

PLANNING COMMISSION AGENDA

CHAIRPERSON:
Chris Gomez



VICE CHAIRPERSON:
Marvin Hansen

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

MONDAY, FEBRUARY 22, 2021

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. CALL TO ORDER –
2. THE PLEDGE OF ALLEGIANCE –
3. 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.
4. CHANGES OR COMMENTS TO THE AGENDA –
5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - No Items on Consent Calendar
6. PUBLIC HEARING – Cristobal Carrillo, Associate Planner
Conditional Use Permit No. 2020-05: A request by Michael Parks to establish a rehabilitation/counseling center providing methadone maintenance treatment services, within an existing office complex in the C-MU (Mixed Use Commercial) Zone. The site is located at 109 N.W. 2nd Avenue (APN: 094-015-018).

7. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. Next Planning Commission Meeting is Monday, March 8, 2021.
- b. Joint City Council and Planning Commission tentatively set for March 17, 2020.
- c. Ag-Mitigation 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, MARCH 4, 2021 BEFORE 5 PM

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93291. 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, MARCH 8, 2021



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: February 22, 2021

PROJECT PLANNER: Cristobal Carrillo, Associate Planner
Phone: (559) 713-4443
E-mail: cristobal.carrillo@visalia.city

SUBJECT: Conditional Use Permit No. 2020-05: A request by Michael Parks to establish a rehabilitation/counseling center providing methadone maintenance treatment services, within an existing office complex in the C-MU (Mixed Use Commercial) Zone. The site is located at 109 N.W. 2nd Avenue (APN: 094-015-018).

STAFF RECOMMENDATION

Staff recommends denial of Conditional Use Permit No. 2020-05 based upon the findings in Resolution No. 2020-11. Staff's recommendation is based on the conclusion that the request is not consistent with the General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to deny Conditional Use Permit No. 2020-05 based on the findings in Resolution No. 2020-11.

PROJECT DESCRIPTION

The applicant is requesting approval to establish a rehabilitation/counseling center providing methadone maintenance treatment services. Per the operational statement in Exhibit "F", Methadone maintenance treatment is the use of methadone (and other similar medicines), administered over a prolonged period of time, as treatment for someone who is addicted to opioids such as heroin, where detoxification has been unsuccessful and/or admittance to a substance abuse treatment facility requires complete abstinence.

Per the site plan in Exhibit "A", there are two existing structures on the project site, totaling 4,590 square feet in building area. The applicant shall employ the single-story 2,020 square foot building for use as a rehabilitation/counseling center. The remaining two-story building is not a part of this proposal. Seven parking stalls are located within the boundary of the project site, with additional parking proposed to be provided though shared use of nearby off-site parking areas. Per the site plan in Exhibit "B", the preferred shared parking area is located just south, on property used by Visalia Youth Services. Per the applicant, no shared parking agreement has been secured at this time. The applicant states in Exhibit "F" that the facility will also provide bicycle racks and possibly transportation services to clients to and from the clinic to reduce demand on parking.

Per Exhibit "F", the counseling and rehabilitation center will be open Monday through Friday, 7:00 a.m. to 3:30 p.m. for treatment services, and 8:00 a.m. to 5:30 p.m. for counseling services. Weekend hours will be Saturday through Sunday, 7:30 a.m. to 12:30 p.m. (Treatment) and 8:30 a.m. to 12:30 p.m. (Counseling). The counseling and rehabilitation center will provide methadone maintenance treatment services for clients through a combination of counseling and methadone administration. The interior of the building, per Exhibit "D", will contain offices, counseling spaces, waiting areas, and a secured medication room from which methadone will be distributed.

Patient intake at the counseling and rehabilitation center will increase as the facility grows. A total of 25 patients are expected to be served daily at the initial phase of opening, with as many as 100 patients to be served per day after a year of operation. Visits to the site by clients will be managed through the offering of tele-conferencing sessions and by issuance of take-home medications for those clients that have shown sufficient progress in the offered treatment programs.

The overall facility is expected to contain 13 employees once fully operational, including a mix of doctors, nurses, certified counselors, and administrative personnel. Security guard services will be obtained through a separate service. One security guard will patrol the site per shift, with two shifts proposed each day (6:00 a.m. to 2:30 p.m. and 2:30 p.m. to 11:30 p.m.). A separate but unaffiliated security guard currently patrols the Visalia Youth Services site to the east.

No significant exterior changes are proposed to the existing building, with the exception of the addition of security cameras as shown in Exhibit "C". The cameras will provide 24-hour surveillance of the site, with digital recording. Per Exhibit "C", other security measures to be put in place will be the planting of low-lying shrubs, locking of gates after hours, and installation of onsite flood lighting with motion sensors. In addition, per the operational statement in Exhibit "F", security measures will also be taken for indoor activities, including requiring badges for access to medication rooms, storage of medications within a safety vault, installation of security doors and window bars, and closed-circuit cameras in common areas and medication room.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Commercial Mixed Use
Zoning:	C-MU (Commercial Mixed Use)
Surrounding Land Uses and Zoning:	North: C-MU, QP (Quasi-Public) / Oval Park, mixed commercial and residential uses. South: C-MU / Visalia Youth Services/Turning Point East: C-MU / Mixed commercial uses. West: C-MU, QP, R-M-3 (Multi-family residential, 3,000 sq. ft. minimum site area) / Residential uses.
Environmental Review:	Categorical Exemption No. 2020-11
Special Districts:	None
Site Plan:	2019-149

RELATED PROJECTS

None

PROJECT EVALUATION

Land Use Compatibility

The Visalia Municipal Code (VMC) identifies "Clinics" as a conditionally permitted use in the C-MU zone. However, the project site is adjacent to two sensitive uses; Oval Park, a City park, and Visalia Youth Services, a branch of Turning Point of Central California which provides therapy, housing, and case management services for high-risk teenagers and young adults. There are also single and multifamily residential uses located to the west and southwest of the project site.

Staff concludes that the proposed use will have negative impacts to the surrounding residential and commercial areas, in particular effecting the two adjacent sensitive land uses: Oval Park and Visalia Youth Services. Exhibit "F" notes that at its highest capacity, there could be between 50 to 100 clients visiting the facility daily. Per the site plan in Exhibit "A" and floor plan in Exhibit "D", there is limited space available for clientele to await services. This may result in overflow into Oval Park and nearby vacant properties. The proposal does not address how to ensure overflow does not affect adjacent sites. Furthermore, the proposed use is not compatible with adjacent uses including a youth services program and the Oval Park which is in the processing of being redeveloped for a different community use. Staff has received a letter from Turning Point of Central California which is attached to this report regarding their concerns with the proposed use.

There are other commercial and office locations that may be better suited for the proposed use that are not within close proximity to sensitive land uses as previously noted. In particular, there are areas that may be better suited due to a site's proximity to medial uses and major transportation services as desired by the applicant. As such, the findings do not recommend approval of the proposed Conditional Use Permit. The use would pose a detriment to the public health, safety and welfare of the surrounding area.

Future Oval Park Considerations

The City of Visalia continues to wrestle with how to best address the persistence of illicit activity within the Oval Park area. The pervasiveness of the issues has resulted in the City of Visalia pursuing alternative uses for the park. A recent proposal (Site Plan Review Item No. 2017-087) submitted by the Tulare County Office of Education (TCOE) seeks to reuse the park area as a daycare center servicing children residing in surrounding neighborhoods. On September 16, 2019, the Visalia City Council authorized staff to consider the proposal, reverting Oval Park to its former use as a school site, and presenting the project to the Visalia Parks & Recreation Commission for comment. City and TCOE staff presented the project to the Parks & Recreation Commission on September 17, 2019.

TCOE submitted a federal funding request to build the new Head Start early childhood education center. Currently TCOE staff is awaiting confirmation of the status of the grant award. Several natural disasters, the COVID-19 pandemic, and the changing of Presidential administrations have delayed the grant funding process. However, TCOE staff remains confident that the project is a strong proposal, likely to be funded by the Federal government. Support letters for the project were submitted by Congressman Devin Nunes and Senator Diane Feinstein. When funding is awarded, TCOE expects to construct the project within 12 months. The City Council would need to approve a lease agreement prior to establishment of the daycare center. Additional community input would likely be pursued prior to establishment.

Reuse of the park site with a daycare center is consistent with the Parks, Schools, Community Facilities, and Utilities Element of the Visalia General Plan (Objective PSCU-O-11), which compels the City to "...*facilitate the location of day care centers (children, youth, senior) and private preschools to provide facilities for year around care.*" In light of the submitted rehabilitation clinic proposal, TCOE has indicated to the City that such a use in close proximity to a proposed

children's daycare center would be inconsistent and incompatible with their plans for reuse of the Oval Park site.

Parking

The site plan in Exhibit "A" indicates that a total of seven parking stalls are provided within the bounds of the project site. Per the VMC, medical clinics require one parking space for each 200 sq. ft. of building area, for a total of 10 spaces. As such, there remains a deficit of three parking stalls. In order to provide sufficient onsite parking, the applicant would be required to obtain a shared parking agreement with a property within 300 feet of the project site or pay parking in-lieu fees as a result of being located within Parking District "A". Parking in-lieu fees can be paid per space to reduce the number of stalls required onsite.

The applicant has stated that they are pursuing a shared parking agreement per the operational statements in Exhibit "F". Staff has observed that there are no nearby parking areas that could potentially serve the proposed use without impacts to their own operation, with the exception of the parking lot used by Visalia Youth Services to the south. However, Michael Zappas, the owner of the southern site, has stated to staff that permission to use the parking lot will not be provided. As a result, the potential for a lack of sufficient onsite parking for the proposed use further removes the proposal from compliance with required findings, as it increases the potential for overcrowding of off-site parking adjacent to the project site. If a shared parking agreement cannot be obtained, the Parking In-Lieu fee will be assessed for each required parking space not provided on-site. The current Parking In-Lieu fee is \$4,707.00 per stall.

Law Enforcement Activity

During the January 15, 2020 review of Site Plan Review No. 2019-149, the Visalia Police Department provided comment stating that the proposed location of the clinic is within a high crime and drug activity area. The Police Department requested the applicant provide additional onsite lighting, surveillance, and a security plan. Per the submitted plans, all requests will be accommodated by the applicant.

Public Comment

Public comment in opposition to the proposal was provided by Michael Zappas, owner of the property to the south, and Raymond R. Banks, CEO of Turning Point of Central California, the occupant of the property to the south. Both Zappas and Banks cited potential impacts to the Visalia Youth Services facility, with Banks stated that the proximity of the clinic would provide a negative influence, could jeopardize the safety of their own clients, and could deter future clients from accessing the facility.

Additional information on the proposed use and relevant case law was received from Rachelle Taylor Golden with Hatmaker Law Group. That letter is included in the staff report as Exhibit "G".

No other comments have been received while the staff report was being prepared.

Environmental Review

If the project is denied, no action is required on an environmental document. Alternately, if the Planning Commission determines, based on the evidence in the record, that Conditional Use Permit No. 2020-05 can be approved, the appropriate environmental document will be prepared for adoption. A Categorical Exemption (Class 1) would be prepared in this circumstance.

