

# 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](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, JUNE 12, 2023**



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** May 22, 2023

**PROJECT PLANNER:** Paul Bernal, Director / City Planner  
Phone No.: (559) 713-4025  
E-mail: [paul.bernal@visalia.city](mailto:paul.bernal@visalia.city)

**SUBJECT: 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).

**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).

## STAFF RECOMMENDATION

### Tentative Parcel Map No. 2023-06

Staff recommends approval of Tentative Parcel Map No. 2023-06 based on the findings and conditions in Resolution No. 2023-21. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan, Zoning and Subdivision Ordinances.

### Conditional Use Permit No. 2023-18

Staff recommends approval of Conditional Use Permit No. 2023-18 based upon the findings and conditions in Resolution No. 2023-22. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

## RECOMMENDED MOTION

I move to approve Tentative Parcel Map No. 2023-06, based on the findings and conditions in Resolution No. 2023-21.

I move to approve Conditional Use Permit No. 2023-18, based on the findings and conditions in Resolution No. 2023-22.

## PROJECT DESCRIPTION

Tentative Parcel Map No. 2023-06 is a request to subdivide a 9.88-acres site into three parcels and a Remainder as shown in Exhibit "A". The objective of the parcel map is to create three parcels for financing purposes and to facilitate future development based on the underlying zoning designations for each parcel. Parcels 1 and 2 are 2.46 and 0.55 acres in size and are zoned C-N (Neighborhood Commercial). Parcel 3 is 3.43 acres in size and zoned R-M-2 (Multi-Family Residential 3,000 square feet per dwelling unit) while the Remainder is 3.44 acres and also zoned R-M-2. Please note a designated "Remainder" pursuant to the Subdivision Map Act is not counted as a "parcel" of the tentative parcel map.

Conditional Use Permit (CUP) No. 2023-18 is a request to establish a planned commercial development by creating two parcels with less than the minimum five acre requirement for a C-N zoned site (i.e., Parcels 1 and 2). The applicant, per Exhibit “B”, provided a development plan for Parcels 1 and 2 that depicts future development of these two parcels with a single-story building and a small commercial building with a drive-thru lane. Future development of these two parcels with further detail related to the uses is subject to the City’s Site Plan Review process. In addition, the proposed drive-thru lane is subject to the drive-thru performance standards, and a CUP will be required upon future development based on the distance of the proposed drive-thru lane from residential zoned property located directly to the south of Houston Avenue. The development plan demonstrates the ability of the C-N zoned site to comply with the development standards for that zone, including vehicular access, and completion of frontage improvements along the major streets.

The remaining balance of the site and proposed parcels (i.e., Parcels 3 and 4) are subject to the zoning and development standards for each parcel. Any proposed development for each parcel that has not been approved is subject to the City’s Site Plan Review process.

### **BACKGROUND INFORMATION**

General Plan Land Use Designation:	Neighborhood Commercial and Medium Density Residential
Zoning:	C-N (Neighborhood Commercial), R-M-2 (Multi-Family Residential 3,000 square feet per dwelling unit)
Surrounding Land Use and Zoning:	North: R-1-5 / East Glen Single-Family Residential Subdivision South: R-1-5 / Houston Avenue and the Sierra View Single-Family Residential Subdivision. East: R-1-5 and C-N / Cain Street and Single-Family Residential homesites West: C-N / North Pointe Commercial Shopping Center
Environmental Review:	Categorical Exemption No. 2023-25
Special Districts:	None
Site Plan Review No:	2023-053

### **RELATED PLANS & POLICIES**

Please see attached summary of related plans and policies.

### **RELATED ACTIONS**

None.

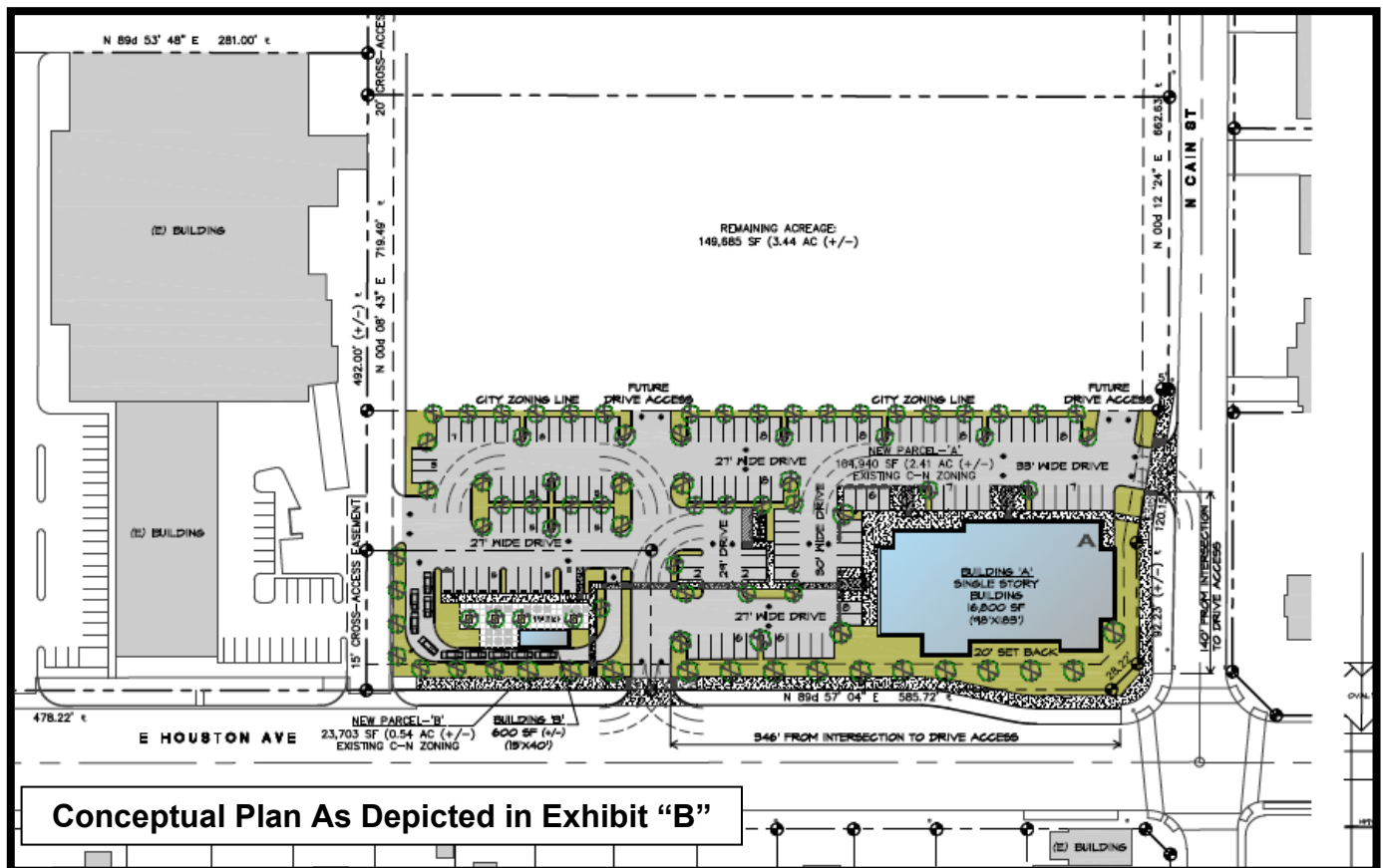
## PROJECT EVALUATION

Staff recommends approval of the tentative parcel map and conditional use permit based on the project's consistency with the General Plan, Zoning Ordinance, and the Subdivision Ordinance for the tentative parcel map.

### Planned Development Requirement

The minimum site area for properties in the C-N zone is five acres (ref. Municipal Code Section 17.19.060.A). However, according to Municipal Code Section 17.26.040 pertaining to Planned Developments, the Planning Commission or Site Plan Review Committee may consider lot sizes smaller than the minimum site area if "there are unique circumstances (shape, natural features, location, etc.) which would deprive the landowner of development potential consistent with other properties classified in the same underlying zone."

The applicant has submitted a development plan demonstrating that the C-N zoned parcel, as further subdivided, can be developed to ensure compliance with City development standards including vehicular access locations, internal access to adjoining parcels, setbacks, landscaping requirements, and parking demands based on future uses (see Exhibit "B" and figure below).



