

PLANNING COMMISSION AGENDA

CHAIRPERSON:
Adam Peck



VICE CHAIRPERSON:
Roland Soltesz

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

MONDAY, APRIL 27, 2015; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda
 - No Items on the Consent Calendar
5. PUBLIC HEARING – Andy Chamberlain
Conditional Use Permit No. 2015-12: a request by Chances Learning Center to allow an adult daycare program to provide vocational, and life skills training to people with disabilities, in the Commercial Downtown (CDT) Zone. The site is located at 636 W. Oak Avenue. (APN: 093-183-010) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2015-22
6. PUBLIC HEARING – Paul Bernal
Conditional Use Permit No. 2015-13: A request by Milan Institute of Cosmetology to establish a private vocational school in an 8,750 square foot building in the Regional Retail Commercial (C-R) zone. The building is located at 3938 & 3940 South Mooney Boulevard in the Sequoia Plaza Shopping Center (APN: 126-062-073). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2015-23
7. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2015-09: A request by Joseph and Maria Silveira for an amendment to Conditional Use Permit No. 2005-27, to construct an 11-unit addition to a senior citizen residential development on one acre in the R-1-6 (Single-Family Residential 6,000 square feet minimum site area) Zone. The site is located at 2106 S. Garden Street,

on the east side of Garden Street 300 feet south of Walnut Avenue. (APN: 123-063-032) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2015-20

8. PUBLIC HEARING – Paul Bernal

Conditional Use Permit No. 2015-11: A request by BC Recycling to amend their Conditional Use Permit to allow for the collection of Non-CRV Plastics, Paper, and Car Batteries, and to increase the maximum storage height for baled material from seven-feet to ten-feet in designated areas on their site in the Service Commercial Zone. BC Recycling is located at 1043 East Houston Avenue (APN: 094-140-036 & 094-140-039). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2015-24

9. PUBLIC HEARING – Andy Chamberlain

O’Gara Paradise Tentative Subdivision Map 5551: A request by Michael O’Gara to subdivide 1.46 acres into eight parcels ranging in size from 7,865 to 8,087 square feet. The site is zoned R-M-3 (High Density Multiple Family – 1,500 square foot minimum site area per unit) and is located at 349 E. Paradise Ave. (APN: 097-272-032) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2014-50

10. PUBLIC HEARING – Andy Chamberlain

- a. Variance No. 2015-01: A request by Ray Trujillo property owner, to allow lots which do not meet the lot area and lot width requirements in the Single Family Residential (R-1-6) zone. The site is located at 710 S. Pinkham Street (APN: 100-060-006) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2015-01
- b. Tentative Parcel Map No. 2015-01: A request by Ray Trujillo property owner, to subdivide a 1.85 acre parcel into four parcels and a remainder in the Single Family Residential (R-1-6) zone. The parcel is located at 710 S. Pinkham Street (APN: 100-060-006) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2015-01

11. DIRECTOR’S REPORT/ PLANNING COMMISSION DISCUSSION-

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

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

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

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, MAY 7, 2015 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 or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON TUESDAY MAY 26, 2015



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 27, 2015

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

SUBJECT: Conditional Use Permit No. 2015-12: A request by Chances Learning Center to allow an adult daycare program to provide vocational and life skills training to people with disabilities in the Central Business District (CDT) Zone. The site is located at 636 W. Oak Avenue. (APN: 093-183-010)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2015-12 based upon the findings and conditions in Resolution No. 2015-20. 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. 2015-12 based on the findings and conditions in Resolution No. 2015-20.

PROJECT DESCRIPTION

The applicant is requesting approval to relocate an existing adult activity program facility which provides vocational and life skills training to people with disabilities from 220 N. Stevenson Street to 636 W. Oak Avenue. The proposed site is an existing office building of approximately 2,600 sq. ft., with vehicular access from Johnson Street to the parking lot as shown in the aerial photo in Exhibit "A". The floor plan is provided in Exhibit "B".

The operational statement in Exhibit "C" states that the Learning Center would operate Monday through Friday from 8:00 am to 4:30 pm. There would be a maximum of 24 clients and up to 5 staff, which is double the number of clients approved under CUP No. 2012-42 at 220 N. Stevenson St.

The clients do not drive, but are dropped off at the site and/or may utilize public transportation. The program consists of on-site training to promote personal and social skills to help the clients in their personal and public lives. Off-site training is also included to help them with daily interactions with businesses, public transportation and other public services such as the library and



recreational opportunities which are not a part of this use permit request. Clients provide their own lunch, while the facility will provide snacks, so no formal food service will occur on-site in conjunction with the program.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Central Business District
Zoning:	CDT (Central Business District)
Surrounding Land Uses and Zoning:	North: CDT / Office South: CDT / Retail East: CDT / Office West: CSO / Storage
Environmental Review:	Categorical Exemption No. 2015-22
Special Districts:	Design District "DRD" – Parking Dist. "A"/PBID
Site Plan:	2015-044
Property Owner:	J&P Walnuts LP.

RELATED PLANS & POLICIES

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

RELATED PROJECTS

Conditional Use Permit No. 2012-42: A request by Chances Learning Center to allow an adult daycare program to provide vocational and life skills training to people with disabilities in the Professional/Administrative Office (PA) Zone. The site is located at 220 N. Stevenson Street. The use permit was approved (5-0) by the Planning Commission on November 13, 2012.

Conditional Use Permit No. 2012-36, a request by Peoples Care Central Valley Inc. to allow an adult activity program to provide vocational and life skills training to people with disabilities, in the Commercial Shopping Office (CSO) zone, located at 909 W. Murray Avenue, was approved (5-0) by the Planning Commission on October 8, 2012.

PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2012-42, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

Vocational and life skill training is a conditional use in the Commercial Downtown (CDT) zone. Based upon the existing site and the proposed operational statement, staff finds that the proposed project is consistent with the intent of the zone and adjacent land uses which are offices, storage, and retail.

Parking

The site has an existing nine-stall parking lot, which was determined to be sufficient for the proposed use through the Site Plan Review process. The site is within Parking District "A" and

in the PBID district which currently allows the intensification of parking for sites without the requirement to provide parking or pay Parking In Lieu Fees.

Site Improvements

There are no exterior site improvements proposed as a part of this action. The applicants will work with the Building Department to secure any permits for interior work which may be required for this use.

Environmental Review

The requested action is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2015-22).



RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the project is similar to a non-medical counseling office for parking purposes based upon the operational statement which identifies a maximum of five life coaches and 24 non-driving clients at one time, divided between the three learning center rooms.
3. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
4. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2015-22).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed in substantial compliance with the comments from the approved Site Plan Review No. 2015-044.
2. That the requested use be operated and maintained in substantial compliance with the site aerial photo attached as Exhibit "A" and the floor plan attached as Exhibit "B".
3. That the facility be operated in compliance with the operational statement in Exhibit "C", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That all other Federal, State, Regional, and City codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-12.

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 or from the city clerk.

Attachments:

- Related Plans & Policies
- Resolution 2015-20
- Exhibit "A" – Site Plan – 2012 Aerial
- Exhibit "B" – Floor Plan
- Exhibit "C" – Operation Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

Related Plans & Policies

Conditional Use Permits - (Excerpts from Section 17.38)

17.38.010 Purposes and powers.

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

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.080 Public hearing--Notice.

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

17.38.090 Investigation and report.

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

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

RESOLUTION NO. 2015-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2015-12, A REQUEST BY CHANCES LEARNING CENTER TO ALLOW AN ADULT DAYCARE PROGRAM TO PROVIDE VOCATIONAL AND LIFE SKILLS TRAINING TO PEOPLE WITH DISABILITIES IN THE COMMERCIAL BUSINESS DISTRICT (CDT) ZONE. LOCATED AT 636 W. OAK AVENUE. (APN: 093-183-010)

WHEREAS, Conditional Use Permit No. 2015-12 is a request by Chances Learning Center to allow an adult daycare program to provide vocational and life skills training to people with disabilities in the Central Business District (CDT) Zone. The site is located at 636 W. Oak Avenue. (APN: 093-183-010); and

WHEREAS, after published notice, a public hearing was held before the Planning Commission on April 27, 2015; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15305.

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the project is similar to a non-medical counseling office for parking purposes based upon the operational statement which identifies a maximum of five life coaches and 24 non-driving clients at one time, divided between the three learning center rooms.
3. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental

to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.

4. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2015-22).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 and 17.40 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed in substantial compliance with the comments from the approved Site Plan Review No. 2015-044.
2. That the requested use be operated and maintained in substantial compliance with the site aerial photo attached as Exhibit "A" and the floor plan attached as Exhibit "B".
3. That the facility be operated in compliance with the operational statement in Exhibit "C", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That all other Federal, State, Regional, and City codes and ordinances be met.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-12.

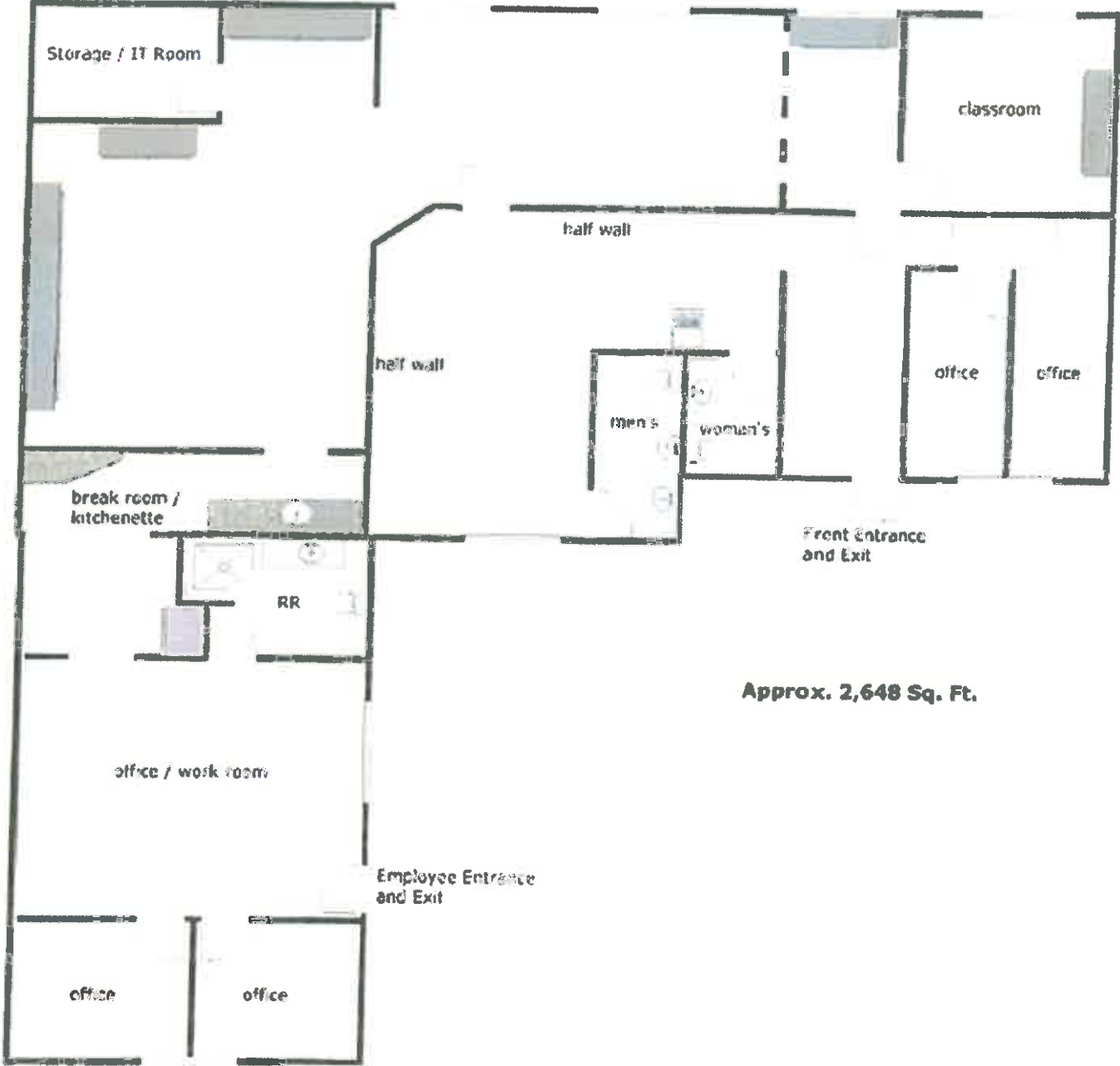
**Exhibit – A
Site Plan**



**Exhibit – A
Site Plan**

Exhibit – B Floor Plan

636 W. Oak Street
APN: 093-183-010



Approx. 2,648 Sq. Ft.

Exhibit – B Floor Plan

CHANCES LEARNING CENTER

(Current address 220 N. Stevenson CUP 2012-42)

Proposed location 636 W. Oak St

Visalia, Ca

MISSION: We are committed to provide opportunities that increase vocational skills, encourage community integration and foster self-worth to adults with developmental disabilities.

PURPOSE: Chances Learning Center provides a program that combines job and life skills training in a classroom setting with hands on experience in the community. The program is designed to develop and improve vocational skills, communication and socialization skills while allowing each individual to achieve their fullest potential.

PROGRAM DESIGN: Program activities occur both at the Learning Center located at 636 W. Oak St. and in the natural environment of the surrounding community.

Facility based activities include:

- *learning centers designed to promote pre-vocational skills
- *social skills training
- *introduction of health life choices and nutrition
- *reinforcement of basic life skills

Off-site activities generally occur in small groups and provide the opportunity to address at least one of the client's individual Program Plan goals. Community based off-site activities include, but not limited to:

- *special Olympics
- *business transactions
- *public transportation
- *proper habits while eating in public
- *recreation
- *volunteerism
- *safety awareness/emergency preparedness
- *library
- *local business to practice vocational skills addressed in learning centers

Exhibit – C
Operational Statement

CLIENTEL: Chances Learning Center will be licensed by the California Department of Social Services, Community Care Licensing Division. Our clients will be referred by Central Valley Regional Center.

The clients will be:

*over the age of 18

*non-drivers

*ambulatory

HOURS: Chances Learning Center will operate Monday through Friday, every month throughout the year excluding major state holidays. The program provides 5 hours of direct consumer services per day. The normal operating hours are 8:00 am to 4:30 pm. Clients will either be off-site for community based activities, or on-site participating in learning centers.

Total capacity for Chances Learning Center is 24 clients and 5 job coaches. Clients do not drive, and some job coaches are part-time.

We are respectfully requesting approval for a conditional use permit for the 636 W. Oak St. property. We feel this site best fits the needs of our program and our clients. It is centrally located to downtown activities, close to shopping and public transportation.

Julie Lovero


Carrie Blue

Exhibit – C
Operational Statement



MEETING DATE 3/25/2015
SITE PLAN NO. 15-044
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

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

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

During site plan design/policy concerns were identified, schedule a meeting with
 Planning Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

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

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

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

HISTORIC PRESERVATION

OTHER _____

ADDITIONAL COMMENTS Minor Conditional Use Permit required

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



Site Plan Review Committee

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: March 25, 2015

SITE PLAN NO: 2015-044
PROJECT TITLE: CHANCES LEARNING CENTER
DESCRIPTION: RELOCATION OF LEARNING CENTER TO LARGER FACILITY IN EXISTING 2,648 SF BUILDING ON 8,698 SF AREA (CDT ZONED) (AE) (DISTRICT DRD)
APPLICANT: BLUE CARRIE
PROP. OWNER: J & P WALNUTS LP
LOCATION TITLE: 636 W OAK AVE
APN TITLE: 093-183-010
GENERAL PLAN: Downtown Mixed Use
EXISTING ZONING: CDT (Central Business District)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Minor Conditional Use Permit
- Parking District "A"
- Building Permit
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: 03/25/2015

1. A Minor CUP is required for the Vocational Training facility.
2. Provide a detailed operational statement with the CUP submittal. The detailed operational plan shall provide a detailed description of the adult daycares operation, number of employees, number of clients, hours of operation and any additional information pertaining to the daily use of this building

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. Existing parking provided per prior use. The 10 parking spaces can accommodate employees, visitors and service vehicles associated with this use.

Signage: [see Zoning Ordinance Section 17.48]

1. All signs require a building permit.

Parking:

1. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
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.

Landscaping:

1. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.130.C).
2. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).

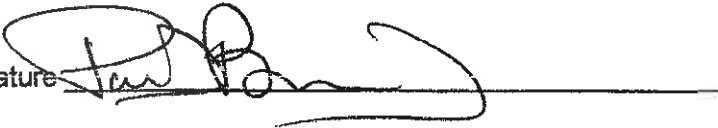
Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
3. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
4. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

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 "J. P. [unclear]", written over a horizontal line.

City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 4 DATE: March 25, 2015
 SITE PLAN NO: SPR15044
 PROJECT TITLE: CHANCES LEARNING CENTER
 DESCRIPTION: RELOCATION OF LEARNING CENTER TO LARGER FACILITY IN EXISTING 2,648 SF BUILDING ON 8,698 SF AREA (CDT ZONED) (AE) (DISTRICT DRD)
 APPLICANT: BLUE CARRIE
 PROP OWNER: J & P WALNUTS LP
 LOCATION: 636 W OAK AVE
 APN(S): 093-183-010

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 Cod Sec. 2303 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 \$0.⁵⁴~~47~~ per square foot. Residential \$^{3.36}~~2.87~~ per square foot.
 - Park Development fee \$ _____, per unit collected with building permits.
 - Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
 - Acceptable as submitted
 - No comments at this time
- Additional comments: _____

G. FERRERO
 Signature



Site Plan Review Comments For:
 Visalia Fire Department
 Kurtis A. Brown,
 Fire Marshal
 707 W Acequia
 Visalia, CA 93291
 559-713-4261 office
 559-713-4808 fax

ITEM NO: 4 DATE: March 25, 2015
 SITE PLAN NO: SPR15044
 PROJECT TITLE: CHANCES LEARNING CENTER
 DESCRIPTION: RELOCATION OF LEARNING CENTER TO LARGER FACILITY IN EXISTING 2,648 SF BUILDING ON 8,698 SF AREA (CDT ZONED) (AE) (DISTRICT DRD)
 APPLICANT: BLUE CARRIE
 PROP OWNER: J & P WALNUTS LP
 LOCATION: 636 W OAK AVE
 APN(S): 093-183-010

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.*

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.

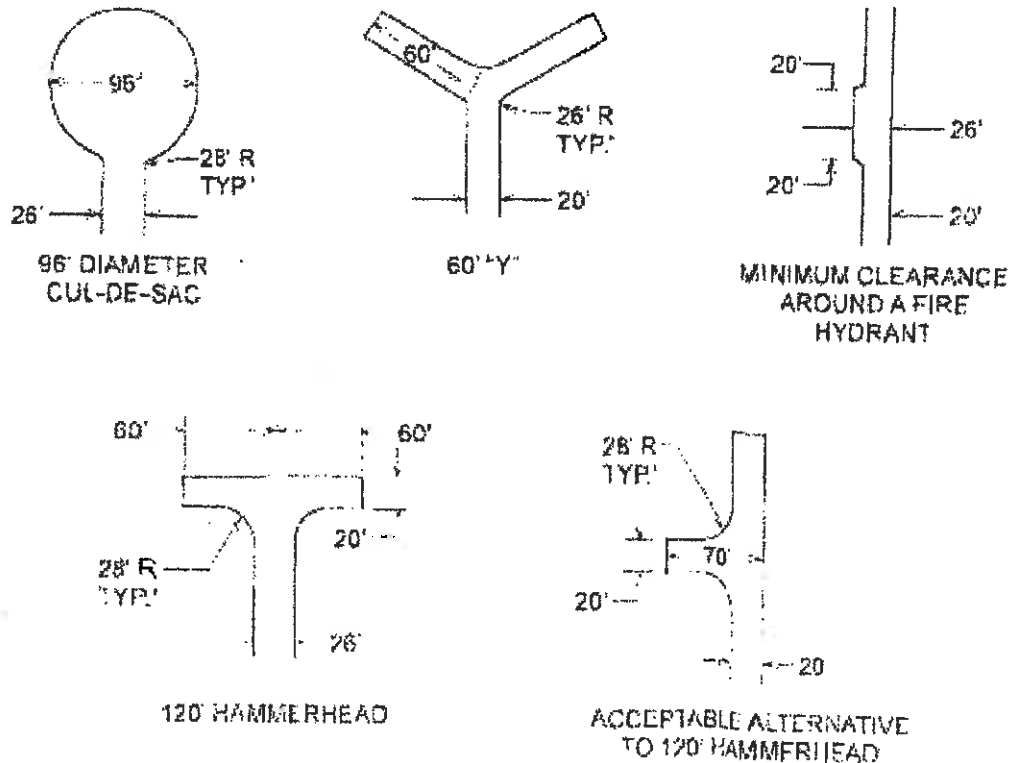
Commercial or industrial developments shall be provided with fire hydrants every three hundred (300) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

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:



Maribel Vasquez
Fire Inspector

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

ITEM NO: 4 DATE: March 25, 2015
SITE PLAN NO: SPR15044
PROJECT TITLE: CHANCES LEARNING CENTER
DESCRIPTION: RELOCATION OF LEARNING CENTER TO LARGER
 FACILITY IN EXISTING 2,648 SF BUILDING ON 8,698
 SF AREA (CDT ZONED) (AE) (DISTRICT DRD)
 BLUE CARRIE
APPLICANT: J & P WALNUTS LP
PROP OWNER: 636 W OAK AVE
LOCATION: 093-183-010
APN(S):

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:

BWINTER L98

QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS

ITEM NO: 4 DATE: March 25, 2015
SITE PLAN NO: SPR15044
PROJECT TITLE: CHANCES LEARNING CENTER
DESCRIPTION: RELOCATION OF LEARNING CENTER TO LARGER
 FACILITY IN EXISTING 2,648 SF BUILDING ON 8,698
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APPLICANT: BLUE CARRIE
PROP OWNER: J & P WALNUTS LP
LOCATION: 636 W OAK AVE
APN(S): 093-183-010

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

3-20-15

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

SITE PLAN NO: SPR15044
PROJECT TITLE: CHANCES LEARNING CENTER
DESCRIPTION: RELOCATION OF LEARNING CENTER TO LARGER FACILITY IN EXISTING 2,648 SF BUILDING ON 8,698 SF AREA (CDT ZONED) (AE) (DISTRICT DRD)
APPLICANT: BLUE CARRIE
PROP OWNER: J & P WALNUTS LP
LOCATION: 636 W OAK AVE
APN(S): 093-183-010

COMMERCIAL BIN SERVICE

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

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

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

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

TYPE OF SERVICE NOT INDICATED.