RECOMMENDED FINDINGS

1. That the proposed project will be detrimental to the public health, safety, and welfare, and materially injurious to properties or improvements in the vicinity. The proposed use is not compatible with adjacent sensitive land uses, including a public park, a youth treatment facility, and public parking areas.
2. That the proposed conditional use permit is not consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is not consistent with the required finding of the Zoning Ordinance Section 17.38.110:
 - a) The proposed location of the conditional use permit is not in accordance with the objectives of the Zoning Ordinance stated in Section 17.02.020, to promote the public health, safety, and welfare of the city, foster a workable relationship among land uses, promote the stability of existing land uses that conform to the district in which they occur, facilitate the appropriate location of community facilities and institutions, and the purposes of the zone in which the site is located, as stated in Section 17.19.010 of the VMC, to encourage and maintain vibrant, walkable environments containing a mix of uses. The proposed use is adjacent to a public park and youth treatment facility; sensitive uses liable to be negatively impacted by the proposed use. The proposed use has the capacity to create conflict and increase instability in this neighborhood.
 - b) The proposed location of the conditional use and the conditions under which it would be operated or maintained will be detrimental to the public health, safety, and welfare, and materially injurious to properties or improvements in the vicinity. The proposed use is not compatible with adjacent sensitive land uses, including a public park, a youth treatment facility, and public parking areas.
3. That no action under the California Environmental Quality Act is required for a proposed project that is rejected or disapproved by a public agency, in accordance with the California Environmental Quality Act Guidelines, Section 15270.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street, Visalia CA. 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 & Policies
- Resolution No. 2002-11
- Exhibit "A" – Site Plan
- Exhibit "B" – Site Plan with Parking Field
- Exhibit "C" – Security Site Plan
- Exhibit "D" – Floor Plan
- Exhibit "E" – Elevations
- Exhibit "F" – Operational Statements
- Exhibit "G" – Letter from Hatmaker Law Group
- Public Comment Letters
- Site Plan Review Comments No. 2019-149
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Location Map

RELATED PLANS AND POLICIES

Zoning Ordinance, Title 17 of Visalia Municipal Code

Excerpt from Chapter 17.19: Mixed Use Zones

17.19.060 Development standards in the C-MU zones outside the downtown area.

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 - 1. Front: fifteen (15) feet;
 - 2. Rear: zero (0) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 4. Side: zero (0) feet;
 - 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 - 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 - 1. Front: fifteen (15) feet;
 - 2. Rear: five (5) feet;
 - 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 - 4. Side: five (5) feet (except where a building is located on side property line);
 - 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 - 6. Street side on corner lot: ten (10) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable.

Excerpts from Chapter 17.38: Conditional Use Permits

17.38.010 Purposes and powers.

In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits. (Prior code § 7525)

17.38.030 Lapse of conditional use permit.

A conditional use permit shall lapse and shall become void twenty-four (24) months after the date on which it became effective, unless the conditions of the permit allowed a shorter or greater time limit, or unless prior to the expiration of twenty-four (24) months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit. A permit may be renewed for an additional period of one year; provided, that prior to the expiration of twenty-four (24) months from the date the permit originally became effective, an application for renewal is filed with the planning commission. The commission may grant or deny an application for renewal of a conditional use permit. In the case of a planned residential development, the recording of a final map and improvements thereto shall be deemed the same as a building permit in relation to this section. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

17.38.040 Revocation.

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The

planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120. (Prior code § 7528)

17.38.050 New application.

Following the denial of a conditional use permit application or the revocation of a conditional use permit, no application for a conditional use permit for the same or substantially the same conditional use on the same or substantially the same site shall be filed within one year from the date of denial or revocation of the permit unless such denial was a denial without prejudice by the planning commission or city council. (Prior code § 7530)

17.38.060 Conditional use permit to run with the land.

A conditional use permit granted pursuant to the provisions of this chapter shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

17.38.065 Abandonment of conditional use permit.

If the use for which a conditional use permit was approved is discontinued for a period of one hundred eighty (180) days, the use shall be considered abandoned and any future use of the site as a conditional use will require the approval of a new conditional use permit.

17.38.080 Public hearing--Notice.

- A. The planning commission shall hold at least one public hearing on each application for a conditional use permit.
- B. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area occupied or to be occupied by the use which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.090 Investigation and report.

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

17.38.100 Public hearing--Procedure.

At the public hearing the planning commission shall review the application and the statement and drawing submitted therewith and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, particularly with respect to the findings prescribed in Section 17.38.110. The planning commission may continue a public hearing from time to time as it deems necessary. (Prior code § 7535)

17.38.110 Action by planning commission.

- A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:
 - 1. That the proposed location of the conditional use 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 location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit. (Prior code § 7536)

17.38.120 Appeal to city council.

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of Section 17.02.145. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

17.38.130 Effective date of conditional use permit.

A conditional use permit shall become effective immediately when granted or affirmed by the council, or upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

RESOLUTION NO. 2020-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA DENYING CONDITIONAL USE PERMIT NO. 2020-05, A REQUEST BY MICHAEL PARKS TO ESTABLISH A WALK-IN MEDICAL CLINIC AND REHABILITATION/COUNSELING CENTER PROVIDING METHADONE MAINTENANCE TREATMENT SERVICES, WITHIN AN EXISTING OFFICE COMPLEX IN THE C-MU (MIXED USE COMMERCIAL) ZONE. THE SITE IS LOCATED AT 109 N.W. 2ND AVENUE (APN: 094-015-018).

WHEREAS, Conditional Use Permit No. 2020-05, is request by Michael Parks to establish a walk-in medical clinic and rehabilitation/counseling center providing methadone maintenance treatment services, within an existing office complex in the C-MU (Mixed Use Commercial) Zone. The site is located at 109 N.W. 2nd Avenue (APN: 094-015-018); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on February 22, 2021; and

WHEREAS, Section 17.38.010 of the Zoning Ordinance of the City of Visalia provides: "In certain zones conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and with respect to their effects on surrounding properties. In order to achieve these purposes and thus give the zone use regulations the flexibility necessary to achieve the objectives of this title, the planning commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permits."; and

WHEREAS, Section 17.38.110(A) of the Zoning Ordinance of the City of Visalia requires that the Planning Commission make certain findings in order to grant a conditional use permit application, and if such findings cannot be made, then Section 17.38.110(C) provides that the Planning Commission may deny an application for a conditional use permit; and

WHEREAS, if the project is denied, no action is required to be taken on an environmental document in accordance with the California Environmental Quality Act (CEQA).

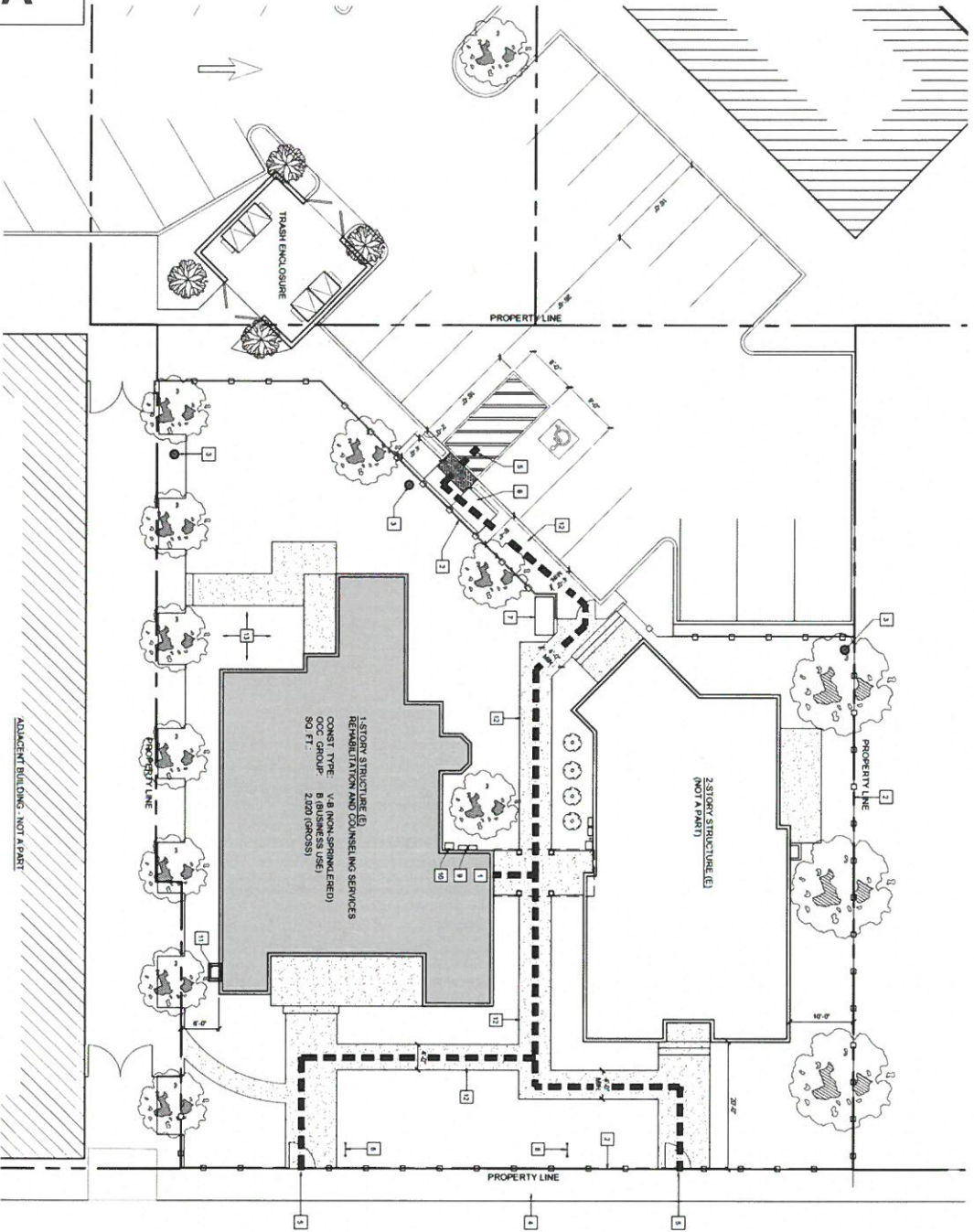
NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the proposed project will be detrimental to the public health, safety, and welfare, and materially injurious to properties or improvements in the vicinity. The proposed use is not compatible with adjacent sensitive land uses, including a public park, a youth treatment facility, and public parking areas.
2. That the proposed conditional use permit is not consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is not consistent with the required finding of the Zoning Ordinance Section 17.38.110:

- a. The proposed location of the conditional use permit is not in accordance with the objectives of the Zoning Ordinance stated in Section 17.02.020, to promote the public health, safety, and welfare of the city, foster a workable relationship among land uses, promote the stability of existing land uses that conform to the district in which they occur, facilitate the appropriate location of community facilities and institutions, and the purposes of the zone in which the site is located, as stated in Section 17.19.010 of the VMC, to encourage and maintain vibrant, walkable environments containing a mix of uses. The proposed use is adjacent to a public park and youth treatment facility; sensitive uses liable to be negatively impacted by the proposed use. The proposed use has the capacity to create conflict and increase instability in this neighborhood.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will be detrimental to the public health, safety, and welfare, and materially injurious to properties or improvements in the vicinity. The proposed use is not compatible with adjacent sensitive land uses, including a public park, a youth treatment facility, and public parking areas.
3. That no action under the California Environmental Quality Act is required for a proposed project that is rejected or disapproved by a public agency, in accordance with the California Environmental Quality Act Guidelines, Section 15270.

NOW, THEREFORE, BE IT FURTHER RESOVLED, that the Planning Commission denies Conditional Use Permit No. 2020-05 on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 17.38.110(C) of the Municipal Ordinance Code of the City of Visalia.

