

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

**MONDAY, NOVEMBER 13, 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.
  - a. Time Extension for Emerald Creek Tentative Subdivision Map No. 5453 and Conditional Use Permit No. 2004-41: A request by Kevin Fistolera and Bob Ausherman (Forester Weber & Associates, agent) to divide 14.6 acres into 46 lots with Remainder lots for a planned residential development of single-family, duplex, triplex, and four-piex townhouses.
  - b. Time Extension for Los Pinos Vesting Tentative Subdivision Map No. 5467: A request by Acevedo Properties to divide 9.8 acres into 21 lots for single-family development. The project is located at the northwest corner of South Dans Street and West Visalia Parkway (APN: 126-760-010 and 126-020-065).
  - c. Vista Del Sol Estates Tentative Subdivision Map No. 5552: A request by Jonathan Cassaday to subdivide 5.72 acres into 38 lots ranging in size from 4,500 to 6,844 sq. ft. and Conditional Use Permit No. 2015-19, a request to develop four duplex units on corner lots in the Vista Del Sol Estates Subdivision. The site is located south of the intersection of Douglas Avenue and Tracy Street approximately 2,200 feet east of Ben Maddox Way. (APN: 098-050-069)
  - d. Finding of Consistency 2017-05: A request by the Neighborhood Church to change the monument sign design approved as a part of Conditional Use Permit No. 2016-26. The site is located at 5505 West Riggin Avenue (APN: 077-100-062). Conditional Use Permit No. 2016-26 was approved by the Planning Commission on December 12, 2016.

5. PUBLIC HEARING – Paul Bernal *Continued from 10/23/2017*  
Conditional Use No. 2017-33, a request by Lennar Homes of California, Inc., to establish a Planned Residential Development with modified rear yard setbacks for a 94-lot approved and recorded Eagle Meadows of Visalia 20 subdivision map. The Eagle Meadows of Visalia 20 subdivision map is located on the east side of North Mooney Boulevard between West Ferguson Avenue and West Riggin Avenue (APN: 090-010-008). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-75
6. PUBLIC HEARING – Paul Scheibel
  - a. General Plan Amendment GPA No. 2017-03: A request by the City of Visalia to amend the General Plan Land Use designation on two parcels totaling 15.69 acres, from RHD (Residential High Density) to RMD (Residential Medium Density), located on the northeast corner of Riggin Ave. and Court St., and to revise the Regional Housing Needs Allocation (RHNA) Sites Inventory to reflect the change in development density potential (APNs: 079-310-004, and -005)
  - b. Change of Zone COZ No. 2017-04: A request by the City of Visalia to amend the Zoning designation on two parcels totaling 15.69 acres, from R-M-3 (Multi-family Residential, 1,200 sq. ft. of lot area per unit) to R-M-2 (Multi-family Residential, 3,000 sq. ft. of lot area per unit), located on the northeast corner of Riggin Ave. and Court St., (APNs: 079-310-004, and -005)

That a Negative Declaration was adopted for the proposed Housing Element Update (Negative Declaration No. 2015-56) and the Zoning Ordinance Update (Environmental Document No. 2016-41), and are directly applicable to this project, and which disclosed the project has no new effects that could occur, or new mitigation measures that would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014. Therefore, staff concludes that the Program Environmental Impact Report adequately analyzed and addresses the project necessary to enable regulatory enforcement of the new plan policies and to achieve consistency between the General Plan and implementing ordinances. Therefore, Environmental Document No. 2017-76 can be adopted for this project.

7. WORK SESSION – James D. Koontz, Assistant City Attorney  
Robert's Rules of Order/Recusal Requirements
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 MONDAY NOVEMBER 27, 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, DECEMBER 11, 2017**

## City of Visalia



**To:** Visalia Planning Commission

**From:** Paul Bernal, City Planner (559) 713-4025  
[paul.bernal@visalia.city](mailto:paul.bernal@visalia.city)

**Date:** November 13, 2017

**Re:** **Time Extension for Los Pinos Vesting Tentative Subdivision Map No. 5467:**  
A request by Acevedo Properties to divide 9.8 acres into 21 lots for single-family development. The project is located at the northwest corner of South Dans Street and West Visalia Parkway (APN: 126-760-010 and 126-020-065).

