

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

MONDAY, FEBRUARY 11, 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.
 - No items on the Consent Calendar
5. PUBLIC HEARING – Andrew Chamberlain
Variance No. 2019-01: A request by Bahadur Ali Liani to allow a variance to the required 15-foot building setback for a storage structure and trash enclosure within 10-feet of the property line in the C-N (Neighborhood Commercial) zone. The project site is located at 831 South Lovers Lane (APN: 100-103-015). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2019-02.
6. PUBLIC HEARING – Brandon Smith
 - Conditional Use Permit No. 2018-22: A request by Masjid Visalia Inc. to allow an amendment to existing Conditional Use Permit No. 97-21 to allow a 3,000 sq. ft. expansion of an existing religious meeting hall in the R-1-5 (Single-Family Residential) zone, wherein the expansion will occur on a developed residential site located north of the existing meeting hall. The project site is located at 1311 and 1317 S. Divisadero Street (APN: 096-323-019). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2018-65.
 - Variance No. 2019-02: A request by Masjid Visalia Inc. to allow a variance to the maximum fence height limit in the front yard setback in order to allow a six-foot tall open wrought-iron fence along property line in the R-1-5 (Single-Family Residential) zone. The project site is located at 1311 and 1317 S. Divisadero Street (APN: (APN: 096-323-019). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2018-65.

7. REGUALR ITEM – Brandon Smith/Paul Bernal
 - Appointment of a Planning Commissioner to serve on the Housing Element Update Technical Advisory Committee

8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-
 - February 25, 2019 Planning Commission Meeting
 - Visalia Planning Commission 2018 Annual Report to City Council

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, FEBRUARY 21, 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 or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, FEBRUARY 25, 2019



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 11, 2019

PROJECT PLANNER: Andrew Chamberlain, Principal Planner
Phone No: 713-4003,
Email: andrew.chamberlain@visalia.city

SUBJECT: Variance No. 2019-01: A request by Bahadur Ali Liani to allow a variance to the required 15-foot building setback for a structure and trash enclosure within 10 feet of the west property line in the C-N (Neighborhood Commercial) zone. The project site is located at 831 South Lovers Lane. (APN: 100-103-015)

STAFF RECOMMENDATION

Staff recommends approval of Variance No. 2019-01 based upon the findings and conditions in Resolution No. 2019-01. Staff's recommendation is based on the conclusion that the request is consistent with the General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Variance No. 2019-01 based on the findings and conditions in Resolution No. 2019-01.

PROJECT DESCRIPTION

Variance No. 2019-01 is a request to allow a reduction to the required 15-foot building setback along the west property line for a storage building and the solid waste enclosure as shown in Exhibit "A". The existing storage building, which was constructed without permits, is located 10-feet from the west property line. The proposed trash enclosure would be relocated from the southwest corner of the site to the new location north of the storage building as depicted in Exhibit "A". The new trash enclosure location encroaches into the required 15-foot building setback area resulting in the enclosure being located 10-feet from the west property line. However, the applicant is required to install the five-foot landscape strip along the west property line. In addition, the area between the existing block wall and storage building will be secured with gates to prevent unauthorized use of this area.

The applicant's variance findings in Exhibit "B" indicate that the business has been in need of the additional storage area and meeting the 15-foot building setback along the west property line would require removing a portion of the existing storage building for the business. Conversely, the existing trash enclosure located at the southwest corner of the site cannot be accessed by Solid Waste trucks. The relocation of the trash enclosure north of the storage building allows Solid Waste trucks to pick-up the trash bins with minimal disruption to the site.

Other site improvements include paving the remaining parking lot area, landscaping along the west property line, and establishing ADA path of travel from the parking lot area to the front door of the commercial business. A new landscape area will also be provided along the south side of the vehicular access drive to Lovers Lane. The elevations in Exhibit "C" also show a proposed façade renovation as a part of the proposed project.

The subject site and adjacent residential areas were developed in the County with the subject site being annexed into the City in 1967, and the adjacent residential neighborhood annexed into the City in 2006.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Neighborhood Commercial
Zoning:	C-N (Neighborhood Commercial)
Surrounding Land Uses and Zoning:	North: C-N / Office South: C-N / Business & Residence East: R-1-5 / Single-family residences West: R-1-5 / Single-family residences
Environmental Review:	Categorical Exemption No. 2019-02 (Class 5)
Special Districts:	None
Site Plan:	2018-190

RELATED PROJECTS:

On July 24, 2000, the Planning Commission approved Variance No. 2000-07, to allow a gas canopy in the street side setback to cover the existing gas pumps along College Avenue.

PROJECT EVALUATION

Staff recommends approval of Variance No. 2019-01, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance.

Land Use Compatibility

The site has been an operational convenience store and gas station for over four decades with adjacent residential and office uses. The proposed variance to setbacks would not adversely affect land use compatibility. Staff concludes the proposed project may reduce potential land use impacts by completing the remaining parking lot area, installation of the landscaping along the west property line and construction and relocation of the trash enclosure.

Parking

The Planning Commission's approval of Variance No. 2000-07 required the completion of the entire parking lot area. The area west of the existing parking lot was not paved when the gas canopy was installed. Regardless of the variance request, the property owner is required to complete the full improvements of the parking lot including restriping the parking stalls, designating the ADA stall and striping a path of travel from the ADA stall to the entrance of the convenience store.

The parking lot improvements result in 16 parking spaces being retained on-site. The total building area of approximately 4,280 sq. ft. requires 14 parking stalls.



The depth of the existing site does not provide for the required five-foot landscape strip along the south property line. As an existing condition, staff is supportive of the proposed parking lot reconfiguration. Property to the south is zoned Neighborhood Commercial and is used as a business site and a residential site. While there is no requirement for a block wall between the commercially zoned properties, approximately 40 feet at the west end of the south property line does abut an R-1-5 (single family residential) zoned property. Staff has included a condition that requires a section of block wall be installed along the south property line adjacent to the R-1-5 (single family residential) zoned property shown as an orange line in Figure 1. This is the same area where the existing block trash enclosure located in the southwest corner of the site will be removed to provide the parking lot improvements.

Building Elevations

The applicant has also included new building elevations in Exhibit "C" to show that in addition to the site improvements this proposal also includes a façade renovation.. The new elevation to Lovers Lane and additional roof parapet will conceal roof-top equipment from view. Staff has included a condition that the unpermitted storage area obtain a building permit, and that permit shall also include the building elevation enhancements in Exhibit "C".

Additional Requirements

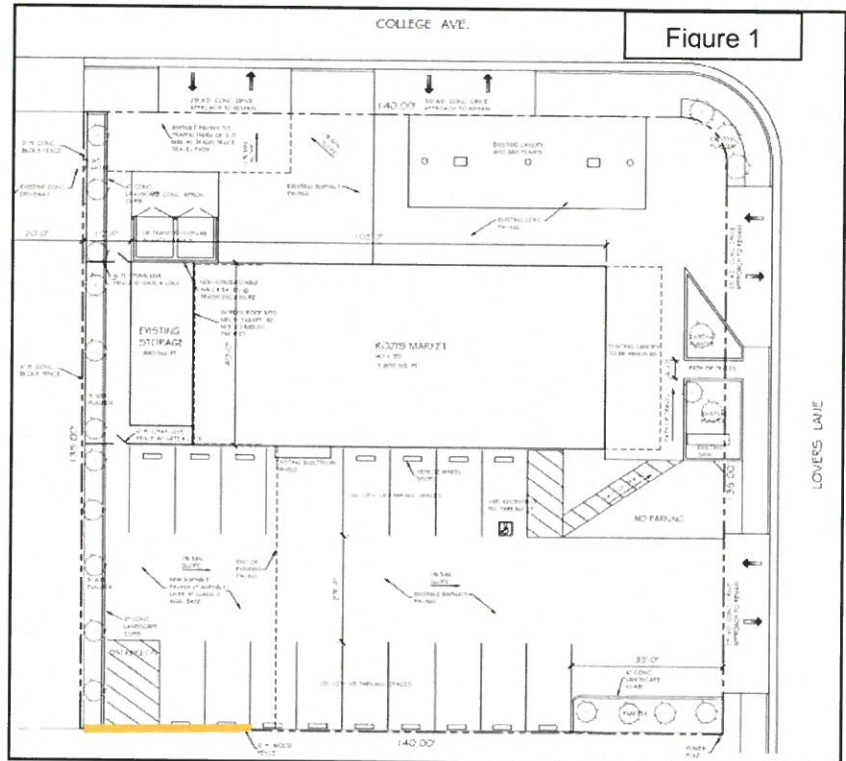
Staff has included a condition that the area shown as "No Parking" in Exhibit "A", (the north side of the Lovers Lane vehicular access point) have a raised curb to prevent vehicles from parking in this area. Prohibiting parking in this area ensures that the ADA loading/unloading zone and path of travel are not impeded by vehicles parking in this area.

