	10	8:00 AM-5:00 PM
12	BUSINESS SCHOOL (3 CLASSROOMS)	6,000	34	8:00 AM-5:00 PM
13	FUTURE	+/-7750/250	+/-31 REQ'D	
<b>TOTAL AREA:</b>		<b>+/-51,000</b>	<b>252</b>	
<b>EXIST'S PARKING</b>			<b>196</b>	
<b>FUTURE PARKING</b>			<b>+/-45 ACTUAL</b>	
<b>TOTAL PARKING</b>			<b>+/-241 ACTUAL</b>	

**NOTE:**

10 PARKING SPACES WERE ALLOCATED TO PARCEL 1 & 2 AS PART OF THE ORIGINAL HERITAGE PLAZA DEVELOPMENT, CUP #2003-53 & VARIANCE # 2003-19 WHICH WAS APPROVED BY PLANNING COMMISSION RESOLUTION # 2004-14 & 2004-15 WHICH ALLOWED PARCEL 1 & 2 TO BE DEVELOPED AS A RESTAURANT WITHOUT THE ADDITIONAL 20 PARKING STALLS BECAUSE OF THE TIME OF USE.

THEREFORE THESE 20 STALLS SHOULD NOT BE COUNTED AND NOT ACCOUNTED TOWARDS THE OTHER DEVELOPMENTS IN THE PLAZA.



MEETING DATE 10/09/2013  
SITE PLAN NO. 13-167  
PARCEL MAP NO.  
SUBDIVISION  
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

- RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.
- During site plan design/policy concerns were identified, schedule a meeting with
- Planning  Engineering prior to resubmittal plans for Site Plan Review.
- Solid Waste  Parks and Recreation  Fire Dept.

**REVISE AND PROCEED** (see below)

- A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.
- Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
- Your plans must be reviewed by:
- |   |  |
|---|--|
| <input type="checkbox"/> CITY COUNCIL                   | <input type="checkbox"/> REDEVELOPMENT   |
| <input checked="" type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input type="checkbox"/> HISTORIC PRESERVATION          | <input type="checkbox"/> OTHER _____     |

**ADDITIONAL COMMENTS** Minor Conditional Use Permit is required.

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

*Site Plan Review Committee*



#3

MEETING DATE OCTOBER 9, 2013

SITE PLAN NO. 13-167

PARCEL MAP NO.

SUBDIVISION

LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

RESUBMIT Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with  
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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 <sup>MINOR</sup> CUP

PARK/RECREATION

HISTORIC PRESERVATION

OTHER \_\_\_\_\_

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

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

Site Plan Review Committee

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

ITEM NO: 3                      DATE: October 09, 2013  
SITE PLAN NO:                SPR13167  
PROJECT TITLE:                TENANT IMPROVEMENT  
DESCRIPTION:                 TENANT IMPROVEMENT OF 2,141 SF FOR  
   DOCTORS OFFICE IN EXISTING 18,750 SF BUILDING  
   ON 5,152 SF AREA (CR ZONED) (DISTRICT A)  
APPLICANT:                    YASUDA JERRY  
PROP OWNER:                 YASUDA RANCH LIMITED PARTNERSHIP  
LOCATION:                      3300 S FAIRWAY ST  
APN(S):                        122-300-040

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project  
Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 5 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 5 sets of plans prepared by an architect or engineer. Must comply with 2010 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned walls, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (559) 250-6000*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone \_\_\_\_\_  Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$146.40) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.47 per square foot. Residential \$2.97 per square foot.
- Park Development fee \$ \_\_\_\_\_, per unit collected with building permits.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments:

G. Ferrero

Signature



**Site Plan Review Comments For:**

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

ITEM NO: 3                      DATE: October 09, 2013  
SITE PLAN NO:                SPR13167  
PROJECT TITLE:                TENANT IMPROVEMENT  
DESCRIPTION:                 TENANT IMPROVEMENT OF 2,141 SF FOR  
DOCTORS OFFICE IN EXISTING 18,750 SF BUILDING  
ON 5,152 SF AREA (CR ZONED) (DISTRICT A)  
APPLICANT:                    YASUDA JERRY  
PROP OWNER:                  YASUDA RANCH LIMITED PARTNERSHIP  
LOCATION:                        3300 S FAIRWAY ST  
APN(S):                         122-300-040

