

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

MONDAY, APRIL 22, 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 – Cristobal Carrillo
Conditional Use Permit No. 2019-07: A request by Jordan Reyes to allow a single family residence in the R-M-3 (Multi-Family Residential – 1,200 sq. ft. minimum site area) Zone. The project site is located on the northwest corner of W. Goshen Avenue and N. Jacob Street (APN: 093-091-022). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302, Categorical Exemption No. 2019-09.
6. PUBLIC HEARING – Brandon Smith
Conditional Use Permit No. 2019-08: A request by AAF Consultants Inc. to allow development of a new 1,800 square foot convenience store with fully automated service on a 6,200 square foot parcel in the C-S (Service Commercial) zone. The project site is located on the west side of Bridge Street approximately 75 feet south of Sequoia Avenue (APN: 097-075-003). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2019-13.
7. PUBLIC HEARING – Brandon Smith
Variance No. 2019-03: A request by the Visalia First Church to allow a variance to sign standards, allowing 200 sq. ft. of wall signage on a new sanctuary building in the Q-P (Quasi Public) zone designation. The project site is located at 3737 S. Akers Street (APN: 119-100-027). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2019-16.

8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- May 13, 2019 Planning Commission Meeting
- K Avenue County Island Annexation
- Community Development Changes

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, MAY 2, 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, MAY 13, 2019



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: April 22, 2019

PROJECT PLANNER: Brandon Smith, Senior Planner
Phone: (559) 713-4636;
E-mail: brandon.smith@visalia.city

SUBJECT: Variance No. 2019-03: A request by the Visalia First Church to allow a variance to sign standards, allowing 200 sq. ft. of wall signage on a new sanctuary building in the Q-P (Quasi Public) zone designation. The project site is located at 3737 S. Akers Street. (APN: 119-100-027)

STAFF RECOMMENDATION

Staff recommends that Variance No. 2019-03 be approved based upon the findings and conditions in Resolution No. 2019-14.

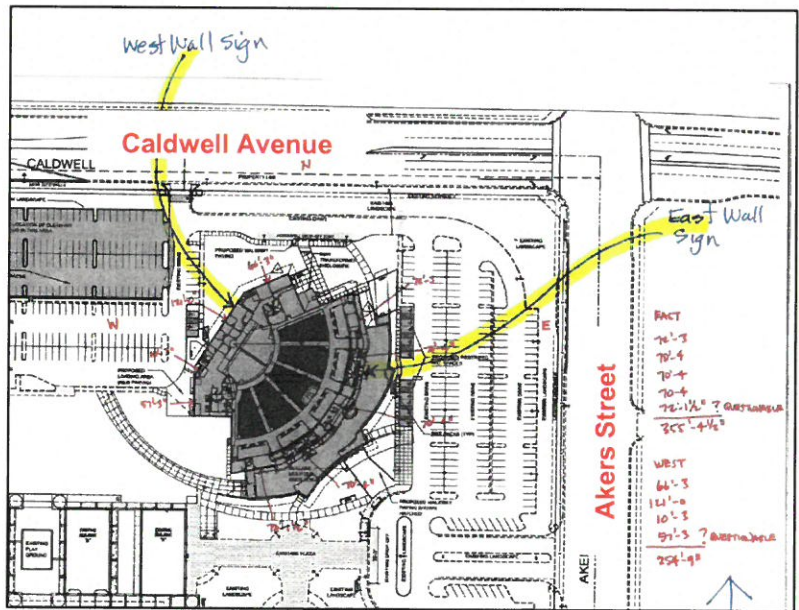
RECOMMENDED MOTION

I move to approve Variance No. 2019-03, based on the findings in Resolution No. 2019-14.

PROJECT DESCRIPTION

The applicant is requesting a variance to wall sign standards in conjunction with a recently constructed church sanctuary building (Visalia First Church), as illustrated in Exhibits "A" through "D". The applicant has submitted written findings in support of the request, attached as Exhibit "E".

The wall sign regulations for the Quasi-Public zone district permits a total maximum of 100 square feet of sign copy for an entire building. This variance is to allow two identical 100 sq. ft. wall signs, for a total sign copy area of 200 sq. ft.. The two signs are proposed to be located on the east elevation of the sanctuary (primary entrance) and on the west elevation of the sanctuary building (see Exhibit "A" and inset at right). The two identical signs result in a total sign area of 200 sq. ft. on the building, which is 100 sq. ft. more than the sign ordinance permits.



The sanctuary building was constructed in 2018 as an addition to the Visalia First Church (a.k.a. Visalia First Assembly of God). The church has occupied the site since 1999 and had previously met inside a multi-purpose building until the sanctuary was completed. The church's existing identification sign consists of a single freestanding sign facing Akers St. & Caldwell Ave.

The applicant's request is based on the findings that wall signage in compliance with current sign standards is not easily identifiable given the building's large frontage and height. The findings also state that the building should have the ability to identify its name in a manner that is safely visible from high speed traffic traveling along the site's adjacent arterial streets.

BACKGROUND INFORMATION

General Plan Land Use Designation	Public Institutional
Zoning	Q-P (Quasi-Public)
Surrounding Zoning and Land Use	North: R-1-5 & R-1-20 (Single-family residential) / Churches, single-family residences South: County AE-20 / Vacant land East: QP & R-1-5 / Church, single-family residences West: County AE-20 / Vacant land
Environmental Review	Categorical Exemption No. 2019-16
Special Districts:	None
Site Plan Review	N/A

RELATED PROJECTS

The Planning Commission has previously considered and taken action on several sign variances pertaining to commercial sites (generally along Mooney Boulevard) and office sites.

In commercial zones, there have been approximately nine variances approved for wall sign area above City standards since 2007.

Variance No. 2007-10: On August 13, 2007, the Planning Commission approved a request to allow approximately 286 square feet of combined wall signage for Centex and Cigna Health Care in the PA (Professional/Administrative Office) zone, 801 S. Akers Street. The site contains a two-story 180,000 square foot building.