### Site Area / Access / Circulation & Utilities

The tentative parcel map shown in Exhibit "A" is subject to approval of the associated conditional use permit. The development pattern per Exhibit "B" depicts the ability for the two commercial zoned parcels to develop and meet development standards while the proposed multi-family parcel (Parcel 3) and the Remainder Parcel both exceed the minimum two-acre size for multi-family zoned parcels. In addition, staff has incorporated a condition of project approval, Condition No. 5, that requires the property owner to record a shared cross access, utilities, and maintenance agreement between Parcels 1, 2, and 3 per the proposal of the internal drive

access areas as noted in Exhibit “B”. The recorded agreement addresses the property owners’ maintenance and responsibility for repair of this easement area, and that the easement area shall be kept free and clear of any structures.

**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. This is included as recommended Finding No. 1 of the Tentative Parcel Map. There are no specific plans applicable to the proposed 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 Neighborhood Commercial and Medium Density Residential. This is included as recommended Finding No. 3 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 map and its affiliated development plan, which is designated as Commercial Mixed Use. This is included as recommended Finding No. 4 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 not been found likely to cause environmental damage or substantially and avoidable injure fish or wildlife or their habitat. This finding is further supported by the project’s Categorical Exemption determination under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), included as recommended Finding No. 7 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. 5 of the Tentative Parcel Map.

**Will-Serve Letter for Domestic Water Service**

Staff is recommending Condition No. 6 on the Tentative Parcel Map requiring that a valid will serve letter must be in possession of City staff prior to the recordation of this map.

**Environmental Review**

This project, the conditional use permit and tentative map, are considered Categorical Exempt under Sections 15305 and 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-25).

**RECOMMENDED FINDINGS**

**Tentative Parcel Map No. 2023-06**

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 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. 2023-18).
4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Neighborhood Commercial and Medium Density Residential General Plan Land Use Designations.
5. 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.
6. That the project is considered Categorical Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-25).

**Conditional Use Permit No. 2023-18**

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 and Commercial zone standards based on the creation of a master development plan.
  4. That the project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-25).

## **RECOMMENDED CONDITIONS OF APPROVAL**

### **Tentative Parcel Map No. 2023-06**

1. That the tentative parcel map shall be developed consistent with the comments and conditions of Site Plan Review No. 2023-053, incorporated herein by reference.
2. That the tentative parcel map be prepared in substantial compliance with Exhibit "A".
3. That Conditional Use Permit No. 2023-18 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
4. That Tentative Parcel Map No. 2023-06 shall be null and void unless Conditional Use Permit No. 2023-18 is approved.
5. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final parcel map associated with Tentative Parcel Map No. 2023-05 between Parcels 1, 2, and 3. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and/or City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That prior to the recording of a final map on the site, a valid Will Serve Letter from the California Water Service Company shall be obtained by City staff.
7. That all other federal and state laws and city codes and ordinances be complied with.

### **Conditional Use Permit No. 2023-18**

1. That the planned development shall be developed consistent with the comments and conditions of Site Plan Review No. 2023-053, incorporated herein by reference.
2. That the planned development be prepared in substantial compliance with Exhibit "B".
3. That Tentative Parcel Map No. 2023-06 shall be approved, and that requirements of the parcel map which relate to this conditional use permit shall be fulfilled.
4. That Conditional Use Permit No. 2023-18 shall be null and void unless Tentative Parcel Map No. 2023-06 is approved.
- 5.

6. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final parcel map associated with Tentative Parcel Map No. 2023-05 between Parcels 1, 2, and 3. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and/or City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
7. That all applicable federal, state, regional, and city policies and ordinances be met.

## **APPEAL INFORMATION**

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.28.080, 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 North Santa Fe Street, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website or from the City Clerk.

### **Attachments:**

- Related Plans & Policies
- Resolution No. 2023-21 (Tentative Parcel Map No. 2023-06)
- Resolution No. 2023-22 (Conditional Use Permit No. 2023-18)
- Exhibit "A" – Tentative Parcel Map
- Exhibit "B" – Conceptual Development Plan
- Site Plan Review Comments 2023-053
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

## **RELATED PLANS AND POLICIES**

### **City of Visalia Subdivision Ordinance [Title 16 of Visalia Municipal Code]**

#### **Chapter 16.28: PARCEL MAPS**

##### **Section 16.28.020 Advisory agency.**

The planning commission is designated as the advisory agency referred to in Article 2 of the Subdivision Map Act and is charged with the duty of making investigations and reports on the design and improvement of proposed divisions of land under this chapter. The city planner is designated as the clerk to the advisory agency with authority to receive parcel maps. (Ord. 9605 § 32 (part), 1996: prior code § 9215)

##### **Section 16.28.060 Hearing and notice.**

A. The city planning commission shall hold a public hearing on an application for a tentative parcel map or vesting tentative parcel map.

B. Notice of a public hearing shall be given not less than ten days or more than thirty (30) days prior to the date of the hearing by mailing a notice of the time and place of the hearing to property owners within three hundred (300) feet of the boundaries of the area proposed for subdivision. (Prior code § 9235)

##### **Section 16.28.070 Consideration of tentative parcel maps.**

The commission shall review the tentative parcel map and approve, conditionally approve, or disapprove the map within thirty (30) days after the receipt of such map, or at such later date as may be required to concurrently process the appurtenant environmental impact require documents required by state law and local regulations adopted in implementation thereof. (Prior code § 9240)

##### **Section 16.28.080 Appeals.**

If the applicant is dissatisfied with the decision of the planning commission, he may, within ten days after the decision of the planning commission, appeal in writing to the council for a hearing thereon. Such hearing need not be concluded on the day thus set but may be continued. (Prior code § 9245)

##### **Section 16.28.110 Right-of-way dedications.**

A. Pursuant to the Subdivision Map Act, the subdivider shall provide such dedication of right-of-way and/or easements as may be required by the planning commission.

B. The planning commission may, at its discretion, require that offers of dedication or dedication of streets include a waiver of direct access rights to any such streets from any property shown on the final map as abutting thereon, in accord with the provisions of the Subdivision Map Act. (Prior code § 9260)

### **City of Visalia Zoning Ordinance [Title 17 of Visalia Municipal Code]**

#### **Chapter 17.26: PLANNED DEVELOPMENT**

##### **Section 17.26.010 Purpose and intent.**

The purpose and intent of the PD regulations contained in this chapter is to provide for land development consisting of a related group of residential housing types or commercial uses, including but not limited to, attached or detached single-family housing, cluster housing, patio homes, town houses, apartments, condominiums or cooperatives or any combination thereof and including related open spaces and community services consisting of recreational, commercial and offices, infrastructure, maintenance and operational facilities essential to the development, all comprehensively planned. Such land development normally requires deviation from the normal zoning regulations and standards regarding lot size, yard requirements, bulk and structural coverage in an effort to maximize the benefits accruing to the citizens of Visalia. (Ord. 9718 § 2 (part), 1997: prior code § 7410)

**17.26.040 Development standards.**

The following is a list of development standards considered to be necessary to achieve the purpose and intent of this chapter:

**A. Site Area.**

1. The minimum site area for a planned residential development shall be one acre of gross site area.
2. The minimum site area for a planned unit development shall be ten acres.
3. The minimum site area for a planned commercial development shall be five acres.
4. The minimum site area for a planned industrial development shall be twenty (20) acres.
5. Parcels smaller than the minimums stated above may be considered if the planning commission finds there are unique circumstances (shape, natural features, location, etc.) which would deprive the land owner of development potential consistent with other properties classified in the same underlying zone.

**B. Density.** The average number of dwelling units per net area shall not exceed the maximum density prescribed by the site area regulations or the site area per dwelling in which the planned unit development is located, subject to a density bonus which may be granted by the city council upon recommendation by the planning commission. A density bonus may be granted as part of a planned development based on the following guidelines:

<b>Percent of Net Site in Usable Open Space</b>	<b>Area Percent of Density Bonus</b>
6% to 10%	6%
11% to 20%	10%
21% to 25%	16%
Over 25%	20%

**C. Usable Open Space.** Usable open space shall be provided for all planned developments which include residential uses, except as provided in this section. Such open space shall include a minimum of five percent of the net site area of the residential portion of a planned development. The requirement for mandatory usable open space may be waived in developments wherein the net lot area of each lot meets or exceeds minimum standard in the underlying zone classification.

**D. Site Design Criteria.**

1. Location of proposed uses and their relationship to each other with a planned development shall be consistent with general plan policies and ordinance requirements.
2. The natural environment of a site is to be considered as part of the design criteria. Such features as natural ponding areas, waterways, natural habitats, and mature vegetation are to be considered.
3. If a planned development is located adjacent to a major arterial street, or other existing possible land use conflict, adequate buffering shall be included in the plan.

**E. Landscaping and Structural Coverage.** Landscaping provided within a planned development shall conform with the general standards imposed by the underlying zone. Additional landscaping may be required as part of a planned development due to unusual circumstances.

