

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

**MONDAY, JUNE 11, 2018; 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 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.
  - No Items on the Consent Calendar
5. PUBLIC HEARING – Brandon Smith  
Tentative Parcel Map No. 2018-02: A request by Aditya Verma M.D. Inc. to subdivide a 19,604 square foot parcel into two parcels for office use. The proposed parcels created by this project will utilize the public access easement and easement for public utilities created through the planned office development that was established with the approval of Conditional Use Permit No. 9612. The proposed parcels are consistent with Conditional Use Permit No. 9612. The project is zoned O-PA (Professional / Administrative Office), located at 5448 and 5510 W. Avenida De Los Robles, on the northwest corner of Avenida De Los Robles and Tamarack Street approximately 600 feet west of Akers Street. (APN: 085-240-022) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2018-21.
6. PUBLIC HEARING – Andy Chamberlain  
Conditional Use Permit No. 2018-10: A request by Courthouse Square Ventures LLC to establish a 34 room hotel with rooftop lounge in an existing building in the D-MU (Downtown Mixed Use) zone. The site is located at 210 N. Court Street. (APN: 094-287-001) The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-83.



7. PUBLIC HEARING – Andy Chamberlain  
Conditional Use Permit No. 2018-08: A request by Arnulfo Gonzalez to amend Conditional Use Permit No. 97-05 for the existing assisted living facility, increasing the number of residents from 52 to 59 in the R-M-2 (Medium Density Residential) zone. The site is located at 2948 & 2950 E. Douglas Avenue. (APN: 103-290-030) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-22
8. PUBLIC HEARING – Paul Bernal  
Teagan Ranch Tentative Subdivision Map No. 5568 is a request to subdivide 1.59-acres into an eight lot residential subdivision located in the R-1-5 (Single-Family Residential 5,000 sq. ft. minimum lot area) zone. The project site is located on the east side of N. Rono Ct. between W. Douglas and W. Grove Avenues (APN: 085-390-042). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2018-27
9. PUBLIC HEARING – Paul Scheibel  
SUBJECT: Zoning Text Amendment No. 2018-03: A request by the City of Visalia to amend Chapter 17.63 of the City of Visalia Zoning Ordinance pertaining to Micro-brewery/Micro-winery uses, Citywide. The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-28.

#### 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 Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

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 21, 2018 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, JUNE 25, 2018**





# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** June 11, 2018  
**PROJECT PLANNER:** Andrew Chamberlain  
Principal Planner (559) 713-4003  
[andrew.chambelain@visalia.city](mailto:andrew.chambelain@visalia.city)

**Conditional Use Permit No. 2018-10:** A request by Courthouse Square Ventures LLC to establish a 34 room hotel with rooftop lounge in an existing building in the D-MU (Downtown Mixed Use) zone.

**Location:** The site is located at 210 N. Court Street. (APN: 094-287-001)

## STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2018-10, as conditioned, based on the findings and conditions in Resolution No. 2018-20. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2018-10, based on the findings and conditions in Resolution No. 2018-20.

## PROJECT DESCRIPTION

The applicant is requesting approval of Conditional Use Permit No. 2018-10 to establish a 34 room hotel with a rooftop lounge in the existing County Courthouse building. This adaptive reuse project proposes to convert the County Courthouse building into hotel with a meeting room, gym, and a rooftop lounge with outdoor rooftop patios. Site improvements will add outdoor patios on the north and south side of the building, a swimming pool, and a seven-foot high wrought iron fence around the site on property line enclosing the landscaping and parking lot as shown in the Exhibit "A". The existing two-foot high wall located at the back of the sidewalk that encircles the entire block will be retained.

The only changes to the building would be the addition of an enclosed stairwell on the east side of the building for fire safety as shown in the Exhibit "G" rendering. Parking will be accommodated by the 48 on-site parking stalls on the east side of the building, along with the 50 stall parking lot located on the northeast corner of N. Court St. and E. Oak Ave.



The only changes to the building would be the addition of an enclosed stairwell on the east side of the building for fire safety as shown in the Exhibit "G" rendering. Parking will be accommodated by the 48 on-site parking stalls on the east side of the building, along with the 50 stall parking lot located on the northeast corner of N. Court St. and E. Oak Ave.

The operational statement in Exhibit "B" outlines the general operations for the hotel. The rooftop lounge will not serve food and is being included as an accessory use to the hotel. The



lounge would be open to the public from 4 pm until 11 pm, Sunday through Thursday and from 4 pm until midnight on Friday and Saturday. A continental breakfast will be provided from 6 am to 10 am on the rooftop lounge for hotel guest. As shown in Exhibit “C”, the open rooftop areas would be used as open patios in conjunction with the lounge. The rooftop patios will have seating along with a short wrought iron fence placed on top of the existing wall for safety purposes. The hotel will allow outside catering for private events which may occur on the rooftop or in the meeting room on the first floor (see Exhibit “D”).



West Elevation

## BACKGROUND INFORMATION

General Plan Land Use Designation:	Downtown Mixed Use
Zoning:	Downtown Mixed Use (D-MU)
Surrounding Zoning and Land Use:	North: D-MU zone / Office, Parking South: D-MU zone / Office, Retail, Restaurant, Parking East: D-MU zone / Office, Retail, Restaurant, Parking West: D-MU zone / Office, Retail, Restaurant
Environmental Review:	Categorical Exemption No. 2018-23
Special Districts:	None
Site Plan:	Site Plan Review No. 2018-028



## **Building Background**

The courthouse was constructed in 1938 with an Art Deco architectural style designed by Architect Ernest J. Kump. Born in Bakersfield, Mr. Kump received his Architectural Degree from the University of California, Berkeley. The building is on the Local Register of Historic Structures as an "Exceptional" classified Art Deco building.

## **RELATED PLANS & POLICIES**

The proposed project is consistent with applicable plans and policies. See attached summary of related plans and policies.

## **RELATED PROJECTS**

On May 23, 2018, the Historic Preservation Advisory Committee (HPAC No 2018-06) reviewed the proposed project, resulting in the forwarding of a recommendation of "Approval" to the Planning Commission. The Committee found the adaptive reuse of the Courthouse to a hotel to be consistent with the Historic Element and the Historic Ordinance.

## **PROJECT EVALUATION**

Staff recommends approval of Conditional Use Permit No. 2018-10, allowing the conversion of the Courthouse to a hotel in the D-MU zone. The adaptive reuse of the Courthouse building as a hotel is consistent with land uses in the area including the several hotels that are located in the downtown. In addition, the retention and reuse of identified historic structures is consistent with the Historic Element and the Historic Preservation Ordinance of the City of Visalia.

### **Land Use Compatibility**

The proposed project is consistent with the General Plan and Zoning Ordinance purpose and intent for the Downtown Mixed Use designation, and the purpose and intent of the Historic Preservation Ordinance and Element. The adjacent land uses include office, restaurant, and retail which are compatible with the proposed hotel use. The retention and reuse of a significant local landmark and historic resource in the downtown is a functional building block of a healthy and vibrant downtown.

### **Historic Preservation Advisory Committee**

The Historic Preservation Advisory Committee reviewed the conditional use permit request for the adaptive reuse of the Courthouse for a 34 room hotel with rooftop lounge and the stairwell addition to the rear of the building. The Committee also reviewed minor modifications including the addition of wrought iron railings and fencing for the building and site. The Committee is recommending "Approval" of Conditional Use Permit No. 2018-10 to the Planning Commission.

The Committee found that the proposed adaptive reuse of the building is consistent with the purpose and intent of the Historic Ordinance and Element. The Committee further found that the proposed hotel is consistent with the Downtown Mixed Use designation and other existing land uses in the Downtown, including existing hotels. As an "Exceptional" classified Art Deco building on the Local Register of Historic Structures, the proposed modifications would be necessary for the adaptive reuse of the building.

Being located between the downtown core and the Lincoln Oval, this building is a historic focal point and landmark that contributes to the history of Visalia. The reuse as a hotel will include upgrades and maintenance contributing to the longevity of the building. The ability to reuse historic buildings is one of the basic goals of historic preservation efforts in Visalia. The proposed project is consistent with the Historic Element and The Historic Ordinance.

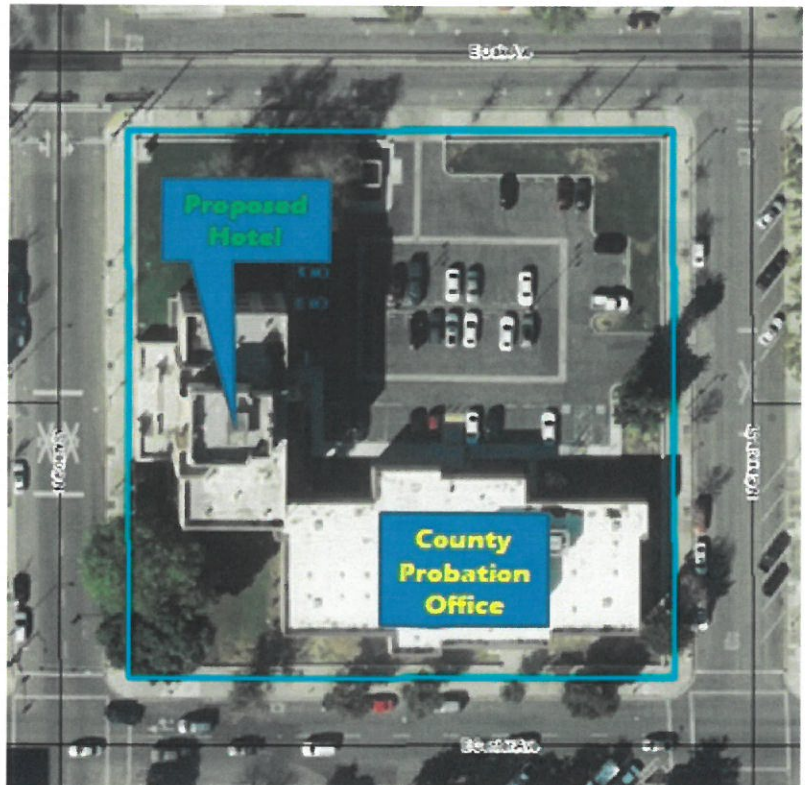


## Hotel Conversion

The proposed actions would allow the adaptive reuse of the County Courthouse for a 34 room hotel. The hotel would include meeting rooms and a rooftop lounge and outdoor patios. Site improvements would add outdoor patios on the north and south side of the building as shown in the Exhibit "A" - Site Plan. The west elevation (front – Exhibit "F") would remain "as is" with the addition of a rooftop safety fence and perimeter wrought iron fencing. The project will require the addition of a stair well located on the east side (rear) of the building (see Exhibit "G").

