

# PLANNING COMMISSION AGENDA

CHAIRPERSON:

Liz Wynn



VICE CHAIRPERSON:

Chris Gomez

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

**MONDAY, JULY 8, 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 Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15
5. PUBLIC HEARING – Paul Scheibel
  - Tentative Parcel Map No. 2019-06: A request to subdivide a 5.95-acre lot into 14 parcels for building development, and one common lot in the "I" (Industrial) Zone district. The project site is located on the northwest corner of W. Sunnyview Ave., and N. Clancy St. (APN: 077-200-039) An Initial Study was prepared for the tentative subdivision map consistent with CEQA. Initial Study No. 2019-46 disclosed that environmental impacts are determined to be not significant. The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-47, adopted on October 14, 2014. The Environmental Impact Report adequately analyzed and addressed the proposed project.
  - Conditional Use Permit CUP No. 2019-09: A request to construct eight industrial buildings totaling 69,130 square feet of building space on 14 parcels that lack direct street frontage. The project site is located on the northwest corner of W. Sunnyview Ave., and N. Clancy St. (APN: 077-200-039) An Initial Study was prepared for the tentative subdivision map consistent with CEQA. Initial Study No. 2014-46 disclosed that environmental impacts are determined to be not significant. The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-47, adopted on October 14, 2014. The Environmental Impact Report adequately analyzed and addressed the proposed project.

6. PUBLIC HEARING – Cristobal Carrillo

- Conditional Use Permit No. 2019-15: A request by Rooted Investments, LLC to establish a 6,550 sq. ft. three unit commercial shell building with a drive-thru in the C-MU (Mixed Use Commercial) Zone. The project site is located on the southeast corner of S. Mooney Avenue and W. Myrtle Avenue (APN: 096-035-010). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2019-39
- Variance No. 2019-06: A request by Rooted Investments, LLC to allow a variance from the required 15-foot front yard and 10-foot street side yard landscaping setbacks, for a proposed 6,550 sq. ft. commercial shell building in the C-MU (Mixed Use Commercial) Zone. The project site is located on the southeast corner of S. Mooney Avenue and W. Myrtle Avenue (APN: 096-035-010). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2019-39

7. PUBLIC HEARING – Paul Bernal

Conditional Use Permit no. 2019-25: A request to operate a therapeutic massage business in the O-C (Office Conversion) zone. The site is located at 521 W. Noble Avenue (APN: 096-142-019) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2019-48

8. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

- July 22, 2019 Planning Commission Meeting

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

**APPEAL PROCEDURE**

**THE LAST DAY TO FILE AN APPEAL IS THURSDAY, JULY 18, 2019 BEFORE 5 PM**

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY JULY 22, 2019**

# City of Visalia

## **Memo**



To: Planning Commission  
From: Brandon Smith, Senior Planner  
Date: July 8, 2019  
Re: Time Extension for Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15

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### **RECOMMENDATION:**

Staff recommends that the Planning Commission approve a one-year time extension of Tentative Parcel Map No. 2008-06 together, to expire on May 12, 2020, pursuant to Section §66452.6(e) of the Subdivision Map Act.

Conditional Use Permit No. 2008-15 was also approved together with the parcel map and is linked with the timeline of the tentative parcel map based on a condition of approval. Therefore, the expiration date of Conditional Use Permit No. 2008-15 would also be extended by the time extension request.

### **BACKGROUND:**

On May 12, 2008, the Visalia Planning Commission approved Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15 through adoption of Resolution Nos. 2008-29 and 30. The tentative parcel map was a request to divide 2.08 acres into four parcels including a common access and parking lot, and the conditional use permit (CUP) was a request to expand a Planned Unit Development (PUD) of industrial units without public street frontage on 2.08 acres. The project site has a zone designation of C-S (Service Commercial) and is located at 744 E. Douglas Avenue.

### **STATE LEGISLATURE TIME EXTENSIONS:**

The original expiration date for Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15 was May 12, 2010, two years from the date of approval by the Planning Commission. This map along with all tentative map entitlements approved throughout the state remained in effect by a series of State legislative time extensions enacted between July 2008 and October 2015. Consequently, the expiration date for the parcel map and CUP was ultimately extended to May 12, 2019.