Staff has also included a condition that prohibits any outdoor storage between the building and the west property line, and the removal of the storage trailer/container located in the southwest portion of the site.

Variance Analysis

Variances are intended to prevent unnecessary hardships resulting from strict or literal interpretation of regulations while not granting a special privilege to the applicant. The Planning Commission has the power to grant variances to regulations prescribed in the Zoning Ordinance.

The applicant's variance findings in Exhibit "B" speak to the applicant's need to have the added storage for product, and relocating the storage on-site would reduce required parking. Staff has included the applicant's findings in the analysis sections below with the addition of staff findings. The recommendation of approval is based upon the findings as presented below and in the accompanying resolution.



1. *That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;*

Applicant Response: Removing or reducing the size of the existing storage building addition to comply with the 15 ft. side yard setback requirement would reduce of the amount of onsite product inventory available to the owner for sale and would result in lost sales to the owner. The literal interpretation of the regulation would result in an unnecessary hardship for the owner.

Staff Analysis: The existing unpermitted portion of the building has been present on the site prior to 1996 with no known significant adverse impacts to the adjacent residential property to the south and west. A 33% reduction in the setback from 15 feet to 10 feet is a minor encroachment into the required building setback along the west property line; however, there is sufficient area to install the required five-foot landscape planter. The planter will provide additional buffering in the form of trees and vegetation from the storage building and trash enclosure to the residential property to the west. Requiring the removal of five-feet of the storage building to achieve a 15-foot setback at this time would be an unnecessary hardship causing disruption of the business inconsistent with the intent of the Zoning Ordinance. Likewise, locating the trash enclosure adjacent to the building at the proposed 10-foot setback provides a direct stab location for solid waste vehicles and eliminates the trash bin from roaming around the site.

Therefore, staff concurs with making a finding for unnecessary hardship on this site.

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;*

Applicant Response: Due to the size of the property and the existing building location, relocating the storage building and the trash enclosure to a different location on the property would inhibit the flow of traffic on and off the property and reduce the amount of off-street parking area available. The space left for traffic flow and off street vehicle parking would not comply with the City of Visalia parking requirements.

Staff Analysis: The long-term existence of the storage building and potential requirement to remove or relocate a portion of the storage building does constitute an exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone. As a small commercial site, the relocation of a portion of the storage building would be difficult due to the potential loss of on-site parking on the south side of the site, or encroachment into the access and drive aisle for the gas pumps on the north side of the building.

Therefore, staff concurs with making a finding for exceptional or extraordinary circumstances or conditions on this site.

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;

Applicant Response: Removing the storage building addition would deny the owner the ability to keep in stock inventory that other owners in this zone now have.

Staff Analysis: The C-N (Neighborhood Commercial) zone requires a 15-foot building setback adjacent to residential zoned property, and permits a building to be built on property line when the site is adjacent to non-residential zones. In either scenario, a minimum five-foot landscape setback is required along the property line where a building is not located. The five-foot landscape planter is required along the west property line and will be installed with this project as depicted on Exhibit "A". Strict interpretation of the requirement would require removal of a portion of the building reducing the available storage depriving the applicant of existing storage and resulting in no additional landscaping or site improvements.

Therefore, staff concurs with making a finding that strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone which are not subject to the same side yard setback.

4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;*

Applicant Response: Allowing the storage building addition and the trash enclosure to remain as shown on the site plan will not grant any special privilege to the owner that is inconsistent with other properties in the same zone.

Staff Analysis: The 33% reduction of the setback will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone, and still provides the minimum landscape setback of five feet to the adjacent residential property. While it is unknown when the storage room was added, it was present in 1995 when the applicant purchased the business.

Staff finds that the reduced setback will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone.

5. *That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

Applicant Response: The granting of the requested variance will have no impact on the public health safety or welfare and will in fact improve the appearance, parking and accessibility to the existing store.

Staff Analysis: The granting of the requested variance will have no impact on the public health safety or welfare and will in fact improve the appearance, parking and accessibility to the existing store. The proposed changes will bring the site closer to the development standards for the Neighborhood Commercial zone, resulting in an enhanced parking area, City standard solid waste enclosure, and landscaping along the west property line. The requested variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Staff finds that the proposed variance would not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Environmental Review

The Variance is considered Categorical Exempt under Section 15305 (Class 5) of the Guidelines for the Implementation of CEQA, as amended, based on minor alterations to land use limitations that do not result in changes in land use or density. (Categorical Exemption No. 2019-02)

RECOMMENDED FINDINGS

Variance No. 2019-01

1. *That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance.*

Finding: Removing or reducing the size of the existing storage building addition to comply with the 15 ft. side yard setback requirement would reduce of the amount of onsite product inventory available to the owner for sale and would result in lost sales to the owner. The literal interpretation of the regulation would result in an unnecessary hardship for the owner. The existing unpermitted portion of the building has been present on the site prior to 1996 with no known significant adverse impacts to the adjacent residential property to the south and west. A 33% reduction in the setback from 15 feet to 10 feet is a minor encroachment into the required building setback along the west property line; however, there is sufficient area to install the required five-foot landscape planter. The planter will provide additional buffering in the form of trees and vegetation from the storage building and trash enclosure to the residential property to the west. Requiring the removal of five-feet of the storage building to achieve a 15-foot setback at this time would be an unnecessary hardship causing disruption of the business inconsistent with the intent of the Zoning Ordinance. Likewise, locating the trash enclosure adjacent to the building at the proposed 10-foot setback provides a direct stab location for solid waste vehicles and eliminates the trash bin from roaming around the site.

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone.*

Finding: Due to the size of the property and the existing building location, relocating the storage building and the trash enclosure to a different location on the property would inhibit the flow of traffic on and off the property and reduce the amount of off-street parking area available. The space left for traffic flow and off street vehicle parking would not comply with the City of Visalia parking requirements. The long-term existence of the storage building and potential requirement to remove or relocate a portion of the storage building does constitute an exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone. As a small commercial site, the relocation of a portion of the storage building would be difficult due to the potential loss of on-site parking on the south side of the site, or encroachment into the access and drive aisle for the gas pumps on the north side of the building.

3. *That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone.*

Finding: Removing the storage building addition would deny the owner the ability to keep in stock inventory that other owners in this zone now have. The C-N (Neighborhood Commercial) zone requires a 15-foot building setback adjacent to residential zoned property, and permits a building to be built on property line when the site is adjacent to non-residential zones. In either scenario, a minimum five-foot landscape setback is required along the property line where a building is not located. The five-foot landscape planter is required along the west property line and will be installed with this project as depicted on Exhibit "A". Strict interpretation of the requirement would require removal of a portion of the building reducing the available storage depriving the applicant of existing storage and resulting in no additional landscaping or site improvements.

