

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

MONDAY, MAY 22, 2023
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.
 - a. Time Extension Request for Sycamore Heights Tentative Subdivision Map No. 5577.
6. PUBLIC HEARING – Josh Dan, Senior Planner

Conditional Use Permit No. 2023-16: A request by Kaylah Gonzales to establish a medical and wellness spa in an existing 1,246 square foot tenant space of an existing office building in the P-AO (Professional / Administrative Office) zone. The site is located at 2336 West Sunnyside Avenue, Suite C (APN: 121-100-089). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2023-28.

7. PUBLIC HEARING –Josh Dan, Senior Planner

- a. Tentative Parcel Map No. 2023-03: A request by Hal Sousa to divide an 18,516 sq. ft. parcel into three lots for residential use, in the R-1-5 (Single-Family Residential) Zone. The project site is located at 119 West Houston Avenue. (APN: 094-055-003). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2023-18.
- b. Variance No. 2023-01: A request by Hal Sousa to allow a variance to building setback standards for a property located in the R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) Zone. The project site is located at 119 West Houston Avenue (APN: 094-055-003). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2023-18.

8. PUBLIC HEARING – Paul Bernal, Director / City Planner

- a. Tentative Parcel Map No. 2023-05: A request by 4Creeks, Inc. to subdivide one 16.03-acre parcel of C-MU (Commercial Mixed Use), R-M-2 (Multi-Family Residential 3,000 square feet per unit) and R-M-3 (Multi-Family Residential 1,500 square feet per unit) zoned property into four parcels for financing purposes. The 16.03-acre site is located on the south side of West Glendale Avenue between North Dinuba Boulevard and future North Santa Fe Street (APN: 079-071-030). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2023-24.
- b. Conditional Use Permit No. 2023-17: A request by 4Creeks, Inc. to establish a parcel with less than the minimum five-acre requirement for a C-MU (Commercial Mixed Use) zoned parcel associated with Tentative Parcel Map No. 2023-05. The C-MU zoned parcels are located on the south side of West Glendale Avenue between North Dinuba Boulevard and North Court Street (APN: 079-071-030). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2023-24.

9. PUBLIC HEARING – Paul Bernal, Director / City Planner

- a. Tentative Parcel Map No. 2023-06: A request by Legacy Construction to subdivide one 9.88-acre parcel of C-N (Neighborhood Commercial) and R-M-2 (Multi-Family Residential 3,000 square feet per unit) zoned property into three parcels and a Remainder for financing purposes. The 9.88-acre site is located on the northwest corner of East Houston Avenue and North Cain Street (APN: 098-200-070). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2023-25.
- b. Conditional Use Permit No. 2023-18: A request by Legacy Construction to establish a parcel with less than the minimum five-acre requirement for a C-N (Neighborhood Commercial) zoned parcel associated with Tentative Parcel Map No. 2023-06. The 9.88-acre site is located on the northwest corner of East Houston Avenue and North Cain Street (APN: 098-200-070). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2023-25.

10. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. Second Reading of Ordinance No. 2023-02, Agricultural Preservation Ordinance Update.
- b. Update on Work Session items – Keeping of Chickens in COV.
- c. Housing Element 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, JUNE 1, 2023, 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, JUNE 12, 2023

City of Visalia

Memo



To: Planning Commission

From: Brandon Smith, Principal Planner

Date: May 22, 2023

Re: Time Extension for Sycamore Heights Tentative Subdivision Map No. 5577

RECOMMENDATION:

Staff recommends that the Planning Commission approve a one-year time extension of Sycamore Heights Tentative Subdivision Map No. 5577, extending the expiration date to October 7, 2024, pursuant to Section §66452.6(e) of the Subdivision Map Act.

BACKGROUND:

On April 27, 2021, the Visalia Planning Commission approved Sycamore Heights Tentative Subdivision Map No. 5577 through adoption of Resolution No. 2021-05. The tentative subdivision map was a request to subdivide 24.75 acres into 91 lots for residential use and additional lots for landscaping and lighting districts in the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone. The project site is located at 2780 North Akers Street on the east side of North Akers Street between West Ferguson and West Modoc Avenues (APN: 077-070-048).

At the time of approval, the project site was located under County jurisdiction and was pending annexation into the City limits. The annexation and subsequently the tentative subdivision map became effective on October 7, 2021, when the Certificate of Completion associated with the annexation was recorded.

