PLANNING COMMISSION AGENDA

CHAIRPERSON: Brett Taylor



VICE CHAIRPERSON: Liz Wynn

COMMISSIONERS: Brett Taylor, Liz Wynn, Chris Gomez, Marvin Hansen, Sarrah Peariso

MONDAY, SEPTEMBER 11, 2017, 7:00 PM REGULAR MEETING, 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.
 - Time Extension for Parcel Map No. 2013-02
 - Time Extension for Sol Road Estates Tentative Subdivision Map No. 5542
- 5. PUBLIC HEARING Andy Chamberlain Continued from the 08/14/2017 Public Hearing Variance No. 2017-16: A request by California Water Service Company to allow a variance to the maximum height limit in the rear yard of an R-1-5 (Single-family Residential) zoned property, for the installation of three water treatment tanks. The site is located at 1622 S. Demaree Street.(APN: 095-232-009) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-58.
- 6. PUBLIC HEARING Andy Chamberlain Continued from the 08/28/2017 Public Hearing Conditional Use Permit No. 2017-28: A request by the Roman Catholic Bishop of Fresno, Dennis Townsend, AIA Agent, to amend the master plan in Conditional Use Permit No. 2008-40, for the St. Charles Borromeo for the Good Shepherd Church, expanding the sanctuary and reconfiguring the parking and buildings on the site, in the QP (Quasi-Public) zone. The site is located at 5049 W. Caldwell Avenue. (APN: 119-070-071) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Categorical Exemption No. 2017-61.
- 7. PUBLIC HEARING Andy Chamberlain Variance No. 2017-20: A request by Frank Golden to exceed the 25% office area limit in the Industrial Zone, allowing a 45% office area totaling 2,346 sq. ft. of office in a 5,200 sq. ft. building, in the Industrial (I) Zone. The site is located at 9420 W. Perishing Avenue. (APN: 081-100-026). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305.

8. PUBLIC HEARING -

Conditional Use Permit No. 2017-27: A request by Vise Brewing Company, Inc. to allow a 3,650 square foot nano-brewery and taproom in the C-S (Service Commercial) zone. The project site is located at 210 S. Cain Street, Suites N & O, on the east side of Cain Street between Acequia and Mineral King Avenues.(APN: 098-120-017)The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2017-65.

9. PUBLIC HEARING -

- a. Tentative Parcel Map No. 2017-02: A request by Stephen Richey to subdivide a 33,026 square foot parcel into three parcels to facilitate future residential development on land in the R-1-5 (Single-family Residential, 5,000 square feet minimum lot size) Zone. The project site is located on the south side of Whitendale Avenue 250 feet west of Vintage Street. (APN: 122-240-087) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2017-66.
- b. Conditional Use Permit No. 2017-29: A request by Stephen Richey to establish a planned residential development containing a lot without public street frontage and a lot with less than standard street frontage on land in the R-1-5 (Single-family Residential, 5,000 square feet minimum lot size) Zone. The project site is located on the south side of Whitendale Avenue 250 feet west of Vintage Street. (APN: 122-240-087) The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2017-66.

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, SEPTEMBER 21, 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, SEPTEMBER 25, 2017

City of Visalia Memo

To:

Planning Commission

From: Paul Bernal, Principal Planner

Date:

September 11, 2017

Re:

Time Extension for Tentative Parcel Map No. 2013-02



RECOMMENDATION

Staff recommends that the Planning Commission approve a one-year time extension of Tentative Parcel Map No. 2013-02 set to expire on August 12, 2017.

BACKGROUND

On August 12, 2013 the Visalia Planning Commission approved the tentative parcel map which was a request to subdivide 0.81 acres into four parcels in the R-M-2 (Multi-Family Residential) zone. The 0.81 acre site is developed with an existing duplex and the parcel map would create addition parcels which are planned to be developed with multi-family units at a future date. The multi-family units are a permitted use. The site is located at 2324 South Linwood Street, on the southeast corner of South Linwood Street and West Mary Avenue (APN: 119-050-042).

Improvement plans were being prepared but have not been submitted to the City for review.

STATE LEGISLATURE TIME EXTENSIONS

The original expiration date for the Tentative Parcel Map was August 12, 2016, which is two years following the date of approval by the Planning Commission.

The parcel map expiration date was extended with the automatic based on the States legislation passage of AB116 which extended the map for an additional year. The State has not enacted any new legislation that would automatically extend maps. The applicant submitted the time extension request on July 21, 2017. The time extension was a timely filing. Staff waited to process the time extension due to the potential that the state would adopted new legislation to extend active maps.

