

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

**MONDAY, JANUARY 14, 2019; 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.
  - a. Annexation No. 2018-01 (Riezebos)
5. PUBLIC HEARING – Paul Scheibel  
Request to Continue Public Hearing Item for Conditional Use Permit No. 2018-21 to a Non-Specific Date.
6. PUBLIC HEARING – Andy Chamberlain
  - a. General Plan Amendment No. 2018-02: A request by Michael Behzad to change the land use designation from Low Density Residential to Commercial Mixed Use for a 2,924 sq. ft. parcel. The project site is located at 139 E. Houston Avenue, on the southwest corner of E. Houston Avenue and N. Church Street (APN: 094-061-008). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2018-75
  - b. Change of Zone No. 2018-01: A request by Michael Behzad to change the zoning designation from R-1-5 (Single Family Residential 5,000 sq. ft. minimum site area) to C-MU (Commercial Mixed Use) for a 2,924 sq. ft. parcel. The project site is located at 139 E. Houston Avenue, on the southwest corner of E. Houston Avenue and N. Church Street (APN: 094-061-008). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2018-75
  - c. Conditional Zoning Agreement No. 2018-03: A request by the Michael Behzad to establish conditions for retail and food service for a small neighborhood convenience store. The project site is located at 139 E. Houston Avenue, on the southwest corner of E. Houston Avenue and N. Church Street (APN: 094-061-008). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2018-75

- d. Conditional Use Permit No. 2018-15: A request by Michael Behzad to allow a 1,500 sq. ft. convenience store with food service in the C-MU (Commercial Mixed Use) zone. The project site is located at 139 E. Houston Avenue, on the southwest corner of E. Houston Avenue and N. Church Street (APN: 094-061-008). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2018-75
- e. Variance No. 2018-07: A request by Michael Behzad to parking and setback requirements to allow the re-use of an existing 1,500 sq. ft. building with no on-site parking, and allowing the solid waste enclosure in a landscape setback area. The project site is located at 139 E. Houston Avenue, on the southwest corner of E. Houston Avenue and N. Church Street (APN: 094-061-008). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2018-75

#### 7. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- St. Paul's Warming Center
- 2018 Annual Planning Commission Update Report
- AB 1661 training June 6, 2019
- January 29, 2019 meeting

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, 24, 2019 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, JANUARY 28, 2018**

# City of Visalia

## **Memo**

**To:** Planning Commission  
**From:** Cristobal Carrillo, Associate Planner  
(559) 713-4443, cristobal.carrillo@visalia.city  
**Date:** January 14, 2019  
**Re:** Annexation No. 2018-01 (Riezebos)

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### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission forward Annexation No. 2018-01 to the City Council with a finding that the annexation of the site is consistent with the General Plan.

### **RECOMMENDED MOTION**

I find that Annexation No. 2018-01 is consistent with the General Plan.

### **DISCUSSION**

Annexation No. 2018-01 (Riezebos) is an approximately 7.4 acre annexation of four properties located on the northeast corner of N. Marcin Street and W. Hurley Avenue (APN: 085-540-001, 002, 005, 006). The annexation would foster development of a church on a vacant 3.44 acre site within the annexation area, as well as eliminate a County island surrounded by properties within City Limits. The remaining three sites contain rural residential development consisting of residences, stables, accessory buildings, and animals (chickens and horses).

If the annexation is approved by the City Council and the Tulare County LAFCO (Local Agency Formation Commission), the applicants of the annexation (Garry and Diane Riezebos, The Rector, Wardens & Vestrymen of St. Paul's Parish in Visalia, CA Inc.) intend to file a Conditional Use Permit to allow construction of a church and parish hall. To date, the City has provided comment on the church proposal through the Site Plan Review process but has not issued a "Revise and Proceed" approval.

The site is within the current Tier 1 Urban Development Boundary and Sphere of Influence. The City's General Plan designates the entire project area as Residential Low Density, which corresponds to the R-1-5 (Single Family Residential, 5,000 sq. ft. minimum) Zone. A church is a conditionally permitted use in residential zones with approval of a Conditional Use Permit. The site does not contain any land that is under a Williamson Act Agriculture Preserve or Land Conservation Contract.