The entire block is proposed to be fenced with a seven-foot high wrought iron fence with pedestrian and vehicle gates for security. The site fencing would contain the hotel open space with a pool area on the north side of the building, and a garden area on the south side of the building. The 48 stall parking lot to the east of the building would also be enclosed within the fencing.

The subject site also contains the office building for the Tulare County Probation Department which is attached to the Courthouse and fronts onto Center Street. This building is planned to be rehabbed in the future for office and retail uses when the Tulare County Probation facility is relocated. The applicant has included some conceptual elevation changes for this building in Exhibit "H". The Tulare County Probation building is not part of this project and is not on the Local Register or in the Historic District. The elevation renderings for this building are included to provide additional background for the proposed development concept of this entire city block.





## Operational Statement

The operational statement in Exhibit "B" describes the general operations for the proposed hotel. The proposed operating hours limit the public access to the rooftop lounge to after 4 pm with the lounge closing at 11 pm except on Friday and Saturday when it would close at Midnight.

- Operating hours
  - **Hotel**
    - Open to public daily, with card access privileges only from 11pm-6am
  - **Rooftop Lounge**
    - Open to public, 4pm-11pm Sun-Thursday
    - Open to public, 4pm-Midnight, Friday & Saturday
    - Continental Breakfast for hotel guests all mornings from 6am-10am
    - Possible future lunch option from 11am-4pm
    - Outdoor music on the rooftop
  - **Pool courtyard/garden courtyard**
    - Open 6am – 10pm daily
  - **Fitness Center**
    - Hotel guests only, open daily with card access

Staff finds the rooftop lounge to be an accessory use for the hotel with the only recommended limitation that Condition No. 4 be approved requiring that the rooftop lounge may only operate as a part of the hotel when the hotel is in full operation. This is intended to not allow the rooftop lounge to operate if the hotel is not open/operating.

## Building Additions

East Side Stairwell – The use of the building for hotel accommodations and a rooftop lounge requires the addition of a second stairwell. The building has an internal stairwell which acts as one exit point; however, the elevator is not recognized as a secondary emergency exit point.





The addition of the proposed enclosed stairwell on the east elevation of the building meets the exiting requirements as noted by both the City's Building and Fire Divisions. The attached exhibit shows vertical and horizontal detail work that matches the primary structure.

Rooftop Metal Safety Fence – The use of the rooftop for open patios requires a safety railing/fence be added to the top of the perimeter parapet around the rooftop. The proposed metal railing is two to three feet high.

Wrought Iron Fencing at Entrance – The building front entrance facing Court Street originally had wrought iron fencing along a portion of the upper stair area. The applicant is intending to replace this fencing.

### Parking

No additional parking is required for the proposed hotel use. The site is within the downtown Property Based Improvement District (PBID) which currently provides for the intensification of uses in existing buildings without having to add parking or pay Parking In-Lieu Fees. The previous use as Tulare County offices had a parking demand of approximately 113 stalls; the hotel has a parking demand of 44 stalls. It should be noted that when this building was constructed the parking was located on the street.

The existing on-site parking is used by the Tulare County Probation Department and was used by the Tulare County offices that were in the Courthouse building. The hotel parking is used mainly in the evenings and weekends wherein the Probation Departments use of the on-site parking stall occurs during the weekday and is not in use by the Probation Department when the peak parking times would occur for the hotel, which are typically late in the afternoon (4:00 pm and later). The divergent parking demands between the proposed hotel and the Tulare County Probation Department maximizes the use of the parking lot and reduces the need for additional on-site parking.

### Site Improvements

Wrought Iron Perimeter Fence – The D-MU zone permits the placement of the wrought iron fence on property line. The applicant proposes to install a seven-foot high wrought iron fence around the site perimeter with gates at the drive access points.

Swimming Pool – A swimming pool and patio area are being proposed on the north side of the building that is currently an open lawn area. The pool area would be separated from the street by the wrought iron fence and a hedge to provide security and privacy to this outdoor area.

Garden Area – The open lawn area on the south side of the building will be used for a garden and related open space area for the hotel.

Future Bus Stop Relocation – The applicant will be working with the City's Transit Division and Caltrans to relocate the bus stop located in front of the building entrance on Court St. This section of Court Street is as State Highway and all work done in Court St. right-of-way requires Caltrans approval.



## Proposed Signs

The applicant's illustrations include several signs which are not part of this CUP request at this time. These are conceptual sign renderings. If the applicant request signs similar to the ones depicted in the attached building renderings, the applicant is required to go back to the Historic Preservation Advisory Committee with a detailed formal application that will likely include the requirement to submit a variance to sign regulations for roof mounted signs and sign area.

## Environmental Review

The project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2018-23). This exemption is based on the project being characterized as a conditional use permit, which is a minor alteration to land use limitations that does not result in changes in land use or density.

### **RECOMMENDED FINDINGS**

1. That the proposed conditional use permit for the adaptive reuse of the Courthouse building in the Downtown Mixed Use (D-MU) zone is consistent with the policies and intent of the General Plan, and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - a. 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.
  - 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.
2. That the Historic Preservation Advisory Committee has reviewed the project and is recommending approval based upon project consistency with the purpose and intent of the Historic Ordinance and Element. The Committee further found that the proposed hotel is consistent with the Downtown Mixed Use designation and other existing land uses in the Downtown, including existing hotels. As an "Exceptional" classified Art Deco building on the Local Register of Historic Structures, the proposed modifications would be necessary for the adaptive reuse of the building. The reuse as a hotel will include upgrades and maintenance contributing to the longevity of the building. The ability to reuse historic buildings is one of the basic goals of historic preservation efforts in Visalia. The proposed project is consistent with the Historic Element and The Historic Ordinance.
3. The project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2018-23). This exemption is based on the project being characterized as a conditional use permit, which is a minor alteration to land use limitations that does not result in changes in land use or density.

### **RECOMMENDED CONDITIONS OF APPROVAL**

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2018-28.
2. That the site be developed in substantial compliance with the Site Plan in Exhibit "A".
3. That the hotel operates consistent with the operational statement in Exhibit "B".



4. That the rooftop lounge may only operate as a part of the hotel when the hotel is open/operating.
5. That any exterior changes shall be reviewed by the Historic Preservation Advisory Committee for consistency with the Historic Ordinance.
6. That any proposed signage is required to go back to HPAC for review.
7. That all applicable federal, state, and city laws and codes and ordinances be met.

## **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 [www.ci.visalia.ca.us](http://www.ci.visalia.ca.us) or from the City Clerk.

### **Attachments:**

- Related Plans and Policies
- Resolution No. 2018-20
- Exhibit "A" – Site Plan No. 2018-28
- Exhibit "B" – Operational Statement
- Exhibit "C" – Rooftop / Penthouse Plan
- Exhibit "D" – First Floor Plan
- Exhibit "E" – Typical Floor and Mezzanine Plans
- \* Exhibit "F" – Center Street Probation Building Concept Elevations
- \* Exhibit "G" – Center Street Probation Building Concept Elevations
- Exhibit "H" – Center Street Probation Building Concept Elevations
- \* Site Plan Review Comments: SPR 2018-28
- \* General Plan Land Use Map
- \* Zoning Map
- \* Aerial Map
- \* Location Map



## RELATED PLANS AND POLICIES

### City of Visalia Zoning Ordinance – Excerpts [Title 17 of Visalia Municipal Code]

#### **Chapter 17.19 - MIXED USE ZONES**

##### **17.19.010 Purposes.**

A. The several types of mixed zones included in this chapter are designed to achieve the following:

1. Encourage a wide mix of commercial, service, office, and residential land uses in horizontal or vertical mixed use development projects, or on adjacent lots, at key activity nodes and along corridors.
2. Maintain Visalia's downtown Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as the traditional, medical, professional, retail, government and cultural center;
3. Provide zone districts that encourage and maintain vibrant, walkable environments.

B. The purposes of the individual mixed use zones are as follows:

1. **Mixed Use Commercial Zone—(C-MU)**. The purpose and intent of the mixed use commercial zone district is to allow for either horizontal or vertical mixed use development, and permit commercial, service, office, and residential uses at both at key activity nodes and along corridors. Any combination of these uses, including a single use, is permitted.
2. **Mixed Use Downtown Zone—(D-MU)**. The purpose and intent of the mixed use downtown zone district is to promote the continued vitality of the core of the community by providing for the continuing commercial development of the downtown and maintaining and enhancing its historic character. The zone is designed to accommodate a wide mix of land uses ranging from commercial and office to residential and public spaces, both active and passive. The zone is intended to be compatible with and support adjacent residential uses, along with meeting the needs of the city and region as the urban center of the city; to provide for neighborhood, local, and regional commercial and office needs; to accommodate the changing needs of transportation and integrate new modes of transportation and related facilities; and to maintain and enhance the historic character of the city through the application of architectural design features that complement the existing historic core of the city.

##### **17.19.070 Development standards in the D-MU zone and in the C-MU zones inside the downtown area.**

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: No minimum.
- B. Maximum building height: one hundred (100) feet.
- C. Minimum required yards (building setbacks):
  1. Front: zero (0) feet;
  2. Rear: zero (0) feet;
  3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
  4. Side: zero (0) feet;
  5. Side yards abutting an R-1 or R-M zone district: zero (0) feet;
  6. Street side yard on corner lot: zero (0) feet.
- D. Minimum required landscaped yard (setback) areas:
  1. Front: five (5) feet (except where a building is located on side property line);
  2. Rear: zero (0) feet;
  3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;



4. Side: five (5) feet (except where a building is located on side property line);
  5. Side yards abutting an R-1 or R-M zone district: five (5) feet except where a building is located on side property);
  6. Street side on corner lot: five (5) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable.

## **Conditional Use Permit – 17.38**

### **17.38.010 Purposes and powers.**

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits.

### **17.38.020 Application procedures.**

A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
3. Address and legal description of the property;
4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
5. The purposes of the conditional use permit and the general description of the use proposed;
6. Additional information as required by the historic preservation advisory committee.
7. Additional technical studies or reports, as required by the Site Plan Review Committee.
8. A traffic study or analysis prepared by a certified traffic engineer, as required by the Site Plan Review Committee or Traffic Engineer, that identifies traffic service levels of surrounding arterials, collectors, access roads, and regionally significant roadways impacted by the project and any required improvements to be included as a condition or mitigation measure of the project in order to maintain the required services levels identified in the General Plan Circulation Element.

B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application.

### **17.38.030 Lapse of conditional use permit.**

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site that was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section.

### **17.38.040 Revocation.**

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance

with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120.

**17.38.050 New application.**

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council.

**17.38.060 Conditional use permit to run with the land.**

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure that was the subject of the permit application subject to the provisions of Section 17.38.065.

**17.38.065 Abandonment of conditional use permit.**

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

**17.38.070 Temporary uses or structures.**

A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.

B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:

1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.

2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.

3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.

4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.

5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.

