

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Chris Gomez



VICE CHAIRPERSON:

Marvin Hansen

COMMISSIONERS: Mary Beatie, Chris Gomez, Marvin Hansen, Sarrah Peariso, Adam Peck

MONDAY, OCTOBER 26, 2020

VISALIA CONVENTION CENTER

LOCATED AT 303 E. ACEQUIA AVE. VISALIA, CA

MEETING TIME: 7:00 PM

Citizens may appear at the Planning Commission meeting in person and will be asked to maintain appropriate, physical distancing from others and wear a mask or face shield pursuant to the Governor's Executive Orders and public health guidance during the COVID-19 situation.

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. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.

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.

- Progress update for site acquisition for and relocation of the vocational school associated with Conditional Use Permit (CUP) No. 2019-45. This CUP was a request by Advanced Career Institute to allow an existing developed one-acre parcel to facilitate the use of a trade school in the 'I' (Industrial) zone. The project site is located at 1728 North Kelsey Street, on the east side of Kelsey Street 175 feet north of Elowin Court. (APN: 077-150-022)

- Time Extension for Houdini Acres Tentative Subdivision Map No. 5563 and Conditional Use Permit No. 2017-31: A request by Larry Rambaud to subdivide three lots consisting of 2.15 gross acres into 10 lots for residential use and to allow two duplex structures (four dwelling units total) on two corner lots within the proposed Houdini Acres Tentative Subdivision Map No. 5563 in the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone. The site is located at 2548 N. Linwood Street. (APN: 077-190-001)

- Time Extension for Quintana De Oro Tentative Subdivision Map 5570: A request by the Houston Investment Company to subdivide five (5) acres into 14 lots with an average lot size of 11,832 sq. ft., and two (2) common landscaping lots totaling 3,652 sq. ft., in the R-1-20 Single Family Residential zone. The site is located at 2548 N. Linwood Street. (APN: 077-190-001)

5. PUBLIC HEARING – Josh Dan, Associate Planner

Conditional Use Permit No. 2020-02: A request by Scott Vincent Company Architects, Inc. to allow a 216 unit, three story apartment complex on 8.86 acres. The site has both R-M-2 (Multi-Family Residential, one unit per 3,000 square feet) and R-M-3 (Multi-Family Residential, one unit per 1,200 square feet minimum site area per unit) zoning. The project is located on the north side of East Shannon Parkway between North Court and North Santa Fe Streets (APN: 079-071-033). An Initial Study and Negative Declaration No. 2020-14 have been prepared for this project.

6. PUBLIC HEARING – Paul Bernal, City Planner

Temporary Conditional Use Permit No. 2020-51: A request by In-Shape Health Club, LLC, to facilitate the temporary outdoor operation of the fitness club on a limited basis in compliance with State and Local Covid-19 guidelines and to permit the placement of two commercial grade tents on two tennis courts adjacent to the building. The site is zoned R-1-5 (Single-family Residential 5,000 square foot minimum site area) and is located at 909 North Demaree Street (APN: 085-212-019). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Environmental Document No. 2020-56.

7. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- Next Planning Commission Meeting is Monday, November 9, 2020.
- 6:00 p.m. Kick-Off Work Session regarding the Agricultural Mitigation Program and Feasibility Study update
- New Employee Update

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, NOVEMBER 5, 2020 BEFORE 5:00 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, NOVEMBER 9, 2020

City of Visalia

Memo



To: Visalia Planning Commission
From: Brandon Smith, Senior Planner
Phone: (559) 713-4636
E-mail: brandon.smith@visalia.city
Date: October 26, 2020
Re: **Progress update for site acquisition for and relocation of the vocational school associated with Conditional Use Permit (CUP) No. 2019-45.** This CUP was a request by Advanced Career Institute to allow an existing developed one-acre parcel to facilitate the use of a trade school in the 'I' (Industrial) zone. The project site is located at 1728 North Kelsey Street, on the east side of Kelsey Street 175 feet north of Elowin Court. (APN: 077-150-022)

Recommended Motion

Staff recommends that the Planning Commission approve a six-month time extension to CUP No. 2019-45, extending the expiration date to June 30, 2021. Staff's recommendation is based on granting additional time for the applicant to secure a new entitlement for a location within City limits and based on the applicants having a filed CUP application for the new Visalia location.

Summary

On February 24, 2020, the Planning Commission approved Conditional Use Permit No. 2019-45 for a limited time period to expire on December 31, 2020 based upon the findings and conditions in Resolution No. 2019-81A (see Exhibit B). Conditional Use Permit No. 2019-45 was a request to legalize an existing trade / vocational school site – specifically for truck, bus, and commercial vehicle driving – at 1728 North Kelsey Street within the City's Industrial zone. After the initial public hearing, which was continued, and negotiations with the neighboring property owner, the applicant submitted a revised operational statement describing their intent to continue operations on the Kelsey Street site without any site improvements for approximately 12 months. The additional time was given to allow the applicant to build a new trade school campus on an alternate site in the community of Goshen and obtain the necessary approvals from both federal and state agencies. The Planning Commission approved the CUP on February 24, 2020 with an expiration date of December 31, 2020.

Condition of approval no. 11 of the CUP required that the applicant provide a progress statement no later than July 31, 2020. Staff received a written statement on October 19 (see Exhibit A) following outreach to the applicant earlier in the month. The statement describes progress toward entitlement of a new facility within the City limits, located on the west side of Clancy Street (Road 88) 300 feet south of Goshen Avenue.

The statement also includes a request for a six-month extension to the CUP approval to allow continued operation at the current Kelsey Street location under the same conditions of approval.

Progress Update

A written statement dated October 13, 2020 (see Exhibit B) has been submitted by the applicant, describing actions that have since occurred pertaining to the procurement of a new site. These actions are summarized as follows:

- An agreement has been entered into with American Inc. to purchase a newly constructed facility on Road 88 (Clancy Street) in the Visalia city limits;
- Proposed improvements for the new facility were submitted to the Site Plan Review (SPR) Committee on April 30.
 - City comments: The item was initially submitted to the City as SPR item no. 2020-060 on April 15 and, upon a 2nd submittal on April 29, was granted a “revise and proceed”. The City’s follow-up letter dated April 30 directed the applicant to file a conditional use permit application for the new facility.
- A building permit for the new facility was submitted for review on June 16 and resubmitted again on September 9.
 - City comments: Although the building permit has been submitted, it cannot be approved by Planning Division until a conditional use permit is approved first for the site. However, the at-risk submittal of a permit at this time allows the applicant to receive plan review and corrections from other departments / divisions and allows the applicant time to address those corrections.
- A Conditional Use Permit has been filed for the new campus on Clancy Street.
 - City comments: A CUP application was filed with the City on October 19 for construction of a new facility for training of truck driving and welding skills. The application is being reviewed at this time for completeness and, upon determination of being complete, will be scheduled for hearing.

The written statement further notes that the applicant has signed an interim lease at 8425 West Elowin Court. This property was the subject of a Conditional Use Permit request by Advanced Career Institute in 2015 to allow a welding vocational school. The applicant’s intent for the Elowin campus is for the continued utilization of the site as a welding school (no trucking school activities) until the pending facility at Clancy Street / Road 88 is approved and completed at which time the welding school will relocate to the new site.

The applicant will continue with a month-to-month lease at 1728 North Kelsey Street, the site approved by CUP No. 2019-45. During this time, the applicant will continue to abide by the conditions of the CUP that include no truck movement allowed on-site and trucks permitted to be stored on-site overnight. The applicant anticipates that the pending facility at Clancy Street / Road 88 will be completed and functioning by June 30, 2021, within six months of the current expiration date of the CUP. The applicant has already obtained the necessary approvals from both federal and state agencies for the new location.

Attachments:

- Exhibit A – Written statement from Advanced Career Institute, October 13, 2020
- Exhibit B – Resolution No. 2019-81A approving CUP No. 2019-45
- Planning Commission Staff Report dated February 24, 2020
- Location Map



Advanced Career Institute

Welding • Truck Driving • Bus Driving

Corporate Office

P.O. Box 3027
Visalia, CA 93278
P: 559.740.0215
F: 559.740.0217

CAMPUS LOCATIONS

Visalia

1728 N. Kelsey St.
Visalia, CA 93291
P: 559.651.1978
F: 559.651.8032

Fresno

2953 S. East Avenue
Fresno, CA 93725
P: 559.441.4345
F: 559.441.4348

Merced

1741 Ashby, Suite B
Merced, CA 95348
P: 209.580.4960
F: 209.580.4735

Bakersfield

2925 Mosasco St., Unit B
Bakersfield, CA 93312
P: 661.588.3525
F: 661.588.3526

Las Vegas

4020 E. Lone Mountain Rd.
Suite 100
N Las Vegas NV 89081
P: 702.463.5050
F: 702.463.4343

WEBSITE

www.advanced.edu

EMAIL

info@advanced.edu

October 13, 2020

Re: New ACI Facility

Brandon Smith
City of Visalia-Planning
Visalia Planning Commission

Advanced Career Institute has entered into an agreement with American Inc. to purchase a newly constructed facility on Road 88 in Visalia. Site-plan review was on April 30 and the plans were submitted June 16, resubmit was on September 9, 2020 to the City of Visalia.

Advanced Career Institute had originally found a property in Goshen, and had plans drawn up for that site, when a property in the City of Visalia came available we jumped at the chance at the opportunity to stay in Visalia. The process of finding a new property and getting a permit through the City of Visalia due to Covid-19 has been challenging to say the least. We are anxiously awaiting the building permit. In addition to the permit a Conditional Use Permit has been filed for the new campus on Road 88. We are very excited to be able to stay in the City of Visalia.

We are on a month to month lease at 1728 N. Kelsey Street and we have signed an interim lease at 8425 W. Elowin Ct, where our landlord anxiously awaits our departure so they may remodel and move into that facility.

Back late last year none of us anticipated what our world would be like in 2020 so therefore we are requesting a six-month extension to the Kelsey address approval.

If you have any questions or concerns, please feel free to contact me.

Everett Yockey
CFO/Director of Operations
everett.yockey@advanced.edu

Direct 559.859.4560

RESOLUTION NO. 2019-81A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2019-45, A REQUEST BY ADVANCED CAREER INSTITUTE TO ALLOW AN EXISTING DEVELOPED ONE-ACRE PARCEL TO FACILITATE THE USE OF A TRADE SCHOOL IN THE 'I' (INDUSTRIAL) ZONE. THE PROJECT SITE IS LOCATED AT 1728 N. KELSEY STREET, ON THE EAST SIDE OF KELSEY STREET 175 FEET NORTH OF ELOWIN COURT. (APN: 077-150-022)

WHEREAS, Conditional Use Permit No. 2019-45 is a request by Advanced Career Institute to allow an existing developed one-acre parcel to facilitate the use of a trade school in the 'I' (Industrial) zone. The project site is located at 1728 N. Kelsey Street, on the east side of Kelsey Street 175 feet north of Elowin Court. (APN: 077-150-022); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on January 13, 2020; and

WHEREAS, on January 13, 2020, the Planning Commission of the City of Visalia continued said public hearing to a date specific of February 10, 2020, to allow the project applicant to meet with a neighboring property owner to address and resolve concerns regarding the proposed project; and

WHEREAS, on February 10, 2020, the Planning Commission of the City of Visalia continued said public hearing to a date specific of February 24, 2020, to allow the City of Visalia to prepare and present new recommended conditions of approval based on the project applicant's meeting with a neighboring property owner and based on a revised operational statement for the project that reflects a limited operation not extending beyond December 31, 2020; and

WHEREAS, the Planning Commission of the City of Visalia finds Conditional Use Permit No. 2019-45, as conditioned by staff, to be in accordance with Section 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 of the City of Visalia establishes Conditional Use Permit No. 2019-45, as conditioned by staff, for a limited time period in accordance with Section 17.38.110(B) of the Zoning Ordinance of the City of Visalia based on the planned limited operation conducted on the site as described in the operation statement attached as Exhibit "A"; and

WHEREAS, the project is considered Categorical Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2019-84).

