

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Roland Soltesz

COMMISSIONERS: Lawrence Segroe, Adam Peck, Roland Soltesz, Brett Taylor, Liz Wynn

MONDAY, OCTOBER 27, 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
  - a. No Items on Consent Calendar
5. PUBLIC HEARING- Andy Chamberlain  
Conditional Use Permit No. 2014-25: A request by Jana Meyerstein (Charles and Randal Qualls –Property owners) to allow a music school with language arts and math tutoring in the Professional Administrative Office (PA) zone. The site is located at 2332 W. Whitendale Avenue. (APN: 121-380-017) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2014-66
6. PUBLIC HEARING-Paul Bernal  
Conditional Use Permit No. 2014-26: A request by Foundations Discipleship Training Center to establish a ministry training facility and church in a 3,000 sq. ft. section of a 19,200 sq. ft. building in the Central Business District (CDT) zone. The site is located at 332 North Johnson Street (APN 093-183-012). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2014-36
7. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

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

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

### **APPEAL PROCEDURE**

**THE LAST DAY TO FILE AN APPEAL IS THURSDAY, NOVEMBER 6, 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, NOVEMBER 10, 2014**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** October 27, 2014

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

**SUBJECT:** **Conditional Use Permit No. 2014-25:** A request by Jana Meyerstein (Charles and Randal Qualls –Property owners) to allow a music school with language arts and math tutoring in the Professional Administrative Office (PA) zone. The site is located at 2332 W. Whitendale Avenue. (APN: 121-380-017)

## STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2014-25 based upon the findings and conditions in Resolution No. 2014-44. 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. 2014-25 based on the findings and conditions in Resolution No. 2014-44.

## PROJECT DESCRIPTION

The applicant is requesting approval of a 4,012 sq. ft. music teaching and language arts and math tutoring facility in an existing office building shown in the site aerial in Exhibit "A". The project site is part of a small office complex. The site has a shared access drive with the office to the east. There are 19 on-site parking stalls.

The proposal is to expand the existing music and tutoring facility from Suite "A" (2,479 sq. ft.) into Suites "B" and "C" (766 sq. ft. each) as shown in Exhibit "C". There would be one remaining suite occupied by a non-related business office. The existing music and tutoring was opened several years ago with the operators not knowing that a conditional use permit was required for music instruction and tutoring in the PA zone.

The facility would provide music instruction for individuals along with tutoring for language arts and math, as described in the operational statement in Exhibit "B". The music instruction and tutoring is predominantly one-on-one with occasional sessions which may include several students. The average number of students at one time is 3 (2.72), with a maximum of five students at one time. These numbers may increase slightly as the facility expands from its current 2,479 sq. ft. area to the entire 4,012 sq. ft. building.



The hours of operation would be Monday through Friday between 12:00 noon and 7:30 pm by appointment only. Instruction will be for adults and children, with the expectation that young adults would be the primary users. The music instruction would be limited to individuals, with no band practices or recording sessions proposed.

## **BACKGROUND INFORMATION**

General Plan Land Use Designation:	Professional Administrative Office
Zoning:	PA (Professional Administrative Office)
Surrounding Land Uses and Zoning:	North: PA (Office) South: CR (Regional Retail) East: PA (Office) West: R-M-2 (Medium Density Multi-Family)
Environmental Review:	Categorical Exemption No. 2014-66
Design District	A
Special Districts:	None
Site Plan:	2014-095

### **RELATED PLANS & POLICIES**

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

### **RELATED PROJECTS**

The Planning Commission approved Conditional Use Permit No. 2014-05 on February 24, 2014 allowing a music tutoring facility in the Professional Administrative Office (PA) zone located at 814 W. Oak Avenue.

## **PROJECT EVALUATION**

Staff recommends approval of Conditional Use Permit No. 2014-25, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

### **Land Use Compatibility**

Educational facilities are a conditional use in the Professional Administrative Office zoning designation. The proposed location is in a stand-alone building within a small office complex to the north and east. Directly to the west is a multiple family development. There is one other suite in the building with an existing office use.



## **Noise**

Since this is a music teaching facility, the potential for noise conflicts with adjacent properties was raised as an issue during the Site Plan Review process. Based upon the Operational Statement in Exhibit "B", the facility would be used for individual musical instruction. No group instruction or band practice would occur, and the site will not be used as a recording studio. Individual instruction can be controlled to reduce or eliminate noise conflicts. It should be noted that the facility has already been doing music tutoring for several years with no know complaints.

The subject building is located adjacent to the west property line which is developed with multiple family units which are designated noise sensitive land uses. Staff does not anticipate noise issues based upon the existing use with no complaints, the fact that the music instruction occurs inside the building with educational tutoring in adjacent office spaces, and the hours of operation which limits the facility to mid-day to early evening instruction. Condition No. 4 has been included which requires meeting the City Noise Ordinance standards should any conflicts arise in the future.

## **Facility Operation**

The facility would provide music lessons and language arts and math tutoring for adults and children, with children being the predominant user. The hours would be from 12 noon to 7:30 pm. Since instruction is by appointment and typically one-on-one, all of the classrooms would not be used at one time based upon the scheduling in the Operational Statement. The Operational Statement provides a breakdown of the facility use with an estimated average of five students and ten staff/instructors at one time. Staff has included a condition that band practice or recording sessions not be provided at this site.

## **Parking**

The on-site 19 parking stalls should provide adequate parking based upon the Operational Statement which indicates that the facility does not operate like a school, but by appointment with individual instruction. Not all of the rooms are occupied at all times and the administrative staff is not full time which reduces the parking impacts. As presented in the Operational Statement, the facility with 12 classrooms and three offices and the adjoining 766 sq. ft. office (three stall parking demand), should function similar to an office use related to parking demand. In the evening hours, much of the adjacent office uses would be closed and overflow parking could be accommodated.

The staff recommendation to find the 19 stall parking lot adequate for the proposed use is based upon the Operational Statement. Recommended Condition No. 3 indicates that any significant change in the frequency or intensity beyond that identified in the Operational Statement may require an amendment to this use permit. This condition is in addition to the typical condition that the facility be operated in accordance with the presented Operational Statement.

## **Environmental Review**

The requested action is Categorically Exempt under Section 15305 which allows the conversion of existing small structures from one use to another in conformance with zoning. The proposed project meets the criteria associated with Class 5, Section 15305 of the California Environmental Quality Act (CEQA) Statutes and Guidelines. Categorical Exemption No. 2014-66 is recommended for adoption as a part of the project approval in Resolution No. 2014-44.

## 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 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-66).

## RECOMMENDED CONDITIONS OF APPROVAL

1. That the use be operated in substantial compliance with the comments from the approved Site Plan Review No. 2014-095.
2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A", and Operational Statement in Exhibit "B".
3. That any significant change in the frequency or intensity of the proposed use beyond that identified in the Operational Statement may require an amendment to this use permit as determined by the City Planner.
4. That the facility is required to meet City of Visalia Noise Ordinance standards.
5. That band/group practice or recording sessions not be provided at this site.
6. That all other Federal, State, Regional, and City codes and ordinances be met.
7. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2014-25.

## 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 2014-44**
- **Exhibit "A" – Site Plan**
- **Exhibit "B" – Operational Statement**
- **Exhibit "C" – Floor Plan**
- **Exhibit "D" – Office Park Aerial**
- **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. 2014-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2014-25, A REQUEST BY JANA MEYERSTEIN (CHARLES AND RANDAL QUALLS –PROPERTY OWNERS) TO ALLOW A MUSIC SCHOOL WITH LANGUAGE ARTS AND MATH TUTORING IN THE PROFESSIONAL ADMINISTRATIVE OFFICE (PA) ZONE. THE SITE IS LOCATED AT 2332 W. WHITENDALE AVENUE. (APN: 121-380-017)

**WHEREAS**, Conditional Use Permit No. 2014-25, is request by Jana Meyerstein (Charles and Randal Qualls –Property owners) to allow a music school with language arts and math tutoring in the Professional Administrative Office (PA) zone. The site is located at 2332 W. Whitendale Avenue. (APN: 121-380-017); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on October 27, 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 Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the project is Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-66);

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

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

3. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-66).

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

1. That the use be operated in substantial compliance with the comments from the approved Site Plan Review No. 2014-095.
2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A", and Operational Statement in Exhibit "B".
3. That any significant change in the frequency or intensity of the proposed use beyond that identified in the Operational Statement may require an amendment to this use permit as determined by the City Planner.
4. That the facility is required to meet City of Visalia Noise Ordinance standards.
5. That band/group practice or recording sessions not be provided at this site.
6. That all other Federal, State, Regional, and City codes and ordinances be met.
7. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2014-25.

**EXHIBIT - "A"**

**2332 W. Whitendale Avenue**



**EXHIBIT - "A"**

## EXHIBIT – "B"



October 3, 2014

Andy Chamberlain  
City of Visalia Planning Division  
315 E Acequia Avenue  
Visalia, California 93291

Re: Operational Statement  
Visalia Music School  
APN 121-380-017  
SPR14095

- ✓ **Hours of operation:** 12:00 p.m. to 7:30 p.m. for both Visalia Music School and our tutoring component Success Learning Center
- ✓ **Total number of staff:** 10 music teachers and 10 language arts and math tutors all of whom are designated as independent contractors. Each only works on days and at times when a student is scheduled. There are an additional 4 administrative staff who work part time hours; each has rotational duties to spend one full weekday on the job to close the school. There is one administrative staff member who works 10-15 hours per week. Total occasional and part-time staff is 24<sup>1/4</sup>.
- ✓ **Average number of staff:** 3.3 music teachers and 3.42 subject tutors each day for a total average of 6.72 independent instructors each day serving both music and tutoring students. There were an additional 3.25 administrative staff in August, 4.25 administrative staff in September for a two-month average of 3.75. The daily average for both instructors and Administrative staff is 10.47. (Average is based on daily totals from both August and September 2014).
- ✓ **Maximum number of students on-site at one time:** The maximum number of students at any one single time in was 5 students in August and September 2014.
- ✓ **Average number of students at one time:** 2.72 daily average for past two months.
- ✓ **Special Event:** There was only one special event in the past two months which took place on Saturday, September 27<sup>th</sup>. This was a singing event in the parking lot outside our building and tours of the facility as a kick off for a trip to American Idol by students from Visalia Music School. Approximately 25 people attended.