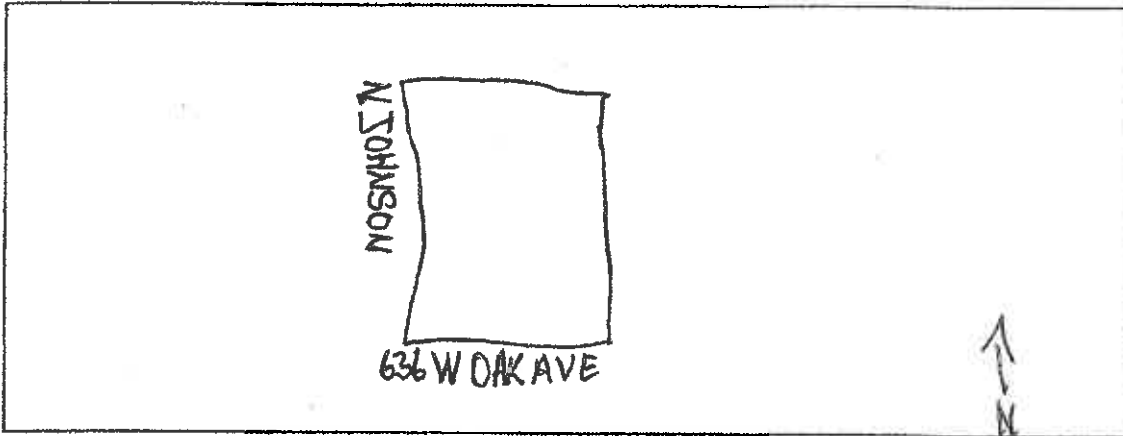
Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

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

Date: 3-23-15

Site Plan Review # 15-044

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

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

March 25, 2015

ITEM NO:	4
SITE PLAN NO:	SPR15044
PROJECT TITLE:	CHANCES LEARNING CENTER
DESCRIPTION:	RELOCATION OF LEARNING CENTER TO LARGER FACILITY IN EXISTING 2,548 SF BUILDING ON 8,698 SF AREA (CJT ZONED) (AC) (DISTRICT DRD)
APPLICANT:	BLUE CARRIE
PROP. OWNER:	J & P WALNUTS LP
LOCATION:	636 W OAK AVE
APN(S):	093-183-010

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

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

Additional Comments:

•



Leslie Blair

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

Jason Huckleberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 4 DATE: MARCH 25, 2015

SITE PLAN NO.: 15-044
PROJECT TITLE: CHANCES LEARNING CENTER
DESCRIPTION: RELOCATION OF LEARNING CENTER TO LRGER FACILITY IN EXISTING 2648 SF BUILDING
APPLICANT: CARRIE BLUE
PROP OWNER: J&P WALNUTS LP
LOCATION: 636 W OAK AVE
APN: 093-183-010

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 Encroachment Tech. at 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

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **15-044**
Date: **3-25-2015**

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.)

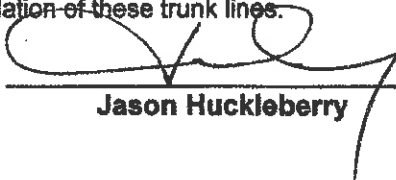
(Fee Schedule Date: **8/15/2014**)
(Project type for fee rates:)

Existing uses may qualify for credits on Development Impact Fees. Office credit

<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	

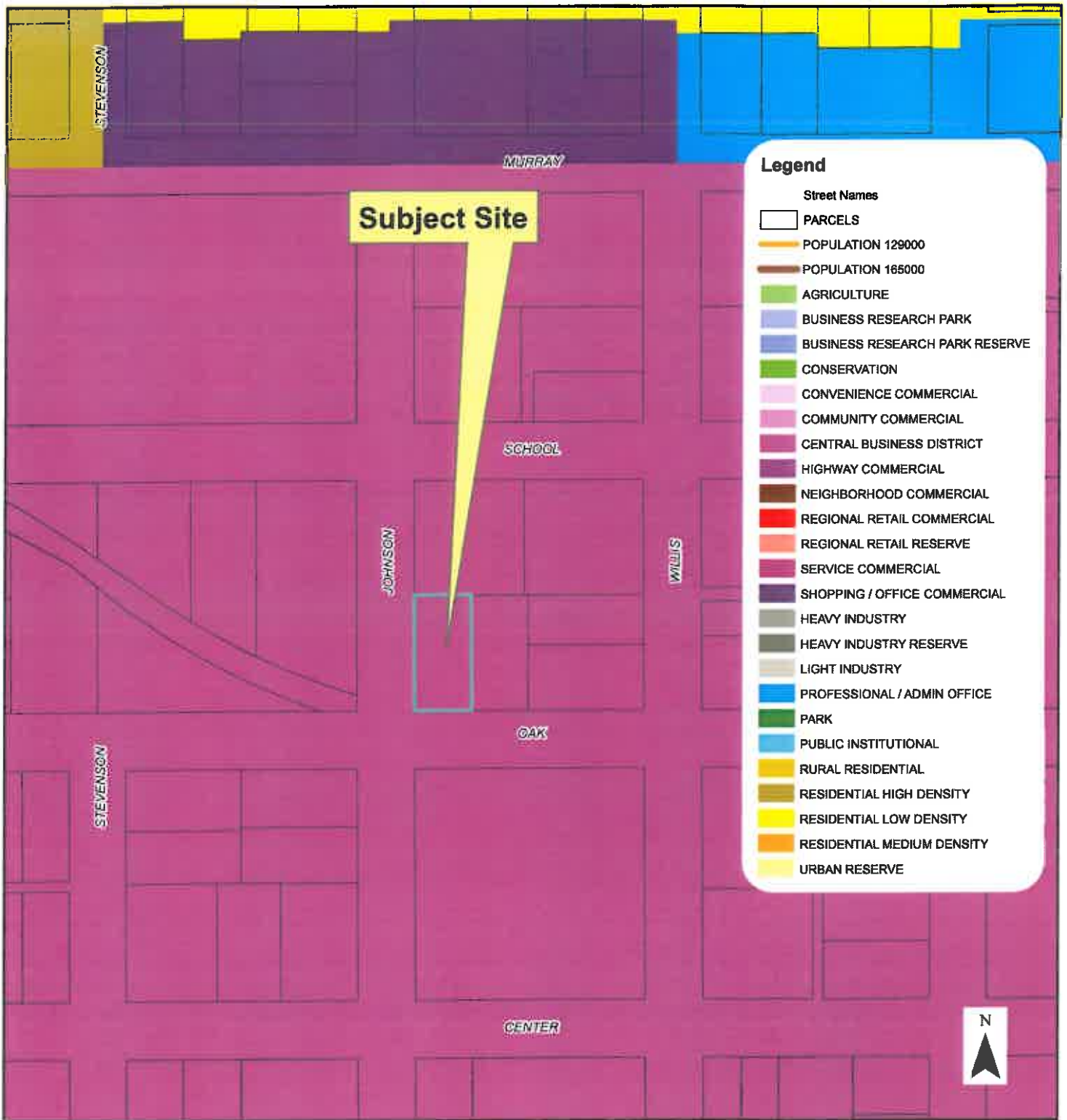
Reimbursement:

- 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

City of Visalia

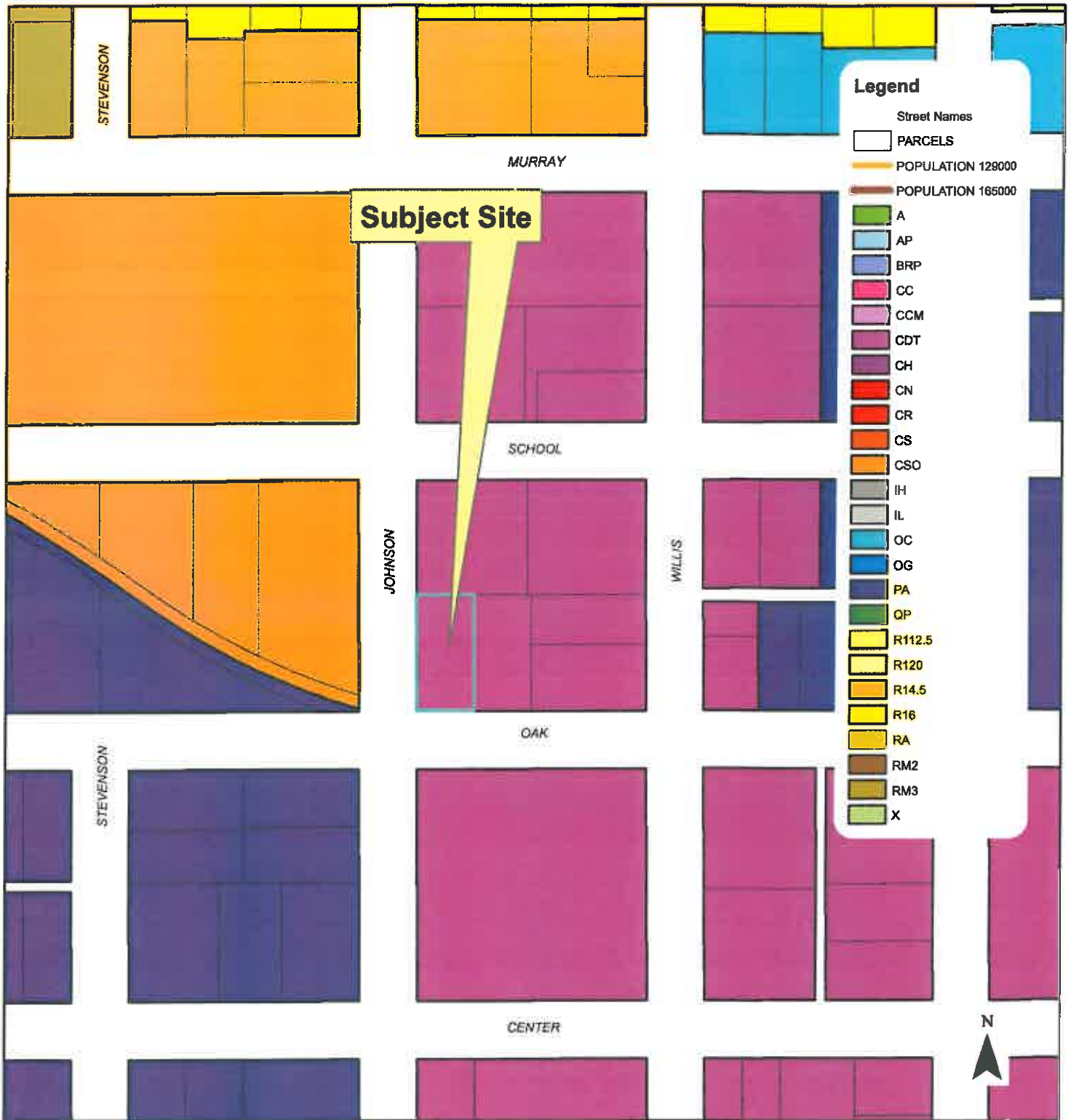


Land Use Designations



CUP No. 2015-12

City of Visalia



Zoning Designations



CUP No. 2015-12

City of Visalia



Aerial Photo

0 35 70 140 210 280 Feet

CUP No. 2015-12

City of Visalia



Aerial Photo

0 5 10 20 30 40 Feet

CUP No. 2015-12



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 27, 2015

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

SUBJECT: Conditional Use Permit No. 2015-13: A request by Milan Institute of Cosmetology to establish a private vocational school in an 8,750 square foot building in the Regional Retail Commercial (C-R) zone. The building is located at 3938 & 3940 South Mooney Boulevard in the Sequoia Plaza Shopping Center (APN: 126-062-073).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2015-13, as conditioned, based upon the findings and conditions in Resolution No. 2015-21. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

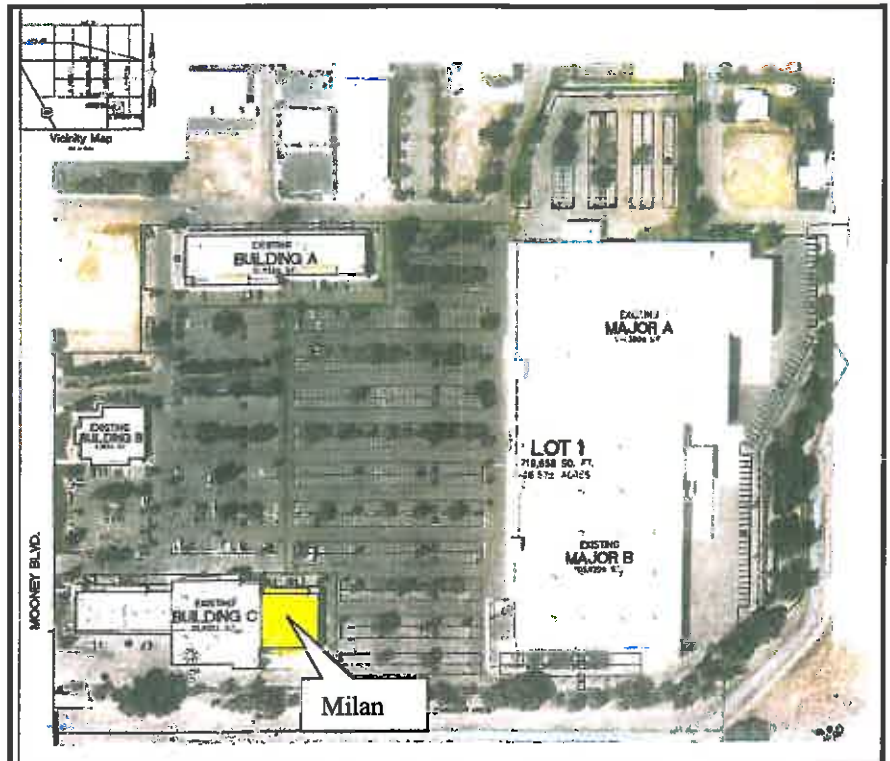
RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2015-13, based on the findings and conditions in Resolution No. 2015-21.

PROJECT DESCRIPTION

Conditional Use Permit No. 2015-13 is a request by Milan Institute to use a vacant retail building formerly occupied by Flooring Liquidators to operate a private vocational cosmetology school (see Exhibit "A"). The 8,750 square foot retail space is part of a linear retail strip commercial building pad located in the Sequoia Plaza Shopping Center. The building is bounded by the shopping center's parking lot to the north and east, and abuts a vacant 39,602 square foot building that was formally occupied by Circuit City.

The school will be the building's sole occupant (see Exhibit "B" floor plan). Exhibit "B" depicts the interior space being utilized for classrooms, offices, manicure and salon learning stations, computer lab and break rooms for both instructors and students.



No additional site changes are being requested for the circulation pattern of the parking field surrounding the building nor is there a request to modify the exterior façade of the existing building.

Vocational schools, along with business and trade schools, are a conditionally-permitted use in the Regional Retail Commercial (C-R) Zone, and require approval of a Conditional Use Permit. Milan Institute of Cosmetology will provide training to students in the field of cosmetology and related disciplines. The operational statement, Exhibit "C", states that the school offers training for individuals to receive their state cosmetology and estheticians licenses. The school will have a total capacity of 59 students. The operating times for the school will be Monday through Saturday 8:00 a.m. to 10:00 p.m. with the schools operating peak hours on Monday through Wednesday from 11:00 a.m. to 3:00 p.m. As stated in the operational statement, the cosmetology school is being relocated from their current location at 3238 South Fairway Street, which is located a quarter mile to the north from their proposed location.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Regional Commercial
Zoning:	C-R (Regional Retail Commercial)
Surrounding Land Use and Zoning:	North: C-R (Regional Retail Commercial) / Sequoia Plaza Shopping Center Parking Lot South: C-R (Regional Retail Commercial) / Sequoia Plaza Shopping Center drive aisle & Packwood Creek Trail East: C-R (Regional Retail Commercial) / Ashely & Burlington Coat Factory West: C-R (Regional Retail Commercial) / Former Circuit City building
Environmental Review:	Categorical Exemption No. 2015-23
Special Districts:	N/A
Site Plan Review No:	2014-188

RELATED PLANS & POLICIES

Conditional Use Permit No. 2009-22, approved by the Planning Commission on April 27, 2009, was a request by the Milan Institute to allow for an after-hours academic education facility in a 22,000 square foot tenant space in the C-SO (Shopping/Office Commercial) zone. The site is located at 6500 South Mooney Boulevard.

PROJECT EVALUATION

Staff recommends approval of the conditional use permit, as conditioned, based on the project's consistency with the Land Use Element Policies of the General Plan and the Zoning Ordinance.

Land Use Compatibility

The Zoning Matrix of Allowed Uses was amended in 2010 to add vocational schools and several other uses as allowed or conditionally allowed in the C-R Zone. Along with vocational schools, other services such as dance and martial arts studios and veterinary clinics were added to the list of allowed uses on the basis that such business would provide a positive impact to the mix of commercial establishments on the Mooney Boulevard corridor.

Staff concludes the request is consistent with the General Plan Parks, Schools, Community Facilities, and Utilities Land Use Policy PSCU-P-39, which states "Promote the location and development of vocational and trade schools and alternative and continuing education programs." The proposed vocational school is consistent in nature and character with existing uses surrounding the project site. The school will be operating in a manner that will not place any adverse impacts on the surrounding businesses consisting of large retail business and restaurants. Operating hours for the school are consistent with the hours of other businesses in the surrounding vicinity. It is anticipated that the increased student and customer traffic the school will generate will provide a positive impact to other businesses along the Mooney Boulevard corridor.

The City of Visalia has always identified the importance of reusing existing buildings rather than developing along the City's fringe. Although the Land Use Element of the General Plan does not specifically identify policies that promote the reuse of vacant facilities, the City encourages this practice because City services are already in place. Likewise, reuse of a vacant building prevents the structure from falling into a dilapidated state, which can become a public nuisance to the surrounding businesses and the community.

Traffic Circulation

The site is bounded by Mooney Boulevard, a designated state highway to the west. The California Department of Transportation (i.e., Caltrans) has finished the Mooney Boulevard widening project. These improvements include three north and south bound travel lanes and a deceleration lane across the Sequoia Plaza Shopping Center street frontage. These improvements are intended to increase the flow of traffic, especially during periods of high volume traffic.

The site location has public transit service from the Visalia Transit fixed-route bus system. The closest transit stops to the building is located approximately 850 feet north of the building on Mooney Boulevard for northbound transit service.

Parking

The building is located within a major shopping center, which is required to have one parking space per 225 square feet of floor area per the Visalia Zoning Ordinance. When the Sequoia Plaza Shopping Center was developed for the former primary anchor tenants (Costco and Homebase Improvement Store), including the secondary building out-pads, parking was established at a ratio of five spaces per 1,000 square feet of building area (one space per 200 sq. ft.). The 8,750 square foot building is assigned 44 parking stalls in addition to the surplus shared parking stalls established for the entire shopping center. The parking ratios developed for the shopping center and based on the number of instructors and students onsite during peak hours, the vocational schools parking demand would be sufficiently met.

Environmental Review

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. 2015-23). Projects determined to meet this classification are characterized as operation, repair, maintenance, or minor alteration of existing structures not expanding existing uses.

RECOMMENDED FINDINGS

1. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance.
2. That the proposed conditional use permit is compatible with adjacent land uses.
3. That the proposed Project is consistent with the Visalia General Plan, and in particular, satisfactorily meets the intent of Policy PSCU-P-39 of the General Plan.
4. That the proposed location of the Conditional Use Permit and the conditions under which it would be built or maintained will not be detrimental to the public health, safety, or welfare nor materially injurious to properties or improvements in the vicinity.
5. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (Categorical Exemption No. 2015-23).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2014-188, incorporated herein by reference
2. That the interior building improvements be developed in substantial compliance with the approved floor plan shown in Exhibit "B", attached herein by reference.
3. That the operation and function of the use be a vocational school, and that the use shall comply with the operational statement contained in Exhibit "C".
4. That all building signs shall require a separate building permit.
5. That all of the conditions and responsibilities of Conditional Use Permit No. 2015-13 06 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-13 prior to the issuance of any building permit for this project.
7. That all other federal and state laws and city codes and ordinances be complied with.

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 or from the City Clerk.

Attachments:

- Related Plans & Policies
- Resolution No. 2015-21
- Exhibit "A" – Site Plan Location of Milan Institute of Cosmetology
- Exhibit "B" – Floor Plan
- Exhibit "C" – Operational Statement
- Categorical Exemption No. 2015-23
- Site Plan Review Comments 2014-188
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RELATED PLANS AND POLICIES

Related Plans & Policies Conditional Use Permits

17.38.010 Purposes and powers

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

17.38.060 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.

17.38.100 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)

RESOLUTION NO. 2015-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2015-13, A REQUEST BY MILAN INSTITUTE OF COSMETOLOGY TO ESTABLISH A PRIVATE VOCATIONAL SCHOOL IN AN 8,750 SQUARE FOOT BUILDING IN THE REGIONAL RETAIL COMMERCIAL (C-R) ZONE. THE BUILDING IS LOCATED AT 3938 & 3940 SOUTH MOONEY BOULEVARD IN THE SEQUOIA PLAZA SHOPPING CENTER (APN: 126-062-073).

WHEREAS, Conditional Use Permit No. 2015-13, is a request by Milan Institute of Cosmetology to establish a private vocational school in an 8,750 square foot building in the Regional Retail Commercial (C-R) zone. The building is located at 3938 & 3940 South Mooney Boulevard in the Sequoia Plaza Shopping Center (APN: 126-062-073); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on April 27, 2015; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2015-13, 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 CUP request to establish a vocational trade school is consistent with the General Plan Parks, Schools, Community Facilities, and Utilities Land Use Policy PSCU-P-39, which states "Promote the location and development of vocational and trade schools and alternative and continuing education programs." The proposed vocational school is consistent in nature and character with existing uses surrounding the project site. The school will be operating in a manner that will not place any adverse impacts on the surrounding businesses consisting of large retail business and restaurants.

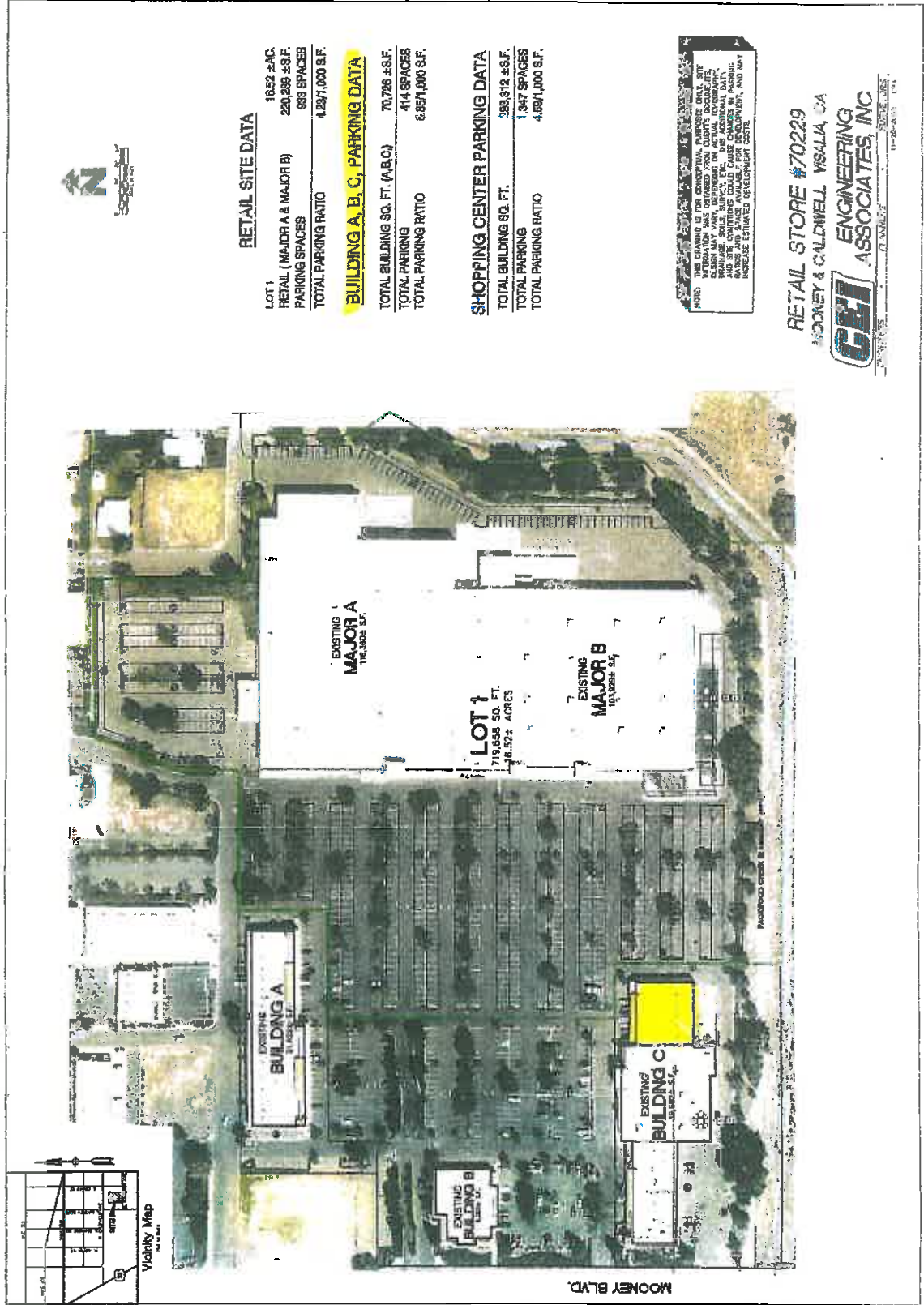
Operating hours for the school are consistent with the hours of other businesses in the surrounding vicinity. It is anticipated that the increased student and customer traffic the school will generate will provide a positive impact to other businesses along the Mooney Boulevard corridor.

