

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Brett Taylor

COMMISSIONERS: Adam Peck, Brett Taylor, Liz Wynn, Lawrence Segrue, Chris Gomez

MONDAY, SEPTEMBER 28, 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 Consent Calendar
5. PUBLIC HEARING –Brandon Smith
 - a. Tentative Parcel Map No. 2015-06: A request by Westgate Perch Development Company to subdivide 33,081 sq. ft. into 2 parcels in the I-L (Light Industrial) zone. The project is located on the south side of Pershing Avenue 150 feet west of Shirk Street. (APN: 081-150-021) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2015-054
 - b. Conditional Use Permit No. 2015-26: A request by Westgate Perch Development Company to establish a planned unit development with industrial uses containing a lot without public street frontage in the I-L (Light Industrial) zone. The project is located on the south side of Pershing Avenue 150 feet west of Shirk Street. (APN: 081-150-021) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2015-54
6. PUBLIC HEARING – Andy Chamberlain
 - a. Tentative Parcel Map No. 2015-05: A request by Jim Conway and Robert Shahan to subdivide 43,792 sq. ft. into 2 parcels in the IL (Light Industrial) zone. The project is located at 6913 W. Pershing Avenue. (APN: 081-150-022) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2015-49.

- b. Conditional Use Permit No. 2015-24: A request by Jim Conway and Robert Shahan to create a lot without public street access in the IL (Light Industrial) zone. The project is located at 6913 W. Pershing Avenue. (APN: 081-150-022) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2015-49.
- c. Variance No. 2015-06: A request by Jim Conway and Robert Shahan to reduce the 40-foot landscape setback in Design District "H" to 20 feet in the IL (Light Industrial) zone. The project is located at 6913 W. Pershing Avenue. (APN: 081-150-022) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2014-49.

7. PUBLIC HEARING – Andy Chamberlain

Conditional Use Permit No. 2015-25: A request by Mark Chamberlin to allow a 6,000 sq. ft. indoor baseball training facility in the IL (Light Industrial) zone. The site is located at 6707 W. Goshen Ave. (APN: 085-340-077). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2015-51

8. PUBLIC HEARING – Brandon Smith

Exception No. 2015-07: A request by City of Visalia to allow an exception to the maximum wall height in the required street side yard of an existing multi-family dwelling complex in the Multi-family Residential (R-M-2) zone. The site is located on the east side of the Burke Street extension between Roosevelt and Houston Avenues. (APN: 094-140-030) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2015-46

Staff Note: *This project was legally advertised as Variance No. 2015-07 and later determined by staff to be a request for Exception. The project has been retitled Exception No. 2015-07 with no change to project description. Both Variances and Exceptions are regulated in Chapter 17.42 of the Visalia Municipal Code.*

9. 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 FRIDAY, OCTOBER 8, 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 220 N. Santa Fe, Visalia, CA 93292. 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 MONDAY, OCTOBER 12, 2015



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: September 28, 2015

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

SUBJECT: Tentative Parcel Map No. 2015-06: A request by Westgate Perch Development Company to subdivide 33,081 sq. ft. into 2 parcels in the I-L (Light Industrial) zone. The project is located on the south side of Pershing Avenue 150 feet west of Shirk Street. (APN: 081-150-021)

Conditional Use Permit No. 2015-26: A request by Westgate Perch Development Company to establish a planned unit development with industrial uses containing a lot without public street frontage in the I-L (Light Industrial) zone. The project is located on the south side of Pershing Avenue 150 feet west of Shirk Street. (APN: 081-150-021)

STAFF RECOMMENDATION

Tentative Parcel Map No. 2015-06

Staff recommends approval of Tentative Parcel Map No. 2015-06, as conditioned, based on the findings and conditions in Resolution No. 2015-49. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

Conditional Use Permit No. 2015-26

Staff recommends approval of Conditional Use Permit No. 2015-26, as conditioned, based upon the findings and conditions in Resolution No. 2015-48. 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 approved Tentative Parcel Map No. 2015-06, based on the findings and conditions in Resolution No. 2015-49.

I move to approve Conditional Use Permit No. 2015-26, based on the findings and conditions in Resolution No. 2015-48.

PROJECT DESCRIPTION

Tentative Parcel Map No. 2015-06 is a request to subdivide one parcel on 33,081 sq. ft. (0.76 acres) into two parcels as shown in Exhibit "A". Proposed Parcel No. 1 would be 15,947 sq. ft. and Parcel No. 2 would be 17,116 sq. ft. The objective is to subdivide the land to accommodate a new 5,000 sq. ft. industrial building and improvements on each lot as shown in Exhibit "B". The site is currently undeveloped with curb and gutter existing along Pershing Court.

Conditional Use Permit No. 2015-26 is a request to establish a planned unit development containing a lot (proposed Parcel No. 2) without public street frontage (refer to Exhibit "A").

Parcel No. 2 proposed by the accompanying parcel map will have access from a 50 foot-wide easement on the east side of Parcel No. 1. The easement will be for ingress, egress, and parking.

BACKGROUND INFORMATION

General Plan Land Use Designation: Light Industrial
Zoning: I-L (Light Industrial)
Surrounding Land Use and Zoning: North: I-L / Industrial buildings
South: R-A (Rural Residential) / Vacant land
East: I-L / Vacant land proposed for two industrial buildings (see Related Actions)
West: I-L / Industrial buildings
Environmental Review: Categorical Exemption No. 2015-54
Special Districts: Design District 'H'
Site Plan Review No: 2015-052 (Tentative Map & PUD) & 2015-053 (Site Improvements)

RELATED PLANS & POLICIES

Please see attached summary of related plans and policies.

RELATED ACTIONS

On the abutting parcel to the east, the applicant is proposing a nearly identical project consisting of **Tentative Parcel Map No. 2015-05** for the creation of two parcels and **Conditional Use Permit No. 2015-24** for the creation of a planned unit development. The entitlements would facilitate a new 5,000 sq. ft. and new 5,750 sq. ft. industrial building each on separate lots. Also included in the request is **Variance No. 2015-06** to reduce the 40-foot setback required along Shirk Street. The proposal is being considered by the Planning Commission on September 28, 2015.

PROJECT EVALUATION

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

Planned Development requirement

The creation of a parcel without frontage on a public street requires a Planned Development which is reviewed and approved through the conditional use permit process. This allows deviation from normal zoning standards including access, lot size, and related bulk and yard requirements.

The site plan attached as Exhibit "B" illustrates the development and circulation pattern that is proposed for the site. This development pattern is identical to that of several other parcels along West Pershing Court. To date, no other parcels on Pershing Court west of Shirk have been further subdivided or have been part of a Planned Development.

The Site Plan Review committee reviewed the proposed parcel map together with the development plan and has made the determination that the proposal meets City development standards.

According to Section 17.26.040 of the Municipal Code pertaining to Planned Developments, the Planning Commission may consider lot sizes smaller than the minimum site area of 20 acres for planned industrial developments if “there are unique circumstances (shape, natural features, location, etc.) which would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.”

Staff recommends that the Planning Commission make this finding for the proposed project, given the lack of ability for each building to have public street frontage and given that other parcels in the zone located along West Pershing Court have been developed in a similar manner.

Site Area

The tentative parcel map shown in Exhibit “A” is subject to approval of the associated conditional use permit. The minimum parcel size in Design District ‘H’ is five acres unless approved as a part of an acceptable master plan. The underlying development pattern in Exhibit “B” with shared access, ingress/egress, and parking constitutes an acceptable master plan and Planned Development which allows the proposed parcel sizes. The subject site was created from a parcel map approved in 2003 as Tentative Parcel Map No. 2003-14 which established average lot sizes at $\frac{3}{4}$ acre.

Access / Circulation

Proposed Parcel Nos. 1 and 2 will share common vehicular access from a single drive approach located on West Pershing Court. Vehicular access to Parcel No. 2 is intended to be via the 50-foot wide easement located on the east side of the map.

Staff is recommending Condition No. 5 on the Tentative Parcel Map and Conditional Use Permit for recordation of an agreement that addresses the property owners’ maintenance of the easement area. This is to assure uniform maintenance rather than relying upon one individual property owner who may choose to defer needed maintenance. The agreement shall address the access drive, parking, ingress and egress, and any applicable services or infrastructure.

Parking

The development plan associated with the project shows parking spaces on the east side of the parcel. There are 10 parking spaces shown on Parcel 1 and 15 parking spaces shown on Parcel 2. Staff finds that the parking on each parcel represents a logical division of parking spaces for typical light industrial uses, notwithstanding the map’s proposed easement for parking.

Setback Standards for PUD

The site is located within Design District ‘H’ and is subject to its development standards. Because the proposed parcel map and planned development will create a parcel without public street frontage, additional development standards must be assigned.

Staff is recommending Condition No. 7 on the Conditional Use Permit to require that the minimum building setback from the parcel line adjoining Parcels 1 and 2 be zero feet. The site shall also be subject to all other design standards for Design District ‘H’, wherein

- Front yard for Parcel 1 be 15 feet;
- Side yards be zero feet;

- Rear yard for Parcel 1 be zero feet;
- Rear yard for Parcel 2 where it abuts Residential zoning be 20 feet.

Environmental Review

This project, the use permit and tentative map, are considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-054).

RECOMMENDED FINDINGS

Tentative Parcel Map No. 2015-06

1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development and Design District "H" standards since they are part of a planned development established through Conditional Use Permit No. 2015-26.
4. That there are unique circumstances involved with the project that would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.
5. That the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-54).

Conditional Use Permit No. 2015-26

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 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 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 proposed parcel sizes resulting from the planned development are consistent with the Zoning Ordinance's Planned Development and Design District "H" standards based on the creation of a master development plan.
4. That there are unique circumstances involved with the project that would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.
5. That the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-54).

RECOMMENDED CONDITIONS OF APPROVAL

Tentative Parcel Map No. 2015-06

1. That the tentative parcel map be prepared in substantial compliance with Exhibit "A".
2. That the tentative parcel map shall be developed consistent with the comments and conditions of Site Plan Review No. 2015-052, incorporated herein by reference.
3. That Conditional Use Permit No. 2015-26 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
4. That Tentative Parcel Map No. 2015-06 shall be null and void unless Conditional Use Permit No. 2015-26 is approved.
5. That an agreement addressing vehicular access, ingress and easement, parking, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
7. That all other federal and state laws and city codes and ordinances be complied with.
8. 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 Tentative Parcel Map No. 2015-06, prior to the recordation of the parcel map.

Conditional Use Permit No. 2015-26

1. That the planned development be developed in substantial compliance with the site plan in Exhibit "B".
2. That the planned development shall be developed consistent with the comments and conditions of Site Plan Review Nos. 2015-052 and 053, incorporated herein by reference.
3. That Tentative Parcel Map No. 2015-06 shall be approved, and that requirements of the parcel map which relate to this conditional use permit shall be fulfilled.
4. That Conditional Use Permit No. 2015-26 shall be null and void unless Tentative Parcel Map No. 2015-06 is approved.
5. That an agreement addressing vehicular access, ingress and easement, parking, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to

recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.

6. That all of the conditions and responsibilities of Conditional Use Permit No. 2015-26 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
7. That the planned development shall be subject to the following setbacks as measured from property lines:
 - Minimum building setback from the parcel line adjoining Parcels 1 and 2 be zero feet;
 - Front yard for Parcel 1 be 15 feet;
 - Side yards be zero feet;
 - Rear yard for Parcel 1 be zero feet;
 - Rear yard for Parcel 2 where it abuts Residential zoning be 20 feet.
8. That all applicable federal, state, regional, and city policies and ordinances be met.
9. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-26, prior to the issuance of any building permit for this project.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.28.080, 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 220 N. Santa Fe Street, Visalia, CA 93292. 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. 2015-49 (Tentative Parcel Map No. 2015-06)
- Resolution No. 2015-48 (Conditional Use Permit No. 2015-26)
- Exhibit "A" – Tentative Parcel Map
- Exhibit "B" – Site Plan
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RELATED PLANS AND POLICIES

City of Visalia Subdivision Ordinance [Title 16 of Visalia Municipal Code]

Chapter 16.28: PARCEL MAPS

Section 16.28.020 Advisory agency.

The planning commission is designated as the advisory agency referred to in Article 2 of the Subdivision Map Act and is charged with the duty of making investigations and reports on the design and improvement of proposed divisions of land under this chapter. The city planner is designated as the clerk to the advisory agency with authority to receive parcel maps. (Ord. 9605 § 32 (part), 1996: prior code § 9215)

Section 16.28.060 Hearing and notice.

A. The city planning commission shall hold a public hearing on an application for a tentative parcel map or vesting tentative parcel map.

B. Notice of a public hearing shall be given not less than ten days or 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 proposed for subdivision. (Prior code § 9235)

Section 16.28.070 Consideration of tentative parcel maps.

The commission shall review the tentative parcel map and approve, conditionally approve, or disapprove the map within thirty (30) days after the receipt of such map, or at such later date as may be required to concurrently process the appurtenant environmental impact require documents required by state law and local regulations adopted in implementation thereof. (Prior code § 9240)

Section 16.28.080 Appeals.

If the applicant is dissatisfied with the decision of the planning commission, he may, within ten days after the decision of the planning commission, appeal in writing to the council for a hearing thereon. Such hearing need not be concluded on the day thus set but may be continued. (Prior code § 9245)

Section 16.28.110 Right-of-way dedications.