EXHIBIT "A"



PARTIAL SITE PLAN

CORNERSTONE REHABILITATION CENTER, LLC
109 NW 2ND AVE.
VISALIA, CA

1/8" = 1'-0"
SEPTEMBER 18, 2009

PROJECT INFORMATION

ADDRESS: 109 NW 2ND AVE., VISALIA, CA 93281
 AEA: 044-014-018
 ZONING: C-40 (MIXED USE COMMERCIAL)
 FLOOD ZONE: AE (FEMA HIGH RISK)
 BUILDING AREA: 2,000 S.F.
 SITE AREA: 14,280 S.F.
 PARCEL: VISALIA MUNICIPAL CODE CH. 17.28 (SEE PLANNING DISTRICT #1)
 SEC'T: R-1 (CLAY) 1' SPACED FOR EACH 200 S.F. OF BUILDING AREA
 2,000 S.F. TO 10,111 S.F. SHALL BE REQUIRED
 8 PARKING SPACES SHALL BE PROVIDED
 9 SPACES SHALL BE PROVIDED
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SITE DATA/LISTINGS

- 1 ACCESSIBLE WALKWAY
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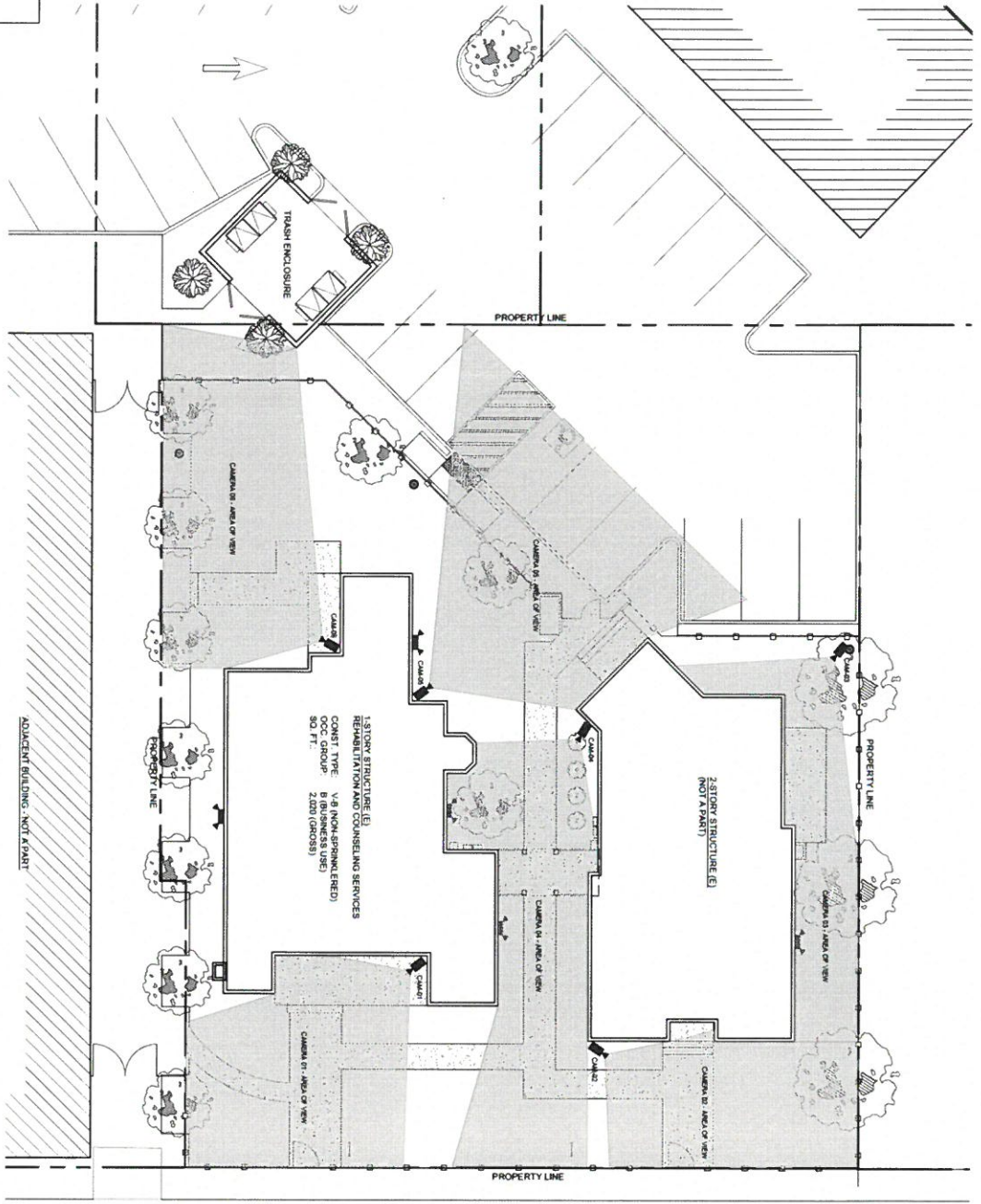
SURVEY MAP



Design-Development

studios
a California Corporation
ARCHITECTURE PLANNING DESIGN

EXHIBIT "C"



SITE SURVEILLANCE PLAN

CORNERSTONE REHABILITATION CENTER, LLC
109 NW 2ND AVE.
VISALIA, CA

1/8" = 1'-0"
SEPTEMBER 18, 2008



PROJECT INFORMATION
ADDRESS: 109 NW 2ND AVE, VISALIA, CA 93281
APR: 08/14/08
OWNER: CORNERSTONE REHABILITATION CENTER, LLC
DESIGNER: VISALIA ARCHITECTURE & PLANNING, INC.
DATE: 09/18/08

- 1. SYMBOL LEGEND
- 2. FLOOR LIGHT
- 3. SURVEILLANCE VIDEO CAMERA
- 4. POLE MOUNTED SITE LIGHTING
- 5. 8 FT. TALL SECURITY FENCE WITH LOCKING GATES

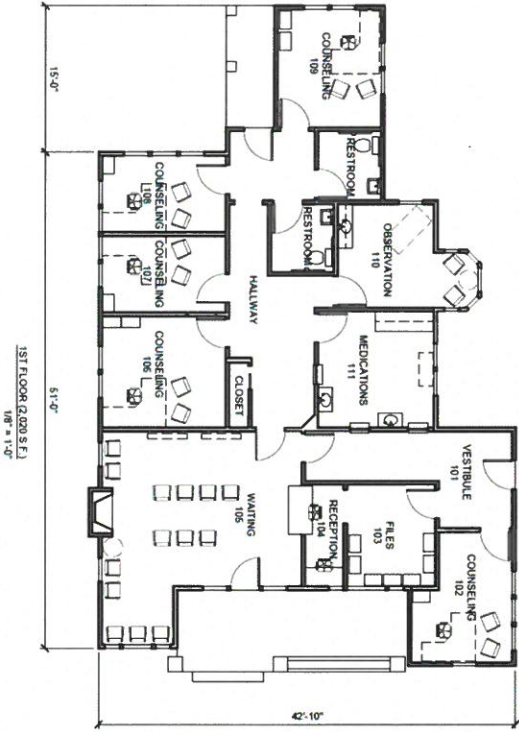
- GENERAL NOTES**
1. ALL LANDSCAPING SHALL BE LOW VOLUME SHRUBS AND GRASS/COVER.
 2. ALL GATES SHALL BE LOCKED AFTER BUSINESS HOURS.
 3. ALL CAMERAS SHALL PROVIDE CONTINUOUS 24 HOUR SURVEILLANCE WITH DIGITAL RECORDING AND BACKUP.
 4. ALL POLE MOUNTED SITE LIGHTING SHALL BE ELIMINATED FROM DESIGN UNLESS SHOWN.
 5. ALL FLOOR LIGHT FIXTURES SHALL HAVE MOTION SENSORS.
 6. CRIME PREVENTION STAMPING SHALL BE PROVIDED ON 24 HOUR MAINT. CONTRACTS ON STAFF WITH SITE VISUAL RECORDS AT 15 MINUTES.



Design-Development

studios
a California Corporation
ARCHITECTURE PLANNING DESIGN

EXHIBIT "D"



**REHABILITATION AND COUNSELING
1-STORY FLOOR PLAN**

FLOOR PLAN

CORNERSTONE REHABILITATION CENTER, LLC
 109 NW 2ND AVE.
 VISALIA, CA



Design-Development

studios
 a California Corporation
 ARCHITECTURE PLANNING DESIGN

EXHIBIT "E"



1-STORY FRONT VIEW



1-STORY REAR VIEW



BREEZEWAY



FRONT VIEW FROM NW 2ND



2-STORY SIDE VIEW



2-STORY FRONT VIEW



2-STORY SIDE VIEW



2-STORY REAR VIEW



VIEW FROM PARKING LOT

BUILDING PHOTOS

1/8" = 1'-0"
FEBRUARY 7, 2009

CORNERSTONE REHABILITATION CENTER, LLC
109 NW 2ND AVE.
VISALIA, CA

Design-Deve

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a California Corpora
ARCHITECTURE PLANNING

EXHIBIT "F"

Business Plan/Daily operations

Hours of Operations:

1. Monday - Friday - 0700-1530 (Treatment) 0800-1730 (Counseling)
2. Saturday-Sunday 0730-1230 (Treatment) 0830-1230 (Counseling)
3. Most of our clients attend morning dosing hours, and we focus on our late morning and afternoon hours for our clients who are receiving counseling. This helps to keep the volume manageable throughout the day.
4. Group counseling is another option we have developed for our clients; they are small groups of no less than four and no more than ten clients per session. Each session is 60 minutes, and we do this again to help control patient flow.
5. Tele-Counseling - We are working with Tulare County to offer counseling via phone service. This service separates us from local providers. Tel-Counseling will be provided to all our patients in the acute crisis to supplement the in-office sessions and later to those completing their step program. Tel-Counseling will help control patient flow.
6. Staffing will be sufficient to treat and counsel up to 100 patients over 12 months. Federal and State law along with the recommendations of Americans with Disability Act, provide the guidelines to how many patients a facility can care for. Cornerstone is focused on quality treatment over quantity but we are here to serve the needs of Tulare County. The step program can allow a patient to come to the clinic as little as once every two weeks for medication.
7. The number of patients served will be based on Community needs.

Client:

1. Methadone maintenance treatment is the use of **Methadone**, administered over a **prolonged period, as a treatment for someone addicted to opioids such as heroin, where detoxification has been unsuccessful, and admittance to a substance abuse treatment facility requires complete abstinence**. Methadone maintenance makes possible the first step toward social rehabilitation because it allows addicts to avoid the uncomfortable withdrawal symptoms that result from total abstinence. **Methadone maintenance can also be used for patients who suffer from severe pain problems resistant to other drugs.**
2. Medication Addiction Treatment has proved clinically useful and significantly reduced the need for inpatient detoxification services for these individuals. Medication Addiction Treatment provides a more comprehensive, individually tailored program of medication and behavioral therapy that addresses most patients' needs.

System:

1. Each client will be interviewed and assessed before being admitted to our program. **The patient assessment will allow us to create an individual plan for each client to help them in their sobriety journey.**
2. Once accepted, each client will be provided a contract and educated on the step program. These are some of the terms of the contract:
 - A signed agreement from the client states they will achieve the minimal amount of counseling hours per month. **150 minutes.**
 - An agreement that they will not loiter, vandalize, or cause any disturbances on company property.