REQUEST

The proponents of the Tentative Parcel Map have submitted a written request dated July 21, 2017, for a one year time extension. Time extensions may be granted pursuant to Section §66452.6 of the Subdivision Map Act. Time extensions may be granted pursuant to Section §66452.6 of the Subdivision Map Act for a maximum of three years. This would be the first time extension applied for under the Subdivision Map Act and the City's Subdivision Ordinance.

Staff recommends that a one-year time extension be granted at this time in keeping with the City's practice of recommending time extensions only one year at a time. This is also based on the off chance that the State legislature could introduce and ultimately approve another time extension bill before the end of the year. The extension request, if approved by the Planning Commission for one year, will extend the expiration date of Tentative Parcel Map No. 2013-02 from August 12, 2017, to August 12, 2018.

The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until the new expiration date to record a final parcel map or to file for another extension. If the request is denied, the applicant would have to re-file a new tentative parcel map application.

ATTACHMENTS

- 1. Letter of Request for the Time Extension
- 2. Approved Resolution No. 2013-35 for Parcel Map No. 2013-02
- 3. Tentative Parcel Map No. 2013-02
- 4. Location Map

FORESTER, WEBER & ASSOCIATES, LLC

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Board for Professional Engineers and Land Surveyors

1620 W. Mineral King Ave., Suite B Visalia CA 93291 Phone (559)732-0102 Facsimile (559)732-8479

July 21, 2017

City of Visalia Planning Division

Re: Parcel Map No. 2013-02 (APN 119-050-042)

Approved by the Planning Commission August 12, 2013 and will expire on August 12, 2017

after the automatic extension of two years by AB116

We respectfully request a one year extension of time to complete the required improvements, prior to recording the final map.

Attached is the fee of \$216.00 and copy of Planning Commission Resolution 2013-35.

Respectfully,

Dennis R. Forester

PLS 4076

RESOLUTION NO 2013-35

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING TENTATIVE PARCEL MAP NO. 2013-02, A REQUEST BY JESUS GUTIERREZ TO SUBDIVIDE AN EXISTING 0.81 ACRE PARCEL INTO FOUR PARCELS IN THE R-M-2 (MEDIUM DENSITY RESIDENTIAL) ZONE FOR PROPERTY LOCATED AT 2324 S. LINWOOD STREET, ON THE SOUTHEAST CORNER OF LINWOOD STREET AND MARY AVENUE (APN: 119-050-042)

WHEREAS, Tentative Parcel Map No. 2013-02 is a request by Jesus Gutierrez to subdivide an existing 0.81 acre parcel into four parcels in the R-M-2 (Medium Density Residential) zone for property located at 2324 S. Linwood Street, on the southeast corner of Linwood Street and Mary Avenue (APN: 119-050-042); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on August 12, 2013; and

WHEREAS, the Planning Commission of the City of Visalia finds the tentative parcel map in accordance with Section 16.28.070 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

NOW, THEREFORE, BE IT RESOLVED, that the project is considered Categorically Exempt under Section 15315 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) (Categorical Exemption No. 2013-57).

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

- 1. That the proposed tentative parcel map is consistent with the policies and intent of the General Plan, Zoning, and Subdivision Ordinances.
- 2. That the proposed tentative parcel map would be consistent with similar divisions of property in the Medium Density Residential zoning designation and compatible with adjacent residential land uses.
- 3. That the proposed tentative parcel map will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

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

- 1. That the project be developed consistent with the comments and conditions of the Site Plan Review No. 2012-208.
- 2. That the site be subdivided in substantial compliance with the tentative parcel map shown in Exhibit "A".
- 3. That a seven-foot high block wall be installed prior to recordation of the final map along the east and south property lines. The wall shall stop at the front setback on both street frontages, which is currently 15 feet from the front property line.
- 4. That all frontage improvements along proposed Parcel No. One shall be installed prior to the recordation of the final map, including any sidewalk, corner radius/ramp and any other identified improvements.
- 5. That the shed structure on the southeast corner of proposed Parcel No. One be removed prior to recordation of the final map.
- 6. That all frontage improvements (curb, gutter, and sidewalk) be included as a part of the building permit for proposed Parcels No. Two, Three, and Four.
- 7. That all applicable federal, state, regional, county and city laws, codes and ordinances be met.
- 8. 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 Tentative Parcel Map No. 2013-02.

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

AYES: Commissioners Salinas, Segrue, Peck, Soltesz

NOES:

ABSTAINED:

ABSENT: Taylor

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

ATTEST: Josh McDonnell, AICP Assistant Director / City Planner

I, Josh McDonnell, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2013-35, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on August 12, 2013.

Josh McDonnell, Assistant Director / City Planner

Adam Peck, Chairperson

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Map

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NO SCALE

TENTATIVE PARCEL MAP

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July 2013

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FORESTER, WEBER & ASSOCIATES, LLC. 1829 W. WHOMEN Rich As, Suite 8 Woods, Cefformer 833281

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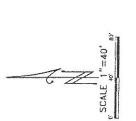
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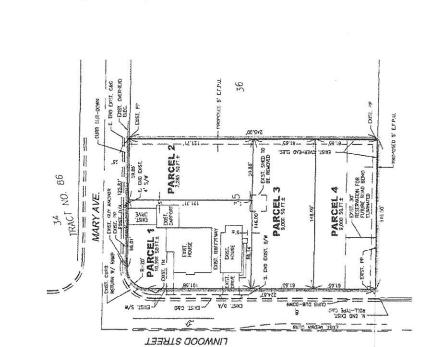
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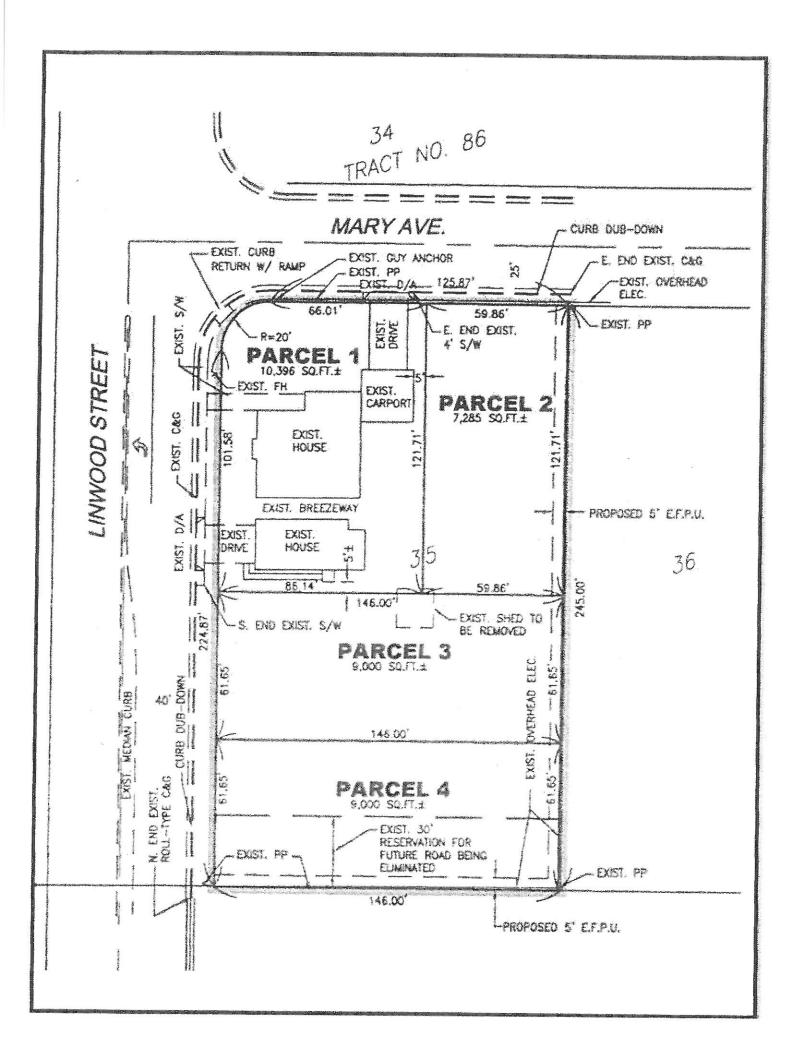
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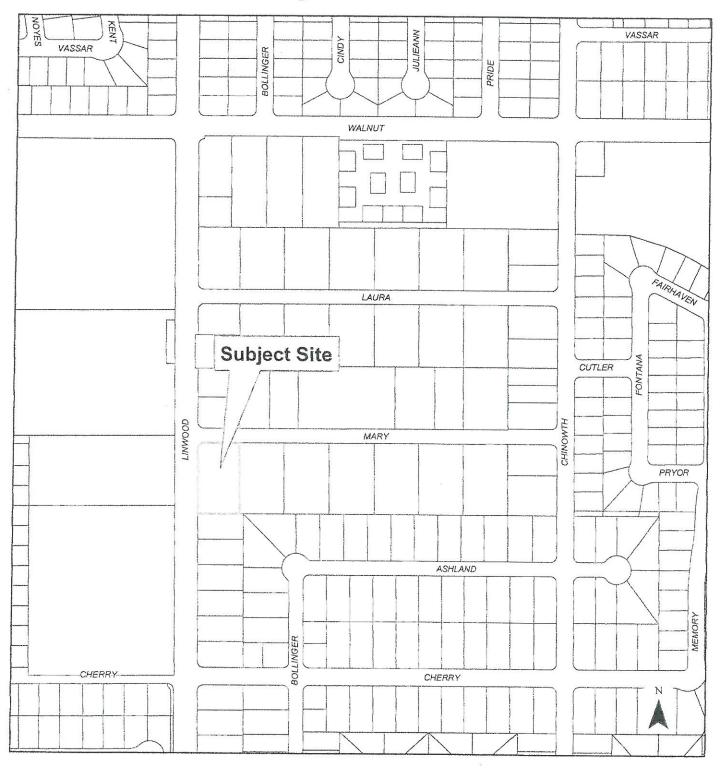