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The CUP request to establish a vocational trade school is consistent with the General Plan Parks, Schools, Community Facilities, and Utilities Land Use Policy PSCU-P-39, which states "Promote the location and development of vocational and trade schools and alternative and continuing education programs." The proposed vocational school is consistent in nature and character with existing uses surrounding the project site. The school will be operating in a manner that will not place any adverse impacts on the surrounding businesses consisting of large retail business and restaurants. Operating hours for the school are consistent with the hours of other businesses in the surrounding vicinity. It is anticipated that the increased student and customer traffic the school will generate will provide a positive impact to other businesses along the Mooney Boulevard corridor.
3. That the project is Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (Categorical Exemption No. 2015-23).

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

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2014-188, incorporated herein by reference
2. That the interior building improvements be developed in substantial compliance with the approved floor plan shown in Exhibit "B", attached herein by reference.
3. That the operation and function of the use be a vocational school, and that the use shall comply with the operational statement contained in Exhibit "C".
4. That all building signs shall require a separate building permit.
5. That all of the conditions and responsibilities of Conditional Use Permit No. 2015-13 06 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-13 prior to the issuance of any building permit for this project.
7. That all other federal and state laws and city codes and ordinances be complied with.

Exhibit "A"



RETAIL SITE DATA

LOT 1 16.52 ± AC.
 RETAIL (MAJOR A & MAJOR B) 220,289 ± SF.
 PARKING SPACES 893 SPACES
 TOTAL PARKING RATIO 4.82/1,000 S.F.

BUILDING A, B, C, PARKING DATA

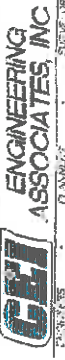
TOTAL BUILDING SQ. FT. (A,B,C) 70,726 ± S.F.
 TOTAL PARKING 414 SPACES
 TOTAL PARKING RATIO 5.85/1,000 S.F.

SHOPPING CENTER PARKING DATA

TOTAL BUILDING SQ. FT. 388,812 ± S.F.
 TOTAL PARKING 1,347 SPACES
 TOTAL PARKING RATIO 4.68/1,000 S.F.

NOTE: THE CHANGES TO THE ORIGINAL PLAN AND THE INFORMATION WAS OBTAINED FROM CLIENT'S DOCUMENTS. THE CLIENT'S REPRESENTATIVE HAS REPRESENTED THAT THE CHANGES AND SITE CONDITIONS DO NOT CAUSE CHANGES IN PARKING REQUIREMENTS, DEVELOPMENT COSTS, OR ANY OTHER INCREASE ESTIMATED DEVELOPMENT COSTS.

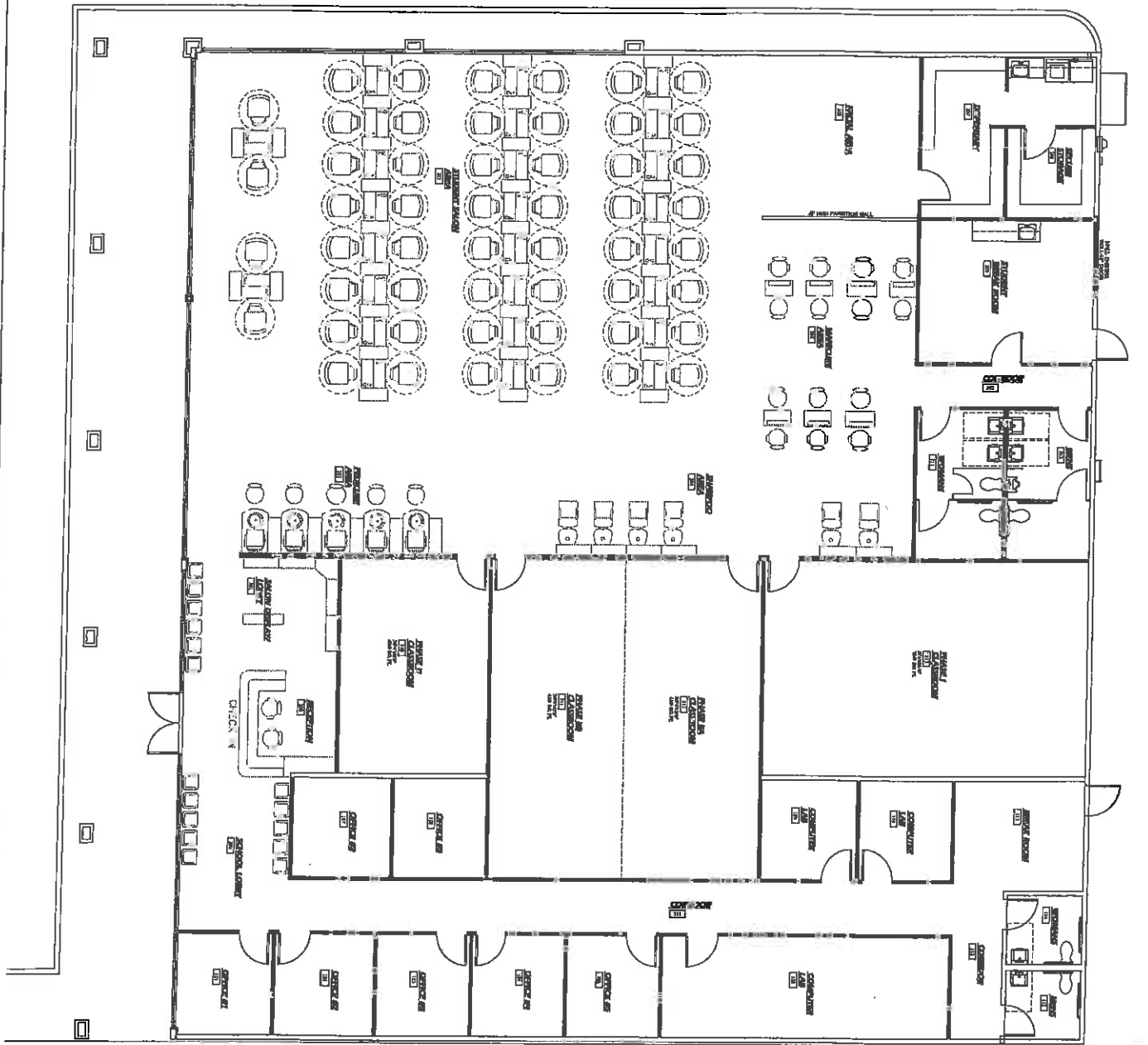
RETAIL STORE #70229
 MOONEY & CALDWELL, VISALIA, CA



CEI ENGINEERING ASSOCIATES, INC.
 1150 WEST 1ST STREET
 VISALIA, CALIFORNIA 93277

FLOOR PLAN

Exhibit "B"



100K

100K

PRELIMINARY
 DRAWINGS SUBMITTED FOR
 REVIEW ONLY
 DATE: 11/25/14

SHEET **AZ.1**
 OF

DATE
 DRAWN R.A.M.
 JOB NO.



Jason M. Sott P.E.
 1001 North DeSoto, Suite 7
 Vista, CA 92081
 Office 659.746.1098
 Fax 659.746.2255
 jms@jttiseng.com

FLOOR PLAN AND NOTES
 A NEW TENANT IMPROVEMENT FOR
MILAN INSTITUTE (SEQUOIA PLAZA)
 PROJECT ADDRESS: 4974 GA-CAS-011
 6960 KAREN MCKENY BLVD. WILMINGTON, CA 95770-8018

NO.	REVISION



Corporate Office
1720 West Walnut Avenue
Visalia, CA 93277
(559) 735-3818
Fax: (559) 733-4553

City of Visalia – Planning Commission
315 E Acequia Ave
Visalia, CA 93277

RE: CUP – Statement of Operations

March 31, 2015

To Whom It May Concern;

Milan Institute of Cosmetology would like to request approval of a Conditional Use Permit for our new prospective cosmetology location of 3938 & 3940 S Mooney Blvd, Visalia, CA 93277.

Milan Institute and Milan Institute of Cosmetology is a private postsecondary educational institution which provides certificate programs for occupation in the cosmetology and allied health industries. We have been in business and serving the community of Visalia since 1985. We have 2 locations in Visalia.

As a school dedicated to providing education in various career fields, we also work with local agencies to help better our local communities through multiple charitable fund raising activities. Milan Institute proudly works hand-in-hand with local community organizations, including but not limited to the Workforce Investment Act offices, Vocational Rehabilitation offices, and Veterans' Affairs offices. This cosmetology campus, which is moving from one Visalia location to another, employs more than 15 local persons and has a campus population of approximately 59 students.

Our operating hours are Monday to Saturday from 8 AM to 10 PM. Our peak operating hours are Monday to Wednesday between the hours of 11 AM to 3 PM. These peak hours will in no way effect current local peak traffic hours on S Mooney Blvd.

Please use your best judgment for the benefit of your employed and student constituents. We thank you in advance for any consideration you may provide to our request.

Best regards,

A handwritten signature in black ink, appearing to read "Shahrooz", written over a horizontal line.

Shahrooz Roohparvar, MBA
Chief Financial Officer

Direct: (559) 738-7777
SRoohparvar@MilanInstitute.edu

NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

Conditional Use Permit No. 2015-13

PROJECT TITLE

The building is located in the Sequoia Plaza Shopping Center at 3938 & 3940 South Mooney Boulevard (APN: 126-062-073).

PROJECT LOCATION - SPECIFIC

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

A request to allow a vocational school for cosmetology and esthetician training to locate in an existing 8,750 square foot building in the Regional Retail Commercial (C-R) Zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia

NAME OF PUBLIC AGENCY APPROVING PROJECT

Milan Institute of Cosmetology, 1720 W. Walnut Ave., Visalia, CA 93277

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Milan Institute of Cosmetology, 1720 W. Walnut Ave., Visalia, CA 93277

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15073
 Emergency Project - Section 15071
 Categorical Exemption - Section 15301
 Statutory Exemptions- State code number:

The project is a change in use for a building that will entail minor alterations of the existing structure on the site.

REASON FOR PROJECT EXEMPTION

Paul Bernal, Principal Planner
CONTACT PERSON

(559) 713-4025

AREA CODE/PHONE

April 27, 2013

DATE

Paul Scheibel, AICP

ENVIRONMENTAL COORDINATOR



MEETING DATE 12/17/2014
SITE PLAN NO. 14-188
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

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

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

REVISE AND PROCEED (see below)

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

ADDITIONAL COMMENTS Minor Conditional Use Permit

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



Site Plan Review Committee

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

December 17, 2014

ITEM NO:	2
SITE PLAN NO:	SPR14100
PROJECT TITLE:	MILAN INSTITUTE OF COSMETOLOGY
DESCRIPTION:	COSMETOLOGY SCHOOL IN EXISTING 6,750 SF BUILDING ON 3.5 ACRES (OR ZONED) (C) (DISTRICT A)
APPLICANT:	ROOHPARVAR SHAHROOZ
PROP. OWNER:	RETAIL EQUITIES LLC
LOCATION:	3900 E MOONEY BLVD
APN(S):	125-002-079

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

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: December 17, 2014

SITE PLAN NO: 2014-188
PROJECT TITLE: MILAN INSTITUTE OF COSMETOLOGY
DESCRIPTION: COSMETOLOGY SCHOOL IN EXISTING 8,750 SF BUILDING ON 3.5
ACRES (CR ZONED) (X) (DISTRICT A)
APPLICANT: ROOHPARVAR SHAHROOZ
PROP. OWNER: RETAIL EQUITIES LLC
LOCATION TITLE: 3938 S MOONEY BLVD
APN TITLE: 126-062-073
GENERAL PLAN: CR (Regional Retail Commercial)
EXISTING ZONING: CR (Regional Retail Commercial)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Minor Conditional Use Permit
- Detailed site plan/floor plan
- Additional Information as needed

PROJECT SPECIFIC INFORMATION: 12/17/2014

1. A Minor Conditional Use Permit is required for a "Specialized School" in the C-R zone (see Zone Matrix Line No. 388 of the Zoning Ordinance).
2. Provide a detailed floor plan with the CUP application submittal detailing how the entire space of the building will be utilized by the proposed use. Depict classrooms, offices, work areas, etc.
3. Provide a detailed operational statement identifying hours of operation, number of days classes are offered, number of students, number of instructors/employees, etc.
4. The building is eligible for "building signage" per the Design District "A" sign requirements (see below). This building is part of a unified shopping center. Monument signage has been already allocated to Walmart and Burlington Coat Factory. Staff has been in contact with the property owners to discuss a sign program for the Sierra Plaza Shopping Center, which may help in resolving monument sign issues for the large building pads.

CITY GENERAL PLAN CONSISTENCY

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

Design District: "A" (See Chapter 17.24 For BRP Zoned Sites) [17.30.160]

Maximum Building Height: 50 Feet

Minimum Setbacks:

	Building	Landscaping
➤ 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

Signage: [see Zoning Ordinance Section 17.48]

1. All signs require a building permit.
2. The following regulations apply to uses in Design Districts A:

Signs Permitted

- a. Building signs as specified in Section 17.48.070(A)(2);
- b. One pedestrian oriented sign per occupancy;
- c. One freestanding sign per commercial site/shopping center.

Building Signs

- a. Permitted Sign Area. Two square feet of sign area is permitted for each foot of linear occupancy frontage to a maximum area of one hundred fifty (150) square feet. A building sign may not exceed the height of the roof line or parapet wall upon which it is mounted. Building signs may not exceed eighty (80) percent of the surface upon which it is mounted.
- b. Users may choose which exterior side of the building will be used for the purpose of calculating the permitted sign area. The building signs, however, shall be mounted on the building used to calculate the permitted sign area.
- c. Additional signs of a maximum twenty-five (25) percent of the sign area as calculated in Section 17.48.080(A)(2)(b) shall be allowed for each remaining exterior wall provided that the sign area for any given wall does not exceed two square feet per linear foot of the wall length.
- d. Commercial buildings which occupy the entire depth of a city block shall be eligible to apply for signing on each of the street exposures.
- e. Commercial buildings which have alley access shall be eligible to apply for signing on both the street and the alley frontages.
- f. Building signs shall be mounted flush against or be oriented parallel to the wall of the structure on which it is located. No part of the sign shall extend more than eighteen inches (18) from the surface of the structure except in those cases as specified in Section 17.48.040(C).
- g. Signs may be mounted on a mansard or angled roof. The sign shall not, however, extend higher than the peak of the roof.
- h. 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 walls; provided, that the total sign area does not exceed that as calculated for the occupancy frontage or that the sign area on any exterior wall does not exceed two square feet per one foot of linear occupancy frontage.
- i. Each building of shopping center may display a reader board of a maximum area of twenty (20) square feet indicating the name, address and type of business or 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 may be calculated, the sign area used for the reader board shall be deducted from the total permitted for that occupancy.

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

Freestanding Sign

- a. Each commercial site, excluding highway commercial uses along Highway 198 and Highway 99 is permitted one double-faced freestanding sign, not exceeding an area of thirty-five (35) square feet of sign copy per face. The total area of the aggregate surface of the sign face and the sign structure, as viewed from one side, may not exceed seventy square feet. The freestanding sign shall not exceed a height of ten feet.
- b. The total area of the sign faces of a multi-sided freestanding sign shall not exceed seventy (70) square feet, and the total area of the aggregate surface of the sign faces and the sign structure shall not exceed one hundred forty (140) square feet.
- c. Freestanding signs may be located within the required setback areas without the required variance procedure as long as all parts of the freestanding sign are located more than five feet from the front property line and public or private right-of-way line, except in design districts E and D in which signs may be located up to the property line upon approval of the planning department.
- d. A freestanding sign shall be set back a minimum of twenty (20) feet from any interior side property line. Encroachment into the twenty (20) foot setback may be approved by the planning department where the location of existing improvements presents a functional hardship to compliance with the required setback.
- e. Highway commercial uses along Highway 198 and Highway 99 are permitted one double-faced freestanding sign per commercial site not exceeding a sign area of seventy (70) square feet per face or a height of twenty (20) feet.
- f. Freestanding signs ten feet or less in height shall be mounted on a base, the width of which is not less than fifty (50) percent of the width of the widest part of the sign.

Pedestrian Oriented Signs

3. Each occupancy is permitted one double-faced pedestrian oriented sign which does not exceed three square feet per face nor a height of twelve (12) feet.

Parking:


1. Colleges; business and professional schools and colleges; trade schools: one parking space for each employee plus ten parking spaces for each classroom (see Zoning Ordinance Section 17.34.020).
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. It is highly recommended that bicycle rack(s) be provided on site plan.

Landscaping:

1. Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

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

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments.

Signature  _____

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
- Adrian Rubalcaba 713-4271

ITEM NO: 2 DATE: DECEMBER 17, 2014

SITE PLAN NO.: 14-188
PROJECT TITLE: MILAN INSTITUTE OF COSMETOLOGY
DESCRIPTION: COSMETOLOGY SCHOOL IN EXISTING 8,750 SF BUILDING ON 3.5 ACRES (CR ZONED) (X) (DISTRICT A)
APPLICANT: ROOHPARVAR SHAHROOZ
PROP OWNER: RETAIL EQUITIES LLC
LOCATION: 3938 S MOONEY BLVD
APN: 126-062-073

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. Existing accessible stalls may require modifications to comply with current ADA standards. Tenant improvement permit shall address ADA compliance.

2. Building permit plan check and inspection fees apply.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 14-188
Date: 12/17/2014

**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.)**

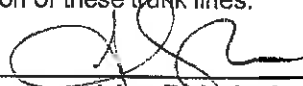
(Fee Schedule Date:8/15/2014)
(Project type for fee rates:SCHOOL)

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

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input 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 checked="" type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<input checked="" type="checkbox"/> Parking In-Lieu	

Reimbursement:

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



Adrian Rubalcaba



Site Plan Review Comments For:

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

ITEM NO: 2

DATE: December 17, 2014

SITE PLAN NO:

SPR14188

PROJECT TITLE:

MILAN INSTITUTE OF COSMETOLOGY

DESCRIPTION:

COSMETOLOGY SCHOOL IN EXISTING 8,750 SF BUILDING ON 3.5 ACRES (CR ZONED) (X) (DISTRICT A)

APPLICANT:

ROOHPARVAR SHAHROOZ

PROP OWNER:

RETAIL EQUITIES LLC

LOCATION:

3938 S MOONEY BLVD

APN(S):

126-062-073

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.*

- 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.

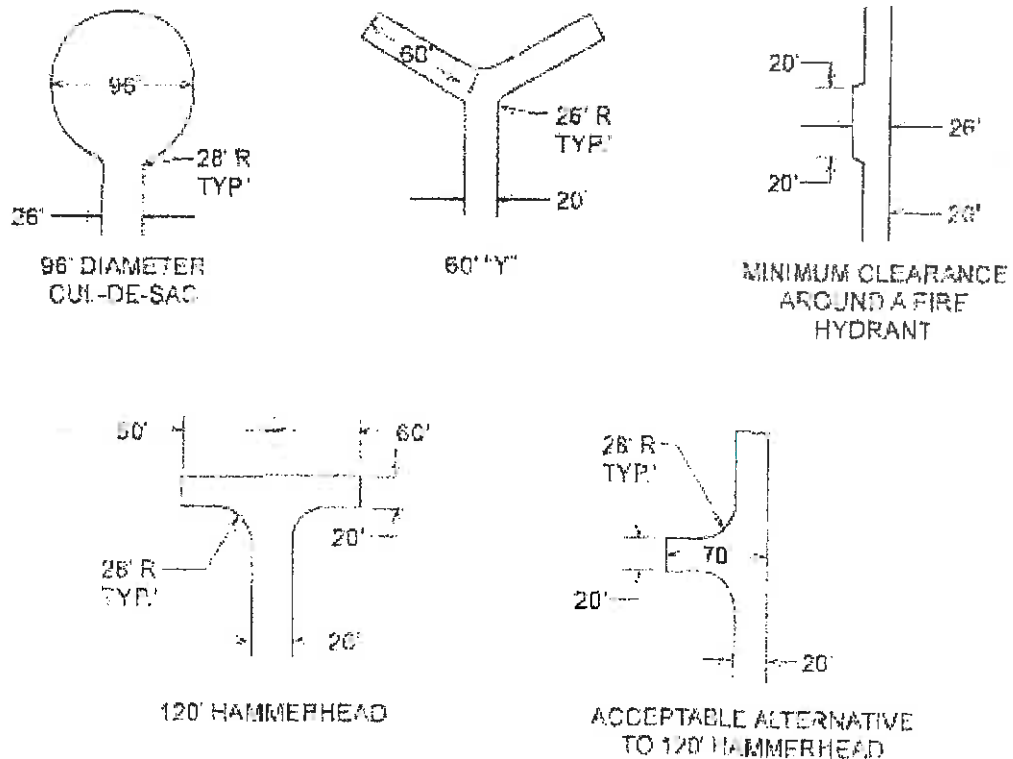


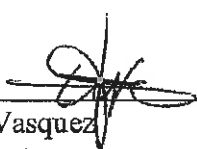
FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

- 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:



Maribel Vasquez
Fire Inspector

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

ITEM NO: 2 DATE: December 17, 2014
SITE PLAN NO: **SPR14188**
PROJECT TITLE: **MILAN INSTITUTE OF COSMETOLOGY**
DESCRIPTION: **COSMETOLOGY SCHOOL IN EXISTING 8,750 SF BUILDING ON 3.5 ACRES (CR ZONED) (X) (DISTRICT A)**

APPLICANT: **ROOHPARVAR SHAHROOZ**
PROP OWNER: **RETAIL EQUITIES LLC**
LOCATION: **3938 S MOONEY BLVD**
APN(S): **126-062-073**

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:
BEWINTER 190

**QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS**

ITEM NO: 2	DATE: <u>December 17, 2014</u>
SITE PLAN NO:	SPR14188
PROJECT TITLE:	MILAN INSTITUTE OF COSMETOLOGY
DESCRIPTION:	COSMETOLOGY SCHOOL IN EXISTING 8,750 SF BUILDING ON 3.5 ACRES (CR ZONED) (X) (DISTRICT A)
APPLICANT:	ROOHPARVAR SHAHROOZ
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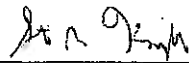
YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

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 - $\frac{3}{4}$ 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

12-16-14

DATE

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

COMMERCIAL BIN SERVICE

PERM NO. 2
DATE RECEIVED 11/20/14
SITE PLAN NO: SPR14188
PROJECT TITLE: MILAN INSTITUTE OF COSMETOLOGY
DESCRIPTION: COSMETOLOGY SCHOOL IN EXISTING 8,750 SF BUILDING ON 3.5 ACRES (CR ZONED) (X) (DISTRICT A)
APPLICANT: ROOHPARVAR SHAHROOZ
PROP OWNER: RETAIL EQUITIES LLC
LOCATION: 3938 S MOONEY BLVD
APN(S): 126-062-073

- 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 on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

