

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

MONDAY, JANUARY 09, 2023

VISALIA COUNCIL CHAMBERS

LOCATED AT 707 W. ACEQUIA AVENUE, VISALIA, CA

MEETING TIME: 7:00 PM

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

The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.

4. CHANGES OR COMMENTS TO THE AGENDA –
5. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.
 - a. Administrative Adjustment Annual Report to Planning Commission.
6. PUBLIC HEARING – Kira Noguera, Senior Planner QK, Inc., Planning Consultant to the Planning Division

Conditional Use Permit No. 2022-23: A request by Maracor Development to establish a 292-unit multi-family residential development on 10.8 acres in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) zone. The project site is located on the southwest corner of East K Avenue and South Ben Maddox Way (APNs: 126-750-050 & 126-750-051). A Notice of Exemption was prepared for the conditional use permit in accordance with State California Environmental Quality Act (CEQA) Guidelines Section 15183 (Public Resources Code §21083.3). Notice of Exemption No. 2022-51 disclosed that no additional environmental review is required based upon the project being consistent with the development density established by the City's General Plan and based upon no further project-specific effects that are peculiar to the project or the site.

7. PUBLIC HEARING – Kira Noguera, Senior Planner QK, Inc., Planning Consultant to the Planning Division

Conditional Use Permit No. 2022-21: A request by Maracor Development to establish a 222-unit multi-family residential development on 7.61 acres in the R-M-3 (Multi-Family Residential, 1,200 sq. ft. minimum site area) and O-PA (Professional/Administrative Office) zones. The project site is located on the southwest corner of West Houston Avenue and North Demaree Street (APNs: 077-660-021, 077-660-022 & 077-660-024). A Notice of Exemption was prepared for the conditional use permit in accordance with State California Environmental Quality Act (CEQA) Guidelines Section 15183 (Public Resources Code §21083.3). Notice of Exemption No. 2022-45 disclosed that no additional environmental review is required based upon the project being consistent with the development density established by the City's General Plan and based upon no further project-specific effects that are peculiar to the project or the site.

8. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. Next Planning Commission Meeting is Monday, January 23, 2023.
- b. Appeal of Woodlands CUP received. Appeal will be set for the January 17, 2023, City Council meeting.
- c. Preparation for 2022 Annual Planning Commission Update Report.
- d. 2023 Planning Commission Meeting Calendar.

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, JANUARY 19, 2023 BEFORE 5 PM

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

THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, JANUARY 23, 2023



REPORT TO CITY OF VISALIA PLANNING COMMISSION

HEARING DATE: January 9, 2023

PROJECT PLANNER: Kira Noguera, Senior Planner, QK, Inc.
Phone No.: (559) 713-4025
E-mail: planning@visalia.city

SUBJECT: Conditional Use Permit No. 2022-23: A request by Maracor Development to establish a 292-unit multi-family residential development on 10.8 acres in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) zone. The project site is located on the southwest corner of East K Avenue and South Ben Maddox Way (APNs: 126-750-050 & 126-750-051).

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2022-23, as conditioned, based upon the findings and conditions in Resolution No. 2022-51. Staff's recommendation is based on the conclusion that the request is consistent with the City General Plan, Housing Element, and Zoning Ordinance.

RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2022-23 based on the findings and conditions in Resolution No. 2022-51.

PROJECT DESCRIPTION

The conditional use permit is a request to allow development of a 292-unit multi-family residential development in the R-M-2 zone (see Exhibit "A" and the Figure 1 below). The development will be located on the southwest corner of East K Avenue and South Ben Maddox Way on 10.8 acres.

The multi-family development will be developed at a density of 27.04 units per acre. The density proposed for this development is allowed with a Density Bonus according to state law. This is discussed in greater detail under the State Density Bonus Concessions and Incentives section below.

The multi-family development consists of two- and three-story buildings containing seven building types with one, two, and three-bedroom units surrounded by on-site landscaping. The development will include a total of 578 parking stalls 292 covered parking stalls and 286 open parking stalls, 12 of which are accessible. Based on the total number of units, 511 parking stalls are required. The project will include a community center, tot lot, swimming pool, and dog park.



Figure 1

The multi-family development proposes a six-foot high wood fence along the west project boundary adjacent to an existing single-family development. An existing seven-foot high block wall will remain along the southern project boundary adjacent to existing single-family homes.

The circulation pattern within the proposed development is self-contained. Vehicular access to the development is located on East K Avenue and Ben Maddox Way. Vehicular access on Ben Maddox is restricted to “right-in/right-out” due to the median island in Ben Maddox. The project also supports expanding pedestrian circulation connectivity by providing pedestrian connections to adjacent street frontages.

This project includes the construction of sidewalks along East K Avenue and Ben Maddox Way, with landscaping frontage improvements. Other utility services including electricity, gas, phone/cable, and water will be extended on-site from existing services available in the project vicinity.

BACKGROUND INFORMATION

General Plan Land Use Des:	Medium Density Residential
Zoning:	R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per unit)
Zoning and Land Use:	North: R-1-5 – East K Ave. – Briarwood Estates, Single Family Subdivision and R-M-2 –Multi-Family Residential South: R-1-5 – Maddox @ Caldwell, Single Family Subdivision East: R-M-2 – Ben Maddox Way – Brackenwood Subdivision, Single Family Subdivision West: R-1-5 –Reimer Subdivision, Single Family Subdivision
Environmental Review:	Notice of Exemption No. 2022-51
Special Districts:	N/A
Site Plan:	2022-065

RELATED PLANS & POLICIES

See attachment pertaining to General Plan Policies and Municipal Code pertaining to Conditional Use Permits.

RELATED PROJECTS

There have been three previous proposals of multi-family housing developments on the site – in 1998, 2003, and 2017. The 2017 proposal expired before building permit applications were submitted.

The following is a listing of recently entitled apartment complexes within Visalia, some of which are under construction.

Conditional Use Permit No. 2014-33 was approved by the Planning Commission on February 9, 2015, allowing for the development of a 168-unit multi-family apartment development on 12.89 acres in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area per unit) zone. The project site is located at the southwest corner of Houston Avenue and Woodland Street.

Conditional Use Permit No. 2017-08 was approved by the City Council on October 16, 2017, allowing for the development of a 200 unit apartment complex with a community building in the R-M-2 (Medium Density Residential) zone. The project site is located at the northeast corner of Shirk Street and Doe Avenue.

Conditional Use Permit No. 2020-02 was approved by the Planning Commission on October 26, 2020, allowing for the development of a 216 unit, three story apartment complex on 8.86 acres in the R-M-2 (Multi-Family Residential, one unit per 3,000 square feet) and R-M-3 (Multi-Family Residential, one unit per 1,200 square feet minimum site area per unit) zones. The project is located on the north side of East Shannon Parkway between North Court and North Santa Fe Streets (APN: 079-071-033).

Conditional Use Permit No. 2020-21 was approved by the Planning Commission on December 14, 2020, allowing for the development of a 219-unit, two-story gated multi-family residential development on 15.1 acres in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) zone. The project site is located on the northeast and southeast corners of West Sedona Avenue and North Akers Street (APNs: 077-060-031 & 077-060-033).

Conditional Use Permit No. 2022-09 was approved by the Planning Commission on June 27, 2022, allowing the development of 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 Riggins Avenue. (Address not assigned) (APNs: 079-310-004 & 079-310-005).

PROJECT EVALUATION

Staff supports the requested Conditional Use Permit based on project consistency with the General Plan, Housing Element, and the Zoning Ordinance.

General Plan Consistency and Land Use Compatibility

Project compatibility with the City's General Plan must be made as a finding for the conditional use permit entitlement. Multiple General Plan policies (LU-P-52 and LU-P-56) identify the implementation of development standards to ensure that new multi-family residential development will contribute to positive land use compatibility. The size of the property combined with the allotted number of units requires a conditional use permit for development of the site, wherein the proposed development can be reviewed for consistency and compatibility with adjacent properties.

The proposed project will result in the creation of a new multi-family residential development consisting of 3 two-story buildings and 7 three-story buildings totaling 292 units. The three-story buildings are planned along the street frontages and interior of the project while the two-story buildings will be placed along the back of the development closer to the neighboring single-family development to the south. The areas south, east, and west of the subject site are comprised of single-family residential development. There is also single-family homes along with vacant property planned and zoned for multi-family to the north across East K Avenue.

The site plan (see Exhibit A) depicts that the row of multi-family buildings along the south side of the development, adjacent to single-family residential, will be two-story and a minimum of 68 feet from the east property line providing at least 85 feet between the multi-family buildings and the nearest single-family residential homes to the south. The single-family home to the west of the site (shown on the site plan exhibit attached as Exhibit "A") will also be a minimum of 85 feet away from the nearest multi-family building.

State Density Bonus Concessions and Incentives

The State Density Bonus Law (California Government Code Section 65915 to 65918) creates incentives for developers to include affordable housing within their projects by granting increased density and other regulatory incentives known as concessions/incentives and waivers from development standards. Under Government Code Section 65915(f)(3)(D)(i) projects that provide 100% of the units as affordable for lower income residents are eligible for 80% additional density over the base density allowed under the Project site's zoning. Additionally, under Government Code Section 65915(d)(2)(D) projects that provide 100% of the units as affordable for lower income residents are eligible for up to four (4) concessions/incentives. Under the State Density Bonus Law, a concession/incentive is defined as a reduction in a development standard (zoning or design requirements) that will result in an identifiable and actual cost reduction for affordable housing (Government Code Section 65915(k)(1)).

The Project site has a base density of 162 residential units based on the site's General Plan Land Use Designation of Medium Density Residential, which provides for development between 10 and 15 units per acre. The Project will provide 100% of the units as affordable for lower income residents and seeks additional density of 130 unit over the base density which represents an increase of 80% over the base density.

Article 2 of Chapter 17.32 of the City of Visalia Ordinance Code (Density Bonuses, Concessions and Other Incentives for Lower and Very Low-Income Households and for Senior Housing) implements SDB law for projects in Visalia. The ordinance requires findings that determine that the housing development project is eligible for the requested density bonus. These findings are included in the resolution for approval of the project.

Land Use Density

Staff concludes that the proposed development is consistent with the City's General Plan as it pertains to density in the Residential Medium Density land use designation. The Residential Medium Density land use designation provides for a density range of 10 to 15 dwelling units per acre (reference General Plan Policy LU-P-56).

In accordance with the State Density Bonus Law, an increase of 80% over the base density is permitted. The project will be developed with a total of 292 affordable housing units.

Housing Element

Several vacant sites designated by the City's Land Use Element for Residential land uses are included as part of the City's current Housing Element Sites Inventory and are intended to contribute towards meeting the City's Regional Housing Needs Allocation (RHNA). This site is identified as a site in the City's State-certified Housing Element intended to accommodate the varying income household categories at the underlying prescribed density. The Inventory has assigned 45 units in the Above Moderate Income category for the subject site based on the development density of the former Grove residential development that consisted of 53 single-family homes and 44 multi-family units. The proposed project exceeds the minimum inventory amount by 247 units. The proposed project is consistent with the underlying General Plan land use designation and the associated units will help fulfill the need of the lower income levels. Although the project will not provide the 45 Above Moderate Income units allocated to the site, the Housing Element's Sites Inventory identifies an overall surplus of 350 units for the income category, and therefore other identified sites are able to fulfill this need.

The City's Housing Element supports efforts to establish higher-density, well-designed multi-family development. The quality of life in a community is closely tied to the quality of its neighborhoods in both established and developing areas. The importance of housing and neighborhood quality is illustrated in numerous planning efforts where multi-family housing has been developed near single-family and other developments. Examples of this include the Shannon Way Apartments (Shannon Pkwy & Court), Cameron Crossing Apartments (Court & Cameron), and the Park Grove Apartments (Lovers Lane & Sunnyside). By encouraging "quality" multi-family developments that create a sense of place and include safe, well maintained communities, structures with a high degree of architectural appearance, and on-site amenities for residents, the City will continue to encourage development of a wide range of housing that fits the needs of the community.

Good Neighbor Policies and Management and Maintenance Standards

The project is subject to the City's Good Neighbor Policies (GNP's) for multi-family residential development. The GNP's are a set of management and maintenance requirements that address the common maintenance of buildings and grounds. The GNP's prohibit the storage of boats, trailers, and recreational vehicles over one ton outside of carports, and require all buildings, mechanical equipment, and grounds to be maintained in good working order and in a neat and orderly fashion.

To ensure that these requirements are addressed and are consistent with the conditions placed on the subject multi-family project, staff recommends that management and maintenance conditions be maintained as a part of the conditional use permit. Among the recommended conditions is 24-hour availability for Visalia Police Department to Maintenance and/or Management staff. Maintenance and Management staff shall either be on-site or available by telephone at all times, with phone numbers to be provided to the Police Department dispatch center.

Street Frontage Improvements

Right-of-way improvements shall comply with the city standards, including sidewalks, curbing, street lights, and landscaping along all frontages of this project site. These frontage improvements are required as a condition of the development, which are defined in the site plan review comments (Condition No. 1 of the Conditions of Project Approval).

Other utility services (electricity, gas, phone/cable, and water) will also be extended on-site from existing services available in the project vicinity.

Development Standards

The project represents a comprehensively planned multi-family residential development with extra detail given toward the interface with the adjacent single-family residential property. The proposed site plan illustrates that setbacks around the perimeter of the project as well as the overall height of the buildings meet or exceed the minimum required for R-M-2 sites as follows:

	<u>Required:</u>	<u>Proposed:</u>
Front (Ben Maddox Way)	15 feet	23 feet
Street Side (East K Avenue)	10 feet	15 feet
Rear (south & west sides)	25 feet	68 feet
Height of structures	3 stories or 35 feet, whichever is greater	3 stories (40 feet)

The project meets the required setbacks along the street frontages and complies with the 25-foot minimum rear setback, which abuts single family development on the south and west sides.

Building Elevations

Exhibits “B”, “C”, “D”, and “E” display the proposed typical building elevations for the multi-family development. The elevations depict cement plaster finish on the walls, stone veneer trim, arched entryways, and pitched tile roofs. Floor plans have been included for the apartment buildings as shown in Exhibit “F”.

Staff has included Condition of Approval No. 2, requiring that the building elevations and floor plans be developed consistent with those provided in Exhibits “B”, “C”, “D”, “E”, and “F”.

Correspondence

Staff has received three written correspondences regarding this project. Two correspondences provided state direct opposition to the project and cites the height of the buildings, number of units, and other factors. Another correspondence asks various questions pertaining to the project and its management, to which the City and applicant have provided a written response. Both correspondences are provided as Exhibit “N”.

In addition, the applicant held a community meeting on December 15, 2022 at Annie Mitchell school and invited property owners who lived within a 300-foot radius of the project to introduce and hear matters on the project. A representative from Maracor Development, Inc. and the current property owner were in attendance along with several residents from the surrounding area.

Block Walls and Fences

Fences and walls surrounding this project site are outlined in Exhibit “H”. The project will construct a six-foot high wood fence along the west property line. A block wall along the south property line was constructed by the developer of the adjacent R-1-5 single family residential site.

Although fencing along the street frontages is not identified per Exhibit “H”, a decorative wrought iron fence not exceeding seven feet in height is permitted along the front and street side property lines or within the front yard and street side yard setback areas of multi-family uses. In addition, a post or pilaster consisting of masonry, brick, or other solid material not exceeding 18 inches square and seven feet tall may be used to support the wrought iron fence at a minimum distance of six feet between the posts or pilasters (Section 17.36.040 of the Zoning Ordinance).

Open Space and Recreation

The project includes a community building with a pool and additional open space spread throughout the development. These spaces exceed the minimum five percent of usable open space and recreation area required in association with developments in an R-M zone designation. Staff has included a condition that these amenities be installed as a part of the development and maintained in good working/accessible order.

Environmental Review

A Notice of Exemption was prepared for the conditional use permit. Notice of Exemption No. 2022-51 disclosed that no additional environmental review is required based upon the project being consistent with the development density established by the City’s General Plan and based upon no further project-specific effects that are peculiar to the project or the site. Staff therefore recommends that Notice of Exemption No. 2022-51 be adopted for this project.

RECOMMENDED FINDINGS

1. That the proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed CUP is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:

- a. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. Multiple General Plan policies (LU-P-52 and LU-P-56) identify the implementation of development standards to ensure that new multi-family residential development will contribute to positive land use compatibility. The size of the property combined with the allotted number of units requires a conditional use permit for development of the site, wherein the proposed development can be reviewed for consistency and compatibility with adjacent properties.

The proposed project will result in the creation of a new multi-family residential development consisting of 3 two-story buildings and 7 three-story buildings totaling 292 units. The three-story buildings are planned along the street frontages and interior of the project while the two-story buildings will be placed along the back of the development closer to the neighboring single-family development to the south. The areas south, east, and west of the subject site are comprised of single-family residential development. There are also single-family homes along with vacant property planned and zoned for multi-family to the north across East K Avenue.

The site plan (see Exhibit "A") depicts that the row of multi-family buildings along the south side of the development, adjacent to single-family residential, will be two-story and a minimum of 68 feet from the east property line providing at least 85 feet between the multi-family buildings and the nearest single-family residential homes to the south. The single-family home to the west of the site will also be a minimum of 85 feet away from the nearest multi-family building.

- b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
3. That the proposed housing development conforms with the provisions of state density bonus law and with Article 2 of Chapter 17.32 of the City of Visalia Ordinance Code (Density Bonuses, Concessions and Other Incentives for Lower and Very Low-Income Households and for Senior Housing). Specifically, the project is consistent with the following requirements of state law:
 - a. The housing development provides the affordable units required by state density bonus law to be eligible for the density bonus requested.
 - b. The requested incentives will result in identifiable and actual cost reductions to provide for affordable housing costs or rents.
 4. A Notice of Exemption was prepared for the conditional use permit. Notice of Exemption No. 2022-51 disclosed that no additional environmental review is required. Staff therefore recommends that Notice of Exemption No. 2022-51 be adopted for this project.

RECOMMENDED CONDITIONS OF APPROVAL

1. That the project be developed consistent with the comments and conditions of the Site Plan Review 2022-065.
2. That the development be prepared in substantial compliance with the site plan shown in Exhibit "A", elevations shown in Exhibits "B", "C", "D", "E", "F", "G", "H", and corresponding floor plans shown in Exhibit "I".
3. That a six-foot high wood fence shall be installed along the west property line where existing fencing or block wall is not in place as depicted in Exhibit "K". If the developer elects to install fencing along the Ben Maddox and K Avenue street frontages, then the developer shall install wrought iron fencing in compliance with Section 17.36.040.B of the Zoning Ordinance.
4. That the setbacks illustrated in Exhibit "A" shall be maintained as minimum setbacks.
5. That the community building be developed as depicted in Exhibit "J".
6. That the development shall maintain the landscaping and fences/block walls along the street frontages, and within the site.
7. That the community building, pool, tot lot, and open space shall be installed as a part of the development and maintained in good working/accessible order.
8. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance (MWELO), shall be included in the construction document plans submitted for either grading or building construction permits. Prior to the project receiving final approved permits, a signed Certificate of Compliance stating that the project meets MWELO standards shall be submitted to the City.
9. That a valid will-serve letter for the providing of domestic water service be obtained for the development prior to development.
10. Provide street trees per the City's Street Tree Ordinance.
11. That the developer/owner shall enter into an affordable housing agreement with the city, in a form approved by the city attorney, to be executed by the city manager, to ensure that the requirements of Chapter 17.32 Article 2 Density Bonuses, Concessions and Other Incentives for Lower and Very Low-Income Households and for Senior Housing are satisfied. The affordable housing agreement shall guarantee the affordability of the affordable units for a minimum of fifty-five (55) years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.
12. That the owner/operator(s) of all multiple family residential units shall be subject to the following conditions:

A. Maintenance and Operations

- a. All development standards, City codes, and ordinances shall be continuously met for this apartment/residential complex. Buildings and premises, including paint/siding, roofs, windows, fences, parking lots, and landscaping shall be kept in good repair. Premises shall be kept free of junk, debris.
- b. Provide a regular program for the control of infestation by insects, rodents, and other pests at the initiation of the tenancy and control infestation during the tenancy.

- c. Where the condition is attributable to normal wear and tear, make repairs and arrangements necessary to put and keep the premise in as good condition as it by law or rental agreement should have been at the commencement of tenant occupation.
- d. Maintain all electrical, plumbing, heating, and other facilities in good working order.
- e. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
- f. Remove graffiti within 24 hours of it having been observed.
- g. Recreation facilities shall be for tenant use only.
- h. Provide 24 hour access for Visalia Police Department to Maintenance and/or Management Staff. Maintenance and/or Management Staff shall be available by telephone or pager at all times, with phone numbers to be provided to the Police Department dispatch center and kept current at all times.
- i. Establish and conduct a regular program of routine maintenance for the apartment/residential complex. Such a program shall include, but not necessarily be limited to: regular inspections of common areas and scheduled re-paintings, re-plantings, and other similar activities that typically require attention at periodic intervals but not necessarily continuously.
- j. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

B. Landscape Care and Maintenance

- a. Automatic irrigation systems shall be maintained.
- b. All plant materials (trees, shrubs, and groundcover) shall be maintained so that harm from physical damage or injury arising from vehicle damage, lack of water, chemical damage, insects, and other pests is minimized.
- c. It is the responsibility of the property owners to seek professional advice and spray and treat trees, shrubs, and groundcover for diseases which can be successfully controlled if such untreated diseases are capable of destroying an infected tree or other trees within a project.
- d. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

C. Parking - The parking of inoperative vehicles on-site, and boats, trucks (one-ton capacity and over), trailers, and/or recreational vehicles in the apartment/residential complex is not allowed.

D. Tenant Agreement - The tenant agreement for the complex must contain the following:

- a. Standards of aesthetics for renters in regard to the use and conditions of the areas of the units visible from the outside (patios, entryways).
- b. Hours when noise is not acceptable, based upon Community Noise Standards, additional standards may be applied within the apartment/residential complex.

- c. Rules for use of open areas/recreational areas of the site in regard to drinking, congregating, or public nuisance activities.
- d. Prohibition on inoperable vehicles on-site, and boats, trucks (one-ton capacity and over), trailers and/or recreational vehicles.
- e. Standards of behavior for tenants that could lead to eviction.
- f. All tenants shall read and receive a copy of the Tenant Agreement.

13. That all applicable federal, state, regional, and city policies and ordinances be met.

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.02.145, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal with applicable fees shall be in writing and shall be filed with the City Clerk at 220 North Santa Fe Street, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.

Attachments:

- Related Plans and Policies
- Resolution No. 2022-51
- Exhibit "A" – Site Plan
- Exhibit "B" – Exterior Elevation Plans (Building 2s-16A)
- Exhibit "C" – Exterior Elevation Plans (Building 2s-18A)
- Exhibit "D" – Exterior Elevation Plans (Building 3s-30B)
- Exhibit "E" – Exterior Elevation Plans (Building 3s-30A)
- Exhibit "F" – Exterior Elevation Plans (Building 2s-24A)
- Exhibit "G" – Exterior Elevation Plans (Building 3s-36A)
- Exhibit "H" – Exterior Elevation Plans (Building 3s-36B)
- Exhibit "I" – Floor Plans (Binder of all Floor Plans)
- Exhibit "J" – Community Building Elevations
- Exhibit "K" – Wall and Fence Exhibit
- Exhibit "L" – Operational Statement
- Exhibit "M" – Landscape Plan
- Exhibit "N" – Correspondence
- Notice of Exemption No. 2022-51
- Site Plan Review Comments
- General Plan Land Use Map
- Zoning Map

- Aerial Photo
- Location Map

Related Plans & Policies

General Plan and Zoning: The following General Plan and Zoning Ordinance policies apply to the proposed project:

General Plan Land Use & Transportation Policy:

LU-P-52 Facilitate high-quality building and site design for multi-family developments by updating development standards in the zoning ordinance and providing clear rules for development review and approval and by creating and adopting design guidelines to be used in the development review and approval process.

Characteristics of high-quality site and building design include connectivity to the public realm; compatibility with surrounding development; small-scale buildings with variation in architecture and massing; usable open space and recreation facilities; orientation to natural features; and solar orientation.

LU-P-56 Update the Zoning Ordinance to reflect the Medium Density Residential designation on the Land Use Diagram for development at 10 to 15 dwelling units per gross acre.

This designation can accommodate a mix of housing types including small-lot single family, townhouses, two- and four-plexes, and garden apartments, on infill lots or new development areas within walking distance of neighborhood nodes and corridors. Medium Density Residential development may also be permitted on corner lots in single-family zones and in infill areas where it can be made to be consistent with adjacent properties through the conditional use process. Development standards will ensure that new development contributes positively to the larger community environment. Projects on sites larger than five acres or involving more than 60 units will require discretionary review.

LU-P-57 Update the Zoning Ordinance to reflect the High Density Residential designation on the Land Use Diagram for development at 15 to 35 dwelling units per gross acre, accommodating townhouses, two- and four-plexes, and multistory condominium and apartment buildings.

The designation is appropriate for some infill sites and new areas in close proximity to neighborhood centers and major transportation routes. High Density Residential development may also be permitted in infill areas where it can be made to be consistent with adjacent properties through the conditional use permit process. Development standards will ensure that new development contributes positively to the creation of neighborhood nodes or districts. Projects on sites larger than five acres or involving more than 60 units will require discretionary review.

T-P-41 Integrate the bicycle transportation system into new development and infill redevelopment. Development shall provide short term bicycle parking and long term bicycle storage facilities, such as bicycle racks, stocks, and rental bicycle lockers. Development also shall provide safe and convenient bicycle and pedestrian access to high activity land uses such as schools, parks, shopping, employment, and entertainment centers.

Zoning Ordinance Section for R-M Zone

Chapter 17.16

R-M Multi-Family Residential Zone

17.16.010 Purpose and intent.

In the R-M multi-family residential zones, the purpose and intent is to provide living areas within the two multi-family residential zones (one medium density and one high density) with housing facilities where development is permitted with a relatively high concentration of dwelling units, and still preserve the desirable characteristics and amenities of a low density atmosphere.

17.16.015 Applicability.

The requirements in this chapter shall apply to all property within R-M zone districts.

17.16.020 Permitted uses.

In the R-M multi-family residential zones, the following uses are permitted by right:

- A. Existing one-family dwellings;
- B. Multi-family dwellings up to sixty (60) dwelling units per site in the R-M-2 zone and the R-M-3 zone;
- C. Fruit, vegetable and horticultural husbandry;
- D. Swimming pools used only by residents on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or in a required side yard;
- E. Temporary subdivision sales offices;
- F. Licensed day care for a maximum of fourteen (14) children in addition to the residing family, situated within an existing single-family dwelling;
- G. Twenty-four (24) hour care facilities or foster homes for a maximum of six individuals in addition to the residing family;
- H. Signs subject to the provision of Chapter 17.48;
- I. The keeping of household pets, subject to the definition of household pets set forth in Section 17.04.030;
- J. Adult day care for a maximum of twelve (12) individuals in addition to the residing family, situated within an existing single-family dwelling;
- K. Other uses similar in nature and intensity as determined by the city planner.
- L. Transitional or supportive housing for six (6) or fewer resident/clients.
- M. Single-room occupancy (SRO), as follows:
 - 1. Up to fifteen (15) units per gross acre in the R-M-2 zone district;
 - 2. Up to twenty-nine (29) units per gross acre in the R-M-3 zone district.

17.16.030 Accessory uses.

In the R-M multi-family residential zone, accessory uses include:

- A. Home occupations subject to the provisions of Section 17.32.030;
- B. Accessory buildings subject to the provisions of Section 17.16.090B.

17.16.040 Conditional uses.

In the R-M multi-family residential zone, the following conditional uses may be permitted in accordance with the provisions of Chapter 17.38:

- A. Public and quasi-public uses of an educational or religious type including public and parochial elementary schools, junior high schools, high schools and colleges; nursery schools, licensed day care facilities for more than fourteen (14) children; churches, parsonages and other religious institutions;
- B. Public and private charitable institutions; general hospitals, sanitariums, nursing and convalescent homes; including specialized hospitals, sanitariums, or nursing, rest and convalescent homes including care for acute psychiatric, drug addiction or alcoholism cases;
- C. Public uses of an administrative, recreational, public service or cultural type including city, county, state or federal administrative centers and courts, libraries, museums, art galleries, police and fire stations and other public buildings, structures and facilities; public playgrounds, parks and community centers;
- D. In the R-M-3 zone only, an open air public or private parking lot, subject to all provisions of Section 17.34.030, excluding trucks over 3/4 ton;

- E. Electric distribution substations;
- F. Gas regulator stations;
- G. Public service pumping stations and/or elevated or underground tanks;
- H. Communication equipment buildings;
- I. In R-M-2 zone only, mobile home parks;
- J. More than sixty (60) units per site in the R-M-2 zone, and within the R-M-3 zone;
- K. Boarding houses and residential motels;
- L. [Reserved]
- M. Senior citizen residential developments;
- N. Adult day care in excess of twelve (12) individuals;
- O. Planned developments may utilize the provisions of Chapter 17.26;
- P. New one-family dwelling, meeting density identified in the general plan land use element designations;
- Q. Other uses similar in nature and intensity as determined by the city planner;
- R. Residential developments utilizing private streets in which the net lot area (lot area not including street area) meets or exceeds the site area prescribed by this chapter and in which the private streets are designed and constructed to meet or exceed public street standards.
- S. Transitional or supportive housing for seven (7) or more resident/clients.

17.16.050 Site area and configuration.

- A. The division of (R-M) multi-family residential property less than two (2) acres shall be approved as part of a conditional use permit.

17.16.060 Site area per dwelling unit and per structure.

The minimum site area per dwelling unit shall be three thousand (3,000) square feet in the R-M-2 zone and one thousand two hundred (1,200) square feet in the R-M-3 zone.

17.16.070 Front yard.

- A. The minimum front yard shall be as follows:

Zone	Minimum Front Yard
R-M-2	15 feet
R-M-3	15 feet

- B. On a site situated between sites improved with buildings, the minimum front yard may be the average depth of the front yards on the improved site adjoining the side lines of the site but need not exceed the minimum front yard specified above.

- C. All garage doors facing the front property line shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

17.16.080 Side yards.

- A. The minimum side yard for a permitted or conditional use shall be five feet per story subject to the exception that on the street side of a corner lot the side yard shall be not less than ten feet.
- B. Side yard providing access to more than one dwelling unit shall be not less than ten feet.
- C. On corner lots, all garage doors shall be a minimum of twenty-two (22) feet from the nearest public improvement or sidewalk.

17.16.090 Rear yard.

The minimum rear yard for a permitted use shall be fifteen (15) feet in the R-M-3 zone and twenty-five (25) feet in the R-M-2 zone, subject to the following exceptions:

- A. On a corner or reverse corner lot in R-M-2 zone the rear yard shall be twenty-five (25) feet on the narrow side or twenty (20) feet on the long side of the lot. The decision as to whether the short side or long side is used as the rear yard area shall be left to the applicant's discretion, as long as a minimum area of one thousand five hundred (1,500) square feet of usable rear yard area is maintained.
- B. Accessory structures not exceeding twelve (12) feet in height may be located in the required rear yard, but not closer than three feet to any lot line; provided, that on a reversed corner lot an accessory structure shall be located not closer to the rear property line than the required side yard on the adjoining key lot and not closer to the side property line adjoining the street than the required front yard on the adjoining key lot. In placing accessory structures in a required rear yard a usable, open, rear yard area of at least one thousand two hundred (1,200) square feet shall be maintained.

C. Exceptions to the rear yard setback can be granted for multiple family units that have their rear yard abutting an alley. The exception may be granted if the rear yard area is to be used for parking.

17.16.100 Height of structures.

The maximum height of structures shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-2 zone. The maximum height shall be thirty-five (35) feet or three (3) stories whichever is taller in the R-M-3 zone. Where an R-M-2 or R-M-3 site adjoins an R-1 site, the second and third story shall be designed to limit visibility from the second and third story to the R-1 site. Structures specified under Section 17.16.090(B) shall be exempt.

17.16.110 Off-street parking.

Off-street parking shall be subject to the provisions of Chapter 17.34.

17.16.120 Fences, walls and hedges.

Fences, walls and hedges shall be subject to the provisions of Section 17.36.040.

17.16.130 Trash enclosures.

Enclosures for trash receptacles are permitted that comply with the specifications and requirements of Section 17.32.010 and that are approved by the site plan review committee. Enclosures within the front yard setback are permitted for multiple family dwelling units when deemed necessary by city staff because no other appropriate location for an enclosure exists on the property.

17.16.140 Site plan review.

A site plan review permit must be obtained for all developments other than a single-family residence in R-M zones, subject to the requirements and procedures of Chapter 17.28.

17.16.150 Open space and recreational areas.

Any multiple family project approved under a conditional use permit or site plan review permit shall dedicate at least five (5) percent of the site to open, common, usable space and/or recreational facilities for use by tenants as a part of that plan. The calculated space shall not include setback areas adjacent to a street. Shared open space could include parks, playgrounds, sports courts, swimming pools, gardens, and covered patios or gazebos open on at least three (3) sides. Further, the calculated space shall not include enclosed meeting or community rooms. The specific size, location and use shall be approved as a part of the conditional use permit.

17.16.160 Screening.

All parking areas adjacent to public streets and R-1 sites shall be screened from view subject to the requirements and procedures of Chapter 17.28.

17.16.170 Screening fence.

Where a multiple family site adjoins an R-1 site, a screening block wall or wood fence not less than six feet in height shall be located along the property line; except in a required front yard, or the street side of a corner lot and suitably maintained.

17.16.180 Landscaping.

All multiple family developments shall have landscaping including plants, and ground cover to be consistent with surrounding landscaping in the vicinity. Landscape plans to be approved by city staff prior to installation and occupancy of use and such landscaping to be permanently maintained.

17.16.190 Model Good Neighbor Policies.

Before issuance of building permits, project proponents of multi-family residential developments in the R-M zones that are subject to approval by the Site Plan Review Committee or the Planning Commission, shall enter into an operational management plan (Plan), in a form approved by the City for the long term maintenance and management of the development. The Plan shall include but not be limited to: The maintenance of landscaping for the associated properties; the maintenance of private drives and open space parking; the maintenance of the fences, on-site lighting and other improvements that are not along the public street frontages; enforcing all provisions covered by covenants, conditions and restrictions that are placed on the property; and, enforcing all provisions of the model Good Neighbor Policies as specified by Resolution of the Planning Commission, and as may be amended by resolution.

17.16.200 Signs.

Signs shall be placed in conformance with Chapter 17.48.

Chapter 17.38

Conditional Use Permits

17.38.010 Purposes and powers.

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

17.38.020 Application procedures.

A. Application for a conditional use permit shall be made to the planning commission on a form prescribed by the commission which shall include the following data:

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

B. The application shall be accompanied by a fee set by resolution of the city council sufficient to cover the cost of handling the application.

17.38.030 Lapse of conditional use permit.

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

17.38.040 Revocation.

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

17.38.050 New application.

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

17.38.060 Conditional use permit to run with the land.

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

17.38.065 Abandonment of conditional use permit.

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

17.38.070 Temporary uses or structures.

A. Conditional use permits for temporary uses or structures may be processed as administrative matters by the city planner and/or planning division staff. However, the city planner may, at his/her discretion, refer such application to the planning commission for consideration.

B. The city planner and/or planning division staff is authorized to review applications and to issue such temporary permits, subject to the following conditions:

1. Conditional use permits granted pursuant to this section shall be for a fixed period not to exceed thirty (30) days for each temporary use not occupying a structure, including promotional enterprises, or six months for all other uses or structures.

2. Ingress and egress shall be limited to that designated by the planning division. Appropriate directional signing, barricades, fences or landscaping shall be provided where required. A security officer may be required for promotional events.

3. Off-street parking facilities shall be provided on the site of each temporary use as prescribed in Section 17.34.020.

4. Upon termination of the temporary permit, or abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to their original condition.

5. Opening and closing times for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the city planner and planning division staff.

6. Applicants for a temporary conditional use permit shall have all applicable licenses and permits prior to issuance of a conditional use permit.

7. Signing for temporary uses shall be subject to the approval of the city planner.

8. Notwithstanding underlying zoning, temporary conditional use permits may be granted for fruit and vegetable stands on properties primarily within undeveloped agricultural areas. In reviewing applications for such stands, issues of traffic safety and land use compatibility shall be evaluated and mitigation measures and conditions may be imposed to ensure that the stands are built and are operated consistent with appropriate construction standards, vehicular access and off-street parking. All fruits and vegetables sold at such stands shall be grown by the owner/operator or purchased by said party directly from a grower/farmer.

9. Fruit/Vegetable stands shall be subject to site plan review.

C. The City Planner shall deny a temporary use permit if findings cannot be made, or conditions exist that would be injurious to existing site, improvements, land uses, surrounding development or would be detrimental to the surrounding area.

D. The applicant or any interested person may appeal a decision of temporary use permit to the planning commission, setting forth the reason for such appeal to the commission. Such appeal shall be filed with the city planner in writing with applicable fees, within ten (10) days after notification of such decision. The appeal shall be placed on the agenda of the commission's next regular meeting. If the appeal is filed within five (5) days of the next regular meeting of the commission, the appeal shall be placed on the agenda of the commission's second regular meeting following the filing of the appeal. The commission shall review the temporary use permit and shall uphold or revise the decision of the temporary use permit, based on the findings set forth in Section 17.38.110. The decision of the commission shall be final unless appealed to the council pursuant to Section 17.02.145.

E. A privately owned parcel may be granted up to six (6) temporary use permits per calendar year.

17.38.080 Public hearing--Notice.

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

17.38.090 Investigation and report.

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

17.38.100 Public hearing--Procedure.

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

17.38.110 Action by planning commission.

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

17.38.120 Appeal to city council.

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

17.38.130 Effective date of conditional use permit.

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

Article 2. Density Bonuses, Concessions and Other Incentives for Lower and Very Low-Income Households and for Senior Housing.

17.32.170 Purpose.

The California Legislature has determined that the provision of housing for lower and very low income individuals and senior citizens is of primary importance in the state and must be encouraged at the local level. It is the purpose of this chapter to specify how compliance with Government Code Section 65915 et seq. ("state density bonus law") will be implemented, as required by Government Code Section 65915, subdivision (a). In enacting this chapter, the City of Visalia's intent is to facilitate the development of affordable housing, to implement the goals, policies, and actions of the housing element of the city's general plan and provide a framework as it relates to implementing affordable housing density bonuses and offering concessions/incentives for eligible housing developments.

17.32.175 Definitions.

The definitions found in state density bonus law shall apply to the terms contained in this chapter.

17.32.180 Applicability.

A. A housing development as defined in state density bonus law shall be eligible for a density bonus and other regulatory incentives that are provided by state density bonus law when the applicant seeks and agrees to provide very low, low or moderate income housing units, or units intended to serve seniors, transitional foster youth, disabled veterans, homeless persons, and lower income students in the threshold amounts specified in state density bonus law. A housing development includes only the residential component of a mixed-use project. A commercial development, as that term is defined in Section 17.32.220, shall be eligible for a commercial development bonus as provided in Section 17.32.220.

B. The granting of a density bonus, incentive or concession, pursuant to this chapter, shall not be interpreted, in and of itself, to require a general plan amendment, development code amendment, zone change, other discretionary approval, or the waiver of a city ordinance or provisions of a city ordinance unrelated to development standards.

17.32.185 Application requirements.

A. Any applicant requesting a density bonus and any incentive(s), waiver(s), parking reductions, or commercial development bonus provided by state density bonus law shall submit a density bonus report as described below concurrently with the filing of the planning application for the first discretionary permit required for the housing development, commercial development, or mixed-use development. The requests contained in the density bonus report shall be processed concurrently with the planning application. The applicant shall be informed whether the application is complete consistent with California Government Code Section 65943.

B. The density bonus report shall include the following minimum information:

1. Requested Density Bonus.

a. Summary table showing the maximum number of dwelling units permitted by the zoning and general plan excluding any density bonus units, proposed affordable units by income level, proposed bonus percentage, number of density bonus units proposed, total number of dwelling units proposed on the site, and resulting density in units per acre.

b. A tentative map and/or preliminary site plan, drawn to scale, showing the number and location of all proposed units, designating the location of proposed affordable units and density bonus units.

c. The zoning and general plan designations and assessor's parcel number(s) of the housing development site.

d. Calculation of the maximum number of dwelling units permitted by the city's zoning regulations and general plan for the housing development, excluding any density bonus units.

e. A description of all dwelling units existing on the site in the five (5)-year period preceding the date of submittal of the application and identification of any units rented in the five (5)-year period. If dwelling units on the site are currently rented, income and household size of all residents of currently occupied units, if known. If any dwelling units on the site were rented in the five (5)-year period but are not currently rented, the income and household size of residents occupying dwelling units when the site contained the maximum number of dwelling units, if known.

f. Description of any recorded covenant, ordinance, or law applicable to the site that restricted rents to levels affordable to very low or lower income households in the five (5)-year period preceding the date of submittal of the application.

g. If a density bonus is requested for a land donation, the location of the land to be dedicated, proof of site control, and reasonable documentation that each of the requirements included in California Government Code Section 65915, subdivision (g) can be met.

2. Requested Concession(s) or Incentive(s). In the event an application proposes concessions or incentives for a housing development pursuant to state density bonus law, the density bonus report shall include the following minimum information for each incentive requested, shown on a site plan if appropriate:

a. The city's usual development standard and the requested development standard or regulatory incentive.

b. Except where mixed-use zoning is proposed as a concession or incentive, reasonable documentation to show that any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing costs or rents.

c. If approval of mixed-use zoning is proposed, reasonable documentation that nonresidential land uses will reduce the cost of the housing development, that the nonresidential land uses are compatible with the housing development and the existing or planned development in the area where the proposed housing development will be located, and that mixed-use zoning will provide for affordable housing costs or rents.

3. Requested Waiver(s). In the event an application proposes waivers of development standards for a housing development pursuant to state density bonus law, the density bonus report shall include the following minimum information for each waiver requested on each lot, shown on a site plan if appropriate:

a. The city's usual development standard and the requested development standard.

b. Reasonable documentation that the development standards for which a waiver is requested will have the effect of physically precluding the construction of a development at the densities or with the concessions or incentives permitted by California Government Code Section 65915.

4. Requested Parking Reduction. In the event an application proposes a parking reduction for a housing development pursuant to California Government Code Section 65915, subdivision (p), a table showing parking required by the zoning regulations, parking proposed under Section 65915, subdivision (p), and reasonable documentation that the project is eligible for the requested parking reduction.

5. Child Care Facility. If a density bonus or incentive is requested for a child care facility in a housing development, reasonable documentation that all of the requirements included in California Government Code Section 65915, subdivision (h) can be met.

6. Condominium Conversion. If a density bonus or incentive is requested for a condominium conversion, reasonable documentation that all of the requirements included in California Government Code Section 65915.5 can be met.

7. Commercial Development Bonus. If a commercial development bonus is requested for a commercial development, the application shall include the proposed partnered housing agreement and the proposed commercial development bonus, as defined in Section 17.32.220, and reasonable documentation that each of the standards included in Subsection 17.32.220(C) has been met.

8. Fee. Payment of any fee in an amount set by resolution of the city council for staff time necessary to determine compliance of the density bonus plan with state density bonus law.

17.32.190 Density bonus.

All calculations are rounded up for any fractional numeric value in determining the total number of units to be granted, including base density and bonus density as well as the resulting number of affordable units needed for a given density bonus project.

A. If a housing development qualifies for a density bonus under more than one (1) income category, or additionally as a senior citizen housing development as defined in state density bonus law, or as housing intended to serve transitional foster youth, disabled veterans, homeless persons, or lower income students, the applicant shall identify the categories under which the density bonus would be associated and granted. Density bonuses from more than one (1) category can be combined up to the maximum allowed under state density bonus law.

B. The density bonus units shall not be included in determining the number of affordable units required to qualify a housing development for a density bonus pursuant to state density bonus law.

C. The applicant may elect to accept a lesser percentage of density bonus than the housing development is entitled to, or no density bonus, but no reduction will be permitted in the percentages of required affordable units contained in California Government Code Section 65915, subdivisions (b), (c), and (f). Regardless of the number of affordable units, no housing development shall be entitled to a density bonus of more than what is authorized under state density bonus law.

17.32.195 Incentives.

A. Incentives include incentives and concessions as defined in state density bonus law. The number of incentives that may be requested shall be based upon the number the applicant is entitled to pursuant to state density bonus law.

B. Nothing in this chapter requires the provision of direct financial incentives for the housing development, including, but not limited to, the provision of financial subsidies, publicly owned land, fee waivers, or waiver of dedication requirements. The city, at its sole discretion, may choose to provide such direct financial incentives.

17.32.200 Review procedures.

All requests for density bonuses, incentives, parking reductions, waivers, or commercial development bonuses shall be considered and acted upon by the approval body with authority to approve the development within the timelines prescribed by California Government Code Section 65950 et seq., with right of appeal to the city council.

A. Eligibility for Density Bonus, Incentive(s), Parking Reduction, and/or Waiver(s) for a Housing Development. To ensure that an application for a housing development conforms with the provisions of state density bonus law, the staff report presented to the decision-making body shall state, or the city planner shall make a determination if it is within their authority to approve the development, whether the application conforms to the following requirements of state law as applicable:

1. The housing development provides the affordable units or senior housing required by state density bonus law to be eligible for the density bonus and any incentives, parking reduction, or waivers requested, including the replacement of units rented or formerly rented to very low and low income households as required by California Government Code Section 65915, subdivision (c)(3).

2. Any requested incentive will result in identifiable and actual cost reductions to provide for affordable housing costs or rents; except that, if a mixed-use development is requested, the application must instead meet all of the requirements of California Government Code Section 65915, subdivision (k)(2).

3. The development standards for which a waiver is requested would have the effect of physically precluding the construction of a development at the densities or with the concessions or incentives permitted by California Government Code Section 65915.

4. The housing development is eligible for any requested parking reductions under California Government Code Section 65915, subdivision (p).

5. If the density bonus is based all or in part on donation of land, all of the requirements included in California Government Code Section 65915, subdivision (g) have been met.

6. If the density bonus or incentive is based all or in part on the inclusion of a child care facility, all of the requirements included in California Government Code Section 65915, subdivision (h) have been met.

7. If the density bonus or incentive is based all or in part on the inclusion of affordable units as part of a condominium conversion, all of the requirements included in California Government Code Section 65915.5 have been met.

B. If a commercial development bonus is requested for a commercial development, the decision-making body shall make a finding, or the city planner shall make a finding if it is within their authority to approve the development, that the development complies with all of the requirements of Subsection 17.32.220(C), that the city has approved the partnered housing agreement, and that the commercial development bonus has been mutually agreed upon by the city and the commercial developer.

C. The decision-making body, or the city planner if it is within their authority to approve the development, shall grant an incentive requested by the applicant unless it makes a written finding, based upon substantial evidence, of any of the following:

1. The proposed incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in California Health and Safety Code Section 50052.5, or for affordable rents, as defined in California Health and Safety Code Section 50053;

2. The proposed incentive would be contrary to state or federal law; or

3. The proposed incentive would have a specific, adverse impact upon public health or safety or the physical environment or on any real property that is listed in the California Register of Historic Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low and moderate income households. For the purpose of this subsection, specific adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete.

D. The decision-making body, or the city planner if it is within their authority to approve the development, shall grant the waiver of development standards requested by the applicant unless it makes a written finding, based upon substantial evidence, of any of the following:

1. The proposed waiver would be contrary to state or federal law; or

2. The proposed waiver would have an adverse impact on any real property listed in the California Register of Historic Resources; or

3. The proposed waiver would have a specific, adverse impact upon public health or safety or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the housing development unaffordable to low and moderate income households. For the purpose of this subsection, specific adverse impact means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the housing development was deemed complete.

E. If any density bonus, incentive, parking reduction, waiver, or commercial development bonus is approved pursuant to this chapter, the applicant shall enter into an affordable housing agreement or senior housing agreement with the city pursuant to Section 17.32.205.

17.32.205 Affordable housing agreement and senior housing agreement.

A. Affordable Housing Agreement. Except where a density bonus, incentive, waiver, parking reduction, or commercial development bonus is provided for a market rate senior housing development, the applicant shall enter into an affordable housing agreement with the city, in a form approved by the city attorney, to be executed by the city manager, to ensure that the requirements of this chapter are satisfied. The affordable housing agreement shall guarantee the affordability of the affordable units for a minimum of fifty-five (55) years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program; shall identify the type, size and location of each affordable unit; and shall specify phasing of the affordable units in relation to the market rate units.

B. Senior Housing Agreement. Where a density bonus, waiver, or parking reduction is provided for a market rate senior housing development, the applicant shall enter into a restrictive covenant with the city, running with the land, in a form approved by the city attorney, to be executed by the city manager, to require that the housing development be operated as "housing for older persons" consistent with state and federal fair housing laws.

C. The executed affordable housing agreement or senior housing agreement shall be recorded against the housing development prior to final or parcel map approval, or, where a map is not being processed, prior to issuance of building permits for the housing development. The affordable housing agreement or senior housing agreement shall be binding on all future owners and successors in interest.

D. The affordable housing agreement shall include, but not be limited to, the following:

1. The number of density bonus dwelling units granted;

2. The number and type of affordable dwelling units

3. The unit size(s) (square footage) of target dwelling units and the number of bedrooms per target dwelling unit;

4. The proposed location of the affordable dwelling units;

5. Schedule for production of affordable dwelling units;

6. Incentives or concessions or waivers provided by the city;
7. Where applicable, tenure and conditions governing the initial sale of the affordable units;
8. Where applicable, tenure and conditions establishing rules and procedures for qualifying tenants, setting rental rates, filling vacancies, and operating and maintaining units for affordable rental dwelling units
9. Marketing plan; publication and notification of availability of affordable units;
10. Compliance with federal and state laws;
11. Prohibition against discrimination;
12. Indemnification;
13. City's right to inspect units and documents;
14. Remedies;
15. Attorney(s) fees provision.

17.32.210 Design and quality.

A. The city may not issue building permits for more than fifty percent (50%) of the market rate units until it has issued building permits for all of the affordable units, and the city may not approve any final inspections or certificates of occupancy for more than fifty percent (50%) of the market rate units until it has issued final inspections or certificates of occupancy for all of the affordable units.

B. Affordable units shall be comparable in exterior appearance and overall quality of construction to market rate units in the same housing development. Interior finishes and amenities may differ from those provided in the market rate units, but neither the workmanship nor the products may be of substandard or inferior quality as determined by the city.

C. The number of bedrooms of the affordable units shall at least equal the minimum number of bedrooms of the market rate units.

RESOLUTION NO. 2022-51

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2022-23, A REQUEST BY MARACOR DEVELOPMENT TO DEVELOP A 292-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON 10.8 ACRES IN THE R-M-2 (MULTI-FAMILY RESIDENTIAL, 3,000 SQ. FT. MINIMUM SITE AREA) ZONE. THE SITE IS LOCATED AT THE SOUTHWEST CORNER OF K AVENUE AND BEN MADDOX WAY (APNS: 126-750-050 & 126-750-051).

WHEREAS, Conditional Use Permit No. 2022-23 is a request by Maracor Development to develop a 292-unit multi-family residential development on 10.8 acres in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) zone. The project site is located on the southwest corner of K Avenue and Ben Maddox Way (APNs: 126-750-050 & 126-750-051); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on January 9, 2023; and

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

WHEREAS, a Notice of Exemption was prepared for the conditional use permit. Notice of Exemption No. 2022-51 disclosed that no additional environmental review is required, and that the Environmental Impact Report prepared for the City of Visalia General Plan, certified by Resolution No. 2014-37, adopted on October 14, 2014, was used for the adoption of the General Plan Land Use Designation of the subject site; and

NOW, THEREFORE, BE IT RESOLVED that Notice of Exemption No. 2022-51 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 project, as conditioned, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
2. That the proposed CUP is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
 - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. The proposed 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. Multiple General Plan policies (LU-P-52 and LU-P-56) identify the implementation of development standards to ensure that new multi-family residential development will contribute to positive land use compatibility. The size

of the property combined with the allotted number of units requires a conditional use permit for development of the site, wherein the proposed development can be reviewed for consistency and compatibility with adjacent properties.

The proposed project will result in the creation of a new multi-family residential development consisting of 3 two-story buildings and 7 three-story buildings totaling 292 units. The three-story buildings are planned along the street frontages and interior of the project while the two-story buildings will be placed along the back of the development closer to the neighboring single-family development to the south. The areas south, east, and west of the subject site are comprised of single-family residential development. There is also single-family homes along with vacant property planned and zoned for multi-family to the north across East K Avenue.

The site plan (see Exhibit A) depicts that the row of multi-family buildings along the south side of the development, adjacent to single-family residential, will be two-story and a minimum of 68 feet from the east property line providing at least 85 feet between the multi-family buildings and the nearest single-family residential homes to the south. The single-family home to the west of the site will also be a minimum of 85 feet away from the nearest multi-family building.

- b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. That the proposed housing development conforms with the provisions of state density bonus law and with Article 2 of Chapter 17.32 of the City of Visalia Ordinance Code (Density Bonuses, Concessions and Other Incentives for Lower and Very Low-Income Households and for Senior Housing). Specifically, the project is consistent with the following requirements of state law:
 - a. The housing development provides the affordable units required by state density bonus law to be eligible for the density bonus and any incentives, parking reduction, or waivers requested.
 - b. The requested incentives will result in identifiable and actual cost reductions to provide for affordable housing costs or rents.

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 project be developed consistent with the comments and conditions of the Site Plan Review 2022-065.
2. That the development be prepared in substantial compliance with the site plan shown in Exhibit "A", elevations shown in Exhibits "B", "C", "D", "E", "F", "G", "H", and corresponding floor plans shown in Exhibit "I".
3. That a six-foot high wood fence shall be installed along the west property line where existing fencing or block wall is not in place as depicted in Exhibit "K". If the developer elects to install fencing along the Ben Maddox and K Avenue street frontages, then the developer shall install wrought iron fencing in compliance with Section 17.36.040.B of the Zoning Ordinance.

4. That the setbacks illustrated in Exhibit "A" shall be maintained.
5. That the community building be developed as depicted in Exhibit "J".
6. That the development shall maintain the landscaping and fences/block walls along the street frontages, and within the site.
7. That the community building, pool, tot lot, and open space shall be installed as a part of the development and maintained in good working/accessible order.
8. That landscape and irrigation plans, prepared in accordance with the City of Visalia Model Water Efficient Landscape Ordinance (MWELO), shall be included in the construction document plans submitted for either grading or building construction permits. Prior to the project receiving final approved permits, a signed Certificate of Compliance stating that the project meets MWELO standards shall be submitted to the City.
9. That a valid will-serve letter for the providing of domestic water service be obtained for the development prior to development.
10. Provide street trees per the City's Street Tree Ordinance.
11. That the developer/owner shall enter into an affordable housing agreement with the city, in a form approved by the city attorney, to be executed by the city manager, to ensure that the requirements of Chapter 17.32 Article 2 Density Bonuses, Concessions and Other Incentives for Lower and Very Low-Income Households and for Senior Housing are satisfied. The affordable housing agreement shall guarantee the affordability of the affordable units for a minimum of fifty-five (55) years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.
12. That the owner/operator(s) of all multiple family residential units shall be subject to the following conditions:

A. Maintenance and Operations

- a. All development standards, City codes, and ordinances shall be continuously met for this apartment/residential complex. Buildings and premises, including paint/siding, roofs, windows, fences, parking lots, and landscaping shall be kept in good repair. Premises shall be kept free of junk, debris.
- b. Provide a regular program for the control of infestation by insects, rodents, and other pests at the initiation of the tenancy and control infestation during the tenancy.
- c. Where the condition is attributable to normal wear and tear, make repairs and arrangements necessary to put and keep the premise in as good condition as it by law or rental agreement should have been at the commencement of tenant occupation.
- d. Maintain all electrical, plumbing, heating, and other facilities in good working order.
- e. Maintain all dwelling units in reasonably weather tight condition and good exterior appearance.
- f. Remove graffiti within 24 hours of it having been observed.
- g. Recreation facilities shall be for tenant use only.

- h. Provide 24 hour access for Visalia Police Department to Maintenance and/or Management Staff. Maintenance and/or Management Staff shall be available by telephone or pager at all times, with phone numbers to be provided to the Police Department dispatch center and kept current at all times.
- i. Establish and conduct a regular program of routine maintenance for the apartment/residential complex. Such a program shall include, but not necessarily be limited to: regular inspections of common areas and scheduled re-paintings, re-plantings, and other similar activities that typically require attention at periodic intervals but not necessarily continuously.
- j. The name and phone number of the management company shall be posted in a prominent location at the front of the property.

B. Landscape Care and Maintenance

- a. Automatic irrigation systems shall be maintained.
- b. All plant materials (trees, shrubs, and groundcover) shall be maintained so that harm from physical damage or injury arising from vehicle damage, lack of water, chemical damage, insects, and other pests is minimized.
- c. It is the responsibility of the property owners to seek professional advice and spray and treat trees, shrubs, and groundcover for diseases which can be successfully controlled if such untreated diseases are capable of destroying an infected tree or other trees within a project.
- d. Maintain decorative planting so as not to obstruct or diminish lighting level throughout the apartment/residential complex. Landscaping shall not obscure common areas.

C. Parking - The parking of inoperative vehicles on-site, and boats, trucks (one-ton capacity and over), trailers, and/or recreational vehicles in the apartment/residential complex is not allowed.

D. Tenant Agreement - The tenant agreement for the complex must contain the following:

- a. Standards of aesthetics for renters in regard to the use and conditions of the areas of the units visible from the outside (patios, entryways).
- b. Hours when noise is not acceptable, based upon Community Noise Standards, additional standards may be applied within the apartment/residential complex.
- c. Rules for use of open areas/recreational areas of the site in regard to drinking, congregating, or public nuisance activities.
- d. Prohibition on inoperable vehicles on-site, and boats, trucks (one-ton capacity and over), trailers and/or recreational vehicles.
- e. Standards of behavior for tenants that could lead to eviction.
- f. All tenants shall read and receive a copy of the Tenant Agreement.

13. That all applicable federal, state, regional, and city policies and ordinances be met.

Exhibit A

Site Plan

LEGAL DESCRIPTION:

APN: 126-750-050

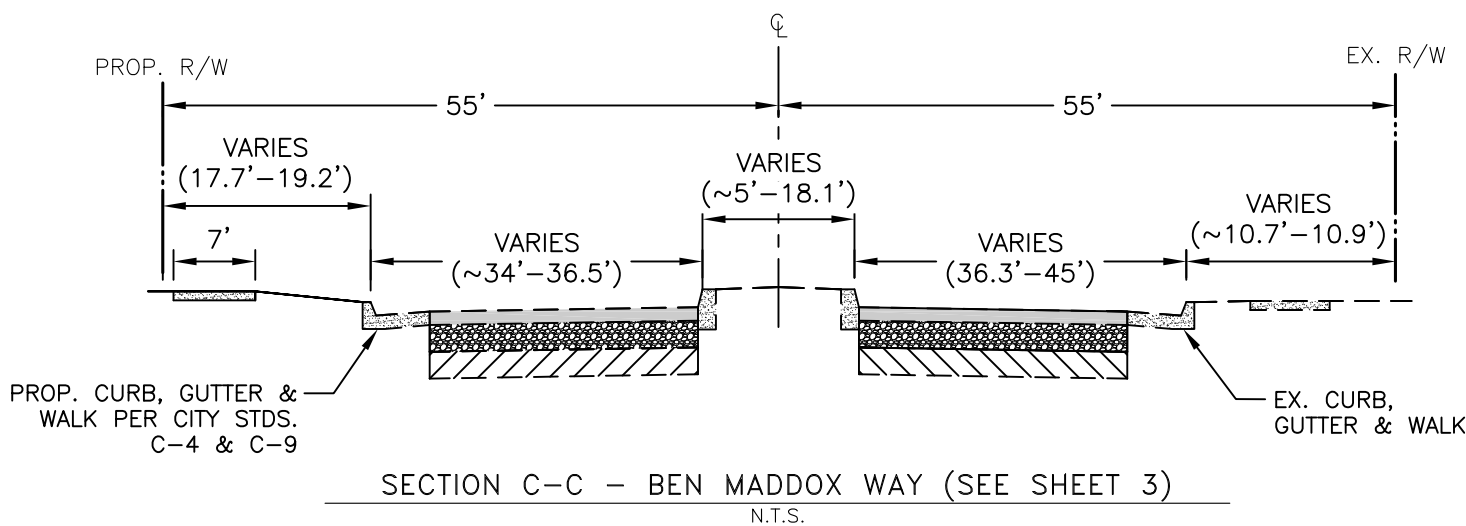
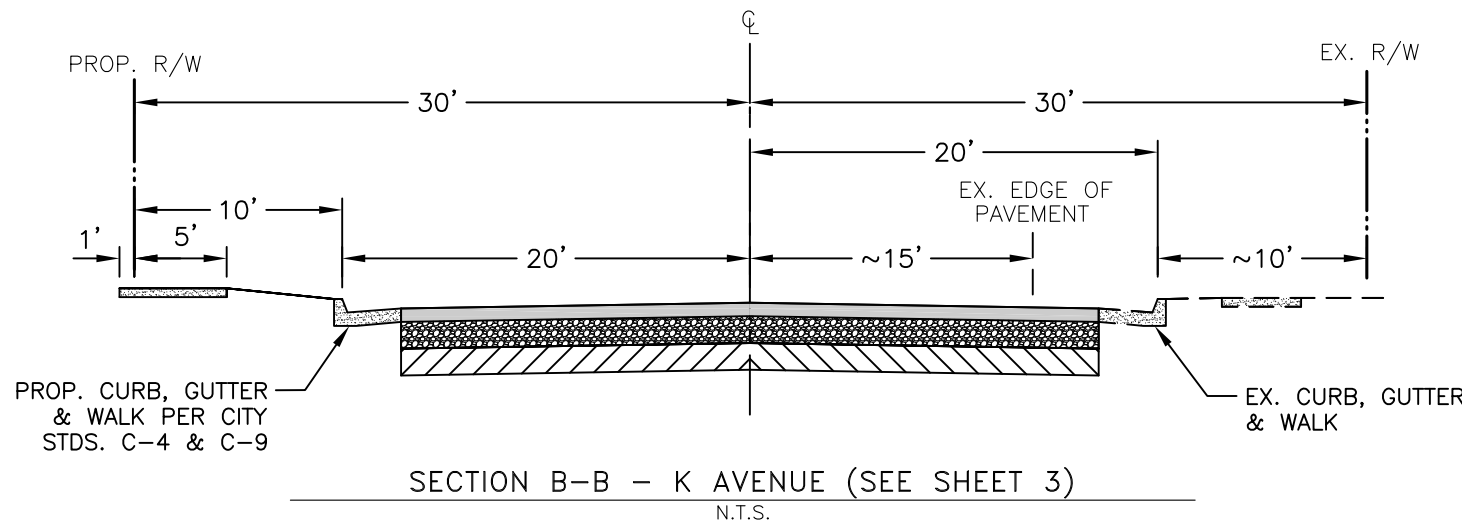
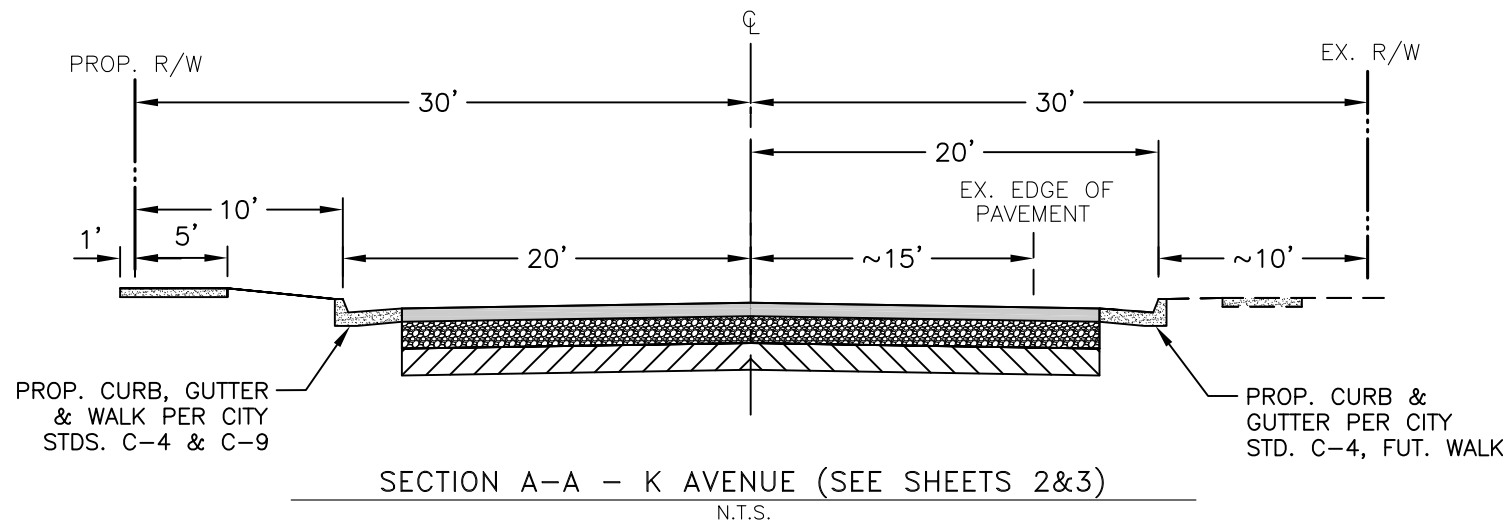
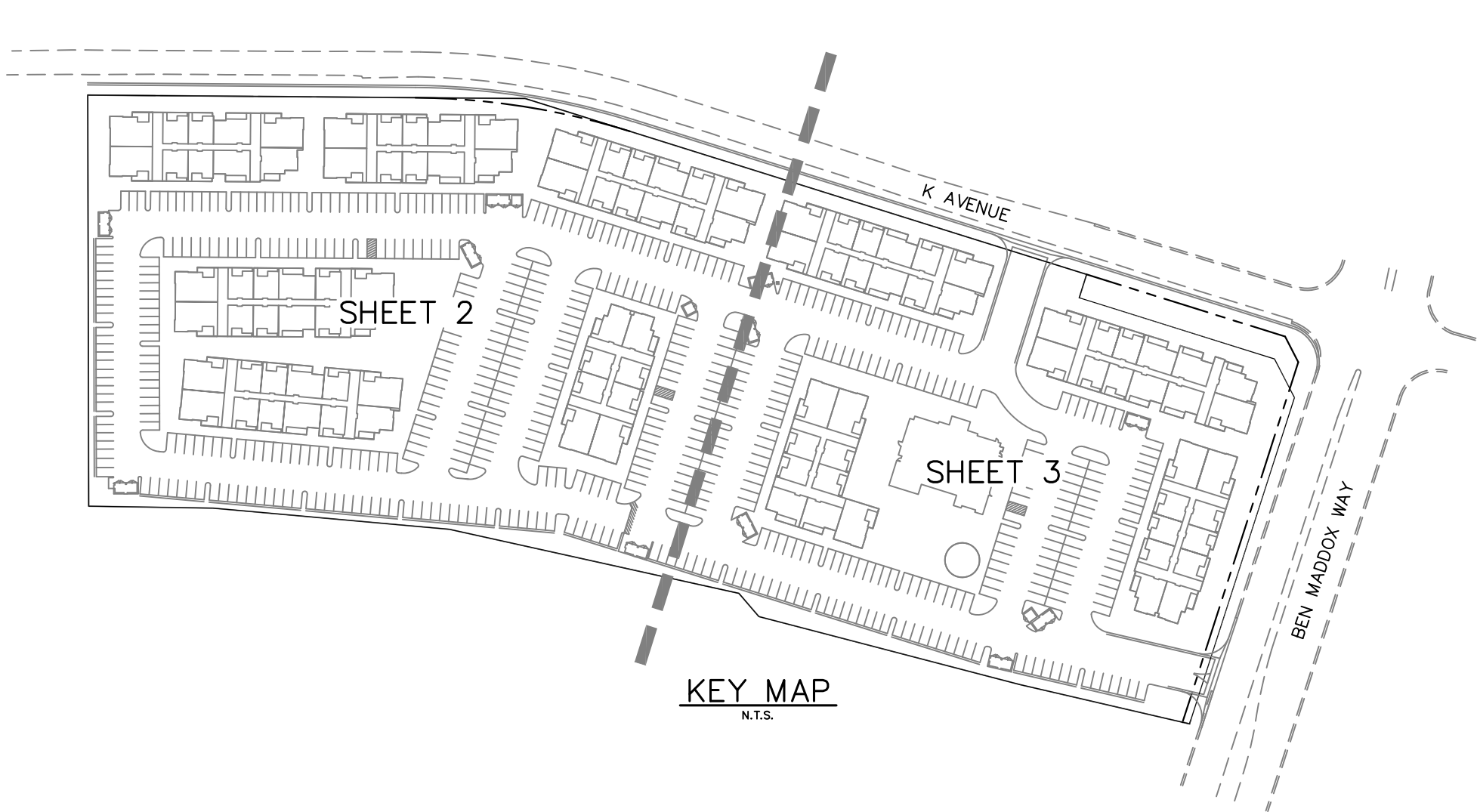
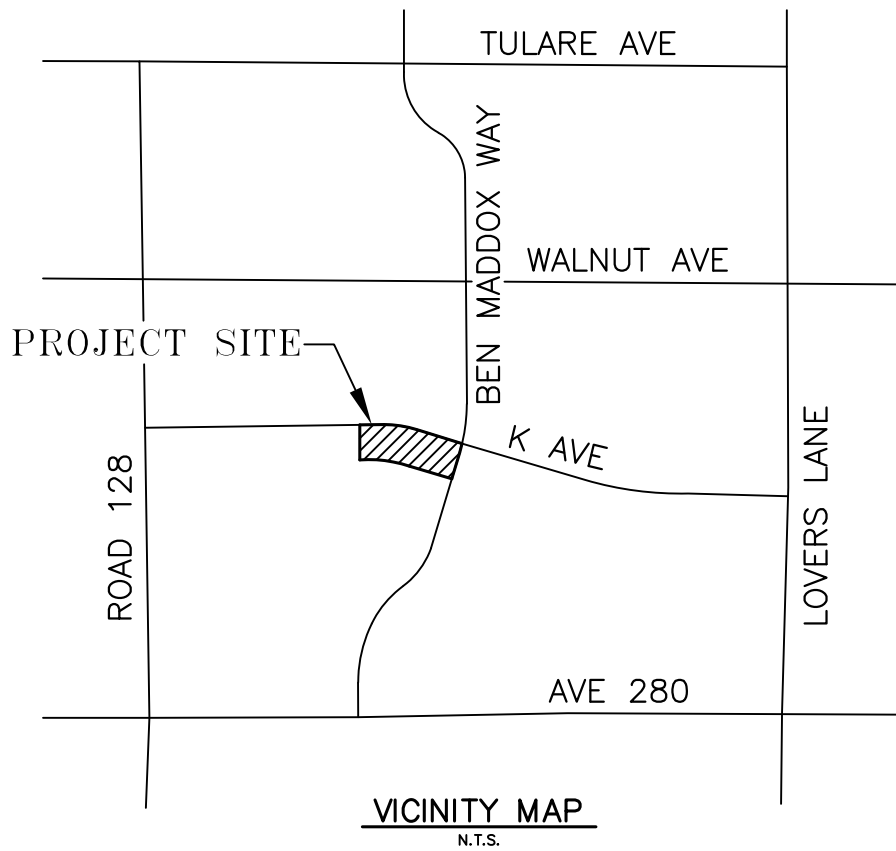
THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 19 SOUTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 1°02'03" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, 897.80 FEET TO A POINT IN THE SOUTH RIGHT-OF-WAY LINE OF "K" ROAD; THENCE NORTH 89°32'48" EAST, ALONG SAID RIGHT-OF-WAY LINE, 426.68 FEET TO AN ANGLE POINT IN SAID SOUTH RIGHT-OF-WAY LINE; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 73°29'58" EAST, 90.96 FEET; THENCE SOUTH 1°02'03" EAST, PARALLEL WITH SAID WEST LINE, 1,077.32 FEET; THENCE SOUTH 89°33'20" WEST, 520.79 FEET TO A POINT IN THE WEST LINE OF SAID WEST HALF OF THE SOUTHWEST QUARTER; THENCE NORTH 1°01'00" EAST, ALONG LAST SAID WEST LINE, 206.02 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM ANY PORTION THERE OF LYING WITHIN THE BOUNDARIES OF THE FOLLOWING DESCRIBED TRACTS:
MADDOX © CALDWELL, UNIT 3B, AS PER MAP RECORDED IN BOOK 38, PAGE 35 OF MAPS, TULARE COUNTY RECORDS.
MADDOX © CALDWELL 5, PHASE 1, AS PER MAP RECORDED IN BOOK 40, PAGE 13 OF MAPS, TULARE COUNTY RECORDS.
MADDOX © CALDWELL 5, PHASE 2, AS PER MAP RECORDED IN BOOK 40, PAGE 18 OF MAPS, TULARE COUNTY RECORDS.
MADDOX © CALDWELL 5, PHASE 3, AS PER MAP RECORDED IN BOOK 40, PAGE 19 OF MAPS, TULARE COUNTY RECORDS.
MADDOX © CALDWELL 5, PHASE 4, AS PER MAP RECORDED IN BOOK 41, PAGE 63 OF MAPS, TULARE COUNTY RECORDS.

APN: 126-750-051

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND THAT PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER, ALL IN SECTION 4, TOWNSHIP 19 SOUTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER;
THENCE NORTH 1°02'03" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER 897.80 FEET TO A POINT IN THE SOUTH RIGHT-OF-WAY LINE OF "K" ROAD;
THENCE NORTH 89°32'48" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 426.68 FEET TO AN ANGLE POINT IN SAID SOUTH RIGHT-OF-WAY LINE;
THENCE, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 73°29'58" EAST, 906.48 FEET TO A POINT IN THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER;
THENCE SOUTH 1°19'04" EAST ALONG SAID EAST LINE 633.60 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 0°43'40" WEST ALONG THE EAST LINE OF SAID WEST HALF OF THE SOUTHWEST QUARTER, 206.02 FEET;
THENCE SOUTH 89°33'20" WEST, 1284.20 FEET TO A POINT IN THE WEST LINE OF SAID WEST HALF OF THE SOUTHWEST QUARTER; THENCE NORTH 1°01'00" EAST, ALONG SAID WEST LINE, 206.02 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER, ALL IN SECTION 4, TOWNSHIP 10 SOUTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF TULARE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 1°02'03" WEST ALONG THE WETS LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER 897.80 FEET TO A POINT IN THE SOUTH RIGHT-OF-WAY LINE OF "K" ROAD;
THENCE NORTH 89°32'48" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 426.68 FEET TO AN ANGLE POINT IN SAID SOUTH RIGHT-OF-WAY LINE;
THENCE, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 73°29'58" EAST, 90.96 FEET; THENCE SOUTH 1°02'03" EAST, PARALLEL WITH SAID WETS LINE, 1077.32 FEET; THENCE SOUTH 89°33'20" WEST, 520.79 FEET TO A POINT IN THE WEST LINE OF SAID WEST HALF OF THE SOUTHWEST QUARTER; THENCE NORTH 1°01'00" EAST, ALONG SAID WEST LINE, 206.02 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN THE BOUNDARIES OF THE FOLLOWING DESCRIBED TRACTS:
MADDOX © CALDWELL, UNIT 3B, AS PER MAP RECORDED IN BOOK 38, PAGE 35 OF MAPS, TULARE COUNTY RECORDS.
MADDOX © CALDWELL 5, PHASE 1, AS PER MAP RECORDED IN BOOK 40, PAGE 13 OF MAPS, TULARE COUNTY RECORDS.
MADDOX © CALDWELL 5, PHASE 2, AS PER MAP RECORDED IN BOOK 40, PAGE 18 OF MAPS, TULARE COUNTY RECORDS.
MADDOX © CALDWELL 5, PHASE 3, AS PER MAP RECORDED IN BOOK 40, PAGE 19 OF MAPS, TULARE COUNTY RECORDS.
MADDOX © CALDWELL 5, PHASE 4, AS PER MAP RECORDED IN BOOK 41, PAGE 63 OF MAPS, TULARE COUNTY RECORDS.
ALSO EXCEPTING THEREFROM, ALL THAT PORTION LYING WITHIN K ROAD AND BEN MADDOX WAY.
ALSO EXCEPTING THEREFROM, ALL THAT PORTION LYING EASTERLY OF THE WESTERLY LINE OF BEN MADDOX WAY.

NOTES:

1. REPAIR ALL DAMAGED AND/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEERING PRIOR TO OCCUPANCY.
2. ANY SURVEY MONUMENT WITHIN THE AREA OF CONSTRUCTION SHALL BE PRESERVED OR RESET BY A REGISTERED CIVIL ENGINEER OF LICENSED SURVEYOR.
3. TWO WORKING DAYS BEFORE COMMENCING EXCAVATION OPERATION WITHIN THE STREET RIGHT-OF-WAY AND/OR UTILITY EASEMENTS. ALL EXISTING UNDERGROUND FACILITIES SHALL HAVE BEEN LOCATED BY UNDERGROUND SERVICE ALERT (USA). CALL 1-800-642-2444.
4. TWO MEANS OF INGRESS/EGRESS MUST BE MAINTAINED DURING ALL PHASES OF DEVELOPMENT.
5. THIS AREA IS WITHIN FLOODZONE X
6. PROJECT TO EXTEND SEWER AND STORM MAINS AS REQUIRED BY CITY ENGINEER AND PER CITY MASTER PLANS.
7. PUBLIC STREET IMPROVEMENTS SHALL INCLUDE, BUT MAY NOT BE LIMITED TO, SIDEWALKS, PARKWAY LANDSCAPING, CURB AND GUTTER, STREET LIGHTING, UTILITY RELOCATIONS, DRIVE APPROACHES, PAVEMENT, AND SIGNAGE AND STRIPING.
8. ADDITIONAL RIGHT-OF-WAY AND/OR EASEMENTS DEDICATION FOR BEN MADDOX WAY AND K AVENUE AS REQUIRED BY THE CITY ENGINEER.
9. EXISTING SEWER MAIN ON BEN MADDOX WAY AND K AVENUE IS AVAILABLE TO SERVE NEW DEVELOPMENT AS REQUIRED BY THE CITY ENGINEER.
10. LANDSCAPING OR OTHER IMPROVEMENTS WILL NOT IMPEDE PROPER SIGHT DISTANCE PER CITY SIGHT DISTANCE STANDARDS.
11. PROVIDE 10% FUTURE E.V. CHARGING PARKING SPACES.



SITE NOTES:

EXISTING BUILDINGS
NONE

EXISTING TREES
EXISTING TREES TO BE REMOVED

EXISTING GENERAL PLAN LAND USE
MEDIUM DENSITY RESIDENTIAL
PLANNED GENERAL PLAN LAND USE
HIGH DENSITY RESIDENTIAL

EXISTING ZONING
R-M-2

PROPOSED ZONING
R-M-2

SOURCE OF WATER
CALIFORNIA WATER

SOURCE OF SEWAGE DISPOSAL
CITY OF VISALIA

SOURCE OF WASTE DISPOSAL
CITY OF VISALIA

SOURCE OF ELECTRICITY
SOUTHERN CALIFORNIA EDISON

SOURCE OF DATA
RECORD INFORMATION

SOURCE OF GAS
SOUTHERN CALIFORNIA EDISON

SOURCE OF CABLE T.V.
COMCAST

SOURCE OF TELEPHONE
AT&T

ASSESSOR'S PARCEL NUMBER
126-750-050; 126-750-051

SITE AREA
10.8 AC. (GROSS & NET)

DENSITY
292 UNITS
27.04 UNITS PER ACRE

OPEN SPACE
23,522 SF REQUIRED (5% OF SITE AREA)
83,968 SF PROPOSED
39,744 SF PORCHES & DECKS
123,712 SF TOTAL PROVIDED (26% OF SITE AREA)

PARKING
REQUIRED:
438 RESIDENT PARKING
73 GUEST PARKING
511 REQUIRED PARKING (1.75 SP/DU)

PROPOSED:
450 STANDARD STALLS (224 COVERED)
116 COMPACT STALLS (64 COVERED)
12 ACCESSIBLE STALLS (4 COVERED)
578 PROPOSED PARKING (292 COVERED)

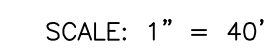
PERCENTAGE OF PARKING AREA ONLY
DEVOTED TO LANDSCAPING: 13%

COVER SHEET

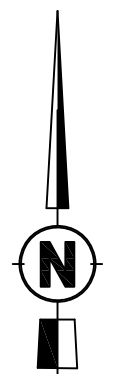
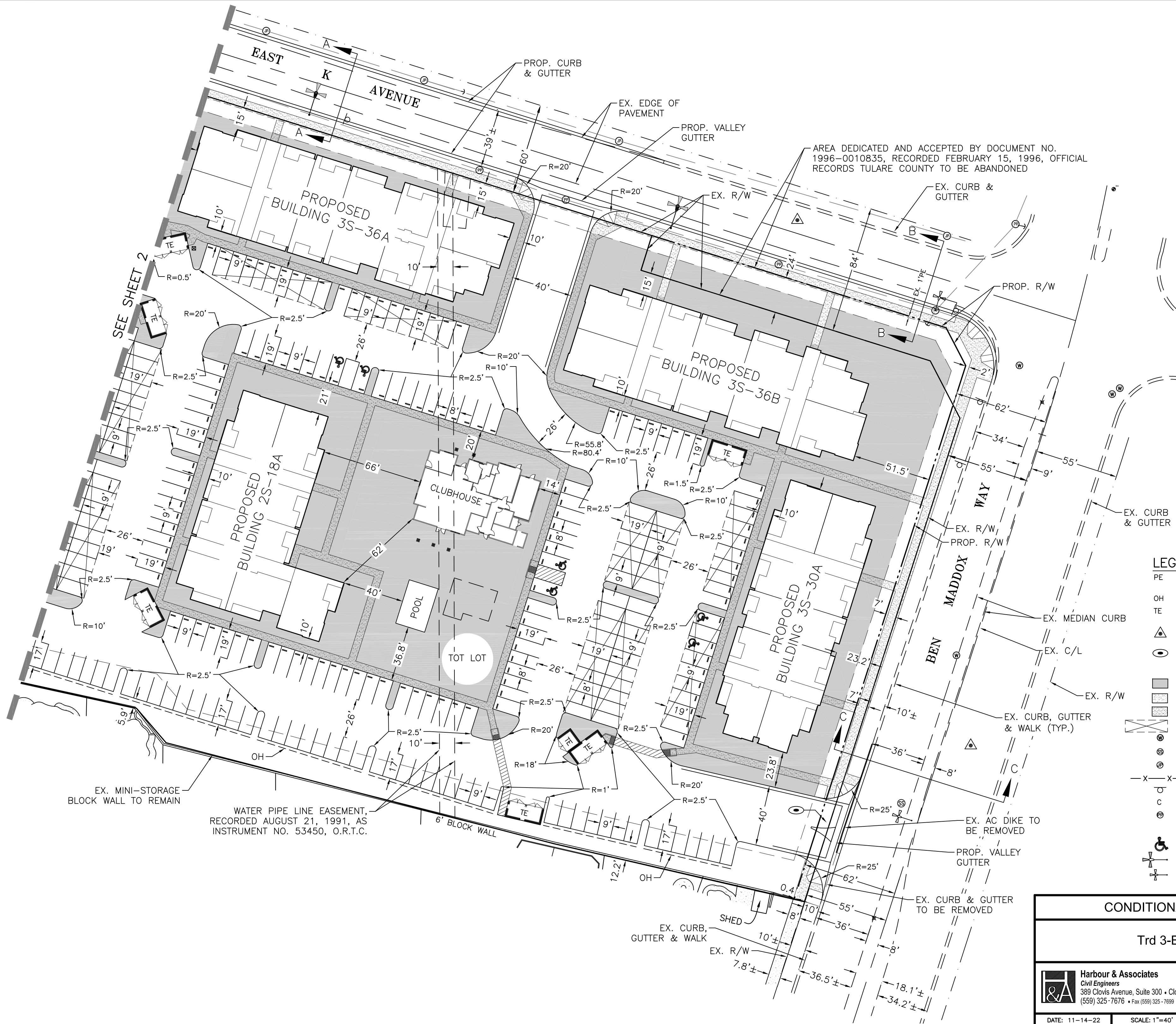
CONDITIONAL USE PERMIT PLAN			
OWNER Trd 3-Brackenwood LLC 1969 HILLMAN ST. TULARE, CA 93274			
 Harbour & Associates <i>Civil Engineers</i> 389 Clovis Avenue, Suite 300 • Clovis, California 93612 (559) 325-7676 • Fax (559) 325-7699 • e-mail korrens@harbour-engineering.com	REVISIONS		SHEET NO. 1 OF 4

DATE: 11-14-22		DRAWN BY: SDH	

APPLICANT
MARACOR DEVELOPMENT, INC.
61 MORAGA WAY, SUITE 4
ORINDA, CA 94563
925-389-6836



DRAWN BY: SDH



SCALE: 1" = 40'

LEGEND:

- PE PROPOSED PEDESTRIAN EASEMENT NOW DEDICATED FOR PUBLIC USE
- OH 2' PARKING OVERHANG SETBACK
- TE PROPOSED TRASH ENCLOSURE PER CITY STDS. R-1, 4, 6 & 7
- INDICATES STREETS PREVIOUSLY DEDICATED FOR PUBLIC USE
- PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- PROPOSED OPEN SPACE
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- PROPOSED CARPORT
- EX. WATER VALVE
- EX. SANITARY SEWER MANHOLE
- EX. JOINT POLE
- EX. FENCE AS NOTED
- EX. SIGN
- COMPACT PARKING STALLS (8' WIDE)
- EX. POWER POLE TO EITHER BE UNDERGROUNDED, IF APPLICABLE, OR RELOCATED BASED ON FINAL DESIGN.
- HANDICAP STALL
- PROPOSED STREET LIGHT
- EXISTING STREET LIGHT

CONDITIONAL USE PERMIT PLAN				
OWNER				
Trd 3-Brackenwood LLC				
1969 HILLMAN ST. TULARE, CA 93274				
	Harbour & Associates <i>Civil Engineers</i> 389 Clovis Avenue, Suite 300 • Clovis, California 93612 (559) 325-7676 • Fax (559) 325-7699 • e-mail: korrns@harbour-engineering.com		REVISIONS	SHEET NO. 3 OF 4

DATE: 11-14-22	SCALE: 1"=40'	DRAWN BY: SDH		



EXISTING CONTOUR ELEVATION MAP

CONDITIONAL USE PERMIT PLAN

OWNER

Trd 3-Brackenwood LLC
1969 HILLMAN ST.
TULARE, CA 93274



Harbour & Associates
Civil Engineers
389 Clovis Avenue, Suite 300 • Clovis, California 93612
(559) 325-7676 • Fax (559) 325-7699 • e-mail lorrens@harbour-engineering.com

REVISIONS

SHEET NO.

4
OF
4

DATE: 11-14-22

SCALE: 1"=60'

DRAWN BY: SDH

BUILDING TYPE SUMMARY							
BUILDING TYPE	UNIT TYPE	UNIT	UNITS PER FLOOR	BUILDING UNIT TOTALS	BUILDING TOTALS	SITE UNIT TOTALS	UNIT %
2s-16A 2 STORY 16 UNITS	1 BED	U1	4	8	1	8	50%
	2 BED	U2A	0	0		0	0%
		U2B	2	4		4	25%
	3 BED	U3	2	4		4	25%
		U3A	0	0		0	0%
	TOTALS		8	16		16	100%

2s-18A 2 STORY 18 UNITS	1 BED	U1	4	8	1	8	44%
	2 BED	U2A	2	4		4	22%
		U2B	0	0		0	0%
	3 BED	U3	2	4		4	22%
		U3A	1	2		2	11%
	TOTALS		9	18		18	100%

3s-30B 3 STORY 30 UNITS	1 BED	U1	4	12	2	24	40%
	2 BED	U2A	2	6		12	20%
		U2B	1	3		6	10%
	3 BED	U3	3	9		18	30%
		U3A	0	0		0	0%
	TOTALS		10	30		60	100%

3s-30A 3 STORY 30 UNITS	1 BED	U1	6	18	1	18	60%
	2 BED	U2A	0	0		0	0%
		U2B	2	6		6	20%
	3 BED	U3	2	6		6	20%
		U3A	0	0		0	0%
	TOTALS		10	30		30	100%

2s-24A 2 STORY 24 UNITS	1 BED	U1	6	12	1	12	50%
	2 BED	U2A	2	4		4	17%
		U2B	1	2		2	8%
	3 BED	U3	3	6		6	25%
		U3A	0	0		0	0%
	TOTALS		12	24		24	100%

3s-36A 3 STORY 36 UNITS	1 BED	U1	6	18	3	54	50%
	2 BED	U2A	2	6		18	17%
		U2B	1	3		9	8%
	3 BED	U3	3	9		27	25%
		U3A	0	0		0	0%
	TOTALS		12	36		108	100%

3s-36B 3 STORY 36 UNITS	1 BED	U1	4	12	1	12	33%
	2 BED	U2A	4	12		12	33%
		U2B	1	3		3	8%
	3 BED	U3	3	9		9	25%
		U3A	0	0		0	0%
	TOTALS		12	36		36	100%

PROJECT SUMMARY				
1BED	U1	600 S.F.	136	46.58%
2 BED	U2A	848 S.F.	50	27.40%
	U2B	867 S.F.	30	
3 BED	U3	1,118 S.F.	74	26.03%
	U3A	1,118 S.F.	2	
TOTALS UNITS			292	100%

RENTABLE UNIT TOTAL				
1BED	U1	600 S.F.	136	47.06%
2 BED	U2A	848 S.F.	50	27.68%
	U2B	867 S.F.	30	
3 BED	U3	1,118 S.F.	71	25.26%
	U3A	1,118 S.F.	2	
TOTALS RENTAL UNITS			289	100%

MANAGERS UNIT				
3 BED	U3	1,118	3	1%
TOTALS MANAGER UNITS			3	1%

FLOOR AREA PROPOSED (Private Balcony area & Garages Excluded)						
	2s-16A 2 STORY 16 Units	2s-18A 2 STORY 18 Units	3s-30B 3 STORY 30 Units	3s-30A 3 STORY 30 Units	Clubhouse Building with Laundry	Total
Level 1	6,370	7,450	8317	7,570	3508	
Level 2	6,370	7,450	8317	7,570	0	
Level 3	0	0	8317	7,570	0	
Building Floor Area	12,740	14,900	24,951	22,710	3508	
Total Floor Area (sf)	12,740	14,900	49,902	22,710	3508	
	2s-24A 2 STORY 24 Units	3s-36A 3 STORY 36 Units	3s-36B 3 STORY 36 Units			Total
Level 1	9,517	9,517	10013			
Level 2	9,517	9,517	10013			
Level 3	0	9,517	10013			
Building Floor Area	19,034	28,551	30,039			
Total Floor Area (sf)	19,034	85,653	30,039			
Total Gross Floor Area Proposed						238,486 S.F.
Floor Area Ratio Proposed (With Easements)						0.51

PORCHES & DECKS				
	1st FLOOR	2nd FLOOR	3rd FLOOR	
U1	142 S.F.	142 S.F.	114 S.F.	
U2A	143 S.F.	143 S.F.	82 S.F.	
U2B	120 S.F.	120 S.F.	78 S.F.	
U3	160 S.F.	160 S.F.	146 S.F.	
U3A	160 S.F.	160 S.F.	128 S.F.	
				TOTAL
2s-16A	1,128 S.F.	1,128 S.F.	0 S.F.	2,256 S.F.
2s-18A	1,334 S.F.	1,334 S.F.	0 S.F.	2,668 S.F.
3s-30B	1,454 S.F.	1,454 S.F.	1,136 S.F.	4,044 S.F.
3s-30A	1,412 S.F.	1,412 S.F.	1,132 S.F.	3,956 S.F.
2s-24A	1,738 S.F.	1,738 S.F.	0 S.F.	3,476 S.F.
3s-36A	1,738 S.F.	1,738 S.F.	1,364 S.F.	4,840 S.F.
3s-36B	1,740 S.F.	1,740 S.F.	1,300 S.F.	4,780 S.F.
TOTAL	10,544 S.F.	10,544 S.F.	4,932 S.F.	26,020 S.F.

ADDITIONAL BUILDING	
CLUBHOUSE	3,508 S.F.

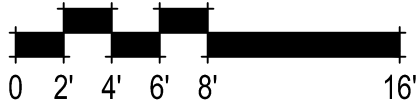
SITE DATA						
OPEN SPACE CALCULATIONS						
Open Space - S.F.	83,968 S.F.					
Porches & Decks - S.F. (5'-0" x 8'-0" min.)	39,744 S.F.					
Total open area - S.F.	123,712 S.F.					
Open area ratio proposed	26%					
Open space required 5% of Site	23,522 S.F.					
Parking lot area	199,459 S.F.					
Parking lot landscape area required - 10% of parking lot	19,946 S.F.					
Parking lot landscape area provided	26,482 S.F.					
Parking lot landscape area ratio proposed	13%					
SETBACKS AND HEIGHTS						
Zoning Setbacks	Existing: R-M-2	Proposed: R-M-2 - WITH DENSITY BONUS				
FRONT	15'-0"	15'-0"				
SIDE	5'-0"	5'-0"				
REAR	25'-0"	25'-0"				
Building Height Limit	35'-0"	3 STORIES - 35'-0"				
LOT COVERAGE						
BUILDING FOOTPRINT PROPOSED						
	2s-16A 2 STORY 16 Units	2s-18A 2 STORY 18 Units	3s-30B 3 STORY 30 Units	3s-30A 3 STORY 30 Units	Clubhouse Building with Laundry	Total
Footprint (sf)	6,370	7,450	8,317	7,570	3508	
Count	1	1	2	1	1	
Total	6,370	7,450	16634	7,570	3508	
	2s-24A 2 STORY 24 Units	3s-36A 3 STORY 36 Units	3s-36B 3 STORY 36 Units			
Footprint (sf)	9,517	9,517	10,013			11
Count	1	3	1			
Total	9,517	28,551	10013			
Lot Area						470,448 S.F.
Lot Coverage Proposed (With Easements)						19%

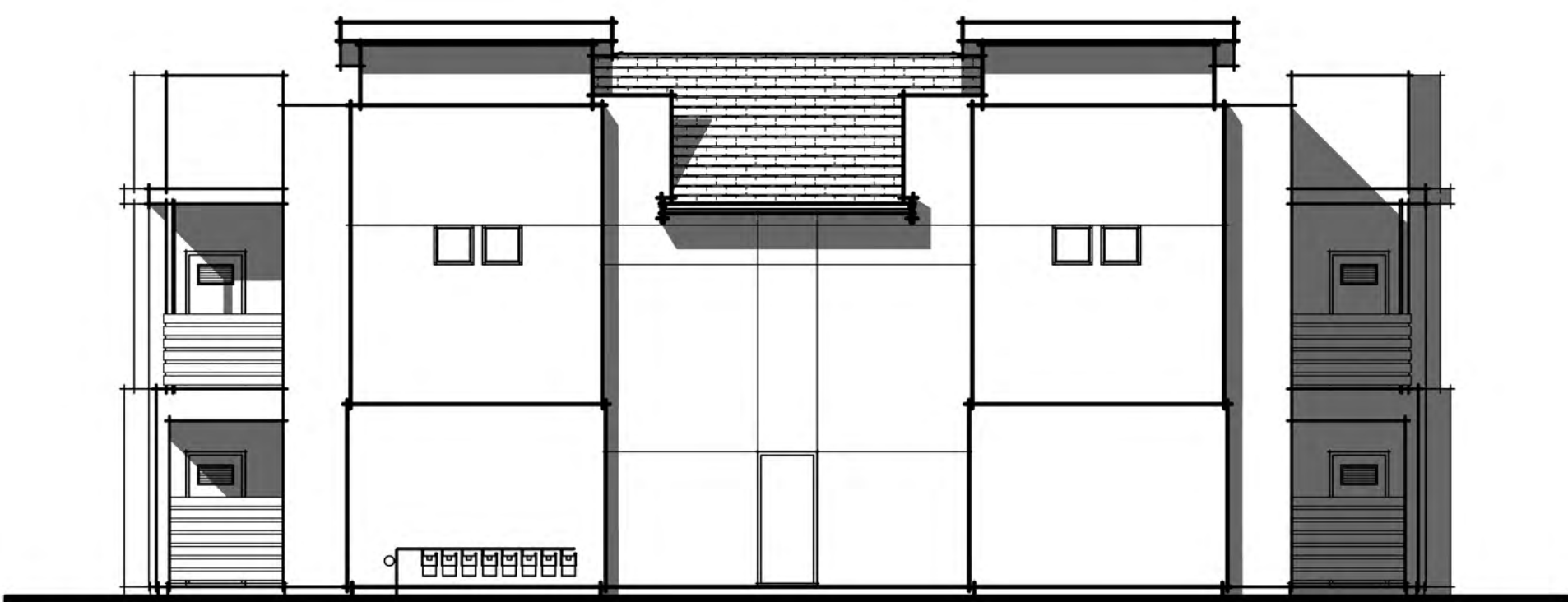
Exhibit B

Exterior Elevation Plans (Building 2s-16A)



