

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

MONDAY, JUNE 12, 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.
 - Adoption of Resolution No. 2017-20, denying Conditional Use Permit No. 2017-10 in accordance with action taken by the Planning Commission during the regular meeting held on May 8, 2017.
5. PUBLIC HEARING – Paul Bernal
Conditional Use Permit No. 2017-19: A request by Visalia City Billiards to operate a billiards parlor in an existing 4,821 square foot tenant space located within the Mineral King Plaza Shopping in the C-MU (Commercial Mixed Use) zone. The project site is located at 4247 West Noble Avenue between South Chinowth Street and South Linwood Street (APN: 087-070-017). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-29.
6. PUBLIC HEARING – Paul Bernal
Conditional Use Permit No. 2017-18: A request by Social Vocational Services to allow an adult daytime program to provide vocational, and life skills training to adults with disabilities in an 18,184 square foot office building. The site is zoned C-MU (Commercial Mixed Use) and is located at 1120 South Ben Maddox Way (APN: 100-010-039). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-36.
7. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2017-16: A request by Eric McConnaughey (Justin Martella, property owner), to allow improvements for an animal adoption, animal training, and education center in an existing 15,000 square foot building in the A (Agriculture) zone. The project site is located at 9800 W. Camp Drive, on the north side of Camp Drive

approximately 1,600 feet west of Neeley Street. (APN: 081-020-039) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-33.

8. 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, JUNE 22, 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 or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, JUNE 26, 2017

City of Visalia



To: Planning Commission

From: Josh McDonnell, City Planner (713-4364)
Paul Bernal, Principal Planner (713-4025)

Date: June 12, 2017

Re: Adoption of Resolution No. 2017-20, denying Conditional Use Permit No. 2017-10 in accordance with action taken by the Planning Commission during the regular meeting held on May 8, 2017.

SUMMARY

On May 8, 2017, the Planning Commission held a public hearing for Conditional Use Permit No. 2017-10, a request by Elodina Dominquez to establish a new preschool by converting an existing 2,680 square foot single-family residential dwelling in the R-1-20 (Single-Family Residential) zone located at 413 North Crenshaw Street. Upon close of the public hearing, the Planning Commission voted 4-1 (Commissioner Gomez dissenting) to deny Conditional Use Permit No. 2017-10.

The resolution included with the May 8, 2017, Planning Commission staff report reflected approval of the conditional use permit, which was the original recommended action. The Planning Commission's action to deny the conditional use permit requires that a new resolution reflecting the denial and the findings for denial as conveyed by the Planning Commissioners be prepared reflecting this decision. The new resolution is included as an attachment to this memorandum.

ATTACHMENT

- Resolution No. 2017-20 Denial without Prejudice

RESOLUTION NO. 2017-20

(AMENDED)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA DENYING CONDITIONAL USE PERMIT NO. 2017-10, A REQUEST BY ELODINA DOMINQUEZ 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)

WHEREAS, Conditional Use Permit No. 2017-10, is a request by Elodina Dominquez 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); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 8, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2017-10 is not in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the testimony presented at the public hearing; and

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

WHEREAS, if Conditional Use Permit No. 2017-10 is denied, no action needs to be taken on an environmental document subject to Section 15270 of the California Environmental Quality Act.

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 not consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is not consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is not in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The project use is not compatible with the existing large lot rural environment for which the CUP is requesting to establish a preschool with 50 children and six staff members. The areas lack of public improvements including no sidewalks and pedestrian crossings within the project area does not lend itself for the inclusion of a preschool at the midblock of the residential area. The Planning Commission finds the additional traffic generated with the proposed preschool detracts from the overall quality of the neighborhood environment and the improvements proposed with the preschool do not mitigate and/or prohibit individuals from parking off-site and impacting the local street and residential neighborhood.

- b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The proposed location of the conditional use and the conditions under which it would be operated or maintained could be detrimental to the public health, safety, or welfare, and could be materially injurious to properties or improvements in the vicinity. The increase in vehicle traffic as result of the preschools drop-off and pick-up times will impact the local residential street and the lack of public improvements including curb, gutter and sidewalks within the residential neighborhood does not lend itself for the inclusion of a preschool at the midblock of the residential area. The improvements associated with the preschool detract from the overall rural residential character of the neighborhood and do not prohibit individuals from parking off-site and impacting the local street and residential neighborhood. The increase in traffic at this location may in turn contribute to increased traffic congestion along the North Crenshaw Street corridor.
2. That the proposed conditional use permit is not compatible with adjacent land uses. As shown in the site plan submitted the improvements proposed with the preschool is not in keeping with the character of surrounding single-family residential land uses. Furthermore, the lack of pedestrian improvements along the Crenshaw Street including no sidewalks, and no pedestrian street crossings pose safety concerns for small children that would access the preschool on a daily basis.

BE IT FURTHER RESOLVED that the Planning Commission hereby denies Conditional Use Permit No. 2017-10 on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia.