

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Brett Taylor



VICE CHAIRPERSON:

Liz Wynn

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

MONDAY, MAY 13, 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.
 - Time Extension for Maddox at Caldwell VII Tentative Subdivision Map No. 5531 and Conditional Use Permit No. 2007-09
5. PUBLIC HEARING – Cristobal Carrillo
Tentative Parcel Map No. 2019-02: A request by Anilkumar K. Patel to subdivide 4.96 acres into two parcels for residential use. The site is zoned R-1-20 (Single Family Residential 20,000 sq. ft. minimum site area), and is located at 2524 N. Linwood Street. (APN: 077-190-002) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2019-23.
6. PUBLIC HEARING – Cristobal Carrillo
Conditional Use Permit No. 2019-11: A request by Fred Gibby to establish a 560 sq. ft. drive-thru coffee shop in the C-MU (Mixed Use Commercial) zone. The project site is located at 1331 W. Caldwell Avenue (APN: 126-062-076). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2019-19.
7. PUBLIC HEARING – Paul Scheibel
Conditional Use Permit No. 2019-10: A request by Self-Help Enterprises to construct five single-family residences on five existing lots in the R-M-3 (Multi-family Residential, 1,200 square foot minimum Site Area). The project site is located on the west side of NW 5th Street, between Court St. and Strawberry St. (APN's: 094-053—018, -019, -021, -023, -024).The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2019-20.

8. PUBLIC HEARING – Paul Scheibel

- General Plan Amendment No. 2019-04: A request by Hawkins Companies, LLC, to amend the General Plan Land Use Map from C-S (Service Commercial) to C-MU (Commercial Mixed Use) on a 1.05-acre parcel at 705 S. Ben Maddox Way (APN: 100-020-016). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2019-21.
- Change of Zone No. 2019-03: A request by Hawkins Companies, LLC, to amend the Zoning Map from C-S (Service Commercial) to C-MU (Commercial Mixed Use) on a 1.05-acre parcel at 705 S. Ben Maddox Way (APN: 100-020-016). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2019-21.

9. PUBLIC HEARING –Brandon Smith

Variance No. 2019-04: A request by McAuliff Center LP to allow a variance to the maximum monument sign area, allowing 43 sq. ft. of sign area per face and 160 sq. ft. of total aggregate surfaces of sign faces and sign structure associated with a service station located in the C-MU (Commercial Mixed Use) zone. The project site is located at the southeast corner of Houston Avenue and McAuliff Street (APN: 103-120-084).

10. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- May 28, 2019 Planning Commission Meeting
- Reappointment of Planning Commissioners

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 23, 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 TUESDAY, MAY 28, 2019



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: May 13, 2019

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

SUBJECT: Variance No. 2019-04: A request by McAuliff Center LP to allow a variance to the maximum monument sign area, allowing 43 sq. ft. of sign area per face and 160 sq. ft. of total aggregate surfaces of sign faces and sign structure associated with a service station located in the C-MU (Commercial Mixed Use) zone. The project site is located at the southeast corner of Houston Avenue and McAuliff Street (APN: 103-120-084)

STAFF RECOMMENDATION

Staff recommends that Variance No. 2019-04 be denied based upon the findings in Resolution No. 2019-20.

RECOMMENDED MOTION

I move to deny Variance No. 2019-04, based on the findings in Resolution No. 2019-20.

PROJECT DESCRIPTION

The applicant is requesting a variance to the standards established by the Visalia Sign Ordinance with respect to monument signs (Visalia Municipal Code Section 17.48.110). The applicant proposes two double-sided monument signs for the gas station / convenience store located on the southeast corner of McAuliff Street and Houston Avenue as shown in the site plan in Exhibit "A". The proposed signs in Exhibit "B" contain 43 sq. ft. of sign area per face. The total combined sign face and sign structure is approximately 80 sq. ft. per side for a total of 160 sq. ft. Each sign will be placed along a street frontage approximately five feet behind the sidewalk and will contain sign copy for the fuel brand, store name, and cash and credit/debit price per gallon in LED format. The applicant's findings for the request are found in Exhibit "E".

The standards in the Visalia Sign Ordinance limit any monument sign to a maximum sign area of 35 sq. ft. per face and the total aggregate surface of the sign areas and sign structure to 140 sq. ft., which equates to 70 sq. ft. per side.

The applicant's request for the larger signs as depicted in Exhibit "B" is based on their findings that the size of the proposed signs are necessary to provide the customer identification of the brand and pricing, and that other Shell gas stations in Visalia have been permitted with similar size and require consistency among signage.



Street view of gas station, September 2018 (Google Maps)

BACKGROUND INFORMATION

General Plan Land Use Designation	Commercial Mixed Use
Zoning	C-MU (Commercial Mixed Use)
Surrounding Zoning and Land Use	North: R-1-5 (Single-family Residential): Houston Avenue, preschool, residential subdivision South: C-MU / Vacant land East: County AE-20 / Vacant West: R-1-5 (Single-family Residential) / McAuliff Street, single family residence
Environmental Review	N/A if denied
Special Districts:	None
Site Plan Review	N/A

RELATED PROJECTS

On October 24, 2016, the Planning Commission approved **Conditional Use Permit No. 2016-04**, a request to construct a gas station development on 2.45 acres consisting of commercial building, fuel canopy, and automated carwash building, located on the southeast corner of Houston Avenue and McAuliff Street.

On August 13, 2018, the Planning Commission approved **Variance No. 2018-06**, a request to amend the sign program for the Country Club Plaza Shopping Center, to allow two monument signs with 35 sq. ft. sign area per face for the Chevron gas station and convenience store in the Neighborhood Commercial (C-N) zone. The Country Club Plaza Shopping Center sign program limited the corner user to one single tenant monument sign with a maximum height of six feet and sign area of 35 sq. ft. per face. The site is located at the corner of Demaree & Houston.

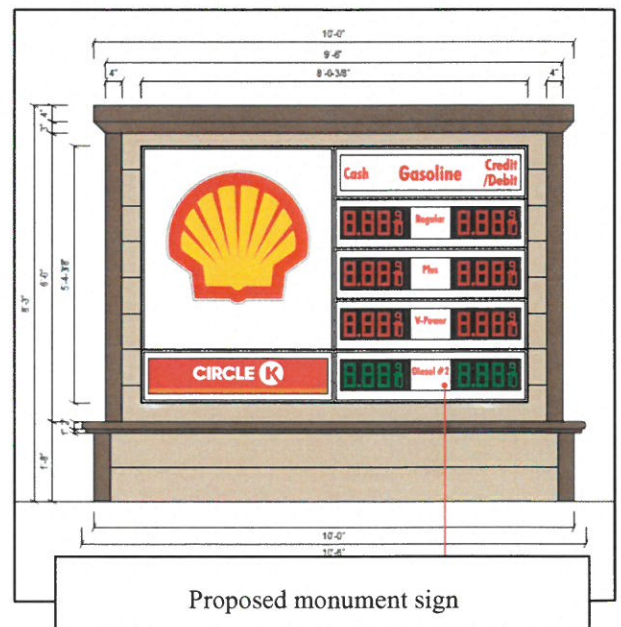
PROJECT EVALUATION

Staff recommends denial of the requested variance for the larger monument signs. This is based primarily upon the zoning ordinance standard of 35 sq. ft. feet for gas pricing sign, which has been enforced on any and all monument signs located in commercial zones.

There are two components to the sign variance – the request to exceed the maximum sign copy area for these signs and the request to exceed the aggregate sign area. The applicant’s request for the sign variance was filled primarily in response to the excessive sign copy area.

Sign Design

The proposed gas station monument signs have a proposed height of 8’-3”, a width between 9’-6” (sign) and 10’-6” (base), and have a 43.04 sq. ft. sign face. The sign face includes the brands identification (Shell), convenience store identification (Circle K), and two columns of fuel pricing. The total aggregate sign



area is approximately 80 sq. ft. per side. The “aggregate sign area” includes the sign face area with the total surface area of the sign structure. The two proposed gas station monument signs are two-sided signs with internal illumination and LED illumination for gas pricing.

The signs will be used to identify a convenience commercial complex (illustrated in Exhibit “A”), consisting of a 3,000 sq. ft. convenience store with 2,000 sq. ft. quick-serve restaurant and drive-thru lane, 8-station fueling canopy, a 1,000 sq. ft. car wash, and a 2,700 sq. ft. retail space. There is no established sign program for the property.

Staff Analysis

Commercial sites are permitted one double-faced freestanding sign per street frontage, with each sign not exceeding a maximum area of 35 sq. ft. of sign copy per face. In addition, the signs shall not exceed a total aggregate sign area of 140 sq. ft. The sign proposal for this commercial development applies to the two requested signs – one fronting McAuliff and one fronting Houston.

The findings provided by the applicant in Exhibit “E” discuss the requested signage. The applicant’s primary basis for the additional sign area is to provide the customer with identification of the brand and pricing, that other Shell gas stations in Visalia have been permitted with similar sized signs, and require consistency among signage.

Staff concludes that the granting of a variance, as requested, would result in the granting of special privilege inconsistent with the limitations on gas stations and other uses in the same zone. Commercial properties in the City of Visalia are all subject to the same maximum sign area, which is 35 sq. ft., and total aggregate surface of the sign area and sign structure which is 70 sq. ft. per side. Although the Planning Commission has previously granted variances to allow up to 50 sq. ft. of sign area in the past, these variance request for single monument signs for large shopping centers with several retail stores displaying the store name on the monument sign for multiple tenant identification.

Staff’s recommendation of denial for the enlarged monument signs is also based on the surrounding uses of the site, wherein the signs are located in close proximity and visible from existing residences.

Other gas stations in Visalia, including Shell gas stations, have been subject to the 35 sq. ft. limit, although the applicant’s variance findings state that other Shell stations have been permitted with 44 sq. ft. in area. Staff has reviewed its records and found that other Shell gas station monument signs have been permitted as follows:

- Plaza & Goshen and Lovers & Walnut. The monument signs were originally constructed with a 33 sq. ft. sign face (8’-0” x 4’-2”) and 15 sq. ft. sign face (5’-0” x 3’-0”) respectively. In 2014 the City issued building permits for both stations to change out standard pricing signs to two-column LED signs with 44 sq. ft. area (8’0” x 5’-4”, similar to the proposed sign), however it is the City’s determination that these permits were issued in error as there was no basis or approved variance for the increased sign copy area.
- Mooney & Whitendale. The gas station was originally constructed with a standard-size monument sign. Street view photos reveal that the standard pricing sign was changed out to a two-column LED sign sometime between 2017 and 2018, however no building



Existing sign at Plaza & Goshen

permit was obtained for this change out. This sign appears to be similar in appearance to the proposed sign but staff cannot determine the exact sign copy area due to no sign permit being issued and/or no sign permit application being submitted for this particular sign.

- Caldwell & West. The gas station was originally constructed with standard-size monument signs. In 2014 the City issued a building permit to change out standard pricing sign to a one-column LED sign with 32 sq. ft. area.

Maximum Number of Monument Signs

The Visalia Sign Ordinance's comprehensive update in 2017 changed the maximum number of allowed monument signs for a property, from one sign per property to one sign per street frontage. The applicants are requesting the maximum of two monument signs – one on the Houston frontage and one on the McAuliff frontage (see Exhibit "A"). Each sign is identical and depicts the increased sign area and total aggregate surface area for each sign.

In addition to staff not finding a practical difficulty or extraordinary circumstance involved, staff further finds that the site is already allowed by Code to have two monument signs that are both visible from the intersection of Houston Avenue and McAuliff Street.

Planning Commission Variance Findings

The applicant has provided the five required variance findings in Exhibit "E". The applicant's findings and staff analysis is summarized below. In the "Findings" section in Resolution No. 2019-20, the findings include staff's analysis sections 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 Finding: *The Sign code allows 35 square feet of signage each for the two monument signs being proposed at the Shell gas station at 3709 E Houston Ave in Visalia. However, previously, other Shell stations in the City of Visalia were allowed to permit monument/gas price signs at 44 square feet. By requiring this Shell gas station to have smaller signage than their counterparts would cause an undue and inconsistent hardship.*

Analysis: The City of Visalia's sign standards allow 35 sq. ft. of sign copy per face and allow the applicant to install one monument sign on each street frontage similar to other gas stations. While other Shell stations have been issued permits in error, there is no practical difficulty that prevents the subject gas station from displaying the same type of information within 35 sq. ft. (including two columns of LED pricing) as other gas stations have done in Visalia.

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 Finding: *The extraordinary circumstances or conditions in this circumstance is that other Shell Gas Stations in the same City would have larger signage. The Shell Corporation branding requires Consistency to provide customer recognition of the Shell locations in each City. This variance would help make the Corporate Branding consistent throughout the City of Visalia.*

Analysis: Other Shell gas stations in Visalia also have monument signs with 43 sq. ft. of sign copy. These permits however have been issued in error, which staff finds not to be an

extraordinary circumstance. The parcel and the signage for the proposed Shell gas station are clearly visible from both of the major street frontages.

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 Finding: Larger signage provides more advertising for the station. By not allowing this Variance for this site, it would deprive the owners the privilege allowed at the other Shell stations in Visalia. Based on the previous approval, it would allow consistent privileges by allowing this Variance.

Analysis: The City standards allow 35 sq. ft. of sign copy per face and allow the applicant to install one monument sign on each street frontage. Other gas stations in the C-MU zone have been permitted and developed with one or two LED pricing signs.

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 Finding: Granting this variance would prevent inconsistent privileges for this site. Granting this privilege will allow this site to be consistent with other Shell locations in the City.

Analysis: The City standards allow 35 sq. ft. of sign copy per face and allow the applicant to install one monument sign on each street frontage. Other gas stations in the C-MU zone have been permitted and developed with one or two LED pricing signs.

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 Finding: Granting this variance will have no detrimental impact [sic] to public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. This variance will only add an additional 17% increase to the monument signs. No impact physically to the surrounding area.

Analysis: The granting of the proposed variance would result in additional signage that is directly visible from adjacent or nearby residences, which may contribute to a detriment in the welfare of adjacent residential property owners.

Environmental Review

If the Variance is denied, no environmental finding is required pursuant to Section 15270 of the California Environmental Quality Act.

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 not result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

The City standards allow 35 sq. ft. of sign copy per face and allow the applicant to install one monument sign on each street frontage similar to other gas stations. While other Shell stations have been issued permits in error, there is no practical difficulty that prevents the

subject gas station from displaying the same type of information within 35 sq. ft. (including two columns of LED pricing) as other gas stations in Visalia have done.

2. That there are not 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.

Other Shell stations in Visalia also have monument signs with 43 sq. ft. of sign copy. These permits however have been issued in error, which staff finds not to be an extraordinary circumstance. The parcel and the signage are clearly visible from both of the major street frontages.

3. That the strict or literal interpretation and enforcement of the ordinance would not deprive the applicant of privileges enjoyed by the owners of the other properties classified in the same zone.

The City standards allow 35 sq. ft. of sign copy per face and allow the applicant to install one monument sign on each street frontage. Other gas stations in the C-MU zone have been permitted and developed with one or two LED pricing signs.

4. That the granting of the variance would constitute a grant of special privilege inconsistent with the limitations on other properties in the same zone.

The City standards allow 35 sq. ft. of sign copy per face and allow the applicant to install one monument sign on each street frontage. Other gas stations in the C-MU zone have been permitted and developed with one or two LED pricing signs.

5. That the granting of the variance will be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The granting of the proposed variance would result in additional signage that is directly visible from adjacent or nearby residences, which may contribute to a detriment in the welfare of adjacent residential property owners.

APPEAL INFORMATION

According to Visalia Municipal Code 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. 2019-20
- Exhibit "A" – Proposed Monument Sign Locations – Site Plan
- Exhibit "B" – Proposed Monument Signs
- Exhibit "C" – Cabinet Detail Page 1
- Exhibit "D" – Cabinet Detail Page 2
- Exhibit "E" – Applicant's Variance Findings
- General Plan Land Use Map
- Zoning Map
- Aerial Photo

RELATED PLANS AND POLICIES

ZONING ORDINANCE

Chapter 17.48 Signs

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.

C. **Freestanding Signs.** Freestanding signs are subject to the following standards:

1. **Where Allowed.** The base of the supporting structure must be setback at least five feet from the street right-of-way.
2. **Maximum Number.** One per street frontage or one per occupancy/tenant.
3. **Maximum Height.**
 - a. *Agricultural, Residential, and Quasi-Public Districts.* Six feet.
 - b. *Commercial Districts.* 12 feet.
 - c. *Office and Industrial Districts.* Six feet.
4. **Maximum Area.** The sign area must not exceed 35 square feet per face, not to exceed 70 square feet in total. The total aggregate surface of the sign faces and sign structure shall not exceed 140 square feet.
5. **Setback.** Freestanding signs may be located within the required setback areas as long as they are a minimum of five feet from the front property line, and 20 feet from any interior side property line.
6. **Sign Base.** Freestanding signs of 10 feet or less shall be mounted on a base, the width of which shall not be less than 50 percent of the width of the widest part of the sign.
7. **Monument Base Exception.** The City Planner, or their designee, may approve a post or similar style sign structure instead of the required monument base for properties which are residential conversions wherein all of the following criteria are met:
 - a. The sign structure is designed to match the primary structure on the site in architectural style and general appearance.
 - b. All other sign requirements are met.
 - c. The primary structure is a residential conversion which has maintained a residential character/appearance.
8. **Open Air Uses.** For open air uses such as automobile dealerships, the additional standards apply to freestanding signs:
 - a. *Maximum Sign Area.* 35 square feet per face, with the total sign area not exceeding 70 square feet.
 - b. *Setback.* 20 feet from any interior side property line

17.48.150 Variance and exceptions.

A. Purposes.

1. **Variances.** 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. 2019-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA DENYING VARIANCE NO. 2019-04: A REQUEST BY MCAULIFF CENTER LP TO ALLOW A VARIANCE TO THE MAXIMUM MONUMENT SIGN AREA, ALLOWING 43 SQ. FT. OF SIGN AREA PER FACE AND 160 SQ. FT. OF TOTAL AGGREGATE SURFACES OF SIGN FACES AND SIGN STRUCTURE ASSOCIATED WITH A SERVICE STATION LOCATED IN THE C-MU (COMMERCIAL MIXED USE) ZONE. THE PROJECT SITE IS LOCATED AT THE SOUTHEAST CORNER OF HOUSTON AVENUE AND MCAULIFF STREET (APN: 103-120-084)

WHEREAS, Variance No. 2019-04 is a request by McAuliff Center LP to allow a variance to the maximum monument sign area, allowing 43 sq. ft. of sign area per face and 160 sq. ft. of total aggregate surfaces of sign faces and sign structure associated with a service station located in the C-MU (Commercial Mixed Use) zone. The project site is located at the southeast corner of Houston Avenue and McAuliff Street (APN: 103-120-084); 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 does not find 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, if Variance No. 2019-04 is denied, no action needs to be taken on an environmental document subject to Section 15270 of the California Environmental Quality Act.

