# PLANNING COMMISSION AGENDA

CHAIRPERSON: Brett Taylor



VICE CHAIRPERSON: Liz Wynn

COMMISSIONERS: Adam Peck, Brett Taylor, Liz Wynn, Marvin Hansen, Chris Gomez

MONDAY, MAY 8, 2017; 7:00 P.M., COUNCIL CHAMBERS, 707 W. ACEQUIA, VISALIA CA

- 1. THE PLEDGE OF ALLEGIANCE -
- 2. CITIZEN'S COMMENTS This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. The Commission requests that a 5-minute time limit be observed for comments. Please begin your comments by stating and spelling your name and providing your street name and city. Please note that issues raised under Citizen's Comments are informational only and the Commission will not take action at this time.
- 3. CHANGES OR COMMENTS TO THE AGENDA-
- 4. CONSENT CALENDAR All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
  - Finding of Consistency 2017-02: A request by Lennar Homes of California, Inc., to revise the Eagle Meadows of Visalia 20 Vesting Tentative Subdivision Map No. 5512 by increasing the local interior street widths from 52-feet to 56-feet, revise side yard setbacks and increase the lot count from 94-lots to 95-lots. The approved subdivision is located on the east side of North Mooney Boulevard between West Ferguson and West Riggin Avenues (APN: 090-010-008).
- 5. PUBLIC HEARING Brandon Smith

Conditional Use Permit No. 2017-12: A request by Firas Jobran (Yezn Jobran, property owner), to allow a convenience store and sandwich shop within a 1,602 square foot suite in the C-N (Neighborhood Commercial) zone. The project site is located at 1531 S. Court Street, on the northwest corner of Court Street and Paradise Avenue. (APN: 097-312-019) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2017-20.

6. PUBLIC HEARING – Andy Chamberlain

Variance No. 2017-07: A request by Jerry Weatherford to allow a variance to reduce the side yard setback from five feet to three feet/three inches for 14 square feet of an existing accessory structure, and to increase the allowed height for the roof peak from 12 feet to 13 feet/five inches, in the Low Density Residential (R-1-5) Zone. The site is located at 3745 W. Monte Vista. (APN: 119-261-023). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-26.

#### 7. PUBLIC HEARING - Paul Bernal

Conditional Use Permit No. 2017-10: A request by Elodina Dominquez to establish a new pre-school by converting an existing 2,680 square foot single-family residential dwelling unit in the R-1-20 (Single-Family Residential) zone. The site is located at 413 North Crenshaw Street (APN: 085-170-009). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-24.

# 8. PUBLIC HEARING - Paul Bernal

Conditional Use Permit No. 2017-13: A request by Doc's Market to establish a convenience store and deli in a 1,800 square foot tenant space located at 110 West Main Street in the D-MU (Downtown Mixed Use) zone (APN: 094-324-003). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-28.

# 9. PUBLIC HEARING - Andy Chamberlain

Conditional Use Permit No. 2017-11: A request by Kristen Thompson to establish a Brain Balance facility providing holistic educational and behavioral programs for children, in the Neighborhood Commercial (NC) zone. The subject site is located at 5123 W. Walnut Avenue (APN: 119-650-001, 002, 003, 004, 005, 006, 007). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-19.

#### 10. DIRECTOR'S REPORT/ PLANNING COMMISSION DISCUSSION-

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 the hearing impaired, if signing is desired, please call (559) 713-4359 twenty-four (24) hours in advance of the scheduled meeting time to request these services. For the visually impaired, if enlarged print or Braille copy is desired, please call (559) 713-4359 for this assistance in advance of the meeting and such services will be provided as soon as possible following the meeting.

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, MAY 18, 2017 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 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

# THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, MAY 22, 2017



# REPORT TO CITY OF VISALIA PLANNING COMMISSION

**HEARING DATE:** 

May 08, 2017

PROJECT PLANNER:

Paul Bernal, Principal Planner Phone No.: (559) 713-4025 E-Mail: paul.bernal@visalia.city

SUBJECT: Conditional Use Permit No. 2017-13: A request by Doc's Downtown Delicatessen Market to establish a convenience store and deli in a 1,800 square foot tenant space located at 110 West Main Street in the D-MU (Downtown Mixed Use) zone (APN: 094-324-003).

# STAFF RECOMMENDATION

# Conditional Use Permit No. 2017-13

Staff recommends approval of Conditional Use Permit No. 2017-13, as conditioned, based upon the findings and conditions in Resolution No. 2017-24. Staff's recommendation is based on the conclusion that the request is consistent with the Visalia General Plan and Zoning Ordinance.

# RECOMMENDED MOTION

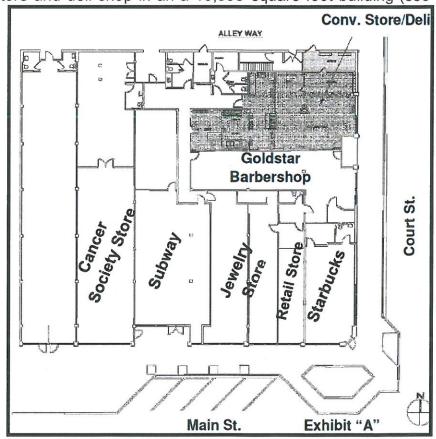
I move to approve Conditional Use Permit No. 2017-13, based on the findings and conditions in Resolution No. 2017-24.

# PROJECT DESCRIPTION

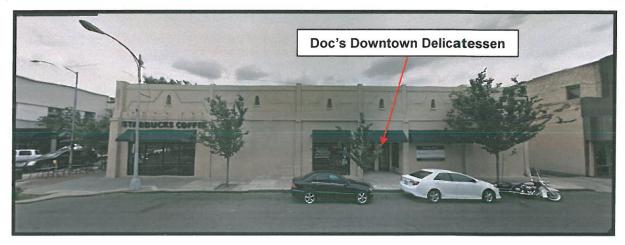
Conditional Use Permit No. 2017-13 is a request by Doc's Downtown Delicatessen to establish a 1,800 square foot convenience store and deli shop in an a 15,385 square foot building (see

Exhibit "A"). The 15,385 square foot building has multiple tenant spaces, which are occupied by various businesses (Goldstar Barber, Starbucks, Jewelry Store, American Subway Sandwich, Cancer Society Discovery Store). The proposed Doc's Downtown Delicatessen tenant space is located in the northeast corner of the building with their primary frontage along North Court Street (see Exhibit "A").

The former tenant, Downtown Visalians, occupied the 1,800 square foot tenant space. The applicant is proposing to change the office space into a retail space. The changes consist of the installation of refrigerator cold box, new commercial kitchen, deli/retail



counter and display racks (see Exhibit "B"). Indoor seating will not be provided for patrons of the deli. Exterior modifications to this space also include the installation of a new storefront window along the Court Street frontage.



The convenience store will sell both perishable and non-perishable items. The applicant has provided an operational statement (see Exhibit "C"), detailing the hours of operation. The convenience store will operate seven days a week and will have summer hours (6:00 a.m. to 9:00 p.m.) and winter hours (7:00 a.m. to 8:00 p.m.). The operational statement indicates that two to three employees will be present during business hours.

# **BACKGROUND INFORMATION**

General Plan Land Use Designation Downtown Mixed Use

Zoning D-MU – Downtown Mixed Use

Surrounding Zoning and Land Use North: D-MU – Downtown Mixed Use – Old Foxx

Tattoo

South: D-MU - Downtown Mixed Use / Goldstar

Barber Shop

East: D-MU – Downtown Mixed Use / Court Street

West: D-MU – Downtown Mixed Use / Subway

Sandwich

Environmental Review Categorical Exemption No. 2017-28

Site Plan 2017-025

# RELATED PLANS & POLICIES

Please see attached summary of related plans and policies. The proposed project is consistent with applicable plans and policies.

## **RELATED / SIMILAR PROJECTS**

The Planning Commission approved CUP No. 2009-31 on July 27, 2019 (per Resolution No. 2009-43). The CUP was a request to construct a convenience store in the C-C zone on the southwest corner of Murray Street and Jacob Street. The 2,702 square foot two-story convenience store also had a small deli and soup counter and a small amount of indoor and outdoor seating area. The hours of operation for the store are from 7 A.M. to 10 P.M., seven days per week.

#### PROJECT EVALUATION

Staff recommends approval of the requested conditional use permit, as conditioned, based on the project's consistency with the General Plan and Zoning Ordinance. This recommendation is based on the project's compatibility with adjacent land uses in addition to General Plan policies that seek to enhance and broaden the commercial character of the downtown area. This project seeks to contribute to the vitality of the downtown.

#### **Land Use Compatibility**

A mixture of retail commercial/offices and restaurants surrounds the project location, which is centrally located in the downtown area. A review of business along the Main Street corridor from Johnson Street to Santa Fe Street resulted in no businesses being located in the area that provide a place where patrons could purchase sundry items.

The two closest convenience stores staff identified is the conveninces store associated with the 76 gas station located on the northwest corner of Court Street and Mineral King Avenue, and the convenience store associated with the Chevron gas station located on the northeast corner of Bridge Street and Mineral King Ave. Both of these sites provide limited sundry items and were approved with the associated service station and not as standalone convenience store businesses.

The downtown area has seen continued growth in the number and variety of businesses over the past few years. The ongoing efforts to attract and enhance the downtown area with various businesses and uses are seen as a positive trend that is directly related to the goals and policies of the General Plan and Zoning Ordinance. Both General Plan Land Use policies and Zoning requirements are intended to promote a healthy retail commercial environment by attracting businesses, which are open throughout the day and serve a broad range of clientele.

Staff concludes the project, as conditioned, complements the downtown area because it increases daily pedestrian traffic, which helps surrounding retail business but may also provide small sundry items to patrons of the downtown area that are otherwise not currently offered.

#### **Downtown Parking**

The building is located within the Downtown Parking District and the Parcel Based Improvement District (PBID). The downtown parking district was formed to ensure that uses established within this district meet the parking requirements of the Visalia Municipal Code (VMC) or, that uses pay in-lieu fees for future downtown parking facilities. These fees would be used exclusively for the purpose of acquiring and developing off-street parking facilities to serve the central business district.

The requirements regarding parking in-lieu payment(s)/requirement(s) for the Downtown District Parking Zone have since been restructured for projects categorized as "Change in Use" projects. A change in use project applies to existing lease space where the former use (i.e., office) is being renovated to another use (i.e., retail). This project qualifies as a "Change in Use" project and therefore is not subject to the Parking In-lieu fee program.

# Alcoholic Beverage Control (ABC) License

The applicant has not indicated their desire to apply for an Alcoholic Beverage Control (ABC) License for the purpose of selling beer and wine for off-site consumption. If an ABC license application request is applied for, the request would be processed administratively with final approval coming from the City Manager's office, with input from Planning staff and the Visalia

Police Department. During the Site Plan Review process, staff did not identify any nuisance compatibility issues with the site, however, any ABC license request would go through the proper review process to determine if the license is approved or denied.

#### **Environmental Review**

The requested action is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2017-28).

Projects determined to meet this classification are consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances for commercial structures.

# RECOMMENDED FINDINGS

#### Conditional Use Permit No. 2017-13

- 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. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
  - 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, or materially injurious to properties or improvements in the vicinity.
- That the proposed conditional use permit would be compatible with adjacent land uses. The
  proposed use is compatible subject to compliance with the conditions of Project Approval of
  this conditional use permit.
- 4. That the project is considered Categorically Exempt under Section 15301, Class 1 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2017-28). Projects determined to meet this classification are consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to conversion of a single-family residence to office use.