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 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.
2. That the proposed conditional use permit as conditioned herein will be compatible with adjacent land uses.
3. That the proposed location of the Conditional Use Permit 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.
4. The requested action is considered Categorical Exempt under Sections 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). This category exempts the operation and minor alteration of existing facilities (Categorical Exemption No. 2019-84).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property hereinabove 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 Conditional Use Permit is granted for a limited time period to expire on December 31, 2020.
2. That unless otherwise stated in this resolution, the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2019-134, incorporated herein by reference.
3. That no new site improvements on the site plan shown in Exhibit "B" are deemed required for the Conditional Use Permit during the limited time period of operation.
4. That the site shall comply with the Operational Statement as stated in Exhibit "A", reflecting hours of operation limited to between Monday and Saturday, 7:00 a.m. to 9:00 p.m.
5. That there shall be no truck movement on any unpaved areas within the site.
6. That no instruction or training that involves the movement of trucks shall occur on the project site. Stationary trucks are permitted to idle on-site.
7. That no more than three stationary trucks and trailers may be utilized on the unpaved portion of the site for instruction provided that there is no movement of the trucks or trailers.
8. That no trailers equal to or exceeding 48 feet in length shall be used in association with the use or be stored on any portion of the site.
9. That no more than three trucks and trailers (trailer equal to or exceeding 48 feet in length) may be stored on paved portions of the site overnight.
10. That no more than six office personnel staff shall be on site during maximum shift of employment.
11. That no later than July 31, 2020, the applicant shall provide the City of Visalia with a written statement regarding their progress toward site acquisition for and relocation of the vocational school. The City of Visalia shall then provide a report to the

Planning Commission no later than August 31, 2020, summarizing the applicant's progress.

12. That any additional concurrent class sessions held at the facility shall be further evaluated by the City to determine compliance with the use's Operation Statement (Exhibit "A") and available on-site parking.
13. The applicant and all successors in interest shall comply with all applicable federal, state and city codes and ordinances.

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

AYES: Commissioners Taylor, Peariso, Hansen, Gomez
NOES:
ABSTAINED:
ABSENT: Commissioner Wynn

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

ATTEST: Paul Bernal, City Planner

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2020 – 81A, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on February 24, 2020.



Paul Bernal, City Planner



Chris Gomez, Vice Chairperson



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 24, 2020
(continued from January 13 & February 10, 2020)

PROJECT PLANNER: Brandon Smith, Senior Planner
Phone No.: (559) 713-4636
E-mail: brandon.smith@visalia.city

SUBJECT: Conditional Use Permit No. 2019-45: A request by Advanced Career Institute to allow an existing developed one-acre parcel to facilitate the use of a trade school in the 'I' (Industrial) zone. The project site is located at 1728 N. Kelsey Street, on the east side of Kelsey Street 175 feet north of Elowin Court. (APN: 077-150-022)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2019-45, for a limited time period (to expire on December 31, 2020) and as conditioned, based upon the findings in Resolution No. 2019-81. Staff's recommendation is based on:

- The applicant's preparation of a revised operational statement that was presented to the Planning Commission during the continued hearing date of February 10, 2020 (see Exhibit "A") and describes their intention to continue operations on the subject site without any site improvements for approximately 12 months (January 1, 2020 through December 31, 2020);
- The conclusion that the request is consistent with the intent of the Industrial Zone, Zoning Ordinance and the Land Use Element of the Visalia General Plan.

RECOMMENDED MOTION

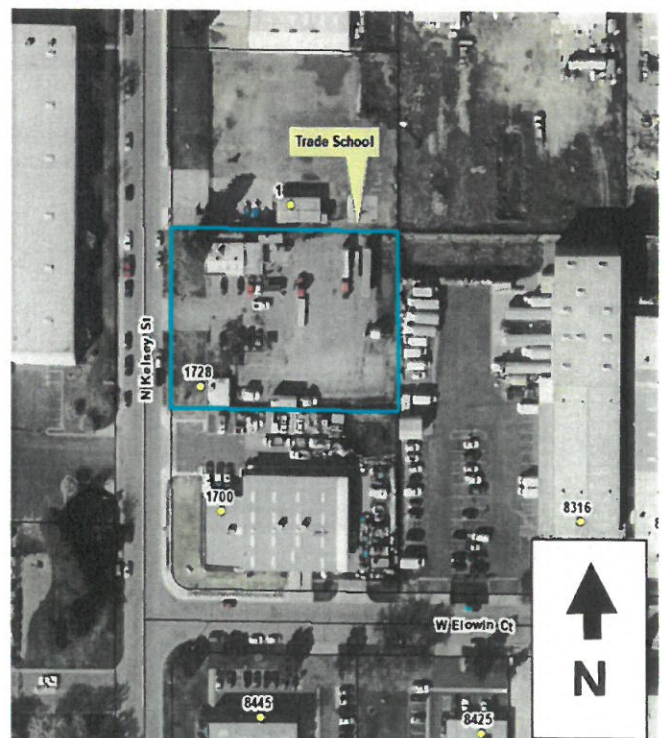
I move to approve Conditional Use Permit No. 2019-45, based on the findings and conditions in Resolution No. 2019-81A.

PROJECT DESCRIPTION

The applicant, Advanced Career Institute, is requesting a Conditional Use Permit (CUP) to legalize an existing trade / vocational school site – specifically for truck, bus, and commercial vehicle driving – at 1728 N. Kelsey Street within the Visalia Industrial Park in the 'I' zone.

An operation statement submitted by the applicant on January 27, 2020 (see Exhibit "A") explains that the operation at this site will be short-term (i.e. not exceeding 12 months), while the applicant seeks to secure a larger alternate site for their operation. (See Project Evaluation section for further information.)

The project site pertains to a 0.99-acre site containing existing 1,160 and 780 square foot buildings (see site plan attached as Exhibit "B"). The east half of the site contains an unpaved



truck parking and maneuvering yard. While the site plan shows a number of site improvements that are associated with the CUP, the applicant has subsequently revised their operation statement such that no site improvements are proposed in association with the request. There are no new or additions to existing structures nor is there any expansion of existing ongoing operations as part of this CUP request.

Based on the operation statement attached as Exhibit "A", the vocational school operates two different classroom tracts each day five days a week for two-week sessions between the hours of 7:00 a.m. and 9:00 p.m. The school will include instruction in a formal classroom setting inside the "north building" and in the outdoor "skills yard" (i.e. parking and yard area), both identified on the site plan submitted as Exhibit "B". Other portions of the "north building" and the entire "south building" are used for office staff including admissions advisors and financial services. The vocational school may accommodate up to twenty students, six administrative staff, instructional staff, and visitors / deliveries.

The operation's unpaved "skills yard" does not facilitate any student training involving truck movements. All student truck maneuvering skills are currently and will continue to be practiced at the Tulare campus for the duration of the CUP. There will be up to three immobile tractors and trailers utilized in the "skills yard" for training purposes. In addition to the immobile trucks there will be trucks utilized to taxi students between the Visalia and Tulare campuses, which will be parked overnight at the subject site.

The truck driving school has been operating at this site since 1993 according to the applicant's operation statement. A code enforcement complaint was received regarding the operation in 2019, which resulted in the City finding that the use had not acquired a conditional use permit and had been operating out of compliance with zoning code. If the CUP is approved, the use will continue operating at this location without requiring site improvements and without further intensifying the use for a period of 12 months.

BACKGROUND INFORMATION

General Plan Land Use Designation	Industrial
Zoning	I (Industrial)
Surrounding Zoning and Land Use	North: I / Contractor Storage Yard South: I / Don Celillo Electric Co., Inc. Offices East: I / Frito Lay Distribution Center and Offices West: I / Kelsey Street, Distribution Center
Environmental Review	Categorical Exemption No. 2019-84
Site Plan	2019-134

RELATED PLANS & POLICIES

See separate Municipal Ordinance chapter pertaining to Conditional Use Permits.

RELATED PROJECTS

On March 23, 2015, the Planning Commission approved **Conditional Use Permit No. 2019-45**, a request by Self Help Enterprises and Advanced Career Institute to allow a welding vocational school and offices to locate within an existing 5,139 square foot building in the I-H (Heavy Industrial) zone, at 8425 W. Elowin Court. This property is 250 feet south of the subject site. The Planning Commission also recommended approval of **Zoning Ordinance Text Amendment No. 2015-03**, a request by Self Help Enterprises and Advanced Career Institute to amend Title 17, Section 17.18.050 of the Visalia Municipal Code (Allowed Uses) to allow

vocational (welding) schools as a conditionally allowed use in the I-H (Heavy Industrial) zone district.

On December 14, 1998, the Planning Commission approved **Conditional Use Permit No. 98-32**, a request by the Advanced Truck Driving School (Barry Bither, agent) to allow an advanced truck driving school, located on the 7500 block (north side) of Sunnyview Avenue.

PROJECT EVALUATION

Background

Conditional Use Permit No. 2019-45 was originally submitted to the City as a request to allow a truck driving school as a permanent use on the subject site with site improvements that are depicted on the site plan attached as Exhibit "B".

On January 13, 2020, the Planning Commission conducted a public hearing, during which neighboring property owner Don Celillo voiced opposition to the project and raised concerns regarding the lot size, parking, the off-site welding school, emissions, and ponding basin. Following the public hearing, staff and the applicant offered a motion to continue the item so that the applicant and Mr. Celillo could meet together to address and resolve the stated concerns. CUP No. 2019-45 was continued to the February 10, 2020 meeting.

Following the public hearing, a number of meetings occurred between the applicant, neighboring property owner, and City staff. Out of these meetings, the applicant updated their Operational Statement that proposes a long-term plan for securing an alternate site that allows the applicant to close the subject site, and an immediate short-term (i.e. 12-month) operating plan for the subject site that would not incorporate any physical site improvements. The applicant and Mr. Celillo have mutually agreed to the approach and the conditions outlined in the revised operation statement.

On February 10, 2020, the Planning Commission received an update and further continued the CUP to February 24, 2020 to allow staff to prepare new recommended conditions of approval reflecting a limited time period for the truck driving school to expire on December 31, 2020. The new conditions will allow for the truck driving school to continue their ongoing operations at the subject site utilizing the existing site improvements and not involving any new site improvements.

New Conditions and Resolution

Staff is recommending conditions of approval that are based upon operating terms described in the revised operation statement for the 12-month operating duration. The proposed conditions are intended to limit noise and dust from the unpaved area while allowing the existing use to continue for a limited time while it relocates. As a result, the site improvements shown on the original site plan provided by the applicant (see Exhibit "B") will not be necessary or required for the truck driving school to conduct ongoing operations.

The revised operational statement requirements include the following:

- only stationary vehicle training allowed on the site;
- no more than three stationary trucks and trailers on the unpaved site area for training purposes;
- no trailers in excess of forty-eight feet;
- no more than three trucks and trailers permitted for storage;
- no more than six office personnel on the site per shift;
- a progress report shall be submitted by the applicant no later than July 2020.

Under the proposed conditions of approval, all truck driving school operations shall cease on the subject site by December 31, 2020. Any continuation of a vocational school on this site beyond this date would require a separate Conditional use Permit review and approval.