A. Pursuant to the Subdivision Map Act, the subdivider shall provide such dedication of right-of-way and/or easements as may be required by the planning commission.

B. The planning commission may, at its discretion, require that offers of dedication or dedication of streets include a waiver of direct access rights to any such streets from any property shown on the final map as abutting thereon, in accord with the provisions of the Subdivision Map Act. (Prior code § 9260)

City of Visalia Zoning Ordinance [Title 17 of Visalia Municipal Code]

Chapter 17.18: PLANNED COMMERCIAL ZONES

Section 17.18.010 Purposes.

A. The several types of commercial zones included in this chapter are designed to achieve the following:

1. Provide appropriate areas for various types of retail stores, offices, service establishments and wholesale businesses to be concentrated for the convenience of the public; and to be located and grouped on sites that are in logical proximity to the respective geographical areas and respective categories of patrons which they serve in a manner consistent with the general plan;

2. Maintain the central business district (CBD - Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as Visalia's traditional, medical, professional, retail, government and cultural center;
 3. Maintain Visalia's role as the regional commercial center for Tulare, Kings and southern Fresno counties;
 4. Maintain and improve Visalia's retail base to serve the needs of local residents and encourage shoppers from outside the community;
 5. Accommodate a variety of commercial activities to encourage new and existing business that will employ residents of the city and those of adjacent communities;
 6. Maintain Visalia's role as the regional retailing center for Tulare and Kings Counties and ensure the continued viability of the existing commercial areas;
 7. Maintain commercial land uses which are responsive to the needs of shoppers, maximizing accessibility and minimizing trip length;
 8. Ensure compatibility with adjacent land uses.
- B. The purpose of the individual commercial land use zones are as follows:
3. Planned Shopping/Office Zone--(P-C-SO). The purpose and intent of the planned shopping/ office zone district is to provide areas for a wide range of neighborhood and community level retail commercial and office uses. This district is intended to provide for the transition from service and heavy commercial uses where they exist in this district to retail and office and to provide areas for neighborhood goods and services where shopping centers may not be available.

Chapter 17.30: MODIFYING ZONES

Section 17.30.130 Development standards.

A. Site Area. The minimum parcel size for each design district varies according to the development standards. However, this section shall not preclude parcels of less than the required minimum which exist at the time of adoption of this proposal, from securing planned development and building permits. Parcels of less than the required minimum size may be created upon approval of an acceptable master plan by the site plan review committee.

Section 17.30.230 Development standards--Design district H.

The following development standards shall apply to property located in district H. See Chapter 17.24 for additional BRP zone design standards:

A. Design district H includes streets of varying width, carrying capacity and intended service. The development standards vary by type of street in order to maintain a consistent streetscape and achieve a high quality visual impact necessary to sustain an attractive and viable industrial area.

B. Building height: seventy-five (75) feet maximum.

C. Required Yards.

1. Frontage on major road: forty (40) feet. (Major roads are defined as roads shown as arterials or collectors on the city's June 1989 Circulation Element Map, including but not limited to Goshen, Plaza Drive, Avenue 308, etc.);

2. Frontage on minor road: twenty-five (25) feet. (Minor roads are defined as roads shown as local streets on the city's June 1989 Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, Rasmussen Avenue, etc.);

3. Frontage on interior roads: fifteen (15) feet. (Interior roads provide access only to parcels within a development.);

4. Side: zero;

5. Side abutting Southern Pacific Railroad right-of-way: forty (40) feet;

6. Side abutting an "R" zone: twenty (20) feet;

7. Rear: zero;

8. Rear abutting an "R" zone: twenty (20) feet.

D. Parking as prescribed in Chapter 17.34.

E. 1. Site area: five acres, minimum. If sites less than this minimum area are approved in accordance with Section 17.30.130(A) of this chapter, it is required that setbacks be determined at the time of parceling of the property. The parcels being created shall be designed to accommodate the landscape

areas and building setbacks as required by this section.

2. In addition, properties subdivided into parcels of less than five acres shall provide a common or joint storm drainage facility or pond, to be maintained through a private property owners association formed at the time of subdivision.

F. Landscaping.

1. Frontage on major road: forty (40) feet. (Major roads are defined as roads shown as arterials and collectors on the city's June 1989 Circulation Element Map, including but not limited to Goshen and Plaza Drive).

2. Frontage on minor road: twenty-five (25) feet. (Minor roads are defined as roads shown as local streets on the city's June 1989 Circulation Element Map, including but not limited to Elowin Court, Clancy Drive, Rasmussen Avenue, etc.)

3. Frontage on interior roads: fifteen (15) feet. (Interior roads provide access only to parcels within a development);

4. Side: zero;

5. Side abutting Southern Pacific Railroad right-of-way: forty (40) feet;

6. Side abutting an "R" zone: ten feet;

7. Rear: zero;

8. Rear abutting an "R" zone: ten feet.

G. Screening. An eight-foot masonry wall is required along property line where a site abuts a "R" zoned property. (See also Chapter 17.36, Section 17.36.050, planned commercial, and Section 17.36.070, planned industrial.) (Ord. 9920 § 1, 1999: prior code § 7473)

Chapter 17.38: CONDITIONAL USE PERMITS

Section 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. 2015-48

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2015-26, A REQUEST BY WESTGATE PERCH DEVELOPMENT COMPANY TO ESTABLISH A PLANNED UNIT DEVELOPMENT WITH INDUSTRIAL USES CONTAINING A LOT WITHOUT PUBLIC STREET FRONTAGE IN THE I-L (LIGHT INDUSTRIAL) ZONE. THE PROJECT IS LOCATED ON THE SOUTH SIDE OF PERSHING AVENUE 150 FEET WEST OF SHIRK STREET. (APN: 081-150-021)

WHEREAS, Conditional Use Permit No. 2015-26, is request by Westgate Perch Development Company to establish a planned unit development with industrial uses containing a lot without public street frontage in the I-L (Light Industrial) zone. The project is located on the south side of Pershing Avenue 150 feet west of Shirk Street. (APN: 081-150-021); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on September 28, 2015; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2015-26, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-25).

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 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 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 proposed parcel sizes resulting from the planned development are consistent with the Zoning Ordinance's Planned Development and Design District "H" standards based on the creation of a master development plan.

4. That there are unique circumstances involved with the project that would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.
5. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-54).

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 planned development be developed in substantial compliance with the site plan in Exhibit "B".
2. That the planned development shall be developed consistent with the comments and conditions of Site Plan Review Nos. 2015-052 and 053, incorporated herein by reference.
3. That Tentative Parcel Map No. 2015-06 shall be approved, and that requirements of the parcel map which relate to this conditional use permit shall be fulfilled.
4. That Conditional Use Permit No. 2015-26 shall be null and void unless Tentative Parcel Map No. 2015-06 is approved.
5. That an agreement addressing vehicular access, ingress and easement, parking, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That all of the conditions and responsibilities of Conditional Use Permit No. 2015-26 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
7. That the planned development shall be subject to the following setbacks as measured from property lines:
 - Minimum building setback from the parcel line adjoining Parcels 1 and 2 be zero feet;
 - Front yard for Parcel 1 be 15 feet;
 - Side yards be zero feet;
 - Rear yard for Parcel 1 be zero feet;
 - Rear yard for Parcel 2 where it abuts Residential zoning be 20 feet.
8. That all applicable federal, state, regional, and city policies and ordinances be met.

9. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-26, prior to the issuance of any building permit for this project.

RESOLUTION NO 2015-49

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2015-06, A REQUEST BY WESTGATE PERCH DEVELOPMENT COMPANY TO SUBDIVIDE 33,081 SQ. FT. INTO 2 PARCELS IN THE I-L (LIGHT INDUSTRIAL) ZONE. THE PROJECT IS LOCATED ON THE SOUTH SIDE OF PERSHING AVENUE 150 FEET WEST OF SHIRK STREET.
(APN: 081-150-021)

WHEREAS, Tentative Parcel Map No. 2015-06 is a request by Westgate Perch Development Company to subdivide 33,081 sq. ft. into 2 parcels in the I-L (Light Industrial) zone. The project is located on the south side of Pershing Avenue 150 feet west of Shirk Street. (APN: 081-150-021); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on September 28, 2015; and,

WHEREAS, the Planning Commission of the City of Visalia finds the tentative parcel map in accordance with Section 16.28.070 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and,

WHEREAS, the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-54).

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Visalia approves the proposed tentative parcel map based on the following specific findings and based on the evidence presented:

1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development and Design District "H" standards since they are part of a planned development established through Conditional Use Permit No. 2015-26.
4. That there are unique circumstances involved with the project that would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.

5. That the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-54).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative parcel map on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.28.070 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the tentative parcel map be prepared in substantial compliance with Exhibit "A".
2. That the tentative parcel map shall be developed consistent with the comments and conditions of Site Plan Review No. 2015-052, incorporated herein by reference.
3. That Conditional Use Permit No. 2015-26 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
4. That Tentative Parcel Map No. 2015-06 shall be null and void unless Conditional Use Permit No. 2015-26 is approved.
5. That an agreement addressing vehicular access, ingress and easement, parking, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
7. That all other federal and state laws and city codes and ordinances be complied with.
8. 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 Tentative Parcel Map No. 2015-06, prior to the recordation of the parcel map.

TENTATIVE PARCEL MAP

SPR 15052

Being Parcel 20 of Parcel Map No. 4664 Resub. Bk. 47 of Parcel Map of Pg. 89 TCR
 Situated in a portion of the NE 1/4 of Sec. 28, T.18S., R.24E., M.D. Ball, in the City of Visalia,
 County of Tulare, State of California.
 March, 2015

OWNERS:

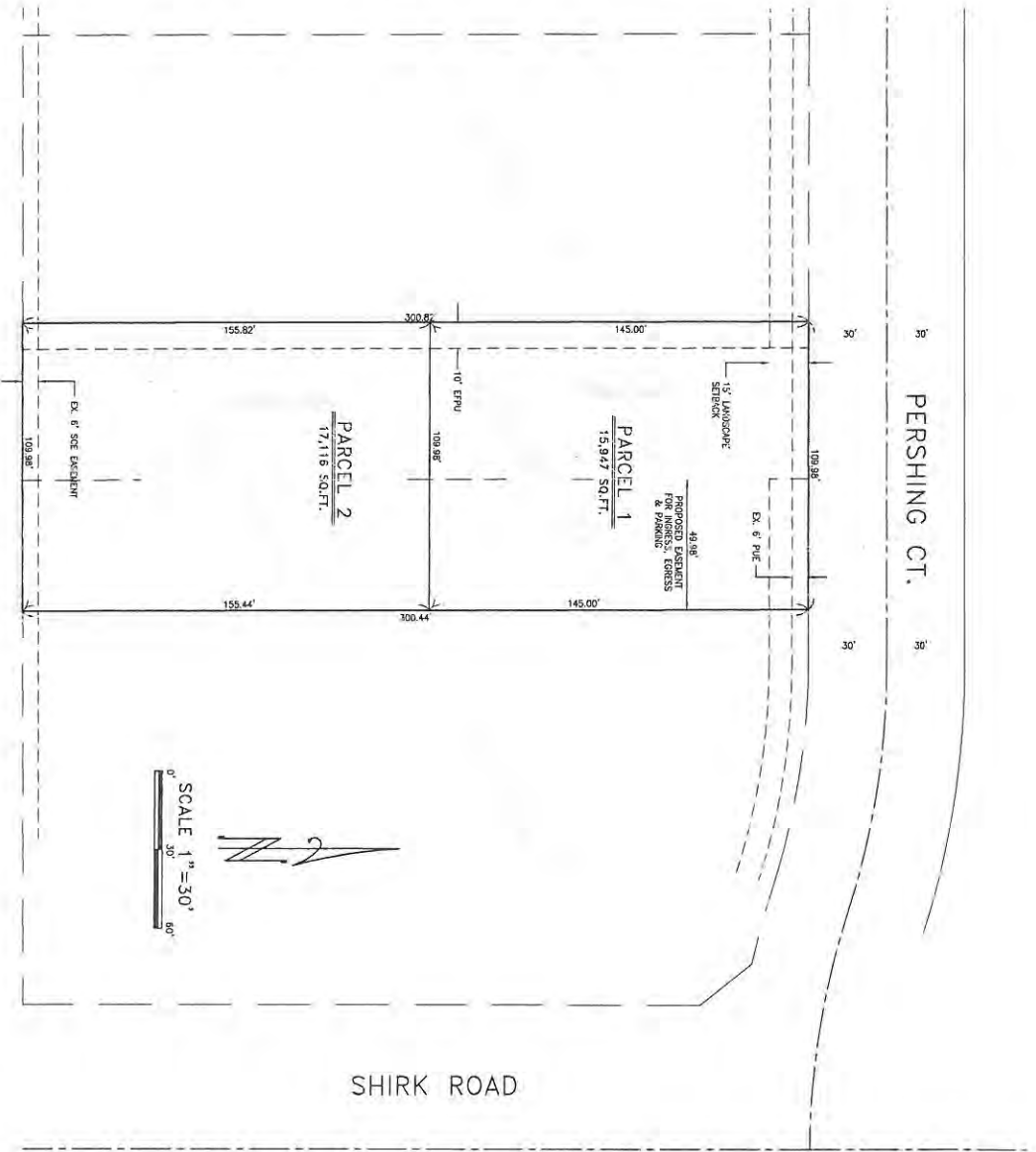
WESTGATE PERCH DEVELOPMENT CO.
 7024 N. Pershing Ct.
 Visalia, CA 93291

SURVEYOR:

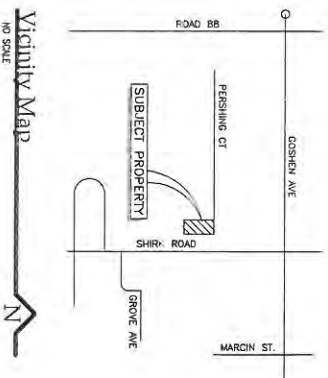
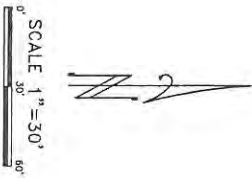
FORESTER, WEBER & ASSOCIATES
 1820 W. Main Street, Suite B
 Visalia, California 93291
 (559) 732-0102

NOTES:

- EXISTING PROPERTY USE: VACANT
- PROPOSED PROPERTY USE: OFFICE-TENANT LEASE-STORAGE
- ZONING: L1-150-021
- WATER: CALIFORNIA WATER SERVICE
- SEWER: CITY OF VISALIA
- FLOOR AREA: 32,063 SQ. FT.
- LOT AREA: 32,063 SQ. FT.
- PARKING: 18 STANDALONE SPACES
6 COMPACT SPACES
- 28 TOTAL SPACES



SHIRK ROAD



One Sheet Only

Exhibit "A"

SITE PLAN

Being Parcel 20 of Parcel Map No. 4664 Rec'd. Bk. 47 of Parcel Maps at Pg. 66 TCR, County of San Diego, State of California, and a portion of the NE 1/4 of Sec. 26, T.18S., R.24SE, W.03B&C in the City of Visalia, California, as shown on Sheet 1 of Exhibit B.

