

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

COMMISSIONERS: Mary Beatie, Chris Tavarez, Chris Gomez, Adam Peck, Marvin Hansen

MONDAY, NOVEMBER 14, 2022

VISALIA COUNCIL CHAMBERS

LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA

MEETING TIME: 7:00 PM

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 the Consent Calendar
6. PUBLIC HEARING – (Continued from October 24, 2022) Josh Dan, Associate Planner
Conditional Use Permit No. 2022-20: A request by Robert Gaalswyk to construct a new 22,500 square foot building for use as a retail gun store and indoor shooting range facility within the Village at Willow Creek Specific Plan, located in the C-MU (Mixed Use Commercial) zone. The property is located on the southside of West Flagstaff Avenue between North Demaree Street and North Leila Street. (Address: not yet assigned) (APN: 078-210-023). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2022-47.

7. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2021-21: A request by Scott A. Mommer Consulting to establish a Fastrip convenience store and gasoline service station with a drive-thru lane in the C-MU (Mixed-Use Commercial) Zone. The project site is located at 2800 S. Mooney Boulevard, on the southeast corner of West Whitendale Avenue and South Mooney Boulevard (APN: 122-320-078). An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-09 (State Clearinghouse # 2022100244) be adopted.

8. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2022-17: A request by Merlie Em Bui to establish a medical spa providing aesthetic services, in the O-C (Office Conversion) Zone. The project site is located at 523 West Noble Avenue (APN: 096-142-017). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-37.

9. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2022-26: A request by Felimon Carrasco to convert a 1,368 square foot vacant office into a single-family residence located in the D-MU (Downtown Mixed Use) Zone. The project site is located at 216 East School Avenue (APN: 094-272-007). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-56.

10. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2022-27: A request by Moose Dog Brewing, LLC to operate a tap room within an existing brewery, located in the I (Industrial) Zone. The site is located at 9626 West Nicholas Avenue, Unit #102 (APN: 081-130-045). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-59.

11. PUBLIC HEARING – Paul Bernal, Community Development Director

Tentative Parcel Map No. 2022-06: A request by QK, Inc. to subdivide an existing 10,000 square foot parcel that conforms to an office building footprint into two commercial condominium spaces and a common area for condominium purposes in the O-PA (Office / Administrative Professional) Zone. The project site is located at 3924 and 3928 West Caldwell Avenue. (APN: 119-420-052). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k), Categorical Exemption No. 2022-57.

Conditional Use Permit No. 2022-28: A request by Kevin Saltzman to facilitate Tentative Parcel Map No. 2022-06 by creating two commercial condominium spaces and a common area with no public street access, and a parcel with less than the minimum five (5) acre size requirement in the O-PA (Office / Administrative Professional) Zone District. The project site is located at 3924 and 3928 West Caldwell Avenue. (APN: 119-420-052). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k), Categorical Exemption No. 2022-57.

12. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. The next Planning Commission meeting is December 12, 2022.

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 Hall Office, 315 E. Acequia Avenue, Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS MONDAY, NOVEMBER 28, 2022, 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 DECEMBER 12, 2022



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: November 14, 2022

PROJECT PLANNER: Paul Bernal, Community Development Director
Phone No: (559) 713-4025
Email: paul.bernal@visalia.city

SUBJECT: **Tentative Parcel Map No. 2022-06:** A request by QK, Inc. to subdivide an existing 10,000 square foot parcel that conforms to an office building footprint into two commercial condominium spaces and a common area for condominium purposes in the O-PA (Office / Admin. Professional) Zone.

Conditional Use Permit No. 2022-28: A request by QK, Inc. to facilitate Tentative Parcel Map No. 2022-06 by creating two commercial condominium spaces and a common area with no public street access, and a parcel with less than the minimum five (5) acre size requirement in the O-PA (Office / Administrative Professional) Zone District.

Location: The project site is located at 3924 and 3928 West Caldwell Avenue. (APN: 119-420-052).

STAFF RECOMMENDATION

Staff recommends approval of Tentative Parcel Map No. 2022-06 based on the findings and conditions in Resolution No. 2022-57. Staff's recommendation is based on the conclusion that the parcel map, as conditioned, is consistent with the policies of the Visalia General Plan, Zoning and Subdivision Ordinances.

Staff recommends approval of Conditional Use Permit No. 2022-28 based on the findings and conditions in Resolution No. 2022-58. Staff's recommendation is based on the project's consistency with the policies of the Visalia General Plan and Zoning Ordinance.

RECOMMENDED MOTION

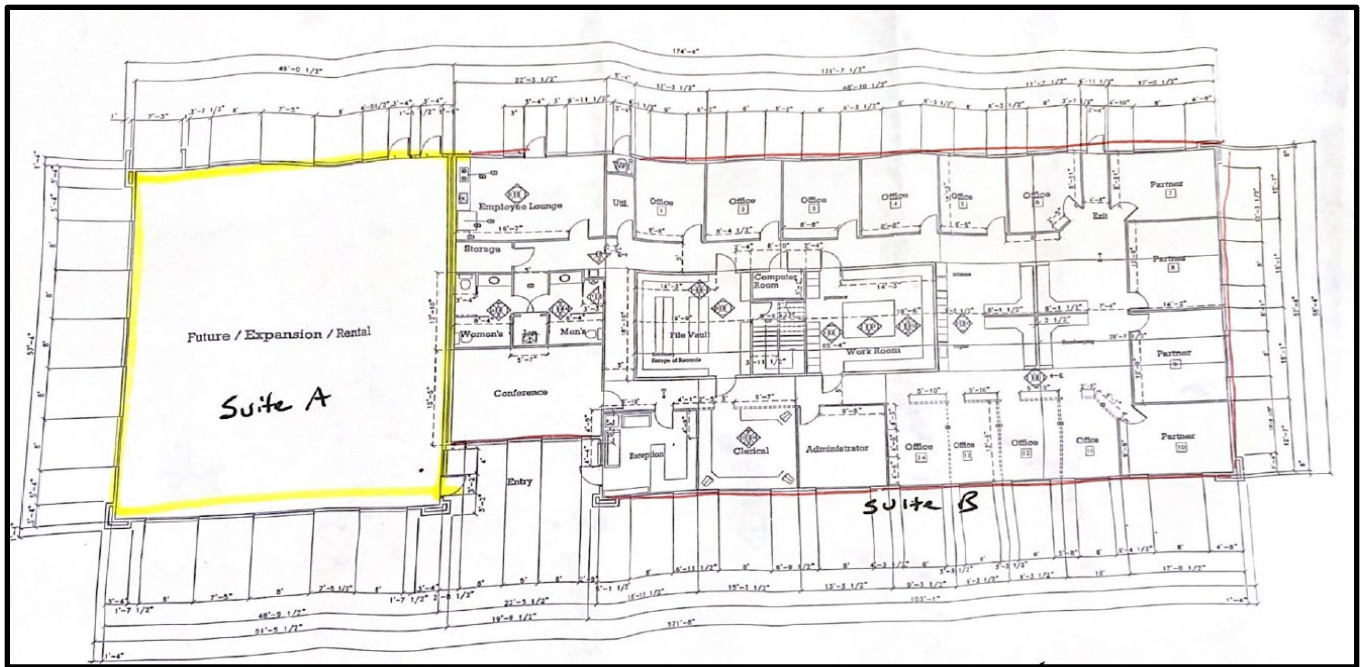
I move to approve Tentative Parcel Map No. 2022-06, based on the findings and conditions in Resolution No. 2022-57.

I move to approve Conditional Use Permit No. 2022-28 based on the findings and conditions in Resolution No. 2022-58.

PROJECT DESCRIPTION

Tentative Parcel Map No. 2022-06

The project applicant is requesting approval of a tentative parcel map and conditional use permit to allow a condominium conversion to an existing 10,000 square foot office building located at 3924 and 3928 West Caldwell Avenue (see attached Exhibit "A" for site plan and parcel map). The office building is part of the overall Caldwell Place office development. Tentative Parcel Map No. 2022-06 is a request to subdivide the existing office building to create two new condominium spaces for lease or sale including a common use area. The building is currently occupied by office uses. The condominium conversion would establish two separate condominium "parcels" respectively and said parcels would share a common area, which is defined by the entry way bound on three sides by Suite A and Suite B.



The locations of the three-dimensional airspace conversions are Unit 1 and Unit 2, illustrated on the unit detail sheet of the condominium plan attached as Exhibit "A". The remaining area associated with the project site (i.e., landscaping, parking lot, trash enclosure, etc.) is represented by Parcel 8, which surrounds the project site. Common areas and facilities accessible to the public will be maintained under a common area property association which can be perfected in a "Declaration of Restrictions" that the applicant will record with the condominium plan. No physical improvements, additions or alterations to the site are being requested for the common area and building at this time.

The Conditional Use Permit (CUP) request is to facilitate the tentative parcel map by creating a commercial condominium map in the Professional/Administrative Office (O-PA) zone less than five (5) acres in size and without direct access to public streets. Access to Units 1 and 2 are currently provided via a shared/reciprocal access drive accessed via West Caldwell Avenue.