NOW, THEREFORE, BE IT 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 not result in practical difficulty or unnecessary hardship inconsistent with the objectives of the Zoning Ordinance.

The City standards allow 35 sq. ft. of sign copy per face and allow the applicant to install one monument sign on each street frontage similar to other gas stations. While other Shell stations have been issued permits in error, there is no practical difficulty that prevents the subject gas station from displaying the same type of information within 35 sq. ft. (including two columns of LED pricing) as other gas stations in Visalia have done.

2. That there are not 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.

Other Shell stations in Visalia also have monument signs with 43 sq. ft. of sign copy. These permits however have been issued in error, which staff finds not to be an extraordinary circumstance. The parcel and the signage are clearly visible from both of the major street frontages.

3. That the strict or literal interpretation and enforcement of the ordinance would not deprive the applicant of privileges enjoyed by the owners of the other properties classified in the same zone.

The City standards allow 35 sq. ft. of sign copy per face and allow the applicant to install one monument sign on each street frontage. Other gas stations in the C-MU zone have been permitted and developed with one or two LED pricing signs.

4. That the granting of the variance would constitute a grant of special privilege inconsistent with the limitations on other properties in the same zone.

The City standards allow 35 sq. ft. of sign copy per face and allow the applicant to install one monument sign on each street frontage. Other gas stations in the C-MU zone have been permitted and developed with one or two LED pricing signs.

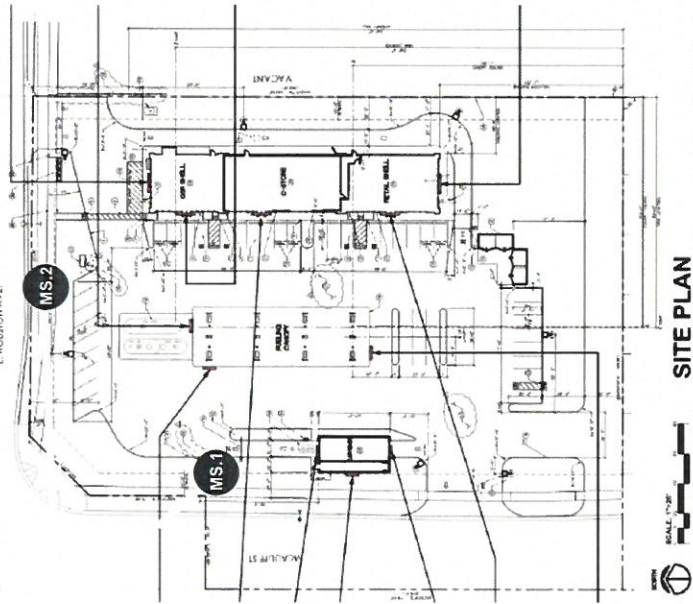
5. That the granting of the variance will be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

The granting of the proposed variance would result in additional signage that is directly visible from adjacent or nearby residences, which may contribute to a detriment in the welfare of adjacent residential property owners.

BE IT FURTHER RESOLVED that the Planning Commission hereby denies Variance No. 2019-04 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.



SITE PLAN



SITE PLAN

N.T.S.


WORK SCOPE

- MS.1 D/F ILLUMINATED MONUMENT (QTY 1)
- MS.2 D/F ILLUMINATED MONUMENT (QTY 1)

CODE ALLOWANCE

CODE INFORMATION...

Exhibit "A"

JONES SIGN Your Vision. Accomplished. WWW.JONESIGN.COM	JOB # 240853-R3 DATE 03.07.19 DESIGNER Taylor Decker SALES REP John Hadaya PROJ.MGR. C. Godinez	<table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>03/07/19</td> <td>TD</td> <td>UPDATED PRINT SPECS FOR MONUMENT</td> </tr> <tr> <td>2</td> <td>03/07/19</td> <td>AC</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> <tr> <td>3</td> <td>03/07/19</td> <td>TD</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> <tr> <td>4</td> <td>03/07/19</td> <td>TD</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> <tr> <td>5</td> <td>03/07/19</td> <td>TD</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> <tr> <td>6</td> <td>03/07/19</td> <td>TD</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> <tr> <td>7</td> <td>03/07/19</td> <td>TD</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> <tr> <td>8</td> <td>03/07/19</td> <td>TD</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> <tr> <td>9</td> <td>03/07/19</td> <td>TD</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> <tr> <td>10</td> <td>03/07/19</td> <td>TD</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> <tr> <td>11</td> <td>03/07/19</td> <td>TD</td> <td>REVISED MONUMENT DIMENSIONS</td> </tr> </tbody> </table>	REV.	DATE	BY	DESCRIPTION	1	03/07/19	TD	UPDATED PRINT SPECS FOR MONUMENT	2	03/07/19	AC	REVISED MONUMENT DIMENSIONS	3	03/07/19	TD	REVISED MONUMENT DIMENSIONS	4	03/07/19	TD	REVISED MONUMENT DIMENSIONS	5	03/07/19	TD	REVISED MONUMENT DIMENSIONS	6	03/07/19	TD	REVISED MONUMENT DIMENSIONS	7	03/07/19	TD	REVISED MONUMENT DIMENSIONS	8	03/07/19	TD	REVISED MONUMENT DIMENSIONS	9	03/07/19	TD	REVISED MONUMENT DIMENSIONS	10	03/07/19	TD	REVISED MONUMENT DIMENSIONS	11	03/07/19	TD	REVISED MONUMENT DIMENSIONS	CLIENT APPROVAL LANDLORD APPROVAL OC		Shell 3709 E Houston Ave. Visalia CA 93292 DESIGN PHASE: CONCEPTUAL	SHEET NUMBER 0.0
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MS.1 D/F ILLUMINATED MONUMENT (QTY 2)

