



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 27, 2017

PROJECT PLANNER: Andrew Chamberlain, Senior Planner (559) 713-4003

SUBJECT: **Conditional Use Permit No. 2017-05:** A request by Verizon Wireless to install a new 70-foot high Monopine with a 65-foot high telecommunications tower, and outdoor equipment enclosure at the base of the tower.

Variance No. 2017-03: A request by Verizon Wireless to install a new 70-foot high Monopine with a 65-foot high telecommunications tower which is less than the required 1 to 5 vertical height to horizontal separation from a property line.

The site is in the Colonial Shopping Center, zoned NC (Neighborhood Commercial), located at 3535 W. Walnut Avenue. (APN: 121-181-002, 003, 004, and 005)

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 2017-09 for Conditional Use Permit No. 2017-05 based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

Staff recommends approval of Resolution No. 2017-10 for Variance No. 2017-03 based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to adopt Resolution No. 2017-09 for Conditional Use Permit No. 2017-05 and Resolution No. 2017-10 for Variance No. 2017-03.

PROJECT DESCRIPTION

The requested use permit and variance are to allow the placement of a 70-foot tall Monopine with a 65-foot high cell tower at the Colonial Shopping Center as shown in Exhibit "A". The Cell tower requires a use permit to be located in the Neighborhood Commercial zone, and its location adjacent to property lines and residential zoning requires a variance to setbacks.

Conditional Use Permit No. 2017-03 would allow the placement of a Monopine cell tower next to the Planet Fitness Health Club. Exhibit "B" shows the Monopine, which the applicant feels will blend the proposed cell tower with the neighborhood. There are several large pine trees near the Walnut/Demaree intersection, which would complement the proposed Monopine.

Variance No. 2017-03 is a request to have a cell tower within the required 1 to 5 vertical height to horizontal separation from a property line. This is the "Fall Zone" requirement for public safety and visual compatibility with the neighborhood. Exhibit "D" shows the property lines and adjacent properties to the south, which are multiple family along Colonial Drive, and single family along Cutler Avenue.

In the Neighborhood Commercial zone, the maximum height for buildings is 50 feet, plus an additional 25 feet for features such as a cell tower, for a total of 75 feet. The cell tower is planned at 65 feet, but the Monopine would be up to 70 feet in height to conceal the cell tower structure.

The applicant believes that the placement of a Monopine cell tower at this location would blend with the neighborhood and not present a fall risk or be visually damaging to the neighborhood to the south or general area. The applicant's findings in Exhibit "C" discuss the proposed Monopine cell tower design, and need for a variance to the setback standards. Exhibit "E" is the coverage, technical data, and alternative site review for the proposed cell tower.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Neighborhood Commercial
Zoning:	CN (Neighborhood Commercial)
Surrounding Zoning and Land Use:	North: R-1-6 / Low Density Residential South: R-M-2 (Multi-family Residential) East: R-M-2 (Multi-family Residential) West: QP / Quasi Public (Church)
Environmental Document	Categorical Exemption No. 2017-08
Site Plan:	Site Plan Review No. 2015-123
Design District:	Design District "K" (changing with new ZO Update)

RELATED PROJECTS

The Colonial Center was developed in 1968 through CUP No. 95, as a five acre neighborhood center with the 27,000 sq. ft. grocery store as the main anchor.

Conditional Use Permit No. 2016-22: A request by DK Mullin Architects to establish a Health Club in the Neighborhood Commercial (CN) zone, located at 3535 W. Walnut Avenue. This project was approved by the Planning Commission on September 26, 2016, (5-0).

PROJECT EVALUATION

Staff supports the requested conditional use permit for the Monopine cell tower, and the requested variance to setbacks and total 70-foot height for the structure, based upon the project meeting the intent of the General Plan and the Zoning Ordinance, specifically Zoning Ordinance Section 17.32.163, regulating the establishment of cell towers.

Land Use Compatibility

Staff supports the establishment of a Monopine cell tower at this location. These types of uses are considered compatible in commercial areas where potential impacts can be addressed through the CUP process. Locating cell towers in commercial shopping centers will almost always require a variance to setbacks due to how most commercial centers are parceled for financing and ownership purposes.

As an existing commercial center with adjacent residential uses, the proposed Monopine cell tower will function as a component of the shopping center. All of the shopping centers on-site parking and access drives will remain as originally established. The tower and equipment enclosure will be located in the parking area adjacent to the southwest side of the commercial

building. There will be a loss of four parking stalls, which will not adversely impact the available parking on the site.

Conditional Use Permit No. 2017-05 – Staff support of the requested use permit is based upon the project meeting the intent of the regulations for cell towers. Zoning Ordinance Section 17.32.163-C, lists the most desirable cell tower locations as collocation on existing towers, with new cell towers in cell towers in “Commercial” areas as the least desirable. Based upon the coverage information in Exhibit “E”, there are no cell towers available for collocation in the immediate area. The applicant has proposed to construct a facility which will allow co-location, and to blend it with the surrounding area through the use of a Monopine structure to reduce the visual contrast of a standard cell tower.

Variance No. 2017-03 – Staff support of the variance to allow a 65-foot high cell tower with an 70-foot high Monopine structure is based upon the project meeting the intent of the regulations for cell towers. Zoning Ordinance Section 17.32.163-G-1, provides for the use of a Monopine structure to ensure the compatibility with the surrounding physical environment. While there are no large pines on the Colonial Shopping Center site, there are large pines located in the areas north and west of the intersection at Walnut/Demaree.



View of Colonial Shopping Center from Demaree Street

The existing light poles on the site are approximately 40 feet tall. The placement of a Monopine cell tower would appear to blend with the site and surrounding neighborhoods.



View of Walnut/Demaree intersection, from south on Demaree Street

The applicant’s variance findings listed in Exhibit “C”, discuss the need for height to provide for co-location, and the need for a variance to setbacks since the tower would need to be approximately 350 feet from any property line to not need a variance to setbacks. Staff concurs with applicant’s findings and has included them in the findings for the variance.

Public Safety – The closest residential structure is approximately 160 feet from the proposed Monopine cell tower. This is twice the height of the tower, and does not appear to pose any public safety hazard.

Equipment Enclosure – The equipment enclosure shown in Exhibit “B” would be fenced with a barbed wire top to prevent access to the enclosure components. Staff concurs with the applicant design, it is typical of cell tower enclosures which need protection from undesirable access. The location along the drive aisle is visible from Colonial Drive and Demaree Street. The proposed location along a drive aisle tucked against the side of the existing building provides a fairly inconspicuous location for the shopping center and the neighborhood to the south.

Parking

The elimination of four parking stalls along the southwest side of the primary building should not adversely affect the available parking for the shopping center.

Correspondence

Exhibit “F” is correspondence from a resident in the neighborhood to the west across Walnut Avenue. Joe and Norma Ivy do not support the propose cell tower. Staff contacted the Ivy’s; they indicated that the proposed cell tower was not consistent with the neighborhood character.

Environmental Review

This project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for a minor alteration in land use limitations such as a conditional use permit (Categorical Exemption No. 2017-08).

Projects determined to meet this classification consist of minor alterations in land use limitations such as approving conditional use permits and variances for projects which are consistent with the land use designation and zoning.

RECOMMENDED FINDINGS

Conditional Use Permit No. 2017-05

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.
 - 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.

Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.32.163, for the placement of cell towers:

- The proposed Monopine provides compatibility with the surrounding neighborhoods.
 - That the proposed Monopine cell tower will provide for colocation, and will be subject to all the requirements of Zoning Ordinance Section 17.32.163
3. That the project is Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2017-08).

Variance No. 2017-03

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

The height limit of 60 feet would result in less effective coverage of the target coverage area. The slim line design requires that Verizon place antennas at two centerlines, 66 feet and 59 feet. RRU's will have to also be placed at below these centerlines. Additionally, a height limit of 60 feet would reduce the possibility of this facility allowing collocation by other wireless carriers, as required by the City of Visalia wireless ordinance. A 70 foot height allows a rad center of 35 feet for collocation. The facility is setback approximately 100 feet to the southern property line (W. Colonial Avenue), 250 feet to the western property line (S. Demaree street), and 375 feet to the northern property line (W. Walnut street). There is not a location on the parcel where the setback requirements of 1:5 could be met, thereby complying with the setback requirement would make this site impossible.

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

In order to provide effective coverage and to make the tower collectable, a variance to the maximum height is required. The slim line design requires that Verizon place antennas at two centerlines, 66 feet and 59 feet. RRU's will have to also be placed at below these centerlines. The size of the parcel makes the setback of 1:5 ratio not possible. The size of this parcel makes meeting the setback requirements possible. Additionally, there are 13 towers within 4 miles of this location. 12 of them are taller than 70 feet. A 70 foot tower is less than most existing facilities.

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

Wireless facilities are permitted in neighborhood commercial zones. A variance to the height requirements and setback requirement is necessary to ensure that the facility is able to perform effectively. A Setback of 1:5 would result in a 350 setback, which is not possible in this location. Limiting the tower to 60 feet would lead to the tower being less effective and would limit collocation opportunities.

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

There are 13 wireless towers within a 4 mile radius of this search ring. The closest tower is approximately .7 miles away. That tower is in a residential zone and is 204 feet. Of the 13 towers, 12 of them are above 75 feet tall. 8 of them are over 100 feet tall. There is only one tower shorter than 70 feet, and that tower is 66 feet. Therefore, a 70 foot tower is not out of the ordinary for the City of Visalia, and is in fact shorter than the majority of existing towers. 5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

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

The wireless facility will be on the side of a vacant market. There is no foot traffic nearby. The tower has been designed as a slim line monopole. The antenna array will be close to the pole and the visual impact will be limited. The difference in a 60 foot slim line monopole and a 70 foot monopole will have no visual impact. There is a 204 foot tower in a residential neighborhood approximately 0.7 miles to the east, and there are 11 other towers all taller within 4 miles. This tower has been designed to minimize the visual impact and to blend in with the existing facility. The equipment area is enclosed within an 8 foot tall fence with barbed wire, thereby acting as a deterrent to anyone attempting to enter the equipment area.

6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2017-08).

RECOMMENDED CONDITIONS OF APPROVAL

Conditional Use Permit No. 2017-05

1. That the project be developed in substantial compliance Site Plan Review No. 2015-123.
2. That the site be developed in substantial compliance with the Site Plan in Exhibit "A", and the Elevations in Exhibit "B".
3. That the Monopine cell tower be developed and constructed to specifically allow co-location of other providers on the tower.
4. That all other conditions and requirements contained in Zoning Ordinance Section 17.32.163 shall apply and be met for this facility.
5. That Conditional Use Permit No. 2017-05 shall be null and void unless Variance No. 2017-03 is approved.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-05, prior to the issuance of any building permits for this project.
7. That all other City codes and ordinances shall be met, and that the applicant and all successors in interest shall comply with all applicable federal, state and city codes and ordinances.

Variance No. 2017-03

1. That the proposed Monopine cell tower be developed consistent with the site plan in Exhibit "A", and Elevations in Exhibit "B".
2. That Variance No. 2017-03 shall be null and void unless Conditional Use Permit No. 2017-05 is approved.
3. That all other conditions and requirements contained in Zoning Ordinance Section 17.32.163 shall apply and be met for this facility.
4. That all other federal, state, regional, and county laws and city codes and ordinances be complied with.

5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Variance No. 2016-08, prior to the issuance of a building permit.

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 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.visalia.city or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolutions
- Exhibit "A" – Site Plan
- Exhibit "B" – Elevations
- Exhibit "C" – Variance Findings
- Exhibit "D" – Zoning and Property Lines
- Exhibit "E" – Coverage Maps and Information
- Exhibit "F" – Correspondence
- General Land Use Plan Map
- Zoning Map
- Aerial Map
- Location Map

Related Plans & Policies

Conditional Use Permits (Chapter 17.38 of Visalia Municipal Code)

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

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)

Zoning Ordinance Chapter 17.42

VARIANCES AND EXCEPTIONS

17.42.010 Variance purposes.

The city planning commission may grant variances in order to prevent unnecessary hardships that would result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title. A practical difficulty or unnecessary hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from population densities, street locations or traffic conditions in the immediate vicinity. The power to grant variances does not extend to use regulations, because the flexibility necessary to avoid results inconsistent with the objectives of the zoning ordinance is provided by the conditional use provisions of this title. (Prior code § 7555)

17.42.020 Exception purposes.

A. The planning commission may grant exceptions to ordinance requirements where there is a justifiable cause or reason; provided, however, that it does not constitute a grant of special privilege inconsistent with the provisions and intentions of this title.

B. The planning commission may grant exceptions or modifications to site development standards and zoning in accordance with the provisions of Chapter 17.32, Article 2, density bonuses and other incentives for lower and very low income households and housing for senior citizens. (Prior code § 7556)

17.42.030 Variance powers of city planning commission.

The city planning commission may grant variances to the regulations prescribed by this title with respect to fences and walls, site area, width, frontage coverage, front yard, rear yard, side yards, height of structures, distance between structures and off-street parking facilities, in accordance with the procedures prescribed in this chapter. (Prior code § 7557)

17.42.040 Exception powers of city planning commission.

The city planning commission may grant exceptions to the regulations prescribed in this title, with respect to the following, consistent with the provisions and intentions of this title:

A. Second dwelling units, pursuant to Sections 17.12.140 through 17.12.200;

B. Downtown building design criteria, pursuant to Section 17.58.090;

C. Fences, walls and hedges; and

D. Upon the recommendation of the historic preservation advisory board and/or the downtown design review board, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distance between structures and off-street parking facilities;

E. In accordance with Chapter 17.32, Article 2, density bonuses, may grant exceptions or modifications to site development standards and/or zoning codes. (Prior code § 7558)

17.42.050 Application procedures.

A. Application for a variance or exception shall be made to the city planning commission on a form prescribed by the commission and shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property, is the authorized agent of the owners, or is or will be the plaintiff in an action in eminent domain to acquire the property involved;
3. Address and legal description of the property;
4. Statement of the precise nature of the variance or exception requested and the hardship or practical difficulty which would result from the strict interpretation and enforcement of this title;
5. The application shall be accompanied by such sketches or drawings which may be necessary to clearly show applicant's proposal;
6. Additional information as required by the historic preservation advisory board;
7. When reviewing requests for an exception associated with a request for density bonus as provided in Chapter 17.32, Article 2, the applicant shall submit copies of the comprehensive development plan, sketches and plans indicating the nature of the request and written justification that the requested modifications result in identifiable cost reductions required for project to reach target affordability.

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 § 7559)

17.42.060 Hearing and notice.

A. The city planning commission shall hold a public hearing on an application for a variance.

B. Notice of a public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing. (Prior code § 7560)

17.42.070 Investigation and report.

The city planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the city planning commission. (Prior code § 7561)

17.42.080 Public hearing procedure.

At a public hearing the city planning commission shall review the application and the statements and drawings submitted therewith and shall receive pertinent evidence concerning the variance, particularly with respect to the findings prescribed in Section 17.42.090. (Prior code § 7562)

17.42.090 Variance action of the city planning commission.

A. The city planning commission may grant a variance to a regulation prescribed by this title with respect to fences and walls, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distances between structures or landscaped areas or in modified form if, on the basis of the application, the report of the city planning staff or the evidence submitted, the commission makes the following findings:

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

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

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

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

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

B. The city planning commission may grant a variance to a regulation prescribed by this title with respect to off-street parking facilities, if, on the basis of the application, the report of the city planner or the evidence submitted the commission makes the findings prescribed in subsection (A)(1) of this section and that the granting of the variance will not result in the parking of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.

C. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe.

D. The city planning commission may deny a variance application. (Prior code § 7563)

17.42.100 Exception action of the city planning commission.

A. The city planning commission may grant an exception to a regulation prescribed by this title with respect to fences and walls, and, upon recommendation of the historic preservation advisory board, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distances between structures or landscaped areas, provided that all of the following criteria is applicable:

1. That the granting of the fence exception will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;

2. That the granting of the exception does not create an obstructed visibility that will interfere with traffic safety in the public right-of-way or to adjacent properties;

3. That the exception proposal becomes an integral part of the existing site development (e.g., design, material, contour, height, distance, color, texture).

B. The city planning commission may grant exceptions or modifications to zoning code requirements in accordance with the provisions of Chapter 17.32, Article 2, density bonuses. The granting of the exception shall become effective upon

the granting of the density bonus by the city council. (Prior code § 7564)

17.42.110 Appeal to city council.

A. Within five (5) working days following the date of a decision of the city planning commission on a variance or exception application, the decision may be appealed to the city council by the applicant or any other interested party. An appeal shall be made on a form prescribed by the commission and shall be filed with the city clerk. The appeal shall specify errors or abuses of discretion by the commission, or decisions not supported by the evidence in the record.

B. The city clerk shall give notice to the applicant and the appellant (if the applicant is not the appellant) and may give notice to any other interested party of the time when the appeal will be considered by the city council. (Ord. 2001-13 § 4 (part), 2001: prior code § 7565)

17.42.120 Action of city council.

A. The city council shall review and may affirm, reverse or modify a decision of the city planning commission on a variance or exception application; provided, that if a decision denying a variance or exception is reversed or a decision granting a variance or exception is modified, the city council shall, on the basis of the record transmitted by the city planner and such additional evidence as may be submitted, make the findings prerequisite to the granting of a variance or exception as prescribed in Section 17.42.090(A) or (B), or 17.42.100(A), whichever is applicable.

B. A variance which has been the subject of an appeal to the city council shall become effective immediately after review and affirmative action by the city council. (Ord. 9605 § 30 (part), 1996: prior code § 7566)

17.42.130 Lapse of variance.

A variance shall lapse and become void one year following the date on which the variance became effective, unless prior to the expiration of one year, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion on the site which was the subject of the variance application, or a certificate of occupancy is issued by the building official for the site or structure which was the subject of the variance application. A variance may be renewed for an additional period of one year; provided, that prior to the expiration of one year from the date when the variance became effective, an application for renewal of the variance is made to the commission. The commission may grant or deny an application for renewal of a variance. (Prior code § 7567)

17.42.140 Revocation.

A variance granted subject to a condition or conditions shall be revoked by the city planning commission if the condition or conditions are not complied with. (Prior code § 7568)

17.42.150 New application.

Following the denial of a variance application or the revocation of a variance, no application for the same or substantially the same variance on the same or substantially the same site shall be filed within one year of the date of denial of the variance application or revocation of the variance. (Prior code § 7569)

17.32.163 Regulation of wireless telecommunication facilities.

A. Purpose and Intent.

The purpose and intent of this section is to promote quality, clarity and consistency in applying the requirements and guidelines for the acceptance, processing and approval of new wireless telecommunication facilities and modifications to existing wireless telecommunication facilities. The purpose and intent of this section is also protect the benefits derived by the city, its residents, and the general public from access to personal wireless telecommunication services while minimizing, to the greatest extent feasible, the redundancy of wireless telecommunication facilities. The city desires to balance these goals, by permitting the installation and operation of wireless telecommunication facilities where they are needed, while reducing, to the greatest extent feasible, adverse economic, safety and/or aesthetic impacts on nearby properties and the community as a whole.

B. Definitions. The definitions set for in this section shall apply to this title.

"Ancillary structure" means any development associated with a wireless telecommunications facility, including but not limited to foundations, concrete slabs on grade, guy wire anchors, generators and transmission cable supports. This definition does not include equipment cabinet.

"Antenna" means any apparatus designed for transmitting and/or receiving electromagnetic waves that includes but is not limited to, telephonic, radio or television communications. Types of antenna include, but are not limited to, omnidirectional (whip) antennas, sectorized (panel) antennas, or parabolic (dish) antennas.

"Antenna array" means a single set or group of antennas and their associated mounting hardware, transmission lines or other appurtenances which share a common attachment device such as a mounting frame or mounting support.

"Attached wireless telecommunications facility" means a wireless telecommunication facility and ancillary structures that are secured to an existing structure, as defined in Section 17.04.030, with any accompanying equipment cabinet, which may be located either on the roof or inside/outside of the building or structure. An attached wireless telecommunications facility is considered to be an accessory use to the existing principal use on a site.

"Collocate or Collocation" means location or placement of wireless telecommunications facilities by two (2) or more wireless personal service providers on an antenna or antennas and feed lines on a

common antenna support structure or other structure on which there is an existing antenna array. The term "Collocation" shall not be applied to a situation where two (2) or more wireless personal service providers independently place attached wireless telecommunication facilities on an existing building or structure.

"Combined antenna" means an antenna or antenna array designed and utilized to provide services for more than one (1) wireless provider for the same or similar type of services.

"Conceal or Concealed" means a wireless telecommunication facility in which the antenna, monopole, and/or tower, and sometimes the support equipment, are hidden from view, or effectively disguised as may reasonably be determined by the city planner or planning commission as applicable, such as in a false tree, monument, cupola, or other concealing structure which either mimics, or which also serves as, a natural or architectural feature in a compatible environment concealed wireless telecommunication facilities that do not mimic or appear as a natural or architectural feature to the average observer are not within the meaning of this definition.

"Coverage" means the geographic area served by an individual wireless telecommunications facility installation.

"Digital Antenna System (DAS)" means a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure.

"Eligible facilities request" means a request that involves collocation, removal, or replacement of wireless telecommunication facilities.

"Equipment cabinet" means a structure located at a base station that is above the base flood elevation and designed exclusively to contain radio or other equipment necessary for the transmission or reception of wireless telecommunication signals. An equipment cabinet cannot be used for storage and/or habitable space.

"Existing structures and facilities" means any wireless telecommunications facility for which a permit has been properly issued pursuant to this Section or prior to its adoption.

"Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account environmental, physical, legal, cost and technological factors.

"Lattice structure" means a tapered style of antenna support structure that typically consists of vertical and horizontal supports with multiple legs and cross-bracing and metal crossed strips or bars to support antennas.

"Location" means the area where a wireless telecommunications facility is located or proposed to be located. Reference to location shall be exact longitude and latitude, to the nearest tenth of a second, with bearing or orientation referenced to true north.

"Modification" means the change, or proposed change, of any portion of a wireless telecommunication facility from its description in a previously approved wireless telecommunication facility permit. Modification includes structural reinforcement, change in antenna type, and changes that alter the appearance, size or height of a wireless telecommunication facility.

"Monopole" means a style of freestanding antenna support structure that consists of a single shaft usually composed of two (2) or more hollow sections that are in turn attached to a foundation. This type of antenna support structure is designed to support itself without the use of guy wires or other stabilization devices. These components are mounted to a foundation that rests on or in the ground or on the roof of a building.

"Mount" means the surface upon which antennas are mounted. Mounts include, but are not limited to roof-mounts (mounted on the roof of a building) and side-mounts (mounted on the side of a building).

"Non-residential use" means uses such as churches, schools, and residential care facilities that are not a residential use but may be allowed in a residential zone typically with a conditional use permit.

"Personal wireless telecommunications services" means commercial mobile radio services, unlicensed wireless services and common carrier wireless exchange access service as identified in the Telecommunications Act of 1996.

"Siting" means the method and form of placement of a wireless telecommunications facility on a specific area of a property,

"Support equipment" means the physical, electrical and/or electronic equipment included within a wireless telecommunication facility used to house, power, and/or process signals from or to the facility's antenna or antennas.

"Utility tower" means an open framework structure or steel pole used to support electric transmission facilities.

"Wireless telecommunications facility" means a staffed or unstaffed commercial facility for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of any combination of the following for that purpose: a mount, an antenna support structure, a monopole, a lattice structure, an ancillary structure, an antenna or antenna array or combined antenna, transmission cables, support equipment, and/or equipment cabinet.

C. Preferred Zones and Locations.

When doing so would not conflict with the standards set forth in this Section or with federal law, wireless telecommunication facilities shall be located in the most appropriate location as described in this subsection (C), which range from the most appropriate to the least appropriate.

1. Collocation on existing facilities and structures located on city owned property;
2. Collocation on existing structures and facilities in the public or quasi-public zone;
3. Collocation on existing facilities and structures or attached wireless telecommunication facilities in the allowed Commercial, Office or Industrial Zones;
4. Location of new wireless telecommunication facilities on city owned property;
5. Location of new wireless telecommunication facilities in the Public or Quasi-Public Zone;
6. Location of new wireless telecommunication facilities in the allowed Commercial, Office and Industrial Zones.

D. Setbacks.

1. **Fall Zone Setback.** In order to ensure public safety, all new wireless telecommunication facilities shall maintain a setback at a 1:5 ratio, measured from property lines, based on the height of the cell tower, including any antenna or antenna array attached thereto. All new wireless telecommunication facilities shall also meet the minimum setback requirements of the underlying design district.

2. **Variance.** Setbacks for wireless telecommunication facilities may be modified if the requirements of Chapter 17.42 can be satisfied and the applicant can demonstrate that the siting for the proposed wireless telecommunication facility will be the least visually obtrusive profile, will not detract from the beauty and/or character of the area in which it is proposed to be located, and will not cause a public safety issue.

E. Height limits for new wireless telecommunication facilities.

Maximum Height

Type of Facility	Maximum Height
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Concealed and attached to building	Shall not exceed the height of the structure on which the attached wireless telecommunication facility is attached by more than twenty-five (25) feet.
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Non-concealed attached to building	Shall not exceed the height of the structure on which the attached wireless telecommunication facility is attached by more than twenty-five (25) feet.
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Freestanding tower Shall not exceed the height of the design district in which the wireless telecommunication facility is located by more than twenty-five (25) feet.

Collocation on existing buildings and structures (legal nonconforming) An attached wireless telecommunication facility may locate on a building or structure that is legally non-conforming with respect to height, provided that the facility does not project above the existing height by more than twenty-five (25) feet.

Height Limit Exception. The planning commission may approve additional height beyond the maximum allowed subject to the provisions Chapter 17.42 (Variance and Exceptions) of the Visalia Zoning Ordinance.

F. Concealed Wireless Telecommunications Facilities Required.

All new wireless telecommunication facilities are required to be concealed. A wireless telecommunication facility that is not concealed may be permitted so long as the following findings can be met:

1. The siting of the proposed wireless telecommunication facility will not adversely impact the use of the property, other buildings and structures on the property, or the surrounding area or neighborhood.

2. The siting of the proposed wireless telecommunication facility will result in the least intrusive visual impact to the area.

3. To the maximum extent reasonably feasible, the proposed wireless telecommunications facility has been designed to blend with the surrounding area and is appropriately designed for the specific site.

G. Concealed Wireless Telecommunication Facility Options.

1. The use of so-called "monopines, monopalms and other mono-trees" to conceal wireless telecommunication facilities shall be evaluated during the planned development permit process. The applicant shall demonstrate that these structures will blend in with the surrounding neighborhood in order to be considered. Photo simulations are required for a proposed mono-tree. The city planner may condition additional architectural features (monopine, monopalm, horizontal installation, application of color) to a wireless telecommunication facility to ensure compatibility with the surrounding physical environment. Due to environmental factors such as wind, rain and sun, the owner/applicant shall conduct an annual inspection on all mono-trees to ensure that the faux foliage continues to resemble a tree, and fully screens all antennas, antenna arrays, mounts, ancillary structures and/or support equipment. All mono-tree designs shall incorporate appropriate three-dimensional bark cladding, and shall provide for screening foliage to extend beyond all antennas by no less than twenty-four (24) inches. The design, number and placement of any branch-like structures affixed to the tower shall insure adequate camouflaging of the antennas, antenna arrays, mounts, ancillary structures and/or support equipment.

2. The use of alternative structures, including but not limited to such structures as a church cross, statue, light pole, flagpole, architectural feature such as a clock tower, shall be subject to the planned development permit process as described in subsection (1) above. Consideration as to when a wireless telecommunication facility may be concealed using an "alternative structure" will be based upon the extent to which it is designed to internally house antennas, antenna arrays, mounts, ancillary structures, and/or support equipment.

H. Collocation Required.

1. To limit the adverse visual effects of a proliferation of wireless telecommunication facilities in the city, the proposed construction of new wireless telecommunication facilities shall be designed to accommodate collocation of two (2) or more service providers. Any new wireless telecommunication facility may be required to collocate with another existing or new facility, unless it can be demonstrated to be technically or economically infeasible.