The Visalia Zoning Ordinance allows planned developments with parcels that do not conform to zoning standards as a conditional use. The Zoning Ordinance does not contain standards or policies which pertain directly to condominium conversions. Condominium conversions are subject to the Subdivision Map Act (State Government Code Section 66427.1) and administered by the State Department of Real Estate.

BACKGROUND INFORMATION

General Plan Land Use Designation:	Office
Zoning:	Professional/Administrative Office Zone
Surrounding Zoning and Land Use:	North: Low Density Residential (R-1-5 Zone) / Crestwood Subdivision
	South: Commercial Mixed Use (C-MU Zone) / W. Caldwell Ave. / Commercial buildings
	East: C-MU / S. Demaree St. / Commercial buildings
	West: R-1-5 / S. Chinowth / Church of Jesus Christ of Latter-Day Saints
Environmental Document	Categorical Exempt No. 2022-57

RELATED PROJECTS

The subject site was approved as Parcel 7 of Parcel Map No. 4101, which was approved by the Planning Commission as Parcel Map No. 93-11 and Conditional Use Permit No. 93-22 on September 27, 1993 and recorded on January 13, 1994. The parcel map divided a 2.48 parcel into 7 lots and a common lot and the conditional use permit allowed a 7-lot professional office condominium project.

There are no related projects to this condominium conversion, however there are multiple examples of commercial and office buildings that have been the subject of a condominium conversion. Following are some examples.

The Planning Commission approved Tentative Parcel Map No. 2009-01 and Conditional Use Permit 2009-21 on April 27, 2009. The project was a request by Ouzounian Investments I & II (Lane Engineers, Inc., agent), to create six air-space parcels and three common area parcels on the site of an existing office building in the C-DT (Central Business District Retail) zone. The site is located at 525 W. Main Street, on the east side of Willis Street between Main Street and Acequia Avenue.

The Planning Commission approved Tentative Parcel Map No. 2019-03 and Conditional Use Permit No. 2019-12 on May 28, 2019. The project was a request by Lars Andersen and Associates, Inc. to subdivide a 36,515 square foot parcel containing an existing 8,813 square foot commercial building into three commercial condominiums and a common site parcel, on land in the C-R (Regional Commercial) Zone. The project site is located on the southeast corner of South Mooney Boulevard and West Walnut Avenue.

The Planning Commission approved Tentative Parcel Map No. 2019-04 and Conditional Use Permit No. 2019-14 on May 28, 2019. The project was a request by Lars Andersen and Associates, Inc. to subdivide a 29,504 square foot parcel containing an existing 10,000 square foot commercial building into two commercial condominiums and a common site parcel, on land in the C-R (Regional Commercial) Zone. The project site is located at 3221 South Mooney Boulevard.

PROJECT EVALUATION

Staff recommends approval of the requested Tentative Parcel Map and Conditional Use Permit based on the project's consistency with the General Plan, Zoning and Subdivision Ordinances.

Access, Circulation, and Parking

On-site parking for the development is from West Caldwell Avenue through shared easements and consists of uncovered parking stalls. Current zoning standards require that office buildings provide one parking space per 250 square feet of floor area, with a minimum of four parking spaces. The building has a total lease area of 10,000 square feet, which requires 40 parking stalls. The office development, based on the building square footage, required approximately 103 parking stalls calculated at the office ratio (1/250). The site has a total of 124 parking stalls.

Solid Waste

The project's solid waste service will continue with the usage of a commercial trash enclosure bin as provided per the current office development.

Property Owners' Association

The project applicant may have to amend the current common area property association that will include responsibility and maintenance for all common areas associated with the entire office development based on creating the condominium airspace. Condition No. 3 for the tentative parcel map requires that the existing Declaration of Covenants, Conditions, Restriction, and Reservation of Easements (CC&Rs) be amended and recorded in association with the parcel map and shall establish responsibilities to be held by the property owner(s) and responsibilities to be held by the association.

Subdivision Map Act Requirements

According to Section §66427.1 of the California Government Code, the legislating body which approves a final map of a subdivision causing a condominium conversion (or, the City Council for the City of Visalia) must be able to make certain findings regarding the notification of tenants by the applicant. The Planning Commission, as the legislative body charged with approving the tentative map, is not required to make any specific findings pertaining to notification or consistency when approving a tentative map or conditional use permit causing a condominium conversion.

Subdivision Map Act Findings

California Government Code Section §66474 lists seven findings for which a legislative body of a city or county shall deny approval of a tentative map if it is able to make any of these findings. These seven "negative" findings have come to light through a recent California Court of Appeal decision (*Spring Valley Association v. City of Victorville*) that has clarified the scope of findings that a city or county must make when approving a tentative map under the California Subdivision Map Act.

Staff has reviewed the seven findings for a cause of denial and finds that none of the findings can be made for the proposed project. The seven findings and staff's analysis are below. Recommended findings in response to this Government Code section are included in the recommended findings for the approval of the tentative parcel map.

<u>GC Section 66474 Finding</u>	<u>Analysis</u>
(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.	The proposed map has been found to be consistent with the City's General Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map. There are no specific plans applicable to the proposed map.
(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.	The proposed design and improvement of the map has been found to be consistent with the City's General Plan and the Caldwell/Demaree Specific Plan. This is included as recommended Finding No. 1 of the Tentative Parcel Map.
(c) That the site is not physically suitable for the type of development.	The site is physically suitable for the proposed map and its affiliated development plan, which is designated as Office land use. This is included as recommended Finding No. 4 of the Tentative Parcel Map.

(d) That the site is not physically suitable for the proposed density of development.	The site is physically suitable for the proposed density of development in the Office land use designation and O-PA zone, which allows floor area ratios up to a maximum of 1.0. This is included as recommended Finding No. 5 of the Tentative Parcel Map.
(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.	The proposed design and improvement of the map has been found not likely to cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat. This finding is further supported by the project's Categorical Exemption determination under Section 15301(k) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 3 of the Tentative Parcel Map.
(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.	The proposed design of the map has been found to not cause serious public health problems. This is included as recommended Finding No. 2 of the Tentative Parcel Map.
(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.	The proposed design of the map does not conflict with any existing or proposed easements located on or adjacent to the subject property. This is included as recommended Finding No. 6 of the Tentative Parcel Map.

Environmental Review

The project is considered Categorically Exempt under Section 15301(k) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), as amended (Categorical Exemption No. 2022-57). Section 15301 includes exemptions to existing structures, and sub-section (k) specifically refers to the subdivision of existing commercial structures where no physical improvements are occurring.

RECOMMENDED FINDINGS

Tentative Parcel Map No. 2022-06

1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems.
3. That the project is considered Categorically Exempt under Section 15301(k) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2022-57). Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

4. That the site is physically suitable for the proposed tentative parcel map and the way that it will be improved and developed through the accompanying planned development (Conditional Use Permit No. 2022-28).
5. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Office land use designation and zone, which allows floor area ratios up to a maximum of 1.0.
6. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
7. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development and Commercial zone standards since they are part of a planned development established through Conditional Use Permit No. 2022-28.

Conditional Use Permit No. 2022-28

1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements within the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. 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.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the proposed parcel sizes resulting from the planned development are consistent with the Zoning Ordinance's Planned Development standards based on the creation of a master development plan.
4. That the project is considered Categorically Exempt under Section 15301(k) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2022-57)

RECOMMENDED CONDITIONS OF APPROVAL

Tentative Parcel Map No. 2022-06

1. That the site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan No. 2022-56.
2. That the final map be carried out in substantial compliance with the approved tentative parcel map shown in Exhibit "A", attached herein.
3. That before recordation of a final map, a common property owners association shall be established or amended for the long-term maintenance and management of the project. This association shall establish responsibility for but not limited to the following:
 - a. The maintenance of roofs and subfloors,
 - b. The maintenance of spaces located outside of the private interior space of the units, including the insides of common walls, plumbing, pipes, and electrical lines,
 - c. The maintenance of landscaping for the associated properties,
 - d. The maintenance of on-site parking and driveways,

- e. The maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages,
 - f. The maintenance of the common open space areas;
 - g. Enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property.
4. That the form of the common property owners' association's bylaws, including covenants, condition, and restrictions (CC&Rs), shall be approved by the State Department of Real Estate and the City Planner. The bylaws' final approved form shall be recorded with the Tulare County Recorder.
 5. That Tentative Parcel Map No. 2022-06 shall be null and void unless Conditional Use Permit No. 2022-28 is approved.
 6. That all other federal, state, regional, and local laws and city codes and ordinances be complied with.

Conditional Use Permit No. 2022-28

1. That the site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan No. 2022-56.
2. That the final map be carried out in substantial compliance with the approved condominium plan shown in Exhibit "A", attached herein.
3. That Conditional Use Permit No. 2022-28 shall be null and void unless Tentative Parcel Map No. 2022-06 is approved.
4. That all other federal, state, regional, and local laws and city codes and ordinances be complied with.