OWNERS:





City of Visalia



Location Map

TPM No. 2013-02

City of Visalia Memo

To: Planning Commission

From: Brandon Smith, Senior Planner

Date: September 11, 2017

Re: Time Extension for Sol Road Estates Tentative Subdivision Map No. 5542



Staff recommends that the Planning Commission approve a <u>one-year</u> time extension of Sol Road Estates Tentative Subdivision Map No. 5542, to expire on August 10, 2018.

BACKGROUND

On August 10, 2009, the Visalia Planning Commission approved the following entitlements:

- Sol Road Estates Tentative Subdivision Map No. 5542, approved through adoption of Resolution No. 2009-54, was a request by Jack and Karen Gould to subdivide 9.52 acres into 17 lots in the R-1-12.5 (Single-Family Residential) and R-A (Rural Residential) zones
- Conditional Use Permit No. 2009-32, approved through adoption of Resolution No. 2009-53, was a request by Jack and Karen Gould to create parcels less than one acre in the R-A (Rural Residential) zone.

The site is located on the northwest corner of Sol Road and Douglas Avenue. (APN: 103-120-019).

The most recent comprehensive General Plan and Zoning Ordinance Updates removed the Rural Residential designation from the property and zoned the entire site as R-1-12.5. As a result, <u>Conditional Use Permit No. 2009-32</u> is no longer necessary for the project since all of the subdivision's lots conform to the R-1-12.5 zoning standards (i.e. all lots conform to the minimum lot size of 12,500 square feet).

Improvement plans for this subdivision were submitted to the City for review earlier in 2017.

STATE LEGISLATURE TIME EXTENSIONS

The original expiration date for the Tentative Subdivision Map was August 10, 2011, two years following the date of approval by the Planning Commission.

This map along with all tentative map entitlements approved throughout the state remained in effect by a series of State legislative time extensions enacted between July 2008 and October 2015. The most recent State legislative bill enacting a 24-month time extension of tentative maps (Assembly Bill 1303) was approved on



October 10, 2015. Consequently, the expiration date for the Sol Road Estates Subdivision was ultimately extended to August 10, 2017.

If no further State legislation is enacted this year to extend the life of subdivision maps, then this map would expire. Rather than take a chance of waiting for another State legislative time extension to retroactively keep the subdivision alive, the project proponent has elected to file a formal time extension under the City's subdivision time extension provisions.

REQUEST

The proponents of the Tentative Subdivision Map have submitted a written request dated August 10, 2017 – the map's current expiration date – for a two-year time extension. Time extensions may be granted pursuant to Section §66452.6 of the Subdivision Map Act for a maximum of three years. This would be the first time extension applied for under this code for the Tentative Subdivision Map.

Staff recommends that a one-year time extension be granted at this time in keeping with the City's practice of recommending time extensions only one year at a time. This is also based on the off chance that the State legislature could introduce and ultimately approve another time extension bill before the end of the year. The extension request, if approved by the Planning Commission for one year, will extend the expiration date of the Tentative Subdivision Map from August 10, 2017, to August 10, 2018.

The Planning Commission has the authority to approve or deny this request. If the request is approved, the applicant would have until the new expiration date to record a final subdivision maps or to file for another extension. If the request is denied, the applicant would have to re-file a new tentative subdivision map application for any phases or lots that are not finaled prior to expiration.