Evaluation of Vocational School / Land Use Compatibility

Trucking is a form of heavy machinery and equipment service that is an allowed use in the Industrial zone. Several types of uses affiliated with trucking, warehousing, and fulfillment centers are allowed uses in the zone. The vocational school for commercial vehicle driving would therefore be compatible with other uses in the I zone and would be compatible with the purpose and intent of the I zone, which is "to provide an area for uses that are characterized by the manufacturing, processing or assembling of semi-finished or finished products from raw materials. Uses that may restrict the operation of the above due to sensitivity to noise, truck traffic, etc., are not provided in this district." (ref. VMC Section 17.22.010(B)(2))

The truck driving school's site plan and operation statement demonstrate that the operations will occur indoors within the confines of the existing building on the site, and that a limited amount of hands-on and immobile vehicle instruction will occur outdoors. There will be truck trips to and from the site that are similar in nature, and amount to those associated with surrounding warehouses and distribution centers. As such, the use is compatible with surrounding land uses, properties, and improvements in the vicinity. Land uses currently surrounding the property are large-scale distribution centers and contractor shops and yards.

Advanced Career Institute also has an existing welding school located at 8425 W. Elowin Court, about 500 feet southeast of the project site. According to their website, Advanced Career Institute provides instruction programs for welding and driving of commercial trucks and buses. Programs are distributed between four existing campuses located between Bakersfield and Merced. Allowing the applicant to authorize and continue their vocational training at their existing Visalia campus in the I zone will support several land use policies contained in the City's General Plan Land Use Element that promote capturing businesses that provide opportunities for skill training (LU-P-1, PSCU-P-39) and local workforce training (LU-P-11).

Parking

The site currently contains a 10-stall parking lot between the north and south buildings and a large unimproved yard where immobile trucks and trailers are kept. Based on the revised operational statement submitted by the applicant, there are no plans to pave the site and therefore no plans to add additional parking stalls to the site.

The parking requirement for the vocational school is 11 stalls based on one classroom and one instructor, with only one class in session at any given time according to the operation statement. The operation statement further states that there will be six office personnel working in the corporate office.

Staff is recommending in favor of utilizing the existing 10-space parking lot for the trucking school operation, based on the established use of the vocational school and planned short-term use of the site as explained in the operational statement. On-street parking is currently available in the vicinity and has been utilized to fulfill parking demands that exceed available on-site parking. In addition, the applicant will be required to abide by the operational statement that specifies the number of students and limits the amount of office personnel.

Environmental Review

The requested action is considered Categorical Exempt under Sections 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). This

category exempts the operation and minor alteration of existing facilities (Categorical Exemption No. 2019-84).

RECOMMENDED FINDINGS

1. That 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.
2. That the proposed conditional use permit as conditioned herein will be compatible with adjacent land uses.
3. That the proposed location of the Conditional Use Permit 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.
4. The requested action is considered Categorically Exempt under Sections 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). This category exempts the operation and minor alteration of existing facilities (Categorical Exemption No. 2019-84).

RECOMMENDED CONDITIONS OF APPROVAL

1. That the Conditional Use Permit is granted for a limited time period to expire on December 31, 2020.
2. That unless otherwise stated in this resolution, the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2019-134, incorporated herein by reference.
3. That no new site improvements on the site plan shown in Exhibit "B" are deemed required for the Conditional Use Permit during the limited time period of operation.
4. That the site shall comply with the Operational Statement as stated in Exhibit "A", reflecting hours of operation limited to between Monday and Saturday, 7:00 a.m. to 9:00 p.m.
5. That there shall be no truck movement on any unpaved areas within the site.
6. That no instruction or training that involves the movement of trucks shall occur on the project site. Stationary trucks are permitted to idle on-site.
7. That no more than three stationary trucks and trailers may be utilized on the unpaved portion of the site for instruction provided that there is no movement of the trucks or trailers.
8. That no trailers equal to or exceeding 48 feet in length shall be used in association with the use or be stored on any portion of the site.
9. That no more than three trucks and trailers (trailer equal to or exceeding 48 feet in length) may be stored on paved portions of the site overnight.
10. That no more than six office personnel staff shall be on site during maximum shift of employment.
11. That no later than July 31, 2020, the applicant shall provide the City of Visalia with a written statement regarding their progress toward site acquisition for and relocation of the vocational school. The City of Visalia shall then provide a report to the Planning Commission no later than August 31, 2020, summarizing the applicant's progress.

12. That any additional concurrent class sessions held at the facility shall be further evaluated by the City to determine compliance with the use's Operation Statement (Exhibit "A") and available on-site parking.
13. The applicant and all successors in interest shall comply with all applicable federal, state and city codes and ordinances.

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. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2019-81A for Conditional Use Permit No. 2019-45
- Exhibit "A" – Operational Statement, Revised January 27, 2020
- Exhibit "B" – Original Site Plan
- Site Plan Review Comments No. 2019-134
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

Operational Statement

Organizational Background

In 1975, K-B Bither Trucking began as a partnership between two brothers, Barry and Kevin Bither. That same year the new company landed a contract with the U.S. Postal Service delivering mail between the distribution centers in Los Angeles, Bakersfield, and San Bernardino and San Diego areas. K-B Bither Trucking started out as owner operators, and then quickly grew to twenty trucks and over forty drivers. The relatively new company soon ran into a shortage of qualified drivers, and started training people to become drivers. It wasn't long before other companies turned to K-B and asked them to train drivers for their fleets too. The trucking company was only running routes at night so this left the trucks free for training students during the day. 1985 saw the birth of Advanced School of Driving in Fontana, California, a new company with Barry, Kevin, and the younger brother Glenn as partners. The new company grew at a rapid pace right along with the trucking company.

The high desert area of southern California was increasingly becoming congested. Barry along with his wife Marilyn wanted to find a less congested, cleaner, quieter community to raise their two boys in, which ultimately drew them to the City of Visalia, Marilyn's hometown. In October of 1993, Advanced Truck Driving School, Advanced Transportation, and Advanced Car Driving School opened in the present location at 1728 N. Kelsey Street in Visalia. Advanced Career Institute (ACI) has enjoyed its continuous operation at the Kelsey location for over 26 years. In 2004 the family changed the name to Advanced Career Institute, to accommodate a new direction for the thriving company.

In 2011, ACI received its accreditation from the Council on Occupational Education and the Department of Education. In 2015, ACI filed for a Zone Amendment and a Conditional Use Permit for the welding program at the proximate 8425 W. Elwin location also in Visalia. That same year, the company closed the Car Driving program and Advanced Transportation ceased operations, which previously employed approximately fifteen employees (full and part time). Once the CUP was finalized, ACI officially opened their welding program in January 2016. The company has a history of employing administrative personnel while successfully providing vocational training, certification and job placement to hundreds of students, many of which continue to maintain their primary residence in Visalia. ACI has grown from a small company employing 3 persons to a nationally accredited school in five locations throughout the San Joaquin valley that now employs 67 people all while providing training for over a thousand students every year. ACI is a recognized trainer for Work Force Investment, Department of Rehabilitation, Veteran Affairs, Proteus as well as many employers such as Amazon, UPS, & FedEx.

It was not until the city notified ACI of a neighbor's complaint in a letter dated July 9, 2019 that the Company became aware that the operations at the Kelsey location were considered a non-conforming use under the existing land use permitted and approved land use. It is understood that in order to continue operations ACI is required to submit a plan to Visalia's Site Plan Review Committee as the initial step toward filing for and receiving the necessary CUP.

Exhibit "A"

Operational Specifics at 1728 N. Kelsey

- *Nature of the operation/project – Please describe in detail.*

Each weekday, there are approximately seven to eight visits per day with prospective students interested in enrolling in the program. These applicant visits are typically spaced out throughout the work day and consist of each student meeting with one of the two admissions advisors. Realistically, no more than two potential students' applicants visit the property at any point in time. Following the campus tour the student applicant leaves campus.

ACI has two different classroom tracts, one in the morning and one in the evening, both classes starting on a Monday. The morning classes start at 7am and end at 3:30pm, and the evening class starts at 4:30pm and end at 8:30pm. The morning classes typically have 10 to 12 in attendance and the evening classes 5 to 6 in attendance. Classes are held in the building on the north side of the property. Classroom instruction is for one and a half weeks and students ending the first two weeks of instruction taking written tests at Department of Motor Vehicles. Typically there are two instructors on campus at any given time, one being in the classroom and one in the "skills yard" with students. In the skills yard there are three immobile tractors with trailers. The three truck combination vehicles are used for pre-trip and air brake classes with wheels chocked not permitting the students to move them. After students train on these trucks they transfer to our campus in Tulare. Three to four trucks used during the day at the Tulare campus are parked at the Kelsey property overnight on the asphalt pavement where automobiles are parked during the day. These trucks are used to teach driving skills and operational movements to students off site. The trucks leave first thing in the morning, taxiing students that need to go from Visalia to Tulare and returning several times throughout the day both picking up and dropping off students. At no time will there be maneuvering or parking of trucks and trailers on unpaved surfaces at the Kelsey property.

We propose to change this operational statement slightly by adding truck movements in the skills yard after asphalt paving is completed. This will allow for students to practice skills on site. Student numbers will increase to approximately 20 on site at any given time. In addition in and out traffic of trucks will increase to approximately 8 trips per day. Trucks will exit southbound on Kelsey and proceed to Goshen Avenue and trucks will enter from both southbound and northbound directions. Trucks will enter campus and turn around in skills yard. There will be no truck movement on site until asphalt paving is completed.

Office staff is located in the south building and is comprised of four persons: a receptionist, a registrar and two admissions advisors. The building to the north also houses a Financial Services person as well as a placement officer. Supervision for all staff is done by visitation from both the campus director and the director of operations.

Minor repairs, maintenance and fueling of the onsite immobile training trucks are done on-site but performed by outside vendors. We propose to fuel both immobile and mobile trucks on site by the outside vendors...

Students do their final testing at the Commercial Testing Center in Fresno, and after successful completion return to the Kelsey campus to do final paper work.

- *What products will be produced or sold by the operation?*

There are no products produced or sold at the site. ACI provides the professional services of vocational training and certification at this location.

- *What is the existing use of the site?*

ACI is currently using and is proposing to continue utilizing the property as described above. ACI cut back operations at the Kelsey campus initially in September and additional cut backs were made in October moving a significant portion of the operations to the Tulare campus.

- *List the hours and days of operation during a typical work week*

Classes begin every other week throughout the year on Monday mornings. Prior to a “class start”; students attend an orientation for the truck driving program. Orientation is hosted at the Kelsey property every other Friday at 2:30PM, with an average of ten students in attendance. Orientation lasts approximately an hour and a half. Subsequently, students will begin classes the following Monday, with class start times being staggered throughout the day. The first class period begins at 7:00AM and ends at 3:30PM, with approximately eight to ten students in attendance and participating during this time slot. The second class period begins at 4:30PM and ends at 9:00PM, with approximately four to six students in attendance during this time slot. Generally, students within the program are in the classroom for 2 weeks during the day classes and for 4 weeks in the evening classes. After classroom instruction is completed students move out to the “yard” area to learn pre-trip and air brakes with no truck movement.

Truck maneuvering skills are now performed off-site at another campus so students will leave to complete that skill training at a different campus. Students doing public road driving are picked up at the Kelsey campus four at a time and returned to campus in one to two hours. As mentioned above this will change slightly once asphalt paving is completed.

The majority of students attend a four week 160 hour program (eight hours per day for four weeks) or an eight week 160 hour program (four hours per day for eight weeks).

- *If Seasonal, list the months of operation*

ACI’s programs are not seasonal in nature and are ongoing throughout the year.

- *Anticipated number of clients/customers at one given time*

At any given time there may be a maximum of approximately:

- two prospective student applicants receiving a campus tour
- twenty students receiving classroom and yard instruction
- *Number of employees and future employees*
 - eight administrative staff
 - six instructional positions

- *Will any of the employees live on the site?*

No.

- *Number and type of service or delivery vehicles*

Office supplies are delivered by van (UPS type) as needed approximately once weekly and fuel is delivered and placed in immobile trucks on-site by a supplier weekly during off hours (usually Sunday night after 10pm). Bottled drinking water is provided by a service and delivery is weekly.

- *What equipment is used?*

The primary equipment consists of commercial trucks and trailers with a maximum trailer length of 28 feet.