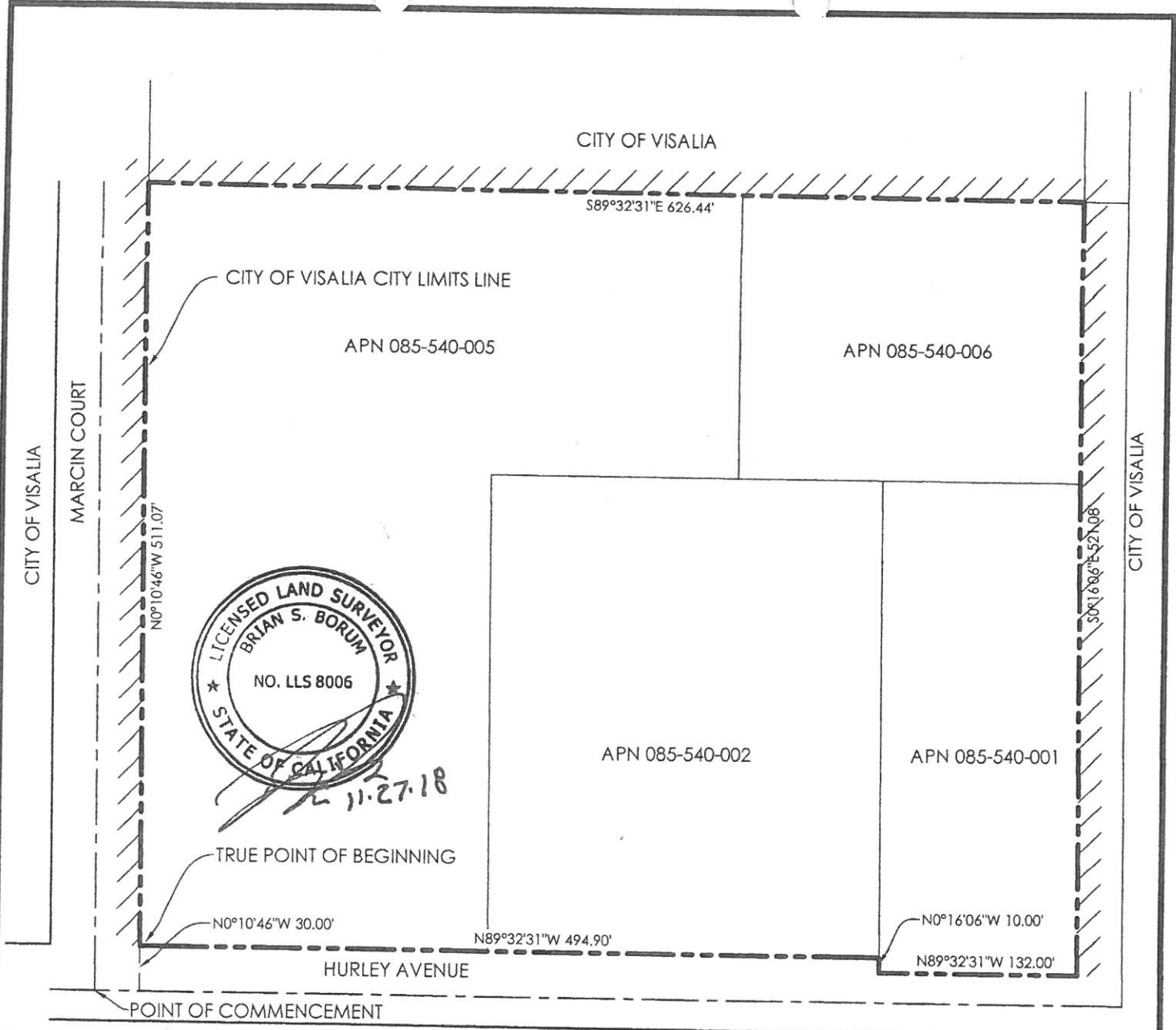
The applicant is the only one of the three affected property owners who has consented to the annexation. The annexation would be considered “uninhabited” since there are less than 11 registered voters residing in the site. If the City Council adopts the resolution initiating the annexation, Staff will prepare an annexation application and file it with the Tulare County LAFCO.

### **ENVIRONMENTAL FINDINGS**

An Initial Study was prepared for the annexation, consistent with the California Environmental Quality Act (CEQA). The Initial Study disclosed that environmental impacts are determined to be not significant. Staff is recommending to the City Council that Negative Declaration No. 2018-74 be adopted for the project.

