

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

COMMISSIONERS: Brett Taylor, Liz Wynn, Chris Gomez, Marvin Hansen, Sarrah Peariso

MONDAY, JULY 10, 2017, 7:00 PM REGULAR MEETING, COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

1. THE PLEDGE OF ALLEGIANCE –
2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
3. SWEARING IN OF NEW COMMISSIONERS-
 - Chris Gomez
 - Sarrah Peariso
4. CHANGES OR COMMENTS TO THE AGENDA–
5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - No Items on Consent Calendar
6. REGULAR ITEM-Andy Chamberlain
Finding of Consistency No. 2017-03: A request by Bob Rose, owner Black Bear Diner, to replace the traffic control spikes with a rolling gate to prevent access to Beverly Drive, in the Commercial Mixed Use zone (CMU). The subject site is located at 900 S. Mooney Boulevard (APN: 096-023-030). The proposed action is considered "Ministerial" since it only technically requires a building permit. Ministerial Exemption No. 2107-51 has been prepared for this action.
7. PUBLIC HEARING – Rebecca Keenan
A request by the City of Visalia to rename North Burke Court to North Burke Street. The project site is located between Houston Avenue and Roosevelt Avenue, west of North Ben Maddox Way. On April 2, 2012 the City Council adopted Resolution No. 2012-18 adopting Negative Declaration No. 2012-01.
8. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2017-20: A request by Elmbridge Properties to allow a church within a 2,211 square foot portion of a building located in the C-S (Service Commercial) zone. The project site is located at 700 S. Bridge Street. (APN: 097-074-003) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-40.

9. PUBLIC HEARING – Paul Bernal

- a. The Grove Tentative Subdivision Map No. 5562: A request by Swift Homes to subdivide 11.2 acres into 60 lots consisting of 53 single-family residential lots and 7 multi-family lots for a planned unified residential development. The project site is zoned R-M-2 (Multi-Family Residential 3,000 square feet minimum site area per unit) and is located on southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-065 & 126-120-066).
- b. Conditional Use Permit No. 2017-15: A request by Swift Homes for a Planned Residential Development to allow modified development standards for a mixed single-family and multi-family unified residential development on 11.2 acres and to amend Conditional Use Permit No. 2007-09 by removing duplex units from the approved Maddox at Caldwell Unit No. 7 tentative subdivision map (Tentative Subdivision Map No. 5531). The project site is zoned R-M-2 (Multi-family Residential, 3,000 square feet minimum site area per unit), and is located on the southwest corner of South Ben Maddox Way and East K Avenue (APNs: 126-120-050,065, 066 & 126-590-008, 126-560-060, & 126-640-074).

An Initial Study was prepared for the project consistent with CEQA. Initial Study No. 2017-45 disclosed that environmental impacts are determined to be not significant. The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. The Environmental Impact Report adequately analyzed and addressed the tentative subdivision map and conditional use permit applications.

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, JULY 20, 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, JULY 24, 2017



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: July 10, 2017

PROJECT PLANNER: Rebecca Keenan, Senior Civil Engineer
Phone: (559)713-4541; Email:
Rebecca.keenan@visalia.city

SUBJECT: A request by the City of Visalia to rename North Burke Court to North Burke Street. The project site is located between Houston Avenue and Roosevelt Avenue, west of North Ben Maddox Way.

STAFF RECOMMENDATION

Staff recommends approval of the proposed rename of North Burke Court to North Burke Street.

RECOMMENDED MOTION

I move to adopt Resolution No. PC 2017-57, approving the renaming of North Burke Court to North Burke Street, pursuant to Chapter 12.06.010, Street Names, of the Visalia Municipal Code.

PROJECT DESCRIPTION

The City of Visalia Municipal Code Chapter 12.06.010 requires that a public hearing be held before the Planning Commission for the review of any proposal to rename a City street.

This proposal is to rename approximately 640 lineal feet of an existing cul-de-sac from North Burke Court to North Burke Street. The area adjacent to and impacted by the renaming is zoned Residential Medium Density. The Housing Authority of Tulare County owns the parcel directly east and adjacent to the project, which contains several multi-family units on it. The parcels located along the west side of North Burke Court are existing multi-family units. The renaming of the street will impact approximately 70 residences.

