

PLANNING COMMISSION AGENDA

CHAIRPERSON:

Marvin Hansen



VICE CHAIRPERSON:

Adam Peck

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

MONDAY, JANUARY 23, 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. Time Extension Request for River Run Ranch Phases 5-7 Tentative Subdivision Map No. 5505.
6. PUBLIC HEARING – Cristobal Carrillo, Associate Planner
 - a. Tentative Parcel Map No. 2022-07: A request by Ken Vang, Vang Inc. Consulting Engineers to subdivide an existing 13,245 square foot parcel into four residential condominium spaces and a common area for condominium purposes in the R-M-3 (Multi-Family Residential, 1,200 square foot minimum site area per dwelling) Zone. The project site is located at 201 N.W. 3rd Avenue, west of the intersection of 3rd Avenue and Pearl Street (APN: 094-041-006). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2022-62.
 - b. Conditional Use Permit No. 2022-30: A request by Ken Vang, Vang Inc. Consulting Engineers to facilitate Tentative Parcel Map No. 2022-07 by creating four commercial condominium spaces with no public street access, a common area, and parcels with less than the minimum 1,200 square foot size requirement in the R-M-3 (Multi-Family

Residential, 1,200 square foot minimum site area per dwelling) Zone. The project site is located at 201 N.W. 3rd Avenue, west of the intersection of N.W. 3rd Avenue and Pearl Street (APN: 094-041-006). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315, Categorical Exemption No. 2022-62.

7. PUBLIC HEARING – Josh Dan, Associate Planner

Conditional Use Permit No. 2022-32: A request by Visalia VA, LLC., to establish a 25,000 square foot Veterans Affairs medical clinic within the existing 32,000 square foot office building located in the C-MU (Commercial Mixed Use) zone. The project site is located at 500 North Santa Fe Street, on the northeast corner of North Santa Fe Street and East Murray Avenue. (APNs: 094-250-045 & 094-250-046). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Categorical Exemption No. 2022-68.

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

Conditional Use Permit No. 2022-25: A request by Maracor Development for the development of a 342-unit deed restricted affordability apartment complex on property totaling 11.41 acres and containing a zoning designation of Commercial Mixed Use (C-MU). The project site is located on the northwest corner of South Lovers Lane and East Caldwell Avenue (APN 126-850-029). 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. 2022-55 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.

9. CITY PLANNER/ PLANNING COMMISSION DISCUSSION –

- a. Update on Appeal of Woodlands CUP
- b. Housing Element TAC Meeting scheduled for January 31st
- c. Planning Commission recruitment

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, FEBRUARY 2, 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, FEBRUARY 13, 2023

599 parking stalls are required by the City municipal code, but only 447 under State Density Bonus Law. The development is proposing 531 parking stalls. The project will include a community center, tot lot, and swimming pool.

The multi-family development will utilize existing fencing along the north and west sides of the property and does not propose any new fencing or walls. An existing six-foot high wood fence along the west and northwest property boundary will remain, which is adjacent to existing duplex units. An existing six-foot high block wall will remain along the north project boundary, which is adjacent to existing two-story apartment units.

The circulation pattern within the proposed development is self-contained. Vehicular access to the development is located on East Caldwell Avenue and South Lovers Lane. The project also supports expanding pedestrian circulation connectivity by providing several pedestrian connections to adjacent street frontages.

This project includes the construction of sidewalks, new curbing, and landscaping frontage improvements along the street frontages of East Caldwell Avenue and South Lovers Lane. A new bus turn-out will be installed on East Caldwell Avenue. 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:	Commercial Mixed Use
Zoning:	C-MU (Mixed Use Commercial Zone)
Zoning and Land Use:	North: R-M-3 – Sequoia Vista Apartments, Multi-Family housing South: E. Caldwell Ave.– Tulare County unincorporated, vacant / agriculture East: S. Lovers Ln. – Tulare County unincorporated, vacant / agriculture West: R-M-2 – Fourplex Multi-family housing
Environmental Review:	Notice of Exemption No. 2022-55
Special Districts:	N/A
Site Plan:	2022-111

RELATED PLANS & POLICIES

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

RELATED PROJECTS

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 Riggan 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 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. General Plan policy LU-P-52 identifies the implementation of development standards to ensure that new multi-family residential development will contribute to positive land use compatibility. The zoning of the property requires a conditional use permit for development of new residential uses on the commercial-zoned 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 eleven three-story apartment buildings totaling 342 units. Four of the buildings are designed with 24 units. One of the buildings is designed with 30 units, and the remaining six buildings will house 36 units each. The units are a mix of one-, two-, and three-bedroom units. The proposed multi-family development is bordered by multi-family developments to the north and west. Arterial South Lovers Lane borders the eastern property line and arterial East Caldwell Avenue borders the southern property line.

State Density Bonus Concessions and Incentives

Under the State Density Bonus (SDB) law, projects that provide 100% of the units as affordable for lower income residents are eligible for up to four (4) concessions/incentives (Government Code Section 65915(d)(2)(D)). The SDB defines a concession/incentive 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 will provide 100% of the units as affordable for lower income residents so is eligible for a concession/incentive that will provide an actual cost reduction to the Project. This cost reduction will allow the development of the affordable housing units and absent the concession/incentive, the Project would be economically/financially precluded from providing the 342 affordable housing units. The applicant has outlined their requests with a summary of SDB law incentives/concessions attached as Exhibit "H".

The City Zoning Ordinance requirement to provide a seven-foot tall concrete block masonry wall (required where a site in the C-MU zone adjoins an R-M zone) would result in a substantial cost to the Project that would impact the financial viability of the development. As a result, the Project seeks a concession/incentive to replace that design requirement/development standard from the Project's conditions of approval with the requirement to allow the existing six-foot high wood fencing on the west and northwest property lines to remain, as well as the existing six-foot block wall on the north property line to remain as indicated in the Project's submitted fencing and wall plan (Exhibit "G"). Staff notes that although the block wall would be required based on zoning designations, typical zoning requirements between two multi-family residential uses do not require any type of fence or wall.

Pursuant to Cal. Government Code Section 65915(p)(l), the project also requests that vehicle parking requirements shall not exceed the ratios prescribed under State law for SDB developments, including one (1) onsite parking space per one (1) bedroom unit and one and one-half (1.5) onsite parking spaces per two (2) or three (3) bedroom units for a total of 447 on-site parking stalls. The Project is required to provide 599 on-site parking stalls under the City Code. However, the Project will be providing 531 on-site parking stalls, 84 more than SDB Law requires.

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 concessions/incentives. These findings are included in the draft 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 Commercial Mixed Use land use designation. The Commercial Mixed Use land use designation provides for a density of up to 35 dwelling units per acre (reference General Plan Policy LU-P-66).

The development area is 11.41 acres in size and will be developed at a density range of 29.98 units per acre. Additionally, the overall cohesive development pattern of the multi-family project has placed the buildings throughout the site in a manner that facilitates safe internal vehicular circulation, provides driveway access widths to facilitate emergency personal vehicles on-site, and locates on-site amenities (i.e., club house, pool, open space) in a centralized area for the benefit and convenience of residences within this development. The project layout provides for the best and highest utilization of the site and provides for additional affordable housing units.

Housing Element

The site is not currently included as part of the City's Housing Element Sites Inventory and therefore has no impact on the inventory. Construction of the units will nevertheless be able to count toward fulfillment of Visalia's Regional Housing Needs Allocation (RHNA) in the Extremely Low Income, Very Low Income, Low Income, and Moderate Income levels.

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 GNPs 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 included 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. A new bus turn-out will be installed on East Caldwell Avenue. 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.

Setbacks

The project represents a comprehensively planned multi-family residential development. However, as a result of the bus-bay turnout required along Caldwell Avenue, there will be a reduced setback for a small portion of the building adjacent to the bus-bay turnout (see site plan exhibit). Due to the bus turnout, the developer cannot shift the location of the buildings to the north, which may result in the potential removal of parking along the north boundary of the project site and reconfiguration of the vehicular drive approach and drive aisles. The proposed site plan illustrates that setbacks around the perimeter of the project meet or exceed the minimum required in all other areas for C-MU sites as follows:

	<u>Required:</u>	<u>Proposed:</u>
Front (Lovers Lane)	15 feet	15 feet
Street Side (Caldwell Avenue)	10 feet	15 feet
Side (north property line)	15 feet	15 feet
Rear (west property lines)	15 feet	15-25 feet
Maximum building height	50 feet	40 feet

The project meets the required setbacks along the street frontages (except along the new bus turnout) and neighboring development.

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, composite wood railings for decks and patios, and shingled 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”.

Block Walls and Wrought Iron Fences

In accordance with SDB law, the project proposes to utilize the existing six-foot high wood fencing on the west and northwest property lines in lieu of installing a new block wall per Zoning requirements, and to utilize the existing six-foot block wall on the north property line as indicated in the Project's submitted fencing and wall plan (Exhibit “G”).

Open Space and Recreation

The project includes a tot lot, a community building with a pool, and additional open space spread throughout the development. Staff has included a condition that these amenities be installed as a part of the development and maintained in good working/accessible order.

Correspondence

At the time the staff report was prepared, no correspondence has been received regarding this project.

Environmental Review

A Notice of Exemption was prepared for the conditional use permit. Notice of Exemption No. 2022-55 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 of the project site. Staff therefore recommends that Notice of Exemption No. 2022-55 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. General Plan policy LU-P-52 identifies the implementation of development standards to ensure that new multi-family residential development will contribute to positive land use compatibility. The zoning of the property requires a conditional use permit for development of new residential uses on the commercial-zoned site.

The proposed development is adjacent to existing multi-family development separated by an existing six-foot high wood fence along the west and northwest property boundary and an existing six-foot high block wall along the north project boundary.

- 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 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.
 - c. 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.
 - d. The housing development is eligible for any requested parking reductions under California Government Code Section 65915, subdivision (p).
4. A Notice of Exemption was prepared for the conditional use permit. Notice of Exemption No. 2022-55 disclosed that no additional environmental review is required. Staff therefore recommends that Notice of Exemption No. 2022-55 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 No. 2022-111.
2. That the development be prepared in substantial compliance with the site plan shown in Exhibit "A", elevations shown in Exhibits "B", "C", "D", and "E", and corresponding floor plans shown in Exhibit "F".
3. That the setbacks illustrated in Exhibit "A" shall be maintained.
4. That the community building be developed as depicted in Exhibit "E".
5. That the development shall maintain the landscaping and fences/block walls along the street frontages, and within the site.
6. 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.
7. 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.
8. That a valid will-serve letter for the providing of domestic water service be obtained for the development prior to development.
9. Provide street trees per the City's Street Tree Ordinance.

10. 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.
11. 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.

12. 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. 2022-54
- Exhibit "A" – Site Plan
- Exhibit "B" – Exterior Elevation Plans (Building 3s-24A)
- Exhibit "C" – Exterior Elevation Plans (Building 3s-30C)
- Exhibit "D" – Exterior Elevation Plans (Building 3s-36B)
- Exhibit "E" – Community Building Elevations
- Exhibit "F" – Floor Plans (Binder of all Floor Plans)
- Exhibit "G" – Wall and Fence Exhibit
- Exhibit "H" – Operational Statement
- Exhibit "I" – Landscape Plan
- Exhibit "J" – Affordability Table
- Exhibit "K" – Parking Summary Under GC65915(p)(1)
- Notice of Exemption No. 2022-55
- 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-53 Integrate multi-family development with commercial, office, and public uses in neighborhood nodes, Downtown, and with Commercial Mixed Use areas in East Downtown, along the Mooney corridor and elsewhere.

Multi-family housing should be accessible on foot to public parks and gathering places, commercial areas, and transit.

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 C-MU Zone

Chapter 17.19

Mixed Use Zones

Sections:

17.19.010 Purpose and intent.

17.19.015 Applicability.

17.19.020 Permitted uses.

17.19.030 Conditional and temporary uses.

17.19.040 Required conditions.

17.19.050 Off-street parking and loading facilities.

17.19.060 Development standards in the C-MU zones outside the downtown area.

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

17.19.010 Purpose and intent.

A. The several types of mixed zones included in this chapter are designed to achieve the following:

1. Encourage a wide mix of commercial, service, office, and residential land uses in horizontal or vertical mixed use development projects, or on adjacent lots, at key activity nodes and along corridors.

2. Maintain Visalia's downtown Conyer Street to Tipton and Murray Street to Mineral King Avenue including the Court-Locust corridor to the Lincoln Oval area) as the traditional, medical, professional, retail, government and cultural center;

3. Provide zone districts that encourage and maintain vibrant, walkable environments.

B. The purposes of the individual mixed use zones are as follows:

1. Mixed Use Commercial Zone—(C-MU). The purpose and intent of the mixed use commercial zone district is to allow for either horizontal or vertical mixed use development, and permit commercial, service, office, and residential uses at both at key activity nodes and along corridors. Any combination of these uses, including a single use, is permitted.

2. Mixed Use Downtown Zone—(D-MU). The purpose and intent of the mixed use downtown zone district is to promote the continued vitality of the core of the community by providing for the continuing commercial development of the downtown and maintaining and enhancing its historic character. The zone is designed to accommodate a wide mix of land uses ranging from commercial and office to residential and public spaces, both active and passive. The zone is intended to be compatible with and support adjacent residential uses, along with meeting the needs of the city and region as the urban center of the city; to provide for neighborhood, local, and regional commercial and office needs; to accommodate the changing needs of transportation and integrate new modes of transportation and related facilities; and to maintain and enhance the historic character of the city through the application of architectural design features that complement the existing historic core of the city. (Ord. 2017-01 (part), 2017)

17.19.015 Applicability.

The requirements in this chapter shall apply to all property within the C-MU and D-MU zone districts. (Ord. 2017-01 (part), 2017)

17.19.020 Permitted uses.

Permitted uses in C-MU and D-MU zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017)

17.19.030 Conditional and temporary uses.

Conditional and temporary uses in the C-MU and D-MU zones shall be determined by Table 17.25.030 in Section 17.25.030. (Ord. 2017-01 (part), 2017)

17.19.040 Required conditions.

A. A site plan review permit must be obtained for any development in any C-MU and D-MU zones, subject to the requirements and procedures in Chapter 17.28.

B. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, Christmas tree sales lots, bus depots and transit stations, electric distribution substation, and recycling facilities;

C. All products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced. (Ord. 2017-01 (part), 2017)

17.19.050 Off-street parking and loading facilities.

Off-street parking and off-street loading facilities shall be provided as prescribed in Chapter 17.34. (Ord. 2017-01 (part), 2017)

17.19.060 Development standards in the C-MU zones outside the downtown area.

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

- A. Minimum site area: five (5) acres.
- B. Maximum building height: fifty (50) feet.
- C. Minimum required yards (building setbacks):
 1. Front: fifteen (15) feet;
 2. Rear: zero (0) feet;
 3. Rear yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 4. Side: zero (0) feet;
 5. Side yards abutting an R-1 or R-M zone district: fifteen (15) feet;
 6. Street side yard on corner lot: ten (10) feet.
- D. Minimum required landscaped yard (setback) areas:
 1. Front: fifteen (15) feet;
 2. Rear: five (5) feet;
 3. Rear yards abutting an R-1 or R-M zone district: five (5) feet;
 4. Side: five (5) feet (except where a building is located on side property line);
 5. Side yards abutting an R-1 or R-M zone district: five (5) feet;
 6. Street side on corner lot: ten (10) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable. (Ord. 2017-01 (part), 2017)

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

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

- A. Minimum site area: No minimum.
- B. Maximum building height: one hundred (100) feet.
- C. Minimum required yards (building setbacks):
 1. Front: zero (0) feet;
 2. Rear: zero (0) feet;
 3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
 4. Side: zero (0) feet;
 5. Side yards abutting an R-1 or R-M zone district: zero (0) feet;
 6. Street side yard on corner lot: zero (0) feet.
- D. Minimum required landscaped yard (setback) areas:
 1. Front: five (5) feet (except where a building is located on property line);
 2. Rear: zero (0) feet;
 3. Rear yards abutting an R-1 or R-M zone district: zero (0) feet;
 4. Side: five (5) feet (except where a building is located on side property line);
 5. Side yards abutting an R-1 or R-M zone district: five (5) feet except where a building is located on side property);
 6. Street side on corner lot: five (5) feet.
- E. The provisions of Chapter 17.58 shall also be met, if applicable. (Ord. 2017-13 (part), 2017: Ord. 2017-01 (part), 2017)

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. 2022-54

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2022-25, A REQUEST BY MARACOR DEVELOPMENT TO DEVELOP A 342-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON 11.41 ACRES IN THE C-MU (COMMERCIAL MIXED USE) ZONE. THE SITE IS LOCATED AT THE NORTHWEST CORNER OF EAST CALDWELL AVENUE AND SOUTH LOVERS LANE (APN: 126-850-029)

WHEREAS, Conditional Use Permit No. 2022-25, is a request by Maracor Development for the development of a 342-unit deed restricted affordability apartment complex on property totaling 11.41 acres and containing a zoning designation of Commercial Mixed Use (C-MU). The project site is located on the northwest corner of South Lovers Lane and East Caldwell Avenue (APN 126-850-029); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice, did hold a public hearing before said Commission on January 23, 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. 2022-55 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. 2022-55 was prepared consistent with the California Environmental Quality Act and City of Visalia Environmental Guidelines.

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 is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located. General Plan policy LU-P-52 identifies the implementation of development standards to ensure that new multi-family residential development will contribute to positive land use compatibility. The zoning of the property requires a conditional use permit for development of new residential uses on the commercial-zoned site.

The proposed development is adjacent to existing multi-family development separated by an existing six-foot high wood fence along the west and northwest property boundary and an existing six-foot high block wall along the north project boundary.

- 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 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.
 - c. 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.
 - d. The housing development is eligible for any requested parking reductions under California Government Code Section 65915, subdivision (p).
4. A Notice of Exemption was prepared for the conditional use permit. Notice of Exemption No. 2022-55 disclosed that no additional environmental review is required. Staff therefore recommends that Notice of Exemption No. 2022-55 be adopted for this project.