BUILDING TYPE 2s-16A (16 UNIT BLDG) - TYPICAL FLOOR PLAN





UNIT 2B
867 SF

UNIT 2B
867 SF

RIGHT ELEVATION



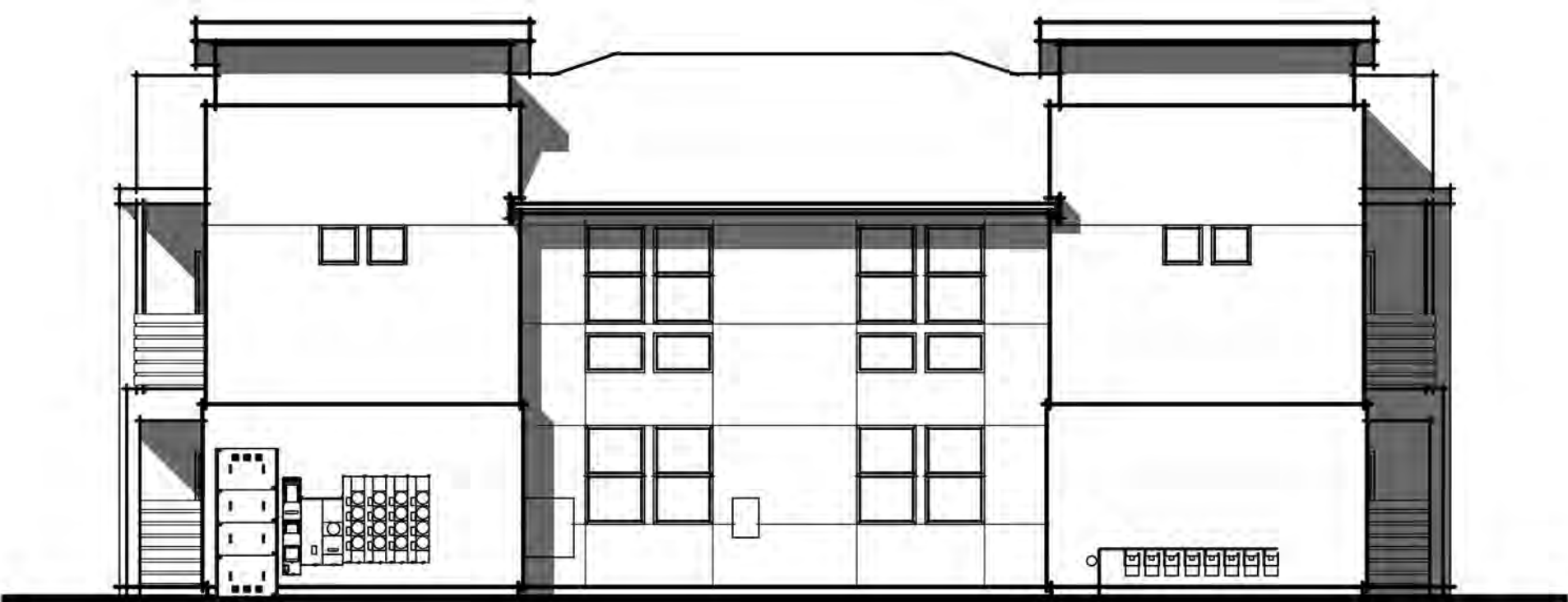
UNIT 3
1,118 SF

UNIT 1
600 SF

UNIT 1
600 SF

UNIT 2B
867 SF

FRONT ELEVATION



UNIT 3
1,118 SF

UNIT 3
1,118 SF

LEFT ELEVATION



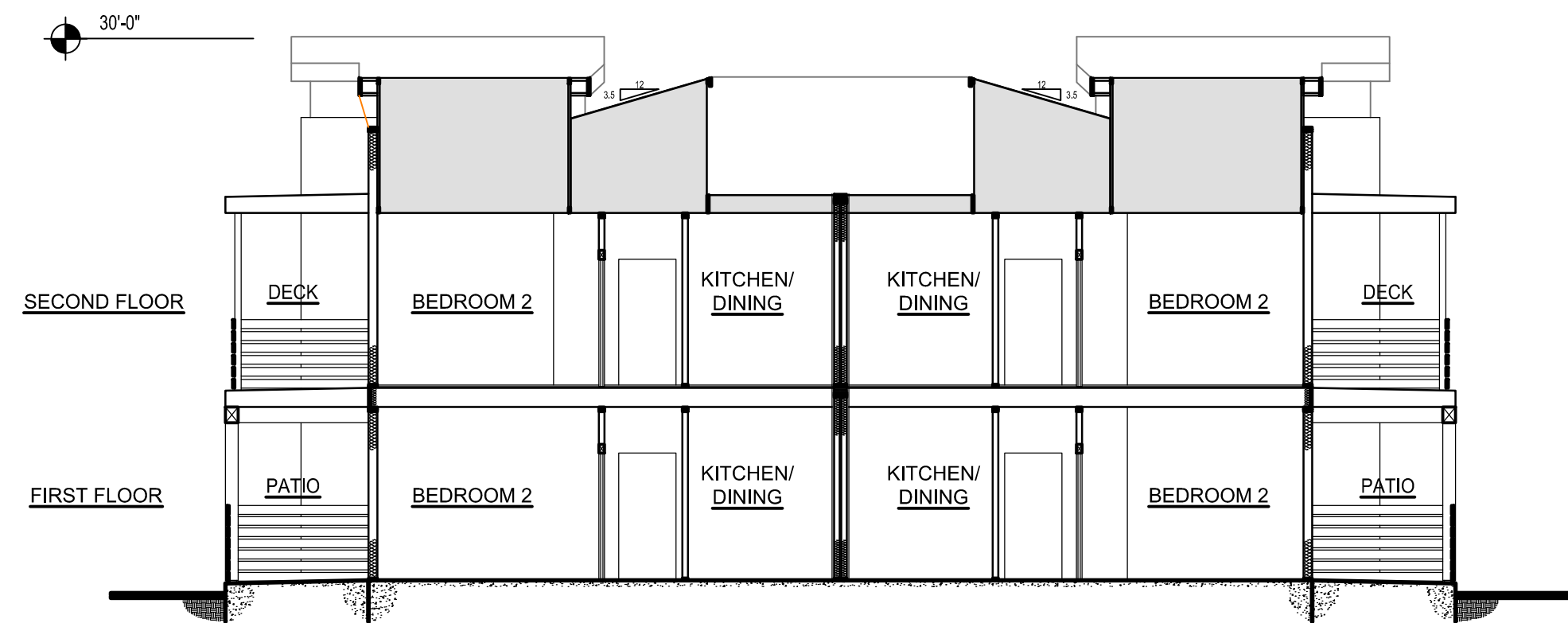
UNIT 2B
867 SF

UNIT 1
600 SF

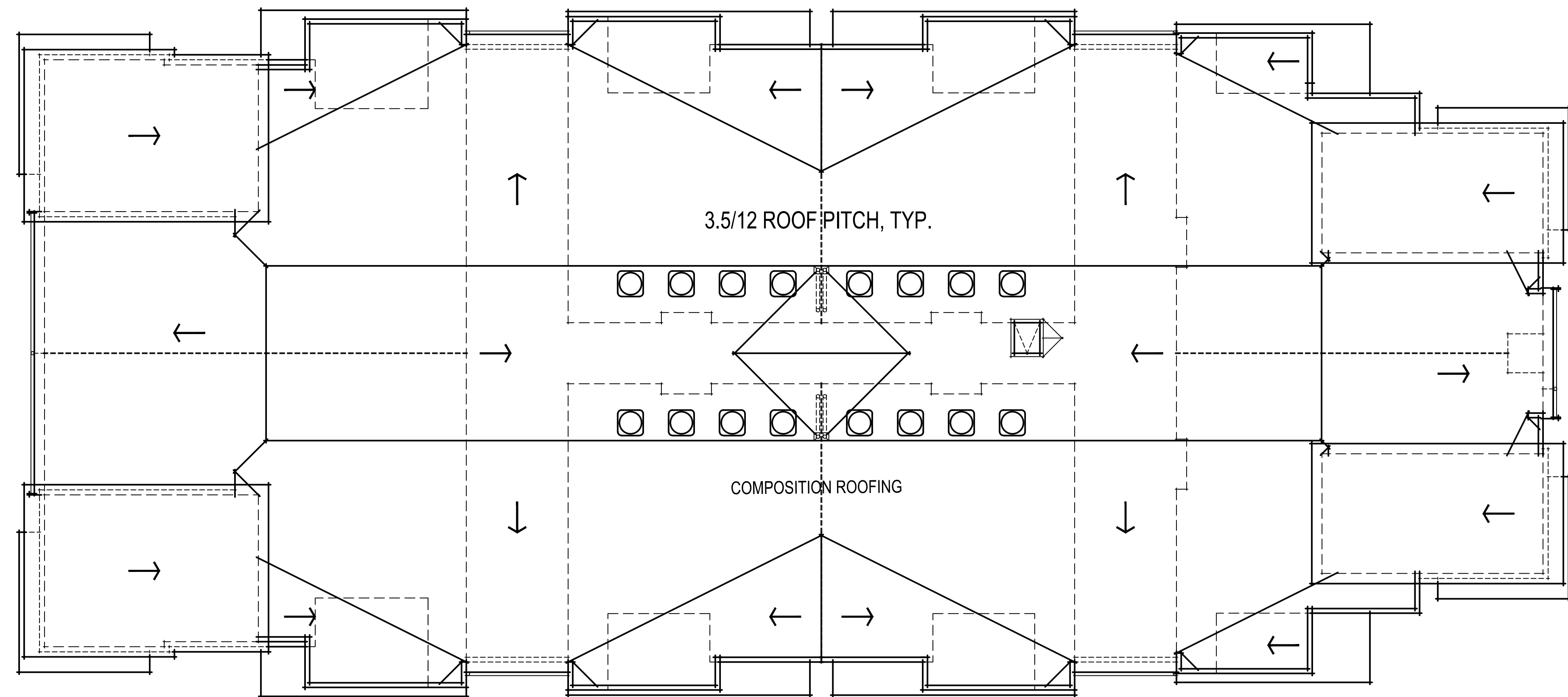
UNIT 1
600 SF

UNIT 3
1,118 SF

REAR ELEVATION



TYPICAL SECTION



ROOF PLAN



BUILDING TYPE 2S-16A - ROOF PLAN & SECTION

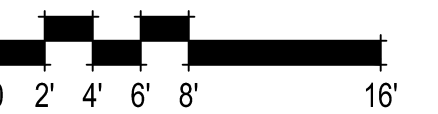
A7

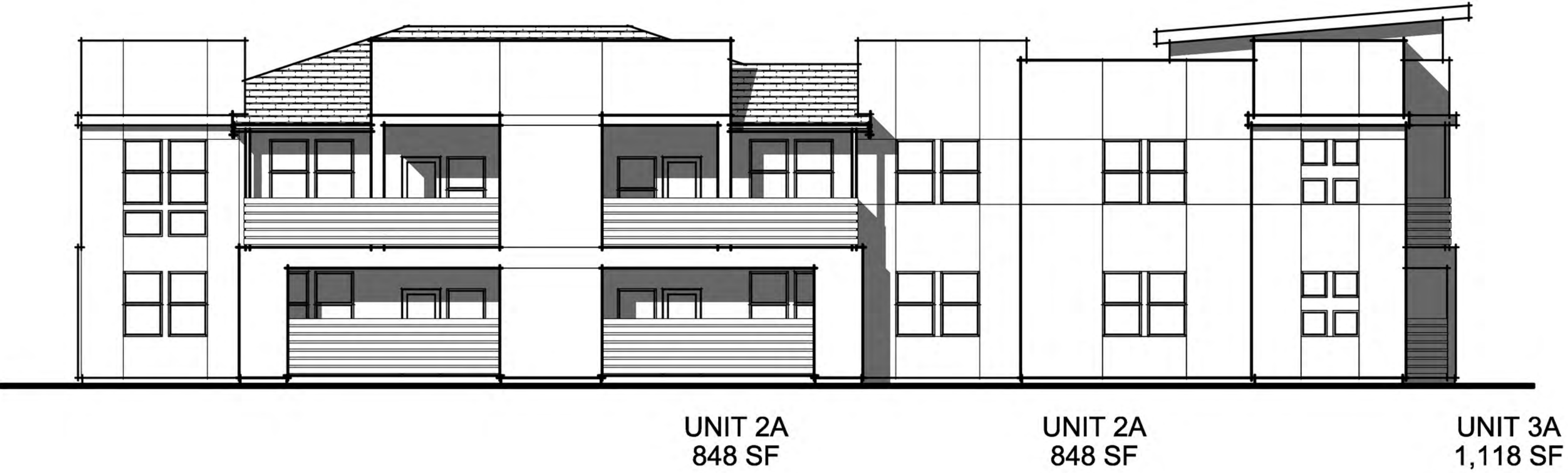
Exhibit C

Exterior Elevation Plans (Building 2s-18A)



BUILDING TYPE 2s-18A (18 UNIT BLDG) - TYPICAL FLOOR PLAN





RIGHT ELEVATION



FRONT ELEVATION



UNIT 3A
1,118 SF

UNIT 3
1,118 SF

UNIT 3
1,118 SF

LEFT ELEVATION



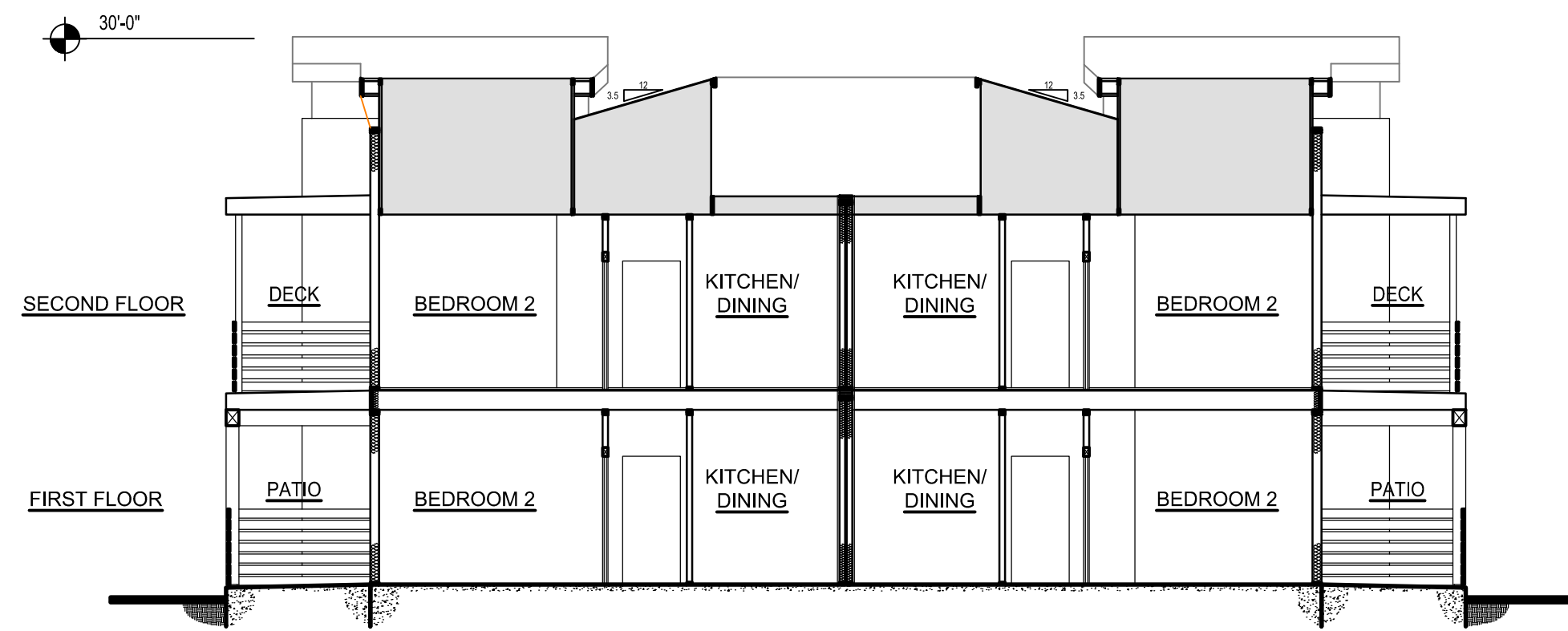
UNIT 2A
848 SF

UNIT 1
600 SF

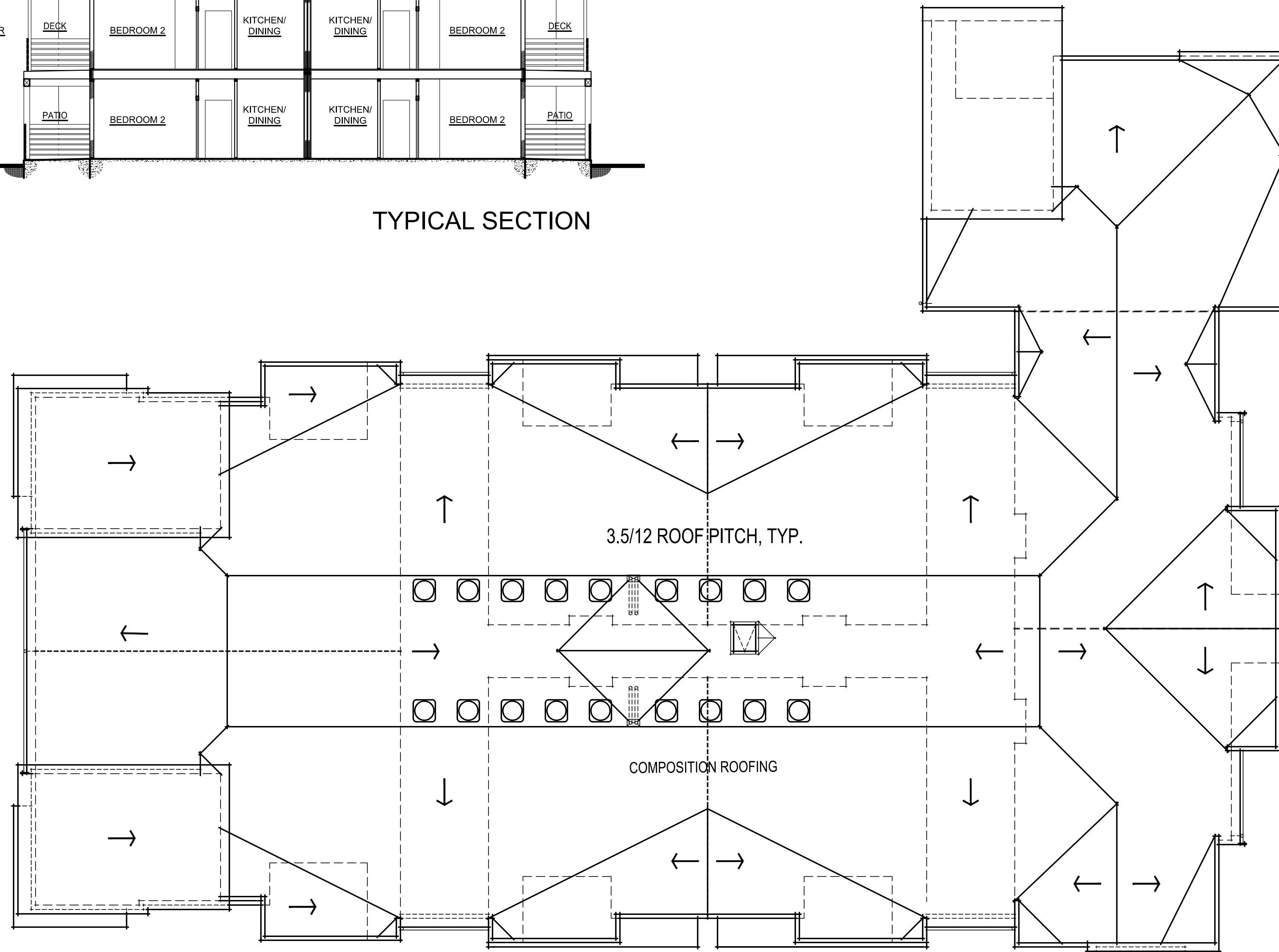
UNIT 1
600 SF

UNIT 3
1,118 SF

REAR ELEVATION



TYPICAL SECTION



ROOF PLAN

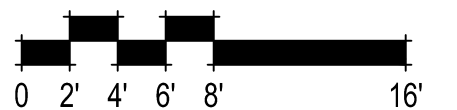
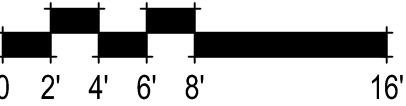


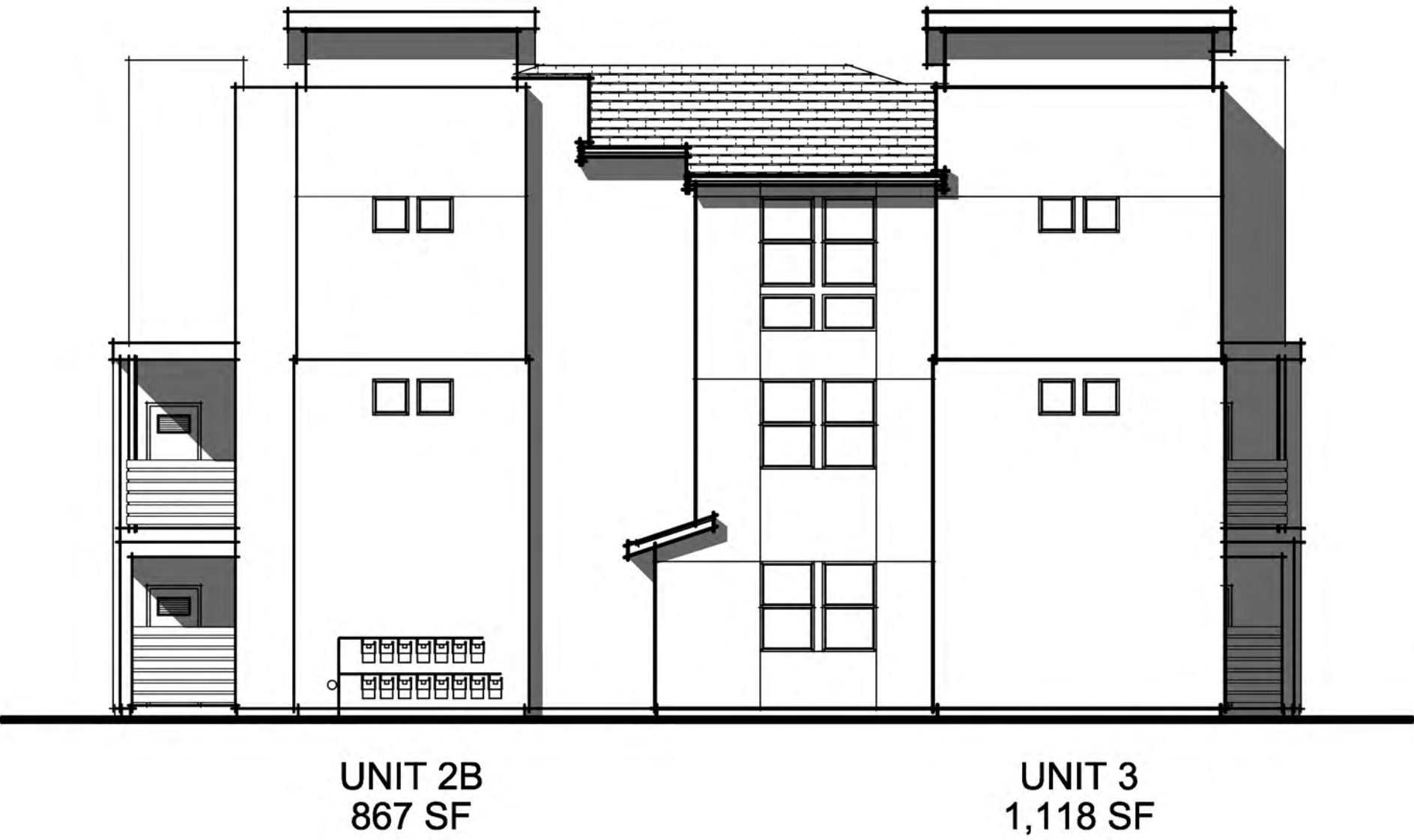
Exhibit D

Exterior Elevation Plans (Building 3s-30B)



BUILDING TYPE 3s-30B (30 UNIT BLDG) - TYPICAL FLOOR PLAN





RIGHT ELEVATION



FRONT ELEVATION



UNIT 3
1,118 SF

UNIT 3
1,118 SF

LEFT ELEVATION



UNIT 3
1,118 SF

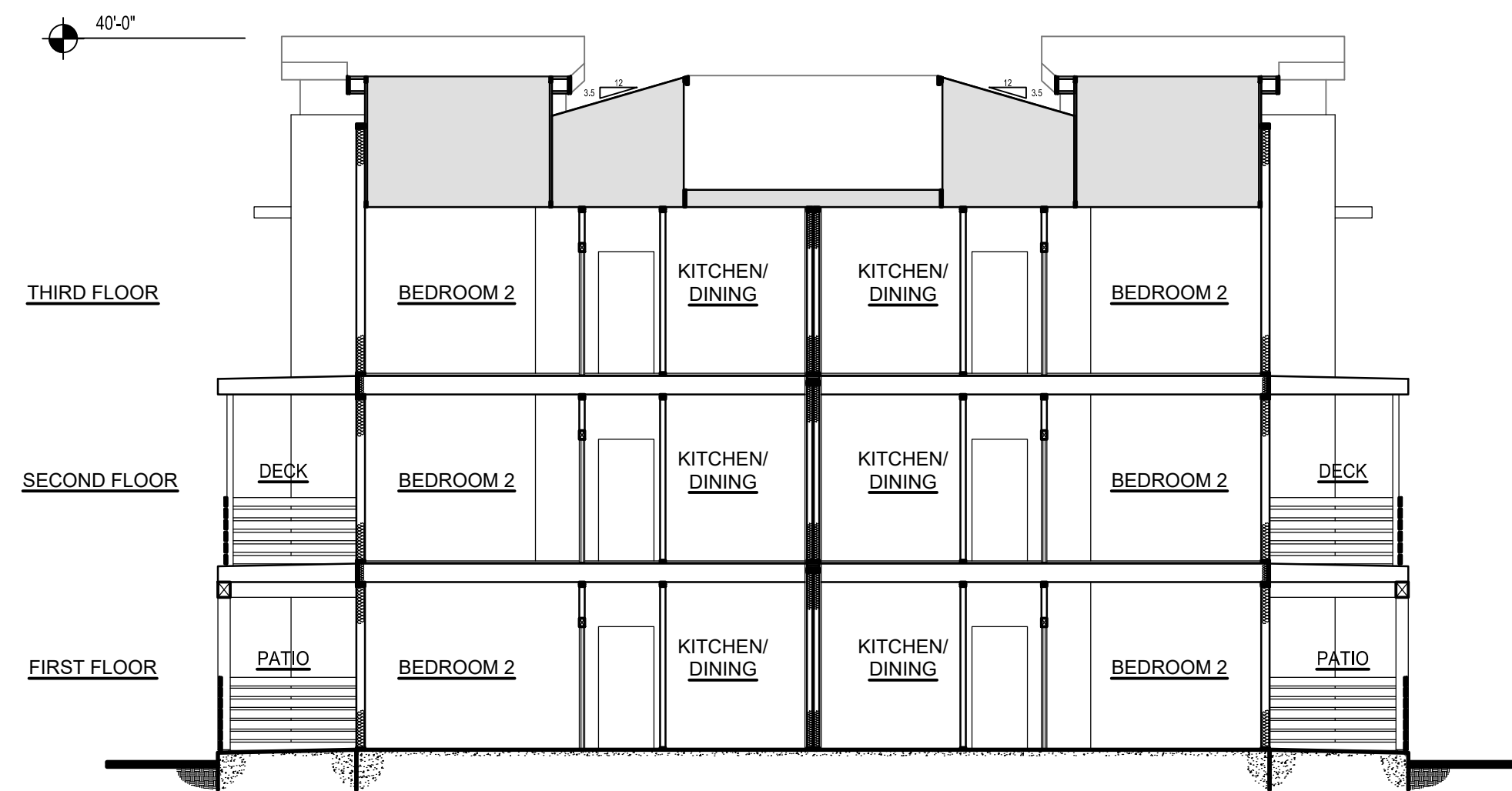
UNIT 2A
848 SF

UNIT 1
600 SF

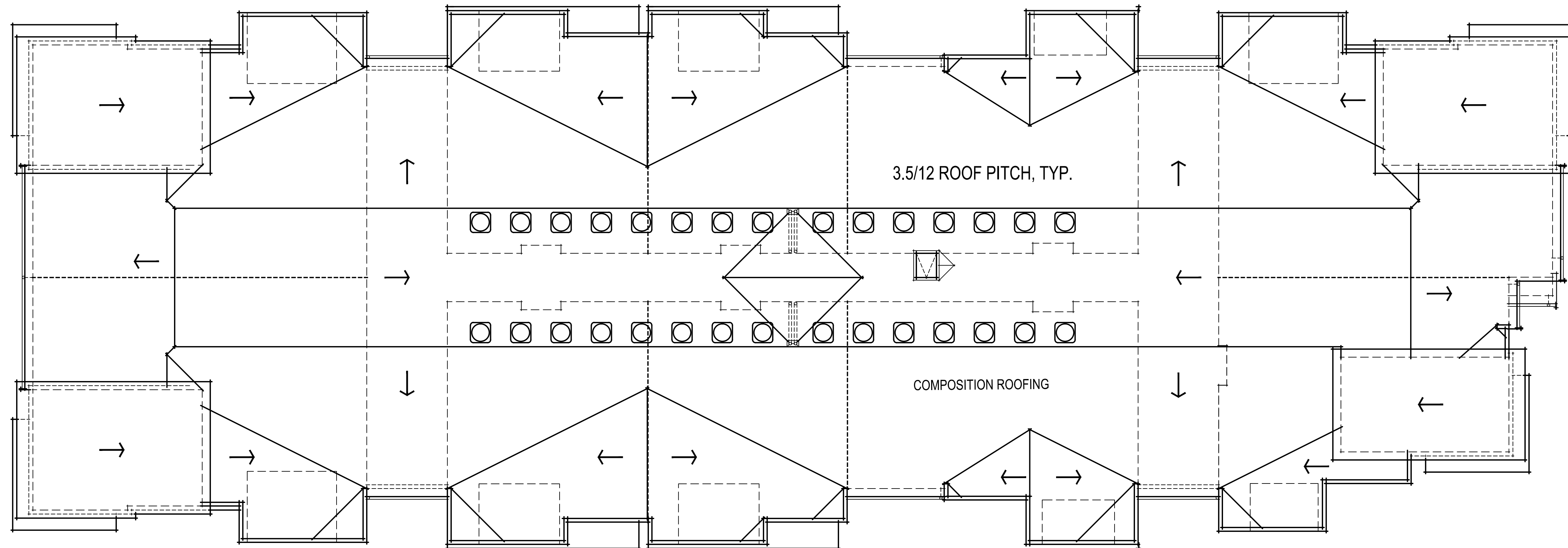
UNIT 1
600 SF

UNIT 3
1,118 SF

REAR ELEVATION



TYPICAL SECTION



ROOF PLAN

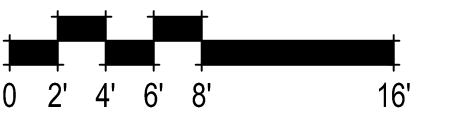
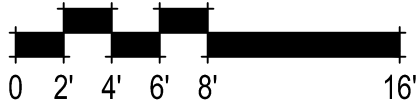


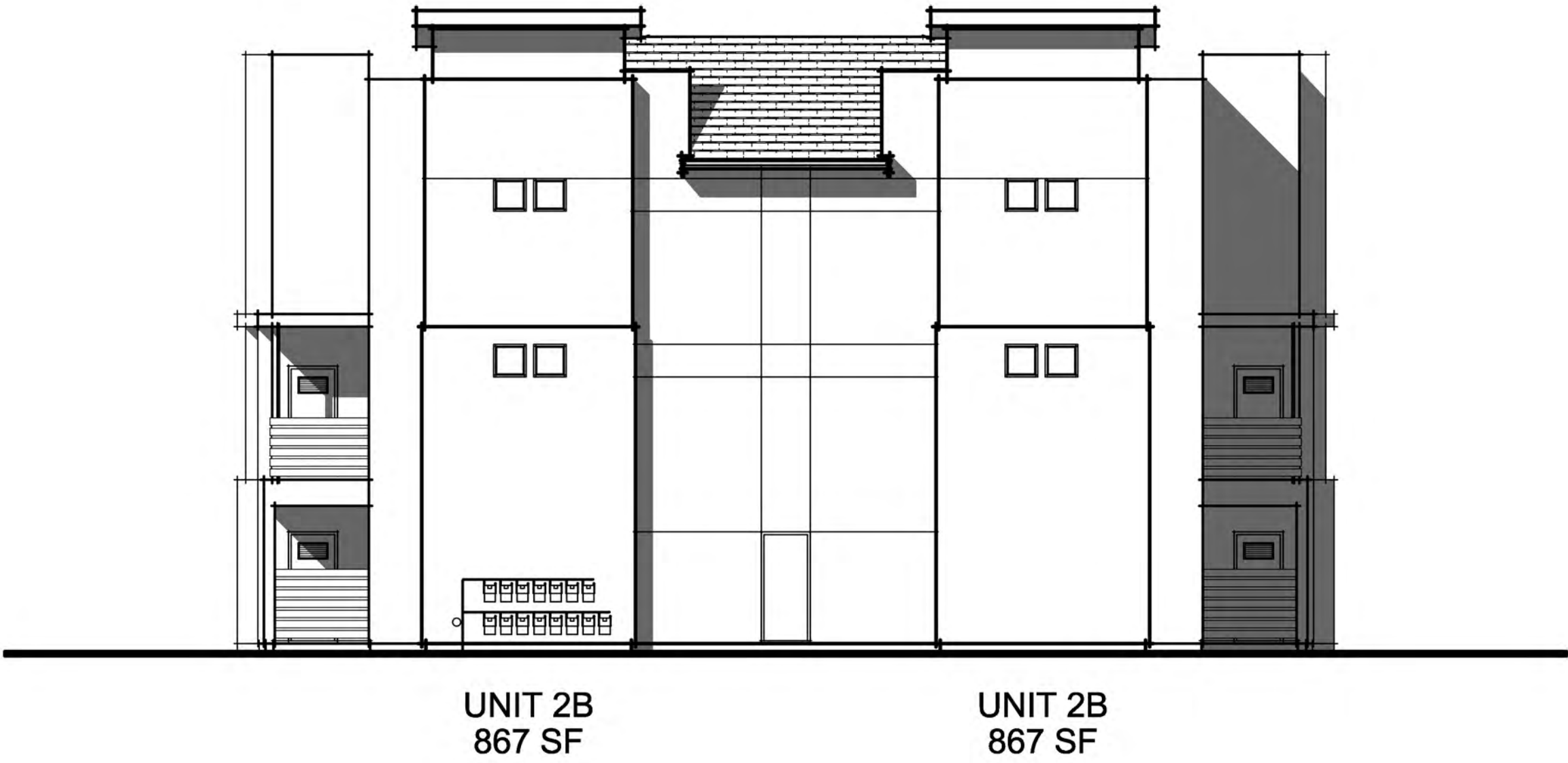
Exhibit E

Exterior Elevation Plans (Building 3s-30A)



