

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Adam Peck



VICE CHAIRPERSON:

Brett Taylor

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

MONDAY, JUNE 27, 2016, 7:00 PM REGULAR MEETING,
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 – Andy Chamberlain
Conditional Use Permit No. 2016-14: A request by Victory Outreach to establish a 200 seat church facility, in phases, in the Commercial Shopping Office (CSO) zone. The site is located at 421 N. Johnson Street (APN 093-177-007, 006) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2016-28
6. PUBLIC HEARING – Andy Chamberlain
Conditional Use Permit No. 2016-12: A request by Michael Torres to add a 9,300 sq. ft. multi-purpose building, and 8,640 sq. ft. sanctuary, to be developed in two phases, for the Fortress of Truth Church in the QP (Quasi Public) zone. The project is located at 4500 W. Caldwell Avenue (APN: 119-060-036). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2016-23
7. PUBLIC HEARING – Andy Chamberlain
 - a. Conditional Use Permit No. 2016-15: A request by Darrin Simmons to allow a self-storage facility in the Commercial Shopping Office (CSO) zone. The project site is located at 1807 E. Houston Avenue. (APN: 089-180-010, 026, and 046) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2016-29
 - b. Variance No. 2016-04: A request by Darrin Simmons to eliminate the required five-foot (5) landscaping setback along the east, west and south property lines in the

Commercial Shopping Office (CSO) zone. The project site is located at 1807 E. Houston Avenue. (APN: 089-180-010, 026, and 046) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2016-29

8. PUBLIC HEARING – Paul Scheibel

Housing Element Update: General Plan Amendment GPA 2016-06, a request by the City of Visalia to Adopt the 5th Cycle Housing Element Update (Public Hearing continued from the June 13, 2016, Planning Commission meeting). An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2015-56 will be adopted.

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 THURSDAY, JULY 7, 2016 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.visalia.city or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, JULY 11, 2016



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: June 27, 2016

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

SUBJECT: Conditional Use Permit No. 2016-14: A request by Victory Outreach to establish a 200 seat church facility, in phases, in the Commercial Shopping Office (CSO) zone. The site is located at 421 N. Johnson Street (APN 093-177-007, 006)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2016-14 based upon the findings and conditions in Resolution No. 2016-30. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

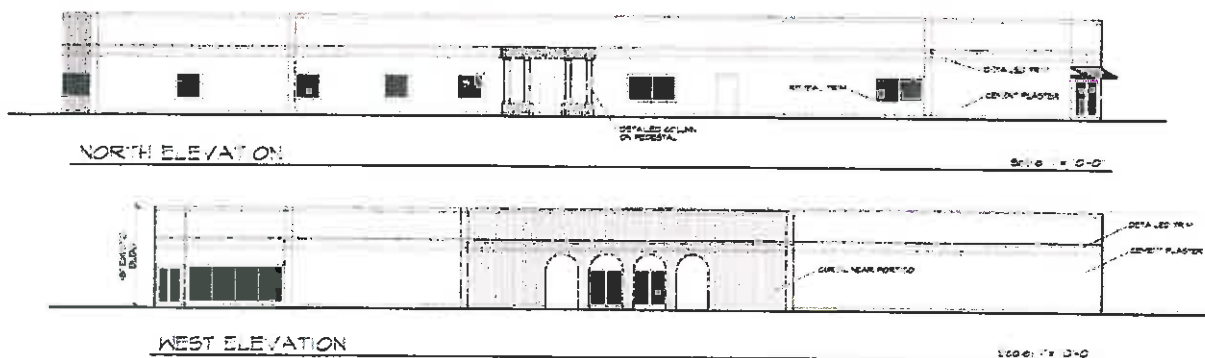
RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2016-14 based on the findings and conditions in Resolution No. 2016-30.

PROJECT DESCRIPTION

The requested project is to allow the establishment of a 200 seat church facility in three phases. This action has been previously approved by the Planning Commission as Conditional Use Permit No. 2012-13, and Conditional Use Permit No. 2013-10. The project is back before the Planning Commission due to the lapse of the previous use permits.

The applicant's site plan shown in Exhibit "A" illustrates the conversion of the existing building and storage yard to a 200 seat church facility with an 84 stall parking lot. The site is a vacant service commercial site previously operated as a pipe yard with storage building. The existing 19,201 sq. ft. building would be expanded by 13,716 sq. ft. for a total of 32,917 sq. ft. in three phases. The expansion would be accomplished by the enclosure of the loading docks and roof over-hang areas. The interior layout includes offices, classrooms, a kitchen and dining area and a café.



The site will have vehicular access points on Murray and School Avenues, with a Johnson Street access point in Phase One which would be eliminated in later phases. The street frontages will be improved with City standard sidewalks and landscaping except where the existing building is located on the property line.

The proposed phasing would result in the following:

Phase One – Sanctuary and office construction along with 84 parking stalls. The installation of the perimeter landscaping along all street frontages with required dedications and sidewalk improvements would be done with this phase.

Phase Two – The 7,800 sq. ft. classroom conversion at the rear (south side) of the building. At the time of this permit, consideration would be given to additional parking which could result in the expansion of the formal parking area to the west.

Phase Three – The construction of approximately 6,775 sq. ft. of Administrative office on the front (north side) of the building, consideration would be given to additional parking which could result in the expansion of the formal parking area to the west.

This is further detailed in the exhibit discussions below.

Exhibit "A" illustrates the applicant's desire to start with the east side of the site. The building improvements would include the primary area of the building for the sanctuary and related uses. The front expansion towards Murray Avenue would be done as a part of proposed Phase Three. Phase One parking would consist of 84 parking stalls. The parking along the north side of the building (parking row shown as spaces 25 through 39) would be striped with no landscape islands required with Phase One. This area would be reconfigured in Phase Two at which time the landscape islands would be required. All of the landscaping and landscape islands per City requirements would be required along the perimeter of the improved parking area with Phase One, including the parking adjacent to the building on the west side.

Exhibit "B" illustrates proposed Phases Two and Three. This would reconfigure the parking area on the north side of the building and convert the "Covered Parking" area on the south side of the building into classrooms. Staff has included conditions that would allow the Phase Two and Three improvements to be integrated into other permitting phases with approval of the Site Plan Review Committee for compliance with this use permit, codes and ordinances. This provides some flexibility for the timing of the identified improvements for Phase Two and Three without amending the conditions of this use permit unless otherwise determined through the Site Plan Review process. Additional parking improvements will be required with these phases as the use of the site intensifies.

BACKGROUND INFORMATION

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|------------------------------------|---|
| General Plan Land Use Designation: | Downtown Mixed Use |
| Zoning: | CSO (Commercial Shopping Office) |
| Surrounding Land Uses and Zoning: | North: CSO/R-M-3 / Apartments & Retail South: CSO/PA / Service Commercial East: CDT / Retail & Service Commercial West: CSO / Service Commercial |
| Environmental Review: | Categorical Exemption No. 2016-28 |
| Special Districts: | Design District "E" |
| Site Plan: | 2011-115 & 2012-167 |

RELATED PLANS & POLICIES

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

RELATED PROJECTS

Conditional Use Permit No. 2012-13 – Approved by the Planning Commission on April 23, 2012 permitting the establishment of a 200 seat church facility.

Conditional Use Permit No. 2013-10 – Approved by the Planning Commission on March 25, 2013, amending CUP 2012-13, allowing phased development of the approved church facility.

PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2016-14, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

Churches and other religious institutions with up to 200 seats are identified as a conditional use in Commercial Shopping Office zone. The site is an old service commercial site which previously operated as a pipe yard and associated storage building. The applicant intends to convert the entire site to the church facility, converting the existing building to the new church structure with the open yard area used for the required parking.

The land uses adjacent to the site include multiple family residential, office, service commercial and retail. Staff has determined that the proposed church facility would not conflict with any of the adjacent land uses based upon the proposed improvements and operational statement. The installation of the landscaping and other site improvements would result in an enhanced streetscape along Murray, Johnson, and School streets, which would be compatible with contemporary development, rather than the existing chain link fencing and unimproved sidewalk area on the site frontages.



Parking

The Phase One improvements will provide 84 on-site parking stalls which would accommodate the Phase One use of the building for a sanctuary. The church is limited to a maximum of 200 persons in the sanctuary per service. The code requires one stall per every 30 sq. ft. (231 parking stalls) or one stall per every four fixed seats (50 parking stalls) for this use.

Staff is recommending Planning Commission approval of the use permit with the applicant's proposed parking ratio of one stall per every four seats. This is consistent with the Commission's previous approval of the project. Staff believes the proposed 84 stalls would meet the parking demand for sanctuary use, but may not be adequate for the related ancillary uses such as the added classrooms in Phase Two/Three and large fellowship gatherings. Due

to the fluid nature of parking demands for these types of facilities, staff will work with the applicants to provide the maximum use of the facility with the available parking.

Staff has included a condition that Phase One shall only allow the use of the sanctuary for regular services and the church office for routine office uses. No other activities such as classrooms, training, or large fellowship gatherings, which cannot be accommodated by the existing parking, shall be allowed without the addition of parking to accommodate said activities which may have been permitted with the original use permit.

The addition of parking on the "Future" portion of the site with Site Plan Review and City standards shall not require an amendment to this use permit unless otherwise determined at the time by the Site Plan Review process per City codes and ordinances. This provides the applicant flexibility in prioritizing their activities and expanding the parking to accommodate the activity. This would not prohibit children's daycare and basic Sunday School activities in conjunction with the regular services as long as the parking can be accommodated on-site. This would also allow typical church events such as weddings and baptisms. This is consistent with the previous conditions approved for this project by the Planning Commission.

Phase One Improvements

As a part of the Phase One improvements, staff has included a condition requiring that the existing fencing along all of the street frontages be relocated to the required setback or removed. Phase One will include the repair and installation/repair of the sidewalk and related improvements along the entire street frontages for the project. The onsite landscaping setbacks would be phased with the development of the project site.

Conditions of Approval

Staff is not recommending any new conditions of approval for this project. The conditions from the previous use permit approvals have been combined into the recommended conditions of approval. Some of the conditions have been reworded to help clarify the intent.

Lapse of Previous Conditional Use Permits

Conditional Use Permit No. 2012-13 (original approval) and Conditional Use Permit No. 2013-10 (approval of phasing the project) have lapsed due to no building permits being issued for the required improvements. The applicant has been working on building permits and has plans in the City plan check process at this time. This request is to re-establish the previously approved project.

Based upon Zoning Ordinance Section 17.38.030, a conditional use permit shall lapse unless a building permit is issued by the City and diligently pursued toward completion within twenty-four months. The project entitlements lapsed on March 25, 2015, but were extended into early 2016 based upon active building permits. When the building permits were deemed inactive in April of 2016, the use permits also lapsed.

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. 2016-28).

RECOMMENDED FINDINGS

1. That the proposed project phasing will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That that parcels APN 093-177-007 and 093-177-006 are considered the “subject site” for the purposes of meeting the requirements of Conditional Use Permit No. 2016-14.
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. 2016-28).

RECOMMENDED CONDITIONS OF APPROVAL

1. That Phase One shall only allow the use of the sanctuary for regular services and the church office for routine office uses. No other activities such as classrooms, training, or large fellowship gatherings, which cannot be accommodated by the existing parking, shall be allowed without the addition of parking to accommodate said activities which may have been permitted with the original use permit. The addition of parking on the “Future” portion of the site with Site Plan Review and City standards shall not require an amendment to this use permit unless otherwise determined at the time by the Site Plan Review process per City codes and ordinances. Staff will work with the church to allow the maximum use of the facility with the available parking, such as Sunday School and daycare during the services. The church would be able to use the sanctuary for fellowship and related uses (weddings, baptisms) which can be accommodated by the available parking.
2. That as a part of the Phase One improvements the existing fencing along all of the street frontages be relocated to the required setback or removed.
3. Relocation of fences requires a building permit, which may be incorporated into other on-site permits. All gates are to be shown on plans, recessed behind the required setback, and meet Engineering requirements for stacking and function.
4. Show pedestrian gates if the site is fenced. An ADA compliant path of travel from the Johnson Street and Murray Avenue public sidewalks to the building shall be denoted on the plan, approved by the Community Development Department and constructed prior to Phase One occupancy.
5. That the Phase One improvements shall include the installation of landscaping improvements in the right-of-way islands (six-foot sidewalk, four-foot parkway standard) and required on-site setbacks along the entire frontage of Johnson Street, Murray Avenue and School Avenue, to include all street trees, landscape trees, shrubs and ground covers. (10-foot landscape setbacks are required along Murray Street, School Street and 15-foot Johnson Avenue). The required five-foot wide landscape strip along the west property line may be deferred to a future Phase as may be required by Site Plan Review)
6. That the Phase One improvements shall include the installation of the landscape islands in the parking lot.

7. Required landscape islands may not have the fire hydrant and related FDC/PIV located in them unless the island has been expanded to accommodate the equipment and the required tree and landscaping.
8. Trees are required in all landscape wells, light poles must be located so as to not interfere with tree planting.
9. Prior to Phase One occupancy, the parking along the west side of Phase One will need to be improved to meet City standards for landscape islands and the required setbacks for landscaping, fences, and gates.
10. Landscape and irrigation plans are required with the building permit for the site improvements. The plans are required to be prepared by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. 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.
11. Prior to Phase One Occupancy, on-site lighting shall be depicted on the site improvement plans, installed, and approved by the Community Development Department.
12. No persons are allowed to sleep overnight or live at the site, unless approved through a subsequent use permit.
13. The sanctuary and related facilities may not be used for any church or related business purposes until such time as the Phase One site and building improvements have been finalized and a certificate of occupancy issued.
14. The unimproved areas west of the Phase One parking lot shall not be used for the purpose of outdoor storage, parking and/or any other activity unless otherwise approved by the City Planner in writing. This includes the areas noted for future development on the site plan. The unimproved areas of the site shall be blocked off to vehicular access.
15. There shall be no storage of church materials during construction on the site or in the building unless approved in writing by the City Planner, Building Official and Fire Marshal.
16. That the maximum seating for the sanctuary, including the choir and pulpit areas, shall not exceed 200 seats.
17. The facility shall be used consistent with the Operational Statement.
18. No work shall be allowed on-site until the CUP is approved, and subsequently, building permits are issued.
19. Meet Community Noise Standards – The residential areas directly north of the site are considered a “Noise Sensitive Land Use”.
20. Those as a part of the Phase One improvements, provide five feet of dedication on Murray Avenue, unless otherwise determined in writing by the City Engineer.
21. That as a part of the Phase One improvements, the applicant shall dedicate property sufficient to accommodate a City standard 20’ radius return at the Murray/Johnson and Johnson/School corners.
22. That as a part of the Phase One improvements, install sidewalk along entire frontage on Murray, Johnson, and School including the ADA compliant ramps at corners Per SPR No’s 2011-115 and 2012-167.
23. That as a part of the Phase One improvements, the applicant shall install drive approaches on Murray, School and Johnson streets that are a minimum 30 feet wide with 20-foot radius returns.

24. The site shall be upgraded to full ADA compliance.
25. All gates shall be a minimum of 25 feet behind the property line, and shall not be installed so as to allow them to swing into the 25 feet.
26. Submit civil improvement plans prepared by a licensed engineer at the time of the building permit.
27. All signs shall be required to obtain a sign permit.
28. That as a part of the Phase One improvements, the parking lot shall be designed and constructed to City standards.
29. Building shall comply with A-3 occupancy requirements.
30. Install Knox Box at all gates as required by the Fire Marshal with Phase One.
31. That as a part of the Phase One improvements, the applicant shall install an automatic fire sprinkler system per the Building and Fire Department requirements. The Fire Hydrant, fire department connection (FDC) and the PIV valve should be located together and a minimum of 25 feet from the building, or as otherwise determined by the Fire Department.
32. That as a part of the Phase One improvements, a refuse enclosure with gates to R-3 or R-4 standards shall be installed in a manner and location determined to be acceptable to the Community Development Department. A concrete slab per City requirements is required in front of the enclosure, to be striped "No Parking". Only City refuse containers are allowed to be kept in the enclosure.
33. The building plans shall be prepared by a licensed architect or engineer.
34. The identified actions for Phases Two and Three may be integrated/segreated into other permitting phases with approval of the Site Plan Review Committee for compliance with this use permit, codes and ordinances.
35. Significant changes to the operational statement, or proposed use of the site will require an amendment to this use permit. The development of the "future" areas on the west side of the site will require Site Plan Review and any discretionary actions as determined through the Site Plan process.
36. The area identified as "Covered Parking" along the south side (rear) of the building shall not be used for any purpose unless approved through the Site Plan Review process and any related discretionary actions which may be identified as part of the Site Plan Review process.
37. Failure to abide by the Conditions of Approval set forth in this CUP shall constitute grounds for revocation of the CUP.
40. That the site be developed in substantial compliance with the comments from Site Plan Review No. 2011-115, and Site Plan Review No. 2012-167.
41. That the requested use be operated and maintained in substantial compliance with the site plans and floor plan exhibits.
42. That the facility be operated in compliance with the operational statement in Exhibit "C", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
43. That the site may not be used for any church purposes prior to the installation of the improvements required by this conditional use permit for Phase One.

44. That the “sanctuary” and “fellowship” areas may not be used for services or similar high occupancy uses at the same time, which would result in exceeding the parking demand established for the sanctuary.
45. That as a part of the Phase One improvements, the landscaping and parking be developed for the entire site as shown in Exhibit “A”. This includes the 10-foot landscape setback on the “Future” portions of the project site. The 10-foot on-site landscaping along the “Future” portions of the site may consist of the primary on-site trees (one tree every 20 lineal feet) and the required irrigation. The balance of the required shrubs and ground cover may be deferred until development of the “Future” portions of the site.
46. That the on-site gates remain open during any use of the site for the church or related activities.
47. That landscape and irrigation plans be submitted as a part of the building permit package.
48. That all other Federal, State, Regional, and City codes and ordinances be met.
49. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2016-14.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees 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 2016-30
- Exhibit "A" – Site Plan – Phase One
- Exhibit “B” – Site Plan – Phase Two/Three
- Exhibit “C” – Operation Statement
- Exhibit “D” – Floor Plan
- Exhibit “E” – Original Site Plan 2012
- Site Plan Review No. 2011-115 Comments
- Site Plan Review No. 2012-167 Comments
- Staff Report CUP No. 2012-13
- Staff Report CUP No. 2013-10
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

Related Plans & Policies

Conditional Use Permits - (Excerpts from Section 17.38)

17.38.010 Purposes and powers.

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

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.080 Public hearing--Notice.

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

17.38.090 Investigation and report.

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

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

RESOLUTION NO. 2016-30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2016-14, A REQUEST BY VICTORY OUTREACH TO ESTABLISH A 200 SEAT CHURCH FACILITY, IN PHASES, IN THE COMMERCIAL SHOPPING OFFICE (CSO) ZONE. THE SITE IS LOCATED AT 421 N. JOHNSON STREET (APN 093-177-007, 006)

WHEREAS, Conditional Use Permit No. 2016-14, is a request by Victory Outreach to establish a 200 seat church facility, in phases, in the Commercial Shopping Office (CSO) zone. The site is located at 421 N. Johnson Street (APN 093-177-007, 006); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on June 27, 2016; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2016-14 to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

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

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

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

1. That the proposed project phasing will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That that parcels APN 093-177-007 and 093-177-006 are considered the "subject site" for the purposes of meeting the requirements of Conditional Use Permit No. 2016-14.

4. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2016-28).