EXHIBIT – "B"

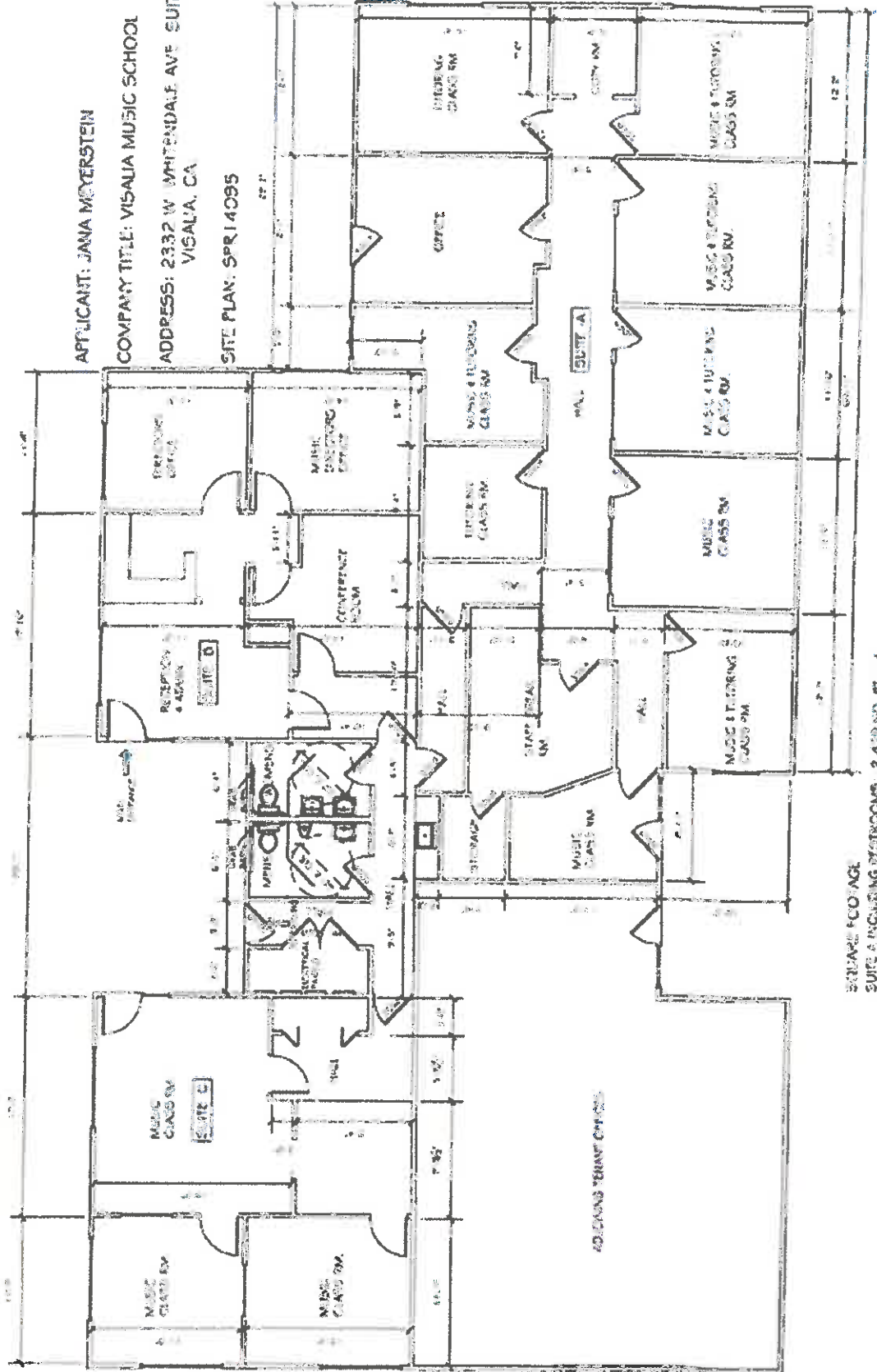
# EXHIBIT - "C"

APPLICANT: JANA MEYERSTEIN

COMPANY TITLE: VISALIA MUSIC SCHOOL

ADDRESS: 2332 W. WHITENDALE AVE SUITE A  
VISALIA, CA

SITE PLAN: SPR14095



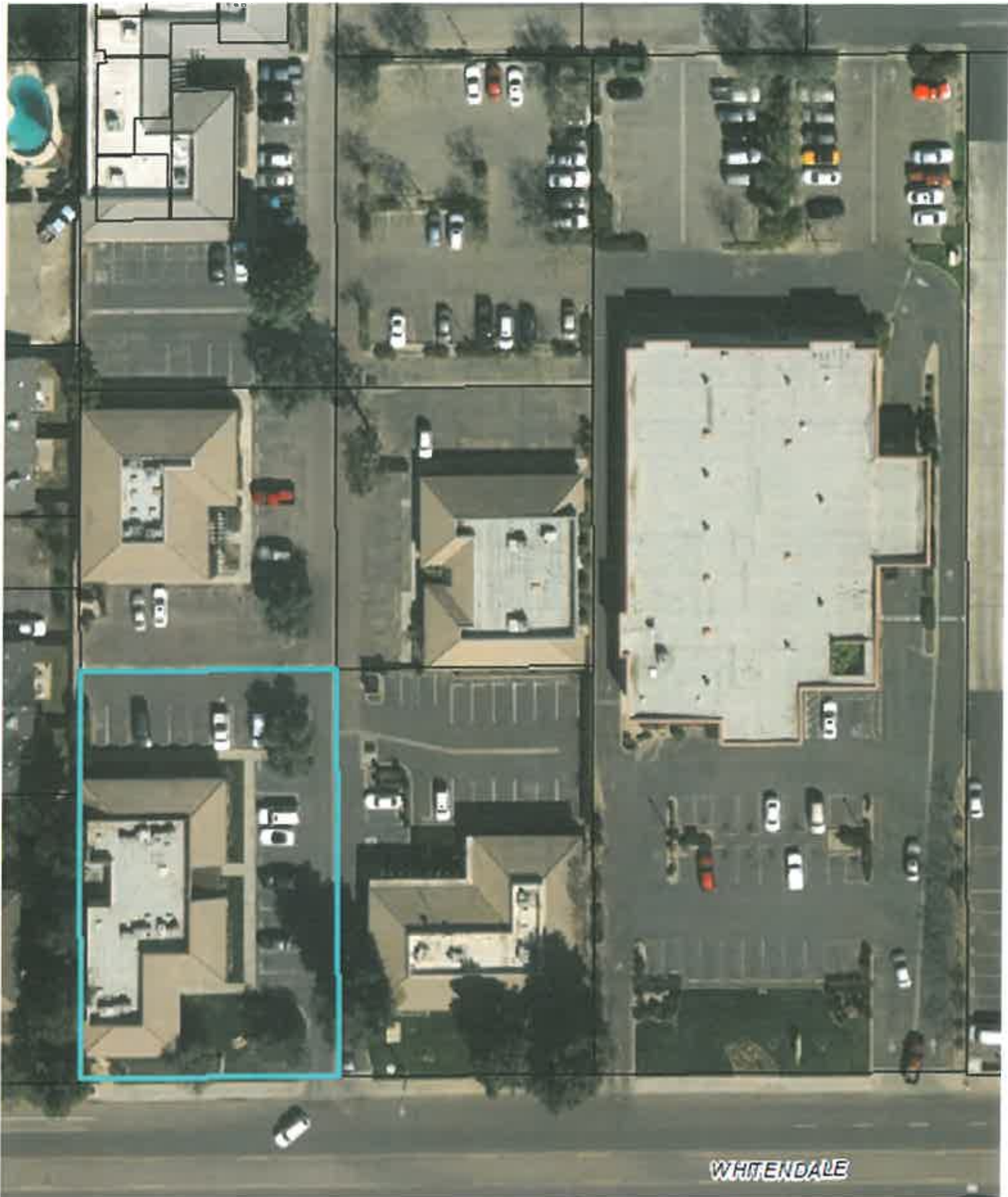
NET SQUARE FOOTAGE	2,479 SQ. FT. +/-
SUITE A INCLUDING RECEPTIONS	766.5 SQ. FT. +/-
SUITE B	766.5 SQ. FT. +/-
SUITE C	766.5 SQ. FT. +/-
TOTAL	4,012 SQ. FT. +/-



FLOOR PLAN

# EXHIBIT - "C"

**EXHIBIT - "D"**



WHITENDALE

**EXHIBIT - "D"**



# CITY OF VISALIA SITE PLAN REVIEW APPLICATION

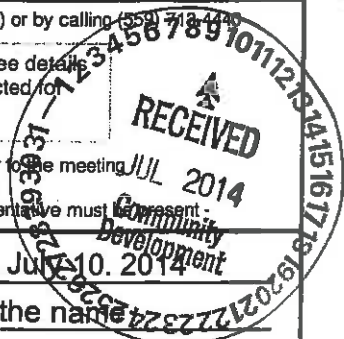
- Additional information and help in filling out this application can be found at the City of Visalia website ([www.ci.visalia.ca.us](http://www.ci.visalia.ca.us)) or by calling (559) 713-4440



This application MUST be filled out in its entirety and submitted with an acceptable site plan (see details below). Failure to provide all requested information may result in your application being rejected for additional information and excluded from the Site Plan Review agenda

- All plans to be considered on the next available agenda must be submitted by 4:00 p.m. on the Thursday prior to the meeting

- Site plan review meetings are held on Wednesdays at 9am at City Hall East - 315 E Acequia Ave - Applicant or representative must be present



GENERAL PROJECT INFORMATION

Project/Business Name: Visalia Music School Date: July 10, 2014

Project Description: Success in Reading and Math provides music instruction under the name of Visalia Music School. Music tutoring in addition to language arts and math tutoring

Site Plan Review Resubmittal: Yes  No  If Resubmittal, Previous Site Plan Review Number: \_\_\_\_\_

Property Owner: Charles Qualls and Randy Qualls

Applicant(s) Name: Jana Meyerstein

Project Address/Location: 2332 W Whitendale Ave Suite A. Visalia CA 93277

Assessor Parcel Number: 121-380-017

Parcel Size (Acreage or Square Feet): 19,109 Building or Suite Square Footage: 2400

Are There Any Proposed Building Modifications: Yes  No

Estimated Cost of Modifications to Building: \$ \_\_\_\_\_

Describe All Proposed Building Modifications: \_\_\_\_\_

--- THIS AREA FOR CITY STAFF USE ONLY ---

Date Received: July 10, 2014

SPR Agenda: 7-16 Item No: 1

Zone: PA SPR No: 14-095

Historic District: Yes  No

Flood Zone:  AE  X/AE

-- A SEPARATE, DETAILED OPERATIONAL STATEMENT IS HIGHLY RECOMMENDED FOR ALL SUBMITTALS --

OPERATIONS & TRAFFIC INFORMATION

Existing/Prior Building Use: Language arts and math tutoring center and music school

Proposed Building Use: Language arts and math tutoring center and music school

Proposed Hours of Operation: Language arts, math, and music school 3:00pm - 8:00pm M-F, occasional Sat.

Days of Week in Operation (Circle): Su  M  T  W  Th  F  Sa

Number of Employees Per Day: Existing 10 Proposed 10

Number of Customers Per Day (Estimated): Existing 15 Proposed 15

Predicted Peak Operating Hour: Thursday 3:30pm-7:30pm. Note: Thursday is the busiest day.

Describe Any Truck Delivery Schedule & Operations: Employees are independent contractors and only work when their tutoring or music students come in. Number of customers/employees less on other days.

Please Identify Any Unique or Specific Traffic Patterns That Will Require Accommodations For Operations, Customers, or Employees (Provide Separate Attachment if Necessary): \_\_\_\_\_

Describe Any Special Events Planned for the Facility: Special events are semi-annual open house of music school

*Business UC?*

**SITE PLAN MINIMUM REQUIREMENTS**

SITE PLAN REQUIREMENTS

- ⇒ Plan(s) must be clear, legible, and on a sheet size appropriate to easily convey all necessary project information. Suggested minimum sheet size for site plans is 11"x17" (Excludes tentative parcel and final maps)
- ⇒ Site plan shall provide for and indicate all of the following:
  - North arrow
  - Existing & proposed structures
  - Loading/unloading areas
  - All existing & proposed site features
  - Adjacent street names
  - Accessible path of travel from right of way
  - Site dimensions, including building
  - Refuse enclosures & containers
  - Accessible path of travel from ADA stall
  - Existing and proposed fencing at site
  - Valley oak trees (show drip line)
  - Location and width of drive approaches to site
  - Public improvements (curbs, sidewalks, utility poles, hydrants, street lights, etc.)
  - Existing & proposed landscaping
  - Tentative maps shall adhere to requirements of Visalia Municipal Code Section 16
  - Parking stalls (include ADA)
- ⇒ Submit 20 copies of the site plan with this application, folded to a legal size of 9" x 12" with the print on the outside (no rolled plans)

REQUIRED SIGNATURE

Applicant Information (Final comments will be mailed to the name and address provided below)

Name: Jana Meyerstein Signature of Owner or Authorized Agent\* *not property owner*

Address: 2206 E Kaweah Ct *Jana Meyerstein* Date: 7/10/14

City, State, Zip: Visalia CA 93292 Owner

Phone: 559-901-7741 Authorized Agent\* Date

Email: successinreading@msn.com

\* If signed by an authorized agent, the "Agency Authorization" information below must be completed for this application to be considered complete

AGENCY AUTHORIZATION FORM

**AGENCY AUTHORIZATION**

*might need this info.*

OWNER: \_\_\_\_\_, declare as follows; I am the owner of certain real property bearing assessor's parcel number (APN): \_\_\_\_\_

AGENT: \_\_\_\_\_

I designate \_\_\_\_\_, to act as my duty authorized agent for all purposes necessary to fill an application for, and obtain a permit to \_\_\_\_\_ relative to the property mentioned herein.

