

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

TUESDAY, NOVEMBER 13, 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.
 - Time Extension for Orchard Walk Tentative Subdivision Map No. 5543
5. PUBLIC HEARING – Andrew Chamberlain
Conditional Use Permit No. 2018-18: A request by Visalia Adventure Park, Inc. to amend Conditional Use Permit No. 2003-39 to allow the addition of a Water Feature, and to amend Conditional Use Permit No. 2011-24 to expand the allowed area for alcohol sales to the proposed Water Feature enclosure. The project site has a zoning designation of C-MU (Commercial Mixed Use) and is located at 5600 W. Cypress Avenue (APN: 087-450-019). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-60
6. PUBLIC HEARING – Paul Scheibel
Conditional Use Permit No. 2018-21: A request by Auto Oil Changers to amend CUP 2013-25 (Riverbend Village Commercial Center) by constructing an oil change and automatic carwash facility on parcels originally entitled for an office building and a fast food restaurant. The site is in the CM-U (Commercial Mixed Use) Zone District, located approximately 450 south of the southeast corner of Riggan Avenue and Dinuba Boulevard (APNs: 091-010-045 and 091-010-046). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2018-63.

7. PUBLIC HEARING – Andy Chamberlain

Conditional Use Permit No. 2018-23: A request by California Water Service Company to allow the addition of four 12-foot diameter wellhead treatment vessels and associated site work at an existing water well site in the Professional Administrative Office (PA) zone. The project site is located at 1801 W. Main Street, the southwest corner of Main and Elm Streets (APN: 093-302-005). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301-b, Categorical Exemption No. 2018-67

8. PUBLIC HEARING – Brandon Smith

Conditional Use Permit No. 2018-24: A request by Mike Patel to allow a 32-room expansion of an existing hotel in the C-R (Regional Commercial) zoning designation, wherein the expansion will occur on vacant property located east of the existing hotel. The project site is located at 4645 W. Noble Avenue (APN: 087-330-052). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2018-66

9. PUBLIC HEARING – Paul Bernal

Conditional Use Permit No. 2018-25: A request by Central Valley Christian School to amend Conditional Use Permit No. 97-12 to construct a new 17,500 sq. ft. building to be used for Agricultural Science, Art, Metal and Woodshop classes. The new 17,500 sq. ft. building is proposed west of the gymnasium on the 7-acre school campus in the QP (Quasi-Public) zone located at 5600 West Tulare Avenue (APN: 087-460-006). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15314, Categorical Exemption No. 2018-64

10. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- December 10, 2018 Planning Commission meeting
- 5-Pack City Council Work Session Update
- Planning Associate New Hire

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 MONDAY, NOVEMBER 26, 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 or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, DECEMBER 10, 2018

City of Visalia

Memo



To: Planning Commission

From: Brandon Smith, Senior Planner

Date: November 13, 2018

Re: Time Extension for Orchard Walk Tentative Subdivision Map No. 5543

RECOMMENDATION:

Staff recommends that the Planning Commission approve a one-year time extension of Orchard Walk Tentative Subdivision Map No. 5543 that expires on November 22, 2018, pursuant to Section §66452.6(e) of the Subdivision Map Act.

BACKGROUND:

On November 22, 2010, the Visalia Planning Commission approved Orchard Walk Tentative Subdivision Map No. 5543 through adoption of Resolution No. 2010-52. Orchard Walk Tentative Subdivision Map No. 5543 was a request to divide 24.73 acres into 104 single-family residential lots located on the southeast corner of Court Street and the future Shannon Parkway alignment.

The original expiration date of the subdivision map was November 22, 2012, two years from the date of approval by the Planning Commission.

This tentative map, along with all tentative map entitlements approved throughout the state prior to July 2012, remained in effect by a series of automatic State legislative time extensions enacted between 2012 through 2015. The most recent State legislative bill enacting a 24-month time extension of tentative maps (Assembly Bill 1303) was approved in October 2015. Consequently, the expiration date for the Tentative Subdivision Map was ultimately extended to November 22, 2018.

In 2018, improvement plans and a final map for the entire subdivision were submitted to the City of Visalia, and it is anticipated that a final map for the entire subdivision will record in early 2019.

REQUEST:

The proponents of Orchard Walk Tentative Subdivision Map have submitted a written request dated October 25, 2018 requesting a one-year extension of time pursuant to Section §66452.6(e) of the Subdivision Map Act (SMA). This would be the first applicant-requested time extension for this tentative subdivision map. The letter erroneously references the map as "TSM 5427" and an expiration date of November 11, 2018.

Section §66452.6(e) of the Subdivision Map Act (SMA) states the following:

Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires pursuant to subdivision (a) may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years. The period of extension specified in this

subdivision shall be in addition to the period of time provided by subdivision (a). Prior to the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

The Planning Commission has the authority to grant a one-year time extension pursuant to the Subdivision Map Act and the City's Subdivision Ordinance. Time extensions may be granted pursuant to Section §66452.6(e) of the Subdivision Map Act for a total period not exceeding six years. Granting the applicant's request would extend the map for a third year, not counting the years that the map was automatically extended by State legislation.

Staff recommends that a one-year time extension be granted. The extension request, if approved by the Planning Commission, will extend the expiration date of the Orchard Walk Tentative Subdivision Map No. 5543 to November 22, 2019. The subdivision map would still be eligible for three additional one-year time extensions.

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 (November 22, 2019) to record a final subdivision map. If the request is denied, the applicant would have to file a new tentative subdivision map.

ATTACHMENTS:

1. Letter of Request for Time Extension
2. Approved Resolution No. 2010-52
3. Tentative Subdivision Map #5543
4. Location Map

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

October 25, 2018

City of Visalia
Planning Division
315 East Acequia Ave.
Visalia CA 93291


Re: Orchard Walk Subdivision
TSM 5427

Orchard Walk Subdivision approval will expire November 11, 2018.

We are respectfully requesting a one year extension for recording the final subdivision map.

Submitted herewith is a check made payable to the City of Visalia in the amount of \$222.00.

Thank you for your consideration.


Dennis R. Forester
PLS 4076

cc: Matt Watson
Tom Hughes

RESOLUTION NO. 2010-52

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING ORCHARD WALK TENTATIVE SUBDIVISION MAP NO. 5543, A REQUEST BY NORTH VISALIA HOLDINGS L.P. TO SUBDIVIDE 24.73 ACRES INTO 104 SINGLE-FAMILY RESIDENTIAL LOTS IN THE R-1-6 (SINGLE-FAMILY RESIDENTIAL, 6000 SQ. FT. MINIMUM) ZONE, LOCATED EAST OF COURT STREET AND SOUTH OF THE SHANNON PARKWAY ALIGNMENT, IN THE CITY OF VISALIA.
APN: 079-310-003

WHEREAS, a subdivision application entitled Orchard Walk Tentative Subdivision Map No. 5543 was filed by North Visalia Holdings L.P. to subdivide 24.73 acres into 104 single-family residential lots in the R-1-6 (Single-Family Residential, 6000 sq. ft. minimum) zone. The site is located east of Court Street and south of the Shannon Parkway alignment, in the City of Visalia. (APN: 079-310-003); and

WHEREAS, the Planning Commission of the City of Visalia, after twenty-one (21) days published notice did hold a public hearing before said Commission on November 22, 2010; and

WHEREAS, the Planning Commission of the City of Visalia finds the subdivision in accordance with Section 16.16.110 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required.

NOW, THEREFORE, BE IT RESOLVED that Negative Declaration No. 2010-79 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed location 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 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.
3. That the density requirement of the underlying R-1-6 zone is met.

4. That an Initial Study was prepared for this project, consistent with the California Environmental Quality Act, which disclosed that environmental impacts resulting from the project are determined to be less than significant, and Negative Declaration No. 2010-079 is hereby adopted.

BE IT FURTHER RESOLVED that the Planning Commission approves the subdivision on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.16.110 of the Ordinance Code of the City of Visalia and subject to the following conditions:

1. That the site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2010-058, excepting Project Specific Information Item 2 in the Planning Division comments pertaining to the requirement for corner lots on the north side of Sedona Avenue to have south-facing entrances on the houses.
2. That the final map be developed in substantial compliance with the approved tentative subdivision map shown in Exhibit "A", except that the phasing plan shall be subject to the final approval of the City Engineer.
3. That on all lots adjacent to block walls, setbacks shall be measured from the inside face of the block wall.
4. That all lots shall adhere to the R-1-6 zone development standards as specified in Zoning Ordinance Chapter 17.12.
5. 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. 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.
6. That the project comply with all other federal, state, and City codes and laws.

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

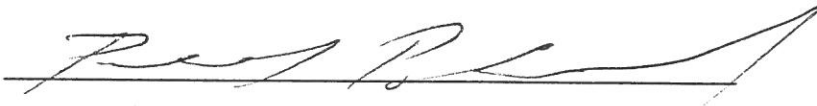
AYES: Commissioners Peck, Salinas, Segreue, Lane, Soltesz
NOES:
ABSTAINED:

ABSENT:

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

ATTEST: Paul Scheibel, AICP
Planning Services Manager

I, Paul Scheibel, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2010-52, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on November 22, 2010.



Paul Scheibel, AICP
Planning Services Manager



Lawrence Segrue, Chairperson

ORCHARD WALK TENTATIVE SUBDIVISION MAP

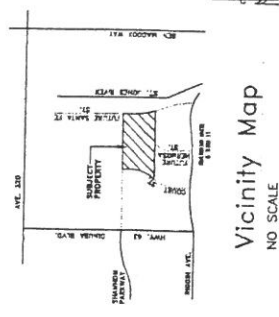
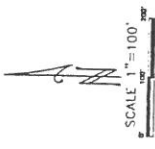
BEING A PORTION OF THE S. 1/2 OF THE 1/4 OF THE 17 E. 1/4 OF SEC. 17 T. 18N. R. 32E. W. 1/4 S. 1/4
 LOCATED IN THE CITY OF VISALIA, COUNTY OF FRESNO, STATE OF CALIFORNIA.

OWNERS:
 NORTH VISALIA HOLDINGS L.P.
 HUGHES HOMES, INC. (MANAGER)
 2001 FINANCIAL WAY, SUITE 100
 GLENDALE, CALIFORNIA 91741

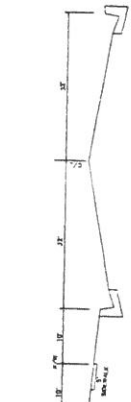
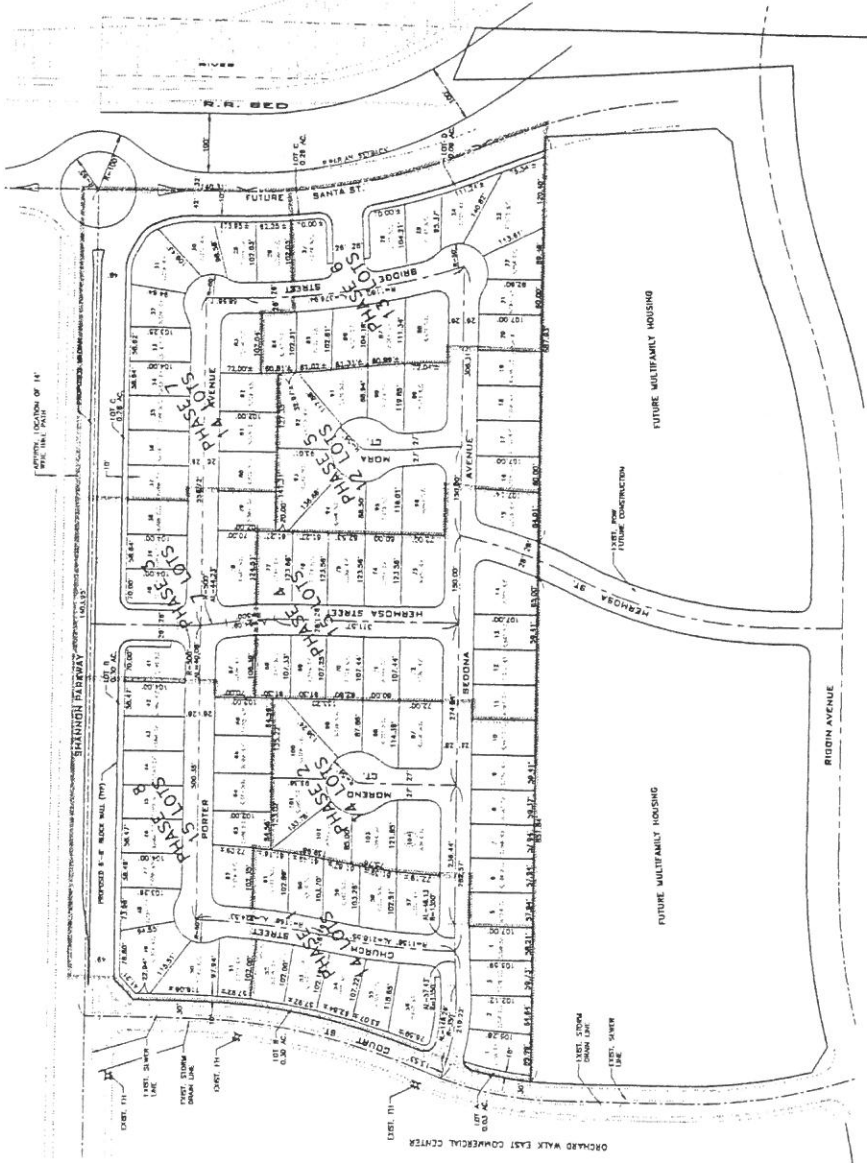
SURVEYOR: FORESTER, WEBER & ASSOCIATES
 1820 W. Mineral King Ave., Suite B
 Visalia, CA 93291
 (559) 732-0102

NOTES:
 1. EXISTING PROPERTY LINE: VISIBLE
 2. ADJACENT PROPERTY LINE: RESIDENTIAL
 3. FENCED AREA: 1/4 AC (APPROXIMATE)
 4. WATER: CALIFORNIA WATER SERVICE COMPANY
 5. STORM DRAIN: CITY OF VISALIA
 6. AREA OF SUBJECT PROPERTY: 26.00 AC. OR / 23.80 AC. NET
 7. LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 TO BE ADDED TO CITY OF VISALIA
 8. LOT 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 TO BE ADDED TO COUNTY OF FRESNO

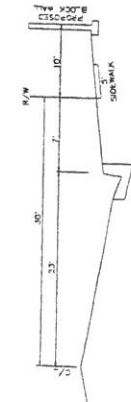
CONDITIONS PRESENT ON THE TENTATIVE SUBDIVISION MAP
 THIS MAP IS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FIVE
 YEAR SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT. THE SURVEYOR
 HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT
 THE INFORMATION HEREON IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE
 AND BELIEF. THE SURVEYOR DOES NOT WARRANT OR GUARANTEE THE ACCURACY
 OF THIS MAP OR THE INFORMATION HEREON. THE SURVEYOR'S LIABILITY IS LIMITED
 TO THE PERFORMANCE OF HIS DUTY AS A SURVEYOR. THE SURVEYOR IS NOT
 RESPONSIBLE FOR ANY OTHER INFORMATION OR FOR ANY OTHER PURPOSES.



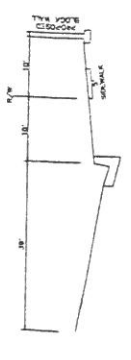
Vicinity Map
 NO SCALE



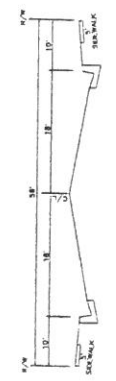
X-SECTION FUTURE SANTA FE ST.
 NO SCALE



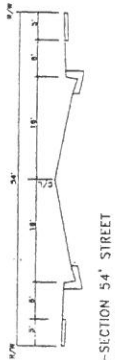
X-SECTION COURT ST.
 NO SCALE



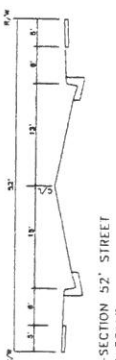
X-SECTION SIANNON PARKWAY
 NO SCALE



X-SECTION 56' STREET
 NO SCALE



X-SECTION 54' STREET
 NO SCALE



X-SECTION 52' STREET
 NO SCALE

SHEET TITLE: TENTATIVE SUBDIVISION MAP		SHEET 1
FOR: NORTH VISALIA HOLDINGS L.P. HUGHES HOMES, INC., MANAGER 2001 FINANCIAL WAY, SUITE 100 GLENDALE, CALIFORNIA, 91741		OF 1
PROJECT: ORCHARD WALK		JOB NUMBER 138-10
APPROVED BY:		SITE PLAN NO. 10-058
FORESTER, WEBER & ASSOCIATES, L.L.C. CIVIL ENGINEERS • LAND SURVEYORS 1820 WEST MINERAL KING AVENUE VISALIA, CALIFORNIA 93291 (559) 732-0102 or 732-1708		
DATE:		
INT:		
CON:		

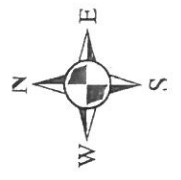
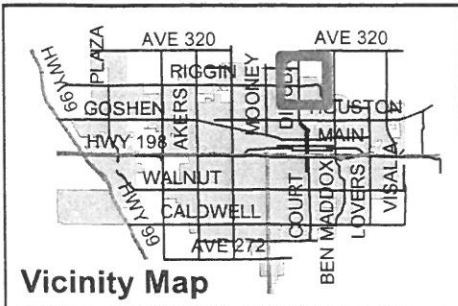


EXHIBIT A

Orchard Walk Tentative Subdivision Map No. 5543

The site is located east of Court Street and south of the Shannon Parkway alignment, in the City of Visalia. (APN: 079-310-003)



Location Map



- WATERWAYS
- CITY LIMITS
- 129,000 Pop. UDB
- PARCELS