**F. Circulation.**

1. Vehicle circulation shall be based on a street pattern as outlined within the circulation element of the general plan. Use of private streets and variations to normal city street standards are encouraged.
2. There shall be no direct vehicle access from individual lots onto major arterial streets.
3. Pedestrian access and bicycle paths should be incorporated within planned developments. Such paths and bikeways to be separated from vehicle streets when possible.

**G. Parking.**

1. Required parking shall conform with the existing parking standards required under the zoning ordinance.
2. Guest parking and storage parking shall be encouraged and may be required in planned development.
3. All parking shall be screened from adjacent public right-of-way. Such screening may include dense plantings, fences, landscaped berms, or grade separation.
4. Parking clusters shall be provided rather than large (single) parking areas.

H. Trash Enclosures.

1. Trash enclosures shall be provided as specified by the city solid waste department.
2. Such enclosures shall be screened from view from adjacent structures and roadways and be provided with solid gates. (Ord. 9718 § 2 (part), 1997: prior code § 7413)

**Chapter 17.38: CONDITIONAL USE PERMITS**

**Section 17.38.110 Action by planning commission.**

A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:

1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;

2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.

C. The commission may deny an application for a conditional use permit. (Prior code § 7536)

**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. 2023-06 & Conditional Use Permit No. 2023-18

**PROJECT TITLE**

The 9.88-acre site is located on the northwest corner of East Houston Avenue and North Cain Street (APN: 098-200-070).

**PROJECT LOCATION - SPECIFIC**

Visalia

**PROJECT LOCATION - CITY**

Tulare

**COUNTY**

Tentative Parcel Map No. 2023-06 is a request to subdivide a 9.88-acre parcel into three parcels in the C-N and R-M-2 zones. Conditional Use Permit No. 2023-18 is a request to establish a planned development for Parcels 1 and 2 by creating parcels less than the minimum five acre for C-MU zoned parcels.

**DESCRIPTION - Nature, Purpose, & Beneficiaries of Project**

City of Visalia

**NAME OF PUBLIC AGENCY APPROVING PROJECT**

Dana Bryan, 810 W. Acequia Ave., Visalia, CA 93291

**NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT**

Legacy Reality & Development, 5390 E. Pine Ave., Fresno, CA 93722

**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 5, Section 15305, Class 15 Section 15315**
- Statutory Exemptions - State code number:

The project involves the subdivision of land into three or fewer parcels and does not result in any changes in land use or density.

**REASON FOR PROJECT EXEMPTION**

Paul Bernal, Director / City Planner  
**CONTACT PERSON**

(559) 713-4025  
**AREA CODE/PHONE**

May 22, 2023  
**DATE**

\_\_\_\_\_  
**Brandon Smith, AICP**  
**ENVIRONMENTAL COORDINATOR**

RESOLUTION NO. 2023-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING 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)

**WHEREAS**, Tentative Parcel Map No. 2023-06 is 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); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on May 22, 2023; and,

**WHEREAS**, the Planning Commission of the City of Visalia finds Tentative Parcel Map No. 2023-06, 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 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-25).

**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 are 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 site is physically suitable for the purposed tentative parcel map and the way that it will be improved and developed and is compatible with adjacent land uses and for the specific land uses allowed under Neighborhood Commercial and Medium Density Residential land use designations and the C-N and R-M-2 zoning designations.

4. That the site is physically suitable for the proposed tentative parcel map and the project's density, which is consistent with the underlying Neighborhood Commercial and Medium Density Residential land use designations and the C-N and R-M-2 zoning designations.
5. That the proposed tentative parcel map, its design, and 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.
6. That the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-25) based on the parcel map creating three parcels or less.

**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 tentative parcel map shall be developed consistent with the comments and conditions of Site Plan Review No. 2023-053, incorporated herein by reference.
2. That the tentative parcel map be prepared in substantial compliance with Exhibit "A".
3. That Conditional Use Permit No. 2023-18 shall be approved, and that requirements of the use permit which relate to this map shall be fulfilled.
4. That Tentative Parcel Map No. 2023-06 shall be null and void unless Conditional Use Permit No. 2023-18 is approved.
5. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final parcel map associated with Tentative Parcel Map No. 2023-05 between Parcels 1, 2, and 3. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and/or City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That prior to the recording of a final map on the site, a valid Will Serve Letter from the California Water Service Company shall be obtained by City staff.
7. That all other federal and state laws and city codes and ordinances be complied with.



RESOLUTION NO. 2023-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING 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)

**WHEREAS**, Conditional Use Permit No. 2023-18, is 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); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 22, 2023; and

**WHEREAS**, the Planning Commission of the City of Visalia finds the Conditional Use Permit 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 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-25).

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

1. That the proposed project will 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 permit 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 project is considered Categorical Exempt under Section 15305 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2023-25).

**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 planned development shall be developed consistent with the comments and conditions of Site Plan Review No. 2023-053, incorporated herein by reference.
2. That the planned development be prepared in substantial compliance with Exhibit "B".
3. That Tentative Parcel Map No. 2023-06 shall be approved, and that requirements of the parcel map which relate to this conditional use permit shall be fulfilled.
4. That Conditional Use Permit No. 2023-18 shall be null and void unless Tentative Parcel Map No. 2023-06 is approved.
5. That an agreement addressing vehicular access, utilities, and any other pertinent infrastructure or services shall be recorded with the final parcel map associated with Tentative Parcel Map No. 2023-05 between Parcels 1, 2, and 3. The agreement shall address property owners' responsibility for repair and maintenance of the easement, repair and maintenance of shared public or private utilities, and shall be kept free and clear of any structures excepting solid waste enclosures. The City Planner and/or City Engineer shall review for approval this agreement verifying compliance with these requirements prior to recordation. The agreement shall be recorded prior to the issuance of any building permits on the master planned site.
6. That all applicable federal, state, regional, and city policies and ordinances be met.

# Exhibit "A" TENTATIVE PARCEL MAP

BEING A DIVISION OF THE REMAINDER OF PARCEL MAP NO. 4016 AS RECORDED IN BOOK 41 OF PARCEL MAPS AT PAGE 20 OF OFFICIAL RECORDED LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 25 EAST MOUNT DIABLO MERIDIAN IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA.  
MARCH 2023



## OWNER

FARSAKIAN PROPERTIES, LLC  
3655 GOLDEN LEAF DR  
WESTLAKE VILLAGE, CA 91361  
(818) 706-3210

## AUTHORIZED AGENT

AW ENGINEERING  
810 W. ACEQUIA AVE  
VISALIA, CA 93291  
(559) 713-6139

## SITE DATA

APN: 098-200-070  
ZONING DESIGNATION: C-N NEIGHBORHOOD COMMERCIAL / R-M-2  
EXISTING USE: VACANT FIELD  
PROPOSED USED: COMMERCIAL / R-M-2  
TOTAL AREA : 9.88 AC ±  
FLOOD ZONE: ZONE X PANEL 0607C0934E EFF 6/16/2009  
ELECTRICITY: SOUTHERN CALIFORNIA EDISON  
WATER: CITY OF VISALIA  
SEWER: CITY OF VISALIA  
REFUSE: CITY OF VISALIA  
TELEPHONE: AT&T

## LEGAL DESCRIPTION:

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

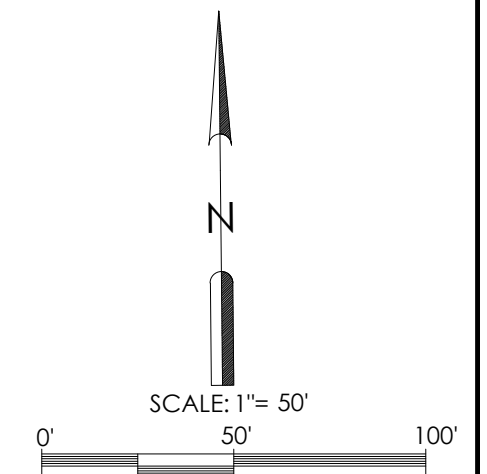
REMAINDER OF PARCEL MAP NO. 4016, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA, RECORDED IN BOOK 41 OF PARCEL MAPS, PAGE 20, TULARE COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION CONVEYED TO THE CITY OF VISALIA IN DEED RECORDED JULY 30, 1996 INSTRUMENT NO. 96-053986 OF OFFICIAL RECORDS