APPEAL INFORMATION

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

Attachments:

- Related Plans and Policies
- Resolution No. 2022-57 (TPM No. 2022-06)
- Resolution No. 2022-58 (CUP No. 2022-28)
- Exhibit "A" – Tentative Parcel Map No. 2022-06
- Categorical Exemption No. 2022-57
- Site Plan Review Comments No. 2022-56
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Location Map

RELATED PLANS AND POLICIES

Subdivision Map Act (California Government Code Section 66410 – 66499.38)

The following are excerpts from the California Government Code which pertain to approvals of tentative and final maps which pertain to condominium conversions:

66427.

(a) A map of a condominium project, a community apartment project, or of the conversion of five or more existing dwelling units to a stock cooperative project need not show the buildings or the manner in which the buildings or the airspace above the property shown on the map are to be divided, nor shall the governing body have the right to refuse approval of a parcel, tentative, or final map of the project on account of the design or the location of buildings on the property shown on the map that are not violative of local ordinances or on account of the manner in which airspace is to be divided in conveying the condominium.

(b) A map need not include a condominium plan or plans, as defined in Section 4120 or 6540 of the Civil Code, and the governing body may not refuse approval of a parcel, tentative, or final map of the project on account of the absence of a condominium plan.

(c) Fees and lot design requirements shall be computed and imposed with respect to those maps on the basis of parcels or lots of the surface of the land shown thereon as included in the project.

(d) Nothing herein shall be deemed to limit the power of the legislative body to regulate the design or location of buildings in a project by or pursuant to local ordinances.

(e) If the governing body has approved a parcel map or final map for the establishment of condominiums on property pursuant to the requirements of this division, the separation of a three-dimensional portion or portions of the property from the remainder of the property or the division of that three-dimensional portion or portions into condominiums shall not constitute a further subdivision as defined in Section 66424, provided each of the following conditions has been satisfied:

(1) The total number of condominiums established is not increased above the number authorized by the local agency in approving the parcel map or final map.

(2) A perpetual estate or an estate for years in the remainder of the property is held by the condominium owners in undivided interests in common, or by an association as defined in Section 4100 or 6528 of the Civil Code, and the duration of the estate in the remainder of the property is the same as the duration of the estate in the condominiums.

(3) The three-dimensional portion or portions of property are described on a condominium plan or plans, as defined in Section 4120 or 6540 of the Civil Code.

(Amended (as amended by Stats. 2012, Ch. 181, Sec. 58) by Stats. 2013, Ch. 605, Sec. 32. (SB 752) Effective January 1, 2014.)

66427.1.

(a) The legislative body shall not approve a final map for a subdivision to be created from the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project, unless it finds as follows:

(1) Each tenant of the proposed condominium, community apartment project, or stock cooperative project, and each person applying for the rental of a unit in the residential real property, has received or will have received all applicable notices and rights now or hereafter required by this chapter or Chapter 3 (commencing with Section 66451).

(2) Each of the tenants of the proposed condominium, community apartment project, or stock cooperative project has received or will receive each of the following notices:

(A) Written notification, pursuant to Section 66452.18, of intention to convert, provided at least 60 days prior to the filing of a tentative map pursuant to Section 66452.

(B) Ten days' written notification that an application for a public report will be, or has been, submitted to the Bureau of Real Estate, that the period for each tenant's right to purchase begins with the issuance of the final public report, and that the report will be available on request.

(C) Written notification that the subdivider has received the public report from the Bureau of Real Estate. This notice shall be provided within five days after the date that the subdivider receives the public report from the Bureau of Real Estate.

(D) Written notification within 10 days after approval of a final map for the proposed conversion.

(E) One hundred eighty days' written notice of intention to convert, provided prior to termination of tenancy due to the conversion or proposed conversion pursuant to Section 66452.19, but not before the local authority has approved a tentative map for the conversion. The notice given pursuant to this paragraph shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by Sections 1941, 1941.1, and 1941.2 of the Civil Code.

(F) Notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that the unit will be initially offered to the general public or terms more favorable to the tenant pursuant to Section 66452.20. The exclusive right to purchase shall commence on the date the subdivision public report is issued, as provided in Section 11018.2 of the Business and Professions Code, and shall run for a period of not less than 90 days, unless the tenant gives prior written notice of his or her intention not to exercise the right.

(b) The written notices to tenants required by subparagraphs (A) and (B) of paragraph (2) of subdivision (a) shall be deemed satisfied if those notices comply with the legal requirements for service by mail.

(c) This section shall not diminish, limit, or expand, other than as provided in this section, the authority of any city, county, or city and county to approve or disapprove condominium projects.

(d) If a rental agreement was negotiated in Spanish, Chinese, Tagalog, Vietnamese, or Korean, all required written notices regarding the conversion of residential real property into a condominium project, a community apartment project, or a stock cooperative project shall be issued in that language.

(Amended by Stats. 2013, Ch. 352, Sec. 313. (AB 1317) Effective September 26, 2013. Operative July 1, 2013, by Sec. 543 of Ch. 352.)

66427.2.

Unless applicable general or specific plans contain definite objectives and policies, specifically directed to the conversion of existing buildings into condominium projects or stock cooperatives, the provisions of Sections 66473.5, 66474, and 66474.61, and subdivision (c) of Section 66474.60 shall not apply to condominium projects or stock cooperatives, which consist of the subdivision of airspace in an existing structure, unless new units are to be constructed or added.

A city, county, or city and county acting pursuant to this section shall approve or disapprove the conversion of an existing building to a stock cooperative within 120 days following receipt of a completed application for approval of such conversion.

This section shall not diminish, limit or expand, other than as provided herein, the authority of any city, county, or city and county to approve or disapprove condominium projects.

(Amended by Stats. 1979, Ch. 1192.)

RESOLUTION NO. 2022-57

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2022-06: A REQUEST BY QK, INC. TO SUBDIVIDE AN EXISTING 10,000 SQUARE FOOT PARCEL THAT CONFORMS TO AN OFFICE BUILDING FOOTPRINT INTO TWO COMMERCIAL CONDOMINIUM SPACES AND A COMMON AREA FOR CONDOMINIUM PURPOSES IN THE O-PA (OFFICE / ADMIN. PROFESSIONAL) ZONE. THE PROJECT SITE IS LOCATED AT 3924 AND 3928 WEST CALDWELL AVENUE. (APN: 119-420-052)

WHEREAS, Tentative Parcel Map No. 2022-06 is a request by QK, Inc. to subdivide a 10,000 square foot parcel containing an existing 10,000 square foot office building into two commercial condominiums and a common area parcel on land in the O-PA (Office / Professional Administrative) Zone. The project site is located at 3924 and 3928 West Caldwell Avenue (APN: 119-420-052); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on November 14, 2022; and,

WHEREAS, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2022-06, as conditioned, in accordance with Section 16.28.070 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and,

WHEREAS, the project is considered Categorical Exempt under Section 15301(k) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2022-57).

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

1. That the proposed location and layout of the tentative parcel map, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed tentative parcel map, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems.
3. That the project is considered Categorical Exempt under Section 15301(k) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2022-57). Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.
4. That the site is physically suitable for the proposed tentative parcel map and the way that it will be improved and developed through the accompanying planned development (Conditional Use Permit No. 2022-28).
5. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Office land use designation and zone, which allows floor area ratios up to a maximum of 1.0.

6. That the proposed tentative parcel map, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
7. That the proposed parcel sizes resulting from the parcel map are consistent with the Zoning Ordinance's Planned Development standards since they are part of a planned development established through Conditional Use Permit No. 2022-28.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Tentative Parcel Map on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.28.070 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan No. 2022-56.
2. That the final map be carried out in substantial compliance with the approved tentative parcel map shown in Exhibit "A", attached herein.
3. That before recordation of a final map, a common property owners association shall be established or amended for the long-term maintenance and management of the project. This association shall establish responsibility for but not limited to the following:
 - a. The maintenance of roofs and subfloors.
 - b. The maintenance of spaces located outside of the private interior space of the units including the insides of common walls, plumbing, pipes, and electrical lines.
 - c. The maintenance of landscaping for the associated properties.
 - d. The maintenance of on-site parking and driveways.
 - e. The maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages.
 - f. The maintenance of the common open space areas.
 - g. Enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property.
4. That the form of the common property owners' association's bylaws, including covenants, condition, and restrictions (CC&Rs), shall be approved by the State Department of Real Estate and the City Planner. The bylaws' final approved form shall be recorded with the Tulare County Recorder.
5. That Tentative Parcel Map No. 2022-06 shall be null and void unless Conditional Use Permit No. 2022-28 is approved.
6. That all other federal, state, regional, and local laws and city codes and ordinances be complied with.