Variance No. 2009-04: On April 27, 2009, the Planning Commission approved a request to allow approximately 770 square feet of wall signage for Kaweah Delta Medical Center in the PA zone (now zoned Quasi-Public) for the Acequia Wing building. The site contains a six-story building.

Variance No. 2009-08: On August 24, 2009 the Planning Commission approved a request to allow approximately 360 square feet of wall signage for a new two-story 25,782 square foot two-story University of Phoenix in the PA (Professional Administrative Office) Zone, 4045 W. Noble Avenue. Variance No. 2011-02: On April 11, 2011, the total amount of approved wall signage for the site was reduced to 215 square feet and the new building was reduced to a one-story 17,660 square foot building. The learning center was subsequently not constructed and so the entitlement was not acted upon.

PROJECT EVALUATION

Signage Standards

The project site is located in the Quasi-Public (Q-P) zone. The Q-P zone is applied to several public and quasi-public uses around Visalia including churches, schools, parks, and hospitals.

The Visalia Sign Ordinance Update, adopted in 2017, established specific sign criteria for uses in the Quasi-Public zone. Prior to 2017, all signs for public and quasi-public uses were approved with a conditional use permit entitlement, and no specific sign criteria or maximum permitted area existed. No sign program currently exists for the church site, although the site does contain existing signage with emphasis placed on freestanding signs for site identification. The church has one freestanding sign that faces the intersection of Akers & Caldwell. Valley Life Charter School, which shares the site with the church, also has an existing freestanding sign located along Caldwell Avenue. A modest amount of wall signage is used for building identification such as church offices and kids' ministry.

The current Sign Ordinance states that for uses in the Quasi-Public zone, allowed wall sign area is calculated at 0.5 square feet of signage per lineal foot of frontage, up to a maximum of 100 square feet (Section 17.48.100.B of the Sign Ordinance). It should be noted that the maximum wall sign area allowed by the code for commercial zoned sites in Visalia is 150 square feet. In addition to wall signs, quasi-public uses are permitted to have freestanding signs (maximum 35 square feet of sign area per face) at one sign per street frontage or per occupancy/tenant.

Analysis of Signage

Staff recognizes that there are some unique circumstances surrounding the subject site. The 40-acre site represents the largest single site in Visalia utilized by a church. The sanctuary, where the proposed wall signage is being requested, is a 72,000 square foot building. The sanctuary building, as well as the church's multi-purpose building that existed prior to completion of the the sanctuary, represent some of the largest indoor seated venues inside Visalia. As a result, the church has allowed these venues to be used for events with a heavy draw in attendance such as memorial services.

Based on the above, staff believes that these circumstances warrant the additional wall signage for purposes of identity. In addition, the scale of the building and its orientation toward two major arterial street frontages, Akers Street and Caldwell Avenue, support the applicants request and findings.



The proposed signs illustrated in Exhibit "B" represent two identical 100 square foot signs to be placed on separate wall frontages. The sign consists of letters (42" in height and 18'-7" in length totaling 65.04 square feet) and a circular logo (70" in height totaling 34.03 square feet).

Both signs are proposed to be internally illuminated. The two building wall elevations are 44 feet in height and the linear frontage is 355 feet for the east frontage and 255 feet for the west frontage.

Staff concludes that the signs and the subject building's attributes (i.e. floor area, height, elevation) are comparable to what is allowed for other large-scale buildings located in Visalia. The two signs, when calculated against the total wall surface area, account for approximately less than 1% of the total wall area covered by each wall sign. In addition, the building's facades are prominently visible from two major arterial streets. Staff is supportive of the request that constitutes allowing the maximum sign area (i.e. 100 square feet) to be placed facing each of the two major street frontages.

Planning Commission Variance Findings

The applicant has addressed the five required variance findings through the justification provided in Exhibit "E" and as summarized below:

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's Finding: What makes this ordinance unnecessarily difficult is that the existing Sign Ordinance of the City of Visalia allows for only 100 sq. ft. signage. The Visalia First Church Sanctuary building is 44' high and frontages of 254' (west elevation) and 283' (east elevation) and is set back from Caldwell Avenue by 154 ft. and Akers Street by 280 ft., the sign area is not sufficient for the community to comprehend the name of this organization. One sign each on the East and West elevations at 100 sq. ft. would make for clearer signing of the church. The area of the sign compared to the area of the wall elevations is .04%. Many cities in the valley allow up to 10% of the area of the wall for signage.

Staff Analysis: Concur with applicant. The signage is proposed for a building and site that are significantly larger than others located in the Quasi-Public zone. A practical difficulty is created in that the allotted sign area is not sufficient for the community to comprehend the name of the organization, and the allotted area for the sign could not be viewed on the building from each of the major street frontages. Staff's determination is that the sign area represents 0.6% of the east frontage (100 sq. ft. / 355'w * 44'h) and 0.9% of the west frontage (100 sq. ft. / 255'w * 44'h), both representing less than 1% of the total area of each elevation.

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's Finding: The exceptional circumstance that does not apply to other properties in this zoning is because of their lack of size and location. This church sanctuary with its height, width and location on the property along with the widening of Caldwell Ave. as a major East-West thoroughfare for the City, create this special situation. Because of the speed (50 mph limit) and quantity (probably 15,000 cars per day) of traffic through this intersection at Caldwell and Akers there is the need for signage that is safely visible to passing vehicles. On Caldwell, The Methodist Church, St. Charles Catholic Church and West Visalia Church of Christ do not have this situation.

Staff Analysis: Concur with applicant. There are exceptional circumstances in the size of the property and building. The prominent frontage of the sanctuary toward both Akers Street and

Caldwell Avenue, together with the heavy volume and speed of traffic, also represent exceptional circumstances to the intended use of the property.