- No illegal drug or alcohol use on our premises.
- **Any violation against these agreements and other steps could lead to the Patient being removed from our services.**

3. Step Program:

- Step 1, Patient accepted into the program, agreed to the terms of the contract, and completed several months of consistent counseling. Approximately 25% percent of our clients will be eligible to advance a step. The step process is based on a reward system. **The more involved and committed the Patient is to their treatment plan, the greater the opportunity for take-homes and Telehealth.**
- Step 2, Patient remains consistent with the program and has not tested positive for any drugs or medications they are not prescribed or apart of their program. Step 2 will allow the Patient the opportunity to qualify for up to 2 medication take home, which is an award for their sobriety. At this time, the MD, Counselor, and Patient will discuss the process of decreasing patient dosage by 1-5 percent. This is an introductory period for discussion only.
- Step 3 allows up to a four day take home if the Patient has completed all the above requirements. The Patient needs to attend a quarterly group counseling session. Medication dosage decrease is recommended and encouraged.
- Step 4 allows up to six-day take-home. Discussions begin about another decrease in dosage. If the Patient is stable, we move to decrease the dosage.
- Step 5, this step requires the Patient to be apart of our program for a period determined by MD, Case Manager, and Director. At this time, the Patient can request take homes up to 13 days; all other requirements must be met.

If at any time our clients test positive for a drug that is not part of their treatment plan, are convicted of any illegal activities, involved in any disturbances and or activities, loitering, vandalizing, etc., they will be re-assessed. They may have to start the step program over and, if deemed necessary, removed from the program.

Our Treatment plans will consistently ask the patients to identify and grade their triggers. Based on the Patient's progress and MD recommendation, our program is intended to encourage our patients to taper down on Methadone once specific goals are satisfied. Cornerstone will also educate patients on other medications and support to transition the Patient off of Methadone.

4. Policies and Procedures: Cornerstone is working with the State, County, DEA, and SAMHSA (Substance Abuse and Mental Health Services Administration) to ensure all State, Federal, and County regulations are met. Cornerstone is eager to work with local city officials to ensure City Guidelines are followed.
5. City Officials: Cornerstone has the support of Tulare County as well as several Health Care Providers. Our next step is to meet with essential City representatives to address, Fire, Police, Site Plan, and Conditional Use Permit issues.
6. Transportation:
 - Cornerstone Rehabilitation Centers' location was chosen because of easy access to public transportation. Cornerstone is less than 0.5 miles from a bus stop, with three more locations less than 1.2 miles away.

- Cornerstone is also providing ten spaces available for our clients who travel via bicycles.
- **Cornerstone is also working on obtaining their credentials to provide non-emergency transportation to and from the clinic. Transportation is a much-needed service to our patients. As the program grows and develops, our transportation services will also provide drop-offs to local pharmacies and other health-related services.**
- Most of our clients take public transportation, including Lyft and Uber. Of our current clients, many of our clients have a bicycle.

7. Medications:

- Cornerstone will provide **Methadone, Buprenorphine(SUBOXONE), and Naloxone.**
- Our mission is to treat patients where they are and encourage them with support, counseling, and homeopathic options to taper down on their Methadone and, when ready, the transition to SUBOXONE.
- Patients will be recognized for tapering down in the form of recognition and additional take homes that follow Federal and SAMSHA recommendations.
- **FDA has approved several different medications to treat alcohol and opioid use disorders. Medication-Assisted Treatment medications relieve the withdrawal symptoms and psychological cravings that cause chemical imbalances in the body. Medication used for treatment is evidence-based treatment options and do not just substitute one drug for another.**

Commitment:

1. As a local business owner, I am committed to being a great neighbor to the other business owners in the area. I will achieve this by sharing my mission and daily operation with those in the immediate area.
2. I am committed to employing other local Visalians, including Veterans of the US Military and those who want to help support those afflicted with the horrible illness of addiction.
3. We will also refer our clients to local Residential Treatment Services when needed. To help provide another tool for our clients who want to take the next step for sobriety.
4. Security guards will be on-premises and will make routine perimeter checks throughout the property. Security will help show a presence to the transients already present and help monitor any of our clients that may be in conflict with their contract.
5. Cornerstone is committed to working with the Police and Fire Chief to ensure we are up to date and comply with state and city requirements.
6. Cornerstone will continue to work with the County, Kaweah Delta Hospital, and a handful of other local providers who have already welcomed us to the community.
7. **The Ultimate goal of Cornerstone Rehabilitation Center is full recovery, including living a self-directed life. This treatment approach has been shown to:**
 - a. Improve patient survival
 - b. Increase retention in treatment
 - c. Decrease illicit opiate use and other criminal activity among people with substance use disorders
 - d. Increase patients' ability to gain and maintain employment
 - e. Improve birth outcomes among women who have substance use disorders and are pregnant

Staff:

Initially, the team will be a skeleton crew; part time, Medical Director, one Physician Assistant, one Register Nurse Director, one Manager, two Counselors, one LVN, two Security Guards. As our volume grows, staffing will increase. **Fifty percent of our Counselors will work from home.**

1. MD - Medical Director, has over 20 years of experience working with drug addictive patients. Currently owns a wellness center and is involved in several nonprofit organizations for the homeless and underserved.
2. RN - Owner / Director of services, 15 years experience with Critical care advanced training and Emergency Room advance training. Nine years with corporate Management in the healthcare field
3. Manager - Over ten years experience in the Methadone Clinic field. Advanced training and certificates for drug counseling. Seven years of experience as a compliance officer for a methadone clinic and a lead counselor and educator.
4. LVN (licensed vocational nurse)/CPT(Certified Psych Tech) - 3 will be available to dispense the medication as prescribed once we reach full capacity.
5. Certified Alcohol and Drug Counselors / Certified Addiction Specialist - 5 counselors will counsel our patients daily. **Cornerstone will also provide Tele-Counseling this will allow staff to work from home and allow patients more flexible scheduling.**
6. MA (Medical Assistant) - EGK / Lab work if needed. Front desk support
7. Security - Two trained security guards. One Guard for the day shift and another guard for after-hours.
8. This is a total of 12 employees, some working from home. We will hire two security guards.
9. Through County Resources, Telehealth and Per diem, our clients will have access to a Psychiatrist and Medical Social Worker

Access to Medication-assisted treatment programs is currently limited to 3 facilities to provide services for Tulare County residents as well as Kings County and unincorporated areas. Cornerstone Rehabilitation Center worked with County individuals to clearly show a need for another clinic to help meet the needs of the County to provide services for individuals dealing with addiction. Cornerstone Rehabilitation Center has the support of Kaweah Delta Medical Center as they recognize how our services can help absorb a percentage of patients who might have visited their Emergency Room.

Cornerstone Rehabilitation Center is taking a unique approach to providing care for our patients by:

1. Collaborate with County and City services to connect our patients to other services to include job training, self-help programs, and educational opportunities.
2. Development of a Rural Clinic to bring primary health care to where it is needed. Once the clinic is fully functioning, this will benefit the surrounding business owners, employees, and residents. The clinic will also offer Tele-Health Services so patients can set appointments and even obtain essential health services.
3. Providing Tele-Health Services for our NTP patients will help us accomplish:
 - Patients will have another avenue to receive the vital one on one counseling needed during times of crisis
 - Tele-Health Counseling will allow Cornerstone Rehabilitation Center to control patient flow to the center by allowing our patients who have completed specific programs to use Tele-Health Counseling in their homes to meet their mandatory counseling requirements
4. Cornerstone is taking the steps necessary to create a transportation system to help accomplish:
 - Routine schedule pick-up and drop-off for patients who may need temporary transportation assistance.
 - Regular drop off to businesses that provide a service for our patients, ie, pharmacy, medical services
 - Transportation services will help control the flow of patients to our facility. Transportation services will be strategically set to focus services between the hours of 6:00 am to 2:00 pm, again this will help control patient flow to the facility.

Cornerstone is taking the approach that Healthcare facilities have been encouraged to make, and that is "Whole Patient Care." Provide care for the whole patient, while we help our patients fight addiction with advanced treatments and cutting edge technologies, we also fight their fears and anxieties with encouraging support groups and personal one on one behavior counseling sessions.

Over the past 15 months I have personally met with over 500 local individuals that are seeking treatment here in the city of Visalia. The demographics of the "new" opioid-addicted patient are constantly changing to include school teachers, medical providers, military individuals, construction workers, and every other profession where an individual may have unintentionally injured themselves and developed an addiction to prescription narcotics.

1. Security Measures
 - Badge access to the medication room
 - Jewelvault U.L. TI-30, meets all the State and Federal DEA requirements for the storage of medication. The safe will weight between 1750lbs to over 3300 lbs, depended on which safe we choose, all with an upgraded DEA locking mechanism. Please see attached info sheet. The medication safe meets all Stat and Federal DEA requirements.
 - Security door to medication room
 - Reinforced door jam?
 - Security bars over the windows to the medication room
 - Closed circuit cameras in common areas and medication room.

2. Security Guards will be contracted out, we will due our best to hire a local security company.
 - Security will be on site from 0600-1430 and 1430-2300 Monday through Sunday.
 - 1 Security Guard per shift, 2 shifts per day
 - The Security Guard will make rounds through the facility as well as on the property grounds.
 - Any additional measures will be based on the needs of the facility.
 - The County Security Guard will not report to Cornerstone or have any obligation to Cornerstone. Their presence will make an over-all difference for the area.

3. Number of Clients served daily - Our patient case load will be low for the first 2-4 months, this is normal as the facility will still be undergoing review from the State, Federal DEA department and Medi-Cal as well as other required agencies.
 - Once all required licensing are obtained, Cornerstone will start the on board process for our patients. This process is different for each patient. Cornerstone's on-boarding process will start with 25 patients over the first 3 months. Our goal will be to assess, and on-board 5 patients a day. During this time each patient will be assessed and a care plan will be developed. The care plan will take into account where each patient is currently at in their program. Some patients will immediately qualify for a program that allows the patient to take medication home. This is important because the more successful a patient is with their care plan the more freedom they have with the program. Each new person will have to be in the program and report to the facility daily for the first 30-90 days before they qualify for take home medications. Any transfer patient may be qualified for take home medications within the first 30 days. At any time any patient who meets specific federal guidelines as well as under the care of our Physician can qualify for take home medications. Patients can successfully work their care plan to a point where they can be given medication to take home. The take home or STEP program can allow up to 1 day take home per week all the to 21 take homes over a 30 day period. This process will play a role in managing daily patient visits.
 - 1st quarter we can have up to 25 people a day visiting the clinic.
 - 2nd quarter we will on-board an additional 25 patients and the process will start again. During this time we could have up to 50 patients a day visiting the Narcotic Treatment Program. (MAT). Our goal will be to have at least 30% of our patients on one of the STEP programs.
 - 3rd quarter we will on-board another 25 patients and the process will start again. During this time we could have up to 75 patients a day visiting the MAT. At this point we will have a number of patients who qualify for 1, 2 or 3 day take homes. This is important because this will cut down on patient visits per week. The individuals who are successful in their program will receive take home medication so they will not be visiting the MAT everyday.
 - 4th quarter we will on-board 25 more patients. At this point we could have 50 to 100 clients visiting the center.