X

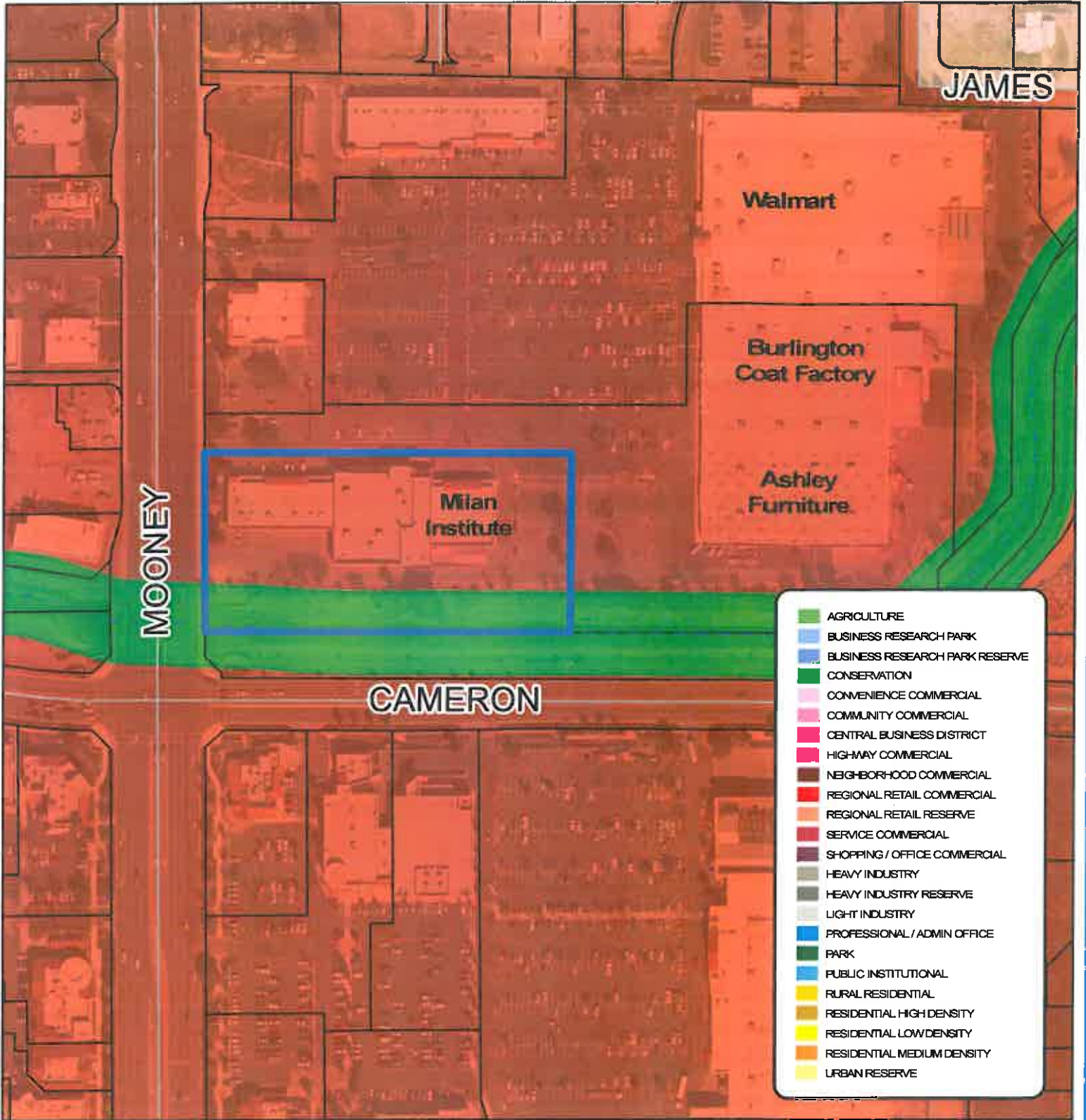
Bin enclosure gates must open 180 degrees and also hinges must be mounted in front of post see page 2 for instructions

EXISTING REFUSE ENCLOSURE OK.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

Conditional Use Permit No. 2015-13

APN: 126-062-073



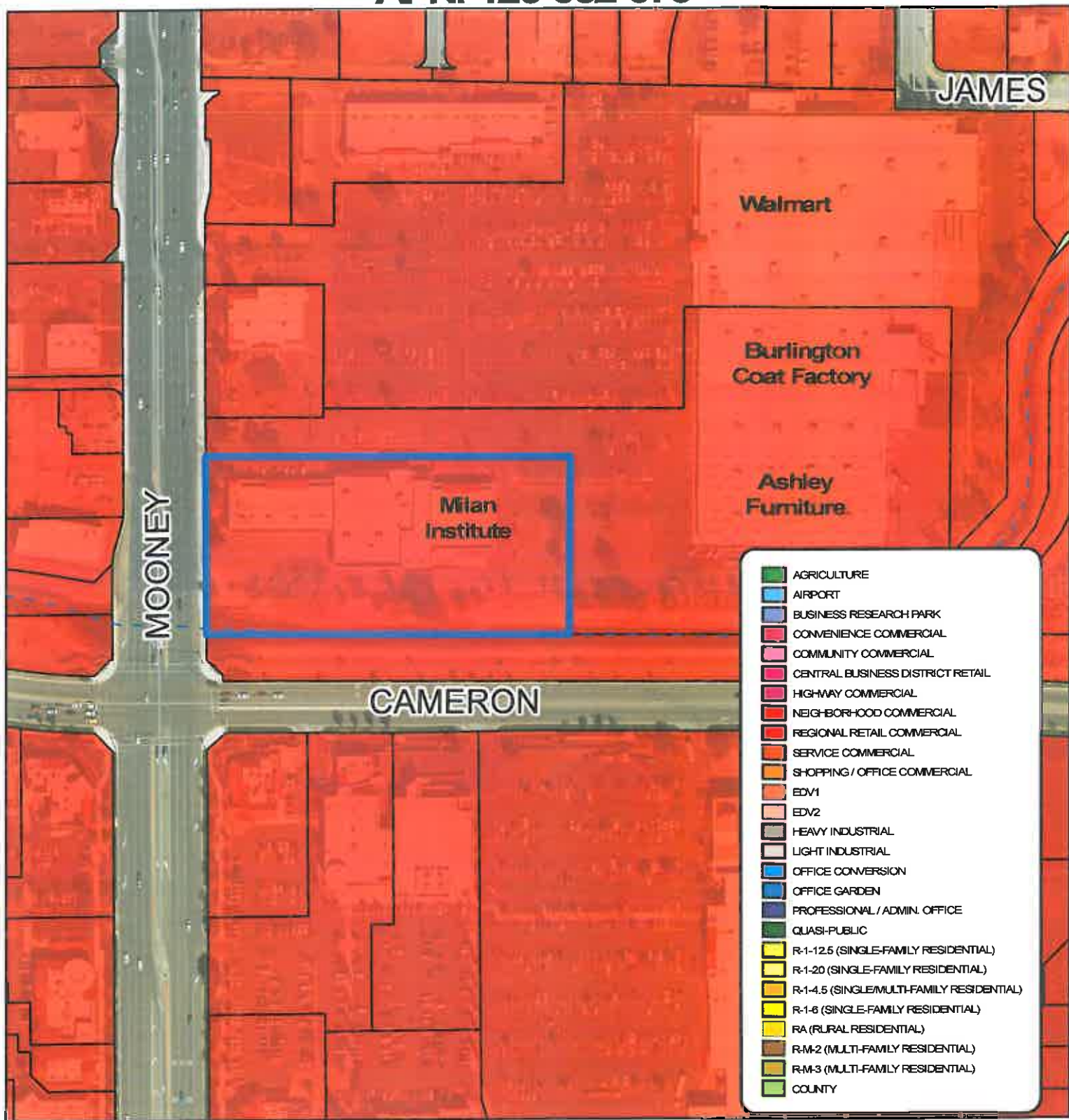
General Plan Land Use Map

10050 0 100 200 Feet



Conditional Use Permit No. 2015-13

APN: 126-062-073



Zoning Map

10050 0 100 200 Feet



Conditional Use Permit No. 2015-13

APN: 126-062-073



Aerial Map

10050 0 100 200 Feet



Conditional Use Permit No. 2015-13

APN: 126-062-073

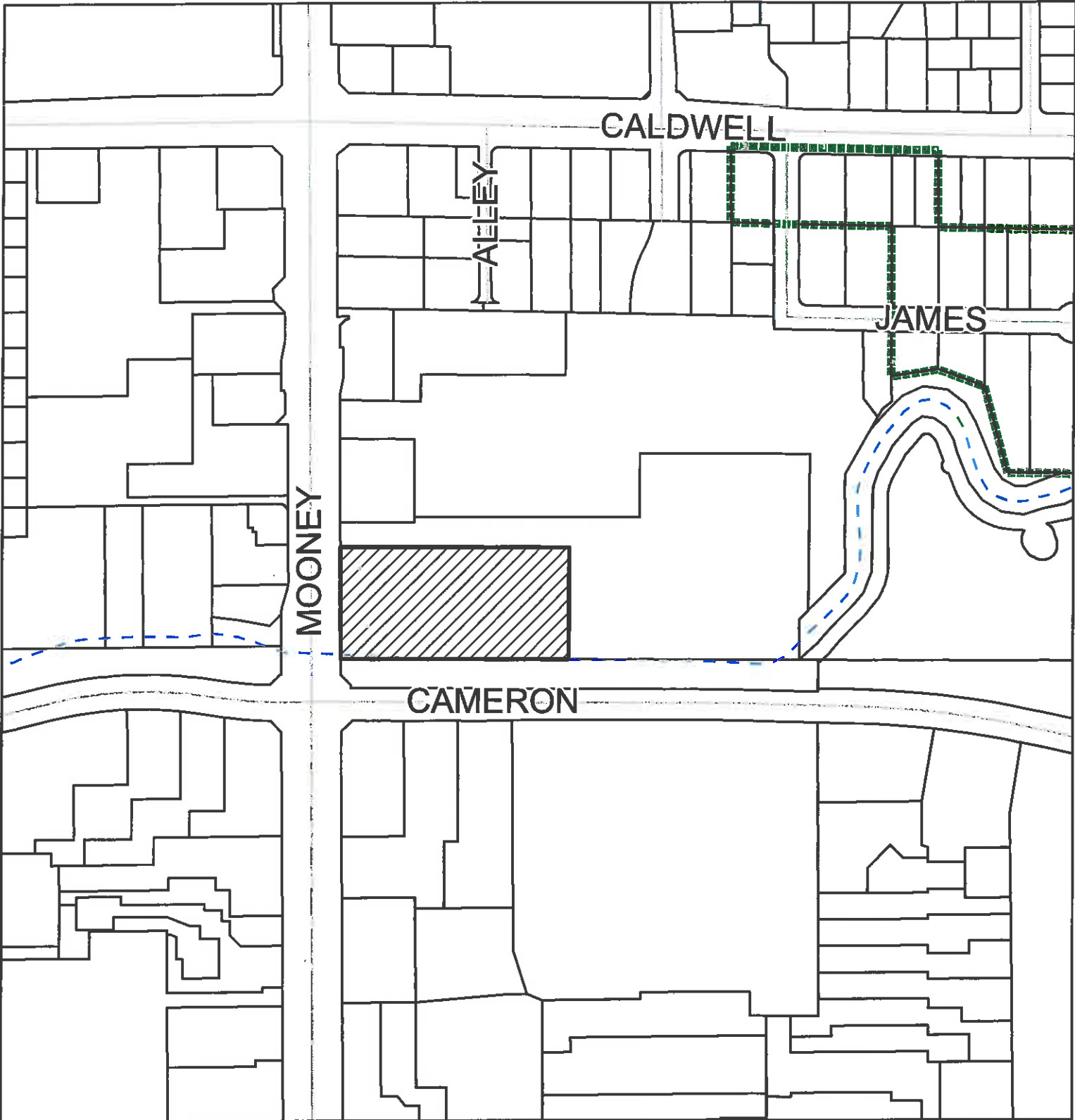


Aerial Map



Conditional Use Permit No. 2015-13

APN: 126-062-073



Vicinity Map





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 27, 2015

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

SUBJECT: Conditional Use Permit No. 2015-09: a request by Joseph and Maria Silveira for an amendment to Conditional Use Permit No. 2005-27, to construct an 11-unit addition to a senior citizen residential development on one acre in the R-1-6 (Single-Family Residential 6,000 square feet minimum site area) Zone. The site is located at 2106 S. Garden Street, on the east side of Garden Street 300 feet south of Walnut Avenue. (APN: 123-063-032)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2015-09, as conditioned, based upon the findings and conditions in Resolution No. 2015-18. Staff's recommendation is based on the conclusion that the request is consistent with the City General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2015-09 based on the findings and conditions in Resolution No. 2015-18.

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to allow development of 11 new dwelling units as part of an existing senior citizen residential development in the R-1-6 zone. As illustrated in Exhibit "A", the dwelling units will consist of five duplex structures and one single-family residence ranging in size from 709 to 957 square feet. The units will be incorporated into an existing planned residential development that consists of 10 senior housing units and a private cul-de-sac drive (Harter Court). The private drive will provide the sole vehicular access to the dwelling units, except for one unit which will face and have vehicular access from Garden Street. A new gated entry, illustrated in Exhibit "C", will be incorporated into the private street.

The project is affiliated with the existing Casa Grande senior care facility on Walnut Avenue between Garden and Santa Fe but will be operated independently. The existing planned residential development on Garden Street was approved by CUP in 1990. Two Conditional Use Permits were approved to develop the project site but were not acted upon - a 24 unit addition as CUP No. 2005-27 and a 10 unit addition as CUP No. 2011-07.

As described in the operational statement attached as Exhibit "D", there will be eight units consisting of one bedroom / one bath and three units consisting of two bedrooms / one bath. There will be single-car garages attached to each unit as well as 14 additional uncovered parking spaces to serve the entire planned residential development. The floor plans and exterior architecture will be similar to those with the existing dwelling units on the south side of the private drive, which are also comprised of single and duplex units.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Medium Density Residential
Zoning:	R-1-6 (Single-Family Residential, 6,000 sq. ft. minimum lot size)
Surrounding Zoning and Land Use	North: R-1-6/ Casa Grande senior care facility South: R-1-6 / Senior housing units East: R-1-6 / Santa Fe Trail, Santa Fe Street, mobile home park West: R-1-6 / Single-family residences
Environmental Review:	Categorical Exemption No. 2015-20
Special Districts:	N/A
Site Plan:	2015-015

RELATED PLANS & POLICIES

See separate Municipal Ordinance chapters pertaining to Conditional Use Permits.

RELATED PROJECTS

Conditional Use Permit No. 90-35, a request for a planned residential development consisting of ten senior citizen cottages, was approved by the City Council on March 4, 1991. This project was developed south of the project site. It will share the project's parcel and private drive.

Conditional Use Permit No. 2005-27, a request to allow an addition to the planned residential development consisting of 24 units, was approved by the Planning Commission on August 8, 2005, and ultimately lapsed. This project was proposed on the project site and consisted of two-story units with residences on the first and second floors.

Conditional Use Permit No. 2011-07, a request to allow an addition to the planned residential development consisting of 11 units, was approved by the Planning Commission on April 25, 2011, and ultimately lapsed. This project was proposed on the project site and consisted of a nearly identical site plan.

PROJECT EVALUATION

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

Land Use Compatibility / Density

The site is zoned R-1-6 (Single-family residential). Residential development designed for seniors is a conditional use in the R-1-6 zone per Visalia Municipal Code Section 17.12.040.J. As part of the Conditional Use Permit review process, setbacks and densities are evaluated for this type of residential development to ensure compatibility with surrounding land uses.

The site, together with property to the north and south containing the developed senior citizen housing, is designated Residential Medium Density on the General Plan Land Use Diagram. This land use designation provides for a density range of 10 to 15 dwelling units per acre. The

addition of the proposed 11 units on the site, along with the 10 units existing on the south side of the private drive, will yield an overall density of 11 units per acre.

This project meets the density requirements as established by the Residential Medium Density land use designation in the current Land Use Element (reference Policy LU-P-56) and helps support the City's policy to facilitate high-quality building and site design for multi-family developments without compromising good site design and compatibility (reference Policy LU-P-52). Although the site is zoned R-1-6 which supports a density of 2 to 10 units/acre, the restricted use of the site as senior citizen housing and the site design consisting of one-story single and duplex units ensure compatibility with the purpose and intent of the zone and with surrounding uses.

The project represents a planned residential development with extra detail given toward its interface with the surrounding single-family residential neighborhood. It has been designed so that the proposed dwelling unit closest to Garden Street and the existing unit south of it are single-family residences intentionally designed to maintain a single-family residential compatible streetscape along Garden Avenue.

Phasing

The project is planned to be completed in six phases, with the first phase being the easterly duplex and subsequent phases progressing westerly towards Garden Street. Phasing lines are marked in dashed lines on the site plan (Exhibit "A"). Per the Engineering Division Site Plan Review comments, the first phase will require the existing drive approach to be replaced with a current City standard drive approach and sidewalk to be constructed across the Garden Street frontage.

Setbacks

The entire development will be on a single parcel that includes a private street and the proposed dwelling units on the north side of the street. The front of the parcel faces Garden Street and the rear of the parcel faces the Santa Fe Trail. The site as a whole conforms to the minimum building setbacks from property lines in the R-1-6 zone – minimum 15 to 22 feet from the front adjacent to Garden Street, 5 feet from the sides, and 25 feet from the rear.

Staff is recommending a set of minimum building setbacks to be applied to the dwelling units within the planned residential development as Condition of Approval No. 7. The proposed minimum setbacks, which closely follow the standard R-1-6 setbacks, are:

- 15 feet to living space and 22 feet to face of garage measured from the private street's ultimate edge of paving,
- 10 feet between buildings, and
- Five feet in the rear (side property line, located north of/behind the dwelling units).

The proposed building setbacks are met in the site plan submitted by the applicant.

Street Improvements

Ingress and egress to the site will be from Garden Street. The private street will be constructed to its full width in phases as each structure is developed. As part of the Phase III improvements a new drive approach will be constructed directly north of the existing drive approach to accommodate a stub to the new trash enclosure. The private street entry will be further reconfigured with the addition of a landscape island with entry control pad and widened pavement to accommodate turn-around movements in front of the electric gate. The applicant

will be required to upgrade the existing drive approach to City standards with the first phase of development.

Parking

The parking requirement for senior citizen housing developments is one parking stall per unit. This requirement is being fulfilled with the attached single-car garages to be constructed with each unit. All garages will be set back at least 22 feet from the private street to accommodate an extra parking space on the driveway. Also there will be an additional 14 off-street parking stalls developed between the units' driveways for use by all units within the development.

Walls / Fences

The site has an existing block wall along the north property line, and will be required to construct a new block wall along the east property line adjoining the Santa Fe multi-purpose trail. The entry gate will be fabricated with wrought iron.

Each of the dwelling's rear yards, shown on the plan with setbacks as little as 17 feet, is proposed to be enclosed by six-foot wooden fences with access gates on the sides of the units. Staff is recommending in Condition of Approval No. 6 that all of the project's landscaping, including the landscaping in the enclosed rear yards, shall be commonly maintained.

Trash Enclosure – Trash & Green Waste

The existing portion of the planned residential development is currently serviced by residential roll-out containers on the private street. The proposed project will include the installation of a City standard R-2 trash enclosure next to the front entry, which will eliminate the roll-out container service for existing units on the street. The permanent trash enclosure is preferred as it will avert placing a large concentration of roll-out containers on a private street below the standard width for public streets.

Environmental Review

This project is considered Categorical Exempt under Section 15332 (Class 32) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) as an in-fill development project (Categorical Exemption No. 2015-20).

Projects determined to meet this classification consist of in-fill development meeting a series of conditions, including consistency with applicable General Plan policies and Zoning regulations, no more than five acres, ability to be adequately served by existing utilities and infrastructure, the site having no value as habitat for threatened, rare, or endangered species, and not resulting in any significant environmental effects.

RECOMMENDED FINDINGS

1. That the proposed project, as conditioned, 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 CUP 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 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 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2015-20).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2015-015.
2. That the addition to the planned residential development be prepared in substantial compliance with the site plan shown in Exhibit "A" and floor plans and elevations shown in Exhibit "B".
3. That the entry gate shall be in substantial compliance with the elevation shown in Exhibit "C".
4. That the site be operated in substantial compliance with the operational statement shown in Exhibit "D".
5. That the applicant enter into a covenant designating these units as senior (age 55 or older) residential units, and that said covenant is to be recorded with the title of the property prior to the issuance of any building permits.
6. That all landscaping, including the landscaping in the private back yard areas, shall be commonly maintained.
7. That the following minimum building setbacks shall be applied to the project:
 - Front (Garden Street right-of-way and Harter Court ultimate edge of paving): 15 feet to living space and 22 feet to face of garage
 - Side (north side of parcel / rear side of the residences): 5 feet
 - Rear (east side of parcel adjacent to Santa Fe Trail): 25 feet
 - Distance between buildings: 10 feet
8. That a 6'-8" high block wall be constructed along the east side of the site.
9. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance (MWELo), shall be included in the construction document plans submitted for either grading or building construction permits. Prior to the project receiving final approved permits, a signed Certificate of Compliance stating that the project meets MWELo standards shall be submitted to the City.
10. That the exterior of the buildings and garages as well as all parking surfaces be illuminated during hours of darkness. In addition, the units' addresses shall be contrasting to their background, and also be illuminated during all hours of darkness
11. Provide street trees along Garden Street per the City's Street Tree Ordinance.
12. That all applicable federal, state, regional, and city policies and ordinances be met.
13. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-09, prior to the issuance of any building permits for this project.

APPEAL INFORMATION

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

Attachments:

- Related Plans and Policies
- Resolution
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor and Elevation Plans
- Exhibit "C" – Elevation of Entry Gate
- Exhibit "D" – Operational Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

Related Plans & Policies

General Plan and Zoning: The following General Plan and Zoning Ordinance policies apply to the proposed project:

General Plan Land Use & Transportation Policy:

LU-P-52 Facilitate high-quality building and site design for multi-family developments by updating development standards in the zoning ordinance and providing clear rules for development review and approval and by creating and adopting design guidelines to be used in the development review and approval process.

Characteristics of high-quality site and building design include connectivity to the public realm; compatibility with surrounding development; small-scale buildings with variation in architecture and massing; usable open space and recreation facilities; orientation to natural features; and solar orientation.

LU-P-56 Update the Zoning Ordinance to reflect the Medium Density Residential designation on the Land Use Diagram for development at 10 to 15 dwelling units per gross acre.

This designation can accommodate a mix of housing types including small-lot single family, townhouses, two- and four-plexes, and garden apartments, on infill lots or new development areas within walking distance of neighborhood nodes and corridors. Medium Density Residential development may also be permitted on corner lots in single-family zones and in infill areas where it can be made to be consistent with adjacent properties through the conditional use process. Development standards will ensure that new development contributes positively to the larger community environment. Projects on sites larger than five acres or involving more than 60 units will require discretionary review.

Zoning Ordinance

Chapter 17.12: R-1 Single-Family Residential Zone

17.12.040 Conditional uses.

In the R-1 single-family residential zone, the following conditional uses may be permitted in accordance with the provisions of Chapter 17.38:

- J. Residential development specifically designed for senior housing;

Chapter 17.34: Off-street Parking and Loading Facilities

17.34.020 Schedule of off-street parking space requirements.

- A. Residential.
 - 1. Single-family dwelling: two parking spaces (one covered) per unit;
 - 2. Multi-family dwelling: 1.5 parking spaces per dwelling unit for all multi-family developments with the

following exceptions:

- a. One parking space per dwelling unit for senior citizen housing developments. Senior citizen means a person of fifty-five (55) years of age or older. Senior citizen housing development shall be defined as a multi-family project wherein the units are made available solely to senior citizens,

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)

17.38.050 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 uses 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.