March, 2015

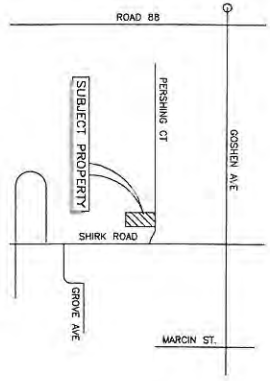
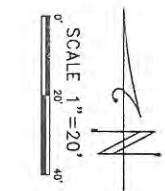
OWNERS:

WESTGATE PERCIL DEVELOPMENT CO.
7054 W. Pershing Ct.
Visalia, CA 93291

SURVEYOR:

FORESTER WEBBER & ASSOCIATES
1520 W. Mineral King Ave., Suite B
Visalia, California 93291
(559) 732-0102

- NOTES:**
- EXISTING PROPERTY USE: VACANT TRUCK LUBE-STORAGE
 - PROPOSED PROPERTY P.U.: 081-150-021
 - ZONING: L-1
 - USE: MULTIFAMILY WATER SERVICE
 - SEWER: CITY
 - FLOOD ZONE: X02
 - LOT AREA: 33,063 SQ. FT.
 - PERMITS: 2 HANDICAP SPACES, 8 COMFORT SPACES, 26 TOTAL SPACES
- A CROSS ACCESS AGREEMENT WILL BE PREPARED



Vicinity Map
NO SCALE

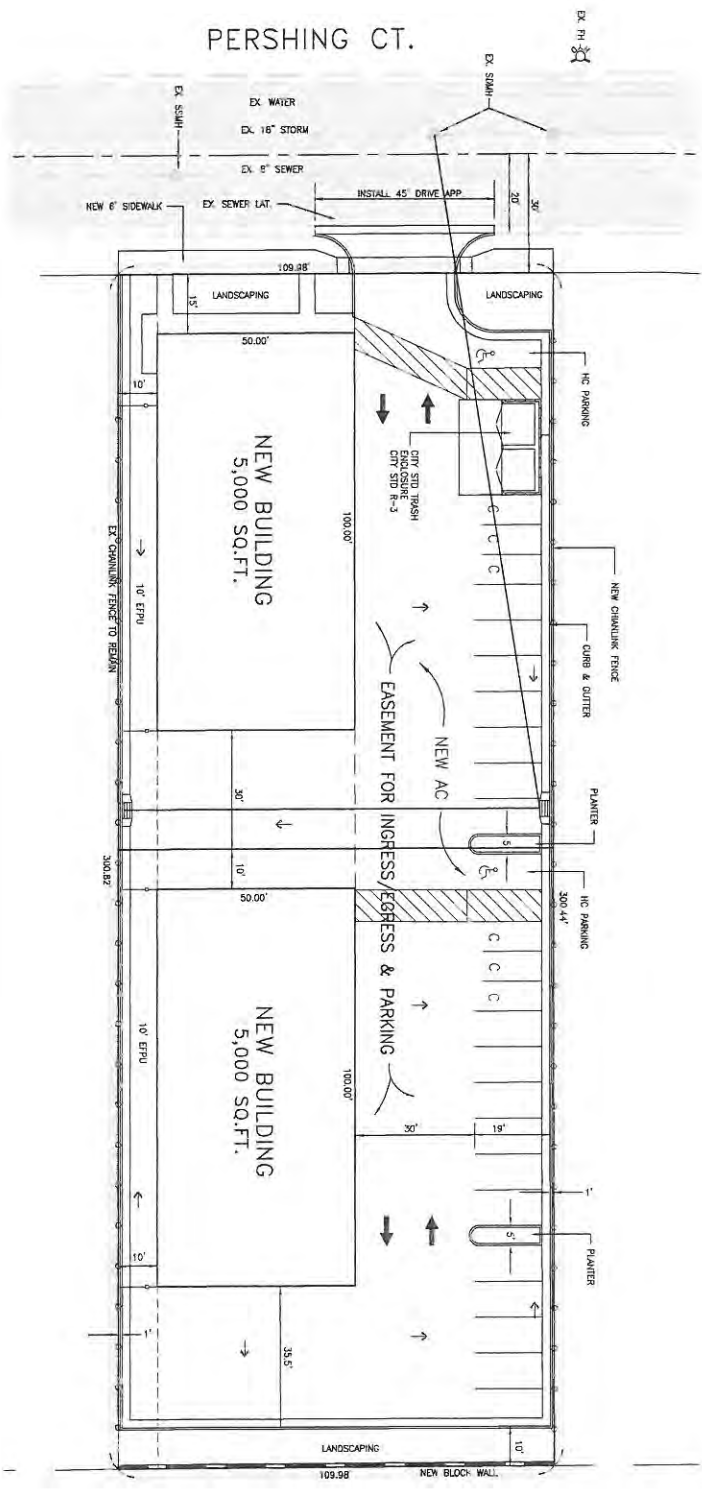


Exhibit "B"



MEETING DATE 4/8/2015
SITE PLAN NO. 15-053
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.



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

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

- During site plan design/policy concerns were identified, schedule a meeting with
- | | | |
|--------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Planning | <input type="checkbox"/> Engineering prior to resubmittal plans for Site Plan Review. | |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks and Recreation | <input type="checkbox"/> Fire Dept. |

REVISE AND PROCEED (see below)

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

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

Your plans must be reviewed by:

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

ADDITIONAL COMMENTS _____

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

City of Visalia
 Building: Site Plan
 Review Comments

ITEM NO: 4 DATE: April 08, 2015
 SITE PLAN NO: SPR15053
 PROJECT TITLE: SITE IMPROVEMENTS
 DESCRIPTION: SITE IMPROVEMENTS FOR TWO 5,000 SQ FT PROPOSED BUILDINGS AND ON EXISTING LOT 33080 SQ.FT AREA (IL ZONED) (DISTRICT H) (X)
 APPLICANT: WESTGATE DEVELOPMENT
 PROP OWNER: CONWAY JIM L & MARLA SUZANNE (TRS FAM TR)
 LOCATION: 6935 W PERSHING CT
 APN(S): 081-150-021 Lot 20

RTP

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. 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, 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: Provide dimension lines for parking stalls - (Accessible Parking) Also show on plans required truncated accessible route.
comes.

{ one accessible Van # Chuck Clark 4/7/15
 Signature

stalls
26-50

two ADA stalls = 1 stall shall be required.



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: April 06, 2015

SITE PLAN NO:

SPR15053

PROJECT TITLE:

SITE IMPROVEMENTS

DESCRIPTION:

SITE IMPROVEMENTS FOR TWO 5,000 SQ FT PROPOSED BUILDINGS AND ON EXISTING LOT 33080 SQ.FT AREA (IL ZONED) (DISTRICT H) (X) WESTGATE DEVELOPMENT

APPLICANT:

CONWAY JIM L & MARLA SUZANNE (TRS FAM TR)

PROP OWNER:

6935 W PERSHING CT

LOCATION:

APN(S):

081-150-021

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.

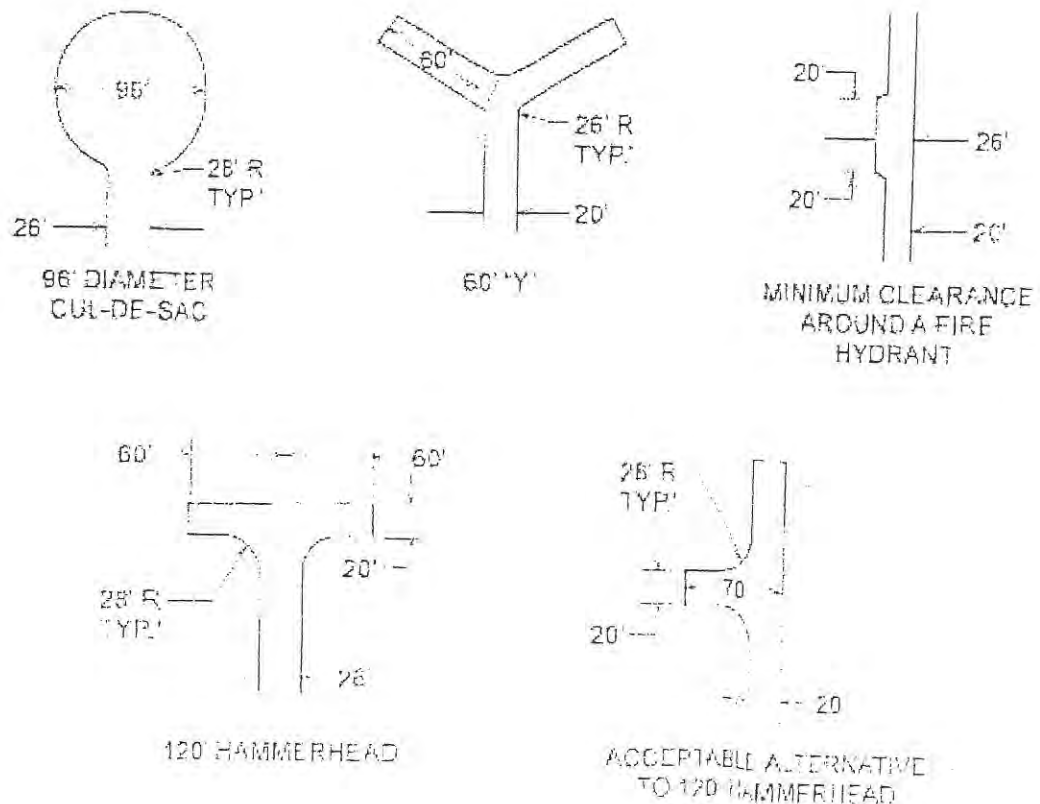


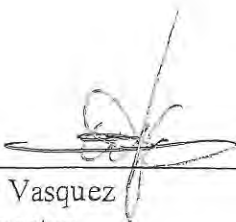
FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUNDS

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

ITEM NO: 4 DATE: April 08, 2015
SITE PLAN NO: SPR15053
PROJECT TITLE: SITE IMPROVEMENTS
DESCRIPTION: SITE IMPROVEMENTS FOR TWO 5,000 SQ FT
PROPOSED BUILDINGS AND ON EXISTING LOT
33080 SQ.FT AREA (IL ZONED) (DISTRICT H) (X)
WESTGATE DEVELOPMENT
APPLICANT: CONWAY JIM L & MARLA SUZANNE (TRS FAM TI
PROP OWNER: 6935 W PERSHING CT
LOCATION: 081-150-021
APN(S):

COMMERCIAL BIN SERVICE

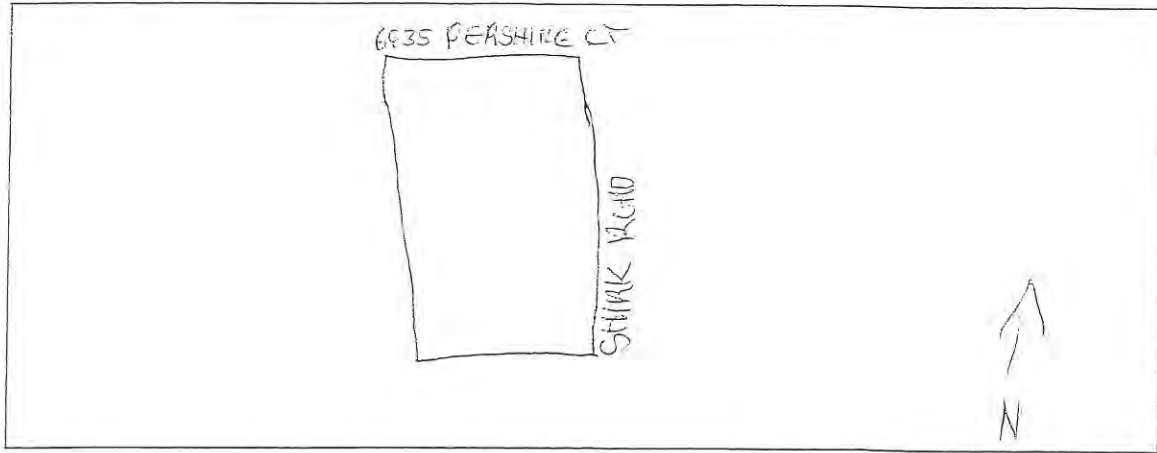
- No comments.
- Same comments as as
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down
before disposing of in recycle containers.
- ALL refuse enclosures 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