SQUARE FOOTAGE: 43.04 Graphic Area

FIELD SURVEY REQUIRED

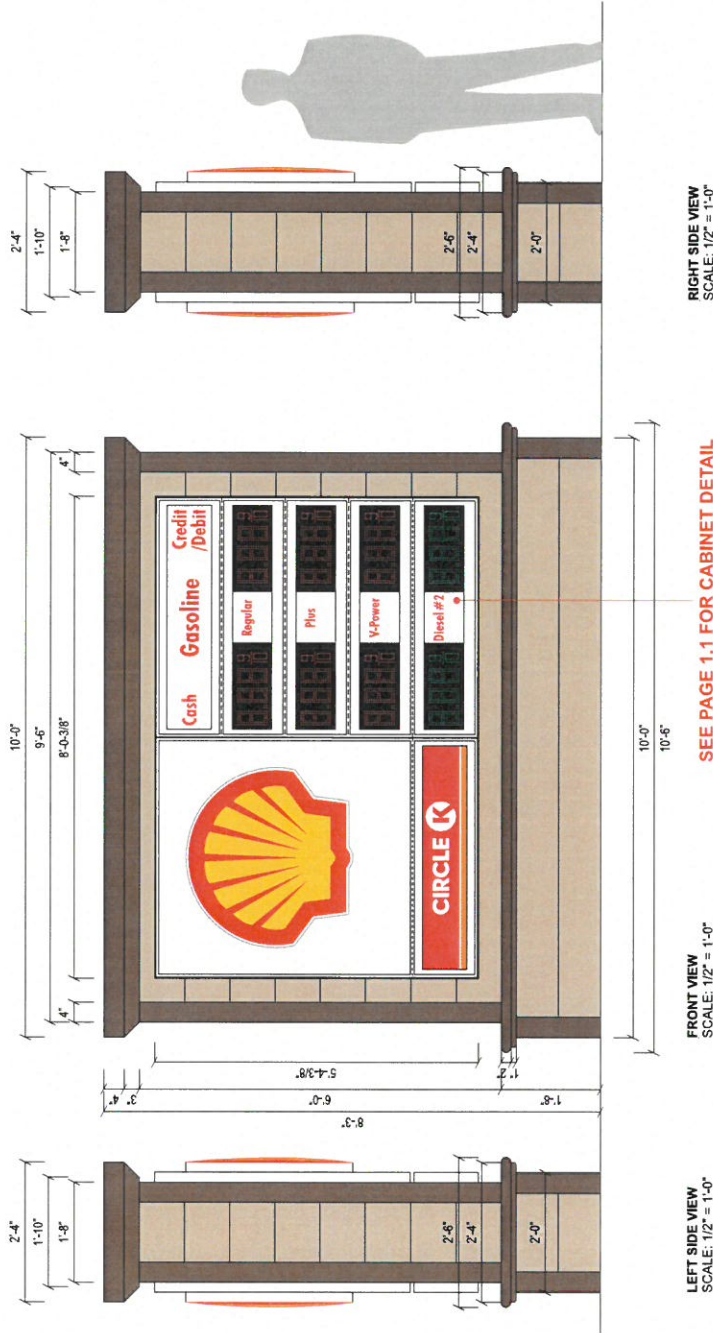


Exhibit "B"

SPECIFICATIONS

1. FRAMED MONUMENT CABINET W/ ALUMINUM SKIN
2. ALUMINUM CORNER ACCENTS PAINTED P-1
3. HARDIE TRIM BOARDS APPLIED TO MONUMENT CABINET P-2
4. FRAMED CABINET MOUNTED TO MONUMENT CABINET (SEE PAGE 1.1 & 1.2 FOR DETAILS)
5. 2" HALF ROUND ALUMINUM PIPE PAINTED P-1
6. FRAMED ALUMINUM POLE COVER PAINTED P-1/P-2
7. ALUMINUM TOP CAP PAINTED P-1

COLORS/FINISHES

- P-1 MP TO MATCH DUNN EDWARDS, DEA163, LRV:12
- P-2 MP TO MATCH SAHARA SAND - DUNN EDWARDS, DEC754 LRV:50 - SATIN FINISH

	SHEET NUMBER <h1>1.0</h1>
	Shell 3709 E Houston Ave. Visalia CA 93292 DESIGN PHASE: CONCEPTUAL
CLIENT APPROVAL LANDLORD APPROVAL DATE DATE	DATE DATE
JOB #: 240853-R3 DATE: 03.07.19 DESIGNER: Taylor Decker SALES REP: John Hataya PROJ. MGR: C. Godinez	REV. DATE BY DESCRIPTION 1 03/07/19 MLE/AC UNPAINTED PART SPECS FOR MONUMENT 2 03/07/19 MLE/AC UNPAINTED PART SPECS FOR MONUMENT 3 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 4 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 5 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 6 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 7 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 8 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 9 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 10 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 11 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 12 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS 13 03/07/19 MLE/AC REDUCED SIGNAGE DETAILS

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MS.1 CABINET DETAIL

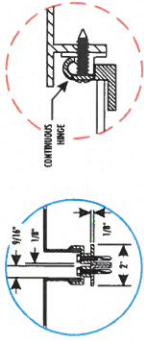
PRODUCT COPY:
RED TRANSPARENT COPY ON WHITE OPAQUE BACKGROUND
(GRADE COPY 15% OF STANDARD WIDTH)

Cash 3" 1 7/8"

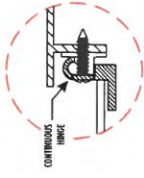
Gasoline 4" 2 1/2"

Regular 2" 1 5/16"

