

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Liz Wynn



VICE CHAIRPERSON:

Chris Gomez

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

MONDAY, AUGUST 12, 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–

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 Lance Lane Estates Tentative Subdivision Map No. 5499

4. PUBLIC HEARING – Cristobal Carrillo
Conditional Use Permit No. 2019-18 is a request by Fred E. Scott to add a 4,000 sq. ft. detached storage building to the existing Key Evidence Lock and Safe facility within the C-MU (Mixed Use Commercial) Zone. The project site is located at 2343 W. Whitendale Avenue (APN: 121-090-045). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, Categorical Exemption No. 2019-41.
5. PUBLIC HEARING – Cristobal Carrillo
Tentative Parcel Map No. 2019-10: A request by Dan Bocanegra to subdivide 1.43 acres into two parcels for residential use in the R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) Zone. The site is located at 725 E. Monte Vista Avenue (APN: 123-320-042). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2019-51.
6. PUBLIC HEARING – Paul Bernal
Conditional Use Permit No. 2019-32: A request by Luv 2 Play to permit an indoor children's playground with large playground equipment, small café, party rooms, toddler area, and offices within an existing 21,966 square foot building located west of the Sequoia Mall. The site is zoned C-R (Regional Commercial) and is located at 3515 S. Mooney Blvd. (APN: 121-110-041 & 043). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2019-60.

7. PUBLIC HEARING – Paul Scheibel
Walnut Park Estates Tentative Subdivision Map No. 5572: A request to subdivide 11.9 acres into 34 lots for residential uses, and five lettered lots for common area walls and parkway landscaping in the R-1-5 (Single-family Residential, 5,000 square foot minimum lot size). The project site is located on the west side of Preston St. at Robinwood Ave. (APN: 085-010-102) An Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant with mitigation and that Negative Declaration No. 2019-53 was adopted.
8. PUBLIC HEARING – Paul Scheibel
Appeal of the Site Plan Review Committee's decision to require the closure of an existing residential access point from Lovers Lane, in favor of a recorded easement granted to the property from the adjacent commercial development pursuant to Condition No. 1.B of Resolution Nos. 2014-18 and 2014-19 for Tentative Parcel Map No. 2014-06 and Conditional Use Permit No. 2014-11. The project, SPR 19-033, is requesting to construct a cold shell building on a 0.98-acre lot in the C-MU (Commercial Mixed Use) Zone District, located at 738 S. Lovers Lane. (APN: 101-030-018)
9. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-
 - No Planning Commission Meeting August 26, 2019
 - Variance No. 2019-05 scheduled for August 5, 2019 City Council Meeting Postponed

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, AUGUST 22, 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, SEPTEMBER 9, 2019

City of Visalia

Memo



To: Planning Commission

From: Brandon Smith, Senior Planner

Date: August 12, 2019

Re: Time Extension for Lance Lane Estates Tentative Subdivision Map No. 5499

RECOMMENDATION:

Staff recommends that the Planning Commission approve a one-year time extension of Lance Lane Estates Tentative Subdivision Map No. 5499 that expires on October 10, 2019, pursuant to Section §66452.6(e) of the Subdivision Map Act.

BACKGROUND:

On October 10, 2005, the Visalia Planning Commission approved Lance Lane Estates Tentative Subdivision Map No. 5499 through adoption of Resolution No. 2005-135. Lance Lane Estates Tentative Subdivision Map was a request to divide 19.7 acres into 114 single family residential lots. The project site is located on the south side of Houston Avenue across from Goddard Street.

The original expiration date of the map was October 10, 2007, two years from the date of approval by the Planning Commission. Two one-year time extensions were granted by the Planning Commission in 2007 and 2008, which further extended the expiration date to October 10, 2009.

In 2008 improvement plans were filed and were being plan-checked by the Engineering Division; however there is no evidence that this plan-check work was approved or completed.

STATE LEGISLATURE TIME EXTENSIONS:

This tentative map, along with all tentative map entitlements approved throughout the state prior to July 2008, remained in effect by a series of automatic State legislative time extensions enacted between 2008 through 2015. The most recent State legislative bill applicable to this subdivision was a two-year time extension of tentative maps (Assembly Bill 1303). Consequently, the expiration date for Lance Lane Estates Tentative Subdivision Map was ultimately extended to October 10, 2018.

