

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

COMMISSIONERS: Adam Peck, Brett Taylor, Liz Wynn, Marvin Hansen, Chris Gomez

MONDAY, MAY 8, 2017; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. CHANGES OR COMMENTS TO THE AGENDA–
4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - Finding of Consistency 2017-02: A request by Lennar Homes of California, Inc., to revise the Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512 by increasing the local interior street widths from 52-feet to 56-feet, revise side yard setbacks and increase the lot count from 94-lots to 95-lots. The approved subdivision is located on the east side of North Mooney Boulevard between West Ferguson and West Riggan Avenues (APN: 090-010-008).
5. PUBLIC HEARING – Brandon Smith  
Conditional Use Permit No. 2017-12: A request by Firas Jobran (Yezn Jobran, property owner), to allow a convenience store and sandwich shop within a 1,602 square foot suite in the C-N (Neighborhood Commercial) zone. The project site is located at 1531 S. Court Street, on the northwest corner of Court Street and Paradise Avenue. (APN: 097-312-019)  
The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2017-20.
6. PUBLIC HEARING – Andy Chamberlain  
Variance No. 2017-07: A request by Jerry Weatherford to allow a variance to reduce the side yard setback from five feet to three feet/three inches for 14 square feet of an existing accessory structure, and to increase the allowed height for the roof peak from 12 feet to 13 feet/five inches, in the Low Density Residential (R-1-5) Zone. The site is located at 3745 W. Monte Vista. (APN: 119-261-023). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-26.



7. PUBLIC HEARING – Paul Bernal  
Conditional Use Permit No. 2017-10: A request by Elodina Dominguez to establish a new pre-school by converting an existing 2,680 square foot single-family residential dwelling unit in the R-1-20 (Single-Family Residential) zone. The site is located at 413 North Crenshaw Street (APN: 085-170-009). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-24.
8. PUBLIC HEARING – Paul Bernal  
Conditional Use Permit No. 2017-13: A request by Doc's Market to establish a convenience store and deli in a 1,800 square foot tenant space located at 110 West Main Street in the D-MU (Downtown Mixed Use) zone (APN: 094-324-003). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-28.
9. PUBLIC HEARING – Andy Chamberlain  
Conditional Use Permit No. 2017-11: A request by Kristen Thompson to establish a Brain Balance facility providing holistic educational and behavioral programs for children, in the Neighborhood Commercial (NC) zone. The subject site is located at 5123 W. Walnut Avenue (APN: 119-650-001, 002, 003, 004, 005, 006, 007). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-19.
10. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

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

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

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

### **APPEAL PROCEDURE**

#### **THE LAST DAY TO FILE AN APPEAL IS THURSDAY, MAY 18, 2017 BEFORE 5 PM**

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

#### **THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, MAY 22, 2017**



# City of Visalia



**To:** Planning Commission

**From:** Paul Bernal, Principal Planner (713-4025)

**Date:** May 8, 2017

**Re:** Finding of Consistency No. 2017-002 a request by Lennar Homes of California, Inc., to revise the Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512 by increasing the local interior street widths from 52-feet to 56-feet, revise side yard setbacks and increase the lot count from 94-lots to 95-lots. The approved subdivision is located on the east side of North Mooney Boulevard between West Ferguson and West Riggan Avenues (APN: 090-010-008).

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## **RECOMMENDATION**

Staff recommends that the Planning Commission make a Finding of Consistency modifying the approved Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512 by revising the following:

1. Increase local interior street widths from 52-feet to 56-feet for Central Street, Elm Street, Fairway Street, Modoc Avenue and Sunnyview Avenue.
2. Modify side yard setback requirements for all residential lots to comply with the City's new R-1-5 (Single-family Residential 5,000 sq. min. area) standards of five-feet for interior lot lines and 10-feet for street side lot lines rather than the mixed lot design setback standards, which have subsequently been removed as part of the adopted Zoning Ordinance update.
3. Increase the lot count from 94-lots to 95-lots.

The proposed revisions to the vesting tentative subdivision map are depicted on the attached Exhibit "A". A copy of the 2006 subdivision map approved by the Planning Commission on April 10, 2006 is also included (see Exhibit "B"). All other Conditions of Project Approval as adopted per Resolution No. 2006-44, shall be complied with as part of the Final Map approval.