4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone.*

Finding: Allowing the storage building addition and the trash enclosure to remain as shown on the site plan will not grant any special privilege to the owner that is inconsistent with other properties in the same zone. The 33% reduction of the setback will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone, and still provides the minimum landscape setback of five feet to the adjacent residential property. While it is unknown when the storage room was added, it was present in 1995 when the applicant purchased the business.

5. *That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

Finding: The granting of the requested variance will have no impact on the public health safety or welfare and will in fact improve the appearance, parking and accessibility to the existing store. The proposed changes will bring the site closer to the development standards for the Neighborhood Commercial zone, resulting in an enhanced parking area, City standard solid waste enclosure, and landscaping along the west property line. The requested variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

6. That 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. 2019-02)

RECOMMENDED CONDITIONS OF APPROVAL

Variance No. 2019-01

1. That the conditions of Site Plan Review No. 2018-190 be met.
2. That the unpermitted storage area obtains a building permit, and that permit shall also include the building elevation enhancements in Exhibit "C" and the related site improvements shown on the site plan in Exhibit "A".
3. That no outdoor storage shall occur, including the fenced area between the building and the west property line, and removal of the storage trailer/container located in the southwest portion of the site.
4. That a seven-foot high section of block wall be installed along the south property line adjacent to the R-1-5 (single family residential) zoned property.
5. That the area shown as "No Parking" on the north side of the Lovers Lane access point have a raised curb to prevent any vehicles from parking in this area.
6. That a building permit be obtained for the fence relocation.
7. That landscape and irrigation plans be submitted as a part of the building permit package.
8. That all applicable federal, state, regional, county and city laws, 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.visalia.city or from the city clerk.

Attachments:

- Related Plans & Policies
- Resolution No. 2019-01
- Exhibit "A" – Site Plan - Partial
- Exhibit "B" – Applicant's Statement Addressing the Variance Findings
- Exhibit "C" – Elevations of Proposed Building Remodel
- Exhibit "D" – Site Plan – Full Page
- Site Plan Review No. 2018-190 Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

RELATED PLANS AND POLICIES

Visalia Municipal Code Title 17: Zoning Ordinance

17.18.060 Development standards in the C-N zone

The following development standards shall apply to property located in the C-N zone:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 1. Front: fifteen (15) feet;
 2. Rear: zero (0) feet;
 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 4. Side: zero (0) feet;
 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 1. Front: fifteen (15) feet;
 2. Rear: five (5) feet (except where a building is located on side property line);
 3. Rear yards abutting an R-1 or R-M zone district: five (5) 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;
 6. Street side on corner lot: ten (10) feet.

Chapter 17.42 Variances and Exceptions

17.42.030 Variance powers of city planning commission.

The city planning commission may grant variances to the regulations prescribed by this title with respect to fences and walls, site area, width, frontage coverage, front yard, rear yard, side yards, height of structures, distance between structures, off-street parking facilities, accessory dwelling unit standards pursuant to Sections 17.12.140 through 17.12.200, and downtown building design criteria pursuant to Sections 17.58.082 through 17.58.088; in accordance with the procedures prescribed in this chapter. (Ord. 2017-01 (part), 2017: prior code § 7557)

17.42.090 Variance action of the city planning commission.

A. The city planning commission may grant a variance to a regulation prescribed by this title with respect to fences and walls, site area, width, frontage, coverage, front yard, rear yard, side yards, height of structures, distances between structures or landscaped areas or in modified form if, on the basis of the application, the report of the city planning staff or the evidence submitted, the commission makes the following findings:

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance;
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone;

3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone;
 4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone;
 5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. The city planning commission may grant a variance to a regulation prescribed by this title with respect to off-street parking facilities, if, on the basis of the application, the report of the city planner or the evidence submitted the commission makes the findings prescribed in subsection (A)(1) of this section and that the granting of the variance will not result in the parking of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.
- C. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe.
- D. The city planning commission may deny a variance application. (Ord. 2017-01 (part), 2017: prior code § 7563)

RESOLUTION NO. 2019-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2019-01: A REQUEST BY BAHADUR ALI LIANI TO ALLOW A VARIANCE TO THE 15-FOOT BUILDING SETBACK FOR A STORAGE STRUCTURE AND TRASH ENCLOSURE WITHIN 10 FEET OF THE WEST PROPERTY LINE IN THE C-N (NEIGHBORHOOD COMMERCIAL) ZONE. THE PROJECT SITE IS LOCATED AT 831 SOUTH LOVERS LANE. (APN: 100-103-015).

WHEREAS, Variance No. 2019-01 is a request by Bahadur Ali Liani to allow a variance to the 15-foot building setback for a storage structure and trash enclosure within 10 feet of the west property line in the C-N (Neighborhood Commercial) zone. The project site is located at 831 South Lovers Lane (APN: 100-103-015); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on February 11, 2019; and

WHEREAS, the Planning Commission of the City of Visalia finds Variance No. 2019-01 to be in accordance with Chapter 17.42 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report, testimony presented at the public hearing, and discussion provided by the Planning Commission; and

WHEREAS, the Planning Commission of the City of Visalia 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 finding based on the evidence presented:

1. *That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the zoning ordinance.*

Removing or reducing the size of the existing storage building addition to comply with the 15 ft. side yard setback requirement would reduce of the amount of onsite product inventory available to the owner for sale and would result in lost sales to the owner. The literal interpretation of the regulation would result in an unnecessary hardship for the owner. The existing unpermitted portion of the building has been present on the site prior to 1996 with no known significant adverse impacts to the adjacent residential property to the south and west. A 33% reduction in the setback from 15 feet to 10 feet is a minor encroachment into the required building setback along the west property line; however, there is sufficient area to install the required five-foot landscape planter. The planter will provide additional buffering in the form of

trees and vegetation from the storage building and trash enclosure to the residential property to the west. Requiring the removal of five-feet of the storage building to achieve a 15-foot setback at this time would be an unnecessary hardship causing disruption of the business inconsistent with the intent of the Zoning Ordinance. Likewise, locating the trash enclosure adjacent to the building at the proposed 10-foot setback provides a direct stab location for solid waste vehicles and eliminates the trash bin from roaming around the site.

2. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone.*

Due to the size of the property and the existing building location, relocating the storage building and the trash enclosure to a different location on the property would inhibit the flow of traffic on and off the property and reduce the amount of off-street parking area available. The space left for traffic flow and off street vehicle parking would not comply with the City of Visalia parking requirements. The long-term existence of the storage building and potential requirement to remove or relocate a portion of the storage building does constitute an exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zone. As a small commercial site, the relocation of a portion of the storage building would be difficult due to the potential loss of on-site parking on the south side of the site, or encroachment into the access and drive aisle for the gas pumps on the north side of the building.

3. *That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zone.*

Removing the storage building addition would deny the owner the ability to keep in stock inventory that other owners in this zone now have. The C-N (Neighborhood Commercial) zone requires a 15-foot building setback adjacent to residential zoned property, and permits a building to be built on property line when the site is adjacent to non-residential zones. In either scenario, a minimum five-foot landscape setback is required along the property line where a building is not located. The five-foot landscape planter is required along the west property line and will be installed with this project as depicted on Exhibit "A". Strict interpretation of the requirement would require removal of a portion of the building reducing the available storage depriving the applicant of existing storage and resulting in no additional landscaping or site improvements.