6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.

7. Signing for temporary uses shall be subject to the approval of the city planner.

8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. 9. Fruit/Vegetable stands shall be subject to site plan review.

C. The City Planner shall deny a temporary use permit if findings cannot be made, or conditions exist that would be injurious to existing site, improvements, land uses, surrounding development or would be detrimental to the surrounding area.

D. The applicant or any interested person may appeal a decision of temporary use permit to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be



filed with the city planner in writing with applicable fees, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The commission shall review the temporary use permit and shall uphold or revise the decision of the temporary use permit, based on the findings set forth in Section 17.38.110. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.

E. A privately owned parcel may be granted up to six (6) temporary use permits per calendar year.

#### **17.38.080 Public hearing--Notice.**

A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.

B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use that is the subject of the hearing, and by publication in a newspaper of general circulation within the city.

#### **17.38.090 Investigation and report.**

The planning staff shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the planning commission. The report can recommend modifications to the application as a condition of approval.

#### **17.38.100 Public hearing--Procedure.**

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary.

#### **17.38.110 Action by planning commission.**

A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:

1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
2. That 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.

B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.

C. The commission may deny an application for a conditional use permit.

#### **17.38.120 Appeal to city council.**

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of section 17.02.145.

#### **17.38.130 Effective date of conditional use permit.**

A conditional use permit shall become effective immediately when granted or affirmed by the council, or ten days following the granting of the conditional use permit by the planning commission if no appeal has been filed.

RESOLUTION NO. 2018-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2018-10, A REQUEST BY COURTHOUSE SQUARE VENTURES LLC TO ESTABLISH A 34 ROOM HOTEL WITH ROOFTOP LOUNGE IN AN EXISTING BUILDING IN THE D-MU (DOWNTOWN MIXED USE) ZONE. THE SITE IS LOCATED AT 210 N. COURT STREET (APN: 094-287-001)

**WHEREAS**, Conditional Use Permit No. 2018-10, is a request by Courthouse Square Ventures LLC to establish a 34 room hotel with rooftop lounge in an existing building in the D-MU (Downtown Mixed Use) zone. The site is located at 210 N. Court Street. (APN: 094-287-001); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on June 11, 2018; and

**WHEREAS**, the Historic Preservation Advisory Committee reviewed the proposed project on May 23, 2018 (HPAC No 2018-06), and has forwarded a recommendation of "Approval" to the Planning Commission. The Committee found the adaptive reuse of the Courthouse to a hotel to be consistent with the Historic Element and the Historic Ordinance; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15305.

**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 for the adaptive reuse of the Courthouse building in the Downtown Mixed Use (D-MU) zone is consistent with the policies and intent of the General Plan, and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - a. 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.
  - 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.

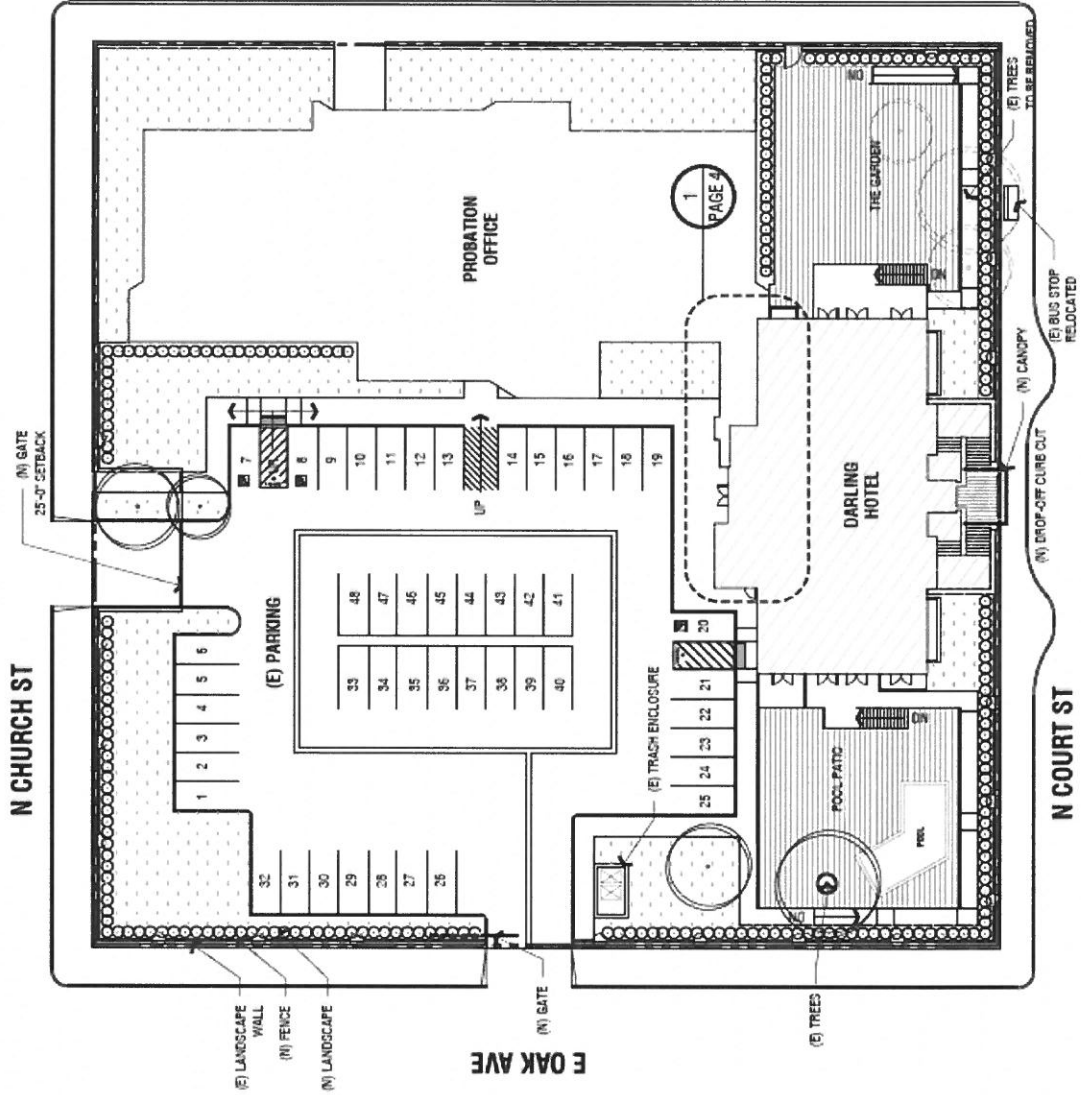
2. That the Historic Preservation Advisory Committee has reviewed the project and is recommending approval based upon project consistency with the purpose and intent of the Historic Ordinance and Element.
3. The project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2018-23). This exemption is based on the project being characterized as a conditional use permit, which is a minor alteration to land use limitations that does not result in changes in land use or density.

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the Conditional Use Permit on the real property here in above 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:

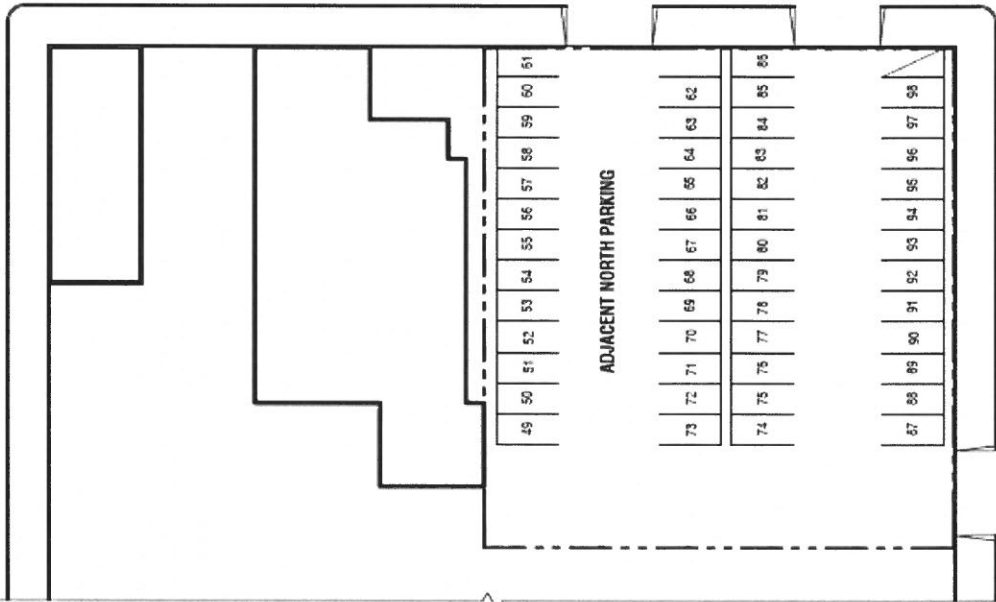
1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2018-28.
2. That the site be developed in substantial compliance with the Site Plan in Exhibit "A".
3. That the hotel operates consistent with the operational statement in Exhibit "B".
4. That the rooftop lounge may only operate as a part of the hotel when the hotel is open/operating.
5. That any exterior changes shall be reviewed by the Historic Preservation Advisory Committee for consistency with the Historic Ordinance.
6. That any proposed signage is required to go back to HPAC for review.
7. That all applicable federal, state, and city laws and codes and ordinances be met.