## **DISCUSSION**

The Planning Commission approved the Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512, on April 10, 2006. The approved subdivision map (Exhibit "B") depicted the subdivision of 18.75-acres into 94 single-family residential lots. The subdivision was originally designed to accommodate a variety of lot sizes and configurations by utilizing former Section 17.12.230 "Mixed Lot Design" of the Zoning Ordinance to provide flexibility in the R-1 development standards. Under the provisions of Section 17.12.230, the side yard setback for two-story homes requires a five (5) foot setback per story. This results in any two-story home having a 10-foot setback from the side property line. In addition, the subdivision was designed using the 52-foot wide local street standard (i.e., small street design).

The original applicant sold the tentative subdivision map to Lennar Homes of California, Inc. Lennar Homes, upon reviewing the development standards of the map requested modifications to the side yard setback as required per Section 17.12.230 (i.e., five-foot per story) (see Exhibit "C"). Because of this Site Plan Review submittal, staff inquired if Lennar would be receptive to modifying the local street width from 52-feet to 56-feet, which provides for a wider drive lane that accommodates parking on both sides of the street while still maintaining sufficient width to facilitate emergency and solid waste vehicles. The 52-foot wide street design prohibits parking on one side of the street.

Increasing the local street width does reduce the minimum lot area for several of the lots within the subdivision but does not reduce any lot beyond the minimum R-1-5 lot area standard of 5,000 square feet. The proposed map revisions will not pose any significant impact to the surrounding land uses.

This finding is based on staff's determination that the revisions to Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512 are consistent with the overall development plan approved for the site, and will not result in an increase in traffic that was not considered as part of the subdivision approval process.

Approval of the finding of consistency will not require any change to the approved Resolution No. 2006-44 for the Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512.

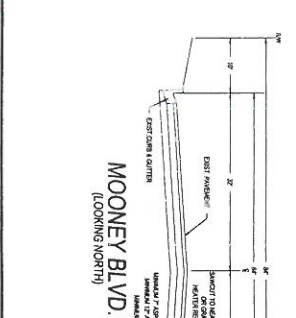
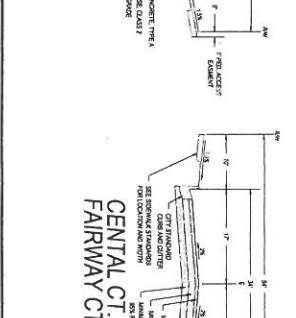
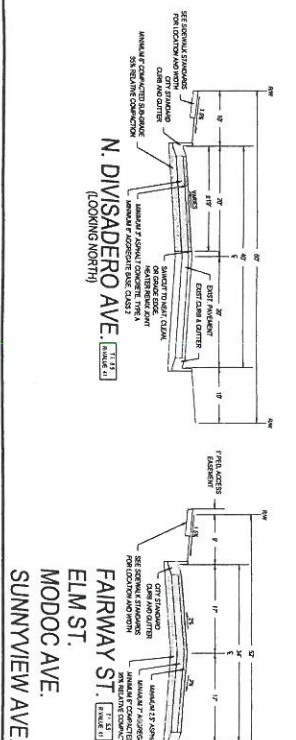
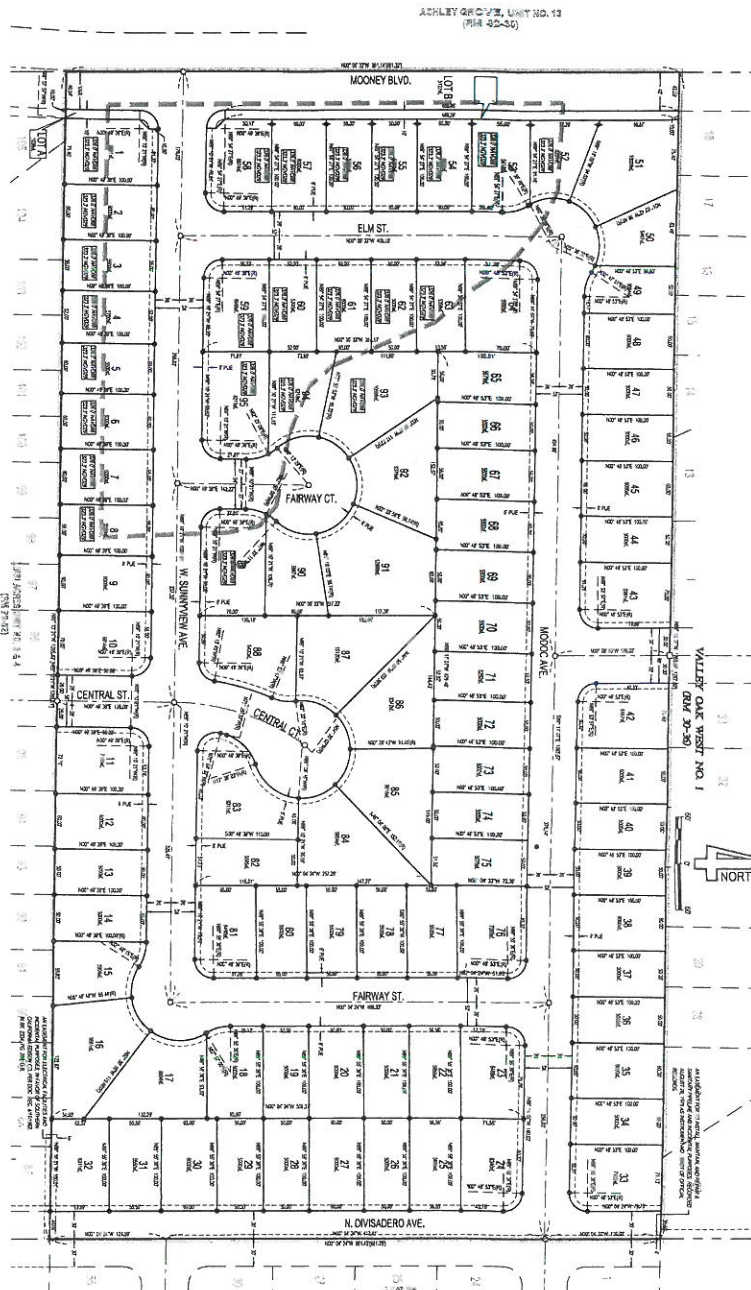
#### **ATTACHMENTS**