A more recent State legislation that passed on September 27, 2018 (AB 2973) enacted a time extension for maps pertaining to the construction of single or multi-family housing only. Consequently, it does not apply to the subject Tentative Parcel Map and Conditional Use Permit.

**REQUEST:**

The proponents of the Tentative Parcel Map have submitted a written request received by the City of Visalia on May 10, 2019 for a one-year time extension. Time extensions may be granted pursuant to Section §66452.6(e) of the Subdivision Map Act for a total period not exceeding six years. This would be the first time extension applied for under this code for the Tentative Parcel Map.

Staff recommends that the one-year time extension be granted at this time in keeping with the City's practice of recommending time extensions. The extension request, if approved by the Planning Commission, will extend the expiration date of Tentative Parcel Map No. 2008-06 and Conditional Use Permit No. 2008-15 from May 12, 2019 to May 12, 2020.

The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until the new expiration date to record a final parcel map. If the request is denied, the applicant would have to file a new tentative parcel map and conditional use permit

**ATTACHMENTS**

1. Letter of Request for the Time Extension
2. Approved Resolution No. 2008-29 for CUP No. 2018-15
3. Approved Resolution No. 2008-30 for Tentative Parcel Map No. 2008-06
4. Site Plan
5. Tentative Parcel Map
6. Location Map

**FORESTER, WEBER & ASSOCIATES, LLC**  
**Licensed by the**  
**Board for Professional Engineers and Land Surveyors**

1620 W. Mineral King Ave., Suite B  
Visalia CA 93291  
Phone (559)732-0102 Facsimile (559)732-8479

RECEIVED

MAY 10 2019

COMM. DEVELOP.  
CITY OF VISALIA

May 6, 2019

City of Visalia  
Planning Division

Re: TPM 2008-06  
Marty Zeeb

Tentative Parcel Map 2008-06, approved May 12, 2008 and extended by various Senate and Assembly Bills will expire May 12, 2019.

We respectfully request one year extension of time to May 12, 2020.

Attached hereto is check in the amount of \$222.00 made payable to the City of Visalia, and a copy of the map.

Respectfully,  
Fred Weber  
PLS 5531



cc: Marty Zeeb

RESOLUTION NO. 2008-29

A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2008-15 TO  
ALLOW THE EXPANSION OF A PLANNED UNIT DEVELOPMENT (PUD) OF  
INDUSTRIAL UNITS IN THE CS (SERVICE COMMERCIAL) ZONE LOCATED AT  
744 E. DOUGLAS AVENUE

**WHEREAS**, Conditional Use Permit No. 2008-15 is a request by Marty Zeeb (Forester, Weber & Associates, Agent) to expand a Planned Unit Development (PUD) of industrial units without public street frontage on 2.08 acres in the CS (Service Commercial) Zone on property located at 744 E. Douglas Avenue (APNs: 094-120-050 and 094-360-016); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 12, 2008; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

**WHEREAS**, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

**BE IT RESOLVED** that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the project is considered Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2008-25).

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan No. 2007-164.
2. That the site be developed substantially consistent with the site plan shown in Exhibit "A".
3. That all applicable federal, state and city codes and ordinances be met.
4. That the expanded common area be incorporated into the property owners association for the maintenance of the common access and landscaping.
5. That the shared access and parking agreement be amended to include the expansion area.
6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2008-15.
7. That the time for initiation of this conditional use permit be tied to Parcel Map No. 2008-06.

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

AYES: Commissioners Lane, Peck, Salinas, Segrue

NOES:

ABSTAINED: Commissioner Logan

ABSENT:

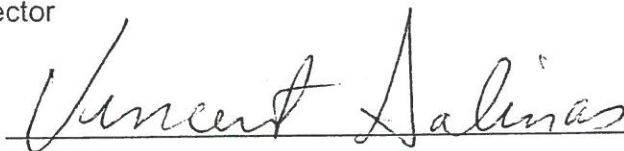
STATE OF CALIFORNIA)  
 COUNTY OF TULARE ) ss  
 CITY OF VISALIA )

ATTEST: Fred Brusuelas, AICP  
 Community Development Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No.2008-29, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on May 12, 2008.