**Exhibit - A**

E CENTER AVE



E OAK AVE



SCALE: 1" = 40'-0"

**1 SITE PLAN**

**1**

**Exhibit - A**

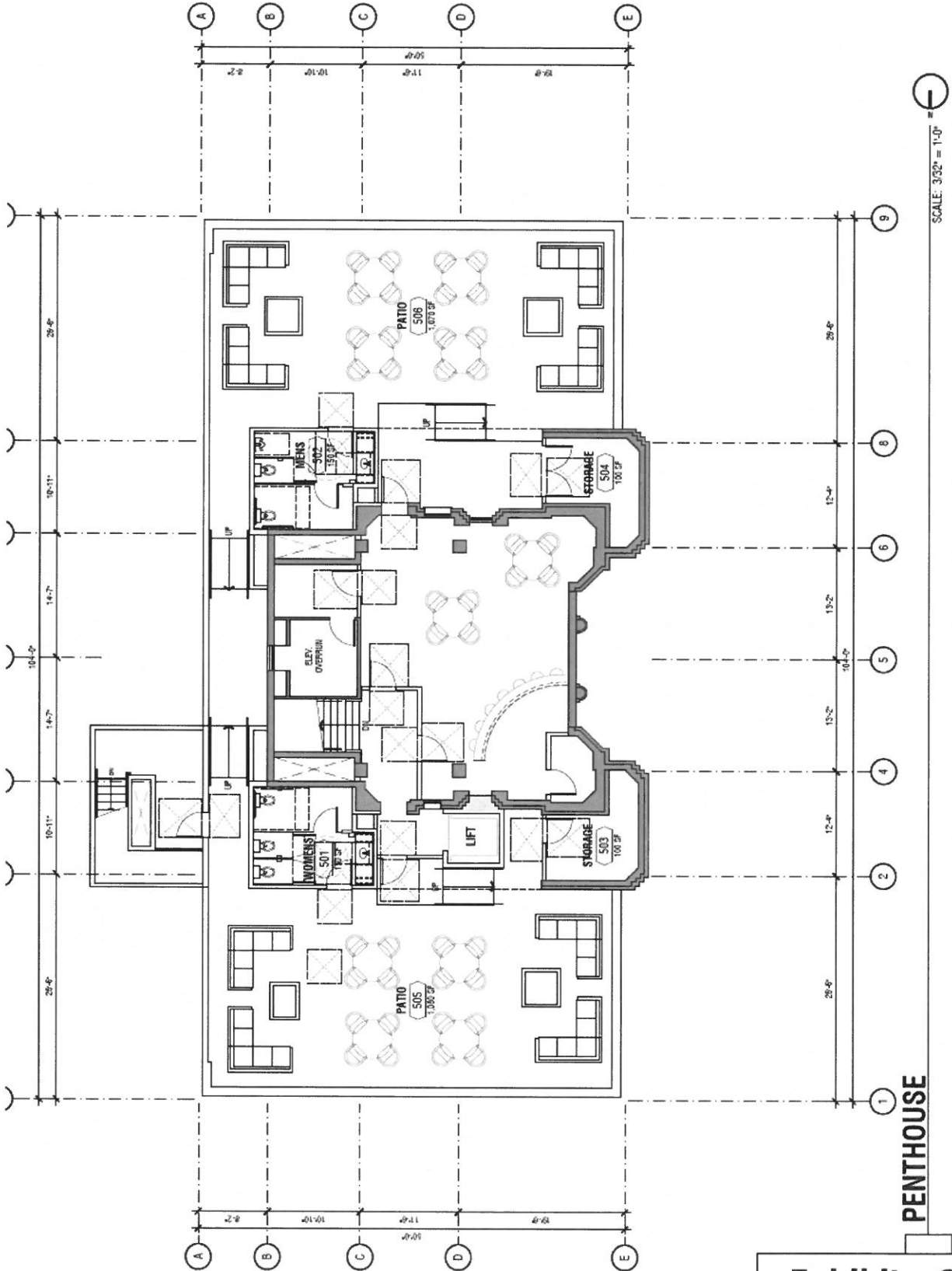


## Exhibit "B" – Operational Statement

### The Darling Hotel

#### Operational Statement

- 34-room boutique hotel with meeting rooms and rooftop lounge
- Operating hours
  - Hotel
    - Open to public daily, with card access privileges only from 11pm-6am
  - Rooftop Lounge
    - Open to public, 4pm-11pm Sun-Thursday
    - Open to public, 4pm-Midnight, Friday & Saturday
    - Continental Breakfast all mornings from 6am-10am
    - Hotel guest access only before 4pm
  - Pool courtyard/garden courtyard
    - Open 6am – 10pm daily
  - Fitness Center
    - Hotel guests only, open daily with card access
- Staffing/Management
  - 1 General manager
  - 2 assistant managers/hotel staff
  - 5 front desk/staff members
  - 2 cleaning staff during the morning and early afternoon
  - 4-5 part-time lounge staff in evenings
- Food/Beverage
  - Outside private catering from local restaurants to provide food for events
  - Continental breakfast food prep only (fresh baked goods, dry cereal, juice, refrigerated items, coffee, etc)
- Parking/Valet
  - Secured/gated parking lots
  - Possibly provide valet parking
  - Would try to secure loading/unloading at front entrance on Court Street

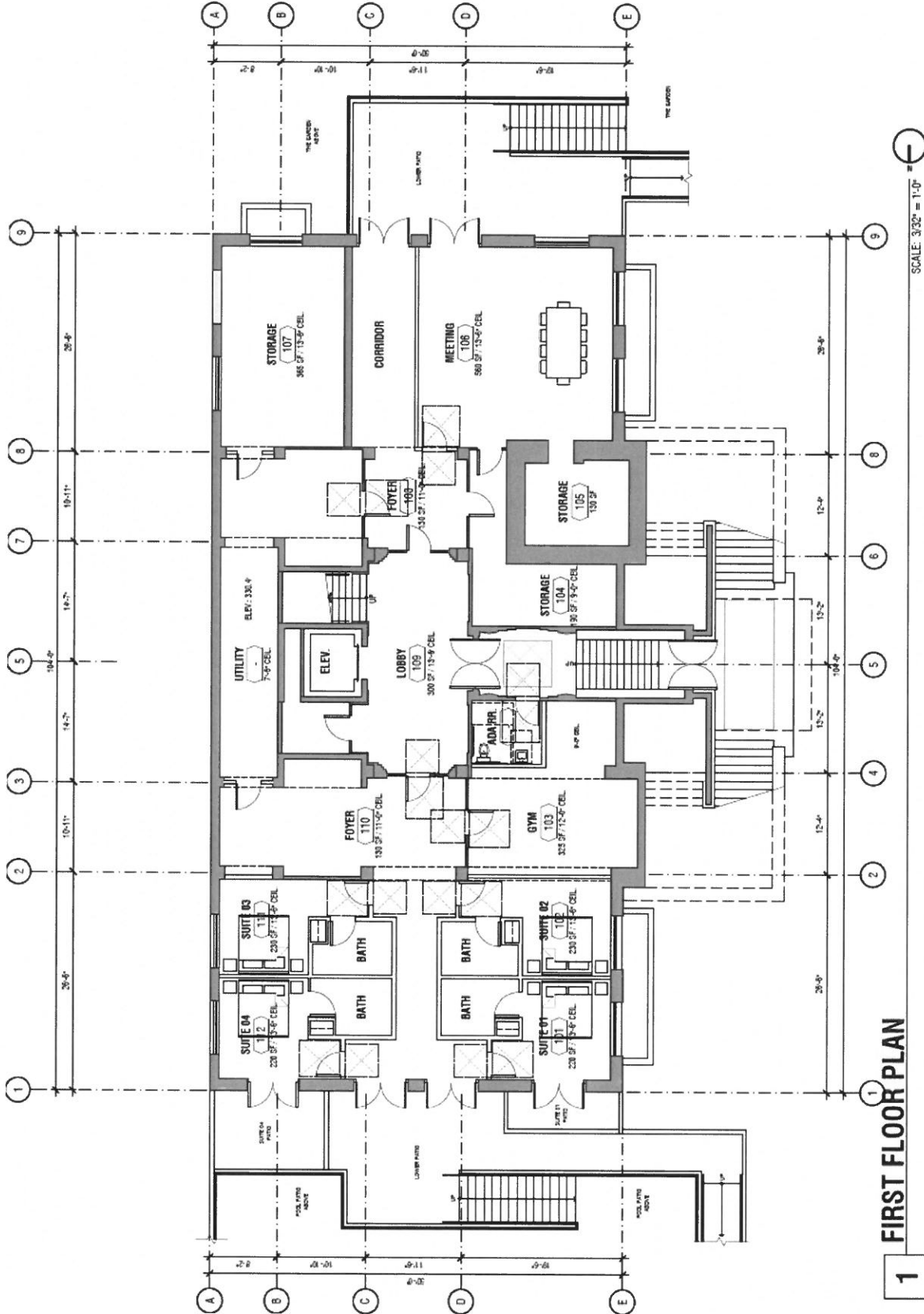


SCALE: 3/32" = 1'-0"

**PENTHOUSE**

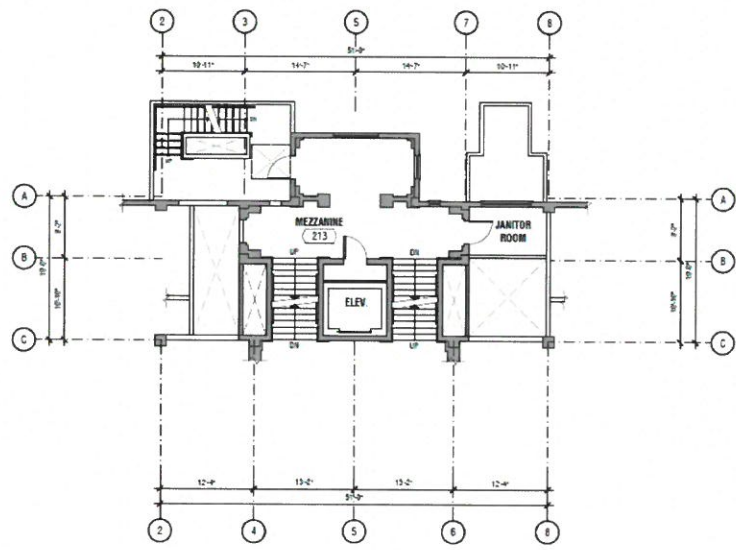
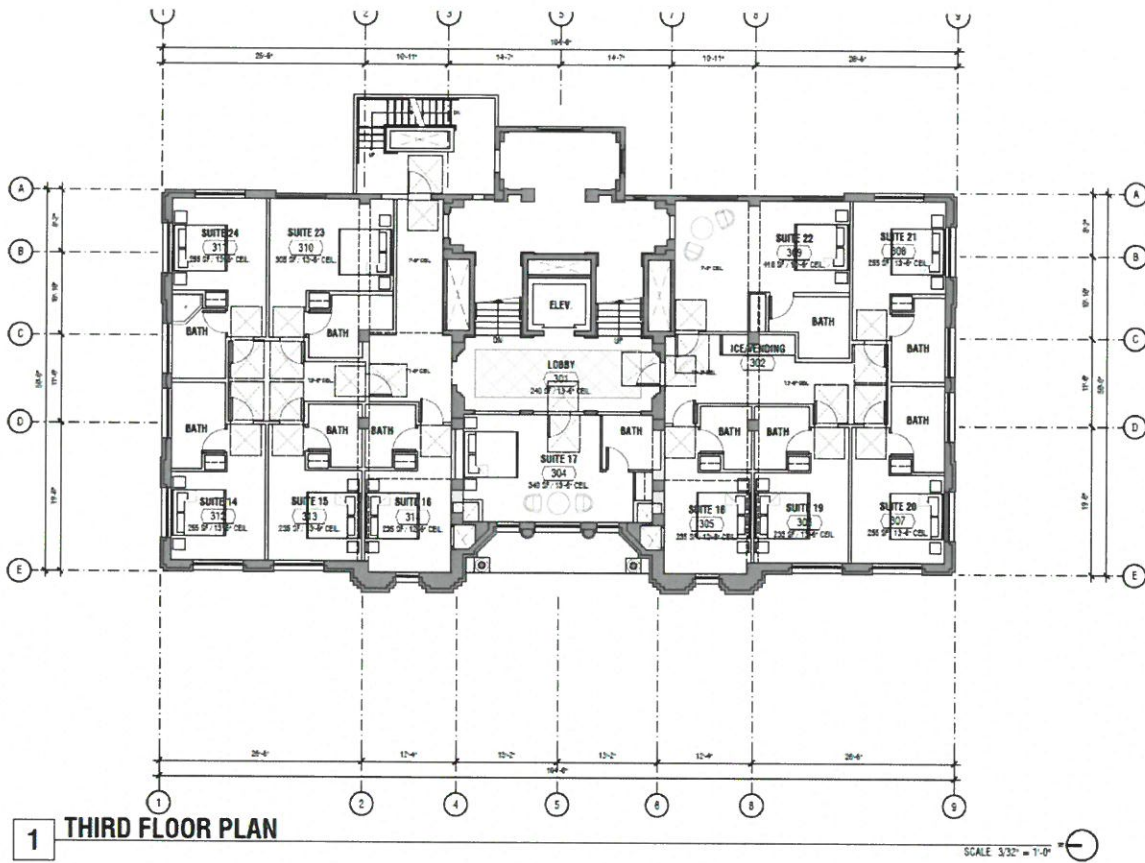
**Exhibit - C**