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

RESOLUTION NO. 2015-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2015-09, A REQUEST BY JOSEPH AND MARIA SILVEIRA FOR AN AMENDMENT TO CONDITIONAL USE PERMIT NO. 2005-27, TO CONSTRUCT AN 11-UNIT ADDITION TO A SENIOR CITIZEN RESIDENTIAL DEVELOPMENT ON ONE ACRE IN THE R-1-6 (SINGLE-FAMILY RESIDENTIAL 6,000 SQUARE FEET MINIMUM SITE AREA) ZONE. THE SITE IS LOCATED AT 2106 S. GARDEN STREET, ON THE EAST SIDE OF GARDEN STREET 300 FEET SOUTH OF WALNUT AVENUE. (APN: 123-063-032)

WHEREAS, Conditional Use Permit No. 2015-09, is a request by Joseph and Maria Silveira for an amendment to Conditional Use Permit No. 2005-27, to construct an 11-unit addition to a senior citizen residential development on one acre in the R-1-6 (Single-Family Residential 6,000 square feet minimum site area) Zone. The site is located at 2106 S. Garden Street, on the east side of Garden Street 300 feet south of Walnut Avenue. (APN: 123-063-032); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said Commission on April 27, 2015; and

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

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

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

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

1. That the proposed project, as conditioned, 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 CUP 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 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 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2015-20).

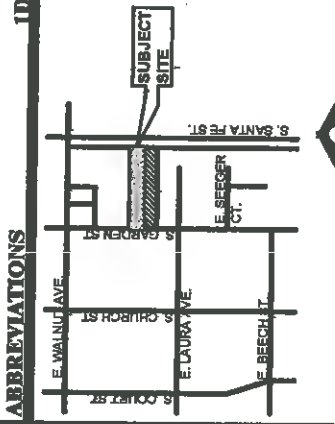
BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2015-015.
2. That the addition to the planned residential development be prepared in substantial compliance with the site plan shown in Exhibit "A" and floor plans and elevations shown in Exhibit "B".
3. That the entry gate shall be in substantial compliance with the elevation shown in Exhibit "C".
4. That the site be operated in substantial compliance with the operational statement shown in Exhibit "D".
5. That the applicant enter into a covenant designating these units as senior (age 55 or older) residential units, and that said covenant is to be recorded with the title of the property prior to the issuance of any building permits.
6. That all landscaping, including the landscaping in the private back yard areas, shall be commonly maintained.
7. That the following minimum building setbacks shall be applied to the project:
 - Front (Garden Street right-of-way and Harter Court ultimate edge of paving): 15 feet to living space and 22 feet to face of garage
 - Side (north side of parcel / rear side of the residences): 5 feet
 - Rear (east side of parcel adjacent to Santa Fe Trail): 25 feet
 - Distance between buildings: 10 feet
8. That a 6'-8" high block wall be constructed along the east side of the site.
9. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance (MWELo), shall be included in the construction document plans submitted for either grading or building construction permits. Prior to the project receiving final approved permits, a signed Certificate of Compliance stating that the project meets MWELo standards shall be submitted to the City.
10. That the exterior of the buildings and garages as well as all parking surfaces be illuminated during hours of darkness. In addition, the units' addresses shall be contrasting to their background, and also be illuminated during all hours of darkness

11. Provide street trees along Garden Street per the City's Street Tree Ordinance.
12. That all applicable federal, state, regional, and city policies and ordinances be met.
13. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-09, prior to the issuance of any building permits for this project.

PLAN BREAKDOWNS

UNIT A (4) DUPLEXES	
1 BEDROOM	7962 = 443
2 BEDROOM	2242 = 448
CARAGE / STORAGE	2168 = 302
PATIO	2562 = 56
TOTAL (S.P.R. #15015)	11562 = 2153
UNIT B (0) DUPLEX	
1 BEDROOM	957
2 BEDROOM	208
CARAGE / STORAGE	215
PATIO	24
TOTAL (S.P.R. #15015)	1103
UNIT C (0) SINGLE	
1 BEDROOM	799
2 BEDROOM	201
CARAGE / STORAGE	215
PATIO	43
TOTAL (S.P.R. #15015)	1258
1 BEDROOM	957
2 BEDROOM	208
CARAGE / STORAGE	215
PATIO	24
TOTAL (S.P.R. #15015)	1304



PROJECT DESCRIPTION:
11 SENIOR HOUSING UNITS

OWNER:
SILVERIA RENTALS ENTERPRISES, INC.
JOHN & MARIA F. SILVERIA
4477 E. ROOSEVELT CT., VISALIA, CA
93292

SITE ADDRESS:
2108 S. GARDEN ST.
VISALIA, CA. 93277

A.P.N.:
125-065-051 (PORTION THERE OF)

LOT SIZE:
2.01 AC. (TOTAL)

FLOOD ZONE:
"XZ"

ROOF LIVE LOAD:
20 PSF

SEISMIC ZONE:
2109 - CITY OF VISALIA

WIND DESIGN:
55 MPH BASIC WIND - CATEGORY 'C'

OCCUPANCY:
RSJ0

CONSTRUCTION TYPE:
V-B

ZONING:
R-1-6

SEWER:
CITY OF VISALIA

WASTE:
CITY OF VISALIA

WATER:
CAL WATER (SEPARATE METERS)

POWER:
SCS (SEPARATE METERS)

GAAS:
SC. CAL. GAS (SEPARATE METERS)

PARKING REQUIREMENTS:
15 SPACES PER UNIT WITH 1 COVERED PER UNIT
21 COVERED SPACES (GARAGES: 11 NEW + 10 EXISTING)
11 UNCOVERED SPACES REQUIRED
14 UNCOVERED SPACES PROPOSED

21 SUBJECT PROJECT DATA

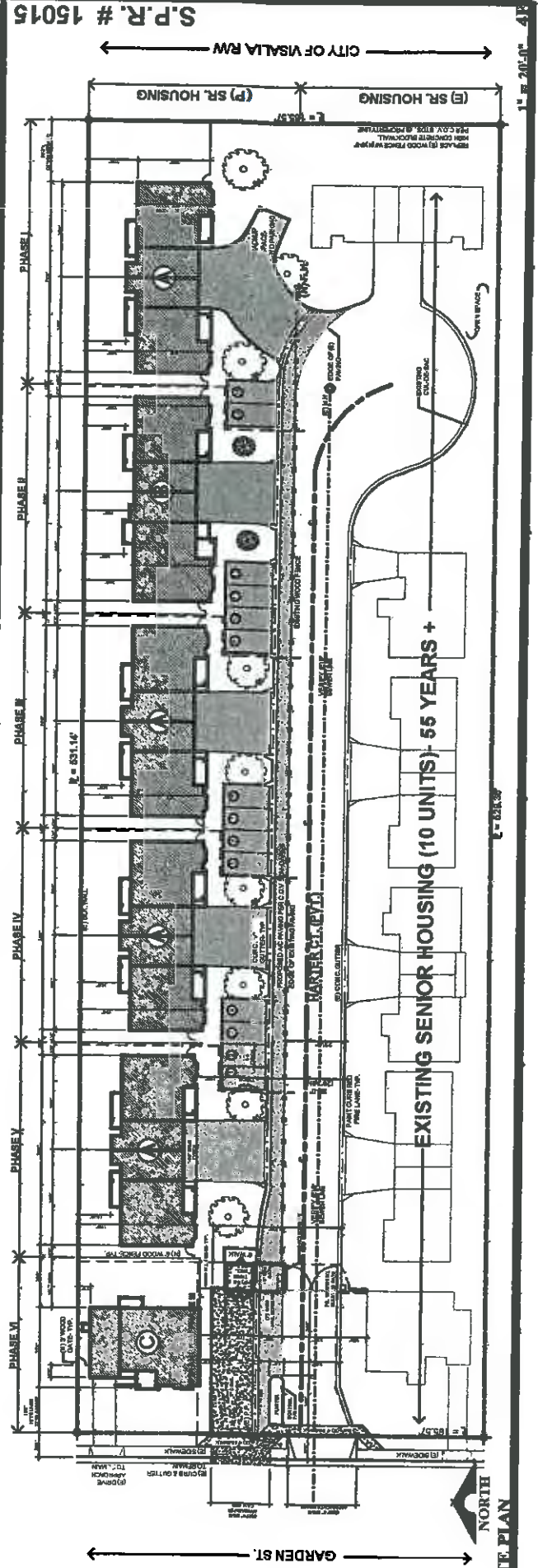


Exhibit "A"



1044 W. MAIN ST. SUITE A
MONTICELLO, CA 95031
TEL: (530) 825-6128
WWW.SKULOP.COM

THIS SET INCLUDES:
SHEETS 1 THROUGH 12
CONTRACT DOCUMENTS
NOT TO SCALE
DATE: 02/20/24

SENIOR HOUSING PLAN
DRAWN BY: PMM
CHECKED BY: JG
DATE: 02/20/24
SCALE: AS NOTED

MR. & MRS. JOE &
MARIA SILVEIRA
2108 S. GARDEN ST., VISALIA, CA 93277

A1

FLOOR PLAN NOTES

- 1. ALL ROOMS SHALL BE NEW UNLESS OTHERWISE NOTED OR C.
- 2. SETBACKS FROM THE FOLLOWING LOCATIONS SHALL BE MAINTAINED: FRONT YARD, REAR YARD, SIDE YARD, AND OFF-STREET PARKING LOT.
- 3. EXTERIOR DOORS & WINDOWS: ALL EXTERIOR DOORS & WINDOWS SHALL BE FIRE-RATED AND SHALL BE INSTALLED TO MEET THE REQUIREMENTS OF THE CALIFORNIA FIRE CODE.
- 4. EXTERIOR DOORS & WINDOWS: ALL EXTERIOR DOORS & WINDOWS SHALL BE INSTALLED TO MEET THE REQUIREMENTS OF THE CALIFORNIA FIRE CODE.
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BRACED WALL LEGEND

SYMBOL	TYPE	LENGTH	HOLDINGS
▲	1" X 4" C-CHANNEL BRACING	SEE TABLE BR02.10.2-A01	SEE TABLE BR02.10.2-A01
▲	2" X 4" C-CHANNEL BRACING	SEE TABLE BR02.10.2-B01	SEE TABLE BR02.10.2-B01
▲	4" X 4" C-CHANNEL BRACING	SEE TABLE BR02.10.2-C01	SEE TABLE BR02.10.2-C01
▲	6" X 6" C-CHANNEL BRACING	SEE TABLE BR02.10.2-D01	SEE TABLE BR02.10.2-D01
▲	8" X 8" C-CHANNEL BRACING	SEE TABLE BR02.10.2-E01	SEE TABLE BR02.10.2-E01
▲	10" X 10" C-CHANNEL BRACING	SEE TABLE BR02.10.2-F01	SEE TABLE BR02.10.2-F01
▲	12" X 12" C-CHANNEL BRACING	SEE TABLE BR02.10.2-G01	SEE TABLE BR02.10.2-G01
▲	14" X 14" C-CHANNEL BRACING	SEE TABLE BR02.10.2-H01	SEE TABLE BR02.10.2-H01
▲	16" X 16" C-CHANNEL BRACING	SEE TABLE BR02.10.2-I01	SEE TABLE BR02.10.2-I01
▲	18" X 18" C-CHANNEL BRACING	SEE TABLE BR02.10.2-J01	SEE TABLE BR02.10.2-J01
▲	20" X 20" C-CHANNEL BRACING	SEE TABLE BR02.10.2-K01	SEE TABLE BR02.10.2-K01
▲	24" X 24" C-CHANNEL BRACING	SEE TABLE BR02.10.2-L01	SEE TABLE BR02.10.2-L01

FLOOR PLAN



SCALE: 3/16" = 1'-0"

EXTERIOR ELEVATIONS



SCALE: 3/16" = 1'-0"

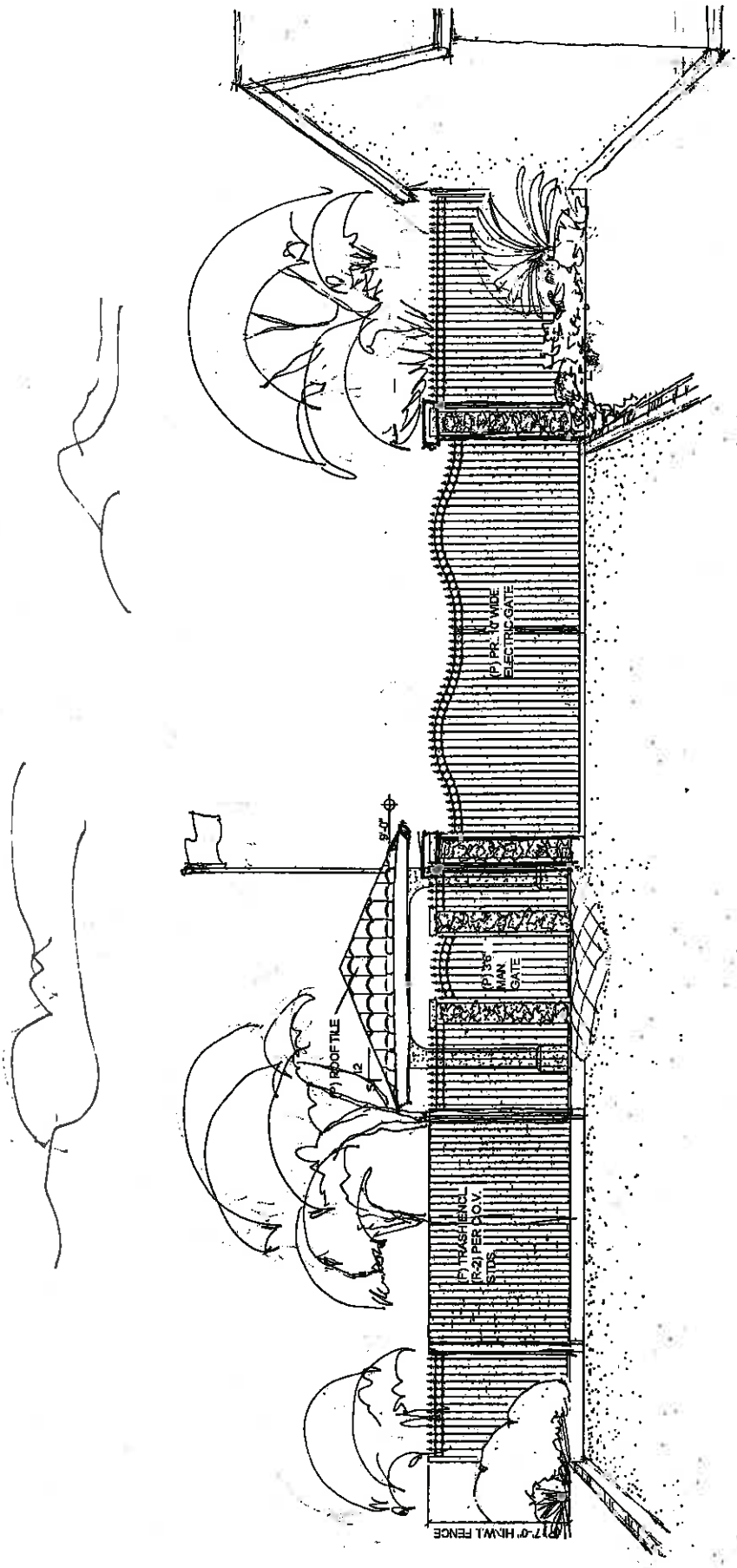
EXTERIOR ELEVATIONS

SCALE: 3/16" = 1'-0"

SENIOR HOUSING PLAN
DRAWN BY: PMM
CHECKED BY: JG
DATE: 02/20/24
SCALE: AS NOTED

MR. & MRS. JOE &
MARIA SILVEIRA
2108 S. GARDEN ST., VISALIA, CA 93277

A1



FRONT ENTRANCE ELEV.

NO SCALE.

Exhibit "C"

Joe & Maria Silveira (owners)
347 E. Walnut Ave.
Visalia, CA. 93277

OPERATIONAL STATEMENT

We hereby propose to complete the north half of our senior homes (55+) project as drawn on the attached map. Our intent is to build a similar floor plan as existing on the south ½ of the complex with slightly larger single car garages for each unit. The project will consist of 4 - (1 bedroom, 1 bath) duplexes, 1- (2 bedroom , 1 bath) duplex and 1 – (2 bedroom, 1 bath) single unit, for a total of 11 living units. As indicated, we are also planning to meet the 1.5 parking spaces min. per unit over the entire project. As part of our construction schedule, we have applied for the construction to be completed in phases, as delineated, with the easterly duplex being the first phase to begin sometime in late spring.

Thank you for your consideration.

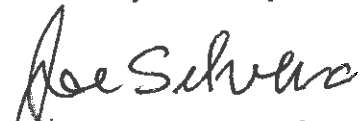

Joe and Maria Silveira
Owners.

Exhibit "D"



MEETING DATE 3/11/2015
SITE PLAN NO. 15-015RR
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 Conditional Use Permit required

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



Site Plan Review Committee

#3

MEETING DATE MARCH 11, 2015
SITE PLAN NO. 15-015 2ND RESUBMITTAL
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>CWP</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: 3

DATE: March 11, 2015

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

SPR15015 **RESUBMIT**
SILVEIRA SENIOR HOMES
CONDITIONAL USE PERMIT FOR 11 SENIOR HOMES
ON 2 ACRES (R16 ZONED) (X) (REFER SPR 11-031)
SKYLAB
SILVEIRA RENTAL ENTERPRISES INC
2106 S GARDEN ST
123-063-031

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

- Business Tax Certification is required. *For information call (559) 713-4326*
- A building permit will be required. *For information call (559) 713-4444*
- Submit 4 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 4 sets of plans prepared by an architect or engineer. Must comply with 2013 California Building Cod Sec. 2508 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, common area and public right of way must comply with requirements for access for persons with disabilities.
- Multi family units shall be accessible or 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 clearance from San Joaquin Valley Air Pollution Board. Prior to any demolition work.
For information call (661) 392-5500
- Location of cashier must provide clear view of gas pump island
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-7400*
- Project is located in flood zone _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$151.90) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.54 per square foot. Residential \$3.48 per square foot.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments
- See previous comments dated: _____

Special comments: _____

G. FERRERO
Signature

Date: 3-10-15

ITEM NO: 3

DATE: March 11, 2015

SITE PLAN NO:

SPR15015

RESUBMIT

PROJECT TITLE:

SILVEIRA SENIOR HOMES

DESCRIPTION:

CONDITIONAL USE PERMIT FOR 11 SENIOR HOMES ON 2 ACRES (R16 ZONED) (X) (REFER SPR 11-031)

APPLICANT:

SKYLAB

PROP OWNER:

SILVEIRA RENTAL ENTERPRISES INC

LOCATION:

2106 S GARDEN ST

APN(S):

123-063-031



Site Plan Review Comments For:

Visalia Fire Department

Kurtis A. Brown,

Fire Marshal

707 W Acequia

Visalia, CA 93291

559-713-4261 office

559-713-4808 fax

The following comments are applicable when checked:

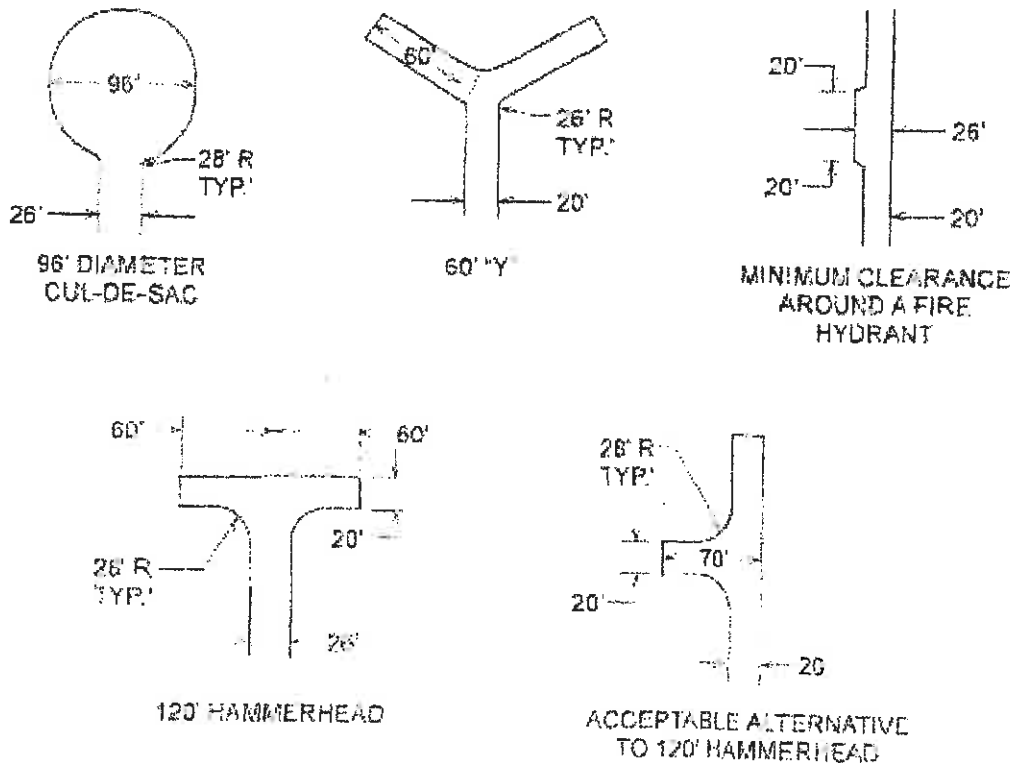
- The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2013 California Fire Code (CFC), 2013 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All 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.*

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 or the number of units, street width shall be a minimum of 36 feet form 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:



Maribel Vasquez
Fire Inspector

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
- Adrian Rubalcaba 713-4271

ITEM NO: 3 DATE: MARCH 11, 2015

SITE PLAN NO.: 15-015 2ND RESUBMITTAL
PROJECT TITLE: SILVEIRA SENIOR HOMES
DESCRIPTION: CONDITIONAL USE PERMIT FOR 11 SENIOR HOMES ON 2 ACRES (R16 ZONED) (X) (REFER SPR 11-031)

APPLICANT: SKYLAB
PROP OWNER: SILVEIRA RENTAL ENTERPRISES INC
LOCATION: 2106 S GARDEN ST
APN: 123-063-032

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: 5' width; parkway width at **GARDEN ST.**
- 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. **GRANT EASEMENT**
- Deed required prior to issuing building permit; **SEE COMMENTS**
- City Encroachment Permit Required. **WORK 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 Encroachment Tech. at 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. Install new 5' sidewalk across Garden St. frontage with first phase.***
- 2. Proposed new drive approach to comply with City standards. The existing approach for Phase VI will need to be removed and replaced with current City standard drive approach for proper accessibility and width with first phase.***
- 3. A Grant of Easement for public access will be required for the section of sidewalk proposed over private property. Refer to City standard procedures and forms for Grant of Easement submittal.***
- 4. It is recommended the existing utility pole between existing and proposed drive approaches be removed (undergrounded). The pole and its overhead utility line may be a hazard for emergency and solid waste vehicles.***
- 5. Refer to Fire Dept. for hydrant locations.***
- 6. Refer to previous Site Plan comments for further conditions. (SPR 11-031)***
- 7. The proposed widening of existing drive approach is not necessary however a 4' min. accessible path of travel across drive approach is required.***
- 8. An accessible path of travel from public right-of-way to entry gates is required. Implement accordingly.***
- 9. Building permit plan check and inspection fees apply.***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 15-015 2nd RESUBMITTAL

Date: 3/11/2015

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:SENIOR/MED. DENSITY)

Existing uses may qualify for credits on Development Impact Fees.