Fred Brusuelas, AICP  
 Community Development Assistant Director



Vincent Salinas, Chairperson

RESOLUTION NO. 2008-30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO 2008-06: A REQUEST TO DIVIDE 2.08 ACRES INTO FOUR PARCELS. THE SITE IS LOCATED AT 744 E. DOUGLAS AVENUE

**WHEREAS**, Tentative Parcel Map No. 2008-06 is a request by Marty Zeeb (Forester, Weber & Associates, Agent) to divide 2.08 acres into four parcels, including a common access and parking lot in the CS (Service Commercial) Zone on property located at 744 E. Douglas Avenue (APNs: 094-120-050 and 094-360-016); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said Commission on May 12, 2008; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the parcel map in accordance with Section 16.28.070 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

**WHEREAS**, the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map would be compatible with adjacent land uses.
3. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
4. That the project is Categorically Exempt under Section 15332 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended. (Categorical Exemption No. 2008-25)

**BE IT FURTHER RESOLVED** that the Planning Commission hereby approves the parcel map on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 16.28.070 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 07-165.



2. That the site be developed in substantial compliance with the tentative map shown in Exhibit "B".
3. That the expanded common area be incorporated into the property owners association for the maintenance of the common access and landscaping.
4. That the shared access and parking agreement be amended to include the expansion area.
5. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Parcel Map No. 2008-06, prior to the issuance of any building permits for this project.

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

AYES: Commissioners Lane, Peck, Salinas, Segrue  
NOES:  
ABSTAINED: Commissioner Logan  
ABSENT:

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

ATTEST: Fred Brusuelas, AICP  
Community Development Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No.2008-30, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on May 12, 2008.



Fred Brusuelas, AICP  
Community Development Assistant Director



Vincent Salinas, Chairperson

# SITE PLAN

BEING LOT 1 OF POLARIS BUSINESS PARK, REG. IN VOL. 31 OF MAP 4 AT PG. 23 T.G.R., SITUATED IN THE N.W. 1/4 OF THE N.E. 1/4 OF SEC. 29 T.10S., R.23E., M.D.M. LOCATED IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.

