PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

MONDAY, NOVEMBER 14, 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 -
- 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.
 - No items on the Consent Calendar
- 6. PUBLIC HEARING (Continued from October 24, 2022) Josh Dan, Associate Planner Conditional Use Permit No. 2022-20: A request by Robert Gaalswyk to construct a new 22,500 square foot building for use as a retail gun store and indoor shooting range facility within the Village at Willow Creek Specific Plan, located in the C-MU (Mixed Use Commercial) zone. The property is located on the southside of West Flagstaff Avenue between North Demaree Street and North Leila Street. (Address: not yet assigned) (APN: 078-210-023). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Categorical Exemption No. 2022-47.

7. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2021-21: A request by Scott A. Mommer Consulting to establish a Fastrip convenience store and gasoline service station with a drive-thru lane in the C-MU (Mixed-Use Commercial) Zone. The project site is located at 2800 S. Mooney Boulevard, on the southeast corner of West Whitendale Avenue and South Mooney Boulevard (APN: 122-320-078). An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA), which disclosed that environmental impacts are determined to be not significant and that Negative Declaration No. 2021-09 (State Clearinghouse # 2022100244) be adopted.

8. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2022-17: A request by Merlie Em Bui to establish a medical spa providing aesthetic services, in the O-C (Office Conversion) Zone. The project site is located at 523 West Noble Avenue (APN: 096-142-017). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-37.

9. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2022-26: A request by Felimon Carrasco to convert a 1,368 square foot vacant office into a single-family residence located in the D-MU (Downtown Mixed Use) Zone. The project site is located at 216 East School Avenue (APN: 094-272-007). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-56.

10. PUBLIC HEARING – Cristobal Carrillo, Associate Planner

Conditional Use Permit No. 2022-27: A request by Moose Dog Brewing, LLC to operate a tap room within an existing brewery, located in the I (Industrial) Zone. The site is located at 9626 West Nicholas Avenue, Unit #102 (APN: 081-130-045). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-59.

11. PUBLIC HEARING – Paul Bernal, Community Development Director

Tentative Parcel Map No. 2022-06: A request by QK, Inc. to subdivide an existing 10,000 square foot parcel that conforms to an office building footprint into two commercial condominium spaces and a common area for condominium purposes in the O-PA (Office / Administrative Professional) Zone. The project site is located at 3924 and 3928 West Caldwell Avenue. (APN: 119-420-052). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k), Categorical Exemption No. 2022-57.

Conditional Use Permit No. 2022-28: A request by Kevin Saltzman to facilitate Tentative Parcel Map No. 2022-06 by creating two commercial condominium spaces and a common area with no public street access, and a parcel with less than the minimum five (5) acre size requirement in the O-PA (Office / Administrative Professional) Zone District. The project site is located at 3924 and 3928 West Caldwell Avenue. (APN: 119-420-052). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(k), Categorical Exemption No. 2022-57.

- 12. CITY PLANNER/ PLANNING COMMISSION DISCUSSION
 - a. The next Planning Commission meeting is December 12, 2022.

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 Hall Office, 315 E. Acequia Avenue, Visalia, CA 93291, during normal business hours.

APPEAL PROCEDURE

THE LAST DAY TO FILE AN APPEAL IS MONDAY, NOVEMBER 28, 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 <u>www.visalia.city</u> or from the City Clerk.

THE NEXT REGULAR MEETING WILL BE HELD ON DECEMBER 12, 2022

RE HEA PRO

REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: November 14, 2022

PROJECT PLANNER: Cristobal Carrillo, Associate Planner Phone, (559) 713-4449 E-mail: cristobal.carrillo@visalia.city

SUBJECT: Conditional Use Permit No. 2022-26: A request by Felimon Carrasco to convert a 1,368 square foot vacant office into a single-family residence, located within the D-MU (Downtown Mixed Use) Zone. The project site is located at 216 East School Avenue (APN: 094-272-007).

STAFF RECOMMENDATION

The Historic Preservation Advisory Committee (HPAC) and staff recommend approval of Conditional Use Permit No. 2022-26 based upon the findings and conditions in Resolution No. 2022-55. The recommendation is based on the project's consistency with the policies of the City's General Plan and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2022-26 based on the findings and conditions in Resolution No. 2022-55.