## RECOMMENDED CONDITIONS OF APPROVAL

#### Conditional Use Permit No. 2017-10

- 1. That the Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2017-025, incorporated herein by reference.
- 2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A" and Floor Plan in Exhibit "B".
- 3. That the applicant complies with their operational statement as stated in Exhibit "C". Any changes to their operation are subject to review by the City Planner, and may subsequently be required to be reviewed by the Planning Commission.
- 4. All new building signage shall require a separate building permit and shall be designed consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
- 5. That all other federal and state laws and city codes and ordinances be complied with.
- 6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-10, prior to the issuance of any building permit for this project.

# APPEAL INFORMATION

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

# Attachments:

- Related Plans and Policies
- Resolution No. 2017-24
- Exhibit "A" Site Plan
- Exhibit "B" Floor Plan Applicants Operational Statement
- Exhibit "C" Applicants Operational Statement
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map

# Chapter 17.38 CONDITIONAL USE PERMITS

#### Sections:

17.38.010 Purposes and powers.

17.38.020 Application procedures.

17.38.030 Lapse of conditional use permit.

17.38.040 Revocation.

17.38.050 New application.

17.38.060 Conditional use permit to run with the land.

17.38.065 Abandonment of conditional use permit.

17.38.070 Temporary uses or structures.

17.38.080 Public hearing-Notice.

17.38.090 Investigation and report.

17.38.100 Public hearing—Procedure.

17.38.110 Action by planning commission.

17.38.120 Appeal to city council.

17.38.130 Effective date of conditional use permit.

17.38.010 Purposes and powers.

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

#### 17.38.020 Application procedures.

- A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:
  - 1. Name and address of the applicant;
  - 2. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
  - 3. Address and legal description of the property;
  - 4. The application shall be accompanied by such sketches or drawings as may be necessary by the planning division to clearly show the applicant's proposal;
  - 5. The purposes of the conditional use permit and the general description of the use proposed;
  - 6. Additional information as required by the historic preservation advisory committee.
  - 7. Additional technical studies or reports, as required by the Site Plan Review Committee.
  - 8. A traffic study or analysis prepared by a certified traffic engineer, as required by the Site Plan Review Committee or Traffic Engineer, that identifies traffic service levels of surrounding arterials, collectors, access roads, and regionally significant roadways impacted by the project and any required improvements to be included as a condition or mitigation measure of the project in order to maintain the required services levels identified in the General Plan Circulation Element.
- B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application.

#### 17.38.030 Lapse of conditional use permit.

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

#### 17.38.040 Revocation.

Upon violation of any applicable provision of this title, or, if granted subject to a condition or conditions, upon failure to comply with the condition or conditions, a conditional use permit shall be suspended automatically. The planning commission shall hold a public hearing within sixty (60) days, in accordance with the procedure prescribed in Section 17.38.080, and if not satisfied that the regulation, general provision or condition is being complied with, may revoke the permit or take such action as may be necessary to insure compliance with the regulation, general provision or condition. Appeals of the decision of the planning commission may be made to the city council as provided in Section 17.38.120.

#### 17.38.050 New application.

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

#### 17.38.060 Conditional use permit to run with the land.

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

#### 17.38.065 Abandonment of conditional use permit.

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

#### 17.38.070 Temporary uses or structures.

- A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.
- B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:
  - 1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.
  - 2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.
  - 3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.

- 4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.
- 5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.
- 6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.
- 7. Signing for temporary uses shall be subject to the approval of the city planner.
- 8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.
- 9. Fruit/Vegetable stands shall be subject to site plan review.
- C. The City Planner shall deny a temporary use permit if findings cannot be made, or conditions exist that would be injurious to existing site, improvements, land uses, surrounding development or would be detrimental to the surrounding area.
- D. The applicant or any interested person may appeal a decision of temporary use permit to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing with applicable fees, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The commission shall review the temporary use permit and shall uphold or revise the decision of the temporary use permit, based on the findings set forth in Section 17.38.110. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.
- E. A privately owned parcel may be granted up to six (6) temporary use permits per calendar year.

#### 17.38.080 Public hearing--Notice.

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

#### 17.38.090 Investigation and report.

The planning staff shall make an investigation of the application and shall prepare a report thereon that shall be submitted to the planning commission. The report can recommend modifications to the application as a condition of approval.

#### 17.38.100 Public hearing--Procedure.

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

#### 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.

### 17.38.120 Appeal to city council.

The decision of the City planning commission on a conditional use permit shall be subject to the appeal provisions of section 17.02.145.

#### 17.38.130 Effective date of conditional use permit.

A conditional use permit shall become effective immediately when granted or affirmed by the council, or ten days following the granting of the conditional use permit by the planning commission if no appeal has been filed.

# Chapter 17.58 DOWNTOWN RETAIL OVERLAY DISTRICT

#### Sections:

17.58.010: Purposes and intent.

17.58.015: Applicability.

17.58.020: Components of the chapter.

17.58.030: Definitions.

17.58.040: Regulation of improvements.

17.58.050: Creation of downtown design review board.

17.58.060: Appeal to the city council.

17.58.070: Ordinary maintenance and repair.

17.58.080: Standards applying to new buildings and alterations to existing buildings.

17.58.082: Standards applying alterations to existing buildings.

17.58.084: Standards applying to new buildings.

17.58.086: Maintenance and repair required.

17.58.090: Exceptions.

17.58.100: Role of building official.

17.58.110: Separability.

#### 17.58.010 Purposes and intent.

A. There is created a downtown retail overlay district, the boundaries of which are shown on the map entitled, "Downtown Retail Overlay District," which is delineated on the Zoning Map. Said map is adopted and made a part of this ordinance.

- B. This chapter is enacted to preserve and promote the public health, safety, and welfare of the citizens of Visalia, and to express the commitment of the city toward the continued vitality and stabilization of regional retail commercial activity within the area traditionally known as Downtown Visalia. This commitment seeks to:
  - 1. Protect and enhance existing buildings and improvements in the downtown area.
  - 2. Enhance the character and physical environment of the downtown area by establishing specific design compatibility criteria for new and remodeled buildings within the overlay district.
  - 3. Ensure that new development is compatible with existing and future plans for the area.
  - 4. Involve both design professionals and area residents, property owners and merchants, in the implementation of the Visalia Downtown Framework Plan and the continued viability of the downtown retail economy.

#### 17.58.015 Applicability.

The requirements in this chapter shall apply to all structures and properties within the downtown retail overlay district, as defined herein.

#### 17.58.020 Components of the chapter.

This chapter shall include:

- A. The ordinance text, which specifies the downtown retail district overlay designation, design evaluation criteria, and the powers and duties with regard to the overlay district;
- B. A map designating the downtown retail district overlay, which shall be depicted on the official zoning map of the city.

#### 17.58.030 Definitions.

- A. All definitions, general and specific, set forth in Section 17.04.030, shall be applicable to this chapter.
- B. Word Usage.
  - 1. The word "shall" is prescriptive in nature and indicates that compliance is mandatory.
  - 2. The words "may," "should" and "preferred" are permissive in nature and indicate that compliance is discretionary on the part of the applicant.
  - C. Definitions.

"Construction" means any building activity requiring the issuance of a building permit that affects the exterior appearance of a structure.

"Enlargement" means construction that results in the expansion of the gross floor area of a structure.

"Exterior architectural feature" means the architectural elements embodying the style, design, general arrangement, and components of all of the outer surfaces of an improvement; the kind, color, and texture of the building materials; and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvement.

"Improvement" means any building, structure, place, parking facility, fence, gate, wall, work of art, or other object constituting a physical betterment of real property, or any part of such betterment.

#### 17.58.040 Regulation of improvements.

No improvement or exterior architectural feature of any improvement shall be constructed, altered or enlarged that is located in the downtown retail overlay district unless a site plan review permit is issued pursuant to the terms of this chapter and Chapter 17.28. Where this chapter may conflict with Chapter 17.28, this chapter shall apply. This section shall not apply to any interior alteration that has no effect on the condition or appearance of any exterior architectural feature of an improvement.

# 17.58.050 Procedures for review of applications.

- A. The site plan review committee shall be the reviewing authority for the downtown retail overlay district, with powers and duties as specified in this chapter.
- B. The site plan review committee shall review applications only as specified in this chapter, consistent with the rules and regulations in this chapter. Applications shall be approved or disapproved based solely on those building design criteria in this chapter, for which compliance is mandatory. The board may suggest that building design criteria that are permissive be followed; however, applications shall not be approved or disapproved on the basis of any such nonmandatory criteria. The duties and responsibilities of the site plan review committee shall include the following:
- C. At the option of the planning commission, the site plan review committee may review proposed zoning actions (zone changes, conditional use permits, special zoning exceptions, planned unit developments and variances) within the district. The site plan review committee may recommend approval, conditional approval, modification or disapproval of an application based upon the expected impact of the proposed zoning action on the character of the affected improvement(s), neighboring properties, or the entire district. The board's recommendation shall be forwarded to the planning commission for its consideration.
- D. It shall be the duty of the site plan review committee to review all applications for the construction or exterior alteration or enlargement of improvements within the overlay district. The site plan review committee shall have the power to approve, modify or disapprove such applications before a building permit can be issued.
- E. It shall be the duty of the site plan review committee to review all applications for sign permits within the district. Applications for sign permits shall be obtained from and filed with city pursuant to Chapter 17.48, and thereafter the application shall immediately be referred to the site plan review committee for their review and recommendation. The site plan review committee may recommend approval, conditional approval or denial of the sign permit application. The application shall then be presented to the proper issuing authority for sign permits, pursuant to Chapter 17.48 of the Municipal Code. Sign permits shall be issued only in compliance with the recommendation of the

site plan review committee. Approval by the site plan review committee in no way implies approval by the issuing authority for sign permits, whose approval must also be secured pursuant to Chapter 17.48.

- F. It shall be the duty of the site plan review committee to review all applications for the moving or demolition of structures within the overlay district. The site plan review committee shall have the power to approve, conditionally approve, or disapprove such applications, subject to the provisions of Section 17.58.060.
- G. Permits may be issued for air conditioners, electrical work and plumbing work that is visible from a public right-of-way when the chief building official determines that the work insignificantly affects the exterior of a structure, or that reasonable alternatives as to location or screening have been employed. The building official may forward to the site plan review committee applications for permits for this type of work when it appears that the appearance of a structure may be significantly altered. This subsection shall not apply to the following types of permit applications:
  - 1. Reroofing with like materials;
  - 2. Residing with like materials;
  - 3. Masonry repairs with like materials;
  - 4. Chimney repair with like materials.

#### 17.58.060 Appeal to the city council.

Any person or persons jointly or severally aggrieved by a decision of the site plan review committee may make an appeal in writing therefrom to the city council. Such appeal shall be filed with the city clerk within ten days of said action. The appeal shall be placed on the agenda of the council's next regular meeting after the appeal is filed. The council shall review the decision of the board and may reverse, affirm, modify or affirm as modified the action of the board. The decision of the council shall be final.

#### 17.58.070 Ordinary maintenance and repair.

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any structure within any district; provided, such work involves no change in the exterior appearance of a structure. Nothing in this chapter shall be construed to prevent the construction, reconstruction, alteration or demolition of any feature that in the view of the proper authority acting lawfully is required for the public safety because of an unsafe or dangerous condition.