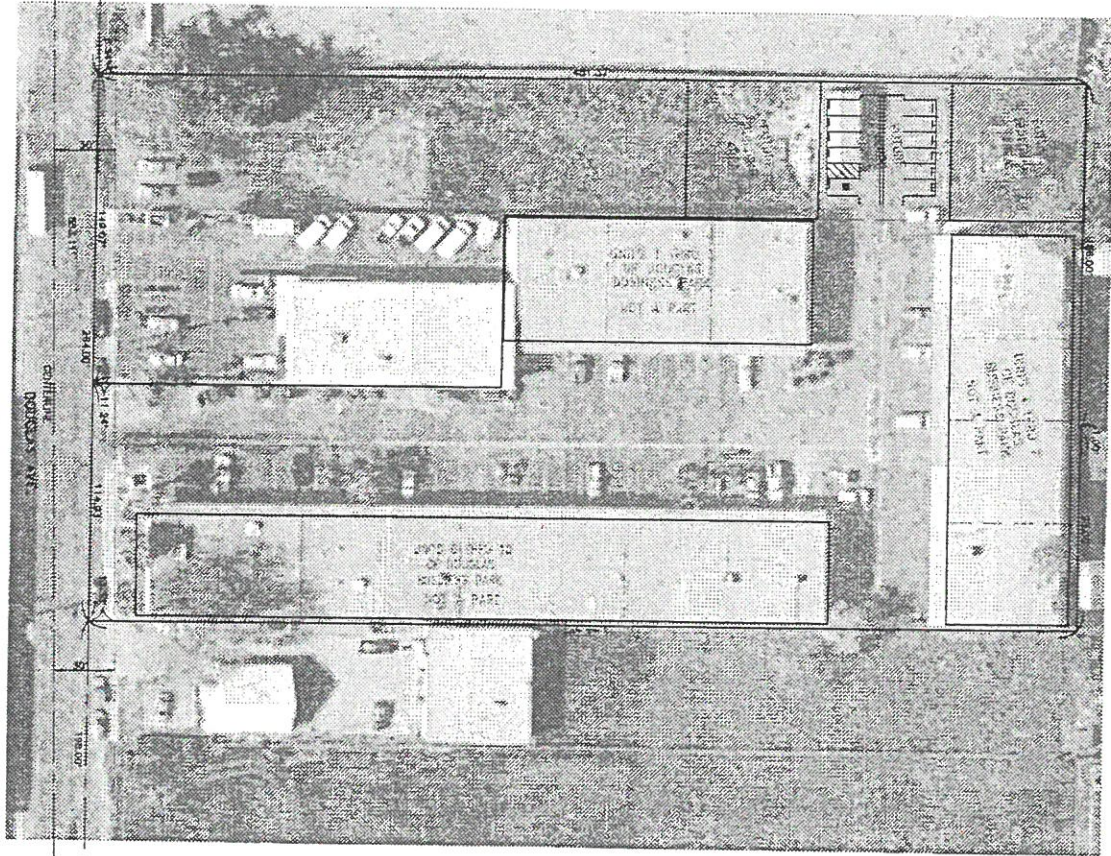
AUGUST, 2007

**OWNERS:**  
 MARTY ZEEB, ET AL.  
 132 N. ADELS  
 VISALIA, CALIFORNIA, 93281

**SUPERVISOR:** FORESTER, WEBER & ASSOCIATES L.L.C.  
 1820 W. Lambert King Ave., Suite B  
 Visalia, CA 93291  
 (559) 732-0102

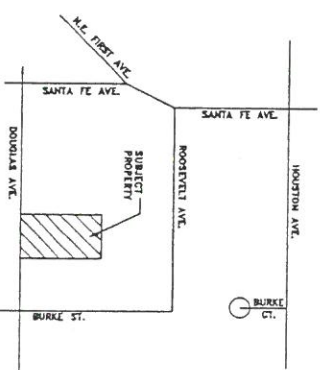
**NOTES:**  
 EXISTING PROPERTY USE: COMMERCIAL  
 PROPOSED PROPERTY USE: COMMERCIAL  
 A.P.N.: 094-038-018  
 ZONING: CS  
 CITY OF VISALIA  
 CITY OF VISALIA  
 STORM DRAIN: 3.00 AC. ±  
 AREA OF SUBJECT PROMONT: 3.00 AC. ±