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's Finding: This specified regulation would deprive the Visalia First Church of privileges enjoyed by other properties in this zone. At this time, as Caldwell has become widen to 4 lanes (from 2 lanes) there are no other organizations with this request for readable signage relating to the amount of traffic and speed. However this variance does allow for signage that is clear and readable for all.

Staff Analysis: While no other churches have been granted variances for signage, one other property in the QP zone (Kaweah Delta hospital) has been granted a variance to wall signage based on the scale and mass of the building. Other properties within the Regional Commercial zone along Mooney Boulevard have been granted variances or other allowances for additional building signage for similar reasons of maintaining scale to the building. This is noted since Mooney Boulevard is also an arterial street with heavy traffic volume.

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's Finding: The granting of this variance will not set a special privilege for Visalia First Church in regards to signage, but it would be a clear case for what should be safe visible signage on a building of these dimensions and setback in this zone. There are no buildings with this height and overall size in this zoning. This signage will be what is appropriate for buildings of this height and setback, and distance for readability.

Staff Analysis: Concur with applicant. The granting of a variance to building signage would not constitute a grant of special privilege because of the unique circumstances involved for the subject property (size of the property and building, seating capacity of the sanctuary, and multiple uses on site, i.e. school and church). No other variances have been considered for wall signs pertaining to churches.

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's Finding: The granting of this variance will not be detrimental to public health, safety, or welfare because in our present day the primary mode of transportation is vehicles on roads. All signage should be readable for safety in line with the quantity and speed of traffic of the roads adjacent to the property. The simplicity of these signs would actually be beneficial to public health, safety and welfare of properties in the vicinity and the community overall.

Staff Analysis: Concur with applicant. The granting of a variance to setbacks is not considered detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. The variance would assist in providing more readable signage and site identification from heavily traveled arterial streets.

Environmental Review

The project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended, minor alterations to land use limitations, such as variances, that do not result in changes in land use or density. (Categorical Exemption No. 2019-16)

RECOMMENDED FINDINGS

The Planning Commission is required to make findings for approval of a variance to City standards. Staff recommends the following findings for approval of the variance application:

1. That the strict or literal interpretation and enforcement of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

The signage is proposed for a building and site that are significantly larger than others located in the Quasi-Public zone. A practical difficulty is created in that the allotted sign area is not sufficient for the community to comprehend the name of the organization, and the allotted area for the sign could not be viewed on the building from each of the major street frontages. The sign area represents less than 1% of the total area of each elevation.

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 to the other properties classified in the same zone.

There are exceptional circumstances in the size of the property and building and in the seating capacity of the sanctuary. The prominent frontage of the sanctuary toward both Akers Street and Caldwell Avenue, together with the heavy volume and speed of traffic, also represent exceptional circumstances to the intended use of the property.

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

One other property in the QP zone has been granted a variance to wall signage based on the scale and mass of the building. Other properties within the Regional Commercial zone along Mooney Boulevard –an arterial street with heavy traffic volume – have also been granted variances or other allowances for additional building signage for similar reasons of maintaining scale to the building.

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

The granting of a variance to building signage would not constitute a grant of special privilege because of the unique circumstances involved for the subject property (size of the property and building, seating capacity of the sanctuary, and multiple uses on site, i.e. school and church). No other variances have been considered for wall signs pertaining to churches.

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 a variance to setbacks is not considered detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. The variance would assist in providing more readable signage and site identification from heavily traveled arterial streets.

6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2019-16).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the allowed signage under Variance No. 2019-03 shall be as follows:
 - a) A maximum amount of 100 square feet of sign copy is allowed on the east elevation of the sanctuary building as identified in Exhibits "A" and "C";
 - b) A maximum amount of 100 square feet of sign copy is allowed on the west elevation of the sanctuary building as identified in Exhibits "A" and "D".
2. That the site not be allowed any additional wall signage for site identification purposes beyond the signs identified in the locations shown in Exhibit "A".
3. That all building sign installations require a separate building permit.
4. That all applicable federal, state 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:

- Summary of Related Plans & Policies
- Resolution No. 2019-14
- Exhibit "A" – Site Plan of Wall Signage
- Exhibit "B" – Proposed Primary and Secondary Wall Signage Detail
- Exhibit "C" – Simulated Elevation Plan of Front Wall
- Exhibit "D" – Simulated Elevation Plan of Rear Wall
- Exhibit "E" – Variance Findings
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Sketch

RELATED PLANS AND POLICIES

ZONING ORDINANCE

Chapter 17.48 Signs

17.48.100 Sign Standards for Other Zones

A. Purpose and Applicability. This Section establishes sign area allowances for specific Zones as well as dimensional standards for the type of signs permitted. Unless otherwise specified below, standards for each sign type are in Section 17.48.110.

B. Aggregate Wall Sign Area. In all Zones other than Agricultural and Residential Zones, the basic sign area allowance for all wall signs on a lot or site, excluding signs for which no permit is required under Section 17.48.030 (Exempt Signs), is as follows:

TABLE 17.48.100.B: MAXIMUM AREA FOR WALL SIGNS BY ZONE

	<i>Commercial Zones</i>	<i>Office Zones</i>	<i>Industrial Zones</i>	<i>Quasi-Public Zones</i>
Total Sign Area Allowed*	2 sq. ft. x ln. ft. of frontage Maximum 150 sq. ft.	1 sq. ft x 2 ln. ft. of frontage Maximum 30 sq. ft.	1 sq. ft x ln. ft. of frontage Maximum 100 sq. ft.	0.5 sq. ft x ln. ft. of frontage Maximum 100 sq. ft.
* Total Sign Area is based on an allowance in square feet per lineal foot (ln. ft.) of street frontage.				
(I): Unless the standards in the specific Design District state otherwise.				

17.48.110 Standards for Specific Sign Types

A. Purpose. This Section establishes location and other general standards for specific sign types that apply to all areas where such signs are permitted. Additional standards applicable to these signs in specific Zoning Districts are located in Sections 17.48.090 and 17.48.100.