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

Date: 4-6-15

Site Plan Review # 15-053


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

ITEM NO: 4

DATE: April 08, 2015

SITE PLAN NO:

SPR15053

PROJECT TITLE:

SITE IMPROVEMENTS

DESCRIPTION:

SITE IMPROVEMENTS FOR TWO 5,000 SQ FT PROPOSED BUILDINGS AND ON EXISTING LOT 33080 SQ.FT AREA (IL ZONED) (DISTRICT H) (X) WESTGATE DEVELOPMENT

APPLICANT:

CONWAY JIM L & MARLA SUZANNE (TRS FAM TR

PROP OWNER:

6835 W PERSHING CT

LOCATION:

APN(S):

081-150-021

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:

B WINTER L98

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: April 8, 2015

SITE PLAN NO: 2015-053
PROJECT TITLE: SITE IMPROVEMENTS
DESCRIPTION: SITE IMPROVEMENTS FOR TWO 5,000 SQ FT PROPOSED BUILDINGS AND ON EXISTING LOT 33080 SQ.FT AREA (IL ZONED) (DISTRICT H) (X)
APPLICANT: WESTGATE DEVELOPMENT
PROP. OWNER: CONWAY JIM L & MARLA SUZANNE (TRS FAM TR)
LOCATION TITLE: 6935 W PERSHING CT
APN TITLE: 081-150-021
GENERAL PLAN: Light Industrial
EXISTING ZONING: IL (Light Industrial)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit (due to parcel being created with no frontage on a public street)
- Reciprocal Access Agreements / Shared Parking
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: 04/08/2015

1. The development plan (i.e., site improvement plan) submitted shall be included with the CUP application filing.
2. The buildings and all site improvements comply with Design District "H" development standards.
3. Landscaping plans shall be submitted with the building plans. See landscaping requirements below regarding water efficient landscape plans.

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

Design District: "H" (See Chapter 17.24 For BRP Zoned Sites) [17.30.230]

Maximum Building Height: 75 Feet

Minimum Setbacks:

	Building	Landscaping
➤ Frontage on major roads	40 Feet	40 Feet
➤ Frontage on minor roads	25 Feet	25 Feet
➤ Frontage on interior roads	15 Feet	15 Feet
➤ Side	0 Feet	0 Feet
➤ Side abutting railroad right-of-way	40 Feet	40 Feet
➤ Side abutting residential zone	20 Feet	10 Feet
➤ Rear	0 Feet	0 Feet
➤ Rear abutting residential zone	20 Feet	10 Feet

*Major roads are defined as arterials and collectors such as Goshen Ave., Plaza Dr., etc.
Minor roads are defined as local streets such as Elowin Ct., Clancy Dr., etc.*

Interior roads provide access to parcels within development

Minimum Site Area: 5 acres minimum site area. If site less than this minimum area is approved in accordance with section No. 17.30.130 (A) of this chapter, it is required that setbacks be determined at the time of parceling the property. The parcels being created shall be designed to accommodate the landscape areas and building setbacks as required by this section.

Properties subdivided into less than 5 acre sites shall provide a common or joint storm drainage facility to be maintained through a property owners association formed at the time of subdivision.

Parking: As prescribed in Chapter 17.34

Screening requirement: An eight foot masonry wall is required along a property line that abuts a residentially zoned property. (See also 17.36, 17.36.050, 17.36.070)

Parking:

1. The site plan depicts 26 parking spaces to be evenly distributed between Parcels 1 and 2. Parking requirements may increase once a use is identified for each building. To alleviate future parking needs, a shared parking agreement may ease additional parking requirements if parking can be demonstrated to be divergent between the future uses.
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. No repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).
6. It is highly recommended that bicycle rack(s) be provided on site plan.
7. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
8. Design/locate parking lot lighting to deflect any glare away from abutting residential areas, calculations to be shown on construction documents (Zoning Ordinance Section 17.34.030.J).
9. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.
10. Provide shared parking/access agreements. Said agreements/ easements to be approved and recorded prior to issuance of building permits (Zoning Ordinance Section 17.34.050).
11. Provide off-street loading facility (Zoning Ordinance Section 17.34.070 & 17.34.080).

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. Provide solid screening of all outdoor storage areas. Outdoor storage to be screened from public view with solid material (Zoning Ordinance Section 17.30.130.F).
4. Outdoor retail sales prohibited.
5. Cross Sections need to be provided for site Plan Review if there is greater than an 18-inch difference between the elevation of the subject site and the adjacent properties, and the sections would be required for the public hearing process also.
6. All outdoor storage areas are to be identified on the site plan and they are to be shown with screening (fencing). No materials may be stored above the storage area fence heights (Zoning Ordinance Section 17.30.130.F).
7. Provide minimum of seven-foot high concrete block wall or masonry wall along/around the following: **Rear Property Line**

8. If there is an anticipated grade difference of more than 12-inches between this site and the adjacent sites, a cross section of the difference and the walls must be provided as a part of the Subdivision and/or CUP application package.
9. 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. Provide a detailed landscape and irrigation plan for review prior to issuance of building permits. Please review Zoning Ordinance section 17.30.130-C for current landscaping and irrigation requirements.
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  _____

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

April 8, 2015


ITEM NO: 4
SITE PLAN NO: SPR15053
PROJECT TITLE: SITE IMPROVEMENTS
DESCRIPTION: SITE IMPROVEMENTS FOR TWO 5,000 SQ FT PROPOSED BUILDINGS AND ON EXISTING LOT
63680 SQ FT AREA (IL ZONED) (DISTRICT H) (C)
APPLICANT: WESTGATE DEVELOPMENT
PROP. OWNER: CONWAY JIM L & MARLA SUZANNE (TRS FAM TR)
LOCATION: 6935 W PERSHING CT
APN(S): 081-150-021

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:

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Leslie Blair

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

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

ITEM NO: 4 DATE: APRIL 8, 2015

SITE PLAN NO.: 15-053
PROJECT TITLE: SITE IMPROVEMENTS
DESCRIPTION: SITE IMPROVEMENTS FOR TWO 5,000 SQ FT PROPOSED BUILDINGS AND ON EXISTING LOT 33,080 SQ FT AREA (IL ZONED) (DISTRICT H) (X)
APPLICANT: WESTGATE DEVELOPMENT
PROP OWNER: CONWAY JIM L & MARLA SUZANNE (TRS FAM TR)
LOCATION: 6935 W PERSHING CT
APN: 081-150-021

SITE PLAN REVIEW COMMENTS

REQUIREMENTS (indicated by checked boxes)

- Install curb return with ramp, with _____ radius;
- Install curb; gutter *onsite as necessary*
- Drive approach size: **25' min.** Use radius return; *Refer to City commercial approach standards*
- Sidewalk: **6'** width; **4'** parkway width at *Pershing Ct.*
- 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. All 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. *see comments*
- 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.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 15-053
Date: 4/8/2015

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.)

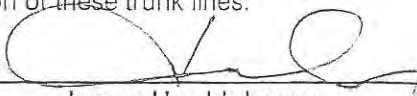
(Fee Schedule Date:8/15/2014)
(Project type for fee rates:SITE IMPROVEMENT, SERV.COMM.)

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	\$1,659/1000SF
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$21/1000SF
TREATMENT PLANT FEE: TBD	
<input type="checkbox"/> Sewer Front Foot Fee	
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	\$137/AC X (19AC/20LOTS) = \$130.15
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	\$229/AC X (19AC/20LOTS) = \$217.55
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire	\$1,713/AC X (19AC/20LOTS) = \$1,627.35
<input checked="" type="checkbox"/> Public Facility Impact Fee	\$347/1000SF
<input type="checkbox"/> Parking In-Lieu	

Reimbursement:

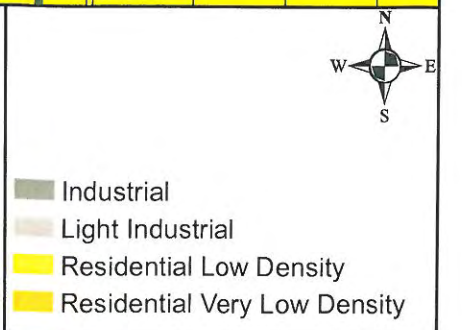
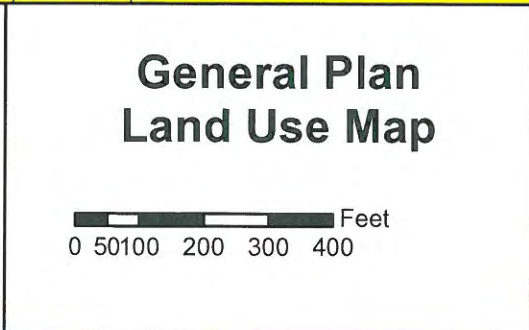
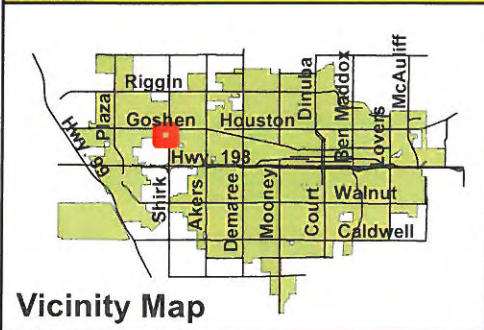
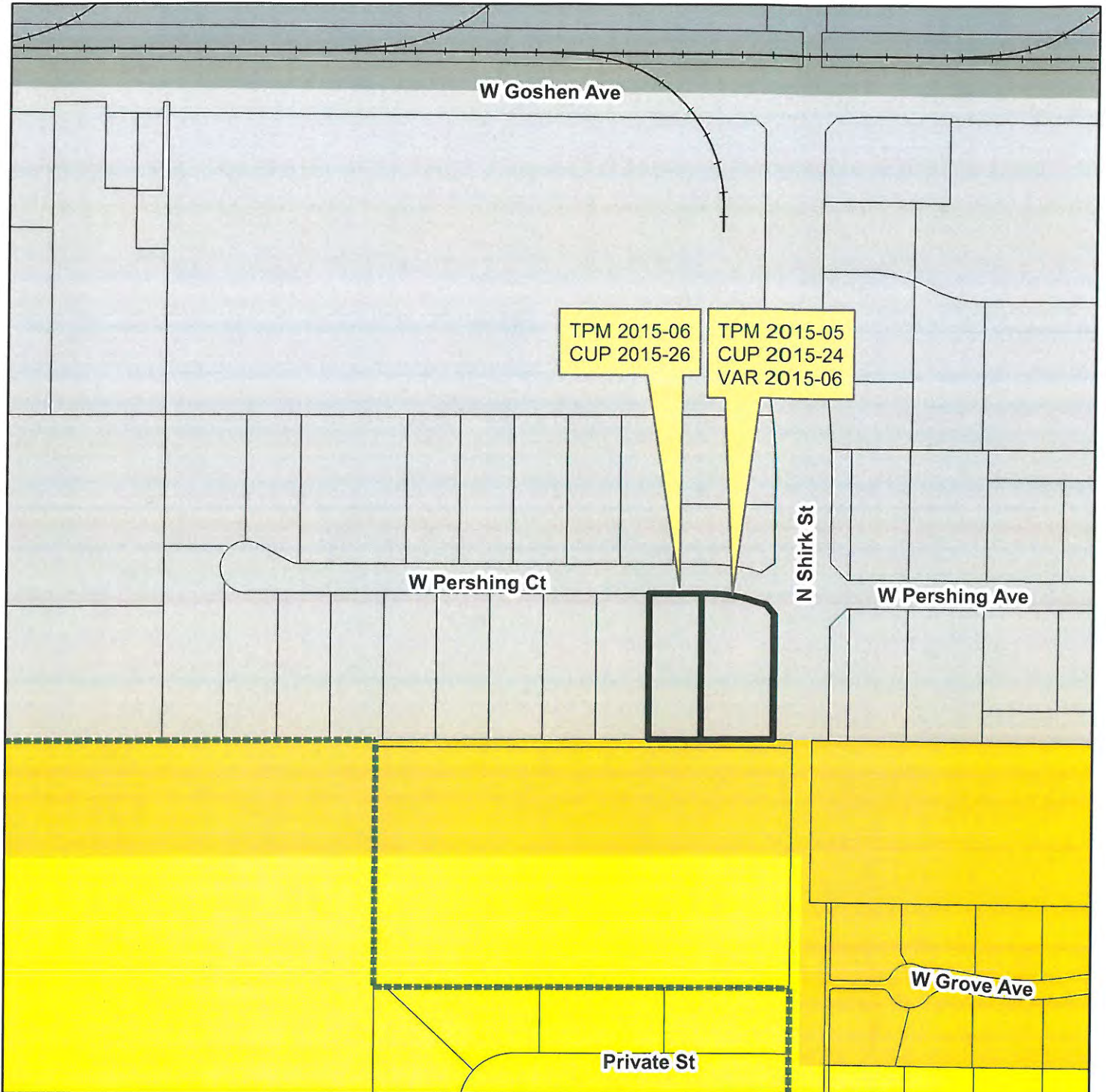
- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in 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