- *Will hazardous materials or waste be produced as part of this business? If yes, please explain.*

No. All significant maintenance of trucks is performed off-site for the most part so there is no hazardous waste to be considered.

- *Please include any other information that will provide a clear understanding of your business and its operation.*

Advanced Career Institute (ACI) maintains two separate campuses in Visalia, the Kelsey Street Campus we are here in front of the commission on, and the Elowin Ct. Campus that is just around the corner from the Kelsey campus. During the last six months as ACI has worked with staff both from the Code Enforcement and Planning Departments (as well as working on plans and estimates from contractors) other factors besides the issues on Kelsey have come about. Self Help Homes (the landlord for Elowin campus) has decided to not renew our lease as well as reject our offer to purchase the property on Elowin. This is not because ACI has done anything wrong or upsetting to Self Help Homes but because Self Help Homes is growing and needs the space on Elowin to accommodate growth. Overall the growth of Self Help Homes is wonderful for Visalia. During this time ACI was also negotiating with the landlord on Kelsey to do the improvements needed (as presented to the Planning Commission) or for ACI to purchase the property and do the improvements as outlined. The improvements needed on the Kelsey Street property are quite extensive and expensive. Finding a new location for the

Elowin Ct. campus in Visalia was an impossible task in locating an existing building (a building that is vacant, has the power supply needed to operate a welding school, adequate parking for students, and zoned correctly). After the Planning Commission meeting on January 13th ACI also met with our neighbor Don Celillo along with his son Mario, and we presented our new overall plan to the both of them and we would like to outline them here for you also.

Advanced Career is in the process of building a new facility capable of accommodating both the campuses in one location as well as allow for future growth needs. The property is in the community of Goshen not far from our present campuses. This move needs to be approved by several different agencies, THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION (state of California), THE COUNCIL ON OCCUPATIONAL EDUCATION (ACI's accrediting body), and the DEPARTMENT OF EDUCATION (federal agency) as you know government agencies each have their own processes and time lines. ACI is seeking approval of each agency and meeting the time lines needed to make that happen and sees no reason that approval will not happen. As for the Kelsey St. campus we propose the following for the next twelve months while this process of application and construction proceed.

- ❖ Operations will continue as outlined in the Operational Statement above.
- ❖ There will be no vehicle movement on unpaved areas.
- ❖ Hours of Operations will remain the same-Monday through Friday from 7am to 9pm with limited training on Saturdays from time to time.
- ❖ ACI will maintain one classroom for instruction as well as a pre-trip area for students. No skills that involve the movement of trucks will take place on campus.
- ❖ No 48' or 53' trailers will be used
- ❖ A maximum of three trucks will be stored on paved areas overnight and no 48' or 53' trailer will enter property
- ❖ A maximum of three tractors and trailers will be used to do pre-trip (walk around) on the Kelsey campus and will not be moved although they will run periodically so students may as part of the pre-trip do brake checks. The three trucks used to train students on pre-trip and air brakes will be choked (to prohibit movement).
- ❖ The office staff of six will remain and no additional office personal will be added.
- ❖ ACI will move to the new facility in Goshen within twelve months.
- ❖ ACI will meet with Don Celillo from time to time to insure any issues will be handled as soon as possible
- ❖ ACI will keep the City of Visalia Planning Department informed of the timelines and progress of the new facility.

We are here to answer any questions you might have.

Exhibit "B"

IN A.P.N. 077-15-022 PARCEL MAP 21-46

SCALE
1" = 10'

1
A100

PROJECT: ADVANCED CAREER INSTITUTE
EXISTING LOCATION: 1728 N KELSEY ST, VISALIA, CA 93291
SHEET TITLE: SITE PLAN

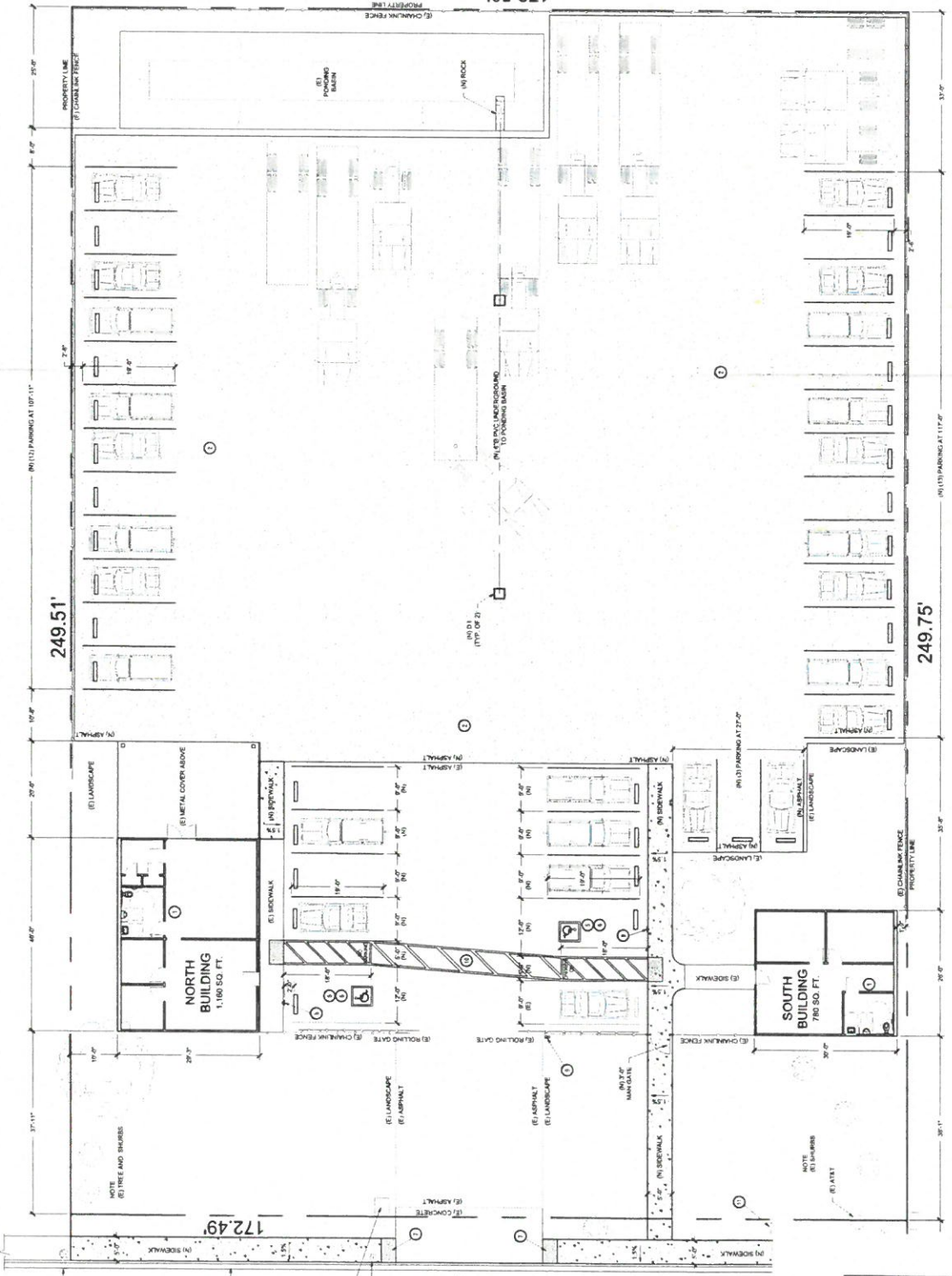
PROJECT NO.	ISSUED
CHECKED BY:	DRAWN BY:
DATE:	PROJECT NO.:
SHEET:	1 OF 1
SHEET NO.:	A100

REV.	DATE	DESCRIPTION

AMERICAN INCORPORATED
1345 NORTH AMERICAN STREET VISALIA, CA 93291
LIC. 29229 PHONE: (559) 651-7776 FAX: (559) 651-4265

PROPRIETARY:
THIS DRAWING CONTAINS CONFIDENTIAL INFORMATION BELONGING TO AMERICAN INCORPORATED. IT MUST NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. WITHOUT THE WRITTEN PERMISSION OF AMERICAN INCORPORATED.

- KEY NOTES:**
- 1. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 2. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 3. PROVIDE NEW ADA COMPLIANT PARKING AS REQUIRED.
 - 4. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 5. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 6. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 7. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 8. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 9. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 10. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 11. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 12. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 13. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 14. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 15. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 16. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 17. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 18. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 19. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.
 - 20. MAINTAIN EXISTING DRIVEWAY WIDTH AND ADJACENT DRIVEWAY TO REMAIN WITH ADA COMPLIANCE.



1728 NORTH KELSEY STREET

172.50'

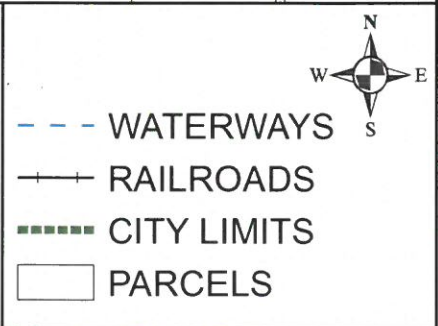
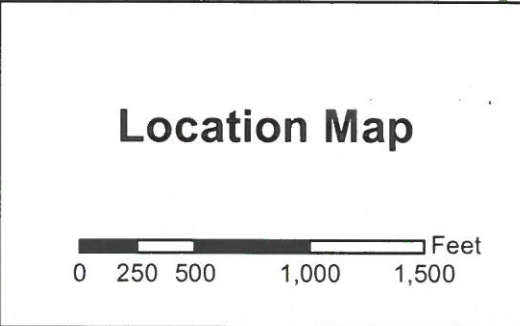
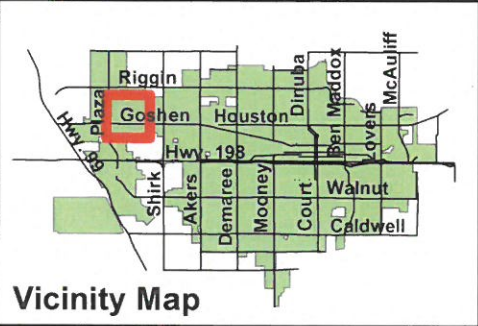
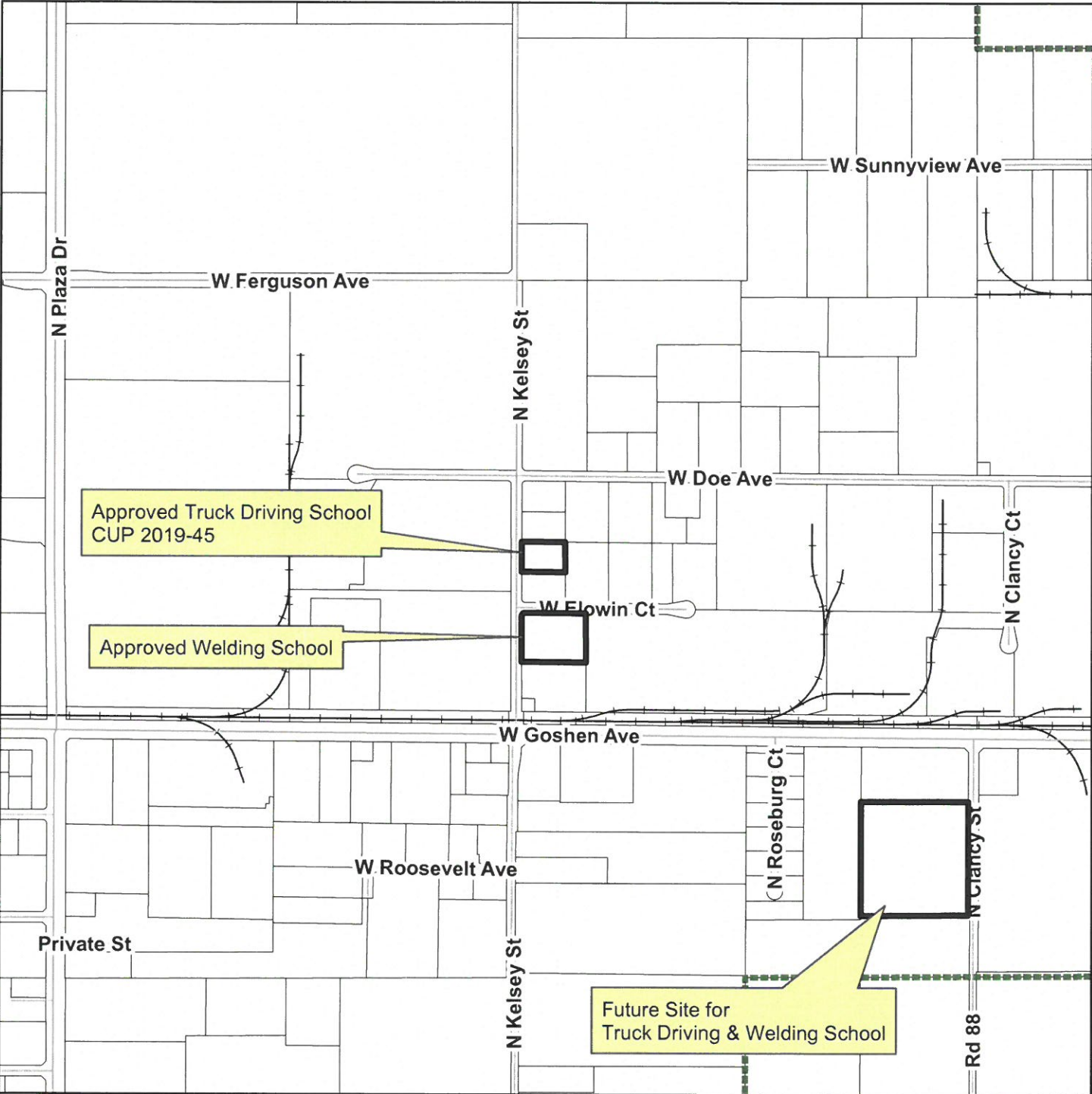
249.51'