#### 17.58.080 Standards applying to new buildings and alterations to existing buildings.

The following standards shall apply to new buildings and alterations to existing building within the downtown retail overlay district:

- A. Awnings attached above street level storefronts and/or upper-story windows are encouraged. Size and scale shall be appropriate to the building, however, significant elements of the building's architecture should not be obscured by upper-story awnings. Ground floor awnings shall project a minimum of five (5) feet over the sidewalk. Awning materials shall be cloth or canvas. Awning colors shall be limited to a blue, burgundy, tan or tones and/or prints of these. White may be incorporated into the design of awnings for contrast or valance signage, but shall not compromise a majority of the color theme of any awning.
- B. The following materials and building elements shall be prohibited:
  - 1. Use of wood siding, cladding or wood shingles, in excess of ten (10) percent of the total area of any building façade.
  - 2. Mansard form roof tiles.
  - 3. Unbroken masses of split face, slump stone or concrete unit masonry.
  - 4. Use of reflective or mirrored surface cladding, in excess of then (10) percent of the total area of any building façade.

5. Exposed utility conduit, junction boxes, meters, or fuse boxes on the front façade of buildings.

#### 17.58.082 Standards applying to alterations to existing buildings.

The following standards shall apply when undertaking the renovation of existing buildings within the downtown retail overlay district:

- A. Where originally constructed buildings facades remain, their appearance shall not be altered. Such facades shall be repaired and preserved. Where facades have been altered, as much original material and detail shall be retained in the rehabilitation as possible.
- B. Where most of the existing architectural design dated from an interim remodeling and where such remodeling adds to the traditional character of the district, rehabilitation shall conform to the period of such remodeling and not to the original design.
- C. Where the original design cannot be determined or where financial considerations preclude full-scale rehabilitation of a façade which has previously been altered, a design which is not a pure rehabilitation but which is in keeping of the structure are prohibited.
- D. Where originally constructed facades and/or architectural details have been covered by an interior remodeling, the removal of coverings is encouraged. When original materials, facades and/or architectural details are uncovered, these shall not be recovered.
- E. Where windows and doors still exist, the original sills, lintels, frames, sash, muntins and glass of windows and transoms shall be preserved. The original doorway elements, including sill, lintels, frames, and the doors shall also be retained. Where possible, replacements should duplicate the originals in design and materials. The blocking or covering of any portion of an existing window or door opening with permanent materials is prohibited. When new window or door openings are created, the scale of these should approximate that of the traditional architecture of the district. The base of new window opening shall be a maximum of thirty (30) inches above ground level. Whenever the size and/or scale of any existing window openings are altered, the base of all the window openings in the storefront shall be brought into conformance with the maximum 30-inch standard. This subsection shall not apply to ordinary repair or replacement of window glass or frames where the size and/or scale of window openings are not altered.
- F. Brick is most dominant traditional building material within the district and is preferred as a replacement material. Brick shall not be covered by wood shingles, wood, aluminum siding, or any other synthetic materials. Where brick has been painted, repainting in a color that matches the natural color of the brick as closely as possible is preferred. Where brick remains unpainted, the use of paint in the exterior is prohibited, since unpainted brick is a crucial element of the traditional character of the district.
- G. Stuccoed brick surfaces should be retained, unless held in place with wire mash, in which case the stucco should be removed. Where retained, stucco should be repainted in a brick color.

#### 17.58.084 Standards applying to new buildings.

The following standards shall apply to new buildings within the downtown retail overlay district.

The objective of this section is to ensure that contemporary design is compatible with the traditional theme and character of the downtown retail overlay district. The effect of the proposed design of new construction on the overall character of the district should be the first frame of reference for such compatibility. The next consideration should be the effect of the proposed design on the adjacent buildings and streetscape.

- A. New construction shall maintain the continuity of existing rows of buildings; facades shall be constructed at the property line facing the street, or at a setback even with that of adjacent buildings.
- B. New buildings shall be constructed to within ten (10) percent of the maximum height of adjacent buildings. The scale of new architectural elements should be consistent with that of adjacent structures.

- C. Brick is the preferred exterior building material for new construction. The color texture should be similar to that of brick traditionally used in the district.
- D. The scale of window and door openings in new buildings should approximate that of the traditional architecture of the district. The base of window openings shall be a maximum of thirty (30) inches above ground level.

#### 17.58.086 Maintenance and repair required.

- A. Neither the owner of nor the person(s) in actual charge of a structure within the district shall permit such structure to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural features so as to produce, or tend to produce, in the judgment of the Building Official, a detrimental effect on the character of the district as a whole or the life and character of the structure in question, including, but not limited to:
  - 1. The deterioration or decay of exterior walls or other vertical supports;
  - 2. The deterioration of roofs or other horizontal members;
  - 3. The deterioration of exterior chimneys;
  - 4. The extensive deterioration or crumbling of exterior plaster or mortar;
  - 5. The extensive peeling or chipping of exterior paint;
  - 6. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.
- B. The city's zoning compliance officer, or other designated enforcement official, shall serve written notice upon the owner of any structure deemed to be in violation of this section or any applicable municipal code. Notice shall comply with Visalia Municipal Code Section 1.13.070 if the violation is pursued through administrative enforcement. Alternatively, the enforcement official may pursue the violation as a criminal infraction. Said written notice shall specify the nature of the condition or conditions which are in violation of the maintenance and repair requirement wand direct that said conditions be repaired or corrected within an appropriately reasonable period of time. If the condition or conditions are not remedied within the stated period of time in the notice, then an administrative penalty or fine as stated in section 1.12.010 of the Visalia Municipal Code shall be enforced and may be collected under the methods stated in section 1.13.110. Said notice hall further advise the owner of said structure of his/her right to request a hearing before the planning commission to review the determination of the city's enforcement officer. The request for hearing shall be made within ten (10) days of the receipt of notice by the owner, with applicable fees, as set forth in Chapter 1.13 of the Municipal Code and the administrative hearing shall be conducted pursuant to the requirements of Chapter 1.13.
- C. After a hearing, the administrative hearing officer may approve, modify, or reject the determination of the city's enforcement officer at the conclusion of such hearing. Should an administrative hearing officer determine at the conclusion of such a hearing that there is a violation of this provision, the administrative hearing officer shall require that the structure in question be brought into compliance within an appropriately reasonable period of time and in addition order the collection of any applicable fines.

#### 17.58.090 Exceptions.

Within the downtown retail overlay district, design and construction conditions exist that are unique and are not generally found elsewhere in the city. Structures were often constructed on or near lot lines and abut one another in many cases. Storefronts and building facades have often been redesigned, covered or otherwise subjected to major alterations over the years. Due to these peculiar conditions, it is sometimes in the interest of enhancing the character of the district to make an exception to the building design criteria in this chapter and/or signage, landscaping, setbacks, fencing and screening requirements of the Visalia zoning ordinance. Where it is deemed that the physical and economic well-being of the district would be better served by such an exception rather than the strict application of the above mentioned building design criteria and other ordinance requirements, the site plan review

committee may recommend to the planning commission that such exception be made, pursuant to Section 17.42.030.

## 17.58.100 Role of building official.

- A. The building official shall refuse to issue all building or sign permits based upon an application disapproved by the site plan review committee, unless such application is later approved by the city council. The building official may approve any application approved or conditionally approved by the site plan review committee at such time as any conditions specified in such approval are clearly indicated by the applicant on the plans presented to the building official for approval. If an appeal to the city council is filed within ten days from the date of board approval of an application, no permit shall be issued until the outcome of said appeal is finally determined by the city council.
- B. After a building permit has been issued, the building official shall from time to time inspect the construction, alteration or enlargement approved by the board and shall take such action as is necessary to assure compliance with the approved plans.

#### 17.58.110 Separability.

The provisions of this chapter shall be deemed to be severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of the court shall not impair any of the remaining provisions.

#### RESOLUTION NO. 2017-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2017-13, A REQUEST BY DOC'S DOWNTOWN DELICATESSEN MARKET TO ESTABLISH A CONVENIENCE STORE AND DELI IN A 1,800 SQUARE FOOT TENANT SPACE LOCATED AT 110 WEST MAIN STREET IN THE D-MU (DOWNTOWN MIXED USE) ZONE (APN: 094-324-003)

WHEREAS, Conditional Use Permit No. 2017-13, is a request by Doc's Downtown Delicatessen Market to establish a convenience store and deli in a 1,800 square foot tenant space located at 110 West Main Street in the D-MU (Downtown Mixed Use) zone (APN: 094-324-003); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on May 8, 2017; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit No. 2017-13, as conditioned by staff, 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 Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

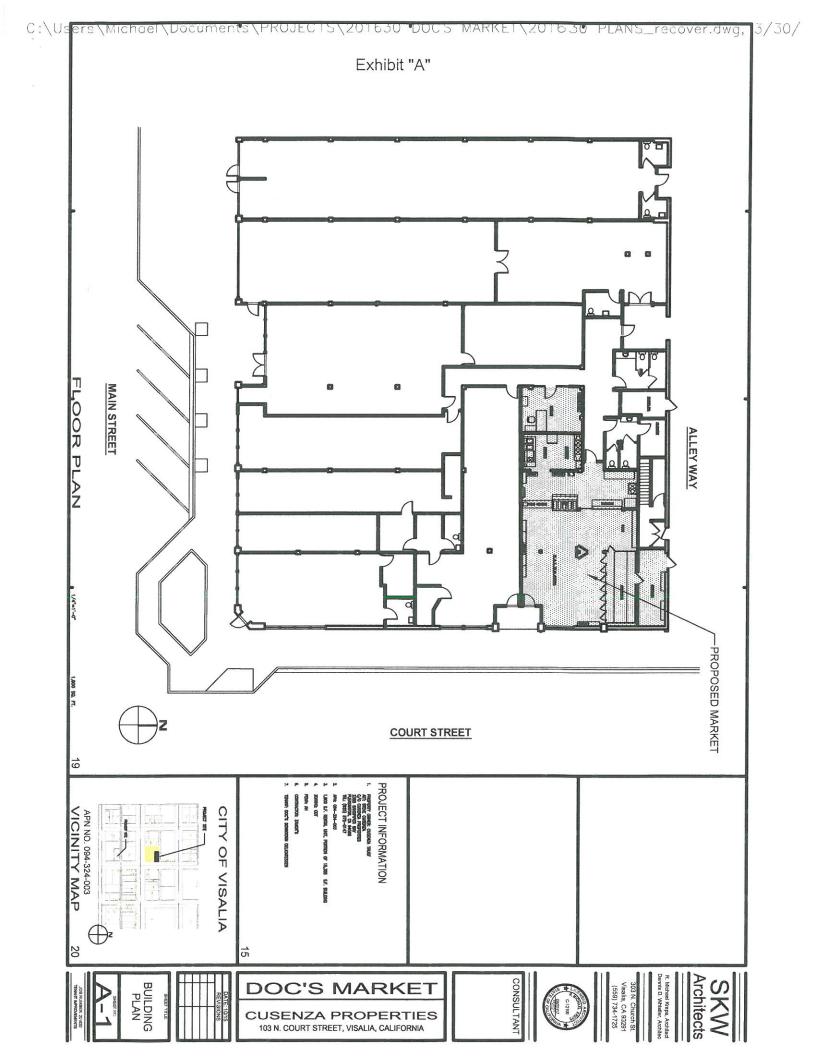
**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15301.