4. *That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone.*

Allowing the storage building addition and the trash enclosure to remain as shown on the site plan will not grant any special privilege to the owner that is inconsistent with other properties in the same zone. The 33% reduction of the setback will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone, and still provides the minimum landscape setback of five feet to the adjacent residential property. While it is unknown when the storage room was added, it was present in 1995 when the applicant purchased the business.

5. *That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

The granting of the requested variance will have no impact on the public health safety or welfare and will in fact improve the appearance, parking and accessibility to the existing store. The proposed changes will bring the site closer to the development standards for the Neighborhood Commercial zone, resulting in an enhanced parking area, City standard solid waste enclosure, and landscaping along the west property line. The requested variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

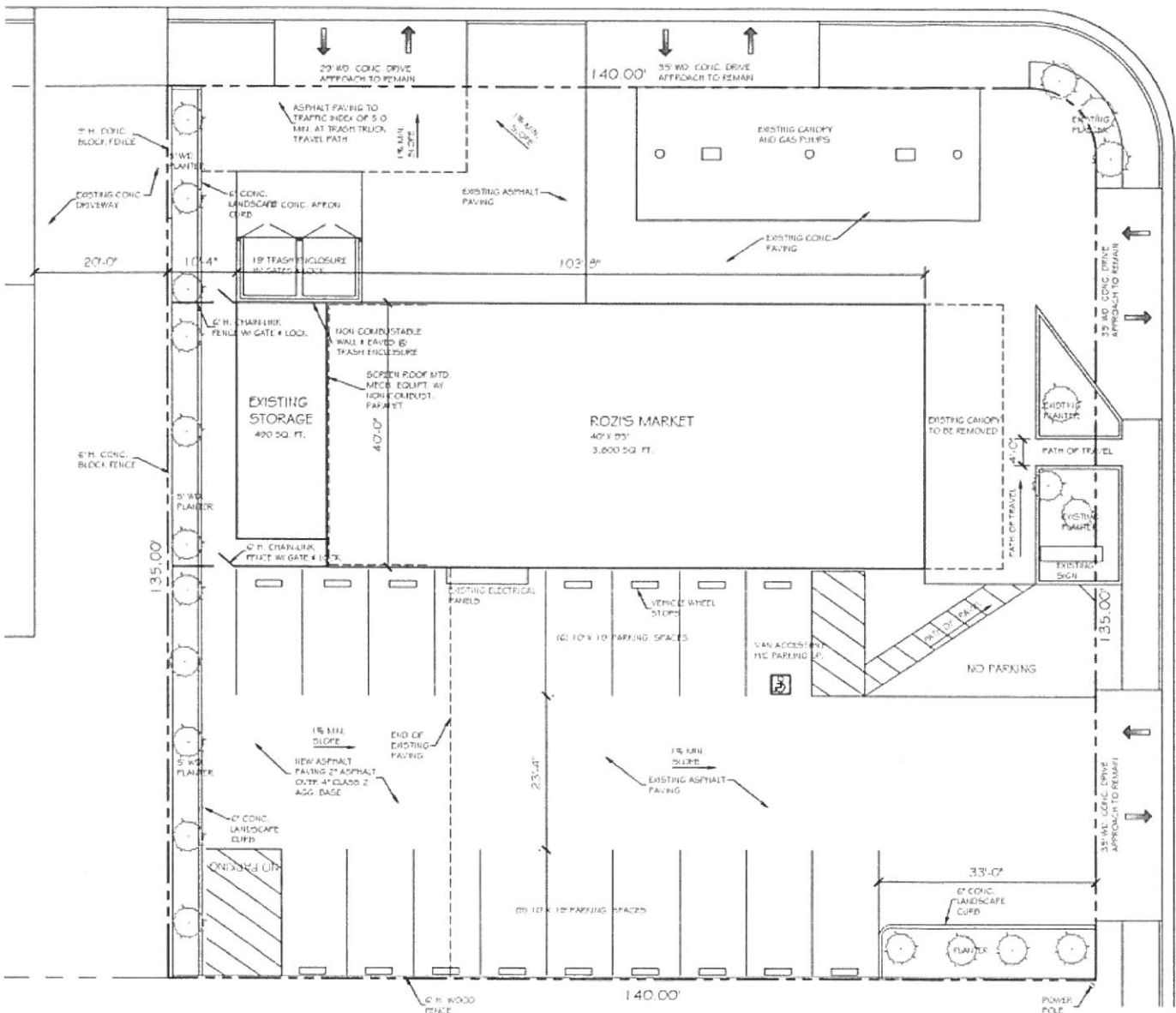
6. That the project is considered Categorically Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2019-02.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves Variance No. 2019-01 on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.42.090 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the conditions of Site Plan Review No. 2018-190 be met.
2. That the unpermitted storage area obtains a building permit, and that permit shall also include the building elevation enhancements in Exhibit "C" and the related site improvements shown on the site plan in Exhibit "A".
3. That no outdoor storage shall occur, including the fenced area between the building and the west property line, and removal of the storage trailer/container located in the southwest portion of the site.
4. That a seven-foot high section of block wall be installed along the south property line adjacent to the R-1-5 (single family residential) zoned property.
5. That the area shown as "No Parking" on the north side of the Lovers Lane access point have a raised curb to prevent any vehicles from parking in this area.
6. That a building permit be obtained for the fence relocation.

7. That landscape and irrigation plans be submitted as a part of the building permit package.
8. That all applicable federal, state, regional, county and city laws, codes and ordinances be met.

Exhibit - A



SITE PLAN 1" = 10'



ADDRESS NUMBERS TO BE PLACED ON EXTERIOR OF BUILDING IN A POSITION AS TO BE CLEARLY VISIBLE FROM STREET NUMBERS TO BE 4" MIN. IN HEIGHT AND COLOR TO CONTRAST WITH THEIR BACKGROUND

ALL HARDWARE ON EXIT DOORS, ILLUMINATED EXIT SIGNS AND EMERGENCY LIGHTING, LOCKS, LATCHES, BOLT LOCKS, PANIC HARDWARE, FIRE EXIT HARDWARE AND GATES SHALL COMPLY WITH CALIFORNIA FIRE CODE.

ALL LIGHTING IS TO BE DESIGNED AND INSTALLED SO AS TO PREVENT ANY SIGNIFICANT DIRECT OR REFLECT LIGHT OR GLEAM FROM FALLING UPON ANY ADJACENT RESIDENTIAL PROPERTY THIS WILL NEED TO BE DEMONSTRATED IN THE BUILDING PLANS AND PRIOR TO FINAL INSPECTION

IN NO CASE SHALL MORE THAN 0.5 LUMENS BE EXCEEDED AT ANY PROPERTY LINE AND IN CASES WHERE THE ADJACENT RESIDENTIAL UNIT IS VERY CLOSE TO THE PROPERTY LINE, 0.5 LUMENS MAY NOT BE ACCEPTABLE

Exhibit - A

**Exhibit – B
Applicant’s
Variance Findings**

Rozi’s Market
831 S. Lovers Lane
Visalia, Ca. 93277

December, 4 2019

Removing or reducing the size of the existing storage building addition to comply with the 15 ft. side yard setback requirement would reduce of the amount of onsite product inventory available to the owner for sale and would result in lost sales to the owner. The literal interpretation of the regulation would result in an unnecessary hardship for the owner.

Due to the size of the property and the existing building location. Relocating the storage building and the trash enclosure to a different location on the property would inhibit the flow of traffic on and off the property and reduce the amount of off-street parking area available. The space left for traffic flow and off street vehicle parking would not comply with the City of Visalia parking requirements.

Removing the storage building addition would deny the owner the ability to keep in stock inventory that other owners in this zone now have.