E. Wall Signs. Wall signs are subject to the following standards:

1. **Maximum Number.** No limit, provided that the total area of wall signs does not exceed the limits in Table 17.48.100.B.
2. **Maximum Height.** No higher than the roof line or the parapet of the wall of the building to which the sign is attached, whichever is lower.
3. **Maximum Sign Area per Sign.** See Table 17.48.100.B.
4. **Projection Allowed.** Wall signs shall not extend more than six inches beyond the face of the wall to which they are attached.
5. **Placement.** No wall sign may cover, wholly or partially, any required wall opening.
6. **Orientation.** Unless a different orientation is specifically authorized, each wall-mounted sign shall be placed flat against the wall of the building.
7. **Rear Facades.** Where a property has two facades and both are visible from the public right-of-way, a wall sign may be installed on the rear (non-primary) façade if it meets the following:
 - a. **Size.** Maximum of 25 percent of the allowed sign area calculated for the primary occupancy frontage.
 - b. **Illumination.** Signs on rear facades may not be internally illuminated.

17.48.150 Variance and exceptions.

A. Purposes.

1. **Variations.** The Planning Commission may grant variances for setbacks, locational and dimensional standards that apply to signs in order to prevent unnecessary hardships that would result from a strict or literal interpretation and enforcement of certain regulations prescribed by this chapter. A practical difficulty or unnecessary hardship may result from the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions on the site or in the immediate vicinity, or from street locations or traffic conditions in the immediate vicinity that would affect the signing of a site or building.

2. **Exception.** The Planning Commission may grant an exception to the physical design standards if it can be demonstrated that such an exception is necessary to facilitate an improved aesthetic relationship between a sign and the structures upon which it is mounted.

B. Application Procedures. Application for a sign variance or sign exception shall be submitted to the City Planner on an approved form and include the following:

1. Name and address of the applicant;
2. Statement that the applicant is the owner of the property, is the authorized agent of the owner(s), or is or will be the plaintiff in an action in eminent domain to acquire the property involved;
3. Address and legal description of the property;
4. Statement of the precise nature of the variance or exception requested and the hardship or practical difficulty which would result from the strict interpretation and enforcement of the standards in this Chapter;
5. The application shall be accompanied by such sketches or drawings as may be necessary to clearly show applicant's proposal in comparison with the standards that otherwise would apply; and
6. The required fee or deposit.

The application shall be reviewed by the City Planner, who shall determine whether it is complete or, if not, what additional information is needed. Once the application is determined to be complete, the City Planner shall give notice to the applicant of the time when the application will be considered by the Planning Commission. The City Planning also may give notice of the time to any other interested party.

C. Public Notice and Hearing.

1. Notice of a public hearing on a sign variance or sign exception shall be given not less than ten days nor more than 30 days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing.

2. After the required notice has been provided, the Planning Commission shall hold a public hearing on an application for a variance.

D. Staff Report. The City Planner shall prepare a staff report on the application, including a recommendation, which shall be submitted to the Planning Commission.

E. Public Hearing Procedure. At a public hearing the Planning Commission shall review the application and the statements and drawings submitted by the applicant and the staff report and the evidence presented in that report with respect to the findings listed below, that are required to approve a variance or exception.

F. Findings Required for a Variance.

1. The Planning Commission may grant a variance to a regulation or standard prescribed by this Chapter, as applied for or as modified by the Commission, provided that, on the basis of the application and staff report and/or evidence submitted, the Commission determines:
 - a. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the sign regulations;
 - b. That there are exceptional or extraordinary circumstances or conditions applicable to the property which do not apply generally to other properties classified in the same zoning district;
 - c. 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 zoning district;
 - d. 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 zoning district; and
 - e. 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.
2. A variance may be revocable, may be granted for a limited time period, or may be granted subject to such reasonable conditions as the Commission may prescribe.
3. The Planning Commission must deny a variance application if the required findings can not be made.

G. Findings Required for an Exception. The Planning Commission may approve, conditionally approve or deny a request for an exception to the physical design standards of this chapter. For the Planning Commission to approve or conditionally approve an exception, the following findings must be made:

1. That the granting of the exception is necessary to attain a high aesthetic sign design which would be restricted if the provisions and standards of this Chapter were strictly applied;
2. That the granting of an exception would not adversely affect the visibility of signs on adjacent properties; and
3. That the granting of an exception would not constitute a granting of a special privilege.

H. Appeal to City Council. The decision of the Planning Commission on a variance or exception application shall be subject to the appeal provisions of the zoning ordinance.

I. Revocation. A variance or exception granted subject to a condition or conditions shall be revoked by the Planning Commission if the applicant fails to comply with any the condition of approval.

J. Time Limits for Filing a New Application. Following the denial of a variance or exception application or the revocation of a variance or exception, no application for the same or substantially the same sign shall be filed within one year of the date of denial of the variance or exception application or the date of revocation of the variance or exception.

RESOLUTION NO. 2019-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING VARIANCE NO. 2019-03: A REQUEST BY THE VISALIA FIRST CHURCH TO ALLOW A VARIANCE TO SIGN STANDARDS, ALLOWING 200 SQ. FT. OF WALL SIGNAGE ON A NEW SANCTUARY BUILDING IN THE QP (QUASI PUBLIC) ZONING DESIGNATION. THE PROJECT SITE IS LOCATED AT 3737 S. AKERS STREET. (APN: 119-100-027)

WHEREAS, Variance No. 2019-03 is a request by the Visalia First Church to allow a variance to sign standards, allowing 200 sq. ft. of wall signage on a new sanctuary building in the QP (Quasi Public) zoning designation. The project site is located at 3737 S. Akers Street (APN: 119-100-027); and

WHEREAS, the Planning Commission of the City of Visalia, after published notice scheduled a public hearing before said commission on April 22, 2019; and

WHEREAS, the Planning Commission of the City of Visalia finds Variance No. 2019-03 to be in accordance with Section 17.48.150 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 the strict or literal interpretation and enforcement of the Zoning Ordinance would result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

The signage is proposed for a building and site that are significantly larger than others located in the Quasi-Public zone. A practical difficulty is created in that the allotted sign area is not sufficient for the community to comprehend the name of the organization, and the allotted area for the sign could not be viewed on the building from each of the major street frontages. The sign area represents less than 1% of the total area of each elevation.

