

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

MONDAY, MAY 23, 2022

VISALIA COUNCIL CHAMBERS

LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA

MEETING TIME: 7:00 PM

1. CALL TO ORDER –
2. THE PLEDGE OF ALLEGIANCE –
3. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda.

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.
4. CHANGES OR COMMENTS TO THE AGENDA –
5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - a. Time Extension Request for Rose Estates Tentative Subdivision Map No. 5567
6. PUBLIC HEARING (Continued from April 25, 2022) – Josh Dan, Associate Planner
 - a. General Plan Amendment No. 2021-10: A request by Ming Lu Jin to change the land use designation of a 15,261 square foot parcel from Low Density Residential (RLD) to Commercial Mixed Use (CMU). The project is located on the northeast corner of South Mooney Boulevard and West Meadow Avenue. Address: 914 South Mooney Boulevard. (APNs: 096-023-023 & 096-023-031). The project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2021-05.

- b. Change of Zone No. 2021-12: A request by Ming Lu Jin to change the zoning designation of a 15,261 square foot parcel from R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) to C-MU (Mixed Use Commercial). The project is located on the northeast corner of South Mooney Boulevard and West Meadow Avenue. Address: 914 South Mooney Boulevard. (APNs: 096-023-023 & 096-023-031). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2021-05.
- c. Variance No. 2021-05: A request by Ming Lu Jin for encroachment of the southwest corner of the building into the 10-foot street side yard setback along Meadow Avenue and the trash enclosure to be placed within the 15-foot rear yard setback. The project is located on the northeast corner of South Mooney Boulevard and West Meadow Avenue. Address: 914 South Mooney Boulevard. (APNs: 096-023-023 & 096-023-031). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2021-05.

7. PUBLIC HEARING – Josh Dan, Associate Planner

Conditional Use Permit No. 2022-09: A request by JH Real Estate Partners Inc. to allow a 234 unit, two- and three-story apartment complex on two parcels measuring 15.7 acres, which are zoned R-M-2 (Multi-Family Residential, one unit per 3,000 square feet). The project is located on the northeast corner of North Court Street and East Riggan Avenue. (Address not assigned) (APNs: 079-310-004 & 079-310-005).

8. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. The Joint City Council and Planning Commission meeting set for June 13, 2022, at the Visalia Convention Center (dinner at 5:00 pm, meeting starts at 6:00 pm).
- b. Housing Element Update
- c. Planning Commission Reappointments

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS THURSDAY, JUNE 2, 2022, BEFORE 5 PM

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93291. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, JUNE 27, 2022

City of Visalia

Memo



To: Planning Commission

From: Brandon Smith, Principal Planner

Date: May 23, 2022

Re: Time Extension for Rose Estates Tentative Subdivision Map No. 5567

RECOMMENDATION:

Staff recommends that the Planning Commission approve a one-year time extension of Rose Estates Tentative Subdivision Map No. 5567, extending the expiration date to May 29, 2023, pursuant to Section §66452.6(e) of the Subdivision Map Act.

BACKGROUND:

On May 29, 2018, the Visalia Planning Commission approved Rose Estates Tentative Subdivision Map No. 5567 through adoption of Resolution No. 2018-17. The tentative subdivision map was a request to subdivide 2.98 acres into six numbered lots for residential use and two lettered lots in the R-1-5 (Single-Family Residential, minimum 5,000 square foot lot size) zone. The site is located on the northwest corner of Walnut Avenue and Roeben Street (APN: 087-442-008).

The original expiration date for the tentative subdivision map was May 29, 2020, two years from the date of approval by the Planning Commission. The Commission approved one-year time extensions for the subdivision on June 8, 2020 and on June 14, 2021. [It should be noted that Assembly Bill No. 1561, passed on September 28, 2020, did not authorize this subdivision to an automatic 18-month extension due to a time extension that was previously passed for this subdivision on or after March 4, 2020 and before the effective date of the assembly bill.]

REQUEST:

The proponents of the Tentative Subdivision Map have submitted a written request received by the City of Visalia on May 13, 2022 for a one-year time extension. Time extensions may be granted pursuant to Section §66452.6(e) of the Subdivision Map Act for a total period not exceeding six years. This would be the third time extension applied for and the fifth year overall under this code for the Tentative Subdivision Map.