RESOLUTION NO. 2022-58

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2022-28: A REQUEST BY QK, INC. TO FACILITATE TENTATIVE PARCEL MAP NO. 2022-06 BY CREATING TWO COMMERCIAL CONDOMINIUM SPACES AND A COMMON AREA WITH NO PUBLIC STREET ACCESS, AND A PARCEL WITH LESS THAN THE MINIMUM FIVE (5) ACRE SIZE REQUIREMENT IN THE O-PA (OFFICE / ADMINISTRATIVE PROFESSIONAL) ZONE DISTRICT. THE PROJECT SITE IS LOCATED AT 3924 AND 3928 WEST CALDWELL AVENUE.
(APN: 119-420-052)

WHEREAS, Conditional Use Permit No. 2022-28 is a request by QK, Inc. to facilitate Tentative Parcel Map No. 2022-06 by creating two commercial condominium spaces and a common area with no public street access, and a parcel with less than the minimum five (5) acre size requirement in the O-PA (Office / Administrative Professional) Zone District. The project site is located at 3924 and 3928 West Caldwell Avenue (APN: 119-420-052); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on November 14, 2022; and

WHEREAS, the Planning Commission of the City of Visalia finds Conditional Use Permit No. 2022-28, as conditioned, to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the project is considered Categorical Exempt under Section 15301(k) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2022-57).

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, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. 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.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the proposed parcel sizes resulting from the planned development are consistent with the Zoning Ordinance's Planned Development standards based on the creation of a master development plan.

4. That the project is considered Categorical Exempt under Section 15301(k) of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2022-57).

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

1. That the site be developed consistent with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan No. 2022-56.
2. That the final map be carried out in substantial compliance with the approved condominium plan shown in Exhibit "A", attached herein.
3. That Conditional Use Permit No. 2022-28 shall be null and void unless Tentative Parcel Map No. 2022-06 is approved.
4. That all other federal, state, regional, and local laws and city codes and ordinances be complied with.

TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES CALDWELL PARTNERS

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 2, T.19S., R.24E.,
MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF VISALIA
COUNTY OF TULARE, STATE OF CALIFORNIA.

FOR:
CALDWELL PARTNERS
3924 W CALDWELL AVE, SUITE B
VISALIA, CA 93277
(559) 679-6663



LEGEND

A.P.N.	ASSESSOR'S PARCEL NUMBER
D.N.	DOCUMENT NUMBER PER OFFICIAL RECORDS OF TULARE COUNTY
T.C.R.	TULARE COUNTY RECORDS
XX RM YY	VOLUME XX OF MAPS, PAGE YY, T.C.R.
XX PM YY	BOOK XX OF PARCEL MAPS, PAGE YY, T.C.R.
	SITE BOUNDARY
	PROPOSED CONDOMINIUM UNIT LINE
	EXISTING RIGHT OF WAY LINE
	ADJACENT PARCEL LINES
	SECTION LINE
	EXISTING BUILDING

NOTES

- DATE: OCTOBER 10, 2022
- APN: 0119-420-052
- EXISTING USE: COMMERCIAL (PROFESSIONAL OFFICES)
- PROPOSED USE: PROFESSIONAL OFFICES (NO CHANGE)
- DOMESTIC WATER: CITY OF VISALIA
- SEWAGE DISPOSAL: CITY OF VISALIA
- INUNDATION OR OVERFLOW: ZONE X
- WILLIAMSON ACT CONTRACT: NONE
- PRELIM. GEOLOGICAL-HYDROLOGICAL REPORT: WAIVER REQUESTED
- PROPOSED IMPROVEMENTS, PUBLIC UTILITIES, & TIME OF COMPLETION: NONE
- BOUNDARY INFORMATION SHOWN HEREON IS COMPILED FROM RECORD AND IS BASED ON PARCEL MAP NO. 4101, FILED IN BOOK 42 OF PARCEL MAPS, AT PAGE 6 T.C.R.
- THIS APPLICATION CONSISTS OF A SINGLE PARCEL MAP. THE FINAL PARCEL MAP FOR THIS PROJECT IS INTENDED TO BE COMPILED FROM RECORD DATA PURSUANT TO SECTION 66448 OF THE GOVERNMENT CODE.
- PROJECT SURVEYOR: ANTONIO S. WESTERLUND, PLS 9399
- PROJECT ENGINEER: NONE REQUIRED
- ACCESS TO SITE IS FROM CALDWELL AVENUE, THROUGH SHARED/RECIPROCAL ACCESS EASEMENTS OVER PARCEL 8 OF PM # 4101

LEGAL DESCRIPTION

PER PTR BY OLD REPUBLIC TITLE
(ORDER NO.1421002389)
DATED SEPTEMBER 7, 2022:

THE LAND REFERRED TO IS SITUATED IN THE COUNTY OF TULARE, CITY OF VISALIA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 7 PARCEL MAP NO. 4101, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42, PAGE 5 OF PARCEL MAPS, TULARE COUNTY RECORDS, EXCEPTING THEREFROM ALL MINERALS, COAL, CARBONS, HYDROCARBONS, OIL, GAS, CHEMICAL ELEMENTS AND COMPOUNDS, WHETHER IN SOLID, LIQUID OR GASEOUS FORM, AND ALL STEAM AND OTHER FORMS OF THERMAL ENERGY ON, IN OR UNDER THE ABOVE DESCRIBED LAND PROVIDED GRANTOR DOES NOT RESERVE THE RIGHT TO USE THE SUBJECT PROPERTY OR EXTRACT MINERALS OR OTHER SUBSTANCES FROM THE SUBJECT PROPERTY ABOVE THE DEPT OF 500 FEET, NOR DOES GRANTOR RESERVE THE RIGHT TO USE THE SURFACE OF THE SUBJECT PROPERTY IN CONNECTION WITH THE RIGHTS RESERVED HEREIN, AS RESERVED BY CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY-SAINTS, A UTAH CORPORATION SOLE, IN DEED DATED JANUARY 11, 1994, RECORDED JANUARY 13, 1994 AS FILE NO. 94-003666 OF OFFICIAL RECORDS.

APN: 119-420-052

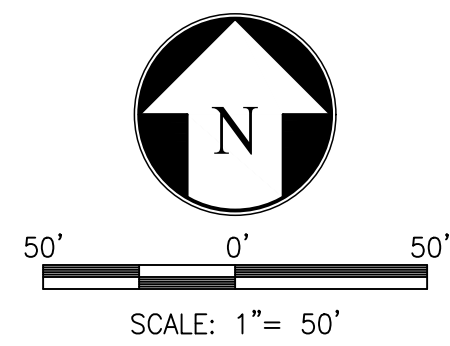
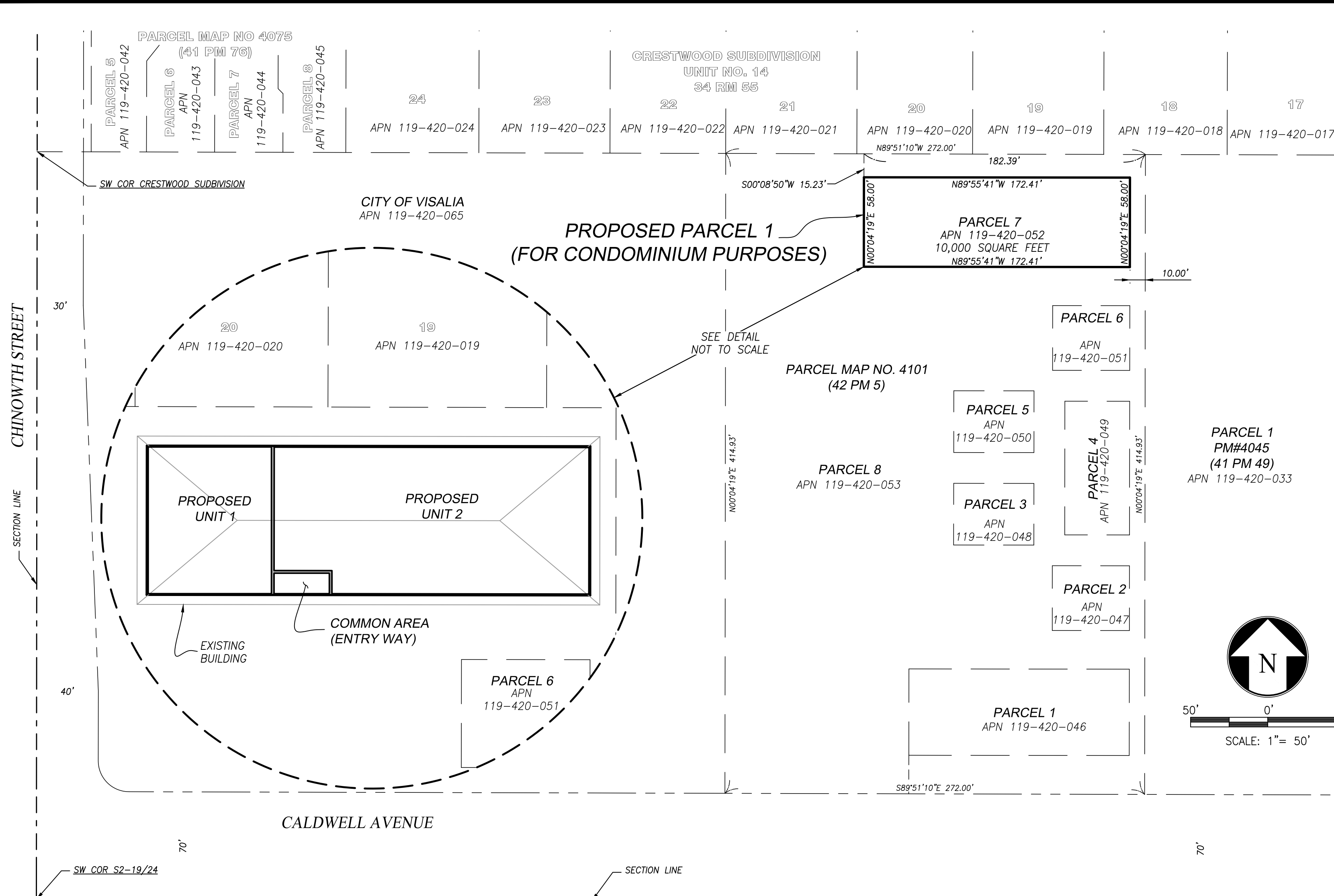
UTILITIES