The following comments are applicable when checked:

- Refer to previous comments dated .
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
- The Site Plan Review comments in this document are not all encompassing, but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are                fire hydrants required for this project. (See marked plans for fire hydrant locations.)
- A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding a 80,000 pound piece of fire apparatus.
- The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- Subdivision streets shall be a minimum of 36 feet wide from curb to curb to allow fire department access and to permit parking on both sides of the street.
- Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

- A fire lane is required for this project. The location will be given to you during the site plan meeting. Fire lanes shall allow fire apparatus to be within 150 feet of all points around the building. Fire lanes shall be a minimum of 20 feet wide with no parking allowed at any time.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, bolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting through-out building.
- All Fire and Life Safety systems located within the building shall be maintained.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Special comments:

  
Kurtis Brown, Assistant Fire Marshal



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

SITE PLAN NO: SPR13167  
PROJECT TITLE: TENANT IMPROVEMENT  
DESCRIPTION: TENANT IMPROVEMENT OF 2,141 SF FOR  
DOCTORS OFFICE IN EXISTING 18,750 SF BUILDING  
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APPLICANT: YASUDA JERRY  
PROP OWNER: YASUDA RANCH LIMITED PARTNERSHIP  
LOCATION: 3300 S FAIRWAY ST  
APN(S): 122-300-040

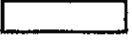
**COMMERCIAL BIN SERVICE**

- No comments.
- Same comments as as
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down  
be fore disposing of in recycle containers.
- ALL refuse enclosures must be R-3 or R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of :  
Commercial ( X ) 50 ft. outside 36 ft. inside; Residential ( ) 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other  
items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards



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

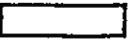
Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.



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

EXISTING REFUSE SERVICE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA NEIGHBORHOOD PRESERVATION/CODE ENFORCEMENT DIVISION

October 9, 2013

ITEM NO:	3
SITE PLAN NO:	SPR13167
PROJECT TITLE:	TENANT IMPROVEMENT
DESCRIPTION:	TENANT IMPROVEMENT OF 2,141 SF FOR DOCTORS OFFICE IN EXISTING 18,750 SF BUILDING ON 5,152 SF AREA (CR ZONED) (DISTRICT A)
APPLICANT:	YASUDA JERRY
PROP. OWNER:	YASUDA RANCH LIMITED PARTNERSHIP
LOCATION:	3300 S FAIRWAY ST
APN(S):	122-300-040

No Comments

See Previous Site Plan Comments

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

Additional Comments:

  
Tracy Robertshaw





**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

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

ITEM NO: 3 DATE: OCTOBER 9, 2013

SITE PLAN NO.: 13-167  
PROJECT TITLE: TENANT IMPROVEMENT  
DESCRIPTION: TENANT IMPROVEMENT OF 2,141 SF FOR DOCTORS OFFICE IN EXISTING 18,750 SF BUILDING ON 5,152 AREA (CR ZONED) (DISTRICT A)  
APPLICANT: YASUDA JERRY  
PROP OWNER: YASUDA RANCH LIMITED PARTNERSHIP  
LOCATION: 3300 S FAIRWAY ST  
APN: 122-300-040

**SITE PLAN REVIEW COMMENTS**

REQUIREMENTS (indicated by checked boxes)

- Install curb return with ramp, with \_\_\_\_\_ radius;
- Install curb;  gutter
- Drive approach size:  Use radius return;
- Sidewalk: \_\_\_\_\_ width;  parkway width at \_\_\_\_\_
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required.  
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit.
- CalTrans Encroachment Permit required.  CalTrans comments required prior to issuing building permit. Contacts: David Deel (planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map. Contact Doug Damko, 713-4268, 315 E. Acequia Ave.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.  Prepared by registered civil engineer or project architect.  All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a)  directed to the City's existing storm drainage system; b)  directed to a permanent on-site basin; or c)  directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: \_\_\_\_\_ : \_\_\_\_\_ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.

- Traffic indexes per city standards:
- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company                      Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum  Provide                      wide riparian dedication from top of bank.
- Show Oak trees with drip lines and adjacent grade elevations.  Protect Oak trees during construction in accordance with City requirements.
- A permit is required to remove oak trees. Contact David Pendergraft at 713-4295 for an Oak tree evaluation or permit to remove.  A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments.  Resubmit with additional information.  Redesign required.