- Exhibit "A" – Revised Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512 with 56-foot wide local streets
- Exhibit "B" – Approved 2006 Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512
- Exhibit "C" – Applicant's letter dated April 12, 2017
- Resolution No. 2006-44
- Aerial Photo



# Exhibit "A"

**NOTICE TO HOMEOWNERS**  
 BASIS OF BELIEFS  
 THIS PLAN IS PREPARED FOR THE PROPOSED PROJECT AND IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS BELIEVED THE INFORMATION TO BE TRUE AND ACCURATE. THE ENGINEER HAS NOT CONDUCTED ANY INVESTIGATION TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER HAS BELIEVED THE INFORMATION TO BE TRUE AND ACCURATE. THE ENGINEER HAS NOT CONDUCTED ANY INVESTIGATION TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER HAS BELIEVED THE INFORMATION TO BE TRUE AND ACCURATE. THE ENGINEER HAS NOT CONDUCTED ANY INVESTIGATION TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.



**NET DENSITY:**  
 TOTAL NET AVERAGE: 18.84 UC  
 TOTAL UNITS: 55 UNITS  
 TOTAL DENSITY: 6.88 UNITS/AC

**LOTS A AND B: DEDICATED TO CITY OF VISALIA FOR LANDSCAPE AND LIGHTING DISTRICT**

**PROPOSED SETBACKS: 4-5'  
 GARAGE: 2'  
 LIVING SPACE: 15'  
 SIDE YARD: 5'  
 REAR YARD: 25'**

**APN:** 09010008  
**ACREAGE:** 14.87 AC  
**FLOOD ZONE:** ZONE AE  
**ZONING EXISTING:** R-1.5  
**ZONING PROPOSED:** R-1.5  
**ELECTRICITY:** SOUTHERN CALIFORNIA Edison  
**WATER:** CALIFORNIA WATER SERVICE  
**SEWER:** CITY OF VISALIA  
**NATURAL GAS:** CITY OF VISALIA  
**EXISTING USE:** SOUTHERN CALIFORNIA GAS  
**PROPOSED USE:** SINGLE FAMILY RESIDENTIAL AND MULTIFAMILY

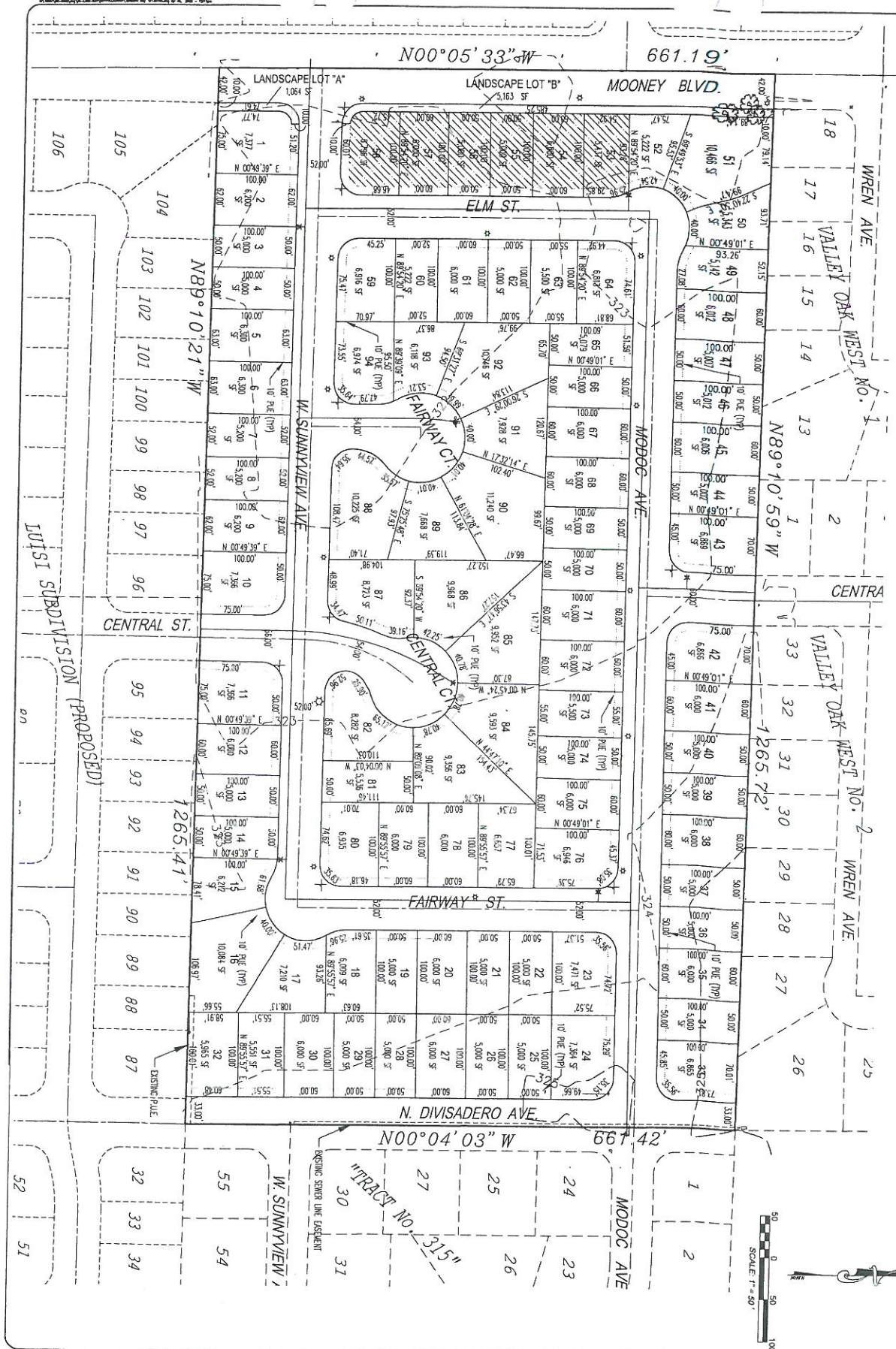
# EAGLE MEADOWS

APRIL 2017

COVERING LOT 20 OF EAGLE MEADOWS AND BEING IN THE NW 1/4 OF SECTION 19 TOWNSHIP 18 SOUTH, RANGE 7N EAST, COUNTY OF KINGS CALIFORNIA IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA



EAGLE MEADOWS OF VISALIA 20



SHEET 2	Eagle Meadows of Visalia	 <b>Stanley Consultants</b> INC. <small>1533 E. 9th E, Suite 220                  San Luis Obispo, CA 93401, 805-777-7250                  (800) 243-8800 Fax (805) 793-5155                  www.stanleyconsultants.com</small>	DRAWN BY: MC CHECKED BY: SURVEYED BY: SD PROJECT # 11007 DATE: February 8, 2006
	VESTING TENTATIVE TRACT Visalia, California		SHEET 3 OF 2



RESOLUTION NO 2006-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING EAGLE MEADOWS OF VISALIA 20 VESTING TENTATIVE SUBDIVISION MAP NO. 5512, A REQUEST TO DIVIDE 13.64 ACRES INTO 94 SINGLE-FAMILY RESIDENTIAL LOTS. THE SITE IS LOCATED ON THE EAST SIDE OF MOONEY BOULEVARD, NORTH OF FERGUSON AVENUE.