BUILDING TYPE 3s-30A (30 UNIT BLDG) - TYPICAL FLOOR PLAN





RIGHT ELEVATION



FRONT ELEVATION



UNIT 3
1,118 SF

UNIT 3
1,118 SF

LEFT ELEVATION



UNIT 2B
867 SF

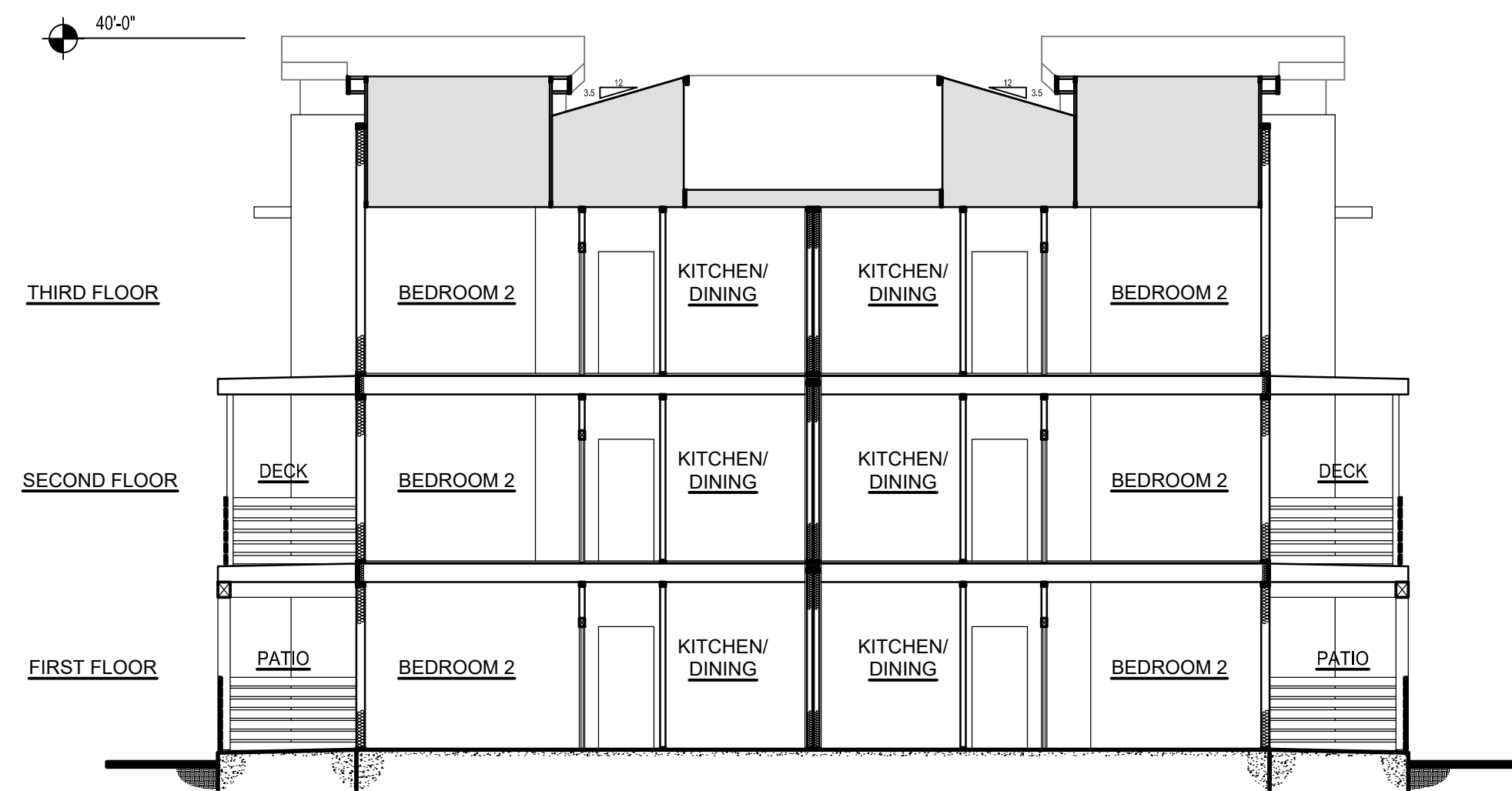
UNIT 1
600 SF

UNIT 1
600 SF

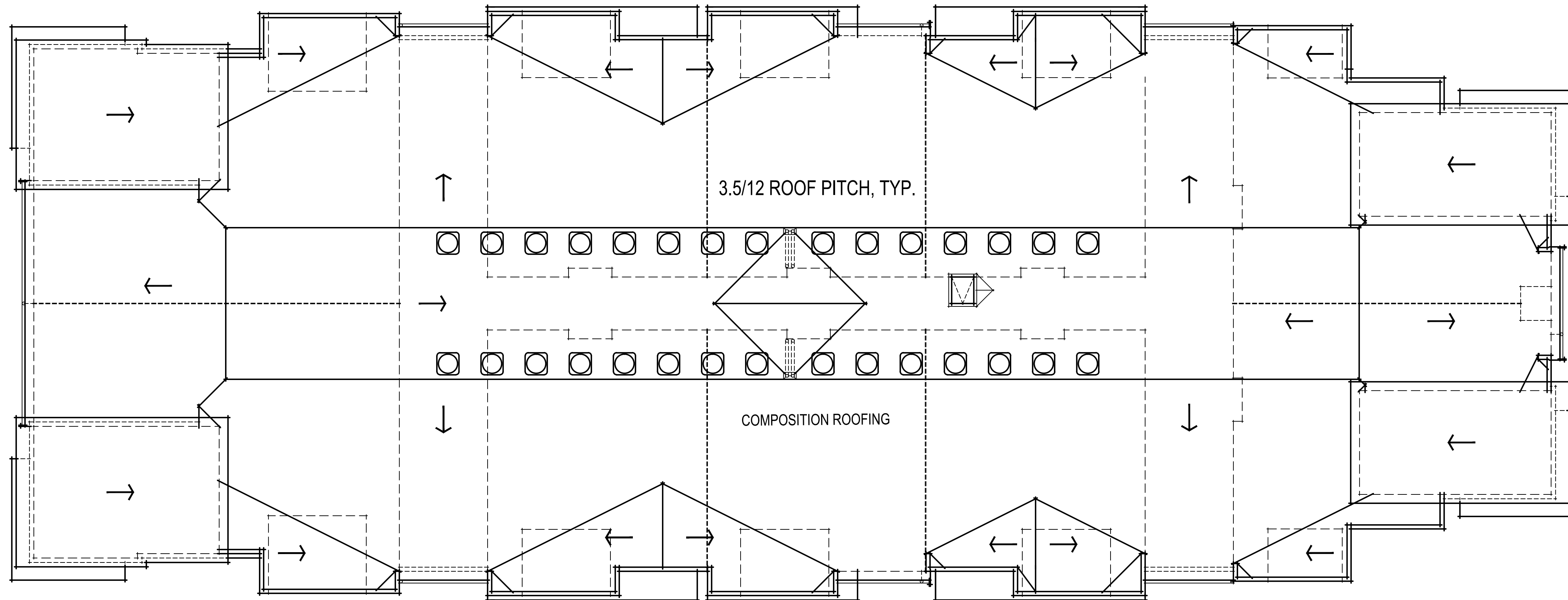
UNIT 1
600 SF

UNIT 3
1,118 SF

REAR ELEVATION



TYPICAL SECTION



ROOF PLAN

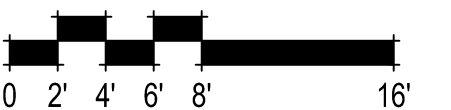
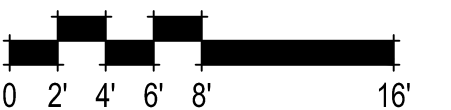


Exhibit F

Exterior Elevation Plans (Building 2s-24A)



BUILDING TYPE 2s-24A (24 UNIT BLDG) - TYPICAL FLOOR PLAN





UNIT 2B
867 SF

UNIT 3
1,118 SF

RIGHT ELEVATION



UNIT 3
1,118 SF

UNIT 1
600 SF

UNIT 1
600 SF

UNIT 2A
848 SF

UNIT 1
600 SF

UNIT 2B
867 SF

FRONT ELEVATION



UNIT 3
1,118 SF

UNIT 3
1,118 SF

LEFT ELEVATION



UNIT 3
1,118 SF

UNIT 1
600 SF

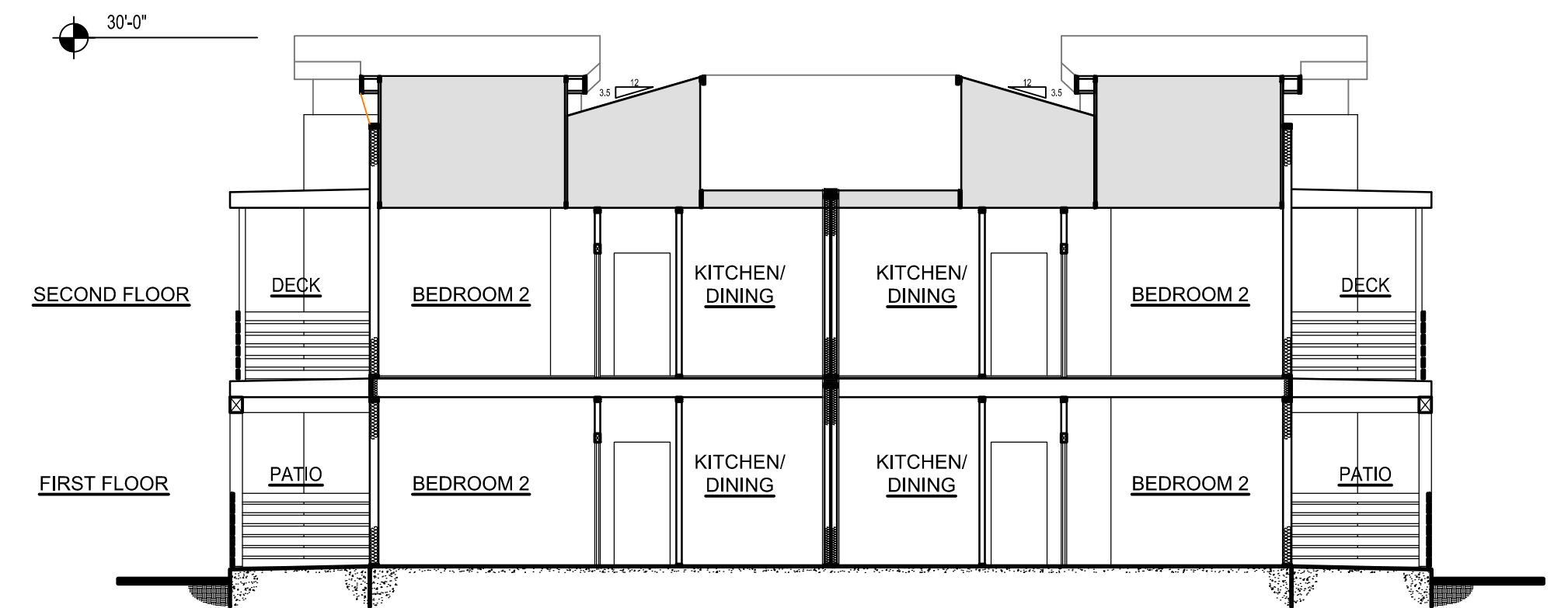
UNIT 2A
848 SF

UNIT 1
600 SF

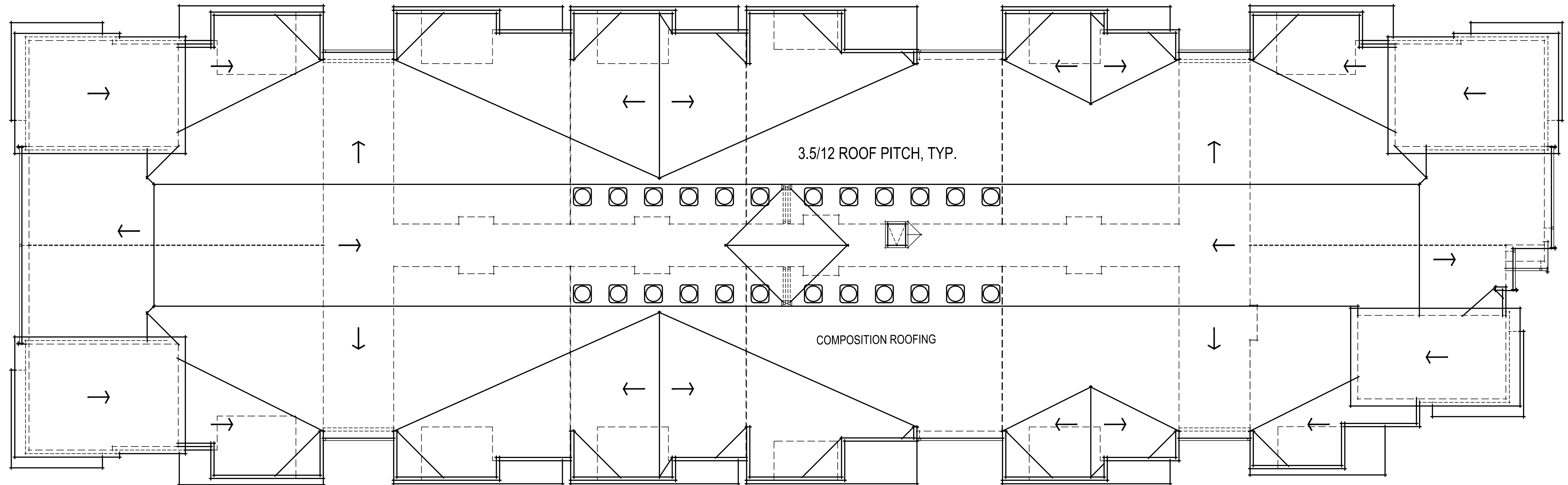
UNIT 1
600 SF

UNIT 3
1,118 SF

REAR ELEVATION



TYPICAL SECTION



ROOF PLAN

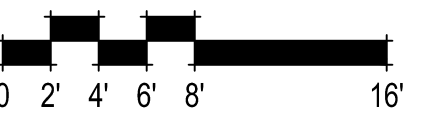
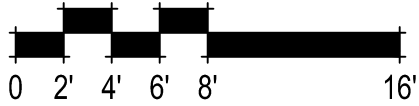


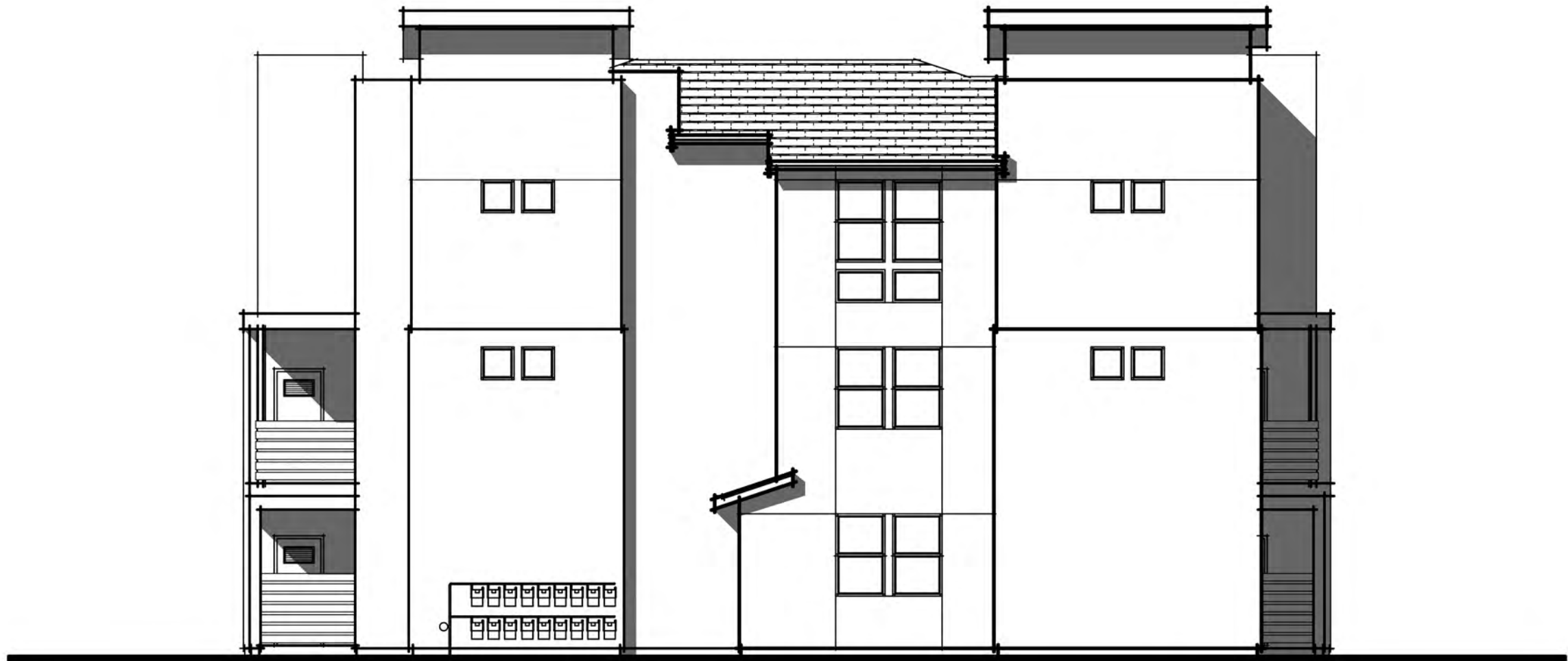
Exhibit G

Exterior Elevation Plans (Building 3s-36A)



BUILDING TYPE 3s-36A (36 UNIT BLDG) - TYPICAL FLOOR PLAN





UNIT 2B
867 SF

UNIT 3
1,118 SF

RIGHT ELEVATION



UNIT 3
1,118 SF

UNIT 1
600 SF

UNIT 1
600 SF

UNIT 2A
848 SF

UNIT 1
600 SF

UNIT 2B
867 SF

FRONT ELEVATION



UNIT 3
1,118 SF

UNIT 3
1,118 SF

LEFT ELEVATION



UNIT 3
1,118 SF

UNIT 1
600 SF

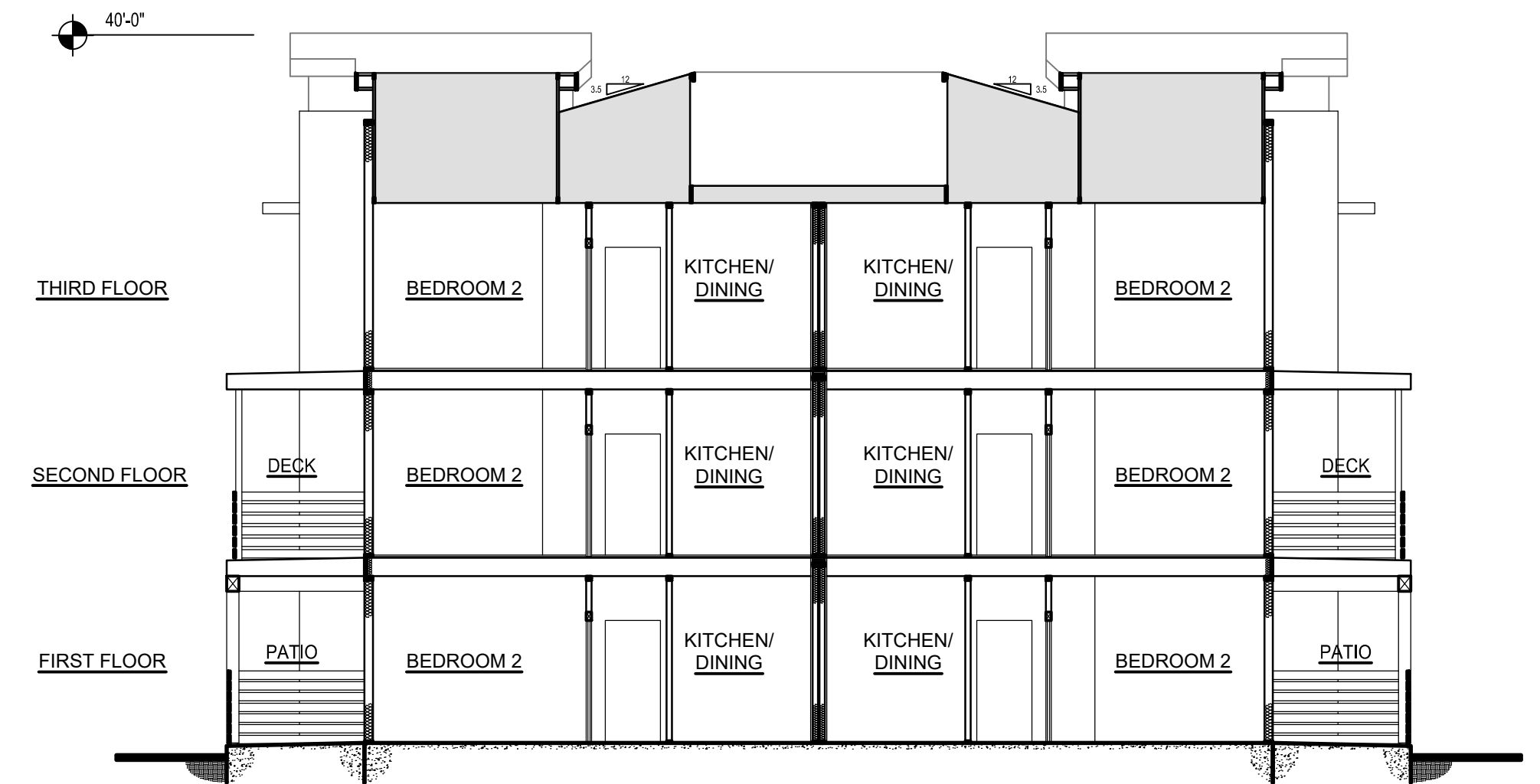
UNIT 2A
848 SF

UNIT 1
600 SF

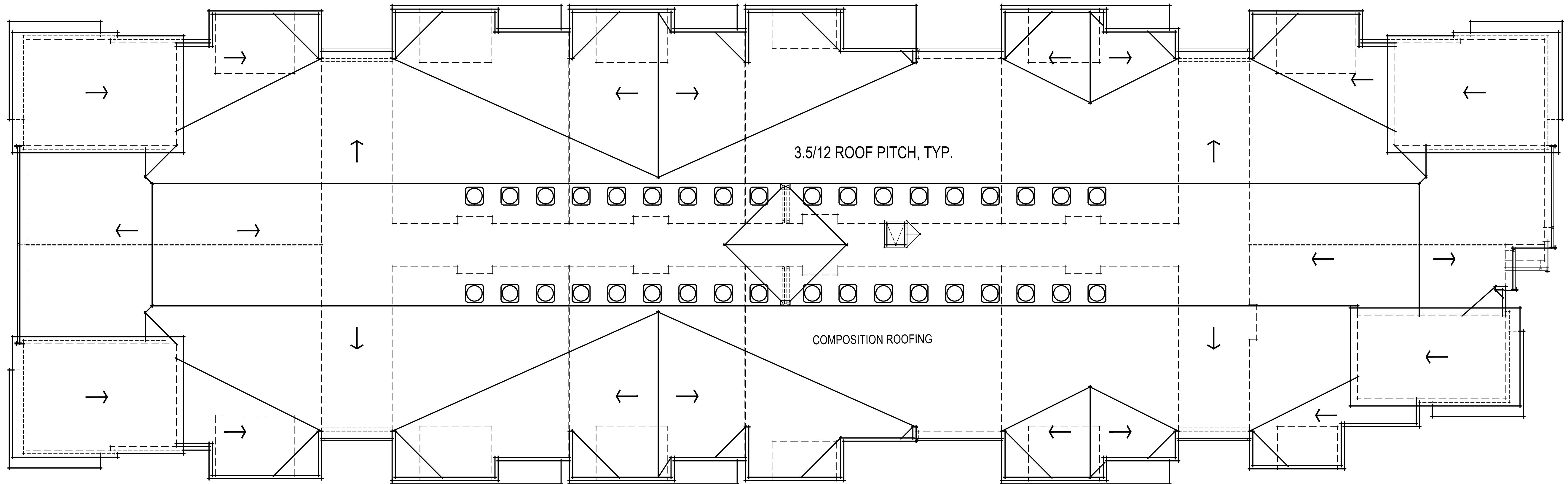
UNIT 1
600 SF

UNIT 3
1,118 SF

REAR ELEVATION



TYPICAL SECTION



ROOF PLAN

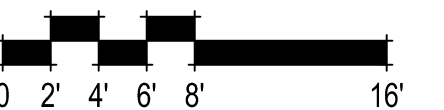
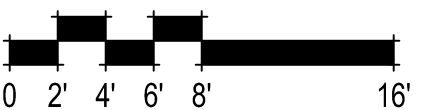


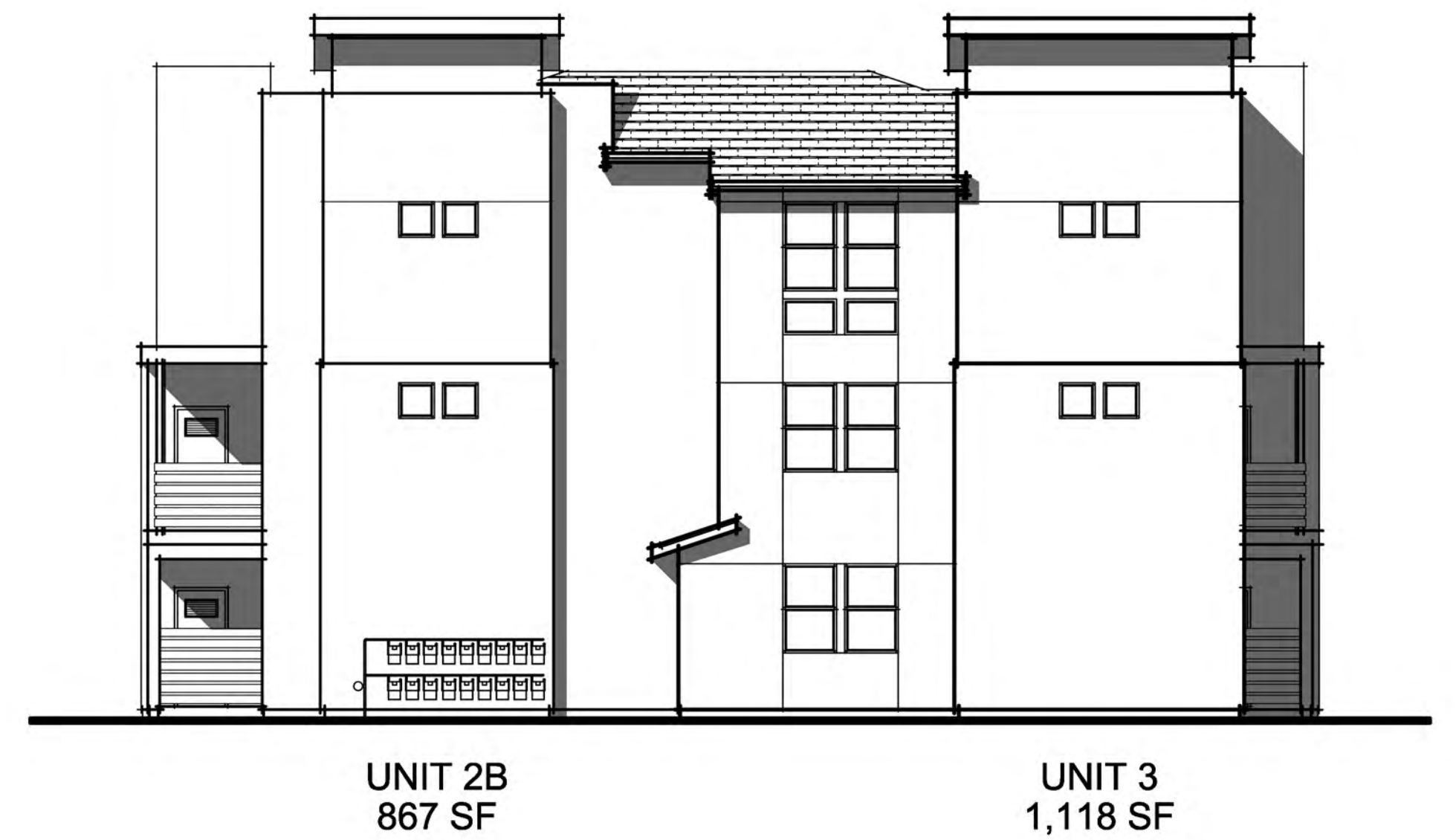
Exhibit H

Exterior Elevation Plans (Building 3s-36B)