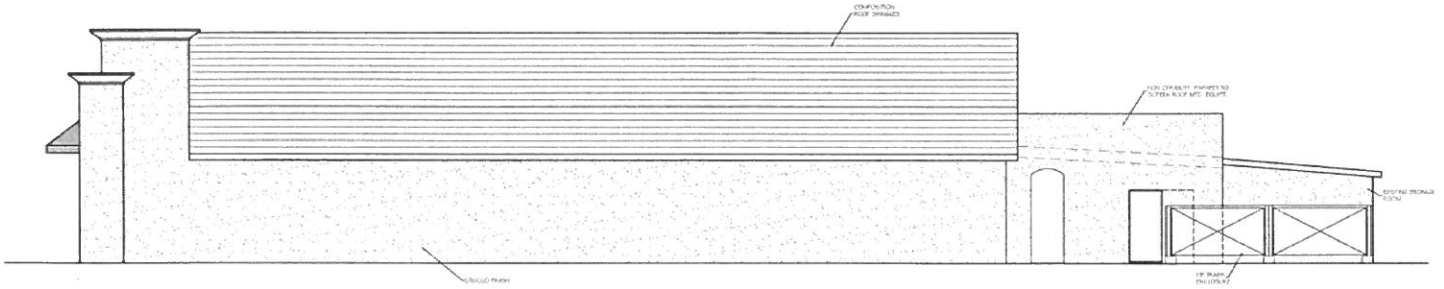
Allowing the storage building addition and the trash enclosure to remain as shown on the site plan will not grant any special privilege to the owner that is inconsistent with other properties in the same zone.

The granting of the requested variance will have no impact on the public health safety or welfare and will in fact improve the appearance, parking and accessibility to the existing store.

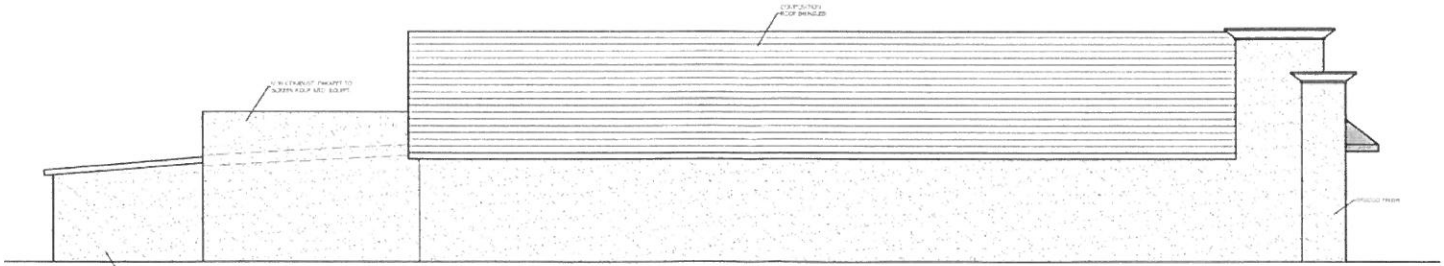
Exhibit - C



EAST ELEVATION 1/4" = 1'-0"



NORTH ELEVATION 1/4" = 1'-0"



SOUTH ELEVATION 1/4" = 1'-0"

PLANS PREPARED BY

Exhibit - C

Exhibit - D Full Site Plan

SITE PLAN & FACADE REMODEL FOR:
ROZIS MARKET & LIQUOR
831 S. LOVERS LANE
VISALIA, CA

DAN KIRKENDOLL DESIGN & DRAFTING
1029 H. VEURE COURT VISALIA, CA. 93292
559-627-9074
dkirndoll@sbccglobal.net

PROJECT	1834
DATE	EN
SHEET NO.	A100

NO.	DESCRIPTION

PROJECT INFORMATION

PROPERTY: ROZIS MARKET
831 S. LOVERS LANE
VISALIA, CA 93292

CONTACT: KIRKENDOLL DESIGN & DRAFTING
1029 H. VEURE COURT VISALIA, CA 93292
559-627-9074

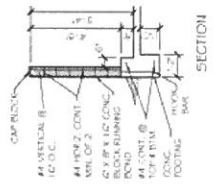
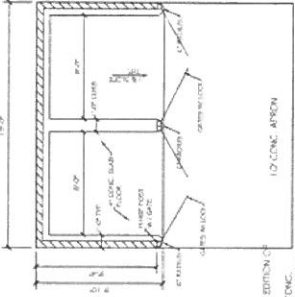
APN: 100-103-0113

ZONING: 23300

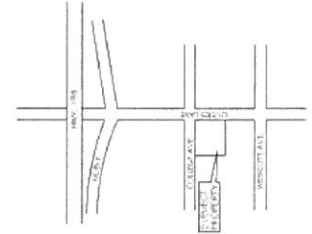
SITE PLAN NO.: 2018-190

EXISTING USE: 3,630 SQ. FT. GAS STATION, 11,000 SQ. FT. OF ATTACHED STORAGE

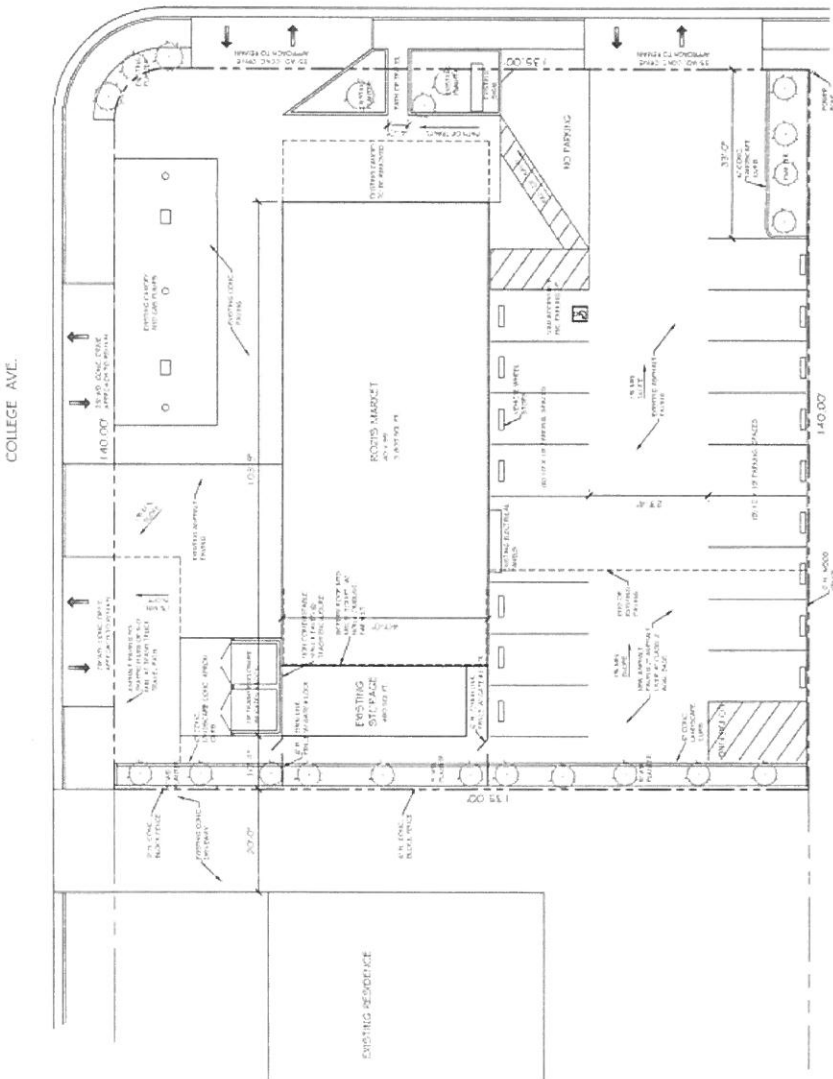
PARKING: 14 PARKING SPACES REQUIRED - 16 SPACES PROVIDED
115' (20' FOR PARKING SPACES) 11' (10' MIN. ACCESSIBLE SPACE)



- NOTES:**
1. ALL MASONRY SHALL COMPLY WITH THE CURRENT EDITION OF THE CALIFORNIA BUILDING CODE.
 2. ALL CONCRETE SHALL BE 4000 PSI CONCRETE.
 3. GROUND ALL HORIZONTAL AND VERTICAL REINFORCING STEEL SHALL BE #4.
 4. ALL VERTICAL AND HORIZONTAL REINFORCING STEEL SHALL BE #4.
 5. ALL TORSIONAL AND VERTICAL JOINTS SHALL HAVE A MINIMUM OF 12\"/>



VICINITY MAP
NORTH



ALL UTILITIES TO BE PROTECTED AND NOT TO BE CUT OR MOVED UNLESS APPROVED BY THE CITY ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VISALIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VISALIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF VISALIA.