BACKGROUND INFORMATION

General Plan Land Use Designation: Residential Medium Density

Zoning: 3000 SF Min Site Area

Surrounding Zoning and Land Use: North: R-1-5, 5000 SF Min Site Area
South: C-S, Service Commercial
East: C-S, Service Commercial
West: C-MU, Mixed Use Commercial

Environmental Document: Notice of Determination for Negative Declaration No. 2014-33

Special Districts: North Burke Court is not located within any Special Districts.
The Northeast Visalia Specific Plan lies along the north side of East Houston Avenue.

Site Plan: N/A

Related Projects

The Planning Commission previously approved Exception No. 2015-07, a request by the City of Visalia to allow an exception to the maximum wall height in the required street side yard of an existing multi-family dwelling complex in the Multi-family Residential (R-M-R) zone. The site is located on the east side of North Burke Court, between Roosevelt Avenue and Houston Avenue, APN 094-140-030.

Related Plans and Policies

City of Visalia Municipal Code Chapter 12.06.010

PROJECT EVALUATION

Staff supports the requested rename of North Burke Court to North Burke Street, based on the project's consistency with the General Plan.

Consistency with General Plan

On February 13, 2012, the Planning Commission held a public hearing for General Plan Amendment No. 2012-01, which would amend the General Plan Circulation Element to classify North Burke Street from Houston Avenue to Tulare Avenue as a collector status street. Mr. Corbin McDonald, who owns property at 1239 North Burke Court spoke in opposition to the GPA. After listening to the concerns raised by Mr. McDonald and further discussing the item, the Commission voted to recommend that the City Council adopt the Negative Declaration for the project, and approve the General Plan Amendment No. 2012-01.

On April 2, 2012, the City Council adopted Resolution No. 2012-19 approving General Plan Amendment No. 2012-01, which amended the General Plan Circulation Element to classify North Burke Street from Houston Avenue to Tulare Avenue as a collector status street.

Since adoption of General Plan amendment No. 2012-01, staff has worked extensively to obtain the needed right of way and complete the design to convert North Burke Court into a connecting collector street. The street conversion is currently being constructed, and is expected to be complete in August of 2017. Upon completion of the construction, the street will be open to through traffic traveling north and south. This use will be consistent with the General Plan Amendment No. 2012-01, which classified this segment of North Burke Court into a collector status street.

Land Use Compatibility

The area surrounding the project site is developed with multifamily units. Staff finds that the proposed rename of the street would have no conflict with the General Plan land use in this area of Residential Medium Density. The collector street will accommodate north/south travel by the adjacent residents, while maintaining full driveway access to the housing units.

Environmental Review

On April 2, 2012 the City Council adopted Resolution No. 2012-18 adopting Negative Declaration No. 2012-01.

In addition, a Notice of Determination for Negative Declaration Environmental Document No. 2014-33 was filed on June 26, 2014.

RECOMMENDED FINDINGS

1. That the proposed street rename 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 street rename is consistent with the policies and intent of the General Plan.
3. That a Negative Declaration was filed for the the project which concludes the need for further determinations under the California Environmental Quality Act (CEQA).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the City of Visalia staff will notify the US Postal Service and all utilities of the rename of North Burke Street.
2. That any existing street signs that currently read "North Burke Court" will be changed to read "North Burke Street".

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 <http://www.visalia.city> or from the City Clerk.

Attachments:

- Plans & Policies: City of Visalia Municipal Code Chapter 12.06.010
- Resolution No PC 2017-57
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

 12.06.010 Street names.

A. The following criteria shall be followed when naming or renaming streets:

1. Street names must be pleasant sounding and correct in terms of spelling and grammar.
2. Street names must be easy to spell, read and pronounce so the public, especially children, can speak the name correctly in an emergency.
3. Street names shall not duplicate the spelling or phonetic sound of any existing street name within the city's 911 emergency response area.
4. Streets that are in reasonable alignment with an existing street, although not directly connected, must have the same name.
5. Streets may be named for the purpose of honoring, or calling attention to, deceased persons or geographical locations having special prominence and significance to the culture or history of the city.
6. For a street to be named after a person, that person must have been deceased for at least five years.
7. If a street is named after a person, it shall only be the persons surname.
8. Street names may not be numerical, alphabetical, frivolous, unconventionally spelled, or related to religion.
9. Names of streets in a north-south alignment shall be followed by the designation "STREET," and the names of streets in an east-west alignment shall be followed by the designation "AVENUE."
10. Cul-de-sac streets shall be followed by the designations of "COURT." Curvilinear streets shall be followed by the designation "DRIVE." Streets completing a loop may be followed by the designation "CIRCLE."