Staff recommends that the one-year time extension be granted at this time in keeping with the City's practice of recommending time extensions. The extension request, if approved by the Planning Commission, will extend the expiration date of the Tentative Subdivision Map from May 29, 2022 to May 29, 2023.

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, May 29,

2023, to record a final subdivision map. If the request is denied, the applicant would have to re-file a new tentative subdivision map.

ATTACHMENTS

- Letter of Request for the Time Extension
- Resolution No. 2018-17
- Tentative Subdivision Map
- Location Map

May 12, 2022

Attention: Brandon Smith

RE: APN 087-442-008
6- Lot Subdivision- Rose Estates
2- Lettered Lots

To Whom It May Concern,

We are hereby requesting a time extension for the above referenced Tentative Map.
Enclosed is our payment of \$239.00 for the filing fee.

Thank you,

A handwritten signature in blue ink, appearing to read "Ron Vander Weerd".

Ron Vander Weerd
ronvanderweerd@yahoo.com
(559) 805-4101



City of Visalia
 315 E Acequia
 PO Box 4002
 Visalia CA 93278-4002

RECEIPT

DATE OF PAYMENT
 5/13/2022 9:49:25AM

Receipt Number : 606077

Application: **TPM22-003** TENTATIVE MAP EXTENSION
 Address:
 Parcel: 087442008
 Subdivision: PARCEL MAP 737
 Type: Tentative Parcel Map

Work Description: TENTATIVE MAP EXTENSION LOT SUBDIVISION - ROSE ESTATES

<u>INVOICE NBR</u>	<u>FEE CODE</u>	<u>FEE DESCRIPTION</u>	<u>FEE QUANTITY</u>	<u>AMOUNT</u>	<u>PAYMENT METHOD</u>
404147	1526-1	Time Extension	1	239.00	Check
	Acct. Code: 1821-46526		CASHIER: MDSHAR		14774

PAYOR: VANDER WEERD GENERAL CONSTRUCTION INC

TOTAL PAID: **239.00**

RESOLUTION NO 2018-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING THE ROSE TENTATIVE SUBDIVISION MAP NO. 5567 A REQUEST TO SUBDIVIDE 2.98 ACRES INTO SIX NUMBERED LOTS AND TWO LETTERED LOTS. LOCATED WITHIN THE R-1-5 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 5,000 SQUARE FOOT LOT SIZE) ZONE. THE PROJECT SITE IS LOCATED ON THE NORTHWEST CORNER OF ROEBEN STREET AND WALNUT AVENUE (APN: 087-442-008).

WHEREAS, the Rose Tentative Subdivision Map No. 5567 is a request to subdivide 2.98 acres into six numbered lots and two lettered lots, located within the R-1-5 (Single-family Residential, minimum 5,000 square foot lot size) Zone District. The project site is located on the northwest corner of Roeben Street and Walnut Avenue (APN: 087-442-008); and,

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice held a public hearing before said Commission on May 29, 2018; and,

WHEREAS, the Planning Commission of the City of Visalia finds the tentative subdivision map in accordance with Section 16.16 of the Subdivision Ordinance of the City of Visalia, based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the Planning Commission finds that the project is categorically exempt under CEQA Guidelines section 15332 (In-fill Project).

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

1. That the proposed location and layout of the Rose Estates Tentative Subdivision Map No. 5567, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. The 2.98-acre project site, which is the site of the proposed six lot residential subdivision, is specifically consistent with General Plan Land Use policies related to efficient land use absorption (Policy LU-P-19, LU-P-45).
2. That the proposed Rose Estates Tentative Subdivision Map No. 5567, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. That the proposed tentative subdivision map would be compatible with adjacent land uses. The project site is bordered by existing residential development.