I declare under penalty of perjury the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

OWNER	AGENT
Signature of Owner (Notary Required)	Signature of Agent
Owner Mailing Address	Agent Mailing Address
Owner Phone Number	Agent Phone Number

Approved by City of Visalia:

By: \_\_\_\_\_ Date: \_\_\_\_\_



MEETING DATE 07/16/2014  
 SITE PLAN NO. 14-095  
 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** This project requires a Conditional Use Permit.

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: 1                      DATE: July 1 2014  
SITE PLAN NO:                SPR14095  
PROJECT TITLE:                VISALIA MUSIC SCHOOL  
DESCRIPTION:                 MUSIC INSTRUCTION IN ADDITION TO LANGUAGE  
ARTS AND MATH TUTORING IN EXISTING 2,400 SF  
BUILDING ON 19,109 SF AREA (PA ZONED) (X)  
(DISTRICT A)  
APPLICANT:                    MEYERSTEIN JANA  
PROP OWNER:                  QUALLS CHARLES ALLEN & M G CHISHOLM  
LOCATION:                        2332 W WHITENDALE AVE  
APN(S):                         121-380-017

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 2013 California Building Code Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (559) 230-6000*
- 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: PERMIT WILL BE ISSUED TO A CONTRACTOR OR

PROPERTY OWNER.

G. FERRERO  
Signature

ITEM NO: 1

DATE: July 16, 2014



**Site Plan Review Comments For:**

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

SITE PLAN NO:  
PROJECT TITLE:  
DESCRIPTION:  
  
APPLICANT:  
PROP OWNER:  
LOCATION:  
APN(S):

SFR140-95  
VISALIA MUSIC SCHOOL  
MUSIC INSTRUCTION IN ADDITION TO LANGUAGE  
ARTS AND MATH TUTORING IN EXISTING 2,400 SF  
BUILDING ON 19,109 SF AREA (PA ZONED) (X)  
(DISTRICT A)  
MEYERSTEIN JANA  
QUALLS CHARLES ALLEN & M G CHISHOLM  
2332 W WHITENDALE AVE  
121-380-017

**The following comments are applicable when checked:**

- The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2013 California Fire Code (CFC), 2013 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. *2013 CFC 901.6*
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire & life safety requirements including fire protection.
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on *Exiting*

**General:**

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*
- A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (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.) *2013 CFC 506.1*
- All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*
- When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

- 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. *2013 CFC 304.3.3*
- If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on *Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2013 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

**Water Supply:**

- Construction and demolition sites shall have an approved water supply for fire protection, either temporary or permanent, and shall be made available as soon as combustible material arrives on the site. *2013 CFC 3312*
- 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.)
- Fire hydrant spacing shall comply with the following requirements:  
The exact location of fire hydrants and final decision as to the number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. *Visalia Municipal Code 16.36.120 & 16.36.120(8)*
  - Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
  - Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
  - Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
  - Commercial or industrial developments shall be provided with fire hydrants every three hundred (300) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
  - Commercial or industrial developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every five hundred (500) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
- When any portion of a building is in excess of one hundred fifty (150) feet from a water supply on a public street there shall be provided on site fire hydrants and water mains capable of supplying the required fire flow. *Visalia Municipal Code 16.36.120(6)*

**Emergency Access:**

- 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 75,000 pound piece of fire apparatus, and shall provide access to within 100 feet of temporary or permanent fire department connections. 2013 CFC 3310
- Buildings or portions of buildings or facilities with a vertical distance between the grade plans and the highest roof surface exceed 30 feet shall provide 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. 2013 CFC D105
- A fire apparatus access roads shall be provide and must comply with the CFC and extend to within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. 2013 CFC 503.1.1
- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Length 151-500 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.

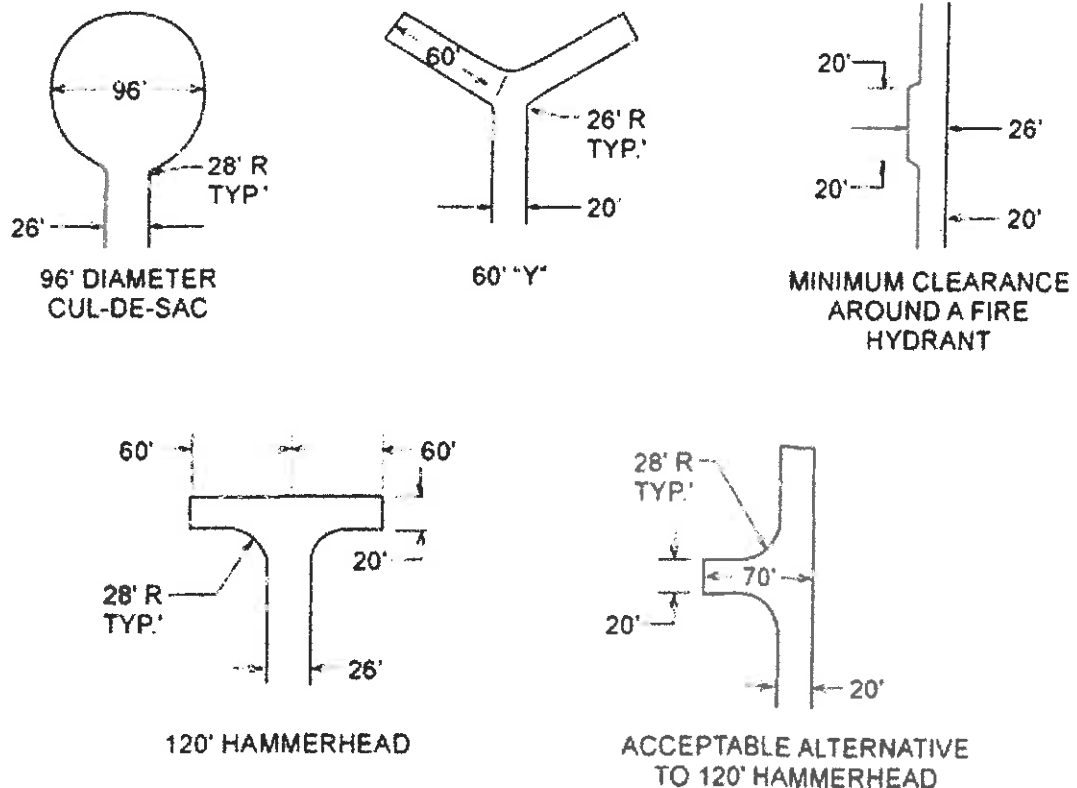


FIGURE D103.1  
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND


- Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:  
*2013 CFC D103.5*
- Typical chain and lock shall be the type that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system.
  - Gates shall be of the swinging or sliding type.
  - Gates shall allow manual operation by one person. (power outages)
  - Gates shall be maintained in an operative condition at all times.
  - Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (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.)

- In any and all new One- or two-family dwellings residential developments regardless of the number of units, street width shall be a minimum of 36 feet from curb to curb to allow fire department access and to permit parking on both sides of the street. A minimum of 20 feet shall be provided for developments that don't allow parking on the streets. *2013 CFC D107.2*

**Fire Protection Systems:**

- An automatic fire sprinkler system will be required for this building. Also a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). *2013 CFC 903 and Visalia Municipal Code 16.36.120(7)*
- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2013 CFC 904.11 & 609.2*

**Special Comments:**

  
Kurtis A. Brown  
Assistant Fire Marshal



# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: July 16, 2014

SITE PLAN NO: 2014-095  
PROJECT TITLE: VISALIA MUSIC SCHOOL  
DESCRIPTION: MUSIC INSTRUCTION IN ADDITION TO LANGUAGE ARTS AND MATH TUTORING IN EXISTING 2,400 SF BUILDING ON 19,109 SF AREA (PA ZONED) (X) (DISTRICT A)  
APPLICANT: MEYERSTEIN JANA  
PROP. OWNER: QUALLS CHARLES ALLEN & M G CHISHOLM  
LOCATION TITLE: 2332 W WHITENDALE AVE  
APN TITLE: 121-380-017

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

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Minor Conditional Use Permit (Line 388 Specialized Schools)
- Additional Information as needed
- Building Permit

## **PROJECT SPECIFIC INFORMATION: 07/16/2014**

1. A Minor Conditional Use Permit (CUP) is required for the "Tutoring" center.
2. Provide a detailed site plan/floor plan with the CUP application.
3. Provide a detailed operational statement with the CUP application submittal. The Operational Statement shall communicate in detail all the characteristics of your project that are important to consider when reviewing your Site Plan Review submittal. The Operation Statement should describe your proposed operation/project in as much detail as possible.

## 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: "A" (See Chapter 17.24 For BRP Zoned Sites) [17.30.160]**

**Maximum Building Height: 50 Feet**

### **Minimum Setbacks:**

	<b>Building</b>	<b>Landscaping</b>
➤ Front (Building site)	20 Feet**	20 Feet** (only building)
➤ Front (Parking)	25 Feet**	25 Feet**
➤ Side	0 Feet	5 Feet*
➤ Street side on corner lot	25 Feet	25 Feet
➤ Side abutting residential zone	15 Feet	5 Feet
➤ Rear	0 Feet	5 Feet*

> Rear abutting residential zone 15 Feet 5 Feet

\*(Except where building is on property line)

\*\*\*(Reduce per Ordinance No. 2010-17, see Mooney Blvd. Corridor project)

**Minimum Site Area:** 5 acres

**Parking:** As prescribed in Chapter 17.34

**Parking:**

1. Parking is provided at one space per 250 square feet of floor area for the entire office development (see Zoning Ordinance Section 17.34.020).
2. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
3. It is highly recommended that bicycle rack(s) be provided on site plan.

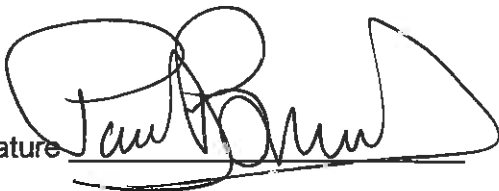
**Signage**

1. Building and freestanding signage requires a separate building permit. Signage in the PA zone is subject to the following:
  - a. One square foot of sign area is permitted for each two feet of linear occupancy frontage to a maximum of thirty (30) square feet. Sign may be freestanding or wall mounted, or a combination of both. If freestanding, the sign shall not exceed a height of six feet. Each office building is permitted twelve (12) square feet of sign area, regardless of occupancy frontage.