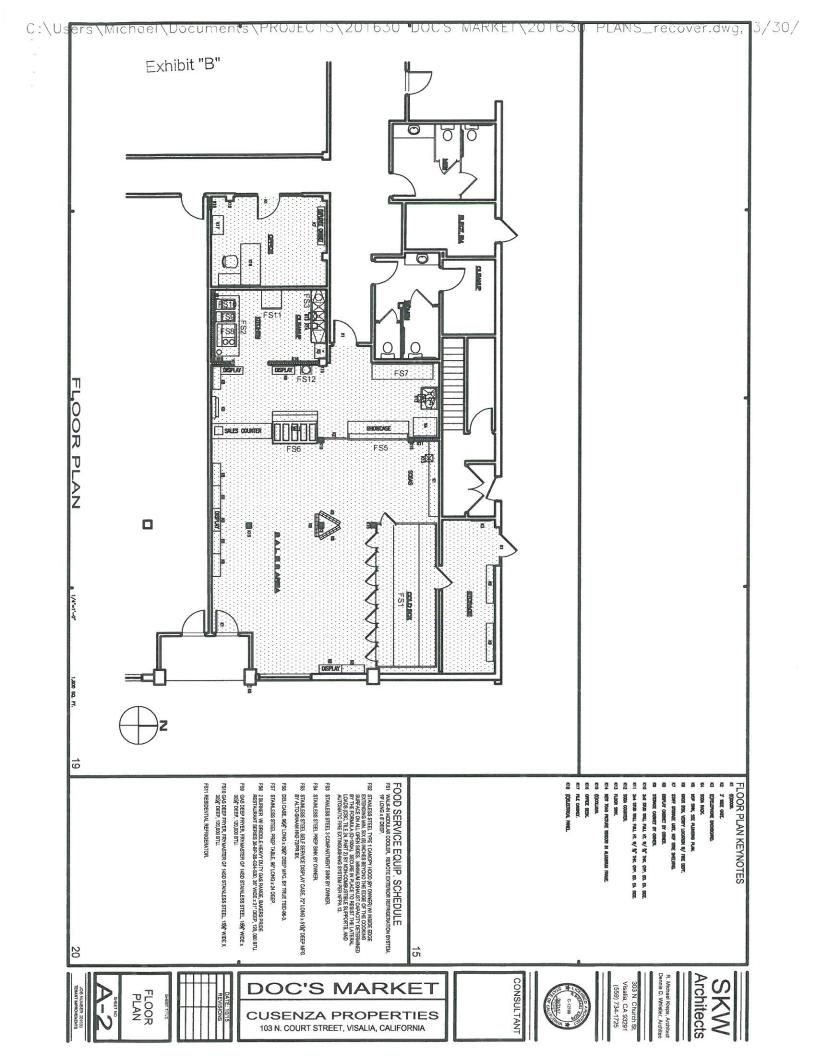
- NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Visalia makes the following specific findings based on the evidence presented:
- 1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 2. That the proposed conditional use permit is consistent with the policies and intent of the 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. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
  - 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, or materially injurious to properties or improvements in the vicinity.

- 3. That the proposed conditional use permit would be compatible with adjacent land uses. The proposed use is compatible subject to compliance with the conditions of Project Approval of this conditional use permit.
- 4. That the project is considered Categorically Exempt under Section 15301, Class 1 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2017-28). Projects determined to meet this classification are consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances for commercial structures.

**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 Conditional Use Permit shall be developed consistent with the comments and conditions of Site Plan Review No. 2017-025, incorporated herein by reference.
- 2. That the use be operated in substantial compliance with the Site Plan in Exhibit "A" and Floor Plan in Exhibit "B".
- 3. That the applicant complies with their operational statement as stated in Exhibit "C". Any changes to their operation are subject to review by the City Planner, and may subsequently be required to be reviewed by the Planning Commission.
- 4. All new building signage shall require a separate building permit and shall be designed consistent with the Sign Ordinance of the City of Visalia Chapter 17.48.
- 5. That all other federal and state laws and city codes and ordinances be complied with.
- 6. That the applicant submit to the City of Visalia a signed receipt and acceptance of conditions from the applicant and property owner, stating that they understand and agree to all the conditions of Conditional Use Permit No. 2017-10, prior to the issuance of any building permit for this project.





# **Doc's Downtown Market**

March 10, 2017

APN: 094-324-003

Docs Downtown Market will be a C-store & Deli facility located at 103 N. Main St in downtown Visalia. The market will be walking distance for people shopping, working and visiting the downtown area. Our goal is to provide a needed service in downtown that can be appreciated by everyone who is looking for quality convenience and friendly service. Our focus will be on walking traffic due to limited parking downtown.

Hours of Operation: Summer hours; Mon-Sun 6AM-9PM Winter hours; Mon-Sun 7AM-8PM

Deli: A full commercial kitchen for preparation work.

Store: C-store Grab and go service, no seating facility. Beverages, snack, fruits, Tobacco, OTC medicine, etc.

Employees: Owner operated (full time) +2 to 3 additional employee.



MEETING DATE

February 22, 2017

SITE PLAN NO.

17-028

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 cons for building permit, your project must return to the Site Plan Review Committee revised plans.  During site plan design/policy concerns were identified, schedule a meeting Planning Engineering prior to resubmittal plans for Site Solid Waste Parks and Recreation Fire Dept REVISE AND PROCEED (see below)  A revised plan addressing the Committee comments and revisions must be Agenda Review and approval prior to submitting for building permits or discrete Submit plans for a building permit between the hours of 9:00 a.m. and 4: through Friday.  Your plans must be reviewed by:  CITY COUNCIL REDEVELOPMENT  PLANNING COMMISSION PARK/RECREATION  MINOR CUP  HISTORIC PRESERVATION OTHER -TCUP	
Planning	
REVISE AND PROCEED (see below)  A revised plan addressing the Committee comments and revisions must be Agenda Review and approval prior to submitting for building permits or discressional Submit plans for a building permit between the hours of 9:00 a.m. and 4: through Friday.  Your plans must be reviewed by:  CITY COUNCIL  REDEVELOPMENT  PLANNING COMMISSION  PARK/RECREATION  MINOR CUP	5-000000000 00000 0x
A revised plan addressing the Committee comments and revisions must be Agenda Review and approval prior to submitting for building permits or discressive Submit plans for a building permit between the hours of 9:00 a.m. and 4: through Friday.  Your plans must be reviewed by:  CITY COUNCIL  REDEVELOPMENT  PLANNING COMMISSION  PARK/RECREATION  MINOR CUP	ot.
Agenda Review and approval prior to submitting for building permits or discrete Submit plans for a building permit between the hours of 9:00 a.m. and 4: through Friday.  Your plans must be reviewed by:  CITY COUNCIL  REDEVELOPMENT  PLANNING COMMISSION  PARK/RECREATION  MINOR CUP	
through Friday.  Your plans must be reviewed by:  CITY COUNCIL  PLANNING COMMISSION  MINOR CUP	
CITY COUNCIL  REDEVELOPMENT  PLANNING COMMISSION  MINOR CUP	1:00 p.m., Monday
PLANNING COMMISSION PARK/RECREATION  MINOR CUP	
MINOR CUP	
HISTORIC PRESERVATION OTHER -TCUP	
ADDITIONAL COMMENTS:	

If you have any questions or comments, please call Jason Huckleberry at (559) 713-4259.2 Site  $Plan\ Review\ Committee$ 

BUILDING/DEVELOPMENT PLAN		
REQUIREMENTS	ITEM NO: 2 DATE:	FEBRUARY 22, 2017
ENGINEERING DIVISION	OITE MI ALLYS	47.000
Jason Huckleberry 713-4259	SITE PLAN NO.: PROJECT TITLE:	17-028 DOC'S DOWNTOWN DELICATESSEN - NO MAP
1	DESCRIPTION:	1800 SF DELICATESSEN (CDT) (AE) (DRD)
⊠Adrian Rubalcaba 713-4271	APPLICANT:	SKW ARCHITECTS
	PROP OWNER:	CUSENZA FAMILY LIMITED PARTNERSHIP NO2
		LP
	LOCATION:	110 W MAIN ST
	APN:	094-324-002, 003
CITE DI ANI DEVIENI COMMENTE		
SITE PLAN REVIEW COMMENTS		
REQUIREMENTS (indicated by check		
Install curb return with ramp, with	radius;	
☐Install curb; ☐gutter	P	
	adius return;	
	kway width at	
		et frontage(s) of the subject site that has become
uneven, cracked or damaged and ma		
		age(s) of the subject site that has become uneven
and has created areas where water c		
Right-of-way dedication required. A ti		or verification of ownership.
Deed required prior to issuing building		
		CESSARY IN THE PUBLIC RIGHT-OF-WAY
		on each) and workers compensation (\$1 million),
		ense must be on file with the City, and valid
Underground Service Alert # provided	d prior to issuing the p	permit. Contact Encroachment Tech. at 713-4414.
CalTrans Encroachment Permit requ	ired. 🗌 CalTrans co	mments required prior to issuing building permit.
Contacts: David Deel (Planning) 488	-4088;	
Landscape & Lighting District/Hom	ne Owners Associat	ion required prior to approval of Final Map.
Landscape & Lighting District will m	aintain common area	landscaping, street lights, street trees and local
streets as applicable. Submit comple	eted Landscape and	ighting District application and filing fee a min. of
75 days before approval of Final Map		
Landscape & irrigation improvement	plans to be submitte	d for each phase. Landscape plans will need to
comply with the City's street tree or	dinance. The location	ons of street trees near intersections will need to
comply with Plate SD-1 of the City in	provement standard	s. A street tree and landscape master plan for all
phases of the subdivision will need to	be submitted with the	ne initial phase to assist City staff in the formation
of the landscape and lighting assessr		The second of the second
Grading & Drainage plan required. I	f the project is phas	ed, then a master plan is required for the entire
		des and street grades.   Prepared by registered
		e based on the City's benchmark network. Storm
		directed to the City's existing storm drainage
		r c) directed to a temporary on-site basin is
		lable to the City's storm drainage system. On-site
· · · · · · · · · · · · · · · · · · ·		cing required, provide access ramp to bottom for
maintenance.		and the parties access the contract to
10 10 10 10 10 10 10 10 10 10 10 10 10 1	and earthwork perfo	rmed prior to issuance of the building permit.
		= 1%, Concrete pavement = 0.25%. Curb & Gutter
=.020%, V-autter = 0.25%)	poor inc. poromone	
	ions. A retaining wall	will be required for grade differences greater than
0.5 feet at the property line.	Julian Julian San San San San San San San San San S	20 roquirou for grado unforonoco greator trian
	nite and across the nr	oject frontage shall be improved to their full width.
subject to available right of way, in ac		- 다른
Traffic indexes per city standards:	Sourcemoe with Oily P	sholos, standards and specifications.
rraine indexes per only standards.		

Install street striping as required by the City Engineer.  Install landscape curbing (typical at parking lot planters).
Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete
pavement over 2" sand.
Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
Provide "R" value tests: each at
Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.  ☐ Access required on ditch bank, 15' minimum ☐ Provide wide riparian dedication from top of bank.
Show Oak trees with drip lines and adjacent grade elevations.   Protect Oak trees during construction in
accordance with City requirements.
A permit is required to remove oak trees. Contact Joel Hooyer at 713-4295 for an Oak tree evaluation or permit to remove.   A pre-construction conference is required.
Relocate existing utility poles and/or facilities.
Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over
50kV shall be exempt from undergrounding.
Subject to existing Reimbursement Agreement to reimburse prior developer:
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 Joaquín 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 deli within existing office building will incur impact fees. Refer to page 3 for applicable fees and summary.
2. A building permit is required. Standard plan check and inspection fees apply.
3. New tenant improvements shall comply with CA building code for accessibility upgrades.
4. Any required fire or domestic water apparatus shall not be installed in sidewalk area (public right-of-

way).