2. Collocation on existing large towers. Collocation of the wireless telecommunication facilities of more than three (3) telecom providers on existing towers greater than seventy (70) feet in height is permitted pursuant to the planned development permit review process.

I. Substantial Change to the Physical Dimensions of Existing Structure or Facility.

1. Modifications to an existing structure or facility are permitted and do not require discretionary review where such modifications will not result in a "substantial change," as set forth in subsection (I)(2) below. Modifications resulting in a "substantial change" to an existing structure or facility shall be submitted for review under the planned development permit process as described in this section.

2. A "substantial change" to an existing structure or facility shall constitute the following:

a. The modification increases the height of the existing structure or facility by more than ten (10) percent, or the height of one (1) additional antenna array with separation from the nearest existing antenna or antenna array not to exceed twenty (20) feet, whichever is greater.

b. The modification would add an antenna, antenna array, mount, ancillary structure or support equipment that would protrude from the edge of the existing structure or facility more than twenty (20) feet or more than the width of the tower structure at the level of the antenna, antenna array, mount, ancillary structure or support equipment, whichever is greater.

c. The modification involves installing more than the standard number of equipment cabinets for the technology involved, and would add greater than four (4) equipment cabinets.

d. The modification would defeat the existing concealment elements.

e. The modification would result in the excavation or deployment outside the current boundaries of the leased or owned property and into any access, utility easements or required setbacks.

f. The modification would not comply with other conditions imposed upon the existing structure or facility unless non-compliance is due to an increase in height, increase in width, addition of equipment cabinets, or new excavation or deployment that does not exceed the substantial change thresholds of this subsection.

3. All modifications remain subject to building codes and other non-discretionary structural and safety codes.

J. Other Requirements for all Wireless Telecommunication Facilities.

1. Any attached wireless telecommunication facility or wireless telecommunication facility on or adjacent to a historic building or site shall be designed to ensure consistency with the National Historic Preservation Act of 1966, and shall be referred to the city's historic preservation advisory committee for review and approval pursuant to Chapter 17.56.

2. There shall be a seven (7) foot high screen fence or solid wall or approved architecturally-designed solid fence installed surrounding the equipment cabinet. Slatted chain-link fencing will only be considered when the equipment cabinet is substantially masked from public view or the wireless telecommunication facility is located in an industrial zone or public park.

3. New wireless telecommunication facilities shall not be permitted within one hundred (100) yards of an existing structures and facilities unless the applicant can demonstrate with substantial evidence that there are no other location alternatives to providing service to the area.

4. Wireless telecommunication facilities shall not be permitted in locations where they will interfere with the operation of the Visalia Municipal Airport. Wireless telecommunication facilities proposed for location within the airport planning area shall be referred to the airport manager or the airport land use commission for a determination of consistency with airport area standards.

5. All wireless telecommunication facilities must meet or exceed current standards and regulations of the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), and any other agency of the state or federal government with the authority to regulate wireless telecommunication facilities. If such standards and regulations are changed, the owners of the wireless

telecommunication facilities governed by this section shall bring such wireless telecommunication facilities into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency.

6. All appropriate building permits are required. Compliance with applicable federal, state, and local laws, codes, and regulations are required, and are continuing obligations on applicants and permit holders hereunder.

7. A wireless telecommunication facility shall be maintained in good condition. Maintenance shall include, but not be limited to maintaining the structural and aesthetic integrity of the wireless telecommunication facility, including painting and upkeep of structures used to conceal wireless telecommunication facilities, and irrigation and upkeep of buffer areas and landscaping. If maintenance of will result in a substantial change as described in Section 17.32.163.H, the requirements shall apply.

8. Drawings and Photos Required. A plan or drawing depicting the size and configuration of the property where the wireless facility is proposed, and the size and location of existing improvements or features (buildings, driveways, sidewalks) depicting what currently exists and what physical changes are proposed. Elevation drawings shall depict all mast dimensions, placement and design features, and provide dimension to the apex of the pole from the finish grade. Accurate and reliable photos of the project site prior to the project installation or modification, and accurate and reliable photo simulations of all elements of proposed wireless telecommunication facility installation shall be provided.

K. Abandonment or Discontinuation of Use.

1. At such time that a wireless telecommunication facility owner or wireless provider plans to abandon or discontinue operation of that facility, said owner shall notify the community development department director by certified U.S. Mail of the proposed date of abandonment or discontinuation of operations.

2. In the event all legally approved use of any wireless telecommunication facility has been discontinued for a period of six (6) months (one hundred eighty (180) days) and the owner or wireless provider has not notified the community development department director, the facility shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the community development department director who shall have the right to request documentation and/or affidavits from the facility owner regarding the issue of usage, including evidence that use of the wireless telecommunication facility is imminent.

3. At such time as the community development department director determines that a wireless telecommunication facility is abandoned, the community development department director shall provide written notice of an abandonment determination by certified mail addressed to all applicants at the addresses on file with the city and to the owner of the property at the address on file with the city, the property address, if applicable, and at the address to which tax notices are sent. Failure or refusal by the facility owner or any other co-applicant to respond to such notice within sixty (60) days of the receipt of the certified letter, shall constitute prima facie evidence that the wireless telecommunication facility has been abandoned.

4. If the owner of a wireless telecommunication facility fails to respond or fails to demonstrate that the facility is not abandoned, the wireless telecommunication facility shall be considered abandoned and the owner of the facility shall apply for a new permits consistent with the requirements of this section or dismantle and physically remove the entire wireless telecommunication facility. "Physically remove" shall include restoration of the location of the wireless telecommunication facility to its natural condition, where applicable, except that any landscaping and grading shall remain in post-development condition.

5. Upon a determination of abandonment by the community development department director pursuant to this section, and the failure of the wireless telecommunication facility owner or other co-applicant to remove the facility in accordance with this section, the wireless telecommunication facility shall be deemed unfit for use and in violation of the permit requirements so as to be deemed a danger to public health and a public and private nuisance. Failure of the wireless telecommunication facility owner or other co-applicant to dismantle and physically remove the facility and related structures in accordance with the terms of this section shall result in the city taking all actions consistent with Chapter 8.40 and Chapter 1.13. (Ord. 2015-01 § 5, 2015)

RESOLUTION NO. 2017-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-05: A REQUEST BY VERIZON WIRELESS TO INSTALL A NEW 70-FOOT HIGH MONOPINE WITH A 65-FOOT HIGH TELECOMMUNICATIONS TOWER, AND OUTDOOR EQUIPMENT ENCLOSURE AT THE BASE OF THE TOWER. THE SITE IS IN THE COLONIAL SHOPPING CENTER, ZONED NC (NEIGHBORHOOD COMMERCIAL), LOCATED AT 3535 W. WALNUT AVENUE. (APN: 121-181-002, 003, 004, AND 005)

WHEREAS, Conditional Use Permit No. 2017-05 is a request by Verizon Wireless to install a new 70-foot high Monopine with a 65-foot high telecommunications tower, and outdoor equipment enclosure at the base of the tower. The site is in the Colonial Shopping Center, zoned NC (Neighborhood Commercial), located at 3535 W. Walnut Avenue. (APN: 121-181-002, 003, 004, and 005); and

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

WHEREAS, the Planning Commission of the City of Visalia finds Conditional Use Permit No. 2017-05, as conditioned by staff, to be in accordance with Section 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2017-08).

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

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

Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.32.163, for the placement of cell towers:

- The proposed Monopine provides compatibility with the surrounding neighborhoods.

- That the proposed Monopine cell tower will provide for colocation, and will be subject to all the requirements of Zoning Ordinance Section 17.32.163
3. That the project is Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2017-08).

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

1. That the project be developed in substantial compliance Site Plan Review No. 2015-123.
2. That the site be developed in substantial compliance with the Site Plan in Exhibit "A", and the Elevations in Exhibit "B".
3. That the Monopine cell tower be developed and constructed to specifically allow colocation of other providers on the tower.
4. That all other conditions and requirements contained in Zoning Ordinance Section 17.32.163 shall apply and be met for this facility.
5. That Conditional Use Permit No. 2017-05 shall be null and void unless Variance No. 2017-03 is approved.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-05, prior to the issuance of any building permits for this project.
7. That all other City codes and ordinances shall be met, and that the applicant and all successors in interest shall comply with all applicable federal, state and city codes and ordinances.

RESOLUTION NO. 2017-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2017-03: A REQUEST BY VERIZON WIRELESS TO INSTALL A NEW 70-FOOT HIGH MONOPINE WITH A 65-FOOT HIGH TELECOMMUNICATIONS TOWER WHICH IS LESS THAN THE REQUIRED 1 TO 5 VERTICAL HEIGHT TO HORIZONTAL SEPARATION FROM A PROPERTY LINE. THE SITE IS IN THE COLONIAL SHOPPING CENTER, ZONED NC (NEIGHBORHOOD COMMERCIAL), LOCATED AT 3535 W. WALNUT AVENUE. (APN: 121-181-002, 003, 004, AND 005)

WHEREAS, Variance No. 2017-03 is a request by Verizon Wireless to install a new 70-foot high Monopine with a 65-foot high telecommunications tower which is less than the required 1 to 5 vertical height to horizontal separation from a property line. The site is in the Colonial Shopping Center, zoned NC (Neighborhood Commercial), located at 3535 W. Walnut Avenue. (APN: 121-181-002, 003, 004, and 005); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on February 27, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds Variance No. 2017-03, as conditioned by staff, to be in accordance with Chapter 17.42 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission of the City of Visalia 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 finding based on the evidence presented:

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

The height limit of 60 feet would result in less effective coverage of the target coverage area. The slim line design requires that Verizon place antennas at two centerlines, 66 feet and 59 feet. RRU's will have to also be placed at below these centerlines. Additionally, a height limit of 60 feet would reduce the possibility of this facility allowing collocation by other wireless carriers, as required by the City of Visalia wireless ordinance. A 70 foot height allows a rad center of 35 feet for collocation. The facility is setback approximately 100 feet to the southern property line (W. Colonial Avenue), 250 feet to the western property line (S. Demaree street),

and 375 feet to the northern property line (W. Walnut street). There is not a location on the parcel where the setback requirements of 1:5 could be met, thereby complying with the setback requirement would make this site impossible.

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

In order to provide effective coverage and to make the tower collectable, a variance to the maximum height is required. The slim line design requires that Verizon place antennas at two centerlines, 66 feet and 59 feet. RRU's will have to also be placed at below these centerlines. The size of the parcel makes the setback of 1:5 ratio not possible. The size of this parcel makes meeting the setback requirements possible. Additionally, there are 13 towers within 4 miles of this location. 12 of them are taller than 70 feet. A 70 foot tower is less than most existing facilities.

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

Wireless facilities are permitted in neighborhood commercial zones. A variance to the height requirements and setback requirement is necessary to ensure that the facility is able to perform effectively. A Setback of 1:5 would result in a 350 setback, which is not possible in this location. Limiting the tower to 60 feet would lead to the tower being less effective and would limit collocation opportunities.

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

There are 13 wireless towers within a 4 mile radius of this search ring. The closest tower is approximately .7 miles away. That tower is in a residential zone and is 204 feet. Of the 13 towers, 12 of them are above 75 feet tall. 8 of them are over 100 feet tall. There is only one tower shorter than 70 feet, and that tower is 66 feet. Therefore, a 70 foot tower is not out of the ordinary for the City of Visalia, and is in fact shorter than the majority of existing towers.

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

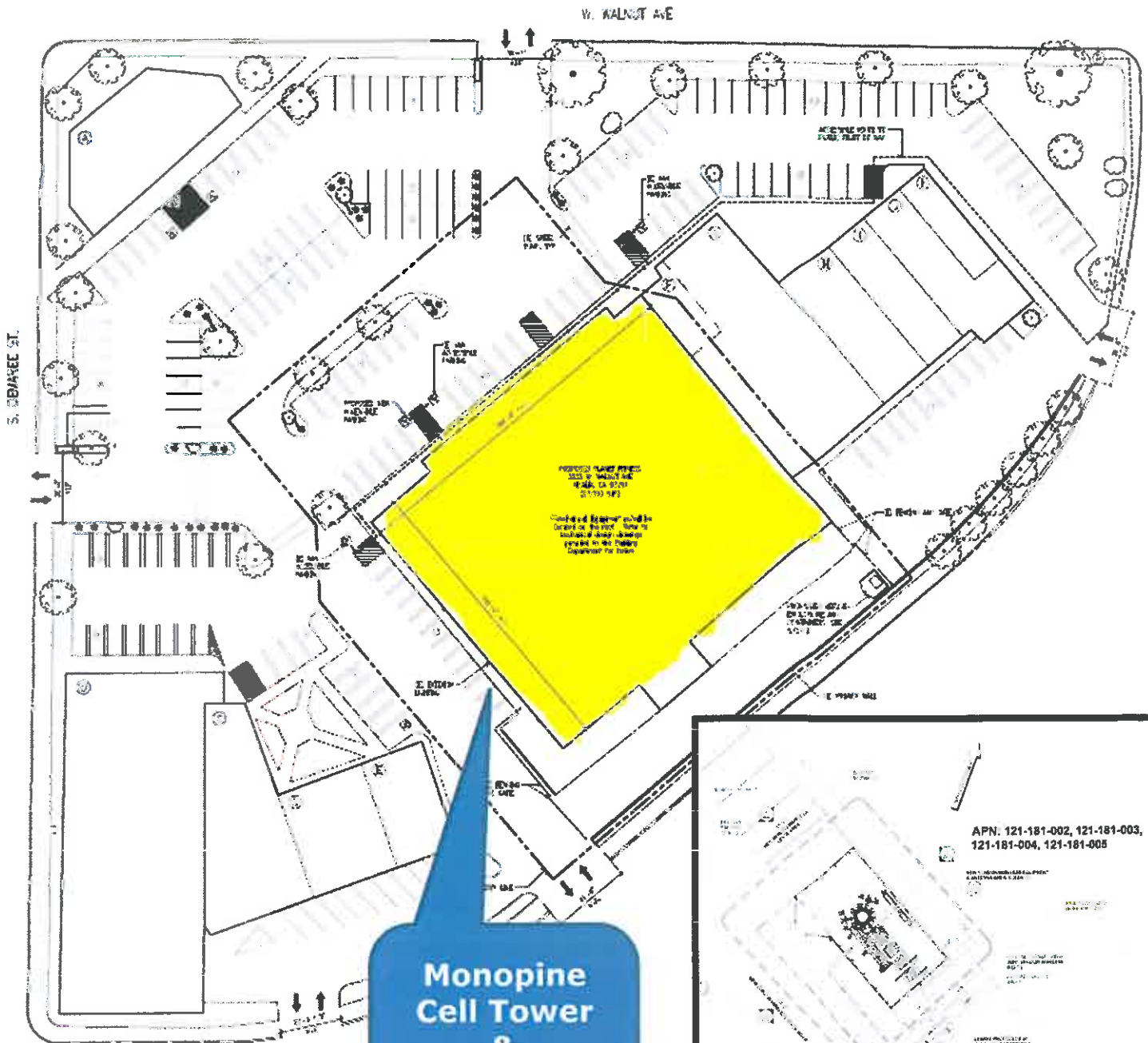
The wireless facility will be on the side of a vacant market. There is no foot traffic nearby. The tower has been designed as a slim line monopole. The antenna array will be close to the pole and the visual impact will be limited. The difference in a 60 foot slim line monopole and a 70 foot monopole will have no visual impact. There is a 204 foot tower in a residential neighborhood approximately 0.7 miles to the east, and there are 11 other towers all taller within 4 miles. This tower has been designed to minimize the visual impact and to blend in with the existing facility. The equipment area is enclosed within an 8 foot tall fence with barbed wire, thereby acting as a deterrent to anyone attempting to enter the equipment area.

6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-08).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves Variance No. 2017-03, as conditioned, on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.42.090 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the proposed Monopine cell tower be developed consistent with the site plan in Exhibit "A", and Elevations in Exhibit "B".
2. That Variance No. 2017-03 shall be null and void unless Conditional Use Permit No. 2017-05 is approved.
3. That all other conditions and requirements contained in Zoning Ordinance Section 17.32.163 shall apply and be met for this facility.
4. That all other federal, state, regional, and county laws and city codes and ordinances be complied with.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Variance No. 2016-08, prior to the issuance of a building permit.

Exhibit - A



Monopine Cell Tower & Equipment Enclosure

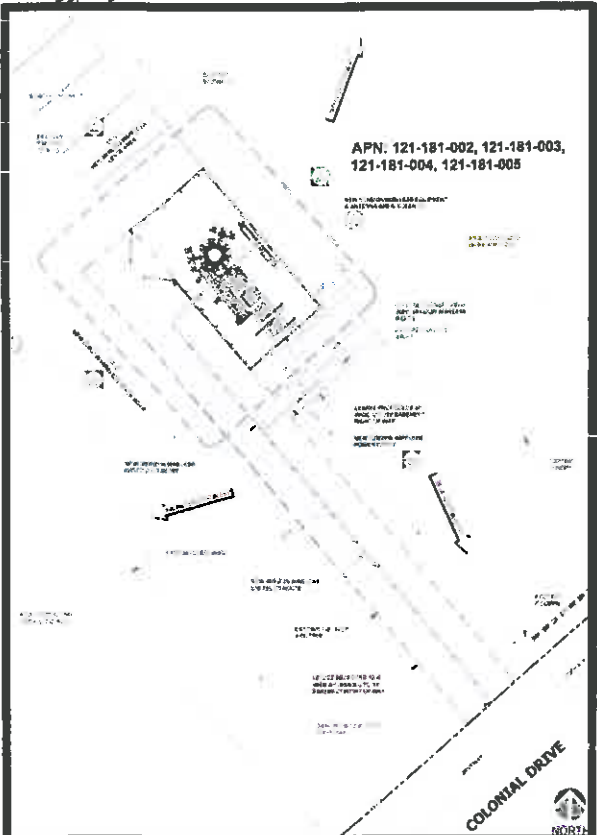


Exhibit - B

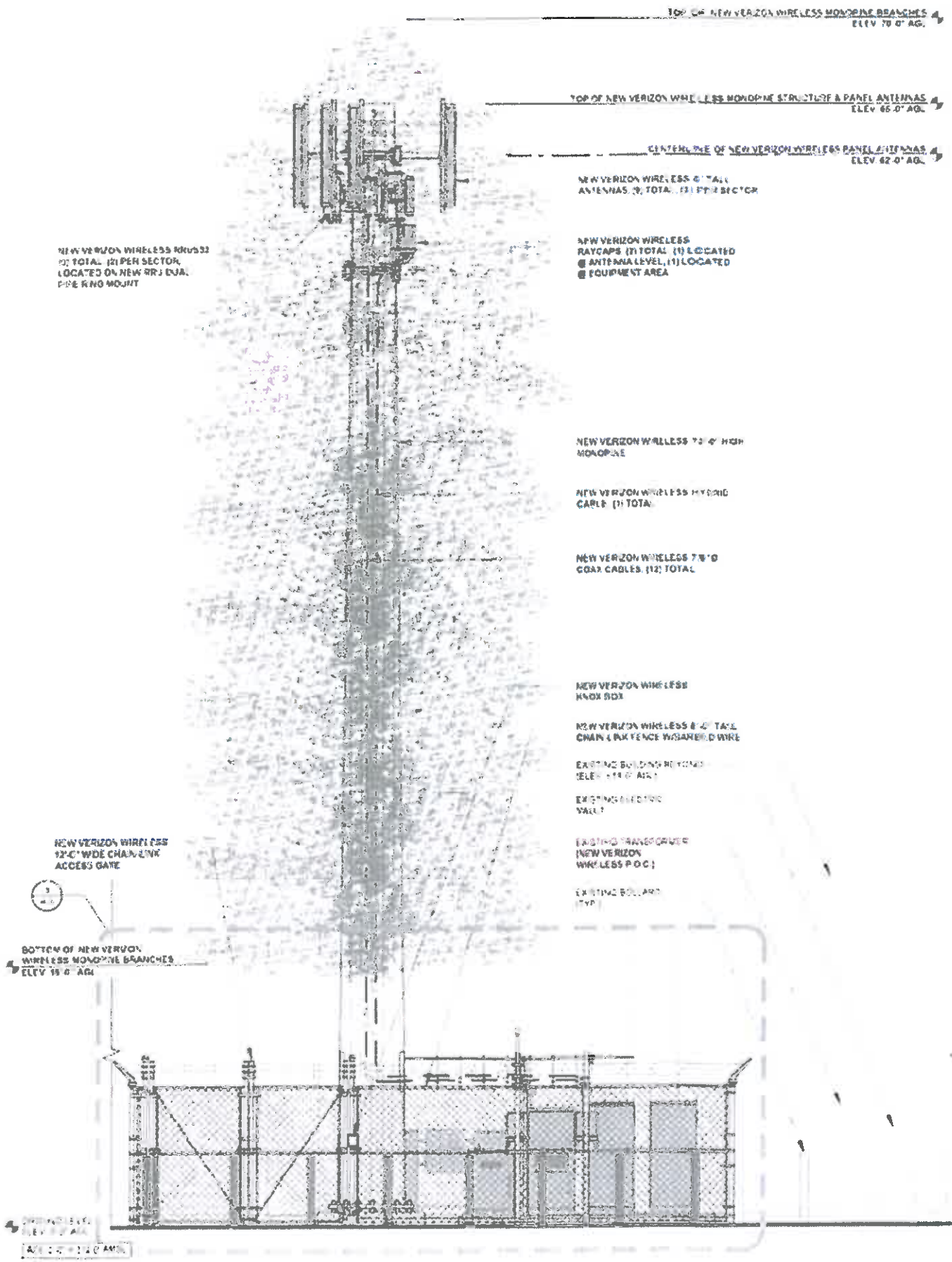


Exhibit – C Variance Findings

Variance/Exception supplemental application

A Variance to the height and setbacks requirement pursuant to Section 17.32.1630 & E is requested. The height limit for the colonial shopping center has been established at 60 feet. The Setback requirements for cell towers is established at a 1:5 ratio. Below is a response to the five variance findings required.

1. The Strict or literal interpretation and enforcement of the height and setback requirement would result in practical difficulty inconsistent with the objectives of the zoning ordinance.

The height limit of 60 feet would result in less effective coverage of the target coverage area. The slim line design requires that Verizon place antennas at two centerlines, 66 feet and 59 feet. RRU's will have to also be placed at below these centerlines. Additionally, a height limit of 60 feet would reduce the possibility of this facility allowing collocation by other wireless carriers, as required by the City of Visalia wireless ordinance. A 70 foot height allows a rad center of 35 feet for collocation. The facility is setback approximately 100 feet to the southern property line (W. Colonial Avenue), 250 feet to the western property line (S. Demaree street), and 375 feet to the northern property line (W. Walnut street). There is not a location on the parcel where the setback requirements of 1:5 could be met, thereby complying with the setback requirement would make this site impossible.

2. There are exceptional circumstances applicable to the property which don't apply generally to other properties within this same zone.

In order to provide effective coverage and to make the tower collectable, a variance to the maximum height is required. The slim line design requires that Verizon place antennas at two centerlines, 66 feet and 59 feet. RRU's will have to also be placed at below these centerlines. The size of the parcel makes the setback of 1:5 ratio not possible. The size of this parcel makes meeting the setback requirements possible. Additionally, there are 13 towers within 4 miles of this location. 12 of them are taller than 70 feet. A 70 foot tower is less than most existing facilities.

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

Wireless facilities are permitted in neighborhood commercial zones. A variance to the height requirements and setback requirement is necessary to ensure that the facility is able to perform effectively. A Setback of 1:5 would result in a 350 setback, which is not possible in this location. Limiting the tower to 60 feet would lead to the tower being less effective and would limit collocation opportunities.

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

There are 13 wireless towers within a 4 mile radius of this search ring. The closest tower is approximately .7 miles away. That tower is in a residential zone and is 204 feet. Of the 13 towers, 12 of them are above 75 feet tall. 8 of them are over 100 feet tall. There is only one tower shorter than 70 feet, and that tower is 66 feet. Therefore, a 70 foot tower is not out of the ordinary for the City of Visalia, and is in fact shorter than the majority of existing towers.

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

The wireless facility will be on the side of a vacant market. There is no foot traffic nearby. The tower has been designed as a slim line monopole. The antenna array will be close to the pole and the visual impact will be limited. The difference in a 60 foot slim line monopole and a 70 foot monopole will have no visual impact. There is a 204 foot tower in a residential neighborhood approximately 0.7 miles to the east, and there are 11 other towers all taller within 4 miles. This tower has been designed to minimize the visual impact and to blend in with the existing facility. The equipment area is enclosed within an 8 foot tall fence with barbed wire, thereby acting as a deterrent to anyone attempting to enter the equipment area.

Exhibit "D"
Zoning and Property Lines

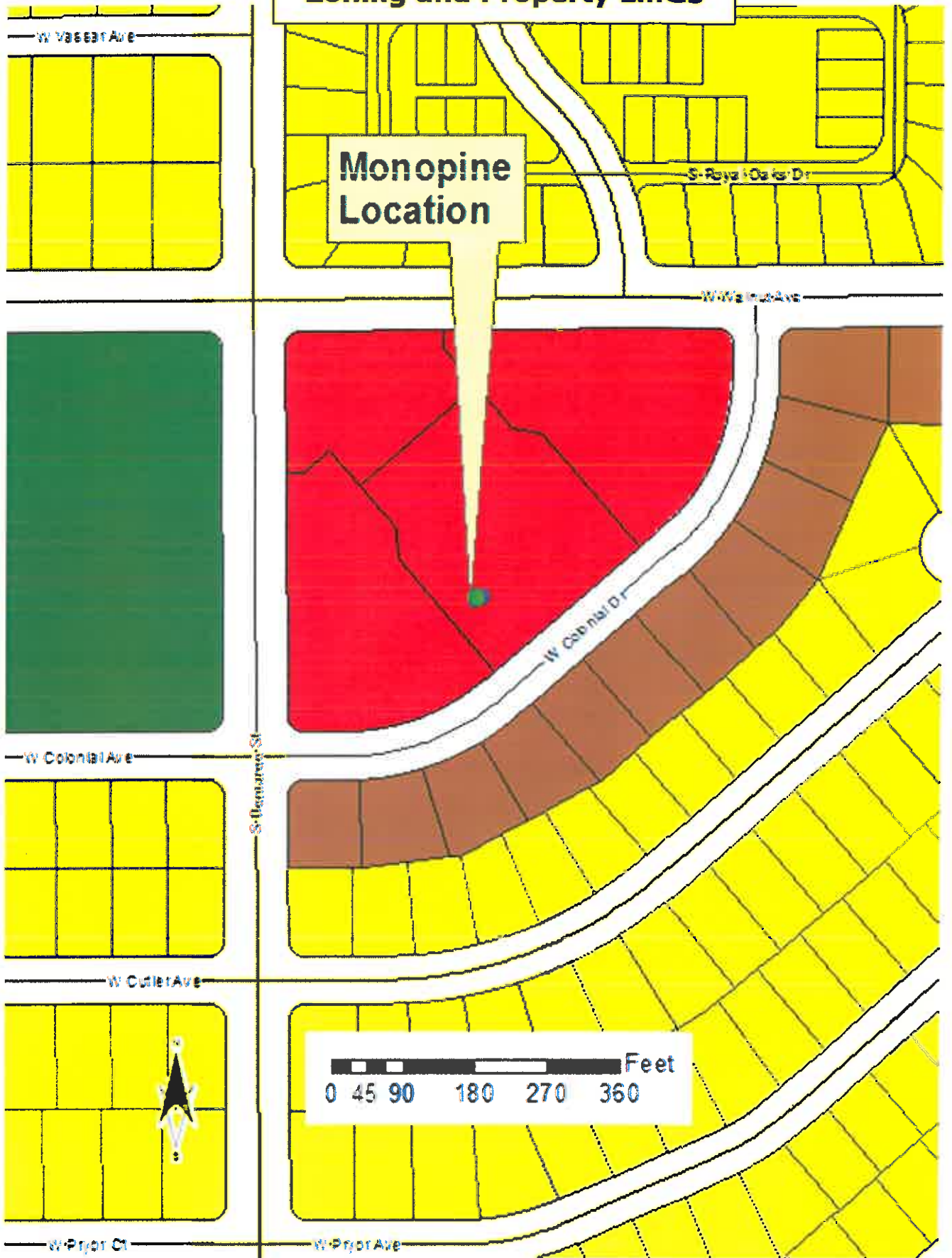


Exhibit - D

CONCLUSION

The selected location would satisfy the needs of Verizon, while having minimal impact on the surrounding area. This search ring is right in the middle of a residential neighborhood. There are limited locations where this much needed facility could be placed. Of the sites considered, this location satisfies all necessary criteria for building a Verizon Wireless facility. This is in a commercial shopping center and will be shielded from the street by trees. Of the potential locations, this site will provide the least impact to the surrounding area and will interfere the least with the use of the facility. All of the other locations would impact the current use of the facility. This location will not.