SOUTHERN CALIFORNIA EDISON:
MISAEI IBARRA
2425 S. BLACKSTONE STREET, TULARE, CA 93274
O: 559-684-3532
C: 559-801-1272
misael.ibarra@sce.com

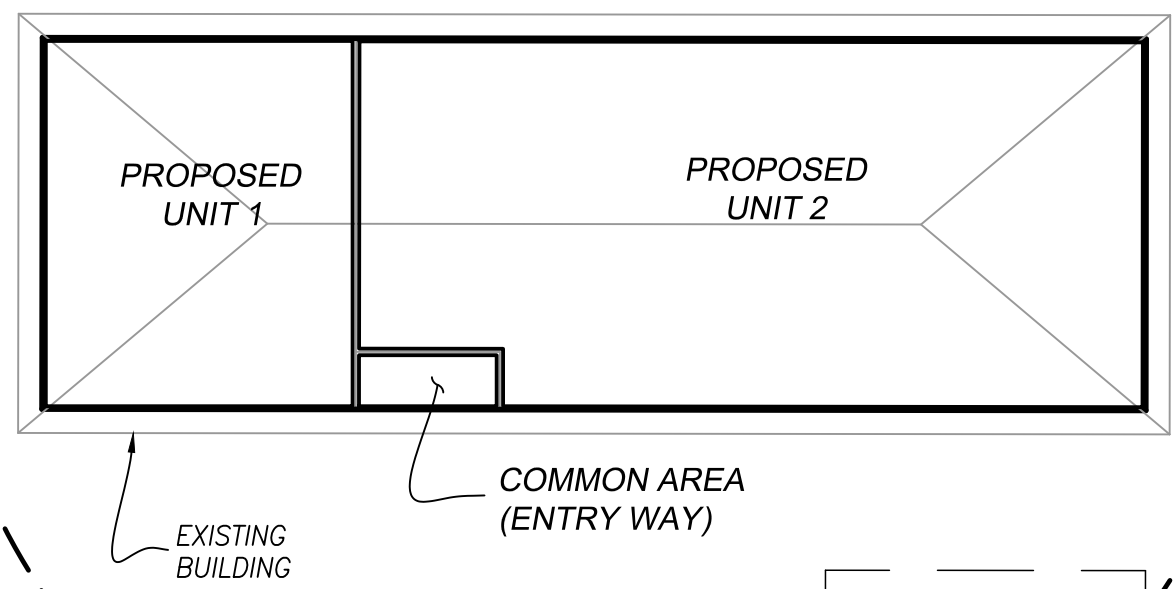
AT&T:
ERIN PECTOL
217 W. ACEQUIA AVENUE, VISALIA, CA 93291
O: 559-739-6649
C: 559-737-1637
ep8545@att.com

SOUTHERN CALIFORNIA GAS COMPANY:
JUAN MEJORADO
404 N. TIPTON STREET, VISALIA, CA 93292
O: 559-739-2317
JMMejorado@socalgas.com

COMCAST:
MICHAEL CORRAL
1031 N. PLAZA DRIVE, VISALIA, CA 93291
O: 559-735-2104
C: 559-217-9003
Michael.Corral@comcast.com



PROPOSED PARCEL 1
(FOR CONDOMINIUM PURPOSES)



SEE DETAIL
NOT TO SCALE

PARCEL MAP NO. 4101
(42 PM 5)

PARCEL 8
APN 119-420-053

PARCEL 5
APN 119-420-050

PARCEL 3
APN 119-420-048

PARCEL 6
APN 119-420-051

PARCEL 4
APN 119-420-049

PARCEL 2
APN 119-420-047

PARCEL 1
APN 119-420-046

PARCEL 1
PM#4045
(41 PM 49)
APN 119-420-033

CALDWELL AVENUE

CHINOWTH STREET

PARCEL MAP NO 4075
(41 PM 76)
PARCEL 5 APN 119-420-042
PARCEL 6 APN 119-420-043
PARCEL 7 APN 119-420-044
PARCEL 8 APN 119-420-045

CRESTWOOD SUBDIVISION
UNIT NO. 14
34 RM 55

CITY OF VISALIA
APN 119-420-065

PROPOSED UNIT 1

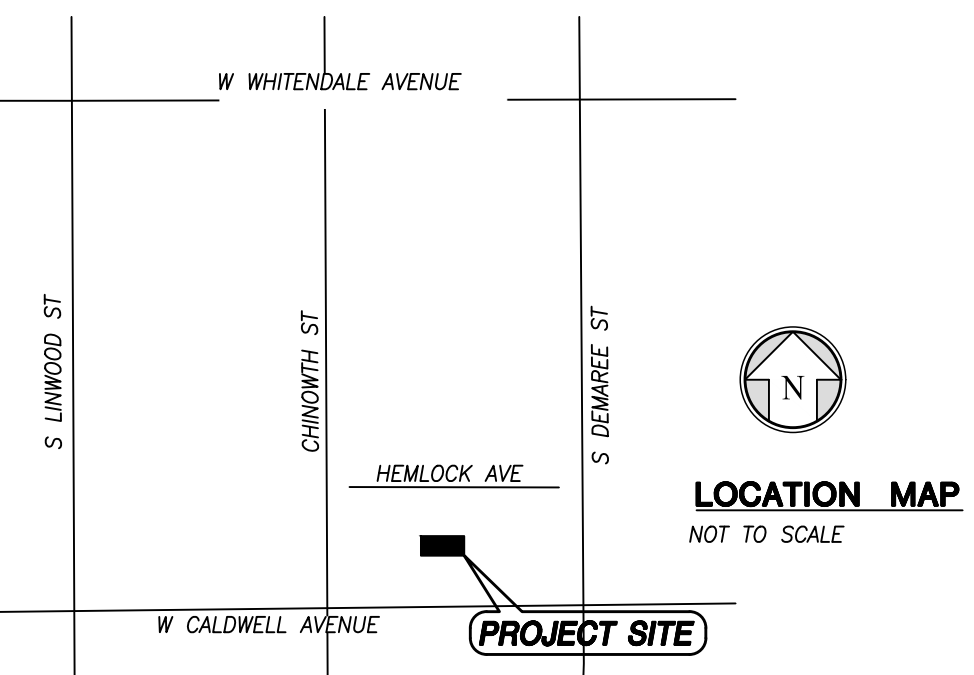
PROPOSED UNIT 2

EXISTING BUILDING

COMMON AREA
(ENTRY WAY)

PARCEL 6
APN 119-420-051

L:\PROJECTS\2022\220235\ACAD\TENTATIVE MAP\220235 - TPM.DWG 10/13/2022 9:43 AM



NOTICE OF EXEMPTION

City of Visalia
315 East Acequia Ave.
Visalia, CA 93291

To: County Clerk
County of Tulare
County Civic Center
Visalia, CA 93291

Tentative Parcel Map No. 2022-06 & Conditional Use Permit No. 2022-28

PROJECT TITLE

The project site is located at 3924 and 3928 West Caldwell Avenue. (APN: 119-420-052).