NOTE: ATTACHMENT DETAIL ON PAGE 2



DETAIL A



DETAIL B

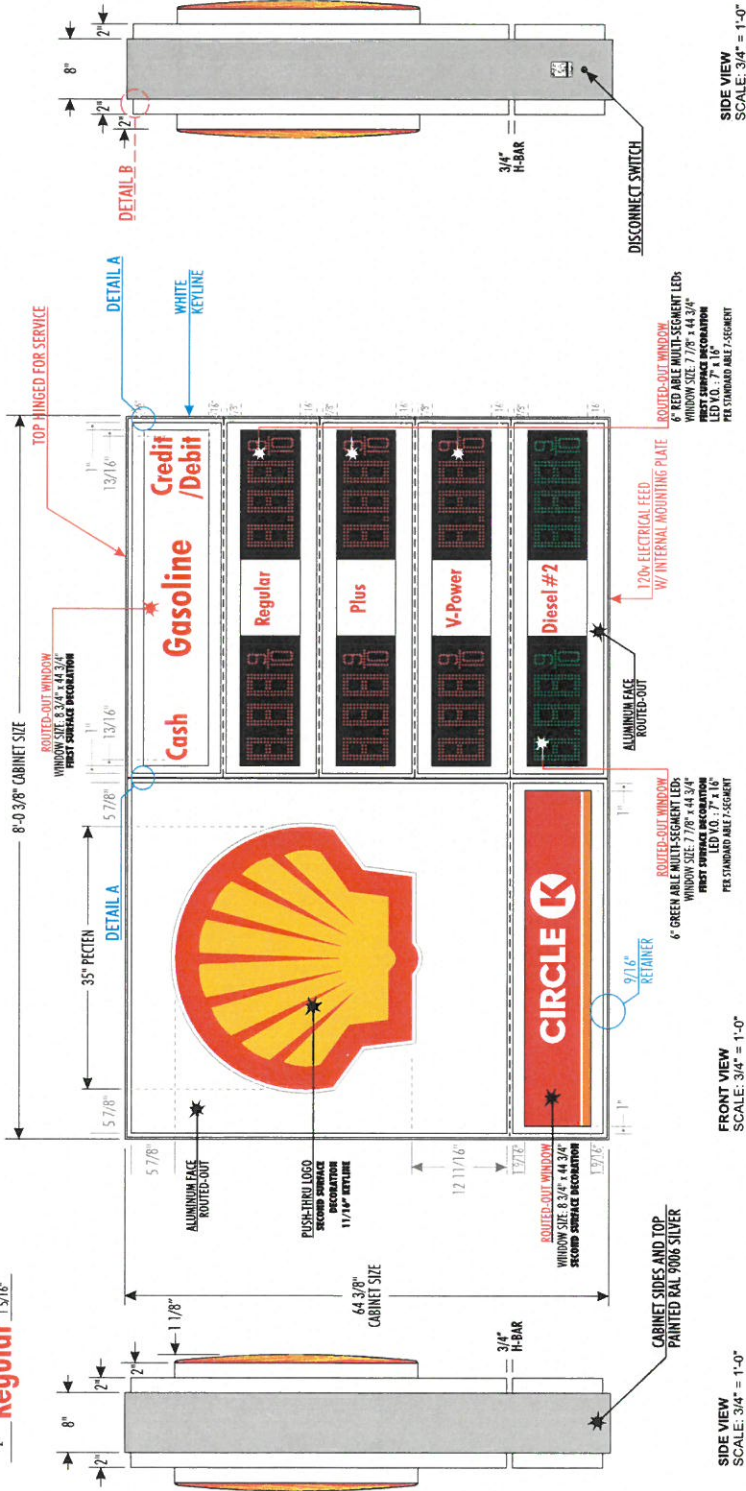


Exhibit "C"

TO BE MANUFACTURED WITH ABLE MULTI-SEGMENT LEDS - 1SR06L8PD-S

JONES SIGN Your Vision. Accomplished. WWW.JONESIGN.COM	JOB # 240853-R3 DATE: 03.07.19 DESIGNER: Taylor Decker SALES REP: John Hadaya PROJ. MGR: C. Godinez	REV DATE BY DESCRIPTION 1 03.07.19 JAC UPDATED PANTY SPECIFICATION 2 03.07.19 JAC REDUCED MOUNTING DIMENSIONS	CLIENT APPROVAL LANDLORD APPROVAL OC	DATE
Shell 3709 E Houston Ave, Visalia CA 93292	DESIGN PHASE: CONCEPTUAL	1:1		

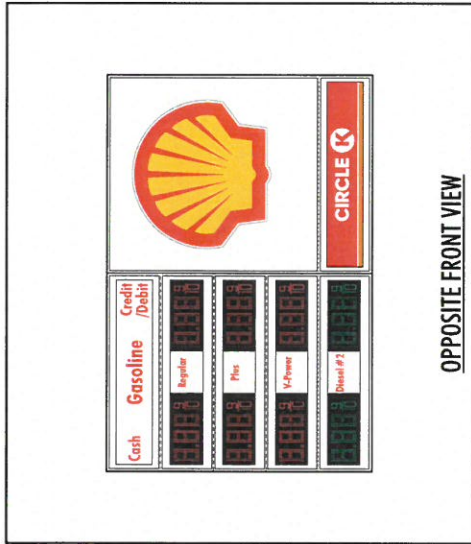
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MS.1 CABINET DETAIL



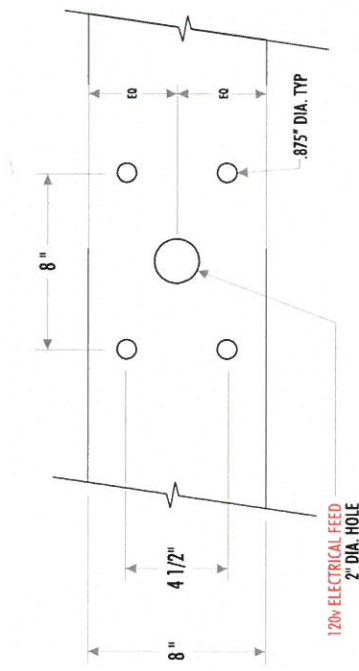
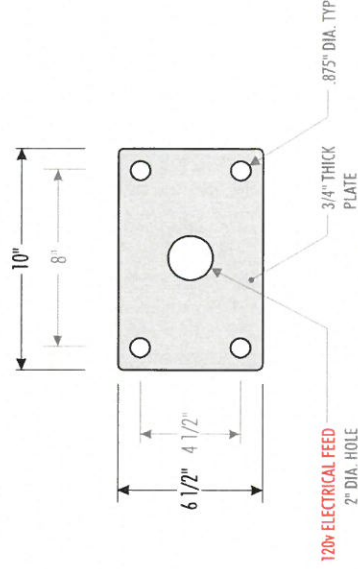
WITH HALO EFFECT

NIGHT ILLUMINATION VIEW



OPPOSITE FRONT VIEW

Exhibit "D"