- Please know that at any time the MAT clinic can acquire a patient who has successfully completed a STEP program from another facility. Once the patient is on-boarded to Cornerstone Rehabilitation Center the individual could continue his STEP program, which means that the individual has met the criteria for take home medications. Again this is important to understand as the individual would not be visiting the clinic every-day.
 - Cornerstone Rehabilitation Center is focused on providing care for as many patients as safely possible. Narcotic Treatment Centers are highly regulated by Federal Guidelines as well as State and County rules, we will practice within those guidelines.
 - It is important to understand that there will be no medication in this facility that you would not find at most Medical Clinics, Urgent Care Centers or Local Pharmacies. So I ask that you please keep our Facility in the same light that you would any other clinic.
5. Staffing levels - Our Staffing levels will be determined by our patient intake. Our Core team will consist of:
- 1 Medical Director - Our Physician will function as the Medical Director over Cornerstone Rehabilitation Center. As our Medical Director and per State and Federal guidelines he can spend up to 50% of his time as our on-site Physician. The Medical Director will if asked act as a patients Primary Care Physician (PCP). Updated
 - 2 Nurse Practitioners(NP) and or Physician Assistants(PA) - As our volume increases we will bring on NP's to help support the Facility.
 - 1 Registered Nurse - The RN will function as the Director over both facilities. The RN will also act as support for both facilities. Vincent Falcone will function as the Director, currently Vincent Falcone managers 86 Registered Nurses at Kaiser Permanente Hospital.
 - 3 Psych Tech - Cornerstone will start with 1 Psych Tech but as our volume increases we will hire up to 3 Psych Tech's. Primary role will be to support the MAT Clinic
 - 5 Licensed Certified Alcohol Drug Counselors - Initially we will hire 1 Counselor, as our volume increases we will hire additional counselors to support the needs of our patients.
 - Cornerstone was recognized and awarded a \$50,000.00 grant to support Tele-Health Counseling. This innovation will allow Cornerstone to hire qualified Counselors to work from home and provide support for our patients after hours and when in a crisis. Tele-Health Counseling will create another avenue for our patients to meet the needs of their required Counseling. Those who qualify for Tele-Health Counseling will not have to come to the clinic as often as those who do not qualify.
6. Strategies to decrease potential impact:
- STEP Program - As stated above, and with other submitted materials the STEP program is a great tool to reward our patient and decrease patient visits to the MAT Clinic. With ever STEP a patient is allowed under Federal Guidelines to receive medication to take home. Example; a patient can receive 5 days worth of medication in a 7 day period, and only have to attend the MAT Clinic 2 times a week.
 - Tele-Health - Tele-Health Counseling, makes it possible for our patients to receive counseling in their home via Tele-Health. This will help decrease the amount of visits a patient has to attend the MAT Clinic.
 - Transportation - Cornerstone will take the steps necessary to obtain its non-emergency transportation license. This process is another tool to help control the flow of patients to the facility. Transportation will be scheduled similar to a bus route and only between the hours of 0700 and 2:00 pm on weekdays. As our patients needs change we may need to access our hours of operation for transportation.

- Group Counseling - Group counseling sessions will be held at specific times and on weekends this is a great tool for patients in general and it does help to control patient flow. Our facility will be the only MAT in Visalia that is large enough to provide group counselors. 10 Patients can be seen by 1 Counselor during a one hour session, you can see how this can help control patient flow.
- Facility Design - Our Facility is being designed to improve patient walk-through. Our Medication Room is situated to allow our patients who are scheduled for counseling to go to a dedicated Dispensing window to receive their medication before or after their required counseling session. For patients who are not scheduled for counseling they will be directed to 1 of 2 windows specific for patients who are there for medication treatment only.
- Each of the programs above will help to control patient visits.



JV 3020



JV 4524



JV 6020



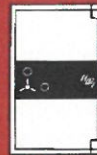
JV 5524



JV 6528



JV 6034

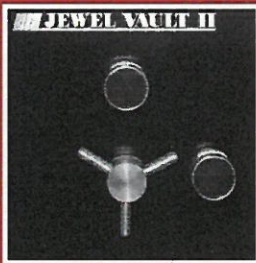


JV 6836

JEWEL VAULT II UL TL-30

Price	L/P 36	Model	Internal/Inches			External Inches			Cubic Feet	Weight Pounds	Shelf Qty	Door Swing	
			H	W	D	H	W	D				A	B
		JV 3020	30	20	21	36.5	26.5	31.5	7.3	1710	2	55.5	46.5
		JV 4524	45	24	21	51.5	30.5	31.5	13.1	2280	3	59.5	55.5
		JV 6020	60	20	21	66.5	26.5	31.5	14.6	2430	4	57.5	53.5
		JV 5524	55	24	21	61.5	30.5	31.5	16.0	2790	4	59.5	55.5
		JV 6528	65	28	21	71.5	34.5	31.5	22.1	3330	5	63.5	59.5
		JV 6034	60	34	21	66.5	40.5	31.5	24.8	3420	5	69.5	74.5
		JV 6836	68	36	26	74.5	42.5	36.5	36.8	4450	5	76.5	78.5

* Add 2" To External Depth For Hinge Projection



An impressive control panel enhances the JEWELVAULT II with a chrome capstan pull handle and two sophisticated combination locks, both with spy-proof

U.L. approved electronic lock with push button pad is an optional feature.



SALES & SERVICE (800) 852-8577



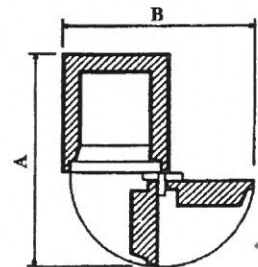
7350 S.W. 45th Street
Miami, Florida 33155

(305) 262-6762
(305) 266-5821 FAX

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Writer's E-Mail: rachelle@hatmakerlaw.com
File No. 1405.01

October 12, 2020

City of Visalia
VISALIA SITE PLAN REVIEW
315 E. Acequia Avenue
Visalia, CA 93291

Re: Cornerstone Rehabilitation Center – Letter for Reconsideration

Dear Sirs and Madams:

I'd like to take the opportunity to share with you what an incredible opportunity the City of Visalia has to assist its most vulnerable and neglected population. Cornerstone Rehabilitation Center ("Cornerstone") would like to serve that population so that those citizens can obtain the help they need in order to become responsible, upright, and contributing members of society, not only within the Visalia community, but also within their personal communities as well. In an effort to fully explain how beneficial Cornerstone's substance use treatment services will be, I have taken the liberty to provide you with a brief background on why Cornerstone is offering an essential program for the people within the City of Visalia.

In 2017 there were more than 70,200 drug overdose deaths in the United States, and more than 47,500 of those overdose deaths involved opioids, which include synthetic opioids such as fentanyl.¹ There was a 413% increase between 2014 and 2014 in synthetic opioid-related deaths in the United States.² Opioids are not the only problem, there has been a renewed growth in methamphetamine availability, with 10,333 deaths in 2017.³ There was a 34% increase between 2016 and 2017, of overdose deaths related to cocaine.⁴ Appreciating the crisis that is occurring in our country, the Whitehouse has developed a detailed strategy to combat this crisis which focuses on prevention, treatment, recovery, and the reduction of drug availability in the United States. With Cornerstone's help, the City of Visalia should follow that conscientious lead.

In an effort to halt substance use disorder, the Whitehouse now recognizes that medication-assisted treatment (MAT), combined with cognitive therapy, allows persons with active drug use and an untreated mental health condition, to a path of recovery. MAT is evidence-based treatment

¹National Drug Control Strategy, pg. 1, <https://www.whitehouse.gov/ondcp/>

² *Id.* at pp. 1-2

³ *Id.* at p. 2

⁴ *Ibid.*

for those who have a substance use disorder and uses FDA-approved medication in conjunction with counseling and behavioral therapies to the whole patient.⁵ The federal government recognizes that local communities are the first line of defense in preventing and treating persons with substance use disorder and mental health conditions.⁶ Cornerstone's program an, MAT program, is in exact alignment with the Whitehouse's initiative to save lives.

Cornerstone's mission is to take traditional Narcotic Treatment Programs (NTP) which concludes treatment at the "maintenance" phase of recovery, and goes beyond that "maintenance" to treat the whole patient with cognitive therapy and medical services with an entire team of qualified medication professionals. NTP's "maintenance" stops short of treating the whole patient, as it only "provides narcotic replacement medication to patients in sustained stable, medically determined doses," with the hope that once the patient is stabilized, they will *then* seek medical and psychiatric treatment.⁷ Cornerstone's program is different than NTP in that Cornerstone provides the psychiatric treatment *simultaneously* with medically determined doses, so that the patient has a much higher chance of recovering from their substance use disorder.

As you can see by the attached proposed floor plan, the layout of the facility is a therapy-centric environment with 5 counseling rooms, and only 1 room for medication distribution. The following qualified medical professionals will be available for Cornerstone's patients:

1. Dr. Saqib Rashid, M.D., Board Certified by the American Board of Addiction Medicine, who will act as the MAT Medical Director, who will provide medical care for patients and, who will also act as the patients' primary medical doctor, if needed;
2. A Registered Nurse who will be the Case Manager for patients;
3. A Psychiatrist (per diem) who will be provided to patients in collaboration with County of Tulare and, who will also provide support for the in-house Case Manager;
4. Tele-health services provided by an Opioid Board-Certified Nurse Practitioner;
5. Tele-health services provided by a Certified Alcohol Drug Counselor;
6. One-on-one and group counseling sessions; and
7. A medication "Step Process" which assists patients in becoming independent in their recovery which will allow patients who are successful in the program to gradually take their medications home for self-administration;

⁵ "Breaking the Cycle: Medication Assisted Treatment (MAT) in the Criminal Justice System," by Jon Berg, M. Ed., Senior Public Health Advisor for Substance Abuse and Mental Health Services Administration, March 15, 2019.

⁶ *Id.* at p. 5

⁷ <https://www.dhcs.ca.gov/individuals/Pages/NTP-FAQs.aspx>

- a. Any patient that achieves this goal in their recovery process must test negative for all narcotics that are not included within their individualized medication treatment plan and they must maintain one-on-one counseling.

While Cornerstone appreciates the City's concern that the existence of the facility may increase loitering and crime, it is actually the absence of such programs like the one Cornerstone is offering that "increases violence, crime, and risky behavior that jeopardizes the health and safety of individuals, families, and communities."⁸ Cornerstone's program is "essential to eliminate the stigma, misunderstanding, and legal and regulatory barriers that delay or prevent treatment access and impede recovery. In addition to saving lives and helping people in recovery achieve their full potential," this program, "will help ensure that the significant public investment in treatment pays off in terms of long-term recovery."⁹ The tele-health services provided in conjunction with the Step Process are unique to Cornerstone's methodology for successful treatment as there is no other facility in the area that provides those services. Furthermore, those services allow Cornerstone to control the volume and flow of patients it treats within the actual facility itself which would also assist the City in eliminating its fear that loitering and crime would increase in and around the facility.

It should also be pointed out that without supportive services for citizens re-entering society from incarceration, like the program Cornerstone will offer, 75% of those people who were in prison or jail with an opioid use disorder experience relapse, and are between 10 and 40 times more likely to die of an opioid within a few weeks after reentering society.¹⁰

With that background in mind, I would like to call the City's attention to *Bay Area Addiction Research and Treatment, Inc. v. City of Antioch* (9th Cir. 1999) 179 F.3d 725, in which the operators of a drug treatment facility had specific criteria that they needed for the new location of drug treatment facility. After searching for several months, the treatment center found a location that met all the necessary criteria and which just so happened to abut a residential neighborhood. The residents became concerned about the potential of increased crime and drug use near their homes and addressed the issue at a city council meeting. The city then unanimously approved an ordinance which authorized the city to prohibit a land use for 45 days in order to study the proposed use and forbid issuance of any permits or the operation of any new substance use clinics located within 500 feet of any residential property. After attempts at finding a new location failed and attempts to compromise with the city failed, the treatment facility brought a class action against

⁸National Drug Control Strategy, pg. 17, <https://www.whitehouse.gov/ondcp/>

⁹ *Ibid.*

¹⁰ "Breaking the Cycle: Medication Assisted Treatment (MAT) in the Criminal Justice System," by Jon Berg, M. Ed., Senior Public Health Advisor for Substance Abuse and Mental Health Services Administration, March 15, 2019.

the city under the Americans with Disabilities Act (“ADA”) and the Rehabilitation Act and also sought a preliminary injunction to halt the enforcement of the ordinance.