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$1,750/UNIT
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$404/UNIT, TREATMENT PLANT FEE: \$709/UNIT
<input type="checkbox"/> Sewer Front Foot Fee	
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	\$5,140/AC
<input checked="" type="checkbox"/> Park Acq/Dev Fee	\$2,912/UNIT
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$3,773/AC
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	\$3,950/AC
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input checked="" type="checkbox"/> Public Facility Impact Fee	\$520/UNIT
<input type="checkbox"/> Parking In-Lieu	

Reimbursement:

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



Adrian Rubalcaba

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

March 11, 2015

ITEM NO:	3	RESUBMITL
SITE PLAN NO:	SPR15015	
PROJECT TITLE:	SILVEIRA SENIOR HOMES	
DESCRIPTION:	CONDITIONAL USE PERMIT FOR 14 SENIOR HOMES ON 2.406 ACRES (R16 ZONED) (0) (REFER SPR 11-037)	
APPLICANT:	SKYLAR	
PROP. OWNER:	SILVEIRA RENTAL ENTERPRISES INC	
LOCATION:	2165 S GARDEN ST	
APNS:	123-003-031	

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

QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS

ITEM NO: 3 DATE: March 11, 2015
SITE PLAN NO: SPR15015 **RESUBMIT**
PROJECT TITLE: SILVEIRA SENIOR HOMES
DESCRIPTION: CONDITIONAL USE PERMIT FOR 11 SENIOR HOMES
 ON 2 ACRES (R16 ZONED) (X) (REFER SPR 11-031)
APPLICANT: SKYLAB
PROP OWNER: SILVEIRA RENTAL ENTERPRISES INC
LOCATION: 2106 S GARDEN ST
APN(S): 123-063-031

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

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

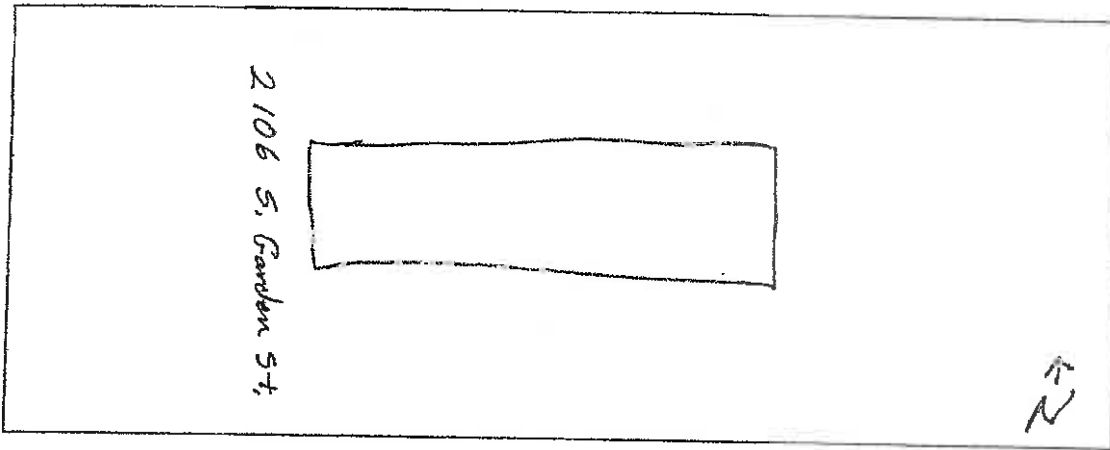
- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER – ¼ HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED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

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

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

Jo N. Kim
AUTHORIZED SIGNATURE
3-10-15
DATE

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

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: March 11, 2015

SITE PLAN NO: 2015-015 RESUBMITTAL
PROJECT TITLE: SILVEIRA SENIOR HOMES
DESCRIPTION: CONDITIONAL USE PERMIT FOR 11 SENIOR HOMES ON 2 ACRES
(R16 ZONED) (X) (REFER SPR 11-031)
APPLICANT: SKYLAB
PROP. OWNER: SILVEIRA RENTAL ENTERPRISES INC
LOCATION TITLE: 2106 S GARDEN ST VISA
APN TITLE: 123-063-032
GENERAL PLAN: RLD (Residential Low Density)
EXISTING ZONING: R-1-6 (Single-Family Residential 6,000 sq. ft. min. site area)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit
- Building Permit
- Detailed site plan
- Additional Information as needed

PROJECT SPECIFIC INFORMATION: 03/11/2015

1. Comply with previous comments.
2. The gate detail and clearance width meets the Fire Department's requirement for emergency access to the site.
3. Provide architectural elevations for all new structures proposed within this development.

Previous Comments

PROJECT SPECIFIC INFORMATION: 02/11/2015

4. The proposed gate detail and turn-around area does not work as depicted.
5. The primary issue with this design is that the keypad pedestal is not depicted which creates issues when vehicles cannot enter the site and are forced to back-up.
6. Staff recommends the applicant redesign the entry gates and meets with the respective City divisions to address all the issues with this design prior to resubmitting back through the Site Plan Review process.

Previous Comments

PROJECT SPECIFIC INFORMATION: 01/28/2015

7. A CUP is required for this project. The prior CUP No. 2011-07 expired.
8. Elevations are to be provided with CUP submittal. Elevations should be compatible with existing units to the south of this site.
9. Meet with solid waste for requirements on refuse.
10. Staff recommends a pedestrian access gate to the future Santa Fe Trail be provided to the tenants of this development. This pedestrian access gate may be secured and only opened by tenants of the senior development. The pedestrian gate will provide direct access to the future Santa Fe Trail and would eliminate the need to access Garden and Walnut streets to access the trail.

11. A condition will be included in the CUP requiring that the applicant enter into a covenant designating these units as senior (age 55 or older) residential units, and that said covenant is to be recorded with the title of this property prior to the issuance of any building permits.
12. Curb, gutter and sidewalk will be required to be constructed along Garden Street with the first phase of development.
13. Meet the minimum gate width requirements as required by the Fire Department.
14. Provide a turn-around area that allows vehicles to exit if they cannot gain onto the site.

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.

R-1-6 Single Family Residential Zone [17.12]

Maximum Building Height: 35 Feet

<u>Minimum Setbacks:</u>	<u>Building</u>	<u>Landscaping</u>
1. Front	15 Feet	15 Feet
2. Front Garage (garage w/door to street)	22 Feet	22 Feet
3. Side	5 Feet	5 Feet
4. Street side on corner lot	10 Feet	10 Feet
5. Rear	25 Feet*	25 Feet

Minimum Site Area: 6,000 square feet

Accessory Structures:

- Maximum Height: 12 feet (as measured from average grade next to the structure)
 Maximum Coverage: 20% of required Rear Yard (last 25 feet by the width)
6. Reverse Corner Lots: No structure in the 25 feet of adjacent lot's front yard area, see Zoning Ordinance Section 17.12.100 for complete standards and requirements.

Parking:

1. One parking space per dwelling unit for senior citizen housing developments. Senior citizen means a person of fifty-five (55) years of age or older. Senior citizen housing development shall be defined as a multi-family project wherein the units are made available solely to senior citizens (see Zoning Ordinance Section 17.34.020).
2. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
3. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
3. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

Landscaping:

1. The City has adopted the State Water Efficient Landscape Ordinance. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. **NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.**
2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.130.C).
3. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
4. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
5. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).
6. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
7. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).
8. Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. **NOTE:** Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

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

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments.

Signature 

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

COMMERCIAL BIN SERVICE

SITE PLAN NO: SPR15015 **RESUBMIT**
PROJECT TITLE: SILVEIRA SENIOR HOMES
DESCRIPTION: CONDITIONAL USE PERMIT FOR 11 SENIOR HOMES
ON 2 ACRES (R16 ZONED) (X) (REFER SPR 11-031)
APPLICANT: SKYLAB
PROP OWNER: SILVEIRA RENTAL ENTERPRISES INC
LOCATION: 2106 S GARDEN ST
APN(S): 123-063-031

- No comments.
- Same comments as as
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down
be fore disposing of in recycle containers.
- Refuse enclosures must be R-2
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of :
Commercial (X) 50 ft. outside 36 ft. inside; Residential () 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other
items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS)
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards

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

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

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

NEED TO BUILD CITY STANDARD R-2 ENCLOSURE

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

ITEM NO: 3

DATE: March 11, 2016

SITE PLAN NO:

SPR15015

RESUBMIT

PROJECT TITLE:

SILVEIRA SENIOR HOMES

DESCRIPTION:

CONDITIONAL USE PERMIT FOR 11 SENIOR HOMES ON 2 ACRES (R16 ZONED) (X) (REFER SPR 11-031)

APPLICANT:

SKYLAB

PROP OWNER:

SILVEIRA RENTAL ENTERPRISES INC

LOCATION:

2106 S GARDEN ST

APN(S):

123-063-031

City of Visalia Police Department

303 S. Johnson St.
Visalia, Ca. 93292
(559) 713-4370

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:

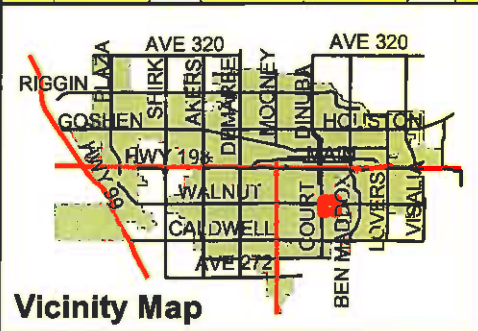
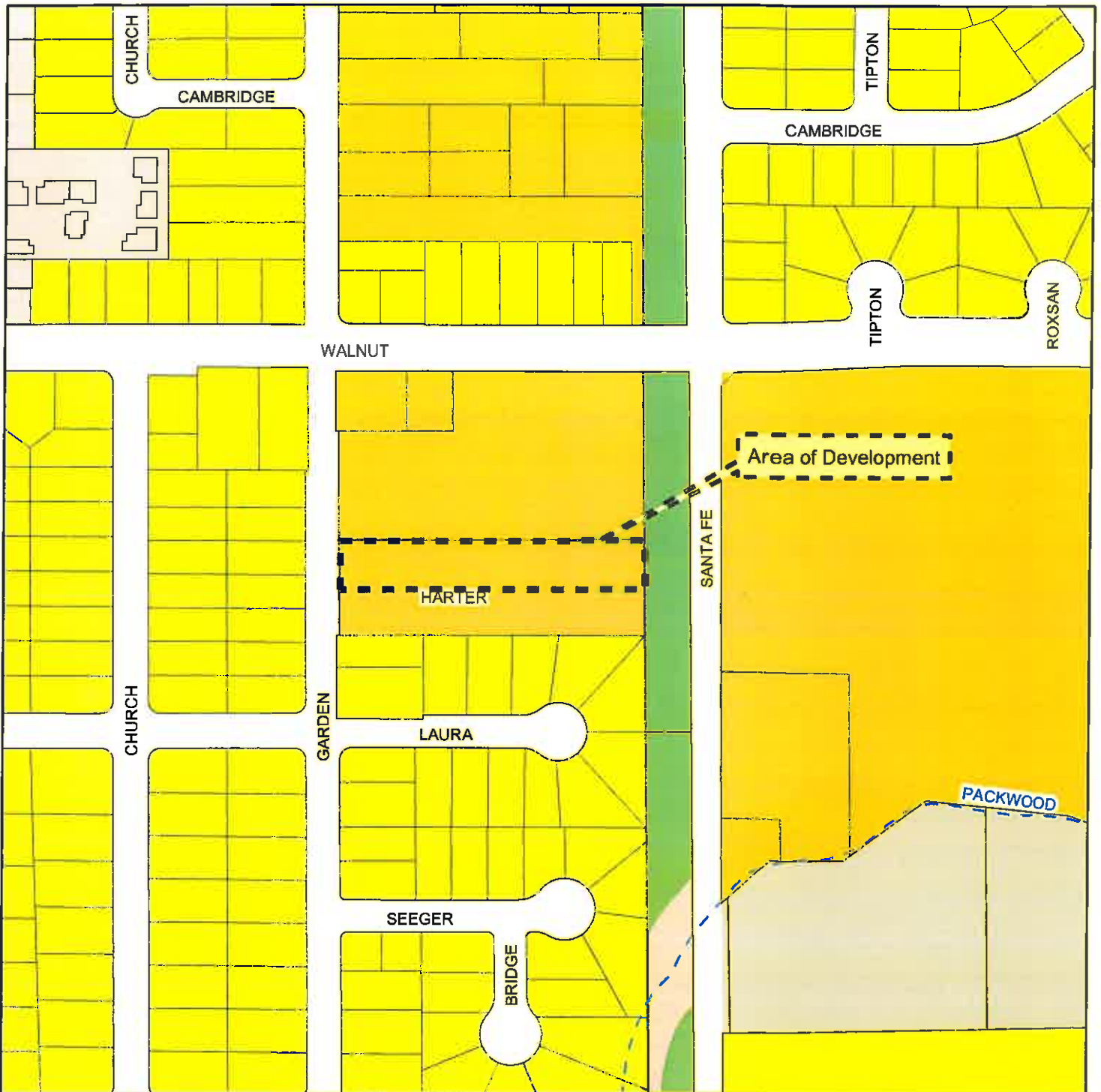


Other Concerns:

BWINTER L98

Conditional Use Permit No. 2015-09

The site is located at 2106 S. Garden Street, on the east side of Garden Street 300 feet south of Walnut Avenue. (APN: 123-063-032)



General Plan Land Use Map

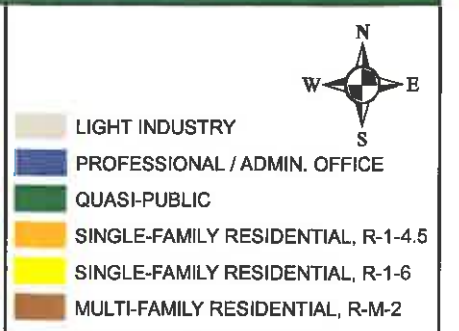
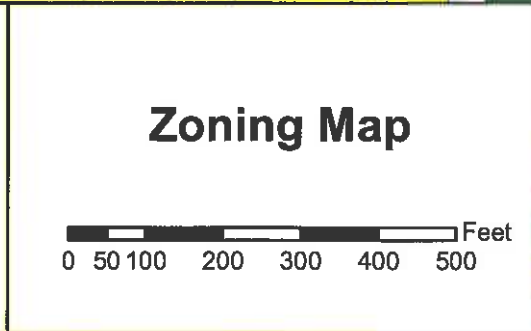
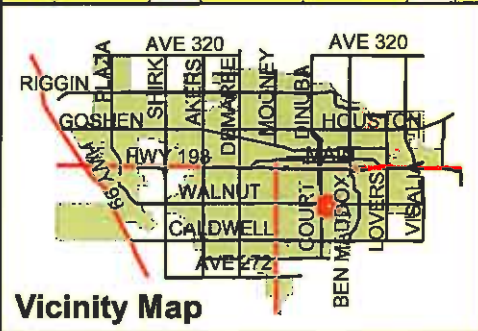
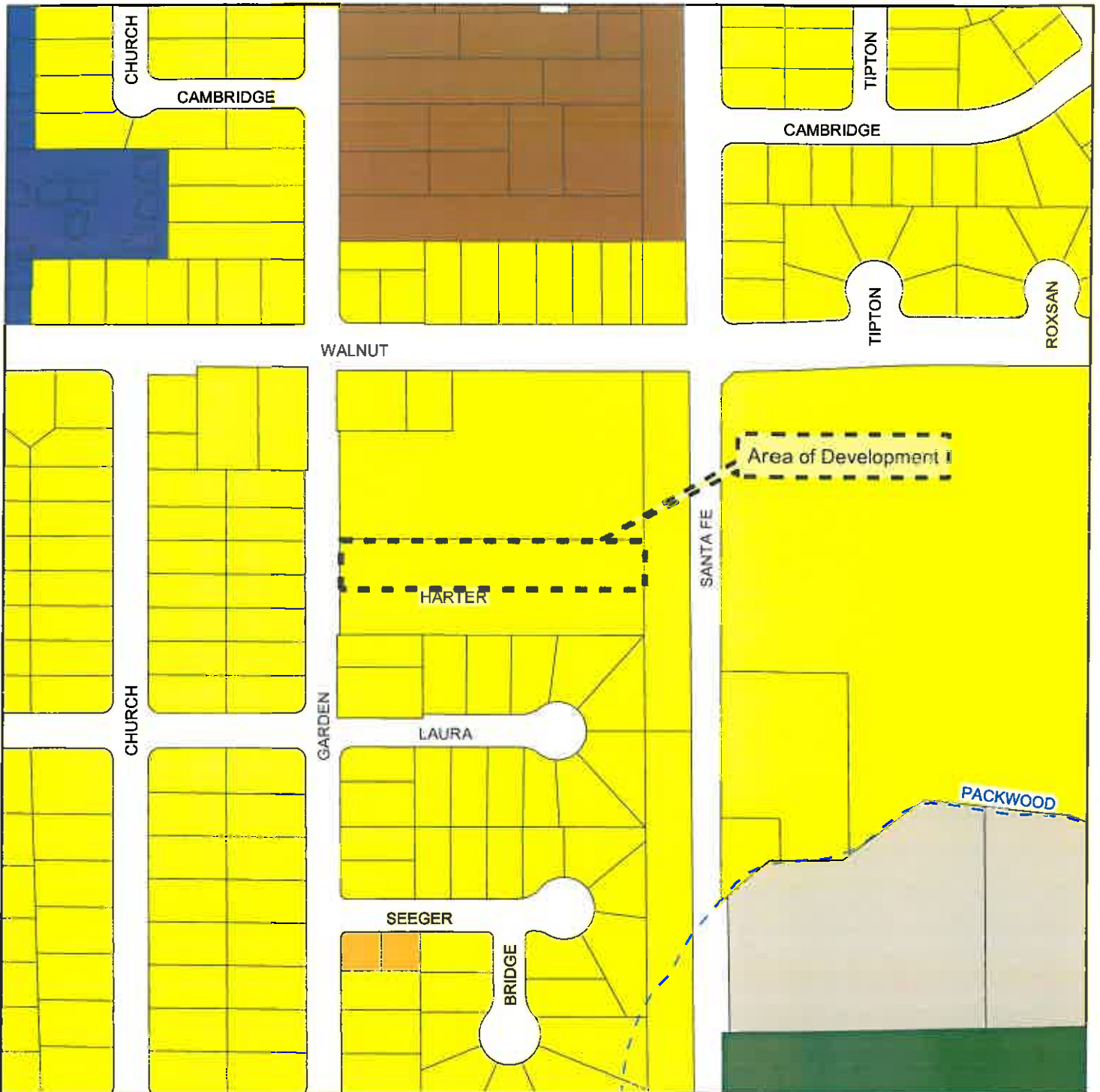


- Low Density Residential
- Medium Density Residential
- Office
- Light Industrial
- Parks/Recreation



Conditional Use Permit No. 2015-09

The site is located at 2106 S. Garden Street, on the east side of Garden Street 300 feet south of Walnut Avenue. (APN: 123-063-032)



Conditional Use Permit No. 2015-09

The site is located at 2106 S. Garden Street, on the east side of Garden Street 300 feet south of Walnut Avenue. (APN: 123-063-032)



Vicinity Map

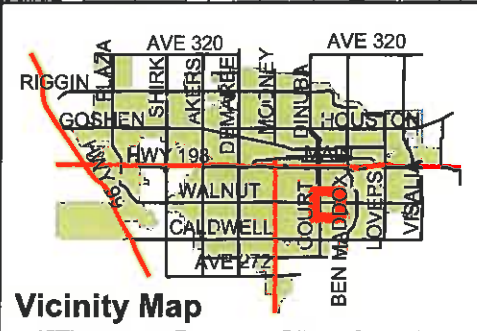
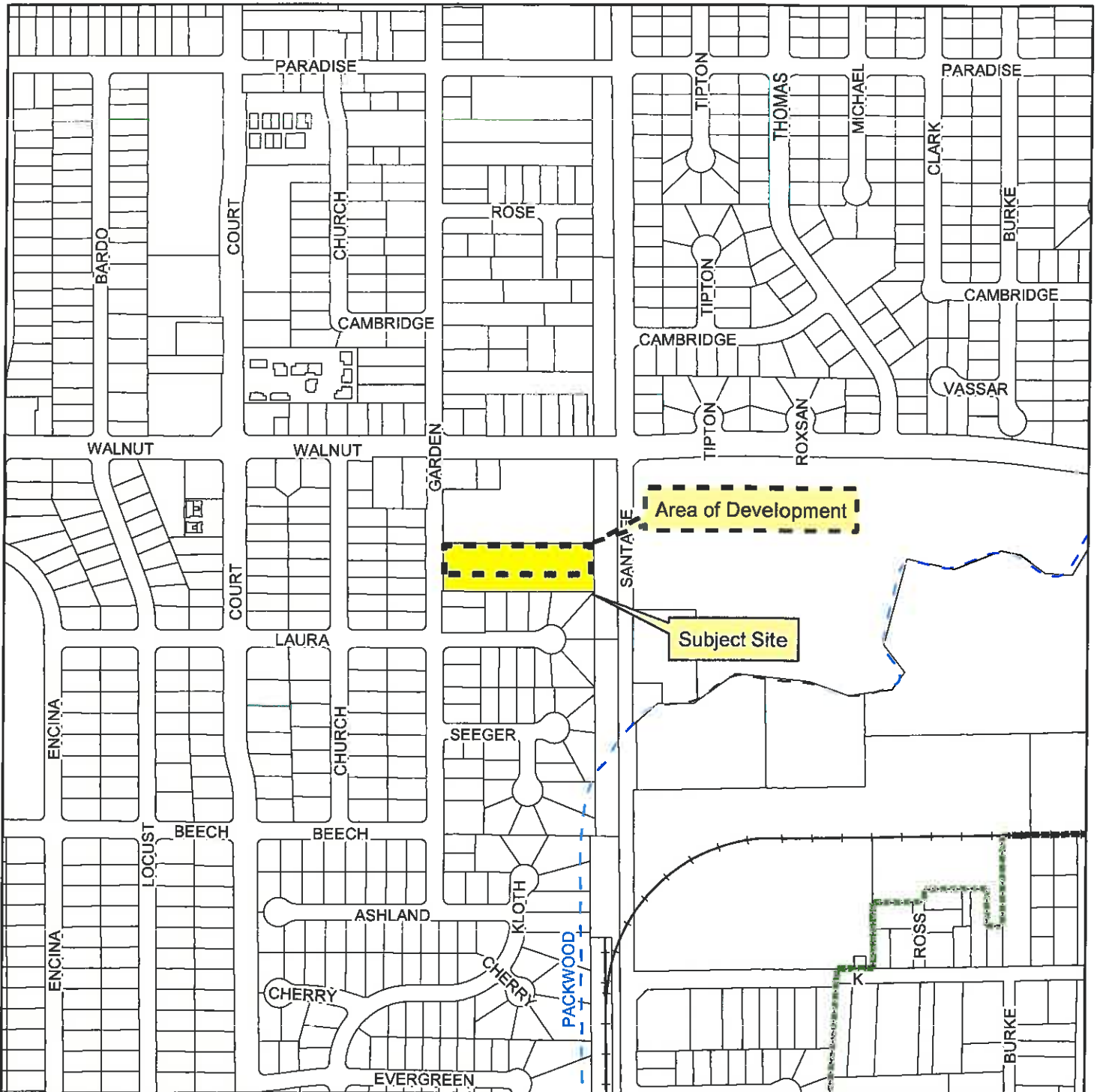
Aerial Photo

Photo Taken March 2014

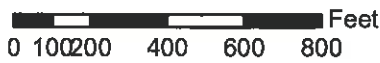


Conditional Use Permit No. 2015-09

The site is located at 2106 S. Garden Street, on the east side of Garden Street 300 feet south of Walnut Avenue. (APN: 123-063-032)



Location Map



- WATERWAYS
- RAILROADS
- CITY LIMITS
- PARCELS



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 27, 2015

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

SUBJECT: Conditional Use Permit No. 2015-11: A request by BC Recycling to amend their Conditional Use Permit to allow for the collection of Non-CRV Plastics, Paper, and Car Batteries, and to increase the maximum storage height for baled material from seven-feet to ten-feet in designated areas on their site in the Service Commercial (C-S) Zone. BC Recycling is located at 1043 East Houston Avenue (APN: 094-140-036 & 094-140-039).