5. Further refer to conditions by the Planning Dept.

# SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 17-028 Date: 2/22/2017	
Summary of applicable Developme	ent Impact Fees to be collected at the time of building permit:
time of building permit issuance.)	fees will be based on the development fee schedule in effect at the
(Fee Schedule Date:10/1/2016) (Project type for fee rates:RETAIL/W	ALK-UP)
Existing uses may qualify for cred	its on Development Impact Fees. OFFICE + INFILL/DOWNTOWN CR
FEE ITEM Groundwater Overdraft Mitigation Fee	FEE RATE
	\$3,823.50/1KSF X 1.8 = \$6,882.30
Trunk Line Capacity Fee	\$1,278/EACH - (\$165.60)= \$1,112.40 TREATMENT PLANT FEE: \$5,613/EACH - (\$394.20)= \$5,218.80
Sewer Front Foot Fee	
Storm Drain Acq/Dev Fee	
Park Acq/Dev Fee	
Northeast Specific Pian Fees	
Waterways Acquisition Fee	
Public Safety Impact Fee: Police	
Public Safety Impact Fee: Fire	
Public Facility Impact Fee	
Parking in-Lieu	
Reimbursement:	
<ol> <li>Reimbursement is available for the d and funded in the City's transportation</li> </ol>	cept as provided in a written reimbursement agreement between the City and the encement of construction of the subject facilities. evelopment of arterial/collector streets as shown in the City's Circulation Element on impact fee program. The developer will be reimbursed for construction costs sed in Municipal Code Section 16.44. Reimbursement unit costs will be subject to
those unit costs utilized as the basis to the costs utilized as the basis to the costs.) Reimbursement is available for the costs.	for the transportation impact fee. onstruction of storm drain trunk lines and sanitary sewer trunk lines shown in the d Sanitary Sewer System Master Plan. The developer will be reimbursed for
	Adrian Rubalcaba

# SITE PLAN REVIEW COMMENTS

# CITY OF VISALIA TRAFFIC SAFETY DIVISION February 22, 2017

ITEM NO: 2

CONTNUED

SITE PLAN NO:

SPR17026

PROJECT TITLE:

DOC'S DOWNTOWN DELICATESSEN -NO MAP

DESCRIPTION:

1800 SF DELICATESSEN (CDT) (AE) (DRD)

APPLICANT:

SKW ARCHITECTS

PROP. OWNER:

CUSENZA FAMILY LIMITED PARTNERSHIP NO 2LP

LOCATION:

110 W MAIN ST

APN(S):

094-324-002 094-324-003

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

$\boxtimes$	No Comments
	See Previous Site Plan Comments
	Install Street Light(s) per City Standards.
	Install Street Name Blades at Locations.
	Install Stop Signs at Locations.
	Construct parking per City Standards PK-1 through PK-4.
	Construct drive approach per City Standards.
	Traffic Impact Analysis required.
	Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.

# **Additional Comments:**

Leslie Blair

CITY OF VISALIA

SOLID WASTE DIVISION
336 N. BEN MADDOX
VISALIA CA. 93291
713 - 4500

# 17-028

110 W Main

#### COMMERCIAL BIN SERVICE

X	No comments.
COMICO STRUCTURE DE COMICO	Same comments as
	Revisions required prior to submitting final plans. See comments below.
SANCTATION AND PROPERTY OF THE PROPERTY OF T	Resubmittal required. See comments below.
X	Customer responsible for all cardboard and other bulky recyclables to be broken down be fore disposing of in recycle containers.
X	ALL refuse enclosures must be R-3 OR R-4
ENGLISH CONTROL OF THE PARTY OF	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 ( X ) 50 ft. outside 36 ft. inside; Residential ( ) 35 ft. outside, 20 ft. inside.
X	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.
X	Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
X	Area in front of refuse enclosure must be marked off indicating no parking
X	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.
X	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.

to allow the truck enou	igh room to provide service.
Bin enclosure gates must	open 180 degrees and also hinges must be mounted in front of post
see page 2 for instruct	ions
COMMENTS	
Existing service ok	

<u>Javier Hernandez, Solid Waste Front Load Supervisor</u> 713-4338
<u>Earl Nielsen, Solid Waste Manager</u>

# SITE PLAN REVIEW COMMENTS

#### Paul Bernal, Planning Division (559) 713-4025

Date: February 22, 2017

SITE PLAN NO:

2017-028

PROJECT TITLE:

DOC'S DOWNTOWN DELICATESSEN

DESCRIPTION:

1800 SF DELICATESSEN (CDT) (AE) (DRD)

APPLICANT:

SKW ARCHITECTS

PROP. OWNER:

CUSENZA FAMILY LIMITED PARTNERSHIP NO 2LP

LOCATION TITLE:

114 W MAIN ST

APN TITLE:

094-324-003

GENERAL PLAN:

Downtown Mixed Use

EXISTING ZONING: D-MU - Downtown Mixed Use

#### Planning Division Recommendation:

Revise and Proceed

Resubmit

#### **Project Requirements**

- Conditional Use Permit for a convenience store w/ deli
- Operational Statement
- Building Permits
- Additional Information as Needed

## PROJECT SPECIFIC INFORMATION (02/15/2017):

- 1. A CUP is required based on the applicants statement that the use will operate as a convenience store and delicatessen.
- 2. Provide a detailed operational statement that provides an overview of the daily operations of this business.
- 3. Provide detailed floor plan and depict how the noted sales area will be utilized. Is commercial racking being proposed in this area or is this area dedicated to seating?
- 4. Is the business operator proposing to sell beer/wine? What type of ABC license is being applied for?
  - Staff initial finding is that the proposed site plan IS CONSISTENT with the City General Plan. Because this project requires discretionary approval by the City Council and/or Planning Commission the final determination of consistency will be made by the Planning Commission and/or City Council.

#### 17.19.070 Development standards in the D-MU zone and in the C-MU zones inside the downtown area.

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

- A. Minimum site area: No minimum.
- B. Maximum building height: one hundred (100) feet.
- C. Minimum required yards (building setbacks):
  - 1. Front: zero (0) feet;
  - 2. Rear: zero (0) feet;
  - 3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;

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

# Downtown Parking District: [Zoning Ordinance Section 17.30.019A Article 2]

- 1. Existing parking provided \_\_\_\_\_\_ to parking required by code.
- 2. Require parking in-lieu fee of \_\_\_\_\_ based on fee per stall. (Fee increased annually see City of Visalia Development Fee Schedule)
- 3. As a part of the building permit or business license, staff will be requesting a written confirmation from the property owner/manager that the 1,500 sq. ft. exemption for parking in-lieu fees for the entire building on this site is being used by this operation.

# DOWNTOWN RETAIL DESIGN DISTRICT BUILDING DESIGN CRITERIA

Amended April 1996

#### A. General

The following standards shall apply to all building alterations or new construction within the downtown retail design district

- 1. Definitions
  - a. Owner: Shall mean the person or persons in actual charge of the structure or a portion of the structure. It Includes:
    - 1. The agent or agents of the owner specifically charged with responsibility for maintenance of the structure by a written contractual agreement.
    - 2. The Occupants specifically charged with responsibility for maintenance of the structure by a written contractual agreement.
    - 3. May, should and preferred are permissive in nature and indicate that compliance is discretionary on the part of the applicant. Where these are not used, compliance is mandatory.
- 2. Color section deleted
- 3. <u>Signs</u> signs should contribute to the commercial quality and character of the district. Within the district, the following standards for signage are prescribed:
  - a. Primary Signage
    - 1) Material: Plastic is prohibited as a primary sign material.
    - 2) Size:
      - a. Two (2) square feet of sign area is permitted for each one (1) foot of linear occupancy frontage top a maximum of fifty (50) square feet.

- b. The sign area as calculated for the occupancy frontage may be used on the occupancy frontage, or may be divided between the occupancy frontage And any other exterior wall. (see DRD for more)
- 3) Location: Users may choose which exterior side of the building will be used for the purpose of calculating the permitted sign area. The exterior side chosen is the primary occupancy frontage. The building sign so calculated shall be mounted on the primary occupancy frontage.
- b. On Awnings: A building sign may be affixed to or incorporated as a part of the design of the front valance only of an awning; however, such sign area shall be deducted from that calculated for the exterior building wall to which the awning is attached. Numerals used for the purpose of identifying street addresses need not be deducted from the calculated sign area.
- c. Street addresses
- d. Additional signs of a maximum twenty-five percent of the sign area calculated for the primary occupancy frontage will be allowed for each remaining exterior wall, provided that the sign for any given wall does not exceed two square feet per linear foot of the wall length. This subsection does not apply to alley frontages visible from center or Acequia streets.
- e. Pedestrian oriented sign: one double faced sign not exceeding an area of three (3) square feet per face, to be constructed of wood, with a carved and/or painted logo. Pedestrian oriented signs shall be a minimum of 8 feet above the sidewalk and shall not exceed a maximum height of 12 feet.
- f. A pedestrian oriented sign may also be affixed to or incorporated into the design of the side valance of awnings which are perpendicular to the store frontage. Both side valances of an awning may be so utilized, however, only one sign face per awning side is allowed. Each sign face shall not exceed three (3) square feet. If this option is chosen, not other pedestrian oriented sign is allowed.
- g. The building sign area as calculated on the primary occupancy frontage may also be used on the alley frontage for those businesses with direct pedestrian entrances form alleyways, where such entrances and frontages are visible from center or Acequia streets. In no case shall the sign area used on the alley frontage exceed that permitted for the primary occupancy frontage.
- h. Each building may display a reader board of a maximum area of twenty (20) square feet indicating the name, address and type of business of the businesses within the building. If the reader board is located on a part of the building qualifying as an occupancy frontage for which sign area is calculated, the sign area used for the reader board shall be deducted from the total permitted for that building.
  - Reader boards shall be designed as one with each copy panel consisting of similar materials and designs. Permits for reader boards shall not be issued without consent of the property owner.
- i. Within the district, internally illuminated signs are prohibited, with the exception of neon.
- j. Plastic is prohibited as a primary sign material.
- k. Each commercial use which has direct pedestrian access through an exterior building wall which is visible from a public right-of-way, shall be allowed at least ten (10) square feet of building sign area, regardless of building occupancy frontage. Commercial uses having a sole access from the interior of any building or from an

enclosed lobby or court shall not be allowed the minimum building sign area referred to in this section.

- I. Permanent signage painted or affixed to the surface of retail display windows shall cover no more than twenty percent (20%) of the display window area and shall be allowed in addition to the calculated building sign area.
- m. Temporary signs pertaining to special store events or sales lasting no more that thirty (30) days may be painted or affixed to display windows provided that their total area shall not exceed thirty percent (30%) of the window. Such temporary sign or signs shall be removed within seven (7) days of the completion of said event or sale. No permit is required for such temporary sign(s).
- 4. Awnings awnings attached above street level storefronts and/or upper-story windows are encouraged. Size and scale shall be appropriate to the building, however, and significant elements of the building's architecture should be obscured by upper-story awnings. Ground floor awnings shall project a minimum of five (5) feet over the sidewalk. Awning materials shall be cloth or canvas. Awning colors shall be limited to a blue, burgundy, tan or tones and/or prints of these. White may be incorporated into the design of awnings for contrast or valance signage, but shall not compromise a majority of the color theme of any awning.
- 5. Prohibited material and elements.
  - a. Use of wood siding, cladding or wood shingles, in excess of ten percent (10%) of the total area of any building façade.
  - b. Mansard form roof tiles.
  - c. Unbroken masses of split face, slump stone or concrete unit masonry.
  - d. Use of reflective or mirrored surface cladding, in excess of then percent (10%) of the total area of any building façade.
  - e. Exposed utility conduit, junction boxes, meters, or fuse boxes on the front façade of buildings.