**WHEREAS**, Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512 a request by Eagle Meadows Development (Scott Roylance, agent) to divide 13.64 acres into 94 single-family residential lots. The site is located on the east side of Mooney Boulevard, north of Ferguson Avenue. (APN: 090-010-008); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said Commission on April 10, 2006; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the subdivision in accordance with Section 16.16 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

**WHEREAS**, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required.

**NOW, THEREFORE, BE IT RESOLVED** that Negative Declaration No. 2006-01 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed location of the Tentative Subdivision Map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed location of the tentative subdivision map and the conditions under which it would be built or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the density requirement of the underlying R-1-6 zone is met.
4. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and Negative Declaration No. 2006-01 is hereby adopted.

5. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code. The site does not contain any riparian habitat, sensitive natural communities, or wetlands, and does not contain any known sensitive, threatened, or endangered species.

**BE IT FURTHER RESOLVED** that the Planning Commission approves the subdivision on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 16.04.040 of the Ordinance Code of the City of Visalia and subject to the following conditions:

1. That the final map be prepared consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan No. 2005-241
2. That the final map be developed in substantial compliance with the approved tentative subdivision map shown in Exhibits "A", "B" and "C".
3. That an assessment district(s) be formed prior to recordation of the final map, for the maintenance of the landscaping, fences and/or walls, the temporary detention basin during the period it is used as a detention basin until the project is connected to the regional storm drain system, and other improvements along the public street frontages and within open space areas of the subdivision, including maintenance for appurtenant local streets, maintenance for street trees, and the operational and maintenance cost for the street lights, both internal to the subdivision and along streets abutting the subdivision. The assessment district(s) shall also include provisions for the City of Visalia to collect payments for same from the subdivider(s) prior to approval of district assessments and placement of same on the property tax roll.
4. That the property owner, applicant, or designated agent of the project shall pay all applicable fees (effective per Ordinance No. 2005-09 adopted by the City Council on August 15, 2005). In lieu of payment of the Groundwater Overdraft Mitigation Fee, property owner, applicant, or designated agent of the project can dedicate water rights to the City, in accordance with said Ordinance. All other applicable impact fees for this project shall be paid at the time that building permits are issued, or prior to issuance of final occupancy, if applicable, or at the time that a final map is recorded, at the discretion of the Community Development Director, or as may be required by ordinance.
5. That on all lots adjacent to block walls, setbacks shall be measured from the inside face of the block wall.
6. That the fencing around the temporary ponding basin be set back 10 feet from the property to allow for the installation of curb, gutter and sidewalk along Elm Street.
7. That all other City codes and ordinances be met.

Commissioner Salinas offered the motion to this resolution. Commissioner Segrue seconded the motion and it carried by the following vote:

AYES: Commissioners Salinas, Segrue, Logan, Pérez  
NOES:  
ABSTAINED:  
ABSENT: Commissioner Peck



STATE OF CALIFORNIA)  
COUNTY OF TULARE ) ss  
CITY OF VISALIA )

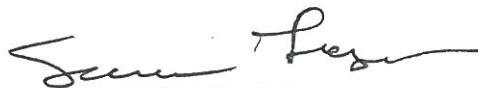
ATTEST: Fred Brusuelas, AICP  
Community Development & Public Works Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2006-44, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on April 10, 2006.



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Fred Brusuelas, AICP  
Community Development Assistant Director



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Sam Logan, Chairperson



To: Mr. Paul Bernal  
Principal Planner  
City of Visalia  
Community Development Department, Planning Division

RECEIVED

APR 12 2017

COMM. DEVELOP.  
CITY OF VISALIA

Project: Eagle Meadows Subdivision

Subject: Finding of Consistency

Mr. Bernal,

On behalf of our client, Lennar Homes of California, Inc., we would like to request that the City proceed with the Finding of Consistency regarding the approved Vesting Tentative Map, Eagle Meadows.

We are proposing to utilize the new City of Visalia zoning ordinance for this project. At the request of the City, the street widths have been increased to provide for a wider travel path. A couple of lot lines have been shifted in order to better accommodate Lennar's product, but the overall lot count has not changed.

We appreciate the help we have received from the City of Visalia and we thank the City for their consideration on this matter. If there are any further questions, please feel free to contact me at (559)802-3052.

Sincerely,

**Visalia Office**  
324 S. Santa Fe St. Ste. A  
Visalia, California 93292  
P: (559) 802.3052  
F: (559) 802.3215

Steven J. Macias  
Civil Engineer

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**Porterville Office**  
881 W. Morton Ave., Suite D  
Porterville, California 93257  
P: (559) 781. 0102  
F: (559) 781.6840

[www.4-creeks.com](http://www.4-creeks.com)



# Eagle Meadows of Visalia 20 VTSM No. 5512

APN: 090-010-008



## Aerial Photo

10050 0 100 200 Feet