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 No. 2022-111.
2. That the development be prepared in substantial compliance with the site plan shown in Exhibit "A", elevations shown in Exhibits "B", "C", "D", and "E", and corresponding floor plans shown in Exhibit "F".
3. That the setbacks illustrated in Exhibit "A" shall be maintained.
4. That the community building be developed as depicted in Exhibit "E".
5. That the development shall maintain the landscaping and fences/block walls along the street frontages, and within the site. If the developer elects to install fencing along the Caldwell Avenue and Lovers Lane street frontages, then the developer shall install wrought iron fencing in compliance with Section 17.36.040.B of the Zoning Ordinance.
6. 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.

7. 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.
8. That a valid will-serve letter for the providing of domestic water service be obtained for the development prior to development.
9. Provide street trees per the City's Street Tree Ordinance.
10. 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.
11. 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.

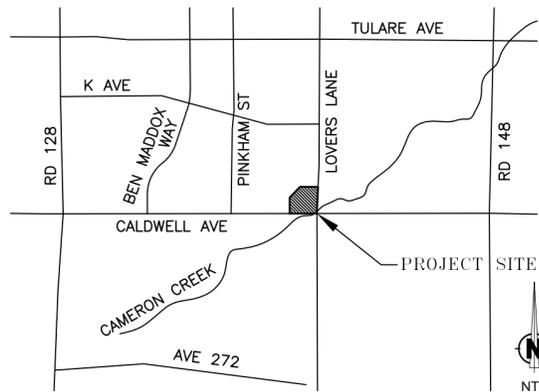
D. Tenant Agreement - The tenant agreement for the complex must contain the following:

- 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.

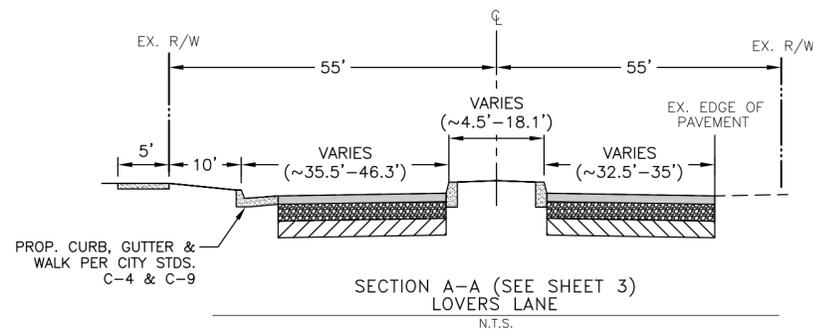
12. That all applicable federal, state, regional, and city policies and ordinances be met.

Exhibit A

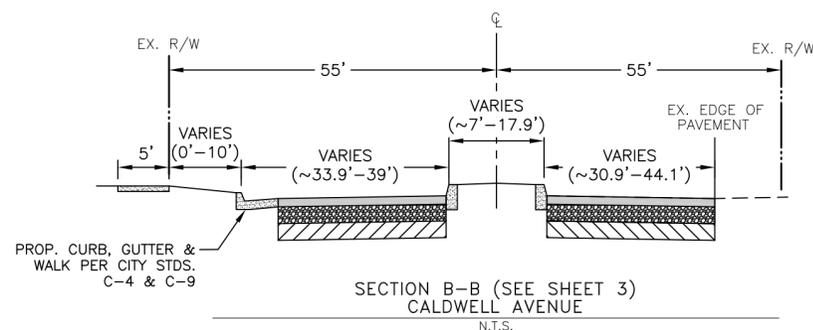
Site Plan



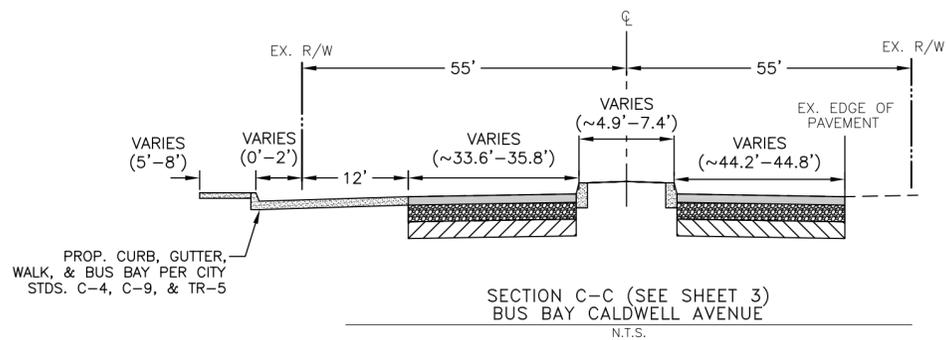
VICINITY MAP
N.T.S.



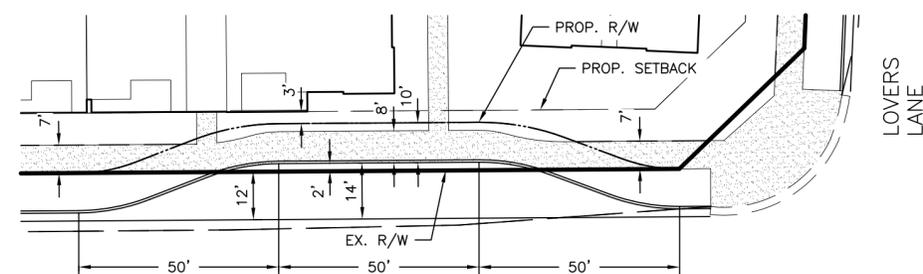
SECTION A-A (SEE SHEET 3)
LOVERS LANE
N.T.S.



SECTION B-B (SEE SHEET 3)
CALDWELL AVENUE
N.T.S.

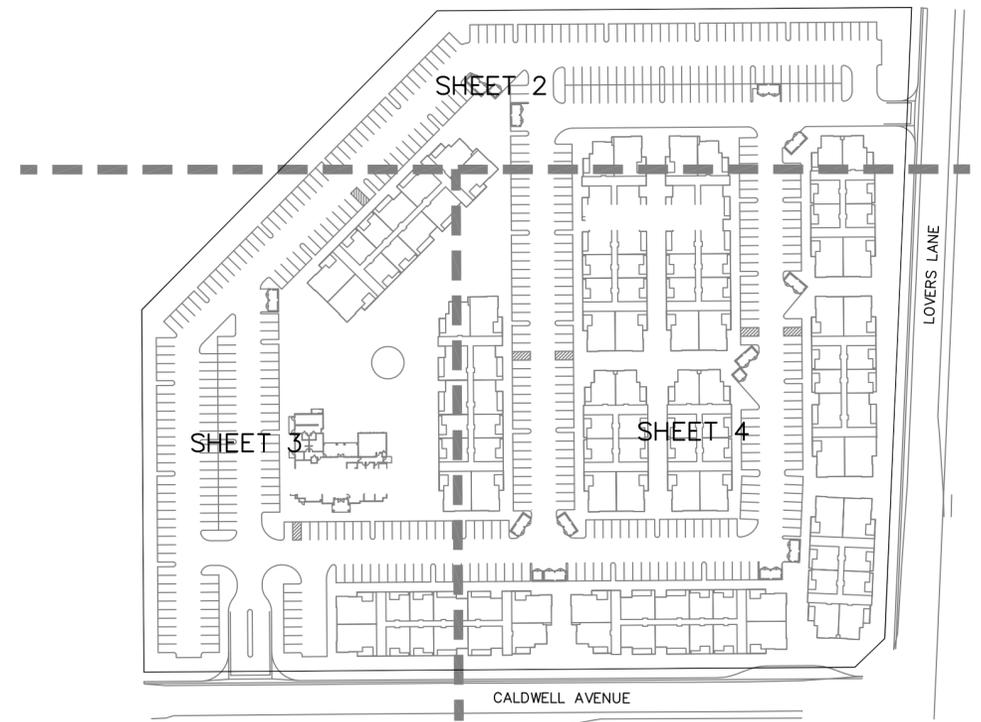


SECTION C-C (SEE SHEET 3)
BUS BAY CALDWELL AVENUE
N.T.S.



CALDWELL AVENUE

BUS BAY DETAIL
SCALE: 1" = 30'



KEY MAP
N.T.S.

SITE NOTES:

EXISTING BUILDINGS
NONE

EXISTING TREES
EXISTING TREES TO BE REMOVED AS NECESSARY

EXISTING GENERAL PLAN LAND USE
AGRICULTURE

PLANNED GENERAL PLAN LAND USE
MULTI-FAMILY RESIDENTIAL

EXISTING ZONING
C-MU

PROPOSED ZONING
C-MU

SOURCE OF WATER
CITY OF VISALIA

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
126-850-029

SITE AREA
11.41 AC. (GROSS & NET)

DENSITY
342 UNITS
29.98 UNITS PER ACRE

OPEN SPACE
24,857 SF REQUIRED (5% OF SITE AREA)
103,194 SF PROPOSED
45,512 SF PORCHES & DECKS
148,706 SF TOTAL PROVIDED (30% OF SITE AREA)

PARKING
REQUIRED:
513 RESIDENT PARKING
86 GUEST PARKING
599 REQUIRED PARKING (1.75 SP/DU)

PROPOSED:
519 STANDARD STALLS (334 COVERED)
12 ACCESSIBLE STALLS (8 COVERED)
531 PROPOSED PARKING (342 COVERED)

PERCENTAGE OF PARKING AREA ONLY
DEVOTED TO LANDSCAPING: 20%

LEGAL DESCRIPTION:

PARCEL 2 OF PARCEL MAP NO. 4734, IN THE CITY OF VISALIA, COUNTY OF TULARE, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED DECEMBER 30, 2005 IN BOOK 48 PAGE 39 OF PARCEL MAPS, TULARE COUNTY RECORDS.

NOTES:

- REPAIR ALL DAMAGED AND/OR OFF-GRADE CONCRETE STREET IMPROVEMENTS AS DETERMINED BY THE CONSTRUCTION MANAGEMENT ENGINEERING PRIOR TO OCCUPANCY.
- ANY SURVEY MONUMENT WITHIN THE AREA OF CONSTRUCTION SHALL BE PRESERVED OR RESET BY A REGISTERED CIVIL ENGINEER OF LICENSED SURVEYOR.
- 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.
- TWO MEANS OF INGRESS/EGRESS MUST BE MAINTAINED DURING ALL PHASES OF DEVELOPMENT.
- THIS AREA IS WITHIN FLOODZONE 'AE' & FLOODZONE 'X'
- 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.
- LANDSCAPING OR OTHER IMPROVEMENTS WILL NOT IMPEDE PROPER SIGHT DISTANCE PER CITY SIGHT DISTANCE STANDARDS.
- PROVIDE 10% FUTURE E.V. CHARGING PARKING SPACES.
- PROJECT SHALL CONNECT TO CITY SEWER INFRASTRUCTURE ON CALDWELL AVENUE AND TO EXTEND 15" SEWER TO THE EASTERLY PROPERTY LIMIT IN COORDINATION WITH THE CITY ENGINEER.
- PROJECT SHALL EXTEND AN 18" SD LINE ACROSS THE PROPERTY FRONTAGE IN COORDINATION WITH THE CITY ENGINEER.
- MINIMUM FINISH FLOOR ELEVATIONS WITHIN FLOOD ZONE SHALL BE 336.02.

COVER SHEET

CONDITIONAL USE PERMIT PLAN

OWNER
The Virginia A. Hopper Living Trust & James E. Parks Survivor Trust

8200 HIGHWAY 43
HANFORD, CA 93230
(559)-584-8216

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

REVISIONS	SHEET NO.
	1
	OF
	5

DATE: 11-17-22

DRAWN BY: SDH

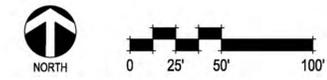
APPLICANT
MARACOR DEVELOPMENT, INC.
61 MORAGA WAY, SUITE 4
ORINDA, CA 94563
925-389-6836

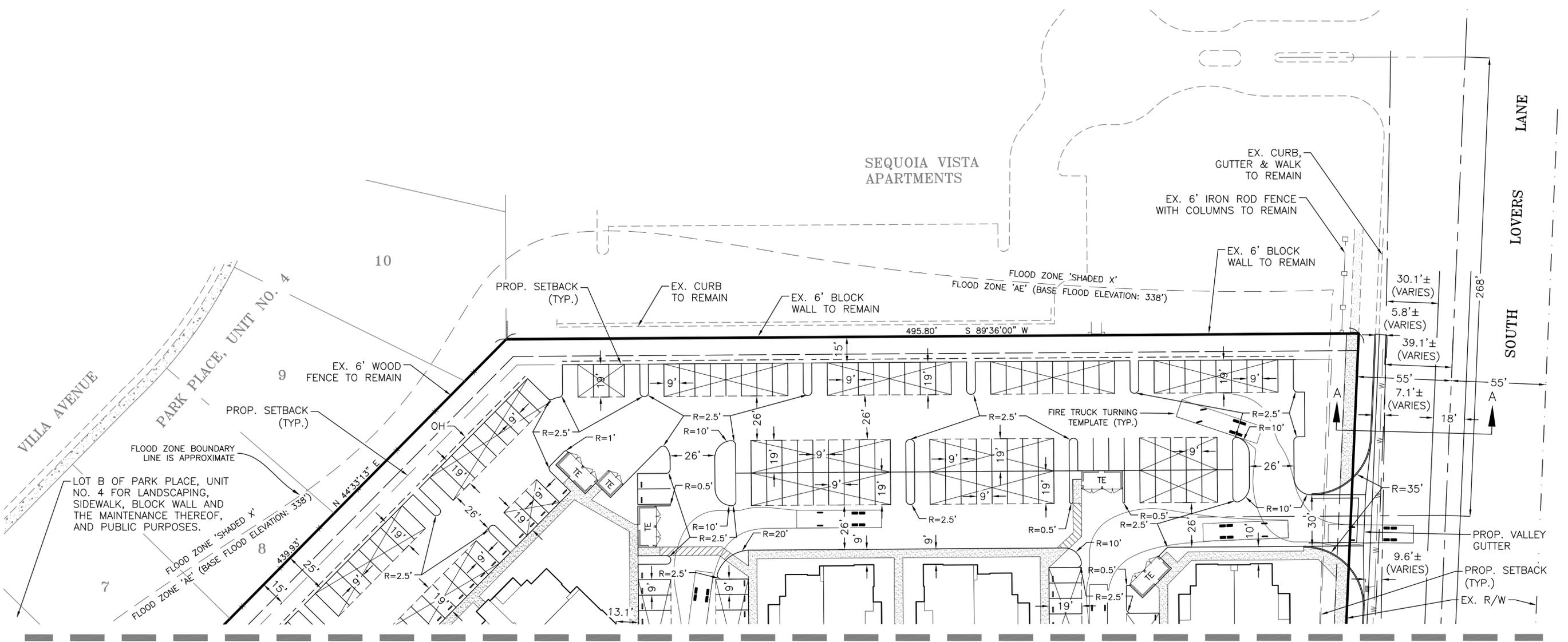


PROJECT DATA			
Jurisdiction	Visalia, CA		
Proposed Zoning	R-M-2 with Density Bonus		
Gross Land Area (Including Easements and Dedications)	497,134 S.F.	11.41 ACRES	
Net Land Area (Not including Easements and Dedications)	497,134 S.F.	11.41 ACRES	
Total Units Proposed	342		
Density Proposed (DU/AC.)	29.97		
Density Proposed per Net Acre (DU/AC.)	29.97		
PARKING SUMMARY			
Standard Stalls			519
Compact Stalls	3%	16	0
Accessible Stalls	2%	11	12
Total Proposed	531		
Total Required	1.5 SPACES PER UNIT RESIDENT	1.5	342
	0.25 SPACES PER UNIT GUEST	0.25	86
			599
Covered Parking			342

NOTE: LANDSCAPE AS SHOWN IS CONCEPTUAL FOR REFERENCE ONLY. SEE LANDSCAPE PLAN BY OTHERS FOR MORE INFORMATION.