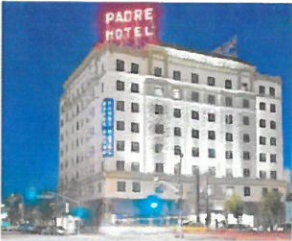
**Exhibit - D**

**1** FIRST FLOOR PLAN



**Exhibit - E**





PADRE HOTEL BAKERSFIELD PRECEDENT



Exhibit - F





**Exhibit - G**





EMBEDDED ART DECO STYLES

VISALIA PROBATION BUILDING REMODEL

Exhibit - H



#2

MEETING DATE: APRIL 4, 2018  
SITE PLAN NO. 18-028 RESUBMITAL  
PARCEL MAP NO.  
SUBDIVISION:  
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

- RESUBMIT** Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.
- During site plan design/policy concerns were identified, schedule a meeting with
- Planning  Engineering prior to resubmittal plans for Site Plan Review.
- Solid Waste  Parks and Recreation  Fire Dept.

**REVISE AND PROCEED** (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

CVP

HISTORIC PRESERVATION

OTHER: \_\_\_\_\_

**ADDITIONAL COMMENTS :**

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.

*Site Plan Review Committee*



RECYCLED PAPER



CITY OF VISALIA  
SOLID WASTE DIVISION  
336 N. BEN MADDOX  
VISALIA CA. 93291  
713 - 4500

COMMERCIAL BIN SERVICE

ITEM NO: 1

DATE: April 018

SITE PLAN NO:

SPR18028

RESUBMIT

PROJECT TITLE:

THE DARLING HOTEL

DESCRIPTION:

ADAPTIVE RE-USE OF HISTORIC COUNTY COURTHOUSE INTO A 33-ROOM BOUTIQUE HOTEL, MEETING ROOMS AND ROOFTOP LOUNGE. (D-MU) (AE)

APPLICANT:

ELDERWOOD CAPITAL LLC

PROP OWNER:

TULARE COUNTY OF

LOCATION:

210 N COURT ST

APN(S):

094-287-001

XX

No comments.

Same comments as

Revisions required prior to submitting final ,

Resubmittal required. See comments below.

Customer responsible for all cardboard and other bulky recyclables to be broken down be fore disposing of in recycle containers.

ALL refuse enclosures must be R-3 OR R-4

Customer must provide combination or keys for access to locked gates/bins

Type of refuse service not indicated.

Location of bin enclosure not acceptable. See comments below.

Bin enclosure not to city standards double.

Inadequate number of bins to provide sufficient service. See comments below.

Drive approach too narrow for refuse trucks access. See comments below.

Area not adequate for allowing refuse truck turning radius of :  
Commercial ( X ) 50 ft. outside 36 ft. inside; Residential ( ) 35 ft. outside, 20 ft. inside.  
Paved areas should be engineered to withstand a 55,000 lb. refuse truck.

Bin enclosure gates are required

Hammerhead turnaround must be built per city standards.

Cul - de - sac must be built per city standards.

Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.

Area in front of refuse enclosure must be marked off indicating no parking

Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.  
Customer will be required to roll container out to curb for service.

Must be a concrete slab in front of enclosure as per city standards  
The width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.

Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

Comment





**Site Plan Review Comments For:**

Visalia Fire Department  
Kurtis A. Brown, Fire Marshal  
707 W Acequia  
Visalia, CA 93291  
559-713-4261 Office  
559-713-4808 Fax

ITEM NO: 1

DATE: April 04, 2018

SITE PLAN NO:	SPR18028	<b>RESUBMIT</b>
PROJECT TITLE:	THE DARLING HOTEL	
DESCRIPTION:	ADAPTIVE RE-USE OF HISTORIC COUNTY COURTHOUSE INTO A 33-ROOM BOUTIQUE HOTEL, MEETING ROOMS AND ROOFTOP LOUNGE. (D-MU) (AE)	
APPLICANT:	ELDERWOOD CAPITAL LLC	
PROP OWNER:	TULARE COUNTY OF	
LOCATION:	210 N COURT ST	
APN(S):	094-287-001	

**The following comments are applicable when checked:**

- The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2016 California Fire Code (CFC), 2016 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. *2016 CFC 901.6*
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire & life safety requirements including fire protection.
- Construction and demolition sites prior to and during construction shall comply with the following:
  - Water Supply for fire protection, either temporary or permanent, shall be made available as soon as combustible materials arrive on the site. *2016 CFC 3312*
  - An all-weather, 20 feet width Construction Access Road capable of holding a 75,000 pound fire apparatus. Fire apparatus access shall be provided within 100 feet of temporary or permanent fire department connections. *2016 CFC 3310*
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail. Please include information on

**General:**

- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. *2016 CFC 505.1*
- All hardware on exit doors, illuminated exit signs and emergency lighting shall comply with the 2016 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. *2016 CFC 304.3.3*



- A Knox Box key lock system is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. The key box shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation. *2016 CFC 506.1*
- If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on *Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2016 California Fire Code*, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

### Water Supply for Residential, Commercial & Industrial:

#### Residential

- Fire hydrant spacing and location shall comply with the following requirements:  
The exact location and number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. *Visalia Municipal Code 16.36.120(5)*
- Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
- Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
- Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.

#### Commercial & Industrial

- Where a portion of the facility or building is more than 400 feet from a hydrant on a fire apparatus access road, on-site fire hydrant(s) shall be provided. *2016 CFC 507.5.1*
- Due to insufficient building information, the number and distance between fire hydrants cannot be determined by the Site Plan Review process. The number of fire hydrants and distance between required fire hydrants shall be determined by utilizing type of construction and square footage in accordance with *CFC 2016 Appendix C102 & C103 & CFC 507.5.1*
- To determine fire hydrant location(s) and distribution the following information was provided to the Site Plan Review committee: **Type of construction** \_\_\_\_\_ **Square footage** \_\_\_\_\_

### Emergency Access

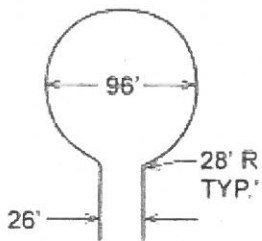
- A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Fire apparatus access

roads shall have an unobstructed width of not less than 20 feet. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. *2016 CFC 503.1.1*

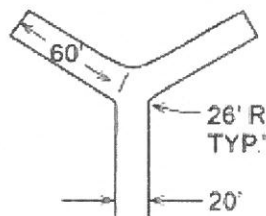
□ Buildings or portions of buildings or facilities with a vertical distance between the grade plan and the highest roof surface that exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus.

- Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders.
- Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.
- Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.

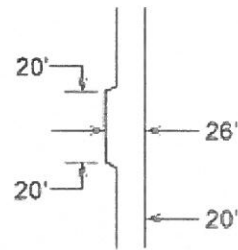
□ Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Fire apparatus access roads with a length of 151-500 feet shall be a minimum of 20 feet in width. Length of 501-750 feet shall be 26 feet in width. *2016 CFC Table D103.4*



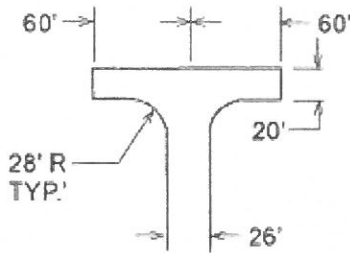
96' DIAMETER CUL-DE-SAC



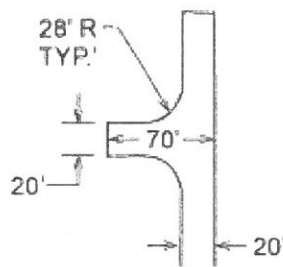
60' "Y"



MINIMUM CLEARANCE AROUND A FIRE HYDRANT



120' HAMMERHEAD



ACCEPTABLE ALTERNATIVE TO 120' HAMMERHEAD

□ Approved No PARKING – FIRE LANE signs shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. *2013 CFC 503.3/D103.6*

SIGN TYPE "A"



12"

SIGN TYPE "C"



12"

SIGN TYPE "D"



12"

18"

- On site Fire Apparatus Access Roads shall be provided and have an unobstructed width of not less than the following:
  - 20 feet width, exclusive of shoulders (No Parking)
  - More than 26 feet width, exclusive of shoulders (No Parking one side)
  - More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)
  
- Marking- approved signs, other approved notices or marking that include the words "NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. *CFC 503.3*
  
- Gates on access roads shall be a minimum width of 20 feet and shall comply with the following:  
*2016 CFC D103.5*
  - Gates shall be of the swinging or sliding type.
  - Gates shall allow manual operation by one person (power outages).
  - Gates shall be maintained in an operative condition at all times.
  - Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (Note: Knox boxes shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation.)
  
- Streets shall meet the City of Visalia's Design & Improvement Standards for streets to ensure that fire apparatus can make access to all structures in the event of an emergency.