B. The following procedures shall be followed when naming new streets:

1. The property developer will have the responsibility of naming new streets and new subdivisions. These names will be submitted through the site plan committee process, and the subdivision maps identifying the new streets will be submitted through that process for final approval by the public works director.
2. The public works department will prepare a staff report after circulating the proposed street name to the city police, fire and engineering departments. When appropriate, the public works department may also circulate the proposed street name to the Tulare County planning department and optional interested groups and organizations.
3. The public works director, or designee, will approve or reject the proposed street name.

CITY OF VISALIA MUNICIPAL CODE

4. Any appeal must be made to the city council by an authorized representative of the initiating party within thirty (30) days of the public works director's decision.

5. The city council will approve or reject the appeal within thirty (30) days of the date the appeal was filed.

C. The following procedures shall be followed when renaming streets:

1. The city council, planning commission, property owner, group or individual may initiate the renaming of a street.

2. To initiate the renaming process, a petition signed by property owners or tenants representing at least two-thirds of the parcels, dwelling units, or businesses located along the affected street must be submitted to the public works director.

3. A non-refundable application fee, established by the city council, will be charged to the property owner, group or individual at the time the petition is submitted.

4. The public works department will prepare a staff report after circulating the proposed street name to the city police, fire and engineering departments and receiving their input. When appropriate, the public works director may also circulate the proposed street name to the Tulare County planning department, Tulare County public works and optional interested groups and organizations for their input.

5. A public hearing will be scheduled before the planning commission within thirty (30) days of receipt of the petition.

6. Written notice of time and place of the public hearing shall be given ten (10) days in advance to all property owners and tenants abutting the affected street.

7. The planning commission will approve or reject the proposed street name within thirty (30) days of the public hearing.

8. The decision of the planning commission may be appealed to the city council within ten days of the planning commission's decision. (Ord. 9607 § 3 (part), 1996: prior code § 7100)

RESOLUTION NO. PC 2017-57

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING THE RENAMING OF NORTH BURKE COURT TO NORTH BURKE STREET, LOCATED BETWEEN HOUSTON AVENUE AND ROOSEVELT AVENUE, WEST OF BEN MADDOX WAY

WHEREAS, on February 13, 2012, the City of Visalia Planning Commission held a public hearing for General Plan Amendment No. 2012-01, which would amend the General Plan Circulation Element to classify Burke Street from Houston Avenue to Tulare Avenue as a collector status street; and

WHEREAS, on February 13, 2012, the City of Visalia Planning Commission voted to recommend that the City Council adopt Negative Declaration No. 2012-01 for the project and approve the General Plan Amendment No. 2012-01; and

WHEREAS, on April 2, 2012, the City of Visalia City Council adopted Resolution No. 2012-19 approving General Plan amendment No. 2012-01, which amended the General Plan Circulation Element to classify Burke Street from Houston Avenue to Tulare Avenue as a collector status street and adopting Negative Declaration No. 2012-01; and

WHEREAS, on June 26, 2014, the City of Visalia also filed a Notice of Determination for Negative Declaration Environmental Document No. 2014-33 regarding the conversion of North Burke Court to a through north/south street; and

WHEREAS, the City of Visalia recently started a construction project to convert North Burke Court, a cul-de-sac to a through north/south collector street; and

WHEREAS, the City of Visalia desires to rename North Burke Court to North Burke Street; and