- BUILDING TYPE: 3s-24A
- BUILDING TYPE: 3s-30C
- BUILDING TYPE: 3s-36B
- CLUBHOUSE
- COVERED PARKING
- TRASH ENCLOSURE





SEE SHEETS 3 & 4

LEGEND:

- | | | | |
|----|---|-----|-------------------------------|
| OH | 2' PARKING OVERHANG SETBACK | ● | EX. BACK FLOW PREVENTER |
| TE | PROPOSED TRASH ENCLOSURE PER CITY STDS. R-1, R-4, R-6 & R-7 | ⊠ | EX. ELECTRIC BOX |
| ▲ | INDICATES STREETS PREVIOUSLY DEDICATED FOR PUBLIC USE | ↓ | EX. GUY WIRE |
| ▨ | EXISTING SIDEWALK | ⊙ | EX. TRAFFIC LIGHT POLE |
| ▨ | PROPOSED SIDEWALK | —○— | EX. TRAFFIC LIGHT CANTILEVER |
| ▨ | PROPOSED CARPORT | ⊠ | EX. ELECTRIC VAULT |
| ■ | PROPOSED OPEN SPACE | ⊕ | EX. WATER VALVE |
| ♿ | HANDICAP STALL | —○— | EX. OVERHEAD POWER LINE |
| ⊕ | INDICATES FOUND AND ACCEPTED SECTION CORNER OR QUARTER CORNER, DESCRIBED AS NOTED. | —x— | EX. FENCE LINE |
| ● | INDICATES FOUND AND ACCEPTED MONUMENT, AS DESCRIBED HEREON, UNLESS OTHERWISE NOTED. | —w— | EX. UNDERGROUND WATER LINE |
| ⊙ | EX. POWER POLE | —e— | EX. UNDERGROUND ELECTRIC LINE |
| ⊕ | EX. SANITARY SEWER MANHOLE | — | EX. WALL LINE |
| ⊕ | EX. SIGN | □ | EX. CONCRETE |
| ⊕ | EX. WATER METER | | |

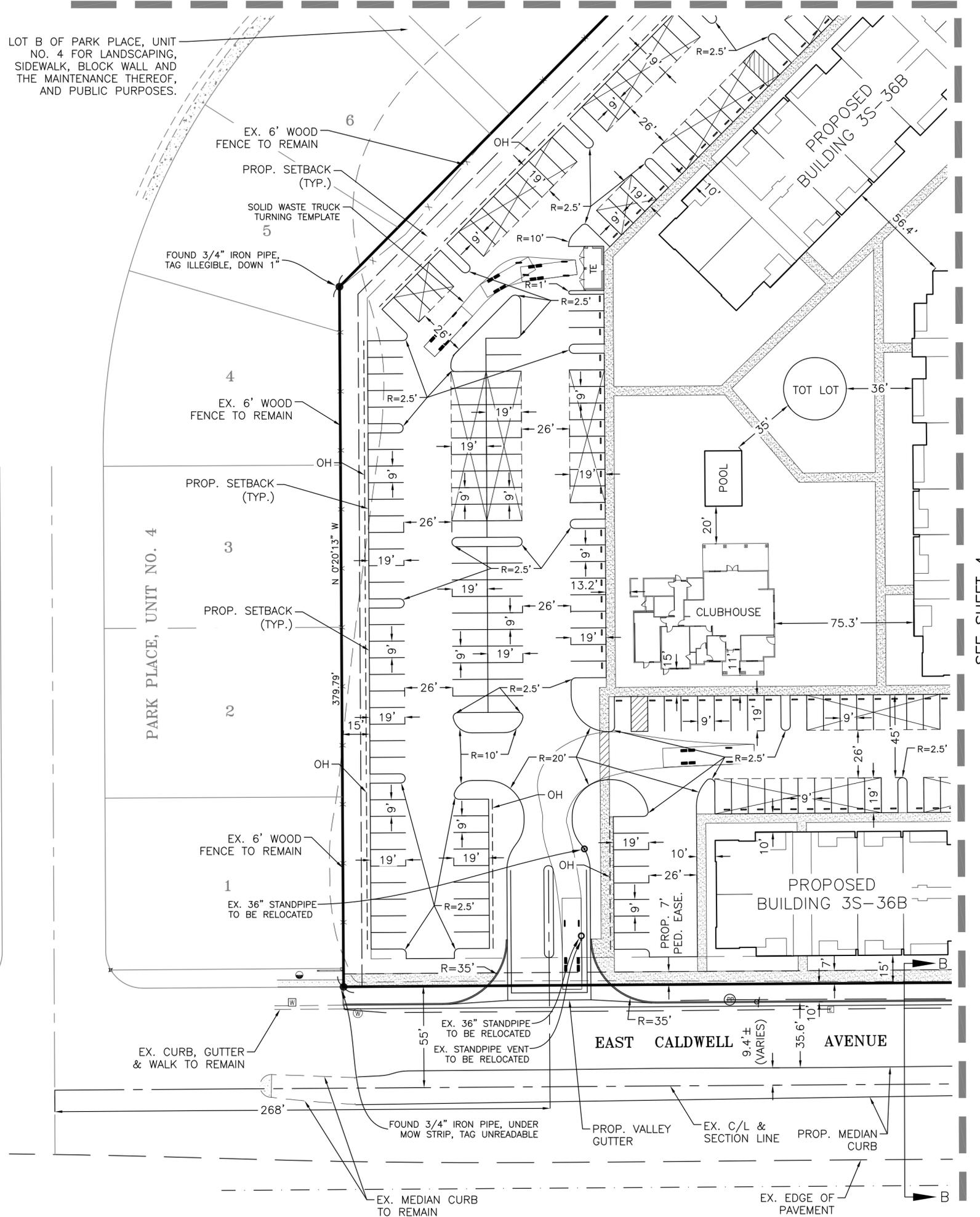
CONDITIONAL USE PERMIT PLAN		
OWNER The Virginia A. Hopper Living Trust & James E. Parks Survivor Trust		
8200 HIGHWAY 43 HANFORD, CA 93230 (559)-584-8216		
Harbour & Associates Civil Engineers 389 Clovis Avenue, Suite 300 • Clovis, California 93612 (559) 325-7676 • Fax (559) 325-7699 • e-mail: lorrens@harbour-engineering.com	REVISIONS _____ _____ _____	
	SHEET NO. 2 OF 5	
DATE: 11-17-22	SCALE: 1"=40'	DRAWN BY: SDH

SEE SHEET 2

LOT B OF PARK PLACE, UNIT NO. 4 FOR LANDSCAPING, SIDEWALK, BLOCK WALL AND THE MAINTENANCE THEREOF, AND PUBLIC PURPOSES.

LEGEND:

- OH 2' PARKING OVERHANG SETBACK
- TE PROPOSED TRASH ENCLOSURE PER CITY STDS. R-1, R-4, R-6 & R-7
- INDICATES STREETS PREVIOUSLY DEDICATED FOR PUBLIC USE
- EXISTING SIDEWALK
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- EX. SIGN
- EX. WATER METER
- EX. BACK FLOW PREVENTER
- EX. ELECTRIC BOX
- EX. GUY WIRE
- EX. TRAFFIC LIGHT POLE
- EX. TRAFFIC LIGHT CANTILEVER
- EX. ELECTRIC VAULT
- EX. WATER VALVE
- EX. OVERHEAD POWER LINE
- EX. FENCE LINE
- EX. UNDERGROUND WATER LINE
- EX. UNDERGROUND ELECTRIC LINE
- EX. WALL LINE
- EX. CONCRETE



SEE SHEET 4

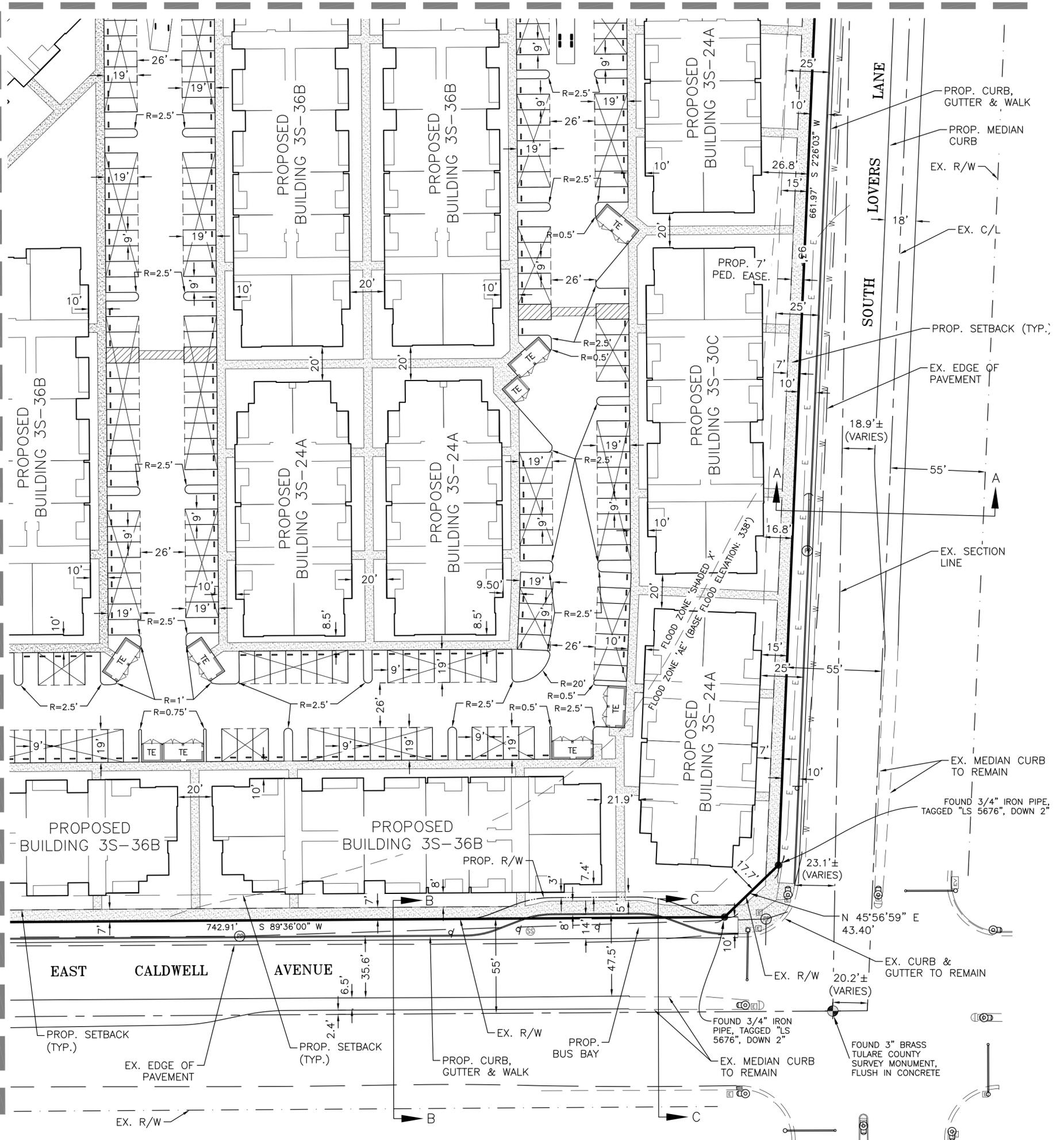
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REVISIONS	SHEET NO.
	3
	OF
	5

DATE: 11-17-22 SCALE: 1"=40' DRAWN BY: SDH



LEGEND:

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- EX. CONCRETE

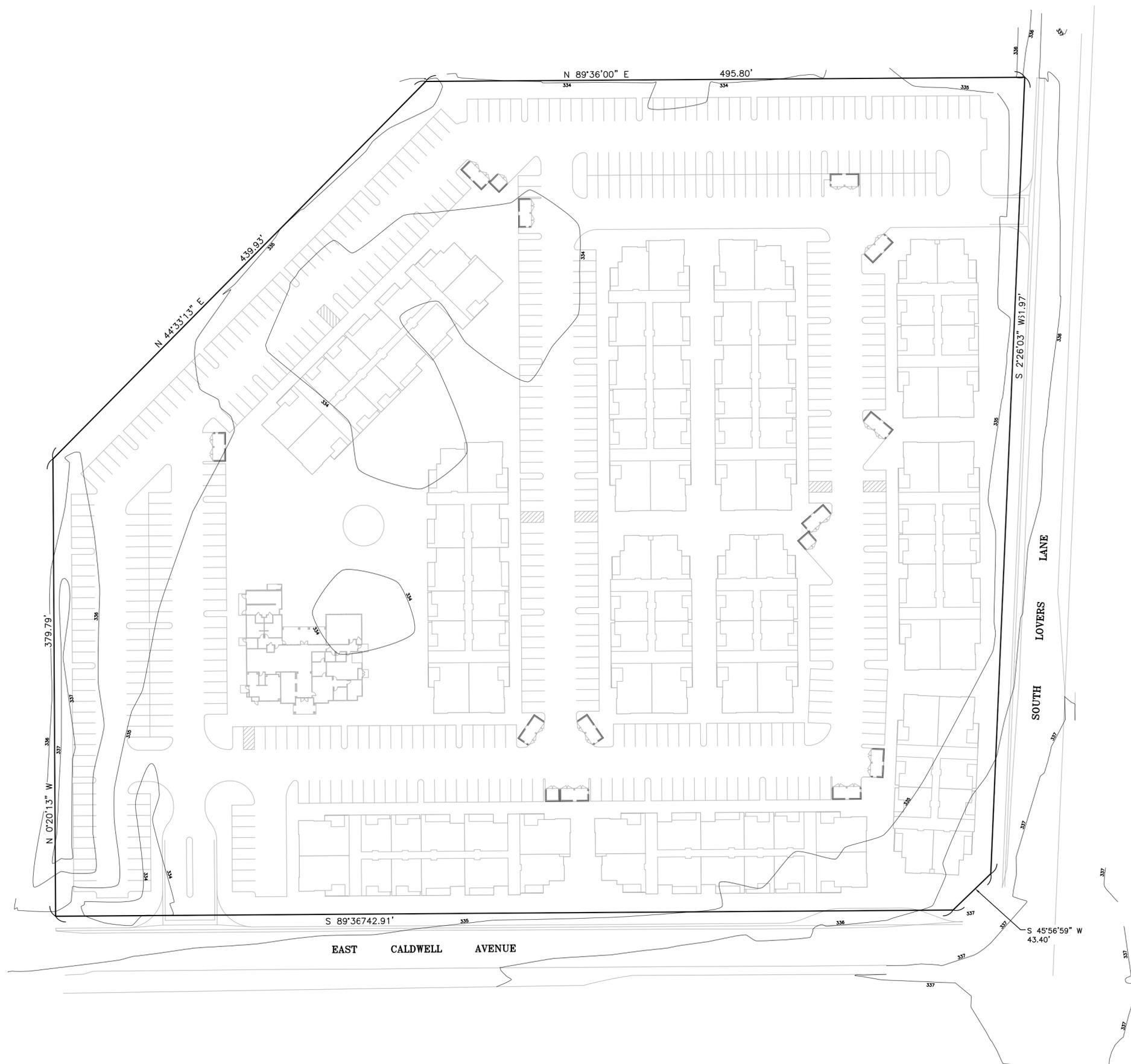
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REVISIONS	SHEET NO.
	4
	OF
	5

DATE: 11-17-22 SCALE: 1"=40' DRAWN BY: SDH



EXISTING CONTOUR ELEVATION MAP

CONDITIONAL USE PERMIT PLAN

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REVISIONS	SHEET NO.
_____	5
_____	OF
_____	5

DATE: 11-17-22 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 %
3s-24A 3 STORY 24 UNITS	1 BED	U1	4	12	4	48	50%
	2 BED	U2A	0	0		0	0%
		U2B	2	6		24	25%
	3 BED	U3	2	6		24	25%
		U3A	0	0		0	0%
TOTALS			8	24	96	100%	

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

3s-36B 3 STORY 36 UNITS	1 BED	U1	4	12	6	72	33%
	2 BED	U2A	4	12		72	33%
		U2B	1	3		18	8%
	3 BED	U3	3	9		54	25%
		U3A	0	0		0	0%
TOTALS			12	36	216	100%	

PROJECT SUMMARY UNIT MIX				
1BED	U1	600 S.F.	132	38.60%
2 BED	U2A	848 S.F.	78	35.09%
	U2B	867 S.F.	42	
3 BED	U3	1,118 S.F.	90	26.32%
	U3A	1,118 S.F.	0	
TOTAL UNITS			342	100%

RENTABLE UNIT MIX TOTAL				
1BED	U1	600 S.F.	132	39.05%
2 BED	U2A	848 S.F.	78	35.50%
	U2B	867 S.F.	42	
3 BED	U3	1,118 S.F.	86	25.44%
	U3A	1,118 S.F.	0	
TOTAL RENTAL UNITS			338	100%

MANAGERS UNIT				
3 BED	U3	1,118	4	1%
TOTAL MANAGER UNITS			4	1%

FLOOR AREA PROPOSED (Private Balcony area & Garages Excluded)					
	3s-24A 3 STORY 24 Units	3s-30C 3 STORY 30 Units	3s-36B 3 STORY 33 Units	Clubhouse Building with Laundry	Total
Level 1	6,370	8,568	10,013	3508	
Level 2	6,370	8,568	10,013	0	
Level 3	6,370	8,568	10,013	0	
Building Floor Area	19,110	25,704	30,039	0	
Total Floor Area (sf)	76,440	25,704	180,234	0	
Total Gross Floor Area Proposed					282,378 S.F.
Floor Area Ratio Proposed (With Easements)					0.57

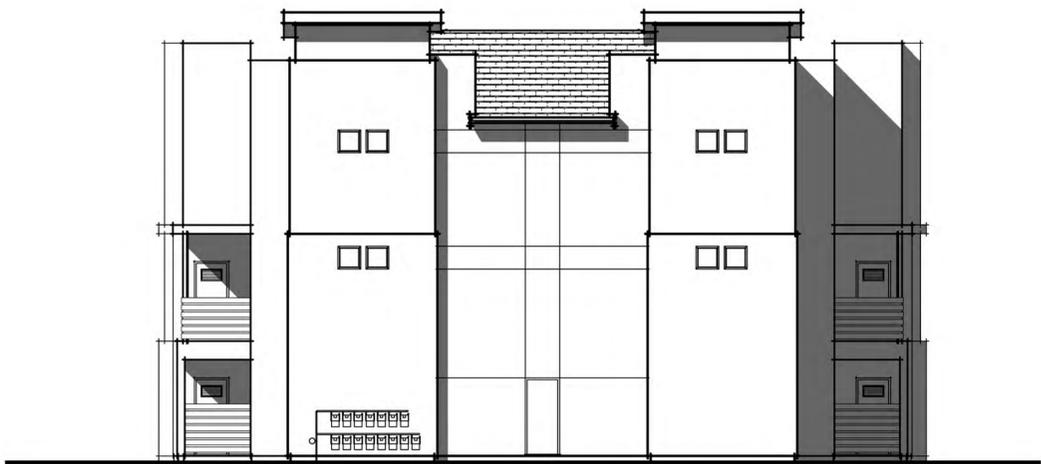
PORCHES & DECKS				
	1st FLOOR	2nd FLOOR	3rd FLOOR	
U1	142 S.F.	142 S.F.	114 S.F.	
U2A	143 S.F.	143 S.F.	82 S.F.	
U2B	120 S.F.	120 S.F.	78 S.F.	
U3	160 S.F.	160 S.F.	146 S.F.	
U3A	160 S.F.	160 S.F.	128 S.F.	
				TOTAL
BUILDING A	1,128 S.F.	1,128 S.F.	904 S.F.	3,160 S.F.
BUILDING B	1,494 S.F.	1,494 S.F.	1,204 S.F.	4,192 S.F.
BUILDING C	1,740 S.F.	1,740 S.F.	1,300 S.F.	4,780 S.F.

ADDITIONAL BUILDING	
CLUBHOUSE with LAUNDRY	3,508 S.F.