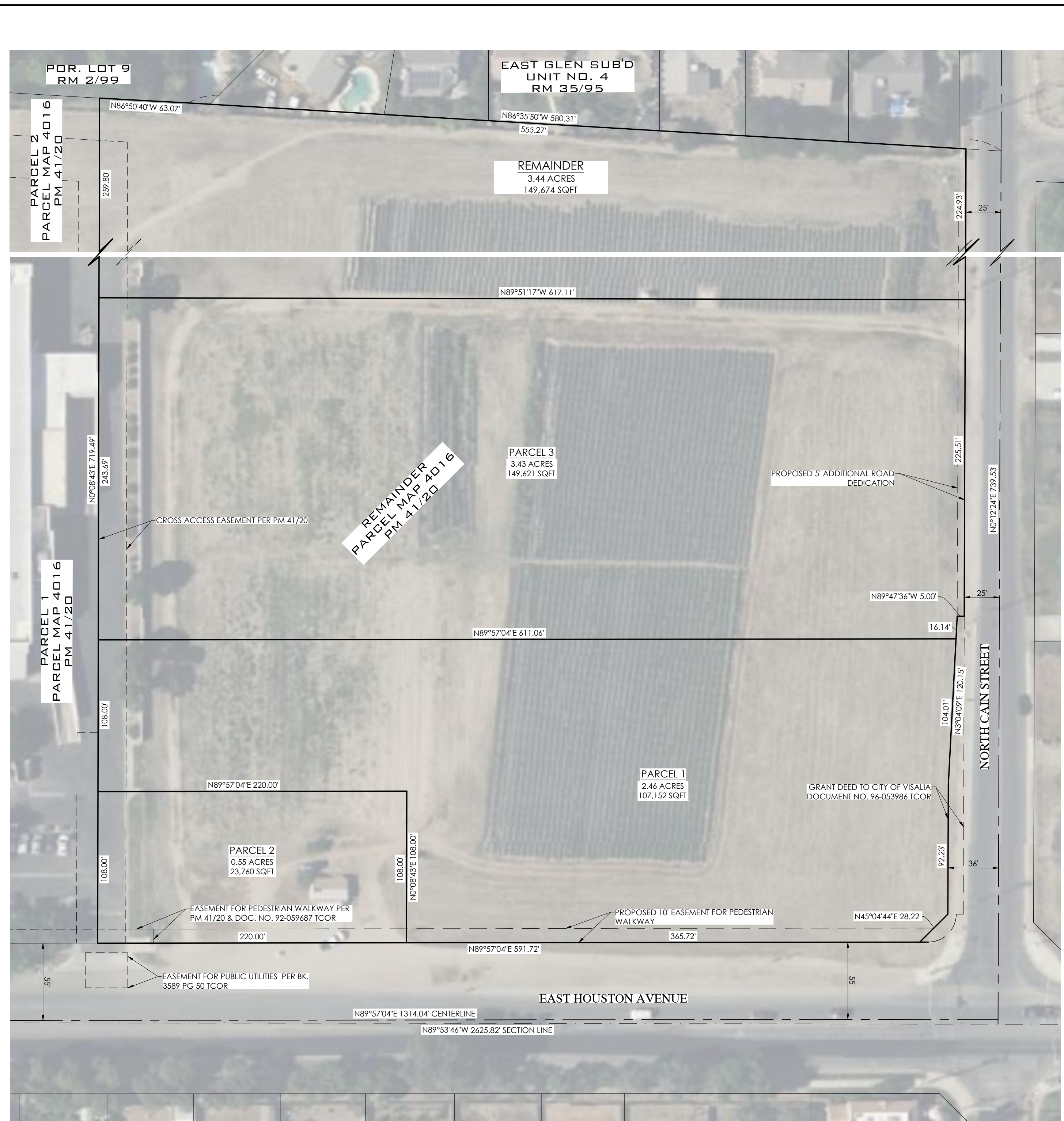
## NOTE:

AERIAL IMAGERY IS FOR INFORMATIONAL PURPOSES ONLY AND PROVIDED BY MICROSOFT.

BOUNDARY LINES SHOWN HEREON IS CALCULATED FROM RECORD DATA PER PARCEL MAP 4016



**BLS**  
Borum Land Surveying Inc.  
www.borumlandsurveying.com



# Exhibit "B"

PARCEL  
APN: 098-200-070  
LOT = +/- 9.83 ACRES  
(+/- 428,002 SF)