STANDARD MATCH PLATE FOR 8" EXTRUSION

ATTACHMENT DETAIL

JONES SIGN Your Vision, Accomplished. WWW.JONESIGN.COM	JOB #: 240853-R3 DATE: 03.07.19 DESIGNER: Taylor Dekker SALES REP: John Haidaya PROJ.MGR: C. Godinez	REV. DATE BY DESCRIPTION 1 03.13.19 AC UPDATED PRINT SPECS FOR MOUNTMENT 2 03.13.19 AC REDUCED MOUNTMENT DIMENSIONS 3 03.28.19 EK 3/200 4 03.28.19 EK 3/200 5 03.28.19 EK 3/200 6 03.28.19 EK 3/200 7 03.28.19 EK 3/200 8 03.28.19 EK 3/200 9 03.28.19 EK 3/200 10 03.28.19 EK 3/200 11 03.28.19 EK 3/200	CLIENT APPROVAL LANDLORD APPROVAL CC	SHEET NUMBER 1.2
	Shell 3709 E Houston Ave. Visalia CA 93292 DESIGN PHASE: CONCEPTUAL	This is a conceptual unpublished drawing by Jones Sign Co. This is to be used for informational purposes only. It is not to be used for construction. Use of this design or the salient elements of this design in any sign done by any other company, without the express written permission of Jones Sign, is forbidden by law and carries a civil forfeiture of up to 25% of the purchase price of the sign. JONES SIGN will endeavor to closely match colors, including PMS, where specified. We cannot guarantee exact matches due to varying compatibility of substrate materials and plastic used. All drawings and templates are illustrated for client's conceptual purposes and are not to be understood as being exact. Date of effect: 03/07/2019.		

City of Visalia – Variance Request

4/1/19

Attn: Brandon Smith, Senior Planner
City of Visalia

Below are our responses to the five findings for a sign variance. Please let us know if you need anything else.

- 1) The 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 and zoning:

The Sign code allows 35 square feet of signage each for the two monument signs being proposed at the Shell gas station at 3709 E Houston Ave in Visalia. However, previously, other Shell stations in the City of Visalia were allowed to permit monument/gas price signs at 44 square feet. By requiring this Shell gas station to have smaller signage than their counterparts would cause an undue and inconsistent hardship.

- 2) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties classified in the same zone;

The extraordinary circumstances or conditions in this circumstance is that other Shell Gas Stations in the same City would have larger signage. The Shell Corporation branding requires Consistency to provide customer recognition of the Shell locations in each City. This variance would help make the Corporate Branding consistent throughout the City of Visalia.

- 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;

Larger signage provides more advertising for the station. By not allowing this Variance for this site, it would deprive the owners the privilege allowed at the other Shell stations in Visalia. Based on the previous approval, it would allow consistent privileges by allowing this Variance.

Exhibit "E"

- 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;

Granting this variance would prevent inconsistent privileges for this site. Granting this privilege will allow this site to be consistent with other Shell locations in the City.

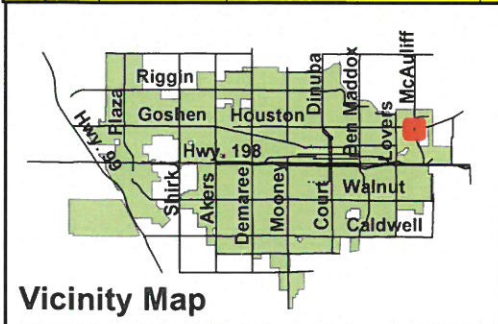
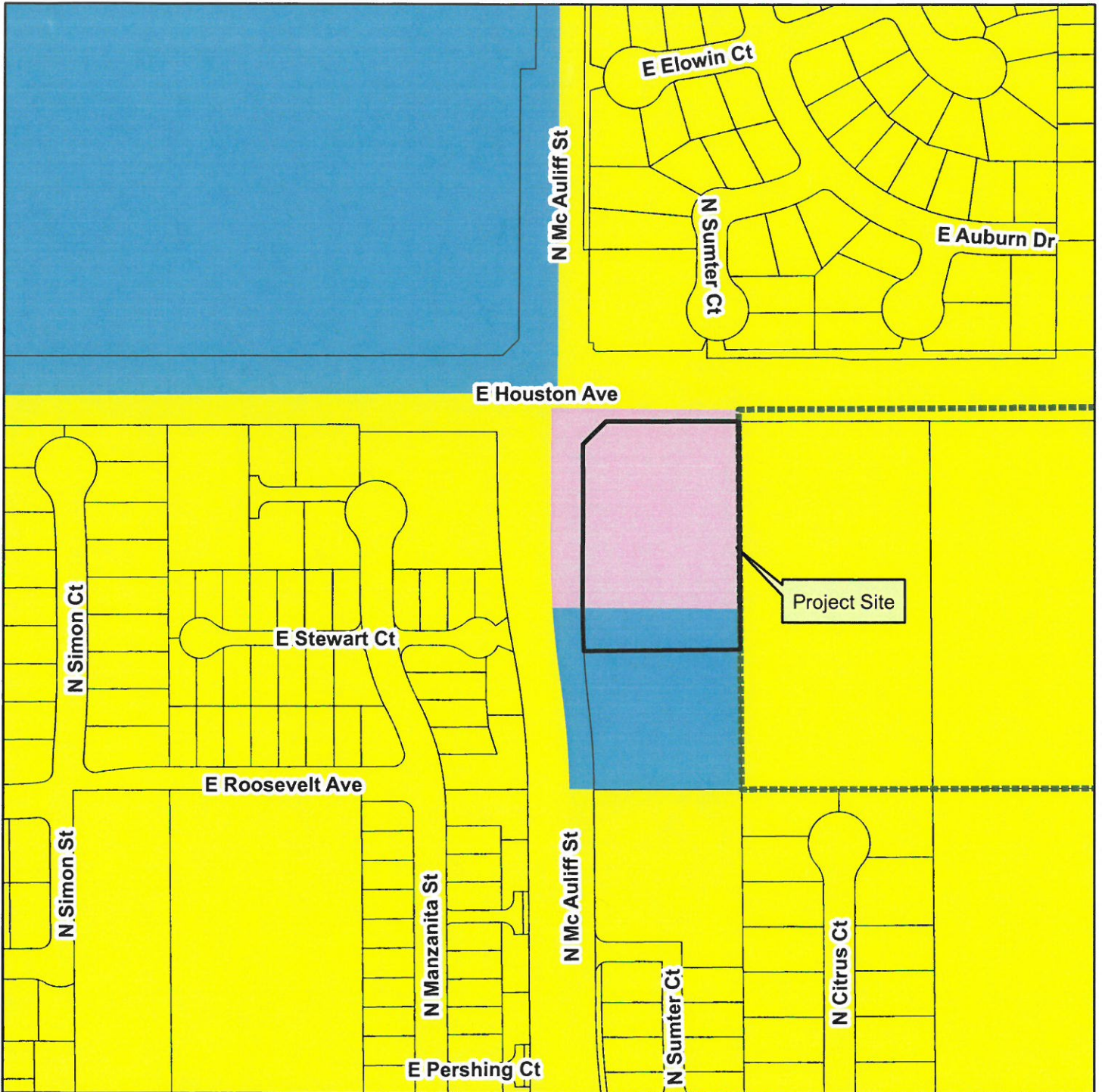
- 5) That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Granting this variance will have no detrimental impact to public health, safety or welfare, or materially injurious to properties or improvements in the vicinity. This variance will only add an additional 17% increase to the monument signs. No impact physically to the surrounding area.