This tower is a monopine. This location at the colonial shopping center will have the least visually obstructive profile, will not detract from the beauty of character of the area, and will not cause a public safety issue. The tower has been proposed as a monopine. The location of the tower is in the side of the building. There will be limited foot traffic. This tower is in the back of the complex and is not next to the main entrance of the shopping center.

This location and tower design will meet all of the requirements of Wireless Telecommunication Ordinance. The tower will be concealed as a monopine. The location of the facility is in a commercial shopping center. This location will not impact the use of the property. It is in the back of the shopping center next to a vacant supermarket. There is no foot traffic nearby and access to the property will not be effected. The location will also result in the least intrusive visual impact to the area as it will be hundreds of feet from nearby roads. L



Whitendale & Demaree Best Server Plot – Before

Dominant server in circled area will be met.

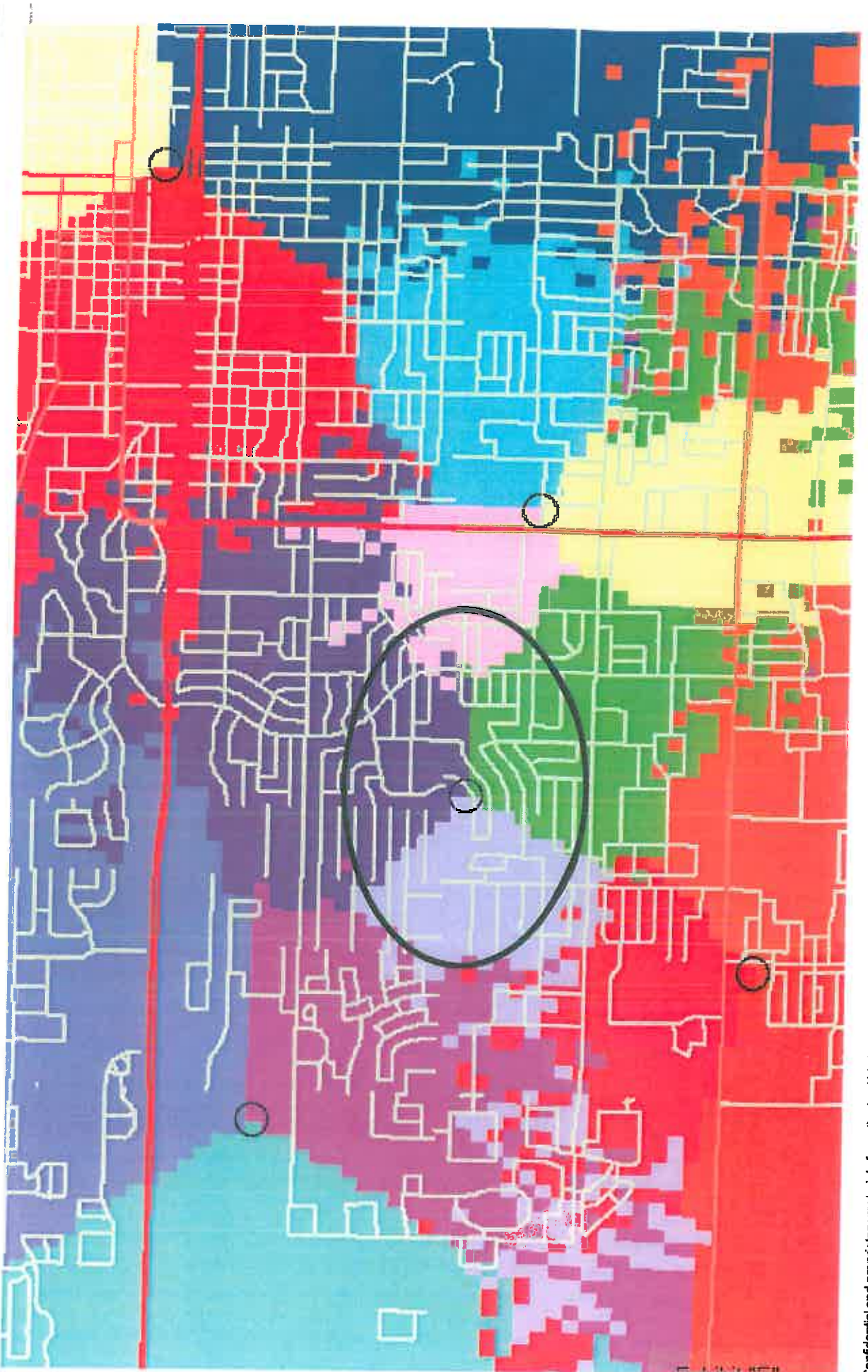


Exhibit "E"

On Behalf of



**DESCRIPTION AND ANALYSIS ALTERNATIVE LOCATIONS AND
OTHER CONSIDERATIONS RELATING TO A NEW WIRELESS
TELECOMMUNICATION FACILITY PURSUANT**

Verizon Wireless Communications Facility

Verizon Site Name "Whitendale & Demaree "

Verizon Location Number: 269256

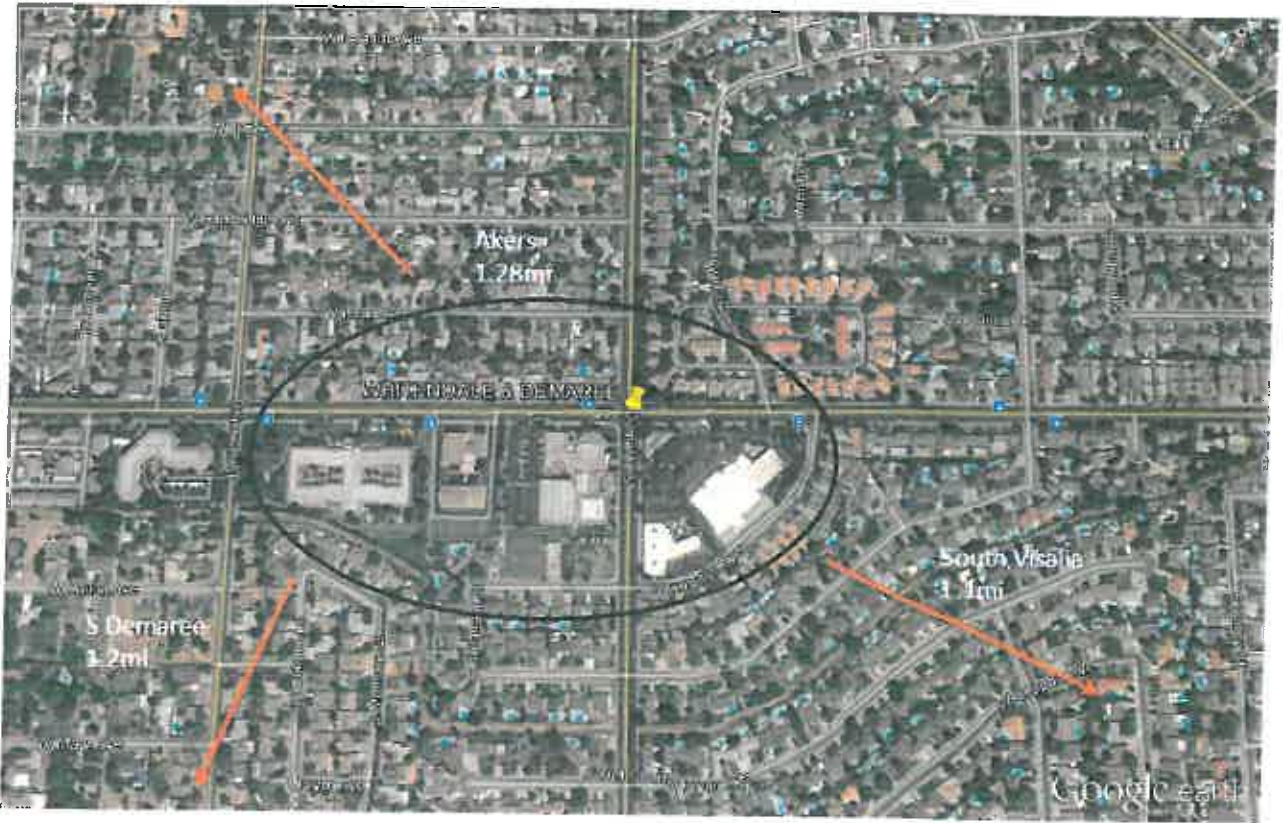
"Candidate Colonial Shopping Center "

3535 W. Walnut Avenue

Visalia , CA 93277

PROJECT NARRATIVE

SEARCH AREA



Verizon Wireless is proposing to build and maintain an unmanned wireless telecommunication facility (cell-site), consisting of an 18'x 35' square foot lease area, which will include a 70' foot monopine tower and outdoor equipment. This facility will be located in the Colonial Shopping center, off of S. Demaree St, within the City of Visalia's planning jurisdiction. The subject property, on which the telecommunication facility will be located, is on a 1.45 acre parcel and is a commercial shopping center. The proposed location is approximately 150 feet north of the nearest residence, 370 feet from W. Walnut Avenue, and approximately 250 feet from S. Demaree Street. This wireless facility will be constructed in the southern part of the shopping center, next to the vacant young's market. Maintenance consumes no more than several hours per month unless a system failure requires additional time.

Verizon's coverage objective for this search ring is to offload capacity at Verizon's existing sites, S. Demaree. The closest existing wireless facility is approximately 0.7 miles away. Therefore, this facility will enhance and expand the Verizon network in order to improve wireless communications service for its existing and prospective customers. After assessing its coverage needs, and surveying the area for existing towers on which to collocate, Verizon's radio frequency engineers determined that a new telecommunications facility—as opposed to collocating on an existing site—is necessary to fulfill their objectives. Based on their coverage objectives, Verizon's engineers formulated a search ring, centered on

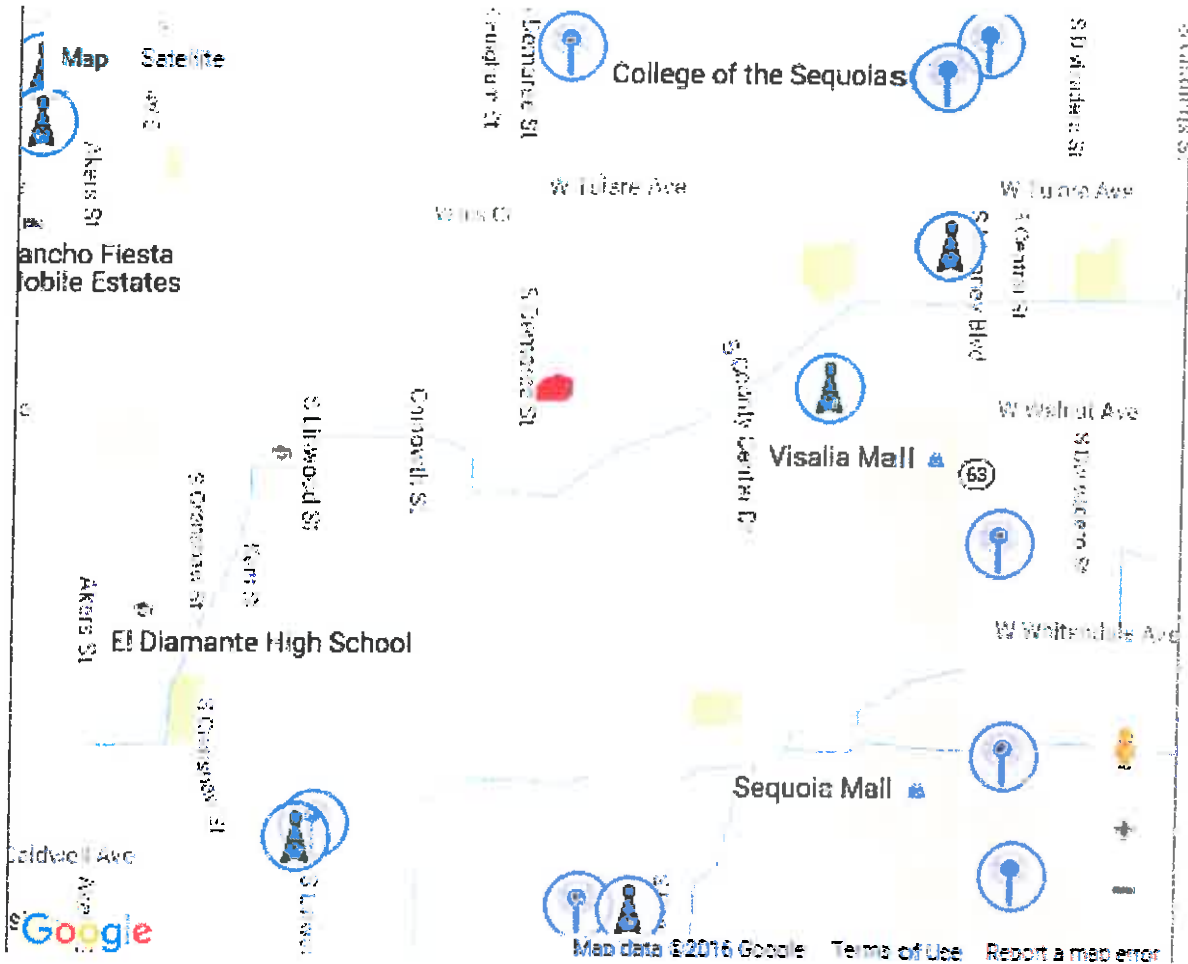
the W.Walnut Avenue and S. Demarree Street, identifying an area where a new-cell site will effectively fulfill their objectives.

This search ring is center on a heavily residential part of Visalia. There are only four potential locations within the search ring for this much needed wireless facility. Two the properties are churches, one is a senior residential facility and the other is a commercial shopping center. The Colonial Shopping center was chosen because it is the only commercial location and will cause the least amount of visual impact to the surrounding community.

This project was submitted to the Site Plan Review committee. Originally, a monopine was proposed. The city requested a slim line monopole, but a slim line will not allow the tower to be collocatable. Only a monopine will allow collocation which will provide space for a number of carriers without building more towers.

This location at the colonial shopping center will be the least visually obstructive profile, will not detract from the beauty of character of the area, and will not cause a public safety issue. The location of the tower is in the side of the building. There will be limited foot traffic.

DESCRIPTION OF POSSIBLE CO-LOCATIONS WITHIN A FOUR MILE RADIUS



The red house in the map identifies the search ring, with the subject property to the north of the search ring. Based on Verizon's coverage needs, a new cell-site within this area will effectively cover an underserved area along W.Walnut and N.Demaree. There are approximately 13 towers within 4 miles of this existing tower, however the closest existing tower is 0.7 miles away from the search ring. There is also a slimline monopine approximately 1 mile to the south. Each of these towers are too far from the search ring to provide adequate coverage. Therefore, to effectively meet its objectives Verizon wireless is proposing a new telecommunication facility in this particular location. Please see Verizon's radio engineer's coverage map below for further details on Verizon coverage and capacity requirements and objectives.

ALTERNATIVE SITE ANALYSIS



Above is a map showing the proposed site and the two (2) alternative sites (Yellow markers) that were considered for placing the telecommunications facility. Each Alternative Site is discussed below:

ALTERNATIVE B

"Park Visalia Senior Living"- 3939 W. Walnut Ave Visalia, CA 93277

Latitude/Longitude: 36 18 41.61N 119 20 02.79W

Proposal- New Monopine



Considerations: This is a senior residential facility and is owned by Park Visalia Senior Living LLC, the property is zoned Quasi-public . The identified lease space is located in the back of the property next

the parking lot. The proposed lease area would be approximately 180 feet from the residential facility and 98 feet to the closet residence. There is a residential neighborhood immediately to the south of the proposed lease area. This Candidate was ranked 2nd in preference by Verizon's engineers due to its location, which would not provide as effective coverage as the chosen location. Additionally, this location was close to residential and the visual impact would be greater than the other locations.

ALTERNATIVE C- Faith Baptist Church

3833 W. Walnut Ave, Visalia, CA 93277

Latitude/Longitude: 36 18 42.25N 119 19 59.39W

Proposal-New monopine tower



Considerations: The proposed tower would be located in the parking lot of Faith Baptist Church of Visalia. The proposed lease area would be in the southwest corner of the parking lot. The proposed lease area would be only 68 feet from the nearest residence, and next to a basketball court. It is also close to a preschool facility. Like the Park Visalia candidate, this tower would be visible to the nearby residential. This location would have been next to a basketball court and would also be visible to the nearby preschool. This candidate is more likely to impact the use of the property as it is next to a basketball court and is in the parking lot of a church.

Exhibit - F

To the Planning Commission Board,

We have received notice of a public hearing regarding the installation of a Verizon Cell Tower in our neighborhood. We would like to register our complaint and wish to vote against this project.

Thank you for your help in this matter.

Joe and Norma Ivey





MEETING DATE August 5, 2015
SITE PLAN NO. 15-123
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 *C.U.P.* PARK/RECREATION
 - HISTORIC PRESERVATION OTHER _____

ADDITIONAL COMMENTS _____

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

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: August 5, 2015

SITE PLAN NO: 2015-123
PROJECT TITLE: SAC WIRELESS/VERIZON WIRELESS
DESCRIPTION: UNMANNED TELECOMMUNICATIONS FACILITY WHICH WILL
CONSIST OF A 70' TALL MONOPINE IN A 18' X 35' LEASE AREA (CN)
(AE) (H)
APPLICANT: BEAUMONT RYAN-SAC WIRELESS
PROP. OWNER: COLONIAL SHOPPING CENTER LP
LOCATION TITLE: 3535 W WALNUT AVE
APN TITLE: 121-181-004
GENERAL PLAN: Neighborhood Commercial
EXISTING ZONING: N-C – Neighborhood Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit for the cell tower
- A Variance to height (height established at 60-ft)
- Comply with the Wireless Telecommunication Ordinance
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: 07/29/2015

1. Staff has reviewed the new cell tower request against the Wireless Telecommunication Ordinance. Prior to filing the CUP application, staff is requesting photo-simulations for both the proposed monopine cell tower and a slimline cell tower.
2. As required by the Wireless Telecommunication Ordinance, concealed cell towers are required unless specific findings pursuant to Section 17.32.163.E can be made (see below). Staff's initial concern is the proposed monopine cell tower design does not appear to reduce the visual impact of the cell tower due to commercial shopping centers lack of large trees. Staff is requesting the applicant demonstrate that these structures will blend in with the surrounding neighborhood prior to filing the CUP application.
3. Staff is also requesting that the applicant provide photosimulations of a cell tower design using a slimline pole and antenna array that are closer to the pole reducing their visual impact. Staff will compare this design with monopine design to determine if this slimline is visually less intrusive.
4. Staff will review both photosimulations to determine which design reduces the visual impact to the surrounding area.
5. Provide the following documentation with the CUP application submittal: Gap Coverage Analysis (i.e., service network coverage area maps), Photo simulations of compatible tower for the area, alternative site analysis, elevations of cell tower and site plan.
6. A Variance to height and setbacks is required pursuant to Section 17.32.163.D & E. (see below). The applicant shall provide responses to the five variance findings to address the request for additional height and reduced setbacks.
7. The height limit for this shopping center has been established at 60-ft. The setback requirements for cell towers is established at a 1:5 ratio.

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: "K" [17.30.270]

The following development standards shall apply to property located in district K.

New development of property within this district shall comply with the conditions of approval of the applicable planned unit development permit. New development of property not situated within a planned unit development shall conform with development standards as determined by the site plan review committee as provided in Section 17.18.020.

C. Setbacks.

1. *Full Zone Setback.* In order to ensure public safety, all new Wireless Telecommunication Facilities shall maintain a setback at a 1:5 ratio, measured from property lines, based on the height of the cell tower, including any Antenna or Antenna Array attached thereto. All new Wireless Telecommunication Facilities shall also meet the minimum setback requirements of the underlying design district.
2. *Variance.* Setbacks for Wireless Telecommunication Facilities may be modified if the requirements of Chapter 17.42 can be satisfied and the applicant can demonstrate that the Siting for the proposed Wireless Telecommunication Facility will be the least visually obtrusive profile, will not detract from the beauty and/or character of the area in which it is proposed to be located, and will not cause a public safety issue.

D. Height Limits for New Wireless Telecommunication Facilities.

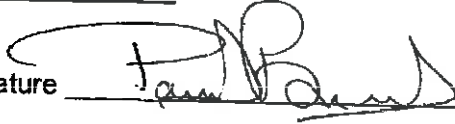
Maximum Height	
Type of Facility	Maximum Height
Concealed & Attached to Building	Shall not exceed the height of the structure on which the Attached Wireless Telecommunication Facility is attached by more than 25 feet.
Non-concealed Attached to Building	Shall not exceed the height of the structure on which the Attached Wireless Telecommunication Facility is attached by more than 25 feet.
Freestanding Tower	Shall not exceed the height of the Design District in which the Wireless Telecommunication Facility is located by more than 25 feet.
Collocation on Existing Buildings and Structures (Legal Nonconforming)	An Attached Wireless Telecommunication Facility may locate on a building or structure that is legally non-conforming with respect to height, provided that the facility does not project above the existing height by more than 25 feet.

Height Limit Exception. The Planning Commission may approve additional height beyond the maximum allowed subject to the provisions Chapter 17.42 (Variance and Exceptions) of the Visalia Zoning Ordinance.

- E. Concealed Wireless Telecommunications Facilities Required.** All new Wireless Telecommunication Facilities are required to be Concealed. A Wireless Telecommunication Facility that is not Concealed may be permitted so long as the following findings can be met:
1. The Siting of the proposed Wireless Telecommunication Facility will not adversely impact the use of the property, other buildings and structures on the property, or the surrounding area or neighborhood.
 2. The Siting of the proposed Wireless Telecommunication Facility will result in the least intrusive visual impact to the area.
 3. To the maximum extent reasonably feasible, the proposed Wireless Telecommunications Facility has been designed to blend with the surrounding area and is appropriately designed for the specific site.
- G. Concealed Wireless Telecommunication Facility Options.**
1. The use of so-called "monopines, monopalms and other mono-trees" to Conceal Wireless Telecommunication Facilities shall be evaluated during the Planned Development Permit process. The applicant shall demonstrate that these structures will blend in with the surrounding neighborhood in order to be considered. Photo simulations are required for a proposed mono-tree. The City Planner may condition additional architectural features (monopine, monopalm, horizontal installation, application of color) to a Wireless Telecommunication Facility to ensure compatibility with the surrounding physical environment. Due to environmental factors such as wind, rain and sun, the owner/applicant shall conduct an annual inspection on all mono-trees to ensure that the faux foliage continues to resemble a tree, and fully screens all Antennas, Antenna Arrays, Mounts, Ancillary Structures and/or Support Equipment. All mono-tree designs shall incorporate appropriate three-dimensional bark cladding, and shall provide for screening foliage to extend beyond all Antennas by no less than 24 inches. The design, number and placement of any branch-like structures affixed to the tower shall insure adequate camouflaging of the Antennas, Antenna Arrays, Mounts, Ancillary Structures and/or Support Equipment.
 2. The use of alternative structures, including but not limited to such structures as a church cross, statue, light pole, flagpole, architectural feature such as a clock tower, shall be subject to the Planned Development Permit process as described in subsection (1) above. Consideration as to when a Wireless Telecommunication Facility may be Concealed using an "alternative structure" will be based upon the extent to which it is designed to internally house Antennas, Antenna Arrays, Mounts, Ancillary Structures, and/or Support Equipment.
- 8. Drawings and Photos Required.** A plan or drawing depicting the size and configuration of the property where the Wireless facility is proposed, and the size and location of existing improvements or features (buildings, driveways, sidewalks) depicting what currently exists and what physical changes are proposed. Elevation drawings shall depict all mast dimensions, placement and design features, and provide dimension to the apex of the pole from the finish grade. Accurate and reliable photos of the project site prior to the project installation or modification, and accurate and reliable photo simulations of all elements of proposed Wireless Telecommunication Facility installation shall be provided.

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

A handwritten signature in black ink, appearing to read "Paul Davis", is written over a horizontal line. The signature is stylized with a large initial "P" and "D".

City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 1 DATE: August 06, 2015
SITE PLAN NO: SPR15123
PROJECT TITLE: SAC WIRELESS/VERIZON WIRELESS
DESCRIPTION: UNMANNED TELECOMMUNICATIONS FACILITY WHICH WILL CONSIST OF A 70' TALL MONOPINE IN A 18' X 35' LEASE AREA (CN) (AE) (H)
APPLICANT: BEAUMONT RYAN-SAC WIRELESS
PROP OWNER: COLONIAL SHOPPING CENTER LP
LOCATION: 3535 W WALNUT AVE
APN(S): 121-181-004

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

- Business Tax Certification is required. *For information call (559) 713-4326*
- A building permit will be required. *For information call (559) 713-4444*
- Submit 4 sets of professionally prepared plans and 2 sets of calculations. ~~Small Tenant Improvements~~
- Submit 4 sets of plans prepared by an architect or engineer. Must comply with 2013 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking, common area and public right of way must comply with requirements for access for persons with disabilities.
- Multi family units shall be accessible or adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required clearance from San Joaquin Valley Air Pollution Board. Prior to any demolition work
For information call (661) 392-5500
- Location of cashier must provide clear view of gas pump island
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-7400*
- Project is located in flood zone _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$151.90) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.54 per square foot. Residential \$3.48 per square foot.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments
- See previous comments dated: _____

Special comments: _____


Signature

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

SITE PLAN NO: SPR15123
PROJECT TITLE: SAC WIRELESS/VERIZON WIRELESS
DESCRIPTION: UNMANNED TELECOMMUNICATIONS FACILITY WHICH WILL CONSIST OF A 70' TALL MONOPINE IN A 18' X 35' LEASE AREA (CN) (AE) (H) BEAUMONT RYAN-SAC WIRELESS
APPLICANT: COLONIAL SHOPPING CENTER LP
PROP OWNER:
LOCATION: 3535 W WALNUT AVE
APN(S): 121-181-004

COMMERCIAL BIN SERVICE

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

[]

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

[]

**QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS**

ITEM NO: 1 DATE: August 05, 2015
SITE PLAN NO: SPR15123
PROJECT TITLE: SAC WIRELESS/VERIZON WIRELESS
DESCRIPTION: UNMANNED TELECOMMUNICATIONS FACILITY
 WHICH WILL CONSIST OF A 70' TALL MONOPINE IN
 A 18' X 35' LEASE AREA (CN) (AE) (H)
APPLICANT: BEAUMONT RYAN-SAC WIRELESS
PROP OWNER: COLONIAL SHOPPING CENTER LP
LOCATION: 3535 W WALNUT AVE
APN(S): 121-181-004

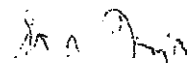
YOU ARE REQUIRED TO COMPLY WITH THE CITY OF VISALIA WASTEWATER ORDINANCE 13.08 RELATIVE TO CONNECTION TO THE SEWER, PAYMENT OF CONNECTION FEES AND MONTHLY SEWER USER CHARGES. THE ORDINANCE ALSO RESTRICTS THE DISCHARGE OF CERTAIN NON-DOMESTIC WASTES INTO THE SANITARY SEWER SYSTEM.