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### **RECOMMENDATION:**

Staff recommends that the Planning Commission approve a one-year time extension for the Los Pinos Vesting Tentative Subdivision Map No. 5467, which expired on November 8, 2017. The applicant has submitted the third and final time extension request per their letter dated November 1, 2017. This time extension request was filed in a timely manner pursuant to Section §66452.6.e., which states, prior to the expiration of an approved tentative map and upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied.

### **BACKGROUND:**

On November 8, 2004, the Visalia Planning Commission passed and adopted Resolution No. 2004-138, approving the Los Pinos Vesting Tentative Subdivision Map No. 5467. This subdivision map is a request to subdivide 9.8 acres into 21 single-family residential lots. The lots range in size from approximately 7,000 square feet to 22,870 square feet. The Los Pinos subdivision has local street connections to Visalia Parkway and Greenhouse Avenue, and is located at the northwest corner of South Dans Street and West Visalia Parkway.

The applicant/subdivider has submitted a final map and improvement plans to the City's Engineering Division in an effort to have the improvements plans approved which will allow them to proceed with recording a final map.

### **REQUEST:**

The original expiration date for the Los Pinos subdivision map was November 8, 2006, two years from the date of approval by the Planning Commission. However, the Planning Commission approved two one-year time extension requests for this map in 2006 and 2007.

Pursuant to Section §66452.6 of the Subdivision Map Act, time extensions of tentative maps are permitted for a period or periods not exceeding 36 months. However, the Governor signed Assembly Bill's (116, 208, 333, and 1303) and a Senate Bill (1185) which automatically extended the expiration dates for approved tentative maps. The automatic state extensions extended the expiration date for the Los Pinos Vesting Tentative Subdivision Map No. 5467 to November 8, 2017.

Although the State has previously passed legislation that has automatically extended the expiration dates of tentative maps, there was no such legislation that was passed in the legislative session that ended in September 2017. This has caused tentative maps approved by the Planning Commission to expire, whether approved two years ago or approved prior to the State's enactment of automatic time extensions.

The applicant has submitted the third and final time extension request per their letter dated November 1, 2017. This time extension request was filed in a timely manner. The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until November 8, 2018, to file and record the final subdivision map. If the request is denied, the applicant would have to reapply for a new tentative subdivision map for any lots that not finalized prior to expiration.

**ATTACHMENTS:**

- Letter of Request for the Time Extension
- Resolution No. 2004-138 for Los Pinos Vesting Tentative Subdivision Map No. 5467
- Exhibit "A" Tentative Subdivision Map
- Location Map

**FORESTER, WEBER & ASSOCIATES, LLC**  
Licensed by the  
**Board for Professional Engineers and Land Surveyors**  
1620 W. Mineral King Ave., Suite B  
Visalia CA 93291  
Phone (559)732-0102 Facsimile (559)732-8479

RECEIVED  
NOV 2 2017  
COMM. DEVELOP.  
CITY OF VISALIA

November 1, 2017

City of Visalia  
Planning Commission

Re: Los Pinos Phase I Subdivision No. 5467

We respectfully request a one year extension of time for the recording of this final map, due to expire November 8, 2017.

The final requirements of the City are at this time being completed.

Thank you for your consideration. The required filing fee is attached.



Dennis R. Forester

PLS 4076

RESOLUTION NO 2004-138

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING LOS PINOS VESTING TENTATIVE SUBDIVISION MAP NO. 5467, A REQUEST TO DIVIDE 9.8 ACRES INTO 21 LOTS FOR SINGLE-FAMILY DEVELOPMENT. THE PROJECT IS LOCATED AT THE NORTHWEST CORNER OF DAN'S LANE AND THE FUTURE VISALIA PARKWAY EXTENSION

**WHEREAS**, Los Pinos Vesting Tentative Subdivision Map No. 5467: A request by Acevedo Properties to divide 9.8 acres into 21 lots for single-family development. The project is located at the northwest corner of Dan's Lane and the future Visalia Parkway Extension (APN 126-020-040, 128-760-005); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said Commission on November 8, 2004; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the subdivision in accordance with Section 16.04.040 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. 2004-121, 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 project location of the Vesting 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 Vesting Tentative 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 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. 2004-121 is hereby adopted.
4. That all other City codes and ordinances be met.
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.