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 to the other properties classified in the same zone.

There are exceptional circumstances in the size of the property and building and in the seating capacity of the sanctuary. The prominent frontage of the sanctuary toward both Akers Street and Caldwell Avenue, together with the heavy volume and speed of traffic, also represent exceptional circumstances to the intended use of the property.

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

One other property in the QP zone has been granted a variance to wall signage based on the scale and mass of the building. Other properties within the Regional Commercial zone along Mooney Boulevard –an arterial street with heavy traffic volume – have also been granted variances or other allowances for additional building signage for similar reasons of maintaining scale to the building.

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

The granting of a variance to building signage would not constitute a grant of special privilege because of the unique circumstances involved for the subject property (size of the property and building, seating capacity of the sanctuary, and multiple uses on site, i.e. school and church). No other variances have been considered for wall signs pertaining to churches.

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 a variance to setbacks is not considered detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. The variance would assist in providing more readable signage and site identification from heavily traveled arterial streets.

6. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for Implementation of CEQA (Categorical Exemption No. 2019-16).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves Variance No. 2019-03 on the real property herein above described in accordance with the terms of this resolution under the provision of Section 17.48.150 of the Municipal Code of the City of Visalia, subject to the following conditions:

1. That the allowed signage under Variance No. 2019-03 shall be as follows:
 - a) A maximum amount of 100 square feet of sign copy is allowed on the east elevation of the sanctuary building as identified in Exhibits “A” and “C”;
 - b) A maximum amount of 100 square feet of sign copy is allowed on the west elevation of the sanctuary building as identified in Exhibits “A” and “D”.
2. That the site not be allowed any additional wall signage for site identification purposes beyond the signs identified in the locations shown in Exhibit “A”.
3. That all building sign installations require a separate building permit.
4. That all applicable federal, state and city laws, codes and ordinances be met.

3737 S. Akers

West Wall Sign

East Wall Sign

EAST
 72-3
 70-4
 70-4
 70-4
 72-1/2" ? QUESTIONABLE
 355'-4 1/2"

WEST
 66-3
 121'-0
 10-3
 57'-3" ? QUESTIONABLE
 254'-9"

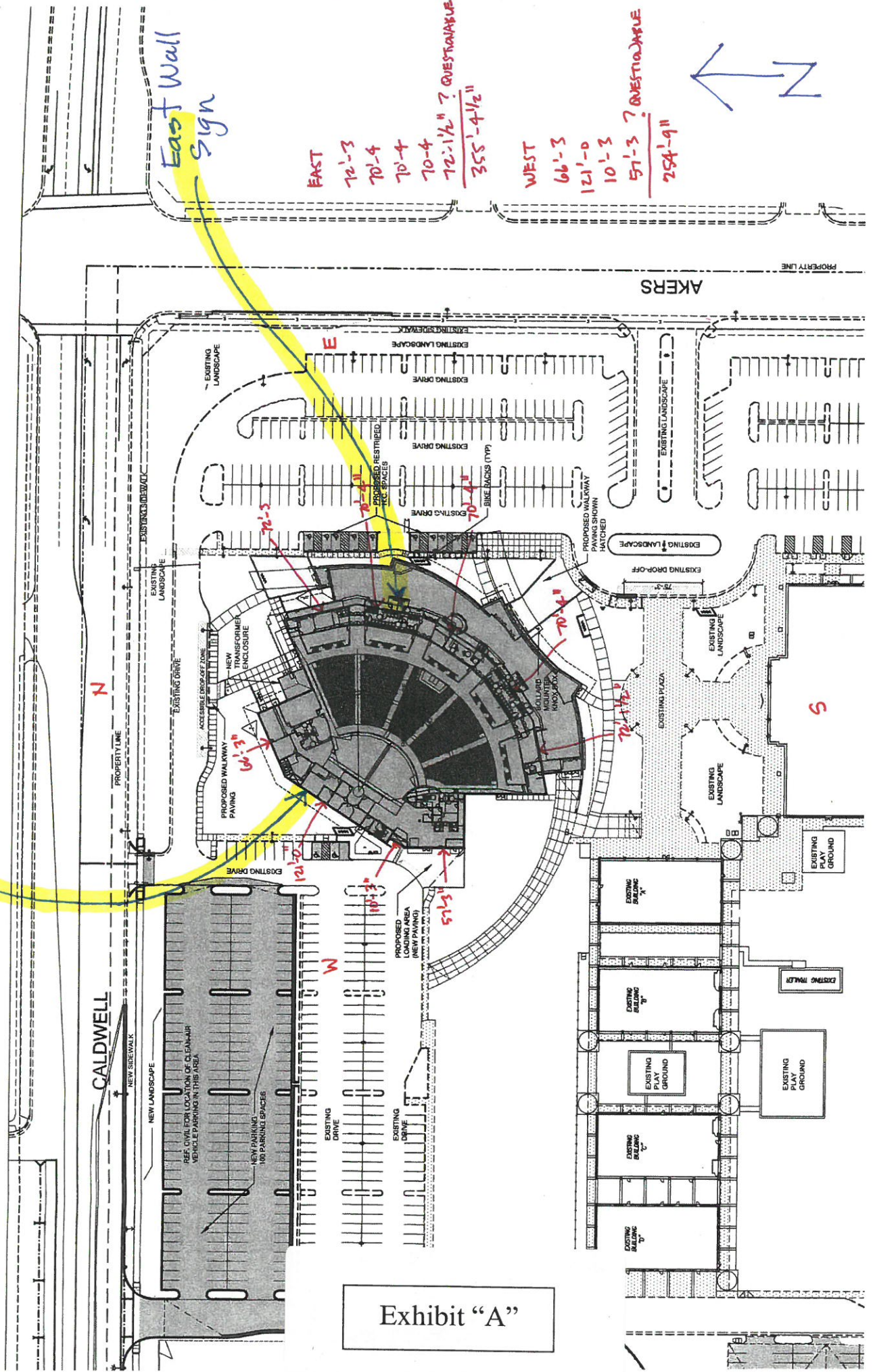
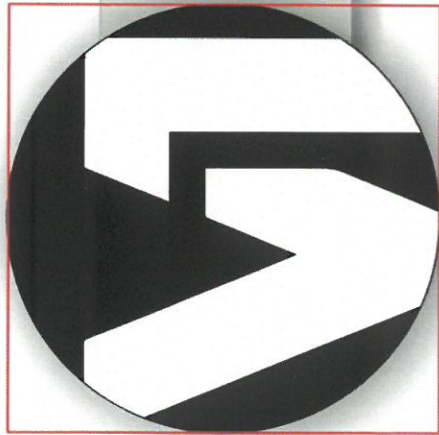