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER – ¾ HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED – NO COMMENTS

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

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



AUTHORIZED SIGNATURE

8-5-15

DATE

FORM NO: 1

DATE: August 05, 2015

SITE PLAN NO:

SPR15123

PROJECT TITLE:

SAC WIRELESS/VERIZON WIRELESS

DESCRIPTION:

UNMANNED TELECOMMUNICATIONS FACILITY WHICH WILL CONSIST OF A 70' TALL MONOPIRE IN A 18' X 35' LEASE AREA (CN) (AE) (H) BEAUMONT RYAN-SAC WIRELESS

APPLICANT:

COLONIAL SHOPPING CENTER LP

PROP OWNER:

3535 W WALNUT AVE

LOCATION:

APN(S):

121-181-004

City of Visalia Police Department

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

Site Plan Review Comments



No Comment at this time.



Request opportunity to comment or make recommendations as to safety issues as plans are developed.



Public Safety Impact fee:
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
Effective date - August 17, 2001

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



Not enough information provided. Please provide additional information pertaining to:



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



Access Controlled / Restricted etc:



Lighting Concerns:



Landscaping Concerns:



Traffic Concerns:



Surveillance Issues:

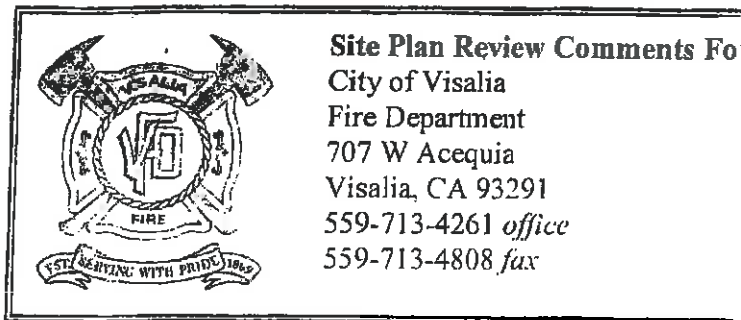


Line of Sight Issues:



Other Concerns:

B WINTER L98



ITEM NO: 1 DATE: August 05, 2015
 SITE PLAN NO: SPR15123
 PROJECT TITLE: SAC WIRELESS/VERIZON WIRELESS
 DESCRIPTION: UNMANNED TELECOMMUNICATIONS FACILITY WHICH WILL CONSIST OF A 70' TALL MONOPINE IN A 18' X 35' LEASE AREA (CN) (AE) (H) BEAUMONT RYAN-SAC WIRELESS
 APPLICANT: COLONIAL SHOPPING CENTER LP
 PROP OWNER: 3535 W WALNUT AVE
 LOCATION: 121-181-004
 APN(S):

The following comments are applicable when checked:

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

General:

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*
- A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.) *2013 CFC 506.1*
- All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, bolt locks, and panic and fire exit hardware.
- Provide illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*
- When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. 2013 CFC 304.3.3
- If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on *Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2013 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

Water Supply:

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

Emergency Access:

- A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding 75,000 pound piece of fire apparatus, and shall provide access to within 100 feet of temporary or permanent fire department connections. *2013 CFC 3310*

- Buildings or portions of buildings or facilities with a vertical distance between the grade plans and the highest roof surface exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. *2013 CFC D105*

- A fire apparatus access roads shall be provide and must comply with the CFC and extend to within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. *2013 CFC 503.1.1*

- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Length 151-500 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.

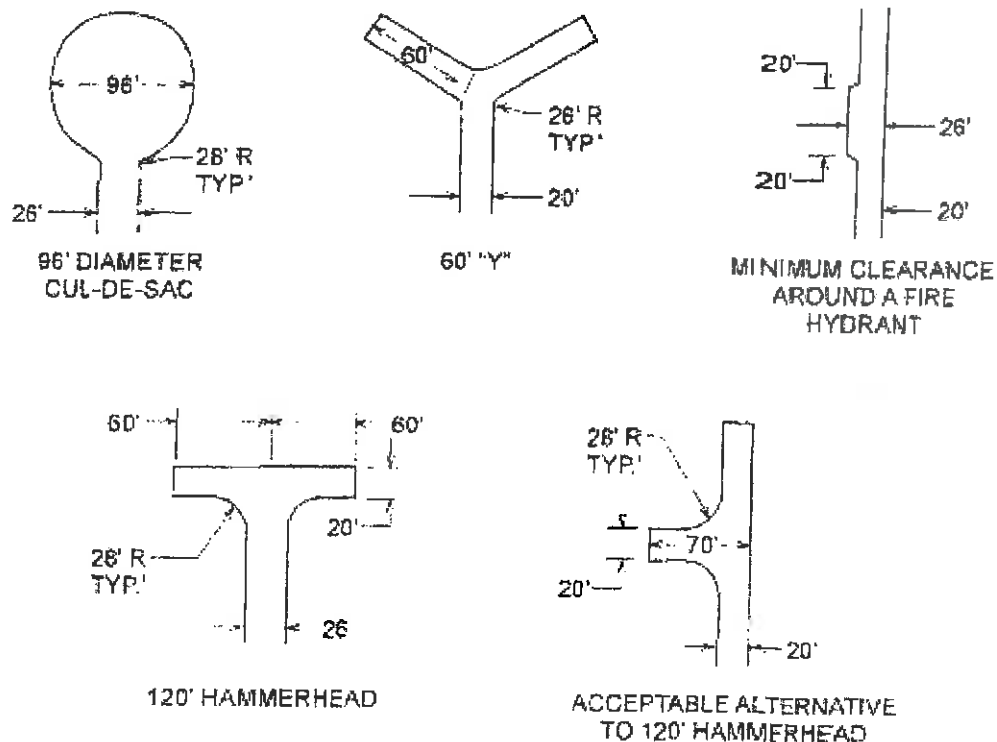


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

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


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

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

Fire Protection Systems:

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

Special Comments:



Maribel Vasquez
Fire Inspector

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

Jason Huckleberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 1 DATE: AUGUST 5, 2015

SITE PLAN NO.: 15-123
PROJECT TITLE: SAC WIRELESS/VERIZON WIRELESS
DESCRIPTION: UNMANNED TELECOMMUNICATIONS FACILITY WHICH WILL CONSIST OF A 70' TALL MONOPINE IN A 18' X 35' LEASE AREA (CN) (AE) (H)

APPLICANT: BEAUMONT RYAN-SAC WIRELESS
PROP OWNER: COLONIAL SHOPPING CENTER LP
LOCATION: 3535 W WALNUT AVE
APN: 121-181-004

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: **MAINTAIN EXISTING** width; parkway width at
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required. FOR ANY WORK NECESSARY IN PUBLIC RIGHT-OF-WAY**
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ : _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.

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

Additional Comments:

- 1. Comply with City and ADA standards.**
- 2. Maintain min. 25' drive aisle width from existing curb on west end to new chain link fence.**
- 3. Building permit plan check and inspection fees apply.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 15-123
Date: 8/5/2015

**Summary of applicable Development Impact Fees to be collected at the time of building permit:
(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)**

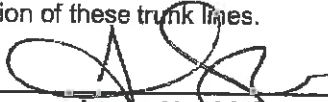
(Fee Schedule Date: 7/7/2015)
(Project type for fee rates:)

Existing uses may qualify for credits on Development Impact Fees.

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

Reimbursement:

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



 Jason Huckloberry
 ADRIAN RUBALCABA

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

August 5, 2015

ITEM NO: 1
SITE PLAN NO: SPR15123
PROJECT TITLE: SAC WIRELESS/VERIZON WIRELESS
DESCRIPTION: UNMANNED TELECOMMUNICATIONS FACILITY WHICH WILL CONSIST OF A 70' TALL MONOPINE IN A 18' X 35' LEASE AREA (CN) (AE) (H)
APPLICANT: BEAUMONT RYAN-SAC WIRELESS
PROP. OWNER: COLONIAL SHOPPING CENTER LP
LOCATION: 3535 W WALNUT AVE
APN(S): 121-181-004

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

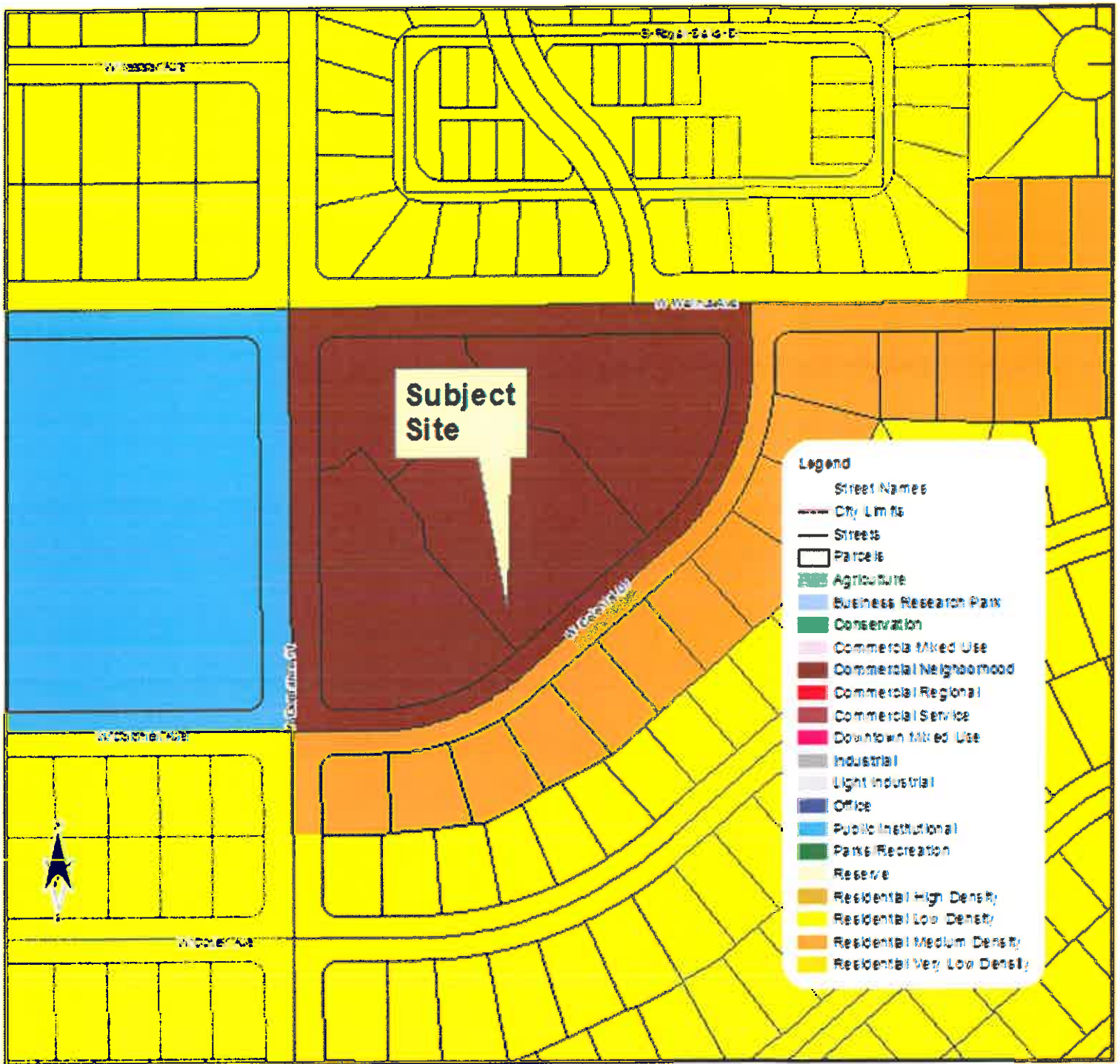
- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis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

Additional Comments:



Leslie Blair

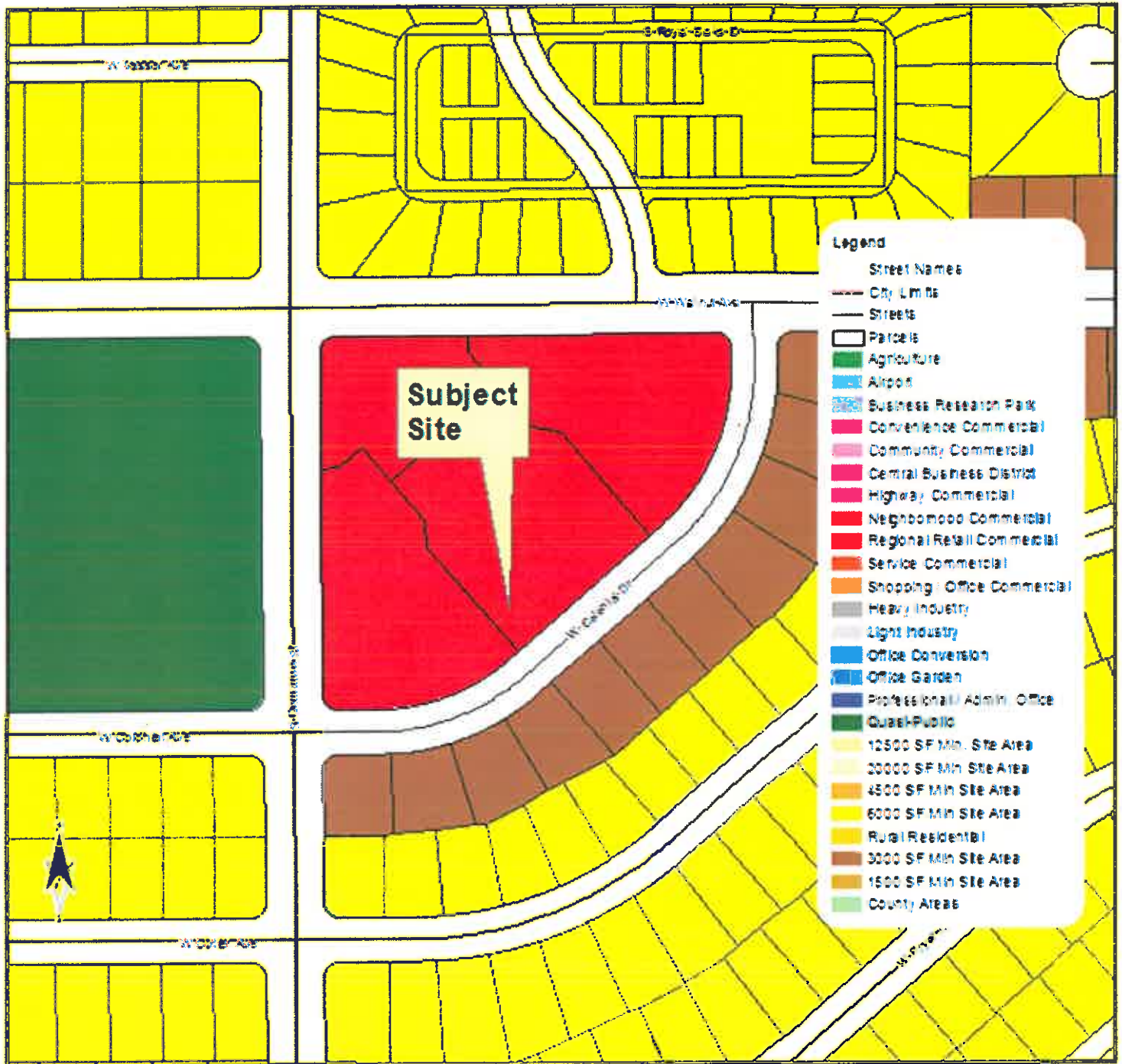
City of Visalia



Land Use Designations

0 40 80 160 240 320 Feet

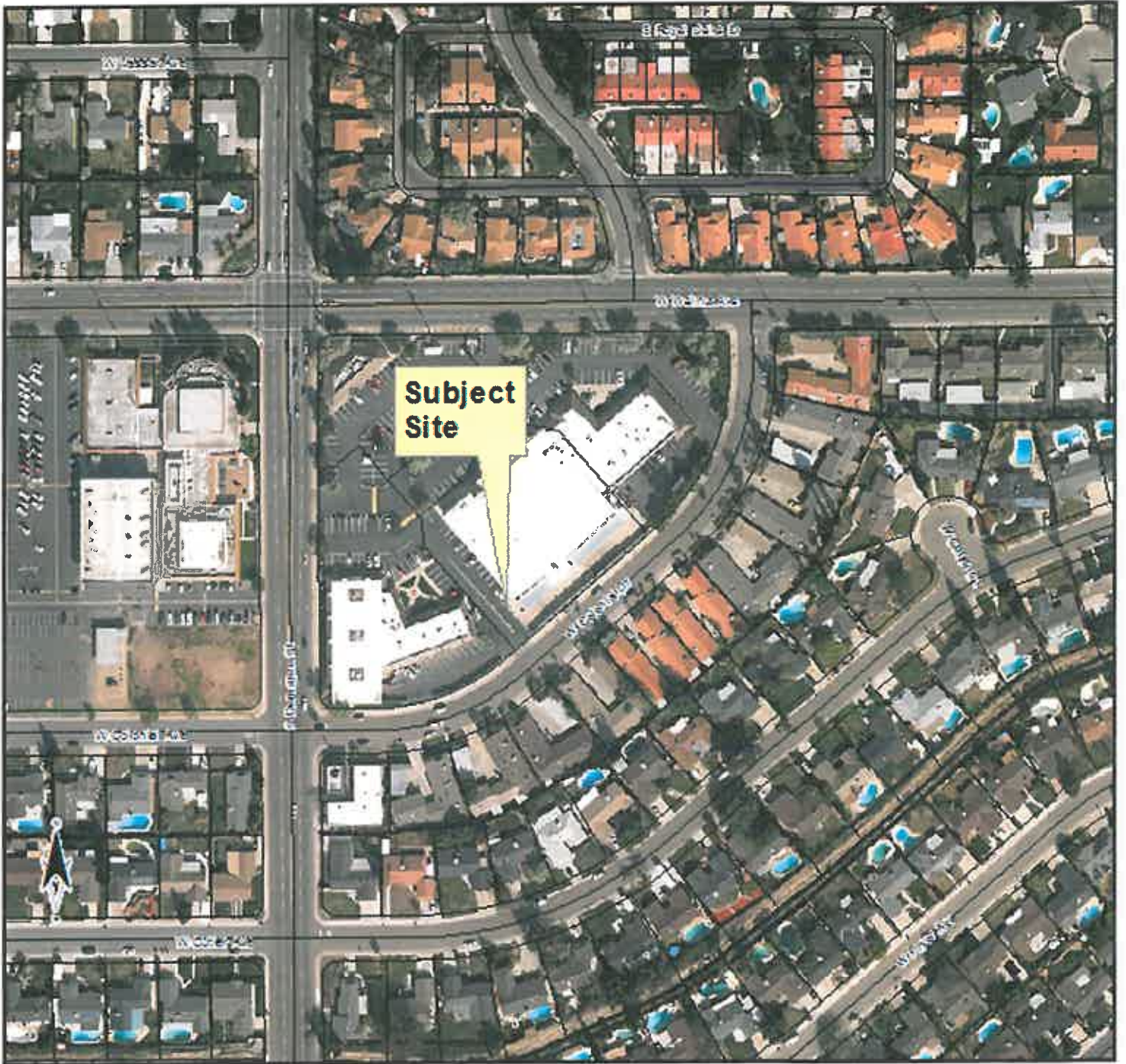
City of Visalia



Zoning Designations



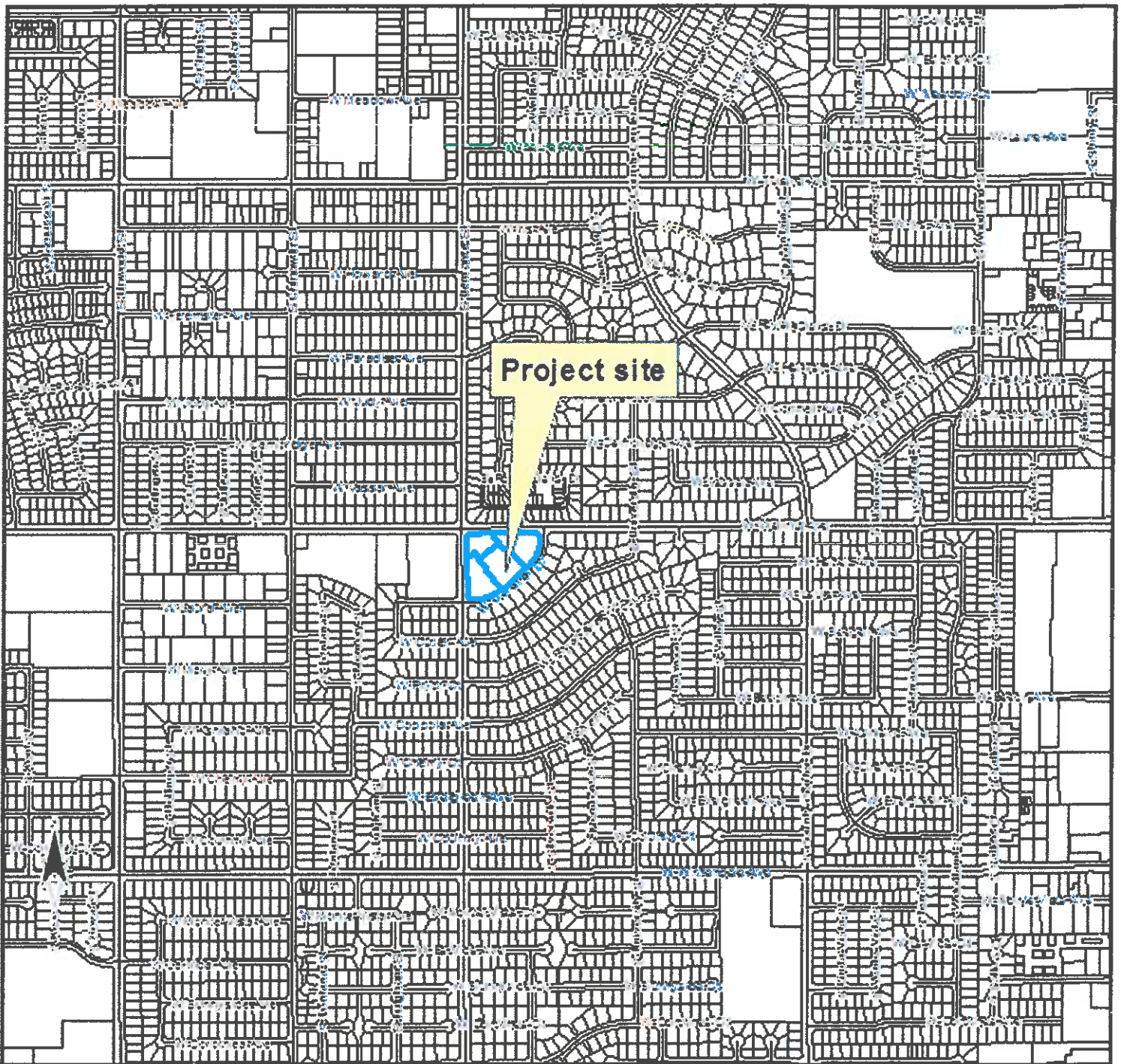
City of Visalia



Aerial Photo



City of Visalia



Location Map



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 27, 2017

PROJECT PLANNER: Brandon Smith, Senior Planner
Phone: (559) 713-4636; brandon.smith@visalia.city

SUBJECT: Conditional Use Permit No. 2017-03: A request by Dye Hard Social Club (Joe Luis, property owner), to allow a beauty salon within a 900 square foot suite in the PA (Professional / Administrative Office) zone. The project site is located at 911 W. Center Avenue, on the south side of Center Avenue between Jacob and Conyer Streets. (APN: 093-225-003)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2017-03 based upon the findings and conditions in Resolution No. 2017-06. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

RECOMMENDED MOTION

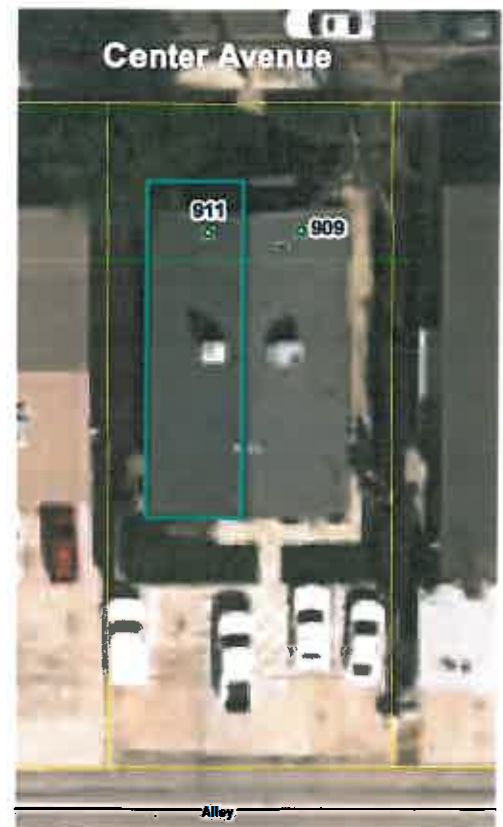
I move to approve Conditional Use Permit No. 2017-03 based on the findings and conditions in Resolution No. 2017-06.

PROJECT DESCRIPTION

The applicant is requesting approval of a two station beauty salon in the PA (Professional / Administrative Office) zone. As shown in Exhibit "A", the business will be in a 900 sq. ft. suite in an existing two suite residential office conversion. The salon will be operated by two persons with two regular work stations and separate washing and nail work stations as described in the Operational Statement in Exhibit "B". Business hours will be Tuesday through Saturday, 10:00 a.m. to 6:00 p.m.

The other half of the building (909 W. Center Avenue) is currently occupied by a beauty salon approved separately by Conditional Use Permit No. 2009-19 in 2009. There is a parking lot at the rear of the building accessed from the alley and providing handicap and standard parking stalls. The site is an existing residential office conversion which met parking requirements for the original conversion for general office use.

There are no exterior alterations proposed to the site or structure.



BACKGROUND INFORMATION

General Plan Land Use Designation:	Office
Zoning:	PA (Professional Administrative Office)
Surrounding Land Uses and Zoning:	North: PA / Office South: PA / Office East: PA / Apartment – multi-family residences West: PA / Office
Environmental Review:	Categorical Exemption No. 2017-06
Design District	“C”
Special Districts:	Historic District
Site Plan:	2015-091

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 adjoining suite at 909 W. Center Avenue contains a two-station beauty salon that was approved by the Planning Commission as Conditional Use Permit No. 2009-19 on March 23, 2009.

The Planning Commission approved Conditional Use Permit No. 2014-20 on June 23, 2014, for a two-station beauty salon at 917 W. Center Avenue located on the same block two parcels to the west. This building is also an existing two suite residential office conversion.

PROJECT EVALUATION

Staff recommends approval of Conditional Use Permit No. 2017-03, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

Beauty salons are allowed as a conditional use in the PA zoning designation. The proposed location is a residential office conversion mostly surrounded by other office uses. The Planning Commission has previously approved conditional use permits for beauty salons in the PA zone including inside residential office conversions. Impacts of beauty salons to surrounding office and residential uses have historically been minimal, particularly when a beauty salon has similar parking requirements to an office that could occupy the same space. The proposed salon has been operating at this space since 2015 follow review by the Site Plan Review Committee as a non-conforming land use.

Facility Operation

The beauty salon will be established for two stylists as described in the Operational Statement in Exhibit “B”. There will be two hair stations and separate washing and nail stations that will be shared by the two stylists. The operational statement in Exhibit “B” and floor plan in Exhibit “A” provide additional information.

Parking Requirement

The previous office use in this suite has a credit of four parking stalls, which is the required parking for a two station beauty salon, two stalls per work station. The number stations in the current proposal has been reduced from the five indicated in the original Site Plan Review application to two.

The beauty salon could have additional chairs / hair stations, although the parking required for additional stations would be assessed through the payment of Parking In-Lieu fees. The property is located within Parking Zone 'A' that allows for any of the site's required parking to be met through the payment of Parking In-Lieu fees instead of providing the on-site parking requirement.

Parking Lot Improvements

A parking lot layout consisting of tandem parking stalls and one handicap parking stall (nine stalls total) was adopted with Conditional Use Permit No. 2009-19, approved for the beauty salon located in the neighboring suite (see Exhibit "C"). The parking lot existing on the site today consists of five parking spaces and does not conform to CUP No. 2009-19's adopted parking lot. This parking lot will need to be established to fit the two tenants' combined parking requirement (eight stalls total) on the site without paying Parking In-Lieu fees.