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

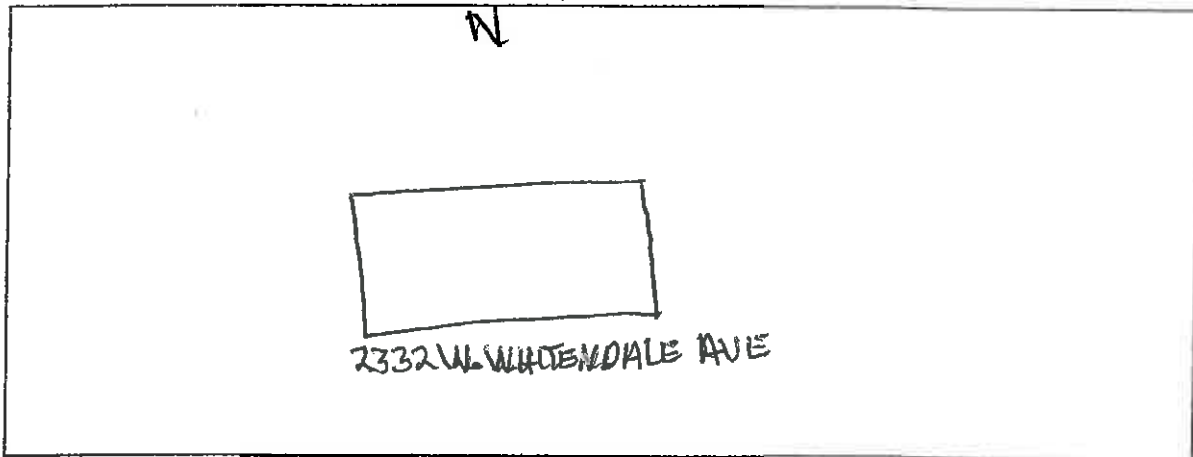


City of Visalia  
Parks and Urban Forestry  
336 N. Ben Maddox Way  
Visalia, CA 93292

Date: 7-15-14

Site Plan Review #14-095


**SITE PLAN REVIEW COMMENTS**



COMMENTS:      See Below       None

- Please plot and protect all Valley Oak Trees.
- Landscape along parkway to be planted by developer and maintained by a maintenance district.
- All drainage from curb and gutter along streets to be connected to storm drain system.
- All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.
- Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Joel Hooyer  
Parks and Urban Forestry Supervisor  
559 713-4295      Fax 559 713-4818

Email: [jhooyer@ci.visalia.ca.us](mailto:jhooyer@ci.visalia.ca.us)

**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

Jason Huckleberry 713-4259  
 Adrian Rubalcaba 713-4271

ITEM NO: 1 DATE: JULY 16, 2014

SITE PLAN NO.: 14-095  
PROJECT TITLE: VISALIA MUSIC SCHOOL  
DESCRIPTION: MUSIC INSTRUCTION IN ADDITION TO LANGUAGE ARTS AND MATH TUTORING IN EXISTING 2,400 SF BUILDING ON 19,109 SF AREA (PA ZONED) (X) (DISTRICT A)

APPLICANT: MEYERSTIEN JANA  
PROP OWNER: QUALLS CHARLES ALLEN & M G CHISHOLM  
LOCATION: 2332 W WHITENDALE AVE  
APN: 121-380-017

**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. Contact Rafael Magallan, 713-4414.
- 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.
- 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 Joel Hooyer 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. No comments as submitted.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 14-095

Date: 7/16/2014

**Summary of applicable Development Impact Fees to be collected at the time of building permit:**

**(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)**

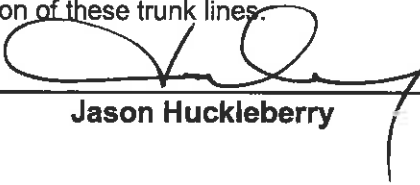
(Fee Schedule Date: )  
(Project type for fee rates: )

Existing uses may qualify for credits on Development Impact Fees.

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

**Reimbursement:**

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

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

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

ITEM NO: 1                      DATE: July 16, 2014  
SITE PLAN NO:                      SPR14095  
PROJECT TITLE:                      VISALIA MUSIC SCHOOL  
DESCRIPTION:                      MUSIC INSTRUCTION IN ADDITION TO LANGUAGE  
ARTS AND MATH TUTORING IN EXISTING 2,400 SF  
BUILDING ON 19,109 SF AREA (PA ZONED) (X)  
(DISTRICT A)  
APPLICANT:                      MEYERSTEIN JANA  
PROP OWNER:                      QUALLS CHARLES ALLEN & M G CHISHOLM  
LOCATION:                      2332 W WHITENDALE AVE  
APN(S):                      121-380-017

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



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

7-14-14

\_\_\_\_\_  
DATE

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

ITEM NO: 1  
SITE PLAN NO: SPR14095  
PROJECT TITLE: VISALIA MUSIC SCHOOL  
DESCRIPTION: MUSIC INSTRUCTION IN ADDITION TO LANGUAGE  
ARTS AND MATH TUTORING IN EXISTING 2,400 SF  
BUILDING ON 19,109 SF AREA (PA ZONED) (X)  
(DISTRICT A)  
APPLICANT: MEYERSTEIN JANA  
PROP OWNER: QUALLS CHARLES ALLEN & M G CHISHOLM  
LOCATION: 2332 W WHITENDALE AVE  
APN(S): 121-380-017

**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  
before disposing 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 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 SERVICE OK.**

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

ITEM NO: 1

DATE: 1/16/2014

SITE PLAN NO:

SPR14095

PROJECT TITLE:

VISALIA MUSIC SCHOOL

DESCRIPTION:

MUSIC INSTRUCTION IN ADDITION TO LANGUAGE ARTS AND MATH TUTORING IN EXISTING 2,400 SF BUILDING ON 19,109 SF AREA (PA ZONED) (X) (DISTRICT A)

APPLICANT:

MEYERSTEIN JANA

PROP OWNER:

QUALLS CHARLES ALLEN & M G CHISHOLM

LOCATION:

2332 W WHITENDALE AVE

APN(S):

121-380-017

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

### Site Plan Review Comments

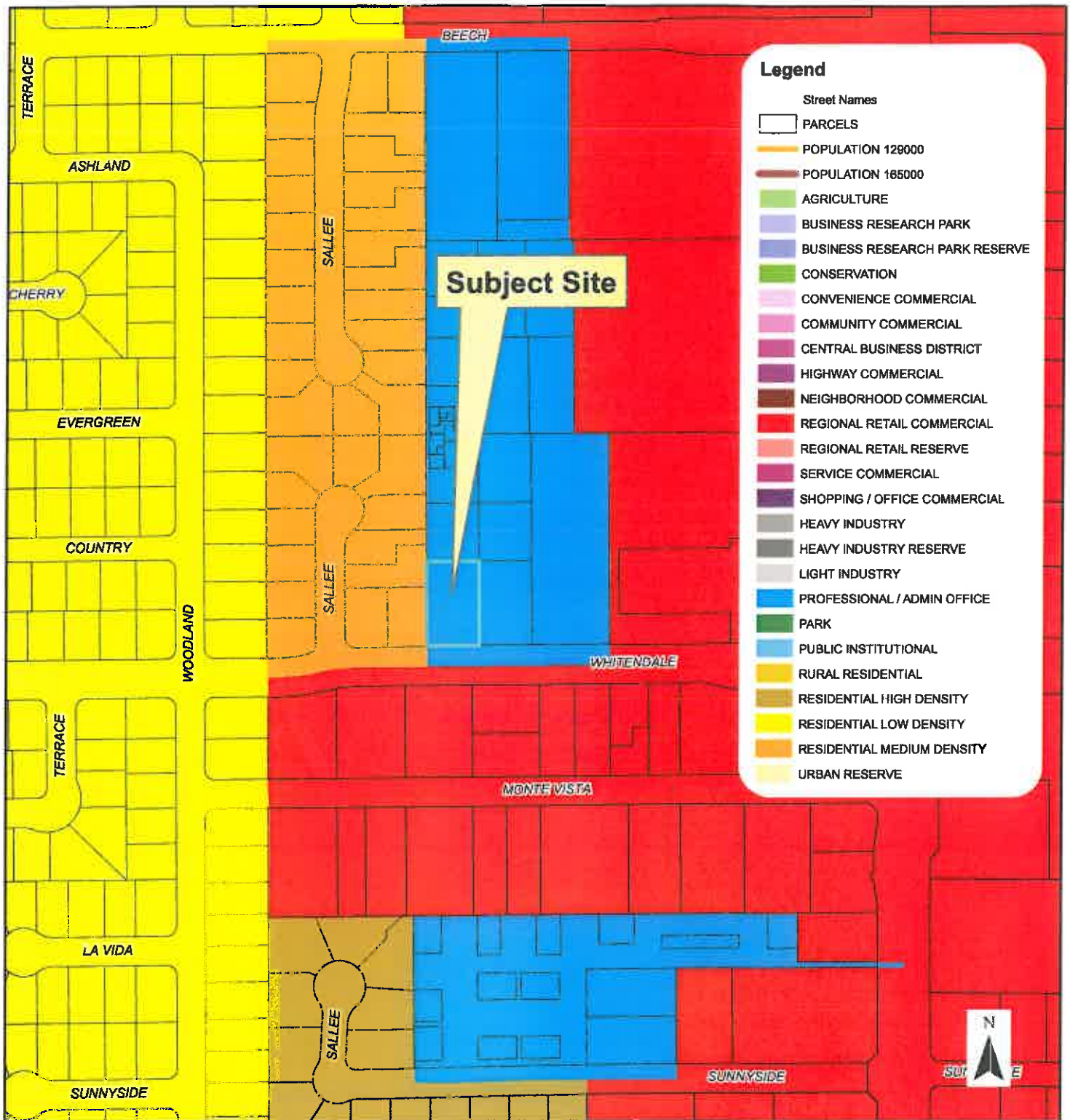
- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact fee:  
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code  
Effective date - August 17, 2001

Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.

- Not enough information provided. Please provide additional information pertaining to:  
\_\_\_\_\_
- Territorial Reinforcement: Define property lines (private/public space).  
\_\_\_\_\_
- Access Controlled / Restricted etc:  
\_\_\_\_\_
- Lighting Concerns:  
\_\_\_\_\_
- Landscaping Concerns:  
\_\_\_\_\_
- Traffic Concerns:  
\_\_\_\_\_
- Surveillance Issues:  
\_\_\_\_\_
- Line of Sight Issues:  
\_\_\_\_\_
- Other Concerns:  
\_\_\_\_\_