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 project be developed consistent with the comments and conditions of Site Plan Review No. 04-172.
2. That the site be developed in substantial compliance with the site plan shown in Exhibit "A".
3. That the shown public street improvements and dedications are consistent with the development of the adjacent residential properties and built to city standards.
4. That an assessment district(s) be formed prior to recordation of the final map, for the maintenance of the landscaping, fences and/or walls, 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.
5. That development of this property meets all R-1-6 requirements.
6. All other city codes and ordinances are met.
7. That the applicant submits 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 Los Pinos Vesting Tentative Subdivision Map #5467, prior to the issuance of any building permits for this project.

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

AYES: Commissioners Wynn, Logan, Thompson, Pérez, Salinas  
NOES: Commissioner  
ABSTAINED:  
ABSENT:

Steve Brandt, Secretary  
Visalia City Planning Commission

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

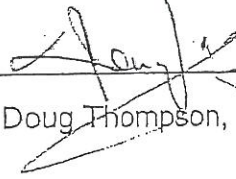
ATTEST: Steve Brandt, Secretary, Visalia Planning Commission



I, Steve Brandt, Secretary of the Visalia Planning Commission, the foregoing is the full and true Resolution No. 2004-138, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on November 8, 2004.



Steve Brandt, Secretary



Doug Thompson, Chairperson

# LOS PINOS SUBDIVISION

## Vesting Tentative Map

BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.

By: **Quad Knopf**  
 For: **Acavado Properties**  
 3140 N. CORTES AVE.  
 VISALIA, CA 93278  
 TEL: (559) 735-9999  
 FAX: (559) 735-7200  
 WWW: WWW.QUADKNOPF.COM

**SITE DATA:**  
 EXISTING ZONING: R-1-8  
 PROPOSED ZONING: TWO RESIDENCES & VACANT AT BACK  
 PROPOSED USE: R-1-8 RESIDENTIAL  
 PLANNING CODE: 020-006  
 CITY OF VISALIA  
 CAL. WATER SERVICES  
 ON-SITE POND  
 STORM DRAINAGE: +/- 9.8 ACRES  
 TOTAL ACRES: +/- 2.9 ACRES  
 AREA DEDICATED TO CITY: +/- 6.9 ACRES  
 SITE AREA:  
 TOTAL NUMBER OF LOTS: 21  
 MINIMUM LOT S.F.: 7,000 S.F.  
 MAXIMUM LOT S.F.: 9,104 S.F. (EXCLUDING LOTS 1,2,&3)  
 AVG. LOT S.F.: 10,807 S.F. (INCLUDING LOTS 1,2,&3)