Staff is recommending a condition of approval that the site's parking requirement must be met by either improving the back parking lot as shown in Exhibit "C" or by paying Parking In-Lieu fees to meet the parking requirement.

Historic Preservation Advisory Committee Review

The property is located within a historic district and is identified as a "bungalow"-style background structure on the City's Local Register of Historic Structures. The duties of the City's Historic Preservation Advisory Committee, as specified in Zoning Ordinance Section 17.56.050, include reviewing all proposed zoning actions (including Conditional Use Permits) within the historic district and making a recommendation on the application "based upon the expected impact of the proposed zoning action on the historic or architectural significance of the affected structure(s), neighborhood, or the entire historic district."

The Committee reviewed this item at their February 22nd meeting, and made a recommendation (5-0, one member absent) for approval of the Conditional Use Permit.

Environmental Review

The requested action is considered Categorical Exempt under Section 15303 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), for the conversion of existing small structures from one use to another. (Categorical Exemption No. 2017-06)

RECOMMENDED FINDINGS

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

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-06).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the use be operated in substantial compliance with the comments from the approved Site Plan Review No. 2015-91.
2. That the use be operated in substantial compliance with the floor plan in Exhibit "A" and operational statement in Exhibit "B".
3. That substantial changes to the floor plan or operation statement, including but not limited to increasing the number of chairs or stations, shall be reviewed by the Site Plan Review Committee to determine consistency with the Conditional Use Permit.
4. That within sixty (60) calendar days of the effective date of the Conditional Use Permit, the site's parking requirement shall be met by either a) improving the back parking lot with tandem and accessible parking stalls as shown in Exhibit "C", or b) by paying Parking In-Lieu fees for the balance of the site's required parking. Any improvements to the back parking lot shall first be approved by the City Engineering Division prior to commencing work.
5. That all other Federal, State, Regional, and City codes and ordinances be met.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-03.

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 220 N. Santa Fe Street. 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.

Attachments:

- Related Plans & Policies
- Resolution No. 2017-07
- Exhibit "A" – Floor Plan
- Exhibit "B" –Operational Statement
- Exhibit "C" – Site Plan / Parking Layout Adopted with Conditional Use Permit No. 2009-19
- Site Plan Review Comments Item No. 2015-091
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

Related Plans & Policies

Zoning Ordinance, Title 17 of Visalia Municipal Code

Excerpts from Chapter 17.38: Conditional Use Permits

17.38.010 Purposes and powers.

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

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional 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)

Excerpts from Chapter 17.56: Historic Preservation District

17.56.050 Creation of historic preservation advisory committee.

C. Duties and Responsibilities. The historic preservation advisory committee shall review applications only as specified in this chapter, consistent with the rules and regulations adopted from time to time by resolution of the city council (as referred to in Section 17.56.050(B)). Applications shall be approved or disapproved based solely on the considerations set forth in this chapter. It is the intent of this chapter that the historic preservation advisory committee shall encourage applicants to make alterations and repairs to structures in the spirit of the architectural style of the structure. The duties and responsibilities of the historic preservation advisory committee shall include the following:

1. It shall be the duty of the historic preservation advisory committee to review all proposed zoning actions (zone changes, conditional use permits, special zoning exceptions, planned unit developments and variances) within the historic district. The committee may recommend approval, conditional approval, modification or disapproval of an application based upon the expected impact of the proposed zoning action on the historic or architectural significance of the affected structure(s), neighborhood, or the entire historic district. The committee's recommendation shall be forwarded to the planning commission for its consideration.

2. It shall be the duty of the historic preservation advisory committee to review all applications for planned development permits within the historic district for compliance with the provisions of this chapter. Items which shall be subject to review by the committee include but are not limited to vehicular access, location and screening of parking, setbacks, location of service use areas, walls and landscaping. The committee may recommend approval,

conditional approval, disapproval or resubmittal of the planned development permit application. The committee's recommendation shall be forwarded to the site plan review committee for its consideration.

3. It shall be the duty of the historic preservation advisory committee to review all applications for the construction or exterior alteration or enlargement of structures within the historic district or for structures located outside the historic district and listed as "exceptional" or "focus" structures on the local register. The committee shall have the power to approve, modify or disapprove such applications before a building permit can be issued, subject to the provisions of Sections 17.56.100 and 17.56.110.

4. It shall be the duty of the historic preservation advisory committee to review all applications for sign permits within the historic district or for properties located outside the historic district and listed as "exceptional" or "focus" on the local register. The committee may recommend approval, conditional approval or denial of the sign permit application based upon the proposed design and/or materials, but not upon the proposed size or location. The application shall then be presented to the proper issuing authority for sign permits, pursuant to Chapter 17.48. Sign permits shall be issued only in compliance with the recommendation of the committee. Approval by the committee in no way implies approval by the issuing authority for sign permits, whose approval must also be secured pursuant to Chapter 17.48.

5. It shall be the duty of the historic preservation advisory committee to review all applications for the moving or demolition of structures listed on the local register. The committee shall have the power to approve, conditionally approve, or disapprove such applications, subject to the provisions of Section 17.56.130.

6. It shall be the duty of the historic preservation advisory committee to compile and update the historic survey and inventory, and to nominate properties to the local register and the National Register of Historic Places. In selecting properties for nomination to the local register, the board shall consider:

- a. Architectural significance and style;
- b. Historic significance, including age of structure, original owners, and events related to the structure, site or original owners.

The committee shall review the local register annually, make recommendations for the addition or deletion of structures or sites, and submit said recommendations to the planning commission and city council for certification.

7. Permits may be issued for air conditioners, electrical work and plumbing work which is visible from a public right-of-way when the chief building official determines that the work insignificantly affects the exterior of a structure, or that reasonable alternatives as to location or screening have been employed. The building official may forward to the historic preservation advisory committee applications for permits for this type of work when it appears that the appearance of a structure may be significantly altered.

This subsection shall not apply to the following types of permit applications:

1. Reroofing with like materials;
2. Residing with like materials;
3. Swimming pools;
4. Masonry repairs with like materials;
5. Chimney repair with like materials. (Ord. 2008-11 § 1, 2008; Ord. 2001-13 § 4 (part), 2001: prior code § 7704)

RESOLUTION NO. 2017-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-03: A REQUEST BY DYE HARD SOCIAL CLUB (JOE LUIS, PROPERTY OWNER), TO ALLOW A BEAUTY SALON WITHIN A 900 SQUARE FOOT SUITE IN THE PA (PROFESSIONAL / ADMINISTRATIVE OFFICE) ZONE. THE PROJECT SITE IS LOCATED AT 911 W. CENTER AVENUE, ON THE SOUTH SIDE OF CENTER AVENUE BETWEEN JACOB AND CONYER STREETS. (APN: 093-225-003)

WHEREAS, Conditional Use Permit No. 2017-03 is a request by Dye Hard Social Club (Joe Luis, property owner), to allow a beauty salon within a 900 square foot suite in the PA (Professional / Administrative Office) zone. The project site is located at 911 W. Center Avenue, on the south side of Center Avenue between Jacob and Conyer Streets. (APN: 093-225-003); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 27, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds Conditional Use Permit No. 2017-03, as conditioned by staff, to be in accordance with Section 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the project is considered Categorically Exempt under Section 15303 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2017-06).

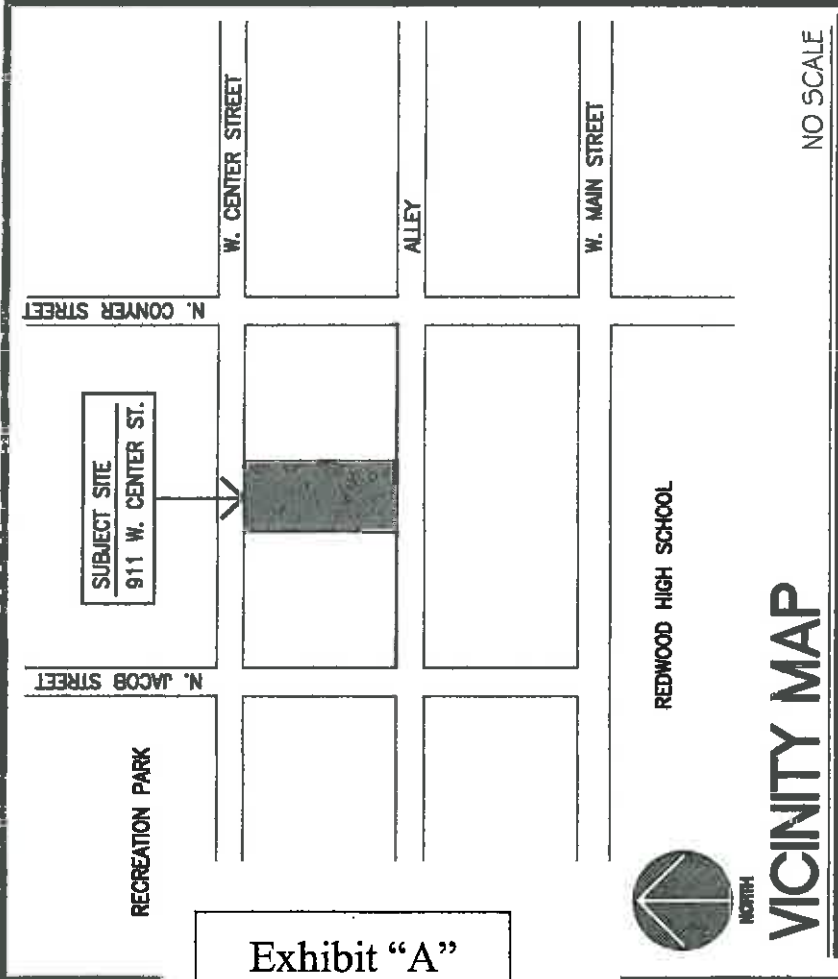
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-06).

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

1. That the use be operated in substantial compliance with the comments from the approved Site Plan Review No. 2015-91.
2. That the use be operated in substantial compliance with the floor plan in Exhibit "A" and operational statement in Exhibit "B".
3. That within sixty (60) calendar days of the effective date of the Conditional Use Permit, the site's parking requirement shall be met by either a) improving the back parking lot with tandem and accessible parking stalls as shown in Exhibit "C", or b) by paying Parking In-Lieu fees for the balance of the site's required parking. Any improvements to the back parking lot shall first be approved by the City Engineering Division prior to commencing work.
4. That the site's parking requirement be met by either improving the back parking lot as shown in Exhibit "C" or by paying Parking In-Lieu fees for the balance of the site's required parking.
5. That all other Federal, State, Regional, and City codes and ordinances be met.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and/or property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-03.

Exhibit "A"



NO SCALE

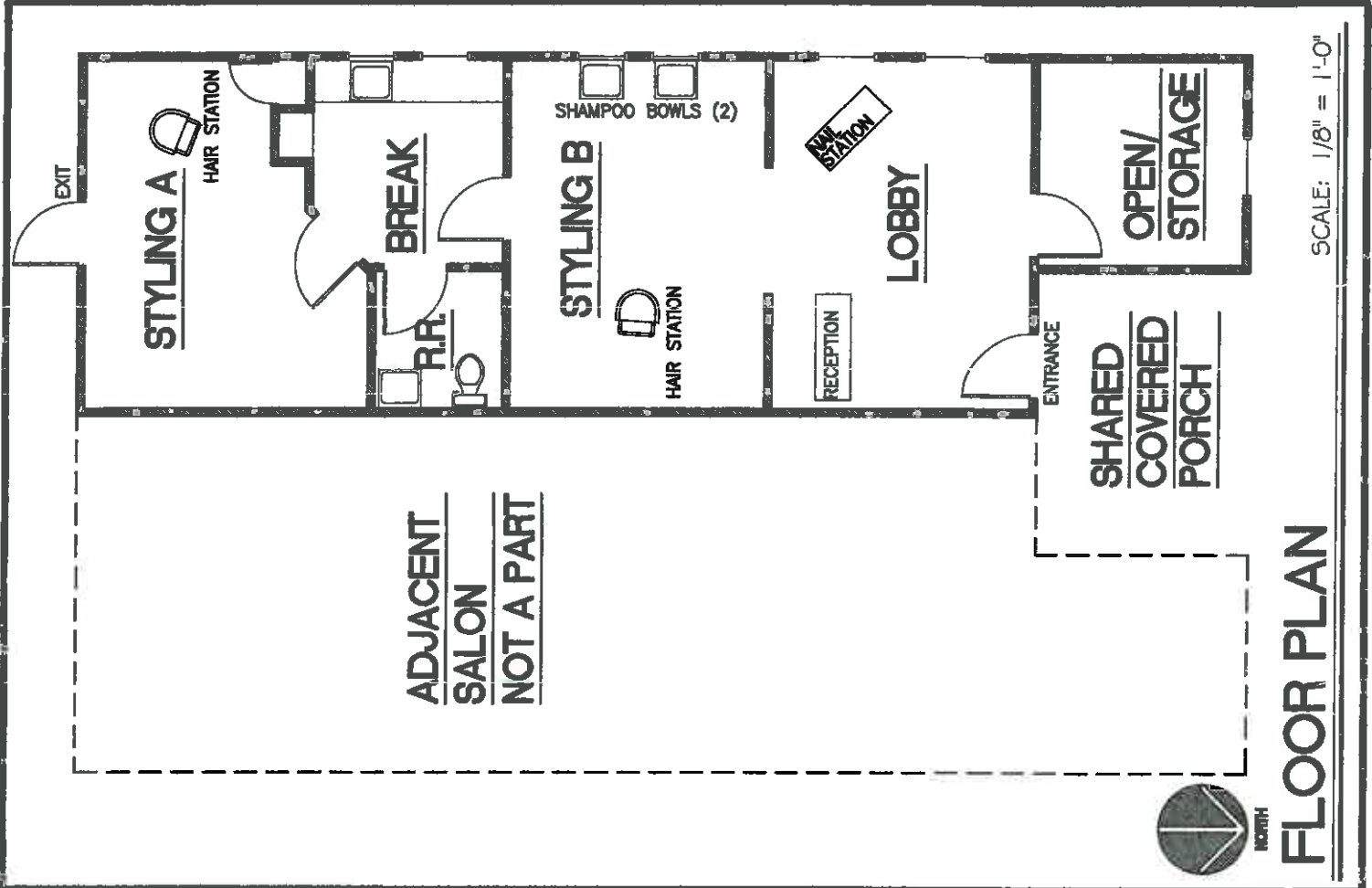


VICINITY MAP

A TENANT IMPROVEMENT
FOR THE
DYE HARD SOCIAL CLUB
(A HAIR SALON)

911 WEST CENTER STREET
VISALIA, CALIFORNIA
93291

A.P.N. - 093-225-003-000
ZONING - PA



FLOOR PLAN

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

From: dyehard socialclub [mailto:dyehardsocialclub@gmail.com]
Subject: Operational Statement for CUP

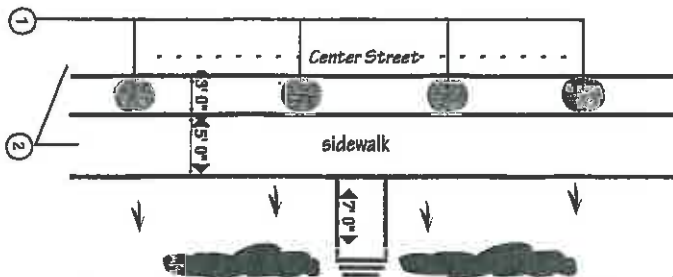
Days of Operation: 5 days (Tuesday to Saturday) each week.

Hours of Operation: 8 hours (1 shift) each day.


Number of Employees: 2

The request to use 911 W. Center Ave for a Hair Salon.

Exhibit "B"



909 W. CENTER STREET
 VISALIA, CA
 APN: 093-225-003
 OC - Office Conversion

SITE PLAN 

- SIDE NOTES:**
- ① - Existing Trees
 - ② - Existing Curb and Sidewalk
 - ③ - 7' Existing Fence
 - ④ - Aerial Photo

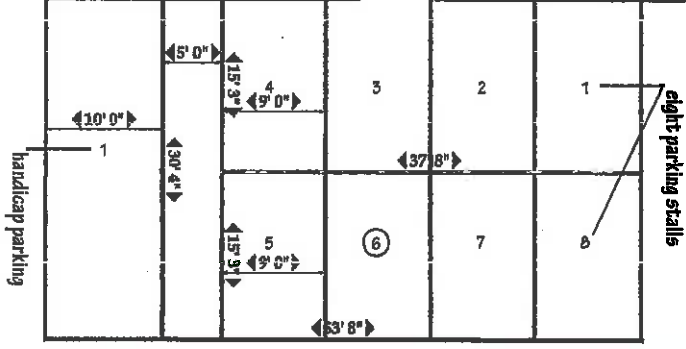
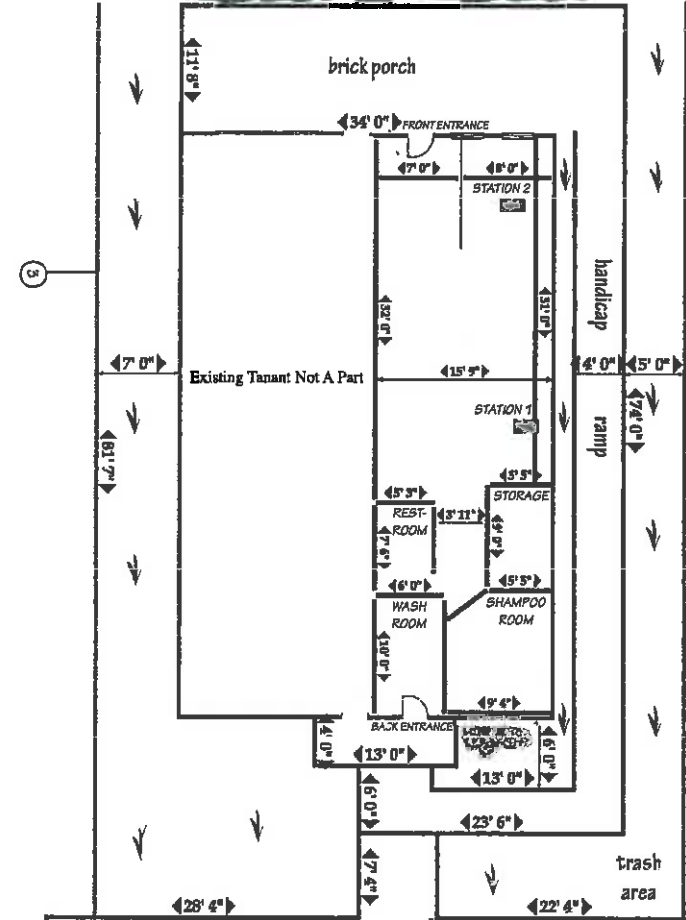


Exhibit "C"



MEETING DATE June 24, 2015
SITE PLAN NO. 15-091
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

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

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

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

REVISE AND PROCEED (see below)

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

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

Your plans must be reviewed by:

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

ADDITIONAL COMMENTS _____

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

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4023

Date: June 24, 2015

SITE PLAN NO: 2015-091
PROJECT TITLE: BEAUTY SALON (NEED CUP)
DESCRIPTION: BEAUTY SALON IN EXISTING 900 SF SPACE (PA) (C) (AE)
APPLICANT: GRAHAM MATTHEW
PROP. OWNER: LUIS JOE M & SYDNEY
LOCATION TITLE: 911 W CENTER AVE
APN TITLE: 093-225-003
GENERAL PLAN: Office
EXISTING ZONING: P-A – Professional / Admin. Office

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Minor Conditional Use Permit (CUP)
- Historic District
- Parking District "A"
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: 06/24/2015

1. Per the Zoning Ordinance Matrix, Salons in the P-A (Professional / Administrative Office) zone requires the submittal of a CUP.
2. Provide a detailed site plan, floor plan and operational statement with the CUP application.
3. Staff has researched the site to determine the parking requirements for the proposed salon. There is an existing salon located at 909 W. Center Ave., which was approved per CUP No. 2009-19. This salon was conditioned to provide four parking spaces onsite. The remaining balance of stalls (3 stripped parking stalls) plus the 2 credited parking stalls for the conversion of the former residential structure to a general office is applied to the parking requirement for this salon. The 10 parking stalls required (2 per beautician station) and the 5 stalls provided (3 onsite plus 2 parking credits) requires Parking In-lieu fees to be assessed on the remaining 5 parking stalls required. The Parking In-lieu fee is collected at time of building permit issuance.
4. Any proposed changes or modifications to the existing parking lot or in the event that a shared parking agreement is being contemplated, a resubmittal back through the Site Plan Review process is required.
5. The proposed use is required to be submitted to the City's Historic Preservation Review Committee. There is no filing fee when submitting a Historic Preservation Review application.
6. Any proposed signage requires a separate building permit.

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

Design District: "C" [17.30.100]

Maximum Building Height: 50 Feet

Minimum Setbacks:

	Building	Landscaping
➤ Front	15 Feet	15 Feet
➤ Side	0 Feet	5 Feet*
➤ Street side on corner lot	15 Feet	10 Feet
➤ Side abutting residential zone	15 Feet	5 Feet
➤ Rear	0 Feet	5 Feet*
➤ Rear abutting residential zone	10 Feet	5 Feet

*(Except where building is on property line)

Minimum Site Area: 6,000 square feet

Parking: As prescribed in Chapter 17.34


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

1. The site has three onsite stalls that can be applied to this tenant space plus two parking stall credits from the conversion of the structure from residential to general office. The proposed salon with five beautician stations requires 10 parking spaces. Parking stalls not provided onsite will be assessed with the parking in-lieu fee.
2. Parking in-lieu fees are required for all required parking stalls not provided on site. The fee is assessed per stall (Fee increased annually see City of Visalia Development Fee Schedule)

Parking:

1. Parking In-lieu fees will be assessed on any required parking stalls not provided onsite.

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

Signature  _____

QUALITY ASSURANCE DIVISION

SITE PLAN REVIEW COMMENTS

ITEM NO: 2 DATE: June 24, 2015

SITE PLAN NO: SPR15091

PROJECT TITLE: NEEDS A CUP

DESCRIPTION: BEAUTY SALON IN EXISTING 900 SF SPACE (PA) (C)
(AE)

APPLICANT: GRAHAM MATTHEW

PROP OWNER: LUIS JOE M & SYDNEY

LOCATION: 911 W CENTER AVE

APN(S): 093-225-003

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

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

- WASTEWATER DISCHARGE PERMIT APPLICATION
- SAND AND GREASE INTERCEPTOR – 3 COMPARTMENT _____
- GREASE INTERCEPTOR min. 1000 GAL
- GARBAGE GRINDER – ¾ HP. MAXIMUM _____
- SUBMISSION OF A DRY PROCESS DECLARATION _____
- NO SINGLE PASS COOLING WATER IS PERMITTED _____
- OTHER _____
- SITE PLAN REVIEWED – NO COMMENTS

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

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

[Handwritten Signature]

AUTHORIZED SIGNATURE

6-19-15

DATE

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

SITE PLAN NO: SPR15091
PROJECT TITLE: NEEDS A CUP
DESCRIPTION: BEAUTY SALON IN EXISTING 900 SF SPACE (PA) (C)
(AE)
APPLICANT: GRAHAM MATTHEW
PROP OWNER: LUIS JOE M & SYDNEY
LOCATION: 911 W CENTER AVE
APN(S): 093-225-003

COMMERCIAL BIN SERVICE

No comments.

Same comments as as

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

Resubmittal required. See comments below.

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

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

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

Type of refuse service not indicated.

Location of bin enclosure not acceptable. See comments below.

Bin enclosure not to city standards double.

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

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

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

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

Bin enclosure gates are required

Hammerhead turnaround must be built per city standards.

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

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

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

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

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

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

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

Roll off compactor's must a a clearance of 3 feet from any wall on b 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

RECOMMENDED FOR COMMERCIAL ALLEY BIN SERVICE

Javier Hernandez, Solid Waste Front Load Supervisor 713-4338

ITEM NO: 2 DATE: Jun. 2015
SITE PLAN NO: SPR15091
PROJECT TITLE: NEEDS A CUP
DESCRIPTION: BEAUTY SALON IN EXISTING 900 SF SPACE (PA) (C) (AE)
APPLICANT: GRAHAM MATTHEW
PROP OWNER: LUIS JOE M & SYDNEY
LOCATION: 911 W CENTER AVE
APN(S): 093-225-003

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

Site Plan Review Comments

- No Comment at this time.

- Request opportunity to comment or make recommendations as to safety issues as plans are developed.

- Public Safety Impact fee:
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
Effective date - August 17, 2001

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

- Not enough information provided. Please provide additional information pertaining to:

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

- Access Controlled / Restricted etc:

- Lighting Concerns:

- Landscaping Concerns:

- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

- Other Concerns:



Visalia Police Department

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
 Adrian Rubalcaba 713-4271

ITEM NO: 2 DATE: JUNE 24, 2015

SITE PLAN NO.: 15-091
PROJECT TITLE: NEEDS A CUP
DESCRIPTION: BEAUTY SALON IN EXISTING 900 SF SPACE
(PA)(C) (AE)
APPLICANT: GRAHAM MATTHEW
PROP OWNER: LUIS JOE M & SYDNEY
LOCATION: 911 W CENTER AVE
APN: 093-225-003

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with _____ radius;
- Install curb; gutter
- Drive approach size: Use radius return;
- Sidewalk: _____ width, _____ parkway width at
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required.
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ : _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- Traffic indexes per city standards:

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

Additional Comments:

1. Refer to Planning Dept. conditions of approval.

2. A building permit will be required per Building Dept. Comply with City standards.

3. Plan check and inspection fees apply.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 15-091

Date: 6/24/2015

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

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

(Fee Schedule Date:6/6/2015)

(Project type for fee rates:SALON/OFFICE)

Existing uses may qualify for credits on Development Impact Fees.

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

Reimbursement:

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



Adrian Rubalcaba



Site Plan Review Comments For:

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

ITEM NO: 2

DATE: 24, 2015

SITE PLAN NO:

SPR15091

PROJECT TITLE:

NEEDS A CUP

DESCRIPTION:

BEAUTY SALON IN EXISTING 900 SF SPACE (PA) (C) (AE)

APPLICANT:

GRAHAM MATTHEW

PROP OWNER:

LUIS JOE M & SYDNEY

LOCATION:

911 W CENTER AVE

APN(S):

093-225-003

The following comments are applicable when checked:

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

General:

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*
- A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.) *2013 CFC 506.1*
- All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, bolt locks, and panic and fire exit hardware.
- Provide illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*
- When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. *2013 CFC 304.3.3*
- If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on *Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2013 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

Water Supply:

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

Emergency Access:

- A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding 75,000 pound piece of fire apparatus, and shall provide access to within 100 feet of temporary or permanent fire department connections. *2013 CFC 3310*

- Buildings or portions of buildings or facilities with a vertical distance between the grade plans and the highest roof surface exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. *2013 CFC D105*

- A fire apparatus access roads shall be provide and must comply with the CFC and extend to within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. *2013 CFC 503.1.1*

- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Length 151-500 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.