SITE DATA					
OPEN SPACE CALCULATIONS					
Open Space - S.F.	103,194 S.F.				
Porches & Decks - S.F. (5'-0" x 8'-0" min.)	45,512 S.F.				
Total open area - S.F.	148,706 S.F.				
Open area ratio proposed	30%				
Open space required 5% of Site - City of Visalia Municipal code 17.16.150	24,857 S.F.				
Parking lot area	193,635 S.F.				
Parking lot landscape area required - 10% of parking lot	19,363 S.F.				
Parking lot landscape area provided	38,393 S.F.				
Parking lot landscape area ratio proposed	20%				
SETBACKS AND HEIGHTS					
Zoning Setbacks	R-M-2 with Density Bonus				
FRONT	15'-0"				
SIDE	5'-0"				
REAR	25'-0"				
Building Height Limit	4 STORIES - 45'-0"				
LOT COVERAGE					
BUILDING FOOTPRINT PROPOSED					
	3s-24A 3 STORY 24 Units	3s-30C 3 STORY 30 Units	3s-36B 3 STORY 33 Units	Clubhouse Building with Laundry	Total
Footprint (sf)	6,370	8,568	10,013	3508	
Count	4	1	6	1	12
Total	25,480	8,568	60,078	3508	97,634 S.F.
Lot Area					497,134 S.F.
Lot Coverage Proposed (With Easements)					20%

Exhibit B

Exterior Elevation Plans (Building 3s-24A)



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

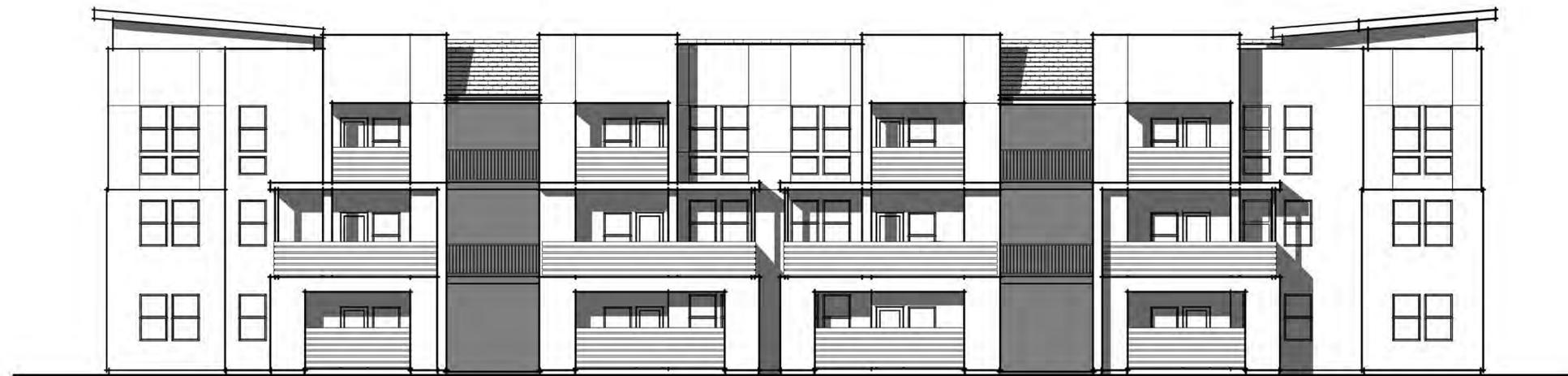
FRONT ELEVATION



UNIT 3
1,118 SF

UNIT 3
1,118 SF

LEFT ELEVATION



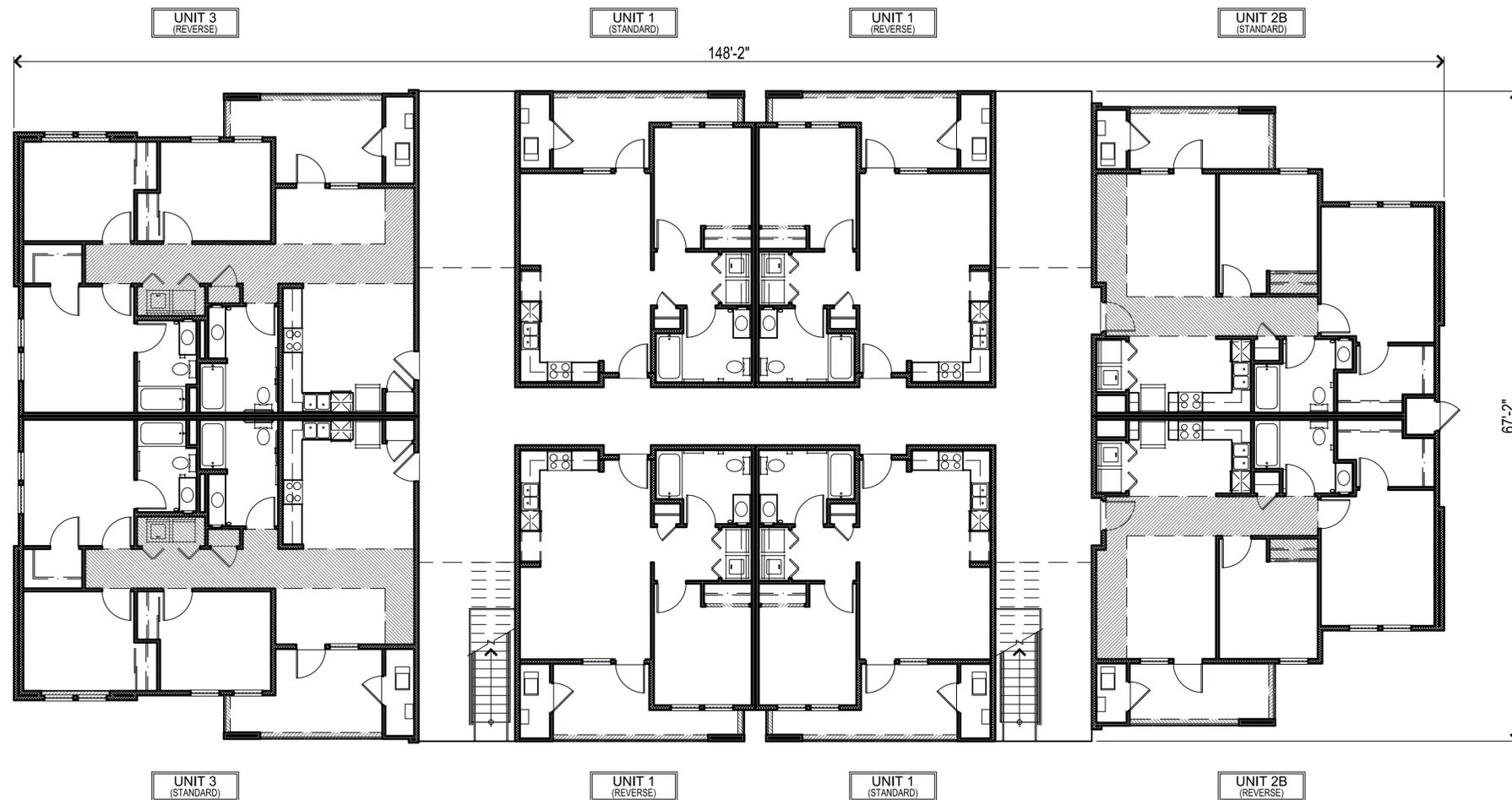
UNIT 2B
867 SF

UNIT 1
600 SF

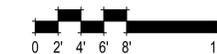
UNIT 1
600 SF

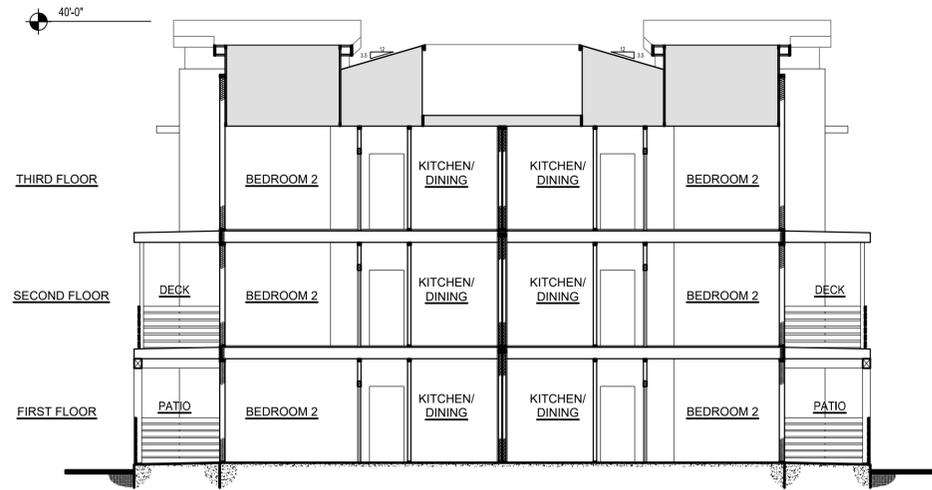
UNIT 3
1,118 SF

REAR ELEVATION

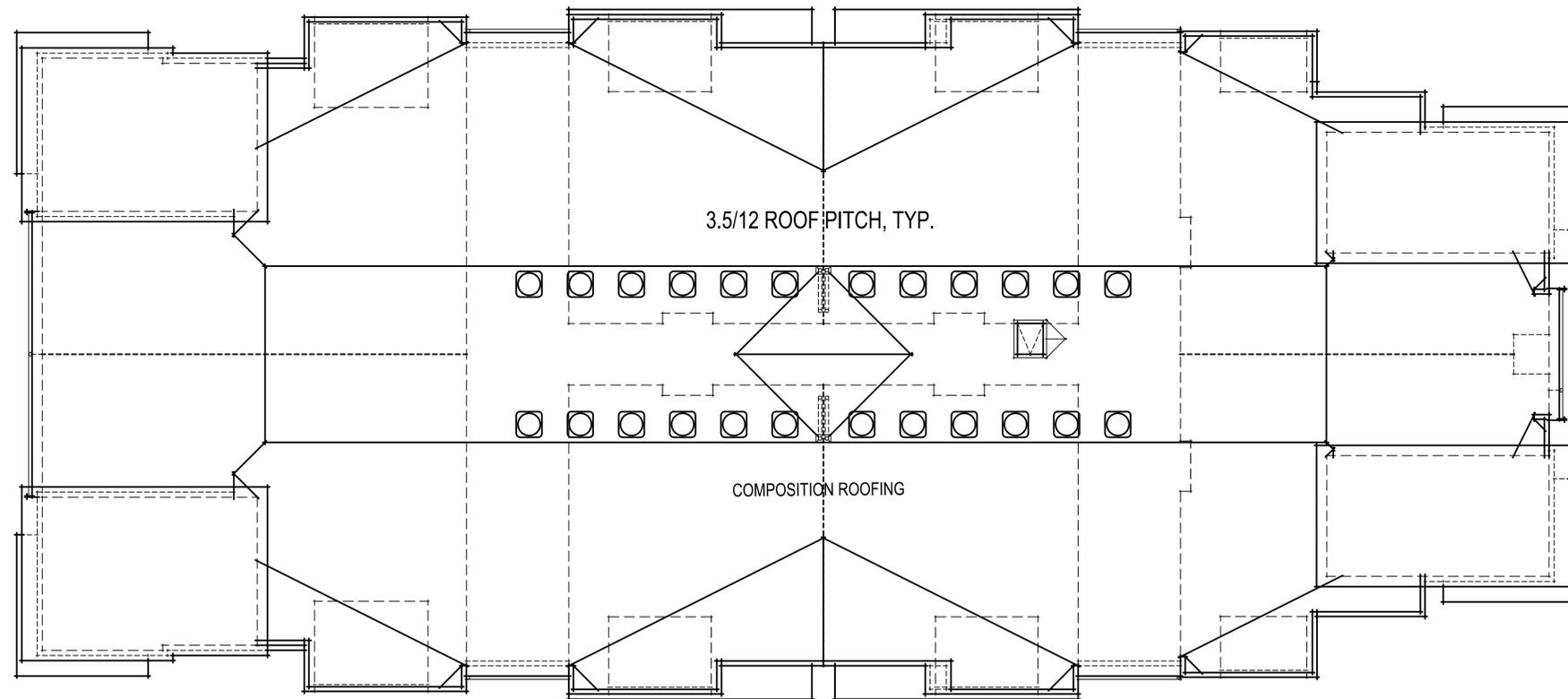


BUILDING TYPE 3s-24A (24 UNIT BLDG) - TYPICAL FLOOR PLAN





TYPICAL SECTION



ROOF PLAN



Exhibit C

Exterior Elevation Plans (Building 3s-30C)



UNIT 3
1,118 SF

UNIT 3
1,118 SF

RIGHT ELEVATION



40'-0" HEIGHT LIMIT

SW 7020 BLACK FOX

SW 7016 MINDFUL GRAY

SW 7004 SNOWBOUND

SW 7019 GAUNTLET GRAY

COMPOSITION SHINGLES

MONO SLOPE ROOF FORMS

EXTERIOR PLASTER

EXTERIOR PRIVATE DECKS w/ COMPOSITE WOOD RAILING, TYP

SAND COLORED VINYL WINDOWS

UNIT 3
1,118 SF

UNIT 1
600 SF

UNIT 1
600 SF

UNIT 2A
848 SF

UNIT 3
1,118 SF

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

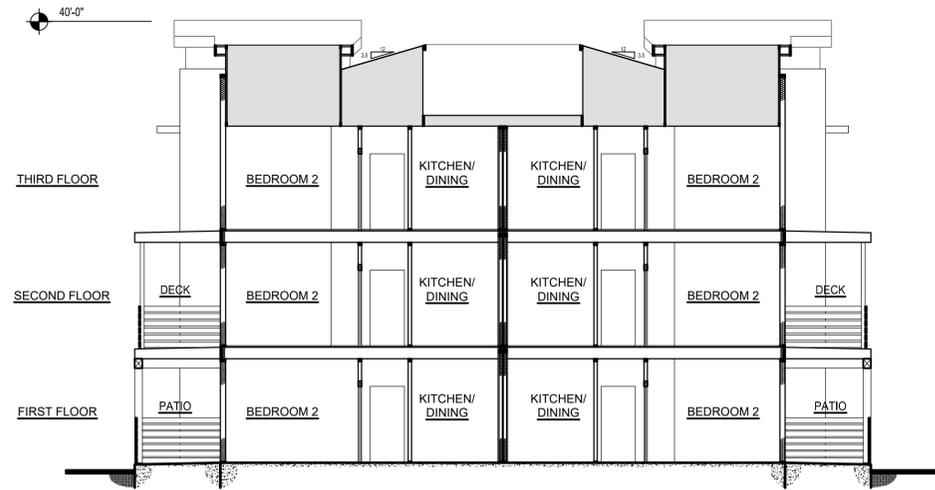
UNIT 3
1,118 SF

REAR ELEVATION

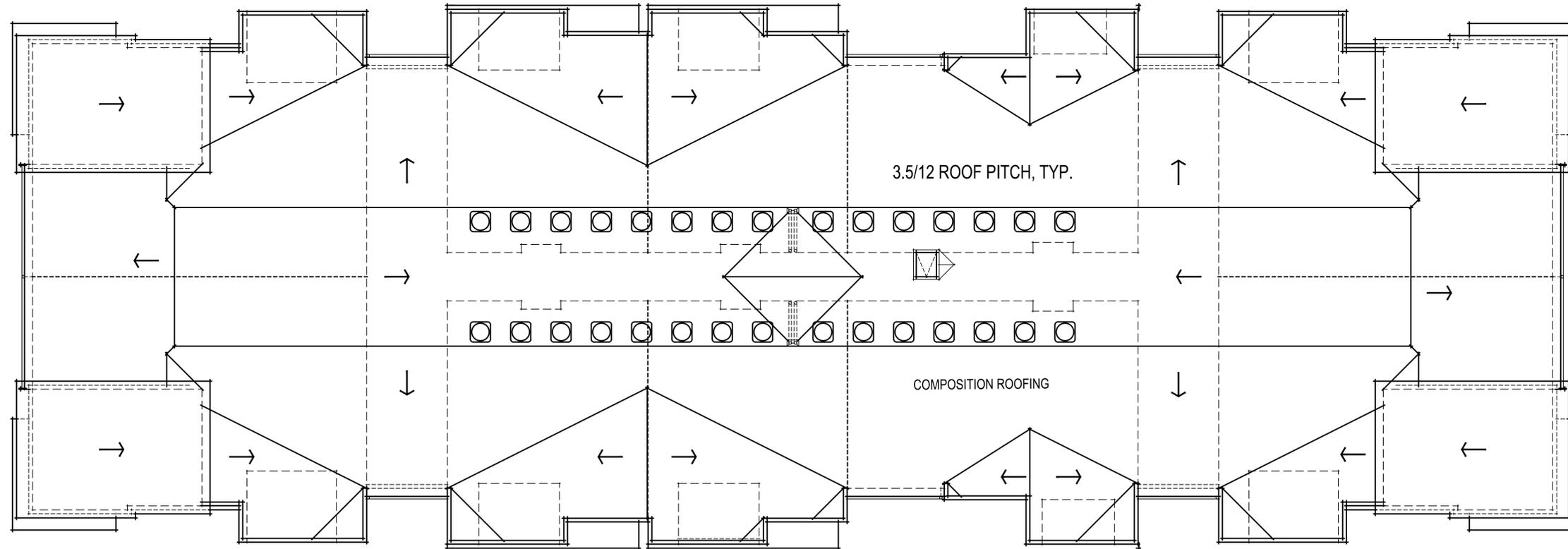


BUILDING TYPE 3s-30C (30 UNIT BLDG) - TYPICAL FLOOR PLAN





TYPICAL SECTION



ROOF PLAN

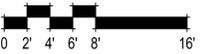


Exhibit D

Exterior Elevation Plans (Building 3s-36B)



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 2A
848 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 2A
848 SF