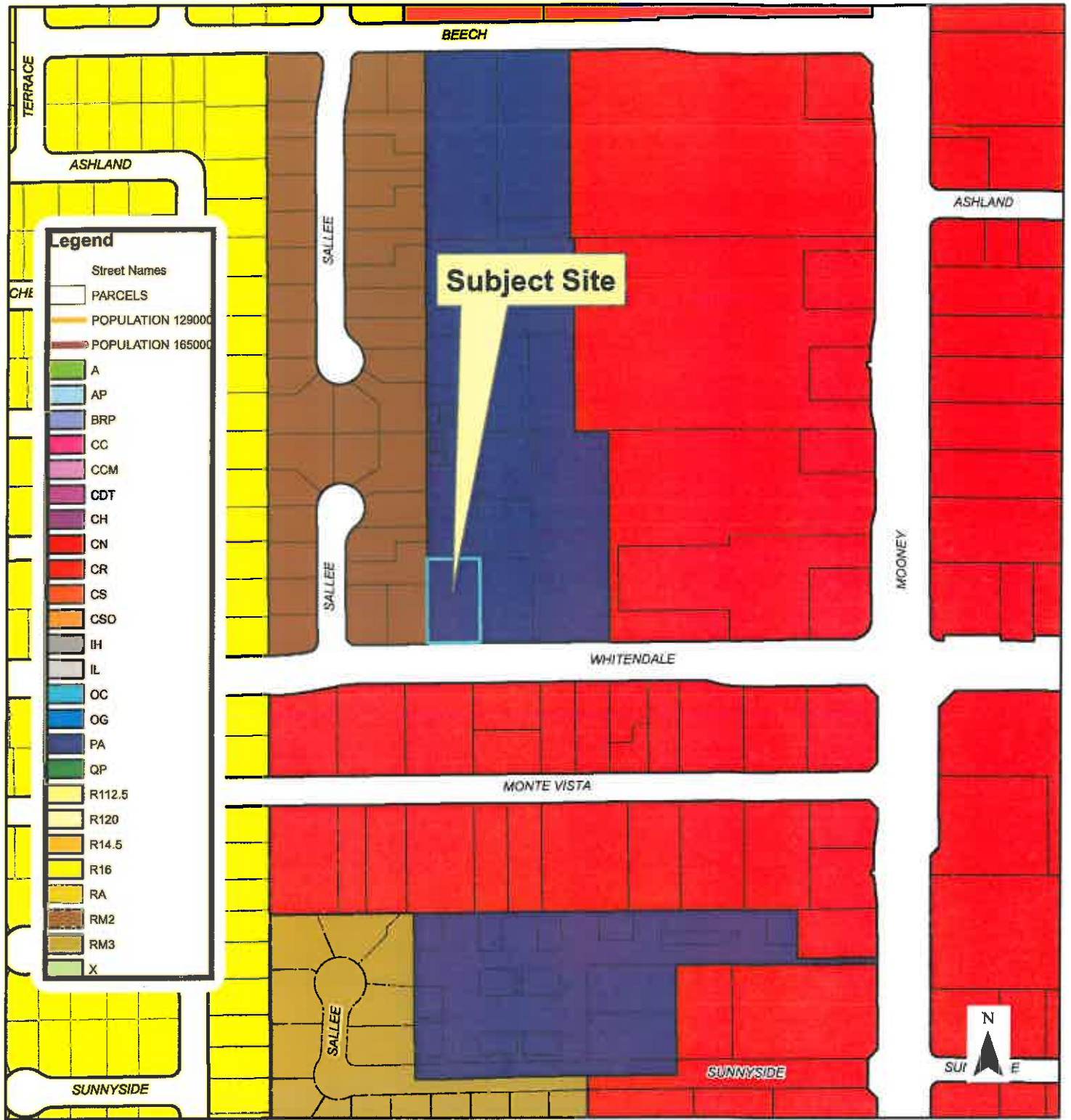
  
Visalia Police Department

# City of Visalia



## Land Use Designations

# City of Visalia



## Zoning Designations



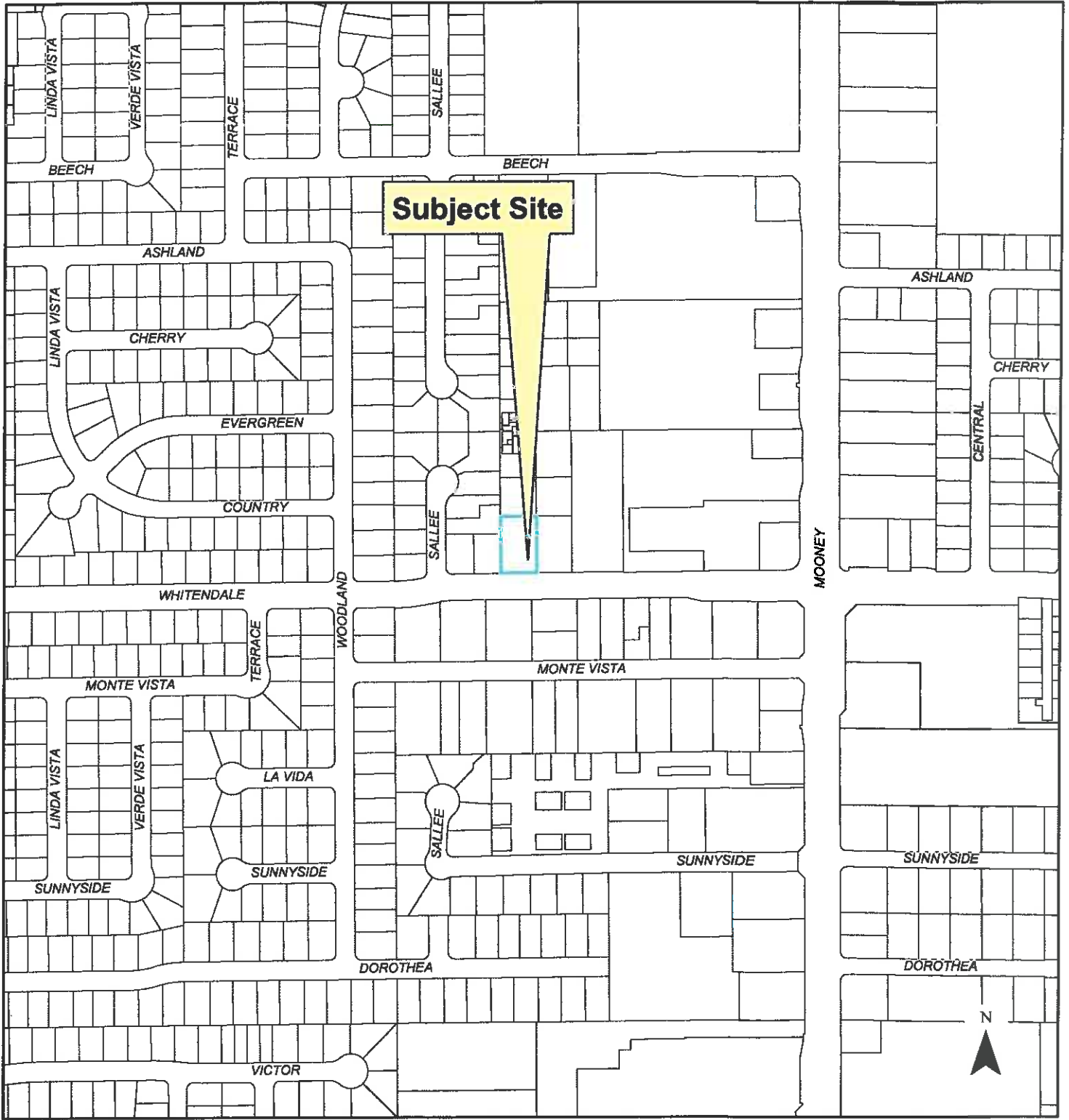
# City of Visalia



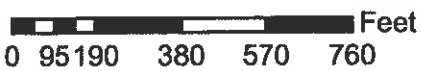
## Aerial Photo

0 15 30 60 90 120 Feet

# City of Visalia



## Location Map





# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** October 27, 2014

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

**SUBJECT:** Conditional Use Permit No. 2014-26: A request by Foundations Discipleship Training Center to establish a ministry training facility and church in a 3,000 sq. ft. section of a 19,200 sq. ft. building in the Central Business District (CDT) zone. The site is located at 3332 North Johnson Street (APN 093-183-012).

## STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2014-26 based upon the findings and conditions in Resolution No. 2014-45. Staff's recommendation is based on the project's consistency with the policies and intent of the City's General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2014-26 based on the findings and conditions listed in Resolution No. 2014-45.

## PROJECT DESCRIPTION

Conditional Use Permit is a request to allow the use of a property for multiple uses including administrative offices, ministry training center, and a small church. The Foundations Ministry Training Center is proposing to lease approximately a 3,000 square foot tenant space within an existing 19,200 square foot building located at the southeast corner of North Johnson Street and West School Avenue. The property is zoned CDT (Central Business District) and is within a downtown parking district. A Conditional Use Permit is required for churches and specialized schools in the CDT zone.

The proposed aerial site plan, attached as Exhibit "A", highlights the 3,000 square foot tenant that would be occupied by Foundations Ministry Training Center if the CUP were approved. Various commercial and office establishments have occupied the building. During the Site Plan review process, the applicant stated that no interior alterations are proposed because the tenant space is setup to meet their daily needs.

The applicant has provided the floor plan; see Exhibit "B", depicting the location of offices, multi-purpose rooms, break room, and bathrooms. However, as stated in the Site Plan Review comments (SPR No. 2014-117) any interior modifications will require the submittal of tenant improvement plans and issuance of a building permit prior to the commencement of any interior construction.



There is a small parking lot located on the east side of the building. The parking stalls used by the commercial businesses that lease space within the building share these stalls. The site is also located in Parking District "A" and is subject to the Parcel Based Improvement District (PBID) parking agreement for "change-in-use" projects. Parking for the proposed use is discussed under the "Parking" section of the staff report (see below).

The operational statement (see Exhibit "C") states that the administrative offices will be open Monday through Friday 8:00 a.m. to 5:00 p.m. and will be occupied at any given time with two full time employees and one intern per work shift. The training center will be open four days a week from Tuesday through Friday 8:00 a.m. to 3:00 p.m. The applicant anticipates 25 patrons at the site during ministry training.

The church function will be held two days a week with a midweek service on Wednesday's from 6:00 p.m. to 8:00 p.m. and Sundays from 10:00 a.m. to 12:00 p.m. with no special events planned. The anticipated number of congregation members is noted at 20 service members during service hours. On Friday evenings from 7:00 p.m. to 9:30 p.m., a prayer service will be offered to church members.

<b>BACKGROUND INFORMATION</b>
-------------------------------

General Plan Land Use Designation:	Central Business District
Zoning:	C-DT (Central Business District)
Surrounding Land Use and Zoning	North: C-DT (Central Business District) / Hukill Ermas Treasures Thrift Store South: C-DT (Central Business District) / Office East: C-DT (Central Business District) / Commercial Building West: C-SO (Shopping / Office Commercial) / Farley Taekwondo Center
Environmental Review:	Categorical Exemption No. 2014-67
Special Districts:	Design District "C"
Site Plan:	2014-026

**RELATED PLANS & POLICIES**

Please see attached summary of related plans and policies.

**RELATED ACTIONS**

Conditional Use Permit No. 2014-10 was a request Dwayne and Debbie Patton to allow the conversion of a 4,972 square foot commercial building for use as a church, located within the Service Commercial (C-S) zone. The site is located at 2500 E. Valley Oaks Drive. This project was approved by the Planning Commission on April 28, 2014.

Conditional Use Permit No. 2012-04 was a request by Elmbridge Properties, L.P., to allow a 60-seat church to occupy 3,449 sq. ft. of an existing building in the Service Commercial (C-S) zone, located at 650 S. Bridge Street. This project was approved by the Planning Commission on January 23, 2012.



## PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2014-26, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

### Land Use Compatibility

Training centers, Churches and other religious institutions are identified as a conditional use in several of Visalia's zoning classifications. Among the zones which conditionally allow these uses are the CDT (Central Business District), C-S (Service Commercial), and P-AO (Professional / Administrative Office) zone designations. Churches that locate in these zones frequently utilize pre-existing buildings or portions thereof, as opposed to constructing a new facility. Churches that occupy pre-existing buildings like the subject church should be evaluated for their compatibility with the building, other existing uses in the building, and the surrounding neighborhood.

The proposed ministry training and church use is located within a commercial building comprised of multiple tenant spaces including a small fitness facility and two vacant spaces. The Foundations Ministry Training Center proposes to operate during normal business hours (i.e., Mon. – Fri. 8:00 am to 5:00 pm) but church services are proposed during non-peak hours (i.e. evenings and Sundays). This will help reduce the potential to conflict with other commercial uses in the vicinity that generally operate during the weekdays. Based on the information noted in the operational statement and considering the surrounding businesses' hours of operations, staff concludes the proposed use will not adversely impact the surrounding commercial businesses.