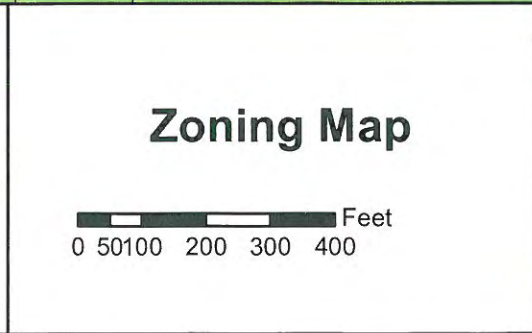
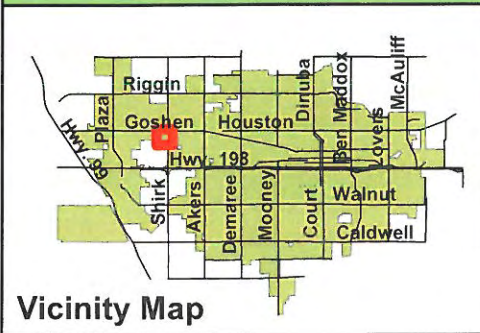
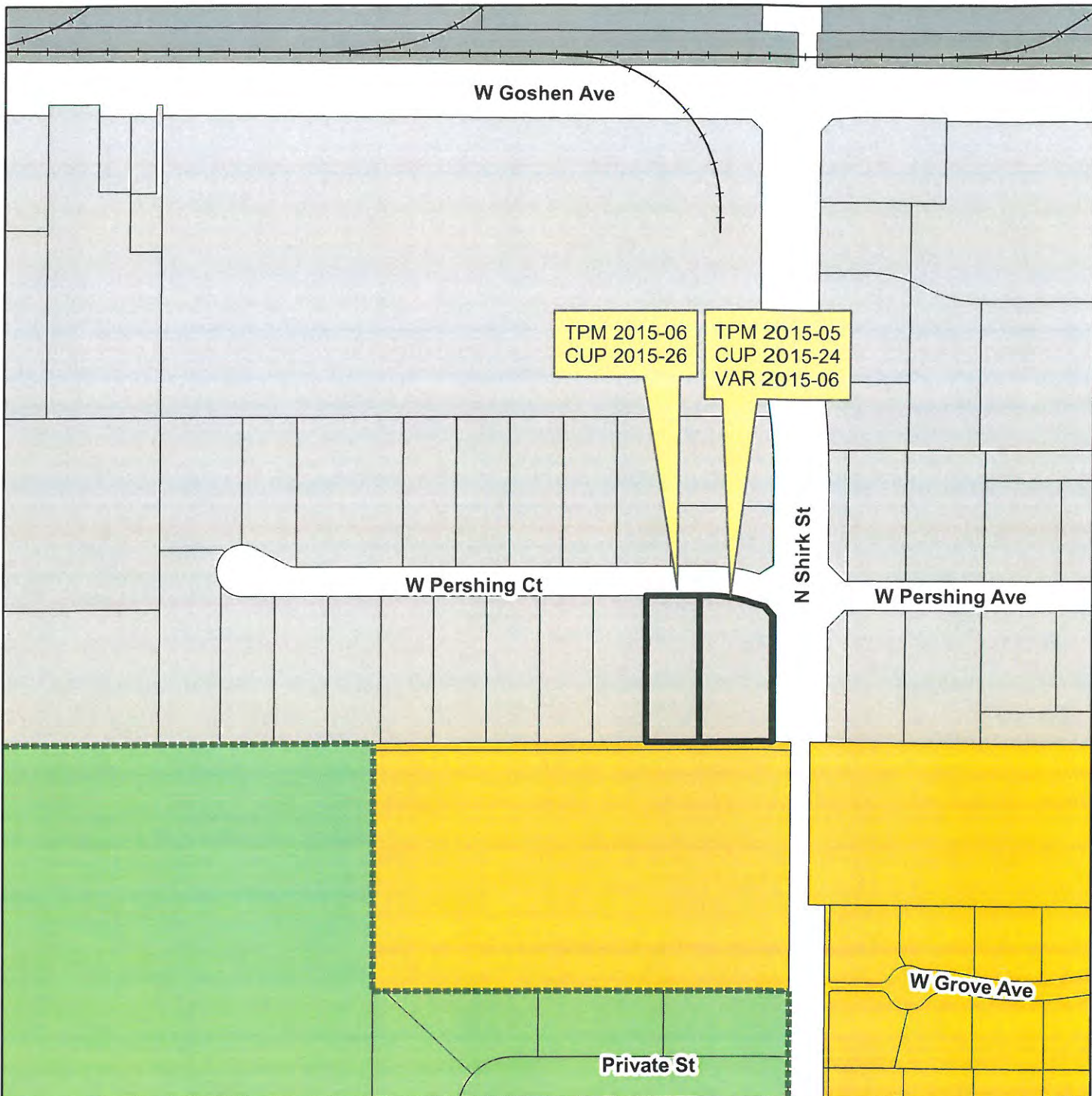
Tentative Parcel Map No. 2015-05 / Conditional Use Permit No. 2015-24 / Variance No. 2015-06
Tentative Parcel Map No. 2015-06 / Conditional Use Permit No. 2015-26

The project is located on the south side of Pershing Avenue west of Shirk Street. (APN: 081-150-021, 022)



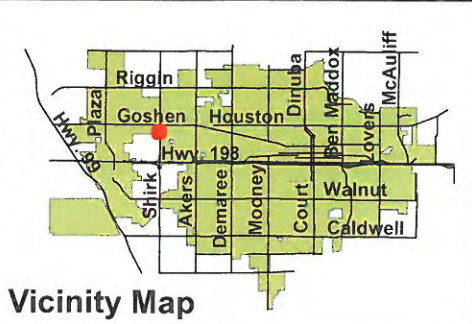
**Tentative Parcel Map No. 2015-05 / Conditional Use Permit No. 2015-24 / Variance No. 2015-06
 Tentative Parcel Map No. 2015-06 / Conditional Use Permit No. 2015-26**

The project is located on the south side of Pershing Avenue west of Shirk Street. (APN: 081-150-021, 022)



**Tentative Parcel Map No. 2015-05 / Conditional Use Permit No. 2015-24 / Variance No. 2015-06
 Tentative Parcel Map No. 2015-06 / Conditional Use Permit No. 2015-26**

The project is located on the south side of Pershing Avenue west of Shirk Street. (APN: 081-150-021, 022)



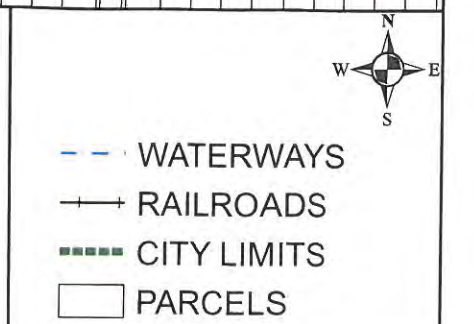
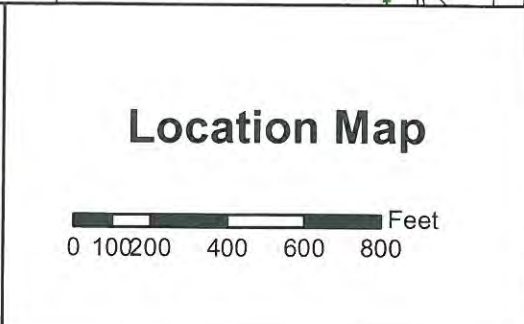
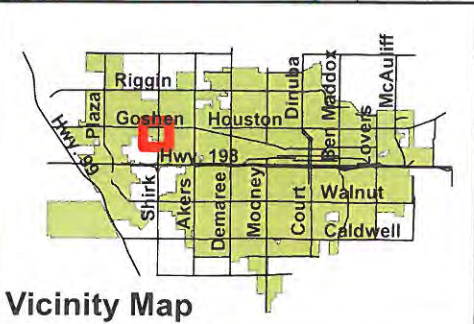
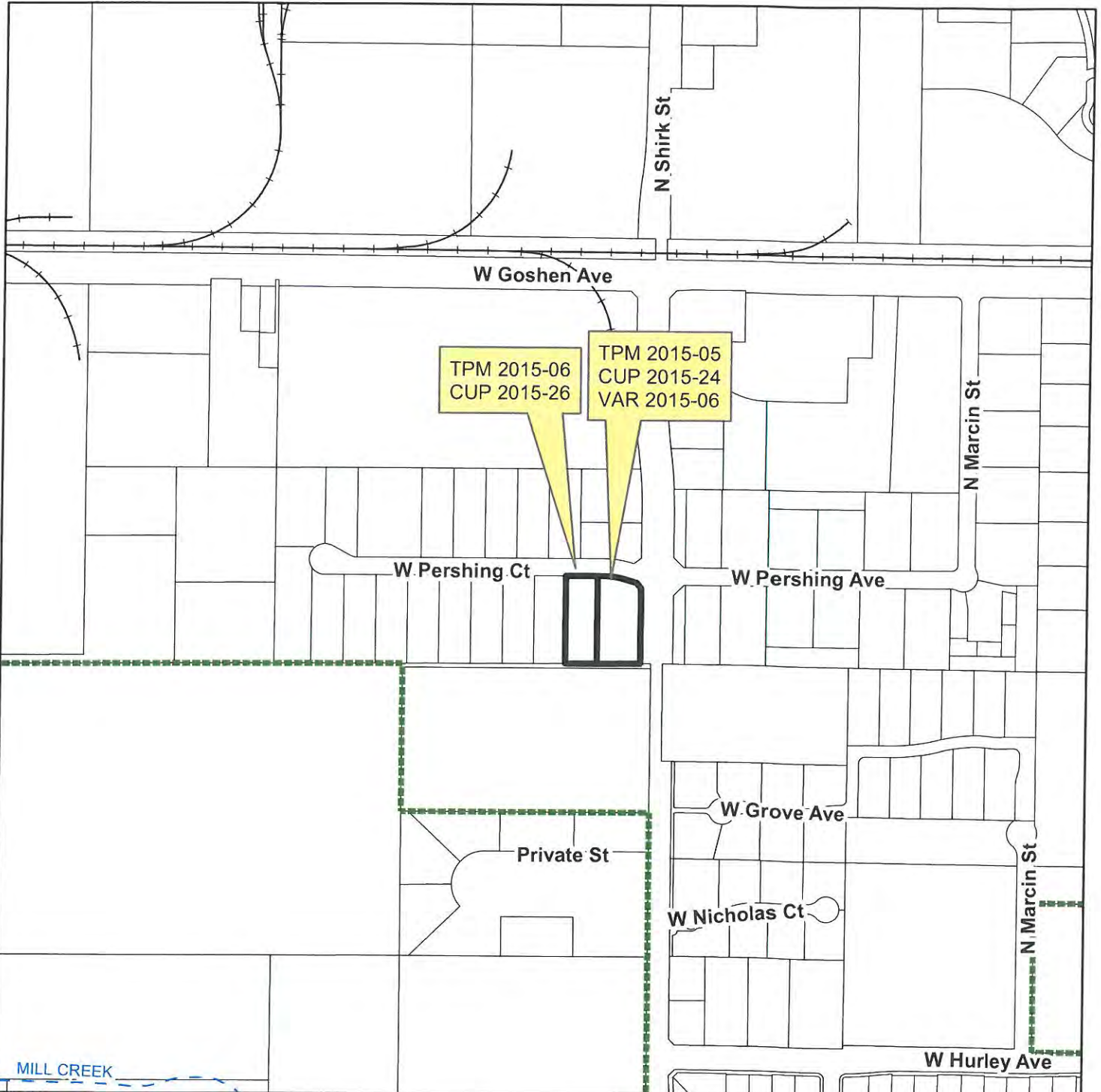
Aerial Photo
 Photo Taken March 2014

0 25 50 100 150 200 Feet

- WATERWAYS
- RAILROADS
- CITY LIMITS
- PARCELS

**Tentative Parcel Map No. 2015-05 / Conditional Use Permit No. 2015-24 / Variance No. 2015-06
 Tentative Parcel Map No. 2015-06 / Conditional Use Permit No. 2015-26**

The project is located on the south side of Pershing Avenue west of Shirk Street. (APN: 081-150-021, 022)





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: August 24, 2015

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

SUBJECT: **Tentative Parcel Map No. 2015-05:** A request by Jim Conway and Robert Shahan to subdivide 43,792 sq. ft. into 2 parcels in the IL (Light Industrial) zone.

Conditional Use Permit No. 2015-24: A request by Jim Conway and Robert Shahan to create a lot without public street access in the IL (Light Industrial) zone.