**Additional Comments:**

***1. Impact fees apply to proposed medical use. Credit will be assessed from previous permitted use; City records indicate general office. Applicant to submit documentation to City Engineer to contest previous usage. Refer to Page 3 for fee summary.***

***2. Existing handicap stall(s) exclusive to the building shall meet current ADA standards.***

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 13-167  
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:MEDICAL)

Existing uses may qualify for credits on Development Impact Fees. GEN.OFFICE

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$7,282/1000SF X 2.14 = \$15,583.48
<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

Andrew Chamberlain, Planning Division (559) 713-4003

Date: October 9, 2013

SITE PLAN NO: 13-167  
PROJECT TITLE: Medical Office  
DESCRIPTION: Medical Office  
APPLICANT TITLE: Jerry Yasuda  
PROP. OWNER: Jerry Yasuda  
LOCATION TITLE: 3300 S. Fairway St  
APN TITLE: 122-300-040

General Plan: CR – Regional Retail  
Existing Zoning: CR – Regional Retail

---

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Conditional Use Permit
- Building Permits

## PROJECT SPECIFIC INFORMATION:

1. Medical offices are a Conditional Use in the CR zone.
2. Provide a detailed parking analysis (breakdown of the buildings – uses – parking stalls) to help staff determine parking availability for the use.
3. The parking analysis will assist the property owner in the future leasing of the other vacant space in the building.
4. Meet all other codes and requirements.

## CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan.

**Design District: "A" - No site changes are proposed as a part of this application.**

---

## Parking:

1. Provide parking at one space per 250 sq. ft. of general office and one space per 200 sq. ft. of medical office for the site.

## Landscaping:

1. Landscaping may need to be brought up to City standards)
2. **MWELO standards shall apply** – show on plans and certificate required prior to final.

## Lighting:

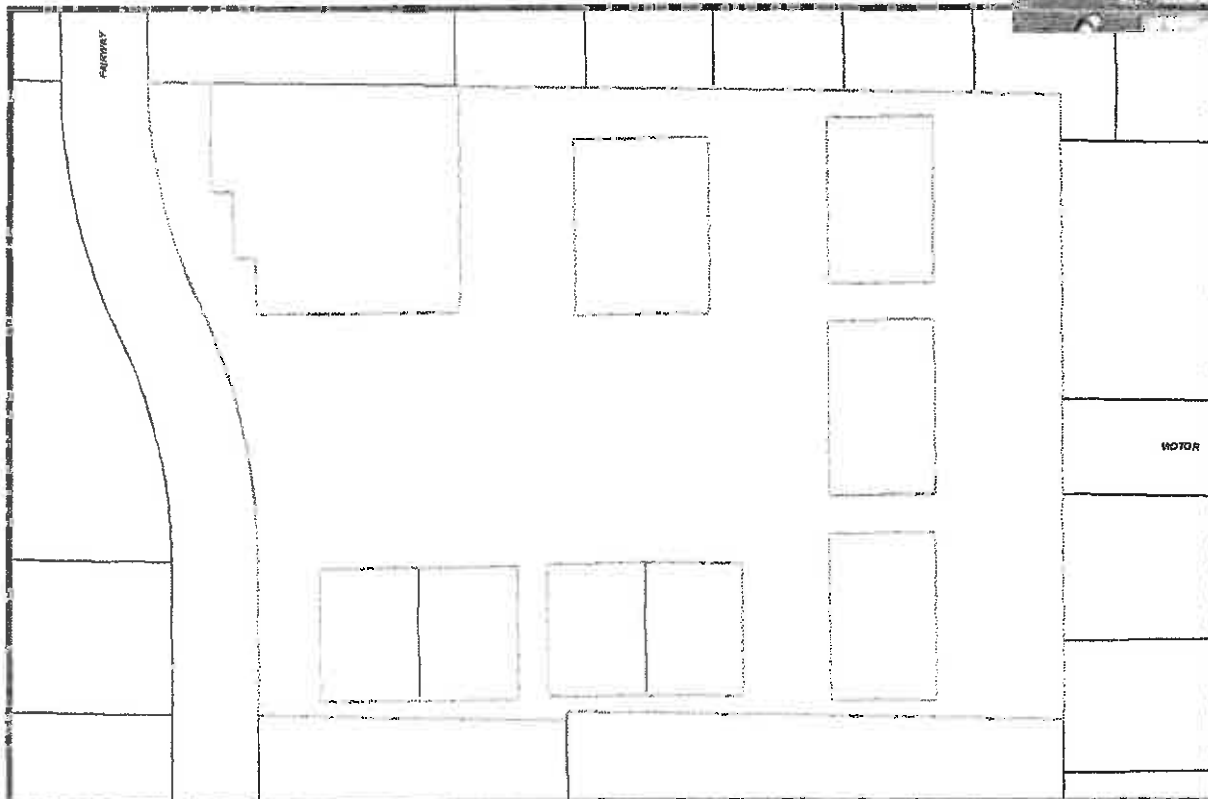
1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property.