**BUILDING INFORMATION**

**OVERALL PARCEL:**  
GROSS: 428,002 SF (9.83 AC +/-)  
NET: 391,514 SF (8.98 AC)  
(36,428 SF FOR DEDICATIONS)

**REMAINDER:**  
GROSS: 299,570 SF (6.81 AC +/-)  
NET: 280,656 SF (6.44 AC +/-)  
(18,714 SF FOR DEDICATIONS)

**NEW PARCEL 'A':**  
GROSS: 104,940 SF (2.41 AC +/-)  
NET: 93,363 SF (2.14 AC +/-)  
(11,577 SF FOR DEDICATIONS)

**BUILDING 'A' TOTAL SF =**  
SINGLE STORY 16,200 SF / 200 =  
84 STALLS REQ'D, 128 STALLS  
PROVIDED

**NEW PARCEL 'B':**  
GROSS: 23,703 SF (0.54 AC +/-)  
NET: 17,570 SF (0.40 AC +/-)  
(6,133 SF FOR DEDICATIONS)

**BUILDING 'B' TOTAL SF =**  
SINGLE STORY 600 SF TOTAL  
600/150 = 4 STALLS REQ'D,  
10 STALLS PROVIDED

**TOTAL BUILDING SF = 17,400**  
**TOTAL STALLS REQ'D = 88**

**(P) STALLS PROVIDED = 138**  
(INCLUDING 7 ACCESSIBLE  
STALLS)

**PROPERTY ZONING: C-N**

**PER TABLE 5.106.5.3.3 OF  
CALIFORNIA GREEN  
BUILDING STEP:**

**EVCS REQUIREMENTS  
FOR PROVIDED PARKING:**

76-100 STALLS = 5 STALLS  
101-150 STALLS = 7 STALLS  
151-200 STALLS = 10 STALLS

**PARKING RATIO: 1.9 PER 1000**



- ACQUISITION
- PLANNING
- DESIGN

5390 E. Pine Avenue  
Fresno, California 93727  
Message: 559.291.1922  
Facsimile: 559.314.6190

info@lcfresno.com

## CONCEPTUAL SITE PLAN

HOUSTON & BEN  
MADDOX AVE  
DEVELOPMENT  
VISALIA, CA 93292

### REVISIONS

DESCRIPTION	DATE

COPYRIGHT © 2022 LEGACY REALTY AND DEVELOPMENT

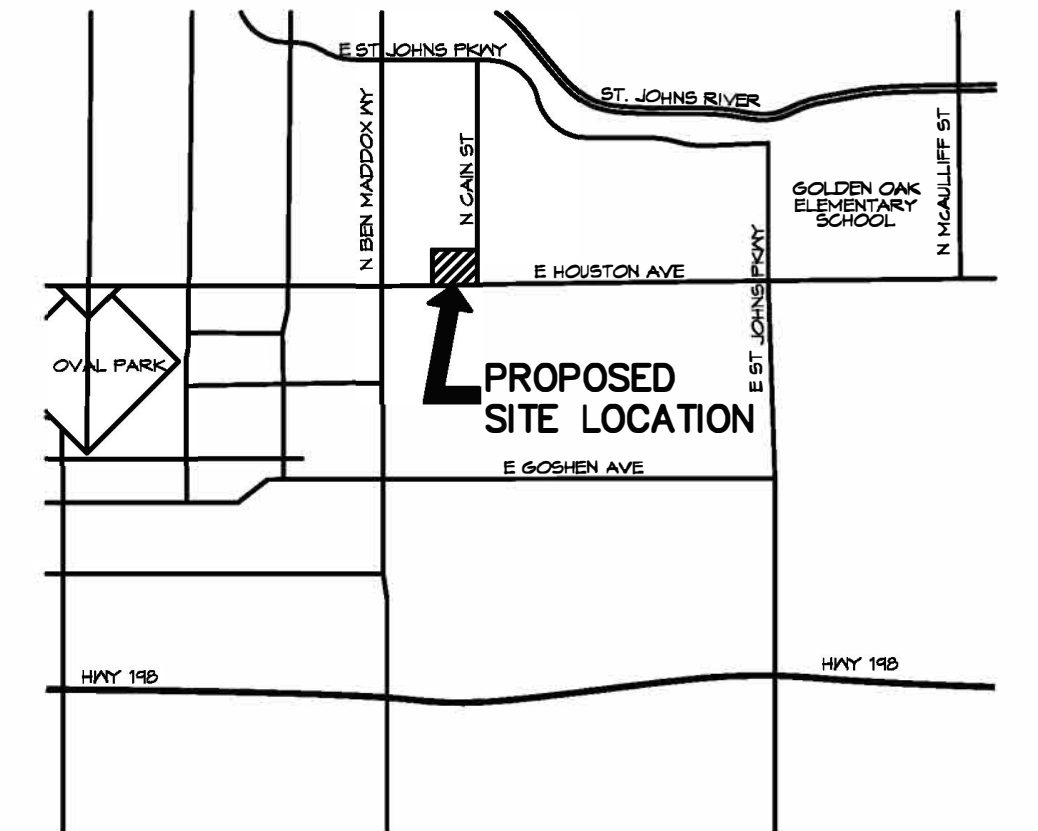
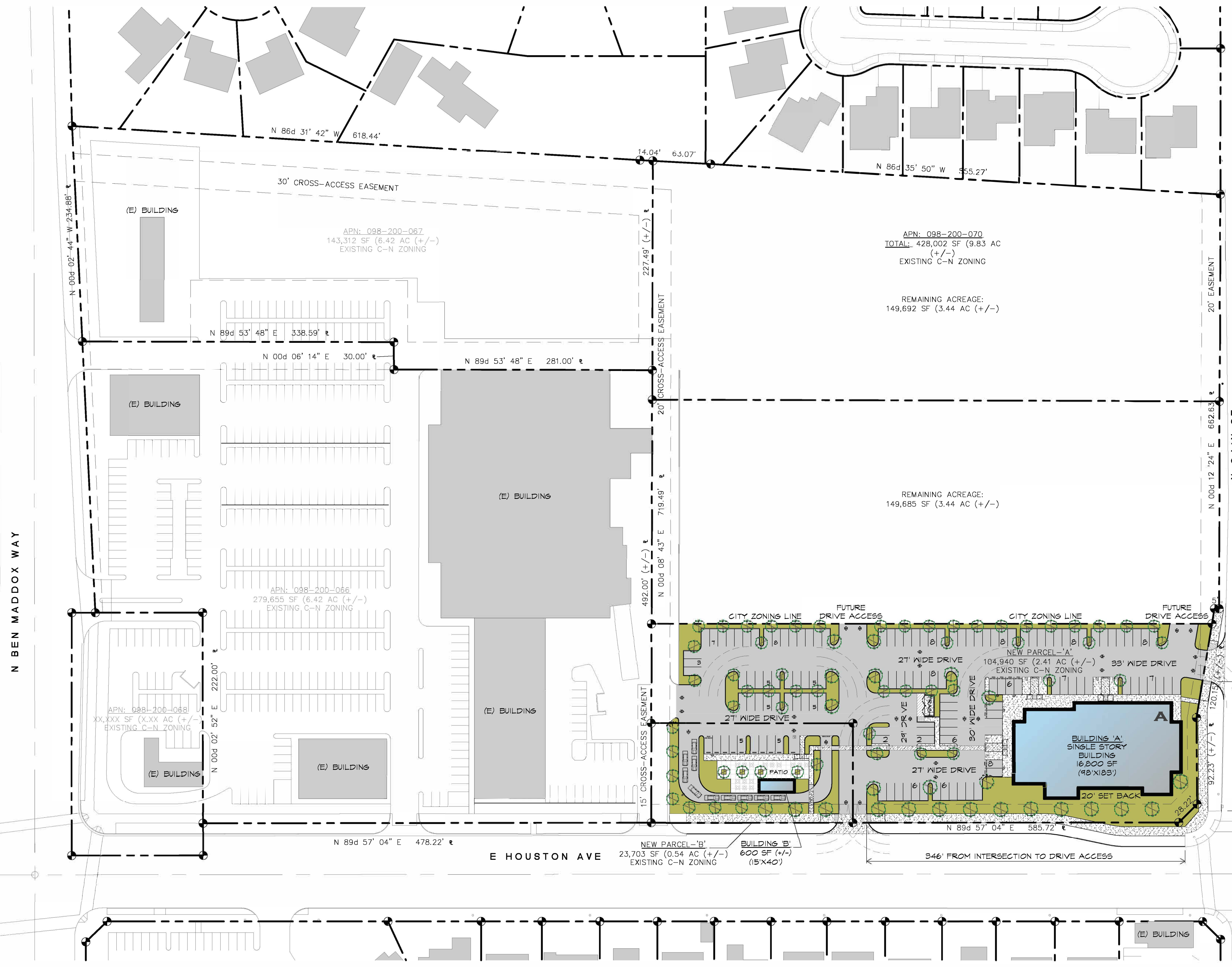
THE DRAWING SPECIFICATIONS, IDEAS, DESIGN, AND ARRANGEMENTS REPRESENTED HEREIN ARE AND SHALL REMAIN THE PROPERTY OF LEGACY REALTY & DEVELOPMENT AND NO PART SHALL BE LOANED, REPRODUCED TO OTHERS OR USED IN CONNECTION WITH ANY OTHER PROJECT FOR WHICH THEY HAVE NOT BEEN SPECIFICALLY PREPARED. LEGACY REALTY AND DEVELOPMENT SHALL BE THE SOLE AND EXCLUSIVE AGENT FOR LEGACY REALTY & DEVELOPMENT. VISUAL CONTACT WITH THESE DRAWINGS SPECIFICATIONS, IDEAS, DESIGN, AND ARRANGEMENTS SHALL CONSTITUTE CONCLUSIVE EVIDENCE OF THE UNLAWFUL ACQUISITION OF THESE REVISIONS.

### SHEET DESCRIPTION

## OVERALL CONCEPT SITE PLAN

DATE	MARCH 8, 2023
DRAWN BY	RM
DESIGNED BY	RM
PROJECT NO.	PC23-050 BEN MADDOX & HOUSTON

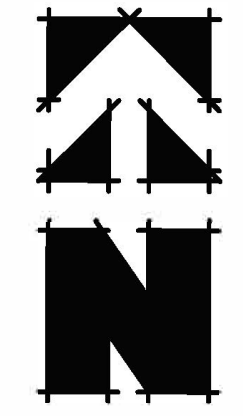
A1.0



VICINITY PLAN  
NTS

# CONCEPT SITE PLAN

SCALE: 1" = 60'-0"





April 18, 2023

**Site Plan Review No. 2023-053:**

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 **March 29, 2023**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

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

Respectfully,

A handwritten signature in blue ink, appearing to read "Paul Bernal".

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

**Attachment(s):**

- Site Plan Review Comments



MEETING DATE March 29, 2023  
SITE PLAN NO. 2023-053  
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

- |                                      |   |                                     |
|--------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Planning    | <input type="checkbox"/> Engineering prior to resubmittal plans for Site Plan Review. |                                     |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks and Recreation   | <input type="checkbox"/> 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:

- |  |  |
|--|--|
| <input type="checkbox"/> CITY COUNCIL                      | <input type="checkbox"/> REDEVELOPMENT               |
| <input checked="" type="checkbox"/> PLANNING COMMISSION    | <input type="checkbox"/> PARK/RECREATION             |
| <input checked="" type="checkbox"/> CUP & TPM              |  |
| <input type="checkbox"/> HISTORIC PRESERVATION             | <input type="checkbox"/> OTHER – Lot Line Adjustment |
| <input type="checkbox"/> <b><u>ADDITIONAL COMMNTS:</u></b> |  |

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: March 29, 2023

SITE PLAN NO: 2023-053  
PROJECT: PC22-050 Ben Maddox & Houston  
DESCRIPTION: Medical Office Building, Quick Serve Restaurant with drive-thru, and multi-family residential tract consisting of 80 units and a resource center. (C-N / R-M-2)  
APPLICANT: ROBERT LOPEZ  
PROP. OWNER: FARSAKIAN PROPERTIES LLC.  
LOCATION: 1308 E. HOUSTON AVE.  
APN: 098-200-070  
GENERAL PLAN: CN / RMD  
ZONING: C-N / R-M-2

## Planning Division Recommendation:

- Revise and Proceed  
 Resubmit

## Project Requirements

- Tentative Parcel Map
- Conditional Use Permit
- Additional Information as Needed

## **PROJECT SPECIFIC INFORMATION:** March 29, 2023

1. The submittal is only a request to subdivide the site and will require a Tentative Parcel Map (TPM).
2. The applicant has submitted a development plan to the Site Plan Review Committee via application number: SPR No. 2022-157 (Status: Resubmit).
3. A Conditional Use Permit (CUP) is needed for the creation of parcels not meeting the 5-ac minimum.
4. Comply with all other reviewer comments.
5. Other information as needed.