UNIT 2A
848 SF

UNIT 1
600 SF

UNIT 1
600 SF

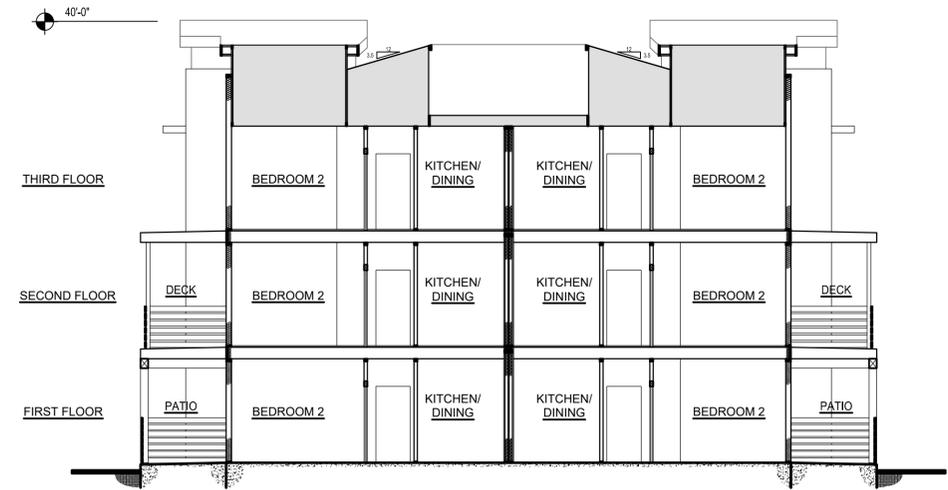
UNIT 3
1,118 SF

REAR ELEVATION

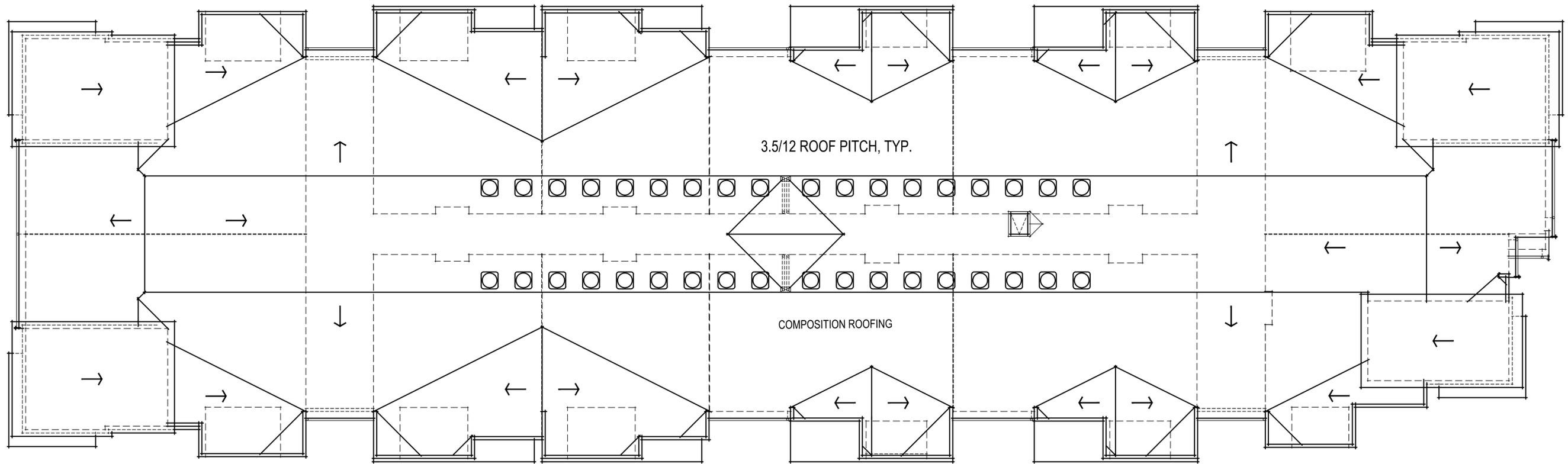


BUILDING TYPE 3s-36B (36 UNIT BLDG) - TYPICAL FLOOR PLAN





TYPICAL SECTION



ROOF PLAN



Exhibit E

Community Building Elevations



RIGHT ELEVATION



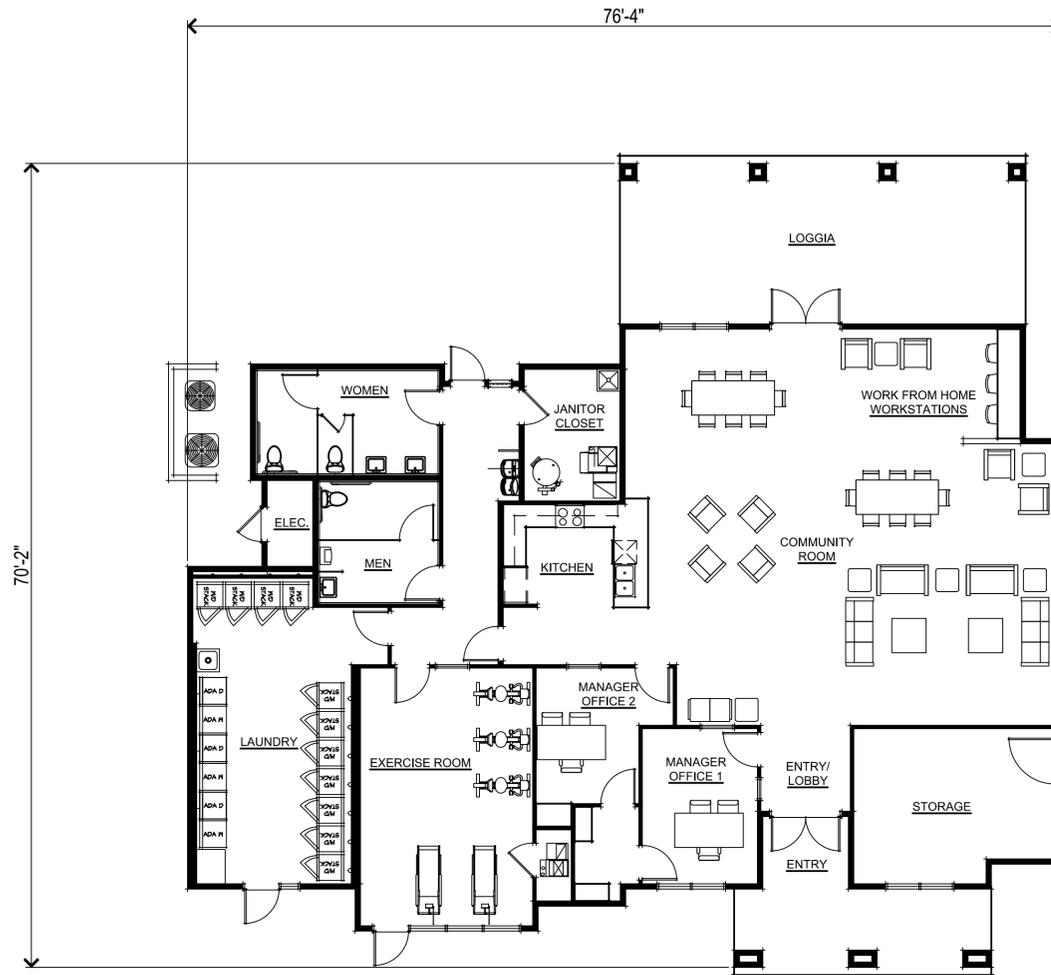
REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION



FLOOR PLAN

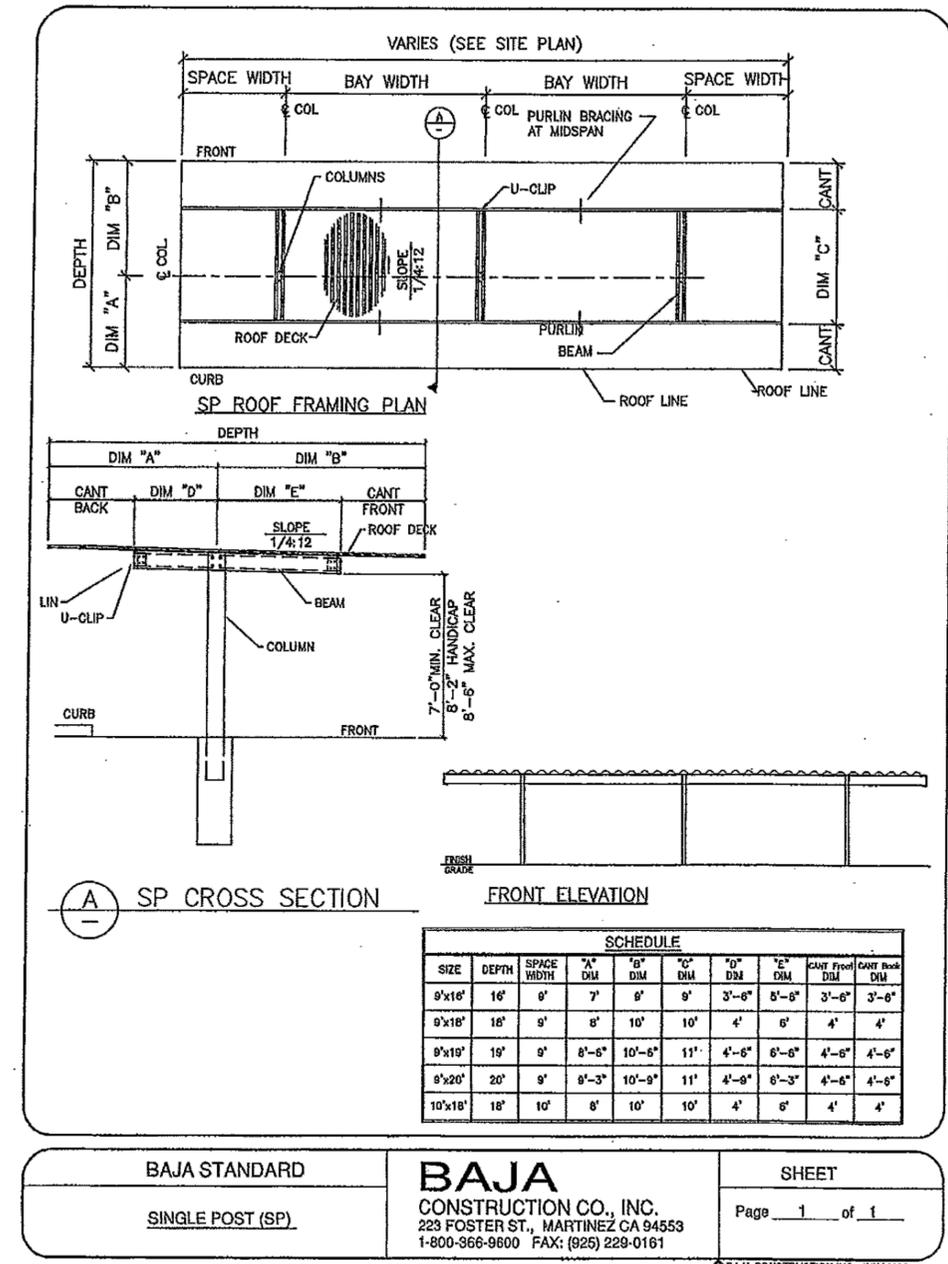
CLUBHOUSE BUILDING SQUARE FOOTAGE	
FIRST FLOOR	3508 SQ. FT.



CLUBHOUSE PLAN
A16



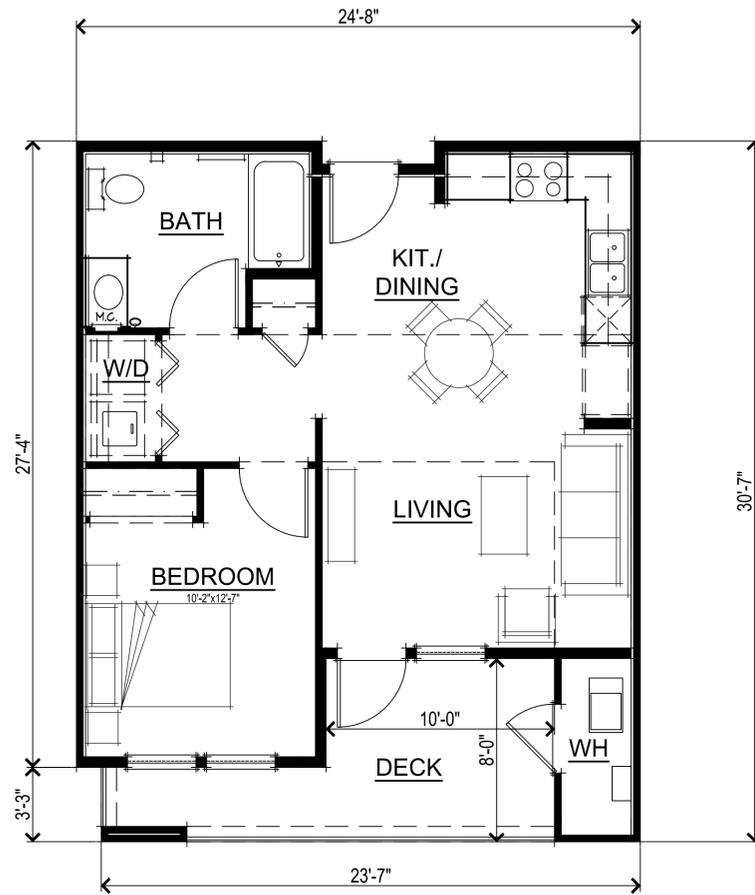
CARPORT EXAMPLE PHOTO



CARPORT TYPICAL DETAIL

Exhibit F

Floor Plans (Binder of all Floor Plans)

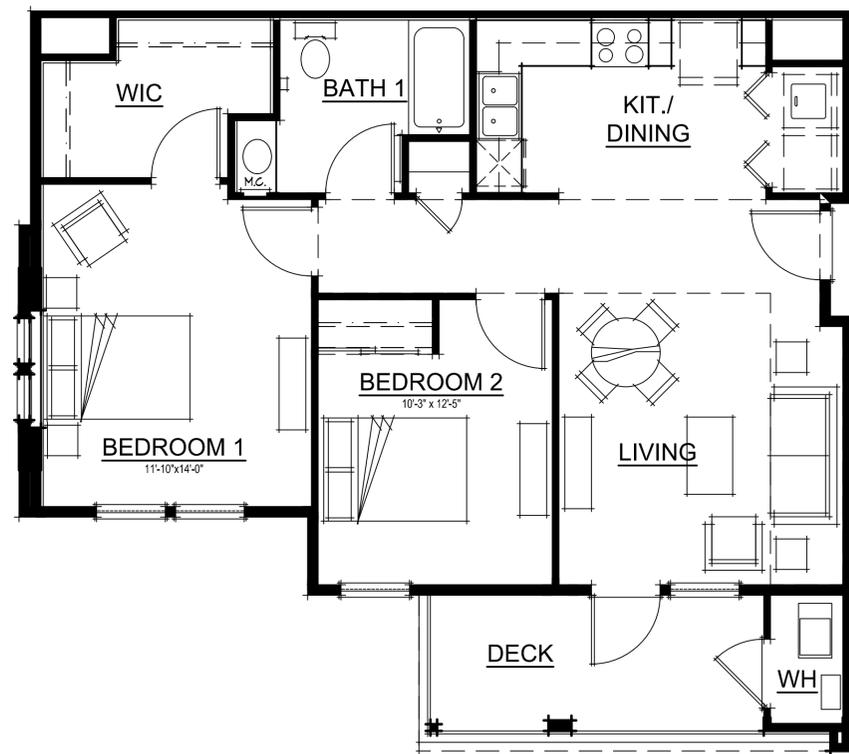


FLOOR PLAN - UNIT 1

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

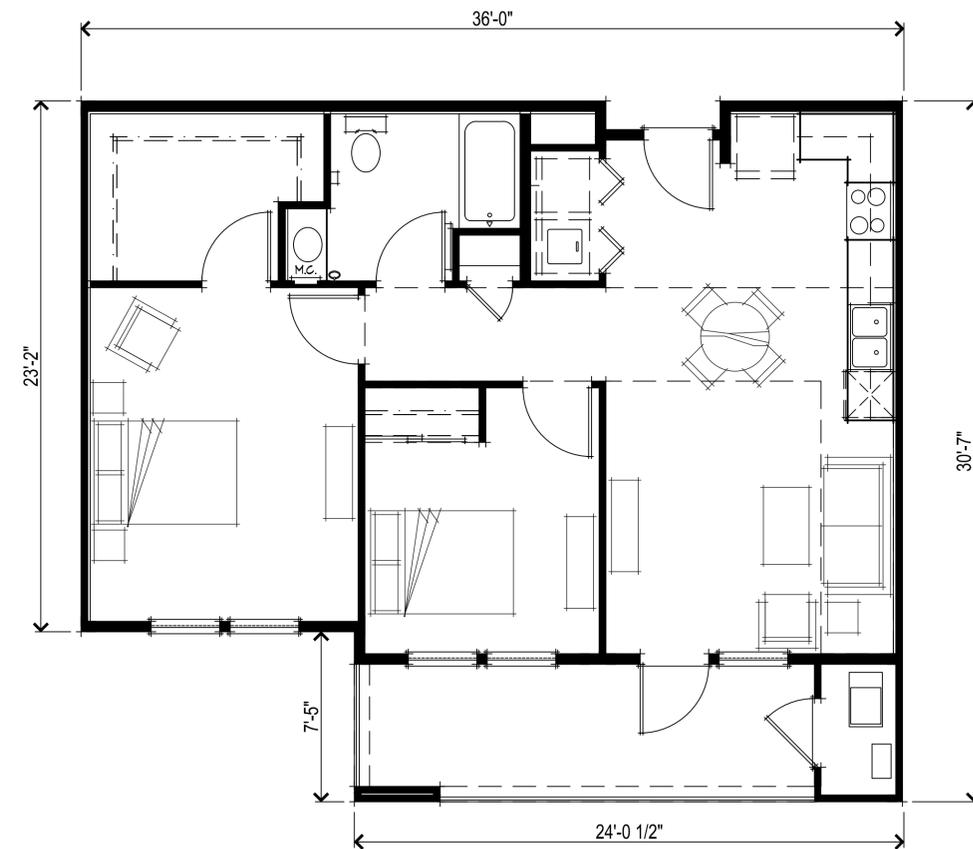


UNIT 1 FLOOR PLAN
A1



FLOOR PLAN - UNIT 2B

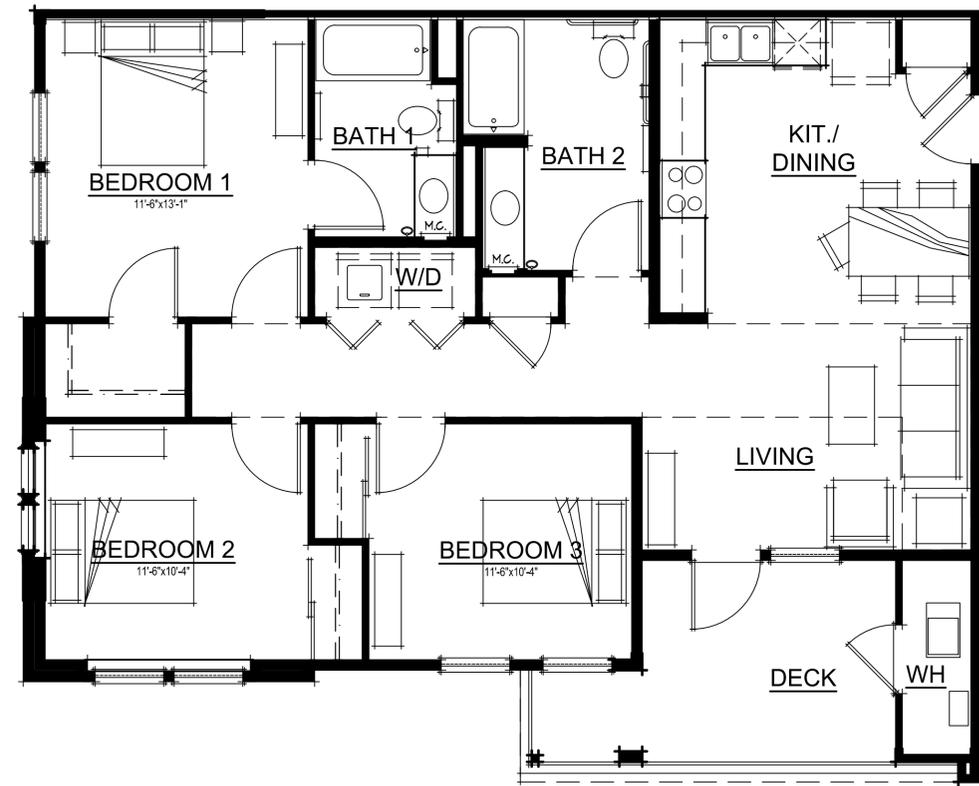
UNIT 2B SQUARE FOOTAGE	
NET LIVING	814 SQ. FT.
GROSS LIVING	860 SQ. FT.