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:

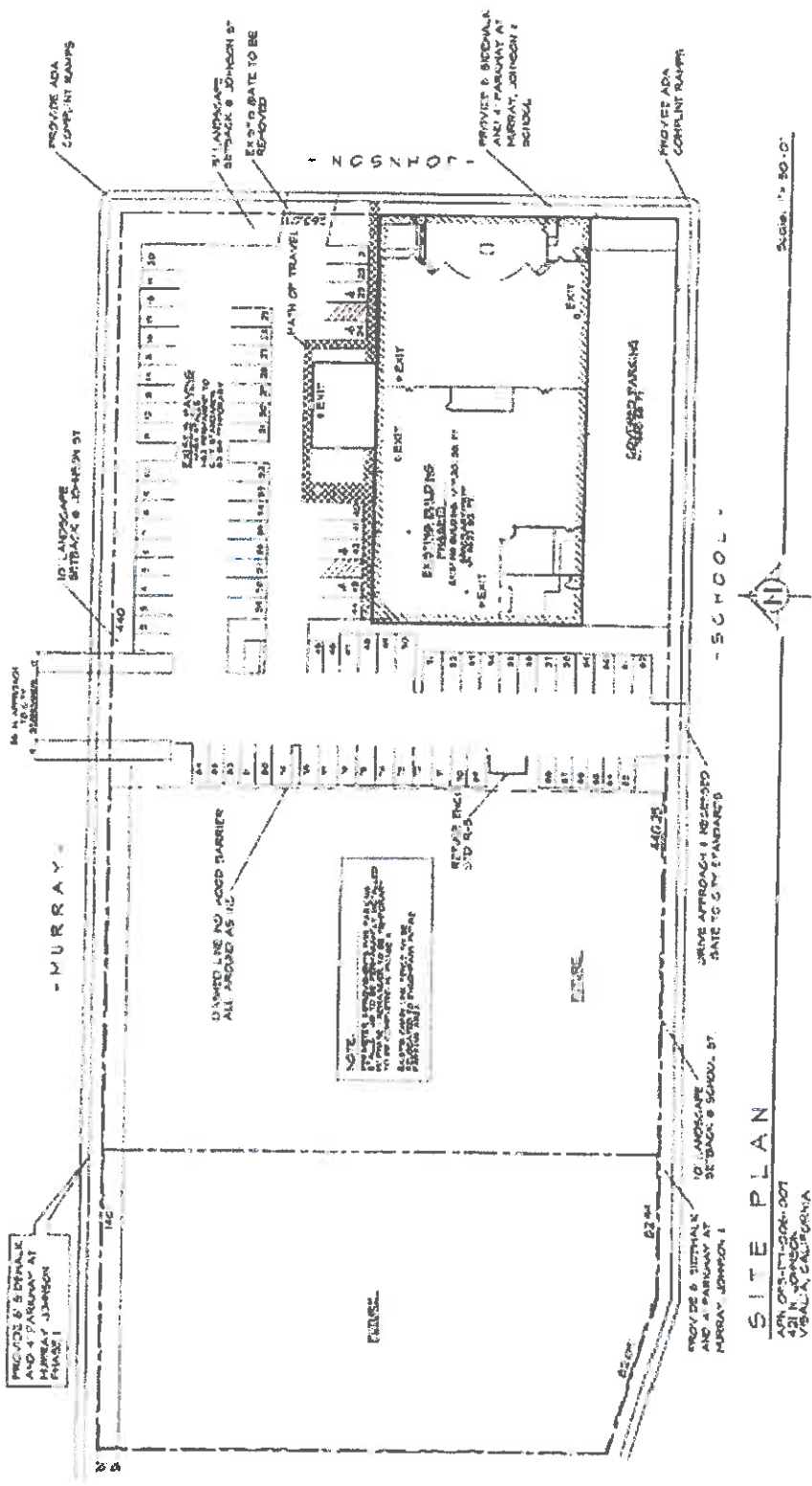
1. That Phase One shall only allow the use of the sanctuary for regular services and the church office for routine office uses. No other activities such as classrooms, training, or large fellowship gatherings, which cannot be accommodated by the existing parking, shall be allowed without the addition of parking to accommodate said activities which may have been permitted with the original use permit. The addition of parking on the "Future" portion of the site with Site Plan Review and City standards shall not require an amendment to this use permit unless otherwise determined at the time by the Site Plan Review process per City codes and ordinances. Staff will work with the church to allow the maximum use of the facility with the available parking, such as Sunday School and daycare during the services. The church would be able to use the sanctuary for fellowship and related uses (weddings, baptisms) which can be accommodated by the available parking.
2. That as a part of the Phase One improvements the existing fencing along all of the street frontages be relocated to the required setback or removed.
3. Relocation of fences requires a building permit, which may be incorporated into other on-site permits. All gates are to be shown on plans, recessed behind the required setback, and meet Engineering requirements for stacking and function.
4. Show pedestrian gates if the site is fenced. An ADA compliant path of travel from the Johnson Street and Murray Avenue public sidewalks to the building shall be denoted on the plan, approved by the Community Development Department and constructed prior to Phase One occupancy.
5. That the Phase One improvements shall include the installation of landscaping improvements in the right-of-way islands (six-foot sidewalk, four-foot parkway standard) and required on-site setbacks along the entire frontage of Johnson Street, Murray Avenue and School Avenue, to include all street trees, landscape trees, shrubs and ground covers. (10-foot landscape setbacks are required along Murray Street, School Street and 15-foot Johnson Avenue). The required five-foot wide landscape strip along the west property line may be deferred to a future Phase as may be required by Site Plan Review)
6. That the Phase One improvements shall include the installation of the landscape islands in the parking lot.
7. Required landscape islands may not have the fire hydrant and related FDC/PIV located in them unless the island has been expanded to accommodate the equipment and the required tree and landscaping.
8. Trees are required in all landscape wells, light poles must be located so as to not interfere with tree planting.

9. Prior to Phase One occupancy, the parking along the west side of Phase One will need to be improved to meet City standards for landscape islands and the required setbacks for landscaping, fences, and gates.
10. Landscape and irrigation plans are required with the building permit for the site improvements. The plans are required to be prepared by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. 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.
11. Prior to Phase One Occupancy, on-site lighting shall be depicted on the site improvement plans, installed, and approved by the Community Development Department.
12. No persons are allowed to sleep overnight or live at the site, unless approved through a subsequent use permit.
13. The sanctuary and related facilities may not be used for any church or related business purposes until such time as the Phase One site and building improvements have been finalized and a certificate of occupancy issued.
14. The unimproved areas west of the Phase One parking lot shall not be used for the purpose of outdoor storage, parking and/or any other activity unless otherwise approved by the City Planner in writing. This includes the areas noted for future development on the site plan. The unimproved areas of the site shall be blocked off to vehicular access.
15. There shall be no storage of church materials during construction on the site or in the building unless approved in writing by the City Planner, Building Official and Fire Marshal.
16. That the maximum seating for the sanctuary, including the choir and pulpit areas, shall not exceed 200 seats.
17. The facility shall be used consistent with the Operational Statement.
18. No work shall be allowed on-site until the CUP is approved, and subsequently, building permits are issued.
19. Meet Community Noise Standards – The residential areas directly north of the site are considered a “Noise Sensitive Land Use”.
20. Those as a part of the Phase One improvements, provide five feet of dedication on Murray Avenue, unless otherwise determined in writing by the City Engineer.
21. That as a part of the Phase One improvements, the applicant shall dedicate property sufficient to accommodate a City standard 20’ radius return at the Murray/Johnson and Johnson/School corners.
22. That as a part of the Phase One improvements, install sidewalk along entire frontage on Murray, Johnson, and School including the ADA compliant ramps at corners Per SPR No’s 2011-115 and 2012-167.
23. That as a part of the Phase One improvements, the applicant shall install drive approaches on Murray, School and Johnson streets that are a minimum 30 feet wide with 20-foot radius returns.
24. The site shall be upgraded to full ADA compliance.

25. All gates shall be a minimum of 25 feet behind the property line, and shall not be installed so as to allow them to swing into the 25 feet.
26. Submit civil improvement plans prepared by a licensed engineer at the time of the building permit.
27. All signs shall be required to obtain a sign permit.
28. That as a part of the Phase One improvements, the parking lot shall be designed and constructed to City standards.
29. Building shall comply with A-3 occupancy requirements.
30. Install Knox Box at all gates as required by the Fire Marshal with Phase One.
31. That as a part of the Phase One improvements, the applicant shall install an automatic fire sprinkler system per the Building and Fire Department requirements. The Fire Hydrant, fire department connection (FDC) and the PIV valve should be located together and a minimum of 25 feet from the building, or as otherwise determined by the Fire Department.
32. That as a part of the Phase One improvements, a refuse enclosure with gates to R-3 or R-4 standards shall be installed in a manner and location determined to be acceptable to the Community Development Department. A concrete slab per City requirements is required in front of the enclosure, to be striped "No Parking". Only City refuse containers are allowed to be kept in the enclosure.
33. The building plans shall be prepared by a licensed architect or engineer.
34. The identified actions for Phases Two and Three may be integrated/segregated into other permitting phases with approval of the Site Plan Review Committee for compliance with this use permit, codes and ordinances.
35. Significant changes to the operational statement, or proposed use of the site will require an amendment to this use permit. The development of the "future" areas on the west side of the site will require Site Plan Review and any discretionary actions as determined through the Site Plan process.
36. The area identified as "Covered Parking" along the south side (rear) of the building shall not be used for any purpose unless approved through the Site Plan Review process and any related discretionary actions which may be identified as part of the Site Plan Review process.
37. Failure to abide by the Conditions of Approval set forth in this CUP shall constitute grounds for revocation of the CUP.
40. That the site be developed in substantial compliance with the comments from Site Plan Review No. 2011-115, and Site Plan Review No. 2012-167.
41. That the requested use be operated and maintained in substantial compliance with the site plans and floor plan exhibits.
42. That the facility be operated in compliance with the operational statement in Exhibit "C", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
43. That the site may not be used for any church purposes prior to the installation of the improvements required by this conditional use permit for Phase One.

44. That the "sanctuary" and "fellowship" areas may not be used for services or similar high occupancy uses at the same time, which would result in exceeding the parking demand established for the sanctuary.
45. That as a part of the Phase One improvements, the landscaping and parking be developed for the entire site as shown in Exhibit "A". This includes the 10-foot landscape setback on the "Future" portions of the project site. The 10-foot on-site landscaping along the "Future" portions of the site may consist of the primary on-site trees (one tree every 20 lineal feet) and the required irrigation. The balance of the required shrubs and ground cover may be deferred until development of the "Future" portions of the site.
46. That the on-site gates remain open during any use of the site for the church or related activities.
47. That landscape and irrigation plans be submitted as a part of the building permit package.
48. That all other Federal, State, Regional, and City codes and ordinances be met.
49. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2016-14.

Exhibit "A"

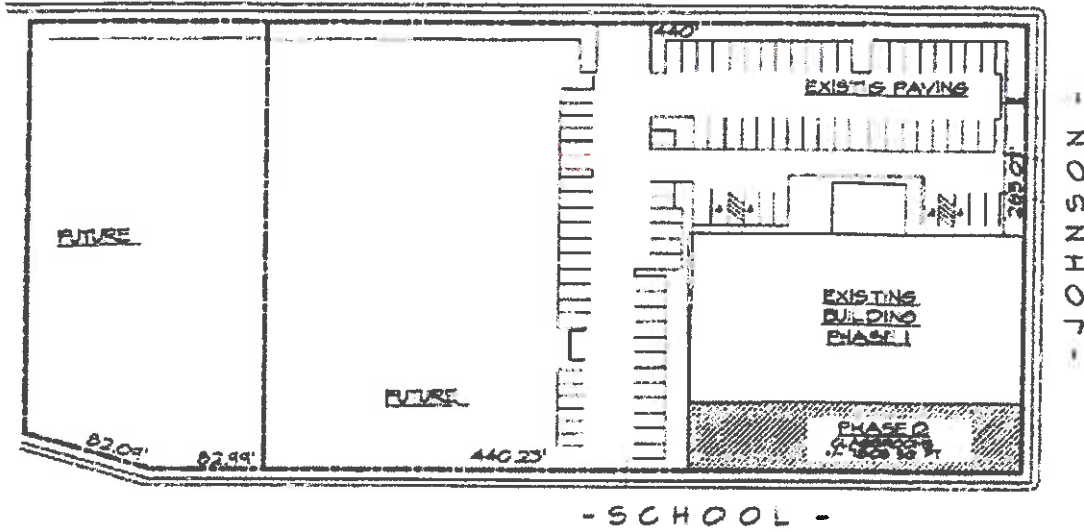


PLANTING REFERENCE FOR
VICTORY OUTREACH
 421 N. JOHNSON
 VISALIA, CALIFORNIA

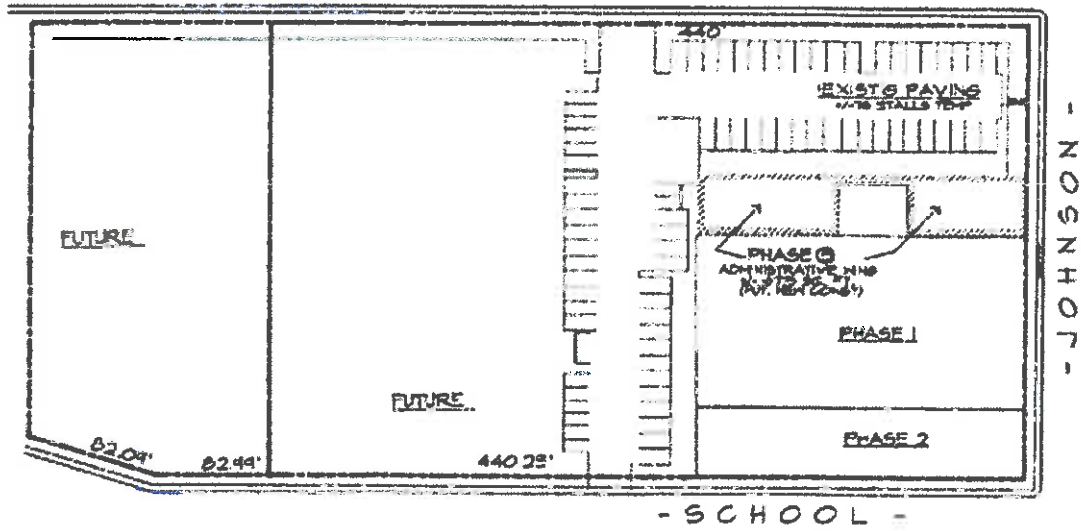
AMENDED SET

Exhibit "A"

Exhibit "B"



PHASE ②



PHASE ③

Exhibit "C"

Victory Outreach Operational Statement

Services are held every Sunday morning from 8am-1pm; these services consist of music, preaching, and child care.

Every Friday we have services from 5pm-9pm; these services consist of music, preaching, and child care.

Every Monday night from 6-8 choir practice will be in session with no children.

Every Wednesdays from 6pm-8pm we have a youth service from ages 13-20 no children will be present.

Office hours are from Monday-Friday 8am-4pm. These hours are only for office business and staff meetings.

Note: No food lines or food handling to the public will be offered at anytime.

No overnight live in care taker will be on site.

No car washes or yard sales of any kind will be allowed.

Exhibit "D"

Floor Plan

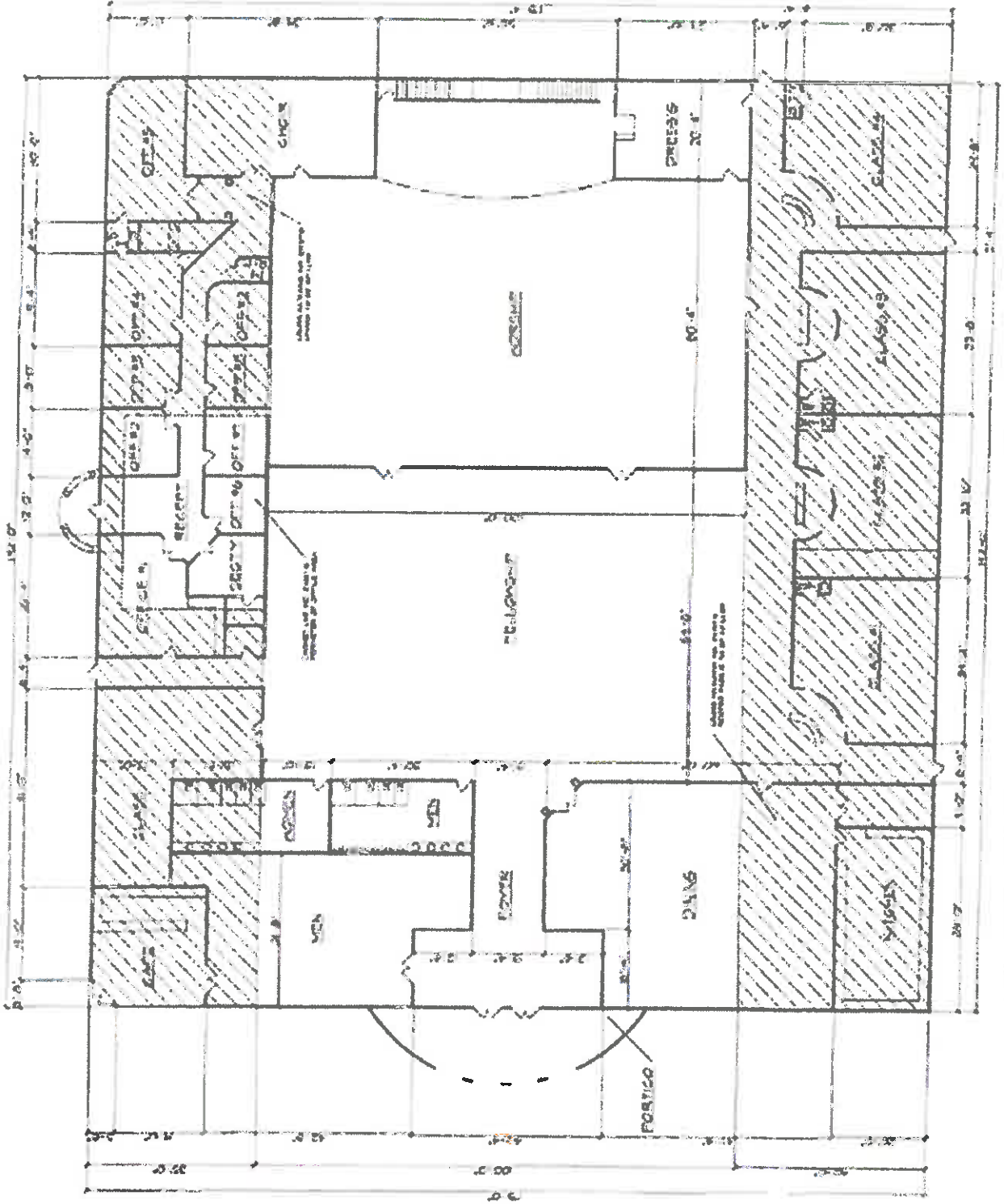


Exhibit "D"

Exhibit "E"