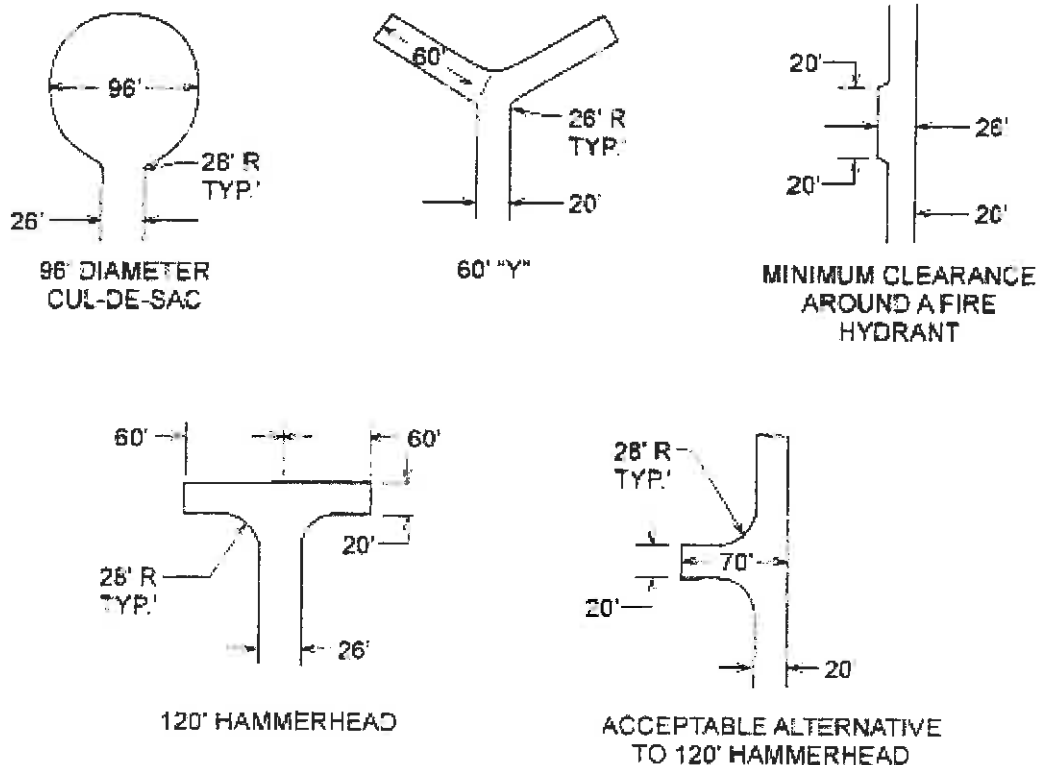


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

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

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

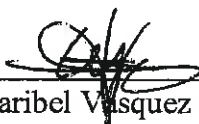
In any and all new One- or two-family dwellings residential developments regardless or the number of units, street width shall be a minimum of 36 feet form curb to curb to allow fire department access and to permit parking on both sides of the street. A minimum of 20 feet shall be provided for developments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

Fire Protection Systems:

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

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

Special Comments:



Maribel Vasquez
Fire Inspector

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

June 24, 2015

ITEM NO: 2
SITE PLAN NO: SPR15021
PROJECT TITLE: NEEDS & CURB
DESCRIPTION: BEAUTY GALON IN EXISTING W/O OF SPACE (W/ON/ADJ)
APPLICANT: GRAHAM MATTHEW
PHONE OWNER: LUIS JOE M & SYDNEY
LOCATION: 811 W CENTER AVE
APRMS: 060-225-003

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

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

Additional Comments:

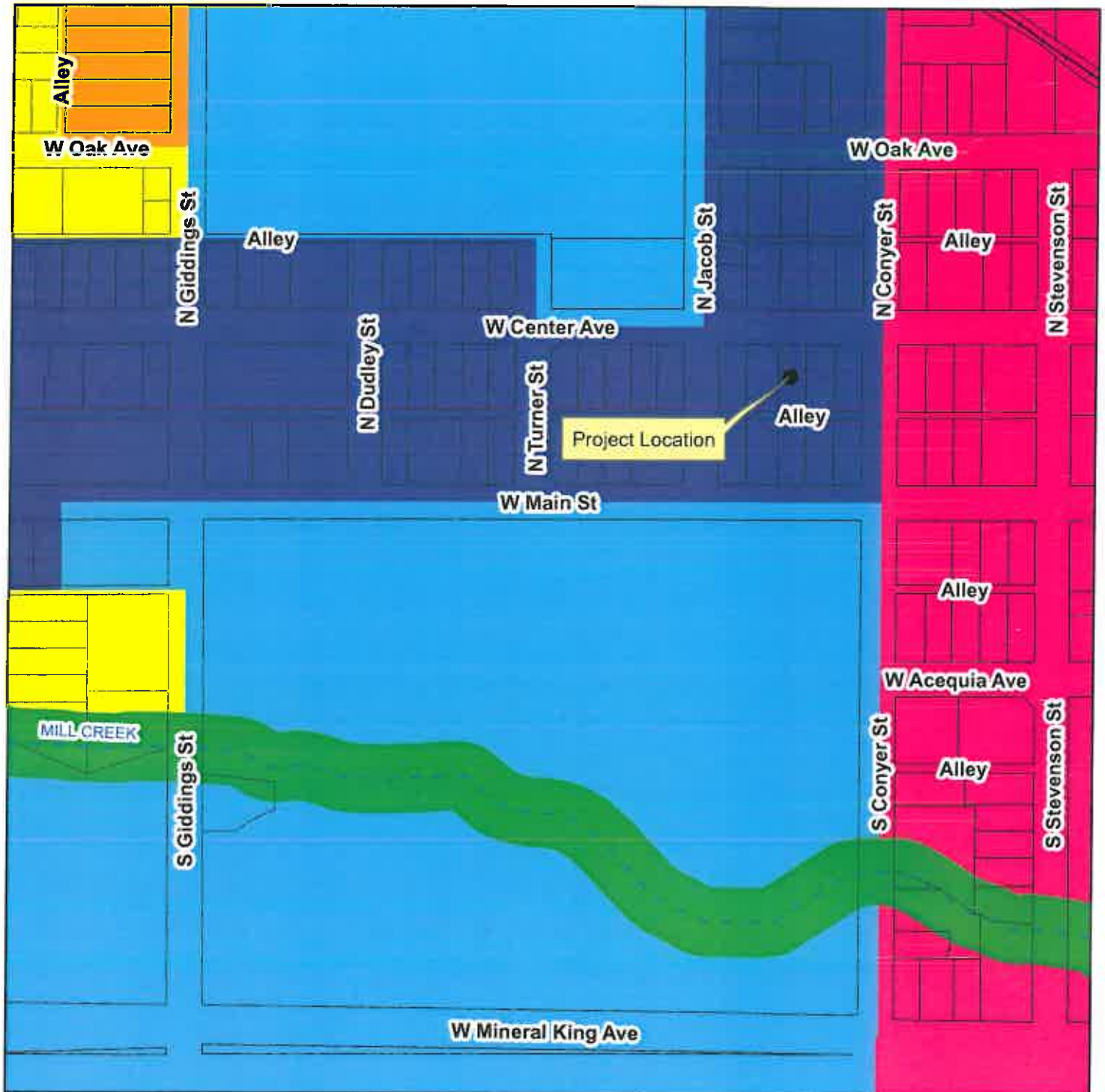
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Leslie Blair

Conditional Use Permit No. 2017-03

The project site is located at 911 W. Center Avenue, on the south side of Center Avenue between Jacob and Conyer Streets. (APN: 093-225-003)



General Plan Land Use Map

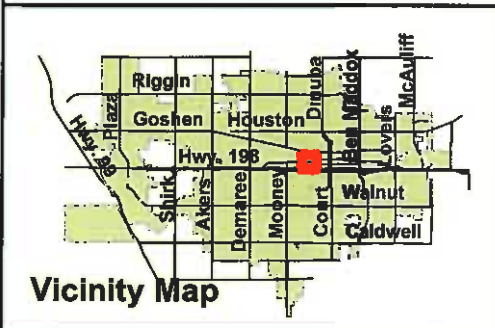


- Conservation
- Downtown Mixed Use
- Office
- Public Institutional
- Residential Low Density
- Residential Medium Density



Conditional Use Permit No. 2017-03

The project site is located at 911 W. Center Avenue, on the south side of Center Avenue between Jacob and Conyer Streets. (APN: 093-225-003)



Zoning Map



- Central Business District
- Office Conversion
- Professional / Admin. Office
- Quasi-Public
- Residential Single-family R-1-6
- Residential Multi-family R-M-2

Conditional Use Permit No. 2017-03





The project site is located at 911 W. Center Avenue, on the south side of Center Avenue between Jacob and Conyer Streets. (APN: 093-225-003)



Aerial Photo

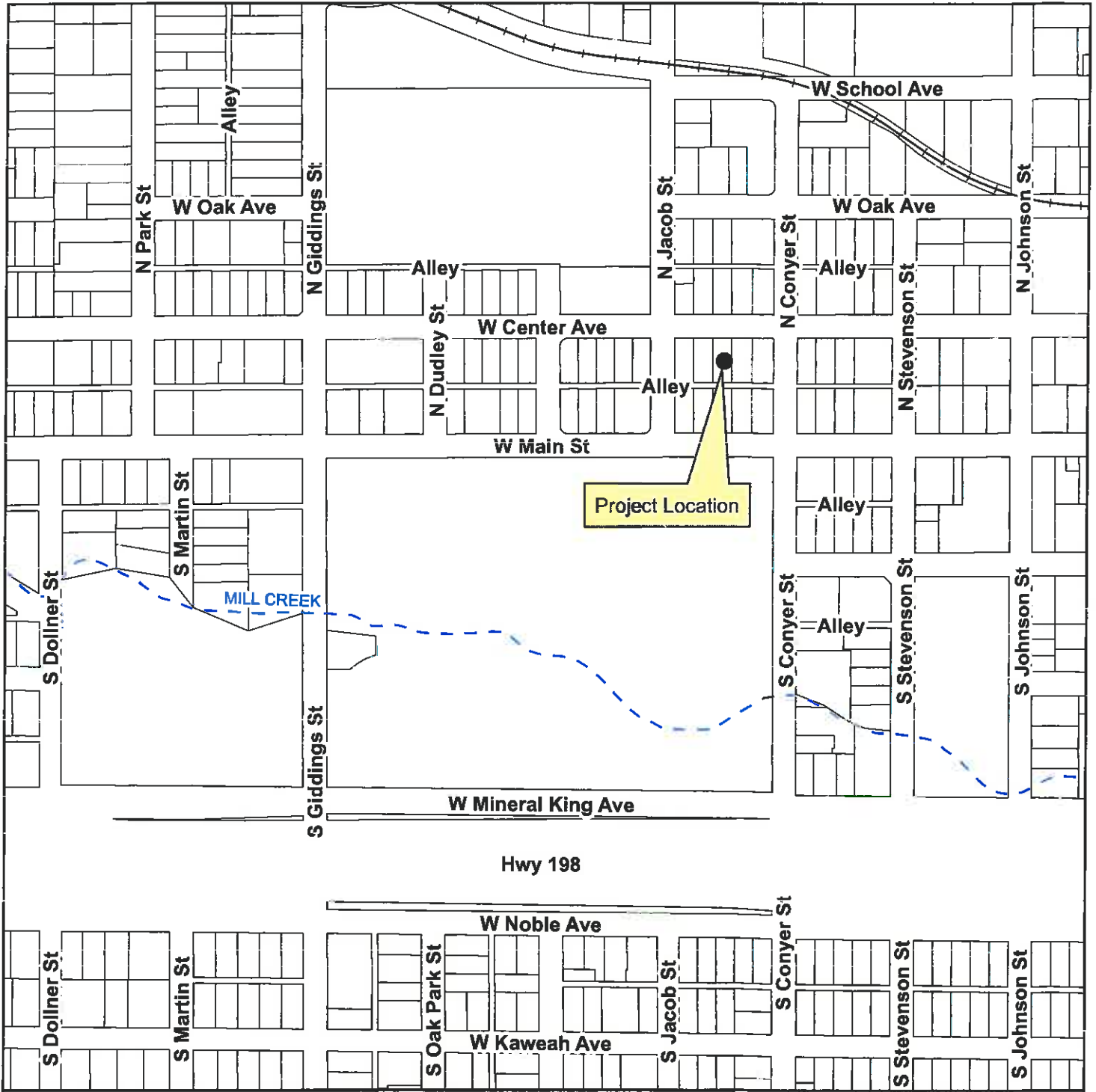
Photo Taken March 2016



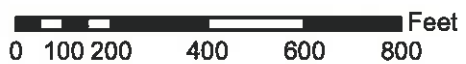
-  WATERWAYS
-  RAILROADS
-  CITY LIMITS
-  PARCELS

Conditional Use Permit No. 2017-03

The project site is located at 911 W. Center Avenue, on the south side of Center Avenue between Jacob and Conyer Streets. (APN: 093-225-003)



Location Map



- WATERWAYS
- RAILROADS
- CITY LIMITS
- PARCELS





REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 27, 2017

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

SUBJECT: Conditional Use Permit No. 2017-04: A request by Visalia Development Holdings, LTD, to amend Conditional Use Permit No. 2007-10 and construct a Chevron Service Station development consisting of a 4,250 square foot commercial building, and a 4,500 square foot fuel canopy. The 4,250 square foot commercial building will be used as a convenience store. The site is part of the Country Club Shopping Center and zoned C-N (Neighborhood Commercial). The parcel for the proposed Chevron service station is located on the southeast corner of North Demaree Street and West Houston Avenue (APN: 089-490-029).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2017-04, as conditioned, based upon the findings and conditions in Resolution No. 2017-08. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning Ordinance and the Country Club Shopping Center Master Plan.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2017-04, based on the findings and conditions in Resolution No. 2017-08.

PROJECT DESCRIPTION

The applicant has filed the Conditional Use Permit requesting to develop a one-acre parcel of the 17.4-acre Country Club Shopping Center development with a Chevron service station and convenience store. The Exhibit "A" site plan depicts a 4,250 square foot convenience store with a 4,050 square foot canopy structure and 12 fueling station spots. The Chevron service station, if approved, will be developed in the northwest corner of the 17.4-acre master planned site (see Exhibit "B"). The Chevron service station site will be developed with 21 parking spaces, excluding the 12 fueling station spaces located under the fueling island canopy.

The Country Club Shopping Center project is a phased master-planned development (see Exhibit "B") in the C-N (Neighborhood Commercial) zone. The Country Club Shopping Center project also had associated Tentative Parcel Maps (TPM No. 2007-04 & TPM No. 2011-01) proposing to subdivide the 17.4-acre site into six parcels with shared access, parking, drainage and maintenance agreements. The Chevron service station and convenience store is located on Parcel 1 of the approved tentative parcel map.

The Chevron service station elevations (see Exhibit "C") match the existing architectural thematic scheme approved for the entire project site. The overall design of the shopping center can generally be described as Mediterranean with a stucco finish and a tile roof. Each building contains architectural elements that are repeated throughout the site. This includes the color scheme, façade treatments, lighting, parapets, cornices, etc. Furthermore each building contains design elements on all four sides, thus the buildings will stimulate interest and will not contain monolithic walls.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Neighborhood Commercial
Zoning:	C-N (Neighborhood Commercial)
Surrounding Land Use and Zoning:	North: R-1-6 – (Single-Family Residential) – Luisi Ranch Residential subdivision. South: C-N – (Neighborhood Commercial) – Subway/Restaurants East: C-N – (Neighborhood Commercial) – Walmart Neighborhood Supermarket West: North Demaree Street
Environmental Review:	Categorical Exemption No. 2017-11
Special Districts:	N/A
Site Plan Review No:	2016-168

RELATED PLANS & POLICIES

Country Club Estates Specific Plan

General Plan Amendment No. 2004-06, Change of Zone No. 2004-07 and Specific Plan Amendment No. 2003-21 for the Country Club Estates Specific Plan were a request to change the planned land use designation from Residential Low Density and Professional / Administrative Office to Neighborhood Commercial, redesignate the zone district from R-1-6 (*Single-Family Residential*) and PA (Professional / Administrative Office) to the C-N zone district. The amendment to the Specific Plan included changes to landscape setbacks, design standards, land uses and circulation. These applications were recommended for approval by the Visalia Planning Commission on March 22, 2004, and were approved by the Visalia City Council on May 3, 2004.

Country Club Shopping Center

Conditional Use Permit No. 2007-10, approved by the Planning Commission on May 14, 2007, was a request to by Visalia Development Holdings Ltd. to develop 17.4 acres of property located on the east side of North Demaree Street between West Goshen and West Houston Avenues with a neighborhood shopping center. The shopping center consisted of 154,500 square feet of retail area which is comprised a grocery store, two major anchor tenants and ancillary retail uses.

Variance No. 2007-05, approved by the Planning Commission on May 14, 2007, was a request to by Visalia Development Holdings Ltd. to establish a sign program for the proposed shopping center. The sign program requested to erect five monument signs which consist of two

monument signs that will be used for the major tenants while the remaining three monument signs will be erected for the out-pad building, pharmacy and service station.

Tentative Parcel Map No. 2007-04, approved by the City Council on June 18, 2007 was a request to subdivide the 17.4-acre site into four parcels.

PROJECT EVALUATION

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

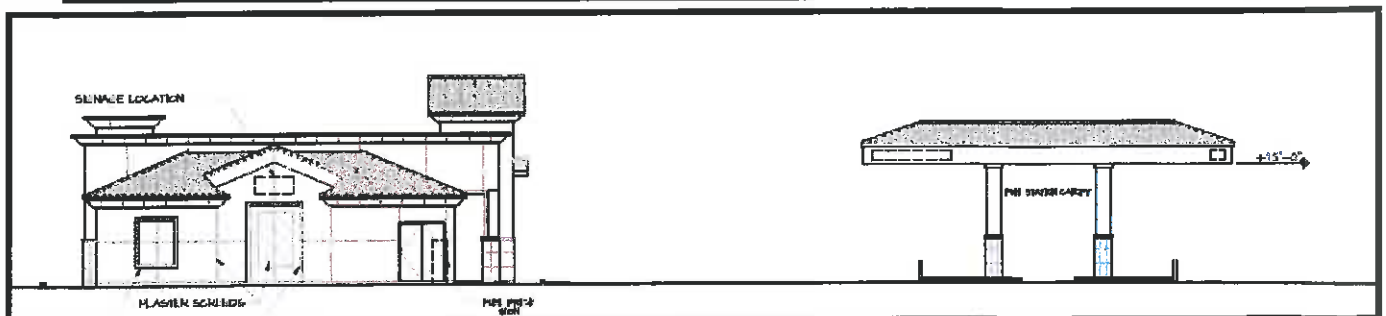
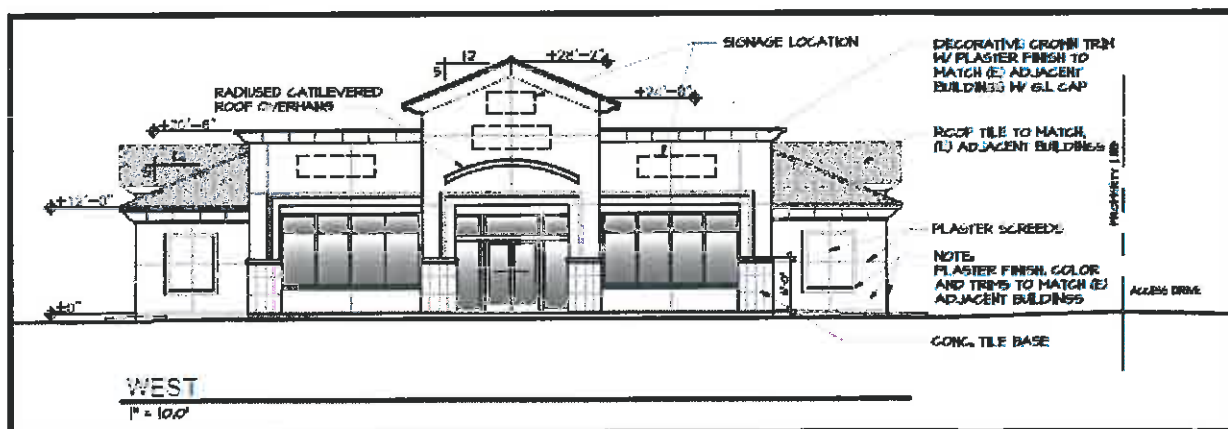
Land Use Compatibility

The Country Club Plaza Shopping Center master plan had originally depicted a service station (see Exhibit "D") at the proposed location. However, because the applicant did not provide operational plans, including precise site and elevation plans for the service station with a convenience store, the overall 2007 master CUP for the shopping center was approved with a condition requiring an amendment once detailed plans were established for the service station/convenience store site. The Chevron service station site, as depicted in Exhibit "A", is in conformance with the overall 2007 master site plan approved for the shopping center as depicted in Exhibit "D".

Gasoline service stations are considered compatible uses in commercial areas where potential impacts can be addressed through the conditional use permit process. The site is developed with a neighborhood commercial shopping center and the proposed service station is a compatible use within the existing development. Staff has concluded that the proposed service station will not have a negative impact on surrounding development given its orientation and proximity to two major streets (i.e., North Demaree Street and West Houston Avenue).

Architectural Theme

The Chevron service station will incorporate the architecture style that was approved for the Country Club Shopping Center. The exteriors will consist of stucco finish and a tile roof with stone veneer treatment around each wall façade.



Condition No. 9 of CUP No. 2007-10

During the approval of CUP No. 2007-07, the Planning Commission adopted Condition No. 9 of Resolution No. 2007-33, which states, "Any alcohol sales proposed by the mini-mart service station shall be subject to review and approval by the City of Visalia Planning Commission." As previously stated, the 2007 CUP did not identify a specific tenant for the convenience store and service station during this approval. The applicant has noted in their CUP application their intent to apply for an Alcoholic Beverage Control (ABC) License for the purpose of selling beer and wine for off-site consumption.

An ABC license application request that would be applied for with this type of development is processed administratively with final approval coming from the City Manager's office, with input from Planning staff and the Visalia Police Department. During the Site Plan Review process for the Chevron service station and convenience store, staff did not identify any nuisance compatibility issues with the shopping center that may arise with an ABC license application request.

On-Site Lighting and Illuminated Signage On Service Station Canopy

The project site is adjacent to existing residential development to the north and northwest, and future residential to the west. As indicated in the Site Plan Review (SPR) comments for SPR No. 2016-168, lighting for the Chevron service station site is to be designed and installed so as to prevent any significant direct or indirect glare from falling upon adjacent properties or the public street. Staff is recommending that the Planning Commission adopt Condition No. 4, which requires that the fuel island canopy lighting be recessed into the canopy and shielded to prevent any significant light or glare from falling upon the adjacent residential properties.

Conversely, the applicant, as depicted on Exhibit "C", has noted future sign locations along the exterior fascia of the service station canopy. Although no sign package is submitted as part of this CUP application, staff recommends the Planning Commission adopt Condition No. 5, which requires that there shall be no internally illuminated signage on the exterior fascia of the canopy including any type of light strips or LED/neon banding. The elimination of fascia canopy lighting, including light strips or LED/neon banding is due to the fact that the canopy signage could be clearly visible from the residences over the block wall north and northwest of Houston Avenue.

Shared Access and Parking

An agreement (Document #2007-0099940, 11/13/07) was previously recorded on the subject site to allow shared access and parking among parcels in the Country Club Shopping Center Planned Commercial Development. The agreement will remain in effect for all parcels created by the proposed project.

Landscaping

The project will comply with the common landscape theme for the Country Club Shopping Center. A condition was adopted for the master CUP entitlement requiring CC&R's to include a common landscaping maintenance agreement to be established for all parcels to assure that uniform landscape maintenance occurs within the entire project site.

Environmental Review

The requested action is considered Categorical Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-11).

Projects determined to meet this classification are characterized as in-fill development and are with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, the development occurs within the city limits on a site no more than five acres, site has no value habitat for endangered, rare or threatened species and the site can adequately be served by all required utilities and public services.

RECOMMENDED FINDINGS

1. That the proposed conditional use permit is consistent with the policies and intent of the General Plan, Zoning Ordinance and master plan for the Country Club Plaza Shopping Center.
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 use is similar in nature and intensity to other surrounding businesses in the area. The project site has adequate ingress, egress, and parking for the proposed service station and convenience store.
 - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The proposed use is similar in nature and intensity to other surrounding businesses in the area. The project site has adequate ingress, egress, and parking for the service station and convenience store.
3. That the project is considered Categorical Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-11).

RECOMMENDED CONDITIONS OF APPROVAL

Conditional Use Permit No. 2017-04

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2016-168 incorporated herein by reference.
2. That the project be developed in substantial compliance with the site plan in Exhibit "A".
3. That the Chevron service station and convenience store be developed in substantial compliance with the elevations shown in Exhibit "C".
4. That the fuel island canopy lighting be recessed into the canopy and shielded to prevent any significant light or glare from falling upon the adjacent residential properties.
5. That there be no internally illuminated signage on the exterior fascia of the fuel island canopy including any type of light strips or neon / light-emitting diode (LED) banding.

6. That landscape and irrigation plans be submitted with the building permit, designed by a professional landscape architect. Landscape and irrigation plans shall comply with the State Water Efficient Landscape Ordinance by submittal of Landscape Documentation Packages and Certificates of Compliance certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by ordinance.
7. That all of the conditions and responsibilities of Conditional Use Permit No. 2007-10 and 2017-04 shall run with the land and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
8. That all signs shall require a separate building permit.
9. That all other federal, state and city codes, ordinances and laws be met.
10. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-04, prior to the issuance of any building permit for this project.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.ci.visalia.ca.us or from the City Clerk.

Attachments:

- Related Plans & Policies
- Resolution No. 2017-08 (Conditional Use Permit No. 2017-04)
- Exhibit "A" – Site Plan
- Exhibit "B" – Master Site Plan for Country Club Plaza Shopping Center
- Exhibit "C" – Elevations
- Exhibit "D" – 2007 Master CUP Site Plan
- Exhibit "E" – Floor Plan
- Site Plan Review Comments 2016-168
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

Related Plans & Policies

Conditional Use Permits

17.38.010 Purposes and powers

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

17.38.020 Application procedures

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

17.38.030 Lapse of conditional use permit

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

17.38.040 Revocation

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

17.38.050 New application

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

17.38.060 Conditional use permit to run with the land

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

17.38.065 Abandonment of conditional use permit

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

17.38.070 Temporary uses or structures

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

17.38.080 Public hearing--Notice

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

17.38.090 Investigation and report

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

17.38.100 Public hearing--Procedure

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

17.38.110 Action by planning commission

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

17.38.120 Appeal to city council

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

17.38.130 Effective date of conditional use permit

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

RESOLUTION NO. 2017-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-04, A REQUEST BY VISALIA DEVELOPMENT HOLDINGS, LTD, TO AMEND CONDITIONAL USE PERMIT NO. 2007-10 AND CONSTRUCT A CHEVRON GAS STATION DEVELOPMENT CONSISTING OF A 4,250 SQUARE FOOT COMMERCIAL BUILDING, AND A 4,500 SQUARE FOOT FUEL CANOPY. THE 4,250 SQUARE FOOT COMMERCIAL BUILDING WILL BE USED AS A CONVENIENCE STORE. THE SITE IS PART OF THE COUNTRY CLUB SHOPPING CENTER AND ZONED C-N (NEIGHBORHOOD COMMERCIAL). THE PARCEL FOR THE PROPOSED CHEVRON GAS STATION IS LOCATED ON THE SOUTHEAST CORNER OF NORTH DEMAREE STREET AND WEST HOUSTON AVENUE (APN: 089-490-029).

WHEREAS, Conditional Use Permit No. 2017-04, is a request by Visalia Development Holdings, LTD, to amend Conditional Use Permit No. 2007-10 and construct a Chevron Gas Station development consisting of a 4,250 square foot commercial building, and a 4,500 square foot fuel canopy. The 4,250 square foot commercial building will be used as a convenience store. The site is part of the Country Club Shopping Center and zoned C-N (Neighborhood Commercial). The parcel for the proposed Chevron gas station is located on the southeast corner of North Demaree Street and West Houston Avenue (APN: 089-490-029); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 27, 2017; and

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

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

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

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

1. That the proposed conditional use permit is consistent with the policies and intent of the General Plan, Zoning Ordinance and master plan for the Country Club Plaza Shopping Center.
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 use is similar in nature and intensity to other surrounding businesses in the area. The project site has adequate ingress, egress, and parking for the proposed service station and convenience store.

- The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The proposed use is similar in nature and intensity to other surrounding businesses in the area. The project site has adequate ingress and egress and parking for the service station and convenience store.
3. That the project is considered Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-11).