249.75'

172.50'

Conditional Use Permit No. 2019-45

The project site is located at 1728 N. Kelsey Street, on the east side of Kelsey Street 175 feet north of Elowin Court. (APN: 077-150-022)



City of Visalia

Memo



To: Planning Commission
From: Brandon Smith, Senior Planner
Date: October 26, 2020
Re: Time Extension for:

Houdini Acres Tentative Subdivision Map No. 5563: A request by Larry Rambaud to subdivide three lots consisting of 2.15 gross acres into 10 lots for residential use in the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone.

Conditional Use Permit No. 2017-31: A request by Larry Rambaud to allow two duplex structures (four dwelling units total) on two corner lots within proposed Tentative Subdivision Map No. 5563 in the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone.

The site is located on the west side of Demaree Street between Iris and Howard Avenues (APN: 087-122-010, 011, 013).

RECOMMENDATION

Staff recommends that the Planning Commission approve a one-year time extension of Houdini Acres Tentative Subdivision Map No. 5563, extending the expiration date to September 25, 2021 pursuant to Section §66452.6(e) of the Subdivision Map Act.

Conditional Use Permit (CUP) No. 2017-31 was also approved together with the subdivision map and is linked with the timeline of the tentative subdivision map based on a condition of approval. Therefore, the expiration date of Conditional Use Permit No. 2017-31 would also be extended by the time extension request.

BACKGROUND

On September 25, 2017, the Visalia Planning Commission approved Houdini Acres Tentative Subdivision Map No. 5563 approving a 10 lot subdivision, and Conditional Use Permit No. 2017-31, approving two of the subdivision lots for duplex units on corners.

The original expiration date of Houdini Acres Tentative Subdivision Map No. 5563 and CUP No. 2017-31 was September 25, 2019, two years from the date of approval by Planning Commission. In 2019 a one-year time extension request was filed with the City prior to the expiration date and granted by the Planning Commission on October 14, 2019. The current expiration date of the map and CUP is September 25, 2020.

REQUEST

The proponents of the Tentative Subdivision Map have submitted a written request received by the City of Visalia in a timely manner on September 21, 2020 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, including the initial two-year approval. This would be the second time extension applied for under this code for the Tentative Subdivision Map.

Conversely, Section 17.38.030 of the Visalia Zoning Ordinance allows only a one year extension for Conditional Use Permits. However, this CUP is tied to the subdivision map and is not considered a standalone CUP project. Therefore, the time extension provisions of Section §66452.6 of the Subdivision Map Act shall apply to both the Houdini Acres Tentative Subdivision Map No. 5563 and CUP No. 2017-31.

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 the Tentative Subdivision Map and CUP from September 21, 2020 to September 21, 2021.

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, September 25, 2021, to record a final subdivision map. If the request is denied, the applicant would have to re-file a new tentative map and conditional use permit application.

ATTACHMENTS

1. Letter of Request for the Time Extension
2. Approved Resolution No. 2017-66 for Houdini Acres Tentative Subdivision Map
3. Approved Resolution No. 2017-65 for Conditional Use Permit No. 2017-31
4. Tentative Subdivision Map
5. 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

21 Sept 2020

City of Visalia
Planning Division
315 E. Acequia Ave.
Visalia CA 93291

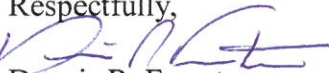
Re: Houdini Acres Tentative Subdivision Map #5563 & Conditional Use Permit #2017 - 31

By this correspondence we are requesting a 12 month extension of time for the recording of the Final Subdivision Map.

The expiration date is September 25, 2020.

Enclosed is the filing fee of \$236.00 by check made payable to the City of Visalia.

Respectfully,



Dennis R. Forester

PLS 4076

cc: Francisco Acevedo

RESOLUTION NO 2017-66

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING HOUDINI ACRES TENTATIVE SUBDIVISION MAP #5563: A REQUEST BY LARRY RAMBAUD TO SUBDIVIDE THREE LOTS CONSISTING OF 2.15 GROSS ACRES INTO 10 LOTS FOR RESIDENTIAL USE IN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 5,000 SQUARE FOOT LOT SIZE) ZONE. THE SITE IS LOCATED ON THE WEST SIDE OF DEMAREE STREET BETWEEN IRIS AND HOWARD AVENUES (APN: 087-122-010, 011, 013)

WHEREAS, Houdini Acres Tentative Subdivision Map #5563 is a request by Larry Rambaud to subdivide three lots consisting of 2.15 gross acres into 10 lots for residential use in the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone. The site is located on the west side of Demaree Street between Iris and Howard Avenues (APN: 087-122-010, 011, 013); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on September 25, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds the tentative subdivision map in accordance with Chapter 16.16 of the Subdivision 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 (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 15332.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of Visalia approves the proposed tentative subdivision map based on the following specific findings and based on the evidence presented:

1. That the proposed location and layout of the Houdini Acres Tentative Subdivision Map No. 5563, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the Visalia 2014 General Plan and 2017 Zoning Ordinance and Subdivision Ordinance. The 2.15-acre project site, which is the site of the proposed ten lot single-family residential subdivision, is consistent with Land Use Policy LU-P-19 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy."

2. That the proposed Houdini Acres Tentative Subdivision Map No. 5563, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. That the proposed tentative subdivision map would be compatible with adjacent land uses. The project site is bordered by existing residential development and an arterial street.
3. That the site is physically suitable for the proposed tentative subdivision map. The Houdini Acres Tentative Subdivision Map No. 5563 is consistent with the intent of the Visalia 2014 General Plan and 2017 Zoning Ordinance and Subdivision Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The project site is bordered by existing residential development, and the subdivision is a continuation of the pattern and configuration of residential lots surrounding the development. Proposed lot sizes and dimensions are also consistent with those of residential lots surrounding the development.
4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which is consistent with the underlying Low Density Residential General Plan Land Use Designation. The proposed location and layout of the Houdini Acres Tentative Subdivision Map No. 5563, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the Visalia 2014 General Plan and 2017 Zoning Ordinance and Subdivision Ordinance. The 2.15-acre project site, which is the site of the proposed ten lot single-family residential subdivision, is consistent with Land Use Policy LU-P-19 of the General Plan. Policy LU-P-19 states; "Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy."
5. That the proposed Houdini Acres Tentative Subdivision Map No. 5563, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. Areas of dedication will be obtained as part of the tentative map recording for the completion of street improvements, including the construction of curb, gutter, curb return, sidewalk, parkway landscaping, pavement, and a transit stop if applicable, along the Demaree Street and Howard Avenue frontages.
6. 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. 2017-67). Projects determined to meet this classification are characterized as in-fill development and are with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, the development occurs within the city limits on a site no more than five acres, site has no value has habitat for endangered, rare or threatened species and the site can adequately be served by all

required utilities and public services.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative subdivision map on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.04.040 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2017-085, incorporated herein by reference.
2. That the Houdini Acres Tentative Subdivision Map No. 5563 be prepared in substantial compliance with Exhibit "A".
3. That setbacks for the lots shall comply with the R-1-5 (Single-Family Residential 5,000 sq. ft. min. site area) standards for the front, side, street side and rear yard setbacks, except as provided in Conditional Use Permit No. 2017-31 for the development of duplexes on corner lots if applicable.
4. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
5. That the valley oak trees identified in the subdivision map, Exhibit "A", shall be removed subject to the issuance of a Valley Oak Tree Removal Permit. The remaining valley oak trees identified in the map shall be properly maintained; trimmed and watered as stated in the evaluation. Development around the valley oak trees is subject to the City's Standard Specification for Building Around Valley Oak Trees. Any valley oak tree identified for tree trimming shall be subject to a Valley Oak Tree Trimming Permit.
6. That the construction of curb, gutter, curb return, sidewalk, parkway landscaping, pavement, and a transit stop if applicable, is required along and shall be constructed along the entire Demaree Street and Howard Avenue frontage with the initial phase of development of the subdivision.
7. That all applicable federal, state, regional, and city policies and ordinances be met.

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

AYES: Commissioners Peariso, Gomez, Wynn, Taylor
NOES:
ABSTAINED:
ABSENT: Commissioner Hansen

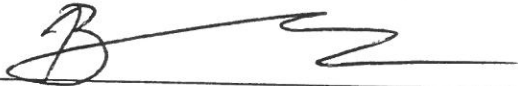
STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Jason Huckleberry, Assistant Community Development Director

I, Jason Huckleberry, Acting Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2017-66, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on September 25, 2017.



Jason Huckleberry
Assistant Community Development Director



Brett Taylor, Chairperson

RESOLUTION NO. 2017-65

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-31: A REQUEST BY LARRY RAMBAUD TO ALLOW TWO DUPLEX STRUCTURES (FOUR DWELLING UNITS TOTAL) ON TWO CORNER LOTS WITHIN PROPOSED TENTATIVE SUBDIVISION MAP #5563 IN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 5,000 SQUARE FOOT LOT SIZE) ZONE. THE SITE IS LOCATED ON THE WEST SIDE OF DEMAREE STREET BETWEEN IRIS AND HOWARD AVENUES (APN: 087-122-013)

WHEREAS, Conditional Use Permit No. 2017-31 is a request by Larry Rambaud to allow two duplex structures (four dwelling units total) on two corner lots within proposed Tentative Subdivision Map #5563 in the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone. The site is located on the west side of Demaree Street between Iris and Howard Avenues (APN: 087-122-013); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on September 25, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2017-31, as conditioned by staff, to be in accordance with Section 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 (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 15332.