SITE PLAN 1" = 10'
NORTH

Exhibit - D



#1

MEETING DATE: December 12, 2018
SITE PLAN NO. 18-190 Resubmittal
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
- VARIANCE
- HISTORIC PRESERVATION OTHER: _____

ADDITIONAL COMMENTS :

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

Site Plan Review Committee



**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

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

ITEM NO: 1 DATE: DECEMBER 12, 2018

SITE PLAN NO.: 18-190R
PROJECT TITLE: ROZI'S MARKET
DESCRIPTION: REMODEL OF EXTERIOR GAS STATION AND
CONVIENENCE STORE (C-N)(X)
APPLICANT: BAHADUR ALI LILANI
PROP OWNER: BAHADUR ALI LILANI
LOCATION: 831 S LOVERS LANE
APN: 100-103-015

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.
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. Existing storage not permitted additional impact fees may be assessed, see sheet 3 for further details. Project qualifies for in-fill credit.

2. Trash enclosure to be constructed per city standards and oriented for direct stab. Coordinate further with Solid Waste for smaller enclosure - Jim Ross 559-713-4466

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **18-190R**
Date: **12/12/2018**

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.)

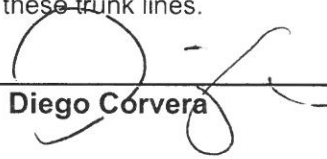
(Fee Schedule Date:**8/3/2018**)
(Project type for fee rates:**COMMERCIAL STORAGE**)

Existing uses may qualify for credits on Development Impact Fees. **IN FILL CREDIT**

FEE ITEM	FEE RATE
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	$\$14,579/1\text{KSF} \times 0.490 = \$7,143 \times 0.25 = \$1,786$
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	$\$25/1\text{KSF} \times 0.49 = \12.25
	TREATMENT PLANT FEE:
	$\$55/1\text{KSF} \times 0.49 = \27
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<input type="checkbox"/> 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

Andrew Chamberlain, Planning Division (559) 713-4003

Date: December 12, 2018



SITE PLAN NO: 2018-190 - B
PROJECT: ROZIE'S MARKET
ROZIE'S MARKET- REMODEL (CN - ZONED)
APPLICANT: BAHADUR
PROP. OWNER: BAHADUR
LOCATION TITLE: 831 S. LOVERS LANE
APN TITLE: 078-350-049

Rule 9510 – This project is not subject to the Rule 9510 requirements of the San Joaquin Valley Air Pollution Control District – see District web-site for information.

General Plan: CN – (Neighborhood Commercial)
Existing Zoning: CN – (Neighborhood Commercial)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Variance to setbacks
- Building permits for all un-permitted construction.
- Finish out permits B012634, and B001860 that have expired for existing improvements
- Any significant changes will/may require a CUP for the actions.
- Meet Noise standards – Meet Lighting Standards (see below)
- Building Permit

PROJECT SPECIFIC INFORMATION: December 12, 2018

1. A variance to the required side yard setback of 15 feet is required for the Existing (un-permitted) storage structure required. The minor site modification to meet code and remodel of existing structure does not require a CUP.
2. Move Trash enclosure a minimum of 10-15 feet from the south property line.
3. Fence/Gate the area between the building and the wall on the west side with open fencing (chain link or wrought iron).
4. The area along the south property line may not be used for outdoor storage adjacent to the residential parcel.
5. Bicycle Rack is strongly recommended for this location, as a neighborhood market the potential for bicycle use is generally high.

PROJECT SPECIFIC INFORMATION: Oct - 31 – 2018

1. A variance to the required side yard setback of 15 feet is required for the Existing (un-permitted) storage structure required. If the 15-foot setback is met, the variance would not be required.
2. Provide a minimum 5-foot wide landscape strip along the west property line.
3. Provide a City Standard trash enclosure. If it is to be on the College Avenue frontage, it may not be in the setback along the street or adjacent to the residential lot. The existing trash enclosure will not be serviced by Solid Waste since the truck cannot access the site as shown in this site plan.
4. Remove the existing block structure (solid Waste enclosure) in the southwest corner if it is not to be used as the solid waste
5. As a pre-existing parking condition, staff will not require a 5-foot landscape strip along the south property line due to constraints for vehicle access.
6. Provide a "No Parking" stall at the end (west) of the parking lot to allow vehicles to turn-around if there is not a stall available. Vehicles are not permitted to back onto Lovers Lane.

7. Landscape and irrigation plans are required as a part of any building permit for this site.
8. All conditions of Variance No. 2007-07 shall apply.
9. No illuminated signage, neon or LED banding of any type may be placed upon the canopy face due to proximity to the adjacent residential areas.
10. No outdoor storage is allowed.
11. Sea-trains and related storage containers are to be removed from the site.
12. The storage (un-permitted) portion of the building needs the exterior elevations to blend/match the main structure.
13. Meet all other codes and ordinances.

17.18.060 Development standards in the C-N zone.

The following development standards shall apply to property located in the C-N zone:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 1. Front: fifteen (15) feet;
 2. Rear: zero (0) feet;
 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 4. Side: zero (0) feet;
 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 1. Front: fifteen (15) feet;
 2. Rear: five (5) feet (except where a building is located on side property line);
 3. Rear yards abutting an R-1 or R-M zone district: five (5) 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;
 6. Street side on corner lot: ten (10) feet.

Parking:

Per Code

Landscaping:

Maintenance of landscaped areas. - A landscaped area provided in compliance with the regulations prescribed in this title or as a condition of a use permit or variance shall be planted with materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be maintained and replaced as needed, to screen or ornament the site. (Prior code § 7484)

Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

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.

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.

Signature 



City of Visalia
Building: Site Plan
Review Comments

APR 18 190
KOZI'S MARKET
831 S LOVERS LANE

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 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set 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 (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. **(VERIFY)** *For information call (559) 624-8011*
- Project is located in flood zone _____ * Hazardous materials report.
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.61 per square foot. Residential \$3.79 per square foot.
- 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:

WALLS AND ROOF EAVES WITHIN 5 FEET OF TRASH ENCLOSURE SHALL BE OF NON COMBUSTIBLE. PERMIT ALL UNPERMITTED WORK (STORAGE)

YAL GARCIA 12/12/18
Signature



Site Plan Review Comments For:
Visalia Fire Department
Danny Wristen, Interim Fire Marshal
420 N. Burke
Visalia, CA 93292
559-713-4056 Office
559-713-4808 Fax

Date: 12/12/2018

Item # 1.