### **Fire Protection Systems**

- An automatic fire sprinkler system will be required for this building. Also, a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. *2016 CFC 912 and Visalia Municipal Code 8.20.010 subsection C103.4*
  
- Locking fire department connection (FDC) caps are required. The caps shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. *2016 CFC 912.4.1*
  
- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. *2016 CFC 904.12 & 609.2*

### **Special Comments:**

  
Kurtis A. Brown  
Fire Marshal



**City of Visalia**  
**Building: Site Plan**  
**Review Comments**

ITEM NO: 1      DATE: 04, 2018  
 SITE PLAN NO: SPR18028      **RESUBMIT**  
 PROJECT TITLE: THE DARLING HOTEL  
 DESCRIPTION: ADAPTIVE RE-USE OF HISTORIC COUNTY COURTHOUSE INTO A 33-ROOM BOUTIQUE HOTEL, MEETING ROOMS AND ROOFTOP LOUNGE. (D-MU) (AE)  
 APPLICANT: ELDERWOOD CAPITAL LLC  
 PROP OWNER: TULARE COUNTY OF  
 LOCATION: 210 N COURT ST  
 APN(S): 094-287-001

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project  
 Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 5 sets of professionally prepared plans and 2 sets of calculations. (Small Tenant Improvements)
- Submit 5 sets of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 2 sets of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (559) 230-6000*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone AE \*  Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.56 per square foot. Residential \$3.45 per square foot. **ANY ADDITION**
- Park Development fee \$ \_\_\_\_\_, per unit collected with building permits.
- Existing address must be changed to be consistent with city address. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: ADDITIONAL EXIT REQUIRED

VAL GARCIA 4/4/18  
 Signature

**City of Visalia  
Police Department**  
303 S. Johnson St.  
Visalia, Ca. 93292  
(559) 713-4370

ITEM NO: 1      DATE: April 04, 2018  
SITE PLAN NO:      SPR18028      **RESUBMIT**  
PROJECT TITLE:      THE DARLING HOTEL  
DESCRIPTION:      ADAPTIVE RE-USE OF HISTORIC COUNTY  
   COURTHOUSE INTO A 33-ROOM BOUTIQUE HOTEL,  
   MEETING ROOMS AND ROOFTOP LOUNGE. (D-MU)  
   (AE)  
APPLICANT:      ELDERWOOD CAPITAL LLC  
PROP OWNER:      TULARE COUNTY OF  
LOCATION:      210 N COURT ST  
APN(S):      094-287-001

### Site Plan Review Comments

- No Comment at this time.
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact fee:  
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code  
Effective date - August 17, 2001  
  
Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. \*Refer to Engineering Site Plan comments for fee estimation.
- Not enough information provided. Please provide additional information pertaining to:  
\_\_\_\_\_
- Territorial Reinforcement: Define property lines (private/public space).  
\_\_\_\_\_
- Access Controlled / Restricted etc:  
\_\_\_\_\_
- Lighting Concerns: PROPER EXTERIOR LIGHTING TO  
DETER CRIMINAL AT NIGHT
- Landscaping Concerns: LOW-THIN LANDSCAPING TO  
DETER TRANSIENT CAMPAING
- Traffic Concerns:  
\_\_\_\_\_
- Surveillance Issues:  
\_\_\_\_\_
- Line of Sight Issues:  
\_\_\_\_\_
- Other Concerns: CONTACT VPD REGARDING  
B. ARRELS LIC ABC LIC ISSUES

**BUILDING/DEVELOPMENT PLAN  
REQUIREMENTS  
ENGINEERING DIVISION**

- Jason Huckleberry 713-4259
- Adrian Rubalcaba 713-4271
- Diego Corvera 713-4209

ITEM NO: 2 DATE: APRIL 4, 2018

SITE PLAN NO.: 18-028R  
PROJECT TITLE: THE DARLING HOTEL  
DESCRIPTION: ADAPTIVE RE-USE OF HISTORIC COUNTY COURTHOUSE INTO A 33-ROOM BOUTIQUE HOTEL, MEETING ROOMS AND ROOFTOP LOUNGE. (D-MU)(AE)  
APPLICANT: ELDERWOOD CAPITAL LLC  
PROP OWNER: TULARE COUNTY OF  
LOCATION: 100 E CENTER AVE VISALIA  
APN: 094-287-001

**SITE PLAN REVIEW COMMENTS**

REQUIREMENTS (indicated by checked boxes)

- Install curb return with ramp, with \_\_\_\_\_ radius;
- Install curb;  gutter
- Drive approach size:  Use radius return;
- Sidewalk: \_\_\_\_\_ width;  parkway width at \_\_\_\_\_
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required. **FOR ANY WORK IN THE PUBLIC RIGHT-OF-WAY**  
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required.  CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.  Prepared by registered civil engineer or project architect.  All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a)  directed to the City's existing storm drainage system; b)  directed to a permanent on-site basin; or c)  directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: \_\_\_\_\_ : \_\_\_\_\_ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = .020%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.



- Traffic indexes per city standards
- Install street striping as required by the City Engineer.
- Install landscape curbing (typical at parking lot planters).
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests:            each at
- Written comments required from ditch company            Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum     Provide            wide riparian dedication from top of bank.
- Show Valley Oak trees with drip lines and adjacent grade elevations.     Protect Valley Oak trees during construction in accordance with City requirements.
- A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove.     A pre-construction conference is required.
- Relocate existing utility poles and/or facilities.
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Subject to existing Reimbursement Agreement to reimburse prior developer:
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
- If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
- If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments.     Resubmit with additional information.     Redesign required.

**Additional Comments:**

**1. Comply with additional comments from building, fire, and planning department.**

**2. This development will incur impact fees, see sheet 3 for further details.**

**3. 25' setback from face of curb for new gates. This includes the entrance along N Church St and the entrances at the parking lot North of Church St.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: 18-028

Date: 2/28/2018

**Summary of applicable Development Impact Fees to be collected at the time of building permit:**

**(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)**

(Fee Schedule Date:8/18/2017)

(Project type for fee rates:HOTEL/RESTURANT)

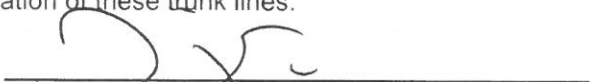
Existing uses may qualify for credits on Development Impact Fees. **GOVERNMENT**

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$2,518/RM X 33 = \$83,094 \$14,207/1KSF X 5.45 = \$77,428 CR \$27,397/1KSF X 22.9 = \$336,983
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$72/RM X 33 = \$2,376 \$64/SEAT X 74 = \$4,736 CR \$94/1KSF X 22.9 = \$2,152
	<b>TREATMENT PLANT FEE:</b>
	\$412/RM X 33 = \$13,596 CR \$225/1KSF X 22.9 = \$5,152

- Sewer Front Foot Fee
- Storm Drain Acq/Dev Fee
- Park Acq/Dev Fee
- Northeast Specific Plan Fees
- Waterways Acquisition Fee
- Public Safety Impact Fee: Police
- Public Safety Impact Fee: Fire
- Public Facility Impact Fee
- Parking In-Lieu

**Reimbursement:**

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.

  
\_\_\_\_\_  
Diego Corvera



# SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

April 4, 2018

ITEM NO: 1	RESUBMTL
SITE PLAN NO:	SPR18028
PROJECT TITLE:	THE DARLING HOTEL
DESCRIPTION:	ADAPTIVE RE-USE OF HISTORIC COUNTY COURTHOUSE INTO A 33-ROOM BOUTIQUE HOTEL, MEETING ROOMS AND ROOFTOP LOUNGE. (D-MU) (AE)
APPLICANT:	ELDERWOOD CAPITAL LLC
PROP. OWNER:	TULARE COUNTY OF
APN:	094-287-001
LOCATION:	100 E CENTER AVE VISA
APN:	094-287-001
LOCATION:	210 N COURT ST VISA

**THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY**

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required.
  - Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.

**Additional Comments:**

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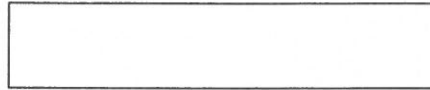
  
\_\_\_\_\_  
Leslie Blair

# SITE PLAN REVIEW COMMENTS

Andrew Chamberlain, Planning Division (559) 713-4003

Date: April 4, 2018

SITE PLAN NO: 2018-028 - B  
PROJECT: Darling Hotel  
DESCRIPTION: DARLING HOTEL (D-MU) (AE)  
APPLICANT: ELDERWOOD CAP  
PROP. OWNER: TULARE COUNTY  
LOCATION TITLE: 100 E. CENTER ST (210 N. COURT STREET)  
APN TITLE: 094-287-001  
GENERAL PLAN: Downtown Mixed Use  
ZONING: D-MU



## Planning Division Recommendation:

- Revise and Proceed
- Off-Agenda – minor revision and comments
- Resubmit

## Project Requirements

- Need Caltrans input for any actions in or adjacent to their R-O-W
- Detail Fence type – recessed gates – etc.
- Valet Parking? Relocated Bus Stop?
- Parking Lot to north, detail any fencing and access
- Need to see any final building elevation changes based upon the requirements for Fire Safety.
- HPAC review needs to cover all the exterior building and lot changes, along with CUP for hotel.
- The Building is listed on the Local Register of Historic Structures as an “Exceptional” classified “Art Deco” building – Exterior alterations/additions, CUP and any other discretionary actions need to be submitted for Historic Preservation Advisory Committee review prior to public hearings before the Planning Commission.
- Hotels are a “Conditional” use in the D-MU zone.
- Parking – The parking demand for the hotel (approx. 90 spaces)
- Provide detailed operational statement for HPAC and CUP actions.

## **PROJECT SPECIFIC INFORMATION: 4-4-18**

1. See Previous Comments (Not on State or National Registers)
2. Provide detailed operational statement as a part of the Historic Preservation Advisory Committee (HPAC) and CUP applications.
3. HPAC is charged with the review of all external building and site changes for this site. The HPAC application needs to provide the exterior elevations of the added stairwell(s) and any site additions such as fencing and the patio additions on the north and south sides of the building. The HPAC Committee would not review any changes to the Probation Building unless it directly impacted the historic structure.
4. Parking Reduction – May not be necessary based upon potential PBID participation.
5. The site is within the PBID area – if this site is paying participant fees for the PBID area then the project would be covered by the current parking program to allow site intensification without additional required parking. This is only good as long as the parking program is in place and the site is a participant.
6. Will the site have valet parking?
7. Will the parking lot to the north be fenced and gated?
8. Provide a description of the proposed fencing for the site.

**PROJECT SPECIFIC INFORMATION: 2-28-18**

1. Hotels are a "Conditional" use in the D-MU zone.
2. Provide detailed operational statement
3. The Lounge is considered a bar; bars are not a permitted or conditional use in the DMU zone. The applicant indicated at the SPR meeting that the Lounge would be ancillary to the primary use of the hotel. A separate detailed operational statement for the Lounge is required for the CUP application, including an explanation of how the bar could be considered ancillary to the hotel.
4. Would there be live music/DJ or other entertainment in the Lounge area?
5. Parking – The parking demand for the hotel (approx. 90 spaces) and probation building (49 spaces) totals 139 spaces as shown in the Parking Calculations on the plans. The Downtown Visalia Organization has indicated that the hotel is eligible for the PBID parking program and exemptions as long as the owners start paying PBID dues for a non-governmental use. The original and this replacement County Courthouse building were both constructed without any on-site parking. The parking lots on the site are believed to be a contemporary addition (may need to be researched). If the Courthouse receives a parking credit outside of the existing parking lots, it would be at 1 stall per 250 sq. ft. for the main floor areas 1<sup>st</sup> through 4<sup>th</sup> floors.
6. Additions to Site Plan - At the Site Plan Review meeting the applicant indicated that there may be a pool and outdoor patio on the lawn areas north and south of the building, along with site fencing, and a canopy on the Court Street side out to the right-of-way. These items need to be included in the site plan – even if they are tentative locations/layouts so staff may comment on the total package and have it move forward to Historic Preservation and the Planning Commission for the CUP process.
7. Phasing of components if intended.