PROJECT LOCATION - SPECIFIC

Visalia

Tulare

PROJECT LOCATION - CITY

COUNTY

Tentative Parcel Map No. 2022-06 is a request to subdivide a 10,000 sq. ft. parcel containing an existing 10,000 sq. ft. office building into two commercial condominiums and a common area parcel, on land in the O-PA (Office / Professional Administrative) Zone. Conditional Use Permit No. 2022-28 is a request to establish a planned commercial development with two office condominiums and a common area parcel on a developed commercial property.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia, 315 E. Acequia Avenue, Visalia, CA 93291. (559) 713-4025, paul.bernal@visalia.city

NAME OF PUBLIC AGENCY APPROVING PROJECT

QK, Inc., Attn: Antonio Westerlund, 601 E. Pollasky Ave., Suite 301, Clovis, CA 93612; (559) 733-0440

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

QK, Inc., Attn: Antonio Westerlund, 601 E. Pollasky Ave., Suite 301, Clovis, CA 93612; (559) 733-0440

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- Ministerial - Section 15073
- Declared Emergency - Section 15071
- Emergency Project - Section 15071
- Categorical Exemption - State type & Section number: **Class 1, Section 15301(k)**
- Statutory Exemptions - State code number:

The project involves parceling property containing an existing building. Section 15301 pertains to exemptions of existing buildings, and sub-section (k) specifically refers to the subdivision of existing commercial structures where no physical improvements are occurring.

REASON FOR PROJECT EXEMPTION

Paul Bernal, Community Development Director
CONTACT PERSON

(559) 713-4025
AREA CODE/PHONE

November 14, 2022
DATE

Brandon Smith, AICP
ENVIRONMENTAL COORDINATOR



May 3, 2022

Site Plan Review No. 2022-056:

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. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

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 **April 13, 2022**. 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, which appears to read "Paul Bernal".

Paul Bernal
Community Development Director
315 E. Acequia Ave.
Visalia, CA 93291

Attachment(s):

- Site Plan Review Comments



MEETING DATE April 13, 2022
SITE PLAN NO. 2022-056
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

TPM (Condo Map)

HISTORIC PRESERVATION

OTHER –

ADDITIONAL COMMENTS:

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440
Site Plan Review Committee

SITE PLAN REVIEW COMMENTS

Josh Dan, Planning Division (559) 713-4003

Date: April 13, 2022

SITE PLAN NO: 2022-056
PROJECT TITLE: Caldwell Place Professional Office
DESCRIPTION: Would like to be able to sell Suite A separate from Suite B. (O-PA)
APPLICANT: Eddie Perez
PROP. OWNER: Caldwell Place Partners LLC
LOCATION TITLE: 3924 W. Caldwell Ave.
APN TITLE: 119-420-052
GENERAL PLAN: Professional Administrative Office
EXISTING ZONING: O-PA (Professional Administrative Office)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Condo Map
- Building Permit
- Additional Information as Needed

PROJECT SPECIFIC INFORMATION: April 13, 2022

1. As proposed the division of building area into another parcel will require the applicant to submit professionally drawn and stamped plans for a Condo Map consistent with the requirements of the Subdivision Map Act.
2. Building permits may be required.
3. Compliance with other divisions.

Note:

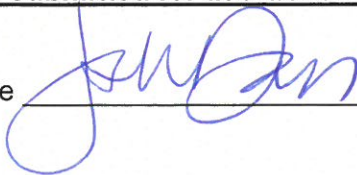
1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.

Sections of the Municipal Code to review:

17.20 Office Zones - 17.20.050 Development standards in the O-PA zone.

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 _____



**SUBDIVISION & PARCEL MAP
REQUIREMENTS
ENGINEERING DIVISION**

Ather Razaq 713-4268

ITEM NO: 6 DATE: APRIL 13, 2022

SITE PLAN NO.: 22-056
PROJECT TITLE: CALDWELL PLACE PROFESSIONAL OFFICE
DESCRIPTION: SEPARATE SUITE A FROM SUITE B FOR SALE
APPLICANT: EDDIE PEREZ
PROP. OWNER: CALDWELL PLACE PARTNERS LLC
LOCATION: 3924 & 3928 W CALDWELL AVE
APN: 119-420-052

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (Indicated by checked boxes)
- Submit improvements plans detailing all proposed work; Subdivision Agreement will detail fees & bonding requirements
- Bonds, certificate of insurance, cash payment of fees/inspection, and approved map & plan required prior to approval of Final Map.
- The Final Map & Improvements shall conform to the Subdivision Map Act, the City's Subdivision Ordinance and Standard Improvements.
- A preconstruction conference is required prior to the start of any construction.
- Right-of-way dedication required. A title report is required for verification of ownership. by map by deed
- City Encroachment Permit Required which shall include an approved traffic control plan.
- CalTrans Encroachment Permit Required. CalTrans comments required prior to tentative parcel map approval. CalTrans 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. **COMMERCIAL TO MAINTAIN ALL SITE LANDSCAPING**
- 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.
- Dedicate landscape lots to the City that are to be maintained by the Landscape & Lighting District.
- Northeast Specific Plan Area: Application for annexation into Northeast District required 75 days prior to Final Map approval.
- Written comments required from ditch company. Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditches; Paul Hendrix 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Final Map & Improvements shall conform to the City's Waterways Policy. Access required on ditch bank, 12' minimum. Provide wide riparian dedication from top of bank.
- Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any portion of the system. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- 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.

- Show Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during construction in accordance with City requirements. A permit is required to remove Valley Oak trees. Contact Public Works Admin at (559)713-4428 for a Valley Oak tree evaluation or permit to remove. Valley Oak tree evaluations by a certified arborist are required to be submitted to the City in conjunction with the tentative map application. A pre-construction conference is required.
 - Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
 - Relocate existing utility poles and/or facilities.
 - Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
 - Provide "R" value tests: each at
 - Traffic indexes per city standards:
 - 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.
 - All lots shall have separate drive approaches constructed to City Standards.
 - Install street striping as required by the City Engineer.
 - Install sidewalk: ft. wide, with ft. wide parkway on
 - Cluster mailbox supports required at 1 per 2 lots, or use postal unit (contact the Postmaster at 732-8073).
 - Subject to existing Reimbursement Agreement to reimburse prior developer:
 - Abandon existing wells per City of Visalia Code. A building permit is required.
 - Remove existing irrigation lines & dispose off-site. Remove existing leach fields and septic tanks.
 - Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
 - If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
 - If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
- Comply with prior comments Resubmit with additional information Redesign required

Additional Comments:

1. Proposed commercial condominium maps to provide common access and maintenance of improvements.

2. Refer to City processing and filing fees for maps.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **22-056**
Date: **4/13/2022**

Summary of applicable Development Impact Fees to be collected at the time of final/parcel map recordation:

(Preliminary estimate only! Final fees will be based on approved subdivision map & improvements plans and the fee schedule in effect at the time of recordation.)

(Fee Schedule Date:**1/1/2022**)
(Project type for fee rates:**TENTATIVE PARCEL & CONDO MAP**)


Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input type="checkbox"/> Trunk Line Capacity Fee	
<input type="checkbox"/> Sewer Front Foot Fee	
<input type="checkbox"/> Storm Drainage Acquisition Fee	
<input type="checkbox"/> Park Acquisition Fee	
<input type="checkbox"/> Northeast Acquisition Fee Total Storm Drainage Block Walls Parkway Landscaping Bike Paths	
<input type="checkbox"/> Waterways Acquisition Fee	

Additional Development Impact Fees will be collected at the time of issuance of building permits.

City 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 planned 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.



Ather Razaq

City of Visalia
Building: Site Plan
Review Comments

SFR 22056
PROFESSIONAL OFFICE
119420052

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 ANY IMPROVEMENTS** 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.

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 _____ * Hazardous materials report.

Arrange for an on-site inspection. (Fee for inspection \$157.00) For information call (559) 713-4444

School Development fees. Commercial \$0.66 per square foot & Self-Storage \$.23 per sf. Residential.

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: **PROVIDE 1 HOUR MINIMUM FIRE - RESISTIVE CONSTRUCTION WHEN LESS THAN 10 FEET TO PROPERTY LINE LOCATIONS. OPENINGS MAY OR MAY NOT BE ALLOWED BASE ON DISTANCE TO PROPERTY LINE LOCATIONS.**

VAL GARCIA 4/12/22

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 4/13/2022
Item # 5
Site Plan # 22056
APN: 119420052

- 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 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- **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 are served by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2019 CFC 505.1

Corbin Reed
Fire Marshal



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

Date: 04/13/2022
 Item: 5
 Site Plan: SPR22056
 Name: Henry Martinez

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: _____
- Traffic Concerns: _____
- Surveillance Issues: _____
- Line of Sight Issues: _____
- Other Concerns: _____

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

April 13, 2022

ITEM NO: 5

SITE PLAN NO: SPR22056

PROJECT TITLE: Caldwell Place Professional Office

DESCRIPTION: Would like to be able to Sell Suite A Separate form Suite B. Existing Partners want to Buy Individually.
(O-PA)

APPLICANT: Eddie Perez

OWNER: CALDWELL PLACE PARTNERS LLC

APN: 119420052

LOCATION: 3924 W CALDWELL AVE UN

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:

Leslie Blair

Leslie Blair

CITY OF VISALIA
SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4532
COMMERCIAL BIN SERVICE