NOW, THEREFORE, BE IT FURTHER 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 Visalia 2014 General Plan and 2017 Zoning Ordinance. Specifically, the project is consistent with the required finding of the 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 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. 2017-67). Projects determined to meet this classification are characterized as in-fill development and are with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, the development occurs within the city limits on a site no more than five acres, site has no value has habitat for endangered, rare or threatened species and the site can adequately be served by all required utilities and public services.

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 Review No. 2017-085, incorporated herein by reference.
2. That the corner lots being developed with duplexes be prepared in substantial compliance with the site plan and floor plans attached as Exhibit "B".
3. That the building elevations for the dwelling units be prepared in substantial compliance with the elevations attached as Exhibit "C".
4. That Houdini Acres Tentative Subdivision Map No. 5563 shall also be approved, and that requirements of the tentative map which relate to this conditional use permit shall be fulfilled.
5. That Conditional Use Permit No. 2017-31 shall be null and void unless Houdini Acres Tentative Subdivision Map No. 5563 is approved.
6. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final parcel map. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to or with the recording of the final parcel map.
7. That all of the conditions and responsibilities of Conditional Use Permit No. 2017-31 shall run with the land, and subsequent owners/operators shall also be subject to all of the conditions herein, unless amended or revoked.
8. That the corner lots shall be subject to the following building height and minimum setbacks as measured from property lines or right-of-way as specified:

Maximum Building Height: 35 Feet, limited to single-story construction per development plan

Minimum Setbacks:

- | | |
|---|---------|
| ➤ Building setback to front property line (Iris & Howard) | 15 Feet |
| ➤ Units' Living Space Setback to drive aisle | 5 Feet |
| ➤ Units' Garage Door Setback to drive aisle | 15 Feet |

- Building setback to street side property line (Demaree) to wall 15 Feet; 10 Feet Avg.
 - Building setback to rear property line 5 Feet
9. That a block wall with height between six and seven feet tall be allowed along the Demaree Street frontage and the fronts of Lots 5 and 6 for the purpose of noise mitigation and screening. The wall may be located within the front and street side yard setback areas.
10. That the initial two year timeline for the conditional use permit is tied to the recordation of any portion of the tentative subdivision map.
11. That the owner/operator(s) of all dwelling units shall be subject to the following conditions:

A. Maintenance and Operations

- a. All development standards, City codes, and ordinances shall be continuously met for this apartment/residential complex. Buildings and premises, including paint/siding, roofs, windows, fences, parking lots, and landscaping shall be kept in good repair. Premises shall be kept free of junk, debris.
- b. Provide a regular program for the control of infestation by insects, rodents, and other pests at the initiation of the tenancy and control infestation during the tenancy.
- c. Where the condition is attributable to normal wear and tear, make repairs and arrangements necessary to put and keep the premise in as good condition as it by law or rental agreement should have been at the commencement of tenant occupation.
- d. Maintain all electrical, plumbing, heating, and other facilities in good working order.
- e. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
- f. Remove graffiti within 24 hours of it having been observed.
- g. Recreation facilities shall be for tenant use only.
- h. Provide 24 hour access for Visalia Police Department to Maintenance and/or Management Staff. Maintenance and/or Management Staff shall be available by telephone or pager at all times, with phone numbers to be provided to the Police Department dispatch center and kept current at all times.
- i. Establish and conduct a regular program of routine maintenance for the apartment/residential complex. Such a program shall include, but not necessarily be limited to: regular inspections of common areas and scheduled re-paintings, re-plantings, and other similar activities that typically require attention at periodic intervals but not necessarily continuously.
- j. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

B. Landscape Care and Maintenance

- a. Automatic irrigation systems shall be maintained.
- b. All plant materials (trees, shrubs, and groundcover) shall be maintained so that harm from physical damage or injury arising from vehicle damage, lack of water, chemical damage, insects, and other pests is minimized.
- c. It is the responsibility of the property owners to seek professional advice and spray and treat trees, shrubs, and groundcover for diseases which can be successfully controlled if such untreated diseases are capable of destroying an infected tree or other trees within a project.
- d. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

C. Parking - The parking of inoperative vehicles on-site, and boats, trucks (one-ton capacity and over), trailers, and/or recreational vehicles in the apartment/residential complex is not allowed.

D. Tenant Agreement - The tenant agreement for the complex must contain the following:

- a. Standards of aesthetics for renters in regard to the use and conditions of the areas of the units visible from the outside (patios, entryways).
- b. Hours when noise is not acceptable, based upon Community Noise Standards, additional standards may be applied within the apartment/residential complex.
- c. Rules for use of open areas/recreational areas of the site in regard to drinking, congregating, or public nuisance activities.
- d. Prohibition on inoperable vehicles on-site, and boats, trucks (one-ton capacity and over), trailers and/or recreational vehicles.
- e. Standards of behavior for tenants that could lead to eviction.
- f. All tenants shall read and receive a copy of the Tenant Agreement.

12. That all federal, state, regional, and city codes and ordinances be met.

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

AYES: Commissioners Peariso, Gomez, Wynn, Taylor

NOES:

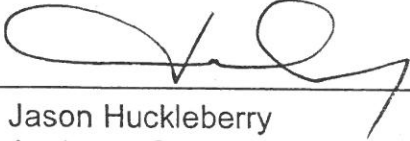
ABSTAINED:

ABSENT: Commissioner Hansen

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

ATTEST: Jason Huckleberry, Assistant Community Development Director

I, Jason Huckleberry, Acting Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2017-65, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on September 25, 2017.



Jason Huckleberry
Assistant Community Development Director



Brett Taylor, Chairperson

HOUDINI ACRES TENTATIVE SUBDIVISION MAP & CONDITIONAL USE PERMIT

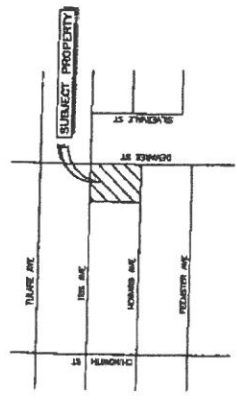
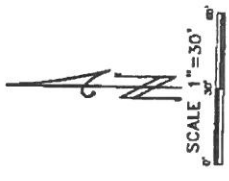
BEING LOTS 42, 43 & 44 OF TRACT NO. 34, LAMARCO COUNTRY NO. 2, SITED IN A PORTION OF THE S.E. 1/4 OF SEC. 35, T.18N., R.31E., M.22E. 34M. IN THE CITY OF IRVINE, COUNTY OF ORANGE, STATE OF CALIFORNIA.

JULY, 2017

OWNERS:
LARRY RAMBAUD
20841 Road 33
Huntington, California, 92631

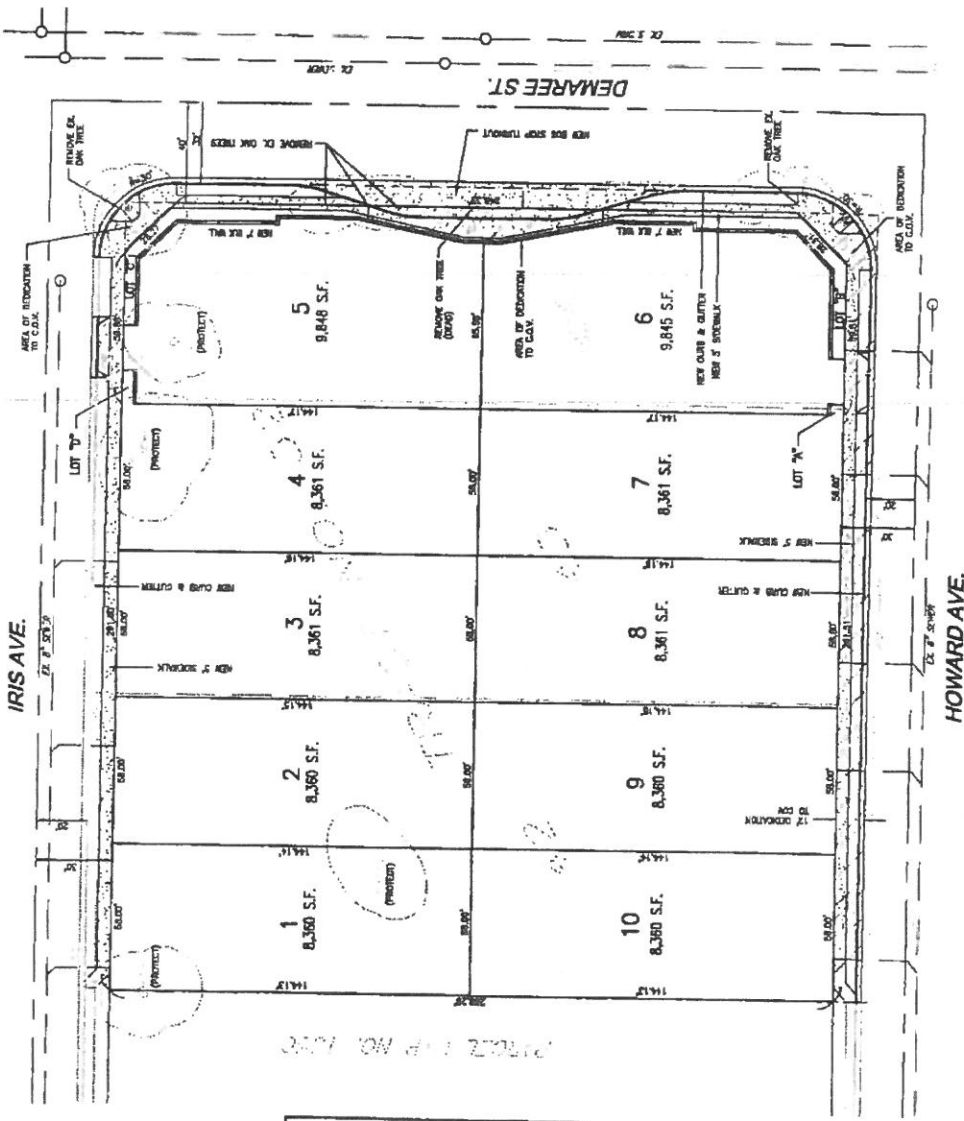
SURVEYOR: FORESTER, WEBER & ASSOCIATES L.L.C.
1620
Vista del Arroyo, Suite B
Vista, California 92083
(619) 728-9103
e-mail: fweb@foresterweb.com

NOTES:
EXISTING PROPERTY LINES
PROPOSED PROPERTY LINES
MOUNTAIN VIEW
A.P.M.
087-12-010, 011 & 12
CITY OF IRVINE
CALIFORNIA WATER SERVICE
CITY OF IRVINE
STREET LIGHTS
11,000 BARS
5" AC-B
SITE PLAN 17-088 / MAP 8-31-2017



Vicinity Map
NO SCALE

ONE SHEET ONLY



PROJECT I.P. NO. 127C

Exhibit "A"



SCOTT ASSOCIATES ARCHITECTS

2000 North Duane
 Suite 100
 San Francisco, CA 94102
 Tel: 415.774.1800



RESIDENTIAL
 MULTI-FAMILY
 APARTMENTS

NOTE

LARRY RAMBAUD

WEST SIDE OF
 HOWARD AVENUE
 BRS 4 HOWARD

PROJECT No. 1783

DATE 11/11/09

SITE PLAN

SHEET No.

