

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 Riggan 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 Riggan 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 Riggan 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 or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, DECEMBER 11, 2017

City of Visalia

Memo



To: Planning Commission
From: Andrew Chamberlain, Senior Planner
Date: November 13, 2017
Re: Time Extension for:

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.

Conditional Use Permit No. 2015-19: A request by Jonathan Cassaday 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)

RECOMMENDATION

Staff recommends that the Planning Commission approve a one-year time extension of Vista Del Sol Estates Tentative Subdivision Map No. 5552 & Conditional Use Permit No. 2015-19, extending the expiration date to February 16, 2019.

BACKGROUND

On October 26, 2015, the Visalia Planning Commission approved Vista Del Sol Estates Tentative Subdivision Map No. 5552 approving a 38 lot subdivision, and Conditional Use Permit No. 2015-19, approving four of the subdivision lots for duplex units on corners.

The map and use permit were processed in conjunction with Change of Zone No. 2015-06, a request to change the subject site zoning from R-1-6 to R-1-4.5. The map and use permit approval were tied to the approval of the zone change.

The City Council approved Change of Zone No. 2015-06 on February 16, 2016, which becomes the approval date for the map and use permit.

Current Zoning

The Land Use Element update and corresponding Zoning Ordinance update changed the subject site from R-1-4.5 (Low Density Residential) to R-M-2 (Medium Density Residential). The subdivision with duplexes on four lots is approximately 10.3 units per acre based upon the net acreage of 4.34 acres.

The 10.3 units per acre is within the density range for Medium density Residential, which allows 10 to 15 units per acre.

REQUEST

The expiration date of the map is set to expire on February 16, 2018, two years from the date of the change of zone approval by the City Council. The time extension request, submitted on October 24, 2017, is filed in a timely manner. The reason for the time extension request is that the subdivider cannot secure finances for construction and improvement cost.

Pursuant to Section §66452.6 of the Subdivision Map Act an applicant can request an extension of time for an approved or conditionally approved tentative subdivision map. Time extensions for a subdivision map may be granted for a period or periods not exceeding 36 months. Conversely, Section 17.38.030 of the Visalia Zoning Ordinance allows only a one year extension for Conditional Use Permits (CUP). However, this CUP (i.e., CUP No. 2015-19) is tied to the subdivision map and is not considered a standalone CUP project. Therefore, the time extension provisions of Section §66452.6 of the Subdivision Map Act shall apply to both the Vista Del Sol Estates Subdivision Map No. 5552 and CUP No. 2015-19.

The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until the new expiration date, February 16, 2019, to record a final subdivision map. If the request is denied, the applicant would have to re-file a new tentative map and conditional use permit application.

ATTACHMENTS

1. Letter of Request for the Time Extension
2. Approved Resolution No. 2015-19 for TSM Vista Del Sol Estates
3. Approved Resolution No. 2015-29 for Conditional Use Permit No. 2015-19
4. Tentative Parcel Map
5. Location Map

RECEIVED

OCT 24 2017

COMM. DEVELOP.
CITY OF VISALIA

October 24, 2017

Jonathan Cassaday
4438 E Douglas Ave
Visalia, CA 93292

City of Visalia Planning and Development Department
APN: 098-050-069
Ordinance No. 2016-05

Dear Sir/Madame:

Re: Extension request for tentative map approval – Change of Zone Number

For this request, I refer to Change of Zone No. 2015-06, on October 26, 2015, the City Council amended the official Zone Map to show the 5.75 acre property to be zoned R-1-4.5 (Medium Density Residential).

Since that time, we have been continually working towards the development of the parcel in accordance with the requested zoning per our request both in terms of our financial investment and the accrued time spent on coordination.

We hereby request a period of extension to be granted for the tentative map approval for this parcel so as to provide additional time for the necessary resources and implementation of the proposed development.

Please contact me directly for any and all additional requirements that may be needed in order to process my request.

Sincerely,



Jonathan Cassaday

559-799-9753

RESOLUTION NO 2015-30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VISTA DEL SOL ESTATES TENTATIVE SUBDIVISION MAP #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. THE SITE IS ZONED R-1-6 WITH A LAND USE DESIGNATION OF MEDIUM DENSITY RESIDENTIAL. 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).

WHEREAS, Vista Del Sol Estates Tentative Subdivision Map #5552 is a request by Jonathan Cassaday to subdivide 5.72 acres into 38 lots ranging in size from 4,500 to 6,844 sq. ft. The site is zoned R-1-6 with a Land Use Designation of Medium Density Residential. 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); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on October 26, 2015; and

WHEREAS, the Planning Commission of the City of Visalia finds the tentative subdivision map in accordance with Section 16.16 of the Subdivision Ordinance of the City of Visalia, and with Section 17.26 of the Zoning Code 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 that Initial Study No. 2015-36 has identified that the proposed 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. The Program Environmental Impact Report adequately analyzed and addressed this proposed project.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia approves the proposed tentative subdivision map based on the following specific findings and based on the evidence presented:

1. That the proposed location and layout 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 subdivision is consistent with the intent of the Northeast Area Specific Plan.
3. 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.