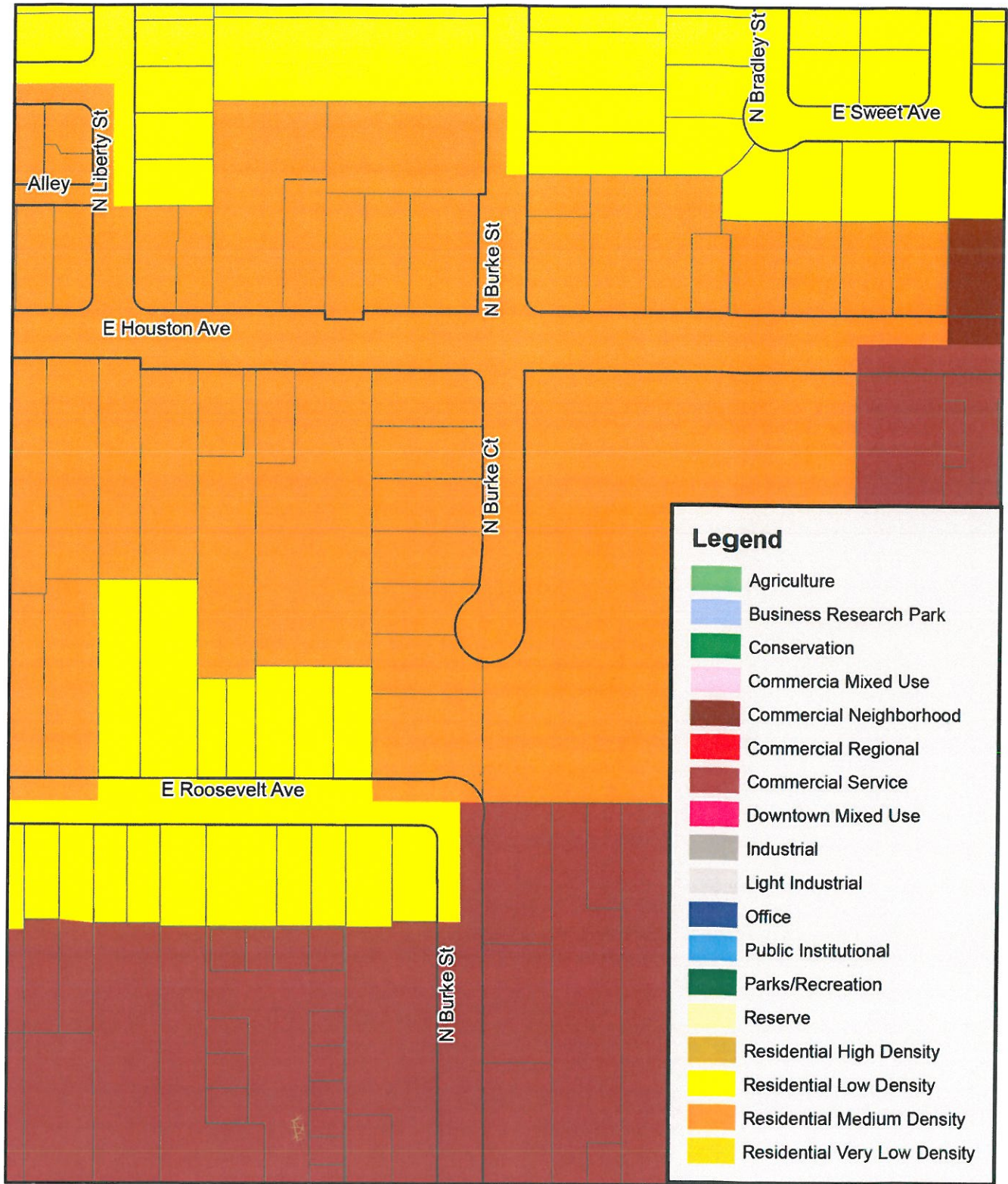
WHEREAS, the City of Visalia Municipal Code, Chapter 12, Section 12.06.010, Street Names, Subsection C.7 grants the Planning Commission of the City of Visalia authority to approve or reject the proposed street name; and

WHEREAS, the Planning Commission, after a duly published notice did hold a public hearing on July 10, 2017, in accordance with Chapter 12, Section 12.06.010 of the City of Visalia Municipal Code; and

WHEREAS, the proposed street rename will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; and