BUILDING TYPE 3s-36B (36 UNIT BLDG) - TYPICAL FLOOR PLAN

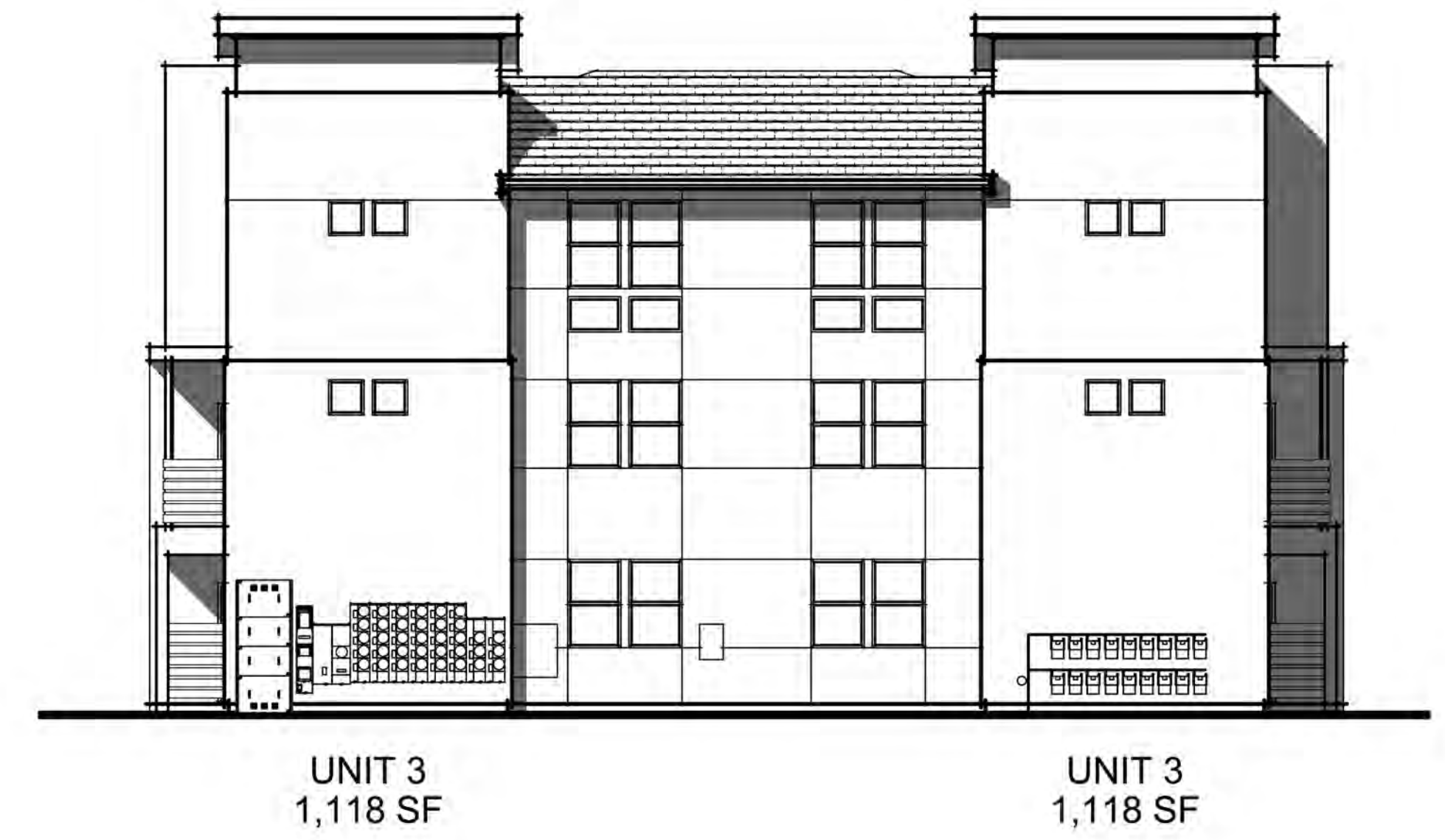




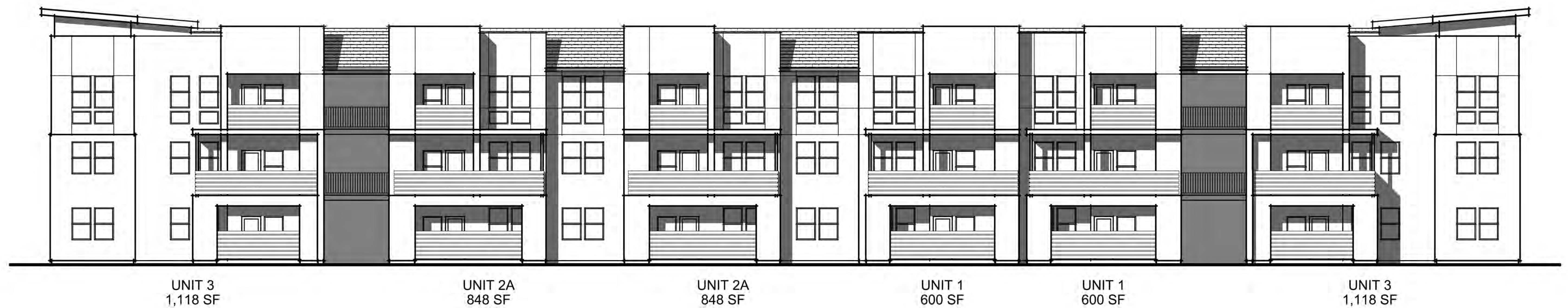
RIGHT ELEVATION



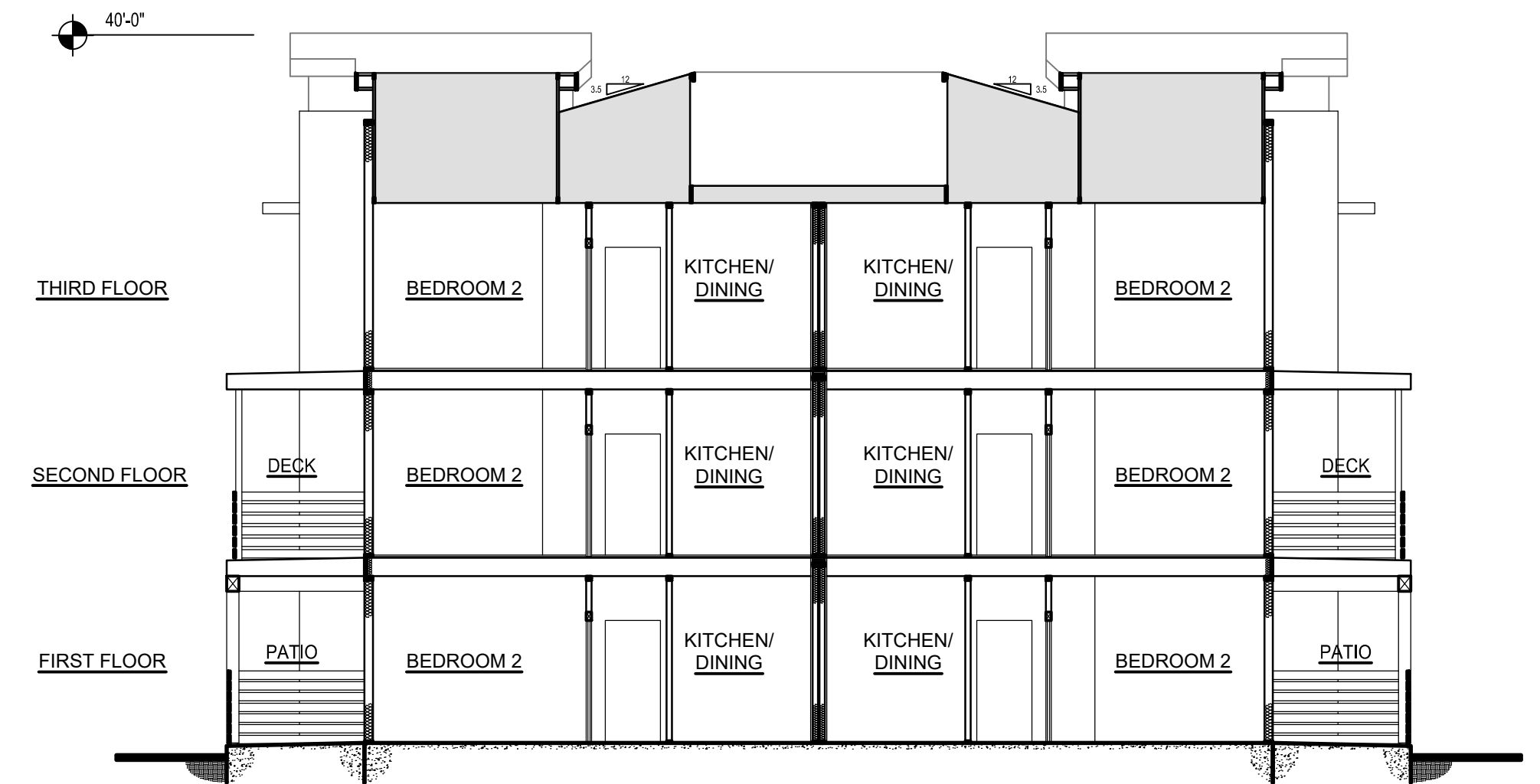
FRONT ELEVATION



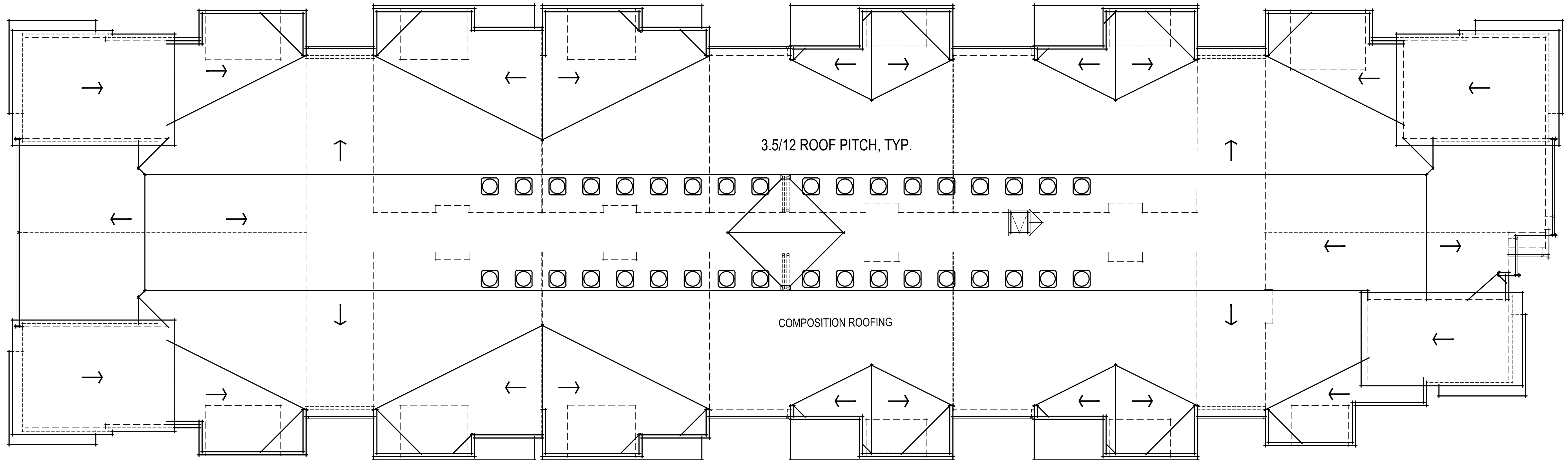
LEFT ELEVATION



REAR ELEVATION



TYPICAL SECTION



ROOF PLAN

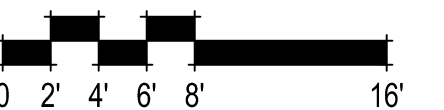
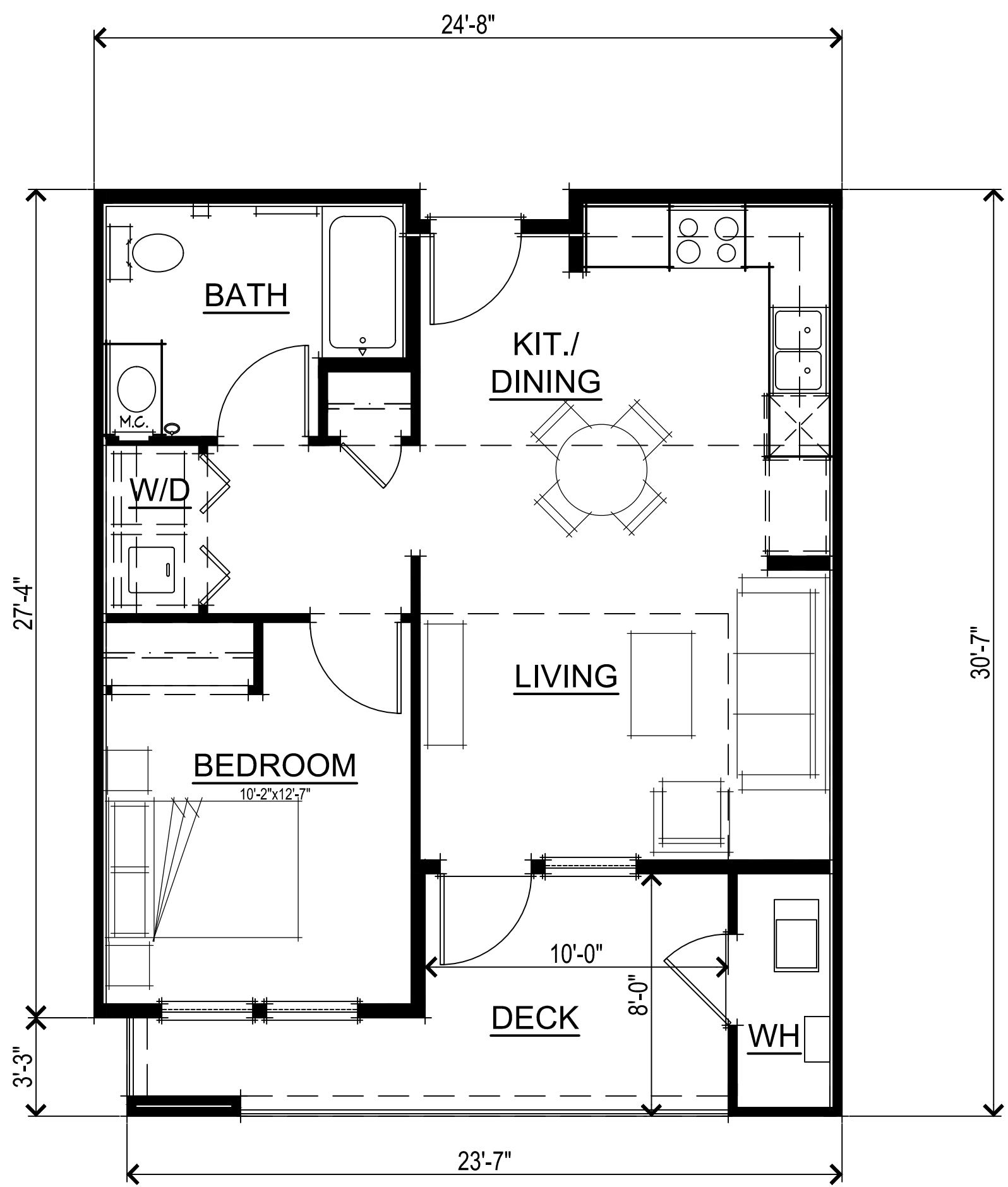


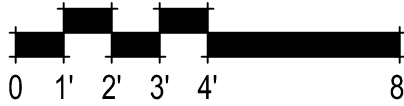
Exhibit I

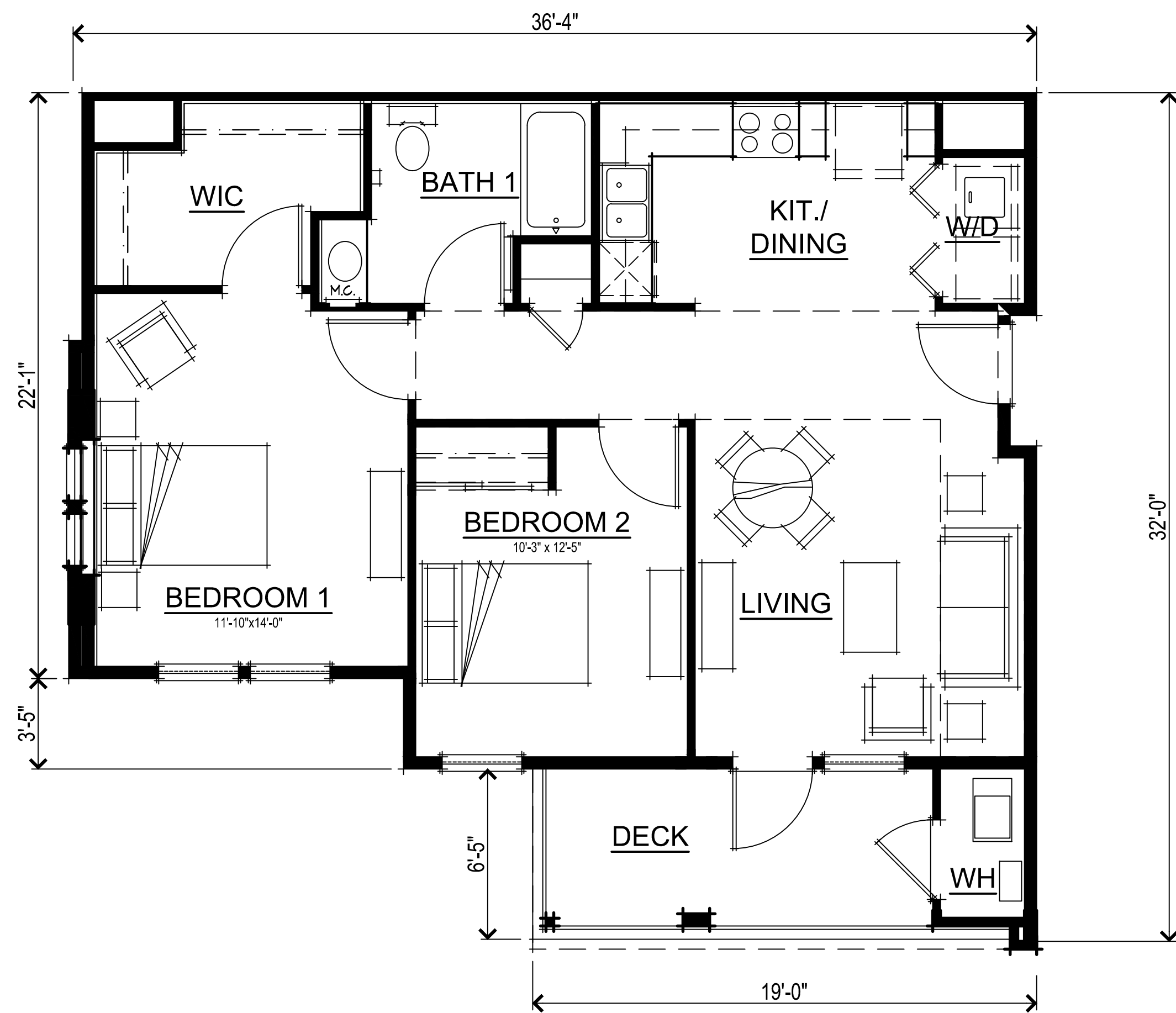
Floor Plans (Binder of all Floor Plans)



FLOOR PLAN - UNIT 1

UNIT 1 SQUARE FOOTAGE	
NET LIVING	564 SQ. FT.
GROSS LIVING	600 SQ. FT.





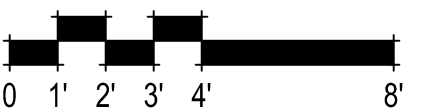
FLOOR PLAN - UNIT 2B

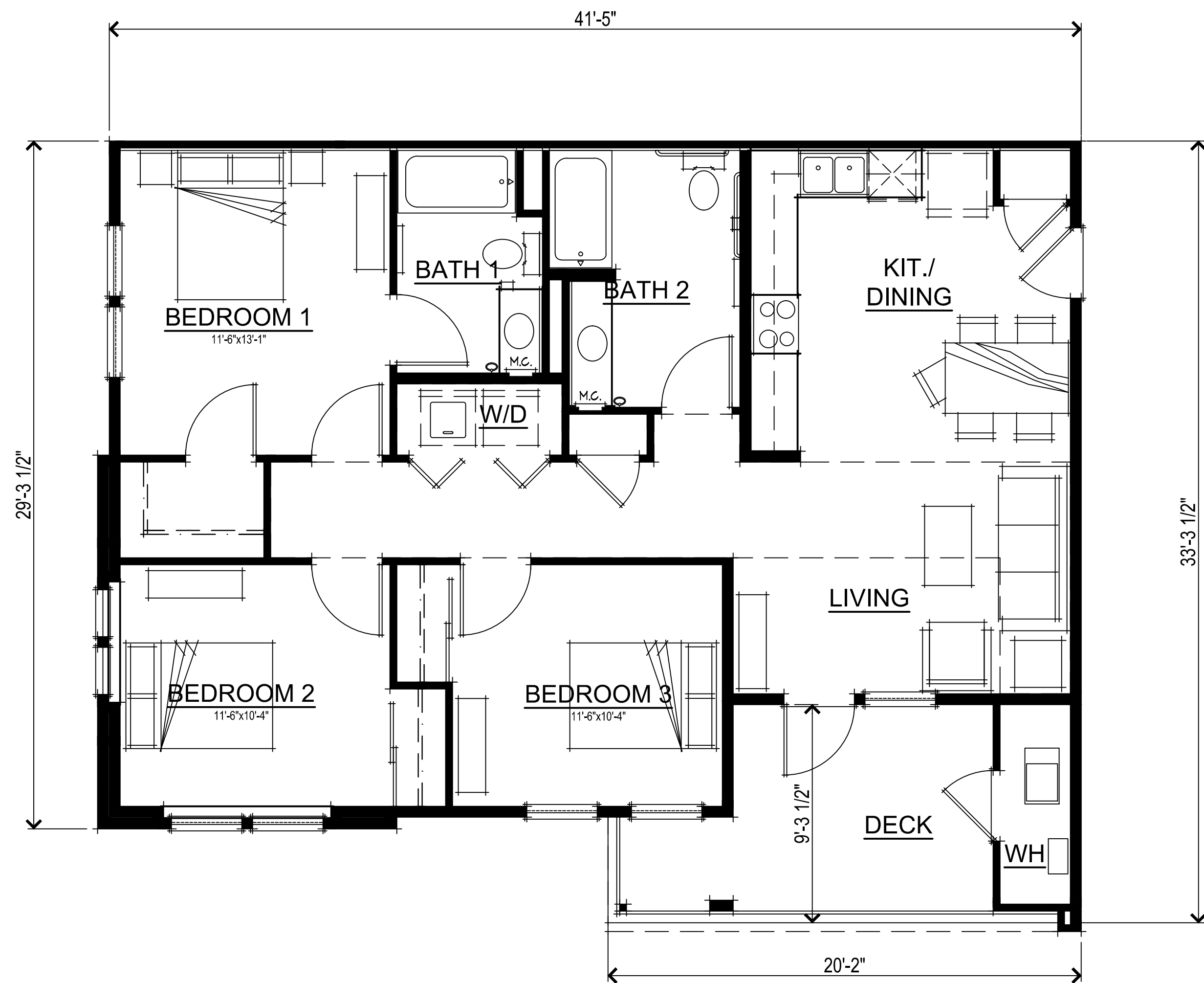
UNIT 2B SQUARE FOOTAGE	
NET LIVING	814 SQ. FT.
GROSS LIVING	860 SQ. FT.
FIRST FLOOR DECK	120 SQ. FT.
SECOND FLOOR DECK	120 SQ. FT.
THIRD FLOOR DECK	78 SQ. FT.
SPACE	115 SQ. FT.



FLOOR PLAN - UNIT 2A

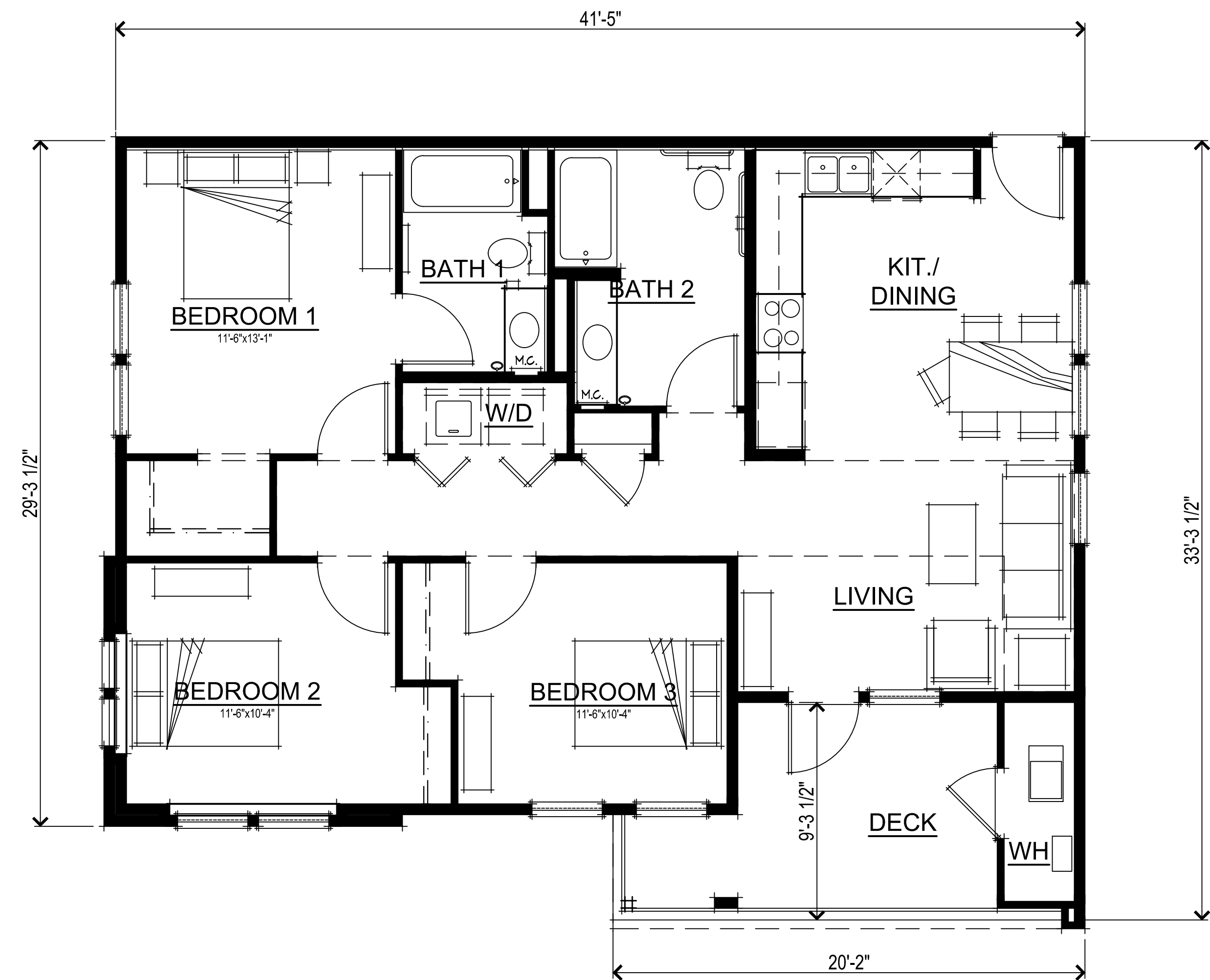
UNIT 2A SQUARE FOOTAGE	
NET LIVING	810 SQ. FT.
GRORSS LIVING	848 SQ. FT.
FIRST FLOOR DECK	143 SQ. FT.
SECOND FLOOR DECK	143 SQ. FT.
THIRD FLOOR DECK	82 SQ. FT.





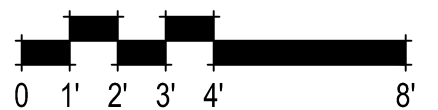
FLOOR PLAN - UNIT 3

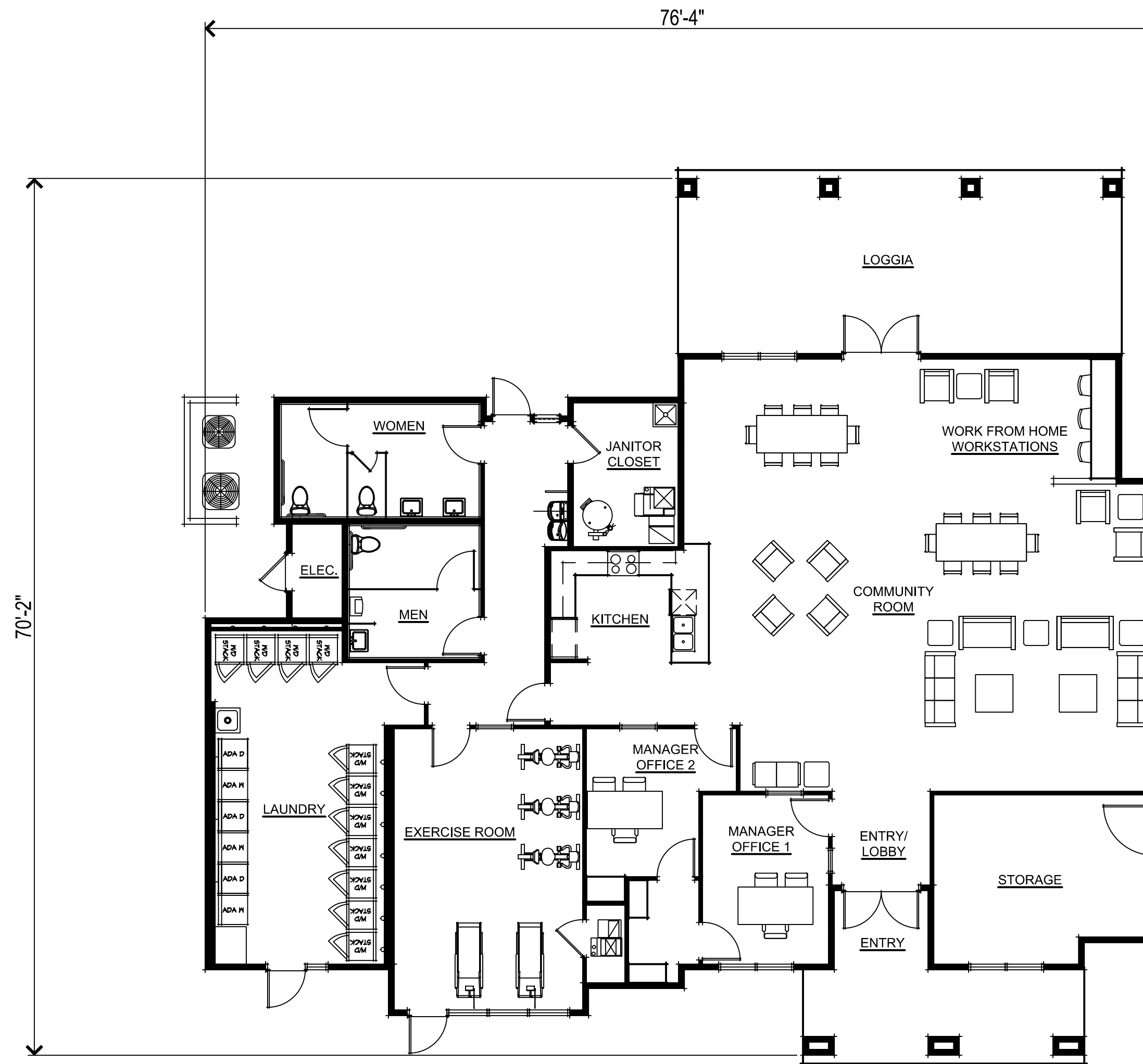
UNIT 3 SQUARE FOOTAGE	
NET LIVING	1065 SQ. FT.
GROSS LIVING	1118 SQ. FT.
FIRST FLOOR DECK	160 SQ. FT.
SECOND FLOOR DECK	160 SQ. FT.
THIRD FLOOR DECK	146 SQ. FT.



FLOOR PLAN - UNIT 3A

UNIT 3A SQUARE FOOTAGE	
NET LIVING	1065 SQ. FT.
GROSS LIVING	1118 SQ. FT.





FLOOR PLAN

CLUBHOUSE BUILDING SQUARE FOOTAGE	
FIRST FLOOR	3508 SQ. FT.



CLUBHOUSE PLAN
A32

Exhibit J

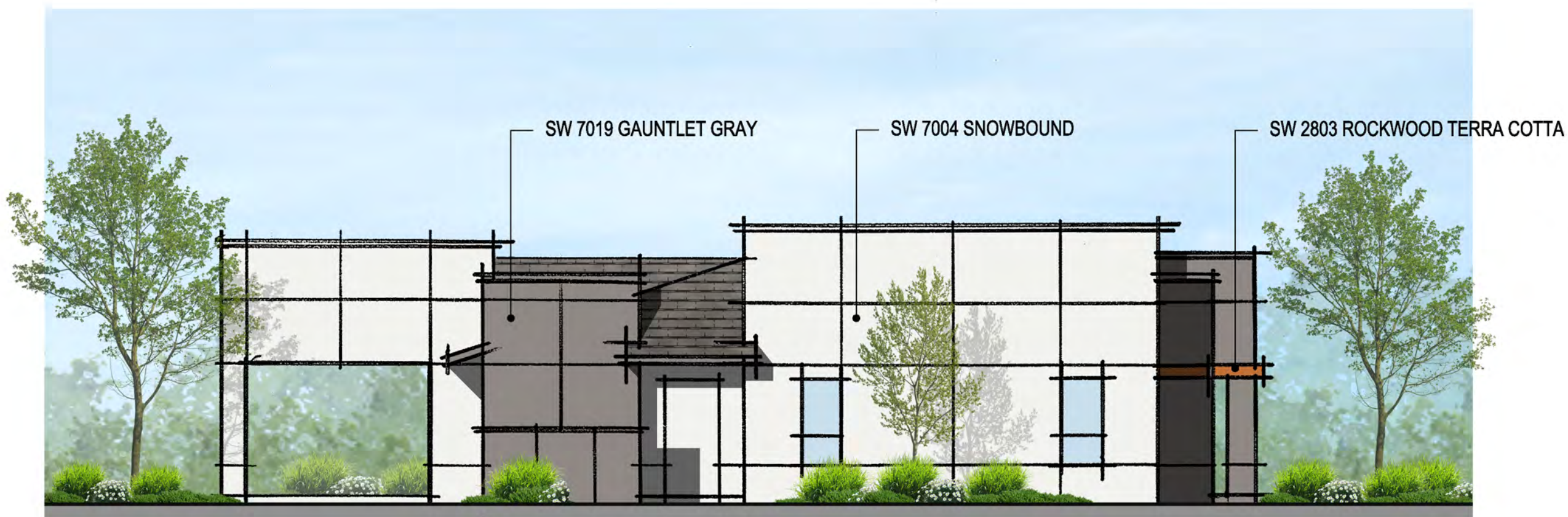
Community Building Elevations



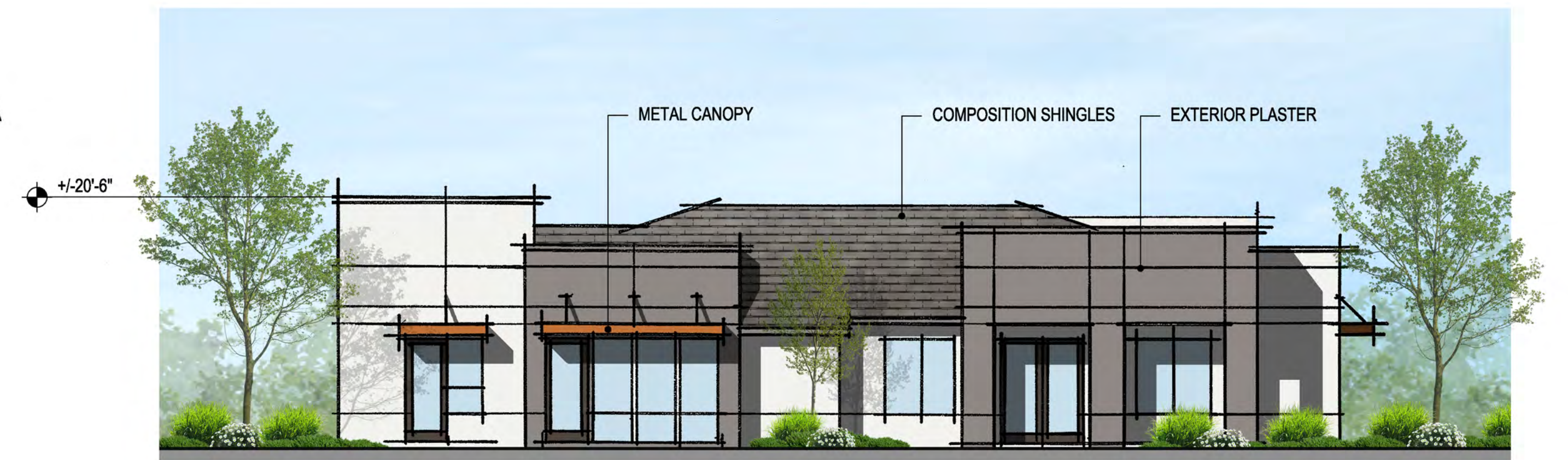
RIGHT ELEVATION



REAR ELEVATION



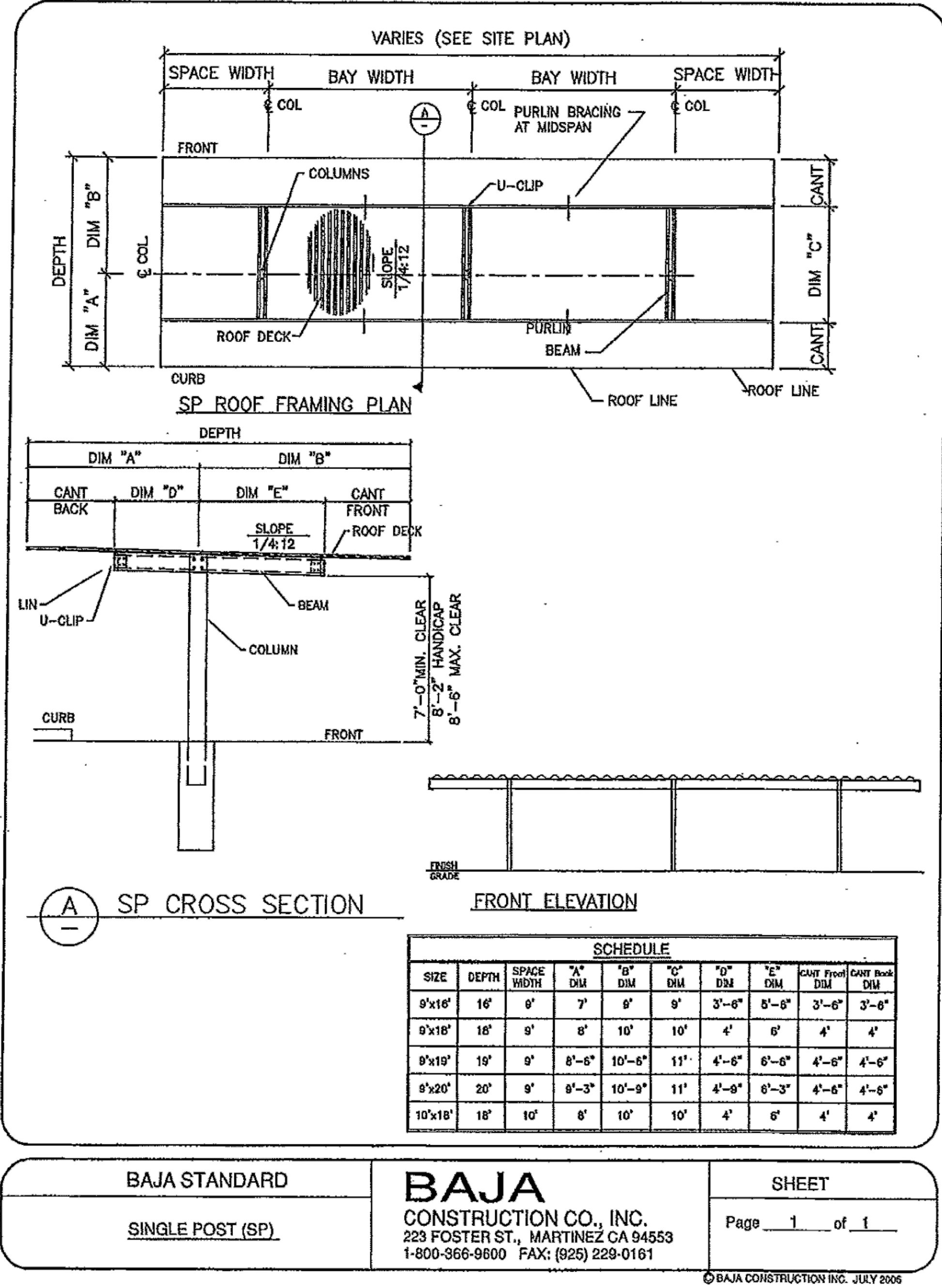
LEFT ELEVATION



FRONT ELEVATION



CARPORT EXAMPLE PHOTO



CARPORT TYPICAL DETAIL

Exhibit K

Wall and Fence Exhibit

Exhibit L

Operational Statement

**City of Visalia
Planning Division
Permit Application**

**Proposed Project: Ben Maddox Way Apartments
Applicant: Maracor Development
Conditional Use Permit: 2022-23**

OPERATIONAL STATEMENT
SUMMARY OF STATE DENSITY BONUS LAW FOR AFFORDABLE PROJECTS

Project Summary

The Project is a 292-unit multifamily development that is 100% affordable to lower income residents and is located on the southwest corner of E. K Avenue and Ben Maddox Way. The Project seeks additional density under the State Density Bonus Law.