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

1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2016-168 incorporated herein by reference.
2. That the project be developed in substantial compliance with the site plan in Exhibit "A".
3. That the Chevron service station and convenience store be developed in substantial compliance with the elevations shown in Exhibit "C".
4. That the fuel island canopy lighting be recessed into the canopy and shielded to prevent any significant light or glare from falling upon the adjacent residential properties.
5. That there be no internally illuminated signage on the exterior fascia of the fuel island canopy including any type of light strips or neon / light-emitting diode (LED) banding.
6. That landscape and irrigation plans be submitted with the building permit, designed by a professional landscape architect. Landscape and irrigation plans shall comply with the State Water Efficient Landscape Ordinance by submittal of Landscape Documentation Packages and Certificates of Compliance certified by a California licensed landscape architect with sections signed by appropriately licensed or certified persons as required by ordinance.
7. That all of the conditions and responsibilities of Conditional Use Permit No. 2007-10 and 2017-04 shall run with the land and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
8. That all signs shall require a separate building permit.
9. That all other federal, state and city codes, ordinances and laws be met.
10. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-04, prior to the issuance of any building permit for this project.

Exhibit "A"

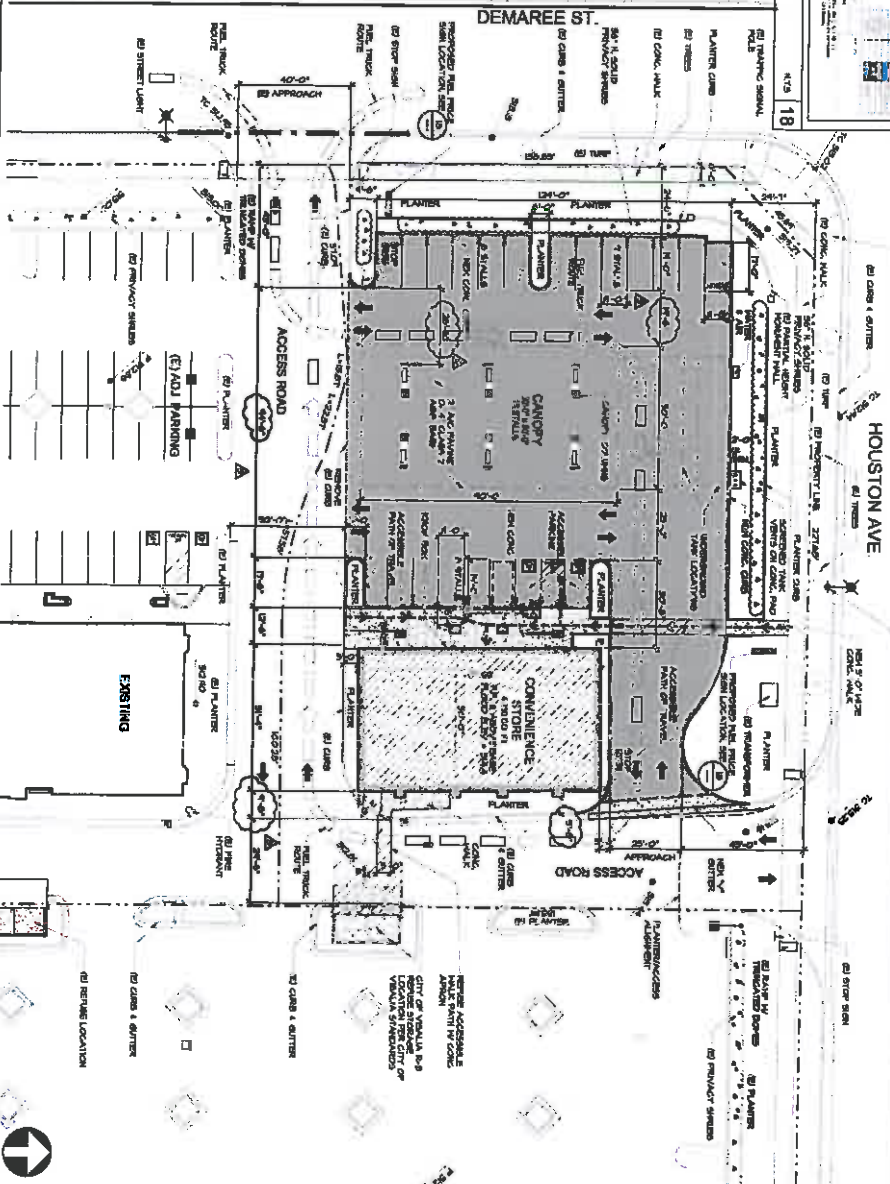
SITE & LANDSCAPE PLAN

1" = 30'-0"

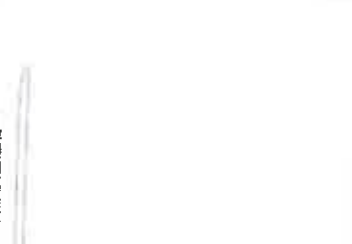
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VICINITY MAP

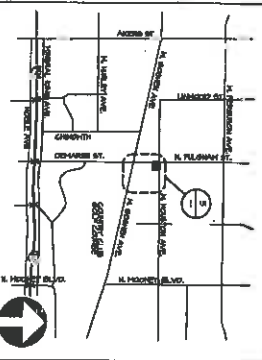
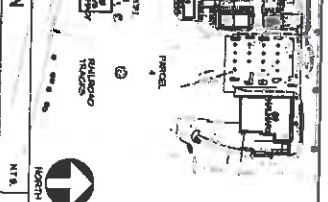
4



FUEL PRICE SIGN



MASTER PLAN



SITE INFORMATION

LOCATION: 1500 N. GARDNER ST., SUITE 100, DALLAS, TEXAS 75207
 OWNER: SOMMER, CLAYTON, ELLISON
 ARCHITECT: TETTER, LLP
 1500 N. GARDNER ST., SUITE 100, DALLAS, TEXAS 75207
 TEL: 214-760-1000
 FAX: 214-760-1000

PROPOSED GAS STATION/CONVENIENCE STORE

CONVENIENCE STORE (4,250 SQ. FT.) / 235 SQ. FT. * 16 STALLS REG.
 FUELING STATION (2,500 SQ. FT.) / 1,250 SQ. FT. * 8 STALLS REG.
 TOTAL SIZE STALLS: 20 ST.
 TOTAL SIZE REG.: 4,250 SQ. FT.
 TOTAL SIZE REG. + FUELING: 6,750 SQ. FT.
 TOTAL SIZE REG. + FUELING + 10% BUFFER: 7,425 SQ. FT.
 TOTAL SIZE REG. + FUELING + 10% BUFFER + 10% BUFFER: 8,175 SQ. FT.
 TOTAL SIZE REG. + FUELING + 10% BUFFER + 10% BUFFER + 10% BUFFER: 8,925 SQ. FT.

PARKING

CONVENIENCE STORE (4,250 SQ. FT.) / 235 SQ. FT. * 16 STALLS REG.
 FUELING STATION (2,500 SQ. FT.) / 1,250 SQ. FT. * 8 STALLS REG.
 TOTAL SIZE STALLS: 20 ST.
 TOTAL SIZE REG.: 4,250 SQ. FT.
 TOTAL SIZE REG. + FUELING: 6,750 SQ. FT.
 TOTAL SIZE REG. + FUELING + 10% BUFFER: 7,425 SQ. FT.
 TOTAL SIZE REG. + FUELING + 10% BUFFER + 10% BUFFER: 8,175 SQ. FT.
 TOTAL SIZE REG. + FUELING + 10% BUFFER + 10% BUFFER + 10% BUFFER: 8,925 SQ. FT.

SITE UTILITIES

THE GAS COMPANY
 1-800-455-4555
 504 JAMES ST.
 DALLAS, TEXAS 75202

WATER
 CITY OF DALLAS
 214-670-1000

SEWER/STORMWATER
 CITY OF DALLAS
 214-670-1000

GENERAL NOTES

1. ALL UTILITIES SHALL BE LOCATED IN ACCORDANCE WITH THE CITY OF DALLAS UTILITY DEPARTMENT RECORD DRAWINGS AND FIELD SURVEY DATA. THE UTILITY DEPARTMENT SHALL BE NOTIFIED IN WRITING AT LEAST 14 DAYS PRIOR TO THE START OF CONSTRUCTION. THE UTILITY DEPARTMENT SHALL BE NOTIFIED IN WRITING AT LEAST 14 DAYS PRIOR TO THE START OF CONSTRUCTION. THE UTILITY DEPARTMENT SHALL BE NOTIFIED IN WRITING AT LEAST 14 DAYS PRIOR TO THE START OF CONSTRUCTION.
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CONVENIENCE STORE & FUELING STATION
COUNTRY CLUB PLAZA

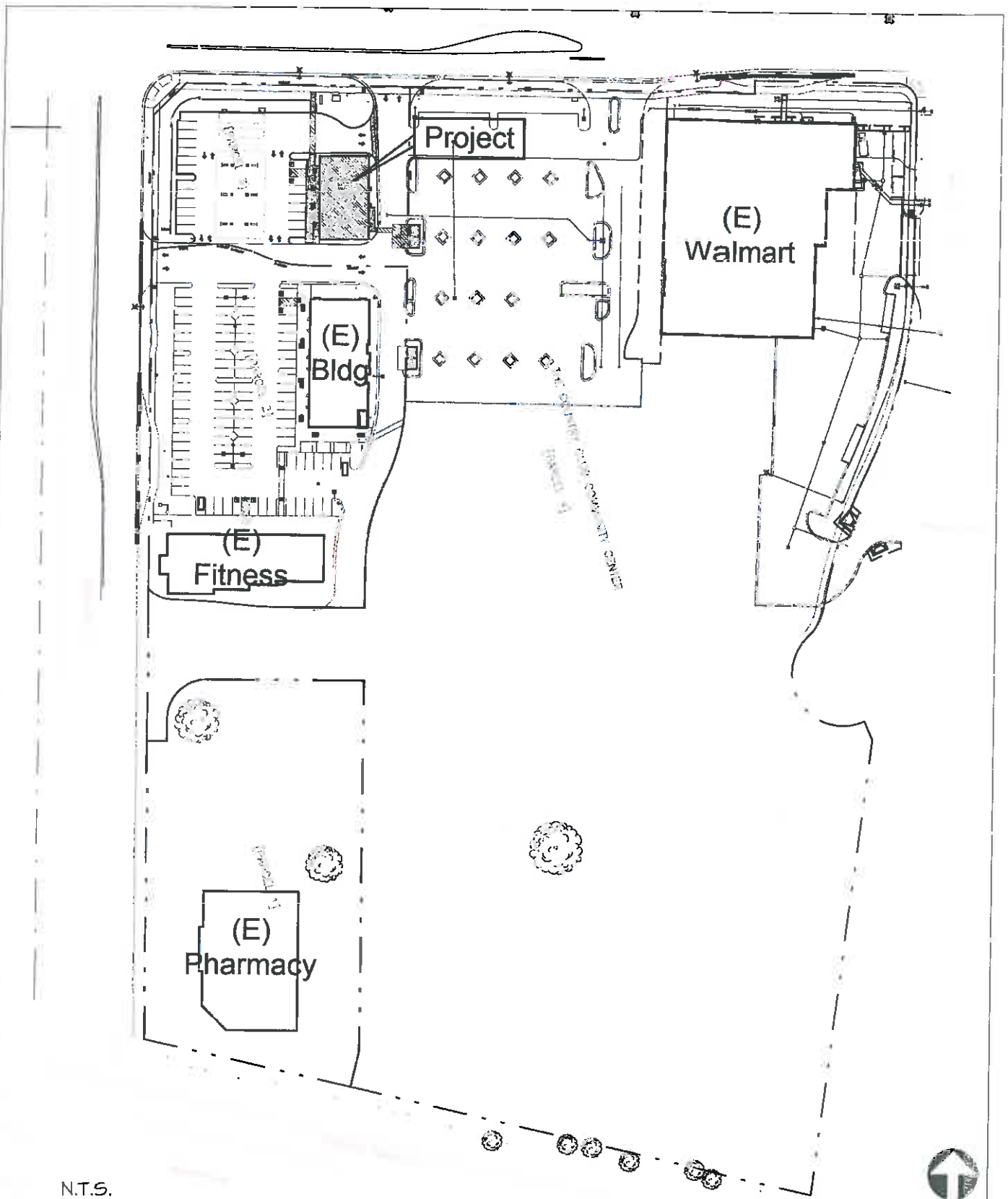
PROJECT NO. 15-0716
 VISALIP, CA
 DRAWING TITLE: **SITE PLAN**

TETTER, LLP
 ARCHITECTS ENGINEERS CONSULTANTS

NO.	DATE	DESCRIPTION
1-17-17	01/17/17	CLIENT SUBMITTAL
11-30-16	11/30/16	CLIENT REVISIONS/CHANGES
11-30-16	11/30/16	SPI COMMENTS
11/08/16	11/08/16	SITE PLAN REVIEW

A100

Exhibit "B"



N.T.S.



TETER, LLP

7535 N. PALM AVE. 201
FRESNO, CA 93711 | 559.437.0887

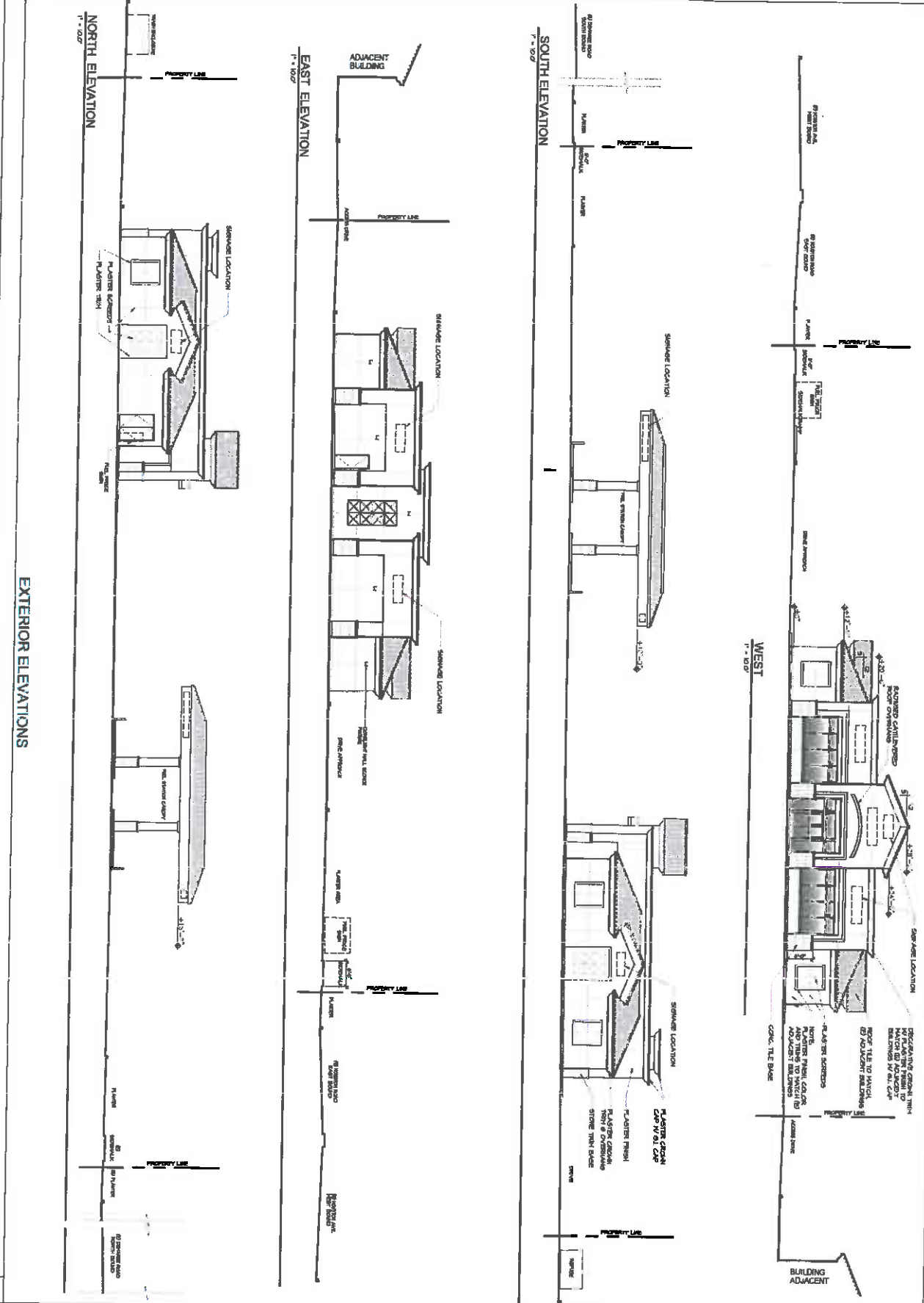
125 S. BRIDGE ST. 150
VISALIA, CA 93921 | 559.825.5246

**NEW C-STORE, GAS & RESTAURANT
FOR
COUNTRY CLUB PLAZA**

VISALIA, CA

JOB NUMBER:
13-9076
DWG. DATE:
05/24/16

SITE

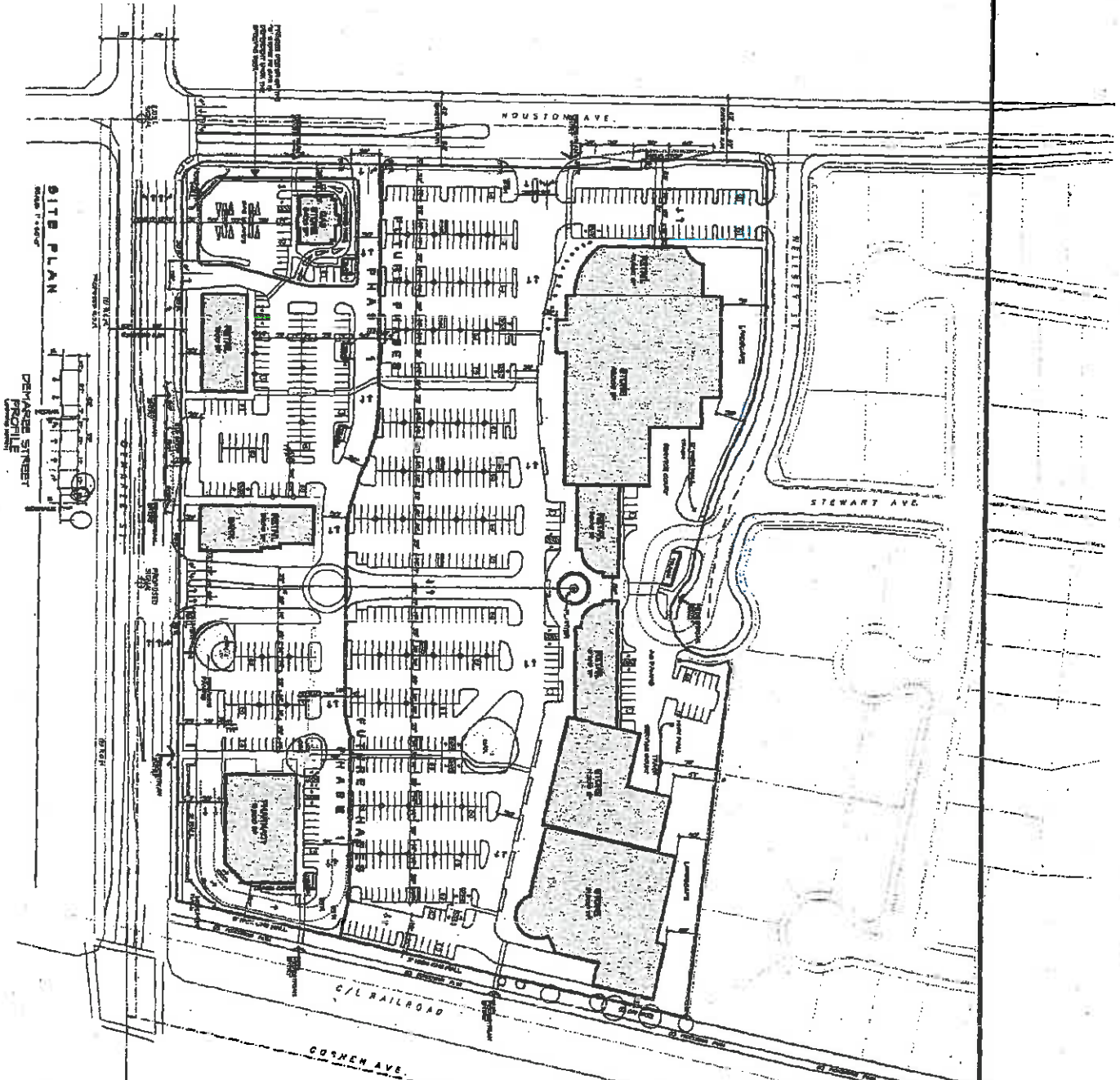


PROJECT NO. B-4716
 DRAWING TITLE: CONVENIENCE STORE & FUELING STATION COUNTRY CLUB PLAZA
 VISALIA, CA
 EXTERIOR ELEVATIONS

TETER, LLP
 ARCHITECTS ENGINEERS CONTRACTORS
 1000 N. PALM AVE. SUITE 100 VISALIA, CA 93277 | 562.922.0007
 1000 N. PALM AVE. SUITE 100 VISALIA, CA 93277 | 562.922.0007
 1000 N. PALM AVE. SUITE 100 VISALIA, CA 93277 | 562.922.0007

DATE	SCALE	DESCRIPTION
11/09/16		SITE PLAN REVIEW

Teter, LLP hereby certifies that the drawings were prepared by a duly licensed professional engineer or architect in the State of California. This document is not to be used for any other project, in whole or in part, without the written consent of Teter, LLP. The drawings are not to be used for any other project, in whole or in part, without the written consent of Teter, LLP.



SITE PLAN
 MADE 11/19/87
DEWAVES STREET
 PROFILE

PROJECT DATA

881 PLAN REVIEW NO. 03-2810
 PROJECT: NEW PROJECT CENTER
 LOCATION: S.E. CORNER OF HOUSTON & STEWART
 AVE'S. 03-03-03-03-03
 SITE AREA: 115 ACRES
 OFFICIAL PLAN NO. - (REGISTRATION COPY) 03-03-03-03-03
 OFFICIAL PLAN NO. 031
 PLAN NO. 031 X

TOTAL UNIT	
TOTAL GROUND AREA	(34,000 SQ FT)
TOTAL PARKING PROVIDED	618 SPACES
LANDSCAPING	1 TO 100
LANDSCAPING	1 TO 100
TOTAL UNIT	
TOTAL GROUND AREA	(34,000 SQ FT)
TOTAL PARKING PROVIDED	618 SPACES
LANDSCAPING	1 TO 100
LANDSCAPING	1 TO 100



SCOTT
 ASSOCIATES
 ARCHITECT

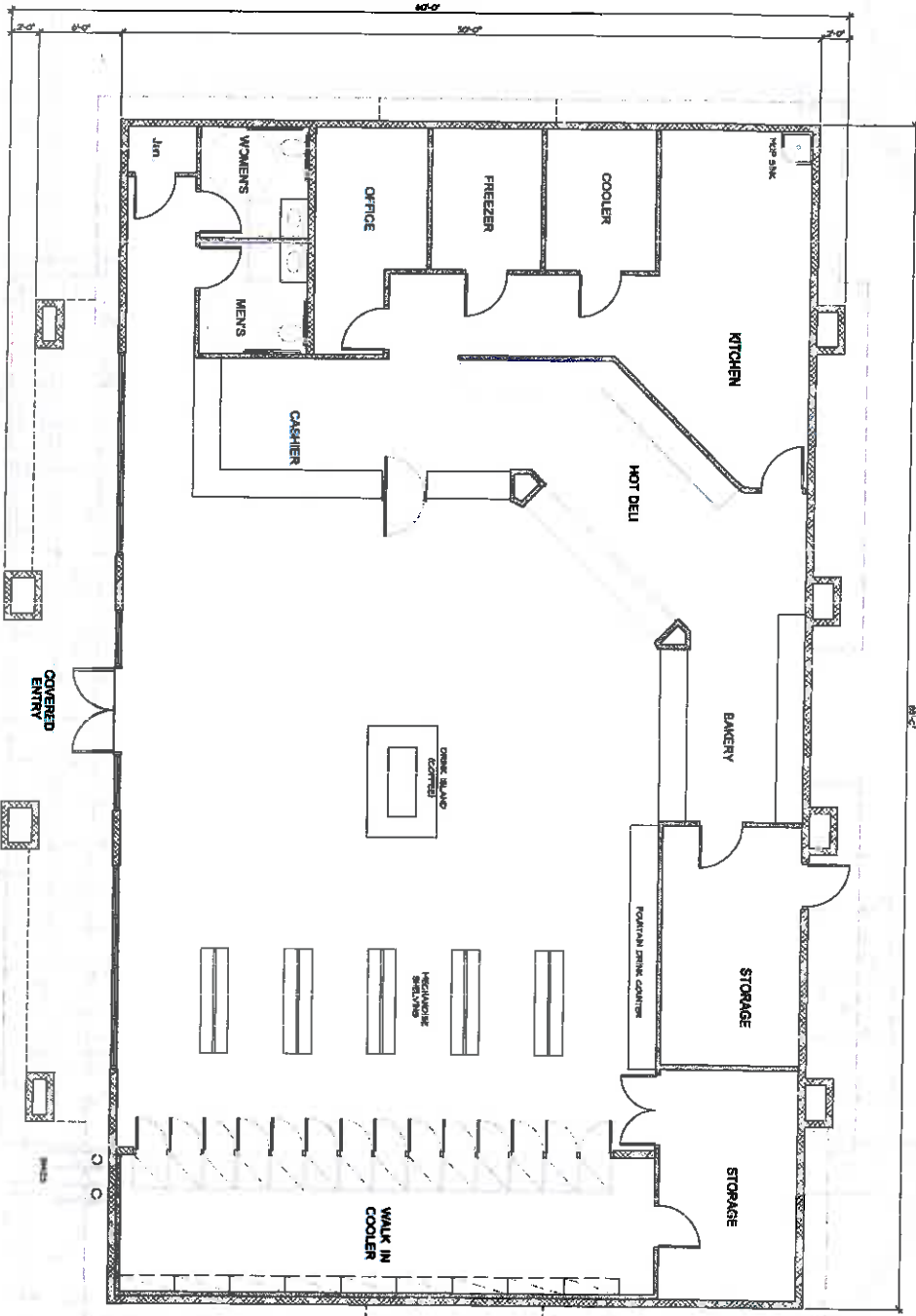
COUNTRY CLUB
SHOPPING
CENTER
 BY
VERALLA
DEVELOPMENT
HOLDINGS, LTD

DEWAVES STREET
 BETWEEN
 CORNER & HOUSTON

Exhibit "E"



FLOOR PLAN



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

1



A200

PROJECT N°: 15-4078
DRAWING

CONVENIENCE STORE & FUELING STATION
COUNTRY CLUB PLAZA
VISALIA, CA
SHEET TITLE

FLOOR PLAN



TETER, LLP
ARCHITECTS ENGINEERS CONNECTED
THIS PLAN, SPECIFICATIONS AND PROGRAM, ON THESE PLANS, SHALL BE THE PROPERTY OF TETER, LLP. NO PART OF THIS PLAN OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TETER, LLP.

DATE	BY	DESCRIPTION
11/09/10		SITE PLAN REVIEW

THESE PLANS, SPECIFICATIONS AND PROGRAM, ON THESE PLANS, SHALL BE THE PROPERTY OF TETER, LLP. NO PART OF THIS PLAN OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TETER, LLP.



MEETING DATE December 7, 2016
SITE PLAN NO. 16-168
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

Amended CUP

HISTORIC PRESERVATION

OTHER -

ADDITIONAL COMMENTS:

If you have any questions or comments, please call Jason Huckieberry at (559) 713-4259.2
Site Plan Review Committee




City of Visalia
Building: Site Plan
Review Comments

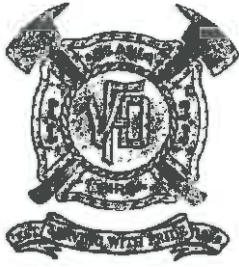
ITEM NO: **8** DATE: December 07, 2016
 SITE PLAN NO: SPR16168 **RESUBMIT**
 PROJECT TITLE: THE BARN
 DESCRIPTION: 4690 SF CONVENIENCE MARKET & FUELING
 STATION (CN) (AE) (K)
 APPLICANT: GRAHAM MATHEW
 PROP OWNER: VISALIA DEVELOPMENT HOLDINGS LTD
 LOCATION: 1330 N DEMAREE ST
 APN(S): 089-490-029

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

- Business Tax Certification is required. *For information call (559) 713-4326*
- A building permit will be required. *For information call (559) 713-4444*
- Submit 4 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 4 sets of plans prepared by an architect or engineer. Must comply with 2013 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking, common area and public right of way must comply with requirements for access for persons with disabilities.
- Multi family units shall be accessible or adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required clearance from San Joaquin Valley Air Pollution Board. Prior to am demolition work
For information call (661) 392-5500
- Location of cashier must provide clear view of gas pump island
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-7400*
- Project is located in flood zone AE * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.56 per square foot. Residential \$3.75 per square foot.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments
- See previous comments dated: _____

Special comments: ALL NEW LANDSCAPE AREAS SHALL MEET THE MVELO REQUIREMENTS.