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 2015-19 for Conditional Use Permit No. 2015-11 based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2015-11, as conditioned, based on the findings and conditions in Resolution No. 2014-19.

PROJECT DESCRIPTION

Conditional Use Permit No. 2015-11 is a request by BC Recycling to amend their previous "City Planner" approved Conditional Use Permits (CUP). The amendment to their daily operations, as stated in their Operational Statement, see Exhibit "A", is a request to allow for the collection of hazardous waste (i.e., car batteries), Non-CRV (California Redemption Value) plastics and paper. In addition, BC Recycling is requesting to increase the height of their bale stacks from 7-feet to 10-feet (see Exhibit "A"). Bales stacked up to 10-feet would be setback 60-feet from the west property line and 20-feet from the south property line (see Exhibit "B" site plan). This amendment does not result in a physical increase to the overall site and/or storage areas for the recycling center.

BC Recycling is located on approximately 1.66-acres. A majority of the site is dedicated to outdoor storage (see Exhibit "B") of E-Waste, CRV glass/plastic, and cardboard. The recycled material is baled and stacked three bales high. Two buildings, Building "B" and Building "C" are dedicated for the sole purpose of indoor collecting and storage of CRV aluminum. BC Recycling operates Monday through Saturday from 9:00 a.m. to 5:00 p.m.



BACKGROUND INFORMATION

General Plan Land Use Designation:	Service Commercial
Zoning:	C-S / (Service Commercial)
Surrounding Zoning and Land Use:	North: C-S (Service Commercial) & Houston Avenue – Houston Ave Feed and Farm Supply South: C-S (Service Commercial) – Vacant Property East: C-S (Service Commercial) – Service Commercial establishments West: R-M-2 (Multi-Family Residential 3,000 sq. ft. min. site area per unit) – Multi-family development
Environmental Document	Categorical Exemption No. 2015-24
Site Plan:	Site Plan Review No. 2015-040

Related Projects

Zone Text Amendment No. 2012-02 was a request by the City of Visalia to amend sections of Chapter 17 (Zoning) of the Visalia Municipal Code pertaining to recycling facilities. The ZTA was approved by the City Council on July 16, 2012.

The City Planner Conditional Use Permit process was revised per Zone Text Amendment No. 2012-02. The Zone Text Amendment eliminated the hybrid “City Planner CUP” in favor of a standard CUP process including a public hearing and conditional approval by the Planning Commission.

The following are City Planner approved Conditional Use Permits for BC Recycling:

City Planner CUP No. 2003-09, was the initial CUP that established a light processing recycling facility for BC Recycling. The recycling facility was limited to CRV materials and prohibited the collection, shredding, compacting or baling ferrous materials other than food and beverage containers.

City Planner CUP No. 2009-12, was a request by BC Recycling to accept E-Waste and cardboard at their Houston Avenue location. The City Planner approved this request allowing E-Waste and cardboard in addition to CRV products to be recycled at this location.

City Planner CUP No. 2012-32, was a request by BC Recycling to expand their storage area onto an adjoining 15,800 square foot parcel. The proposed expansion facilitated the storage of accepted materials at this CRV facility and the storage of their equipment.

PROJECT EVALUATION

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

Land Use Compatibility

Staff recommends that the Planning Commission find that the proposed CUP amendment is consistent with the adopted Zone Text Amendment No. 2012-02, approved by the City Council, relating to Zoning District locational and siting criteria pertaining to Large Collection Facilities. Large Collection Facilities are defined as a facility that may occupy an area of more than 500 square feet and may include permanent structures.

Some recycling businesses in the City have become associated with unintended adverse effects, including blight in their immediate areas due to trash, discards, and abandoned shopping carts, loitering, vagrancy and public intoxication, and accepting of non-CRV materials such as copper pipe and wire, and stolen car batteries. A review of City records regarding issues from this operation indicated that no complaints have been filed against the proprietor or the site, with no resulting declaration of a public nuisance due to issues with trash, noise or accepting of non-CRV materials.

The applicant is requesting to amend their daily operations by expanding the recycled material accepted at this facility to include non-CRV plastics, paper and hazardous waste (car batteries). Staff supports their request, subject to the Planning Commission adopting Condition No. 6. This condition requires that the recycling operator require valid identification, and maintain an onsite ledger of all persons recycling car batteries for monetary redemption value at this facility. Valid identification shall include a driver's licenses or other state photo identity cards issued by Department of Motor Vehicles (or equivalent) for the sole purpose of identification for persons. In addition, staff has included Condition No. 7 prohibiting the outdoor storage of car batteries. The storage of car batteries shall be located within Building "B" as noted on the site plan (see Exhibit "B"). Outdoor car battery storage is prohibited. No other forms of hazardous waste are requested at this location.

The operation and location of this recycling facility meet the requirements of Section 17.32.160 of the Zoning Ordinance (Recycling Facilities). The recycling facility is located in the Service Commercial zone and the entire site is fully improved. The storage of material, as depicted on Exhibit "B", reduces the visibility of the storage areas from the public right-of-way. This recycling facility is located in an area for the convenience and benefit of the public. The measures put in place by the operator, as stated in their operational statement (see Exhibit "A") and conditions recommended by staff are designed to achieve and maintain a reasonable balance between providing desirable convenience to the general public while discouraging any adverse impacts that might arise from the recycling collection facility.

Bale Stack Height

During the Site Plan Review process, the applicant indicated that they would like to request an increase to the maximum stacking height for their bales. The current CUP's conditions limit the bale stacking height to seven feet, which coincides with the maximum fence height requirements of the zoning ordinance. The applicant is requesting a maximum bale height of 10-feet. The applicant identified that the additional three feet will allow them to stack four bales of recycled product rather than three bales (see Figure 1).



Figure 1

Staff supports the request, subject to prohibiting storage of any recycled material above 7-feet within 60-feet of the west property line and 20-feet from the south property line. Exhibit "B" depicts this requirement by distinguishing the 60 and 20-foot setback areas that prohibit bale heights in excess of seven feet. Staff has included this requirement as Condition No. 8.

Staff supports the request because the west property line abuts a large multi-family development, and per Design District "E" Development Standards, the recycling facility is required to maintain a 15-foot building setback from this property line. Additionally, a 20-foot fire lane is located along the west side of the recycling facility, which is required to be kept free and clear of any storage material



Figure 2: 20-ft. Fire

including vehicle parking/storage. The fire lane and setback requirements create additional separation from the recycling facility's daily operation and the residential development to the west (see Figure 2).

Previous Code Enforcement Actions

In 2007, the City began the CUP revocation proceeding's for BC Recycling's Houston Avenue location. The City Council ultimately upheld the appeal and denied the revocation of their CUP. The City Council found that although the applicant had failed to comply with their operating conditions, the applicant corrected all code violations and submitted building / site improvement plans to address their onsite operating conditions. In addition, the applicant agreed to a zero tolerance policy adhering to prohibiting glass crushing operations at any time onsite, semi-annual inspections and compliance with all conditions issued under the City Planner approved CUPs.

Staff has reviewed Calls for Service to this site and found that no complaints have been filed against the proprietor or the site; with no resulting declaration of a public nuisance due to issues with trash, noise or accepting of prohibited recycling material. The Visalia Police Department reviewed BC Recycling's Site Plan Review item and noted that the facility is operating as previously conditioned. The Visalia Police Department does support the inclusion of Condition No. 6 requiring BC Recycling to require valid identification and recording keeping of persons recycling car batteries.

Environmental Review

The requested action is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2015-24).

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The operation and location of this recycling facility meet the requirements of Section 17.32.160 of the Zoning Ordinance (Recycling Facilities). The recycling facility is located in the Service Commercial zone and the entire site is fully improved. The storage of material, as depicted on Exhibit "B", reduces the visibility of the storage areas from the public right-of-way. This recycling facility is located in an area for the convenience and benefit of the public. The measures put in place by the operator, as stated in their operational statement (see Exhibit "A") and conditions recommend by staff are designed to achieve and maintain a reasonable balance between providing desirable convenience to the general public while discouraging any adverse impacts that might arise from a the recycling collection facility.
 - 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. The operation and location of this recycling facility meet the requirements of Section 17.32.160 of the Zoning Ordinance (Recycling Facilities). The recycling facility is located in the Service Commercial zone and the entire site is fully improved. The storage of material, as depicted on Exhibit "B", reduces the visibility of the storage areas from the public right-of-way. This recycling facility is located in an area for the convenience and benefit of the public. The measures put in place by the operator, as stated in their operational statement (see Exhibit "A") and conditions recommend by staff are designed to achieve and maintain a reasonable balance between providing desirable convenience to the general public while discouraging any adverse impacts that might arise from a the recycling collection facility.
3. That the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for minor alterations in land use limitations. (Categorical Exemption No. 2015-24).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2015-040.
2. The applicant shall comply with the operational statement and must be consistent with the hours of operations per the attached operational statement for the recycling facility (Exhibit "A").

3. The BC Recycling facility shall be improved and operate in a manner consistent with the attached site plan (Exhibit "B"). Any expansion to the site, any change in types of materials to be recycled, or any significant change in operation of the facility must be reviewed by the Planning Division and will be subject to the CUP amendment process.
4. All conditions issued under the City Planner approved CUP Nos. 2003-09, 2009-12 and 2012-32, shall apply and be complied with at all times.
5. CUP No. 2015-11 expands the operator's ability to accept the following recyclable material: hazardous waste (car batteries only), non-CRV plastics and paper. No other materials may be handled at this site, including other forms of hazardous waste and ferrous metals.
6. That the recycling operator shall require valid identification and maintain a ledger of all persons recycling car batteries for monetary redemption value at this facility. Valid identification shall include a driver's licenses or other state photo identity cards issued by Department of Motor Vehicles (or equivalent) for the sole purpose of identification for persons.
7. That car battery storage shall be limited to only indoor storage within Building "B", as noted on the site plan (see Exhibit "B").
8. No disassembly of any materials or components is allowed on the site.
9. At no time will the recycling activities be allowed to interfere or prohibit the traffic flow of incoming or outgoing trucks and/or fire engines or other safety personnel.
10. Recyclable materials stored on the premises may be stacked to a maximum of 10-feet subject to no material be stacked above 7-feet within 60-feet of the west property line and 20-feet from the south property line, as noted on Exhibit "B".
11. The owner/operator shall possess a valid hazardous waste permit issued by the Environmental Protection Agency and Tulare County Health Department for all waste collection activities at this site.
12. Operator is responsible for customer conduct and behavior as may affect the public rights-of-way and nearby uses. Established patterns of nuisance impacts directly related to the operation could be grounds for CUP revocation action.
13. If the proposed recycling business and/or site become a public nuisance due to an increase in calls for service, than staff will proceed with the following: Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval, as recommended by staff, will result in a Notice of Conditional Use Permit Suspension Order to Cease and Desist. The City of Visalia has the authority to automatically suspend a Conditional Use Permit (CUP) for failure to comply with the condition(s) of the permit. Upon suspending a CUP the Planning Commission shall hold a public hearing within 60 days, in accordance with the Public Hearing Notice procedure, and if not satisfied that the regulation, general provision, or conditions are being complied with, may revoke the permit, or take action as may be necessary to insure compliance with the regulation, general provision, or condition(s).
14. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - a. Conditions adopted for Conditional Use Permit Nos. 2015-11, 2003-09, 2009-12, and 2012-32.
 - b. All applicable federal, state and city laws, codes and ordinances.

15. The proposed recycling facility shall meet and comply with City Noise Standards. In the event that calls for service to various City Departments increases due to noise being generated by this recycling facility, staff will begin the CUP revocation process for this recycling facility.
16. In carrying out the operation, the facility shall be subject to the definitions for "Recyclable Material", "Recycling Facility", and "Collection Facility" as provided in Section 17.04.030 of the Visalia Municipal Code.
17. A copy of this CUP with the attached exhibits shall be maintained upon the premises at all times and be made available to City staff and/or law enforcement officials when requested.
18. That all other federal and state laws and city codes and ordinances be complied with.
19. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-04, prior to the issuance of any building permits for this project.

APPEAL INFORMATION

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

Attachments:

- Related Plans and Policies
- Resolution No. 2015-19
- Exhibit "A" – Operational Statement
- Exhibit "B" – Site Plan
- Site Plan Review Comments
- Categorical Exemption No. 2015-24, Class 15301
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Sketch

Related Plans & Policies
Conditional Use Permits
(Section 17.38)

17.38.010 Purposes and powers

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

17.38.020 Application procedures

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

17.38.030 Lapse of conditional use permit

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

17.38.040 Revocation

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

17.38.050 New application

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

17.38.060 Conditional use permit to run with the land

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

17.38.065 Abandonment of conditional use permit

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

17.38.070 Temporary uses or structures

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

17.38.080 Public hearing--Notice

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

17.38.090 Investigation and report

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

17.38.100 Public hearing--Procedure

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

17.38.110 Action by planning commission

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

17.38.120 Appeal to city council

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

17.38.130 Effective date of conditional use permit

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

RESOLUTION NO. 2015-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2015-11, A REQUEST BY BC RECYCLING TO AMEND THEIR CONDITIONAL USE PERMIT TO ALLOW FOR THE COLLECTION OF NON-CRV PLASTICS, PAPER, AND CAR BATTERIES, AND TO INCREASE THE MAXIMUM STORAGE HEIGHT FOR BALED MATERIAL FROM SEVEN-FEET TO TEN-FEET IN DESIGNATED AREAS ON THEIR SITE IN THE SERVICE COMMERCIAL ZONE. BC RECYCLING IS LOCATED AT 1043 EAST HOUSTON AVENUE (APN: 094-140-036 & 094-140-039)

WHEREAS, Conditional Use Permit No. 2015-11, is a request by BC Recycling to amend their Conditional Use Permit to allow for the collection of Non-CRV Plastics, Paper, and Car Batteries, and to increase the maximum storage height for baled material from seven-feet to ten-feet in designated areas on their site in the Service Commercial Zone. BC Recycling is located at 1043 East Houston Avenue (APN: 094-140-036 & 094-140-039); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on April 27, 2015; and

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

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

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

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

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and the Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The operation and location of this recycling facility meet the requirements of Section 17.32.160 of the Zoning Ordinance (Recycling Facilities). The recycling facility is located in the Service Commercial zone and the entire site is fully improved. The storage of material, as depicted on Exhibit "B", reduces the visibility of the storage areas from the public right-of-way. This

recycling facility is located in an area for the convenience and benefit of the public. The measures put in place by the operator, as stated in their operational statement (see Exhibit "A") and conditions recommend by staff are designed to achieve and maintain a reasonable balance between providing desirable convenience to the general public while discouraging any adverse impacts that might arise from a the recycling collection facility.

- 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. The operation and location of this recycling facility meet the requirements of Section 17.32.160 of the Zoning Ordinance (Recycling Facilities). The recycling facility is located in the Service Commercial zone and the entire site is fully improved. The storage of material, as depicted on Exhibit "B", reduces the visibility of the storage areas from the public right-of-way. This recycling facility is located in an area for the convenience and benefit of the public. The measures put in place by the operator, as stated in their operational statement (see Exhibit "A") and conditions recommend by staff are designed to achieve and maintain a reasonable balance between providing desirable convenience to the general public while discouraging any adverse impacts that might arise from a the recycling collection facility.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2015-24).

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

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2015-040.
2. The applicant shall comply with the operational statement and must be consistent with the hours of operations per the attached operational statement for the recycling facility (Exhibit "A").
3. The BC Recycling facility shall be improved and operate in a manner consistent with the attached site plan (Exhibit "B"). Any expansion to the site, any change in types of materials to be recycled, or any significant change in operation of the facility must be reviewed by the Planning Division and will be subject to the CUP amendment process.
4. All conditions issued under the City Planner approved CUP Nos. 2003-09, 2009-12 and 2012-32, shall apply and be complied with at all times.
5. CUP No. 2015-11 expands the operator's ability to accept the following recyclable material: hazardous waste (car batteries only), non-CRV plastics and paper. No other materials may be handled at this site, including other forms of hazardous waste and ferrous metals.
6. That the recycling operator shall require valid identification and maintain a ledger of all persons recycling car batteries for monetary redemption value at this facility. Valid identification shall include a driver's licenses or other state photo identity cards

issued by Department of Motor Vehicles (or equivalent) for the sole purpose of identification for persons.

7. That car battery storage shall be limited to only indoor storage within Building "B", as noted on the site plan (see Exhibit "B").
8. No disassembly of any materials or components is allowed on the site.
9. At no time will the recycling activities be allowed to interfere or prohibit the traffic flow of incoming or outgoing trucks and/or fire engines or other safety personnel.
10. Recyclable materials stored on the premises may be stacked to a maximum of 10-feet subject to no material be stacked above 7-feet within 60-feet of the west property line and 20-feet from the south property line, as noted on Exhibit "B".
11. The owner/operator shall possess a valid hazardous waste permit issued by the Environmental Protection Agency and Tulare County Health Department for all waste collection activities at this site.
12. Operator is responsible for customer conduct and behavior as may affect the public rights-of-way and nearby uses. Established patterns of nuisance impacts directly related to the operation could be grounds for CUP revocation action.
13. If the proposed recycling business and/or site become a public nuisance due to an increase in calls for service, than staff will proceed with the following: Pursuant to Visalia Municipal Code Section 17.38.040, a failure by the owner/operator to comply with the conditions of project approval, as recommended by staff, will result in a Notice of Conditional Use Permit Suspension Order to Cease and Desist. The City of Visalia has the authority to automatically suspend a Conditional Use Permit (CUP) for failure to comply with the condition(s) of the permit. Upon suspending a CUP the Planning Commission shall hold a public hearing within 60 days, in accordance with the Public Hearing Notice procedure, and if not satisfied that the regulation, general provision, or conditions are being complied with, may revoke the permit, or take action as may be necessary to insure compliance with the regulation, general provision, or condition(s).
14. The City Planner may initiate a CUP revocation hearing pursuant to Visalia Municipal Code Section No. 17.38.040, based on documented evidence of failure to comply with any conditions of:
 - a. Conditions adopted for Conditional Use Permit Nos. 2015-11, 2003-09, 2009-12, and 2012-32.
 - b. All applicable federal, state and city laws, codes and ordinances.
15. The proposed recycling facility shall meet and comply with City Noise Standards. In the event that calls for service to various City Departments increases due to noise being generated by this recycling facility, staff will begin the CUP revocation process for this recycling facility.
16. In carrying out the operation, the facility shall be subject to the definitions for "Recyclable Material", "Recycling Facility", and "Collection Facility" as provided in Section 17.04.030 of the Visalia Municipal Code.
17. A copy of this CUP with the attached exhibits shall be maintained upon the premises at all times and be made available to City staff and/or law enforcement officials when requested.

- 18. That all other federal and state laws and city codes and ordinances be complied with.
- 19. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-04, prior to the issuance of any building permits for this project.

**BC RECYCLING
1043 E HOUSTON AVENUE
VISALIA, CA 93292
(559) 735-9200**

March 12, 2015

OPERATIONAL STATEMENT

BC Recycling is hereby requesting to amend CUP# 2003-09, 2009-12 and 2012-32 to allow the collection of hazardous waste (car batteries) as well as paper and non-CRV plastics. BC Recycling is also requesting that minimum bale stack height be increased from 7 feet to 10 feet with bale stacks a minimum distance of 60 feet from existing apartments and 20' from southerly property line. All collection of hazardous waste to be performed under EPA and Tulare County Health Department regulations. Batteries collection shall be logged with records kept on site.

There will be no change in hours or days of operation of the facility or number of employees.

Thank you,

Adolfo Ramirez
Owner



MEETING DATE 3/18/2015
SITE PLAN NO. 15-040
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

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

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

During site plan design/policy concerns were identified, schedule a meeting with
 Planning Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

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

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

Your plans must be reviewed by:

CITY COUNCIL REDEVELOPMENT
 PLANNING COMMISSION PARK/RECREATION
 HISTORIC PRESERVATION OTHER _____

ADDITIONAL COMMENTS Conditional Use Permit required

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

Site Plan Review Committee



#2

MEETING DATE MARCH 18, 2015

SITE PLAN NO. 15-040

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.

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Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION *CVP*

PARK/RECREATION

HISTORIC PRESERVATION

OTHER _____

ADDITIONAL COMMENTS _____

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

Site Plan Review Committee

City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 2 DATE: March 18, 2016
 SITE PLAN NO: SPR15040
 PROJECT TITLE: BC RECYCLING
 DESCRIPTION: AMEND CONDITIONAL USE PERMIT TO ALLOW NON
 CRV PLASTIC, PAPER, HAZARDOUS WASTE (CAR
 BATTERIES) AND RAISE BAG STACK HEIGHT TO 10
 FT ON 2.16 ACRES (CS & CSO ZONED) (X) (DISTRICT
 E)
 APPLICANT: RAMIREZ ADOLFO
 PROP OWNER: RAMIREZ ADOLFO & MARIA GUADALUPE (TRS)
 LOCATION: 1109 E HOUSTON AVE

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 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 _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$146.40) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.⁵⁴~~47~~ per square foot. Residential \$^{3.36}~~2.97~~ per square foot.
- Part 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:

No Building Permit Req'd
No Costs at this time!
Chuske Choski

Signature



ITEM NO: 2 DATE: March 18, 2015
 SITE PLAN NO: SPR15040
 PROJECT TITLE: BC RECYCLING
 DESCRIPTION: AMEND CONDITIONAL USE PERMIT TO ALLOW NON CRV PLASTIC, PAPER, HAZARDOUS WASTE (CAR BATTERIES) AND RAISE BAG STACK HEIGHT TO 10 FT ON 2.16 ACRES (CS & CSO ZONED) (X) (DISTRICT E)
 APPLICANT: RAMIREZ ADOLFO
 PROP OWNER: RAMIREZ ADOLFO & MARIA GUADALUPE (TRS)
 LOCATION: 1109 E HOUSTON AVE

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, bolt 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.

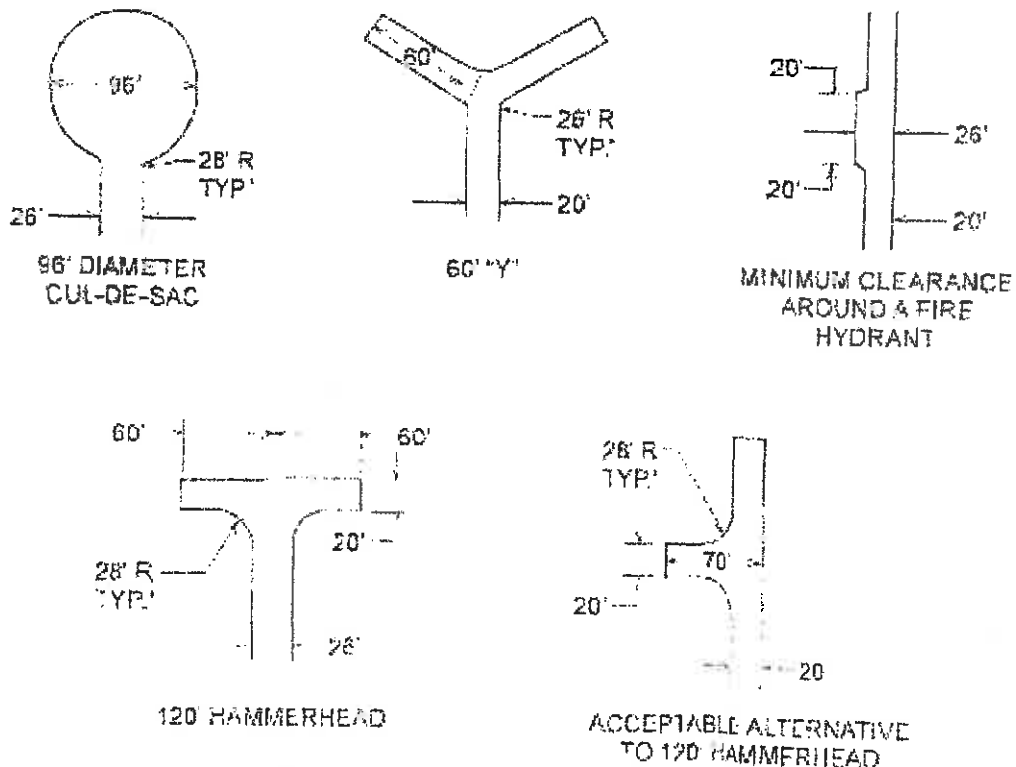


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

- 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:

- Comply with CFC 304 - NO COMBUSTIBLE MATERIAL SHALL BE PLACED OR STORED WITHIN 10 FEET OF ANY BUILDING OR STRUCTURE.
- Comply with CFC 315.4 - SHALL NOT BE LOCATED WITHIN 10 FEET OF A LOT LINE.