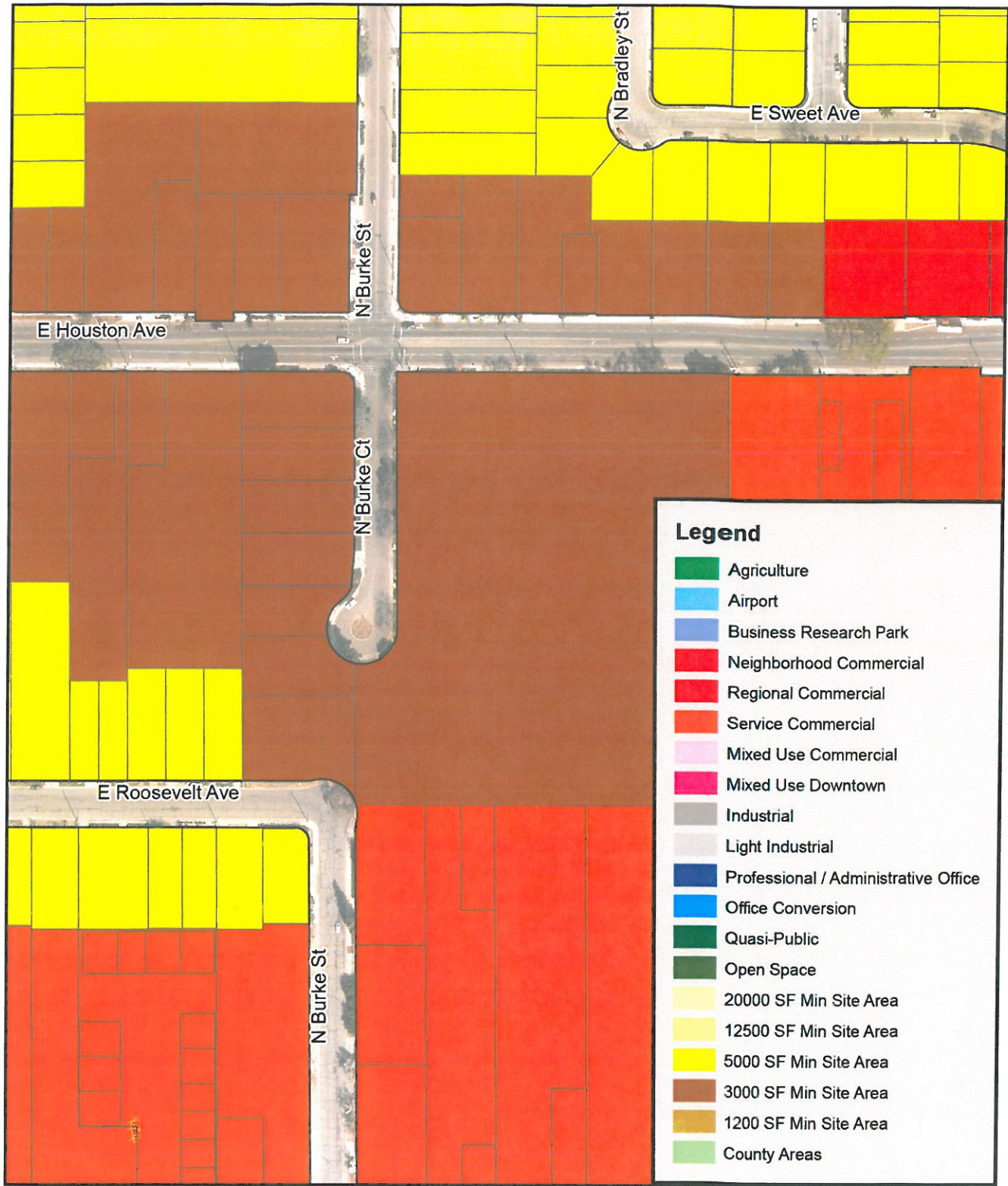
AND WHEREAS, the Planning Commission reviewed **this** proposal on July 10, 2017, and found it to be consistent with the policies and intent of **General Plan**; and

NOW THEREFORE, BE IT RESOLVED that the **Planning** Commission of the City of Visalia hereby approves the renaming of North Burke Court to North Burke Street, located between Houston Avenue and Roosevelt Avenue, west of Ben Maddox Way.