In 2018, prior to the map's expiration, a one-year time extension was requested by the applicant and granted by the Planning Commission, which further extended the expiration date to October 10, 2019.

REQUEST:

The proponents of the Lance Lane Estates Tentative Subdivision Map have submitted a written request dated July 1, 2019 requesting a one-year extension of time pursuant to Section §66452.6(e) of the Subdivision Map Act (SMA), for the purpose of obtaining approved construction documents and coordinating

with public utilities. This would be the fourth applicant-requested time extension and the final time extension allowed to be requested for this tentative subdivision map.

Section §66452.6(e) of the Subdivision Map Act (SMA) states the following:

Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires pursuant to subdivision (a) may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years. The period of extension specified in this subdivision shall be in addition to the period of time provided by subdivision (a). Prior to the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

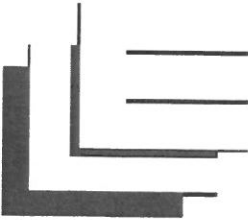
The Planning Commission has the authority to grant a one-year time extension pursuant to the Subdivision Map Act and the City's Subdivision Ordinance. Time extensions may be granted pursuant to Section §66452.6(e) of the Subdivision Map Act for a total period not exceeding six years. Granting the applicant's request would extend the map for a sixth (and final) year, not counting the years that the map was automatically extended by State legislation.

Staff recommends that a one-year time extension be granted. The extension request, if approved by the Planning Commission, will extend the expiration date of Lance Lane Estates Tentative Subdivision Map No. 5499 to October 10, 2019.

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 (October 10, 2020) to record a final subdivision map. If the request is denied, the applicant would have to file a new tentative subdivision map.

ATTACHMENTS

1. Letter of Request for the Time Extension
2. Approved Resolution for Lance Lane Estates Tentative Subdivision Map
3. Tentative Subdivision Map
4. Location Map



LANE ENGINEERS, INC.
Civil • Structural • Surveying

July 01, 2019

Mr. Paul Bernal
City of Visalia Community Development
Planning Division
315 E. Acequia Ave.
Visalia, CA 93291

Dear Mr. Bernal:

On behalf of our client, VF, Inc. and pursuant to City of Visalia Municipal Code § 16.16.130 and California Government Code § 66452.6(e), Lane Engineers, Inc. respectfully requests a one-year extension for Lance Lane Estates Subdivision Map No. 5449 approved by Planning Commission Resolution No. 2006-135 on October 10, 2005. A time extension is necessary to allow time to obtain approved construction documents and coordinate with public utilities. Please forward this request to the planning commission for action as soon as possible.

Attached is a check payable to the City of Visalia in the amount of \$230.00 to process the extension request. If you should have any questions, or need additional information, please contact the undersigned engineer.

Respectfully,

Lawrence J. Simonetti, P.E.

cc: Bill Morgan

RESOLUTION NO 2005-135

(Corrected version)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA
APPROVING LANCE LANE ESTATES TENTATIVE SUBDIVISION MAP 5499: A REQUEST
TO DIVIDE 19.7 ACRES INTO 84 114 LOTS. THE PROJECT IS LOCATED ON
THE SOUTH SIDE OF HOUSTON AVENUE AT GODDARD STREET

WHEREAS, Lance Lane Estates Tentative Subdivision Map 5499: is a request by West Coast Construction (Lane Engineers, agent) to divide 19.7 acres into 84 lots. The project is located on the south side of Houston Avenue at Goddard Street, City of Visalia, County of Tulare. (APN(s): 098-050-043, 044); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice scheduled a public hearing before said Commission on October 10, 2005 and approved the project on that date, based on the findings and subject to the conditions contained in Resolution No. 2005-135; and

WHEREAS, the Planning Commission of the City of Visalia finds the subdivision in accordance with Section 16.16 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, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required, and

WHEREAS, Negative Declaration No. 2005-104 was prepared and adopted for the project consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines, and