Exhibit "A"



70" x 70" = 34.03 Square Feet

18'-7"

VISALIA FIRST

42" x 223" = 65.04 Square Feet

Receivry

Exhibit "B"

IRST - One Wall Sign with 5'-10" (70") Diameter Logo & 3'-6" (42") High Letters (100 Sq.Ft. Allowed)

Overall Sign Length 25'-2"

- 3/16" White Acrylic Faces
- Day/Night Perforated 3M Vinyl Film w
- Black Sides & Trim Cap

5901 E. CLINTON AVE. FRESNO, CA. 93727
 TEL (559) 292-2944 | FAX (559) 292-2980
 www.fresnoneon.com | sales@fresnoneon.com

PROJECT: Visalia First
 CONTACT: Pastor Mark DiGirolamo
 SALES PERSON: Jack Wilkinson
 DATE: 1/16/2019

CUSTOMER APPROVAL: _____
 DATE: _____

PROPERTY OWNER APPROVAL: _____
 DATE: _____

THIS DESIGN IS SUBMITTED AS OUR PROPOSAL AND IS TO REMAIN OUR PROPERTY EXCLUSIVELY UNTIL ACCEPTED AND APPROVED BY PURCHASER. ANY UNAUTHORIZED USE OR REPRODUCTION OF THIS DESIGN IS SUBJECT TO A \$1000.00 DESIGN FEE.





283' Lineal Wall Frontage

Exhibit "C"

FIRST - East - One Wall Sign with 5'-10" (70") Diameter Logo & 3'-6" (42") High Letters (100 Sq.Ft. Allowed)

Overall Sign Length 25'-2" - Raceway 42" High Continuous

- 3/16" White Acrylic Faces
- Day/Night Perforated 3M Vinyl Film w
- Black Sides & Trim Cap

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 www.fresnoneon.com | sales@fresnoneon.com

PROJECT: Visalia First
 CONTACT: Pastor Mark DiGirolamo
 SALES PERSON: Jack Wilkinson
 DATE: 10/18/2018

CUSTOMER APPROVAL: _____
 DATE: _____

PROPERTY OWNER APPROVAL: _____
 DATE: _____

THIS DESIGN IS SUBMITTED AS OUR PROPOSAL AND IS TO REMAIN OUR PROPERTY EXCLUSIVELY UNTIL ACCEPTED AND APPROVED BY PURCHASER ANY UNAUTHORIZED USE OR REPRODUCTION OF THIS DESIGN IS SUBJECT TO A \$1000.00 DESIGN FEE





254' Lineal Wall Frontage

IRST - West - One Wall Sign with 5'-10" (70") Diameter Logo & 3'-6" (42") High Letters (100 Sq-Ft. Allowed)
Overall Sign Length 25'-2" - Raceway 42" High Continuous

- 3/16" White Acrylic Faces
- Day/Night Perforated 3M Vinyl Fil
- Black Sides & Trim Cap

THIS DESIGN IS SUBMITTED AS OUR PROPOSAL AND IS TO REMAIN OUR PROPERTY EXCLUSIVELY UNTIL ACCEPTED AND APPROVED BY PURCHASER. ANY UNAUTHORIZED USE OR REPRODUCTION OF THIS DESIGN IS SUBJECT TO A \$1000.00 DESIGN FEE.

PROPERTY OWNER APPROVAL:

DATE:

CUSTOMER APPROVAL:

DATE:

PROJECT: **Visalia First**

CONTACT: **Pastor Mark DiGirolamo**

SALES PERSON: **Jack Wilkinson**

DATE: **10/18/2018**

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Exhibit "D"