FLOOR PLAN - UNIT 2A

UNIT 2A SQUARE FOOTAGE	
NET LIVING	810 SQ. FT.
GROSS LIVING	848 SQ. FT.





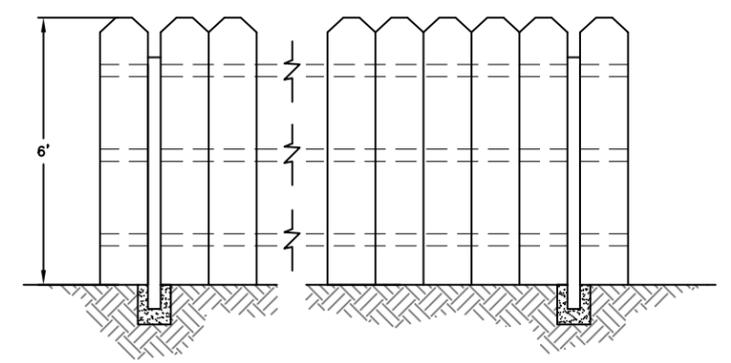
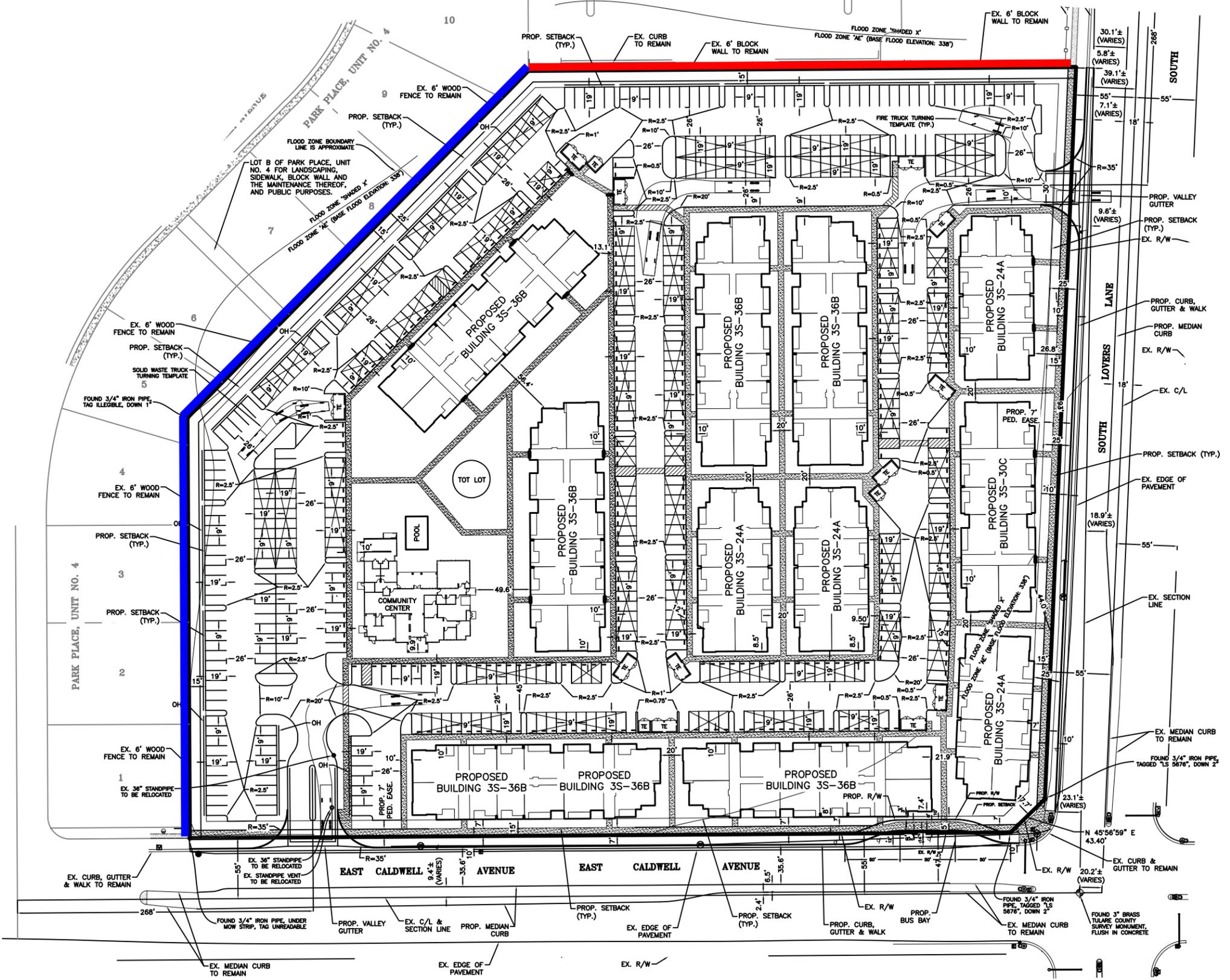
FLOOR PLAN - UNIT 3

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



Exhibit G

Wall and Fence Exhibit



PROPOSED WOOD FENCE DETAIL

LEGEND

- █ EXISTING 6' WOOD FENCE TO REMAIN
- █ EXISTING 6' BLOCK WALL TO REMAIN



SCALE: 1" = 100'

WALL & FENCE EXHIBIT



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

Exhibit H

Operational Statement

**City of Visalia
Planning Division
Permit Application**

**Proposed Project: Caldwell Apartments
Applicant: Maracor Development
Conditional Use Permit: 2022-25**

OPERATIONAL STATEMENT

SUMMARY OF STATE DENSITY BONUS LAW INCENTIVES/CONCESSIONS

Project Summary

The Project is a 342-unit multifamily development that is 100% affordable to lower income residents and is located on the northwest corner of S. Lovers Lane and E. Caldwell Avenue. The Project does not seek additional density under the State Density Bonus Law but does request three (3) concessions/incentives. The first concession/incentive request is to replace the requirement that the Project provide a concrete block masonry wall not less than seven feet in height where block masonry walls or fencing do not already exist. This requirement was included in the City's Incomplete Letter dated October 7, 2022. The second requested concession/incentive is to reduce the setback requirement along a small portion of the site to accommodate a proposed bus bay on Caldwell Avenue. The third requested concession/incentive is to reduce the Project's overall parking requirements.

State Density Bonus Concession/Incentive

Under the State Density Bonus (SDB) law, projects that provide 100% of the units as affordable for lower income residents are eligible for up to four (4) concessions/incentives (Government Code Section 65915(d)(2)(D)). The SDB defines a concession/incentive 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 will provide 100% of the units as affordable for lower income residents so is eligible for a concession/incentive that will provide an actual cost reduction to the Project. This cost reduction will allow the development of the affordable housing units and absent the concession/incentive, the Project would be economically/financially precluded from providing the 342 affordable housing units.

The requirement to provide a concrete block masonry wall, seven (7) feet high, and approximately 1300 linear feet (along the north, west and northwest property lines) would result in a substantial cost to the Project that would impact the financial viability of the development. As a result, the Project seeks a concession/incentive to replace that design requirement/development standard from the Project's conditions of approval with the requirement to allow for the existing 6' wood fencing to remain on the property line as indicated in the Project's submitted fencing and wall plan.

The Project is also seeking a concession of the setback along a small portion of the Project behind the bus bay on Caldwell Avenue, approximately 80' in length, starting at the westernmost edge of the bus bay

curb transition and ending at the east end of the proposed building. The Project is required to provide a 15' setback on all sides but seeks a concession to reduce the said portion of Caldwell Avenue to a width that varies between 3' and 15' behind the proposed right-of-way. The reduction in the setback at this location will allow the development the maximum number of affordable housing units.

Pursuant to Cal. Government Code Section 65915(p) (1), the Project also requests that vehicle parking requirements shall not exceed the ratios prescribed under State law for SDB developments, including one (1) onsite parking space per one (1) bedroom unit and one and one-half (1.5) on-site parking spaces per two (2) or three (3) bedroom units for a total of 408 on-site parking stalls. The Project is required to provide 599 on-site parking stalls under the City Code. The SDB Law requires 447 on-site parking stalls. However, the Project will be providing 531 on-site parking stalls.

Exhibit I

Landscape Plan

PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	2022-11-16 13:32 QTY
	CARPINUS BETULUS 'FRANZ FONTAINE'	FRANZ FONTAINE HORNBEAM	15 GAL		58
	GINKGO BILOBA 'PRINCETON SENTRY'	PRINCETON SENTRY MAIDENHAIR TREE	24"		10
	JUNIPERUS SCOPULORUM 'SKYROCKET'	SKYROCKET JUNIPER	5 GAL		2
	LAGERSTROEMIA X 'TUSCARORA'	GRAPE MYRTLE CORAL PINK	15 GAL		64
	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA	15 GAL		3
	NYSSA SYLVATICA	TUPELO	15 GAL		12
	PISTACIA X 'RED PUSH'	RED PUSH PISTACHE	15 GAL		22
	PLATANUS X ACERIFOLIA 'YARWOOD'	LONDON PLANE TREE	24"		22
	ULMUS PARVIFOLIA 'TRUE GREEN'	TRUE GREEN ELM	15 GAL		31
	VITEX AGNUS-CASTUS	CHASTE TREE	15 GAL	MULTI-STEM	4
	ZELKOVA SERRATA 'VILLAGE GREEN'	SAWLEAF ZELKOVA	15 GAL		52

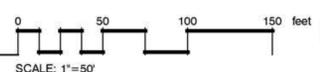
SHRUB AREAS	BOTANICAL NAME	COMMON NAME	QTY
	DECOMPOSED GRANITE 4" DEPTH	DG	1,163 SF
	FALL ZONE MATERIAL ARTIFICIAL TURF TYPE	FALL ZONE	1,244 SF
	SHRUB & GROUND COVER	PLANTING AREA	120,905 SF
	TURF SOD CELEBRATION	DROUGHT TOLERANT HYBRID BERMUDA BLEND	5,633 SF

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 1/2" x 4" ALUMINUM EDGING WITH MILL FINISH (MP) 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:**
- 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.
 - 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
 - GYP-SUM: 100 LBS
 - CULTIVATE AND THOROUGHLY INCORPORATE THE AMENDMENTS INTO THE TOP EIGHT (8) INCHES OF SOIL.
 - 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, 20 MIL THICKNESS, AND 2.6 OUNCES PER SQUARE YARD. DEBUTT PRO-5, OR EQUAL SECURE FABRIC SEGMENTS, TO SOIL, WITH 6"x1"x6" STEEL U SHAPED 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:**
- THE LANDSCAPE DOCUMENTATION PACKAGE SHALL INCLUDE THE FOLLOWING SEVEN (7) ELEMENTS:
 - PROJECT INFORMATION TABLE:
 - DATE
 - PROJECT APPLICANT
 - PROJECT ADDRESS (IF AVAILABLE, A.P.N., PARCEL AND/OR LOT NUMBER(S))
 - TOTAL LANDSCAPE AREA (SQUARE FEET)
 - PROJECT TYPE (E.G., NEW, REHABILITATED, PUBLIC, PRIVATE, CEMETERY, HOMEOWNER INSTALLED)
 - WATER SUPPLY TYPE, RECYCLED, WELL) AND IDENTIFY THE LOCAL RETAIL WATER PURVEYOR
 - CHECKLIST OF ALL DOCUMENTS IN LANDSCAPE DOCUMENTATION PACKAGE
 - PROJECT CONTACTS TO INCLUDE CONTACT INFORMATION FOR THE PROJECT APPLICANT, PROPERTY OWNER, PREPARER OF PLANNING APPLICATION
 - 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
 - WATER EFFICIENT LANDSCAPE WORKSHEET:
 - HYDRO ZONE INFORMATION TABLE
 - WATER BUDGET CALCULATIONS
 - MAXIMUM APPLIED WATER ALLOWANCE (MAWA)
 - ESTIMATED TOTAL WATER USE (ETWU)
 - SOIL MANAGEMENT REPORT:
 - LANDSCAPE DESIGN PLAN TO INCLUDE FENCING, UTILITY SCREENING AND TREE MANAGEMENT PLAN;
 - IRRIGATION DESIGN PLAN;
 - LANDSCAPE GRADING DESIGN PLAN; AND
 - CERTIFICATES OF COMPLETION AND INSTALLATION.
- "THIS PLAN WILL COMPLY WITH THE REQUIREMENTS OF THE CITY OF VISALIA MUNICIPAL CODE AND STATE WATER CONSERVATION ORDINANCES."



LANDSCAPE PLAN



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@idlainc.net
 (208) 906-1300

CALDWELL APARTMENTS
THE PACIFIC COMPANIES
SOUTH LOVERS LANE AT EAST CALDWELL AVE
VISALIA, CALIFORNIA

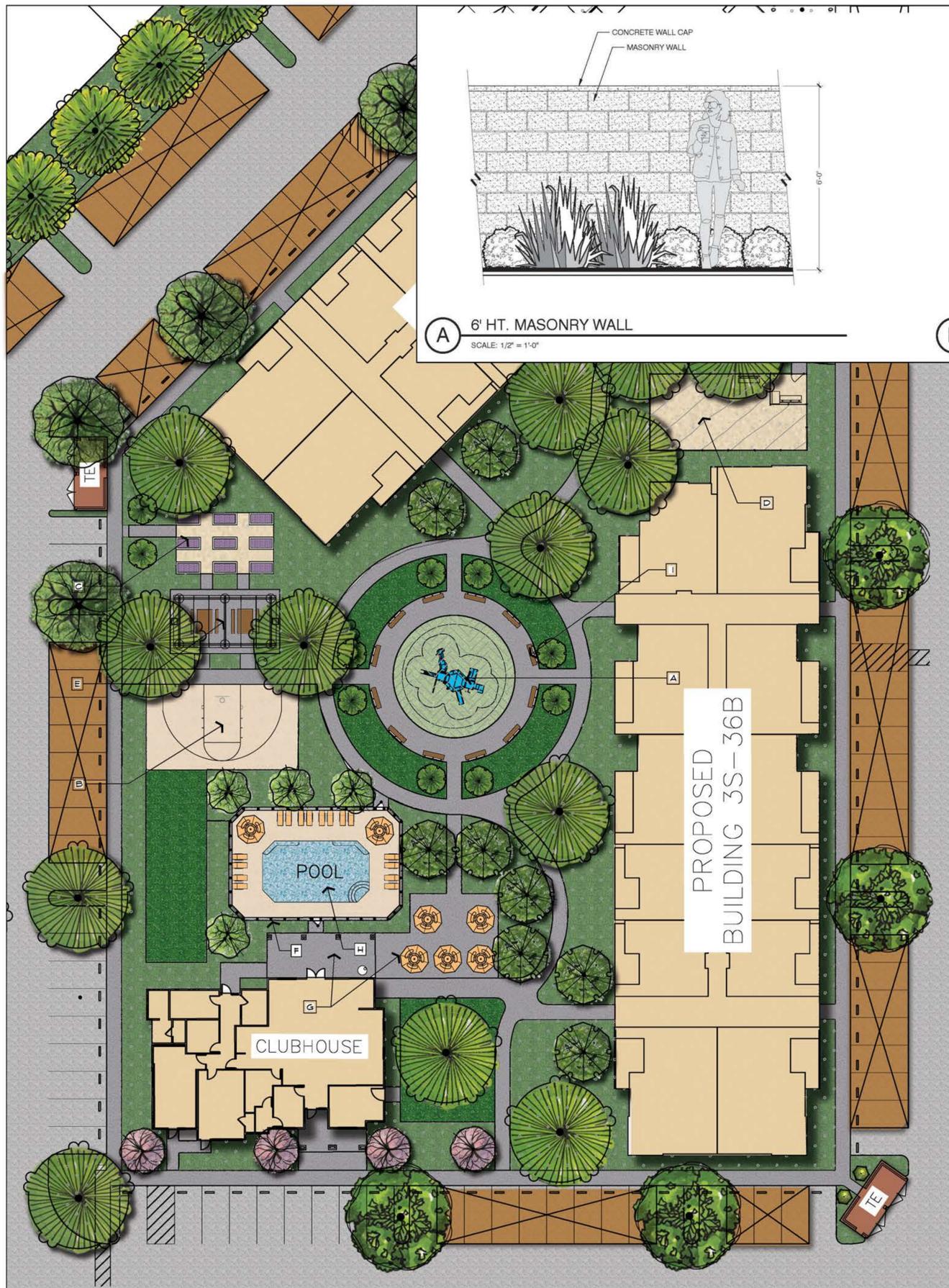
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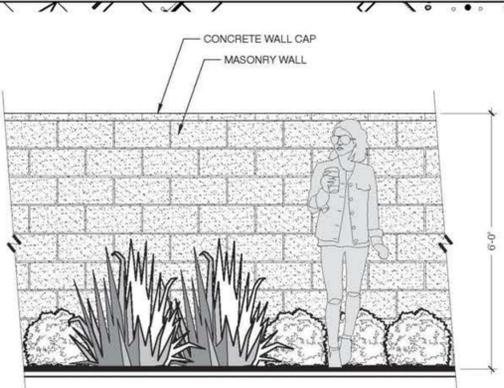
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Date: 11.16.2022