What’s relevant here is that the Court relied on 42 USC section 12132 in overturning the lower court’s decision that denied the preliminary injunction. (*Id.* 733-734.) Section 12132 provides, “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, **or be subjected to discrimination by any such entity.**” (Emphasis added.) Further, the court agreed with plaintiff that the zoning ordinance was discriminatory on its face and that the only way to avoid discrimination on the basis of disability would be the actual removal of the portion of the law that discriminated on the basis of disability. (*Id.* 734-735.) “Facially discriminatory laws present per se violations of § 12132.” (*Id.* at 735.)

While here there is no zoning ordinance at issue that Cornerstone is aware, the analysis of *Bay Area* is applicable to the present request for a permit by Cornerstone. Cornerstone received a letter dated August 13, 2019, from the City’s Department of Parks and Recreation effectively denying its ability to obtain a permit because of a *personal opinion* that “do[es] not support this location for the proposed use,” without any supporting evidence to substantiate those concerns. *Bay Area* specifically addressed this issue and held that to allow the denial of a preliminary injunction solely based “on the fear and apprehension of others would frustrate the goals of section 504.” (*Id.* at 735.) In order to comply with the ADA and the Rehabilitation Act, an actual analysis needs to be conducted to assess whether there are significant risks associated with the proposed project. The denial of a project without such an assessment can only be based on “the prejudiced attitudes or the ignorance of others,” which is unlawful under the ADA and the Rehabilitation Act. (*Id.* at 736.) Even if a court of law determines there is a substantial risk to the health and safety of others, then the *next step* is to determine whether a *modification* to the proposed project can eliminate the risk and also accommodate those with disabilities. (*Ibid.*)

Ultimately, in determining that the ordinance violated the ADA and the Rehabilitation Act, the court cautioned the city, “we note that in assessing the evidence, courts must be mindful of the ADA’s express goal of eliminating discrimination against people with disabilities,” and the Rehabilitation Act “was meant to protect disabled individuals ‘from deprivations based on **prejudice, stereotypes, or unfounded fear.**’” (*Id.* at 737.) (Emphasis added.) “Therefore, it is **not enough** that individuals pose a **hypothetical or presumed risk**. Instead, the **evidence** must establish that an individual does, in fact, pose a significant risk. Further, it should be emphasized that the risk must be of a serious nature.” (*Id.*) (Emphasis added.)

While Cornerstone appreciates that there may be other services available that treat substance use disorders, Cornerstone’s MAT program is **the only program** within the City of Visalia that would simultaneously treat people with substance use disorders and those with mental

HATMAKER LAW GROUP

City of Visalia
Visalia Site Plan Review
October 12, 2020
Page 5

health conditions through not only medically-related treatment but also through cognitive behavioral and psychiatric therapies. Furthermore, it should be pointed out that no risk analysis has been done whatsoever. Therefore, the denial of the permit can only be based on hypothetical or presumed risk, and similarly based on prejudice, stereotypes and unfounded fear which is expressly what the ADA and the Rehabilitation were enacted to prevent.

Based on the foregoing, Cornerstone urges you to reconsider the denial of the permit so that it can open its doors and assist the portion of the population who are most at risk for overdose-related deaths. Cornerstone desires to work with the City to assist its vulnerable citizens to a path of whole-patient recovery.

Please contact this office, if you wish to further discuss anything contained in this letter please do not hesitate to give me a call or send me an email.

Sincerely,



Rachelle Taylor Golden
HATMAKER LAW GROUP
A Professional Corporation

cc: Floor Plan

TP TURNING POINT OF CENTRAL CALIFORNIA, INC.

P.O. BOX 7447
VISALIA, CA 93290

615 S. ALWOOD ST.
VISALIA, CA 93277

(559) 732-8086

June 4, 2020

City Planner's Office-City of Visalia
Attn: Mr. Cristobal Carrillo and Mr. Paul Bernal
315 E. Acequia Avenue
Visalia, CA 93291

Planning Commission-City of Visalia
707 W. Acequia Avenue
Visalia, CA 93291

Re: Opposition to potential Methadone Clinic being requested for 109 NW 2nd Avenue, Visalia, CA 93291

Dear Messrs. Carrillo and Bernal:

On behalf of Turning Point of Central California, Inc. (TPOCC), we are forwarding our strong opposition to the proposed Methadone Clinic being requested for the above address. It is our understanding that efforts are underway relating to obtaining a Conditional Use Permit to operate a Methadone maintenance clinic next door to the Visalia Youth Services (VYS) Clinic located at 711 N. Court Street, Visalia, CA 93291.

For 50 years, TPOCC has served vulnerable members of our community including Visalia and Tulare County residents. Our programs provide individual, group, and family therapy as well as crisis stabilization, housing, and case management services to high risk populations. TPOCC offers services to over 3,700 children and families annually. Our VYS Clinic alone has served over 1,000 families during the past year. Many of our most crucial services are conducted on site at our current Court Street location consisting of both walk-ins and appointments.

Our management and VYS Staff have significant valid concerns regarding the proposed Methadone Clinic, including safety and risk factors. Our goal is client wellness. The presence of a Methadone Clinic provides a negative influence, would provide services to prior/current drug addicts, jeopardizes the safety of our staff/clientele, raises the potential of discarded needles (and related drug paraphernalia), invites panhandling, raises the potential of gang activity, detracts from a safe environment, will result in increased police presence, and is not a good fit for the goals VYS is achieving. TPOCC/VYS has been able to keep negative incidents to a minimum with a security guard on site and well-trained staff members despite existing homeless activity and traffic nearby at Lincoln Oval Park. Adding to these already existing threats/traffic would only further jeopardize the positive, professional work being accomplished. Additionally, the presence of a Methadone Clinic will deter clients/families from accessing services at our Court Street location.

We strongly encourage the Planning Commission to deny a CUP for the proposed Methadone Clinic due to all of these safety and related concerns.

Sincerely,



Raymond R. Banks, CEO

Michael Zappas
8189 San Dimas Lane
Atascadero, CA 93422

City of Visalia
Visalia, CA

July 2, 2020

Re: CUP application for a methadone clinic proposed for 109 NW 2nd Ave,
Visalia, CA 93291.

Dear Planners and Councilmembers:

I am the owner of the Old Bakery Plaza, 711 North Court Street, Visalia. I have owned this building for 4 years and ever since purchasing the building we have battled the surrounding areas challenges. I am a first-hand witness of the homelessness issues plaguing the Oval Park area. It is a gathering place for people addicted to or strung out on drugs, I have had to clean up human feces in our private trash enclosures and sidewalks, there are drugs being sold across the street. Our tenants clients, who are children and young adolescents, have been harassed so much that they have had to hire a parking lot attendant to keep the clients safe.

We have a constant issue with homeless people rummaging through our trash and in general lowering the desirability of this beautiful historic office building. It is already very challenging to lease space in this building with the bulk of the City's homeless population congregating in the Oval Park across the street.

I can't imagine a worse use for the building that abuts our property. We have not and will not let the proposed clinic, if approved, use our parking lot. The resulting parking pressure would disadvantage our existing tenants. The proposed use will bring more blight on an already disadvantaged area of Visalia. I implore you to turn down the application for this non-conforming use. I have already been told the approval of this application would empty out my building of a Tenant that provides much needed counseling for disadvantaged children. This proposed use will be an unacceptable financial

burden on my property. Our tenant provides a ray of hope surrounded by a sea of disfunction and despair.

If you decide to approve this use in spite of the obvious negative impacts on the neighborhood, I hereby request that you forward to me all appeal options available to me. I will fight this use to the end.

Sincerely,

Michael Zappas



January 27, 2020

Michael L. Parks
4920 W. Monte Verde Ct.
Visalia, CA 93277

Site Plan Review No. 2019-149:

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **January 15, 2019**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion.

If you have any questions regarding this action, please call the Community Development Department at (559) 713-4359.

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal", is written over a large, light blue circular stamp or watermark.

Paul Bernal
City Planner
315 E. Acequia Ave.
Visalia, CA 93291

Attachment(s):

- Site Plan Review Comments



#1

MEETING DATE: January 15, 2020
SITE PLAN NO. 19-149 Resubmittal
PARCEL MAP NO.
SUBDIVISION:
LOT LINE ADJUSTMENT NO.

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

RESUBMIT Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with

Planning Engineering prior to resubmittal plans for Site Plan Review.

Solid Waste Parks and Recreation Fire Dept.

REVISE AND PROCEED (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

Your plans must be reviewed by:

CITY COUNCIL

REDEVELOPMENT

PLANNING COMMISSION

PARK/RECREATION

Minor CUP _____

HISTORIC PRESERVATION

OTHER: _____

ADDITIONAL COMMENTS :

If you have any questions or comments, please call (559) 713-4444.

Site Plan Review Committee



**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

Adrian Rubalcaba 713-4271
 Diego Corvera 713-4209

ITEM NO: 1 DATE: JANUARY 15, 2020

SITE PLAN NO.: 19-149 RESUBMITTAL
PROJECT TITLE: CORNERSTONE REHAB CENTER LLC
DESCRIPTION: METHADONE MAINTENANCE TREATMENT REHABILITATION CENTER

APPLICANT: LARRY LEWIS
PROP OWNER: RICHIE JONES
LOCATION: 109 NW 2ND AVE
APN: 094-015-018

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with _____ radius;
- Install curb; gutter
- Drive approach size: Use radius return;
- Sidewalk: _____ width; parkway width at _____
- Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard.
- Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand.
- Right-of-way dedication required. A title report is required for verification of ownership.
- Deed required prior to issuing building permit;
- City Encroachment Permit Required.
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million), valid business license, and appropriate contractor's license must be on file with the City, and valid Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
- CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit. Contacts: David Deel (Planning) 488-4088;
- Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape & Lighting District will maintain common area landscaping, street lights, street trees and local streets as applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days before approval of Final Map.
- Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to comply with the City's street tree ordinance. The locations of street trees near intersections will need to comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of the landscape and lighting assessment district.
- Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades. Prepared by registered civil engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b) directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: _____ : _____ maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
- Grading permit is required for clearing and earthwork performed prior to issuance of the building permit.
- Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter = 0.20%, V-gutter = 0.25%)
- Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- All public streets within the project limits and across the project frontage shall be improved to their full width, subject to available right of way, in accordance with City policies, standards and specifications.
- Traffic indexes per city standards:

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **19-149 RESUBMITTAL**

Date: **1/15/2020**

Summary of applicable Development Impact Fees to be collected at the time of building permit:
(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)

(Fee Schedule Date:**8/3/2019**)

(Project type for fee rates:**MEDICAL**)

Existing uses may qualify for credits on Development Impact Fees. **GENERAL OFFICE + INFILL**

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Groundwater Overdraft Mitigation Fee	
<input checked="" type="checkbox"/> Transportation Impact Fee	\$16,213/1000SF - \$6,649/1000SF = \$9,564. INFILL @ 25% OFF \$7,173/1000SF X 4.6 = \$33,000
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drain Acq/Dev Fee	
<input type="checkbox"/> Park Acq/Dev Fee	
<input type="checkbox"/> Northeast Specific Plan Fees	
<input type="checkbox"/> Waterways Acquisition Fee	
<input type="checkbox"/> Public Safety Impact Fee: Police	
<input type="checkbox"/> Public Safety Impact Fee: Fire	
<input type="checkbox"/> Public Facility Impact Fee	
<input type="checkbox"/> Parking In-Lieu	

Reimbursement:

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.