2. 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.

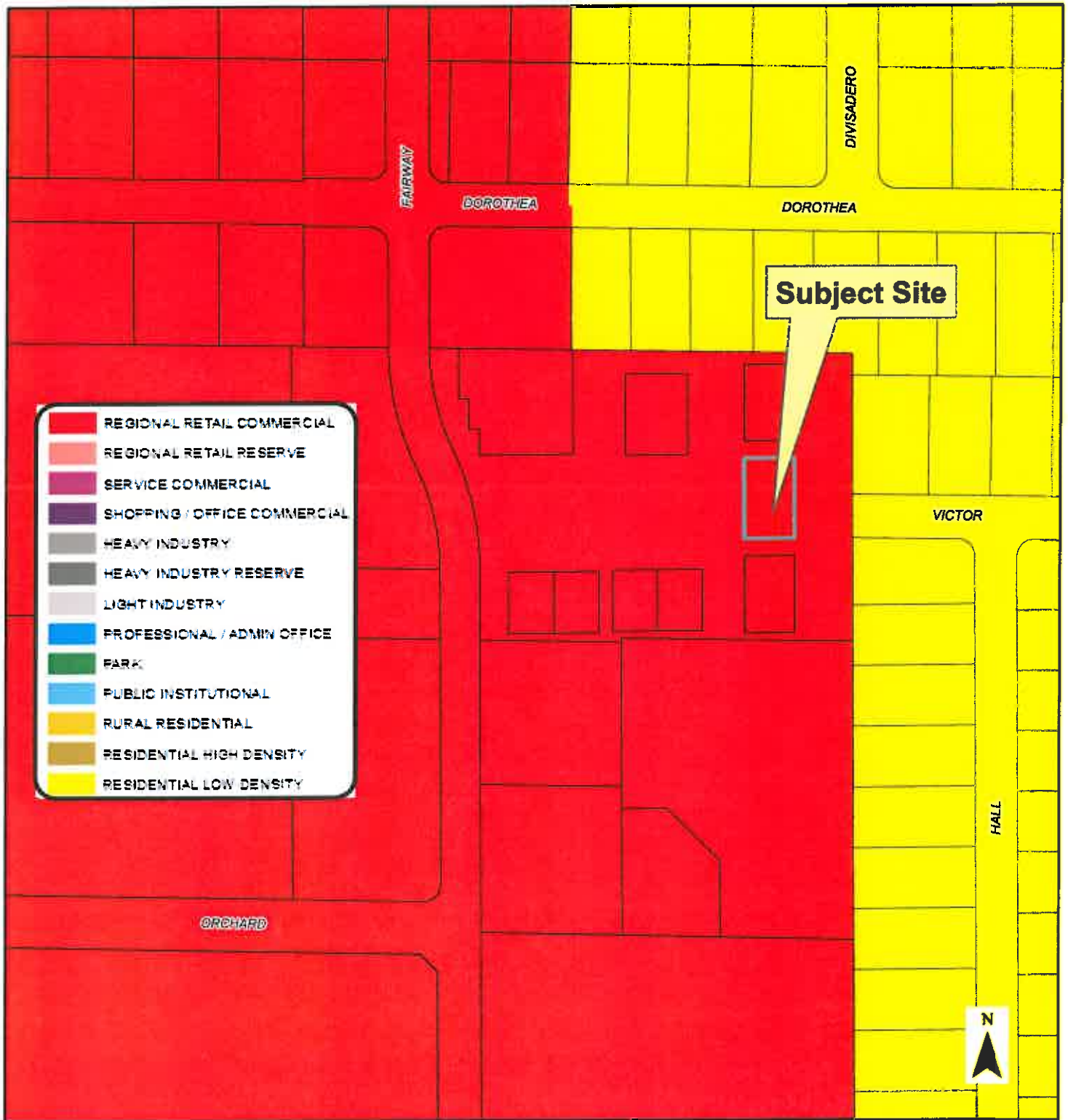
The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