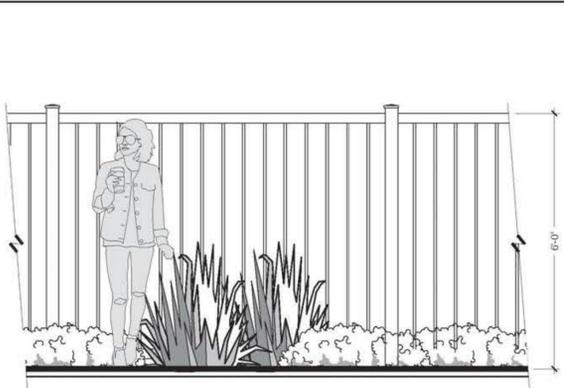
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A 6' HT. MASONRY WALL
SCALE: 1/2" = 1'-0"



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



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



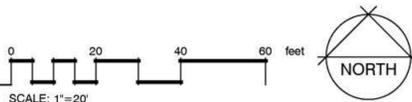
PLANT SCHEDULE

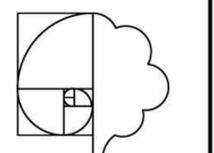
TREES	BOTANICAL NAME	COMMON NAME	SIZE	2022-11-16 13:33 CONTAINER
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	JUNIFERUS SCOPULORUM 'SKYROCKET'	SKYROCKET JUNIPER	5 GAL	
	LAGERSTROEMIA X 'TUSCARORA'	CRAPE MYRTLE CORAL PINK	15 GAL	
	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA	15 GAL	
	NYSSA SYLVATICA	TUPELO	15 GAL	
	PISTACIA X 'RED PUSH'	RED PUSH PISTACHE	15 GAL	
	PLATANUS X ACERIFOLIA 'YARWOOD'	LONDON PLANE TREE	24"	
	ULMUS PARVIFOLIA 'TRUE GREEN'	TRUE GREEN ELM	15 GAL	
	VITEX AGNUS-CASTUS	CHASTE TREE	15 GAL	MULTI-STEM
	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

- RECREATION AREA LANDSCAPE PLAN NOTES:**
- A. PLAYGROUND AREA WITH ARTIFICIAL TURF FALL ZONE MATERIAL
 - B. HALF COURT BASKETBALL COURT
 - C. COMMUNITY GARDEN WITH 4'X8' RAISED PLANTERS
 - D. DOG PARK WITH 5' FENCE & GATES
 - E. PICNIC AREA WITH SHADE STRUCTURE AND PICNIC TABLES
 - F. 5' HIGH STEEL FENCE AND GATES WHERE SHOWN AROUND THE POOL AREA
 - G. CONCRETE TERRACE WITH OUTDOOR DINING
 - H. SWIMMING POOL AREA WITH A 5' HIGH STEEL FENCE AND GATES WHERE SHOWN
 - I. BENCH LOCATION, TYP.

CLUBHOUSE AREA LANDSCAPE PLAN




 THOMAS H. PHELPS
 LANDSCAPE ARCHITECTURE
 IDLA, INC.
 California Landscape Architect #4122
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CALDWELL APARTMENTS
 THE PACIFIC COMPANIES
 SOUTH LOVERS LANE AT
 VISALIA, CALIFORNIA

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Sheet Title
LANDSCAPE PLAN

Seal


No.	Date	Revision
▲		
▲		
▲		
▲		

Project Mgr.: THP Sheet No.:
 Drawn By: THP
 Scale: 1"=20'
 Date: 11.16.2022
 File Name: 22-051 of _____ sheets

Exhibit J

Affordability Table

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					
East Caldwell Apts			34	30% AMI			34		
			68	50% AMI			68		
			152	60% AMI			152		
			84	80% AMI			84		
			4	Unrestricted			4		
Totals		385	342		0	0	342	11.41	29.97

Area Median Income (AMI) Categories:

Extremely Low-Income Unit is one that is affordable to households whose combined income is less than 30 percent of the area median income (AMI) for Visalia as established by HUD.

Very Low-Income Unit is one that is affordable to a household whose combined income is between 31 and 50 percent of the AMI as established by HUD.

Low Income Unit is one that is affordable to a household whose combined income is at or between 51 and 60 percent of the AMI as established by HUD.

Moderate Income Unit is one that is affordable to a household whose combined income is at or between 61 and 80 percent of the AMI as established by HUD.

Exhibit K

Parking Summary GC65915(p)(1)

PROJECT	UNIT TYPE	PARKING STALLS REQUIRED/UNIT TYPE PER SBD	PROJECT UNIT TOTALS	PARKING STALLS REQUIRED/UNIT PER SBD	PARKING STALLS PROVIDED
Caldwell Apts	1 BED	1	132	132	
	2 BED	1.5	120	180	
	3 BED	1.5	90	135	
Totals			342	447	531

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

Application: Conditional Use Permit No. 2022-25 **Environmental Review** 2022-55

Location: Northwest corner of East Caldwell Avenue and South Lovers Lane

Assessor's Parcel Number: 126-850-029

General Plan Designation: Commercial Mixed Use **Zoning:** C-MU

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 Commercial Mixed Use (CMU) which allows up to 35 dwelling units per acre. The proposed project would provide 29.98 units per acre which is consistent with the General Plan.

The site is zoned C-MU (Commercial Mixed Use) and 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 Commercial Mixed Use (CMU). 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: January 18, 2023

Prepared By:



Brandon Smith
Principal Planner

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



October 4, 2022

Site Plan Review No. 2022-111-B:

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 **September 7, 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", is written over a white background.

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

Attachment(s):

- Site Plan Review Comments



MEETING DATE September 7, 2022
SITE PLAN NO. 2022-111 – B
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
- | | | |
|--------------------------------------|---|-------------------------------------|
| <input type="checkbox"/> Planning | <input type="checkbox"/> Engineering prior to resubmittal plans for Site Plan Review. | |
| <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Parks and Recreation | <input type="checkbox"/> 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:
- | | |
|--|--|
| <input type="checkbox"/> CITY COUNCIL | <input type="checkbox"/> REDEVELOPMENT |
| <input checked="" type="checkbox"/> PLANNING COMMISSION | <input type="checkbox"/> PARK/RECREATION |
| <input checked="" type="checkbox"/> CUP | |
| <input type="checkbox"/> HISTORIC PRESERVATION | <input type="checkbox"/> OTHER – |
| <input checked="" type="checkbox"/> <u>ADDITIONAL COMMENTS:</u> | |

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, Planning Division, 559-713-4443

Date: September 7, 2022

SITE PLAN NO: 2022-111 – B
PROJECT TITLE: Caldwell Apartments
DESCRIPTION: This is a 342 unit, 29.98 DU/AC 100% Affordable Multi-Family Residential Project. (C-MU)
APPLICANT: Maracor
PROP. OWNER: Fishbough Terri K (TR)(J&S P Rev TR)
LOCATION TITLE: Northwest corner of Caldwell Avenue and Lovers Lane.
APN TITLE: 126-850-029
GENERAL PLAN: Commercial Mixed Use
EXISTING ZONING: C-MU (Commercial Mixed Use)

Planning Division Recommendation:

- Revise and Proceed
 Resubmit

Project Requirements

- Conditional Use Permit

PROJECT SPECIFIC INFORMATION: September 7, 2022

1. A Conditional Use Permit shall be required for a multi-family development with more than 80 units per site. A Conditional Use Permit is also required when establishing residential uses within a Commercial zone.
2. Remove all text on the site plan that indicates that a rezone is being proposed.
3. The project shall complete development of pedestrian pathway to the northwest, through an existing multi-family development, providing access to Villa Street. Placement of the landscape easement was a condition of the Park Place, Unit No. 4 subdivision, which created the multi-family development. Fees were paid by the developer of Park Place, Unit No. 4 to defer development of the landscape easement until development of APN: 126-850-029. The City of Visalia will reimburse the applicant of this project for development of the landscape easement, up to the original amount collected from the developer of Park Place, Unit No. 4. For more information on reimbursement, contact Engineering Division staff.
4. If the applicant wishes not to complete development of the pedestrian path described above, a request shall be provided for abandonment of the walkway. Consult with Engineering Division staff for more information.
5. Project shall provide a minimum 5% open space on the project. Note that open space calculations shall not include community buildings or landscape areas adjacent to public streets.
6. A minimum 10% of the parking lot shall be provided.
7. Provide an operational statement. The statement shall also describe any concessions or density bonus requests submitted with this project, such as concessions on parking requirements.
8. Building elevations shall be provided.
9. In order to determine parking demand, it is requested that the number of bedrooms per unit be provided.
10. Provide a landscape plan. The plan shall demonstrate that a minimum 10% of the parking lot shall be landscaped.
11. Placement of a tree well for every 10 continuous parking stalls.
12. Verify how visibility will be limited to single family residential areas to the east.
13. Comply with the Solid Waste Division requirements for placement of trash enclosures.
14. Adjacent block walls may need to be heightened should buildings be built at higher elevations due to flood zone issues.

15. Comply with Traffic Engineering comments for placement of driveways.

PROJECT SPECIFIC INFORMATION: July 6, 2022

1. A Conditional Use Permit shall be required for a multi-family development with more than 80 units per site. A Conditional Use Permit is also required when establishing residential uses within a Commercial zone.
2. Remove all text on the site plan that indicates that a rezone is being proposed.
3. Note that the project site is located at a prominent intersection, and is zoned for commercial use. Depending on characteristics of the project, staff may not support the proposal for a multifamily development. At present no definitive determination has been made by City staff.
4. The project shall complete development of pedestrian pathway to the northwest, through an existing multi-family development, providing access to Villa Street. Placement of the landscape easement was a condition of the Park Place, Unit No. 4 subdivision, which created the multi-family development. Fees were paid by the developer of Park Place, Unit No. 4 to defer development of the landscape easement until development of APN: 126-850-029. The City of Visalia will reimburse the applicant of this project for development of the landscape easement, up to the original amount collected from the developer of Park Place, Unit No. 4. For more information on reimbursement, contact Engineering Division staff.
5. Project shall provide a minimum 5% open space on the project. Note that open space calculations shall not include community buildings or landscape areas adjacent to public streets.
6. A minimum 10% of the parking lot shall be provided.
7. Provide building elevations.
8. Provide an operational statement. The statement shall also describe any concessions or density bonus requests submitted with this project.
9. In order to determine parking demand, it is requested that the number of bedrooms per unit be provided.
10. Provide a landscape plan. The plan shall demonstrate that a minimum 10% of the parking lot shall be landscaped.
11. Placement of a tree well for every 10 continuous parking stalls.
 - f. Verify how visibility will be limited to single family residential areas to the east.
12. Comply with the Solid Waste Division requirements for placement of trash enclosures.

Note:

1. The applicant shall contact the San Joaquin Valley Air Pollution Control District to verify whether additional permits are required through the District.
2. Prior to a final for the project, a signed Certificate of Compliance for the MWELo standards is required indicating that the landscaping has been installed to MWELo standards.

Sections of the Municipal Code to review:

17.19 Mixed Use Zones

17.34 Off-street parking and loading facilities

17.34.020(A)(2) Multi-family dwelling

17.36 Fences Walls and Hedges

17.36.040 Multiple-family residential zones

17.32.080 Maintenance of landscaped areas.

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 checked="" type="checkbox"/>	Adrian Rubalcaba	713-4271
<input type="checkbox"/>	Ather Razaq	713-4268
<input 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: 4 DATE: SEPTEMBER 7, 2022	
SITE PLAN NO.:	22-111 RESUBMITTAL
PROJECT TITLE:	CALDWELL APARTMENTS
DESCRIPTION:	THIS IS A 342 UNIT, 29.89 DU/AC 100% AFFORDABLE MULTI-FAMILY RESIDENTIAL PROJECT. (C-MU)
APPLICANT:	MARACOR
PROP OWNER:	FISHBOUGH TERRY K(TR)(J&S P REV TR)
LOCATION:	NWC OF LOVERS LANE AND CALDWELL
APN:	126-850-029

SITE PLAN REVIEW COMMENTS

- REQUIREMENTS (indicated by checked boxes)
- Install curb return with ramp, with **35'** radius; **E CALDWELL AVE & S. LOVERS LANE. REFER TO CITY STD. C-17**
- Install curb; gutter
- Drive approach size: Use radius return; **REFER TO CITY STD.**
- Sidewalk: **7'** width; **10'** parkway width at **CALDWELL AVE & LOVERS LANE**
- 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. **GRANT DEED EASEMENT**
- Deed required prior to issuing building permit; **RIGHT OF WAY EASEMENT**
- 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.
- 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. **DESIGNER TO RUN CALCULATIONS TO VERIFY CAPACITY**
- 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 = .20%, 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. **E. CALDWELL AVE & LOVERS LANE. SEE ADDITIONAL COMMENTS**
- Traffic indexes per city standards: **REFER TO CITY STD. P-25 FOR PAVEMENT STDS**
- Install street striping as required by the City Engineer. **AT TIME OF CIVIL SUBMITTAL**
- Install landscape curbing (typical at parking lot planters). **ON-SITE AS NEEDED**
- Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete pavement over 2" sand.
- Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
- Provide "R" value tests: each at
- Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
- Access required on ditch bank, 15' minimum Provide wide riparian dedication from top of bank.
- Show Valley Oak trees with drip lines and adjacent grade elevations. Protect Valley Oak trees during construction in accordance with City requirements.
- A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove. A pre-construction conference is required.
- Relocate existing utility poles and/or facilities. **REQUIRED WITH FRONTAGE IMPROVEMENTS AS APPLICABLE**
- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding. **REQUIRED WITH FRONTAGE IMPROVEMENTS AS APPLICABLE**
- 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. **Project is in the high Hazard Flood-Zone AE, all FEMA requirements must be met.**
2. **Site plan to show median on Lovers Lane. Only right in and right out movements will be allowed.**
 >> **ADDED: median shown, same restrictions apply.**
3. **Site plan to show property boundary dimensions.**
 >> **ADDED: complied.**
4. **Site plan shall provide turning template showing fire trucks and trash service vehicles can maneuver on-site.**
 >> **ADDED: complied.**
5. **A 36" standpipe/vent on E. Caldwell Ave entrance is shown on site plan, this will need to be relocated.**
 >> **ADDED: shown to be relocated.**
6. **Depending on funding source, project may be subject to CBC 11B requirements. If CBC 11B code is applicable, designer will be required to meet CBC 11B 250 requirements for raised circulation paths.**
7. **The project is to connect to City sewer infrastructure in E. Caldwell Avenue and will be required to extend 15" sewer to their Easterly property limit. City currently has a CIP underway in which this project must coordinate and install infrastructure according to CIP design. Coordinate with CIP project manager, Fred Lampe at 559-713-4270 or via email at fred.lampe@visalia.city**
8. **Project shall extend an 18" SD line across property frontage. Coordinate with City CIP for location and installation requirements.**
9. **Opening on median along E. Caldwell and S. Lovers lane will not be supported by City Staff. Refer to Traffic Dept. comments for access to site and drive approach locations.**

- >> **ADDED: site plan does not appear to indicate any proposed median openings for site access.**
10. **Refer to Solid Waste Dept. comments for trash enclosure location.**
 11. **Refer to planning Dept. for required Conditional Use Permit (CUP).**
 12. **City Transit Dept. may required a bus stop turnout on north side of Caldwell Ave, immediately following the intersection at S. Lovers Lane. Refer to further City Bus stop standard. Coordinate with Transit Dept.**
- >> **ADDED: a City std bus turnout is incorporated into new site plan layout, comply with City stds and Transit conditions.**
13. **Comply with City parking lot standards PK1-PK5.**
 14. **Frontage improvements will be required at time of development. Improvements shall include, but may not be limited to, pavement, curb and gutter, 7' sidewalk, landscaped parkway w/ street trees, street lighting, utility relocations and undergrounding, striping, signage, and 35' radius curb returns at Lovers Lane and Caldwell. Coordinate with City project for final design. this development will be required to install all City CIP improvements as necessary.**
 15. **Project to install street lighting to current City arterial standards. Electrical plans to include voltage drop calcs and shall be submitted with civil plans.**
 16. **There is currently a City Project to "widen intersection, widen Caldwell. Project to coordinate with City Engineer and provide right-of-way as deemed necessary.**
 17. **There is an existing 10' sidewalk easement along westerly subdivision, LOT B of Park Place Unit 4. and a pedestrian connection to the north. Connectivity/connection to Villa Street along Lot B may be required with this development. Coordinate with City Planning Staff.**
- >> **ADDED: City staff to determine whether this pedestrian pathway should be allowed as the original intended development of the site has changed. Further coordinate with City Engineer.**
18. **Project might need to upsize sewer lateral to service this development.**
 19. **A building permit is required, standard plan check and inspection fees will apply. Proposed Club house will incur additional impact fees. Refer to page 4 for applicable fees.**
 20. **Site plan does not indicate gated development, if desired, turn around will be required at entrances.**
 21. **Additional coordination and discussion with Traffic Division is required regarding the proposed access drives. Any issues must be resolved prior to permit issuance.**
 22. **Where water mains are extended, additional hydrants along the public streets may be imposed.**
 23. **All backflow and fire devices must be installed on private property and not in the public right-of-way.**

SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: **21-111 RESUBMITTAL**

Date: **9/7/2022**

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:**07/01/2022, SUBJECT TO UPDATE 8/20/2022 FEES**)

(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 12.4 = \$16,938.40
<input checked="" type="checkbox"/> Transportation Impact Fee	\$4,379/UNIT X 342 = \$1,497,618
<input checked="" type="checkbox"/> Trunk Line Capacity Fee	\$473/UNIT X (342 +1 CLUB HOUSE) =\$162,239
	TREATMENT PLANT FEE: \$830/UNIT X (342 +1 CLUB HOUSE) = \$284,690
<input checked="" type="checkbox"/> Sewer Front Foot Fee	\$46.00/FT X 743LF (CALDWELL)= \$34,178
<input checked="" type="checkbox"/> Storm Drain Acq/Dev Fee	HIGH DENSITY \$6,865/AC X 12.4 AC = \$85,126
<input checked="" type="checkbox"/> Park Acq/Dev Fee	\$3,403/UNIT X 342 = \$1,163,826
<input type="checkbox"/> Northeast Specific Plan Fees	
<input checked="" type="checkbox"/> Waterways Acquisition Fee	HIGH DENSITY \$5,042 /AC X 12.4 = \$62,520.80
<input checked="" type="checkbox"/> Public Safety Impact Fee: Police	HIGH DENSITY \$7,857/AC X 12.4 =\$97,426.80
<input checked="" type="checkbox"/> Public Safety Impact Fee: Fire	HIGH DENSITY \$2,002/AC X 12.5 = \$25,025
<input checked="" type="checkbox"/> Public Facility Impact Fee	\$536/UNIT X 342 = \$183,312
	CLUB HOUSE \$586/1000SF X 6,634SF = \$3,887.52
<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.