WHEREAS, an inadvertent error in the project description was discovered in Resolution No. 2005-135. Specifically, that the project description states there are 84 lots where in actuality the project consists of 114 lots.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Visalia made specific findings and approved the project on October 10, 2005; based on the evidence presented, and now re-affirms Findings 1 through 4, as follows:

1. That the proposed location of the Tentative Subdivision Map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed location of the tentative subdivision map and the conditions under which it would be built 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 an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and Negative Declaration No. 2005-104 is hereby adopted.
4. That there is no evidence before the Planning Commission that the proposed project will have any potential for adverse effects on wildlife resources, as defined in Section 711.2 of the Department of Fish and Game Code. The site does not contain any riparian habitat, sensitive natural communities, or wetlands, and does not contain any known sensitive, threatened, or endangered species.

BE IT FURTHER RESOLVED that the Planning Commission finds that the inadvertent error in the project description is an allowable noticing error pursuant to California State statutes 65090, et. Seq., and that the Planning Commission approves the subdivision on the real property herein above described in accordance with the terms of this resolution, as corrected to include approval 114 lots, under the provisions of Section 16.04.040 of the Ordinance Code of the City of Visalia and subject to the following conditions, and the approval shall expire on October 10, 2007:

1. That the final map be prepared consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan No. 2005-156.
2. That the final map be developed in substantial compliance with the approved tentative subdivision map shown in Exhibit "A".
3. ~~That the property owner, applicant, or designated agent of the project shall pay all Groundwater Overdraft Mitigation Fees (effective per Ordinance No. 2005-09 adopted by the City Council on August 15, 2005). In lieu of payment of said fee, property owner, applicant, or designated agent of the project can dedicate water rights to the City, in accordance with said Ordinance. All other applicable impact fees for this project shall be paid at the time that building permits are issued, or prior to issuance of final occupancy, if applicable, or at the time that a final map is recorded, at the discretion of the Community Development Director, or as may be required by ordinance.~~
4. That an assessment district(s) be formed prior to recordation of the final map, for the maintenance of the landscaping, fences and/or walls, and other improvements along the public street frontages and within open space areas of the subdivision, including maintenance for appurtenant local streets, maintenance for street trees, and the operational and maintenance cost for the street lights, both internal to the subdivision and along streets abutting the subdivision. The assessment district(s) shall also include provisions for the City of Visalia to collect payments for same from the subdivider(s) prior to approval of district assessments and placement of same on the property tax roll.
5. That Lots 11 through 16 will require a developed, paved easement or the development to the west to be developed prior to issuing building permits on these lots.
6. That a temporary turn-around area is provided on Lot No. 10 and Lot No. 1 or 27. The turn around area shall be maintained until the future connection with the adjacent development is completed.
7. That the standard street side yard setback of five feet be applied to all corner lots. This five foot street side fence setback applies to solid wood fencing over three feet tall, and to picket fencing or wrought iron fencing over four feet tall.
8. That the setbacks be developed as follows:
Front: 15' (for living area and side loading garages)
 22' (for front loading garages)

20' (for front loading garages on knuckle and cul-de-sac lots)

Rear: 20' (single-story); 22.5' (two-story)

Side: 5' (for single and two-story)

Side (corner lot street side) 10' (for single and two-story)

9. That the existing residences along Houston Avenue be removed prior to development of this site.
10. That the block wall along Houston Avenue be developed to the Northeast Specific Plan standards.
11. That this project annex into the Northeast Specific Plan Maintenance District.
12. That on corner lots facing toward arterial street intersections, driveways shall be located away from the intersection.
13. That on all lots adjacent to block walls, setbacks shall be measured from the inside face of the block wall.
14. That the rear yard setback shall be a minimum of 20 feet for all lots within the subdivision.
15. That all other City codes and ordinances be met.