PROJECT DESCRIPTION

The applicant proposes to establish a residential use in an existing office space, which was used for commercial purposes in 2016 by Sacred Mountain Massage. The building has remained vacant since that time. Per the operational statement in Exhibit "D", the office space will be converted into a residence for the property owner to live in and/or rent on a short-term or long-term basis. The Site Plan in Exhibit "A" and Building Elevations in Exhibit "C" indicate that there will be no physical alterations to the structure, which currently contains "log cabin" architectural elements. The floor plan in Exhibit "B" indicates that the proposed residence will contain three bedrooms, a living area, kitchen area, and two bathrooms.

The project site Is located within the Historic District and the structure is not listed on the Local Register of Historic Structures. Based on the sites location within the Historic District, review of the Conditional Use Permit proposal is required by the Historic Preservation Advisory Committee (HPAC). The HPAC reviewed the proposal on September 28, 2022, and determined that the proposal was consistent with the Historic Preservation Element and Ordinance. An approval letter was issued providing conditions and recommending approval of the Conditional Use Permit request to the Visalia Planning Commission. The HPAC approval is included as Exhibit "E".

BACKGROUND INFORMATION

General Plan Land Use Designation	Downtown Mixed Use	
Zoning	D-MU (Downtown Mixed Use)	
Surrounding Land Use and Zoning	North:	D-MU (Downtown Mixed Use) / Commercial and single-family residential uses.
	South:	D-MU (Downtown Mixed Use) / Commercial and single-family residential uses.

	East:	D-MU (Downtown Mixed Use) Multi-family residential uses
	West:	D-MU (Downtown Mixed Use) / Commercial and single-family residential uses.
Environmental Review:	Categorical Exemption No. 2022-56	
Special Districts	Historic	District
Site Plan	Site Pla	n Review No. 2022-144

RELATED PROJECTS

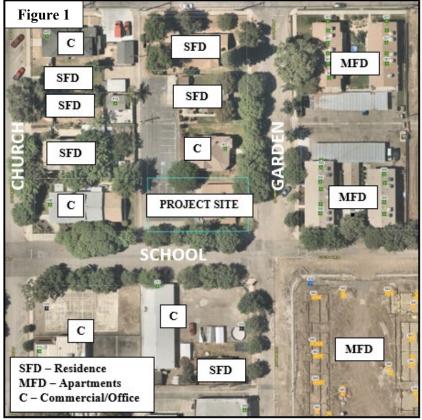
Historic Preservation Advisory Committee Item No. 2022-17: A Conditional Use Permit request by Felimon Carrasco to establish a single-family residence in the Historic District, located at 216 East School Avenue. At its September 28, 2022, meeting the HPAC determined that the proposal would not be detrimental to the historic nature of the structure, and was consistent with the Historic Preservation Element and Ordinance, due to the lack of physical alterations proposed. The Committee subsequently recommended approval of the Conditional Use Permit to the Visalia Planning Commission. Conditions applied by the HPAC can be viewed in Exhibit "E" and are included as CUP Condition of Approval No. 3.

PROJECT EVALUATION

Land Use Compatibility

Residential units are "conditionally permitted" for use in the D-MU Zone, requiring approval of a Permit. Conditional Use The surrounding area consists primarily of office and residential uses, with single-family residences within close proximity to the project site (see Figure 1). Multifamilv apartments are also located immediately to the east. Given the above, the residential use of the site is considered compatible with the surrounding area.

Potential impacts from the permanent or short-term rental of the structure to tenants in and of itself is not expected to negatively affect neighboring uses or the historic character of the home and Historic District. Apartments and other single-family homes that serve as rental properties have



historically functioned in congruence with other uses in the neighborhood. The City allows for short-term rentals in residential zones, so long as the property owner obtains a Business License to conduct the use.

Parking

The site currently contains five parking stalls. This is sufficient for a typical office use within a commercial zone. For residential uses, the Visalia Municipal Code (VMC) requires two parking stalls per unit, one of which must be covered by a carport or garage (VMC Sec. 17.34.020.A.1). All five existing stalls are open and contain no physical coverage.

However, the VMC provides relief in this regard. Per VMC Sections 17.34.090 and 17.40.030 an existing use of land <u>or structure</u> shall not be deemed to be a nonconforming use solely because of the lack of off-street parking facilities, so long as existing off-street parking is not reduced in size. As such, the lack of covered parking does not in and of itself designate the site as nonconforming. Since the applicant proposes keeping all five existing parking stalls, the use is considered in compliance with the requirements of the VMC. The project site's location within a commercial district means that the lack of covered parking onsite increases compatibility with the surrounding commercial uses, which do not contain covered parking stalls. Despite the lack of covered parking, the five parking stalls located onsite are sufficient to support any future occupants and their guests.