#### B. Renovation

The following criteria should be followed when undertaking the renovation of existing buildings in the district.

#### 1. Facades -

- a. Where originally constructed buildings facades remain, their appearance shall not be altered. Such facades shall be repaired and preserved. Where facades have been altered, as much original material and detail shall be retained in the rehabilitation as possible.
- b. Where most of the existing architectural design dated from an interim remodeling and where such remodeling adds to the traditional character of the district, rehabilitation shall conform to the period of such remodeling and not to the original design.
- c. Where the original design cannot be determined or where financial considerations preclude full-scale rehabilitation of a façade which has previously been altered, a design which is not a pure rehabilitation but which is in keeping of the structure are prohibited.
- d. Where originally constructed facades and/or architectural details have been covered by an interior remodeling, the removal of coverings is encouraged. When original materials, facades and/or architectural details are uncovered, these shall not be recovered.
- 2. <u>Windows and doors</u> where they still exist, the original sills, lintels, frames, sash, muntins and glass of windows and transoms shall be preserved. The original doorway elements, including sill, lintels, frames, and the doors shall also be retained. Where possible.

replacements should duplicate the originals in design and materials. The blocking or covering of any portion of an existing window or door opening with permanent materials is prohibited. When new window or door openings are created the scale of these should approximate that of the traditional architecture of the district. The base of new window opening shall be a maximum of 30 inches above ground level. Whenever the size and/or scale of any existing window openings are altered, the base of all the window openings in the storefront shall be brought into conformance with the maximum 30-inch standard. This section shall not apply to ordinary repair or replacement of window glass or frames where the size and/or scale of window openings are not altered.

#### 3. Building materials

- a. Brick is most dominant traditional building material within the district and is preferred as a replacement material. Brick shall not be covered by any synthetic material, asbestos. Or wood shingles, wood or aluminum siding, or any other synthetic materials. Where brick has been painted, repainted in a color which matches the natural color of the brick as closely as possible is preferred. Where brick remains unpainted, the use of paint in the exterior is prohibited, since unpainted brick is a crucial element of the traditional character of the district.
- b. Stuccoed brick surfaces should be retained, unless held in place with wire mash, in which case the stucco should be removed. Where retained, stucco should be repainted in a brick color.

#### C. New building standards

The objective of this section is to ensure that contemporary design is compatible with the traditional theme and character of the downtown retail district. The effect of the proposed design of new construction on the overall character of the district should be the first frame of reference for such compatibility. The next consideration should be the effect of the proposed design on the adjacent buildings and streetscape.

- 1. New construction shall maintain the continuity of existing rows of buildings; facades shall be constructed at the property line facing the street, or at a setback even with that of adjacent buildings.
- 2. New buildings shall be constructed to within ten percent (10%) of the maximum height of adjacent buildings; however, in no case shall a building exceed fifty (50) feet in height. The scale of new architectural elements should be consistent with that of adjacent structures.
- 3. Brick is the preferred exterior building material for new construction. The color texture should be similar to that of brick traditionally used in the district.
- 4. The scale of window and door openings in new buildings should approximate that of the traditional architecture of the district. The base of window openings shall be a maximum of 30 inches above ground level.

#### D. Maintenance and repair required

Neither the owner of nor the person(s) in actual charge of a structure within the district shall permit such structure to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural features so as to produce, or tend to produce, in the judgment of the planning commission, a detrimental effect on the character of the district as a whole or the life and character of the structure in question, including, but not limited to;

- a. The deterioration or decay of exterior walls or other vertical supports;
- b. The deterioration of roofs or other horizontal members:
- c. The deterioration of exterior chimneys;
- d. The extensive deterioration or crumbling of exterior plaster or mortar;
- e. The extensive peeling or shipping of exterior paint;
- f. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions

The person(s) in actual charge of any structure is(are) deemed to be the owner(s) of the structure or any portion thereof, unless the occupant(s) or agent(s) of the owner(s) are specifically charged with the responsibility for maintenance of the structure by a lease or other written contractual agreement between the owner(s) and the occupant(s) or agent(s).

The city's zoning compliance officer, or other designated enforcement official shall serve written notice upon the owner and/or other person in actual charge of any structure deemed to be in violation of these provision. Said written notice shall specify the nature of the condition or conditions which are in violation of the maintenance and repair requirement wand direct that said conditions be repaired or corrected within an appropriately reasonable period of time. Said notice hall further advise the owner and/or the person in actual charge of said structure of his/her right to request a heating before the planning commission to review the determination of the city's enforcement officer. The planning commission shall adopt reasonable rules and regulations comporting with appropriate die process for the notice and conduct of such hearings pursuant to this provision. The planning commission may approve, modify, or reject the determination of the city's enforcement officer at the conclusion of such hearing. Should the owner and/or person in actual charge of subject structure fail and/or refuse to request a hearing, should the planning commission determine at the conclusion of such a hearing that there is a violation of this provision, the planning commission shall require that the structure in question be brought into compliance within an appropriately reasonable period of time. Thereafter, any person who fails to comply with the requirements of this provision shall be deemed to be guilty of an infraction and shall be subject to the provisions and penalties provided in the city's ordinance code relating to zoning.

#### E. Minimum alterations required

At a minimum, all structures and architectural features of structures, including awnings, marquees, and other appurtenances within the district shall conform to the color and repair requirements stated in paragraphs a.1., A.3., And d. Above. Any improvement or architectural feature found not meeting these standards shall be repainted or otherwise changed to reflect appropriate colors and appearance within one (1) year, provided that the estimated cost of bringing a structure into compliance is in excess of \$2000. The colors of cloth or canvas awnings shall be changed be replacement of the awning fabric, rather than painting. The time limits for complying with paragraphs a.1. And d. shall begin to run from the date of adoption of all these building design criteria by the city council. The responsibility for meeting the standards of this paragraph shall rest with the person(s) in actual charge of any structure. The person(s) in actual charge is(are) deemed to be the owner(s) of the structure or any portion thereof, unless the occupant(s) or agent(s) or the owner(s) are specifically charged with responsibility for maintenance of the structure be a lease of other written contractual agreement between the owner(s) and the occupant(s) or agents(s).

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

Signature

City of Visalia Parks and Urban Forestry 336 N. Ben Maddox Way Visalia, CA 93292 Date: 2+14-17

Site Plan Review # 17028

# SITE PLAN REVIEW COMMENTS

	2. 60.5	
	110 W. main	
COM	MENTS: See Below . None .	
	Please plot and protect all Valley Oak Trees.	
	Landscape along parkway to be planted by developer and maintained by a maintenance district.	
	All drainage from curb and gutter along streets to be connected to storm drain system.	
,	All trees planted in street right-of-way to be approved by the Public Works Superintendent of Parks.	
	Tic-ins to existing infrastructure may require a bore. Check with the Public Works Department prior to any street cut.	
Other	Comments:	-
		nonthing and a
Joel H	1 African 100yer and Urban Forestry Supervisor	

Parks and Urban Forestry Supervisor

559 713-4295

Fax 559 713-4818

Email: jhooyer@ci.visalia.ca.us

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

ITEM NO: 2

February 22, 2017

SITE PLAN NO:

SPR17028

CONTINUED

PROJECT TITLE: DESCRIPTION:

DOC'S DOWNTOWN DELICATESSEN -NO MAP 1800 SF DELICATESSEN (CDT) (AE) (DRD)

APPLICANT:

SKW ARCHITECTS

PROP OWNER:

CUSENZA FAMILY LIMITED PARTNERSHIP NO 21 110 W MAIN ST

LOCATION:

APN(S): 094-324-003 094-324-002

NOTE: These are general comments and DO NOT const Please refer to the applicable California Codes & local orollance for additional requirements.

	Business Tax Certification is required.	For information call (559) 713-4326
X	A building permit will be required.	For information call (559) 713-4444
X	Submit 4 sets of professionally prepared plans and 2 sets of calculations.	(Small Tenant Improvements)
	Submit 4 sets of plans prepared by an architect or engineer. Must comply construction or submit 2 sets of engineered calculations.	with 2013 California Building Cod Sec. 2308 for conventional light-frame
	Indicate abandoned wells, septic systems and excavations on construction	plans.
X	You are responsible to ensure compliance with the following checked item Meet State and Federal requirements for accessibility for persons with disa	
X.	A path of travel, parking, common area and public right of way must compl	y with requirements for access for persons with disabilities.
	Multi family units shall be accessible or adaptable for persons with disabilit .	ies.
	Maintain sound transmission control between units minimum of 50 STC.	
	Maintain fire-resistive requirements at property lines.	
X	A demolition permit & deposit is required.	For information call (559) 713-4444
K	Obtain required clearance from San Joaquín Valley Air Pollution Board. Pric	r to am demolition work
	For information call (661) 392-5500	
	Location of cashier must provide clear view of gas pump island	
Z	Plans must be approved by the Tulare County Health Department.	For information call (559) 624-7400
X	Project is located in flood zone Hazardous materials	report.
	Arrange for an on-site inspection. (Fee for inspection \$157.00)	For information call (559) 713-4444
	School Development fees. Commercial \$0.56 per square foot. Residential	53.75 per square foot.
	Existing address must be changed to be consistent with city address.	For information call (559) 713-4320
	Acceptable as submitted	
	No comments	
X	See previous comments dated:	
	Special comments: 10% OF VALUATION	1 FEDURED ER PATH OF
	TRAVEL . CREW	se interestor regulation
		Pate: 2/20/19

Signature

City of Visalia
Building: Site Plan
Review Comments

ITEM NO: 12

DATE: February 15, 2017

SITE PLAN NO:

SPR17028

PROJECT TITLE:

E:

DOC'S DOWNTOWN DELICATESSEN
1800 SF DELICATESSEN (CDT) (AE) (DRD)

DESCRIPTION: APPLICANT:

SKW ARCHITECTS

PROP OWNER:

CUSENZA PROPERTIES

LOCATION:

116 W MAIN ST

APN(S):

094-324-003

	Please refer to the applicable California Codes & I					
	Business Tax Certification is required.	For information Call (559) 713-4326				
X	A building permit will be required.	For information Call (559) 713-4444				
Z	Submit 4 sets of professionally prepared plans and 2 sets of calculations.	(Small Tenant Improvements)				
	Submit 4 sets of plans prepared by an architect or engineer. Must comply we construction or submit 2 sets of engineered calculations.	vith 2013 California Building Cod Sec. 2308 for conventional light-frame				
	Indicate abandoned wells, septic systems and excavations on construction p	lans.				
X	You are responsible to ensure compliance with the following checked items:  Meet State and Federal requirements for accessibility for persons with disabilities.					
S.	A path of travel, parking, common area and public right of way must comply	with requirements for access for persons with disabilities.				
	Multi family units shall be accessible or adaptable for persons with disabilitie	es.				
	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 clearance from San Joaquin Valley Air Pollution Board. Prior to am demolition work					
	For information call (661) 392-5500					
	Location of cashier must provide clear view of gas pump island					
X	Plans must be approved by the Tulare County Health Department.	For information call (559) 624-7400				
X.	Project is located in flood zone Hazardous materials re	port,				
	Arrange for an on-site inspection. (Fee for inspection \$157.00)	For information call (559) 713-4444				
	School Development fees. Commercial \$0.56 per square foot. Residential \$3	.75 per square foot.				
	Existing address must be changed to be consistent with city address.	For information call (559) 713-4320				
	Acceptable as submitted					
	No comments					
X	See previous comments dated:					
	Special comments:	the required for fixture				
	AND EQUIPMENT THA	TOUR CERELADEN				
	Merc.	16 / here 2/15/17				