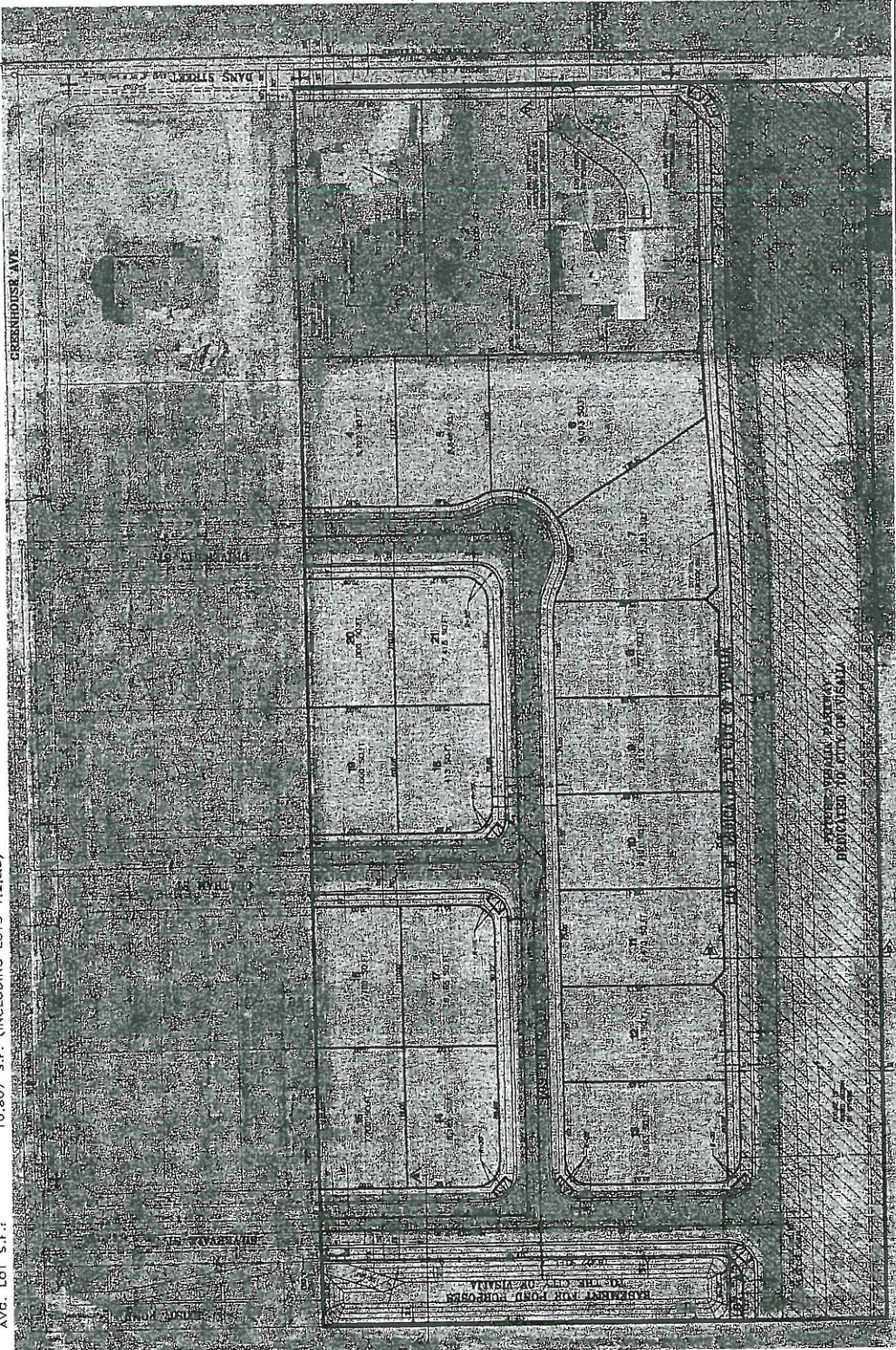
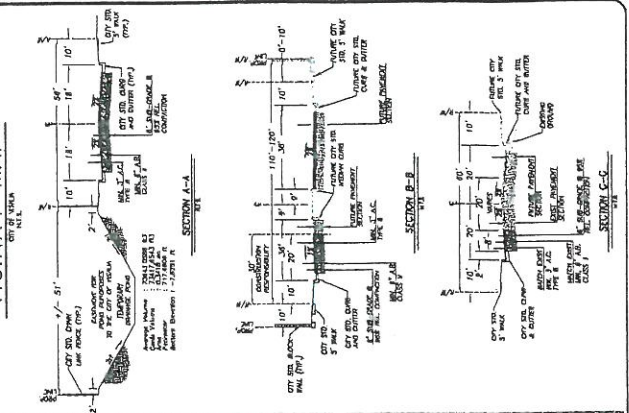
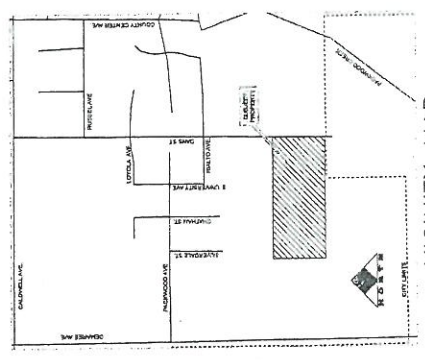
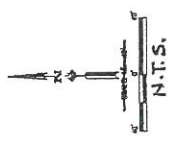
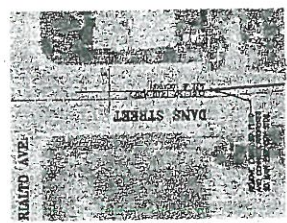