**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 CEL [Signature] [Signature]



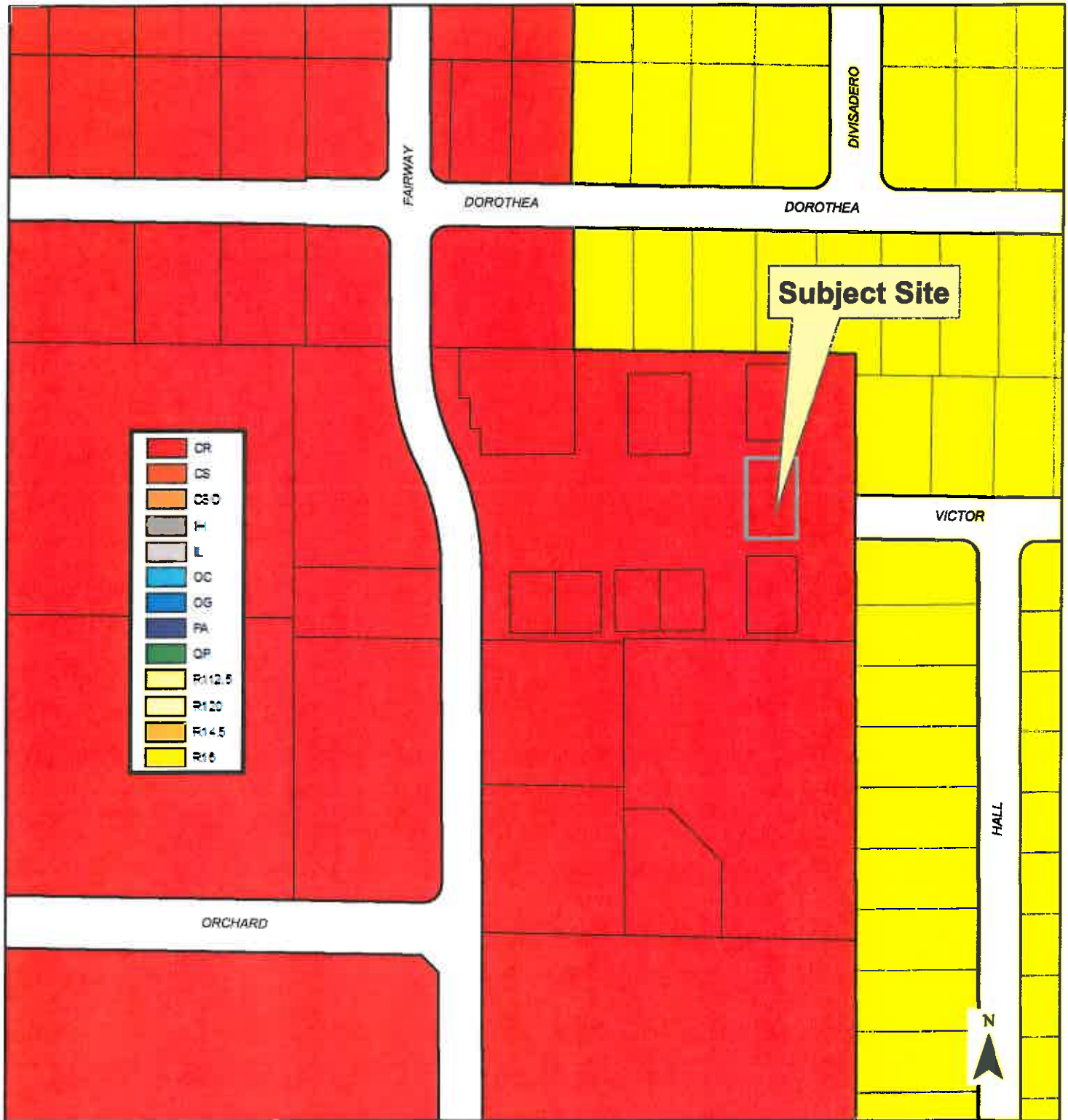
# City of Visalia



## Land Use Designations

CUP No. 2013-35