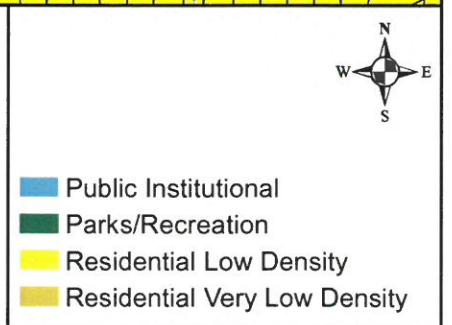
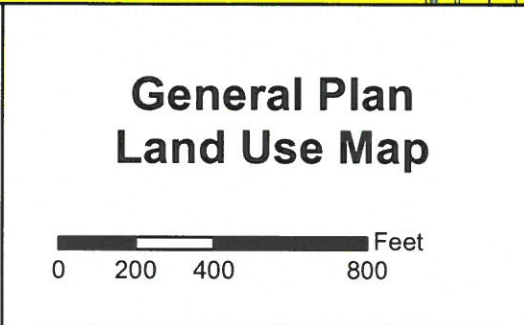
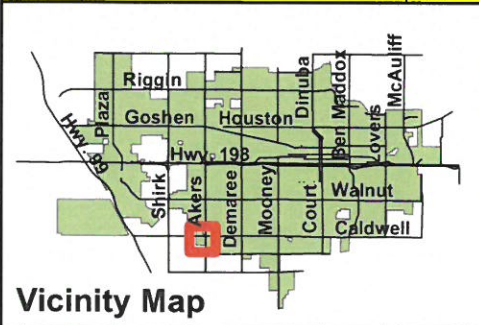
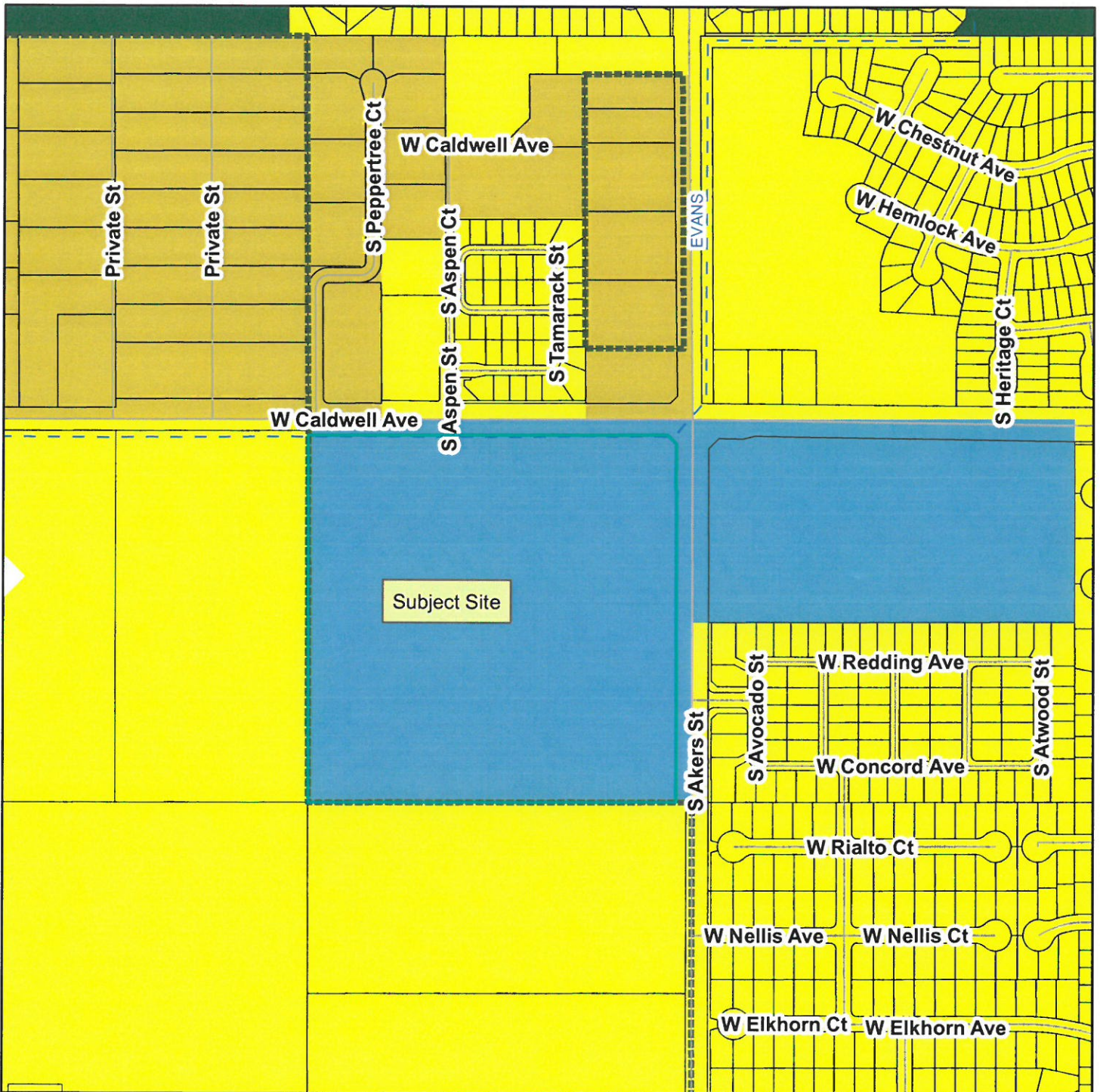
Sign Variance Findings

- (1) What makes this ordinance unnecessarily difficult is that the existing Sign Ordinance of the City of Visalia allows for only 100 sq.ft. signage. The Visalia First Church Sanctuary building is 44' high and frontages of 254' (west elevation) and 283' (east elevation) and is set back from Caldwell Avenue by 154 ft. and Akers Street by 280 ft., the sign area is not sufficient for the community to comprehend the name of this organization. One sign each on the East and West elevations at 100 sq.ft. would make for clearer signing of the church. The area of the sign compared to the area of the wall elevations is .04%. Many cities in the valley allow up to 10% of the area of the wall for signage.
- (2) The exceptional circumstance that does not apply to other properties in this zoning is because of their lack of size and location. This church sanctuary with its height, width and location on the property along with the widening of Caldwell Ave. as a major East-West thoroughfare for the City, create this special situation. Because of the speed (50 mph limit) and quantity (probably 15,000 cars per day) of traffic through this intersection at Caldwell and Akers there is the need for signage that is safely visible to passing vehicles. On Caldwell, The Methodist Church, St. Charles Catholic Church and West Visalia Church of Christ do not have this situation.
- (3) This specified regulation would deprive the Visalia First Church of privileges enjoyed by other properties in this zone. At this time, as Caldwell has become widen to 4 lanes (from 2 lanes) there are no other organizations with this request for readable signage relating to the amount of traffic and speed. However this variance does allow for signage that is clear and readable for all.
- (4) The granting of this variance will not set a special privilege for Visalia First Church in regards to signage, but it would be a clear case for what should be safe visible signage on a building of these dimensions and setback in this zone. There are no buildings with this height and overall size in this zoning. This signage will be what is appropriate for buildings of this height and setback, and distance for readability.
- (5) The granting of this variance will not be detrimental to public health, safety, or welfare because in our present day the primary mode of transportation is vehicles on roads. All signage should be readable for safety in line with the quantity and speed of traffic of the roads adjacent to the property. The simplicity of these signs would actually be beneficial to public health, safety and welfare of properties in the vicinity and the community overall.