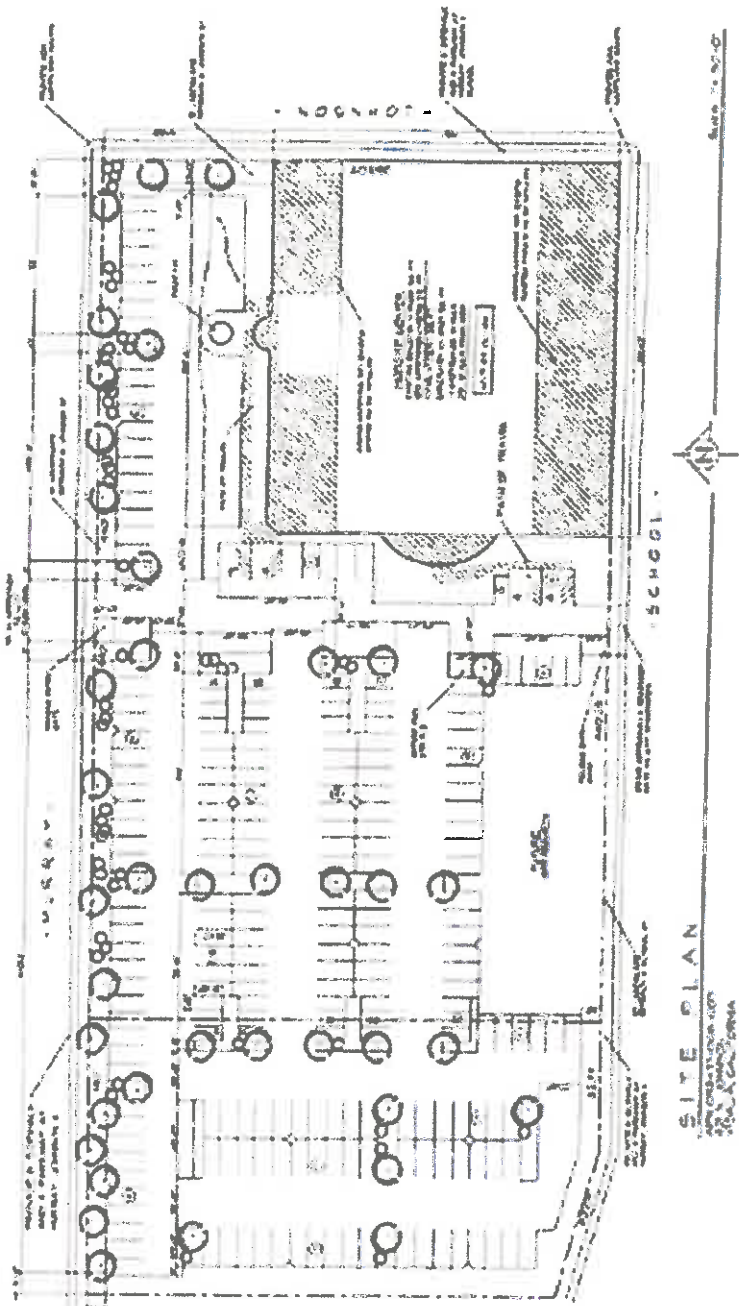
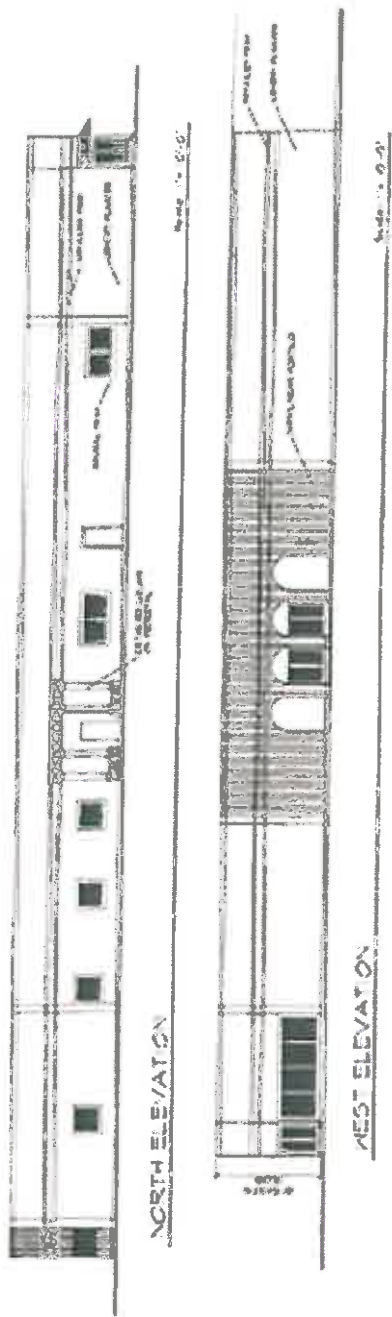


Exhibit "E"



MEETING DATE 1-23-2013
SITE PLAN NO. 12-167
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

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

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

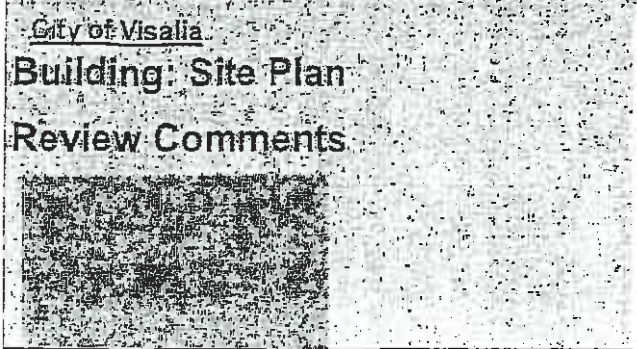
- REVISE AND PROCEED** (see below)
- A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.
- Submit plans for a building permit between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.
- Your plans must be reviewed by:
- CITY COUNCIL REDEVELOPMENT
 PLANNING COMMISSION PARK/RECREATION
 HISTORIC PRESERVATION OTHER _____

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

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

Site Plan Review Committee





ITEM NO: 5 DATE: January 23, 2013
 SITE PLAN NO: SPR12167 RESUBMIT
 PROJECT TITLE: VICTORY OUTREACH TEMP USE
 DESCRIPTION: PHASED PLAN FOR TEMPORARY USE OF 6200 SF WITHIN EXISTING 32,900 SF BUILDING FOR WORSHIP CENTER ON 3.5 ACRES (CSO ZONED) (REFER 11-115)
 APPLICANT: SPARSHOTT STEVE
 PROP OWNER: PENDEGRAFT FAMILY PARTNERSHIP
 LOCATION: 421 N JOHNSON ST
 APN(S): 093-177-006 093-177-007

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

- Business Tax certification is required. For information call (559)713-4326
- A building permit will be required For information call (559)713-4444
- Submit 3 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 5 sets of plans signed by an architect or engineer. Must comply with 2010 California Building Code Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. For information call (559)713-4444
- Obtain required permits from San Joaquin Valley Air Pollution Board. For information call (559)230-6000
- Location of cashier must provide clear view of gas pump island
- Treatment connection charge to be assessed based on use. Credits _____
- Plans must be approved by the Tulare County Health Department. For information call (559)624-8011
- Project is located in flood zone _____ * Hazardous materials report.
- Arrange for an on-site inspection. For information call (559)713-4444 (Fee for inspection \$146.40)
- School Development fees. Commercial \$0.47 per square foot. Residential \$2.97 per square foot.
- Park Development fee \$ _____, per unit collected with building permits.
- Existing address must be changed to be consistent with city address p For information call (559)713-4320
- Acceptable as submitted

Special comments: SEE PREVIOUS COMMENTS

S. Ferrero Date: 1-23-13
 Signature

Site Plan Review Comments For:

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

ITEM NO: 5

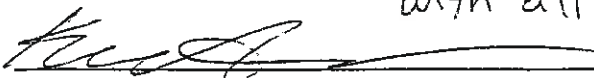
DATE: January 23, 2013

SITE PLAN NO: SPR12167 **RESUBMIT**
PROJECT TITLE: VICTORY OUTREACH TEMP USE
DESCRIPTION: PHASED PLAN FOR TEMPORARY USE OF 6200 SF
WITHIN EXISTING 32,900 SF BUILDING FOR
WORSHIP CENTER ON 3.5 ACRES (CSO ZONED)
(REFER 11-115)
APPLICANT: SPARSHOTT STEVE
PROP OWNER: PENDEGRAFT FAMILY PARTNERSHIP
LOCATION: 421 N JOHNSON ST
APN(S): 093-177-006 093-177-007

The following comments are applicable when checked:

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

- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, bolt locks, and panic and fire exit hardware.
- Provide Illuminated exit signs and emergency lighting through-out building.
- All Fire and Life Safety systems located within the building shall be maintained.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1601.01 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments: 1. Building shall comply as an A3 occupancy.
2. Building shall not be used until 100% compliant with all Building, ~~fire~~ fire and city standards.


Kurtis Brown, Assistant Fire Marshal

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

SITE PLAN NO: SPR12167 RESUBMIT
PROJECT TITLE: VICTORY OUTREACH TEMP USE
DESCRIPTION: PHASED PLAN FOR TEMPORARY USE OF 6200 SF WITHIN EXISTING 32,900 SF BUILDING FOR WORSHIP CENTER ON 3.5 ACRES (CSO ZONED) (REFER 11-115)
APPLICANT: SPARSHOTT STEVE
PROP OWNER: PENDEGRAFT FAMILY PARTNERSHIP
LOCATION: 421 N JOHNSON ST
APN(S): 093-177-006 093-177-007

COMMERCIAL BIN SERVICE

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

[]

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

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

[]

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

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

[]

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: January 23, 2013

SITE PLAN NO: 12-167 RESUBMITTAL
PROJECT TITLE: VICTORY OUTREACH
DESCRIPTION: TEMPORARY USE OF 6200 SF WITHIN EXISTING 32,900 SF BUILDING FOR WORSHIP CENTER ON 3.5 ACRES (CSO ZONED) (REFER 11-115)
APPLICANT TITLE: VICTORY OUTREACH / STEVE SPARSHOTT
PROP. OWNER: PENDEGRAFT FAMILY PARTNERSHIP
LOCATION TITLE: 421 N JOHNSON ST
APN TITLE: 093-177-006 & 007

General Plan: CDT – Central Business District
Existing Zoning: CSO – Shopping / Office Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Additional Information As Needed
- Building Permits
- Amendment to Conditional Use Permit No. 2012-13

PROJECT SPECIFIC INFORMATION: 01/23/2013

1. A "Revise & Proceed" to filing an Amended CUP has been issued for this project.
2. The revised site plan for the CUP shall depict all required improvements associated with Phase 1. This includes clearly depicting building improvements, detailing the landscaping setbacks along all three streets, detailed parking lot landscaping and parking lot improvements, depicting all fence locations, all public improvements including new sidewalks along Murray and School streets and any other improvements associated with Phase 1.
3. Failure to clearly demonstrate and detail all improvements proposed with Phase 1 may result in staff recommending denial on the Phasing Plan. Staff has requested detailed plans to ensure that the applicant and Planning Commissioners understand the improvements to be completed under Phase 1 and any other subsequent Phasing.
4. Comply with all Conditions of Project Approval for CUP No. 2012-13.
5. The site cannot be occupied and/or used by the church until building plans are submitted, building plans approved, building permits issued and the building and site is finalized by City Staff. Failure to comply with the requirements as stated by staff may result in Code Enforcement Action.

PREVIOUS COMMENTS

PROJECT SPECIFIC INFORMATION: 11/14/2012 & 08/01/2012

1. Staff requires the following for the Phase 1 improvements: entire frontage improvements along Johnson Street, Murray Avenue and School Avenue be completed including replacing curb, gutter and installing sidewalks, street trees and landscaping along these streets; parking lot improvements to meet the church's parking requirements per CUP No. 2012-13 including installing tree wells to achieve 50% parking lot shading and irrigation to all landscaped and/or tree well areas; install barricades preventing use of the unimproved portions of the site; complete tenant improvements for the building including the office space area.

2. Staff will allow Phasing of the canopy structures located on the north and south side of the buildings. These open canopies shall require building permits when proposed to be enclosed. These areas shall not be used for any other church related activity until a building permit is approved and finalized by City of Visalia staff.
3. The request to Phase requires amending CUP No. 2012-13.
4. Comply with all Conditions of Project Approval for CUP No. 2012-13.
5. This site cannot be occupied and/or used by the church until building plans are submitted, building plans approved, building permits issued and the building and site is finalized by City Staff. Failure to comply with the requirements as stated by staff may result in Code Enforcement Action.
6. Resubmit the site plan depicting the Phase 1 improvements as noted by staff during the Site Plan Review meeting on December 19, 2012.

CITY GENERAL PLAN CONSISTENCY

Staff initial finding is that the proposed site plan IS NOT CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

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

Maximum Building Height: 60 Feet

Minimum Setbacks:

| | Building | Landscaping |
|----------------------------------|-----------------|--------------------|
| ➤ Front | 10 Feet(a) | 10 Feet |
| ➤ Side | 0 Feet | 5 Feet(b) |
| ➤ Street side on corner lot | 10 Feet(c) | 10 Feet |
| ➤ Side abutting residential zone | 15 Feet | 5 Feet |
| ➤ Rear | 0 Feet | 5 Feet(b) |
| ➤ Rear abutting residential zone | 15 Feet | 5 Feet |

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

Minimum Site Area: 6,000 square feet

Parking: As prescribed in Chapter 17.34

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

1. Parking needs to be provided on the site or Parking In Lieu Fees may be used if parking is not provided on-site.

Parking:

1. Parking for churches shall be provided at one parking space for every four (4) permanent seats in the principal assembly area or room, or one parking space for every 30 square feet of floor area, whichever is greater (see Zoning Ordinance Section 17.34.020).
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide handicapped space(s) [see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. A planter is required every other row. Said planter shall be 5 feet in width and shall contain trees on twenty (20) foot centers (Zoning Ordinance Section 17.30.130.C.6).
6. No repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).

7. It is highly recommended that bicycle rack(s) be provided on site plan.
8. No parking shall be permitted in a required front/rear/side yard.
9. 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).
10. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.
11. Provide transit facilities on site plan.
12. 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).
13. Provide off-street loading facility(Zoning Ordinance Section 17.34.070 & 17.34.080).
14. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide second-story screening for all windows that may intrude into adjacent residential properties. Details and cross-sections will be required to be reviewed and approved prior to issuance of building permits (Zoning Ordinance Section 17.30.130.F).
3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
4. 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).
5. Outdoor retail sales prohibited.
6. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

Landscaping:

1. On September 30, 2009, the State Model Water Efficient Landscape Ordinance (MWELo) was finalized by the State Department of Water Resources to comply with AB 1881. AB 1881 along with the MWELo became effective on January 1, 2010. As of January 1, 2010, the State Model Water Efficient Landscape Ordinance became effective by adoption of a City urgency ordinance on December 21, 2009. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. **NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.**
2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.130.C).
3. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
4. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
5. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).

6. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
7. Provide a conceptual landscape plan for resubmittal or planning commission review.
8. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).

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

Lighting:

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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.

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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.

Signature

A handwritten signature in black ink, appearing to be 'Jan B', written over a horizontal line.

QUALITY ASSURANCE DIVISION SITE PLAN REVIEW COMMENTS

ITEM NO: 5 DATE: January 23, 2013

SITE PLAN NO: SPR12167 **RESUBMIT**

PROJECT TITLE: VICTORY OUTREACH TEMP USE

DESCRIPTION: PHASED PLAN FOR TEMPORARY USE OF 6200 SF WITHIN EXISTING 32,900 SF BUILDING FOR WORSHIP CENTER ON 3.5 ACRES (CSO ZONED) (REFER 11-115)

APPLICANT: SPARSHOTT STEVE

PROP OWNER: PENDEGRAFT FAMILY PARTNERSHIP

LOCATION: 421 N JOHNSON ST

APN(S): 093-177-006 093-177-007

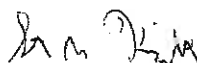
YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR - 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER - $\frac{3}{4}$ HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED - NO COMMENTS

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

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



AUTHORIZED SIGNATURE

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

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

ITEM NO: 5 DATE: JANUARY 23, 2013

SITE PLAN NO.: 12-167 3RD RESUBMITTAL
PROJECT TITLE: VICTORY OUTREACH TEMP USE
DESCRIPTION: PHASED PLAN FOR TEMPORARY USE OF 6,200 SF WITHIN EXISTING 32,900 SF BUILDING FOR WORSHIP CENTER ON 3.5 ACRES (CSO ZONED) (REFER 11-115)
APPLICANT: SPARSHOTT STEVE
PROP OWNER: PENDERGRAFT FAMILY PARTNERSHIP
LOCATION: 421 N JOHNSON ST
APN: 093-177-006 093-177-007

SITE PLAN REVIEW COMMENTS

REQUIREMENTS (indicated by checked boxes)

- Install curb return with ramp, with _____ radius;
- Install curb; gutter
- Drive approach size: Use radius return;
- Sidewalk: _____ width; parkway width at _____
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership. **See SPR 11-115**
- Deed required prior to issuing building permit;
- City Encroachment Permit Required.

Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit.

- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map. Contact Doug Damko, 713-4268, 315 E. Acequia Ave.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ : _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.

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

Additional Comments:

1.) Refer to prior SPR 11-115 - All conditions from SPR 11-115 apply to this development, including any required onsite and frontage improvements

2.) All required offsite improvements to be installed with Phase 1 of the building improvements. Refer to City standards and include their respective details in the building permit plan set.

3.) Parking lot landscaping requirements, per Planning Dept. conditions, shall be completed with Phase 1.

4.) A barricade and/or fencing shall be installed around empty undeveloped area.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 12-167 3rd RESUBMITTAL

Date: 1/23/2013

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

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

(Fee Schedule Date: 8/17/2012)

(Project type for fee rates:)

Existing uses may qualify for credits on Development Impact Fees.

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

Reimbursement:

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



Adrian Rubalcaba



MEETING DATE 10/12/2011
SITE PLAN NO. 11-115
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.



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

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

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

Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

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

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

Your plans must be reviewed by:

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

ADDITIONAL COMMENTS This project requires a Conditional Use Permit.

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

Site Plan Review Committee



SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: October 12, 2011

SITE PLAN NO: 11-115 RESUBMITTAL
PROJECT: VICTORY OUTREACH
WORSHIP CENTER IN EXISTING 54,000 SF BUILDING ON 3.48 ACRES
(CSO ZONED)
APPLICANT TITLE: VICTORY OUTREACH, PENDERGRAFT FAMILY PARTNERSHIP
(PROP. OWNER)
LOCATION TITLE: 421 JOHNSON, N.
APN TITLE: 093-177-006, 007

General Plan: CSO – Shopping / Office Commercial
Existing Zoning: CSO – Shopping / Office Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Building Permits
- Conditional Use Permit for a Church with up to 200 seats

PROJECT SPECIFIC INFORMATION: 10/12/2011

1. Comply with previous comments.
2. The floor plan depicts a reduction in the main sanctuary seating area meeting the 200 maximum seat count permitted in the CSO.
3. Provide a detailed operational statement with the CUP application submittal.
4. Any unimproved area shall not be used for the purpose of parking and/or any other activity. This includes the areas noted for future development on the site plan.
5. Parking lot shall be designed to City standards.
6. No work on shall be allowed on-site until an entitlement is approved for the church use and building permits are issued.
7. Building permits are required for all work proposed with this site plan review.
8. Include building elevations for the exterior modifications to the building with the CUP application submittal.

Previous Comments

PROJECT SPECIFIC INFORMATION: 10/05/2011

9. Comply with previous comments.
10. Based on the proposed floor plan submitted, the main assembly area exceeds the 200 maximum seats allowed per the C-SO zone. Reduce the main assembly area allowing for only 200 seats. This may also result in reducing the number of parking spaces required for the church site. Any additional parking not required at this time may be depicted but identified as a future phase of the development.
11. No work shall be allowed on-site until the CUP is approved, and subsequently, building permits are issued.
12. If dormitories are provided on-site, depict their location and provide square footage for areas dedicated to this use. If no dormitories are provided, the CUP will be conditioned requiring that no sleeping accommodations are provided on-site which will result in having to amend the CUP to include this use a future time.

Previous Comments

PROJECT SPECIFIC INFORMATION: 09/07/2011

1. The proposed use is a change in use and requires full site improvements.
2. A Church, up to 200 seats, is a conditionally allowed use in the CSO zone.
3. Provide a detailed operational statement for all portions of the site plan. Provide a floor plan for depicting the main sanctuary area, classrooms/day care, dormitories, meeting rooms, etc. The operational plan shall state how the church site will function, days of service, number of services during the day, any church related activities during the week/weekend, etc.
4. The site is within the CSO zone, with a General Plan designation of CDT, and in Design District "E". 10-foot landscape setbacks are required along Murray Street, School Street and 15-foot Johnson Avenue. There is also a 5-foot wide landscape strip along the west property line.
5. Relocate the fence out of all landscape setback areas along the public streets, and remove any barbed/razor type wire.
6. Provide recessed gates on School Avenue, and Johnson Street access points. (Engineering, Traffic and Planning)
7. Provide Street trees per City requirements. Landscape and irrigation plans will be required with the site improvements.
8. Provide on-site landscaping layout, how will trees and related landscaping be integrated into the main body of the site?
9. Will there be additional on-site lighting for night time and security, if so please show on the site plan.

CITY GENERAL PLAN CONSISTENCY

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

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

Maximum Building Height: 60 Feet

Minimum Setbacks:

| | Building | Landscaping |
|----------------------------------|-----------------|--------------------|
| ➤ Front | 10 Feet(a) | 10 Feet |
| ➤ Side | 0 Feet | 5 Feet(b) |
| ➤ Street side on corner lot | 10 Feet(c) | 10 Feet |
| ➤ Side abutting residential zone | 15 Feet | 5 Feet |
| ➤ Rear | 0 Feet | 5 Feet(b) |
| ➤ Rear abutting residential zone | 15 Feet | 5 Feet |

(a) Except sites in the C-DT zone, in which case the structure may be built to property line.

(b) Except where building is on property line.

(c) Except for corner properties fronting Main Street in the C-DT zone.