The original expiration date for the tentative subdivision map was October 7, 2023, two years from the effective date of the annexation.

REQUEST:

The proponents of the Tentative Subdivision Map have submitted a written request received by the City of Visalia, on April 11, 2023, for a four-year time extension, the maximum allowed under the Subdivision Map Act. Tentative map approvals together with time extensions may be granted pursuant to Section §66452.6(e) of the Subdivision Map Act for a total period not exceeding six years. This would be the first time extension applied to this Tentative Subdivision Map.

Staff recommends that a one-year time extension be granted at this time in keeping with the City's practice of recommending time extensions. The extension request, if approved by the Planning Commission according to the staff recommendation, will extend the expiration date of the Tentative Subdivision Map, from October 7, 2023, to October 7, 2024.

The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until the new expiration date, October 7, 2024, to record a final subdivision map. If the request is denied, the applicant would have to re-file a new tentative subdivision map.

ATTACHMENTS

- Letter of Request for the Time Extension
- Resolution No. 2021-05
- Tentative Subdivision Map
- Location Map

From: [Chase Morgan](#)
To: [Brandon Smith](#)
Subject: Sycamore Heights Tentative Map Extension
Date: Tuesday, April 11, 2023 11:20:20 AM

Hi Brandon,

The purpose of this message is to request an extension if expiration for Sycamore Heights. Although the Tentative Map was approved by the Planning Commission on 4/24/21 (see attached Final Action Letter), the expiration clock didn't start ticking until the property was officially annexed on 8/04/21 (see attached LAFCO Resolution No. 21-016). Therefore, the initial 2 year approval ends on 8/04/2023.

We are requesting an extension and are requesting the allowed maximum of 4 years. Please advise on next steps. Appreciate your help!

Thanks,

Chase Morgan
Morgan-enterprise.com
559-300-7780
805-308-7394

RESOLUTION NO 2021-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE SUBDIVISION MAP NO. 5577, A REQUEST TO SUBDIVIDE 24.75 ACRES INTO A 91-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION. THE 24.75 ACRES IS PROPOSED TO BE ZONED R-1-5 (SINGLE-FAMILY RESIDENTIAL, 5,000 SQUARE FOOT MINIMUM LOT SIZE) UPON ANNEXATION INTO THE CITY OF VISALIA. THE PROJECT SITE IS LOCATED AT 2780 NORTH AKERS STREET ON THE EAST SIDE OF NORTH AKERS STREET BETWEEN WEST FERGUSON AND WEST MODOC STREET (APN: 077-070-048)

WHEREAS, Sycamore Heights Tentative Subdivision Map No. 5577 is a request to subdivide 24.75 acres into a 91-lot single-family residential subdivision. The project is pre-zoned R-1-5 (Single Family Residential, 5,000 square foot minimum site area) and is located at 2780 North Akers Street on the east side of North Akers Street between West Ferguson and West Modoc Street (APN: 077-070-048); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, held a public hearing before said Commission on April 27, 2021; and

WHEREAS, the Planning Commission of the City of Visalia finds the Sycamore Heights Tentative Subdivision Map No. 5577 in accordance with Chapter 16.16 of the Subdivision Ordinance of the City of Visalia, based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project; and

WHEREAS, the Planning Commission finds that Initial Study No. 2021-02 has identified that the proposed project has no new effects that could occur that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37, adopted on October 14, 2014.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the City Council adopt Negative Declaration No. 2021-02 for Annexation No. 2021-01 and Sycamore Heights Tentative Subdivision Map No. 5577 that was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

1. That the proposed location and layout of the Sycamore Heights Tentative Subdivision Map No. 5577, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning

Ordinance and Subdivision Ordinance. The 24.75-acre project site, which is the site of the proposed 91-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-19 of the General Plan. Policy LU-P-19 states “ensure that growth occurs in a compact and concentric fashion by implementing the General Plan’s phased growth strategy.”