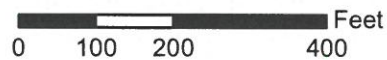
This allows them an undue advantage in the City with regard to advertising and exposure. Since this was permitted previously, the smallest standard signage made by the Company for this area is 42 square feet.

Variance No. 2019-04

The project site is located at the southeast corner of Houston Avenue and McAuliff Street (APN: 103-120-084)



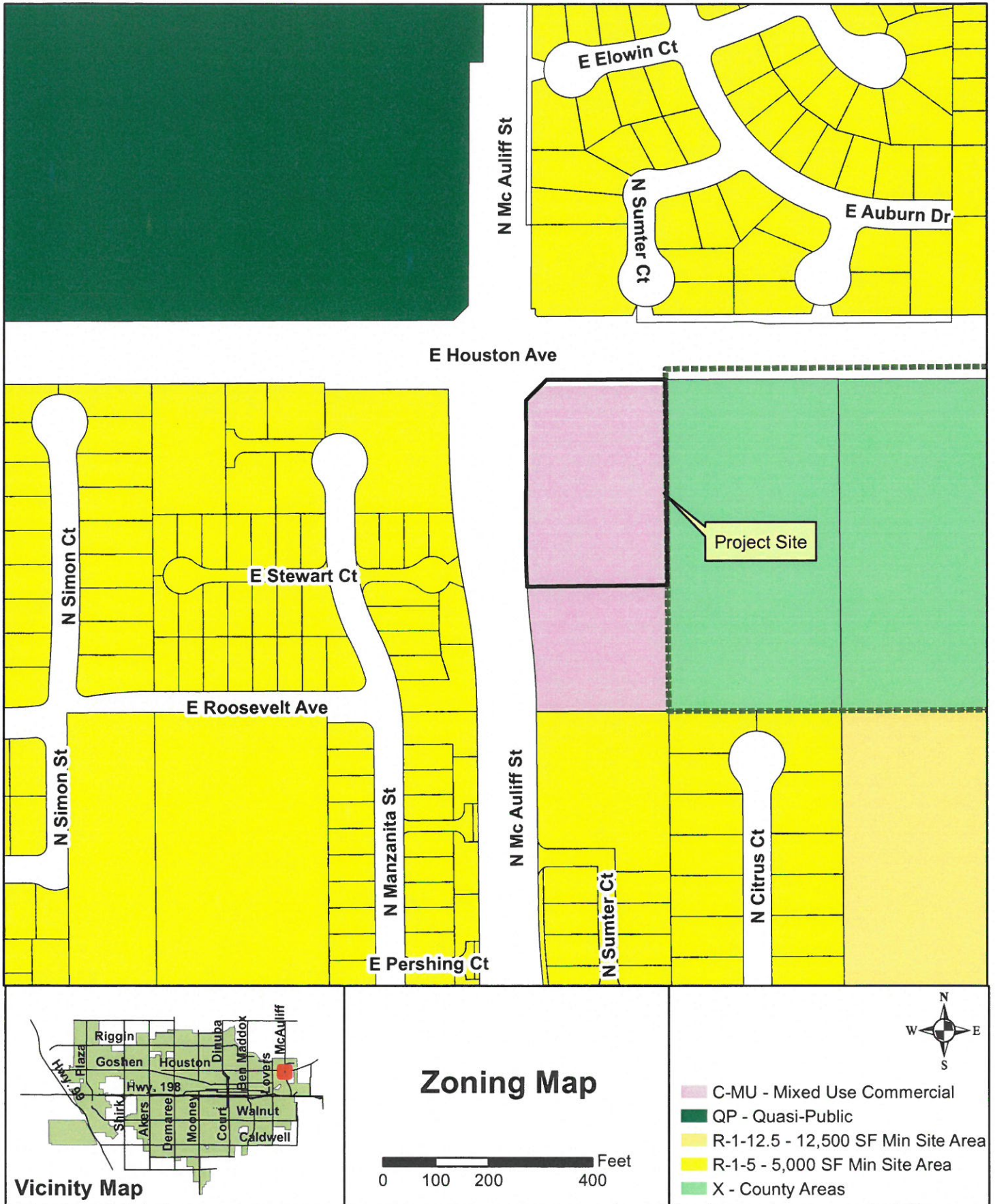
General Plan Land Use Map



- Commercial Mixed Use
- Public Institutional
- Residential Low Density

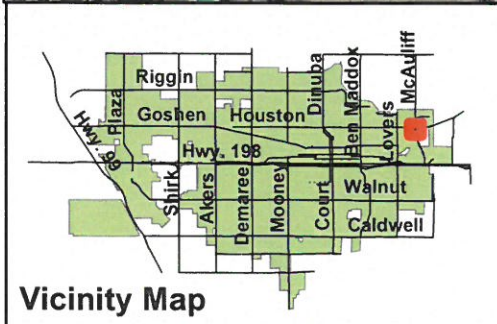
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Aerial Photo
Photo Taken March 2018

0 100 200 400 Feet

- WATERWAYS
- RAILROADS
- CITY LIMITS
- PARCELS

Variance No. 2019-04

The project site is located at the southeast corner of Houston Avenue and McAuliff Street (APN: 103-120-084)