### Parking

The Foundations Ministry Training Center is leasing an existing tenant space and is not subject to the Parking In-lieu fee requirement because the proposed use is a "change-in-use" project. The building is located in the Central Business District Parking Zone District "A" and the Parcel Based Improvement District (PBID). Parking District "A" would allow the applicant and/or property owner to pay for any additional required parking that is not provided on-site. The formation of PBID suspended the Parking In-lieu parking fee program for uses considered a change-in-use where no new construction is proposed.

### Environmental Review

The requested action is Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2014-67).

Projects determined to meet this classification consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of the use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized in the Class 1 are not intended to be all-inclusive of the types of projects.

## 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. 2014-36).

### **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the projects be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2014-117.
2. That the site be developed in substantial compliance with the approved floor plan provided in Exhibit "B".
3. That the facility be operated in compliance with the operational statement in Exhibit "C", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That the maximum seating capacity of the sanctuary shall be limited to the number of persons based on the operational statement, and subject to the maximum building occupancy determined by the City Building Safety Division and/or Fire Department.
5. That any building signage shall require a separate building permit.
6. That all applicable federal, state and city laws, codes and ordinances be met.
7. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2014-26.

### **APPEAL INFORMATION**

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

#### **Attachments:**

- Related Plans and Policies
- Resolution No. 2014-117
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Operational Statement
- Site Plan Review Comments

- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

## **RELATED PLANS AND POLICIES**

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

#### **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)

**Chapter 17.40: Nonconforming Uses and Structures**

**17.40.030 Existing uses.**

An existing use of land or structure shall not be deemed to be a nonconforming use solely because of the lack of off-street parking facilities; however, property on the site used for off-street parking and off-street loading at the time of the adoption of this chapter shall not be reduced in a capacity to less than the number of spaces or berths prescribed in Chapter 17.34 or reduced in area to less than the minimum standards prescribed in Chapter 17.34. Where an existing use is expanded, the parking requirements of Chapter 17.34 shall apply only to the addition. (Prior code § 7542)

RESOLUTION NO. 2014-45

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2014-26, A REQUEST BY FOUNDATIONS DISCIPLESHIP TRAINING CENTER TO ESTABLISH A MINISTRY TRAINING FACILITY AND CHURCH IN A 3,000 SQ. FT. SECTION OF A 19,200 SQ. FT. BUILDING IN THE CENTRAL BUSINESS DISTRICT (CDT) ZONE. THE SITE IS LOCATED AT 3332 NORTH JOHNSON STREET (APN 093-183-012)

**WHEREAS**, Conditional Use Permit No. 2014-26, is a request by Foundations Discipleship Training Center to establish a ministry training facility and church in a 3,000 sq. ft. section of a 19,200 sq. ft. building in the Central Business District (CDT) zone. The site is located at 3332 North Johnson Street (APN 093-183-012); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on October 27, 2014; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2014-26, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

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

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the project is Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2014-67).

**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 projects be developed in substantial compliance and be consistent with the conditions of the Site Plan No. 2014-117.
2. That the site be developed in substantial compliance with the approved floor plan provided in Exhibit "B".
3. That the facility be operated in compliance with the operational statement in Exhibit "C", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That the maximum seating capacity of the sanctuary shall be limited to the number of persons based on the operational statement, and subject to the maximum building occupancy determined by the City Building Safety Division and/or Fire Department.
5. That any building signage shall require a separate building permit.
6. That all applicable federal, state and city laws, codes and ordinances be met.
7. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2014-26.







## Foundations Ministry Training Center Operational Statement

### ***Project Description***

The property proposed to become the new Foundations Training Center is an existing 19,200 s.f. single-story building. Foundations will be leasing approx. 3,000 s.f. of the space. The property is owned by Randy Vogt. This project consists of administrative offices, training center, house of prayer and small hispanic church.

### ***Components***

#### **Administrative Offices (1000s.f.)**

- Hours of Operation:
  - 5 days a week (Monday-Friday)- 8am-5pm
- Employees:
  - Number of employees: 2
  - Number of interns: 5
  - Max Employees per shift: 2 employees and 1 intern

#### **Training Center (2000s.f.)**

- Hours of Operation:
  - 4 days a week: Tuesday-Friday, 8am-3pm
- Patrons
  - Number of patrons: 25
- The training center will be used to give lecture style training to our patrons as well as several storage areas for training equipment.

#### **Hispanic Church**

- Hours of operation
  - Wednesday 6-8pm mid-week teaching and prayer
  - Sunday 10am-12pm morning church gathering
- Patrons
  - Number of patrons: 20
  
- Church will gather in the training center of the building.

#### **Prayer Meeting Room**

- Hours of Operation:
  - 1 day a week: Friday 7pm-9:30pm
- Patrons
  - Number of patrons: 10-20
- Prayer meetings will be held in the same space as the training center.



MEETING DATE September 10, 2014  
SITE PLAN NO. 14-117  
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** This project requires a Conditional Use Permit.

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



MEETING DATE SEPT. 10, 2014  
SITE PLAN NO. 14-117  
PARCEL MAP NO.  
SUBDIVISION  
LOT LINE ADJUSTMENT NO.

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

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

**REVISE AND PROCEED** (see below)

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

Your plans must be reviewed by:

- |  |  |
|--|--|
| <input type="checkbox"/> CITY COUNCIL                              | <input type="checkbox"/> REDEVELOPMENT   |
| <input checked="" type="checkbox"/> PLANNING COMMISSION <u>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.

*Site Plan Review Committee*

City of Visalia  
 Building: Site Plan  
 Review Comments

ITEM NO: 1      DATE: September 10, 2014  
 SITE PLAN NO: SPR14117      **RESUBMIT**  
 PROJECT TITLE: FOUNDATIONS DISCIPLESHP TRAINING CENTER  
 DESCRIPTION: ADULT TRAINING FACILITY AND CHURCH IN  
 \* EXISTING 13,200 SF BUILDING ON 16,866 SF AREA  
 (CDT ZONED) (AE) (DISTRICT DRD)  
 APPLICANT: AINLEY TIM  
 PROP OWNER: VOGT RANDY J & TONI L (TRS)  
 LOCATION: 332 N JOHNSON ST  
 APN(S): 093-183-012

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.

*No Construction at this time (No Permits Req'd)*

- 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 2013 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.<sup>54</sup> per square foot. Residential \$<sup>3.26</sup>~~2.07~~ 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: FLOOD ZONE? Provide 5 complete sets of plans.  
Provide accessible route from parking to the public-way,  
the building entrance, and all required facilities.  
Cheryl Clarke  
 Signature

\*Kitchen -  
 Type I Hood?  
 or Type II Hood?

\* FEMA Flood Zone? 50% Doc.  
 \* Provide FEMA's BFE on the plans.



**Site Plan Review Comments For:**

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

ITEM NO: 1

DATE: September 10, 2014

SITE PLAN NO:

SPR14117 **RESUBMIT**

PROJECT TITLE:

FOUNDATIONS DISCIPLESHP TRAINING CENTER

DESCRIPTION:

ADULT TRAINING FACILITY AND CHURCH IN  
EXISTING 13,200 SF BUILDING ON 16,866 SF AREA  
(CDT ZONED) (AE) (DISTRICT DRD)

APPLICANT:

AINLEY TIM

PROP OWNER:

VOGT RANDY J & TONI L (TRS)

LOCATION:

332 N JOHNSON ST

APN(S):

093-183-012

**The following comments are applicable when checked:**

- The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2013 California Fire Code (CFC), 2013 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. *2013 CFC 901.6*
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire & life safety requirements including fire protection.
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on

**General:**

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*
- A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (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.) *2013 CFC 506.1*
- All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, dolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*
- When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:  
*2013 CFC D103.5*

- Typical chain and lock shall be the type that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system.
- Gates shall be of the swinging or sliding type.
- Gates shall allow manual operation by one person. (power outages)
- Gates shall be maintained in an operative condition at all times.
- Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (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.)

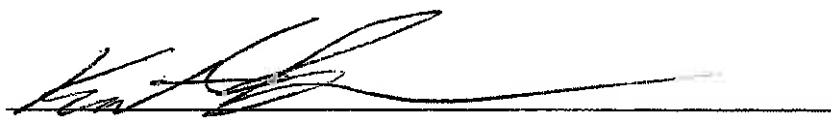
In any and all new One- or two-family dwellings residential developments regardless of the number of units, street width shall be a minimum of 36 feet from curb to curb to allow fire department access and to permit parking on both sides of the street. A minimum of 20 feet shall be provided for developments that don't allow parking on the streets. *2013 CFC D107.2*

**Fire Protection Systems:**

An automatic fire sprinkler system will be required for this building. Also a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). *2013 CFC 903 and Visalia Municipal Code 16.36.120(7)*

Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2013 CFC 904.11 & 609.2*

**Special Comments:**

  
Kurtis A. Brown  
Assistant Fire Marshal

**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

Jason Huckleberry 713-4259  
 Adrian Rubalcaba 713-4271

ITEM NO: 1 DATE: SEPTEMBER 10, 2014

SITE PLAN NO.: 14-117R  
PROJECT TITLE: FOUNDATIONS DISCIPLESHIP TRAINING CENTER  
DESCRIPTION: ADULT TRAINING FACILITY AND CHURCH IN EXISTING 13,200 SF BUILDING ON 16,866 SF AREA (CDT ZONED) (AE) (DISTRICT DRD)  
APPLICANT: AINLEY TIM  
PROP OWNER: VOGT RANDY J & TONI L (TRS)  
LOCATION: 332 N JOHNSON ST  
APN: 093-183-012

**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. FOR ANY WORK NECESSARY IN PUBLIC RIGHT-OF-WAY**  
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Rafael Magallan, 713-4414.
- 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.
- 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 Joel Hooyer 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. A van accessible stall and accessible path of travel to the building entrance is required; If to be located on an adjacent parcel, a shared agreement must be recorded against the properties and copy provided to the City.***
- 2. Previously permitted office type use(s) will offset applicable impact fees associated with proposed church facility.***
- 4. Building permit plan check and inspection fees apply.***

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 14-117R  
Date: 9/10/2014

**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.)**

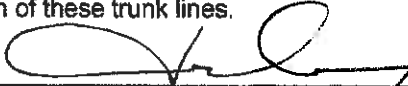
(Fee Schedule Date:8/15/2014)  
(Project type for fee rates:CHURCH)

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.




---

Jason Huckleberry

# SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: September 10, 2014

SITE PLAN NO: 2014-117 RESUBMITTAL  
PROJECT TITLE: FOUNDATIONS DISCIPLESHIP TRAINING CENTER  
DESCRIPTION: ADULT TRAINING FACILITY AND CHURCH IN EXISTING 13,200 SF BUILDING ON 16,866 SF AREA (CDT ZONED) (AE) (DISTRICT DRD)  
APPLICANT: AINLEY TIM  
PROP. OWNER: VOGT RANDY J & TONI L (TRS)  
LOCATION TITLE: 332 N JOHNSON ST  
APN TITLE: 093-183-012  
GENERAL PLAN: CDT – CENTRAL BUSINESS DISTICT  
EXISTING ZONING: CDT – CENTRAL BUSINESS DISTICT

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Conditional Use Permit (CUP) for the Church
- Operational Statement
- Additional Information as needed

### **PROJECT SPECIFIC INFORMATION: 09/10/2014**

1. On the CUP application, identify then number of seats in the main assembly area during church services.
2. The seat count provided in the operational statement will limit the number of seats provided during church service hours.
3. Provide operational statement, site plan and floor plan with the CUP application submittal.
4. Meet Building and Engineering Divisions requirement regarding ADA parking and path of travel.