Conversely, because of the discretionary nature of the request, the Planning Commission can require the inclusion of a covered parking stall. Please note that any change to the parking field will require review and approval by the Historic Preservation Advisory Committee for any new structure onsite.

Environmental Review

The requested action is considered Categorically Exempt under Section 15301, Existing Facilities, of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA). (Categorical Exemption No. 2022-56)

RECOMMENDED FINDINGS

- 1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
 - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- 3. That the requested action is Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), (Categorical Exemption No. 2022-56).

RECOMMENDED CONDITIONS OF APPROVAL

- 1. That the site shall be developed in substantial compliance with the comments and conditions of Site Plan Review No. 2022-144.
- 2. That the project be developed consistent with the site plan in Exhibits "A", floor plan in Exhibit "B", building elevations in Exhibit "C", and operational statement in Exhibit "D".
- 3. That the applicant shall comply with all conditions of Exhibit "E", the September 28, 2022, Approval Letter for Historic Preservation Advisory Committee Item No. 2022-17.
- 4. That all other federal, state and city codes, ordinances and laws be met.

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, 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 <u>www.ci.visalia.ca.us</u> or from the city clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2022-55
- Exhibit "A" Site Plan
- Exhibit "B" Floor Plan
- Exhibit "C" Building Elevations
- Exhibit "D" Operational Statement
- Exhibit "E" Historic Preservation Advisory Committee Item No. 2022-17, June 9, 2021 Approval Letter
- Categorical Exemption No. 2022-56
- Site Plan Review No. 2022-144 Comments
- General Land Use Map
- Zoning Map
- Aerial Map
- Vicinity Map
- Historic District and Local Register Map

RELATED PLANS AND POLICIES

Conditional Use Permits

(Section 17.38)

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. (Prior code § 7525)

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.
- 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. (Prior code § 7526)

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 which 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. (Ord. 2001-13 § 4 (part), 2001: prior code § 7527)

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. (Prior code § 7528)

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. (Prior code § 7530)

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 which was the subject of the permit application subject to the provisions of Section 17.38.065. (Prior code § 7531)

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.

C. The applicant may appeal an administrative decision to the planning commission. (Ord. 9605 § 30 (part), 1996: prior code § 7532)

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 which is the subject of the hearing, and by publication in a newspaper of general circulation within the city. (Prior code § 7533)

17.38.090 Investigation and report.

The planning staff shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the planning commission. (Prior code § 7534)

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. (Prior code § 7535)

17.38.110 Action by planning commission.

- A. The planning commission may grant an application for a conditional use permit as requested or in modified form, if, on the basis of the application and the evidence submitted, the commission makes the following findings:
- 1. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the zone in which the site is located;
- 2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.
- B. A conditional use permit may be revocable, may be granted for a limited time period, or may be granted subject to such conditions as the commission may prescribe. The commission may grant conditional approval for a permit subject to the effective date of a change of zone or other ordinance amendment.
- C. The commission may deny an application for a conditional use permit. (Prior code § 7536)\

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. (Prior code § 7537) (Ord. 2006-18 § 6, 2007)

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 upon the sixth working day following the granting of the conditional use permit by the planning commission if no appeal has been filed. (Prior code § 7539)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2022-26, A REQUEST BY FELIMON CARRASCO TO CONVERT A 1,368 SQUARE FOOT OFFICE INTO A SINGLE-FAMILY RESIDENCE, LOCATED WITHIN THE D-MU (DOWNTOWN MIXED USE) ZONE. THE PROJECT SITE IS LOCATED AT 216 EAST SCHOOL AVENUE (APN: 094-272-007)

WHEREAS, Conditional Use Permit No. 2022-26 is a request by Felimon Carrasco to convert a 1,368 square foot vacant office into a single-family residence, located within the D-MU (Downtown Mixed Use) Zone. The project site is located at 216 East School Avenue (APN: 094-272-007); and

WHEREAS, the Historic Preservation Advisory Committee of the City of Visalia, after duly published notice, held a public hearing before said Committee on September 28, 2022; and

WHEREAS, the Historic Preservation Advisory Committee of the City of Visalia considered the Conditional Use Permit in accordance with Section 17.56.050.B of the Zoning Ordinance of the City of Visalia, and based on evidence contained in the staff report and testimony presented at the public hearing, recommended approval of the Conditional Use Permit to the Visalia Planning Commission, via approval of Historic Preservation Advisory Committee Item No. 2022-17; and,

WHEREAS, after published notice, a public hearing was held before the Planning Commission on November 14, 2022; and

WHEREAS, the Planning Commission of the City of Visalia finds the Conditional Use Permit to be in accordance with Chapter 17.38.110 of the Zoning Ordinance of the City of Visalia based on the evidence contained in the staff report and testimony presented at the public hearing; and

WHEREAS, the 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.