 Signature _____ Date: 12/6/16



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: 8

DATE: December 07, 2016

SITE PLAN NO: SPR16168 RESUBMIT
PROJECT TITLE: THE BARN
DESCRIPTION: 4690 SF CONVENIENCE MARKET & FUELING STATION (CN) (AE) (K)
APPLICANT: GRAHAM MATHEW
PROP OWNER: VISALIA DEVELOPMENT HOLDINGS LTD
LOCATION: 1330 N DEMAREE ST
APN(S): 089-490-029

The following comments are applicable when checked:

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

General:

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2013 CFC 505.1*
- A Knox Box key lock system is required. Where access to or within a structure or an area is restricted because of secured openings (doors and/or gates) or for fire-fighting purposes, a key box is to be installed in an approved location. (Note: Knox boxes shall be ordered using an approved application that can be found at Fire Administration Office located at 707 W. Acequia Ave. Please allow adequate time for shipping and installation.) *2013 CFC 506.1*
- All hardware on exit doors shall comply with Chapter 10 of the 2013 California Fire Code. This includes all locks, latches, bolt locks, and panic and fire exit hardware.
- Provide illuminated exit signs and emergency lighting through-out building. *2013 CFC 1011*
- When portion of the building are built upon a property line or in close proximity to another structure the exterior wall shall be constructed as to comply *2013 California Building Code Table 508.4 and Table 602.*

Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. 2013 CFC 304.3.3

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

Water Supply:

Construction and demolition sites shall have an approved water supply for fire protection, either temporary or permanent, and shall be made available as soon as combustible material arrives on the site. 2013 CFC 3312

No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.

There is/are fire hydrants required for this project. (See marked plans for fire hydrant locations.)

Fire hydrant spacing shall comply with the following requirements:

The exact location of fire hydrants and final decision as to the number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. *Visalia Municipal Code 16.36.120 & 16.36.120(8)*

Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

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

Commercial or industrial developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every five hundred (500) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

When any portion of a building is in excess of one hundred fifty (150) feet from a water supply on a public street there shall be provided on site fire hydrants and water mains capable of supplying the required fire flow. *Visalia Municipal Code 16.36.120(6)*

Emergency Access:

- A construction access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction. The access road shall be capable of holding 75,000 pound piece of fire apparatus, and shall provide access to within 100 feet of temporary or permanent fire department connections. *2013 CFC 3310*

- Buildings or portions of buildings or facilities with a vertical distance between the grade plans and the highest roof surface exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. *2013 CFC D105*

- A fire apparatus access roads shall be provide and must comply with the CFC and extend to within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. *2013 CFC 503.1.1*

- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Length 151-500 feet shall be a minimum of 20 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC. Length 501-750 feet shall be 26 feet in width and have a 120 foot Hammerhead, 60-foot "Y" or 96-Foot diameter Cul-de-sac in accordance with Figure D103.1 of the 2013 CFC.

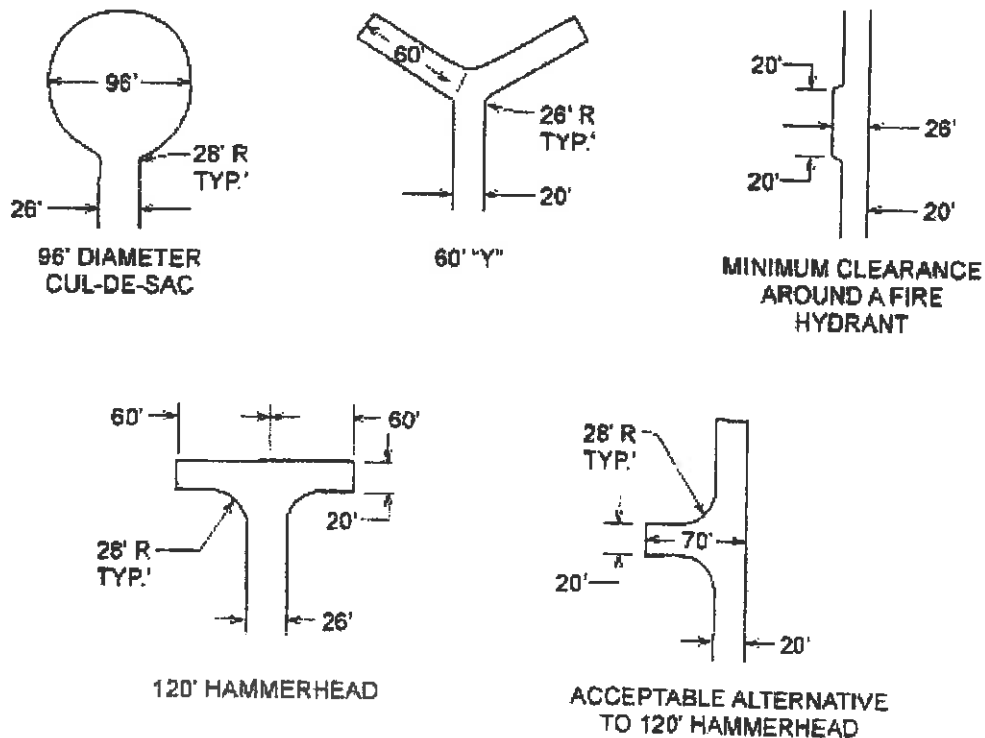


FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

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

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


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

Fire Protection Systems:

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

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

Special Comments:


KURTIS BROWN
FIRE MARSHAL

QUALITY ASSURANCE DIVISION
SITE PLAN REVIEW COMMENTS

ITEM NO: DATE: December 07, 2016
SITE PLAN NO: SPR16168 RESUBMIT
PROJECT TITLE: THE BARN
DESCRIPTION: 4690 SF CONVENIENCE MARKET & FUELING
STATION (CN) (AE) (K)
APPLICANT: GRAHAM MATHEW
PROP OWNER: VISALIA DEVELOPMENT HOLDINGS LTD
LOCATION: 1330 N DEMAREE ST
APN(S): 089-490-029

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

YOUR PROJECT IS ALSO SUBJECT TO THE FOLLOWING REQUIREMENTS:

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

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

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

John R. Quinn
AUTHORIZED SIGNATURE

12-2-16
DATE



**CITY OF VISALIA
NONSIGNIFICANT WASTEWATER
DISCHARGE PERMIT APPLICATION**

SP# 16168

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

ITEM NO: 8 DATE: December 07, 2016
SITE PLAN NO: SPR16168 **RESUBMIT**
PROJECT TITLE: THE BARN
DESCRIPTION: 4690 SF CONVENIENCE MARKET & FUELING STATION (CN) (AE) (K)
APPLICANT: GRAHAM MATHEW
PROP OWNER: VISALIA DEVELOPMENT HOLDINGS LTD
LOCATION: 1330 N DEMAREE ST
APN(S): 089-490-028

Site Plan Review Comments

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

Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure or improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:

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

- Access Controlled / Restricted etc:

- Lighting Concerns:

- Landscaping Concerns:

- Traffic Concerns:

- Surveillance Issues: SURVEILLANCE VIDEO SYSTEM RECOMMENDED FOR BOTH INTERIOR / EXTERIOR AND TO BE MADE AVAILABLE TO J.P.D
- Line of Sight Issues:

- Other Concerns:

Visalia Police Department

SITE PLAN REVIEW COMMENTS

Paul Bernal, Planning Division (559) 713-4025

Date: December 07, 2016

SITE PLAN NO: 2016-168 RESUBMITTAL
PROJECT TITLE: THE BARN
DESCRIPTION: 4690 SF CONVENIENCE MARKET & FUELING STATION (CN) (AE) (K)
APPLICANT: GRAHAM MATHEW
PROP. OWNER: VISALIA DEVELOPMENT HOLDINGS LTD
LOCATION TITLE: 1330 N DEMAREE ST
APN TITLE: 089-490-029
GENERAL PLAN: C-N – Neighborhood Commercial
EXISTING ZONING: C-N – Neighborhood Commercial

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Amendment to Conditional Use Permit No. 2007-10
- Building Permits
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION (12/07/2016):

1. A CUP amendment is required for the proposed service station and convenience store.
2. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C) or provide tree islands to make up the 80 sq. ft. landscape well for the parking field provide along Demaree St.
3. Beer and wine sales, if proposed, need to be included with the CUP application filing as required per Condition No. 9 of CUP No. 2007-10.
4. ~~Redesign the primary driveway along the south side of the building to address concerns regarding onsite circulation and solid waste pick-up at the trash enclosure located east of the proposed convenience market.~~
5. The building and gas canopy shall comply with the architectural design requirements established by the Country Club Shopping Center.
6. Comply with the Traffic Engineer and Engineering Divisions requirements regarding stacking and vehicle queuing for the Houston Ave. drive approach.

- 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: "K" [17.30.270]

The following development standards shall apply to property located in district K.

New development of property within this district shall comply with the conditions of approval of the applicable planned unit development permit. New development of property not situated within a planned unit development shall conform with development standards as determined by the site plan review committee as provided in Section 17.18.020.

Parking:

1. Parking shall be provided at the unified shopping center rate of one space per 225 square feet of gross floor area (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 repair work or vehicle servicing allowed in a parking area (Zoning Ordinance Section 17.34.030.L).
6. It is highly recommended that bicycle rack(s) be provided on site plan.
7. No parking shall be permitted in a required front/rear/side yard (Zoning Ordinance Section 17.34.030.F).
8. 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.

Landscaping:

1. The City has adopted the State Water Efficient Landscape Ordinance. The ordinance applies to projects installing 2,500 square feet or more of landscaping. It requires that landscaping and irrigation plans be certified by a qualified entity (i.e., Landscape Architect) as meeting the State water conservation requirements. The City's implementation of this new State law will be accomplished by self-certification of the final landscape and irrigation plans by a California licensed landscape architect or other qualified entity with sections signed by appropriately licensed or certified persons as required by the ordinance. **NOTE: Prior to a final for the project, a signed Certificate of Compliance for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.**
2. Provide street trees at an average of 20-feet on center along street frontages. All trees to be 15-gallon minimum size (Zoning Ordinance Section 17.30.130.C).
3. All landscape areas to be protected with 6-inch concrete curbs (Zoning Ordinance Section 17.30.130.F).
4. All parking lots to be designed to provide a tree canopy to provide shade in the hot seasons and sunlight in the winter months.
5. Provide a detailed landscape and irrigation plan as a part of the building permit package (Zoning Ordinance Section 17.34.040).
6. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking stalls (Zoning Ordinance Section 17.30.130.C).
7. 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)

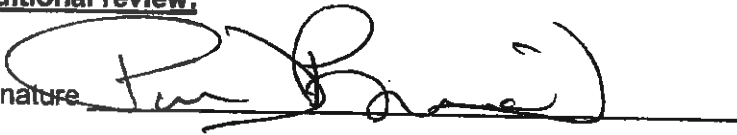
Lighting:

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

A handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be "Tom Brown".

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

December 7, 2016

ITEM NO: 8	RESUBMTL
SITE PLAN NO:	SPR16168
PROJECT TITLE:	THE BARN
DESCRIPTION:	4690 SF CONVENIENCE MARKET & FUELING STATION (CN) (AE) (K)
APPLICANT:	GRAHAM MATHEW
PROP. OWNER:	VISALIA DEVELOPMENT HOLDINGS LTD
LOCATION:	1330 N DEMAREE ST
APN(S):	069-490-029

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 driveway exit Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.
 - Provide more traffic information such as number of trips generated in peak hour. Depending on development size, characteristics, etc., a TIA may be required.

Additional Comments:

- Onsite circulation needs to be addressed. Adequate room for stacking of vehicles (waiting to turn into parking lot) is needed on driveways off of Demaree and Houston so as to prevent spillover onto public street.
- Align northerly site drive aisle with site drive aisle to the east.
- Tanker truck to enter/exit off Demaree as U-turns on Houston are prohibited.



Leslie Blair

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

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

ITEM NO: 8 DATE: DECEMBER 7, 2016

SITE PLAN NO.: 16-168 RESUBMITTAL
 PROJECT TITLE: THE BARN
 DESCRIPTION: 4690 SF CONVENIENCE MARKET & FUELING STATION (CN) (AE) (K)
 APPLICANT: GRAHAM MATTHEW
 PROP OWNER: VISALIA DEVELOPMENT HOLDINGS LTD
 LOCATION: 1330 N DEMAREE ST
 APN: 089-490-029

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with _____ radius;
- Install curb; gutter **ONSITE AS SHOWN**
- Drive approach size: Use radius return;
- Sidewalk: **4' MIN.** width; _____ parkway width at **ONSITE, ACCESSIBLE PATH OF TRAVEL**
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required. FOR 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). **ONSITE AS SHOWN**
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- 7 Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show Oak trees with drip lines and adjacent grade elevations. Protect Oak trees during construction in accordance with City requirements.
- A permit is required to remove oak trees. Contact Joel Hooyer at 713-4295 for an Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

1. ***Proposed gas station and retail market will incur impact fees. Refer to page 3 for applicable fees and estimate.***
2. ***The trash enclosure location does not meet current City standards for a direct-stab by a Solid Waste vehicle. The master plan for the shopping center and subsequent site improvements that were constructed included the predetermined refuse enclosure location; in addition, the parcel boundaries were also adjusted. The refuse enclosure location will be acceptable given that the existing curb line remain along south drive aisle. A standard R-3 enclosure is required with concrete apron and gates. It is recommended that the enclosure be positioned/angled to adequately allow a direct-stab by a Solid Waste vehicle.***
- 7316 3. ***Project landscaping shall comply with State MWELo standards. The landscape and irrigation design plans shall accompany the civil or building plan permit.***
4. ***A building permit is required. Standard plan check and inspection fees apply.***
5. ***Storage of any other items other than City issued refuse containers is prohibited in all City standard refuse enclosures.***
6. ***It is recommended a small landscape planter strip be added to properly delineate traffic entering and exiting from the access drive aisle off Demaree (similar to the existing improvements on south side of access road).***

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 16-168 RESUBMITTAL

Date: 12/7/2016

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: 10/1/2016)

(Project type for fee rates: MARKET + GAS STATION)

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input checked="" type="checkbox"/> Groundwater Overdraft Mitigation Fee	\$1,226/AC X 1.34 = \$1,643
<input checked="" type="checkbox"/> Transportation Impact Fee	\$13,825/1000SF X 4.25 = \$58,756
	FUEL STATION - CUMMULATIVE RATE, 12 POSITIONS TOTAL = \$243,624
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$16/1000SF X 4.25 = \$68 TREATMENT PLANT FEE: \$53/1000SF X 4.25 = \$225
<input checked="" type="checkbox"/> Sewer Front Foot Fee	\$41/LF X 437 = \$17,917
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	\$6,554/AC X 1.34 = \$8,782
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	\$4,811/AC X 1.36 = \$6,543
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	\$8,223/AC X 1.34 = \$11,019
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire	\$1,799/AC X 1.34 = \$2,411
<input checked="" type="checkbox"/> Public Facility Impact Fee	\$316/1000SF X 4.25 = \$1,343
<input type="checkbox"/> Parking In-Lieu	

Reimbursement:

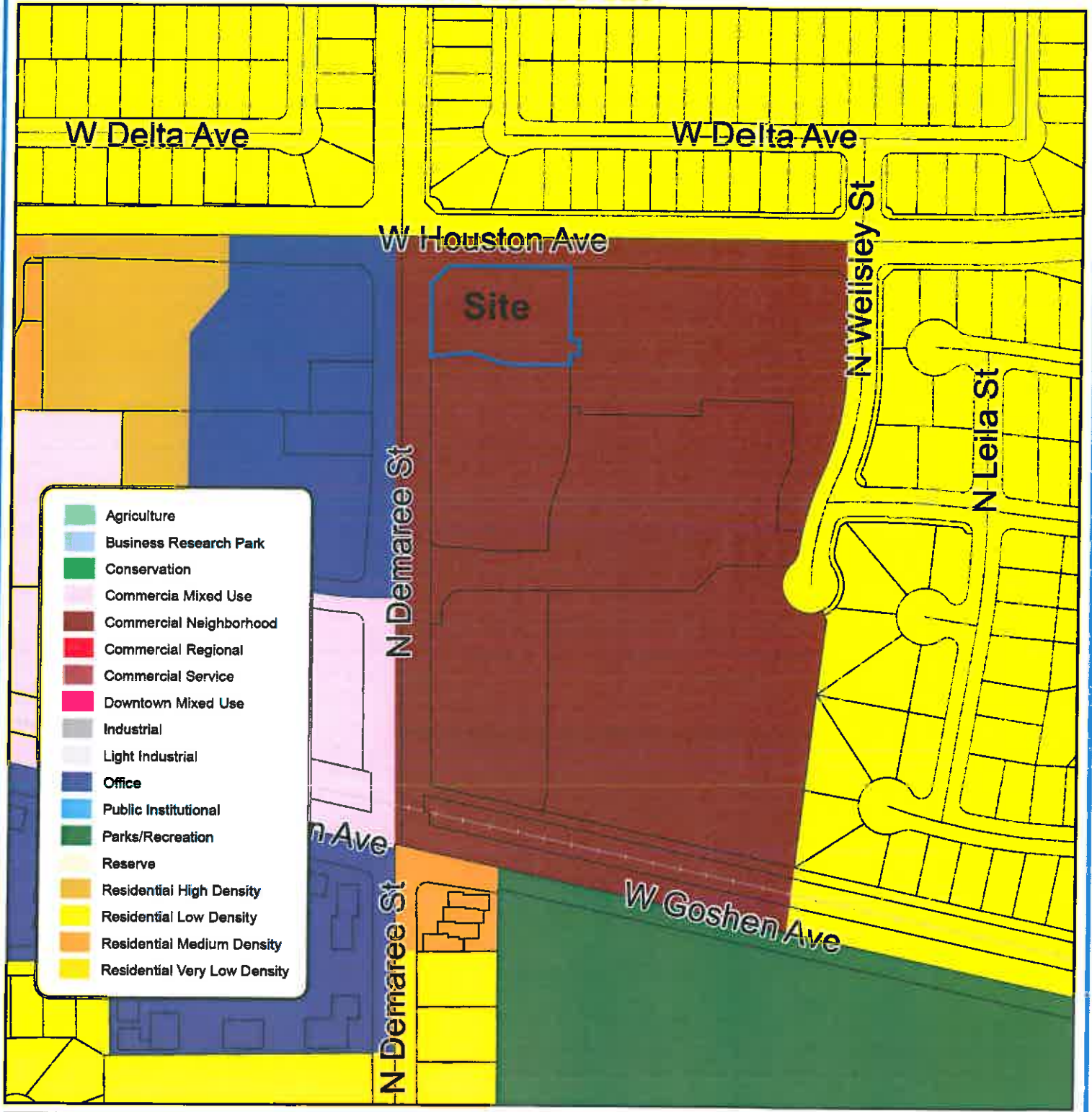
- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in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

Conditional Use Permit No. 2017-04

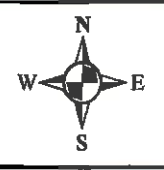
APN: 089-490-029



- Agriculture
- Business Research Park
- Conservation
- Commercial Mixed Use
- Commercial Neighborhood
- Commercial Regional
- Commercial Service
- Downtown Mixed Use
- Industrial
- Light Industrial
- Office
- Public Institutional
- Parks/Recreation
- Reserve
- Residential High Density
- Residential Low Density
- Residential Medium Density
- Residential Very Low Density

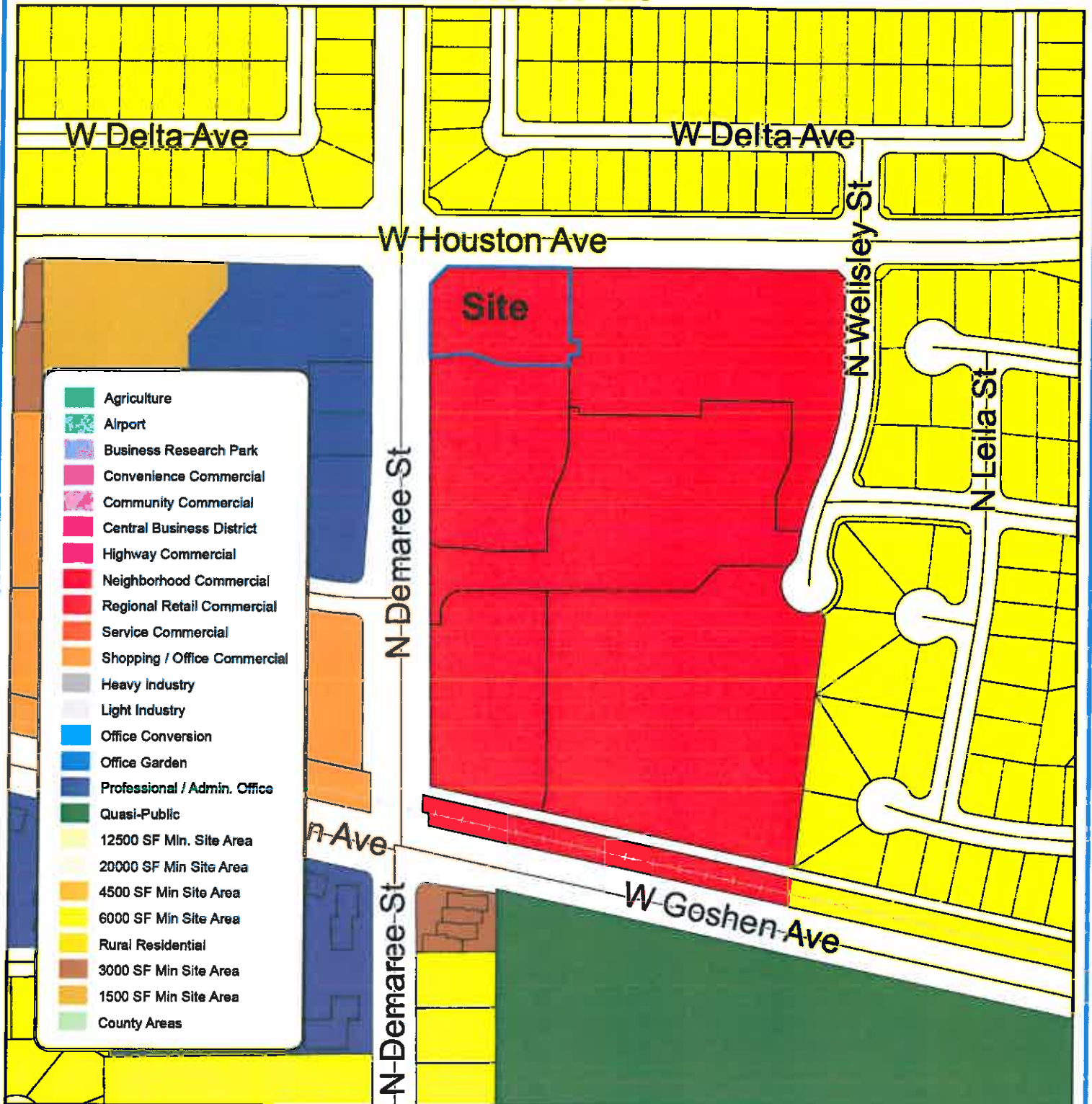


General Plan Land Use Map



Conditional Use Permit No. 2017-04

APN: 089-490-029



Zoning Map



Conditional Use Permit No. 2017-04

APN: 089-490-029



Aerial Map



Conditional Use Permit No. 2017-04

APN: 089-490-029



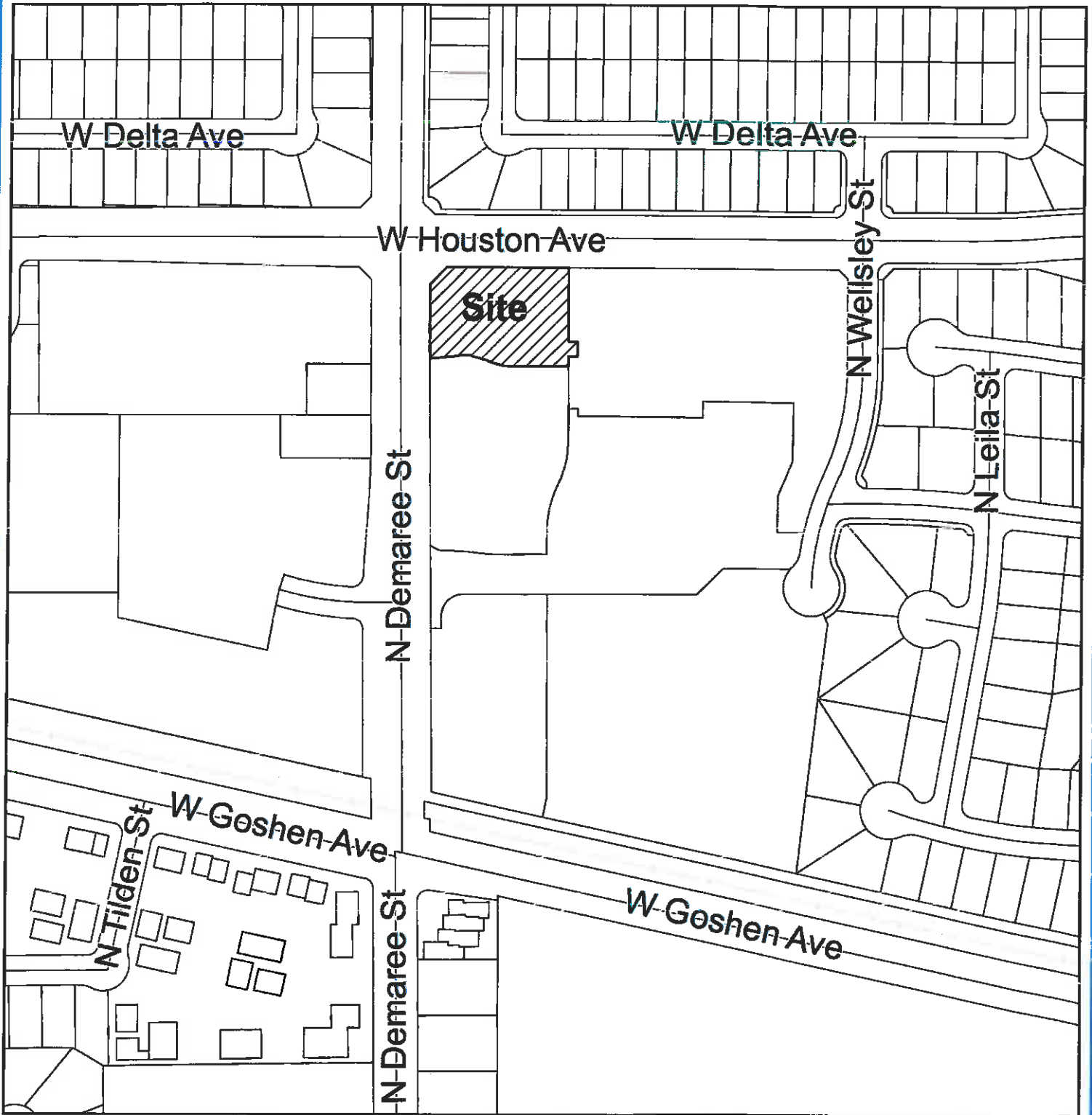
Aerial Map

100 50 0 100 200 Feet



Conditional Use Permit No. 2017-04

APN: 089-490-029



Vicinity Map