# City of Visalia



## Zoning Designations

CUP No. 2013-35



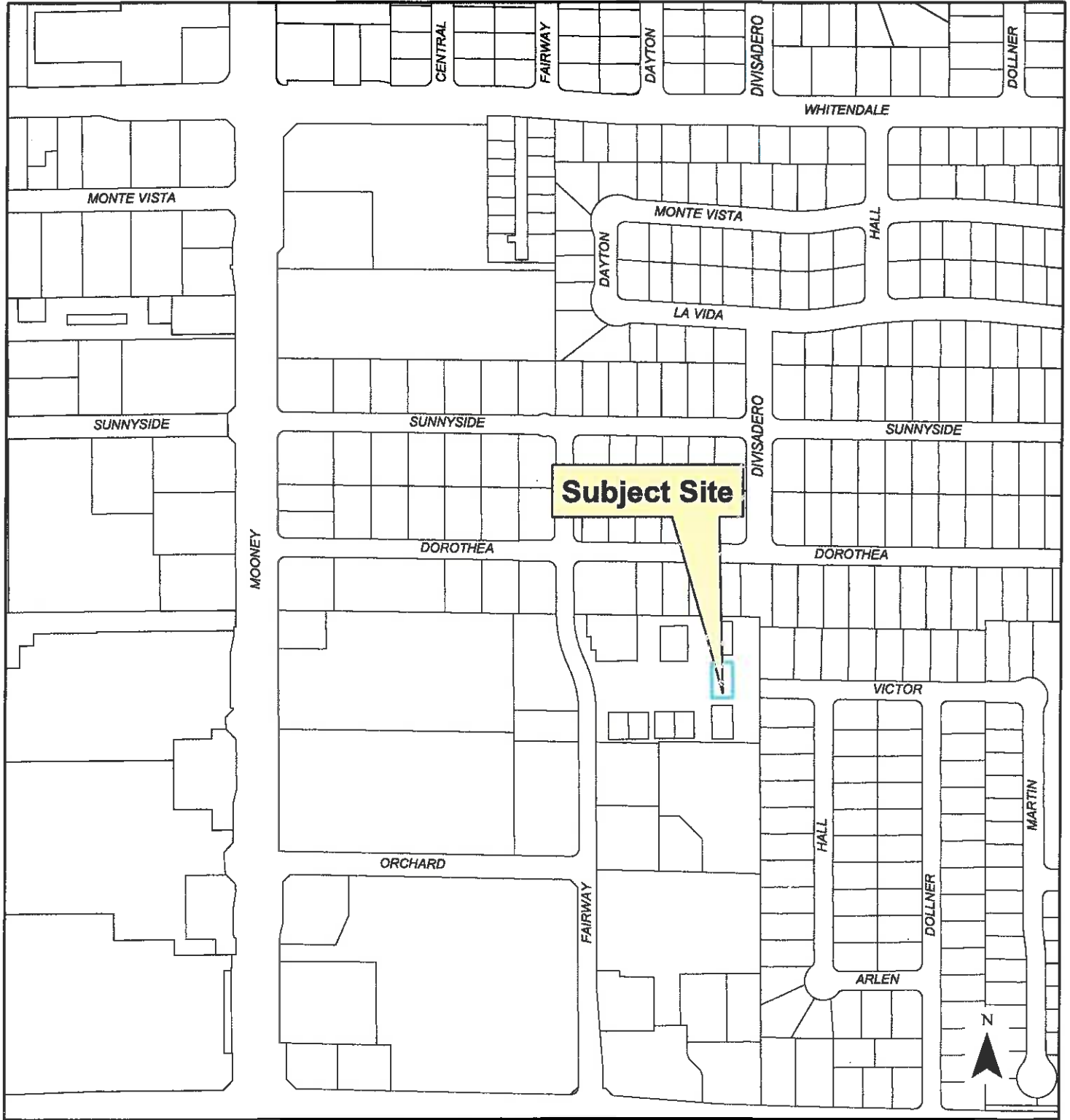
# City of Visalia



## Aerial Photo

CUP No. 2013-35

# City of Visalia



## Location Map

CUP No. 2013-35