Minimum Site Area: 6,000 square feet

Parking: As prescribed in Chapter 17.34

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

1. Parking needs to be provided on the site or Parking In Lieu Fees may be used if parking is not provided on-site.

Parking:

1. Parking for churches shall be provided at one parking space for every four (4) permanent seats in the principal assembly area or room, or one parking space for every 30 square feet of floor area, whichever is greater (see Zoning Ordinance Section 17.34.020).
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide handicapped space(s) [see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. A planter is required every other row. Said planter shall be 5 feet in width and shall contain trees on twenty (20) foot centers (Zoning Ordinance Section 17.30.130.C.6).
6. No repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).
7. It is highly recommended that bicycle rack(s) be provided on site plan.
8. No parking shall be permitted in a required front/rear/side yard.
9. 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).
10. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.
11. Provide transit facilities on site plan.
12. 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).
13. Provide off-street loading facility(Zoning Ordinance Section 17.34.070 & 17.34.080).
14. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide second-story screening for all windows that may intrude into adjacent residential properties. Details and cross-sections will be required to be reviewed and approved prior to issuance of building permits (Zoning Ordinance Section 17.30.130.F).
3. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
4. 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).
5. Outdoor retail sales prohibited.
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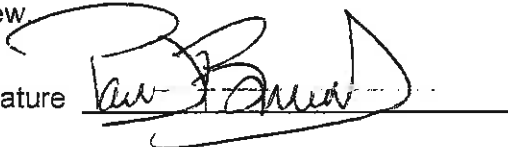
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The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

Signature



QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS

ITEM NO: 2 DATE: OCTOBER 12, 2011
SITE PLAN NO: 11-115 RESUBMITTAL
PROJECT: VICTORY OUTREACH
APPLICANT TITLE: WORSHIP CENTER IN EXISTING
54,000 SF BUILDING ON 3.48 ACRES
(CSO ZONED)
LOCATION TITLE: VICTORY OUTREACH, PENDERGRAFT
FAMILY PARTNERSHIP (PROP. OWNER)
APN TITLE: JOHNSON, N.
093-177-006, 007

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

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR - 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER - 3/4 HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED - NO COMMENTS

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

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

Dr. N. Knight

AUTHORIZED SIGNATURE

10-10-11

DATE

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

ITEM NO: 2
SITE PLAN NO:
PROJECT:
APPLICANT TITLE:

DATE: OCT 12, 2011
11-115 RESUBMITTAL
VICTORY OUTREACH
WORSHIP CENTER IN EXISTING
54,000 SF BUILDING ON 3.48 ACRES
(CSO ZONED)
LOCATION TITLE: VICTORY OUTREACH, PENDERGRAFT
FAMILY PARTNERSHIP (PROP. OWNER)
JOHNSON, N.
093-177-006, 007

COMMERCIAL BIN SERVICE

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

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

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

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

THE DRIVE APPROACH ENTRANCE SHOULD BE 25 FEET WIDE FROM ENTRANCE OF GATE TO CONTAINED APPROACH TO GIVE OUR TRUCKS MORE ROOM TO MANEUVER.

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

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

ITEM NO: 2
SITE PLAN NO:
PROJECT:
APPLICANT TITLE:

DATE: 01 BER 12, 2011
11-115 RESUBMITTAL
VICTORY OUTREACH
WORSHIP CENTER IN EXISTING
54,000 SF BUILDING ON 3.48 ACRES
(CSO ZONED)
VICTORY OUTREACH, PENDERGRAFT
FAMILY PARTNERSHIP (PROP. OWNER)
JOHNSON, N.
093-177-006, 007

LOCATION TITLE:

APN TITLE:

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:

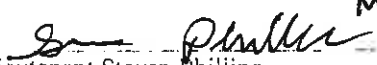
Landscaping Concerns:

Traffic Concerns:

Surveillance Issues:

Line of Sight Issues:

Other Concerns: NO LIVING ON PROPERTY. IMPROVEMENTS MUST BE COMPLETED PRIOR TO OCCUPANCY.


Lieutenant Steven Phillips
Visalia Police Department

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

Doug Damko 713-4268
 Ken McSheehy 713-4447
 Adrian Rubalcaba 713-4271
 Jason Huckleberry 713-4259

ITEM NO: 2 DATE: OCTOBER 12, 2011

SITE PLAN NO.: 11-115 2ND RESUBMITTAL
PROJECT: WORSHIP CENTER IN EXISTING 54,000 SF BLDG
ON 3.48 ACRES (CSO ZONED)
APPLICANT: VICTORY OUTREACH, PENDERGRAFT FAMILY
PARTNERSHIP (PROP OWNER)
LOCATION: 421 N JOHNSON ST
APN: 093-177-006, 007

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with _____ radius;
- Install curb _____ gutter
- Drive approach size: **Minimum 301 for 2-way traffic** Use radius return;
- Sidewalk: **6'** width, **4'** parkway width at **Murray, Johnson & School**
- 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. **5' dedication along Murray & the corner cut at Johnson with diagonal for a 20' radius.**
- Deed required prior to issuing building permit.
- City Encroachment Permit Required.
- Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit
Contacts: Al Dias (planning) 488-7306.
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map. Contact Doug Damko, 713-4268, 315 E. Acequia Ave.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ : _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = 0.20%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.

- Traffic indexes per city standards.
 - Install street striping as required by the City Engineer.
 - Install landscape curbing (typical at parking lot planters):
 - Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
 - Design Paving section to traffic index of 5.0 min. for solid waste truck travel path:
 - Provide "R" value tests: **1** each at **300' intervals on Solid Waste route.**
 - Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch, Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River
 - Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
 - Show Oak trees with drip lines and adjacent grade elevations Protect Oak trees during construction in accordance with City requirements.
 - A permit is required to remove oak trees. Contact David Pendergraft at 713-4295 for an Oak tree evaluation or permit to remove. A pre-construction conference is required.
 - Relocate existing utility poles and/or facilities
 - Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
 - Subject to existing Reimbursement Agreement to reimburse prior developer
 - Dust control is required on site during construction and for all material excavated, graded, and/or transported.
 - Based on estimated land disturbance area, a State Storm Water General Permit is required.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

- 1.) ***Parking lot to meet City of Visalia standards. The drive approach on Murray needs to be a minimum of 30' wide with a minimum of 20' radius returns. The drive needs to be located in line with the drive aisle to the south.***
- 2.) ***Install ADA compliant ramps on Johnson at Murray and School.***
- 3.) ***Provide a detailed grading and drainage plan with dimensions with building permit submittal.***
- 4.) ***Acreage fees will be based on the undeveloped (unpaved) portion of the site. Transportation Impact fees will be based on the use of the building areas with credit for warehouse and receive a 25% downtown infill credit.***
- 5.) ***Provide a turnaround area at the east end of the north drive aisle.***
- 6.) ***If fencing and gating the parking lot, show location of fencing and gates, provide adequate room for a car to pull completely off of street in order to open gate. (See Traffic Safety comments for additional detail).***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 11-115 2ND Resubmittal

Date: 10/12/11

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:9/19/11)

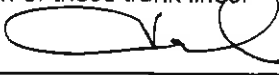
(Project type for fee rates:31,478 sf Church with out kitchen)

Existing uses may qualify for credits on Development Impact Fees. 19,201 sq ft of Warehouse/Distribution

| FEE ITEM | FEE RATE |
|--|---|
| <input type="checkbox"/> Groundwater Overdraft Mitigation Fee | |
| <input checked="" type="checkbox"/> Transportation Impact Fee | $(\$1794/1000 \text{ sf} \times 31,478) - (\$1092/1000 \text{ sf} \times 19,201) = \$35,504.04$ |
| <input checked="" type="checkbox"/> Trunk Line Capacity Fee | $(\$5.49/\text{seat} \times ?) - (\$20.04/1000 \text{ sf} \times 19,201 \text{ sf}) = ?$ |
| <input type="checkbox"/> Sewer Front Foot Fee | |
| <input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee | $\$5154/\text{ac} \times 2.35 \text{ ac} = \$ 12,111.90$ |
| <input type="checkbox"/> Park Acq/Dev Fee | |
| <input type="checkbox"/> Northeast Specific Plan Fees | |
| <input checked="" type="checkbox"/> Waterways Acquisition Fee | $\$4029.21/\text{ac} \times 2.35 \text{ ac} = \$9,468.64$ |
| <input checked="" type="checkbox"/> Public Safety Impact Fee: Police | $\$7317.07/\text{ac} \times 2.35 \text{ ac} = \$17,195.11$ |
| <input checked="" type="checkbox"/> Public Safety Impact Fee: Fire | $\$1601.01/\text{ac} \times 2.35 \text{ ac} = \$3,763.27$ |
| <input type="checkbox"/> Public Facility Impact Fee | |
| <input type="checkbox"/> Parking In-Lieu | |

Reimbursement:

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



 Jason Hucleberry

Building Site Plan Review Comments

ITEM NO: 2

DATE: OCTOBER 12, 2011

SITE PLAN NO:

11-115 RESUBMITTAL

PROJECT:

VICTORY OUTREACH

APPLICANT TITLE:

WORSHIP CENTER IN EXISTING
54,000 SF BUILDING ON 3.48 ACRES
(CSO ZONED)

LOCATION TITLE:

VICTORY OUTREACH, PENDERGRAFT
FAMILY PARTNERSHIP (PROP. OWNER)

APN TITLE:

JOHNSON, N.
093-177-006, 007

- Submit 3 sets of engineered plans and 2 sets of calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- Meet city and state requirements for accessibility for persons with disabilities.
- Submit 3 sets of plans signed by an architect or engineer. Must comply with 2010 California Building Code Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- Obtain required permits from San Joaquin Valley Air Pollution Board.
- Location of cashier must provide clear view of gas pump island
- Calculations of free-standing carport.
- Treatment connection charge to be assessed based on use. Credits _____
- Must comply with state energy requirements.
- Plans must be approved by the Tulare County Health Department.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- Project is located in flood zone _____. * Minimum finished floor elevation requires _____.
*Flood Zone determination and finished floor elevation are based on the official FEMA NAVD 88 elevation converted to the equivalent NGVD 29 elevation using FEMA's established conversion factor of 2.73. Effective June 16, 2009.
- All accessible units required to be adaptable for the physically handicapped.
- Acceptable as submitted Arrange for an on-site inspection.
- Hazardous materials report. A demolition permit & deposit is required.
- School Development fees. Commercial \$0.47 per square foot. Residential \$2.97 per square foot.
- Park Development fee \$ _____, per unit collected with building permits.
- Existing address must be changed to be consistent with city address policy.

SEE PREVIOUS COMMENTS

G. FERRERO

Signature

Site Plan Review Comments For:

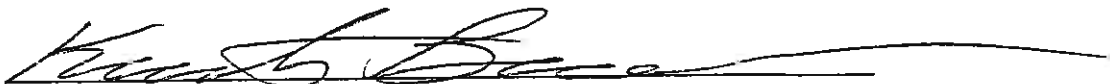
Visalia Fire Department
Kurtis Brown, Senior Fire Inspector
707 W Acequia
Visalia, CA 93291
559-713-4261 *office*
559-713-4808 *fax*

ITEM NO: 2 **DATE:** OCTOBER 12, 2011
SITE PLAN NO: 11-115 RESUBMITTAL
PROJECT: VICTORY OUTREACH
APPLICANT TITLE: WORSHIP CENTER IN EXISTING
54,000 SF BUILDING ON 3.48 ACRES
(CSO ZONED)
LOCATION TITLE: VICTORY OUTREACH, PENDERGRAFT
FAMILY PARTNERSHIP (PROP. OWNER)
APN TITLE: JOHNSON, N.
093-177-006, 007

The following comments are applicable when checked:

- Refer to previous comments dated 9-14-2011 & 10-5-2011.
- The Site Plan Review comments in this document are not all encompassing but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are fire hydrants required for this project.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An 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.
- Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office.
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1433.90 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments:


Kurtis Brown, Senior Fire Inspector

Site Plan Review Comments For:

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

Item # 4 Date 10-05-11
Site Plan # 11-115
Project Victory Outreach
Applicant Victory Outreach, Pendergraft Family
Location 421 N. Johnson
APN 093-177-006, 007

The following comments are applicable when checked:

- Refer to previous comments dated 9-14-11.
- The Site Plan Review comments in this document are not all encompassing but a general overview of the California Fire Code, and City of Visalia Municipal Codes. Additional requirements may come during the plan review process.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are fire hydrants required for this project.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An 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.
- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office.

- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.
- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1433.90 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments: Comply with all A-3 occupancy requirements, such as egress and emergency lighting, fire alarms.

Kurtis Brown, Senior Fire Inspector

Site Plan Review Comments For:

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

Item # 3 Date 9-14-11
Site Plan # 11-115
Project Victory Outreach
Applicant Victory Outreach, Pendergraft Family
Location 421 N. Johnson
APN 093-177-006, 007

The following comments are applicable when checked:

- No comments at this time for this project.
- Refer to previous comments dated _____.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to clearly and plainly visible from the street. Numbers will be at least six inches (6") high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway/driveway.
- No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.
- There is/are _____ fire hydrants required for this project.
- The turning radius for emergency fire apparatus is 20 feet inside diameter and 35 feet outside diameter. Ensure that the turns identified to you during site plan comply with the requirements. An option is a hammer-head constructed to City standards.
- An 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.
- A fire lane is required for this project. The location will be given to you during the site plan meeting.
- A Knox Box key lock system is required. Applications are available at the Fire Department Administrative Office.
- The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Fire Department Administrative Office.

- That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.
- If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Tulare County Health Department. Prior to the building final inspection, we will want a copy of the plan and any Material Safety Data Sheets.
- An automatic fire sprinkler system will be required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25' from the building, if possible. The caps on the FDC shall be Knox locking caps.
- An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.
- Fire Department Impact Fee - \$1433.90 per acre.
- Fire Department Permit Fee - complete application during Building Department permit process.
- Special comments: Comply with all A-3 occupancy requirements, such as egress and emergency lighting.

Kurtis Brown, Senior Fire Inspector

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

| | |
|---|----------|
| <input checked="" type="checkbox"/> Eric Bons | 713-4350 |
| <input type="checkbox"/> | |
| <input type="checkbox"/> | |

| | |
|---------------------|--|
| ITEM NO: <u>002</u> | DATE: <u>OCTOBER 12, 2011</u> |
| SITE PLAN NO.: | 11-115 RESUBMITTAL |
| PROJECT: | VICTORY OUTREACH WORSHIP CENTER IN EXISTING 54,000 SF BUILDING ON 3.48 ACRES (CSO ZONED) |
| APPLICANT: | VICTORY OUTREACH, PENDERGRAFT FAMILY PARTNERSHIP (PROP. OWNER) |
| LOCATION: | 421 JOHNSON, N. |
| APN: | 093-177-006, 007 |

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

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

Additional Comments:

Provide an operational statement which indicates the amount of traffic that will be generated by this site.

Provide a cross access agreement between the parcels.

The parking lot shall be improved in accordance with City standards.

The proposed driveway onto School Avenue should be moved to the west to minimize the impact to the on-street parking on School Avenue.


Eric Bons



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 23, 2012

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

SUBJECT: **Conditional Use Permit No. 2012-13:** A request by Victory Outreach to establish a 200-seat church in the Commercial Shopping Office (CSO) zone, located at 421 N. Johnson Street (APN: 093-177-007, 006)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2012-13 based upon the findings and conditions in Resolution No. 2012-26. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2012-13 based on the findings and conditions in Resolution No. 2012-26.

PROJECT DESCRIPTION

The Commercial Shopping Office (CSO) zone allows for churches up to 200 seats as a "conditional" use. The applicant is requesting approval of a 200 seat church facility with related facilities in an existing building located at 421 N. Johnson Street.

The applicant's site plan shown in Exhibit "A" illustrates the conversion of the existing building and storage yard to a 200 seat church facility with a 231 stall parking lot. The site is a vacant service commercial site previously operated as a pipe yard with storage building. The proposed church would improve the entire site as one phase with only the "Future" area along School Street as an unimproved portion.

The site would have vehicular access points on Murray and School Avenues with gates to control access when the site is not in use. The street frontages would be improved with City standard sidewalks and landscaping along the street frontages except where the existing building is located on the property line.

The existing 19,201 sq. ft. building would be expanded by 13,716 sq. ft. for a total of 32,917 sq. ft. as shown in Exhibit "B". The expansion would be accomplished by the enclosure of the loading docks and roof over-hang areas. The interior layout includes offices, classrooms, a kitchen and dining area and a café.



The operational statement in Exhibit "C" indicates that there would be Friday and Sunday services along with child care, and youth services on Wednesday evenings. The office hours would be Monday thru Friday from 8 am to 4 pm. There would be no food offered to the public at any time and no overnight caretaker or residents on the site.

BACKGROUND INFORMATION

| | |
|------------------------------------|---|
| General Plan Land Use Designation: | Commercial Shopping Office |
| Zoning: | CSO (Commercial Shopping Office) |
| Surrounding Land Uses and Zoning: | North: CSO/R-M-3 / Apartments & Retail South: CSO/PA / Service Commercial East: CDT / Retail & Service Commercial West: CSO / Service Commercial |
| Environmental Review: | Categorical Exemption No. 2012-25 |
| Special Districts: | Design District "E" |
| Site Plan: | 2011-115 |

RELATED PLANS & POLICIES

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

RELATED PROJECTS

There are no related projects located on this site.

PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2012-13, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

Churches and other religious institutions with up to 200 seats are identified as a conditional use in Commercial Shopping Office zone. The site is an old service commercial site which previously operated as a pipe yard and associated storage building. The applicant intends to convert the entire site to the church facility, converting the existing building to the new church structure with the open yard area used for the required parking.

The land uses adjacent to the site include multiple family residential, office, service commercial and retail. Staff has determined that the proposed church facility would not conflict



with any of the adjacent land uses based upon the proposed improvements and operational statement. The installation of the landscaping and other site improvements would result in an enhanced streetscape along Murray, Johnson, and School streets, which would be compatible with contemporary development, rather than the existing chain link fencing and unimproved sidewalk area on the site frontages.

The building elevations illustrated in Exhibit "A" are compatible with the surrounding buildings, which include residential, service commercial and warehousing. The building façades would be plastered and some minor horizontal trim elements added along with a curvilinear portico on the north elevation facing Murray Avenue.

Since the site is within the CSO zone, which allows a maximum of 200 seats in the sanctuary, staff has included a condition that there may be no more seating in the sanctuary than would accommodate 200 persons, including the choir and pulpit areas.

Parking

The Zoning Ordinance requires churches to provide one parking space for every four seats in the primary meeting room or for every 30 square feet, whichever is greater. In this case there would not be fixed seating, so the main sanctuary area of 6,927 sq. ft. is being used to calculate the requirement. With a parking demand of one stall per 30 square feet of main sanctuary area, the resulting requirement is 231 parking stalls. The site plan shows the installation of the required 231 parking stalls. The balance of the 32,917 square-foot building would be used for ancillary uses.

The parking requirement for churches is based upon the sanctuary, with other ancillary uses being covered by the sanctuary parking. In this case the proposal would meet its parking requirement. Since the building also contains a 6,400 sq. ft. fellowship area, staff has included a condition that the sanctuary and fellowship areas may not be utilized for services or other high occupancy uses at the same time which would result in exceeding the parking demand established by the sanctuary.

Fencing

The existing chain link fencing along the street frontages will be removed, and if replaced, would be relocated at or behind the required landscape setback. The site is within Design District "E", which requires 10-foot landscape, building, and fencing setbacks along the street frontages. Should the applicant desire to fence the site, staff would not require them to amend this use permit for decorative fencing, such as wrought iron, which meets City setback and height requirements. Solid fencing or chain link fencing may require an amendment to this use permit.

The site plan includes gates which the applicant has indicated may not be installed. In the event the applicant chooses to install any gates, staff has included a condition requiring that the parking lot gates be open at all times that there are any activities or persons on the site.

Phasing

The site would be developed in one phase with only a small portion identified as "Future" in Exhibit "A" remaining undeveloped. Staff has included a condition that the site may not be occupied or used for any church activities until all of the improvements have been installed, including the parking lot and landscaping. This includes the 10-foot landscape setback on the "Future" portion along the School Avenue frontage.