## Notes:

### Applicable sections of the Visalia Municipal Code, Title 17 (Zoning):

17.18 Commercial Zones

17.30 Development Standards

**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**

- Adrian Rubalcaba 713-4271
- Ather Razaq 713-4268
- Edelma Gonzalez 713-4364
- Jaklin Rowley 713-4369
- Luqman Ragabi 713-4362

ITEM NO: 6 DATE: MARCH 29<sup>TH</sup>, 2023

SITE PLAN NO.: 23-053  
 PROJECT TITLE: PC22-050 BEN MADDOX & HOUSTON 2  
 DESCRIPTION: MEDICAL OFFICE BUILDING, QUICK SERVICE RESTAURANT W/ DRIVE-THRU, AND MULTI-FAMILY RESIDENTIAL TRACT CONSISTING OF 80 UNITS AND A RESOURCE CENTER (CN / RM2)  
 APPLICANT: ROBERT LOPEZ  
 PROP. OWNER: FARSAKIAN PROPERTIES LLC  
 LOCATION: 3525 N COURT ST  
 APN: 098-200-070

**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  
**GRANT DEED 5' R.O.W AND 1' EASEMENT ON CAIN ST. 10' EASEMENT ON HOUSTON.**
- City Encroachment Permit Required which shall include an approved traffic control plan. **FOR ANY WORK NECESSARY IN THE PUBLIC R.O.W.**
- 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.
- 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. **PROVIDE SS MASTER PLAN FOR NEW FACILITIES AT TIME OF PARCEL DEVELOPMENT.**
- 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. **REQUIRED WITH PUBLIC IMPROVEMENTS**
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding. **REQUIRED WITH PUBLIC IMPROVEMENTS**
- Provide "R" value tests: **1** each at **300' INTERVAL AT TIME OF PUBLIC IMPROVEMENTS**
- 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. **CAIN ST AND HOUSTON AVE BUILD-OUT AT TIME OF PARCEL DEVELOPMENT**
- All lots shall have separate drive approaches constructed to City Standards.
- Install street striping as required by the City Engineer. **TO BE DETERMINED AT TIME OF CIVIL REVIEW**
- Install sidewalk: **10'** ft. wide, with **10'** ft. wide parkway on **HOUSTON, 6' SIDEWALK & 5' PARKWAY ON CAIN**
- 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 tentative parcel map is subject to the underlying conditions of the previously proposed commercial building under SPR 22-157.**

**2. Coordinate with city staff for City parcel map requirements and processing fees.**

**3. Development impact fees will apply to future development on each parcel. Subject to fee rates at the time.**

**4. The proposed drive approach on Houston is too close in proximity to the existing approach to the west. Project to relocate approach to within 200' from the end of curb return on Cain St. Modify TPM as necessary.**

**5. Proposed new drive approach on Cain St. does not meet City collector min. distance stds from intersection. Relocate to min. 200-feet from end of curb return. Any desired new access points for the north residential development will need to consider for City collector street restrictions. Additionally, Access restriction will be required along east parcel 1 boundary line. Provide access rights relinquished on TPM**

- 6. Provide on TPM any desired cross access easement to allow for future parcel development.**
- 7. On Cain St, a one-foot pedestrian access easement will be needed for the 6-foot sidewalk and 5'-parkway requirements. Show PAE on TPM.**
- 8. There appears to be an existing 20' easement that may conflict with proposed 5' road dedication and 1' PAE on Cain St. Additional information will be required at time of parcel map review.**
- 9. Preliminary design on Houston should continue/match curb alignment at west end, match storm drain inlet elevation, and continue same alignment to end of ramp return on Cain St. 35' curb return on NW corner of Cain and Houston would need to be shifted north to allow for ultimate alignment on Houston. Additional improvement will be necessary to relocate traffic signal at this location. There may be additional right-of-way dedication required at NW corner that could be done via grant deed if desired.**

**SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES**

Site Plan No: **23-053**  
Date: **03/29/2023**

**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:**08/20/2022**)  
(Project type for fee rates:(**TENTATIVE PARCEL MAP**))

Existing uses may qualify for credits on Development Impact Fees.

<u>FEE ITEM</u>	<u>FEE RATE</u>
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	<b>DEFERRED UNTIL TIME OF DEVELOPMENT</b>
<input checked="" type="checkbox"/> Sewer Front Foot Fee	
<input checked="" type="checkbox"/> Storm Drainage Acquisition Fee	
<input checked="" type="checkbox"/> Park Acquisition Fee	
<input checked="" type="checkbox"/> Northeast Acquisition Fee Total	
Storm Drainage	
Block Walls	
Parkway Landscaping	
Bike Paths	
<input checked="" 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.

  
**Edelma Gonzalez**

SPR 23053  
PARCEL MAP  
1308 E HOUSTON

**City of Visalia**  
**Building: Site Plan**  
**Review Comments**

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

- A building permit will be required. *For information call (559) 713-4444*
- Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- Meet State and Federal requirements for accessibility for persons with disabilities.
- A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- 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.
- 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Val Garcia 3/29/23  
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

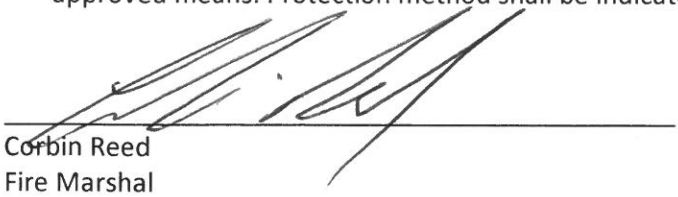
Date April 3, 2023  
Item # 6  
Site Plan # 23053  
APN: 098200070

- 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 2022 California Fire Code (CFC), 2022 California Building Codes (CBC) and City of Visalia Municipal Codes.
- Construction and demolition sites prior to and during construction shall comply with the following:
  - **Water supply** for fire protection, either temporary or permanent, shall be made available as soon as combustible materials arrive on the site. 2022 CFC §3312
  - Provide an all-weather, 20 feet width **construction access road** capable of holding a 75,000 pound fire apparatus. Fire apparatus access shall be provided within 100 feet of temporary or permanent fire department connections. 2022 CFC §3310
- **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. 2022 CFC 505.1
- All hardware on **exit doors, illuminated exit signs and emergency lighting** shall comply with the 2022 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- **Commercial dumpsters** with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. 2022 CFC 304.3.3
- A **Knox Box key lock system** is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. Go to [knoxbox.com](http://knoxbox.com) to order and please allow adequate time for shipping and installation. 2022 CFC 506.1
- If your business handles **hazardous material** in amounts that exceed the Maximum Allowable Quantities listed on Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2022 California Fire Code, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.

- Where a portion of any building is more than 400 feet from a hydrant on a fire apparatus access road, **on-site fire hydrant(s)** shall be provided. 2022 CFC 507.5.1, App B and C
- Due to insufficient building information, the number and distance between **fire hydrants** cannot be determined by the Site Plan Review process. The number of fire hydrants and distance between required fire hydrants shall be determined by utilizing type of construction and square footage in accordance with 2022 CFC §507, App B and C.

To determine **fire hydrant** location(s) and distribution the following information should be provided to the Site Plan Review committee: Type of construction \_\_\_\_\_ Square footage \_\_\_\_\_

- A **fire apparatus access road(s)** shall be provided and extend within 150 feet of all portions of the building and all portions of the exterior walls of the first story as measured by an approved route around the exterior. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. Fire apparatus access roads shall have an unobstructed width of not less than the following (2022 CFC 503.1.1)
  - 20 feet width, exclusive of shoulders (No Parking)
  - More than 26 feet width, exclusive of shoulders (No Parking one side)
  - More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)
- An **automatic fire sprinkler system** may be required for this building. Also, a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. 2022 CFC §912 and VMC 8.20.010 subsection C103.4
- Locking **fire department connection (FDC) caps** are required. The caps shall be ordered using an approved Knox Authorization Order Form. Go to [knoxbox.com](http://knoxbox.com) to order and please allow adequate time for shipping and installation. 2022 CFC 912.4.1
- Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease laden vapors shall be provided with a **Type 1 Hood**, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. 2022 CFC 904.12 & 609.2
- All exterior risers, drain/test valves and backflow devices shall be protected from unauthorized tampering by approved means. Protection method shall be indicated on building plans. 2022 CFC 903.3.8.4.1

  
 \_\_\_\_\_  
 Corbin Reed  
 Fire Marshal



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

Date: 03-27-23  
 Item: 6  
 Site Plan: SPR23053  
 Name: Agt. Saelee

**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:  
Ample lighting to deter criminal activity  
\_\_\_\_\_
- Traffic Concerns:  
\_\_\_\_\_
- Surveillance Issues:  
Internal and external surveillance cameras to capture and deter criminal activity.  
\_\_\_\_\_
- Line of Sight Issues:  
\_\_\_\_\_
- Other Concerns:  
\_\_\_\_\_