- b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- 4. That the requested action is Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), (Categorical Exemption No. 2022-56).

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 site shall be developed in substantial compliance with the comments and conditions of Site Plan Review No. 2022-144.
- 2. That the project be developed consistent with the site plan in Exhibits "A", floor plan in Exhibit "B", building elevations in Exhibit "C", and operational statement in Exhibit "D".
- 3. That the applicant shall comply with all conditions of Exhibit "E", the September 28, 2022 Approval Letter for Historic Preservation Advisory Committee Item No. 2022-17.
- 4. That all other federal, state and city codes, ordinances and laws be met.

EXHIBIT "A"

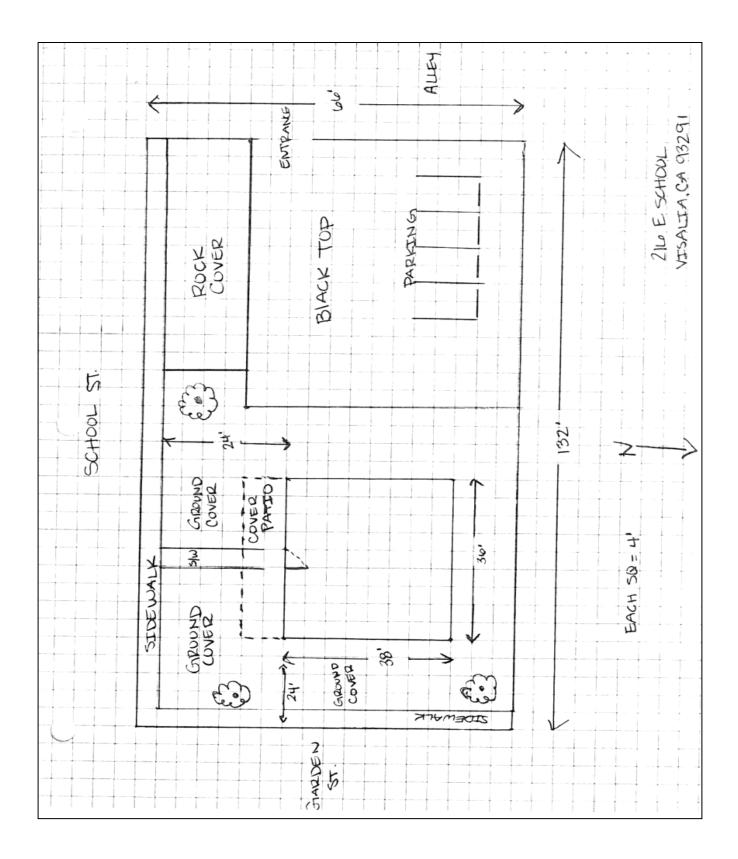


EXHIBIT "B"

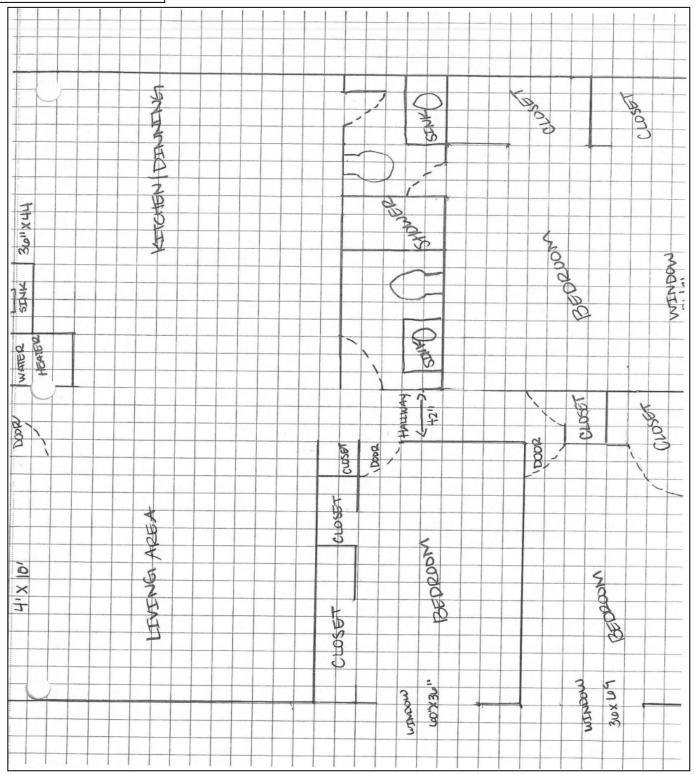


EXHIBIT "C"



NORTH



WEST



SOUTH



EAST



10/19/2022

Conditional USE Permit

Operational Statement:

I will be using the home as a rental. Either long term or short term with the Possibility of also using as a personal resident.