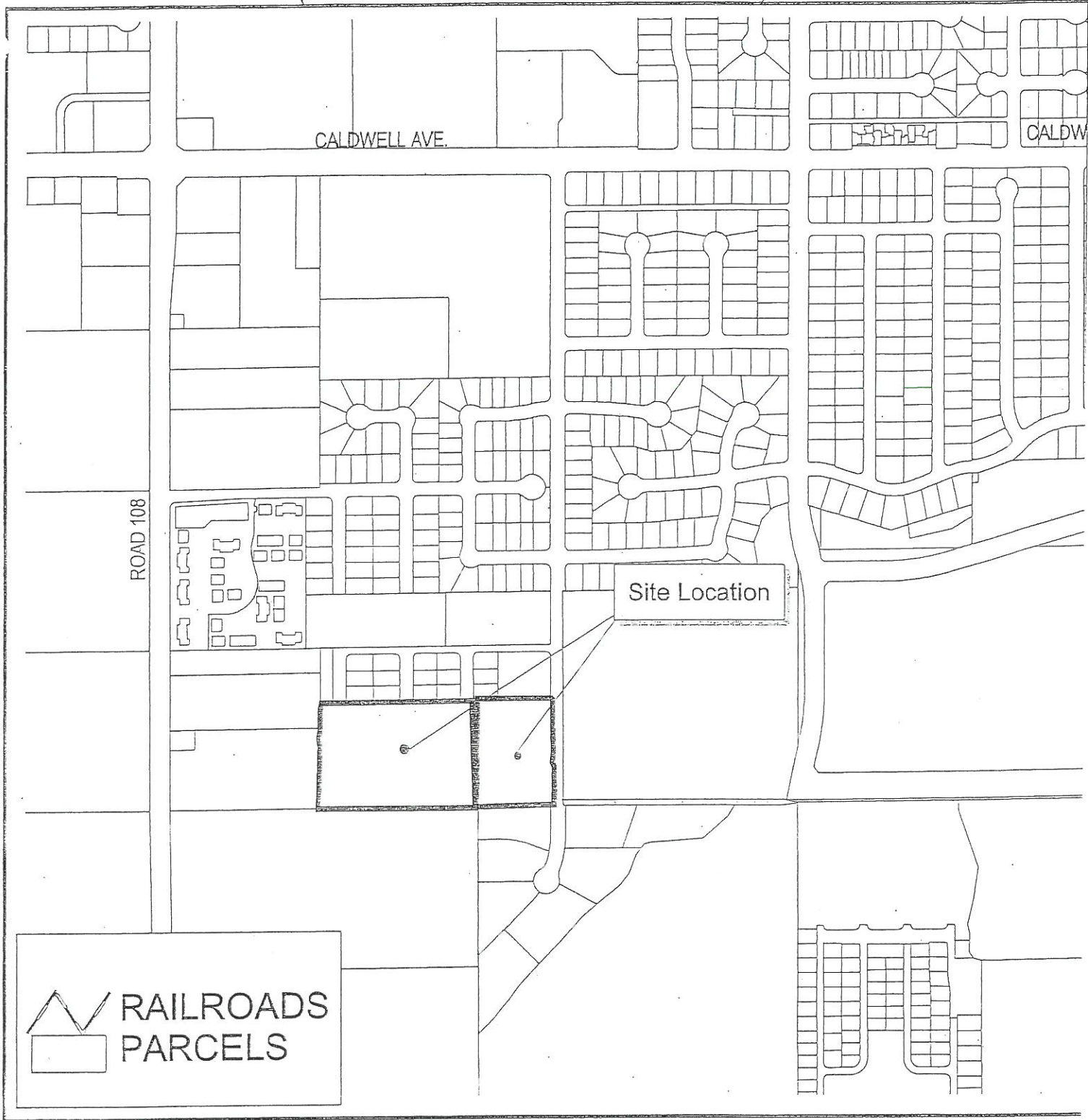


Exhibit "A"

# Los Pinos Vest Tentative Sub on Map #5467

Located on the Northwest corner of Dan's Lane & future Visalia Parkway  
(APN 126-020-040 & 120-760-005)



## Location Map