## **Previous Comments**

### **PROJECT SPECIFIC INFORMATION: 08/27/2014**

1. Provide a detailed floor plan depicting how the tenant space will be utilized. Identify the main assembly area for both the training center and church.
2. Any revisions to the overall daily operations needs to be reflected in the operational statement. If the church use is no longer proposed, remove this use from the overall operational statement.
3. A Conditional Use Permit is required for a church and specialized school/training center.
4. All signage requires a separate building permit. Signage shall comply with the DRD sign standards (see below).

## **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.

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

1. Property is in PBID and proposed church is considered a Change-in-use project. Parking in-lieu fees will not be assessed.

**Parking:**

1. Churches are required to provide parking based on the following ratio: one space for every four permanent seats or one space per 30 sq. ft. of main assembly area, whichever is greater (see Zoning Ordinance Section 17.34.020).
2. Provide a handicap stall as required by Building and Engineering Division's to meet state and federal ADA laws.

**DOWNTOWN RETAIL DESIGN DISTRICT  
BUILDING DESIGN CRITERIA**

Amended April 1996

**A. General**

- 1) Signs – signs should contribute to the commercial quality and character of the district. Within the district, the following standards for signage are prescribed:
- 2) Primary Signage
  - i) Material: Plastic is prohibited as a primary sign material.
  - ii) Size:
    - (1) Two (2) square feet of sign area is permitted for each one (1) foot of linear occupancy frontage to a maximum of fifty (50) square feet.
    - (2) The sign area as calculated for the occupancy frontage may be used on the occupancy frontage, or may be divided between the occupancy frontage and any other exterior wall. (see DRD for more)
  - iii) Location: Users may choose which exterior side of the building will be used for the purpose of calculating the permitted sign area. The exterior side chosen is the primary occupancy frontage. The building sign so calculated shall be mounted on the primary occupancy frontage.
- 3) On Awnings: A building sign may be affixed to or incorporated as a part of the design of the front valance only of an awning; however, such sign area shall be deducted from that calculated for the exterior building wall to which the awning is attached. Numerals used for the purpose of identifying street addresses need not be deducted from the calculated sign area.
- 4) Street addresses
- 5) Additional signs of a maximum twenty-five percent of the sign area calculated for the primary occupancy frontage will be allowed for each remaining exterior wall, provided that the sign for any given wall does not exceed two square feet per linear foot of the wall length. This subsection does not apply to alley frontages visible from center or Acequia streets.
- 6) Pedestrian oriented sign: one double faced sign not exceeding an area of three (3) square feet per face, to be constructed of wood, with a carved and/or painted logo. Pedestrian oriented signs shall be a minimum of 8 feet above the sidewalk and shall not exceed a maximum height of 12 feet.

- 7) A pedestrian oriented sign may also be affixed to or incorporated into the design of the side valance of awnings which are perpendicular to the store frontage. Both side valances of an awning may be so utilized, however, only one sign face per awning side is allowed. Each sign face shall not exceed three (3) square feet. If this option is chosen, no other pedestrian oriented sign is allowed.
- 8) The building sign area as calculated on the primary occupancy frontage may also be used on the alley frontage for those businesses with direct pedestrian entrances from alleyways, where such entrances and frontages are visible from center or Acequia streets. In no case shall the sign area used on the alley frontage exceed that permitted for the primary occupancy frontage.
- 9) Each building may display a reader board of a maximum area of twenty (20) square feet indicating the name, address and type of business of the businesses within the building. If the reader board is located on a part of the building qualifying as an occupancy frontage for which sign area is calculated, the sign area used for the reader board shall be deducted from the total permitted for that building.

Reader boards shall be designed as one with each copy panel consisting of similar materials and designs. Permits for reader boards shall not be issued without consent of the property owner.

- 10) Within the district, internally illuminated signs are prohibited, with the exception of neon.
- 11) Plastic is prohibited as a primary sign material.
- 12) Each commercial use which has direct pedestrian access through an exterior building wall which is visible from a public right-of-way, shall be allowed at least ten (10) square feet of building sign area, regardless of building occupancy frontage. Commercial uses having a sole access from the interior of any building or from an enclosed lobby or court shall not be allowed the minimum building sign area referred to in this section.
- 13) Permanent signage painted or affixed to the surface of retail display windows shall cover no more than twenty percent (20%) of the display window area and shall be allowed in addition to the calculated building sign area.
- 14) Temporary signs pertaining to special store events or sales lasting no more than thirty (30) days may be painted or affixed to display windows provided that their total area shall not exceed thirty percent (30%) of the window. Such temporary sign or signs shall be removed within seven (7) days of the completion of said event or sale. No permit is required for such temporary sign(s).
- 15) Awnings – awnings attached above street level storefronts and/or upper-story windows are encouraged. Size and scale shall be appropriate to the building, however, and significant elements of the building's architecture should be obscured by upper-story awnings. Ground floor awnings shall project a minimum of five (5) feet over the sidewalk. Awning materials shall be cloth or canvas. Awning colors shall be limited to a blue, burgundy, tan or tones and/or prints of these. White may be incorporated into the design of awnings for contrast or valance signage, but shall not compromise a majority of the color theme of any awning.
- 16) Prohibited material and elements.
  - a) Use of wood siding, cladding or wood shingles, in excess of ten percent (10%) of the total area of any building façade.
  - b) Mansard form roof tiles.
  - c) Unbroken masses of split face, slump stone or concrete unit masonry.
  - d) Use of reflective or mirrored surface cladding, in excess of ten percent (10%) of the total area of any building façade.

- e) Exposed utility conduit, junction boxes, meters, or fuse boxes on the front façade of buildings.

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

A handwritten signature in black ink, appearing to be "John B. Smith", written over a horizontal line. The signature is stylized and cursive.

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

ITEM NO: 1      DATE: September 10, 2014  
SITE PLAN NO:      SPR14117      **RESUBMIT**  
PROJECT TITLE:      FOUNDATIONS DISCIPLESHIP TRAINING CENTER  
DESCRIPTION:      ADULT TRAINING FACILITY AND CHURCH IN  
EXISTING 13,200 SF BUILDING ON 16,866 SF AREA  
(CDT ZONED) (AE) (DISTRICT DRD)  
APPLICANT:      AINLEY TIM  
PROP OWNER:      VOGT RANDY J & TONI L (TRS)  
LOCATION:      332 N JOHNSON ST  
APN(S):      093-183-012

### Site Plan Review Comments

- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact fee:  
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code  
Effective date - August 17, 2001  

Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:  
\_\_\_\_\_
- Territorial Reinforcement: Define property lines (private/public space).  
\_\_\_\_\_
- Access Controlled / Restricted etc:  
\_\_\_\_\_
- Lighting Concerns:  
\_\_\_\_\_
- Landscaping Concerns:  
\_\_\_\_\_
- Traffic Concerns:  
\_\_\_\_\_
- Surveillance Issues:  
\_\_\_\_\_
- Line of Sight Issues:  
\_\_\_\_\_
- Other Concerns:  
\_\_\_\_\_

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

# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

September 10, 2014

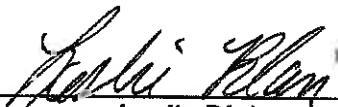
ITEM NO: 1	RESUBMITL
SITE PLAN NO:	SPR14117
PROJECT TITLE:	FOUNDATIONS DISCIPLESHIP TRAINING CENTER
DESCRIPTION:	ADULT TRAINING FACILITY AND CHURCH IN EXISTING 13,200 SF BUILDING ON 15,666 SF AREA (CDT ZONED) (AE) (DISTRICT DRD)
APPLICANT:	AINLEY TIM
PROP. OWNER:	VCST RANDY J & TONI L (TRS)
LOCATION:	532 N JOHNSON ST
APN(S):	093-183-012

**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

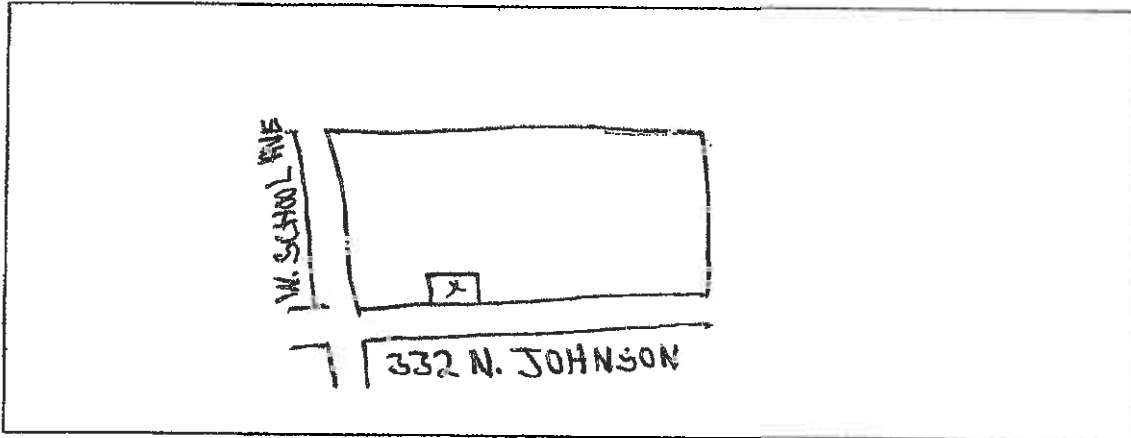


City of Visalia  
Parks and Urban Forestry  
336 N. Ben Maddox Way  
Visalia, CA 93292

Date: 9-9-14

Site Plan Review # 14-117

SITE PLAN REVIEW COMMENTS



COMMENTS: See Below  None

- Please plot and protect all Valley Oak Trees.
- Landscape along parkway to be planted by developer and maintained by a maintenance district.
- All drainage from curb and gutter along streets to be connected to storm drain system.
- All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.
- Tie-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.