There is a demand for housing near downtown due to restaurant. Shopping, entertainment being near by,

Felimon Carrasco

EXHIBIT "E"

City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



Planning Division

Tel: (559) 713-4359; Fax: (559) 713-4814

October 14, 2022

Felimon Carrasco 1119 East Tulare Avenue Visalia, CA 93292

RE: Historic Preservation Advisory Committee Item No. 2022-17 (216 East School Avenue)

On September 28, 2022, the Historic Preservation Advisory Committee (HPAC) reviewed your request for a Conditional Use Permit to establish a single-family residence in the D-MU (Downtown Mixed Use) Zone. The project site is located at 216 E. School Avenue (APN: 094-272-007). The HPAC recommended approval of the Conditional Use Permit request to the Visalia Planning Commission based upon the following findings and conditions:

Findings:

- The site is within the Historic District and is not listed in the Local Register of Historic Structures.
- That the proposal is in keeping with the purpose and intent of the Historic Preservation Element and Ordinance.
- That the proposal will not be injurious to the surrounding properties or character of the Historic District due to its compatibility with the surrounding area.
- That the Conditional Use Permit request for the residential use is consistent with the Zoning Ordinance, Historic Preservation Element, and Historic Preservation Ordinance.

Conditions:

- That the project shall be developed in substantial compliance with the site plan in Exhibit "A", Floor Plan in Exhibit "B", and Building Elevations in Exhibit "C".
- 2. That the project undergoes the appropriate City permitting process.
- That any significant changes in the operation of the proposed use, or any changes to the exterior of onsite structures, be brought back to the Historic Preservation Advisory Committee prior to any review by the Planning Commission and/or issuance of a Building Permit.
- That the applicant shall obtain a Business License prior to use of the residence for short and/or long-term rental purposes.
- 5. That all other City codes and ordinances be met.

There is a 10-day appeal period for this action from the date of approval. No permits may be issued until the appeal period has lapsed with no appeal of the action. Following completion of the appeal period, a Conditional Use Permit shall be filed for review and approval by the Visalia Planning Commission, and a Building Permit obtained from the City of Visalia, if necessary, prior to the commencement of any work onsite.

If you have any questions, please contact me at (559) 713-4443 or e-mail cristobal.carrillo@visalia.city Regards, - IL Cristobal Carrillo, Associate

NOTICE OF EXEMPTION

City of Visalia 315 E. Acequia Ave. Visalia, CA 93291

To: County Clerk County of Tulare County Civic Center Visalia, CA 93291-4593

Conditional Use Permit 2022-26

PROJECT TITLE

Northwest corner of E. School Ave and N. Garden St. (APN 093-091-022)

PROJECT LOCATION - SPECIFIC

PROJECT LOCATION - CITY

Visalia

Allow change of use of a vacant office into a single-family residence located within the D-MU (Downtown Mixed-Use) Zone.

Tulare

COUNTY

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia, 315 E. Acequia Avenue, Visalia CA 93291, (559) 713-4449, Email: kenneth.oleary@visalia.city

NAME OF PUBLIC AGENCY/LEAD AGENCY APPROVING PROJECT

Felimon Carrasco,1119 E. Tulare Avenue, Visalia CA 93292, <u>carrascoc21@yahoo.com</u>

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

Felimon Carrasco,1119 E. Tulare Avenue, Visalia CA 93292, carrascoc21@yahoo.com

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

Ministerial - Section 15073

Emergency Project - Section 15071

Categorical Exemption - Section 15301, Existing Facilities

Statutory Exemptions- State code number:

Project consists of the change of use of a 1,348 sq. ft. office to a single family residence in the D-MU (Downtown Mixed-Use) Zone. The project is exempt as the project makes use of an existing building, with no additions proposed.