Density Bonus

The intent of the State Density Bonus Law (California Government Code Section 65915 to 65918) is to create incentives for developers to include affordable housing within their projects by granting increased density and other regulatory incentives known as concessions/incentives and waivers from development standards. Under Government Code Section 65915(f)(3)(D)(i) project that provide 100% of the units as affordable for lower income residents are eligible of 80% additional density over the base density allowed under the Project site's zoning. Additionally, under Government Code Section 65915(d)(2)(D) projects that provide 100% of the units as affordable for lower income residents are eligible for up to four (4) concessions/incentives. Under the State Density Bonus Law a concession/incentive is defined as a reduction in a development standard (zoning or design requirements) that will result in an identifiable and actual cost reduction for affordable housing (Government Code Section 65915(k) (1)).

The Project site has a base density under the General Plan of 162 residential units. The Project will provide 100% of the units as affordable for lower income residents and seeks additional density of 130 unit over the base density which represents an increase of 80% over the base density. The Project is required to provide 511 parking spaces under the City Code. The Project will provide 578 parking spaces. Therefore, the Project will not seek a concession/incentive for parking.

PROJECT	Max No. of Units Permitted		Proposed AffordUnits		No. of Density Bonus Units Proposed	Proposed Bonus %	Total No. of Units Proposed	Total Acres	Density Units/Acre
	Zoning	GP	No. of Units	Income Level					
Ben Maddox Way Apts			29	30% AMI			29		
			58	50% AMI			58		
			130	60% AMI			130		
			72	80% AMI			72		
			3	Unrestricted			3		
Totals		162	292		130	80%	292	10.8	27.04

PROJECT	UNIT TYPE	PARKING STALLS REQUIRED/UNIT TYPE PER SBD	PROJECT UNIT TOTALS	PARKING STALLS REQUIRED/UNIT PER SBD	PARKING STALLS PROVIDED
Ben Maddox Apts	1 BED	1	136	136	
	2 BED	1.5	80	120	
	3 BED	1.5	76	114	
Totals			292	370	578

Exhibit M

Landscape Plan



PLANTING NOTES:

- A. PLACE 2" DEPTH 3/4" 'SONOMA GOLD' CRUSHED ROCK OVER LANDSCAPE FABRIC UNDER STAIRWAYS AND UTILITY ACCESS AREAS. INSTALL 'PERMALOC CLEAN LINE' 6" X 4" ALUMINUM EDGING WITH MILL FINISH (MF) BETWEEN CRUSHED ROCK AND ADJACENT SHRUB BED.
- B. PLACE 2-3" SIZE RIVER WASHED COBBLE OVER LANDSCAPE FABRIC WHERE INDICATED.
- C. PLACE A 12" WIDE BAND OF 2-3" SIZE COBBLE OVER LANDSCAPE FABRIC AROUND THE PERIMETER OF BIO-RETENTION AREAS AND VEGETATED SWALES TO INTERCEPT DEBRIS PRIOR TO ENTERING INTO THE FILTRATION AREA. NO EDGING REQUIRED. NOT SHOWN.
- D. SOIL PREPARATION AND AMENDING:
- 1) AFTER ROUGH GRADING OPERATIONS, THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING A SOILS REPORT THAT PROVIDES AN ANALYSIS OF THE EXISTING SOIL THAT STATES WHAT SOIL AMENDMENTS ARE REQUIRED FOR OPTIMUM PLANTING GROWTH. THE CONTRACTOR SHALL INCORPORATE THE RECOMMENDED QUANTITIES BY THOROUGHLY CULTIVATING ALL PLANTING AREAS TO A DEPTH OF EIGHT (8) INCHES. ROUGH FINISH GRADE ALL AREAS.
- 2) BROADCAST THE FOLLOWING SOIL AMENDMENTS. QUANTITIES GIVEN ARE PER 1,000 SQUARE FEET OF AREA.
- NITROGEN STABILIZED AND IRON FORTIFIED COMPOST: PER SOIL ANALYSIS RECOMMENDATIONS, OR 4 CY FOR BID PURPOSES
 - PELLETIZED FERTILIZER (21-0-0) 10 LBS., OR AS PER SOIL ANALYSIS RECOMMENDATIONS
 - SOIL SULFUR: PER SOIL ANALYSIS RECOMMENDATIONS
 - GYPSUM: 100 LBS
- 3) CULTIVATE AND THOROUGHLY INCORPORATE THE AMENDMENTS INTO THE TOP EIGHT (8) INCHES OF SOIL.
- 4) DE-ROCK AREA TO BE PLANTED BY USING A MECHANICAL ROCK PICKER. ALL ROCKS AND DEBRIS LARGER THAN 1 INCH IN DIAMETER ARE TO BE REMOVED.
- A. INSTALL WEED BARRIER FILTER FABRIC OVER DRIP IRRIGATION COMPONENTS, MANUFACTURED OF POLYPROPYLENE, 28 MIL THICKNESS, AND 2.6 OUNCES PER SQUARE YARD. DEWITT PRO-5, OR EQUAL. SECURE FABRIC SEGMENTS TO SOIL WITH 6"x1"x6" STEEL 'U' SHAPE PINS. OVERLAP ADJACENT FABRIC SEGMENTS A MINIMUM OF SIX (6) INCHES AND SECURE WITH PINS AT TWENTY FOUR (24) INCHES ON

CENTER.

- B. INSTALL 3" DEPTH FIR BARK MULCH OVER THE FILTER FABRIC ON ALL SHRUB AND GROUND COVER PLANTING AREAS. BARK MULCH SHALL BE WOOD RESIDUAL DERIVED AND MANUFACTURED FROM PINE, WHITE AND/OR RED FIR TREE BARK. THE MATERIAL SHALL BE EQUAL TO THAT REFERRED TO AS 'WALK ON BARK' IN THE TRADE.

GENERAL NOTES:

- A. THE LANDSCAPE PLANS WILL COMPLY WITH THE REQUIREMENTS OF THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MUELDO).
- B. ELEMENTS OF THE LANDSCAPE DOCUMENTATION PACKAGE:
- (A) THE LANDSCAPE DOCUMENTATION PACKAGE SHALL INCLUDE THE FOLLOWING SEVEN (7) ELEMENTS:
- PROJECT INFORMATION TABLE:
- (1) DATE
- (2) PROJECT APPLICANT
- (3) PROJECT ADDRESS (IF AVAILABLE, A.P.N., PARCEL AND/OR LOT NUMBER(S))
- (4) TOTAL LANDSCAPE AREA (SQUARE FEET)
- (5) PROJECT TYPE (E.G., NEW, REHABILITATED, PUBLIC, PRIVATE, CEMETERY, HOMEOWNER INSTALLED)
- (6) WATER SUPPLY TYPE, RECYCLED, WELL AND IDENTIFY THE LOCAL RETAIL WATER PURVEYOR
- (7) CHECKLIST OF ALL DOCUMENTS IN LANDSCAPE DOCUMENTATION PACKAGE
- (8) PROJECT CONTACTS TO INCLUDE CONTACT INFORMATION FOR THE PROJECT APPLICANT, PROPERTY OWNER, PREPARER OF PLANNING APPLICATION
- (9) APPLICANT SIGNATURE AND DATE WITH STATEMENT, I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND SUBMIT A COMPLETE LANDSCAPE DOCUMENTATION PACKAGE
- (10) WATER EFFICIENT LANDSCAPE WORKSHEET:
- (A) HYDRO ZONE INFORMATION TABLE
- (B) WATER BUDGET CALCULATIONS
1. MAXIMUM APPLIED WATER ALLOWANCE (MAWA)
2. ESTIMATED TOTAL WATER USE (ETWU)
- (11) SOIL MANAGEMENT REPORT:
- (12) LANDSCAPE DESIGN PLAN TO INCLUDE FENCING, UTILITY SCREENING AND TREE MANAGEMENT PLAN
- (13) IRRIGATION DESIGN PLAN
- (14) LANDSCAPE GRADING DESIGN PLAN AND
- (15) CERTIFICATES OF COMPLETION AND INSTALLATION.

"THIS PLAN WILL COMPLY WITH THE REQUIREMENTS OF THE CITY OF VISALIA MUNICIPAL CODE AND STATE WATER CONSERVATION ORDINANCES."

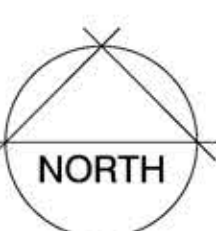
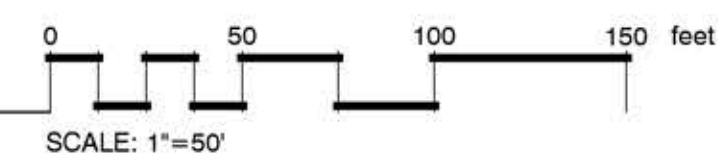
PLANT SCHEDULE

SHRUB AREAS	BOTANICAL NAME	COMMON NAME	QTY
	DECOMPOSED GRANITE 4" DEPTH	DG	1,628 SF
	FALL ZONE MATERIAL ARTIFICIAL TURF TYPE	FALL ZONE	1,625 SF
	SHRUB & GROUND COVER	PLANTING AREA	98,184 SF
	TURF SOD CELEBRATION	DROUGHT TOLERANT HYBRID BERMUDA BLEND	9,269 SF

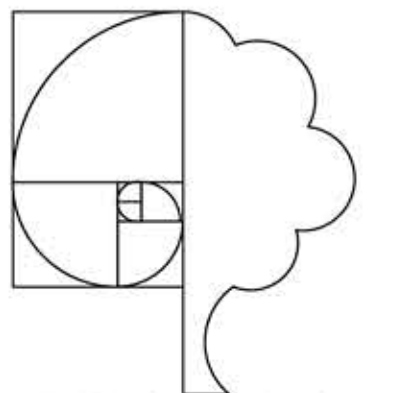
PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	CARPINUS BETULUS 'FRANZ FONTAINE'	FRANZ FONTAINE HORNBEAM	15 GAL		4
	LAGERSTROEMIA X 'TUSCARORA'	CRABE MYRTLE CORAL PINK	15 GAL		62
	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA	15 GAL		20
	NYSSA SYLVATICA	TUPELO	15 GAL		54
	PISTACIA X 'RED PUSH'	RED PUSH PISTACHE	15 GAL		44
	PLATANUS X ACERIFOLIA 'YARWOOD'	LONDON PLANE TREE	15 GAL		16
	ULMUS PARVIFOLIA 'TRUE GREEN'	TRUE GREEN ELM	15 GAL		31
	VITEX AGNUS-CASTUS	CHASTE TREE	15 GAL	MULTI-STEM	2
	ZELKOVA GERRATA 'VILLAGE GREEN'	SAWLEAF ZELKOVA	15 GAL		35

LANDSCAPE PLAN



BEN MADDUX WAY APARTMENTS
THE PACIFIC COMPANIES
BEN MADDUX WAY
VISALIA, CALIFORNIA



THOMAS H. PHELPS
LANDSCAPE ARCHITECTURE
IDLA, INC.
California Landscape Architect #4122
ID #LA-16771 * HI #LA-16112
AZ# 76633

P.O. BOX 170129
Boise, Idaho 83717
thp@idla-inc.net
(208) 906-1300

These drawings are instruments of service and are the property of Thomas H. Phelps Landscape Architecture. All designs and other information on the drawings are for the use on the specified project and shall not be used otherwise without the express written permission of Thomas H. Phelps Landscape Architecture.

Sheet Title

LANDSCAPE PLAN

Seal



No.

Date

Revision

Project Mgr.: THP

Sheet No.:

Drawn By: THP

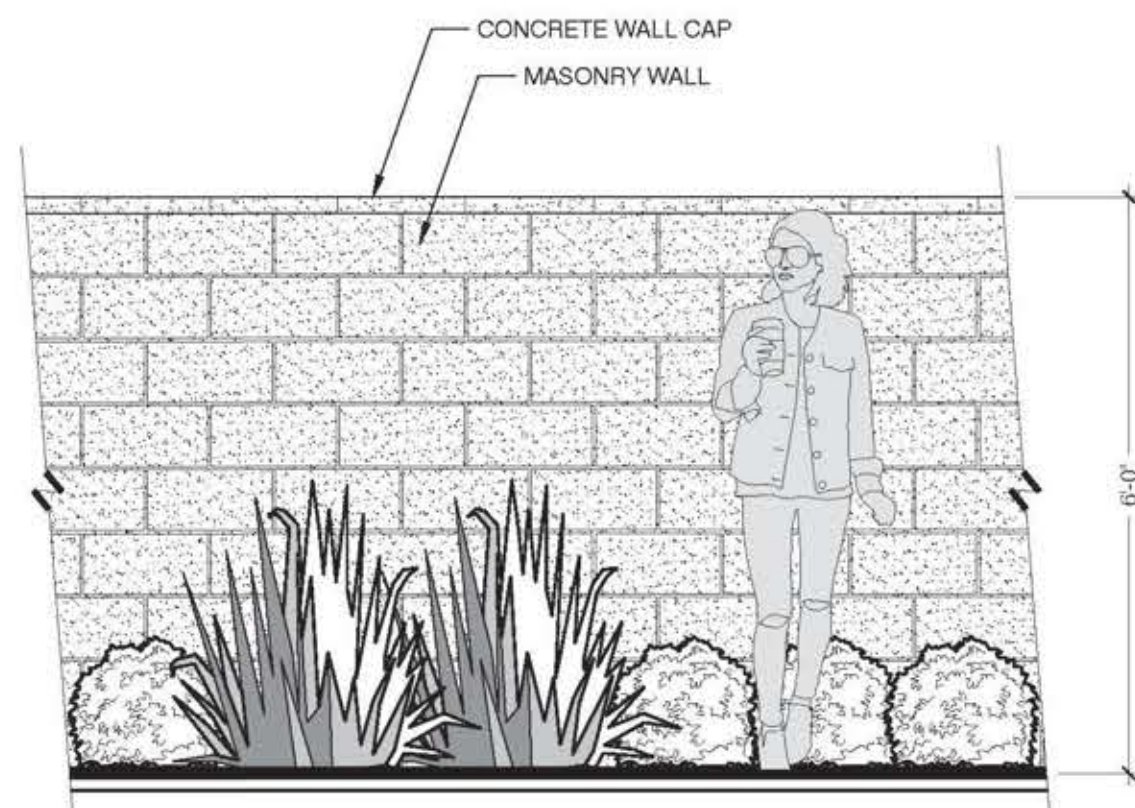
Scale: 1"=50'

Date: 11.10.2022

File Name: 22-037 of sheets



A 6' HT. MASONRY WALL
SCALE: 1/2" = 1'-0"



B 6' HT. TUBE STEEL FENCE
SCALE: 1/2" = 1'-0"



C 5' HT. TUBE STEEL POOL ENCLOSURE
SCALE: 1/2" = 1'-0"

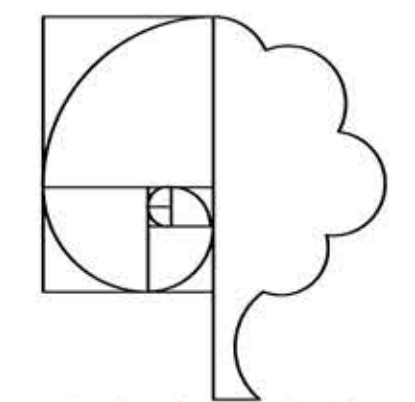


RECREATION AREA LANDSCAPE PLAN NOTES:

- A. PLAYGROUND AREA WITH ARTIFICIAL TURF FALL ZONE MATERIAL
- B. HALF COURT BASKETBALL COURT
- C. 8' HIGH STEEL FENCE AND GATES WHERE SHOWN
- D. 5' HIGH STEEL FENCE AND GATES WHERE SHOWN AROUND THE POOL AREA
- E. CONCRETE TERRACE WITH OUTDOOR DINING
- F. SWIMMING POOL AREA WITH A 5' HIGH STEEL FENCE AND GATES WHERE SHOWN
- G. BENCH LOCATION, TYP.

PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	2022-08-18 06:04 SIZE
	CARPINUS BETULUS 'FRANZ FONTAINE'	FRANZ FONTAINE HORNBEAM	15 GAL
	LAGERSTROEMIA X 'TUSCARORA'	GRAPE MYRTLE CORAL PINK	15 GAL
	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA	15 GAL
	NYSSA SYLVATICA	TUPELO	15 GAL
	PISTACIA X 'RED PUSH'	RED PUSH PISTACHE	15 GAL
	ULMUS PARVIFOLIA 'TRUE GREEN'	TRUE GREEN ELM	15 GAL
	ZELKOVA SERRATA 'VILLAGE GREEN'	SAWLEAF ZELKOVA	15 GAL
SHRUB AREAS	BOTANICAL NAME	COMMON NAME	
	DECOMPOSED GRANITE 4" DEPTH	DG	
	FALL ZONE MATERIAL ARTIFICIAL TURF TYPE	FALL ZONE	
	SHRUB & GROUND COVER	PLANTING AREA	
	TURF SOD CELEBRATION	DROUGHT TOLERANT HYBRID BERMUDA BLEND	



THOMAS H. PHELPS
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BEN MADDUX WAY APARTMENTS
THE PACIFIC COMPANIES
BEN MADDUX WAY
VISALIA, CALIFORNIA

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Sheet Title		
LANDSCAPE PLAN		
Seal		
No.	Date	Revision
1		
2		
3		
4		
5		
Project Mgr.: THP		Sheet No.:
Drawn By: THP		
Scale: 1"=50'		
Date: 11.10.2022		
File Name: 22-037		of _____ sheets

Exhibit N

Correspondence

From: Nancy Andrews
To: [Planning](#)
Subject: Opposes to the development at K Ave. and Ben Maddox
Date: Monday, January 2, 2023 11:45:28 AM

Some people who received this message don't often get email from nandrews007@sbcglobal.net. [Learn why this is important](#)

I am writing to voice my opposition to the project for the following reasons.

* There is **no other 3 story multi-family structure** on such a large scale **anywhere else in Visalia** that is surrounded by single family homes. I don't feel you would attempt this project on the southwest side of town because you'd get too much flak from existing taxpayers but we are taxpayers too.

* **Way to densely populated for the area.** Propose 292 apartments on 10.8 acres times 3 people per apt. equals 876 people.

Currently the same 10.8 acres space has 46 single family homes times 4 people per apt. equals 184 people. You have put an **additional 682 people in the same space.**

* Affordable housing that is government subsidized equals **low-income housing**. Let's call it what it is.

* That **many more** people (692) packed into the same 10.8 acres with low income means more cars, more animals, more CRIME

* High impact on Annie Mitchel School

P.S. It looks like you are trying to move Ambler down the street. The north side will follow.

Concerned taxpayers,
Richard and Nancy Andrews

From: [Brandon Smith](#)
To: [kris wassermann](#)
Cc: [Paul Bernal](#); [Leslie Caviglia](#); [Michelle Nicholson](#)
Bcc: [Chris Hawke](#)
Subject: RE: Email from Website
Date: Thursday, January 5, 2023 2:53:00 PM

Good afternoon Kris,

The City of Visalia can answer Questions #2, 6, 10, and 11 based on the application and project materials that have been provided to us from the applicant. These answers are in black bold font.

For the balance of the questions that pertain closer to the property management side of the project, we have asked the project applicant to respond to the questions as they are the more appropriate party to address these questions. These answers are in red bold font.

In addition, please note that all new multi-family residential developments are subject to a set of "model good neighbor policies" that address many of your maintenance questions below. Policies are included as a recommended condition of approval, and can be enforced upon the property owner through the City's Code Enforcement Division.

Following are responses to your questions:

1. I would like to know how this property will be managed and by whom? Will the management company be local or out of the area? Will the Town of Visalia have any oversight powers of compliance should the management be less than satisfactory? Who do neighbors go to if there are problems? I was told during the meeting at Annie Mitchell School that there would be three sets of managers for the complex and is this still the case? **ConAm management will be the onsite manager and will have at least three full time managers and likely as many maintenance managers. If there is an issue we would welcome them to reach out to the management company or owners to resolve, the Town is also welcome to reach out to find resolution because we want to be good neighbors.**
2. Will the developers be erecting a large 6 foot wall to run around the perimeter of the complex to prevent people jumping over into backyards and throwing garbage over? **The applicants will be utilizing the existing 6' block wall separating properties on Mesa Court and the subject site. No new wall will be installed. The existing wall meets the City standards wherein a screening block wall or wood fence not less than six feet in height is maintained along property lines except along the street frontages.**
3. Will the access to the complex be subject to gate coded entry to prevent unwanted thieves, vandals, or general riff-raff? **This project will not be gated but our onsite managers will be available to address any problems and if necessary report to the police immediately. Also see response to Q.4 below.**
4. Will there be multiple security cameras around the complex and recorded monitoring that can be retrieved if needed? **We will have cameras throughout the property, which are recorded and in some circumstances if local police would like we give them access to the monitoring 24/7.**
5. Will there be multiple security lights or motion sensed lights on the property? **The property will be well lit, and we do not typically put in motion sensed lights. If there is a**

concern we can certainly add if needed, but have never needed them on a project.

6. How many garbage dumpsters will be provided to service these residents, and how often will garbage pick-up occur? I know from experience that dumpsters fill up quickly because people do not collapse cardboard boxes when they can, and over time wet garbage begins to smell and attract rodents, ants, and cockroaches. **The site plan shows that 11 City standard double enclosures (for solid waste and recyclable bins) throughout the site. A few number of single enclosures for green/organic waste are also provided. All enclosures will be constructed to City standards which require a block wall enclosure and gates surrounding the enclosure. The City provides weekly pick-up service.**
7. Will there be a pest control service employed at owner expense to service the facility or will pest control be left to the individual residents? **The property will pay for all pest control on the property and in the units as needed.**
8. How will unsightly graffiti and undrivable vehicles be handled. **Each property management lease has provisions that addresses graffiti and inoperable vehicles. The property management company has protocols regarding cleaning graffiti as soon as possible and addressing inoperable vehicles in a timely manner.**
9. How often will the management company visit and inspect the property so as to direct the resident managers in needed clean-up. **There will be on-site management and maintenance full time at the property, as well as a regional manager to oversee the staff.**
10. Who will be responsible for the landscaping maintenance? Will the proposed trees and plantings be replaced if they die? **Landscaping maintenance is provided through the property owner and their management services team. This would include the maintenance and pruning of street trees along K and Ben Maddox. These trees are required to be maintained and replaced if they die, based on the recommended conditions of approval.**
11. Will there be a sprinkler system for the landscaping? **All landscaping is required to have an irrigation system. Furthermore, the landscaping and irrigation is required to meet the State guidelines included in the Model Water Efficient Landscape Ordinance (MWELO).**

Thank you for your inquiry.

Brandon Smith, AICP | Principal Planner

City of Visalia Community Development Department

Phone: (559) 713-4636

Email: brandon.smith@visalia.city

www.visalia.city/depts/community_development/planning

From: kris wassermann <kriswassermann@hotmail.com>

Sent: Wednesday, January 4, 2023 12:39 PM

To: Council Members <CouncilMembers@visalia.city>; Planning <planning@visalia.city>

Subject: Email from Website

Some people who received this message don't often get email from kriswassermann@hotmail.com. [Learn why this is important](#)

I am sending this email regarding the proposed building project at the southwest corner of Ben Maddox Way and K Avenue. I own a home at 1210 E. Mesa Court which places the proposed project directly behind my backyard. I have gathered a list of questions and concerns regarding not so much the project itself but the management of said project once it is built and begins to be occupied. I remember only too well the apartments on Walnut Avenue which came to be known as "sin city" and although I'm hopeful this development will not devolve into that type of situation, my concerns are valid. I own a property management company that specializes in self storage facilities so my questions are directed towards maintenance and upkeep.

1. I would like to know how this property will be managed and by whom? Will the management company be local or out of the area? Will the Town of Visalia have any oversight powers of compliance should the management be less than satisfactory? Who do neighbors go to if there are problems? I was told during the meeting at Annie Mitchell School that there would be three sets of managers for the complex and is this still the case?
2. Will the developers be erecting a large 6 foot wall to run around the perimeter of the complex to prevent people jumping over into backyards and throwing garbage over?
3. Will the access to the complex be subject to gate coded entry to prevent unwanted thieves, vandals, or general riff-raff?
4. Will there be multiple security cameras around the complex and recorded monitoring that can be retrieved if needed?
5. Will there be multiple security lights or motion sensed lights on the property?
6. How many garbage dumpsters will be provided to service these residents, and how often will garbage pick-up occur? I know from experience that dumpsters fill up quickly because people do not collapse cardboard boxes when they can, and over time wet garbage begins to smell and attract rodents, ants, and cockroaches.
7. Will there be a pest control service employed at owner expense to service the facility or will pest control be left to the individual residents?
8. How will unsightly graffiti and undrivable vehicles be handled.
9. How often will the management company visit and inspect the property so as to direct the resident managers in needed clean-up.
10. Who will be responsible for the landscaping maintenance? Will the proposed trees and plantings be replaced if they die?
11. Will there be a sprinkler system for the landscaping?

I believe that these are questions that we as adjacent homeowners need to have answered because we are the ones who will be living with this project literally in our backyard. As a person very familiar with property management I know the importance of strong management and the need to keep the project well maintained. I also hope that the rental application process will include background checks as well as credit checks. The maintenance of high standards is the best way to insure that the facility attracts a responsible caliber of tenant who will care about where they live.

Submitted respectfully by Kris Wassermann, 1210 E. Mesa Ct., Visalia (530)592-5111

From: jed.frazin
To: [Planning](#)
Subject: Conditional Use Permit No. 2022-23 for property at Ben Maddox and K Street
Date: Thursday, January 5, 2023 3:02:49 PM

Some people who received this message don't often get email from jed.frazin@gmail.com. [Learn why this is important](#)

My name is Judith E Drake. I am writing on behalf on myself and my husband, Lewis R Frazin, at 1608 E Beech Drive, Visalia, CA 93292

We are vehemently opposed to the building of the proposed 292 unit apartment complex at the corner of Ben Maddox and K Street (APN 126-750-050, 051).

It appears this will be low income housing which will negatively affect the value of homes in the surrounding neighborhoods. Increased traffic will also negatively impact our neighborhood. We may also see an increase in crime.

We also vehemently oppose the effort by Federal, State and local governments to turn us into a third world country, state, city and neighborhood, by forcing those of us who worked hard all our lives and now enjoy a comfortable lifestyle, in a nice neighborhood, to live in close proximity to those who haven't.

We respectfully ask the Council to vote against this proposal.

Thank you.

Judith E Drake and Lewis R Frazin

Sent from my Verizon, Samsung Galaxy smartphone

NOTICE OF EXEMPTION

City of Visalia
315 E. Acequia Ave.
Visalia, CA 93291
(559) 713-4359

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

Conditional Use Permit No. 2022-23

PROJECT TITLE

The project site is located at the Southwest corner of East K Avenue and South Ben Maddox Way (APN APNs: 126-750-050 & 126-750-051)

PROJECT LOCATION

Visalia

PROJECT LOCATION - CITY

Tulare

COUNTY

A request by to establish a 292-unit multi-family residential development on 10.8 acres in the R-M-2 (Multi-Family Residential, 3,000 sq. ft. minimum site area) zone.

DESCRIPTION - Nature, Purpose, & Beneficiaries of Project

City of Visalia, Attn: Brandon Smith, 315 E. Acequia Avenue, Visalia CA 93291, (559) 713-4636,
brandon.smith@visalia.city

NAME OF LEAD AGENCY APPROVING PROJECT

Maracor Development Inc., Attn: Chris Hawke, 61 Moraga Way, Suite 4, Orinda, CA 94563, (925) 389-6836, chawke@maracordev.com

NAME AND ADDRESS OF APPLICANT CARRYING OUT PROJECT

N/A

NAME AND ADDRESS OF AGENT CARRYING OUT PROJECT

EXEMPT STATUS: (Check one)

- ☒ Ministerial - Section 15183
☐ Emergency Project - Section 15071
☐ Categorical Exemption - State type and Section number:
☐ Statutory Exemptions- State code number:

The project is consistent with a Community Plan, General Plan, or Zoning and its related development density, for which an environmental impact report (EIR) has been certified (i.e., City of Visalia General Plan General Plan Program EIR certified by Resolution No. 2014-37, adopted on October 14, 2014); therefore, the project is ministerially exempt under the findings of State CEQA Guidelines Section 15183.

REASON FOR PROJECT EXEMPTION

Brandon Smith, Principal Planner

CONTACT PERSON

December 19, 2022

DATE

(559) 713-4636

AREA CODE/PHONE



Brandon Smith, AICP
ENVIRONMENTAL COORDINATOR

**The California Environmental Quality Act
(CEQA) Section 15183 Findings:**

Application: Conditional Use Permit No. 2022-23 **Environmental Review** 2022-51

Location: Southwest corner of East K Avenue and South Ben Maddox Way

Assessor's Parcel Number: 126-750-050 & 126-750-051

General Plan Designation: Residential Medium Density **Zoning:** R-M-2

State CEQA Guidelines Section 15183 (Public Resources Code §21083.3), provides that projects which are consistent with the development density established by a Community Plan, General Plan, or Zoning for which an environmental impact report (EIR) has been certified "shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

The City of Visalia finds that as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37 adopted on October 14, 2014. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**

The following findings are made in compliance with CEQA Section 15183 – Project consistent with a Community Plan or Zoning.

In approving a project meeting the requirements of CEQA Section 15183, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

1. Is the project consistent with the General Plan and Zoning designations for the site (including density for residential developments)? Yes X No

If yes, please explain below. If no, the project does not qualify for this exemption.

Comment/Finding:

As indicated above, the General Plan designation for this site is Office (O) and Residential High Density (RHD) which allows 15 to 35 dwelling units per acre. The proposed project would provide 31.88 units per acre which is consistent with the General Plan.

The site is zoned O-PA and R-M-3 has a land use designation which allows for residential land uses with approval of a Conditional Use Permit. The proposed project is consistent with the zoning.