Adrian Rubalcaba

SITE PLAN REVIEW COMMENTS

Paul Scheibel, Planning Division, 559-713-4369

Date: January 15, 2020

SITE PLAN NO: 2019-149B
PROJECT TITLE: Cornerstone Rehab Center LLC
DESCRIPTION: Methadone Maintenance Treatment Rehabilitation Center
APPLICANT: LEWIS LARRY
PROP. OWNER: Richie Jones
LOCATION TITLE: 109 NW 2nd Avenue
APN TITLE: 094-015-018
GENERAL PLAN: Commercial Mixed Use
ZONING: C-MU – Commercial Mixed Use

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit
- Detailed Operational Statement
- Building Permit
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: August 14, 2019

1. A Conditional Use Permit is required for the proposed methadone clinic. However, staff cannot support a methadone clinic proximate to the Oval City Park, and youth mental health services use to the immediate south.
2. Obtain a Building Permit.

CITY GENERAL PLAN CONSISTENCY

- Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

17.19.060 Development standards in the C-MU zones outside the downtown area.

The following development standards shall apply to property located in the C-MU zone and located outside the Downtown Area, which is defined as the area that is south of Murray Avenue, west of Ben Maddox Way, north of Mineral King Avenue, and east of Conyer Street:

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 1. Front: fifteen (15) feet;
 2. Rear: zero (0) feet;
 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 4. Side: zero (0) feet;
 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 6. Street side yard on corner lot: ten (10) feet.

D. Minimum required landscaped yard (setback) areas:

1. Front: fifteen (15) feet;
2. Rear: five (5) feet;
3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
4. Side: five (5) feet (except where a building is located on side property line);
5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
6. Street side on corner lot: ten (10) feet.

E. The provisions of Chapter 17.58 shall also be met, if applicable.

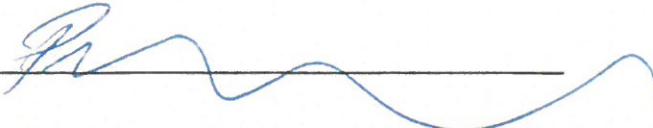
Parking:

1. Provide parking spaces based Zoning Ordinance Section 17.34.020
 2. 30% of the required parking stalls may be compact and shall be evenly distributed in the lot.
 3. Provide handicapped space(s).
 4. An 80 sq. ft. minimum landscape well is required every 10 contiguous parking.
 5. A planter is required every other row. (5-9 feet in width containing trees on twenty (20) foot centers.
 6. No repair work or vehicle servicing allowed in a parking area.
 7. It is highly recommended that bicycle rack(s) be provided on site plan.
 8. No parking shall be permitted in a required front/rear/side yard.
 9. Design/locate parking lot lighting to deflect any glare away from abutting residential areas.
 10. Parking lot to be screened from view by a 3-foot tall solid wall or shrubs when located adjacent to a public street or when across from residential property.
 11. Front carport area to have a 3 to 6-foot tall screening wall.
 12. Provide shopping cart storage areas on site plan.
 13. Provide transit facilities on site plan.
 14. Provide shared parking/access agreements
 15. Provide off-street loading facility.
 16. The project should provide preferential parking spaces for carpools and vanpools to decrease the number of single occupant vehicle work trips. The preferential treatment could include covered parking spaces or close-in parking spaces, or designated free parking, or a guaranteed space for the vehicle.
- Provide a "No Parking" (dead-head) stall at the end of the parking row (for rows over 6 stalls deep with no outlet) to allow vehicles to turn around rather than backing out if no stalls are available.

Lighting:

1. All lighting is to be designed and installed so as to prevent any significant direct or indirect light or glare from falling upon any adjacent residential property. This will need to be demonstrated in the building plans and prior to final on the site.
2. Parking lot and drive aisle lighting adjacent to residential units or designated property should consider the use of 15-foot high light poles, with the light element to be completely recessed into the can. A reduction in the height of the light pole will assist in the reduction/elimination of direct and indirect light and glare which may adversely impact adjacent residential areas.
3. Building and security lights need to be shielded so that the light element is not visible from the adjacent residential properties, if any new lights are added or existing lights relocated.
4. NOTE: Failure to meet these lighting standards in the field will result in no occupancy for the building until the standards are met.
5. In no case shall more than 0.5 lumens be exceeded at any property line, and in cases where the adjacent residential unit is very close to the property line, 0.5 lumens may not be acceptable.

NOTE: Staff recommendations contained in this document are not to be considered support for a particular action or project unless otherwise stated in the comments. The comments found on this document pertain to the site plan submitted for review on the above referenced date. Any changes made to the plan submitted must be submitted for additional review.

Signature _____ 



City of Visalia
Building: Site Plan
Review Comments

SFR 19149
CORNERSTONE REHAB
109 NW 2ND AVE

NOTE: These are general comments and DO NOT constitute a complete plan check for your specific project
Please refer to the applicable California Code & local ordinance for additional requirements.

- A building permit will be required. *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities. *20% OF PERMIT VALUE SHALL BE USED FOR 'PATH OF TRAVEL' ADA UPGRADES.*
- All accessible units required to be adaptable for persons with disabilities.
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements at property lines.
- A demolition permit & deposit is required. *For information call (559) 713-4444*
- Obtain required permits from San Joaquin Valley Air Pollution Board. *For information call (661) 392-5500*
- Plans must be approved by the Tulare County Health Department. *For information call (559) 624-8011*
- Project is located in flood zone AE • Hazardous materials report. *VERIFY SUB. IMPROVEMENT*
- Arrange for an on-site inspection. (Fee for inspection \$157.00) *For information call (559) 713-4444*
- School Development fees. Commercial \$0.61 per square foot. Residential \$3.79 per square foot.
- Park Development fee \$ _____, per unit collected with building permits.
- Additional address may be required for each structure located on the site. *For information call (559) 713-4320*
- Acceptable as submitted
- No comments at this time

Additional comments: NOTE: ELEVATOR REQUIRED FOR MULTISTORIED OFFICE BUILDING FOR HEALTH CARE PROVIDER. PROVIDE OPERATION STATEMENT INDICATING TYPE OF COUNSELER PROVIDING CARE.

VAL. GARCIA 1/15/20
Signature

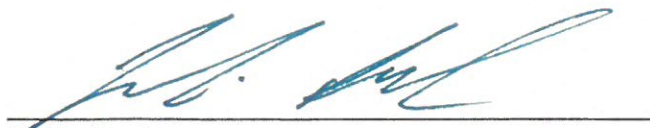


Site Plan Comments

Visalia Fire Department
Corbin Reed, Fire Marshal
420 N. Burke
Visalia CA 93292
559-713-4272 office
prevention.division@visalia.city

Date	January 13, 2020
Item #	1
Site Plan #	19149
APN:	09415018

- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2016 California Fire Code (CFC), 2016 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All **fire detection, alarm, and extinguishing systems** in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. 2016 CFC 901.6
- **Address numbers** must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2016 CFC 505.1
- All hardware on **exit doors, illuminated exit signs and emergency lighting** shall comply with the 2016 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- A **Knox Box key lock system** is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. The key box shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 420 N Burke, Visalia, CA 93292. Please allow adequate time for shipping and installation. 2016 CFC 506.1
- This item is a **resubmittal**. Please see comments from previous submittals.
- **Special comments:**



Corbin Reed
Fire Marshal



City of Visalia
 Police Department
 303 S. Johnson St.
 Visalia, CA 93292
 (559) 713-4370

Date : 1.14.20
 Item: RG SUB
 Site Plan: SPR 19-149
 Name: A. Alvarez Azor

SITE PLAN REVIEW COMMENTS

- No Comment at this time
- Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- Public Safety Impact Fee:
 Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
 Effective date – August 17, 2001

Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.

- Not enough information provided. Please provide additional information pertaining to:

- Territorial Reinforcement: Define property lines (private/public space).

- Access Controlled / Restricted etc.:

- Lighting Concerns:
ADDITIONAL LIGHTING FOR POSSIBLE CRIMINAL ACTIVITY
- Traffic Concerns:

- Surveillance Issues:
ADDITIONAL SURVEILLANCE FOR POSSIBLE CRIMINAL ACTIVITY / ASSIST VPD UPON REQUEST
- Line of Sight Issues:

- Other Concerns:
SECURITY PLAN -> DUE TO BEING IN HIGH CRIME / DAILY ACTIVITY
ARON

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

January 15, 2020

ITEM NO: 1 Resubmit
SITE PLAN NO: SPR19149
PROJECT TITLE: Comerstone Rehab Center LLC
DESCRIPTION: Methadone Maintenance Treatment Rehabilitation Center.
APPLICANT: Larry Lewis
OWNER: JONES RICHARD A JR & CARLA W
APN: 094015018
LOCATION: 109 NW 2ND AVE

THE TRAFFIC DIVISION WILL PROHIBIT ON-STREET PARKING AS DEEMED NECESSARY

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards.
- Install Street Name Blades at Locations.
- Install Stop Signs at Locations.
- Construct parking per City Standards PK-1 through PK-4.
- Construct drive approach per City Standards.
- Traffic Impact Analysis required (CUP)
 - Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)
 - Trip Generation - Provide documentation as to concurrence with General Plan.
 - Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
 - Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

Additional Comments:

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Leslie Blair

Site Plan Review Comments From:

California Water Service
Stuart Skoglund, Superintendent
216 N Valley Oaks Dr
Visalia, CA 93292
559-624-1662 Office
559-735-3189 Fax

Date: 01/15/2020

Item # 1

Site Plan # 19-149

Project: Cornerstone Rehab Center

Description: Methadone treatment center

Applicant:

Location: 109 NW 2nd

APN:

The following comments are applicable when checked:

No Comments at this time

Fire Hydrants
Comments-

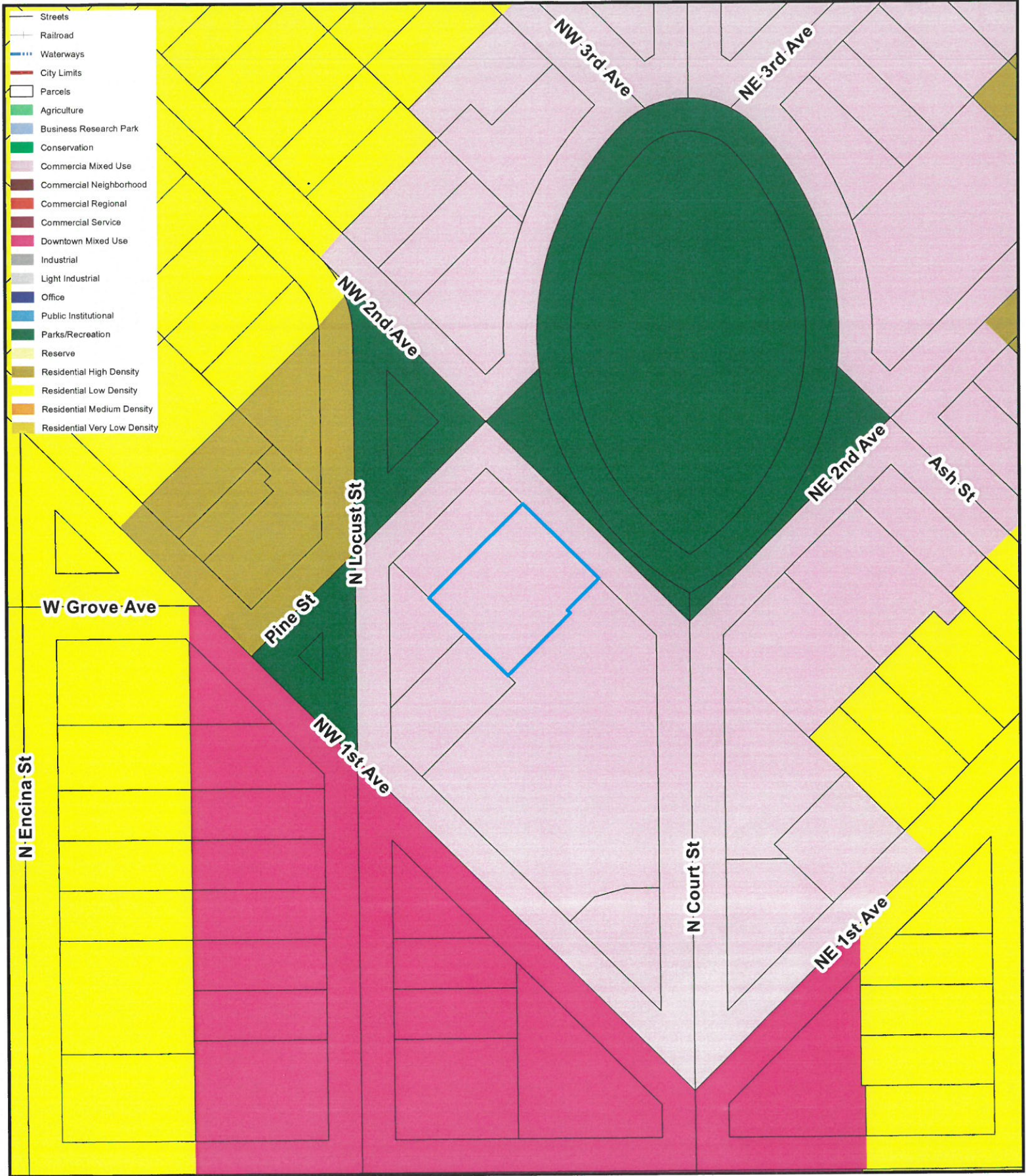
Services
Comments-

Mains
Comments-

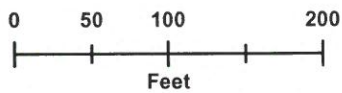
Backflow Requirements
Comments-

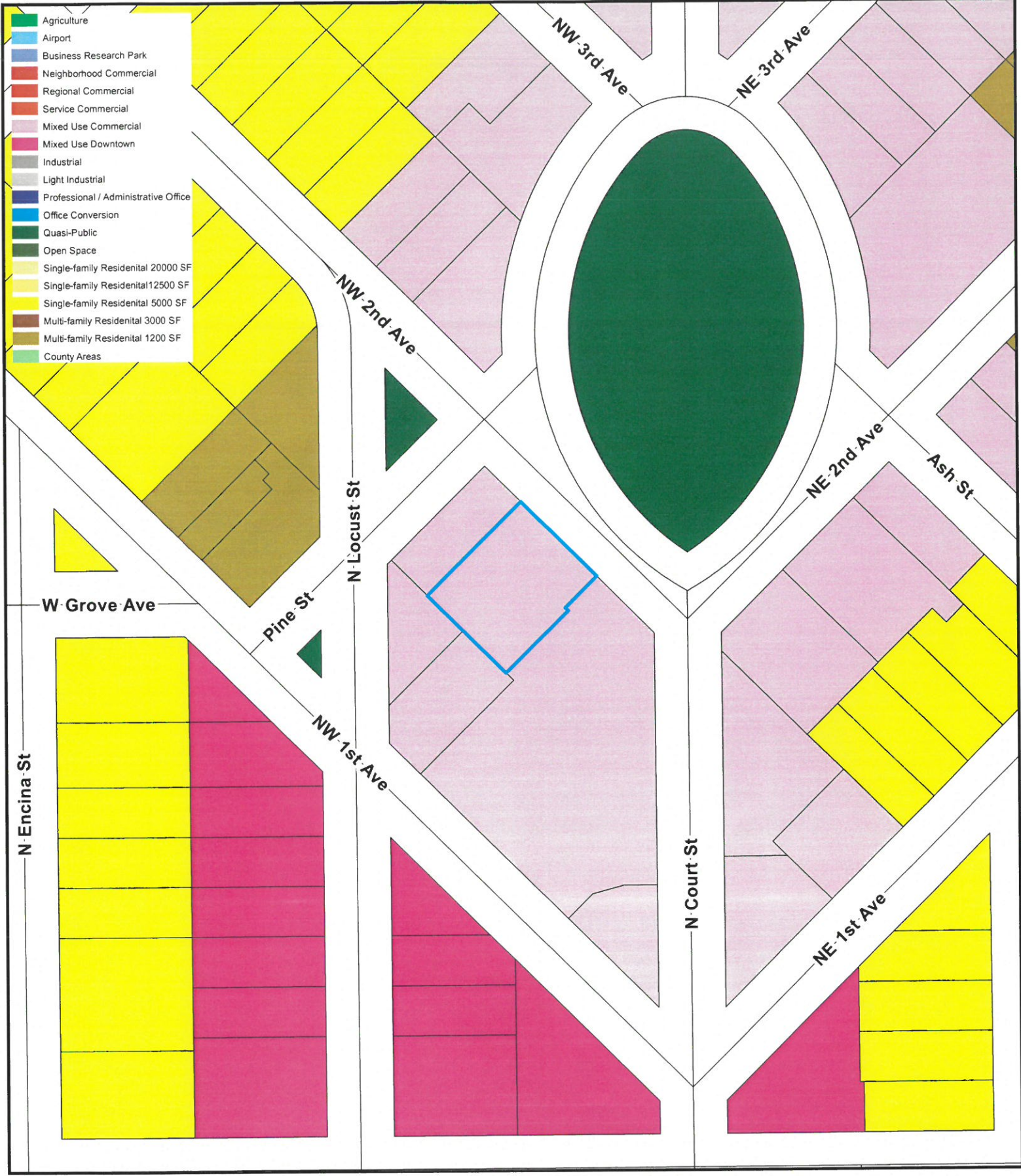
Additional Comments:

Stuart Skoglund
Superintendent

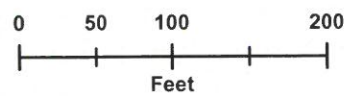


CUP No. 2020-05
General Plan Map



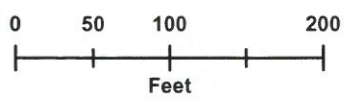


- Agriculture
- Airport
- Business Research Park
- Neighborhood Commercial
- Regional Commercial
- Service Commercial
- Mixed Use Commercial
- Mixed Use Downtown
- Industrial
- Light Industrial
- Professional / Administrative Office
- Office Conversion
- Quasi-Public
- Open Space
- Single-family Residential 20000 SF
- Single-family Residential 12500 SF
- Single-family Residential 5000 SF
- Multi-family Residential 3000 SF
- Multi-family Residential 1200 SF
- County Areas



CUP No. 2020-05
Zoning Map

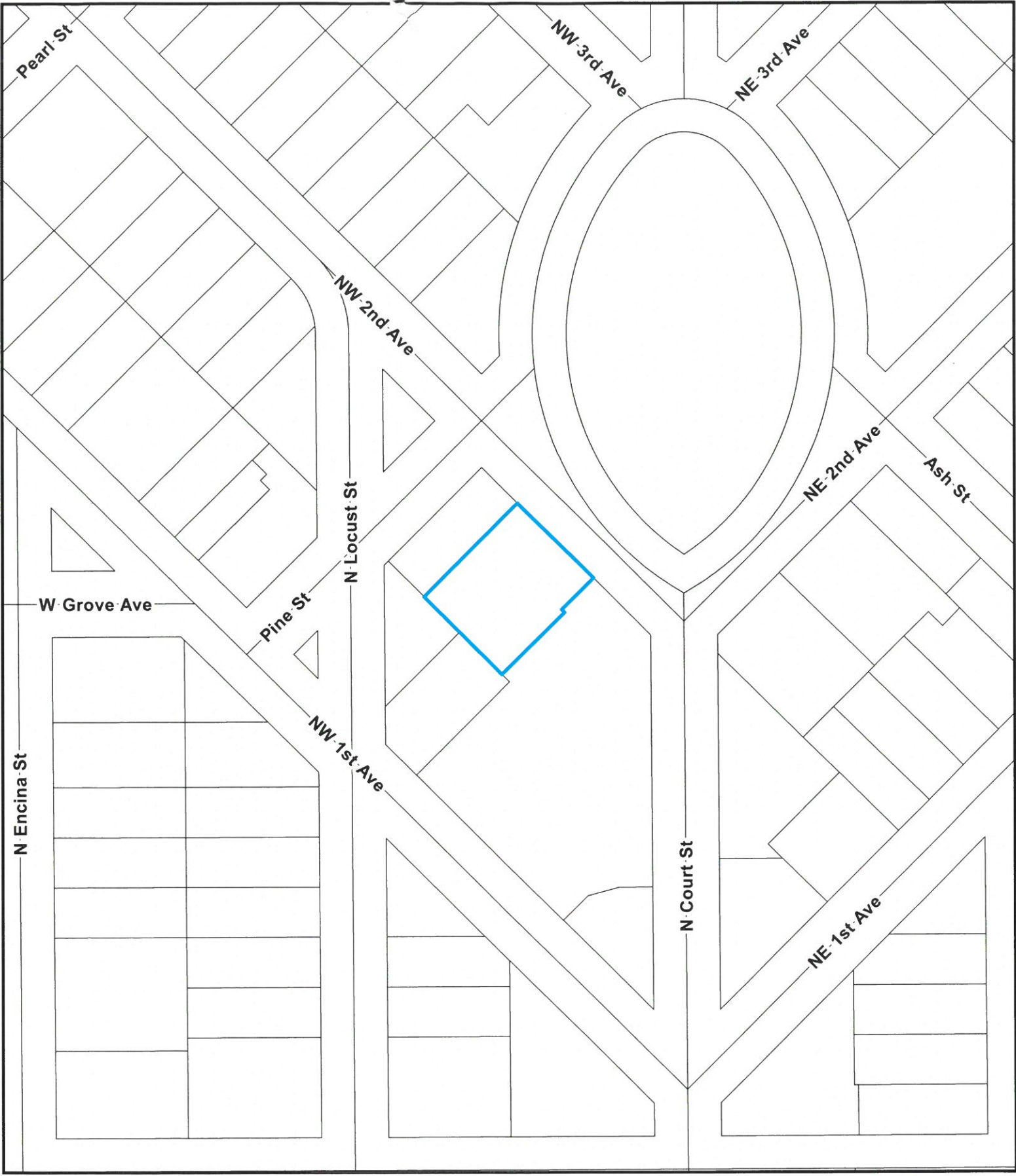




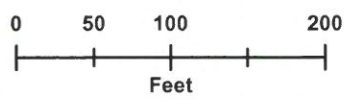
CUP No. 2020-05
Aerial Map






- Streets
- Railroad
- Waterways
- City Limits
- Parcels





CUP No. 2020-05
 Location Map



-  Streets
-  Railroad
-  Waterways
-  City Limits
-  Parcels