REASON FOR PROJECT EXEMPTION

Kenneth O'Leary, Planning Intern

(559) 713-4449 AREA CODE/PHONE

November 14, 2022

DATE

Brandon Smith, AICP ENVIRONMENTAL COORDINATOR

City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



Site Plan Review

September 14, 2022

Site Plan Review No. 2022-144:

Pursuant to Zoning Ordinance Chapter 17.28 the Site Plan Review process has found that your application complies with the general plan, municipal code, policies, and improvement standards of the city. A copy of each Departments/Divisions comments that were discussed with you at the Site Plan Review meeting are attached to this document.

Based upon Zoning Ordinance Section 17.28.070, this is your Site Plan Review determination. However, your project requires discretionary action as stated on the attached Site Plan Review comments. You may now proceed with filing discretionary applications to the Planning Division.

This is your Site Plan Review Permit; your Site Plan Review became effective **August 31, 2022**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

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

Respectfully,

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

Attachment(s):

• Site Plan Review Comments

City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



Planning Division

Tel: (559) 713-4359; Fax: (559) 713-4814

MEETING DATE SITE PLAN NO. PARCEL MAP NO. SUBDIVISION LOT LINE ADJUSTMENT NO.

August 31, 2022 2022-144

Enclosed for your review are the comments and decisions of the Site Plan Review committee. Please review all comments since they may impact your project.

RESUBMIT Major changes to your plans are required. Prior to accepting construction drawings for building permit, your project must return to the Site Plan Review Committee for review of the revised plans.

During site plan design/policy concerns were identified, schedule a meeting with

Planning Engineering prior to resubmittal plans for Site Plan Review.

Fire Dept.

Solid Waste	Parks and Recreation	
Solid Waste	Parks and Recreation	

REVISE AND PROCEED (see below)

A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.

Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.

\boxtimes	Your plans must be reviewed by:	
		REDEVELOPMENT
	PLANNING COMMISSION	PARK/RECREATION
	HISTORIC PRESERVATION	OTHER -

ADDITIONAL COMMENTS:

If you have any questions or comments, please call the Site Plan Review Hotline at (559) 713-4440 Site Plan Review Committee

SITE PLAN REVIEW COMMENTS

Rafael Garcia, Planning Division (559) 713-4031

Date: August 31, 2022

SITE PLAN NO: 2022-144 PROJECT TITLE: 216 E. School Convert Property from Office to Residential (D-MU) DESCRIPTION: APPLICANT: Felimon Carrasco PROP. OWNER: **H&G** Properties LOCATION: 216 E. School APN: 094-272-007 GENERAL PLAN: Downtown Mixed Use EXISTING ZONING: D-MU (Mixed-Use Downtown Zone)

Planning Division Recommendation:

- Revise and Proceed
- Resubmit

Project Requirements

- Conditional Use Permit (CUP)
- HPAC Review (property within Historic District)
- Lot Line Adjustment

PROJECT SPECIFIC INFORMATION: August 31, 2022

- 1. VMC Table 17.25.030 allows residential uses (R27) within the D-MU zoning district with approval of a Conditional Use Permit.
- 2. Prior to submitting for a Conditional Use Permit the applicant must submit for a HPAC review.
- 3. The applicant must provide a complete set of architectural plans (Site Plan and existing/proposed Floor Plans) for HPAC and CUP review and approval.
- 4. Provided information on all existing and proposed fencing onsite.
- 5. Clarify whether any improvements or fencing are proposed as part of the existing parking lot located at the rear of the site.
- 6. Obtain Building permits.

Note:

- 1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
- 2. Prior to completion of a final building inspection for a project, a signed <u>MWELO</u> <u>Certificate of Compliance</u> shall be submitted indicating that all landscaping has been installed to MWELO standards.

Sections of the Municipal Code to review:

17.19.070 Development standards in the D-MU zone

17.30 Development Standards [17.30.015(H) Lighting]

17.34.020 Off-street parking 17.34.020(B)

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

RS

Signature:



BUILDING/DEVELOPMENT PLAN REQUIREMENTS ENGINEERING DIVISION

Adrian Rubalcaba	713-4271
Ather Razaq	713-4268
Edelma Gonzalez	713-4364
Jaklin Rowley	713-4369
Luqman Ragabi	713-4362
Lupe Garcia	713-4197
Internet in the second s	

ITEM NO: <u>3</u> DATE: <u>AUGUST 31, 2022</u>

SITE PLAN NO .:	22-144
PROJECT TITLE:	216 E. SCHOOL
DESCRIPTION:	CONVERTING PROPERTY FROM OFFICE TO
	RESIDENTIAL (D-MU)
APPLICANT:	FELIMON CARRASCO
PROP OWNER:	H & G PROPERTIES LLC
LOCATION:	216 E. SCHOOL
APN:	094-272-007