2. Are there any impacts that weren't evaluated in the General Plan EIR that are peculiar to the project or the parcel on which the project would be located? Yes No X

If yes, an initial study or detailed analysis is necessary to determine if specific impacts will need to be mitigated.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

All potential impacts from this development were evaluated with the General Plan EIR. The site is consistent with the General Plan and zoning and has no unique features that were not evaluated with the General Plan EIR.

3. Are there project specific impacts which the General Plan EIR failed to analyze as significant effects.

Yes _____ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

The proposed project would not result in any additional impacts that were not evaluated with the General Plan EIR.

4. Is there substantial new information which would result in more severe impacts than anticipated by the General Plan EIR?

Yes _____ No X

If yes, an initial study or other detailed analysis is necessary to determine if the impacts are considered to be significant and if mitigation is required.

If no, continue with CEQA Section 15183 Exemption.

Comment/Finding:

There is no new information as a result of the proposed project that would result in more severe impacts. This project is consistent with the General Plan density and circulation element and the land use designation for Office (O) and Residential High Density (RHD). All potential impacts were evaluated with the General Plan EIR.

On the basis of this evaluation, in accordance with the requirements of Section 15183 of the CEQA Guidelines:

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | 1. It is found that subsequent negative declaration will need to be prepared. |
| <input type="checkbox"/> | 2. It is found that an addendum Negative Declaration will need to be prepared. |
| <input type="checkbox"/> | 3. That a subsequent EIR will need to be prepared. |
| <input checked="" type="checkbox"/> | 4. No further documentation is required. |

Date: December 19, 2022

Prepared By:



Brandon Smith
Principal Planner

Prepare a notice of exemption using CEQA section 15183 based on this analysis.



August 30, 2022

chawke@maracordev.com

Site Plan Review No. 2022-065:

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 3, 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,

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

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE August 3, 2022
SITE PLAN NO. 2022-065 - C
PARCEL MAP NO.
SUBDIVISION
LOT LINE ADJUSTMENT NO.

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

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

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

☐ Planning

☐ Engineering prior to resubmittal plans for Site Plan Review.

☐ Solid Waste

☐ Parks and Recreation

☐ Fire Dept.

☒ **REVISE AND PROCEED** (see below)

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

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

☒ Your plans must be reviewed by:

☐ CITY COUNCIL

☐ REDEVELOPMENT

☒ PLANNING COMMISSION

☐ PARK/RECREATION

☒ CUP

☐ 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

Cristobal Carrillo, Senior Planner, 559-713-4443

Date: August 3, 2022

SITE PLAN NO: 2022-065 - C
PROJECT TITLE: Ben Maddox Way Apartments
DESCRIPTION: This is a 330 unit, 30.5 DU/AC, 100% affordable, multi-family residential project
APPLICANT: Maracor
PROP. OWNER: Congleton George & Patricia
LOCATION TITLE: SW Corner of Ben Maddox and E. K Avenue
APN TITLE: 126-120-065, 066
GENERAL PLAN: Medium Density Residential
ZONING: R-M-2 (Medium Density Residential, 3,000 sq. ft. minimum per unit)

Planning Division Recommendation:

- ☒ Revise and Proceed
☐ Resubmit

Project Requirements

- Conditional Use Permit
- Lot Line Adjustment for Merger
- Environmental TBD

PROJECT SPECIFIC INFORMATION: August 3, 2022

1. A Conditional Use Permit is required for multifamily development exceeding 80 units.
2. A lot line adjustment in order to merge the parcels.
3. Provide an operational statement.
4. Provide a letter on official letterhead describing the proposed density bonuses/development concessions requested, and citing the relevant State law that allows for the requests.
5. At a minimum, the proposal shall provide or show compliance with:
 - a. 5% open space per VMC 17.16.150.
 - b. 1.5 Parking spaces per dwelling per VMC 17.34.020(A)(2).
 - c. Setbacks per VMC 17.16 Multi-Family Residential Zones
6. Compact parking stalls shall not comprise more than 30% of the total parking area. No more than four compact parking stalls shall be clustered together in one area. Compact stalls shall be spread throughout the parking lot.
7. It is recommended that the applicant conduct outreach to neighboring properties to address any community concerns.
8. See previous comments.

PROJECT SPECIFIC INFORMATION: June 15, 2022

1. Staff are requesting the applicant please provide the sections of the government code they wish to utilize for affordable housing benefits so we can appropriately apply the state allowances where the project may exceed the city's standards. This includes but is not limited to:
 - a. Terms of Affordability
 - i. Will the development be age restricted?
 - ii. How many years will the development be locked in as affordable?
 - b. Parking allowances
 - c. Density

2. The applicant is requested to consider moving the clubhouse and /or tot lot to a more central point within the development area to better serve all residents.
3. Provide the number of each unit type (1-, 2-, or 3-bedroom units).
4. A Conditional Use Permit is required for multifamily development exceeding 80 units.
5. A lot line adjustment in order to merge the parcels.
6. At a minimum, the proposal shall provide or show compliance with:
 - a. 5% open space per VMC 17.16.150.
 - b. 1.5 Parking spaces per dwelling per VMC 17.34.020(A)(2).
 - c. Setbacks per VMC 17.16 Multi-Family Residential Zones
7. Any parking area/stalls must comply with the required setbacks listed above. All setback areas must be landscaped.
8. Not more than ten consecutive parking stalls shall be allowed without an approved landscaped tree well of eighty (80) square feet or more.
9. The project must provide 10 percent parking lot landscaping as required by 17.34.040.D.
10. Provide cross hatched open space diagram demonstrating compliance with the 5 percent open space requirement.
11. Comply with other reviewer comments.
12. Other information as needed.

PROJECT SPECIFIC INFORMATION: April 27, 2022

1. There is no support from staff for a zone change for the subject site from R-M-2 to R-M-3. The project will have to be modified to comply with the R-M-2 zoning district development standards. Modify the project to comply with the density requirements.
2. A lot line adjustment shall be required in order to merge both lots.
3. A Conditional Use Permit shall be required for single multi residential development of over 80 units in an R-M-2 Zone.
4. The applicant shall provide a minimum 5 percent of open space for the project.
5. The applicant shall verify that a minimum 10% of the parking lot is landscaped for the multifamily development.
6. The applicant shall provide building elevations, floor plans, landscaping plans, and an operational statement.
7. A tree well shall be provided for every 10 consecutive parking stalls. The parking lot shall be redesigned where necessary to meet this requirement. Tree wells in the shape of triangles are considered sufficient to meet this requirement.
8. Multi-family dwelling: 1.5 parking spaces per dwelling unit for all multi-family developments with the following exceptions:
 - a. Planning Commission shall have the authority to require an additional .25 parking spaces per dwelling unit for guest parking spaces under the following circumstances:
 - i. Should on-street parking not be available to provide a minimum of .25 spaces per unit
 - ii. Within developments that include more than fifty (50) percent of the units as three or four bedroom units.
9. The project shall conform to the R-M-2 zoning district standards and setbacks. All parking areas shall comply with the required setbacks and shall be landscaped as required by Chapter 17.16 of the VMC. The front setback shall be measured from the easterly property line.
10. An operational management plan shall be provided for the multifamily development.
11. Meet all other codes and ordinances.

Notes:

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required to conduct the proposed use.

2. Prior to completion of a final building inspection for a project, a signed MWELO Certificate of Compliance shall be submitted indicating that all landscaping has been installed to MWELO standards.

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

- 17.16 Multi-Family Residential Zones
- 17.30 Development Standards
- 17.32.080 Maintenance of landscaped areas
- 17.34 Off-street parking and loading facilities
- 17.36 Fences Walls and Hedges



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

Signature: _____

**BUILDING/DEVELOPMENT PLAN
REQUIREMENTS
ENGINEERING DIVISION**

<input type="checkbox"/> Adrian Rubalcaba	713-4271
<input type="checkbox"/> Ather Razaq	713-4268
<input checked="" type="checkbox"/> Edelma Gonzalez	713-4364
<input type="checkbox"/> Jaklin Rowley	713-4369
<input type="checkbox"/> Luqman Ragabi	713-4362
<input type="checkbox"/> Lupe Garcia	713-4197

ITEM NO: 3 DATE: AUGUST 03, 2022

SITE PLAN NO.:	22-065R2
PROJECT TITLE:	BEN MADDOX WAY APARTMENTS
DESCRIPTION:	THIS IS A 330 UNIT, 30.5 DU/AC, 100% AFFORDABLE, MULTI-FAMILY RESIDENTIAL PROJECT
APPLICANT:	MARACOR
PROP OWNER:	CONGLETON GEORGE & PATRICIA (TRS)
LOCATION:	SWC OF BEN MADDOX WAY AND K AVE
APN:	126-120-065, 126-120-066

SITE PLAN REVIEW COMMENTS

- ☒ REQUIREMENTS (indicated by checked boxes)
- ☒ Install curb return with ramp, with **35'** radius; **BEN MADDOX WAY AND K AVENUE**
- ☒ Install curb; ☒ gutter **ALL STREET FRONTAGES**
- ☒ Drive approach size: ☒ Use radius return; **REFER TO CITY MULTI-FAMILY STANDARDS**
- ☒ Sidewalk: **8'** width; ☐ parkway width at **SEE ADDITIONAL COMMENTS**
- ☐ 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; **FOR ALL STREET ROW NEEDED FOR FULL ULTIMATE BUILDOUT**
- ☒ City Encroachment Permit Required. **FOR ANY WORK NEEDED WITHIN PUBLIC RIGHT-OF-WAY**
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. **HOA TO MAINTAIN ALL STREET FRONTAGE LANDSCAPE**
- ☒ 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. **REFER TO ADDITIONAL COMMENTS BELOW.**
- ☒ 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. **K AVE**

- ☒ Traffic indexes per city standards: **REFER TO CITY COLLECTOR & ARTERIAL STREET STANDARDS**
- ☒ Install street striping as required by the City Engineer. **STRIPE ROADS, ACCORDING TO FULL BUILD OUT OF ROAD**
- ☒ Install landscape curbing (typical at parking lot planters). **ONSITE AS NECESSARY**
- ☒ 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: **1** each at **300' INTERVALS**
- ☐ 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. **ALONG ROAD FRONTAGE**
- ☒ Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding. **ALONG ROAD FRONTAGE**
- ☐ 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. *Development to indicate a phased plan, if desired. Proposed multi-family development will be required to improve all street frontages with phase 1 improvements. Improvements shall include, but not limited to, street lighting, parkway landscape, curb & gutter, pavement, median improvements, sidewalks/paths, curb returns, and utility relocations/extensions.*
2. *Additional right-of-way and/or easements dedication for Ben Maddox Way and K Avenue may be required. See city website for template and for grant deed formatting and processing.*
3. *The proposed multi-family development shall match/extend existing public improvements on Ben Maddox. Provide cross section for Ben Maddox, provided dimensions for public improvements to match existing 8' sidewalk to the south.*
4. *Sho K Ave match existing City Right-of-way and centerline records to the west. Provide street profile with dimensions, include 5' parkway and 10' bike path. If desired, bike path could be under an easement. Improvements shall comply with City standards and requirements. Additional coordination with City Engineer will be required to ensure final road alignment is acceptable. Additional dedication may be required.*
5. *K Ave will be required to be constructed to City 60' right-of-way standard with a collector T.I. of 8.0. The widening of this collector street is identified in the City's Circulation Element and Transportation Impact Fee (TIF) program. Portions of the pavement section outside of the 8' parking lane are reimbursable through credits towards the TIF due with each building construction. Further coordination with City Engineer is required.*

6. *Additional widening will be required on K Ave at Ben Maddox intersection. A minimum curb to curb width of 40' will be required to accommodate three lanes approaching Ben Maddox on K Ave. The site plan layout shows the existing curb return on south side of K Ave. to be demo'd and relocated south to allow for additional widening requirement. Install City standard 35' radius curb ramp return. Further design review will be required, coordinate with City Engineer*
7. *There is an existing sewer main in Ben Maddox and K Ave available to serve new development. At time of civil design, further coordinate with City Engineer to determine connection and capacity requirements of sanitary sewer improvements*
8. *Storm & Sewer mains will be required to be extended to property boundary limits.*
9. *Additional storm drain capacity excavation of existing SD basin will be required on Burke St. (responsibility of development, not a reimbursable cost). Additional storm drain main improvements will be necessary, existing SD main to be removed and reinstalled to slope west along property frontage.*
10. *All street lighting shall comply with City standards. A separate electrical plan and design calc's shall be submitted. All street frontage landscaping and irrigation shall be maintained by the multi-family development.*
11. *Proposed refuse enclosures shall be positioned for a direct-stab by a Solid Waste vehicle. All new enclosures shall comply with City standard 24' refuse enclosure specs with metal gates and concrete apron. Refer to Solid Waste comments for additional requirements.*
12. *Existing power poles will either need to be undergrounded, if applicable, or relocated based on final design of the K Ave widening. Utility relocations do not fall under reimbursable items per the TIF program.*
13. *The solar array/shade carports shall provide proper access widths for emergency & service vehicles. Refer to Fire Dept. and Solid Waste comments.*
14. *If gated entrance/exits is desired then gate shall be setback 20' from curb face to face of gates and method to exit will be required. Submit design for city consideration.*
15. *Project will incur development impact fees associated with parcel acreage and building square footages. Refer to page 5 for applicable fees and summary. Project may qualify for "Affordable Housing Infill Incentive Program" refer to page 15 of Development Fee Schedule.*
16. *Comply with City parking lot standards for the multi-family development.*
17. *Site accessibility to comply with current City and building codes. Accessible path of travel to be provided to the public right-of-way.*
18. *Refer to City sight distance standards for the driveway on K Ave, design to ensure landscaping or other improvements do not impede proper sight distance. Refer to Traffic Division Safety for additional requirements due to alignment of K Ave.*
19. *Provide directional curb ramp at drive approach on K Ave.*
20. *Install curb and gutter along the north side of K Ave for build road, including SD design.*
21. *Water Pipe Line Easement that is shown on Site Plan will need to be abandoned or provide documentation that allows for work/construction within the easement.*

22. Development will be required to maintained all onsite landscaping. HOA or CCR to be stablsh to maintenance offside landscaping.

23. A right turn lane on eastbout K Ave may be required. Refer to Safety Traffic Division Comments.

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **22-065R**

Date: **08/03/2022**

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: **07/21/2022**)

(Project type for fee rates: **MULTI-FAMILY**)

☐ Existing uses may qualify for credits on Development Impact Fees.

FEE ITEM	FEE RATE
<input checked="" type="checkbox"/> Groundwater Overdraft Mitigation Fee	\$1,366/AC X 12.3 = \$16,801
<input checked="" type="checkbox"/> Transportation Impact Fee	\$4,379/UNIT X 292 = \$1,278,668
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$473/UNIT X 293 (INCLUDES CLUBHOUSE)= \$138,589 TREATMENT PLANT FEE: \$830/UNIT X 293 (INCLUDES CLUBHOUSE) = \$243,190
<input checked="" type="checkbox"/> Sewer Front Foot Fee	\$46/LF X 1634 (K + BEN MADDOX) = \$75,164
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	HIGH DENSITY \$6,865/AC X 12.3 AC = \$84,440
<input checked="" type="checkbox"/> Park Acq/Dev Fee	\$3,403/UNIT X 292 = \$993,676
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	HIGH DENSITY \$5,042 /AC X 12.3 = \$62,017
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	HIGH DENSITY \$7,857/AC X 12.3 = \$96,641
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire	HIGH DENSITY \$2,002/AC X 12.3 = \$24,625
<input checked="" type="checkbox"/> Public Facility Impact Fee	\$536/UNIT X 292 = \$156,512 CLUB HOUSE \$586/1000SF X 6,634SF = \$3,888
<input type="checkbox"/> 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.

A handwritten signature in cursive script, reading "Edelma Gonzalez", written in black ink.

Edelma Gonzalez

**Site Plan Comments**

Visalia Fire Department
Corbin Reed, Fire Marshal
420 N. Burke
Visalia CA 93292
559-713-4272 office
prevention.division@visalia.city

Date	August 3, 2022
Item #	3
Site Plan #	22065
APN:	126120065, 66

- The Site Plan Review comments are issued as **general overview** of your project. With further details, additional requirements will be enforced at the Plan Review stage. Please refer to the 2019 California Fire Code (CFC), 2019 California Building Codes (CBC) and City of Visalia Municipal Codes.
- This item is a **resubmittal**. Please see comments from previous submittals.



Corbin Reed
Fire Marshal

City of Visalia

Building: Site Plan

Review Comments

SPR 22065
BEN MADDOX WAY APARTMENTS
126120066
126120065

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

- ☒ A building permit will be required. **FOR EACH BUILDING** For information call (559) 713-4444
- ☒ Submit 1 digital set of professionally prepared plans and 1 set of calculations. (Small Tenant Improvements)
- ☐ Submit 1 digital set of plans prepared by an architect or engineer. Must comply with 2016 California Building Cod Sec. 2308 for conventional light-frame construction or submit 1 digital set of engineered calculations.
- ☐ Indicate abandoned wells, septic systems and excavations on construction plans.
- You are responsible to ensure compliance with the following checked items:**
- ☒ Meet State and Federal requirements for accessibility for persons with disabilities.
- ☐ A path of travel, parking and common area must comply with requirements for access for persons with disabilities.
- ☒ All accessible units required to be adaptable for persons with disabilities. **ALL GROUND FLOOR UNITS SHALL BE ADAPTABLE AND ON AN ACCESSIBLE ROUTE.**
- ☒ Maintain sound transmission control between units minimum of 50 STC.
- ☒ Maintain fire-resistive requirements at property lines. **1 HR MIN BETWEEN UNITS (VERT. & HORIZ.)**
- ☐ A demolition permit & deposit is required. For information call (559) 713-4444
- ☐ Obtain required permits from San Joaquin Valley Air Pollution Board. For information call (661) 392-5500
- ☐ Plans must be approved by the Tulare County Health Department. For information call (559) 624-8011
- ☐ Project is located in flood zone _____ * ☐ Hazardous materials report.
- ☐ Arrange for an on-site inspection. (Fee for inspection \$157.00) For information call (559) 713-4444
- ☒ School Development fees. Residential. **\$4.79 PER SQ. FT.**
- ☐ 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: **PROVIDE ACCESSIBLE ROUTES TO THE PUBLIC WAY AND TO ALL BUILDINGS WITHIN THE FACILITY. PROTECT ALL DWELLINGS WITH TYPE 13R SPRINKLER SYSTEM AND MANUAL FIRE-ALARM FOR BUILDINGS WITH MORE THEN 16 DWELLING UNITS. PROVIDE TYPE VA CONSTRUCTION FOR BUILDING 3 STORIES IN HEIGHT. PROVIDE FUTURE EV CHARGING PARKING AT 10% OF TOTAL PARKING. PROVIDE COVERED AND UNCOVERED ACCESSIBLE PARKING. LANDSCAPING SHALL MEET THE MWEL0 REQUIREMENTS. VALCARGIA 8/3/22**



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

Date: 08/03/2022
Item: 3
Site Plan: SPR22065
Name: Henry Martinez

Site Plan Review Comments

- ☐ No Comment at this time.
- ☐ Request opportunity to comment or make recommendations as to safety issues as plans are developed.
- ☐ Public Safety Impact Fee:
Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code
Effective date - August 17, 2001.
- ☐ Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.
- ☐ Not enough information provided. Please provide additional information pertaining to:
 - ☐ Territorial Reinforcement: Define property lines (private/public space).
 - ☐ Access Controlled/ Restricted etc.
 - ☐ lighting Concerns:
 - ☐ Traffic Concerns:
 - ☐ Surveillance Issues:
 - ☐ Line of Sight Issues:
 - ☐ Other Concerns:

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

August 3, 2022

ITEM NO: 3 Resubmit
SITE PLAN NO: SPR22065
PROJECT TITLE: Ben Maddox Way Apartments
DESCRIPTION: This is a 330 unit, 30.5 DU/AC, 100% affordable, Multi-family Residential Project. (
APPLICANT: Maracor
OWNER: CONGLETON GEORGE & PATRICIA(TRS)
APN: 126120066
126120065
LOCATION: Southwest Corner of K Ave & Ben Maddox Way

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.
- ☐ Install Street Name Blades at Locations.
- ☐ Install Stop Signs at Locations.
- ☒ Construct parking per City Standards PK-1 through PK-4.
- ☒ Construct drive approach per City Standards.
- ☐ Traffic Impact Analysis required (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 improvements needed in concurrence with TIF.

Additional Comments:

- Applicant to provide sight distance analysis for driveway on K Ave to confirm adequate sight distance provided per AASHTO standards (due to alignment of K Ave). Provide sufficient sight.
- Parking restriction on K Ave due to sight visibility may be required.

Leslie Blair

Leslie Blair

City of Visalia

7579 Ave. 288, Visalia, CA 93277



Public Works

(559) 713-4465 Fax (559) 713-4501

SITE PLAN REVIEW DATE: 08.03.22

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

SITE PLAN REVIEW NO: SPR 22127

PROJECT NAME: ADULT DAY CARE FACILITY

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

☒ SUBMISSION OF WASTEWATER DISCHARGE PERMIT
APPLICATION/QUESTIONNAIRE/OTHER REGULATORY FORMS

- FORM REQUIRED FOOD SERVICE EST QUEST
- FORM REQUIRED
- FORM REQUIRED

☐ INSTALLATION OF SAND AND GREASE INTERCEPTOR

☒ INSTALLATION GREASE INTERCEPTOR

☐ OTHER

☐ SITE PLAN REVIEWED-NO COMMENTS

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

COMMENTS:

FORMS CAN BE FOUND @
https://www.visalia.city/depts/public_works/wastewater/commercial_industrial_pretreatment_program.asp

DATE REVIEWED: 08.01.22

A handwritten signature in blue ink, appearing to be "JR".

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

22065

August 3, 2022

- ☐ No comments.
- ☒ See comments below
- ☐ Revisions required prior to submitting final plans. See comments below.
- ☐ Resubmittal required. See comments below.
- ☒ Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
- ☒ ALL refuse enclosures must be R-3 OR R-4
- ☒ Customer must provide combination or keys for access to locked gates/bins
- ☐ Type of refuse service not indicated.
- ☐ Location of bin enclosure not acceptable. See comments below.
- ☐ Bin enclosure not to city standards double.
- ☐ Inadequate number of bins to provide sufficient service. See comments below.
- ☐ Drive approach too narrow for refuse trucks access. See comments below.
- ☐ Area not adequate for allowing refuse truck turning radius of : Commercial 50 ft. outside 36 ft. inside; Residential 35 ft. outside, 20 ft. inside.
- ☒ Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
- ☒ Bin enclosure gates are required
- ☐ Hammerhead turnaround must be built per city standards.
- ☐ Cul - de - sac must be built per city standards.
- ☒ Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
- ☒ Area in front of refuse enclosure must be marked off indicating no parking
- ☒ Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38' clear space in front of the bin, included the front concrete pad.
- ☐ Customer will be required to roll container out to curb for service.
- ☒ Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
- ☐ Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.

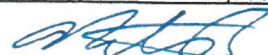
- ☒ City ordinance 8.28.120-130 (effective 07/19/18) requires contractor to contract with City for removal of construction debris unless transported in equipment owned by contractor or unless contracting with a franchise permittee for removal of debris utilizing roll-off boxes.

Comment

All proposed city standard (R3/R4) double enclosures look good for STAB load collections, as do the three (R1/R2) single enclosures for organic collections. Solid Waste services to include trash, recycle and organics collections per the State of California's mandatory recycling laws (AB-341 & AB-1826). Enclosure gates are required, must open 180 degrees, and clear all curbing. Cane bolts must be included to secure gates when opened. Customer to contact Solid Waste at 559-713-4532 to schedule a waste assessment when ready to have bins assigned.

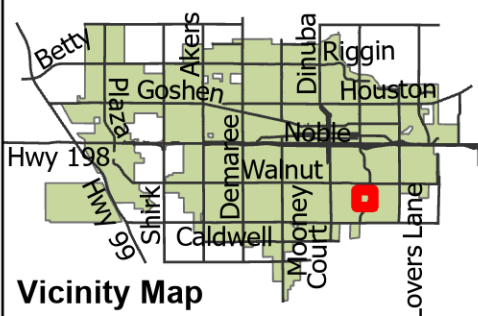
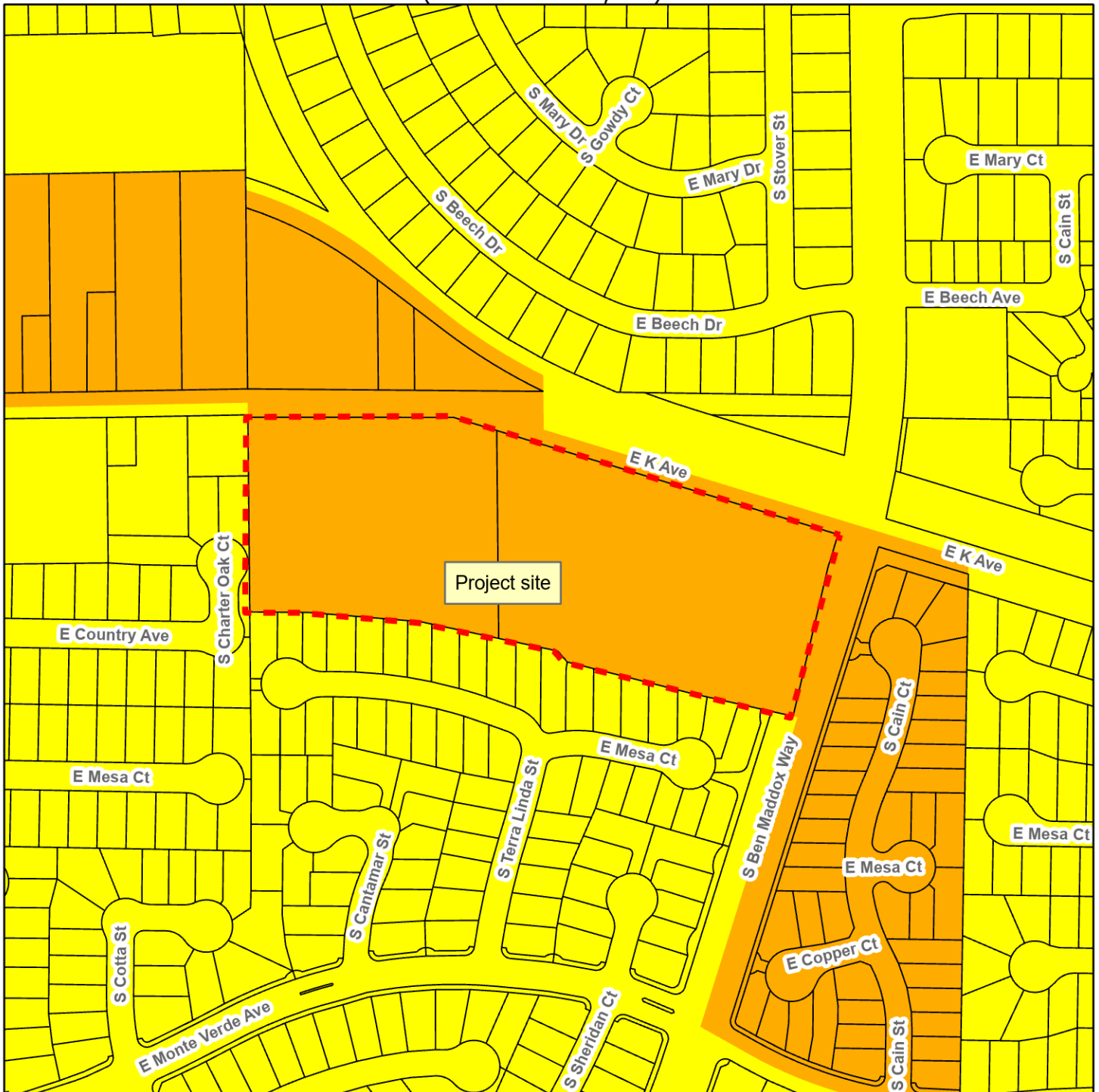
Jason Serpa, Solid Waste Manager, 559-713-4533
Edward Zuniga, Solid Waste Supervisor, 559-713-4338

Nathan Garza, Solid Waste, 559-713-4532



Conditional Use Permit No. 2022-23

Location: The property is located on the southwest corner of Ben Maddox Way and K Avenue.
(APN 126-750-050, 051)



General Plan Land Use Map

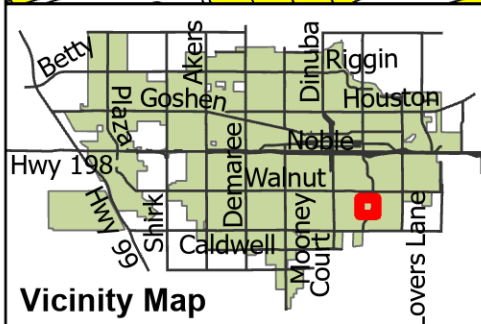
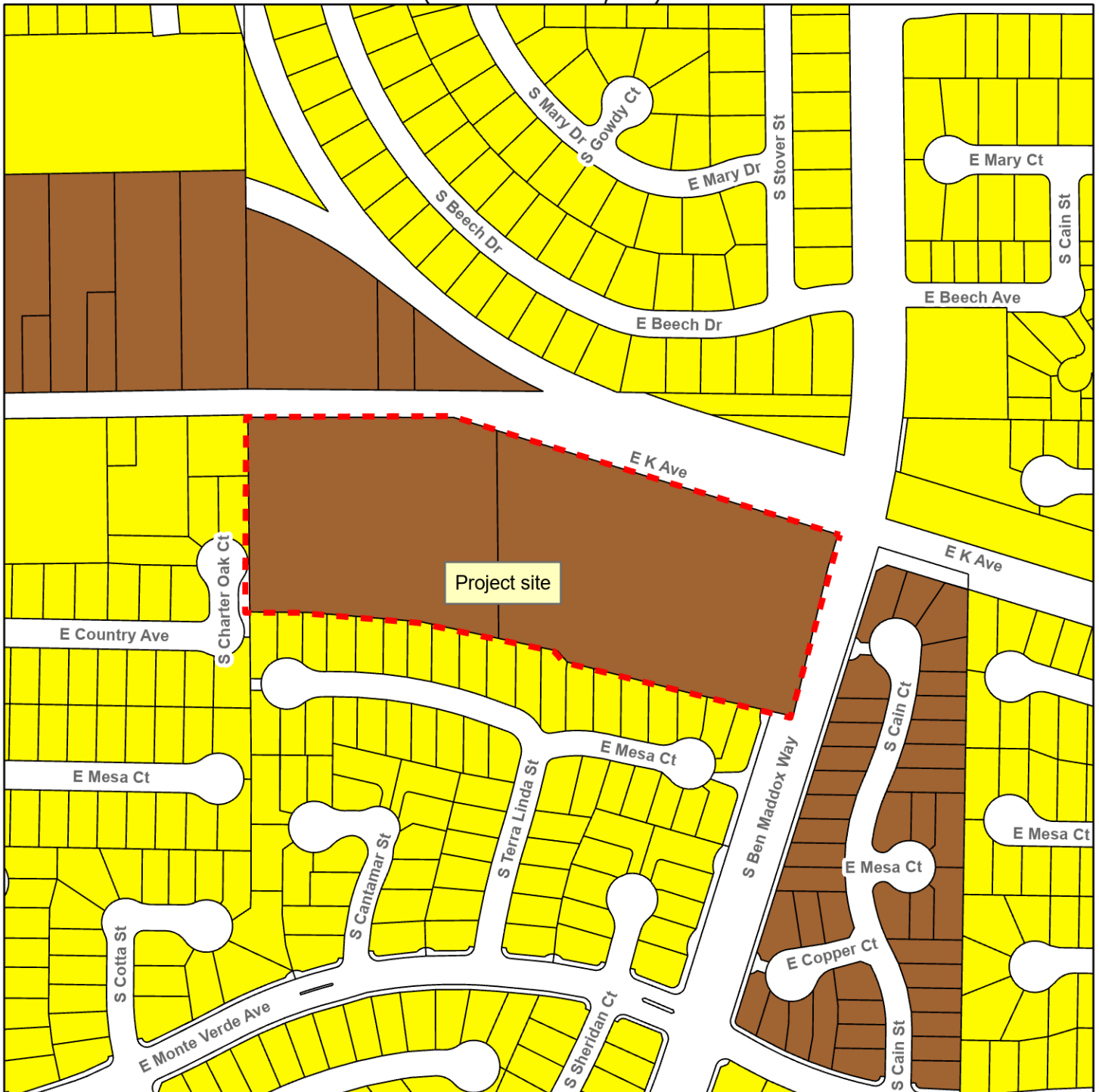


0 100 200 400 600 Feet

- Residential Low Density
- Residential Medium Density

Conditional Use Permit No. 2022-23

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Zoning Map

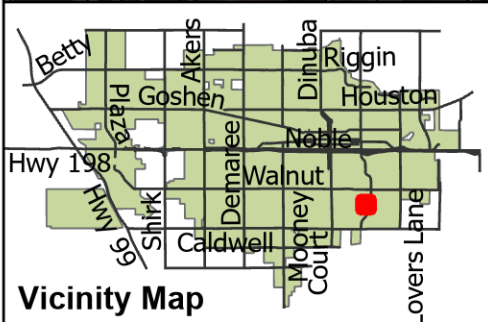


0 100 200 400 600 Feet

- Single-family Residential 5000 SF
- Multi-family Residential 3000 SF

Conditional Use Permit No. 2022-23

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Aerial Photo 2021



0 50 100 200 300 Feet

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