22056

April 13, 2022

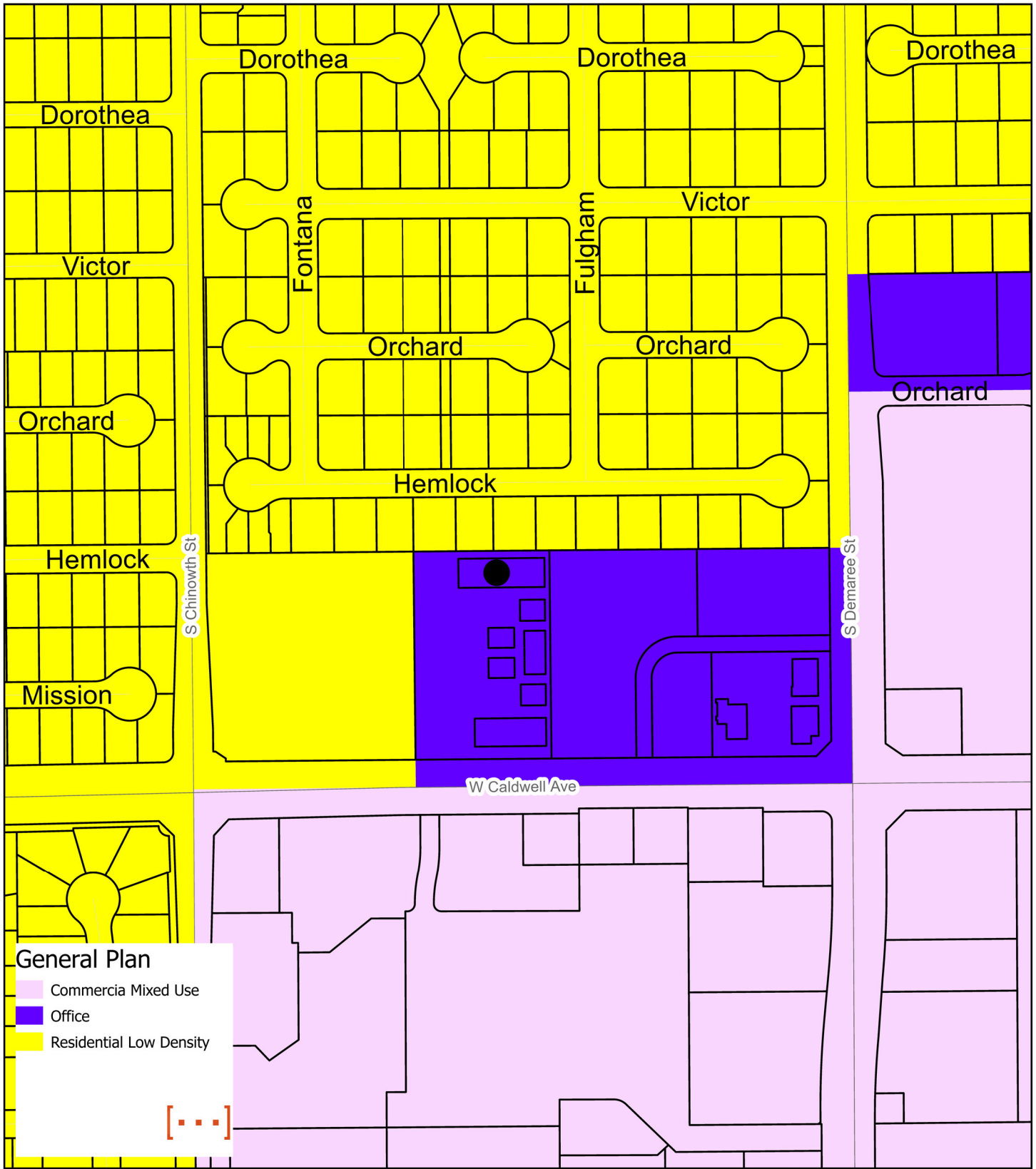
- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures must be R-3 OR R-4
- Customer must provide combination or keys for access to locked gates/bins
- Type of refuse service not indicated.
- Location of bin enclosure not acceptable. See comments below.
- Bin enclosure not to city standards double.
- Inadequate number of bins to provide sufficient service. See comments below.
- Drive approach too narrow for refuse trucks access. See comments below.
- Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- Bin enclosure gates are required
- Hammerhead turnaround must be built per city standards.
- Cul - de - sac must be built per city standards.
- Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- Area in front of refuse enclosure must be marked off indicating no parking
- Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- Customer will be required to roll container out to curb for service.
- Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

Comment Customer indicated no changes planned to existing solid waste services.
Jason Serpa, Solid Waste Manager, 559-713-4533
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

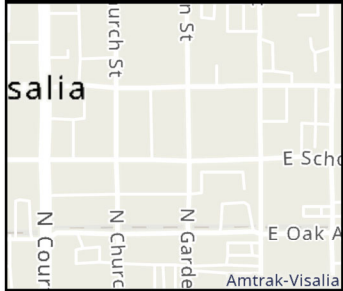
Nathan Garza, Solid Waste, 559-713-4532





General Plan

- Residential Low Density
- Office
- Commercial Mixed Use

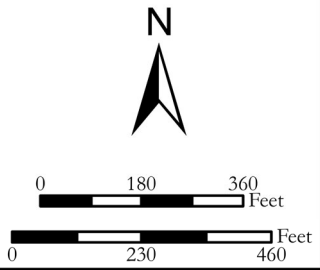


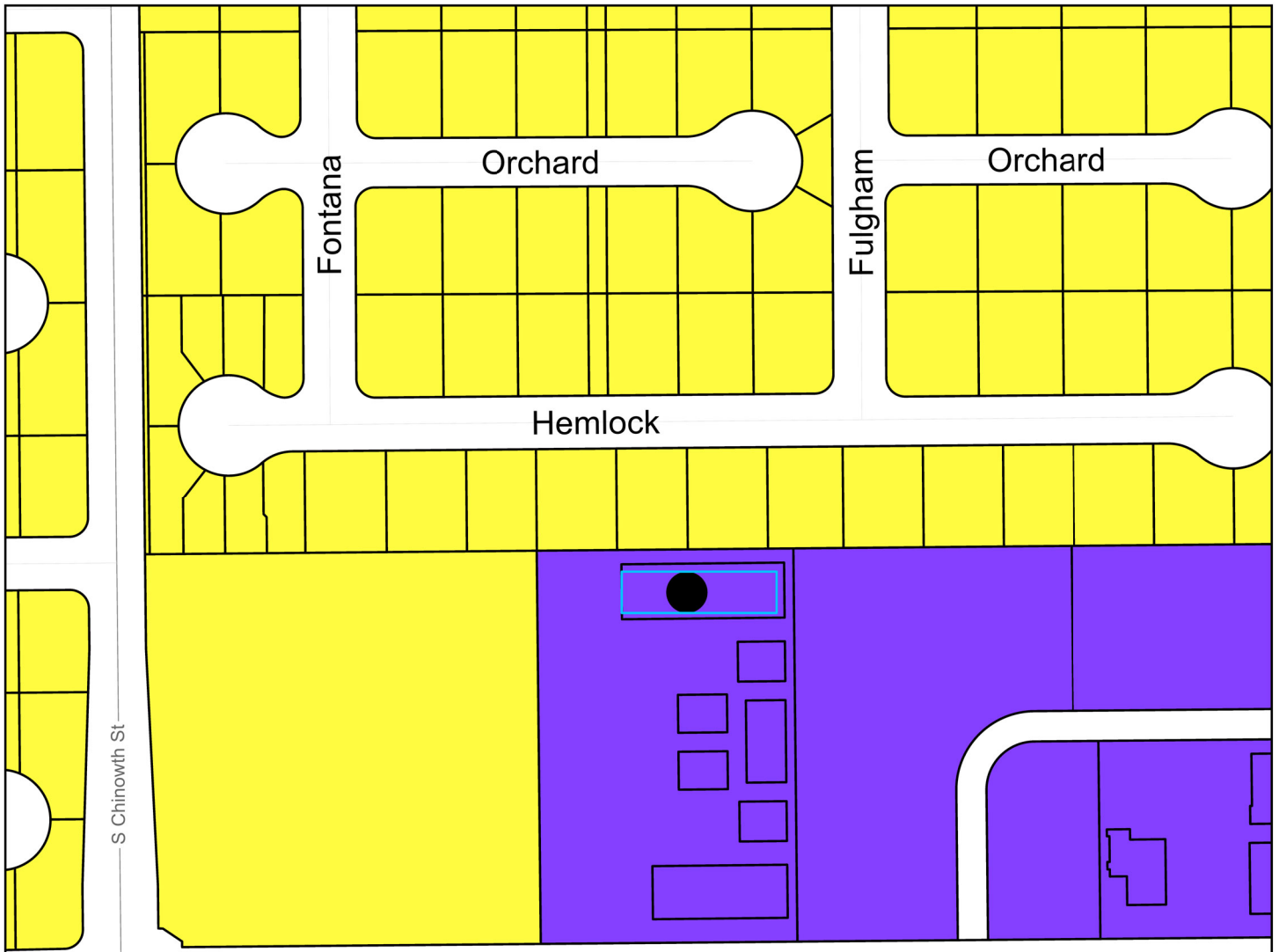
General Plan Land Use Map

Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

2022

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere





Zoning

- Mixed Use Downtown
- Professional / Administrative Office
- Quasi-Public
- 5000 SF Min Site Area
- 1200 SF Min Site Area