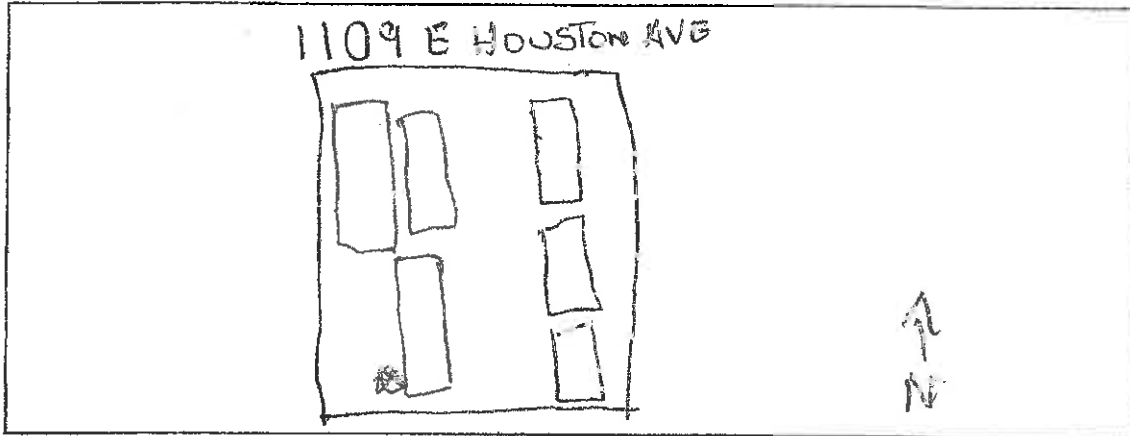
Maribel Vasquez
Fire Inspector

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

Date: 3-16-15

Site Plan Review # 15-040

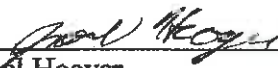
SITE PLAN REVIEW COMMENTS



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: 28" DBH VALLEY OAK


Joel Hooyer

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

Email: jhooyer@ci.visalia.ca.us

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

COMMERCIAL BIN SERVICE

ITEM NO. 2
SITE PLAN NO: SPR15040
PROJECT TITLE: BC RECYCLING
DESCRIPTION: AMEND CONDITIONAL USE PERMIT TO ALLOW NON CRV PLASTIC, PAPER, HAZARDOUS WASTE (CAR BATTERIES) AND RAISE BAG STACK HEIGHT TO 10 FT ON 2.16 ACRES (CS & CSO ZONED) (X) (DISTRICT E)
APPLICANT: RAMIREZ ADOLFO
PROP OWNER: RAMIREZ ADOLFO & MARIA GUADALUPE (TRS)
LOCATION: 1109 E HOUSTON AVE

No comments.

Same comments as as

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

Resubmittal required. See comments below.

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

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

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

Type of refuse service not indicated.

Location of bin enclosure not acceptable. See comments below.

Bin enclosure not to city standards double.

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

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

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

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

Bin enclosure gates are required

Hammerhead turnaround must be built per city standards.

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

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

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

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

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

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



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

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



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



Javier Hernandez. Solid Waste Front Load Supervisor 713-4338



QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS

ITEM NO: 2 DATE: March 18, 2015
SITE PLAN NO: SPR15040
PROJECT TITLE: BC RECYCLING
DESCRIPTION: AMEND CONDITIONAL USE PERMIT TO ALLOW NON
CRV PLASTIC, PAPER, HAZARDOUS WASTE (CAR
BATTERIES) AND RAISE BAG STACK HEIGHT TO 10
FT ON 2.16 ACRES (CS & CSO ZONED) (X) (DISTRICT
E)
APPLICANT: RAMIREZ ADOLFO
PROP OWNER: RAMIREZ ADOLFO & MARIA GUADALUPE (TRS)
LOCATION: 1109 E HOUSTON AVE

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

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

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

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

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



AUTHORIZED SIGNATURE

3-16-15

DATE

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (552) 713-4025

Date: March 18, 2015

SITE PLAN NO: 2015-040
PROJECT TITLE: BC RECYCLING
DESCRIPTION: AMEND CONDITIONAL USE PERMIT TO ALLOW NON CRV PLASTIC, PAPER, HAZARDOUS WASTE (CAR BATTERIES) AND RAISE BAG STACK HEIGHT TO 10 FT ON 2.16 ACRES (CS & CSO ZONED) (X) (DISTRICT E)
APPLICANT: RAMIREZ ADOLFO
PROP. OWNER: RAMIREZ ADOLFO & MARIA GUADALUPE (TRS)
LOCATION TITLE: 1109 E HOUSTON AVE
APN TITLE: 094-140-039
GENERAL PLAN: Service Commercial
EXISTING ZONING: C-S (Service Commercial)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit
- Building Permit
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: 03/18/2015

1. A Conditional Use Permit is required for the existing BC Recycling facility.
2. The request to add non-CRV Plastics, paper and car batteries are additional items that were not covered with the prior "City Planner" approved CUP Nos. 2003-09, 2009-12, & 2012-32.
3. Valid Identification verification and record logs of persons bringing in car batteries shall be required at all times. This requirement will be included as a condition of project approval for the recycling business.
4. Material stacked greater than 7-ft. will be included as an item for Planning Commission consideration. Staff will include conditions requiring material stacked greater than 7-ft. be located a minimum of 60-ft. from the west property line and 20-ft. from the south property line.
5. The operator of the recycling facility shall comply with previous conditions.
6. The site plan exhibit shall note the storage location for car batteries and shall identify the areas where material shall be stacked greater than 7-ft.

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

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

Maximum Building Height: 60 Feet

Minimum Setbacks:

	Building	Landscaping
➤ Front	10 Feet(a)	10 Feet
➤ Side	0 Feet	5 Feet(b)
➤ Street side on corner lot	10 Feet(c)	10 Feet

- Side abutting residential zone 15 Feet 5 Feet
 - Rear 0 Feet 5 Feet(b)
 - Rear abutting residential zone 15 Feet 5 Feet
- (a) Except sites in the C-DT zone, in which case the structure may be built to property line.
 (b) Except where building is on property line.
 (c) Except for corner properties fronting Main Street in the C-DT zone.

Minimum Site Area: 6,000 square feet

Parking: As prescribed in Chapter 17.34

Noise: NOISE ORDINANCE (Municipal Code Chapter 8.36)

The City's Noise Ordinance has standards for maximum noise levels near sensitive land uses. The project, as with all other uses in the City, will be required to meet the standards of the Noise Ordinance during construction of the project and during operation of the use on the site. It is the property owner's responsibility to ensure that the Ordinance is being met. Copies of the Noise Ordinance are available at the Community Development Department front counter or online at www.ci.visalia.ca.us. (Click on Municipal Code and then go to Chapter 8.36.)

As part of Staff's review prior to Planning Commission/City Council hearings on the proposed project Staff may determine it appropriate to review the proposed project for potential Noise Ordinance conformity. If it is determined that the proposed project may not meet the Noise Ordinance a Noise Study may be required prior to public hearing on the project.

Staff believes that the proposed project may not meet the City Noise Ordinance as proposed. As part of Staff's review prior to Planning Commission/City Council hearings on the proposed project, Staff will require that a Noise Study be prepared for review by the Planning Commission/City Council.

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

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments.

Signature 

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
- Adrian Rubalcaba 713-4271

ITEM NO: 2 DATE: MARCH 18, 2015

SITE PLAN NO.: 15-040
PROJECT TITLE: BC RECYCLING
DESCRIPTION: AMEND CONDITIONAL USE PERMIT TO ALLOW
NON CRV PLASTIC, PAPER, HAZARDOUS
WASTE (CAR BATTERIES) AND RAISE BAG
STACK HEIGHT TO 10 FT ON 2.16 ACRES (CS &
CSO ZONED) (X) (DISTRICT E)
APPLICANT: RAMIREZ ADOLFO
PROP OWNER: RAMIREZ ADOLFO & MARIA GUADALUPE (TRS)
LOCATION: 1109 E HOUSTON AVE
APN: 094-140-039

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 Encroachment Tech. at 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: 15-040
Date: 3/18/2015

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:N/A)

Existing uses may qualify for credits on Development Impact Fees.

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

Reimbursement:

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



Adrian Rubalcaba

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

March 18, 2015

ITEM NO: 2
SITE PLAN NO: SPR15040
PROJECT TITLE: EC RECYCLING
DESCRIPTION: AMEND CONDITIONAL USE PERMIT TO ALLOW NON CRV PLASTIC, PAPER, HAZARDOUS WASTE (CAR BATTERIES) AND RAISE BAG STACK HEIGHT TO 10 FT ON 2.16 ACRES (CS & CSO ZONED) (X) (DISTRICT E)
APPLICANT: RAMIREZ ADOLFO
PROP. OWNER: RAMIREZ ADOLFO & MARIA GUADALUPE (TRS)
LOCATION: 1109 E HOUSTON AVE
APN(S): 094-140-039

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

ITEM NO: 2

DATE: March 18, 2015

SITE PLAN NO:

SPR15040

PROJECT TITLE:

BC RECYCLING

DESCRIPTION:

AMEND CONDITIONAL USE PERMIT TO ALLOW NON CRV PLASTIC, PAPER, HAZARDOUS WASTE (CAR BATTERIES) AND RAISE BAG STACK HEIGHT TO 10 FT ON 2.16 ACRES (CS & CSO ZONED) (X) (DISTRICT E)

APPLICANT:

RAMIREZ ADOLFO

PROP OWNER:

RAMIREZ ADOLFO & MARIA GUADALUPE (TRS)

LOCATION:

1109 E HOUSTON AVE

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

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

NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291-4593

Conditional Use Permit No. 2015-11

PROJECT TITLE

1043 East Houston Avenue (APN: 094-140-036 & 039)

PROJECT LOCATION

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

A request by BC Recycling to amend their Conditional Use Permit to allow for the collection of Non-CRV Plastics, Paper, and Car Batteries, and to increase the maximum storage height for baled material from seven-feet to ten-feet in designated areas on their site in the Service Commercial (C-S) Zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia

NAME OF PUBLIC AGENCY APPROVING PROJECT

BC Recycling, 1043 East Houston Avenue, Visalia, California 93291

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Skylab Inc. 1004 West Main Street, Suite A, Visalia, California 93291

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15073
- Emergency Project - Section 15071
- Categorical Exemption - State type and Section number: **Section 15301**
- Statutory Exemptions- State code number:

A request by BC Recycling to amend their Conditional Use Permit to allow for the collection of Non-CRV Plastics, Paper, and Car Batteries, and to increase the maximum storage height for baled material from seven-feet to ten-feet in designated areas on their site in the Service Commercial (C-S) Zone. The site is developed and is serviced by all public utilities. The proposed use is consistent with the General Plan and Zoning Ordinance.

REASON FOR PROJECT EXEMPTION

Paul Bernal, Principal Planner

(559) 713-4025

CONTACT PERSON

AREA CODE/PHONE

August 25, 2014

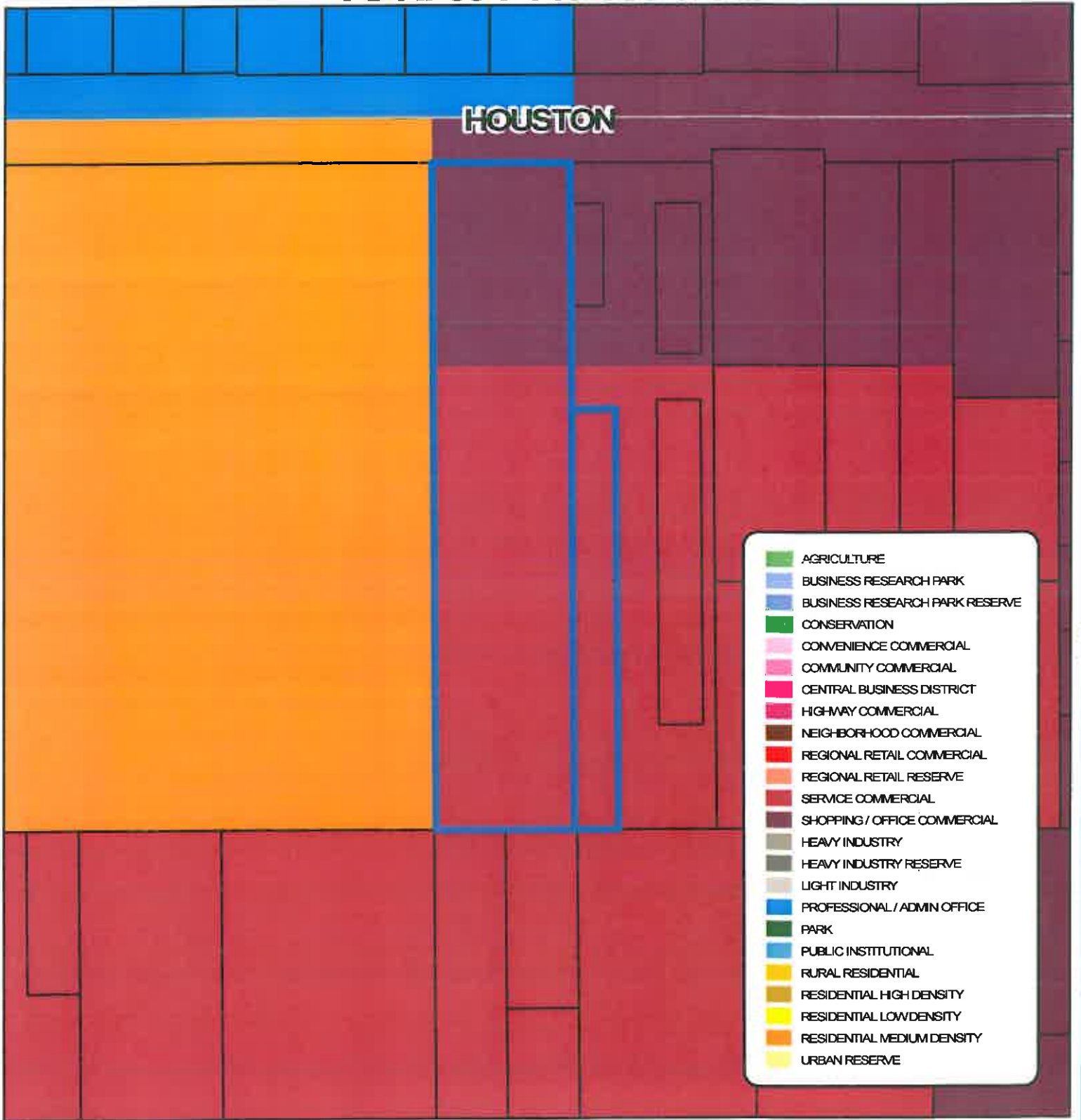
DATE

Paul Scheibel, AICP

ENVIRONMENTAL COORDINATOR

Conditional Use Permit No. 2015-11

APN: 094-140-036 & 039



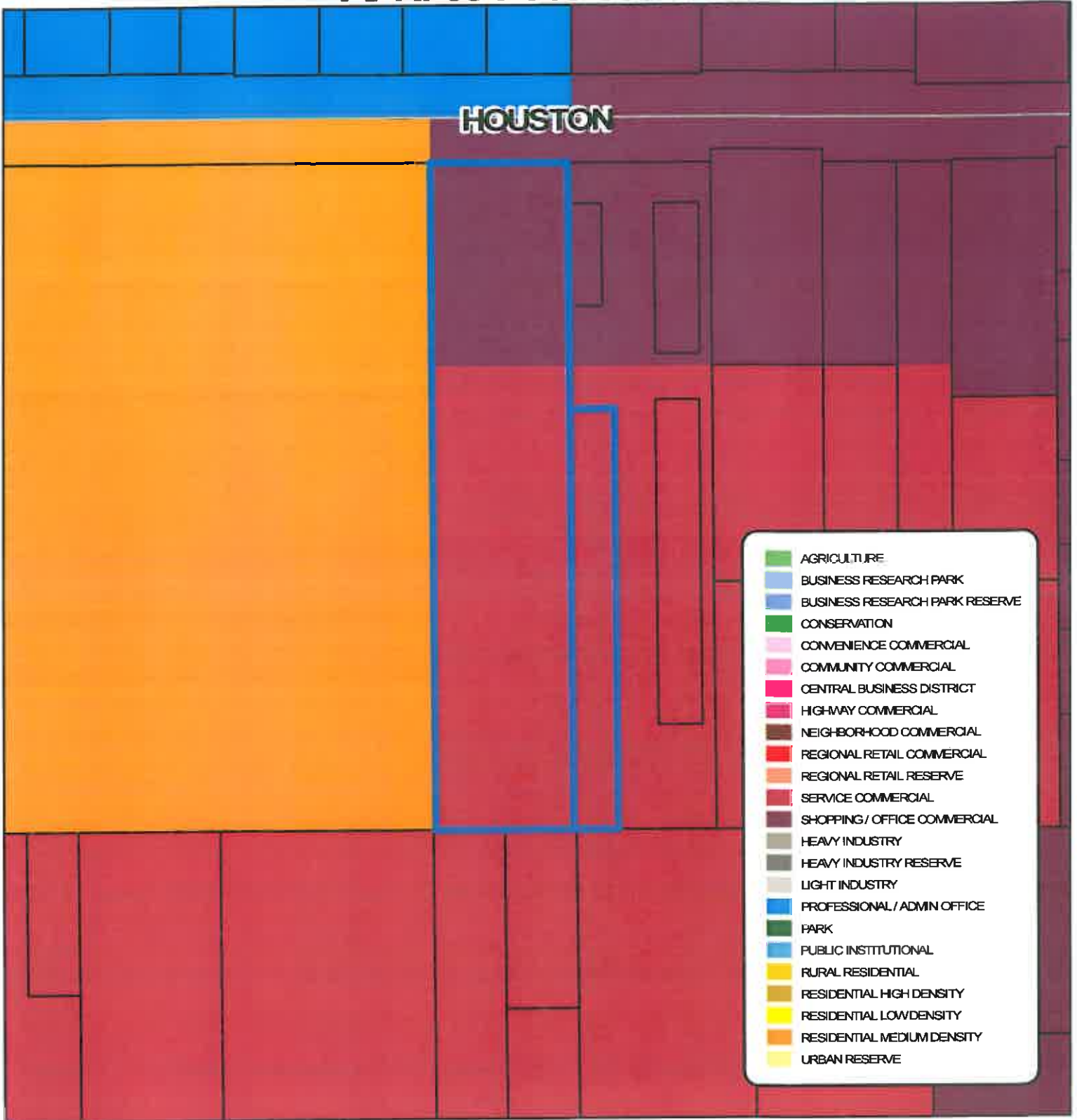
General Plan Land Use Map

100 50 0 100 200 Feet



Conditional Use Permit No. 2015-11

APN: 094-140-036 & 039



General Plan Land Use Map



Conditional Use Permit No. 2015-11

APN: 094-140-036 & 039

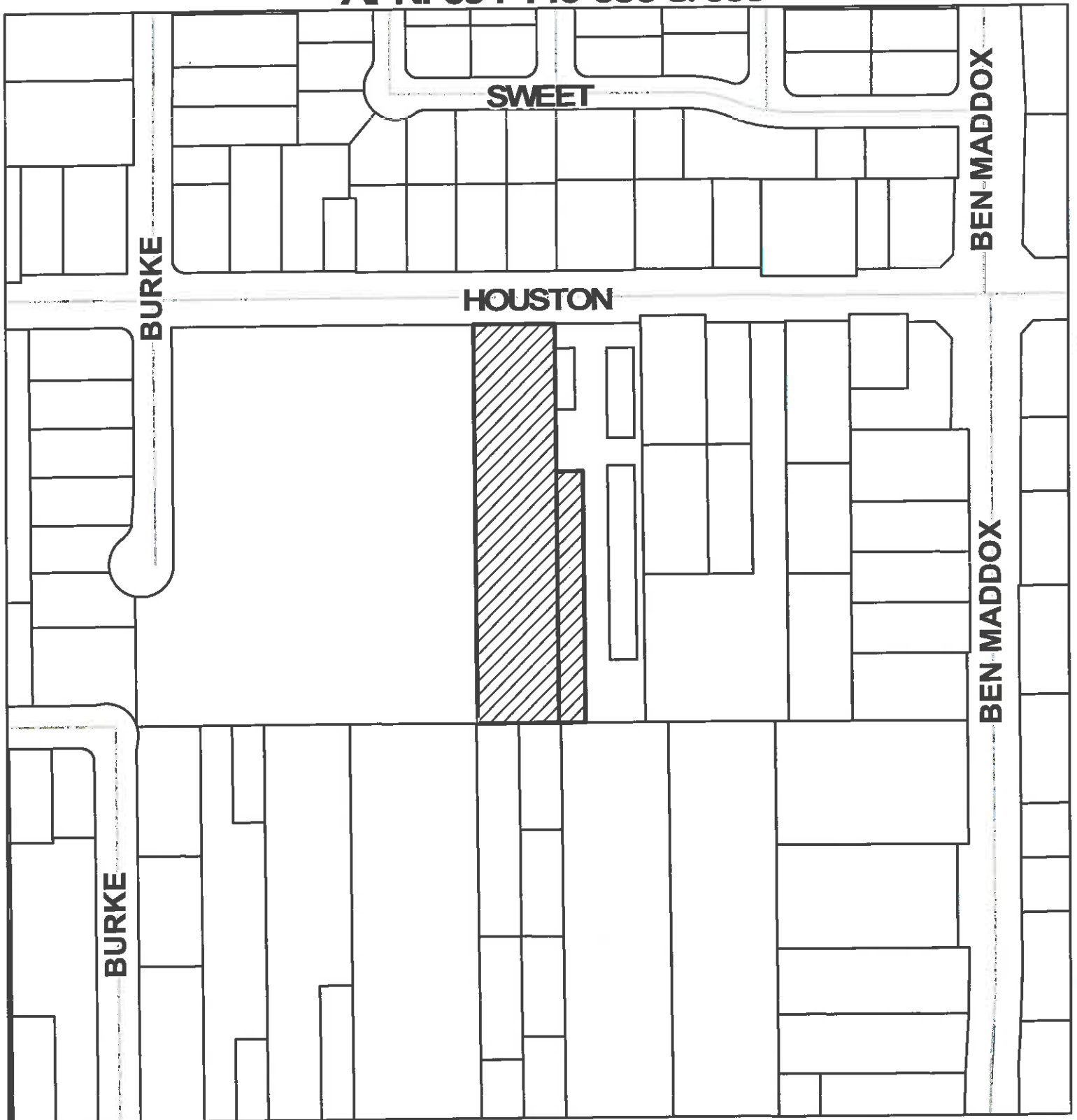


Aerial Photo



Conditional Use Permit No. 2015-11

APN: 094-140-036 & 039



Vicinity Map