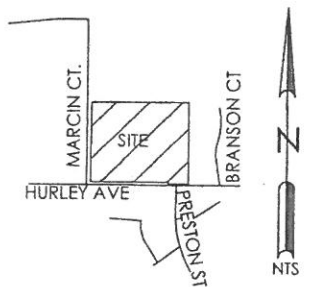
### **Attachments:**

- Annexation Map
- General Plan Land Use Map
- Location Map



**LEGEND**

- PROPOSED ANNEXATION LIMITS
- EXISTING CITY OF VISALIA CITY LIMITS LINE



**VICINITY MAP**

SCALE: 1" = 100'

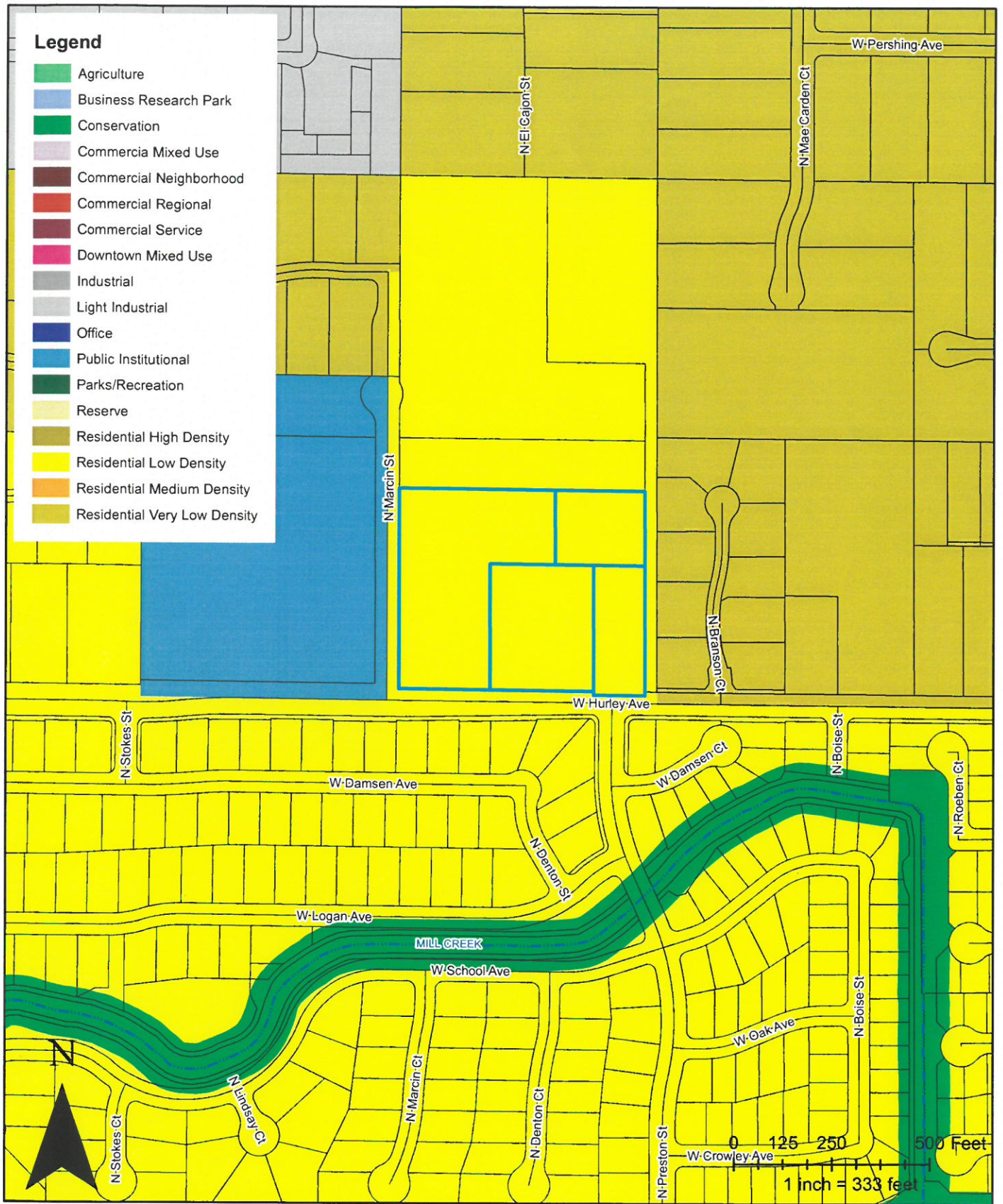


|          |         |
|----------|---------|
| DATE:    | 11/7/18 |
| DRAWN:   |         |
| CHECKED: |         |
| PROJECT: | 18603   |