3. That the site is physically suitable for the proposed tentative subdivision map. The Rose Estates Tentative Subdivision Map No. 5567 is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
4. That the site is physically suitable for the proposed tentative subdivision map and the project's density, which is consistent with the underlying Low Density Residential General Plan Land Use Designation. The proposed location and layout of the Rose Estates Tentative Subdivision Map No. 5567, its improvement and design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance. Specifically, the project meets the development density range (2 to 10 dwelling units per acre) for the RLD (Residential Low Density) Land Use designation.
5. That the proposed Rose Estates Tentative Subdivision Map No. 5567, design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. The six-lot subdivision is designed to comply with the City's Engineering Improvement Standards.
6. That the project is Categorically Exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15332 (In-fill Projects).

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

1. The tentative subdivision map shall be prepared in substantial compliance with Exhibit "A".
2. That the tentative subdivision map shall be developed consistent with the comments and conditions of Site Plan Review No. 2018-031, incorporated herein by reference.
3. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the California Water Service Company.
4. That all other federal and state laws and city codes and ordinances be complied with.
5. Before issuance of the first building permit on the project site, the project proponent shall, at their sole expense and wholly within their property boundaries, install a seven-foot tall solid fence that extends from the northwest property corner to the perimeter wall located generally at the northeast property corner. Said fence shall be treated with an anti-graffiti finish.
6. Prior to recordation of the final map, the project proponent shall prepare a buyers disclosure statement, in a form suitable to the Community Development Director or their representative. Said disclosure statement shall advise buyers that farm animals

are permitted by right in the R-1-20 Zone District, and that animal raising in the R-1-5 Zone District is limited to household pets, pursuant to Visalia Municipal Code sections 17.12.015 I., O., and P.

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

AYES: Commissioners Gomez, Peariso, Wynn, Taylor
NOES:
ABSTAINED:
ABSENT: Commissioners Hansen

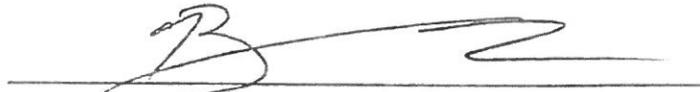
STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Paul Bernal, City Planner

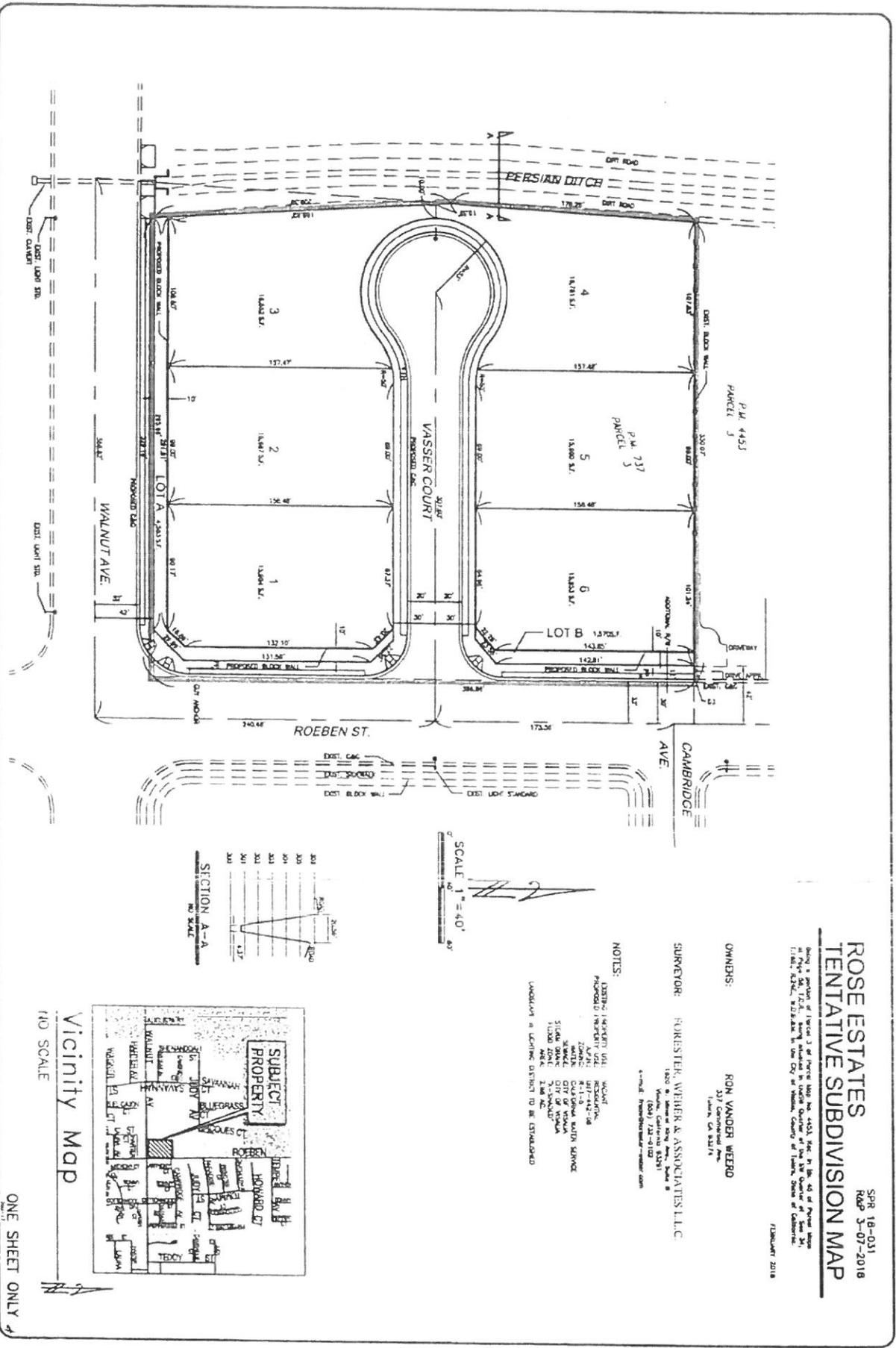
I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2018-17, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on May 29, 2018.