SITE PLAN REVIEW DATE: 03/29/2023

WASTEWATER COLLECTIONS AND PRETREATMENT DIVISION (QUALITY ASSURANCE)  
SITE PLAN REVIEW COMMENTS

SITE PLAN REVIEW NO: SPR 23053

PROJECT NAME: PC22050 BEN MADDOX & HOUSTON 2

THE PROJECT IS SUBJECT TO THE FOLLOWING REQUIREMENTS FROM WASTEWATER  
PRETREATMENT DIVISION (QUALITY ASSURANCE):

- SUBMISSION OF WASTEWATER DISCHARGE PERMIT  
APPLICATION/QUESTIONNAIRE/OTHER REGULATORY FORMS  
FOOD SERVICE QUESTIONNAIRE
  - FORM REQUIRED \_\_\_\_\_
  - FORM REQUIRED \_\_\_\_\_
  - FORM REQUIRED \_\_\_\_\_
- INSTALLATION OF SAND AND GREASE INTERCEPTOR
- INSTALLATION GREASE INTERCEPTOR
- OTHER \_\_\_\_\_
- SITE PLAN REVIEWED-NO COMMENTS

CONTACT THE WASTEWATER PRETREATMENT DIVISION (QUALITY ASSURANCE) AT  
(559) 713-4529 OR [JESSICA.SANDOVAL@VISALIA.CITY](mailto:JESSICA.SANDOVAL@VISALIA.CITY), IF YOU HAVE ANY QUESTIONS.

COMMENTS:

FORMS CAN BE FOUND @  
[https://www.visalia.city/depts/public\\_works/wastewater/commercial\\_industrial\\_pretreatment\\_program.asp](https://www.visalia.city/depts/public_works/wastewater/commercial_industrial_pretreatment_program.asp)

DATE REVIEWED: 03/27/2023



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

23053

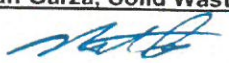
March 29, 2023

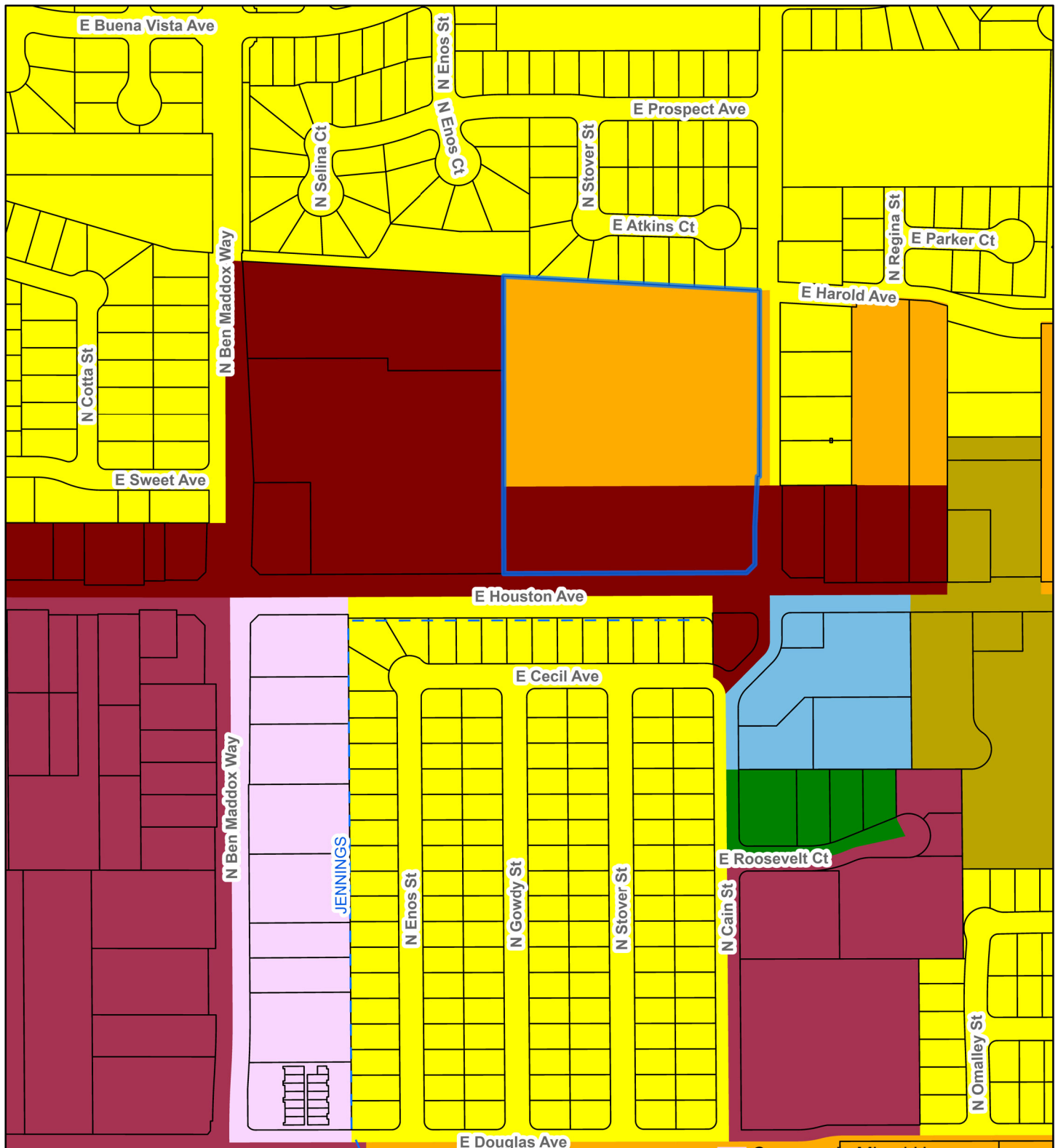
- No comments.
- See comments below
- Revisions required prior to submitting final plans. See comments below.
- Resubmittal required. See comments below.
- Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ALL refuse enclosures 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

The proposed city standard (R3/R4) double enclosure looks good for STAB load collection for parcel 1. Customer to identify placement of a second city standard (R3/R4) double enclosure set for STAB load collection services at parcel 2. Solid waste services to include trash, recycle and organic collections, per the State of California's mandatory recycling laws (AB341 & AB1826). Enclosure gates must swing 180 degrees, clearing all curbing. Cane bolts must be included to secure gates when opened.

Jason Serpa, Solid Waste Manager, 559-713-4533  
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

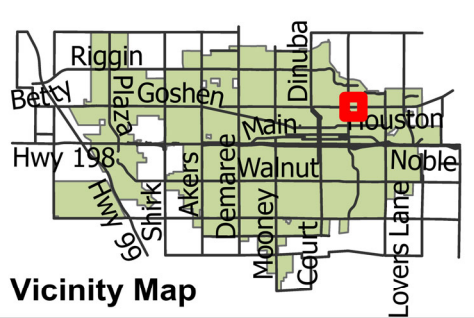
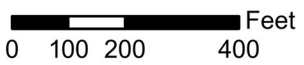
Nathan Garza, Solid Waste, 559-713-4532  