Variance No. 2015-06: A request by Jim Conway and Robert Shahan to reduce the 40-foot landscape setback in Design District "H" to 20 feet in the IL (Light Industrial) zone

Project Location: The project is located at 6913 W. Pershing Avenue. (APN: 081-150-022)

STAFF RECOMMENDATION

Tentative Parcel Map No. 2015-05

Staff recommends approval of Tentative Parcel Map No. 2015-05, based upon the findings and conditions in Resolution No. 2015-44. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

Conditional Use Permit No. 2015-24

Staff recommends approval of Conditional Use Permit No. 2015-24, based on the findings and conditions in Resolution No. 2015-42. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

Variance No. 2015-06

Staff recommends approval of Variance No. 2015-06, providing 20 feet of landscape setback, based on the findings and conditions in Resolution No. 2015-43. 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 Tentative Parcel Map No. 2015-05, based on the findings and conditions in Resolution No. 2015-44.

I move to approve Conditional Use Permit No. 2015-24 based on the findings and conditions in Resolution No. 2015-42.

I move to approve Variance No. 2015-06 based on the findings and conditions in Resolution No. 2015-43.

PROJECT DESCRIPTION

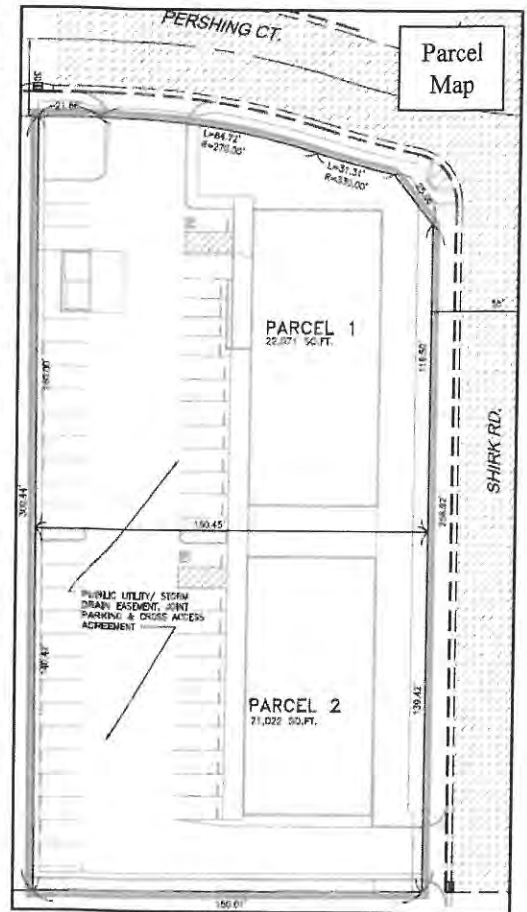
Tentative Parcel Map No. 2015-05 is a request to subdivide a one acre (43,792 sq. ft.) parcel into two parcels as shown in the Tentative Parcel Map in Exhibit "A". The proposed parcels would be

approximately ½ acre each with the primary access drive on Pershing Court, and an emergency access drive onto Shirk Street as illustrated in the Exhibit “B” Site Plan. The proposed buildings would be 5,750 and 5,000 sq. ft. each with a 50 stall parking lot.

Conditional Use Permit No. 2015-24 is a request to create one of the proposed parcels without direct public street access. As shown in Exhibit “A”, proposed Parcel No. 2 only has an emergency access point to Shirk Street which is required to be closed and gated at all times, and only to be used in an emergency, as such it does not constitute a public access point. All of the access to proposed Parcel No. 2 will occur through Parcel No. 1.

The applicant originally desired to have a full access point for Parcel No. 2, however through the Site Plan Review process it was determined that a full uncontrolled opening on Shirk at this point was not allowed due to the potential for uncontrolled left turns since there is no median in Shirk. The applicant was provided the option of keeping it as an emergency access point which would eliminate the need for an on-site turn-around for emergency vehicles.

Variance No. 2015-06 is a request to reduce the landscape setback along Shirk Street from 40 feet to 20 feet. As shown in Exhibit “B” this would result in approximately 14 feet of landscaping due to the placement of the sidewalk. The applicant’s findings are contained in Exhibit “C”.



The site is located at the southwest corner of Shirk Avenue and Pershing Court. The other three corners are fully developed with similar Light Industrial buildings and parking lots with landscaping.

BACKGROUND INFORMATION

- General Plan Land Use Designation: Light Industrial
- Zoning: (IL) Light Industrial
- Surrounding Zoning and Land Use:
 - North: IL (Light Industrial) / Light Industrial Development
 - South: RA (Agricultural) Agricultural use and row crops
 - East: IL (Light Industrial) / Light Industrial Development
 - West: IL (Light Industrial) / Light Industrial Development
- Environmental Review: Categorical Exemption No. 2015-49
- Special Districts: Design District 'H'
- Site Plan: Site Plan Review No. 2015-073, and No. 2015-120

RELATED PLANS & POLICIES

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

RELATED PROJECTS

Planning Commission approved Tentative Parcel Map No. 4664 on March 24, 2004, creating the 21 parcel light industrial development along this section of Perishing Court.

PROJECT EVALUATION

Tentative Parcel Map No. 2015-05 – Staff recommends approval of the Tentative Parcel Map, as conditioned, based on the project's consistency with the General Plan, Zoning Ordinance, and the Subdivision Ordinance policies for parcel maps.

The minimum parcel size in Design District "H" is 5 acres, unless approved as a master plan approved through the Site Plan Review process. At the time of parceling, the parcels are required to be designed to accommodate landscape setbacks and related development standards. The original parcel map that created the lots along Pershing Court was developed through a master plan. The proposed parcel division would be a subsequent master planning of the site which has been approved through Site Plan Review No. 2015-120 for the tentative map, and Site Plan Review No. 2015-073 for the master plan.

Conditional Use Permit No. 2015-24 – Staff recommends approval of the conditional use permit, as conditioned, based on the project's consistency with the General Plan, and Zoning Ordinance. The establishment of a parcel without direct public street access is done in a variety of commercial, office and industrial developments. This request is supported by staff as it will have direct access through the adjacent site to the north to Pershing Court. It also has an emergency access point at the south end of the site.

The applicant originally desired to have a full access point for Parcel No. 2, through the Site Plan Review process it was determined that a full uncontrolled opening on Shirk at this point was not allowed due to uncontrolled left turns since there is no median in Shirk. The applicant was provided the option of keeping it as an emergency access point which would eliminate the need for an on-site turn-around for emergency vehicles. This resulted in proposed Parcel No. 2 being a parcel with no public street vehicular access, thus requiring a conditional use permit.

The approval is conditioned to have the access on Parcel No. 2 to Shirk Street gated and locked at all times, and only emergency vehicles will be allowed any type of access. This would apply even during construction on the site.

Variance No. 2015-06 – Staff recommends approval of the variance to reduce the setback to 20 feet along Shirk Avenue.

The requested variance would result in 14 feet of landscape planting and a 6-foot sidewalk. Staff is recommending approval of the variance based upon the variety of setbacks in the immediate area of Shirk Street described below.

North on Shirk Street on the west side is an old industrial site which has existing landscape setbacks ranging from 50 to 100 feet.

North on Shirk Street on the east side is the old Southern California Edison Substation, and the old industrial site which has been converted to trailer and mini-storage with pre-existing setbacks of 0 to 5 feet. The house has a setback of approximately 65 feet.

South on Shirk Street on the west side is agricultural land which when developed could have a 10 to 15-foot setback to a block wall. South of the agricultural parcel is a residential lot with approximately 45 feet of setback to the first building.

South on Shirk Street on the east side is fallow agricultural land which when developed could have a 10 to 15-foot setback to a block wall. South of the agricultural site is developed residential with a 10-foot setback to a block wall.

Based upon these variety of setbacks, staff believes that a reduction of the required 40-foot landscape setback in Design District "H" can be supported through the variance process.

Staff recommends that the Planning Commission approve a setback reduction to 20 feet along Shirk Street based upon the following findings which have been used in Resolution No. 2015-39. This recommendation would not adversely affect the proposed development shown in the Exhibit "B" site plan, which has an additional 10 feet of landscaping in the right-of-way between the sidewalk and back of curb.

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;

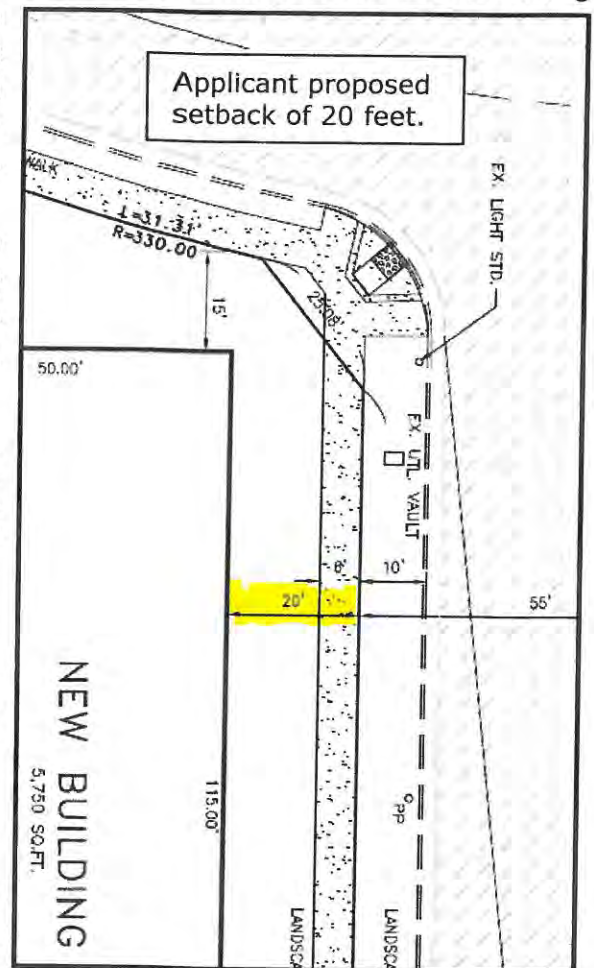
The reduction of the landscape setback to 20 feet for this parcel in Design District "H" would facilitate the transition to a significantly reduced setback to the south of 10 to 15 feet for a future residential development.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;

The future development of the residential site to the south with a 10 to 15-foot landscape setback is significantly less than the required 40 feet of setback for this site and a reduction of the landscape setback to 20 feet for this parcel in Design District "H" would facilitate the transition in landscape setbacks to the adjacent property to the south.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;

There are older developed parcels in Design District "H" north of the site with setbacks as low as 0 -5 feet.

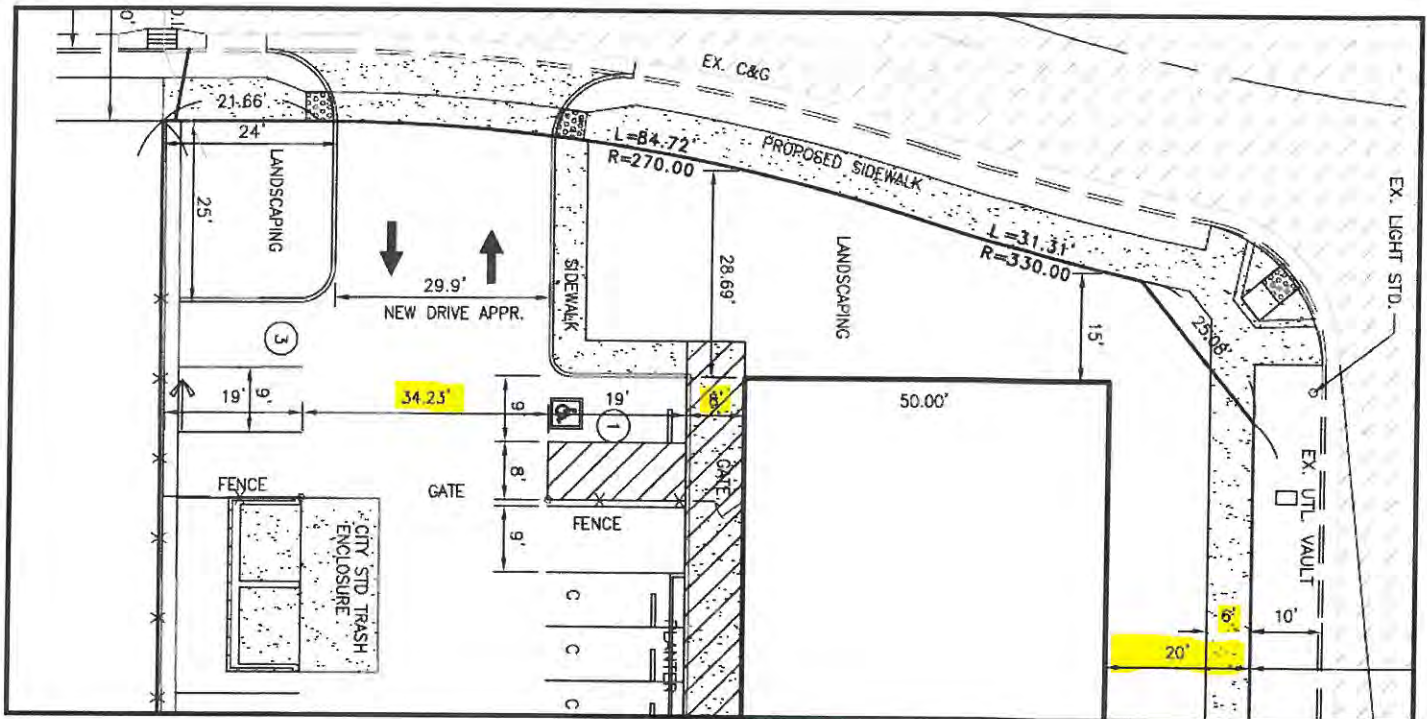


4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;

There are older developed parcels north of the site with setbacks as low as 0-5 feet.