1.1

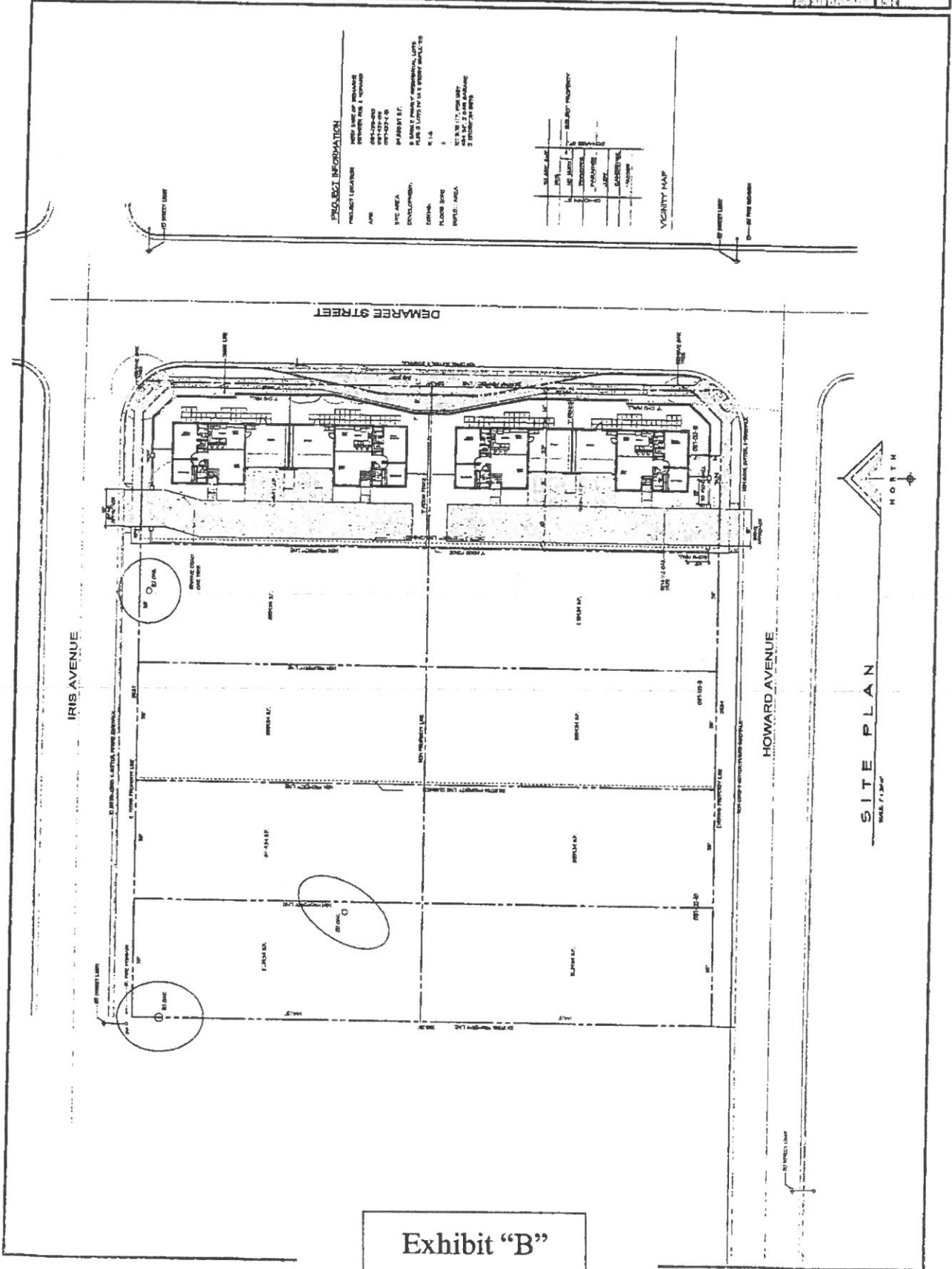
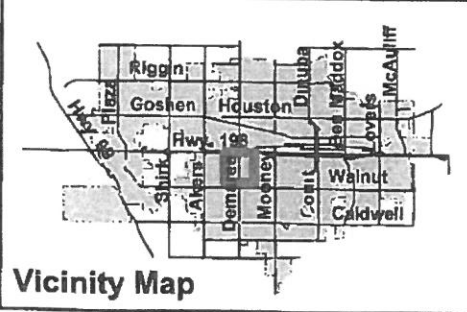
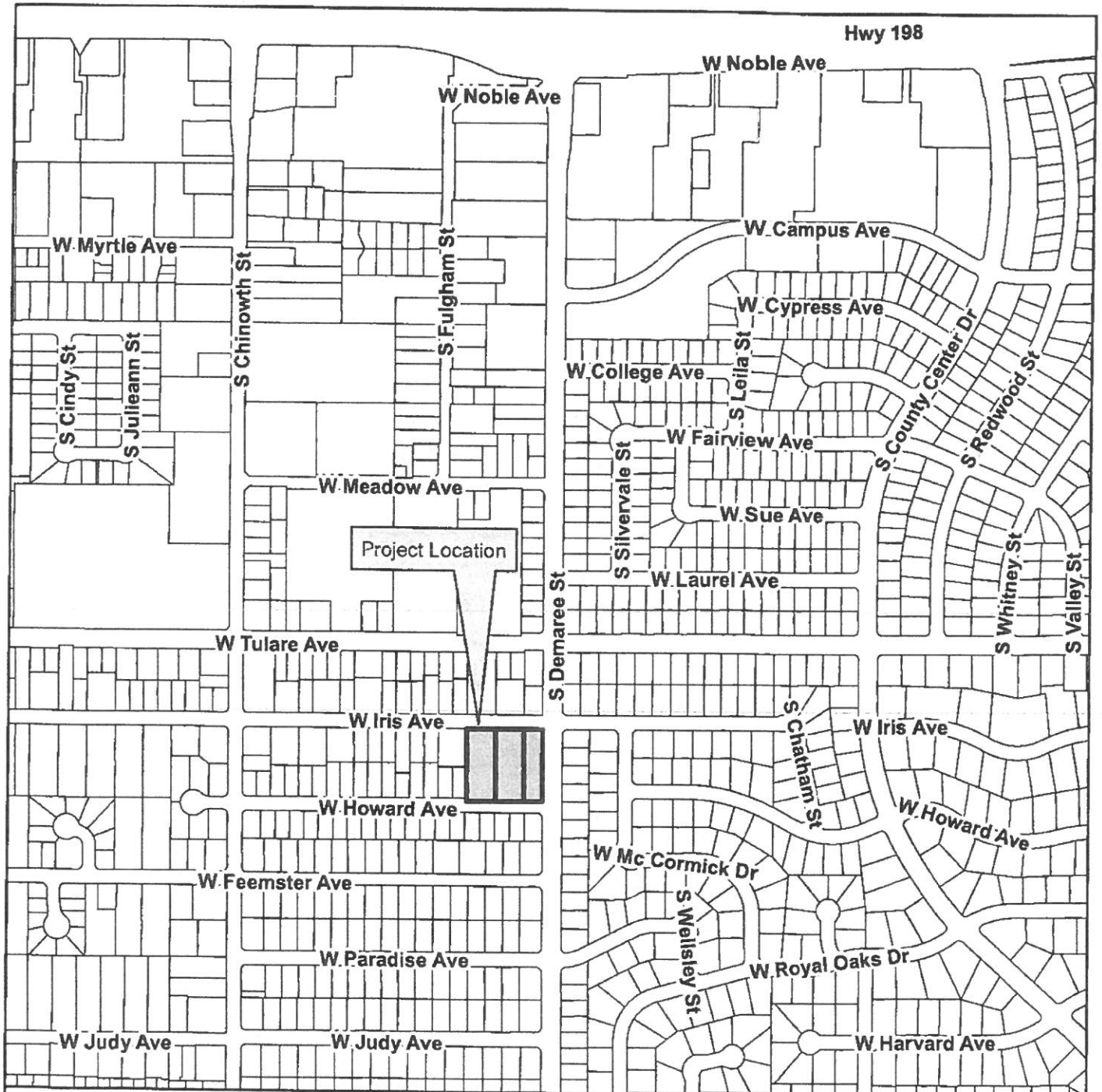


Exhibit "B"

Houdini Acres Tentative Subdivision Map No. 5563 & Conditional Use Permit No. 2017-31

The site is located on the west side of Demaree Street between Iris and Howard Avenues (APN: 087-122-010, 011, 013)



Location Map



- WATERWAYS
- +— RAILROADS
- ▬ CITY LIMITS
- PARCELS



City of Visalia

Memo



To: Planning Commission

From: Brandon Smith, Senior Planner

Date: October 26, 2020

Re: Time Extension for:

Quintana De Oro Tentative Subdivision Map 5570: A request by the Houston Investment Company to subdivide five (5) acres into 14 lots with an average lot size of 11,832 sq. ft., and two (2) common landscaping lots totaling 3,652 sq. ft., in the R-1-20 Single Family Residential zone.

The site is located at 2548 N. Linwood Street. (APN: 077-190-001)

RECOMMENDATION

Staff recommends that the Planning Commission approve a one-year time extension of Quintana De Oro Tentative Subdivision Map No. 5570, extending the expiration date to October 22, 2021, pursuant to Section §66452.6(e) of the Subdivision Map Act.

BACKGROUND

On October 22, 2018, the Visalia Planning Commission approved Quintana De Oro Tentative Subdivision Map No. 5570 through adoption of Resolution No. 2018-44. The tentative subdivision map was a request to subdivide five (5) acres into 14 lots with an average lot size of 11,832 sq. ft., and two (2) common landscaping lots totaling 3,652 sq. ft., in the R-1-20 Single Family Residential zone. The site is located at 2548 N. Linwood Street. (APN: 077-190-001)

The original expiration date for the tentative subdivision map was October 22, 2020, two years from the date of approval by the Planning Commission.

Together with the tentative subdivision map, the Planning Commission also approved a General Plan Amendment, Change of Zone, and Conditional Zoning Agreement to facilitate the parcel's change from R-1-20 zone to R-1-5 zone but require a minimum average lot size of 11,832 sq. ft.

REQUEST

The proponents of the Tentative Subdivision Map have submitted a written request received by the City of Visalia in a timely manner on October 13, 2020 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, including the initial two-year approval. This would be the first time extension applied for under this code for the Tentative Subdivision 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 the Tentative Subdivision Map from October 22, 2020 to October 22, 2021.

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 22, 2021, to record a final subdivision map. If the request is denied, the applicant would have to re-file a new tentative subdivision map.

ATTACHMENTS

1. Letter of Request for the Time Extension
2. Approved Resolution No. 2018-44 for Quintana De Oro Tentative Subdivision Map
3. Tentative Subdivision Map
4. Location Map

FORESTER, WEBER & ASSOCIATES, LLC

Licensed by the

Board of Professional Engineers and Land Surveyors

1620 W. Mineral King Ave. Suite B

Visalia, California 93291

TEL (559) 732-0102, FAX (559) 732-8479

RECEIVED

OCT 13 2020

COMM. DEVELOP.
CITY OF VISALIA

City of Visalia
Planning Division
315 E. Acequia Ave.
Visalia, Ca. 93291

RE: Quintana De Oro Subdivision Map # 5570

By this correspondence, we are requesting a 12 month extension of time for the recording of the Final Subdivision Map.

The expiration date is October 20, 2020.

Enclosed is the filing fee of \$236.00 by check made payable to the City of Visalia.

Respectfully,



Dennis R. Forester
PLS 4076

cc: Rick Langdon)

077 190 001

pd 10/14/20 20

RESOLUTION NO 2018-44

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING QUINTANA DE ORO TENTATIVE SUBDIVISION MAP 5570: A REQUEST BY THE HOUSTON INVESTMENT COMPANY TO SUBDIVIDE FIVE (5) ACRES INTO 14 LOTS WITH AN AVERAGE LOT SIZE OF 11,832 SQ. FT., AND TWO (2) COMMON LANDSCAPING LOTS TOTALING 3,652 SQ. FT., IN THE R-1-20 SINGLE FAMILY RESIDENTIAL ZONE, AT 2548 N. LINWOOD STREET. (APN: 077-190-00).

WHEREAS, Quintana De Oro Tentative Subdivision Map 5570 is a request by the Houston Investment Company to subdivide five (5) acres into 14 lots with an average lot size of 11,832 sq. ft., and two (2) common landscaping lots totaling 3,652 sq. ft., in the R-1-20 Single Family Residential zone, at 2548 N. Linwood Street. (APN: 077-190-00); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on October 22, 2018; and

WHEREAS, the Planning Commission of the City of Visalia finds the tentative subdivision map in accordance with Chapter 16.16 of the Subdivision Ordinance 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 mitigation measures would not be required.