Site Plan # 18190 RESUBMITAL

Project: ROZI'S MARKET

Description: REMODEL EXTERIOR GAS STATION

Applicant: BAHADUR ALI LILANI

Location: 831 S. LOVERS LANE

APN: 100-103-015

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 420 N Burke, Visalia, CA 93292. 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

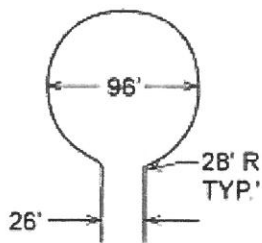
- A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Fire apparatus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

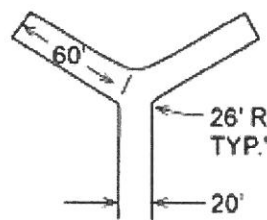
☐ Buildings or portions of buildings or facilities with a vertical distance between the grade plan and the highest roof surface that exceed 30 feet shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus.

- 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.

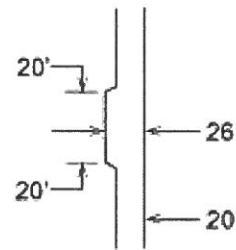
☐ Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Fire apparatus access roads with a length of 151-500 feet shall be a minimum of 20 feet in width. Length of 501-750 feet shall be 26 feet in width. *2016 CFC Table D103.4*



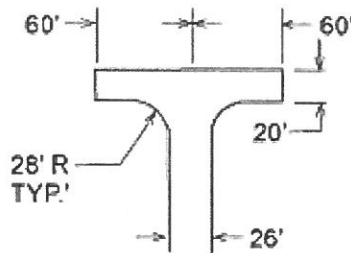
96' DIAMETER
CUL-DE-SAC



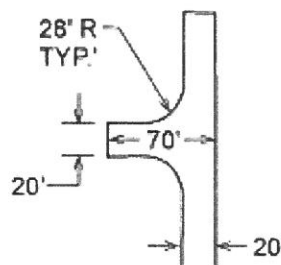
60' "Y"



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 420 N Burke, Visalia, CA 93292. 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 420 N Burke, Visalia, CA 93292. *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:



Danny Wristen
Interim Fire Marshal

SPR 18-190

R021'S

MARKET

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

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:

- Landscaping Concerns:

- Traffic Concerns:

- Surveillance Issues:

- Line of Sight Issues:

Other Concerns: GATE AREA OF CONSTRUCTION TO REAR.


K. GRANT
AZO

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

December 12, 2018

ITEM NO. 1	RESUBMITTAL
SITE PLAN NO:	SPR18100
PROJECT TITLE:	Roz's Market
DESCRIPTION:	Remodel of exterior gas station and convenience store
APPLICANT:	Bahadur Ali Lilani
OWNER:	Bahadur Ali Lilani
APN:	100-103-015
LOCATION:	831 S. Lovers Lane

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 For:

California Water Service Co.
Mike Morton, Superintendent
216 N. Valley Oaks Dr.
Visalia, CA 93292
559-624-1663 Office
559-735-3189 Fax

Date: 12/12/2018

Item # Choose an item.

Site Plan # 18190

Project: Rozi's

Description:

Applicant:

Location: 831 S. lovers Ln.

APN:

The following comments are applicable when checked:

No Comments at this time

Fire Hydrants
Comments-

Service's
Comments-

Main's
Comments-

Back flow requirements
Comments-

Additional Comments:

Mike Morton
Superintendent

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

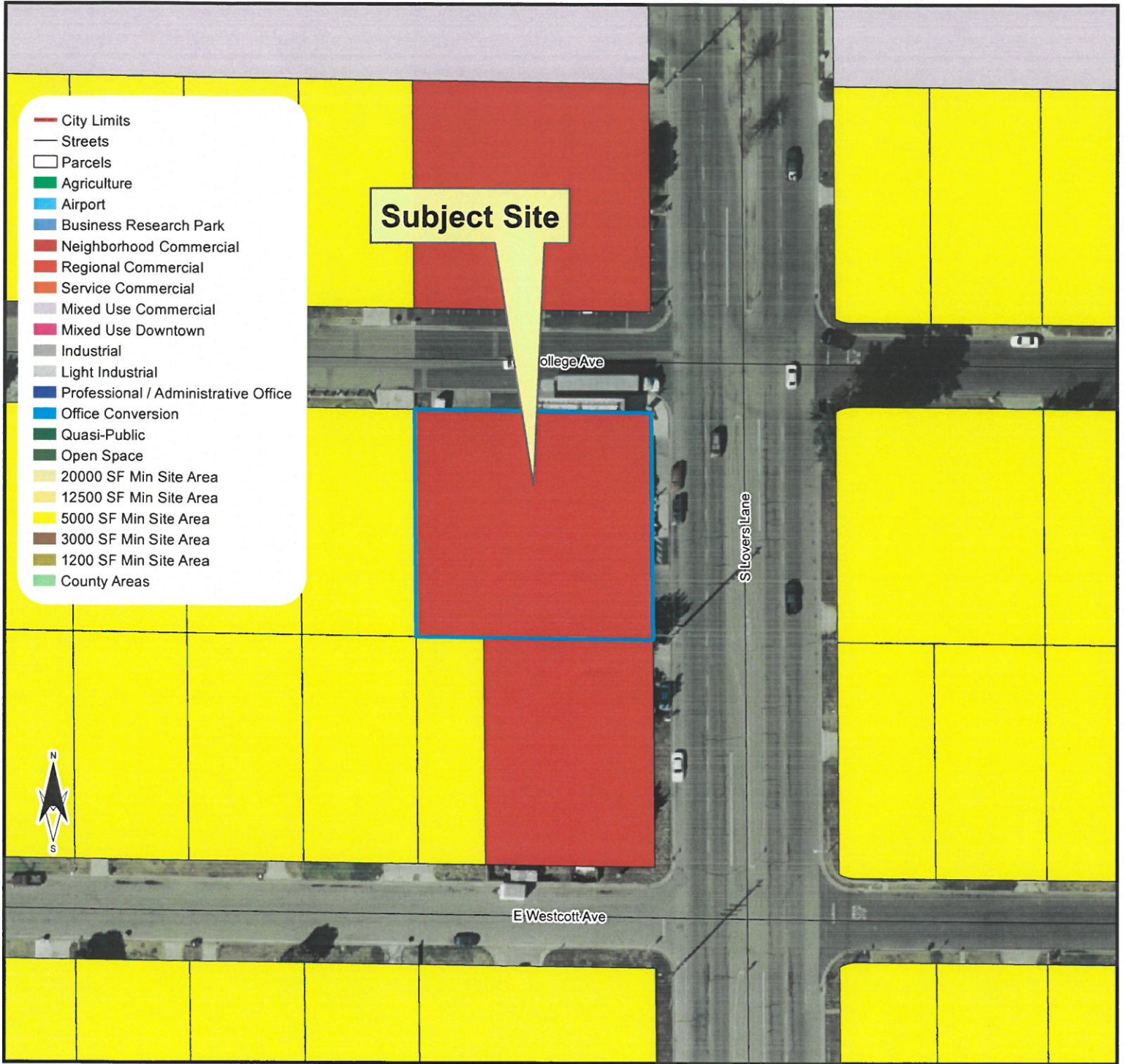
18190

COMMERCIAL BIN SERVICE

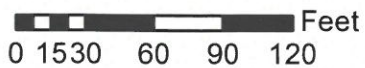
- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures 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.
- City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