Parcels

The subject site is comprised of two parcels which may be joined in the future through a lot line elimination process, or may remain separate. The combining of these parcels is not required by this action. If approved, this conditional use permit would tie the parcel together by virtue of the

need to act in combination to meet the requirements of the use permit regardless of ownership. A finding has been included, that parcels APN 093-177-007 and 093-177-006 are considered the "subject site" for the purposes of meeting the requirements of Conditional Use Permit No. 2012-13. This finding does not preclude the City of Visalia from requiring cross access easements between them.

Environmental Review

The requested action is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2012-25).

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That that parcels APN 093-177-007 and 093-177-006 are considered the "subject site" for the purposes of meeting the requirements of Conditional Use Permit No. 2012-13.
4. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2012-25).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed in substantial compliance with the comments from the approved Site Plan Review No. 2011-115.
2. That the requested use be operated and maintained in substantial compliance with the site plan attached as Exhibit "A" and the floor plan attached as Exhibit "B".
3. That the facility be operated in compliance with the operational statement in Exhibit "C", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That the site may not be used for any church purposes prior to the installation of the improvements required by this conditional use permit.
5. That that the "sanctuary" and "fellowship" areas may not be used for services or similar high occupancy uses at the same time, which would result in exceeding the parking demand established for the sanctuary.
6. That the maximum seating for the sanctuary, including the choir and pulpit areas, shall not exceed 200 seats.

7. That the existing fencing around the north, east and south sides of the site be removed prior to any occupancy or final for the site or sanctuary.
8. That the landscaping and parking be developed for the entire site as shown in Exhibit "A" prior to, or in conjunction with, any occupancy or final for the site or sanctuary. This includes the 10-foot landscape setback on the "Future" portion along the School Avenue frontage.
9. That the tree wells, landscape diamonds and angle pop-outs into the parking lot be planted with trees and that any light standards or similar infrastructure be located so as to not prevent the planting of trees in the landscape tree wells.
10. That the on-site gates remain open during any use of the site for the church or related activities.
11. That landscape and irrigation plans be submitted as a part of the building permit package.
12. That all other Federal, State, Regional, and City codes and ordinances be met.
13. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2012-13.

APPEAL INFORMATION

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

Attachments:

- Related Plans & Policies
- Resolution 2012-26
- Exhibit "A" – Site Plan / Elevations
- Exhibit "B" – Floor Plan
- Exhibit "C" – Operation Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 23, 2012

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

SUBJECT: Conditional Use Permit No. 2013-10: A request by Victory Outreach to amend Conditional Use Permit No. 2012-13 to establish a phased development plan for the previously approved 200-seat church facility in the Commercial Shopping Office (CSO) zone, located at 421 N. Johnson Street (APN: 093-177-007, 006)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2013-10 based upon the findings and conditions in Resolution No. 2013-12. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2013-10 based on the findings and conditions in Resolution No. 2013-12.

PROJECT DESCRIPTION

The requested action is to phase the church project which the Planning Commission approved as Conditional Use Permit No. 2012-13 on April 23, 2012. The staff report from CUP 2012-13 is attached for reference purposes.

The proposed phasing would result in the following:

Phase One – Sanctuary and office construction along with 84 parking stalls. The installation of the perimeter landscaping along all street frontages with required dedications and sidewalk improvements would be done with this phase.

Phase Two – The 7,800 sq. ft. classroom conversion at the rear (south side) of the building. At the time of this permit, consideration would be given to additional parking which could result in the expansion of the formal parking area to the west.

Phase Three – The construction of approximately 6,775 sq. ft. of Administrative office on the front (north side) of the building, consideration would be given to additional parking which could result in the expansion of the formal parking area to the west.

This is further detailed in the exhibit discussions below.

Exhibit "A" illustrates the applicant's desire to start with the east side of the site. The building improvements would include the primary area of the building for the sanctuary and related uses. The front expansion towards Murray Avenue would be done as a part of proposed Phase Three. Phase One parking would consist of 84 parking stalls. The parking along the north side of the building (parking row shown as spaces 25 through 39) would be stripped with no landscape islands required with Phase One. This area would be reconfigured in Phase Two at which time the landscape islands would be required. All of the landscaping and landscape islands per City

requirements would be required along the perimeter of the improved parking area with Phase One, including the parking adjacent to the building on the west side.

Exhibit "B" illustrates Proposed Phases Two and Three. This would reconfigure the parking area on the north side of the building and convert the "Covered Parking" area on the south side of the building into classrooms. Staff has included conditions that would allow the Phase Two and Three improvements to be integrated/segregated into other permitting phases with approval of the Site Plan Review Committee for compliance with this use permit, codes and ordinances. This provides some flexibility for the timing of the identified improvements for Phase Two and Three without amending the conditions of this use permit unless otherwise determined through the Site Plan Review process. Additional parking improvements will be required with these phases as the use of the site intensifies.

BACKGROUND INFORMATION

| | |
|------------------------------------|---|
| General Plan Land Use Designation: | Commercial Shopping Office |
| Zoning: | CSO (Commercial Shopping Office) |
| Surrounding Land Uses and Zoning: | North: CSO/R-M-3 / Apartments & Retail South: CSO/PA / Service Commercial East: CDT / Retail & Service Commercial West: CSO / Service Commercial |
| Environmental Review: | Categorical Exemption No. 2013-21 |
| Special Districts: | Design District "E" |
| Site Plan: | 2011-115 & 2012-167 |

RELATED PLANS & POLICIES

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

RELATED PROJECTS

The Planning Commission approved Conditional Use Permit No. 2012-13 on April 23, 2012 permitting the establishment of the church facility.

Code Compliance Actions: The site has been the subject of the following code compliance activities.

September 17, 2012 – Code Compliance noted the building was being used as an office without any permits. A "Cease and Desist" order was sent on September 19, 2012 asking that the building not be used prior to any permitting, construction and final or approval of the Chief Building Official.

December 19, 2012 – Code Compliance received notice that it appeared that church services were being held at the building on December 19th.

January 2, 2013 – Code Compliance sent a Notice and Order requiring that the owners schedule an inspection with Code Enforcement to assure that work had not been done without permits.

January 10, 2013 – the city met with representatives of Victory Outreach to let them know that the building/site could not be used without all of the appropriate permits, inspections and finals.

January 13, 2013 – Code Compliance verified/witnessed the use of the site and building for what appeared to be church services.

February 3, 2013 – The Fire Department found services being held in the building and required an immediate cease and desist, and evacuated the building.

February 8, 2013 – The Fire and Building Departments conducted an inspection of the building and found that significant construction had occurred on the inside including stages, walls, rooms, and sleeping quarters with resident(s). The amount of unpermitted work resulted in an “unsafe to occupy” building, wherein the City of Visalia locked the site to prevent access.

Subsequent to these actions, the project applicant filed the subject CUP amendment request, offered herein for Planning Commission review.

PROJECT EVALUATION

Staff recommends approval of the Conditional Use Permit No. 2013-10, as conditioned, based on the project’s consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

The proposed phasing of the improvements will not change the land use compatibility of the church at this site. Churches are a conditional use in the Commercial Shopping Office zone.

Parking

The Phase One improvements will provide 84 on-site parking stalls which would accommodate the Phase One use of the building for a sanctuary. The church is limited to a maximum of 200 persons in the sanctuary per service. The code requires one stall per every 30 sq. ft. (231 parking stalls) or one stall per every four fixed seats (50 parking stalls) for this use.

Staff has determined the proposed 84 stalls would meet the parking demand for sanctuary use, but may not be adequate for the related ancillary uses such as the added classrooms in Phase Two/Three and large fellowship gatherings. Due to the fluid nature of parking demands for these types of facilities, staff will work with the applicants to provide the maximum use of the facility with the available parking.

Staff has included a condition that Phase One shall only allow the use of the sanctuary for regular services and the church office for routine office uses. No other activities such as classrooms, training, or large fellowship gatherings, which cannot be accommodated by the existing parking, shall be allowed without the addition of parking to accommodate said activities which may have been permitted with the original use permit. The addition of parking on the “Future” portion of the site with Site Plan Review and City standards shall not require an amendment to this use permit unless otherwise determined at the time by the Site Plan



Review process per City codes and ordinances. This provides the applicant flexibility in prioritizing their activities and expanding the parking to accommodate the activity. This would not prohibit children's daycare and basic Sunday School activities in conjunction with the regular services as long as the parking can be accommodated on-site. This would also allow typical church events such as weddings and baptisms.

Conditions of Approval

Staff has prepared an extensive list of conditions for the phased development of the site. This is to help clarify some of the more significant requirements for the applicant. The conditions of approval for CUP No. 2012-13 have been included along with the original site plan, floor plan, and operational statement.

Environmental Review

The requested action is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-21).

RECOMMENDED FINDINGS

1. That the proposed project phasing will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That that parcels APN 093-177-007 and 093-177-006 are considered the "subject site" for the purposes of meeting the requirements of Conditional Use Permit No. 2013-10.
4. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2013-21).

RECOMMENDED CONDITIONS OF APPROVAL

1. That Phase One shall only allow the use of the sanctuary for regular services and the church office for routine office uses. No other activities such as classrooms, training, or large fellowship gatherings, which cannot be accommodated by the existing parking, shall be allowed without the addition of parking to accommodate said activities which may have been permitted with the original use permit. The addition of parking on the "Future" portion of the site with Site Plan Review and City standards shall not require an amendment to this use permit unless otherwise determined at the time by the Site Plan Review process per City codes and ordinances. Staff will work with the church to allow the maximum use of the facility with the available parking, such as Sunday School and daycare during the services. The church would be able to use the sanctuary for fellowship and related uses (weddings, baptisms) which can be accommodated by the available parking.

2. Prior to Phase One occupancy, relocate/remove fencing from the required setbacks along the street frontages and remove any barbed/razor type wire.
3. Relocation of fences requires a building permit, which may be incorporated into other on-site permits. All gates are to be shown on plans, recessed behind the required setback, and meet Engineering requirements for stacking and function.
4. Show pedestrian gates if the site is fenced. An ADA compliant path of travel from the Johnson Street and Murray Avenue public sidewalks to the building shall be denoted on the plan, approved by the Community Development Department and constructed prior to Phase One occupancy.
5. Prior to Phase One Occupancy, install landscaping improvements in the right-of-way islands (six-foot sidewalk, four-foot parkway standard) and required on-site setbacks along the entire frontage of Johnson Street, Murray Avenue and School Avenue, to include all street trees, landscape trees, shrubs and ground covers. (10-foot landscape setbacks are required along Murray Street, School Street and 15-foot Johnson Avenue). The required five-foot wide landscape strip along the west property line may be deferred to a future Phase as may be required by Site Plan Review)
6. Prior to Phase One occupancy, install landscape islands in the parking lot. A minimum 80 sq. ft. landscape well is required every 10 parking stalls, excepting stalls 25 through 39 wherein the islands may be painted until phase two, or any other significant site improvement after five years from the issuance of permits for the Phase One site improvements.
7. Required landscape islands may not have the fire hydrant and related FDC/PIV located in them unless the island has been expanded to accommodate the equipment and the required tree and landscaping.
8. Trees are required in all landscape wells, light poles must be located so as to not interfere with tree planting.
9. Prior to Phase One occupancy, the parking along the west side of Phase One will need to be improved to meet City standards for landscape islands and the required setbacks for landscaping, fences, and gates.
10. Landscape and irrigation plans are required with the building permit for the site improvements. The plans are required to be prepared by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. 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.
11. Prior to Phase One Occupancy, on-site lighting shall be depicted on the site improvement plans, installed, and approved by the Community Development Department.
12. No persons are allowed to sleep overnight or live at the site.
13. The sanctuary and related facilities may not be used for any church or related business purposes until such time as the Phase One site and building improvements have been finalized and a certificate of occupancy issued.
14. The unimproved areas west of the Phase One parking lot shall not be used for the purpose of outdoor storage, parking and/or any other activity unless otherwise approved by the City Planner in writing. This includes the areas noted for future development on the site plan. The unimproved areas of the site shall be blocked off to vehicular access.
15. Comply with all Conditions of Project Approval for CUP No. 2012-13.

16. There shall be no storage of church materials during construction on the site or in the building unless approved in writing by the City Planner, Building Official and Fire Marshal.
17. Maximum seating in the sanctuary is 200 seats.
18. The operational statement included in CUP No. 2012-13 shall apply.
19. No work shall be allowed on-site until the CUP is approved, and subsequently, building permits are issued.
20. Meet Community Noise Standards – The residential areas directly north of the site are considered a “Noise Sensitive Land Use”.
21. Prior to Phase One occupancy, provide five feet of dedication on Murray Avenue, unless otherwise determined in writing by the City Engineer.
22. Prior to Phase One occupancy, the applicant shall dedicate property sufficient to accommodate a City standard 20’ radius return at the Murray/Johnson and Johnson/School corners.
23. Prior to Phase One occupancy, install sidewalk along entire frontage on Murray, Johnson, and School including the ADA compliant ramps at corners Per SPR No’s 2011-115 and 2012-167.
24. Prior to Phase One occupancy, the applicant shall install drive approaches on Murray, School and Johnson streets that are a minimum 30 feet wide with 20-foot radius returns.
25. The site shall be upgraded to full ADA compliance.
26. All gates shall be a minimum of 25 feet behind the property line, and shall not be installed so as to allow them to swing into the 25 feet.
27. Submit civil improvement plans prepared by a licensed engineer at the time of the building permit.
28. All signs shall be required to obtain a sign permit.
29. Prior to Phase One occupancy, the parking lot shall be designed and constructed to City standards.
30. Building shall comply with A-3 occupancy requirements.
31. Install Knox Box at all gates as required by the Fire Marshal with Phase One.
32. Prior to Phase One occupancy, the applicant shall install an automatic fire sprinkler system will be required for this building. The Fire Hydrant, fire department connection (FDC) and the PIV valve should be located together and a minimum of 25 feet from the building.
33. Prior to Phase One occupancy, a refuse enclosure with gates to R-3 or R-4 standards shall be installed in a manner and location determined to be acceptable to the Community Development Department. A concrete slab per City requirements is required in front of the enclosure, to be striped “No Parking”. Only City refuse containers are allowed to be kept in the enclosure.
34. The building plans shall be prepared by a licensed architect or engineer.
35. The identified actions for Phases Two and Three May be integrated/segreated into other permitting phases with approval of the Site Plan Review Committee for compliance with this use permit, codes and ordinances.
36. Significant changes to the operational statement, or proposed use of the site will require an amendment to this use permit The development of the “future” areas on the west side of the

site will require Site Plan Review and any discretionary actions as determined through the Site Plan process.

37. The area identified as "Covered Parking" along the south side (rear) of the building shall not be used for any purpose unless approved through the Site Plan Review process and any related discretionary actions which may be identified as part of the Site Plan process.
38. The applicant shall submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2013-10.
39. Failure to abide by the Conditions of Approval set forth in this CUP shall constitute grounds for revocation of the CUP.

Existing Conditions of Approval for CUP No. 2012-13 *(Still applicable through this amendment, provided here for reference purposes)*

1. That the site be developed in substantial compliance with the comments from the approved Site Plan Review No. 2011-115.
2. That the requested use be operated and maintained in substantial compliance with the site plan attached as Exhibit "A" and the floor plan attached as Exhibit "B".
3. That the facility be operated in compliance with the operational statement in Exhibit "C", and any proposed changes to the operation be reviewed through the Site Plan Review process for consistency and related requirements prior to the change.
4. That the site may not be used for any church purposes prior to the installation of the improvements required by this conditional use permit.
5. That that the "sanctuary" and "fellowship" areas may not be used for services or similar high occupancy uses at the same time, which would result in exceeding the parking demand established for the sanctuary.
6. That the maximum seating for the sanctuary, including the choir and pulpit areas, shall not exceed 200 seats.
7. That the existing fencing around the north, east and south sides of the site be removed prior to any occupancy or final for the site or sanctuary.
8. That the landscaping and parking be developed for the entire site as shown in Exhibit "A" prior to, or in conjunction with, any occupancy or final for the site or sanctuary. This includes the 10-foot landscape setback on the "Future" portion along the School Avenue frontage.
9. That the tree wells, landscape diamonds and angle pop-outs into the parking lot be planted with trees and that any light standards or similar infrastructure be located so as to not prevent the planting of trees in the landscape tree wells.
10. That the on-site gates remain open during any use of the site for the church or related activities.
11. That landscape and irrigation plans be submitted as a part of the building permit package.
12. That all other Federal, State, Regional, and City codes and ordinances be met.
13. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2012-13.

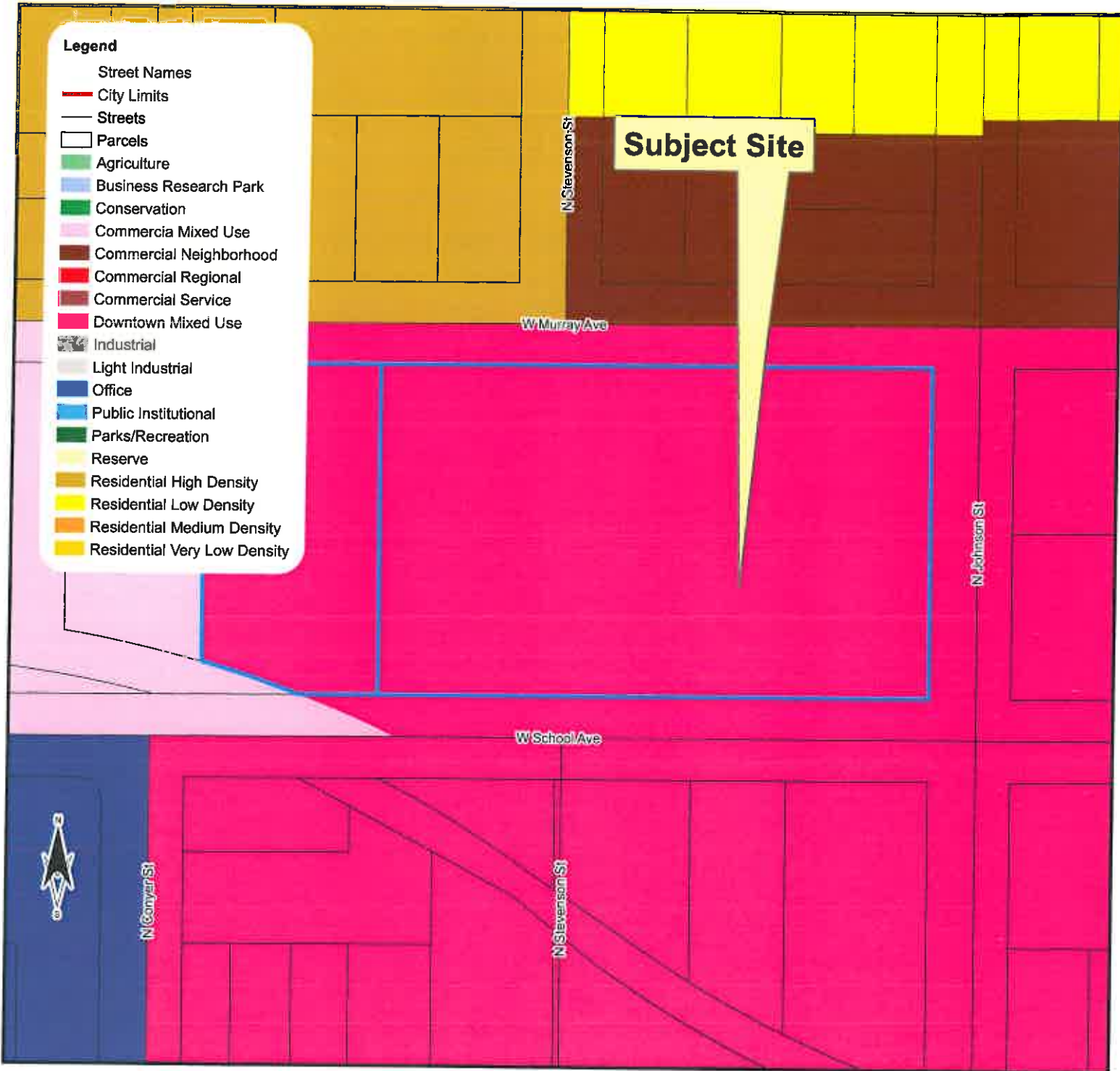
APPEAL INFORMATION

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

Attachments:

- Related Plans & Policies
- Resolution 2013-12
- Exhibit "A" – Site Plan – Phase One
- Exhibit "B" – Site Plan – Phase Two/Three
- Exhibit "C" – Original Operation Statement 2012
- Exhibit "D" – Site Plan (full page) 2013
- Exhibit "E" – Original Site Plan 2012
- Exhibit "F" – Original Floor Plan 2012
- Site Plan Review No. 2011-115 Comments
- Site Plan Review No. 2012-167 Comments
- Staff Report CUP No. 2012-13
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

City of Visalia



Land Use Designations

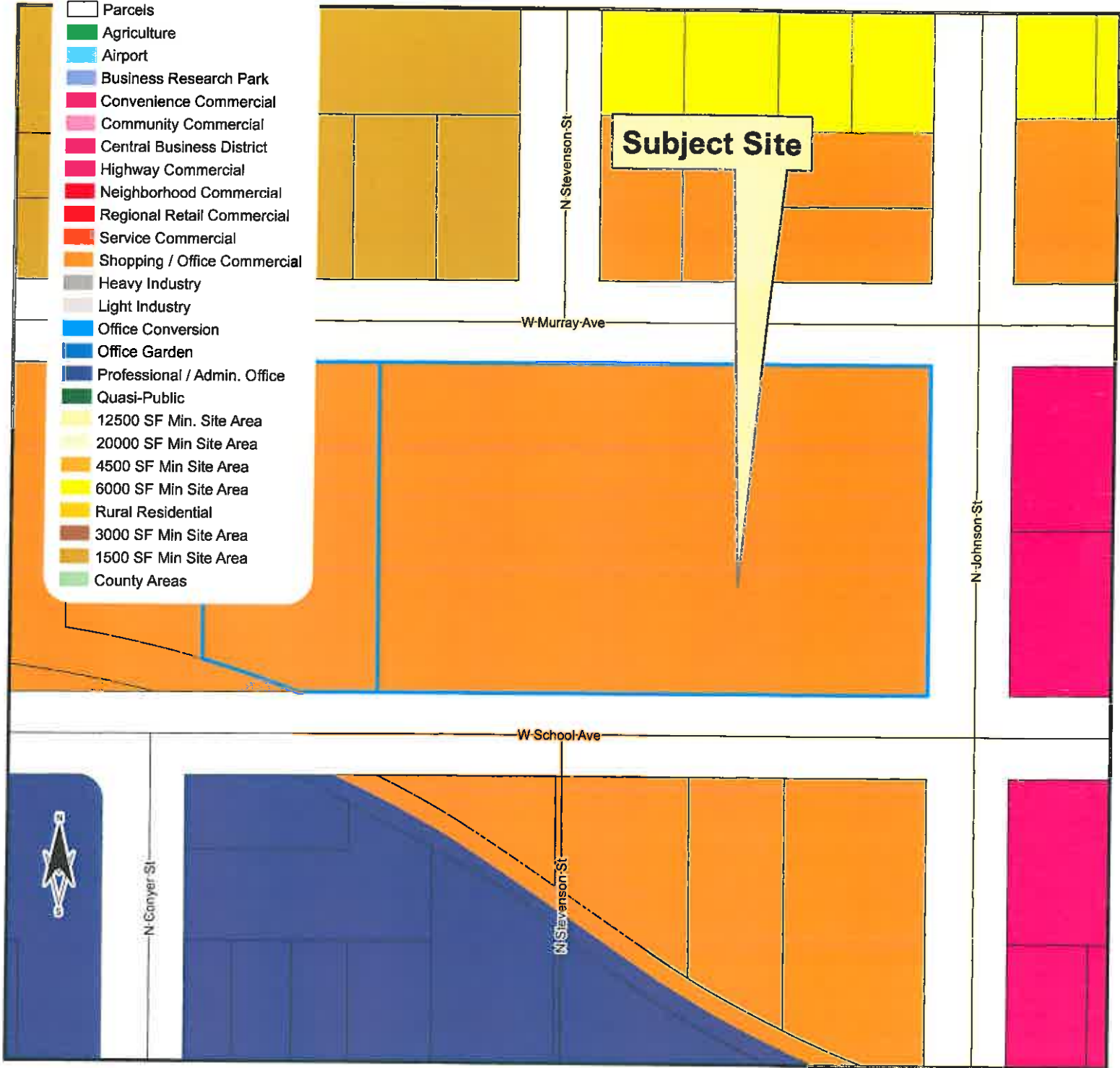
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CUP 2016-14

City of Visalia

Legend

- Street Names
- City Limits
- Streets
- Parcels
- Agriculture
- Airport
- Business Research Park
- Convenience Commercial
- Community Commercial
- Central Business District
- Highway Commercial
- Neighborhood Commercial
- Regional Retail Commercial
- Service Commercial
- Shopping / Office Commercial
- Heavy Industry
- Light Industry
- Office Conversion
- Office Garden
- Professional / Admin. Office
- Quasi-Public
- 12500 SF Min. Site Area
- 20000 SF Min Site Area
- 4500 SF Min Site Area
- 6000 SF Min Site Area
- Rural Residential
- 3000 SF Min Site Area
- 1500 SF Min Site Area
- County Areas

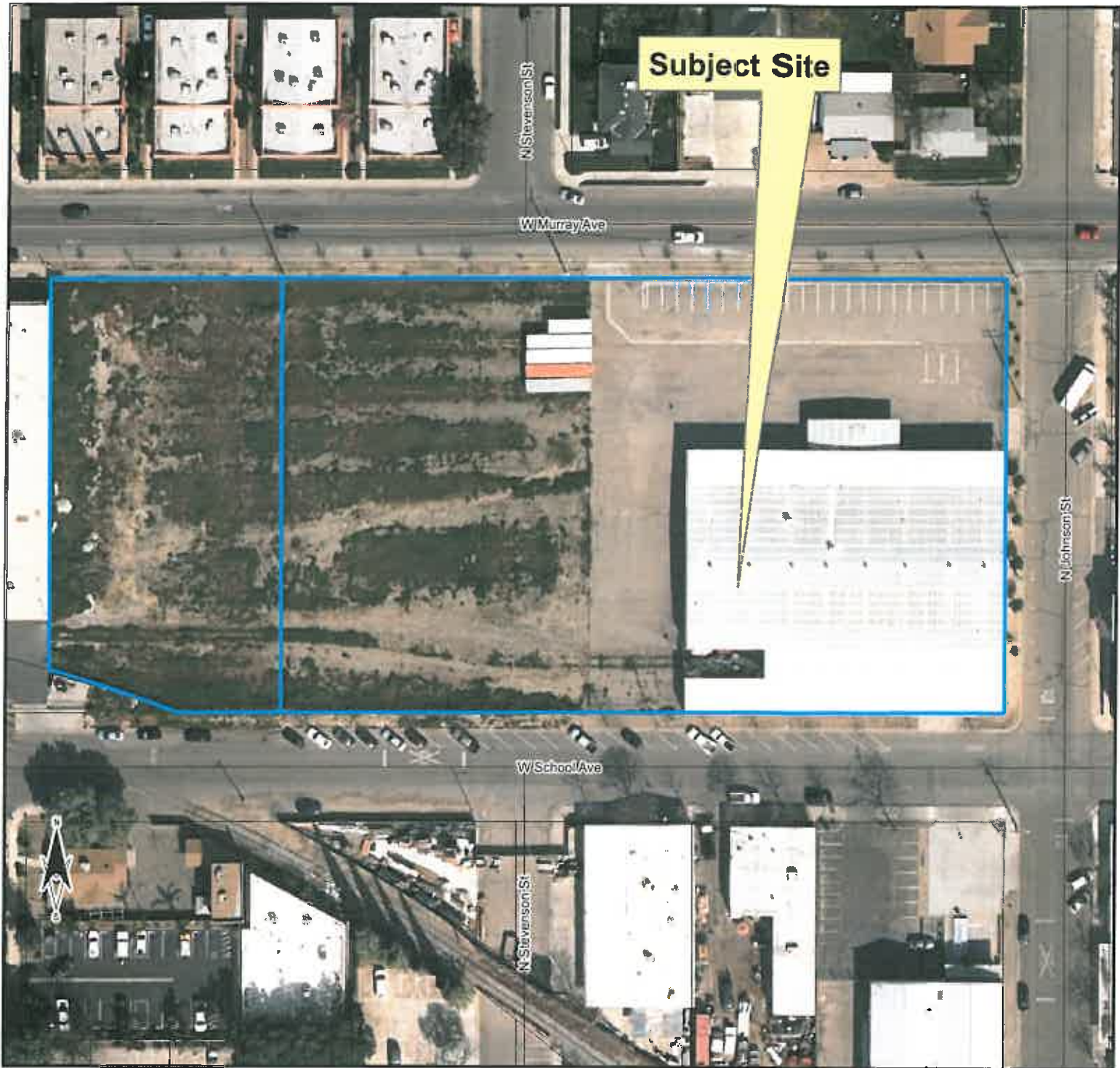


Zoning Designations



CUP 2016-14

City of Visalia

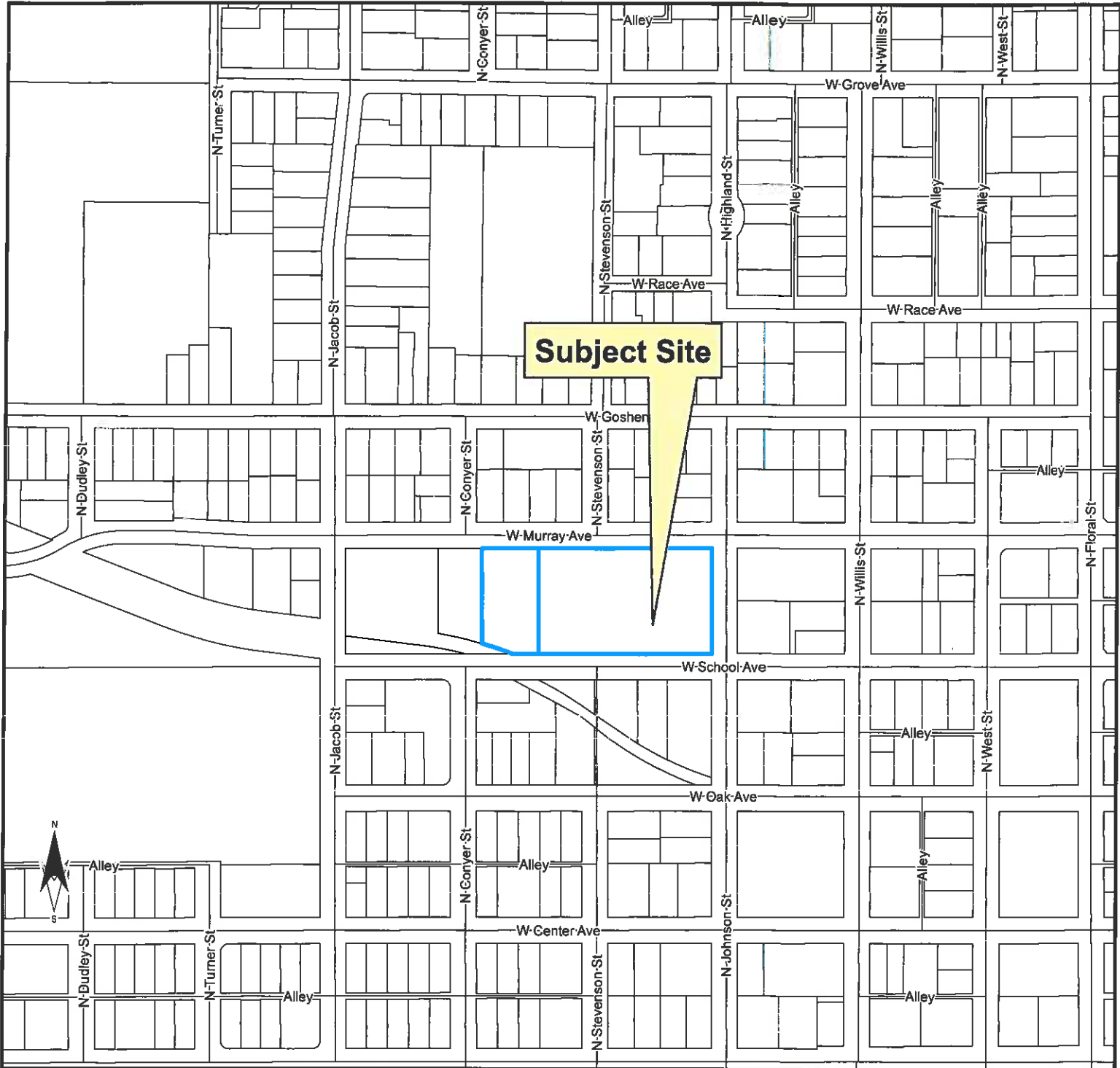


Aerial Photo

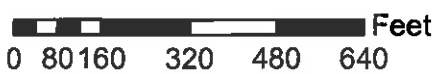
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CUP 2016-14

City of Visalia



Location Map



CUP 2016-14



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: June 27, 2016

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

SUBJECT: Conditional Use Permit No. 2016-12: A request by Michael Torres to add a 9,300 sq. ft. multi-purpose building, and 8,640 sq. ft. sanctuary, to be developed in two phases, for the Fortress of Truth Church in the QP (Quasi Public) zone. The project is located at 4500 W. Caldwell Avenue (APN: 119-060-036).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2016-12 based on the findings and conditions in Resolution No. 2016-23. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2016-12, based on the findings and conditions in Resolution No. 2016-23.

PROJECT DESCRIPTION

Conditional Use Permit No. 2016-12 is a request to expand the existing church facility, which currently has a 4,000 sq. ft. sanctuary/office building, a 1,600 sq. ft. preschool building, and a 53 stall parking lot. The applicant is proposing to add a 9,300 sq. ft. multi-purpose building and 117 parking stalls for a total of 170 parking stalls in phase one. Phase two would add a 8,640 sq. ft. sanctuary, as shown in Exhibit "A". The church is also proposing a potential expansion of the parking lot in phase two if they determine it is warranted, adding 25 stalls when the existing preschool is removed, resulting in a total of 195 parking stalls. If the 25 stalls are not added, the area would be used for open space. The new parking lot would add an access drive on Caldwell Avenue resulting in access through the site from Linwood to Caldwell.

The proposed phase one multi-purpose building floor plan is shown in Exhibit "B", and the elevations in Exhibit "C". The applicant has included a discussion of the phasing and requested parking ratio for the facility in the Project Narrative in Exhibit "D". The Operational Statement in Exhibit "E" identifies the variety of services and employees for the proposed expansion.

The applicant has indicated to staff that as the existing sanctuaries are replaced through the phases, they would become multi-purpose rooms. If they want to reconfigure the resulting multi-purpose rooms into other uses, such as classrooms, they would go back through the Site Plan Review process and any subsequent required actions, including an amendment to this use permit.

BACKGROUND INFORMATION

| | |
|------------------------------------|--|
| General Plan Land Use Designation: | Public/Institution |
| Zoning: | QP Quasi Public |
| Surrounding Land Use and Zoning: | North: QP (Quasi Public) / Public/Institution Baptist Church South: R-1-6 (Single-Family Residential) / Low Density Residential Church of Christ East: R-1-6 (Single-Family Residential) / Low Density Residential West: RM3 (Multi Family Residential) / High Density Residential |
| Environmental Review: | Categorical Exemption No. 2016-23 |
| Site Plan: | SPR No. 2016-023 |

RELATED PROJECTS

In 1982 the Planning Commission approved Conditional Use Permit No. 889, establishing the existing church facility.

On August 09, 2010 the Planning Commission approved CUP 2010-10, and Variance 2010-05 which authorized the installation of a new 75-ft. stealth telecommunications tower, with 12 antenna panels, and outdoor equipment cabinets and back-up generator located at the base of the tower.

PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2016-12, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

Religious institutions are considered compatible uses in Quasi Public areas where potential impacts can be addressed through the CUP process. The site is located adjacent to arterial/collector roadways on the south and east sides and another church facility on the north side. To the west is an apartment complex separated by an existing solid fence approximately 6 to 7 feet high, which was installed by the apartment complex.

Staff believes that the proposed building and parking lot are consistent in nature and character with the existing church facility, and would be compatible with the adjacent land uses.

Project Phasing

Phase One consists of the addition of a 9,300 sq. ft. multi-purpose building, which would have a 7,000 sq. ft. sanctuary/multi-purpose room, and restrooms, a kitchen, and a classroom/café room as shown in Exhibit "B". The existing 53 stall parking lot would be expanded to add 117 stalls resulting in a 170 stall parking lot with Phase One. The sanctuary/multi-purpose building will be limited to seating for 510 persons, which would include all seating areas, choir areas and stage.

Phase Two would add an 8,640 sq. ft. sanctuary building. The existing preschool may be demolished as a part of this phase and used for open space or an added 25 parking stalls if the church finds that there is the demand, resulting in 195 parking stalls. The new phase two sanctuary building will be limited to seating for 510 persons, including all seating areas, choir areas, and the stage. This is consistent with the proposed 510 seat capacity for the phase one sanctuary/multi-purpose building. If the church desires more seating for the phase two sanctuary, an amendment to this use permit may be required. The applicants have indicated that the phase one sanctuary would be retained as a multi-purpose room, similar to the existing sanctuary which would become a multi-purpose room as a part of the phase one actions.

Future proposals to reconfigure the multi-purpose rooms into other uses would be subject to the Site Plan Review process and any future discretionary actions that may be identified through the Site Plan Review.

Parking

As seen in the Project Narrative in Exhibit "D", the applicants are requesting Planning Commission approval of a parking ratio of one stall per every 3 persons (170 parking stalls for 510 seats) for phase one. Zoning Ordinance (Section 17.34.020.D.1) requires that churches provide one parking stall for every four (4) permanent seats in the principal assembly area or one parking space for every 30 square feet of floor area, whichever is greater. The proposed 155 stall parking lot exceeds the ratio of one per every four seats. At one stall per every 30 sq. ft. of sanctuary area the parking requirement is approximately 233 parking stalls.

Staff concurs with the applicant's requested parking ratio and recommends that the Planning Commission approve the requested project with the 170 stall parking lot for phase one. This would be consistent with other church projects where the Commission has approved the parking at one stall per every four seats.

The phase two sanctuary will be limited to 510 seats similar to the phase one sanctuary/multi-purpose room. Should the church desire more sanctuary seating, it may require an amendment to this use permit based upon the requested additional seating. Staff has included a condition that the "sanctuary" and "multi-purpose" areas may not be used for services or similar high occupancy uses at the same time, which would result in exceeding the parking demand established for the sanctuary.

Access and Circulation

The site currently has two access drives on the Linwood Street frontage. The proposed expansion would add another access point on Caldwell Avenue as shown in Exhibit "A". Through the Site Plan Review process, Engineering is limiting the Caldwell access drive to right-in, right-out only turning maneuvers. A future median in Caldwell Avenue will further control access in the future.

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. 2016-23).

RECOMMENDED FINDINGS

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2016-23).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan No. 2016-023.
2. That the use be developed in substantial compliance with the site plan shown in Exhibit A.
3. That the proposed phase one building be developed in substantial compliance with the floor plans and elevations as shown in Exhibits B and C, and that the phase two sanctuary be developed in a consistent floor plan and elevations.
4. That the facility be use consistent with the Operational Statement in Exhibit "E".
5. That the sanctuary in phase one, and its replacement sanctuary in phase two be limited to 510 seats, and that the old sanctuaries, which become multi-purpose rooms, be subject to the Site Plan Review process for any changes in their use other than as multi-purpose rooms.
6. That that the "sanctuary" and "multi-purpose" areas may not be used for services or similar high occupancy uses at the same time, which would result in exceeding the parking demand established for the sanctuary.
7. That all applicable federal, state and city ordinances and laws be met.
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 Conditional Use Permit No. 2016-12.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees 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. 2016-23
- Exhibit "A" – Site Plan
- Exhibit "B" – Floor Plan
- Exhibit "C" – Elevation
- Exhibit "D" – Project Narrative
- Exhibit "E" – Operational Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Sketch

Related Plans and Policies

Conditional Use Permits

(Section 17.38)

17.38.010 Purposes and powers.

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

17.38.020 Application procedures.

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

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.070 Temporary uses or structures.