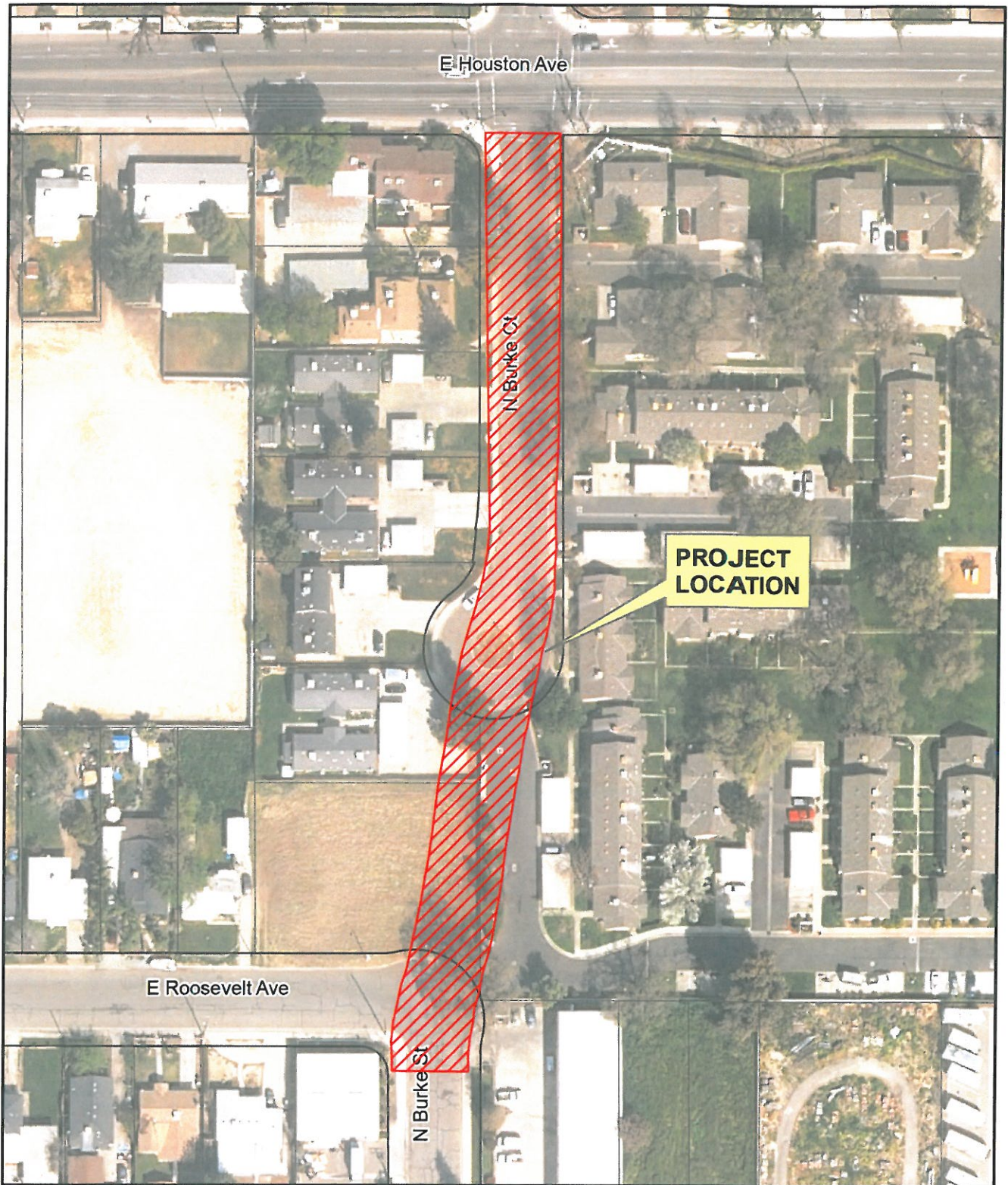
**GENERAL PLAN LAND USE MAP
NORTH BURKE COURT**