ANNEXATION NO. 2018-\_\_

**MARCIN COURT & HURLEY STREET ISLAND**

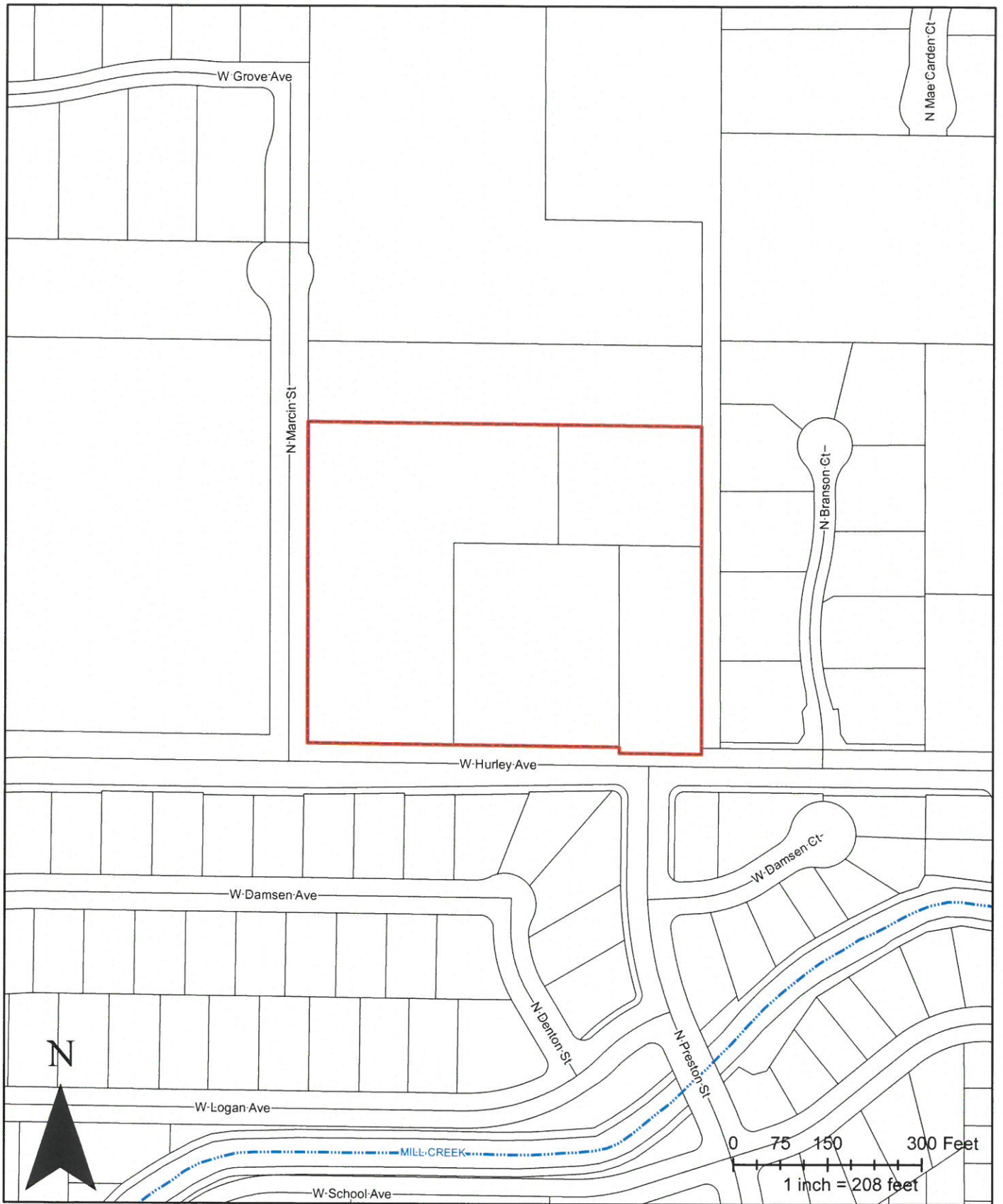
ENGINEERING  
724 N. BEN MADDOX WAY, STE A  
VISALIA, CA 93292  
INFO@AWE-INC.COM



# GENERAL PLAN MAP


## Legend

- Streets
- Waterways
- Parcels



## LOCATION MAP

### Legend

-  Streets
-  Waterways
-  Parcels
-  City Limits