Other Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

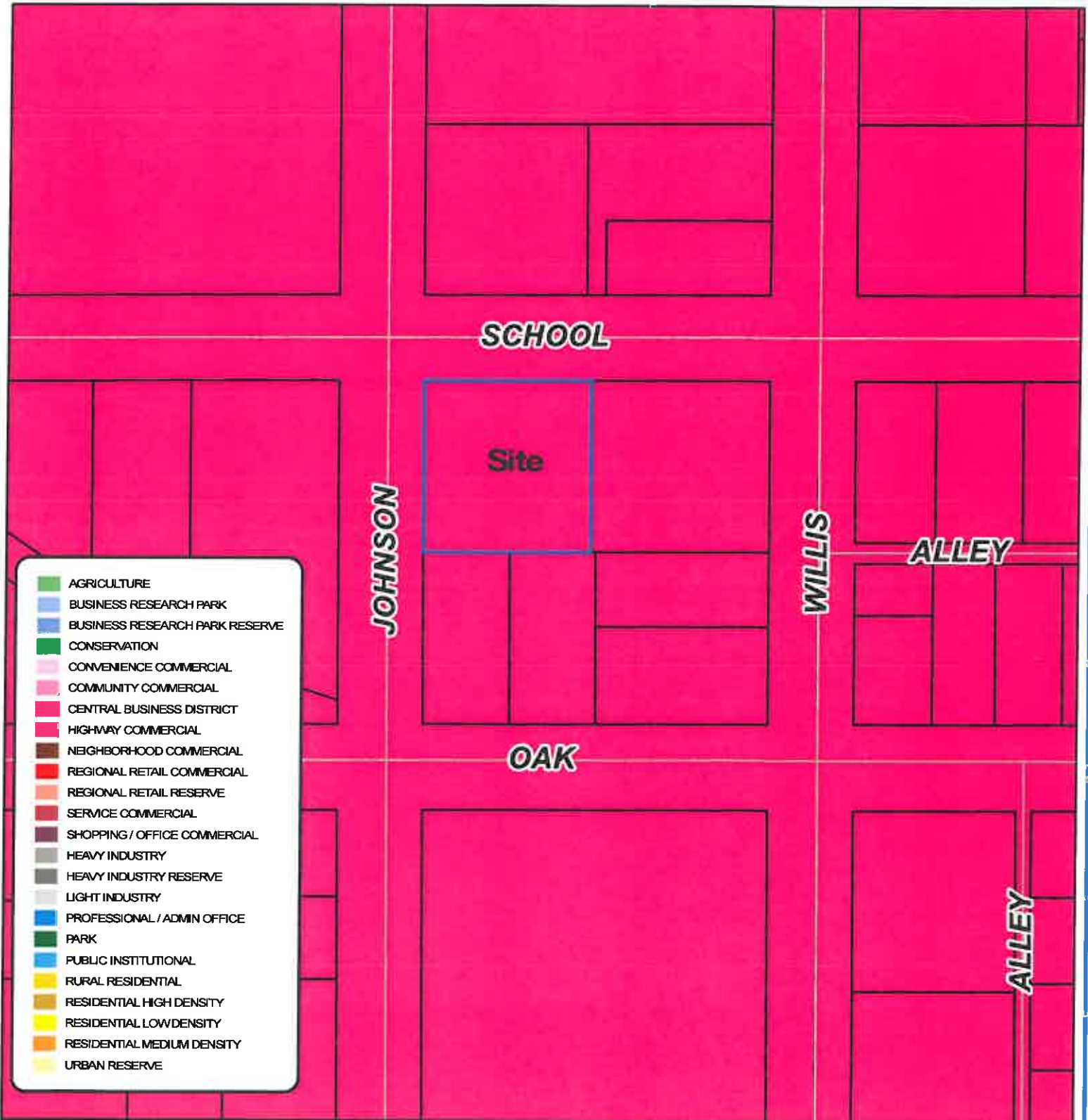
*Joel Hooyer*  
\_\_\_\_\_  
Joel Hooyer

Parks and Urban Forestry Supervisor  
559 713-4295 Fax 559 713-4818

Email: jhooyer@ci.visalia.ca.us

# Conditional Use Permit No. 2014-26

APN: 093-183-012

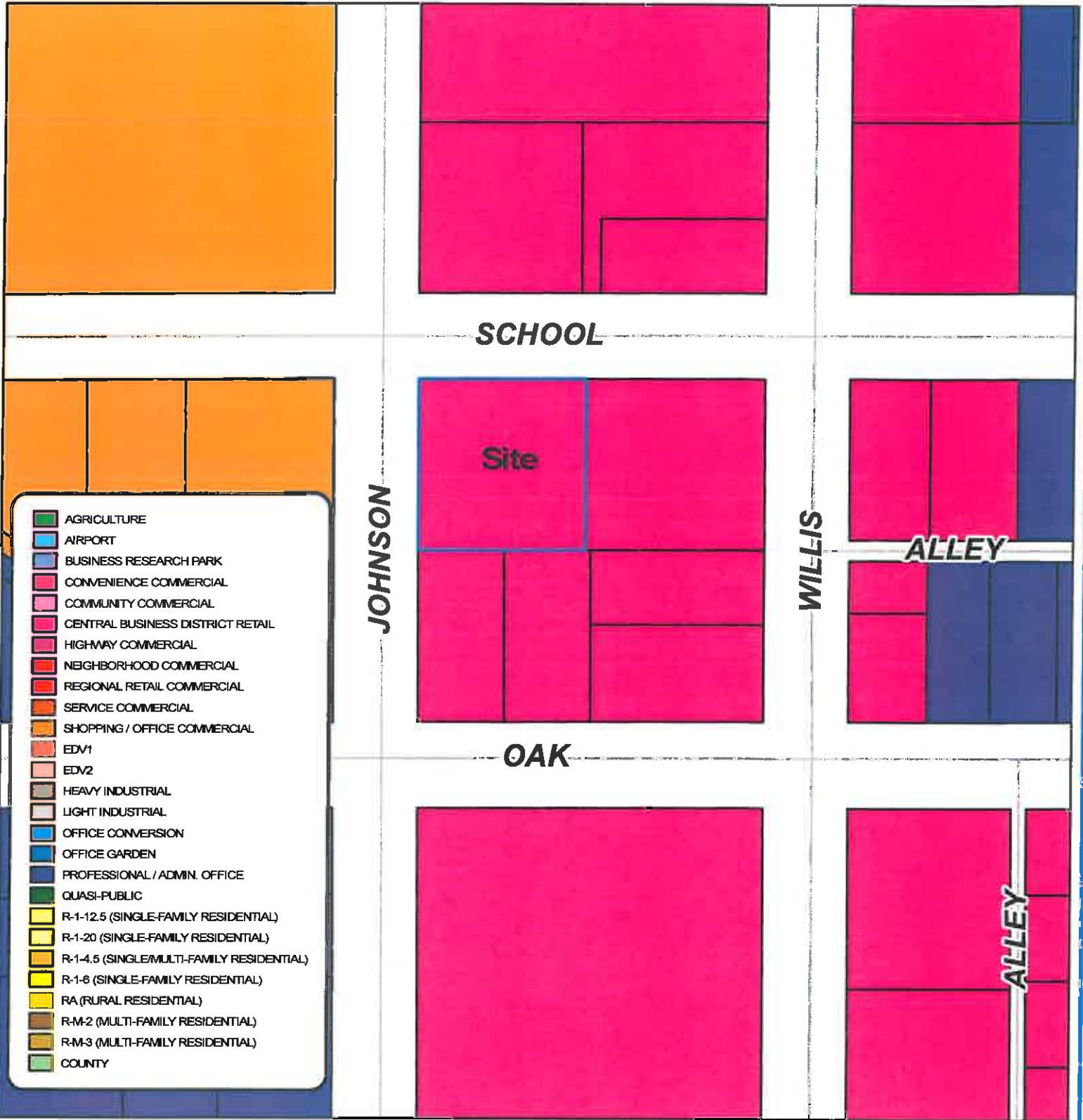


## General Plan Land Use Map



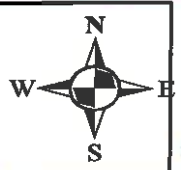
# Conditional Use Permit No. 2014-26

APN: 093-183-012



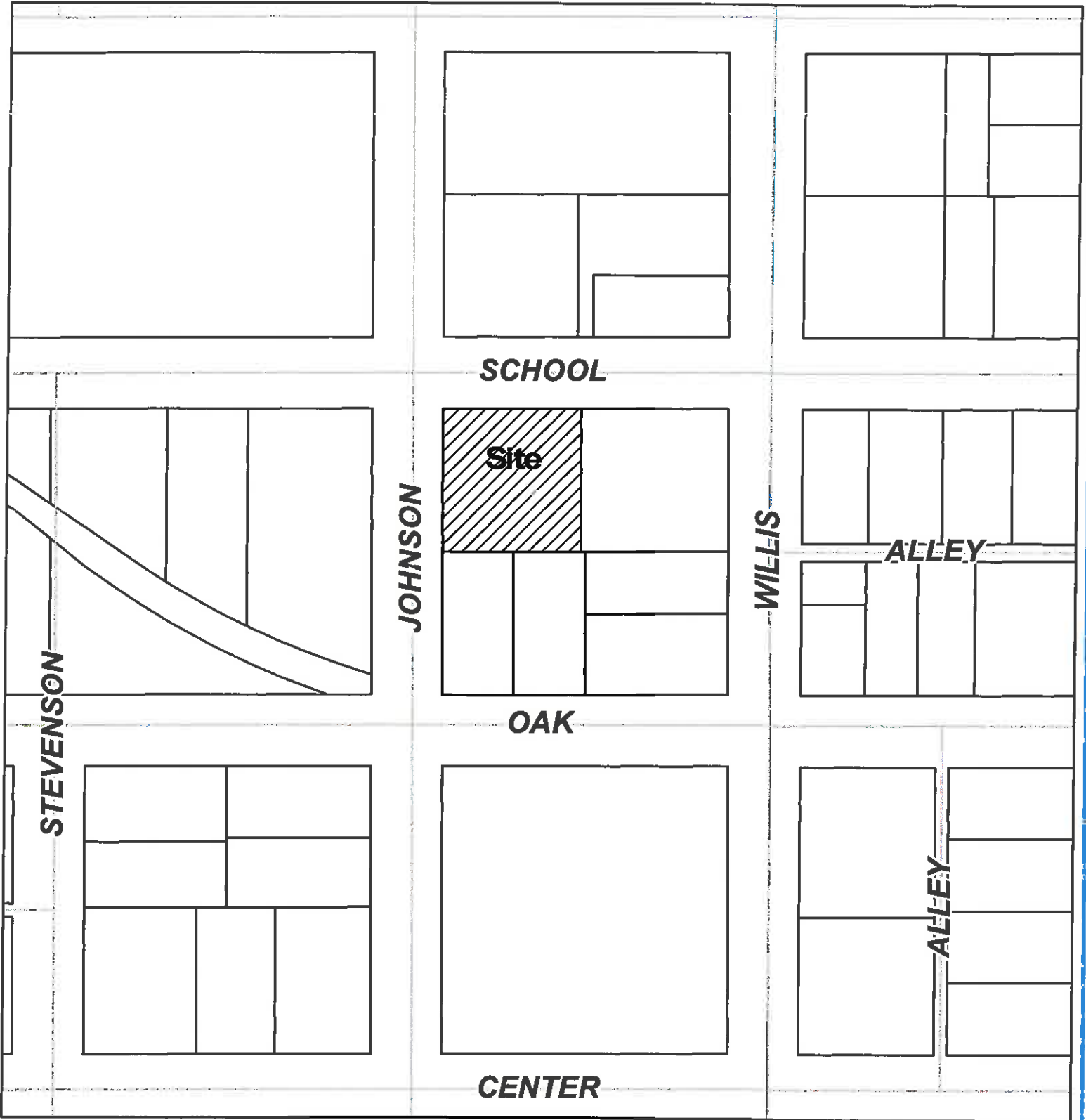
- AGRICULTURE
- AIRPORT
- BUSINESS RESEARCH PARK
- CONVENIENCE COMMERCIAL
- COMMUNITY COMMERCIAL
- CENTRAL BUSINESS DISTRICT RETAIL
- HIGHWAY COMMERCIAL
- NEIGHBORHOOD COMMERCIAL
- REGIONAL RETAIL COMMERCIAL
- SERVICE COMMERCIAL
- SHOPPING / OFFICE COMMERCIAL
- EDV1
- EDV2
- HEAVY INDUSTRIAL
- LIGHT INDUSTRIAL
- OFFICE CONVERSION
- OFFICE GARDEN
- PROFESSIONAL / ADMIN. OFFICE
- QUASI-PUBLIC
- R-1-12.5 (SINGLE-FAMILY RESIDENTIAL)
- R-1-20 (SINGLE-FAMILY RESIDENTIAL)
- R-1-4.5 (SINGLE/MULTI-FAMILY RESIDENTIAL)
- R-1-6 (SINGLE-FAMILY RESIDENTIAL)
- RA (RURAL RESIDENTIAL)
- R-M-2 (MULTI-FAMILY RESIDENTIAL)
- R-M-3 (MULTI-FAMILY RESIDENTIAL)
- COUNTY

## Zoning Map



# Conditional Use Permit No. 2014-26

APN: 093-183-012



## Vicinity Map



# Conditional Use Permit No. 2014-26

APN: 093-183-012



## Aerial Map



# Conditional Use Permit No. 2014-26

APN: 093-183-012



## Aerial Map