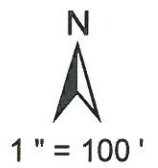


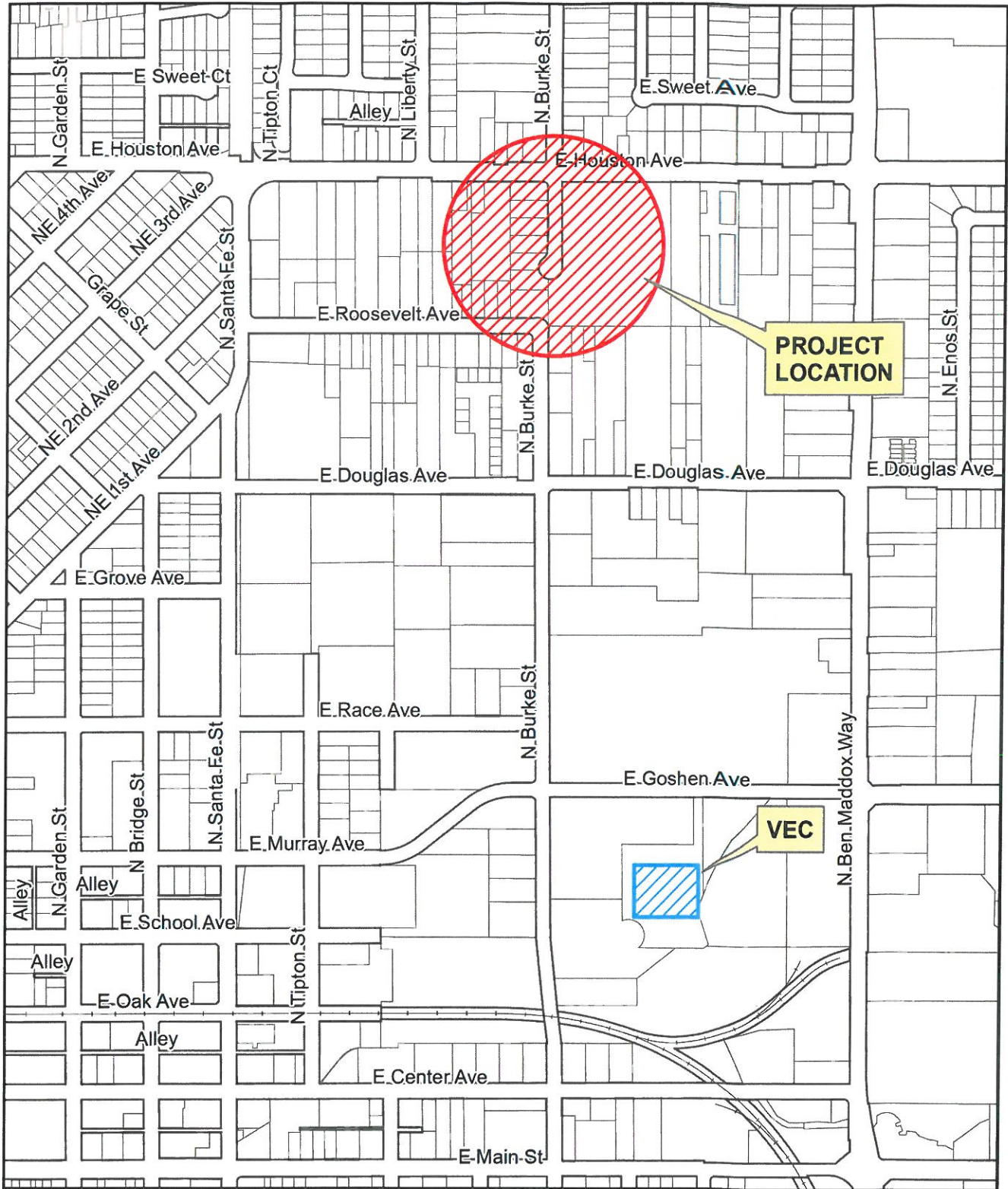
**ZONING MAP
NORTH BURKE COURT**





**AERIAL MAP
NORTH BURKE COURT**





**VICINITY MAP
NORTH BURKE COURT**