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed reduction of the landscape setback to 20 feet for this parcel in Design District "H" will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.



Block Wall

Parcel Map No. 4664 requires a 7-foot high block wall along the south property line. The adjacent property to the south is designated and zoned Rural Residential (RA).

Access / Circulation

Proposed Parcel Nos. 1 and 2 will share common vehicular access from a single drive approach located on West Pershing Court. Vehicular access to Parcel No. 2 is intended to be via an easement located on the west side of the map.

Staff is recommending Condition No. 5 on the Tentative Parcel Map and Conditional Use Permit for recordation of an agreement that addresses the property owners' maintenance of the easement area. This is to assure uniform maintenance rather than relying upon one individual property owner who may choose to defer needed maintenance. The agreement shall address the access drive, parking, ingress and egress, and any applicable services or infrastructure.

South on Shirk Street on the west side is agricultural land which when developed could have a 10 to 15-foot setback to a block wall. South of the agricultural parcel is a residential lot with approximately 45 feet of setback to the first building.

South on Shirk Street on the east side is fallow agricultural land which when developed could have a 10 to 15-foot setback to a block wall. South of the agricultural site is developed residential with a 10-foot setback to a block wall.

Based upon these variety of setbacks, staff believes that a reduction of the required 40-foot landscape setback in Design District "H" can be supported through the variance process.

Staff recommends that the Planning Commission approve a setback reduction to 20 feet along Shirk Street based upon the following findings which have been used in Resolution No. 2015-43. This recommendation would not adversely affect the proposed development shown in the Exhibit "B" site plan, which has an additional 10 feet of landscaping in the right-of-way between the sidewalk and back of curb.

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;

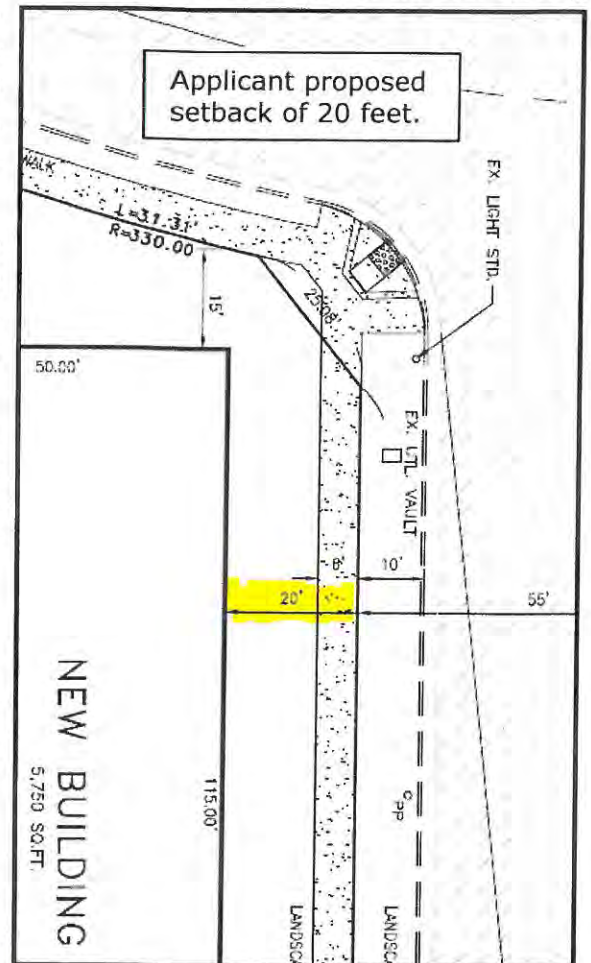
The reduction of the landscape setback to 20 feet for this parcel in Design District "H" would facilitate the transition to a significantly reduced setback to the south of 10 to 15 feet for a future residential development.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;

The future development of the residential site to the south with a 10 to 15-foot landscape setback is significantly less than the required 40 feet of setback for this site and a reduction of the landscape setback to 20 feet for this parcel in Design District "H" would facilitate the transition in landscape setbacks to the adjacent property to the south.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;

There are older developed parcels in Design District "H" north of the site with setbacks as low as 0-5 feet.



Parking

The minimum required parking for the site is one stall per 1,000 sq. ft. of warehouse resulting in 11 parking stalls. The site plan provides 50 parking stalls which is consistent with stand-alone office development which is not a permitted or conditional use in the Light Industrial zone. An office in conjunction with a warehouse is a permitted use in this zone. The office may comprise no more than 25 percent of each structures total square footage.

California Water Service Letter

As of the preparation of this staff report, the City had not received a "Will Serve" letter from California Water Service. A condition has been included requiring that a valid will serve letter be provided to the City prior to the recordation of this map.

Environmental Review

The requested action is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2015-49).

RECOMMENDED FINDINGS

Tentative Parcel Map No. 2015-05

1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning, and Subdivision Ordinances.
2. That the site plan in Exhibit "B" is an acceptable master plan for the division of property in Design District "H" to less than the 5 acre minimum.
3. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
4. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-49).

Conditional Use Permit No. 2015-24

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 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 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 proposed parcel sizes resulting from the planned development are consistent with the Zoning Ordinance's Planned Development and Design District "H" standards based on the creation of a master development plan through Site Plan Review No. 2015-073.
4. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-49).

Variance No. 2015-06

1. *That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;*

The reduction of the landscape setback to 20 feet for this parcel in Design District "H" would facilitate the transition to a significantly reduced setback to the south of 10 to 15 feet for a future residential development.

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;*

The future development of the residential site to the south with a 10 to 15-foot landscape setback is significantly less than the required 40 feet of setback for this site and a reduction of the landscape setback to 20 feet for this parcel in Design District "H" would facilitate the transition in landscape setbacks to the adjacent property to the south.

3. *That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;*

There are older developed parcels in Design District "H" north of the site with setbacks as low as 0 -5 feet.

4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;*

There are older developed parcels north of the site with setbacks as low as 0 -5 feet.

5. *That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

The proposed reduction of the landscape setback to 20 feet for this parcel in Design District "H" will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity..

6. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-49).

RECOMMENDED CONDITIONS OF APPROVAL

Tentative Parcel Map No. 2015-05

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2015-073, and No. 2015-120.
2. That the site be subdivided in substantial compliance with the tentative map shown in Exhibit "A".
3. That the site be developed in substantial compliance with the site plan/master plan shown in Exhibit "B".
4. That Conditional Use Permit No. 2015-24 be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
5. That an agreement addressing vehicular access, ingress and easement, parking, solid waste, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That Parcel No. 2 shall take all access to and from the site through the Pershing Court access point.
7. That the access on Parcel No. 2 to Shirk Street be gated and locked at all times, and only emergency vehicles will be allowed any type of access. This applies even during construction on the site.
8. That prior to the recordation of this map, a valid Will Serve Letter from the California Water Service Company shall be provided to the City.
9. That all applicable federal, state, and city laws and codes and ordinances be met.
10. 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 Tentative Parcel Map No. 2015-05, prior to the recordation of the final map for this project.

Conditional Use Permit No. 2015-24

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2015-073, and No. 2015-120.
2. That the site be subdivided in substantial compliance with the tentative map shown in Exhibit "A".
3. That the site be developed in substantial compliance with the site plan/master plan shown in Exhibit "B".
4. That any changes to the site plan/master plan in Exhibit "B" shall be subject to Site Plan Review and shall conform to the requirements of this use permit and parcel map.

5. That an agreement addressing vehicular access, ingress and easement, parking, solid waste, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That Tentative Parcel Map No. 2015-05 be approved, and that requirements of the parcel map which relate to this use permit shall be fulfilled.
7. That the timeline for the lapse of Conditional Use Permit No. 2015-24 shall be tied to the timeline for Tentative Parcel Map No. 2015-05.
8. That all applicable federal, state, and city laws and codes and ordinances be met.
9. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-21, prior to the recordation of the final map for this project.

Variance No. 2015-06

1. That the site be developed in substantial compliance with the site plan/master plan shown in Exhibit "B".
2. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2015-073, and No. 2015-120.
3. That Conditional Use Permit No. 2015-20 be approved.
4. That the timeline for the lapse of Variance No. 2015-06 shall be tied to the timeline for Tentative Parcel Map No. 2015-05
5. That all other City codes and ordinances be met.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Variance No. 2015-06, 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 and Subdivision Ordinance Section 16.28.080, 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 220 N. Santa Fe Street, Visalia, CA 93292. 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. 2015-44
- Resolution No. 2015-42
- Resolution No. 2015-43
- Exhibit "A" – Tentative Parcel Map
- Exhibit "B" – Site Plan
- Exhibit "C" – Applicant's Variance Findings
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

RELATED PLANS AND POLICIES

City of Visalia Subdivision Ordinance [Title 16 of Visalia Municipal Code]

Chapter 16.28: PARCEL MAPS

Section 16.28.020 Advisory agency.

The planning commission is designated as the advisory agency referred to in Article 2 of the Subdivision Map Act and is charged with the duty of making investigations and reports on the design and improvement of proposed divisions of land under this chapter. The city planner is designated as the clerk to the advisory agency with authority to receive parcel maps. (Ord. 9605 § 32 (part), 1996: prior code § 9215)

Section 16.28.060 Hearing and notice.

- A. The city planning commission shall hold a public hearing on an application for a tentative parcel map or vesting tentative parcel map.
- B. Notice of a public hearing shall be given not less than ten days or 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 proposed for subdivision. (Prior code § 9235)

Section 16.28.070 Consideration of tentative parcel maps.

The commission shall review the tentative parcel map and approve, conditionally approve, or disapprove the map within thirty (30) days after the receipt of such map, or at such later date as may be required to concurrently process the appurtenant environmental impact require documents required by state law and local regulations adopted in implementation thereof. (Prior code § 9240)

Section 16.28.080 Appeals.

If the applicant is dissatisfied with the decision of the planning commission, he may, within ten days after the decision of the planning commission, appeal in writing to the council for a hearing thereon. Such hearing need not be concluded on the day thus set but may be continued. (Prior code § 9245)

Section 16.28.110 Right-of-way dedications.

- A. Pursuant to the Subdivision Map Act, the subdivider shall provide such dedication of right-of-way and/or easements as may be required by the planning commission.
- B. The planning commission may, at its discretion, require that offers of dedication or dedication of streets include a waiver of direct access rights to any such streets from any property shown on the final map as abutting thereon, in accord with the provisions of the Subdivision Map Act. (Prior code § 9260)

City of Visalia Zoning Ordinance [Title 17 of Visalia Municipal Code]

Chapter 17.18: PLANNED COMMERCIAL ZONES

Section 17.18.010 Purposes.

- A. The several types of commercial zones included in this chapter are designed to achieve the following:
 1. Provide appropriate areas for various types of retail stores, offices, service establishments and wholesale businesses to be concentrated for the convenience of the public; and to be located and grouped on sites that are in logical proximity to the respective geographical areas and respective categories of patrons which they serve in a manner consistent with the general plan;
 2. Maintain the central business district (CBD - Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as Visalia's traditional, medical, professional, retail, government and cultural center;
 3. Maintain Visalia's role as the regional commercial center for Tulare, Kings and southern Fresno counties;

4. Maintain and improve Visalia's retail base to serve the needs of local residents and encourage shoppers from outside the community;
 5. Accommodate a variety of commercial activities to encourage new and existing business that will employ residents of the city and those of adjacent communities;
 6. Maintain Visalia's role as the regional retailing center for Tulare and Kings Counties and ensure the continued viability of the existing commercial areas;
 7. Maintain commercial land uses which are responsive to the needs of shoppers, maximizing accessibility and minimizing trip length;
 8. Ensure compatibility with adjacent land uses.
- B. The purpose of the individual commercial land use zones are as follows:
3. Planned Shopping/Office Zone--(P-C-SO). The purpose and intent of the planned shopping/office zone district is to provide areas for a wide range of neighborhood and community level retail commercial and office uses. This district is intended to provide for the transition from service and heavy commercial uses where they exist in this district to retail and office and to provide areas for neighborhood goods and services where shopping centers may not be available.

Chapter 17.30: MODIFYING ZONES

Section 17.30.130 Development standards.

A. Site Area. The minimum parcel size for each design district varies according to the development standards. However, this section shall not preclude parcels of less than the required minimum which exist at the time of adoption of this proposal, from securing planned development and building permits. Parcels of less than the required minimum size may be created upon approval of an acceptable master plan by the site plan review committee.

Section 17.30.170 Development standards--Design district B.

The following development standards shall apply to property located in district B;

- A. Building height: fifty (50) feet maximum.
- B. Required yards:
 1. Front: fifteen (15) feet minimum;
 2. Side: zero;
 3. Street side on corner lot: ten feet minimum;
 4. Side yards abutting an R-A, R-1 or R-M district: fifteen (15) feet minimum;
 5. Rear: zero;
 6. Rear yards abutting an R-A, R-1 or R-M district: twenty (20) feet minimum.
- C. Parking as prescribed in Chapter 17.34.
- D. Site area: five acre minimum.
- E. Landscaping:
 1. Front: fifteen (15) feet minimum;
 2. Side: five feet minimum (except where a structure is located on a side property line);
 3. Street side on corner lot: ten feet minimum;
 4. Rear: five feet minimum. (Prior code § 7467)

Chapter 17.38: CONDITIONAL USE PERMITS

Section 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 2015-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2015-05, A REQUEST BY JIM CONWAY AND ROBERT SHAHAN TO SUBDIVIDE 43,792 SQ. FT. INTO 2 PARCELS IN THE IL (LIGHT INDUSTRIAL) ZONE. THE PROJECT IS LOCATED AT 6913 W. PERSHING AVENUE. (APN: 081-150-022)

WHEREAS, Tentative Parcel Map No. 2015-05 is a request by Jim Conway and Robert Shahan to subdivide 43,792 sq. ft. into 2 parcels in the IL (Light Industrial) zone. The project is located at 6913 W. Pershing Avenue. (APN: 081-150-022); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on September 28, 2015; and,

WHEREAS, the Planning Commission of the City of Visalia finds the tentative parcel map in accordance with Section 16.28.070 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and,

WHEREAS, the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-49).