### Site Plan Review Comments For ITEM NO: 2

Visalia Fire Department Kurtis A. Brown, Fire Marshal 707 W Acequia Avenue Visalia, CA 93291 (559) 713-4261 office (559) 713-4808 fax

SITE PLAN NO: PROJECT TITLE: DESCRIPTION:

APPLICANT: PROP OWNER: LOCATION:

APN(S):

DATE: February 22, 2017

SPR17028 CONTINUED

DOC'S DOWNTOWN DELICATESSEN -NO MAP

1800 SF DELICATESSEN (CDT) (AE) (DRD)

SKW ARCHITECTS

CUSENZA FAMILY LIMITED PARTNERSHIP NO 21

110 W MAIN ST

094-324-003 094-324-002

The following	comments	are	applicable	when	checked:
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sprinkler system. 2016 CFC 304.3.3

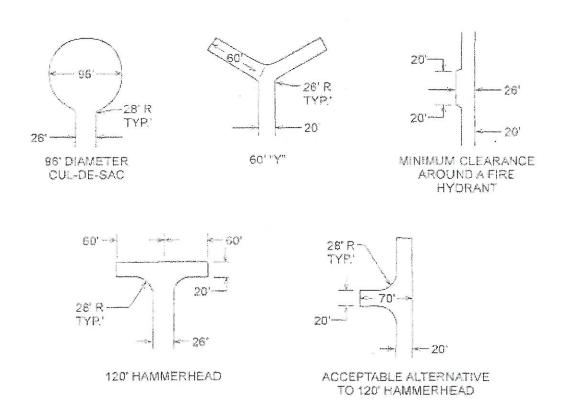
$\boxtimes$	The Site Plan Review comments are issued as general overview of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2016 California Fire Code (CFC), 2016 California Building Codes (CBC) and City of Visalia Municipal Codes.
	All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. If a building has been vacant for a significant amount of time, the fire detection, alarm, and or extinguishing systems may need to be evaluated by a licensed professional. 2016 CFC 901.6.
	No fire protection items required for <u>parcel map or lot line adjustment</u> ; however, any future projects will be subject to fire & life safety requirements including fire protection.
	<ul> <li><u>Construction and demolition</u> sites prior to and during construction shall comply with the following:         <ul> <li><u>Water Supply</u> for fire protection, either temporary or permanent, shall be made available as soon as combustible materials arrive on the site. 2016 CFC 3312</li> <li>An all-weather, 20 feet width <u>Construction Access Road</u> 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. 2016 CFC 3310</li> </ul> </li> </ul>
	More information is needed before Site Plan Review can be conducted. Please submit plans with more detailed information. Please include information on
Gener	al
$\boxtimes$	Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with their background. If multiple addresses served are by a common driveway, the range of numbers shall be posted at the roadway/driveway. 2016 CFC 505.1
$\boxtimes$	All hardware on exit doors, illuminated exit signs and emergency lighting shall comply with the 2016 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
$\boxtimes$	Commercial dumpsters with 1.5 cubic yards or more shall not be stored in building or placed within 5

feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire

	A <u>Knox Box</u> key lock system is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. The key box shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation. 2016 CFC 506.1
ham	If your business handles <u>hazardous material</u> in amounts that exceed the Maximum Allowable Quantities listed on <i>Table 5003.1.1(1)</i> , 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2016 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.
Water	r Supply for Residential, Commercial & Industrial
Reside	<del>e</del> ntial
	Fire hydrant spacing and location shall comply with the following requirements:  The exact location and number of fire hydrants shall be at the discretion of the fire marshal, fire chief and/or their designee. Visalia Municipal Code 16.36.120(5)
	Single-family residential developments shall be provided with fire hydrants every six hundred (600) lineal feet of residential frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
	Multi-family, zero lot line clearance, mobile home park or condominium developments shall be provided with fire hydrants every four hundred (400) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
	Multi-family or condominium developments with one hundred (100) percent coverage fire sprinkler systems shall be provided with fire hydrants every six (600) lineal feet of frontage. In isolated developments, no less than two (2) fire hydrants shall be provided.
Comm	ercial & Industrial
	Where a portion of the facility or building is more than 400 feet from a hydrant on a fire apparatus access road, on-site fire hydrant(s) shall be provided. 2016 CFC 507.5.1
	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 CFC 2016 Appendix C102 & C103 & CFC 507.5.1
	To determine fire hydrant location(s) and distribution the following information was provided to the Site Plan Review committee: Type of constructionSquare footage
Emerg	gency Access
	A fire apparatus access roads shall be provided and must comply with the 2016 CFC and extend within 150 of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Fire apparatus access

roads shall have an unobstructed width of not less than 20 feet. Minimum turning radius for emergency fire apparatus shall be 20 feet inside radius and 43 feet outside radius. 2016 CFC 503.1.1

- Buildings or portions of buildings or facilities with a vertical distance between the grade plan and the <u>highest roof surface that exceed 30 feet</u> shall provide an approved fire apparatus access roads capable of accommodating fire department aerial apparatus.
  - Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders.
  - Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.
  - Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.
- Fire apparatus access roads in excess of 150 feet and dead end shall be provided with a turnaround. Fire apparatus access roads with a length of 151-500 feet shall be a minimum of 20 feet in width. Length of 501-750 feet shall be 26 feet in width. 2016 CFC Table D103.4



Approved No PARKING – FIRE LANE signs shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs shall have a minimum dimension of 12 inches wide by 18 inches high and have red letters on a white reflective background. 2013 CFC 503.3/D103.6







	On site Fire Apparatus Access Roads shall be provided and have an unobstructed width of not less than the following;
	<ul> <li>20 feet width, exclusive of shoulders (No Parking)</li> <li>More than 26 feet width, exclusive of shoulders (No Parking one side)</li> <li>More than 32 feet wide, exclusive of shoulders (Parking permitted on both sides)</li> </ul>
	Marking- approved signs, other approved notices or marking that include the words "NO PARKING-FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. <i>CFC 503.3</i>
	<ul> <li>Gates on access roads shall be a minimum width of 20 feet and shall comply with the following: 2016 CFC D103.5</li> <li>Gates shall be of the swinging or sliding type.</li> <li>Gates shall allow manual operation by one person (power outages).</li> <li>Gates shall be maintained in an operative condition at all times.</li> <li>Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. (Note: Knox boxes shall be ordered using an approved Knox Authorization Order Form. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. Please allow adequate time for shipping and installation.)</li> </ul>
	Streets shall meet the City of Visalia's Design & Improvement Standards for streets to ensure that fire apparatus can make access to all structures in the event of an emergency.
Fire F	Protection Systems
	An <u>automatic fire sprinkler</u> system will be required for this building. Also, a fire hydrant is required within 50 feet of the <u>Fire Department Connection</u> (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%. 2016 CFC 912 and Visalia Municipal Code 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. The forms are located at the fire department administration office located at 707 W. Acequia, Visalia, CA 93291. 2016 CFC 912.4.1
$\boxtimes$	Commercial cooking appliances and domestic cooking appliances used for commercial purposes that produces grease laden vapors shall be provided with a Type 1 Hood, in accordance with the California Mechanical Code, and an automatic fire extinguishing system. 2016 CFC 904.12 & 609.2
Specia	al Comments
15	
Kurtis	A Brown

Kurtis A. Brown Fire Marshal ' ITEM NO: 12

DATE: February 15, 2017

SITE PLAN NO:

SPR17028

PROJECT TITLE:

DOC'S DOWNTOWN DELICATESSEN
1800 SF DELICATESSEN (CDT) (AE) (DRD)

DESCRIPTION: APPLICANT:

SKW ARCHITECTS

PROP OWNER:

CUSENZA PROPERTIES

LOCATION: .
APN(S):

110 W MAIN ST 094-324-003

303 S. Johnson St. Visalia, Ca. 93292 (559) 713-4370

City of Visalia

Police Department

## 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:
	Landscaping Concerns:
	Traffic Concerns:
X J/	Surveillance Issues:  SUSTEM INSTALLED TO CAPTURE INTERIOR / EXTERIOR  AND ACCESSIBLE TO UPD, UPON REQUEST  Line of Sight Issues:
	Other Concerns:
/isalia/P	olige Department

### QUALITY ASSURANCE DIVISION SITE PLAN REVIEW COMMENTS

	ITEM NO: 2	DATE: February 22, 2	017	
	SITE PLAN NO: PROJECT TITLE: DESCRIPTION:		CONTINUED N DELICATESSEN -NO MAR SSEN (CDT) (AE) (DRD)	•
	APPLICANT: PROP OWNER: LOCATION:	SKW ARCHITECTS CUSENZA FAMILY I 110 W MAIN ST	IMITED PARTNERSHIP NO	21
	APN(S):	094-324-003 094-32	4-002	
ORDINANC CONNECTI ALSO REST	CE 13.08 RELAT ON FEES AND	TIVE TO CONN MONTHLY SE SCHARGE OF	ECTION TO THE S WER USER CHAR	SALIA WASTEWATER EWER, PAYMENT OF GES. THE ORDINANCE DMESTIC WASTES INTO
YOUR PRO	JECT IS ALSO	SUBJECT TO T	HE FOLLOWING R	EQUIREMENTS:
<u></u>	WASTEWATE	ER DISCHARGE	PERMIT APPLICATION	ИС
	SAND AND G	REASE INTERC	EPTOR – 3 COMPART	TMENT

RTMENT GREASE INTERCEPTOR min. 1000 GAL GARBAGE GRINDER - 1/4 HP. MAXIMUM SUBMISSION OF A DRY PROCESS DECLARATION X NO SINGLE PASS COOLING WATER IS PERMITTED X OTHER SYBMINION OF A LOW GOENSE GENERATOR DECLARATION SITE PLAN REVIEWED - NO COMMENTS CALL THE QUALITY ASSURANCE DIVISION AT (559) 713-4529 IF YOU HAVE ANY **OUESTIONS.** CITY OF VISALIA PUBLIC WORKS DEPARTMENT AUTHORIZED SIGNATURE QUALITY ASSURANCE DIVISION 7579 AVENUE 288 5-52-17 VISALIA, CA 93277 DATE



### CITY OF VISALIA NONSIGNIFICANT WASTEWATER DISCHARGE PERMIT APPLICATION

Agency Use:
Permit No:
Code No:
Data Entry By:

### PLEASE PRINT OR TYPE

APPLICANT BUSINE	ESS NAME:			~*************************************	PHO	NE:		
BUSINESS ADDRES								
BUSINESS OWNER					PHC	NE:		
MAILING ADDRESS			CITY:		STA	TE:	ZIP:_	
CONTACT PERSON	•		**************************************	TITL	E:			
NATURE OF BUSINI	ESS: (restaura			ence store	, yogurt sl	nop, walk	<-up, etc.)	)
NO. OF EMPLOYEES					AM/PI	мто_		_AM/PM
DAYS PER WEEK BI	JSINESS OPEN:	MON	TUES	WED	THUR	FRI	SAT	SUN
Does your facility have a grease, oil or grit trap installed before discharge to sewer? YES NO					NO			
If yes, Name of trap: How often is trap cleaned:					***************************************			
<b>.</b>	I hereby affirm tha to Signatu	the best	nation furn of my knov		ue and co	rrect		