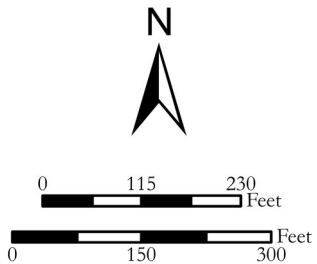


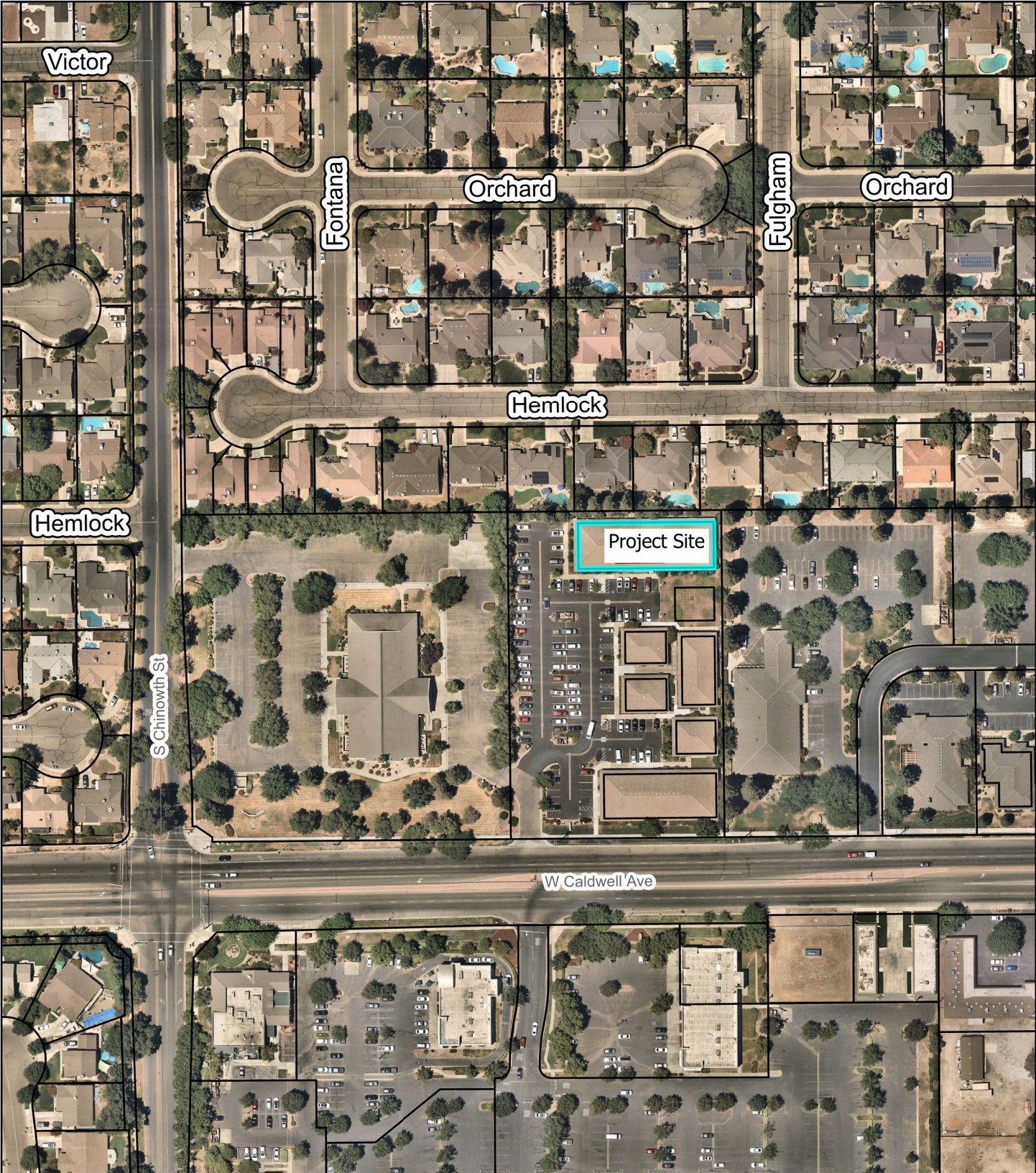
Zoning Map

Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

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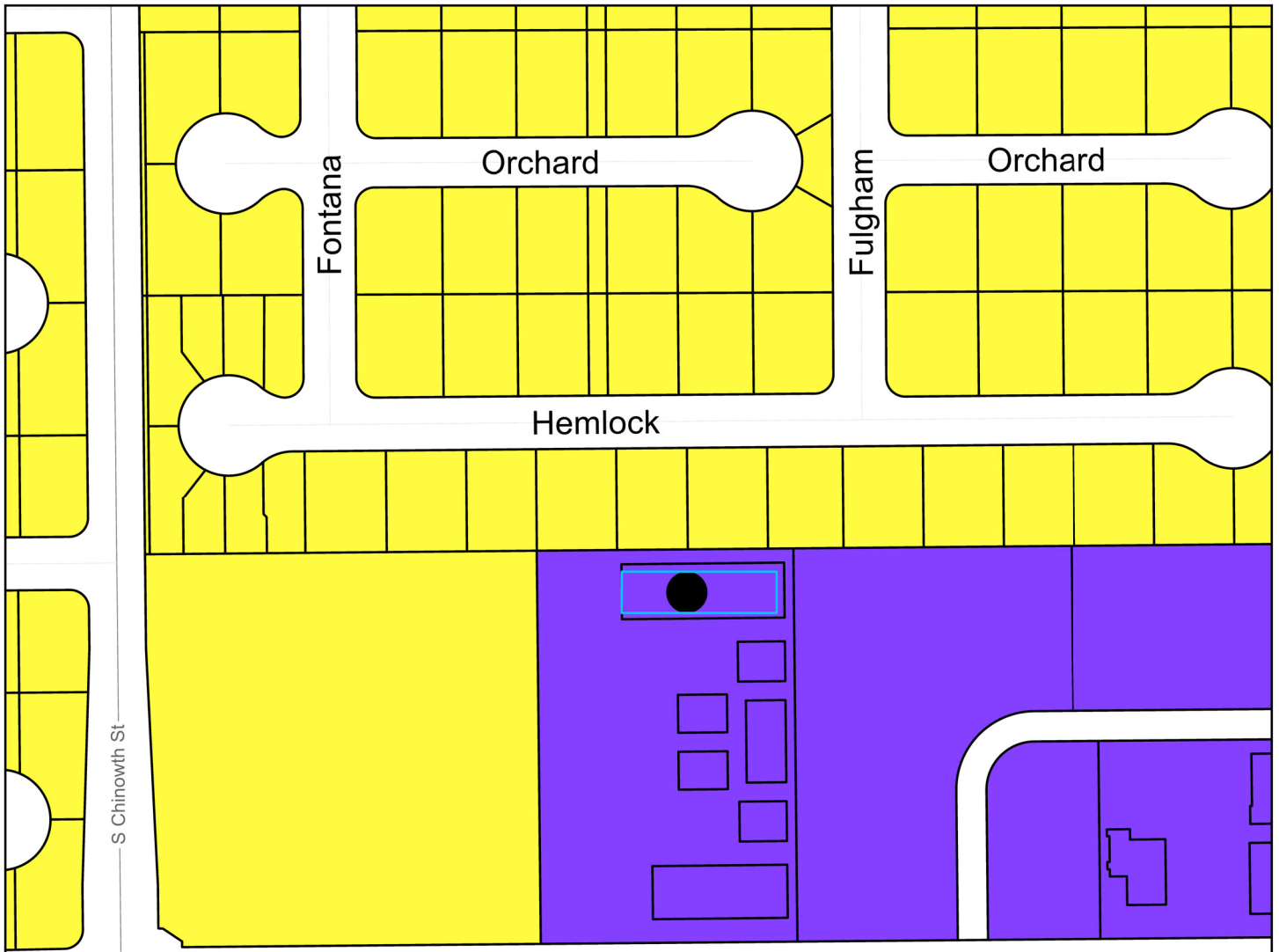


<h1>Aerial Map</h1>	
City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, Esri, NASA, NGA, USGS, FEMA	2022
Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere	

N

0 115 230 Feet

0 145 290 Feet



Zoning

- Mixed Use Downtown
- Professional / Administrative Office
- Quasi-Public
- 5000 SF Min Site Area
- 1200 SF Min Site Area



Zoning Map

2022

Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, City of Visalia, Fresno County Dept. PWP, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA

Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere

N

0 115 230 Feet

0 150 300 Feet