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Visalia approves the proposed tentative parcel map based on the following specific findings and based on the evidence presented:

1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development and Design District "H" standards since they are part of a planned development established through Conditional Use Permit No. 2015-26.
4. That there are unique circumstances involved with the project that would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.
5. That the proposed parcel sizes resulting from the planned development are consistent with the Zoning Ordinance's Planned Development and Design District

"H" standards based on the creation of a master development plan through Site Plan Review No. 2015-073.

6. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-49).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative parcel map on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.28.070 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. 2015-073, and No. 2015-120.
2. That the site be subdivided in substantial compliance with the tentative map shown in Exhibit "A".
3. That the site be developed in substantial compliance with the site plan/master plan shown in Exhibit "B", with the change to increase the landscape setback along Shirk to 30 feet and the main access drive width to 25 feet.
4. That any changes to the site plan/master plan in Exhibit "B" shall be subject to Site Plan Review and shall conform to the requirements of this use permit and parcel map.
5. That an agreement addressing vehicular access, ingress and easement, parking, solid waste, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That Tentative Parcel Map No. 2015-05 be approved, and that requirements of the parcel map which relate to this use permit shall be fulfilled.
7. That the timeline for the lapse of Conditional Use Permit No. 2015-24 shall be tied to the timeline for Tentative Parcel Map No. 2015-05.
8. That all applicable federal, state, and city laws and codes and ordinances be met.
9. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-21, prior to the recordation of the final map for this project.

RESOLUTION NO. 2015-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2015-24, A REQUEST BY JIM CONWAY AND ROBERT SHAHAN TO CREATE A LOT WITHOUT PUBLIC STREET ACCESS IN THE IL (LIGHT INDUSTRIAL) ZONE. THE PROJECT IS LOCATED AT 6913 W. PERSHING AVENUE. (APN: 081-150-022)

WHEREAS, Conditional Use Permit No. 2015-26, is a request by Jim Conway and Robert Shahan to create a lot without public street access in the IL (Light Industrial) zone. The project is located at 6913 W. Pershing Avenue. (APN: 081-150-022); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on September 28, 2015; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2015-24, as conditioned by staff, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-49).

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 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 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 proposed parcel sizes resulting from the planned development are consistent with the Zoning Ordinance's Planned Development and Design District "H" standards based on the creation of a master development plan through Site Plan Review No. 2015-073.
4. That the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2015-49).

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. 2015-073, and No. 2015-120.
2. That the site be subdivided in substantial compliance with the tentative map shown in Exhibit "A".
3. That the site be developed in substantial compliance with the site plan/master plan shown in Exhibit "B".
4. That any changes to the site plan/master plan in Exhibit "B" shall be subject to Site Plan Review and shall conform to the requirements of this use permit and parcel map.
5. That an agreement addressing vehicular access, ingress and easement, parking, solid waste, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. All property owners are equally responsible for these requirements. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That Tentative Parcel Map No. 2015-05 be approved, and that requirements of the parcel map which relate to this use permit shall be fulfilled.
7. That the timeline for the lapse of Conditional Use Permit No. 2015-24 shall be tied to the timeline for Tentative Parcel Map No. 2015-05.
8. That all applicable federal, state, and city laws and codes and ordinances be met.
9. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2015-24, prior to the recordation of the final map for this project.

RESOLUTION NO. 2015-43

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2015-06, A REQUEST BY JIM CONWAY AND ROBERT SHAHAN TO REDUCE THE 40-FOOT LANDSCAPE SETBACK IN DESIGN DISTRICT "H" TO 20 FEET IN THE IL (LIGHT INDUSTRIAL) ZONE. THE PROJECT IS LOCATED AT 6913 W. PERSHING AVENUE. (APN: 081-150-022)

WHEREAS, Variance No. 2015-06, is a request by Jim Conway and Robert Shahan to reduce the 40-foot landscape setback in Design District "H" to 20 feet in the IL (Light Industrial) zone. The project is located at 6913 W. Pershing Avenue. (APN: 081-150-022); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on September 28, 2015; and

WHEREAS, the Planning Commission of the City of Visalia finds Variance No. 2015-06, as conditioned by staff, to be in accordance with Section 17.42 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, an Initial Study was prepared, and adopted which disclosed that no significant environmental impacts would result from this project, and mitigation measures would be required.

NOW, THEREFORE, BE IT RESOLVED, that Negative Declaration No. 2015-49 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;

The reduction of the landscape setback to 20 feet for this parcel in Design District "H" would facilitate the transition to a significantly reduced setback to the south of 10 to 15 feet for a future residential development.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;

The future development of the residential site to the south with a 10 to 15-foot landscape setback is significantly less than the required 40 feet of

setback for this site and a reduction of the landscape setback to 20 feet for this parcel in Design District "H" would facilitate the transition in landscape setbacks to the adjacent property to the south.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;

There are older developed parcels in Design District "H" north of the site with setbacks as low as 0 -5 feet.

4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;

There are older developed parcels north of the site with setbacks as low as 0 -5 feet.

5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The proposed reduction of the landscape setback to 20 feet for this parcel in Design District "H" will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity..

6. 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. 2015-49.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves Variance No. 2015-03, as conditioned, on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.42 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 site plan/master plan shown in Exhibit "B".
2. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2015-073, and No. 2015-120.
3. That Conditional Use Permit No. 2015-20 be approved.
4. That the timeline for the lapse of Variance No. 2015-06 shall be tied to the timeline for Tentative Parcel Map No. 2015-05
5. That all other City codes and ordinances be met.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of

conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Variance No. 2015-06, prior to the issuance of any building permits for this project.

TENTATIVE PARCEL MAP

Being Parcel 21 of Parcel Map No. 4804, Sect. 34, Blk. 47 of Parcel Maps of Pg. 89 T.C.R. 1997, as amended, in the County of Santa Clara, State of California, in the City of Visalia.

OWNERS:
JIM & MARLA CONWAY
 C/O B.J. Perch Construction, Inc.
 7034 W. Pershing Ct.
 Visalia, California 93291

SURVEYOR:
FORESTER, WEBER & ASSOCIATES
 1620 W. Mineral King Ave., Suite B
 Visalia, California 93291
 (559) 732-0102

NOTES:
 EXISTING PROPERTY USE: VACANT
 PROPOSED PROPERTY USE: OFFICE / TENANT LEASE / STORAGE
 A.P.N.: 081-150-022
 ZONE: R-1
 JURISDICTION: CALIFORNIA WATER SERVICE
 CITY OF VISALIA
 FLUXID ZONE: "X"
 LOT AREA: 43,792 SQ.FT.

SEE SFR 15-073 FOR FIRE IMPROVEMENTS



SCALE 1" = 30'

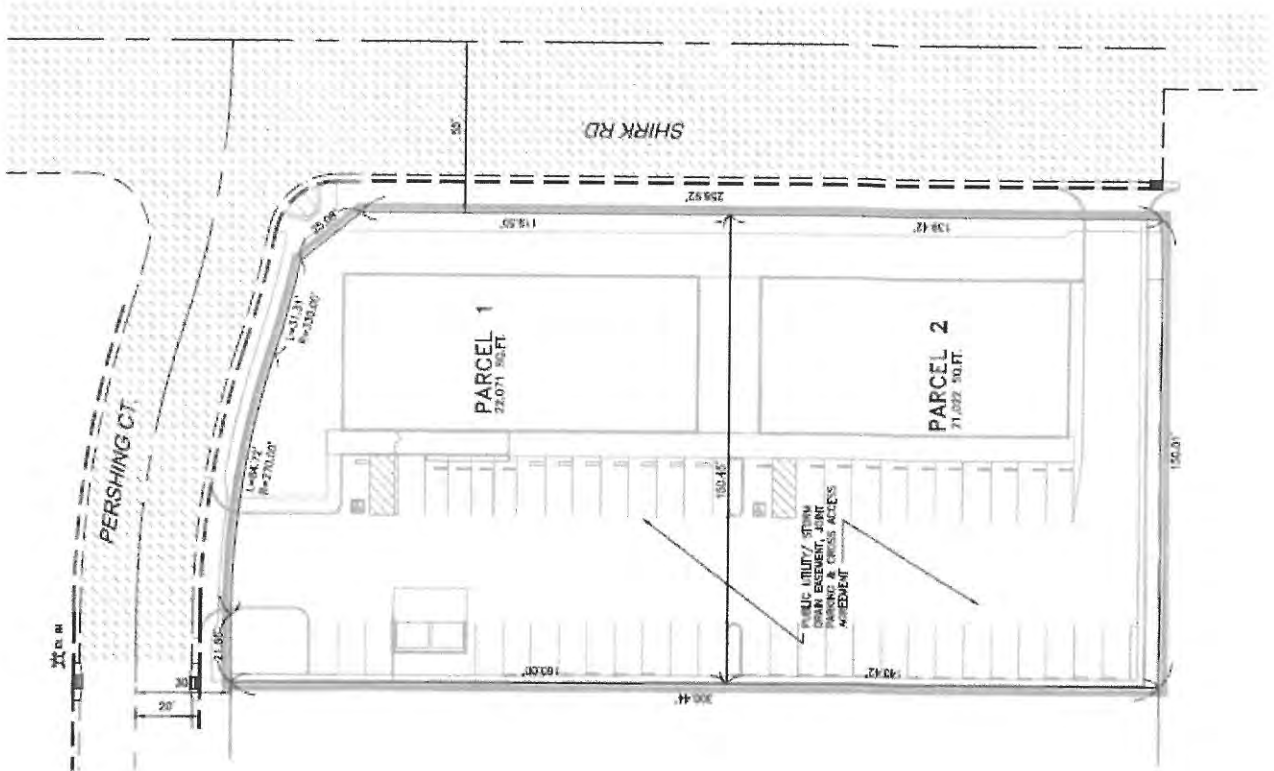
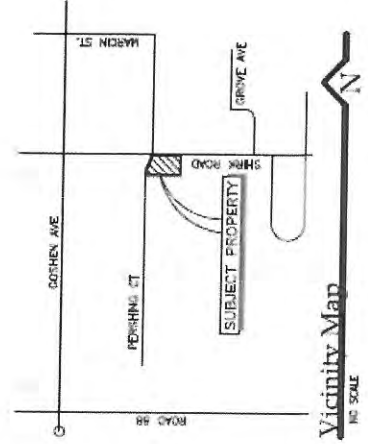


Exhibit - A



Applicant Varaince Findings

1. A 40 foot wide landscape area reduces onsite area for useful development added cost to landscape.

Added use of water for irrigation

2. One extraordinary circumstance is irrigation to a 40 foot wide area compared to a 20 foot wide area.

Property is less than one acre, ordinance was originally for property of 5 acres or more.

3. Small property in Industrial Park have been changed to lesser set back.

4. Other undeveloped parcels can apply for the same variances and reduce overall water use for landscape purposes.

5. A proposed 20 foot landscape strip along with the 10 foot parkway would be adequate separation from the street, and the planting of drought resistant trees and shrubs.



MEETING DATE 5/06/2015
SITE PLAN NO. 15-073
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** Variance - setbacks

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

City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 3 DATE: May 06, 2015
SITE PLAN NO: SPR15073
PROJECT TITLE: SITE IMPROVEMENTS
DESCRIPTION: TWO NEW BUILDINGS ONE @ 5,570 SF AND ONE @
5,000 SF ON 42,000 SF AREA (IL ZONED) (X)
(DISTRICT H)
APPLICANT: BJ PERCH CONSTRUCTION INC
PROP OWNER: CONWAY JIM L & MARLA SUZANNE (TRS FAM TI
LOCATION: 6913 W PERSHING CT
APN(S): 081-150-022

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. 2306 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: Accessible path to building to building.

Clayton Clarke 5/5/15
Signature



Site Plan Review Comments For:

City of Visalia
Fire Department
707 W Acequia
Visalia, CA 93291
559-713-4261 office
559-713-4808 fax

ITEM NO: 3

DATE: May 06, 2015

SITE PLAN NO: SPR15073
PROJECT TITLE: SITE IMPROVEMENTS
DESCRIPTION: TWO NEW BUILDINGS ONE @ 5,570 SF AND ONE @ 5,000 SF ON 42,000 SF AREA (IL ZONED) (X) (DISTRICT H)
APPLICANT: BJ PERCH CONSTRUCTION INC
PROP OWNER: CONWAY JIM L & MARLA SUZANNE (TRS FAM TR)
LOCATION: 6913 W PERSHING CT
APN(S): 081-150-022

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 are served 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 2 fire hydrants required for this project. (See marked plans for fire hydrant locations.)
PROVIDE 1 HYDRANT ON STREET.
- 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)*