Exhibit "E"

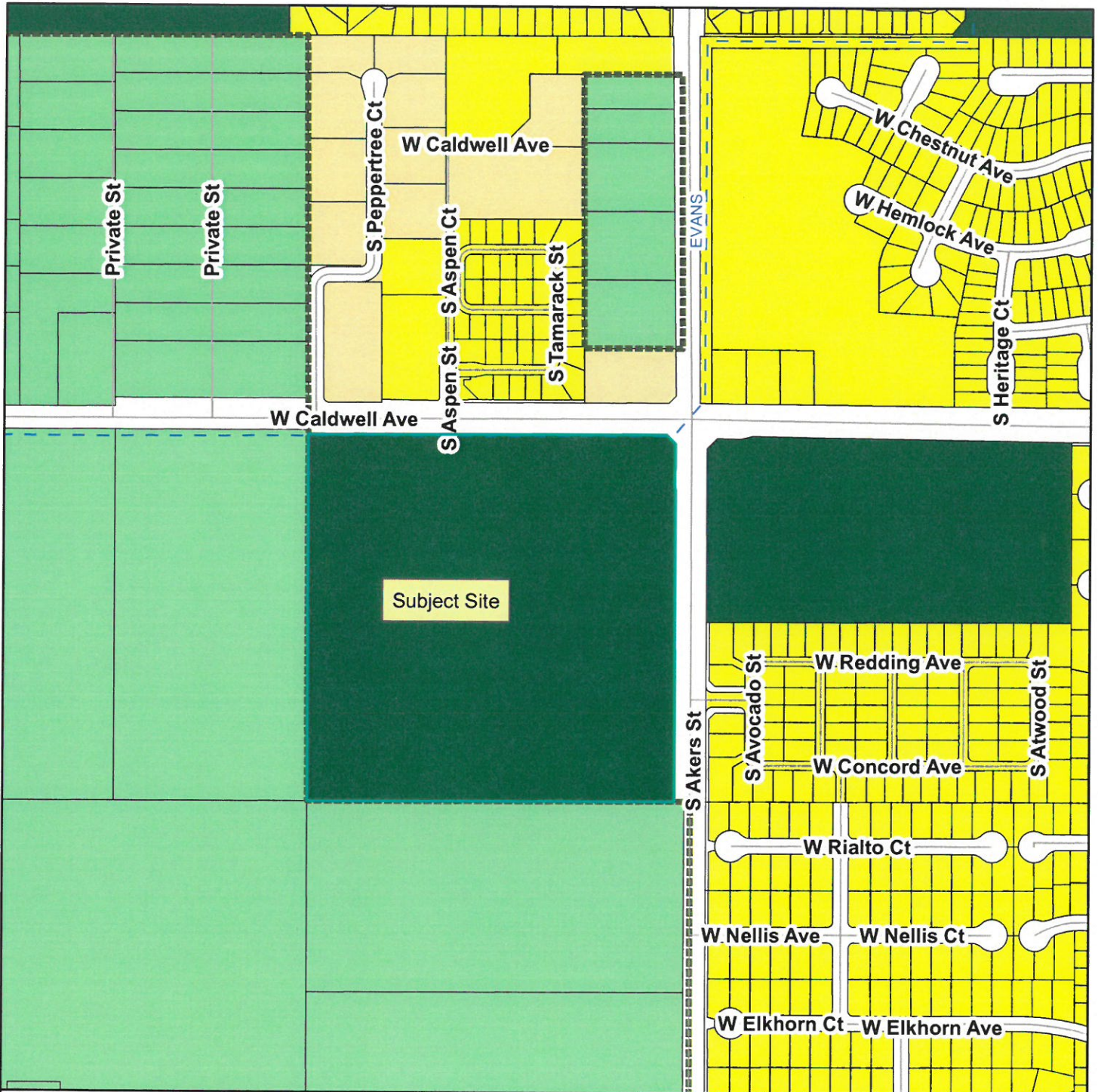
Variance No. 2019-03

The project site is located at 3737 S. Akers Street. (APN: 119-100-027)

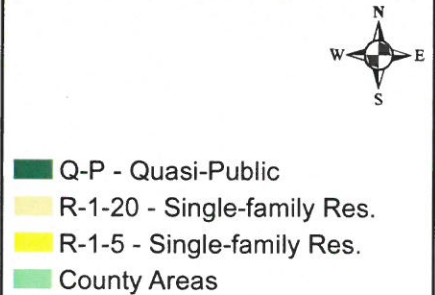
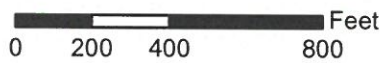


Variance No. 2019-03

The project site is located at 3737 S. Akers Street. (APN: 119-100-027)



Zoning Map



Variance No. 2019-03

The project site is located at 3737 S. Akers Street. (APN: 119-100-027)



Aerial Photo

Photo Taken March 2018



- WATERWAYS
- RAILROADS
- CITY LIMITS
- PARCELS

Variance No. 2019-03

The project site is located at 3737 S. Akers Street. (APN: 119-100-027)



Location Map