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

17.38.080 Public hearing--Notice.

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

17.38.090 Investigation and report.

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

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

RESOLUTION NO. 2016-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2016-12, A REQUEST BY MICHAEL TORRES TO ADD A 9,300 SQ. FT. MULTI-PURPOSE BUILDING, AND A 8,640 SQ. FT. SANCTUARY, TO BE DEVELOPED IN TWO PHASE, FOR THE FORTRESS OF TRUTH CHURCH IN THE QP (QUASI PUBLIC) ZONE. THE PROJECT IS LOCATED AT 4500 W. CALDWELL AVENUE (APN: 119-060-036).

WHEREAS, Conditional Use Permit No. 2016-23, is a request by Michael Torres to add a 9,300 sq. ft. multi-purpose building, and a 8,640 sq. ft. sanctuary, to be developed in two phase, for the Fortress of Truth Church in the QP (Quasi Public) zone. The project is located at 4500 W. Caldwell Avenue (APN: 119-060-036).

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on June 27, 2016; and

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

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

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

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

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

3. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of CEQA. (Categorical Exemption No. 2016-23).

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

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan No. 2016-023.
2. That the use be developed in substantial compliance with the site plan shown in Exhibit A.
3. That the proposed phase one building be developed in substantial compliance with the floor plans and elevations as shown in Exhibits B and C, and that the phase two sanctuary be developed in a consistent floor plan and elevations.
4. That the facility be use consistent with the Operational Statement in Exhibit "E".
5. That the sanctuary in phase one, and its replacement sanctuary in phase two be limited to 510 seats, and that the old sanctuaries, which become multi-purpose rooms, be subject to the Site Plan Review process for any changes in their use other than as multi-purpose rooms.
6. That that the "sanctuary" and "multi-purpose" areas may not be used for services or similar high occupancy uses at the same time, which would result in exceeding the parking demand established for the sanctuary.
7. That all applicable federal, state and city ordinances and laws be met.
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 Conditional Use Permit No. 2016-12.

Exhibit - A

Site Plan

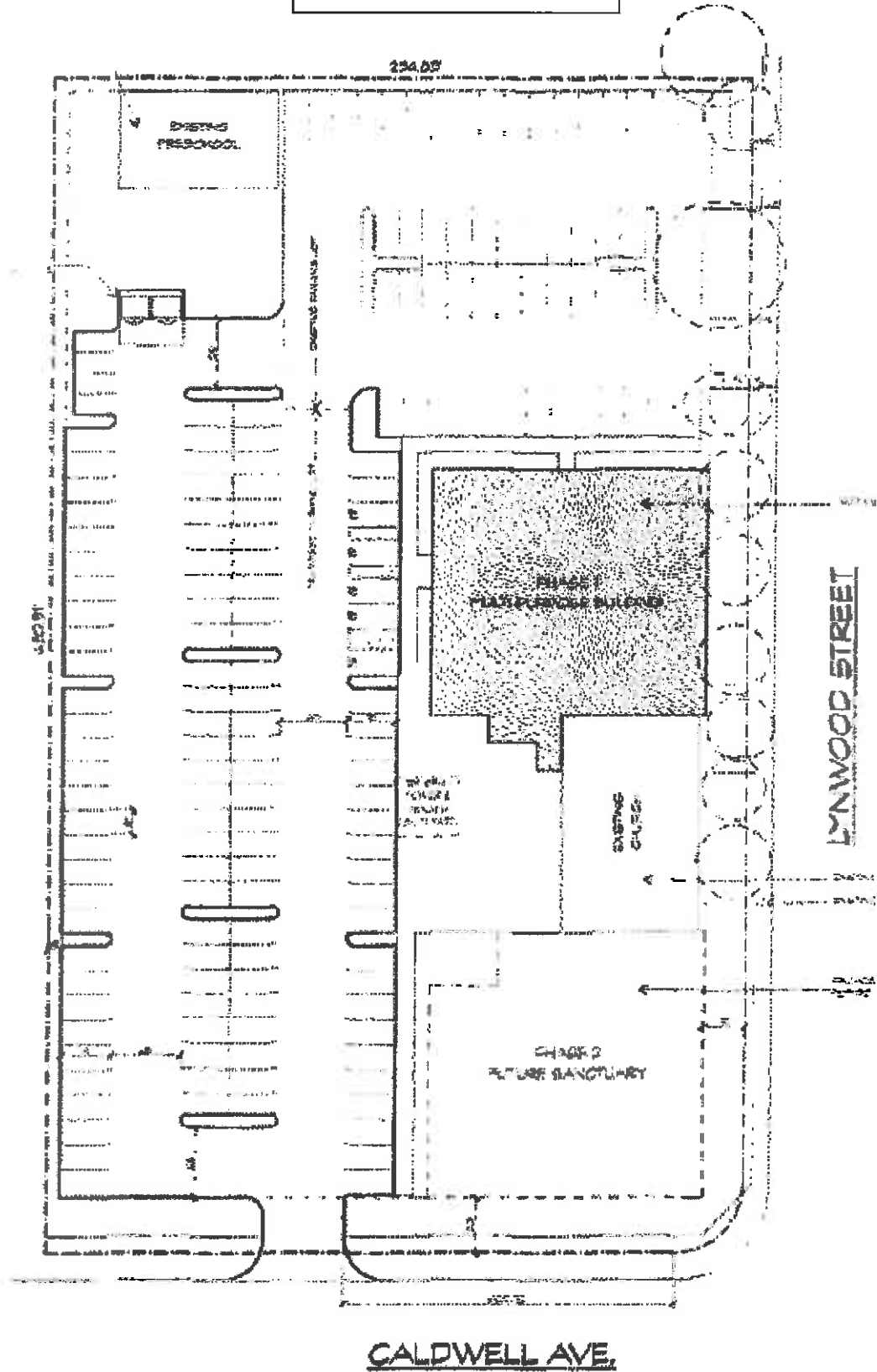
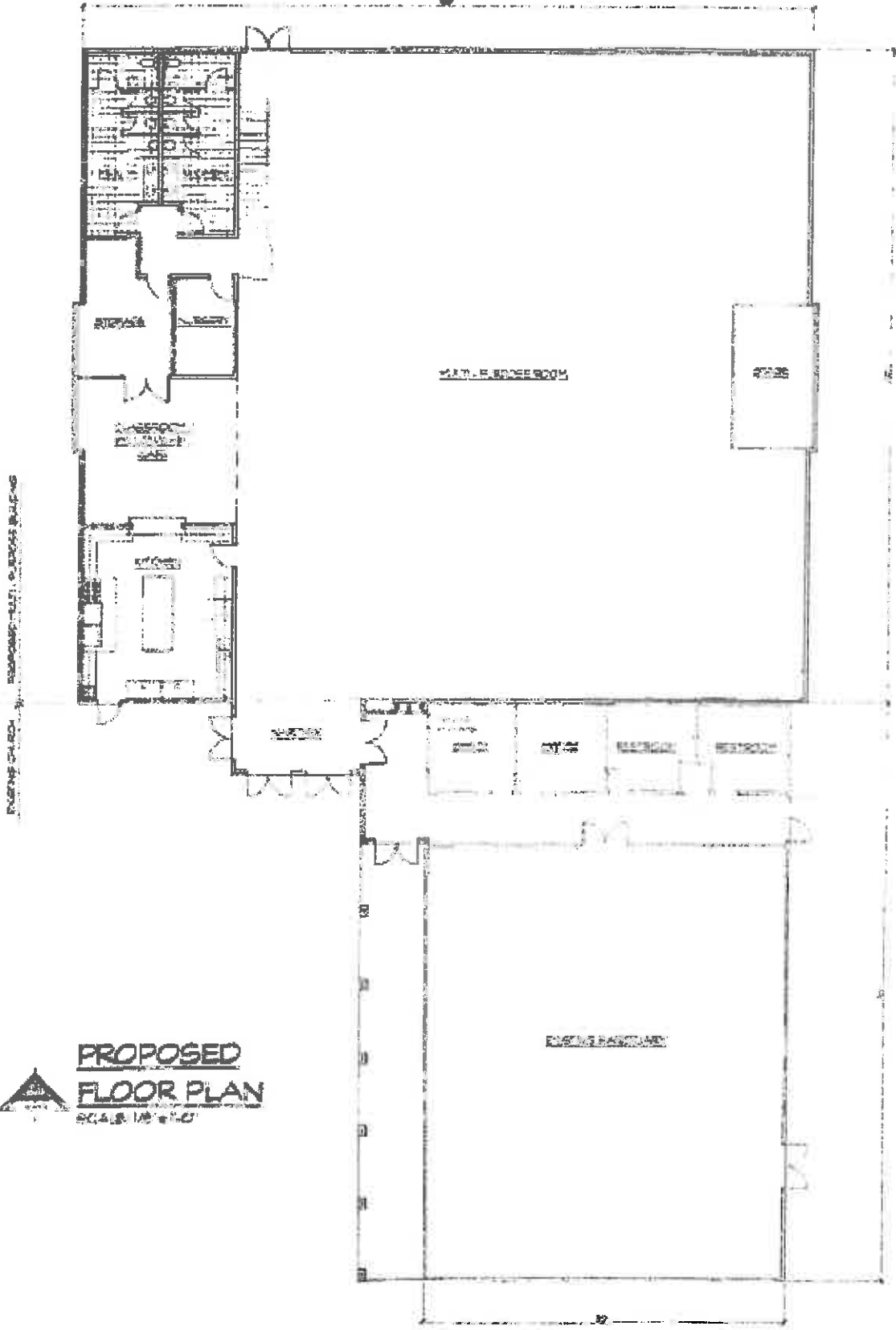
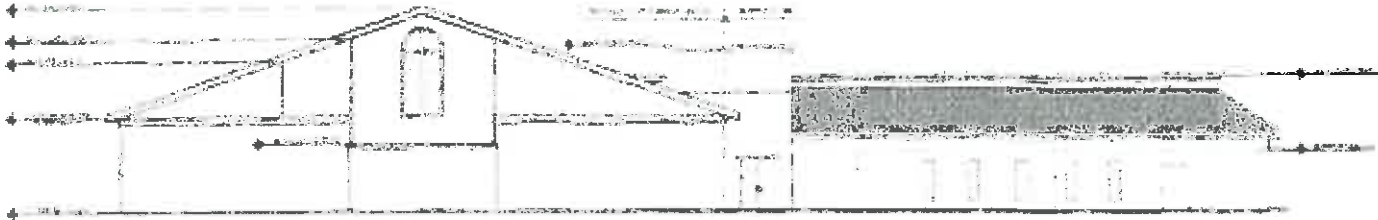


Exhibit - A

Floor Plan



Elevations



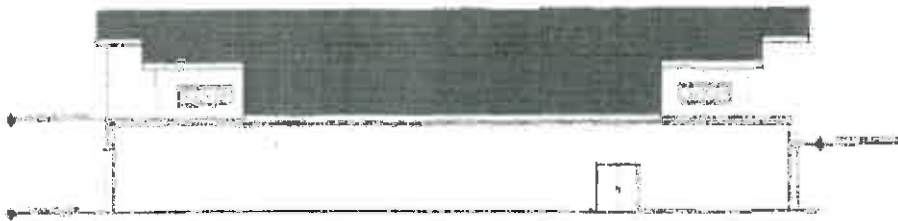
① WEST ELEVATION
SCALE 1/8" = 1'-0"



② SOUTH ELEVATION
SCALE 1/8" = 1'-0"



③ EAST ELEVATION
SCALE 1/8" = 1'-0"



④ NORTH ELEVATION
SCALE 1/8" = 1'-0"

PROJECT NARRATIVE:

THIS PROPOSED PROJECT IS DIVIDED INTO TWO PHASES. THE FIRST PHASE IS A PROPOSED 9,360 SQ. FT. MULTI-PURPOSE BUILDING. PHASE 2 WILL BE A FUTURE SANCTUARY.

THE CHURCH IS IN A GROWTH MODE AND WANTS TO HAVE AN OCCUPANCY OF 500 PEOPLE. AT 1 PERSON PER 15 SQ. FT. = 7,500 SQ. FT. IS REQUIRED FOR THE MAIN ASSEMBLY AREA. THIS BUILDING WILL CONTAIN A 7,500 SQ. FT. MULTI-PURPOSE ROOM / SANCTUARY, WITH RESTROOMS AND A KITCHEN. ON THE CORNER IS THE PHASE 2, FUTURE 8,640 SQ. FT. SANCTUARY. THIS FUTURE SANCTUARY WILL REPLACE THE PHASE 1, MULTI-PURPOSE ROOM / SANCTUARY. WHEN PHASE TWO IS BUILT, THE EXISTING PRESCHOOL WILL BE DEMOLISHED AND REPLACED WITH AN ADDITIONAL 25 PARKING STALLS.

THE EXISTING SITE CONTAINS A 2,000 SQ. FT. PRE-SCHOOL BUILDING AND A 4,000 SQ. FT. CHURCH. THE EXISTING CHURCH WILL BE REMODELED INTO MEETING ROOMS, CLASSROOMS AND OFFICES.

WHILE THE CITY STANDARD FOR OFF STREET PARKING IS 1 STALL PER 30 SQ. FT. OF THE MAIN SANCTUARY AREA, WE BELIEVE THIS IS AN UNREALISTIC STANDARD.

IF YOU VISIT ANY CHURCH IN VISALIA YOU WILL SEE THE MAJORITY OF CARS ARE FAMILIES WITH AN AVERAGE OF 4 OR MORE PEOPLE PER CAR. FURTHERMORE THE CHURCH RUNS A VAN TO PICK UP AND DELIVER MEMBERS TO AND FROM CHURCH THEREBY REDUCING THE NEEDED PARKING.

WE HAVE MAXIMIZED THE SITE AND ARE PROVIDING 170 PARKING STALLS. BASED UPON A REASONABLE AVERAGE OF 3 PEOPLE PER CAR, WE ARE PROVIDING PARKING FOR 510 PEOPLE. AS THIS PROJECT WILL REQUIRE A REVISION TO THE EXISTING CONDITIONAL USE PERMIT, WE ARE REQUESTING THE CITY PLANNING COMMISSION APPROVE THIS PROJECT.

PROJECT INFORMATION:

ADDRESS: 4500 W. CALDWELL AVE.
APN: 119 060 036
ZONING: GP

PARKING:

| | |
|--------------------------|-----|
| EXISTING PARKING STALLS: | 53 |
| PROPOSED PARKING STALLS: | 117 |
| TOTAL: | 170 |

Exhibit - D

Operational Statement

The following is a list of functions, times of operation and number and job function of employees.

Existing Church:

- Sunday morning worship service: 10am to approximately 12 noon
- Sunday evening worship service: 6pm to approximately 9pm
- Tuesday morning prayer session: 10am to 11am
- Tuesday evenings bible study: 7pm to approximately 9pm
- Wednesday evening service: 7:30pm to approximately 9pm
- Friday night youth service: 7pm to approximately 9pm
- Saturday morning outreach: 9:30am to approximately 11:30

Current employees:

- 1 fulltime pastor
- 1 part time secretary
- 1 part time accounting clerk

The functions listed above will shift to the new multi purpose building when complete. In addition to the employees listed above we anticipate adding 1 part time maintenance engineer.

The potential future use of the existing church will be:

- Sunday school rooms on Sunday morning services
- Pastor's office and church office
- Friday night youth services may be held in the existing sanctuary

Existing pre-school/day-care/after school care:

- Hours of operation are 7am-5pm
- Approximately 24 students

Current employees:

- 1 Director
- 2 teachers



MEETING DATE March 2, 2016
SITE PLAN NO. 16-023
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 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL REDEVELOPMENT
 PLANNING COMMISSION PARK/RECREATION
 CUP
 HISTORIC PRESERVATION Other

ADDITIONAL COMMENTS :

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

Site Plan Review Committee



SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: February 17, 2016

SITE PLAN NO: 2016-023
PROJECT TITLE: FORTRESS OF TRUTH
DESCRIPTION: THIS PROPOSED PROJECT IS A 7,000 SQ FT MULTI-PURPOSE BUILDING AND WILL CONTAIN RESTROOMS, A KITCHEN AND TWO CLASSROOMS WITH THE REMAINING AREA OPEN. (OP) (X)
APPLICANT: MCCONNAUGHEY ERIC
PROP. OWNER: CH-FORTRESS OF TRUTH
LOCATION TITLE: 4500 W CALDWELL AVE
APN TITLE: 119-060-036
GENERAL PLAN: Public Institutional
EXISTING ZONING: Q-P – Quasi-Public

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

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

PROJECT SPECIFIC INFORMATION: 02/17/2016

1. Comply with previous comments.
2. Provide operational statement on how the church intends to use the multi-purpose building. Please note, staff may condition the CUP limiting the use of the multi-purpose building when the sanctuary building is in use.
3. Call out area of improvements on the CUP site plan exhibit, including sidewalk areas.

Previous Comments

PROJECT SPECIFIC INFORMATION: 02/17/2016

1. An amendment to CUP No. 889 is required. CUP No. 889 established the overall development plan for this site and changes to this site plan require amendments to the overall CUP.
2. Elevations and floor plans are required with the CUP submittal.
3. The parking stalls along Caldwell Avenue shall be removed. Landscaping along Caldwell Avenue shall at minimum match the landscape setback with the multi-family development to the west.
4. In calculating parking requirements for church facilities, the City has historically calculated the parking requirement based on sanctuary seating given that this is typically the highest parking generator. Staff will include a condition requiring the multi-purpose building not be in use when the sanctuary is in use. If the multi-purpose building is to be converted to the principal sanctuary, parking requirements will be assessed against the new sanctuary.
5. Note the existing block wall along the west property line.
6. Landscape and irrigation plans are required with the submittal of building 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.

Parking: As prescribed in Chapter 17.34 and criteria listed in subsections (F)(2), (F)(3) and (F)(4) of this section.

Parking:

1. For auditoriums, community centers, theaters, churches, libraries, museums, stadiums, clubs and funeral chapels: one parking space for every four permanent seats in the principal assembly area or room, or one parking space for every thirty (30) square feet of floor area, whichever is greater (see Zoning Ordinance Section 17.34.020).
2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot (Zoning Ordinance Section 17.34.030.I).
3. Provide handicapped space(s) (see Zoning Ordinance Section 17.34.030.H).
4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.34.040.D & 17.30.130.C).
5. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
6. 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).
7. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street.

Fencing and Screening:

1. Provide screening for roof mounted equipment (Zoning Ordinance Section 17.30.130.F).
2. Provide screened trash enclosure with solid screening gates (Zoning Ordinance Section 17.30.130.F).
3. Outdoor retail sales prohibited.
4. 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.
5. NOTE: The maximum height of block walls and fences is 7-feet in the appropriate areas; this height is measured on the tallest side of the fence. If the height difference is such that the fence on the inside of the project site is not of sufficient height, the fence height should be discussed with Planning Staff prior to the filing of applications to determine if an Exception to fence/wall height should also be submitted.

Landscaping:

1. 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-foot 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. Provide a conceptual landscape plan for resubmittal or planning commission review.
9. Locate existing oak trees on site and provide protection for all oak trees greater than 2" diameter (see Oak Tree Preservation Ordinance).
10. 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.

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. 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.

Signature _____

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

March 2, 2016

| | | |
|----------------|--|-----------|
| ITEM NO.: | 3 | RESUBMITL |
| SITE PLAN NO.: | SPR16023 | |
| PROJECT TITLE: | FORTRESS OF TRUTH CHURCH | |
| DESCRIPTION: | THIS PROPOSED PROJECT IS A 8500 SQ FT MULTI-PURPOSE BUILDING AND WILL CONTAIN RESTROOMS, A KITCHEN AND TWO CLASSROOMS WITH THE REMAINING AREA OPEN. (CP) (X) | |
| APPLICANT: | MCCONNAUGHEY ERIC | |
| PROP. OWNER: | CH-FORTRESS OF TRUTH | |
| LOCATION: | 4500 W CALDWELL AVE | |
| APN/ST: | 1*9-080-036 | |

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

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

Additional Comments:



Leslie Blair

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

Jason Huckleberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 3 DATE: MARCH 2, 2016

SITE PLAN NO.: 16-023 RESUBMITTAL
PROJECT TITLE: FORTRESS OF TRUTH
DESCRIPTION: THIS PROPOSED PROJECT IS A 7,000 SQ FT MULTI-PURPOSE BUILDING AND WILL CONTAIN RESTROOMS, A KITCHEN AND TWO CLASSROOMS WITH THE REMAINING AREA OPEN (QP) (X)
APPLICANT: MCCONNAUGHEY ERIC
PROP OWNER: CH-FORTRESS OF TRUTH
LOCATION: 4500 W CALDWELL AVE
APN: 119-060-036

SITE PLAN REVIEW COMMENTS

REQUIREMENTS (indicated by checked boxes)

Install curb return with ramp, with _____ radius;

Install curb; gutter

Drive approach size: 36' min. Use radius return; REFER TO CITY MAJOR DRIVE APPROACH STDS

Sidewalk width; parkway width at

Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.

Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.

Right-of-way dedication required. A title report is required for verification of ownership.

Deed required prior to issuing building permit;

City Encroachment Permit Required. ALL WORK WITHIN PUBLIC RIGHT-OF-WAY

Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.

CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;

Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.

Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district

Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.

Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.

Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25% Curb & Gutter = 0.20%, V-gutter = 0.25%)

Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.

All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.

- Traffic indexes per city standards:
- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4' concrete pavement over 2" sand
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: 1 each at **300' INTERVALS**
- Written comments required from ditch company **Contacts:** James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare irrigation Canal, Packwood and Cameron Crocks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements.
- A permit is required to remove oak trees. Contact Joel Hooyer at 713-4295 for an Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

- 1. New building will require a 24' City standard refuse enclosure, to include gates and concrete apron. Enclosure shall be positioned and located to accommodate a "direct-stab" from a Solid Waste vehicle. Redesign accordingly.**
- 2. The drive approach on Caldwell shall meet a minimum width of 30'.**
- 3. Access to Caldwell will be restricted to right-in, right-out only. A future center median in Caldwell will further control access; to be completed in summer 2017. Proper signage shall be installed to indicate "right turn only". The proposed median within drive approach can be omitted.**
- 4. Comply with City standard parking lot dimensioning, accessibility, and improvements.**
- 5. The parkways along Linwood and Caldwell shall be landscaped & irrigated per State MWEL0 regulations, to include street trees per City standards. Refer to the City's street tree policy and standards. Landscape plans shall accompany the parking lot and/or building permit plans.**
- 6. The distance of existing street lights on Linwood do not meet minimum requirements per City street light standards. Due to development of the remaining parcel, a street light will need to be installed. Further coordination with the City Engineer is required due to the existing overhead utility lines.**
- 7. Proposed new building & site development will incur impact fees. Refer to page 3 for fee summary.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 16-023 RESUBMITTAL

Date: 3/2/2016

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:9/4/2015)
(Project type for fee rates:CHURCH)

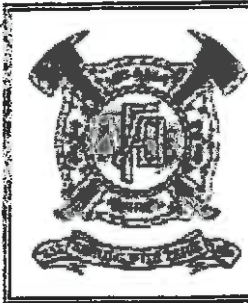
Existing uses may qualify for credits on Development Impact Fees. 50% DEVELOPED

| FEE ITEM | FEE RATE |
|---|---|
| <input checked="" type="checkbox"/> Groundwater Overdraft Mitigation Fee: | \$1,196/AC X 1.46 = \$1,746.16 |
| <input checked="" type="checkbox"/> Transportation Impact Fee | \$3,097/1000SF X 8.5 = \$26,324.50 |
| <input checked="" type="checkbox"/> Trunk Line Capacity Fee: | \$8/SEAT X (OCCUPANCY TBD) TREATMENT PLANT FEE: \$36/SEAT X (OCCUPANCY TBD) |
| <input checked="" type="checkbox"/> Sewer Front Foot Fee | \$40/LF X 415 (LINWOOD)/ 2 = \$8,300 |
| <input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee | \$4,513/AC X 1.46 = \$6,588.98 |
| <input type="checkbox"/> Park Acq/Dev Fee | |
| <input type="checkbox"/> Northeast Specific Plan Fees | |
| <input checked="" type="checkbox"/> Waterways Acquisition Fee: | \$3,312/AC X 1.46 = \$4,835.52 |
| <input checked="" type="checkbox"/> Public Safety Impact Fee: Police | \$925/AC X 1.46 = \$1,350.50 |
| <input checked="" type="checkbox"/> Public Safety Impact Fee: Fire | \$1,754/AC X 1.46 = \$2,560.84 |
| <input checked="" type="checkbox"/> Public Facility Impact Fee | \$514/1000SF X 8.5 = \$4,369 |
| <input type="checkbox"/> Parking In-Line | |

Reimbursement:

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


Adrian Rubalcaba



Site Plan Review Comments For:
 City of Visalia
 Fire Department
 707 W Acequia
 Visalia, CA 93291
 559-713-4261 office
 559-713 4808 fax

| | |
|----------------|--|
| ITEM NO: 3 | DATE: <u>MARCH 02 2016</u> |
| SITE PLAN NO: | SPR1603 |
| PROJECT TITLE: | RESUBMIT |
| DESCRIPTION: | FORTRESS OF TRUTH CHURCH THIS PROPOSED PROJECT IS A 3500 SQ FT MULTI-PURPOSE BUILDING AND WILL CONTAIN RESTROOMS, A KITCHEN AND TWO CLASSROOMS WITH THE REMAINING AREA OPEN FOR USE MCDONNALIGHIEY ERIC |
| APPLICANT: | CH FORTRESS OF TRUTH |
| PROF/OWNER: | 4550 W CALDWELL AVE |
| LOCATION: | 710-050 0210 |
| APN: 051 | |

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 (1") 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 _____ 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 151-300 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.

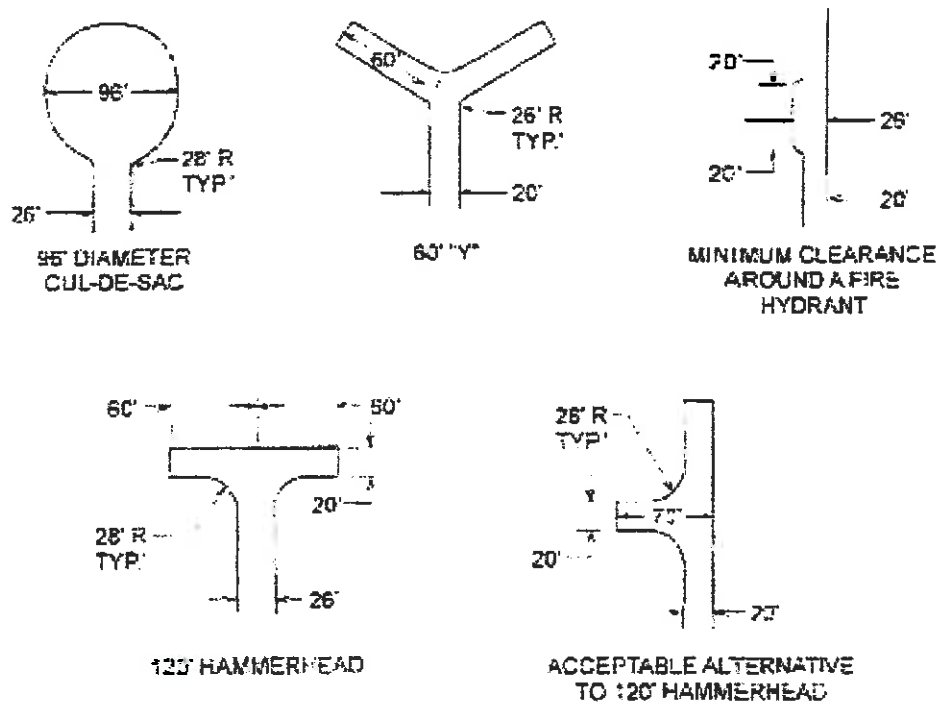


FIGURE D103.1
DEAD END FIRE APPARATUS ACCESS ROAD TURNAROUND

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

- Typical chain and lock shall be the type that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system.
- Gates shall be of the swinging or sliding type.
- Gates shall allow manual operation by one person. (power outages)
- Gates shall be maintained in an operative condition at all times.
- Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.)

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

Fire Protection Systems:

- An automatic fire sprinkler system will be required for this building. Also a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). *2013 CFC 903 and Visalia Municipal Code 16.36.120.7*
- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type I Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2013 CFC 904.11 & 609.2*

Special Comments:

- Post occupant load, Red Marking and No Parking Signs.

Minimum drive way requirement is 20'. See plans.



Maribel Vasquez
Fire Inspector

| | |
|----------------|---|
| ITEM NO. 3 | DATE: <u>March 07, 2016</u> |
| SITE PLAN NO: | SP116053 RESUBMIT |
| PROJECT TITLE: | FORTRESS OF TRUTH CHURCH |
| DESCRIPTION: | THIS PROPOSED PROJECT IS A 4500 SQ FT MULTI-PURPOSE BUILDING AND WILL CONTAIN RESTROOMS, A KITCHEN AND TWO CLASSROOMS WITH THE REMAINING AREA OPEN TOP (X) |
| APPLICANT: | MCDONNAUGHEY ERIC |
| PROP OWNER: | CH-FORTRESS OF TRUTH |
| LOCATION: | 4506 W CALDWELL AVE |
| PHONE: | 119-010-0388 |

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 parcel of land, upon which no like building, structure or improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:

- Territorial Reinforcement: Define property lines (private/public space).

- Access Controlled / Restricted etc:

- Lighting Concerns:

- Landscaping Concerns:

- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

Other Concerns:
ORZIE DOMINGUEZ L166

Visalia Police Department

**QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS**

| | |
|---------------|---|
| ITEM NO: 2 | DATE: <u>March 02, 2016</u> |
| SITE PLAN NO | SPR-6076 <i>RE-SUBMIT</i> |
| PROJECT TITLE | FORTRESS OF TRUTH CHURCH |
| DESCRIPTION: | THIS PROPOSED PROJECT IS A 2500 SQ FT MULTI-PURPOSE BUILDING AND WILL CONTAIN RESTROOMS, A KITCHEN AND TWO CLASSROOMS WITH THE REMAINING AREA OPEN (OFFICE) |
| APPLICANT: | MCCONNAUGHEY ERIC |
| GROUP OWNER: | CH-FORTRESS OF TRUTH |
| LOCATION: | 4500 W CALDWELL AVE |
| APPLIC: | 179-042-036 |

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

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR - 3 COMPARTMENT _____
SEE 13.08-13.09 VISALIA WASTEWATER ORDINANCE
- GREASE INTERCEPTOR min. 1000 gal.
- GARBAGE GRINDER - 1/2 HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED -- NO COMMENTS

CALL THE QUALITY ASSURANCE DIVISION AT (559) 733-4529 IF YOU HAVE ANY QUESTIONS.

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

[Signature]

AUTHORIZED SIGNATURE

3-12-16

DATE



CITY OF VISALIA
NONSIGNIFICANT WASTEWATER
DISCHARGE PERMIT APPLICATION

JFS 16043

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

PLEASE PRINT OR TYPE

APPLICANT BUSINESS NAME: _____ PHONE: _____

BUSINESS ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

BUSINESS OWNER: _____ PHONE: _____

MAILING ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

CONTACT PERSON: _____ TITLE: _____

NATURE OF BUSINESS. (restaurant, market, convenience store, yogurt shop, walk-up, etc.)

NO. OF EMPLOYEES: _____ HOURS OPEN: _____ AM/PM TO _____ AM/PM

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

Does your facility have a grease, oil or grit trap installed before discharge to sewer? YES NO

If yes, Name of trap: _____ Size of trap: _____ How often is trap cleaned: _____

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

Signature

Date

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

CITY OF VISALIA
ORDINANCE 13.08

13.08.570 Traps required.

Grease, oil and sand traps shall be provided when, in the opinion of the City, they are necessary for the protection of the sewerage system from liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients, except that such traps shall not be required for buildings used solely for residential purposes. Such traps shall be required for example, on discharges from all service stations, automotive repair garages, car washes, restaurants, eating establishments and food preparation establishments, and such other commercial or industrial establishments as the city may designate. (Prior code § 4254)

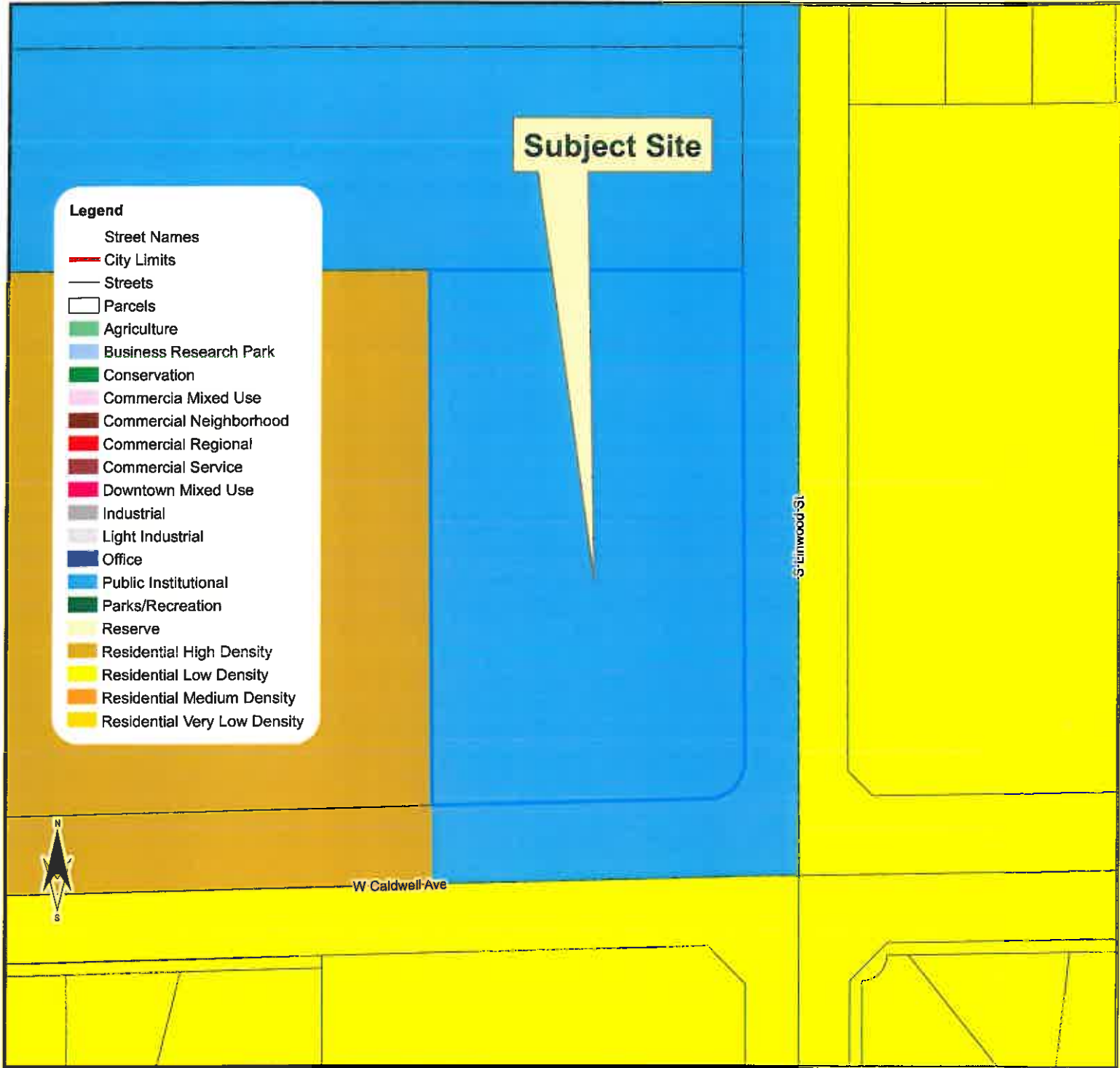
13.08.580 Construction of traps.

All traps shall be of a type and capacity approved by the city, and shall be so located as to be readily and easily accessible for cleaning and inspection. Restaurant traps shall be gas-tight, of a type approved for restaurant use by the division of building safety. Traps for all other facilities, including service stations and garages, shall be in accordance with the adopted plan of the city for such traps or shall be the approved equal thereof as determined by the director. (Prior code § 4255)

13.08.590 Maintenance of traps.

When installed, all grease, oil and sand traps shall be maintained by the owner, at owner's expense, in continuously efficient operation at all times. (Prior code § 4256)

City of Visalia



Land Use Designations

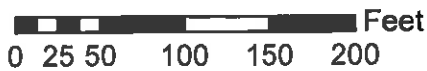
0 25 50 100 150 200 Feet

CUP 2016-12

City of Visalia

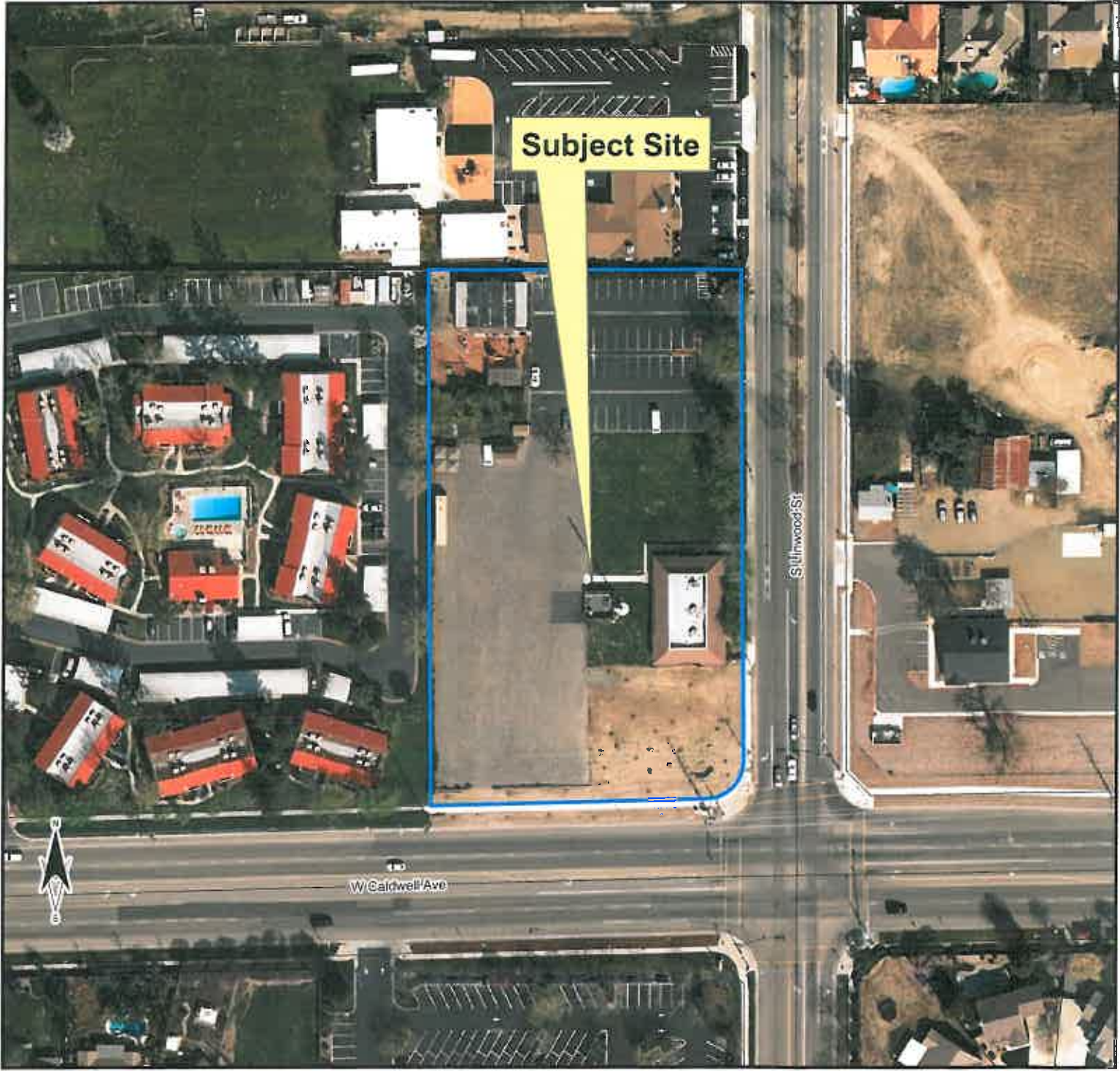


Zoning Designations



CUP 2016-12

City of Visalia



Aerial Photo

0 25 50 100 150 200 Feet

CUP 2016-12