**17.19.070 Development standards in the D-MU zone and in the C-MU zones inside the downtown area.**

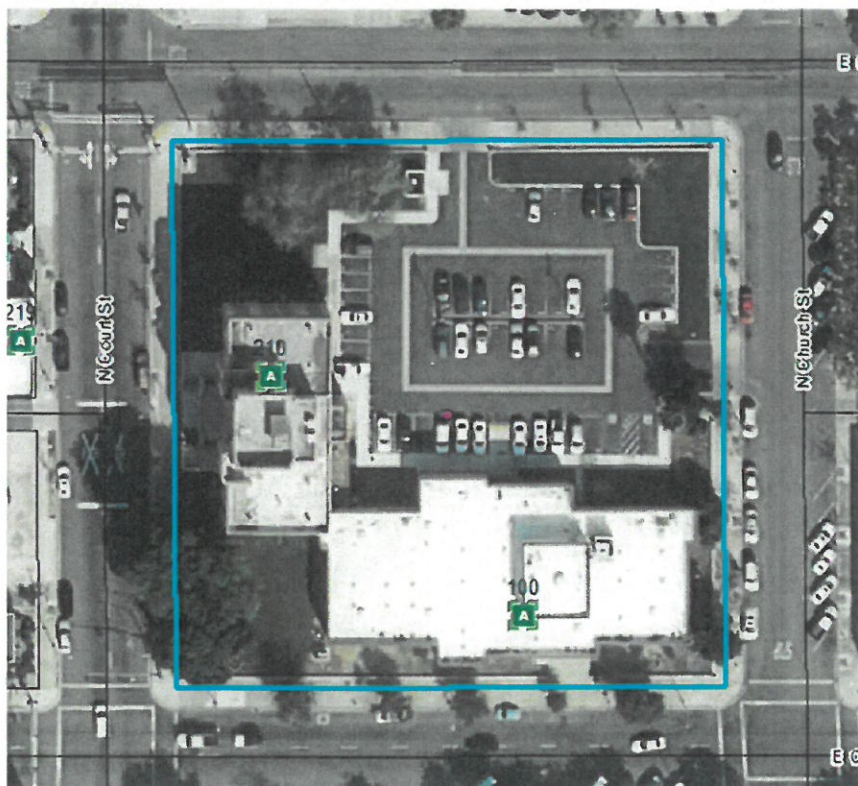
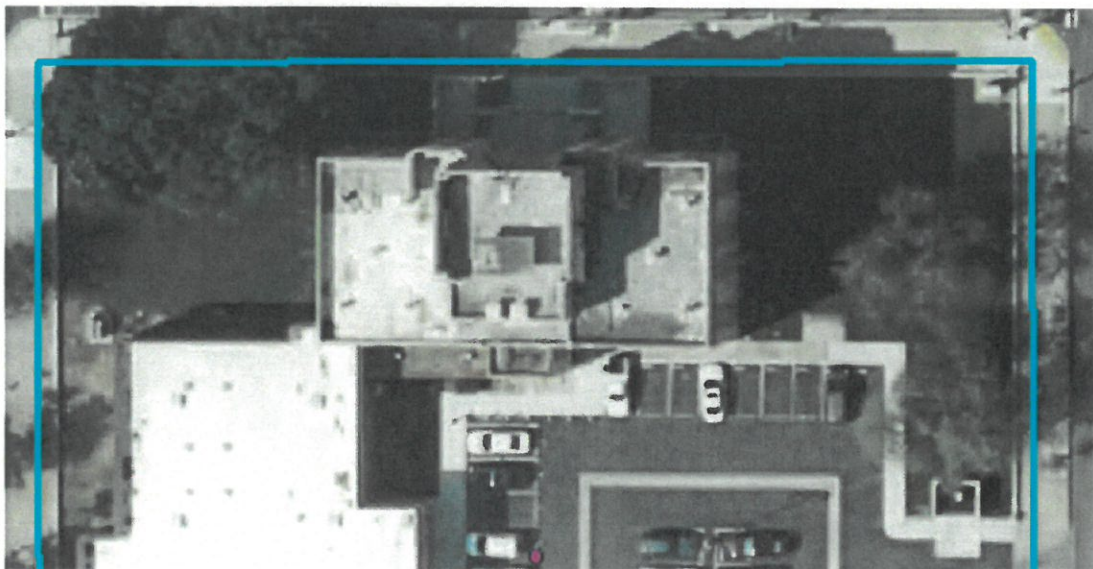
The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: No minimum.
- B. Maximum building height: one hundred (100) feet.
- C. Minimum required yards (building setbacks):
  1. Front: zero (0) feet;
  2. Rear: zero (0) feet;
  3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
  4. Side: zero (0) feet;
  5. Side yards abutting an R-1 or R-M zone district: zero (0) feet;
  6. Street side yard on corner lot: zero (0) feet.
- D. Minimum required landscaped yard (setback) areas:
  1. Front: five (5) feet (except where a building is located on side property line);
  2. Rear: zero (0) feet;
  3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
  4. Side: five (5) feet (except where a building is located on side property line);
  5. Side yards abutting an R-1 or R-M zone district: five (5) feet except where a building is located on side property);
  6. Street side on corner lot: five (5) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable.



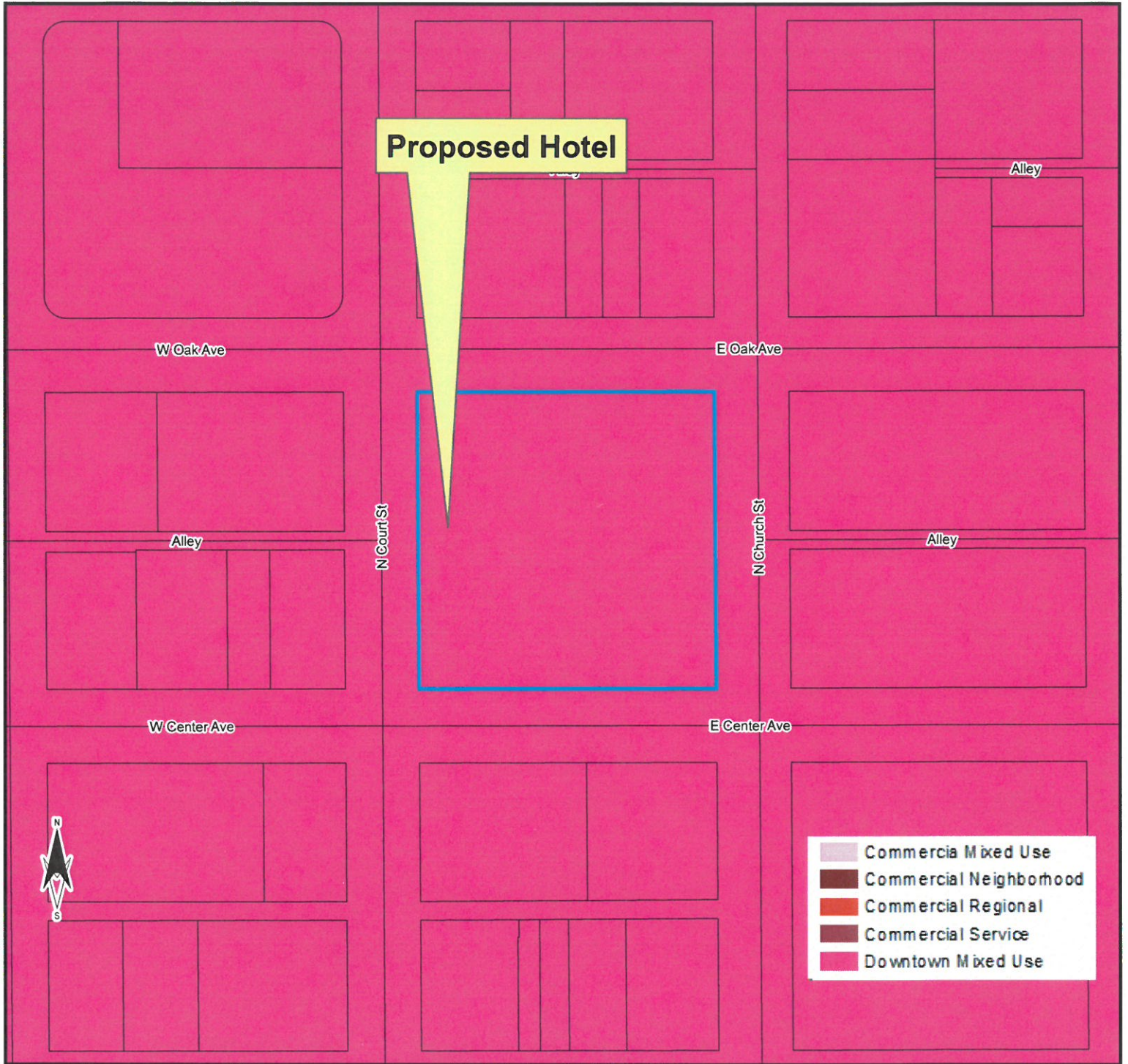
**NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.**