Public Works Department Quality Assurance Division 7579 Ave 288 Visalia CA 93277 (559) 713-4487

# City of Visalia

7579 Avenue. 288, Visalia, CA 93277



## Public Works

Tel: (559) 713-4487 Fax; (559) 713-4826

### QUALITY ASSURANCE DIVISION

## LOW GREASE GENERATOR DECLARATION FOOD PREPARATION BUSINESS

Name of Applicant	Site Plan Review No			
LocationProject				
Mailing Address				
In conjunction with the City Wastewater Ordinance Program, the Quality Assurance Division is requir to confirm that your facility will not use grease (anim	ing your food preparation establishment			
This form will apply to food preparation establishmen	ts as follows:			
• * Deli (sandwiches only) w/microwave oven. No st	eam table.			
* Ice Cream Shop				
* U-Bake Pizza preparation (pre-sliced and pre-shi	edded food)			
* Yogurt Shop				
* Beverage Only establishment (also includes driv	e-up business)			
* Businesses must not include chili, nachos, meat slicing or cutting, cheese slicing or shredding, steam table where food is kept hot in containers for washing onsite. All eating utensils must be of a disposable nature (e.g. paper or plastic).				
If your business fits this criteria, please sign your sign Quality Assurance Division, 7579 Ave. 28				
Signature of Applicant Title	Date			
Telephone Number to be contacted regarding this mat	ter			
The receipt of this form does not automatically clithat you will be excused from installing a greatevaluated based on information received and you the City, you do not fit within this criteria.	se interceptor. Your business will be			

If you have any questions regarding this matter, please telephone Grant Knight at (559) 713-4529 or Carrie Boyd at (559) 713-4487.



#### Susan Currier

From:

Deel, David@DOT <david.deel@dot.ca.gov>

Sent:

Wednesday, February 22, 2017 10:40 AM

To:

Susan Currier; 'siteplan@lists.ci.visalia.ca.us'

Cc:

Jason Huckleberry; Navarro, Michael@DOT; Paul Bernal

Subject:

RE: SPR Agenda for February 15, 2017

#### Susan & All:

### Caltrans has "NO COMMENT" on:

SPR 17012 (RESUB Popeye's Rest)

SPR 17014 (RESUB Billiards hall)

SPR 17019 (remodel Personal shop)

SPR 17023 (Mobilite Pole equipment)

SPR 17025 (Mixed use TI: Commercial 1st flr /Apartments 2nd fir)

SPR 17026 (4K sf addition to exist g warehouse)

SPR 17027 (REMODEL OFFICES)

SPR 17028 (TI for Doc's Deli in exist'g bidg.- no access to SR63)

SPR 17029 (8 MFR units)

SPR 17030 (Taco truck)

SPR 17031 (5 new SFR)

### Caltrans will route for COMMENTS:

SPR 17020 (Remodel for mini mart – access very close to SR 63)

SPR 17021 (Dinuba Retail commercial/residential mixed use)

SPR 17022 (Dinuba Retail commercial/residential mixed use)

SPR 17024 (Mobilite Pole equipment on SR 63)

Thanks,

### DAVID DEEL | 559,488,7396 | CALTRANS D6

From: Susan Currier [mailto:Susan.Currier@visalia.city]

Sent: Friday, February 10, 2017 4:26 PM

To: 'siteplan@lists.ci.visalia.ca.us' < siteplan@lists.ci.visalia.ca.us>

Subject: SPR Agenda for February 15, 2017

Good afternoon,

Please find the attached SPR Agenda for February 15, 2017.

Susan Currier

Planning Assistant

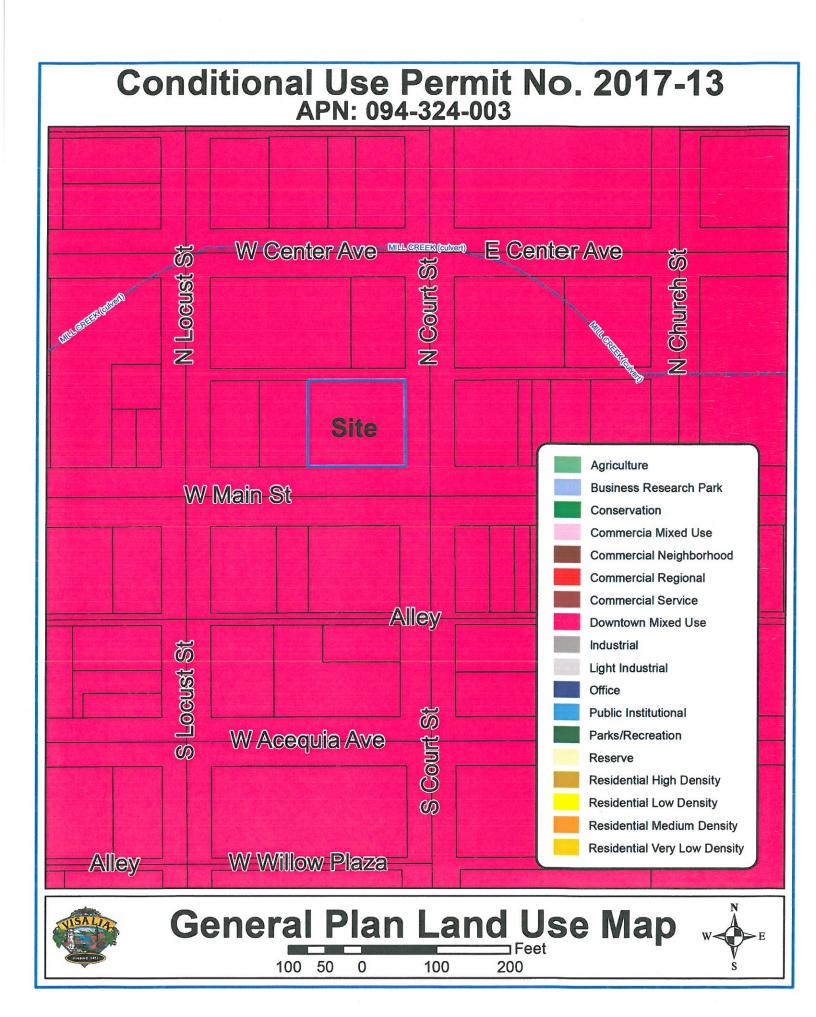
City of Visalia

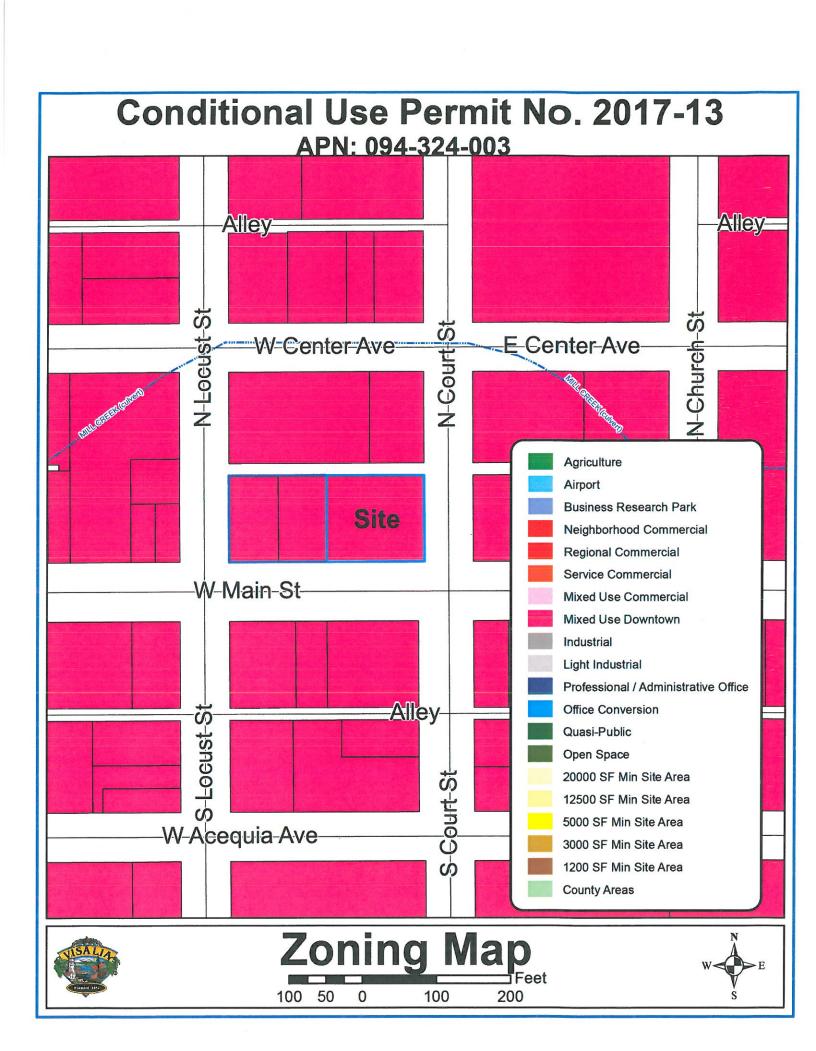
315 E. Acequia Ave.

Visalia, CA 93291

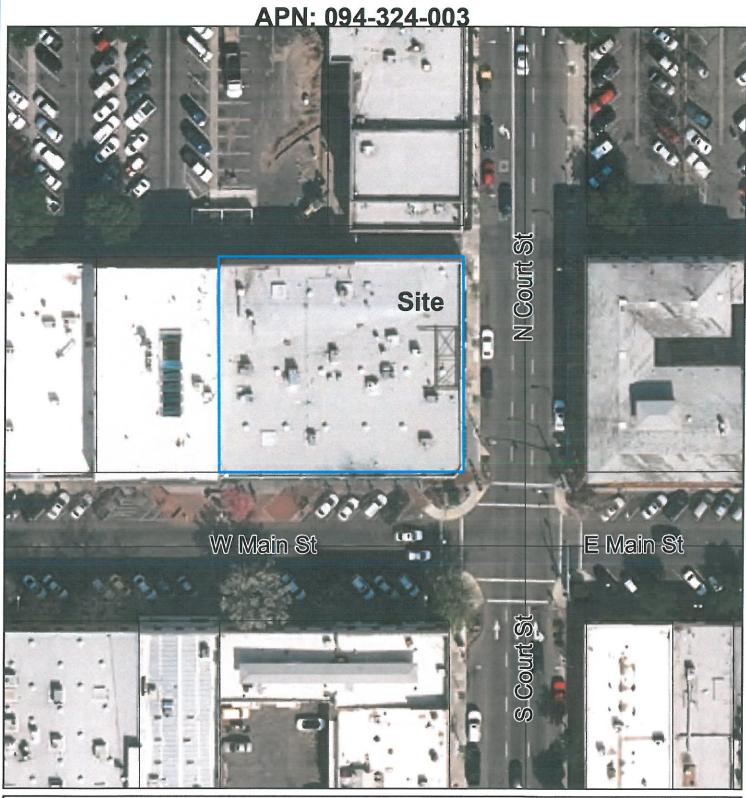
(559) 713-4436

Fax (559) 713-4813





# Conditional Use Permit No. 2017-13





# **Aerial Map**

Feet 30 15 0 30 60