ATTACHMENTS

- 1. Letter of Request for the Time Extension
- 2. Approved Resolution No. 2009-54 for Subdivision Map No. 5542
- 3. Tentative Subdivision Map Site Plan
- 4. Location Map

FORESTER, WEBER & ASSOCIATES, LLC

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RECEIVED

Board for Professional Engineers and Land Surveyors

AUG 1 0 2017

Visalia CA 93291 Phone (559)732-0102 Facsimile (559)732-8479

COMM. DEVELOP. CITY OF VISALIA

August 10, 2017

City of Visalia Planning Division

Re:

Sol Road Estates

TSM 5542

This map was approved August 10, 2009, the final map has not been recorded. The final map and engineering plans are going through the plan check phase at this time.

We hereby request a 24 month extension of time to complete this process.

Enclosed herewith is a check in the amount of \$216.00 made payable to the City of Visalia.

Respectfully.

Dennis R. Forester

PLS 4076

cc: Jack Gould

RESOLUTION NO. 2009-54

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING SOL ROAD ESTATES TENTATIVE SUBDIVISION MAP No. 5542, TO SUBDIVIDE 9.52 ACRES OF LAND INTO 17 SINGLE FAMILY RESIDENTIAL LOTS, FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF SOL ROAD AND DOUGLAS AVENUE FOR JACK AND KAREN GOULD.

WHEREAS, a subdivision application was filed by Jack and Karen Gould to subdivide 9.52 acres into 17 lots in the R-1-12.5 (Single Family Residential) and RA (Rural Residential) zones, for property located on the northwest corner of Sol Road and Douglas Avenue; APN: 103-120-019, City of Visalia; and

WHEREAS, the Planning Commission of the City of Visalia, after twenty-one (21) days published notice did hold a public hearing before said Commission on August 10, 2009; and

WHEREAS, the Planning Commission of the City of Visalia finds the subdivision in accordance with Section 16.16.110 of the Ordinance Code of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, an Initial Study was prepared which disclosed that no significant environmental impacts would result from this project, and no mitigation measures would be required.

NOW, THEREFORE, BE IT RESOLVED that Negative Declaration No. 2009-70 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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

- 1. That the proposed tentative subdivision map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
- 2. That the proposed tentative subdivision map would be compatible with adjacent land uses.
- 3. That the proposed location of the tentative subdivision map and the conditions under which it would be built or maintained will not be detrimental to the public health, safety, or welfare nor materially injurious to properties or improvements in the vicinity.
- 4. That as an option, Sol Road may be developed with City of Visalia rural residential street standards subject to Engineering Department review and approval through the improvement plans. Sol Road north and south of the project site is currently

developed to a Rural Residential standard, and is designated Rural Residential by the General Plan, and has current residential development which does not include any current or future plans to install curb, gutter and sidewalk. The use of the Rural Residential street standards along Sol Road is consistent with the purposes and intent of the Zoning Ordinance and General Plan in providing appropriate land use transitions and would not be detrimental to the public health, safety, or welfare nor materially injurious to properties or improvements in the vicinity.

- 5. That pursuant to Zoning Ordinance Section 17.06.040, that the Planning Commission does find the realignment of the zone line between the RA and R-1-12.5 properties, to the west side of proposed Parcels One through Five, to be consistent with the purposes and intent of the Zoning Ordinance, wherein the parcels would not be split zoned. This shall only apply if the final map is recorded as provided in Exhibit "A".
- 6. That the project be considered in compliance with the California Environmental Quality Act (CEQA) as per the Initial Study and Negative Declaration prepared for this project (Negative Declaration No. 2009-70).

BE IT FURTHER RESOLVED that the Planning Commission approves the subdivision on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 16.16.110 of the Ordinance Code of the City of Visalia and subject to the following conditions:

- 1. That the final map be developed in substantial compliance with the tentative subdivision map shown in Exhibit "A".
- 2. That the subdivision map be developed consistent with the comments and conditions of Site Plan Review No. 2008-197.
- 3. That Conditional Use Permit No. 2009-32 is approved.
- 4. That all other City Codes and Ordinances shall apply.
- 5. 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 Sol Road Estates Tentative Subdivision Map No. 5542, prior to the issuance of any building permits for this project.

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

AYES:

Commissioners Salinas, Peck, Soltesz

NOES:

Commissioners Lane, Segrue

ABSTAINED:

ABSENT:

STATE OF CALIFORNIA) COUNTY OF TULARE) ss

CITY OF VISALIA

ATTEST: Fred Brusuelas, AICP Community Development Assistant Director

I, Fred Brusuelas, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2009-54, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on August 10, 2009.

Fred Brusuelas, AICP

Community Development Assistant Director

Lawrence Segrue, Chairperson