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

AYES: Commissioners Pérez, Logan, Thompson, Salinas, Segrue

NOES:

ABSTAINED:

ABSENT:

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

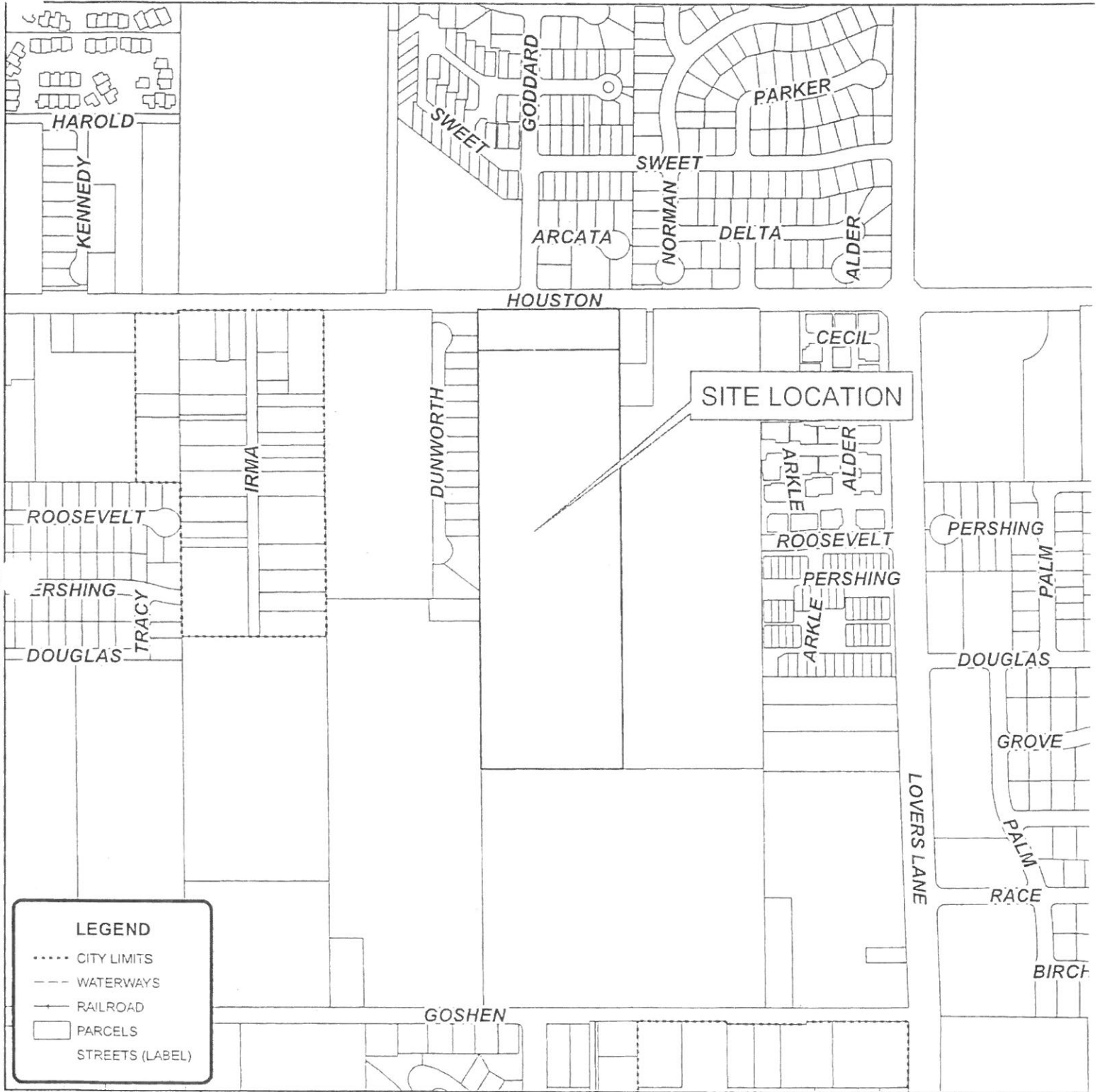
ATTEST: Fred Brusuelas, AICP
Community Development & Public Works Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2005-135, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on October 10, 2005, and affirmed in its corrected version on July 24, 2006.

Fred Brusuelas, AICP
Community Development & Public Works Assistant Director

LANCE LANE ESTATES TENTATIVE SUBDIVISION MAP

Location: The south side of Houston Avenue at Goddard Street (APN's 098-050-043, 044)



Location Map