4. That the action of approving this map does hereby rescind the approval of the North Sierra Estates Tentative Subdivision Map #5549 approved on October 28, 2013, subject to approval of Change of Zone No. 2015-06 by the City Council.
5. That an Initial Study was prepared for the proposed project consistent with CEQA, Initial Study No. 2015-36 disclosed the proposed 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, the Program Environmental Impact Report adequately analyzed and addressed the proposed project.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative parcel map 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, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of Site Plan Review No. 2014-191.
2. That Change of Zone No. 2015-06 be approved.
3. That the site be developed in substantial compliance with the tentative subdivision map shown in Exhibit "A".
4. That all lots shall adhere to the R-1-4.5 zone development standards as specified in Zoning Ordinance Chapter 17.14., excepting the proposed duplex lots as provided in Conditional Use Permit No. 2015-19.

Subject to the following setbacks:

Minimum Setbacks:	Building	Landscaping
➤ Public Street (Front)	15 Feet	15 Feet
➤ Side	5 Feet/story	5 Feet
➤ Street side on corner lot	10 Feet	10 Feet
➤ Rear	20 Feet	20 Feet
➤ Garages (all frontages)	22 feet (20 feet on a cul-de-sac)	

5. That the subdivision be annexed into the Northeast Area Improvement District.
6. That all areas that are not otherwise included in the Northeast Area Improvement District be subject to the following: that an assessment district(s) be formed prior to recordation of the final map, for the maintenance of the landscaping, fences and/or wall, pocket parks, pedestrian access points, and other improvements along the public street frontages and within open space areas of the subdivision, and including the operational and maintenance cost for the street lights, both internal to the subdivision and along streets abutting the subdivision. This may also include

the portions of the temporary circulation infrastructure (hammerheads and related paving) that are not initially bonded for. The assessment district(s) shall also include provisions for the City of Visalia to collect payments from the subdivider(s) prior to approval of district assessments and placement of same on the property tax roll. The Visalia City Council has directed that street maintenance for local streets be included in Landscape and Lighting Maintenance Districts (or other districts formed for this purpose). An implementation policy is currently being prepared. If the City Council adopts the implementation policy prior to the filing of a final map for this subdivision, then said policy shall apply to this project.

7. That the frontage improvements including curb, gutter, sidewalk and street trees with irrigation be installed on the front of the ponding basin lots with Phase Two, or when the street is developed.
8. That all other city codes and ordinances be met.

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

AYES: Commissioners Wynn, Gomez, Peck, Taylor, Segrue

NOES:

ABSTAINED:

ABSENT:

STATE OF CALIFORNIA)

COUNTY OF TULARE) ss

CITY OF VISALIA)

ATTEST: Josh McDonnell, AICP Assistant Director / City Planner

I, Josh McDonnell, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2015-30, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on October 26, 2015.

Josh McDonnell, Assistant Director / City Planner

Adam Peck, Chairperson

RESOLUTION NO. 2015-29 (Revised)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2015-19, A REQUEST BY JONATHAN CASSADAY TO DEVELOP FOUR DUPLEX UNITS ON CORNER LOTS IN THE VISTA DEL SOL ESTATES SUBDIVISION. THE SITE IS ZONED R-1-6 WITH A LAND USE DESIGNATION OF MEDIUM DENSITY RESIDENTIAL. 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)

WHEREAS, Conditional Use Permit No. 2015-19, is a request by Jonathan Cassaday to develop four duplex units on corner lots in the Vista Del Sol Estates Subdivision. The site is zoned R-1-6 with a Land Use Designation of Medium Density Residential. 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); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on October 26; 2015; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2015-19, as conditioned by staff, 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 that Initial Study No. 2015-36 has identified that the proposed 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. The Program Environmental Impact Report adequately analyzed and addressed this proposed project.

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 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 development of duplexes on corner lots is consistent with the proposed subdivision.
4. That an Initial Study was prepared for the proposed project consistent with CEQA, Initial Study No. 2015-36 disclosed the proposed 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, the Program Environmental Impact Report adequately analyzed and addressed the proposed project.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit 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, subject to the following conditions:

1. That the duplex units be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2014-191.
2. That Change of Zone No. 2015-06 be approved.
3. That the duplex units are allowed on tentative map lots 15, 24, 25, and 34. The lots shall be developed in substantial compliance with the site plan and elevations in Exhibit "C".
4. That the initial two year timeline for the conditional use permit is tied to the recordation of any portion of the tentative subdivision map.
5. That should the conditional use permit lapse; the duplex lots may be developed as single family residential lots with R-1-4.5 setbacks.
6. That all federal, state, regional, and city codes and ordinances be met.