Paul Bernal



Brett Taylor, Chairperson



SRP 19-031
 RHP 3-07-2018
**ROSE ESTATES
 TENTATIVE SUBDIVISION MAP**
 Being a portion of Parcel 3 of Parcel Map No. 1424, State of California, Parcel Map No. 1424, as shown on the map of the City of Walnut, County of Tuolumne, State of California, filed for record in the Office of the County Clerk of Tuolumne County, California, on 11/16/2017.

FEBRUARY 2018

OWNERS:
 RON VANDER WEERD
 327 Commercial Ave.
 Turlock, CA 95237

SUPERVISOR: FORESTER, WEBER & ASSOCIATES, L.L.C.
 1800 W. Main Street, Suite 100
 Turlock, CA 95231
 (530) 722-0100
 f-w@foresterwebber.com

NOTES:
 EXISTING PROPERTY LINES SHOWN
 PROPERTY LINES SHOWN
 ZONING: R-1.5
 JURISDICTION: CITY OF WALNUT
 STATE ENGINEER: CITY OF WALNUT
 1500 STATE ST., SUITE 200
 WALNUT, CA 95786
 UNDEVELOPED ACREAGE DISTRICT TO BE ESTABLISHED

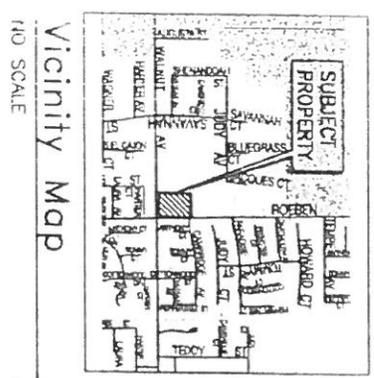
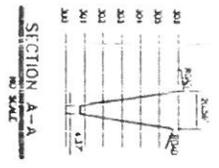
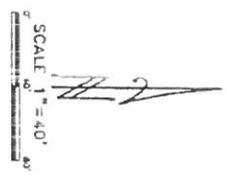
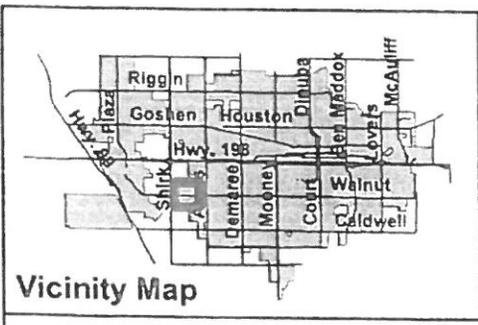
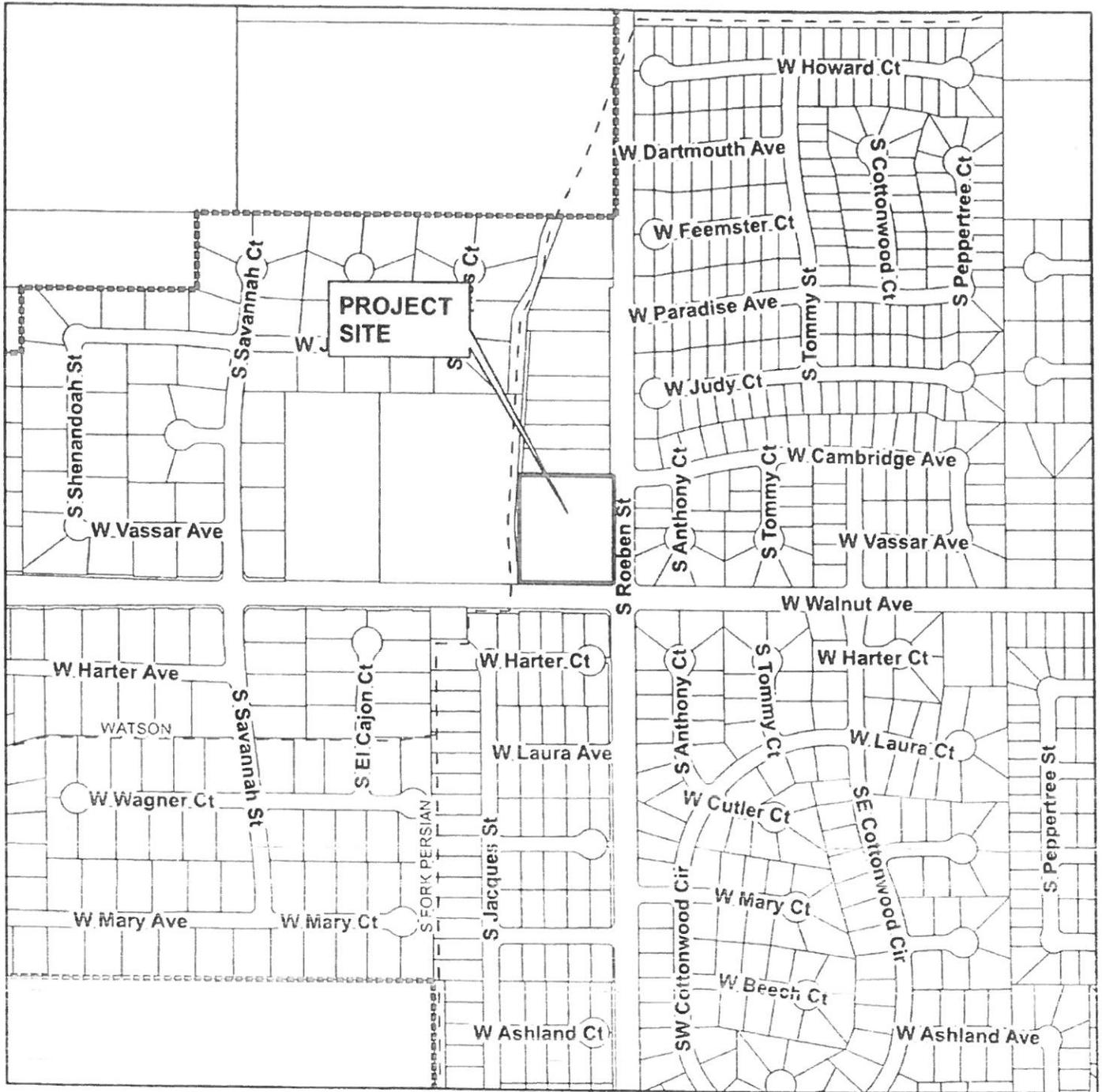
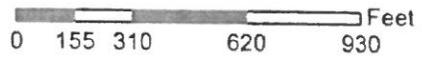


EXHIBIT "A"

TSM 5567 Rose Estates



Vicinity Map



— WATERWAYS
 — RAILROADS