SITE PLAN REVIEW COMMENTS
REQUIREMENTS (indicated by checked boxes)
Install curb return with ramp, with radius;
Install curb; Igutter
Drive approach size: Use radius return;
Sidewalk: width; parkway width at
Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become
uneven, cracked or damaged and may constitute a tripping hazard.
Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven
and has created areas where water can stand.
Right-of-way dedication required. A title report is required for verification of ownership.
Deed required prior to issuing building permit;
City Encroachment Permit Required.
Insurance certificate with general & auto liability (\$1 million each) and workers compensation (\$1 million),
valid business license, and appropriate contractor's license must be on file with the City, and valid
Underground Service Alert # provided prior to issuing the permit. Contact Encroachment Tech. at 713-4414.
CalTrans Encroachment Permit required. CalTrans comments required prior to issuing building permit.
Contacts: David Deel (Planning) 488-4088;
Landscape & Lighting District/Home Owners Association required prior to approval of Final Map. Landscape
& Lighting District will maintain common area landscaping, street lights, street trees and local streets as
applicable. Submit completed Landscape and Lighting District application and filing fee a min. of 75 days
before approval of Final Map.
Landscape & irrigation improvement plans to be submitted for each phase. Landscape plans will need to
comply with the City's street tree ordinance. The locations of street trees near intersections will need to
comply with Plate SD-1 of the City improvement standards. A street tree and landscape master plan for all
phases of the subdivision will need to be submitted with the initial phase to assist City staff in the formation of
the landscape and lighting assessment district.
Grading & Drainage plan required. If the project is phased, then a master plan is required for the entire project
area that shall include pipe network sizing and grades and street grades. Prepared by registered civil
engineer or project architect. All elevations shall be based on the City's benchmark network. Storm run-off
from the project shall be handled as follows: a) directed to the City's existing storm drainage system; b)
directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a
connection with adequate capacity is available to the City's storm drainage system. On-site basin:
: maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance.
Grading permit is required for clearing and earthwork performed prior to issuance of the building permit. Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter
=.020%, V-gutter = 0.25%)
Show adjacent property grade elevations. A retaining wall will be required for grade differences greater than
0.5 feet at the property line.
All public streets within the project limits and across the project frontage shall be improved to their full width,
subject to available right of way, in accordance with City policies, standards and specifications.
Traffic indexes per city 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 Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during construction in accordance with City requirements. A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley 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 Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City. If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage

under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.

Comply with prior comments. Resubmit with additional information. Redesign required.

Additional Comments:

- 1. No modification to building is propose at this time.
- 2. Applicant mentioned existing building was used as a residence in the past. City records were not found of the office conversion. Building is very old and our records may be lacking information. Applicant to provide proof of previous residential use to eliminate applicable development impact fees.
- 3. Proposed change in use will incur additional development impact fees. Refer to page 3 for applicable fees.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: 22-144 08/31/2022 Date:

Summary of applicable Development Impact Fees to be collected at the time of building permit:

(Preliminary estimate only! Final fees will be based on the development fee schedule in effect at the time of building permit issuance.)

(Fee Schedule Date: 08/20/2022) (Project type for fee rates: RESIDENTIAL)

Existing uses may qualify for credits on Development Impact Fees. **RESIDENTIAL/OFFICE**

FEE ITEM	FEE RATE
Groundwater Overdraft Mitigation Fee	
Transportation Impact Fee	
Trunk Line Capacity Fee	RESIDENTIAL: \$952/UNIT
	OFFICE CR: \$117/1KF X 1.368KSF=\$160
	TOTAL: \$792
	TREATMENT
	RESIDENTIAL: \$945/UNIT
	OFFICE CR: \$278/1KSF X 1.368KSF = \$380 TOTAL: \$565
Sewer Front Foot Fee	
Storm Drain Acq/Dev Fee	
Park Acq/Dev Fee	
Northeast Specific Plan Fees	
Waterways Acquisition Fee	
Public Safety Impact Fee: Police	
Public Safety Impact Fee: Fire	
Public Facility Impact Fee	
Parking In-Lieu	

Reimbursement:

- 1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.
- 2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.
- 3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.