2. That the proposed Sycamore Heights Tentative Subdivision Map No. 5577, 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. The proposed tentative subdivision map will be compatible with adjacent land uses. The project site is bordered by existing residential development and two major streets.
3. That the site is physically suitable for the proposed tentative subdivision map. The Sycamore Heights Tentative Subdivision Map No. 5577 is consistent with the intent of the General Plan and Zoning Ordinance and Subdivision Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The project site is adjacent to land zoned for residential development, and the subdivision establishes a local street pattern that will serve the subject site and the future development of vacant parcels located to the west of the subject site.
4. That the site is physically suitable for the proposed tentative subdivision map and the project’s density, which is consistent with the underlying Low Density Residential General Plan Land Use Designation. The proposed location and layout of the Sycamore Heights Tentative Subdivision Map No. 5577, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan and Zoning Ordinance and Subdivision Ordinance. The 24.75-acre project site, which is the site of the proposed 91-lot single-family residential subdivision, is consistent with Land Use Policy LU-P-19 of the General Plan. Policy LU-P-19 states “ensure that growth occurs in a compact and concentric fashion by implementing the General Plan’s phased growth strategy.”
5. That the proposed Sycamore Heights Tentative Subdivision Map No. 5577, 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. The 91-lot subdivision is designed to comply with the City’s Engineering Improvement Standards. The development of the site with a 91-lot single-family residential subdivision would extend local streets, infrastructure improvements, utilities, right-of-way improvements and a residential lot pattern consistent with existing residential development found in the surrounding area. The project will include the construction of local streets within the subdivision, connection to Crenshaw Street to the north and frontage street improvements along both North Akers Street and West Ferguson Avenue.

6. That an Initial Study was prepared for this project, consistent with CEQA, which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-02, is hereby adopted. Furthermore, the design of the subdivision or the proposed improvements is not likely to neither cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the tentative subdivision map on the real property herein above described in accordance with the terms of this resolution under the provisions of Section 16.16.030 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the subdivision map be developed in substantial compliance with the comments and conditions of the Site Plan Review Committee as set forth under Site Plan Review No. 2019-151, incorporated herein by reference.
2. That the Sycamore Heights Tentative Subdivision Map No. 5577 be prepared in substantial compliance with the subdivision map in Exhibit "A".
3. Approval of the Sycamore Heights Tentative Subdivision Map No. 5577 shall not become effective unless Annexation No. 2021-01, placing the project site within the corporate limits of the City of Visalia, is approved by the Tulare County Local Agency Formation Commission (LAFCO) and is fully executed to include all conditions contained in the Pre-Annexation Agreement for Annexation No. 2021-01.
4. That the developer shall inform and have future homeowners of the Sycamore Heights subdivision sign and acknowledge Tulare County's "Right to Farm" Ordinance. This informs future residential owners that the farming operation located on the northeast corner of North Akers Street and West Ferguson Avenue, which is located in the County, is protected and cannot be declared a nuisance if operating in a manner consistent with proper and accepted customs and standards.
5. That the setbacks for the single-family residential lots shall comply with the R-1-5 (Single-Family Residential 5,000 sq. ft. min. site area) zone district standards for the front, side, street side yard, and rear yard setbacks.
6. That the block walls located within the Landscape and Lighting District lots shall transition to three-foot height within the 15-foot front yard setback areas of the adjoining residential identified as Lots 1, 36, 79, and 80 of the Sycamore Heights Tentative Subdivision Map No. 5577 (Exhibit "A").
7. That if, prior to development of the subdivision the determination of water availability letter lapses, then the applicant/developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
8. That the median island in Akers Street at the future Delaware Avenue street alignment within the proposed subdivision shall be designed as a three-quarter opening restricting vehicular movement to only right-in, right-out, and left-in traffic movements.

9. That Sunnyview Court be redesigned from a cul-da-sac to local street with a "stub" street connection to facilitate future local street connectivity to the west per the City's Engineering Improvement Standards P-15 Super Block Connectivity.

10. That all applicable federal, state, regional, and city policies and ordinances be met.

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

AYES: Commissioners Peariso, Peck, Hansen

NOES: Commissioners Beatie, Gomez

ABSTAINED:

ABSENT:

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

ATTEST: Paul Bernal, City Planner

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2021-05, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on April 27, 2021.



Paul Bernal, City Planner



Chris Gomez, Chairperson

Annexation No.2021-02 & Sycamore Heights Tentative Subdivision Map No. 5577

The site is located at 2780 N. Akers Street on the east side of
N. Akers Street between W. Ferguson and W. Modoc Avenues
(APN: 077-070-048)