Signature     *ci AIC*    

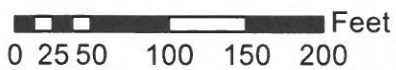




# City of Visalia

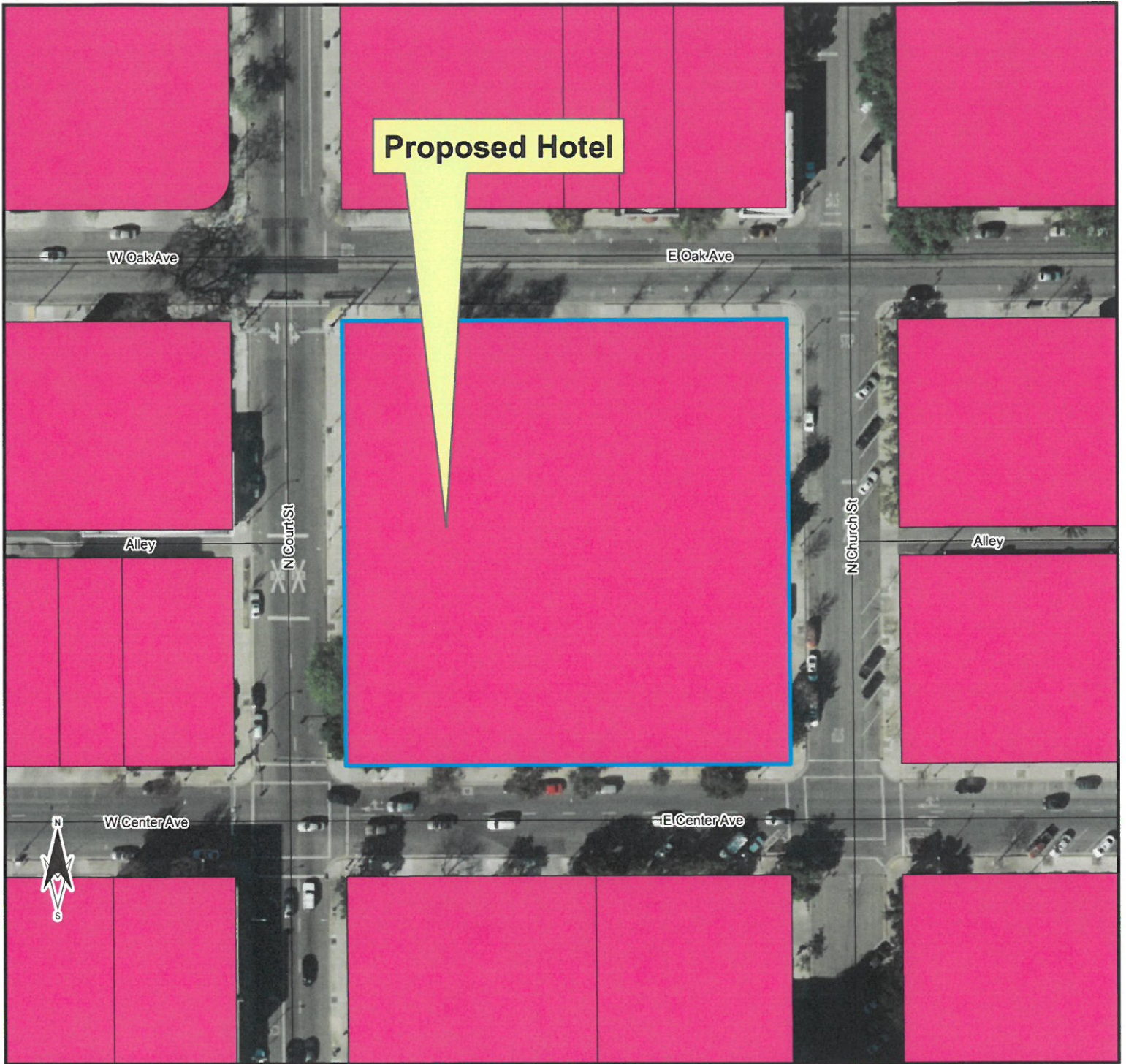


## Land Use Designations





# City of Visalia



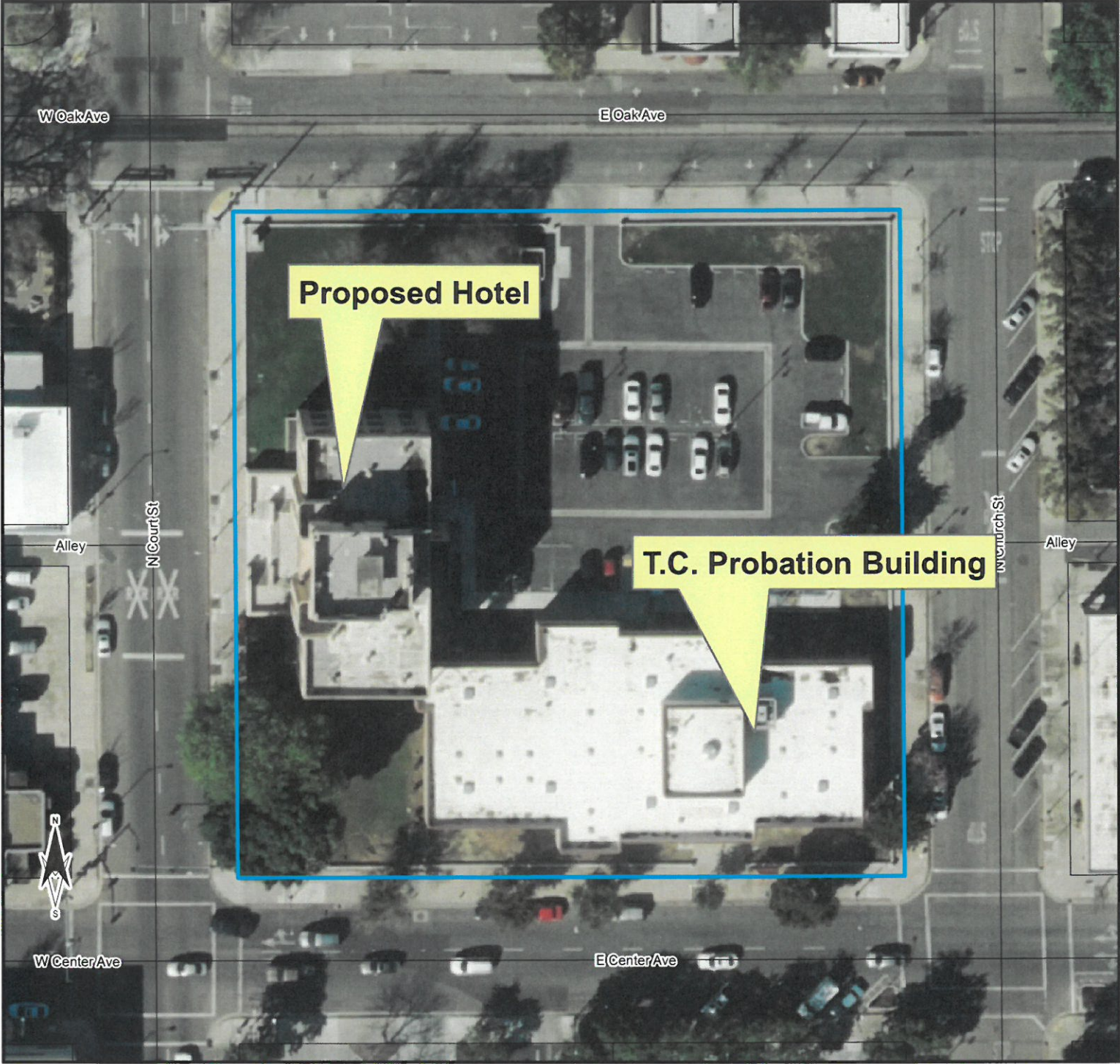
## Zoning Designations

0 15 30 60 90 120 Feet

- Service Commercial
- Mixed Use Commercial
- Mixed Use Downtown



# City of Visalia

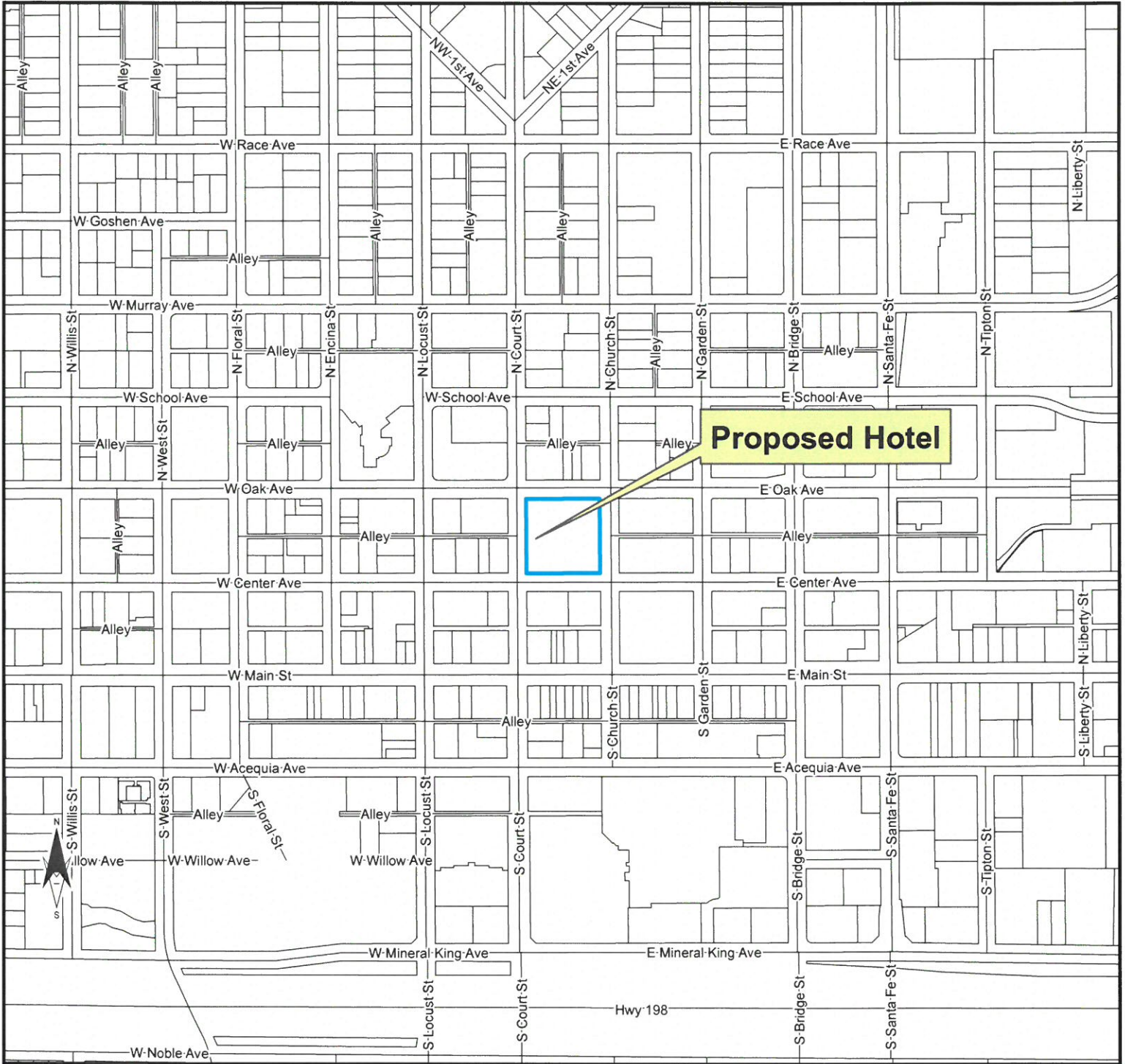


## Aerial Photo





# City of Visalia



## Location Map