**PARKING SPACES**  
 ADDITIONAL HANDICAP SPACES: 1  
 ADDITIONAL STANDARD SPACES: 10  
 TOTAL ADDITIONAL PARKING: 11



N 1/4 COR. OF SEC. 29-18/23

COR. OF THE N.E. 1/4 OF SEC. 29-18/23



Vicinity Map

# TENTATIVE PARCEL MAP

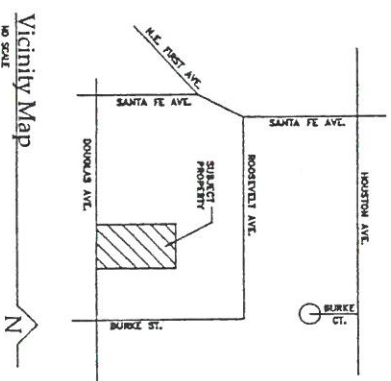
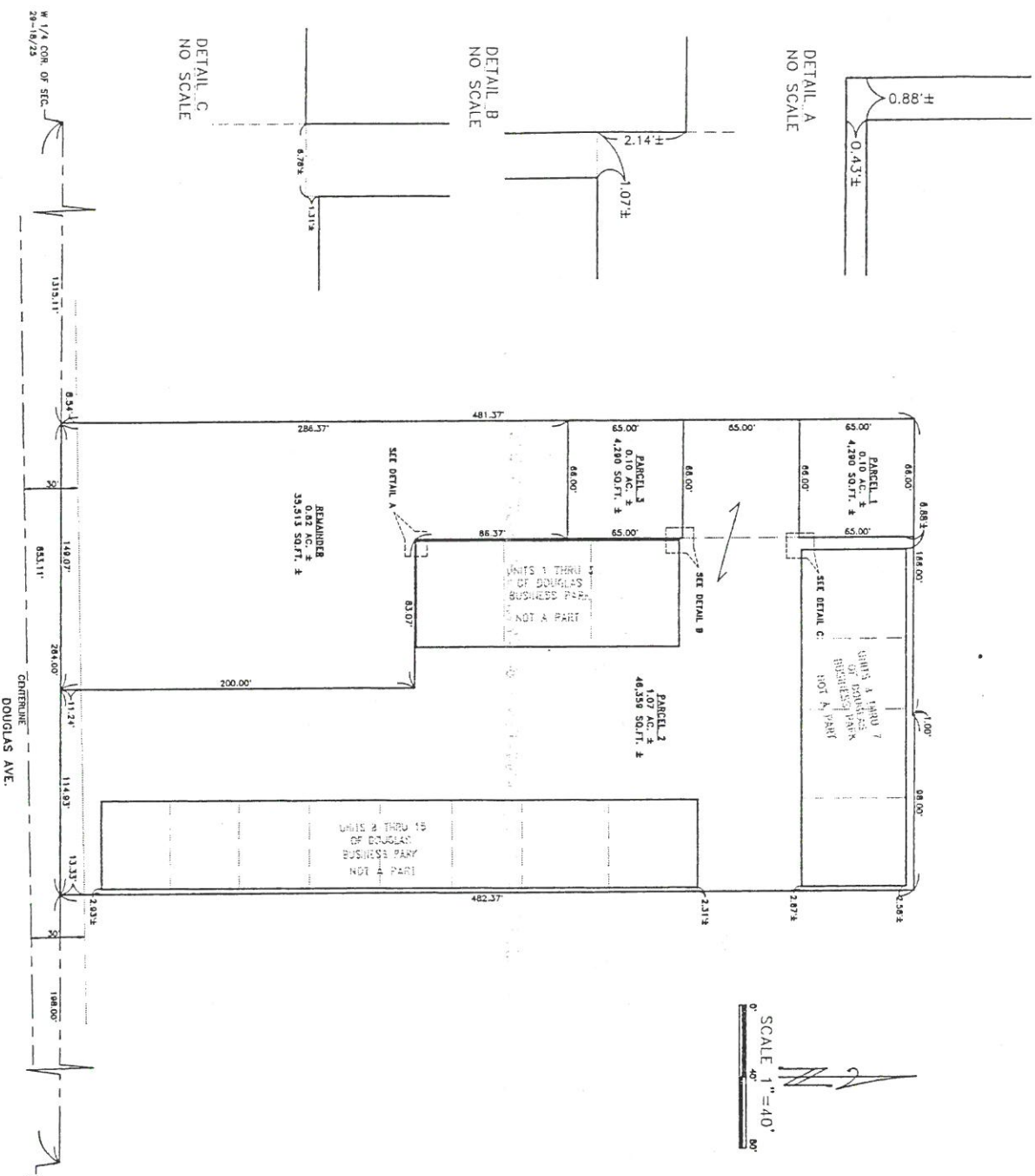
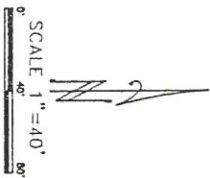
BEING LOT 1 OF DOUGLAS BUSINESS PARK REG. IN VOL. 31 OF MAPS AT PG. 83 T.C.R. SITUATED IN THE N.W. 1/4 OF THE N.E. 1/4 OF SEC. 29 T.11S. R.22E. N.D.M. LOCATED IN THE CITY OF VESALE, COUNTY OF TULARE, STATE OF CALIFORNIA.

AUGUST, 2007

**OWNERS:**  
MARTY ZIEB, ET AL.  
133 N. AUBREY  
VESALE, CALIFORNIA 93281

**SURVEYOR:** FORESTER, WEBER & ASSOCIATES L.L.C.  
1020 W. Mineral King Ave., Suite B  
Vesale, California 93281  
(909) 723-0102

**NOTES:**  
EXISTING PROPERTY USE: COMMERCIAL  
PROPOSED PROPERTY USE: SAUC-008-018  
ZONE: CS-14-008-018  
WATER: CITY OF VESALE  
SEWER: CITY OF VESALE  
AREA OF SUBJECT PROPERTY: 2.08 AC. ±



Vicinity Map  
NO SCALE

Exhibit "B"

Conditional Use Permit No. 2008-15  
Parcel Map No. 2008-06



# Vicinity Map