Adrian Rubalcaba

SPR 22111
CALDWELL APARTMENTS
126850029

City of Visalia
Building: Site Plan
Review Comments

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

- 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. (VERIFY FUNDING)**
- Maintain sound transmission control between units minimum of 50 STC.
- Maintain fire-resistive requirements **BETWEEN ALL UNITS 1 HR MIN. (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 **AE** * Hazardous materials report. **MEET FEMA FLOOD REQUIREMENTS.**
- Arrange for an on-site inspection. (Fee for inspection \$157.00) For information call (559) 713-4444
- School Development fees. **RESIDENTIAL: \$4.79 PER S.F.**
- 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: **ALL DWELLING UNITS SHALL BE PROTECTED BY A 13R TYPE SPRINKLER SYSTEM. ALL BUILDINGS 3 STORIES IN HEIGHT SHALL BE OF TYPE 5A TYPE CONSTRUCTION. PROVIDE MANUAL FIRE ALARM SYSTEM IN BUILDINGS CONTAINING MORE THAN 16 DWELLING UNITS. PROVIDE 10% OF TOTAL PARKING TO BE FUTURE EV CHARGING PARKING. LANDSCAPING SHALL MEET THE MWELO REQUIREMENTS. INDICATE PROJECT FUNDING (PRIVATE OR PUBLIC) ON COVER SHEET.**

V. GARCIA 9/7/22



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	September 6, 2022
Item #	4
Site Plan #	22111
APN:	126850029

- 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.
- An **automatic fire sprinkler system** will be required for this building. Also, a fire hydrant is required within 50 feet of the Fire Department Connection (FDC). Where an existing building is retrofitted with a sprinkler system (NFPA 13 or NFPA 13R) a fire hydrant shall be provided within 75 feet of the FDC. An additional 25 feet of distance between a fire hydrant and FDC may be granted when a fire sprinkler Density is designed with an additional 25%. 2019 CFC §912 and VMC 8.20.010 subsection C103.4
- This item is a **resubmittal**. Please see comments from previous submittals.

Corbin Reed
Fire Marshal

SITE PLAN REVIEW COMMENTS

CITY OF VISALIA TRAFFIC SAFETY DIVISION

September 7, 2022

ITEM NO: 4 Resubmit
SITE PLAN NO: [SPR22111](#)
PROJECT TITLE: Caldwell Apartments
DESCRIPTION: This is a 342 Unit, 29.98 DU/AC 100% Affordable Multi-Family Residential Project. (C-MU)
APPLICANT: Maracor
OWNER: FISHBOUGH TERRI K(TR)(J&S P REV TR)
APN: 126850029
LOCATION: NW corner of E. Caldwell Ave. and S. Lovers Ln.

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

- No Comments
- See Previous Site Plan Comments
- Install Street Light(s) per City Standards at time of development.
- Install Street Name Blades at Locations at time of development.
- Install Stop Signs at **local road intersection with collector/arterial** Locations.
- Construct parking per City Standards PK-1 through PK-4 at time of development.
- Construct drive approach per City Standards at time of development.
- Traffic Impact Analysis required (CUP)
 - Provide more traffic information such as . Depending on development size, characteristics, etc., a TIA may be required.
- Additional traffic information required (Non Discretionary)
 - Trip Generation - Provide documentation as to concurrence with General Plan.
 - Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.
 - Traffic Impact Fee (TIF) Program - Identify improvements needed in concurrence with TIF.

Additional Comments:

- Noted - Project is located in a low VMT area and screened out of requiring VMT analysis.
- Noted - Access on Lovers Lane and Caldwell will be restricted to right in/out only.
- Refer to COV Design and Improvement Standard C-32 Drive Approach Locations. Drive approach on Lovers Lane is too close to existing driveway just to the north.

- Applicant to comply with COV C-32 Standard for driveway on Caldwell. Drive approach on Caldwell required to be no closer than 200' from Villa St. Show on site plan.

Leslie Blair

Leslie Blair

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

22111

September 7, 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 The proposed enclosures throughout the site look good for STAB load collections. Covered parking stalls should not be installed next to proposed enclosures. Enclosure gates are required and must swing 180 degrees clearing all curbing. Cane bolts must be included to secure gates when opened.

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

Nathan Garza, Solid Waste, 559-713-4532



Susan Currier

From: Joel Hooyer
Sent: Tuesday, September 6, 2022 9:06 AM
To: Cristobal Carrillo; Josh Dan; Rafael Garcia; Susan Currier
Cc: Alvin Dias
Subject: September 7, 2022, Site Plan Review

Importance: High

See attached and following for September 7, 2022, Site Plan Review comments

SPR22080 - No Valley oaks are indicated on the submitted plans.

- Park is on the submitted plans.

- Does the proposed development have dedicated land to be maintained by the City of Visalia?

Note*- If this proposed subdivision is to become an LLD, Park, Trail, or any other dedicated land to be maintained by the City of Visalia, all lots shall be accessed appropriately to accommodate such intended maintenance and all the landscaping plans must be approved by Urban Forestry.

SPR22097 - No Valley oaks are indicated on the submitted plans.

SPR22104 - No Valley oaks are indicated on the submitted plans.

- Is the proposed subdivision to be a Light and Landscape District?

Note*- If this proposed subdivision is to become an LLD, Park, Trail, or any other dedicated land to be maintained by the City of Visalia, all lots shall be accessed appropriately to accommodate such intended maintenance and all the landscaping plans must be approved by Urban Forestry.

SPR22111 - No Valley oaks are indicated on the submitted plans.

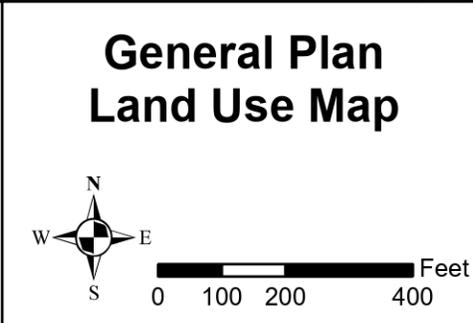
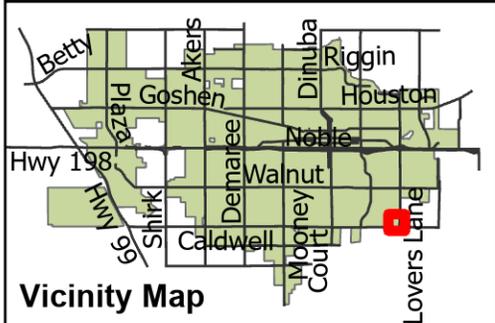
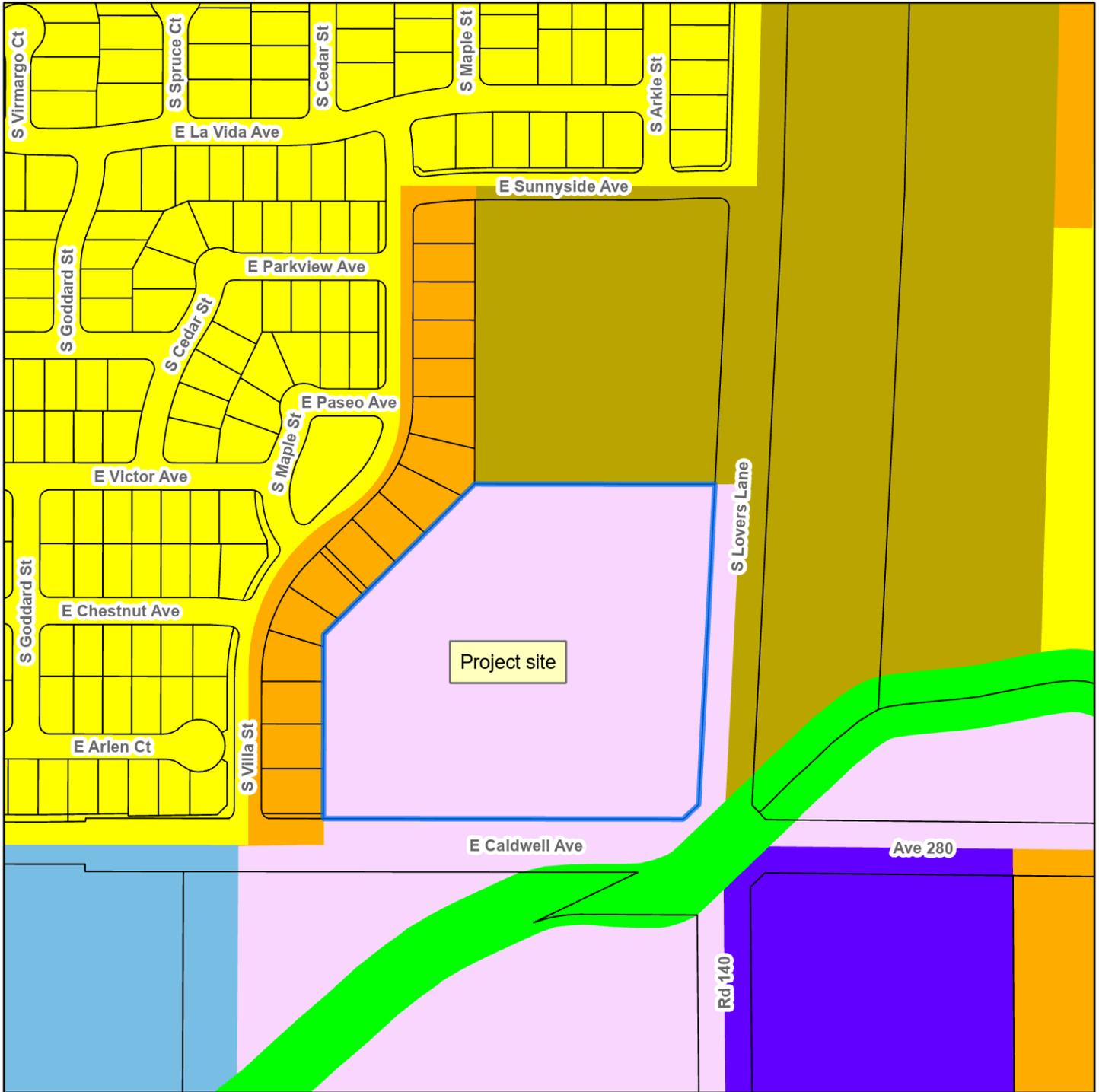
- Does the proposed development have dedicated land to be maintained by the City of Visalia?

Note*- If this proposed development is to become an LLD, Park, Trail, or any other dedicated land to be maintained by the City of Visalia, all lots shall be accessed appropriately to accommodate such intended maintenance and all the landscaping plans must be approved by Urban Forestry.

SPR22131 - No Valley oaks are indicated on the submitted plans.

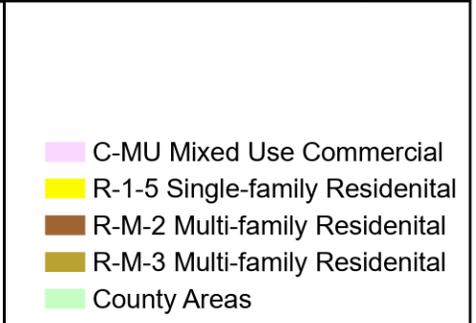
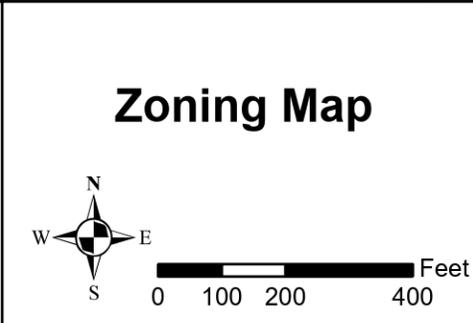
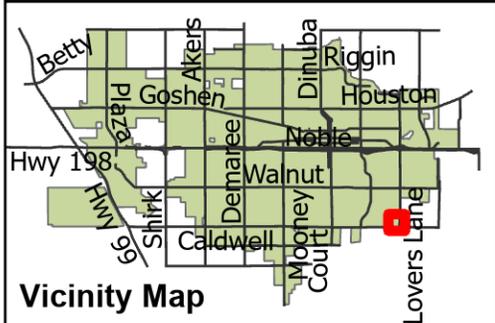
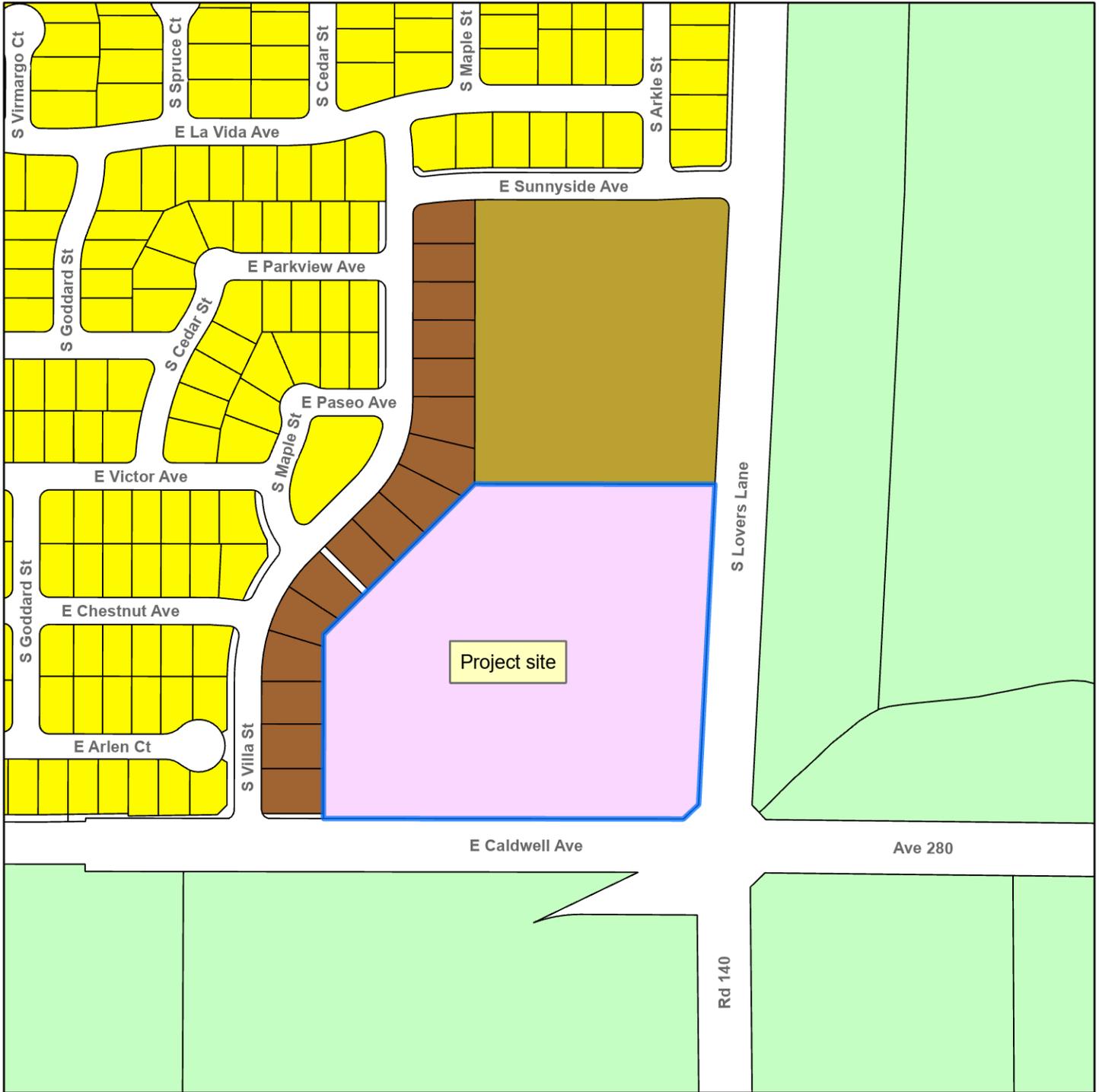
Conditional Use Permit No. 2022-25

Location: The project site is located on the northwest corner of South Lovers Lane and East Caldwell Avenue (APN 126-850-029)



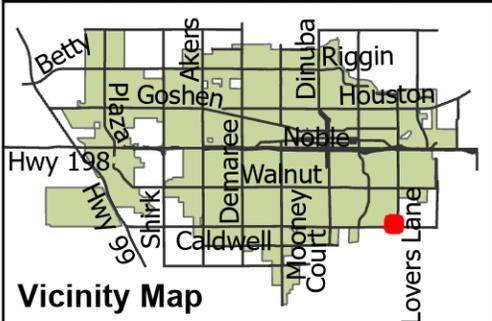
Conditional Use Permit No. 2022-25

Location: The project site is located on the northwest corner of South Lovers Lane and East Caldwell Avenue (APN 126-850-029)



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Location: The project site is located on the northwest corner of South Lovers Lane and East Caldwell Avenue (APN 126-850-029)



Aerial Photo 2021