Edelma Gonzalez

<u>City of Visalia</u> Building: Site Plan Review Comments



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

\mathbf{X}	A building permit will be required.	For information call (559) 713-4444
\bowtie	Submit 1 digital set of professionally prepared plans and 1 set of calculations.	(Small Tenant Improvements)
	Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2 light-frame construction or submit 1 digital set of engineered calculations.	016 California Building Cod Sec. 2308 for conventional
	Indicate abandoned wells, septic systems and excavations on construction plans.	
	You are responsible to ensure compliance with the following checked items: Meet State and Federal requirements for accessibility for persons with disabilities.	
	A path of travel, parking and common area must comply with requirements for access	for persons with disabilities.
	All accessible units required to be adaptable for persons with disabilities.	
	Maintain sound transmission control between units minimum of 50 STC.	
	Maintain fire-resistive requirements at property lines.	•
\bowtie	A demolition permit & deposit is required.	For information call (559) 713-4444
	Obtain required permits from San Joaquin Valley Air Pollution Board.	For information call (661) 392-5500
	Plans must be approved by the Tulare County Health Department.	For information call (559) 624-8011
		EET FEMA FLOOD Ecruibements.
	Arrange for an on-site inspection. (Fee for inspection \$157.00)	For information call (559) 713-4444
	School Development fees.	
	Park Development fee \$, per unit collected with building permits.	
	Additional address may be required for each structure located on the site,	For information call (559) 713-4320
	Acceptable as submitted	
	No comments at this time	
	Additional comments: NEW REGIDENTIAL DX	ELING UNT SHALL
	BE PROTECTED WITH TYPE 1?	DD FIRE GREINWAER
	CHOTEM. CHANGE OF OCCUPANC	Y CHAIL PE MARE
	TO CEMPLY WITH THE REQUIRE	ENERTS OF TITLE
	TO COMPLY WITH THE REQUIER 24 FOR NEW DWELLING UNIT ESCAPE RESCUE OPENING	S. EMPRGENCY AND
	ESCAPE RESCUE OPENINCE	SOF 5 GOUARE FEET
	SHALL PE PROVIDED AT ALL	SLEEPING ROOMS.
		, /

VAL CARCIA 3/31/22

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

August 31, 2022

ITEM NO: 4 SITE PLAN NO: <u>SPR22144</u> PROJECT TITLE: 216 E. School DESCRIPTION: Convert Property from Office to Residential (D-MU) APPLICANT: Felimon Carrasco OWNER: H & G PROPERTIES LLC APN: 094272007 LOCATION: 216 E SCHOOL AVE

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

No Comments

See Previous Site Plan Comments

□ Install Street Light(s) per City Standards at time of development.

□ Install Street Name Blades at Locations at time of development.

□ Install Stop Signs at *local road intersection with collector/arterial* Locations.

Construct parking per City Standards PK-1 through PK-4 at time of development.

Construct drive approach per City Standards at time of development.

- Traffic Impact Analysis required (CUP)
 - Provide more traffic information such as
 Depending on development size, characteristics, etc., a
 TIA may be required.
- Additional traffic information required (Non Discretionary)

□ Trip Generation - Provide documentation as to concurrence with General Plan.

Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.

Traffic Impact Fee (TIF) Program - Identify improvments needed in concurrence with TIF.

Additional Comments:

Leslie Blair

Leslie Blair

22-144

3	CITY OF VISALIA LID WASTE DIVISION 36 N. BEN MADDOX VISALIA CA. 93291 713 - 4532 MERCIAL BIN SERVICE
	No comments. August 31, 2022
XX	See comments below
	Revisions required prior to submitting final plans. See comments below.
	Resubmittal required. See comments below.
XX	Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
	ALL refuse enclosures must be R-3 OR R-4
	Customer must provide combination or keys for access to locked gates/bins
XX	Type of refuse service not indicated.
	Location of bin enclosure not acceptable. See comments below.
	Bin enclosure not to city standards double.
	Inadequate number of bins to provide sufficient service. See comments below.
	Drive approach too narrow for refuse trucks access. See comments below.
	Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
	Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
	Bin enclosure gates are required
	Hammerhead turnaround must be built per city standards.
	Cul - de - sac must be built per city standards.
	Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
	Area in front of refuse enclosure must be marked off indicating no parking
	Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
XX	Customer will be required to roll container out to curb for service.
	Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
	Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
	City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.
Comment	City standard (3-can) residential services to be assigned.
	Jason Serpa, Solid Waste Manager, 559-713-4533Nathan Garza, Solid Waste, 559-713-4532Edward Zuniga, Solid Waste Supervisor, 559-713-4338Mathan Garza, Solid Waste, 559-713-4532