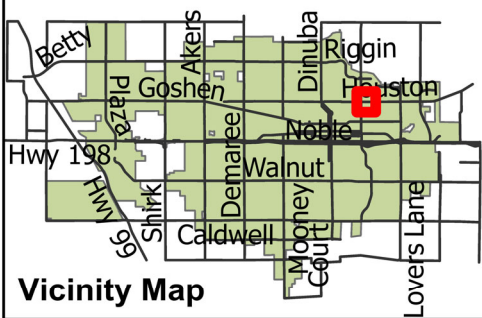
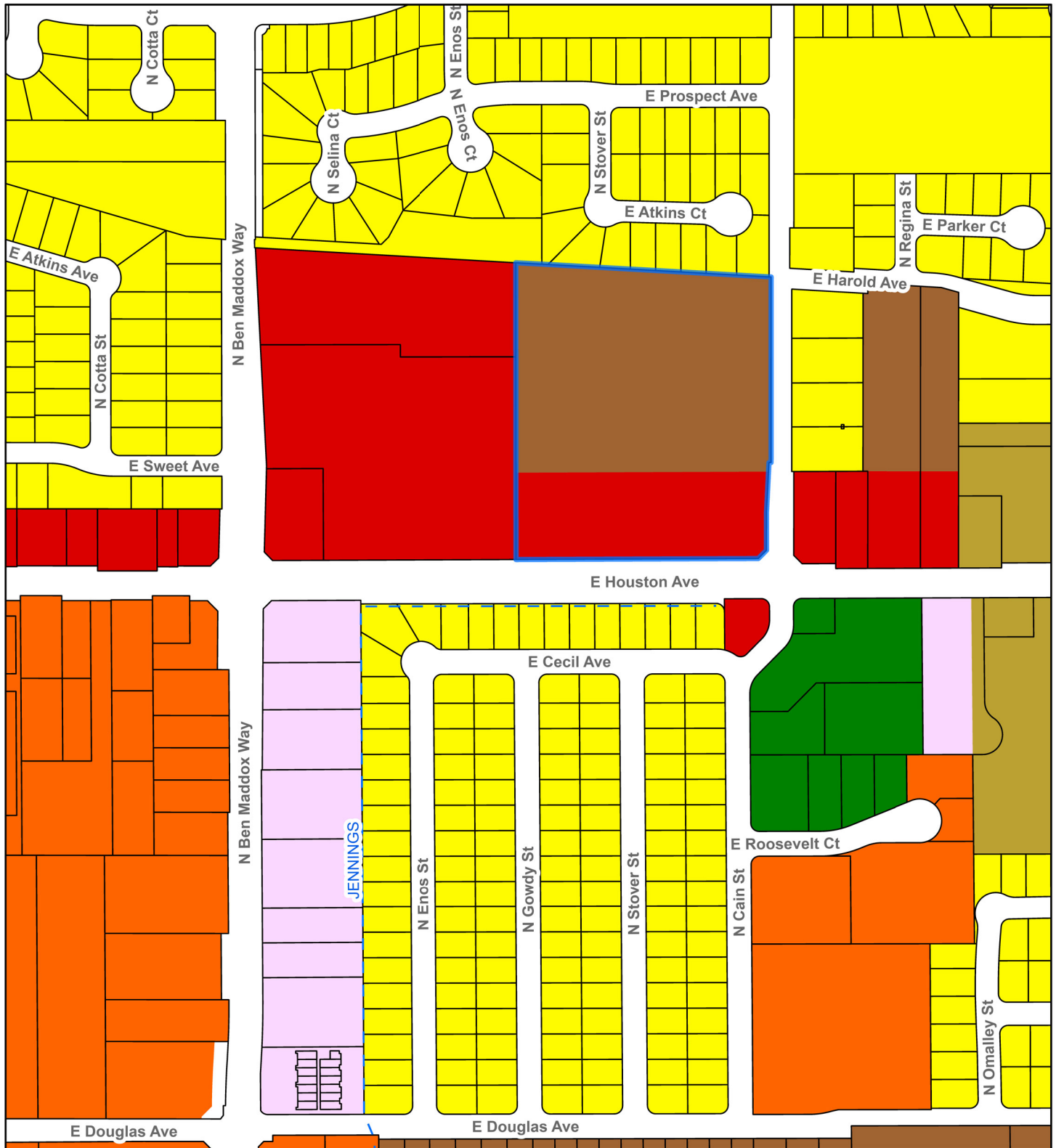
- Commercial Mixed Use
- Commercial Neighborhood
- Commercial Service
- Public Institutional
- Parks/Recreation
- Residential High Density
- Residential Low Density
- Residential Medium Density
- WATERWAYS



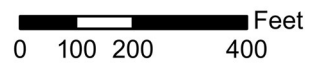
## General Plan Land Use Map



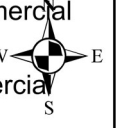
**Vicinity Map**

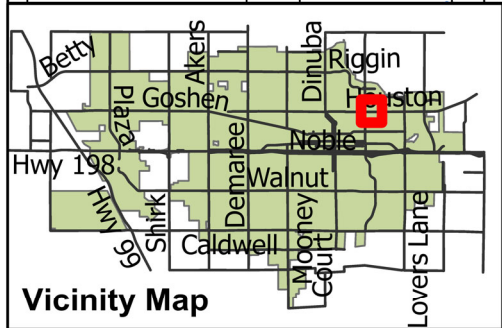
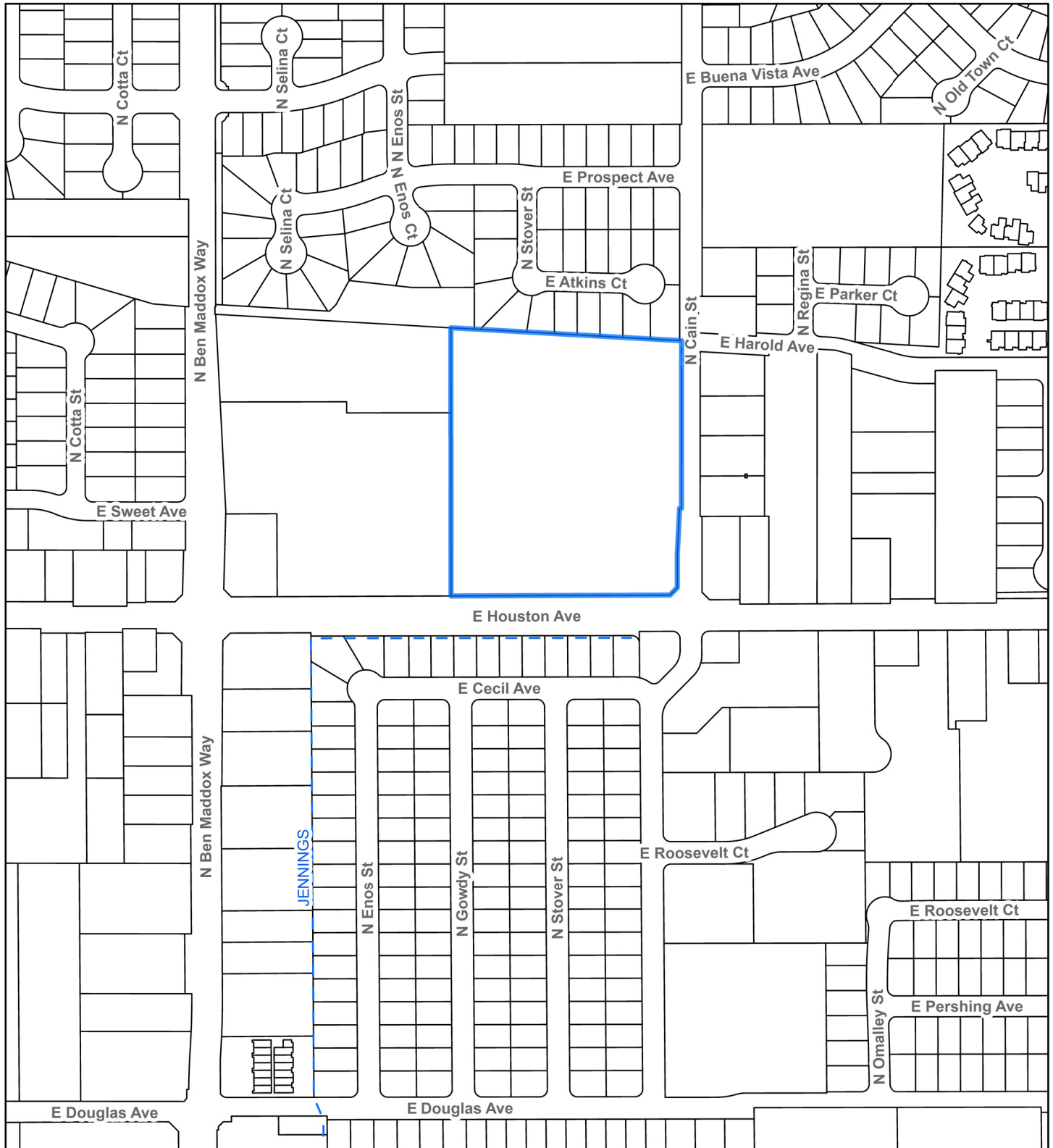


# Zoning Map

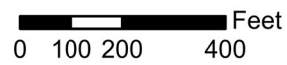


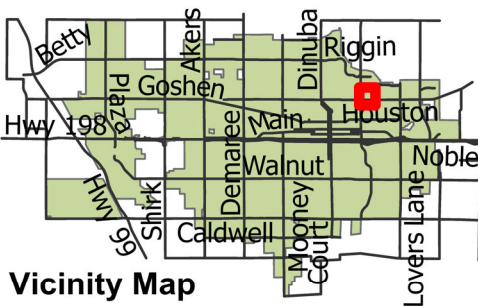
- C-N Neighborhood Commercial
- C-S Service Commercial
- C-MU Mixed Use Commercial
- QP Quasi-Public
- R-1-5 Single-family Residential
- R-M-2 Multi-family Residential
- R-M-3 Multi-family Residential
- WATERWAYS





### Location Map





## Aerial Photo