Comment

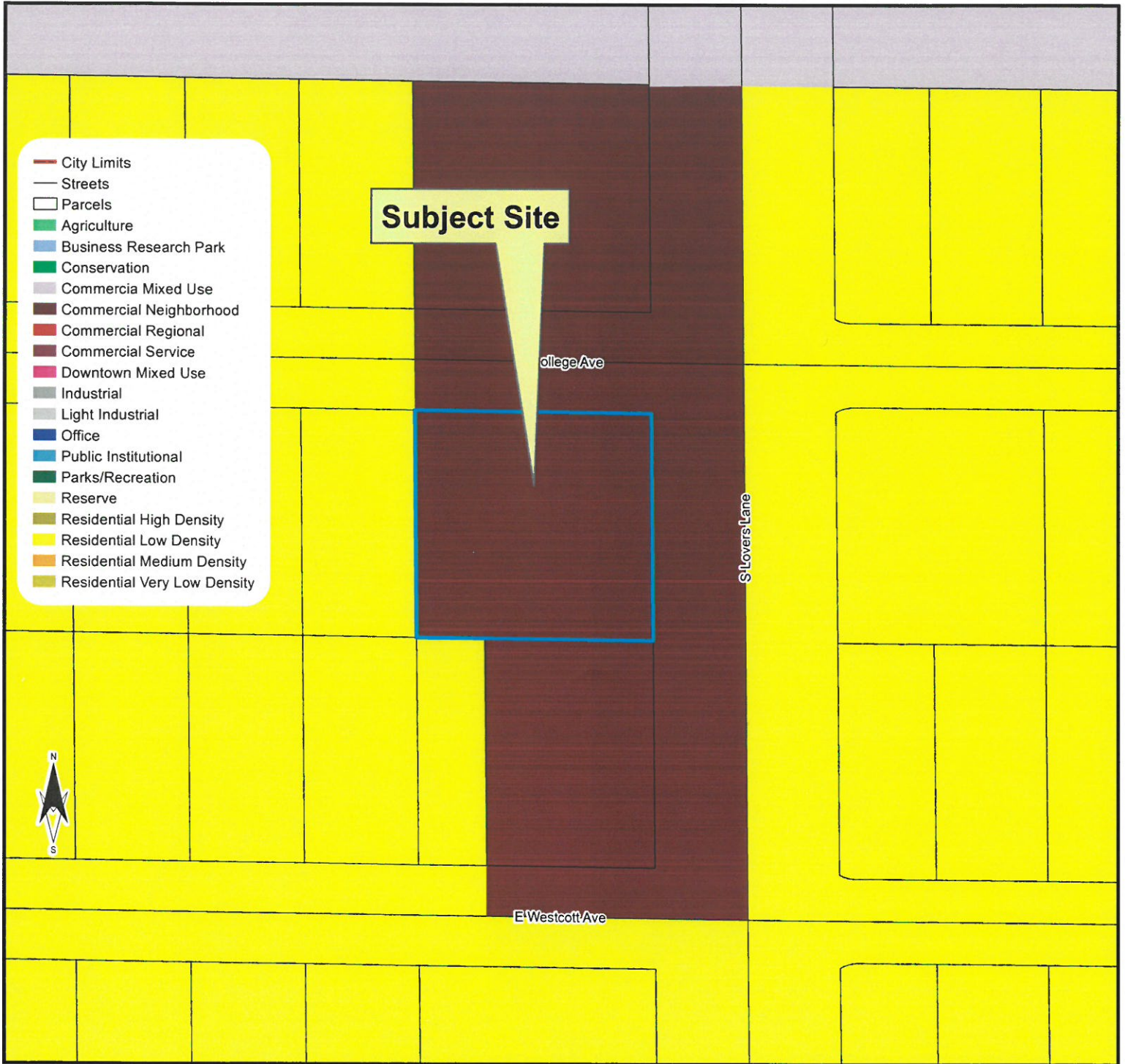
City of Visalia



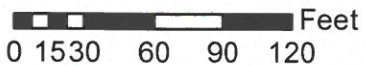
Zoning Designations



City of Visalia



Land Use Designations



City of Visalia



Aerial Photo

0 15 30 60 90 120 Feet

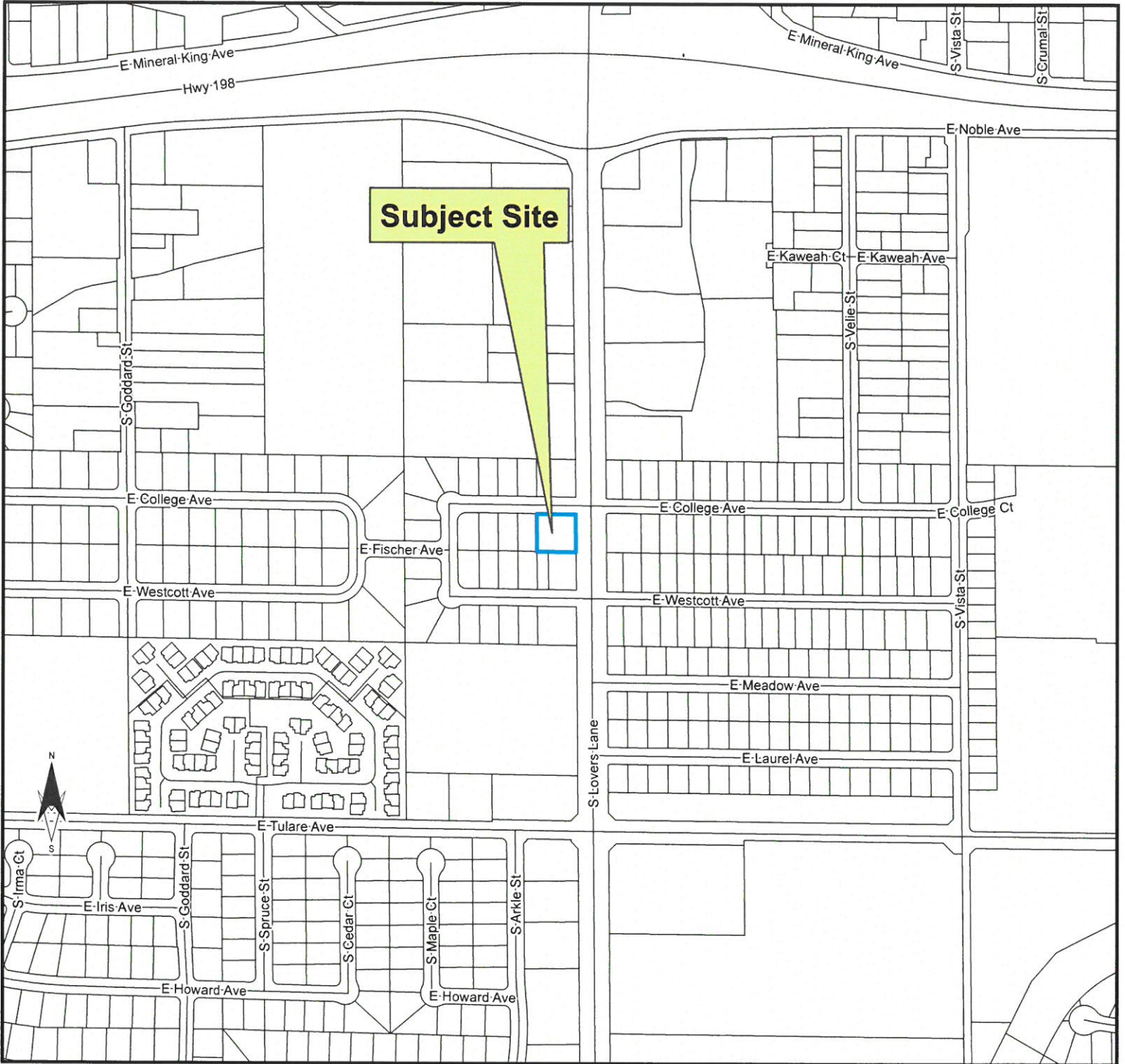
City of Visalia



Aerial Photo

0 5 10 20 30 40 Feet

City of Visalia



Location Map