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

AYES: Commissioners Wynn, Gomez, Peck, Taylor, Segrue

NOES:

ABSTAINED:

ABSENT:

STATE OF CALIFORNIA)

COUNTY OF TULARE) ss

CITY OF VISALIA)

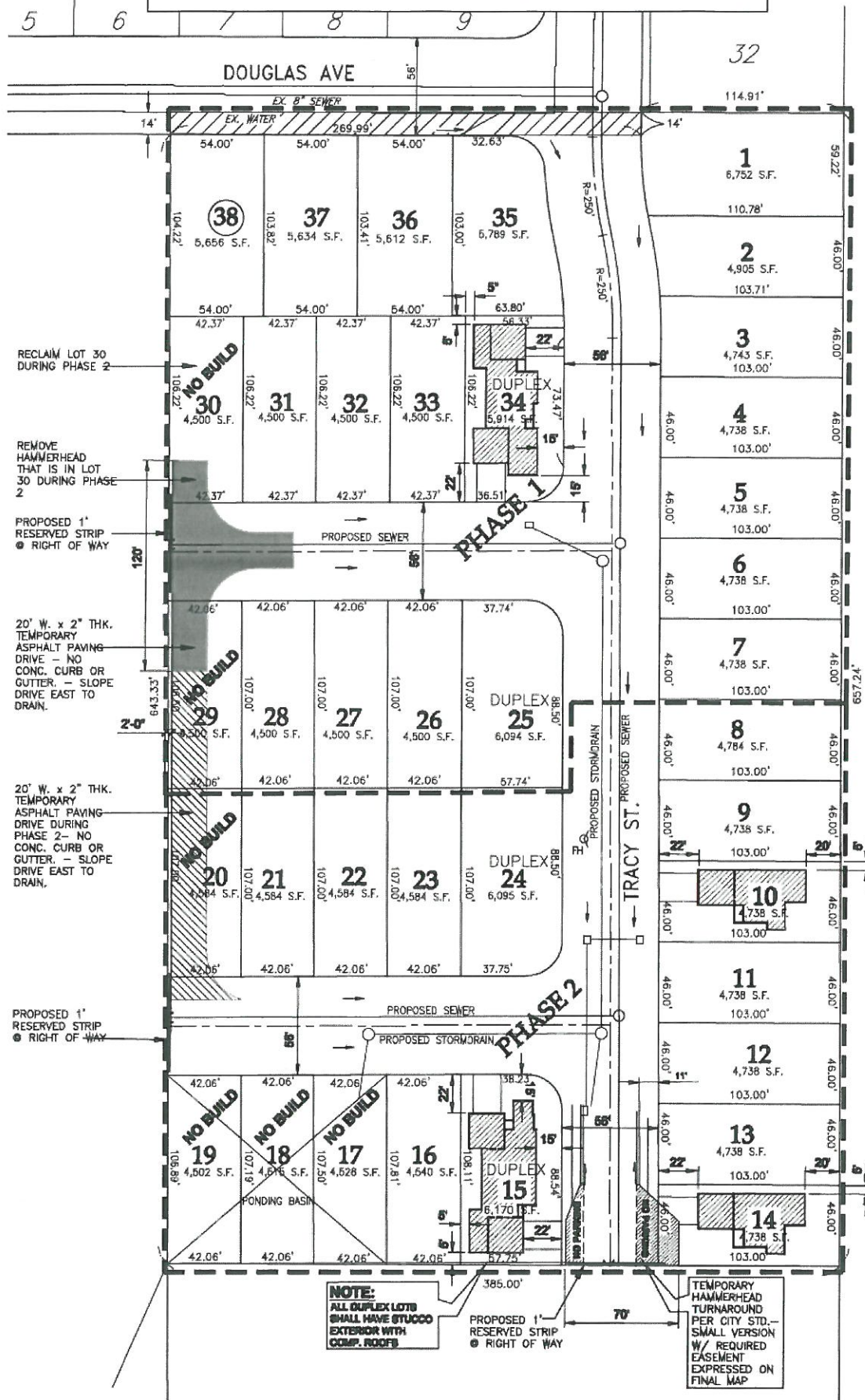
ATTEST: Josh McDonnell, AICP Assistant Director / City Planner

I, Josh McDonnell, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2015-29, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on October 26, 2015.

Josh McDonnell, Assistant Director / City Planner

Adam Peck, Chairperson

Vista Del Sol Estates Tentative Subdivision Map #5552



NOTE:
 ALL DUPLEX LOTS
 SHALL HAVE STUCCO
 EXTERIOR WITH
 COMP. ROOF

TEMPORARY
 HAMMERHEAD
 TURNAROUND
 PER CITY STD.—
 SMALL VERSION
 W/ REQUIRED
 EASEMENT
 EXPRESSED ON
 FINAL MAP

Location