NOW, THEREFORE, BE IT RESOLVED, that Negative Declaration No. 2018-49 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of Visalia approves the proposed tentative subdivision map based on the following specific findings and based on the evidence presented:

1. That the proposed location and layout of the Quintana De Oro Tentative Subdivision Map 5570 is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. There are no specific plans applicable to the project site.
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 the proposed Quintana De Oro Tentative Subdivision Map 5570, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. That the proposed tentative subdivision map would be compatible with adjacent land uses. The project site is bordered by existing residential development and a collector street.
4. That the site is physically suitable for single family residential use as the Quintana De Oro Tentative Subdivision Map 5570, which is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance.
5. That the site is physically suitable for the proposed unit density of 2.8 units per acre as proposed by the Quintana De Oro Tentative Subdivision Map 5570, which is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance.
6. That the proposed Quintana De Oro Tentative Subdivision Map 5570 will not conflict with any easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
7. That an Initial Study was prepared for the project including the General Plan Amendment, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant, and therefore Negative Declaration No. 2018-49 be adopted for this project. Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative subdivision map on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.04.040 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That Quintana De Oro Tentative Subdivision Map 5570 be prepared in substantial compliance with the subdivision map shown in Exhibit "A", and in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2018-110, incorporated herein by reference.
2. That General Plan Amendment No. 2018-06, Change of Zone No. 2018-07, and Conditional Zoning Agreement No. 2018-08 are approved and recorded as required.
3. That the block walls located within the Landscape and Lighting District Lots shall transition to three feet in height at a point no less than 15 feet from the property line along Delaware Avenue.
4. That the setbacks for the single-family residential lots shall comply with the R-1-5 zone district standards for the front, side, street side yard, and rear yard setbacks.

- 5. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
- 6. That all applicable federal, state, regional, and city policies and ordinances be met.

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

AYES: Commissioners Gomez, Peariso, Wynn, Hansen, Taylor
NOES:
ABSTAINED:
ABSENT:

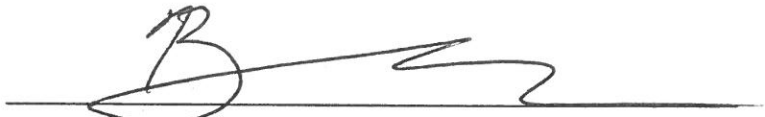
STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Paul Bernal, City Planner

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2018-44, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on October 22, 2018.



Paul Bernal



Brett Taylor, Chairperson

QUINTANA DE ORO PRELIMINARY SUBDIVISION MAP

THESE PARCELS 1, 2 & 3 OF PARCEL MAP NO. 10000 ARE IN THE 11 OF PARCEL MAPS AT THE 8th T.O.R.
SHOWING A PORTION OF THE SW 1/4 OF THE SW 1/4 OF SEC. 23 T.10S. R.23E. M.G.B. & M.
LOCATED IN THE CITY OF HEALING, COUNTY OF VALLEJO, STATE OF CALIFORNIA.

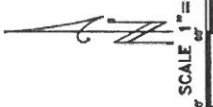
JUNE 2019
REV. JULY 16, 2018
REV. JULY 23, 2019

OWNER: HOUSTON INVESTMENT CO.

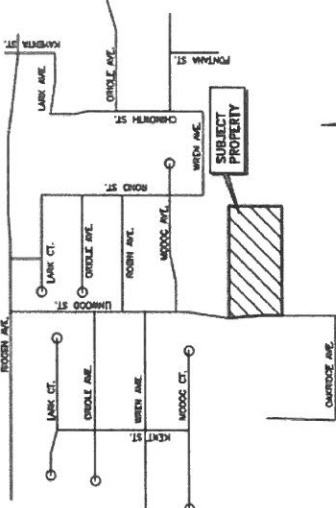
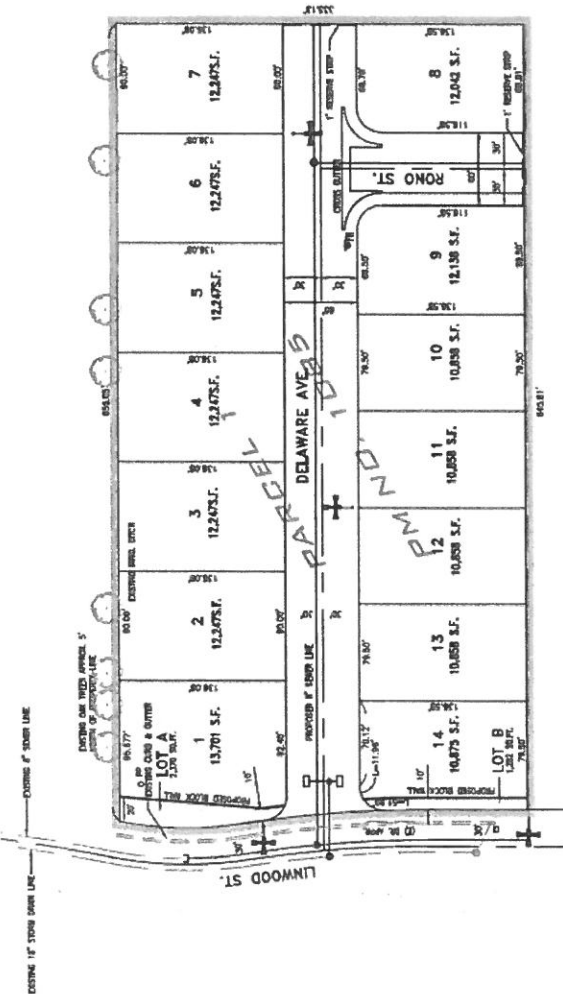
SURVEYOR: FORESTER, WEBER & ASSOCIATES
1830 W. Mineral King Ave., Suite B
Van Nuys, California 91411
(800) 732-9102

NOTES:
1. FEDERAL RIGHT-OF-WAY USED IN ACCORDANCE WITH THE CALIFORNIA PUBLIC UTILITIES ACT AND THE PUBLIC UTILITIES REGULATORY COMMISSION. SEE THE CITY OF HEALING PLANS FOR SPECIFIC REQUIREMENTS.
2. THIS MAP IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION HEREON.
3. THE CITY OF HEALING, COUNTY OF VALLEJO, STATE OF CALIFORNIA, HAS REVIEWED THIS MAP FOR CONFORMANCE WITH THE PUBLIC UTILITIES ACT AND THE PUBLIC UTILITIES REGULATORY COMMISSION. IT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION HEREON.
4. THE CITY OF HEALING, COUNTY OF VALLEJO, STATE OF CALIFORNIA, HAS REVIEWED THIS MAP FOR CONFORMANCE WITH THE PUBLIC UTILITIES ACT AND THE PUBLIC UTILITIES REGULATORY COMMISSION. IT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION HEREON.
5. THE CITY OF HEALING, COUNTY OF VALLEJO, STATE OF CALIFORNIA, HAS REVIEWED THIS MAP FOR CONFORMANCE WITH THE PUBLIC UTILITIES ACT AND THE PUBLIC UTILITIES REGULATORY COMMISSION. IT DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION HEREON.

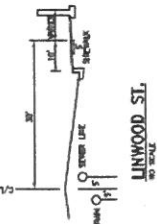
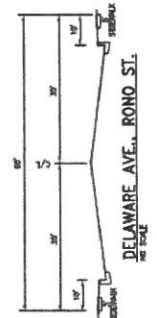
UTILITY PROVIDERS: VERMONT POWER CO.,
SUNOCO GAS CO.,
COMMUNITY CABLE



LEGEND
 FEE INROAD
 LIGHT STR.



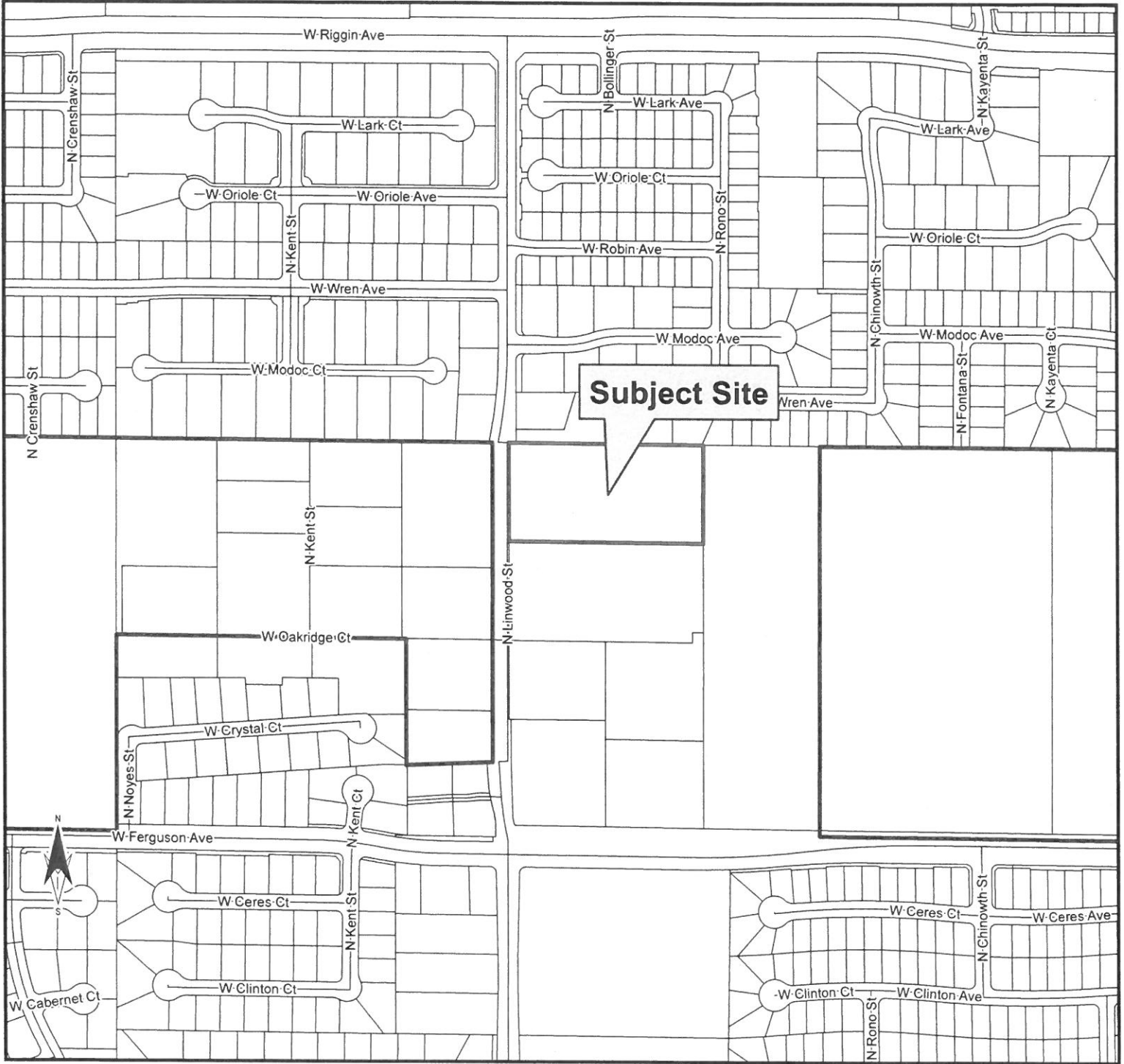
Vicinity Map
NO SCALE



DELAWARE AVE., RONO ST.
NO SCALE

LUNWOOD ST.
NO SCALE

City of Visalia



Location Map

