# REPORT TO CITY OF VISALIA PLANNING COMMISSION



**HEARING DATE:** April 24, 2023

PROJECT PLANNER: Josh Dan

Senior Planner (559) 713-4003

josh.dan@visalia.city

SUBJECT: Conditional Use Permit No. 2023-07: A request by Servando Ledesma to

establish an automotive repair shop within an existing 4,000 square foot tenant space. The project site is located at 505 North Burke Street. (APN: 094-250-028)

# STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit No. 2023-07 based on the findings and conditions in Resolution No. 2023-09. The recommendation is based on the conclusion that the request is consistent with the policies of the Visalia General Plan and Zoning Ordinance.

# RECOMMENDED MOTION

I move to approve Conditional Use Permit No. 2023-07 based on the findings and conditions in Resolution No. 2023-09.

# **PROJECT DESCRIPTION**

Conditional Use Permit (CUP) No. 2023-07 is a request to allow a muffler and automotive repair use (A&L Muffler and Auto Repair) in the Commercial Mixed Use (C-MU) zone as described in the Operational Statement in Exhibit "C". The applicant's proposal is to occupy a portion of an existing building located at 505 N. Burke Street (shown in the image below). The proposed tenant space measures 4,000 square feet and was previous occupied by an automotive upholstery shop while the second tenant space within the building measures 2,400 square feet This tenant space is currently occupied by Alonzo's Flooring, a flooring retailer and installer.



The applicant, has detailed in the the Operational Statement (Exhibit "C") that his existing business location (1020 E. Acequia Ave.) is being sold and his buisness needs to relocate. The Operational Statement further details that the project site at 505 N. Burke Street is in realtive proximity which makes it ideal for the applicant and his customers. The business will opperate Monday through Friday from 8:00 AM to 5:00 PM and have three (3) employees, with peak hours being from 11:00 AM -3:00 PM.

# **BACKGROUND INFORMATION**

General Plan Land Use Designation: Commercial Mixed Use

Zoning: C-MU

Surrounding Zoning and Land Use: North: C-MU / AirGas Welding Supply

South: C-MU / Future House of PAWs Veterinary
East: C-MU / N. Burke St. / Vacant - Future City Hall
West: C-MU / SoCal Gas Fleet and Storage Yard

Environmental Document Categorical Exemption No. 2023-10

Site Plan: Site Plan Review No. 2023-025

## **RELATED PLANS AND POLICIES**

Please see attached summary of related plans and policies.

# **RELATED PROJECTS**

There is no related project associated with the site.

# PROJECT EVALUATION

Staff supports Conditional Use Permit No. 2023-07, as conditioned, based on the project's consistency with the General Plan and the Zoning Ordinance. The request for automotive repair uses is consistent with the building design and the adjacent land uses within the approximate vicinity and along N. Burke Street.

# **Land Use Compatibility**

Automotive repair was a use that was ultimately listed as a Conditionally Permitted use in the C-MU zone during the 2017 Comprehensive Zoning Ordinance update. During the 2017 update, the City Council and Planning Commission received testimony regarding the reduction of Service Commercial property, particularly along the Ben Maddox Way corridor, and requested that Automotive repair be listed in another commercial zone to facilitate this use in other locations throughout the community. As a result, the use was included as a conditionally permitted use within the C-MU Zone, and through the CUP process, potential impacts are addressed thereby ensuring compatibility between the proposed use and existing surrounding uses.

There are several automotive related uses which are "Permitted" in the C-MU zone, including tire sales and service, auto oil, lube and smog test shops, auto parts sales, and automotive glass shops. A mixture of comparable commercial retail and service type uses are currently located within the vicinity of the project site. Additionally, parking needs for the use will be satisfied by the parking field depicted in Exhibit "A". Staff concludes that the proposed use will not have a negative impact on the project site and surrounding area.

# **Parking**

The Visalia Municipal Code parking schedule for specific uses prescribes parking for automotive repair shops as requiring one parking space for each four hundred (400) square feet of building area, and Commercial service establishments, repair shops, wholesale establishments and retail stores that handle only bulky merchandise as requiring one parking space for each five hundred (500) square feet of building area. When applied to the existing and proposed uses, the total parking demand for the site shall be 15 parking stalls. Ten (10) parking stalls for the auto repair shop and five (5) for the flooring retailer/installer.

The site is entirely paved with six (6) diagonally striped parking stalls at the front of the building along Burke Street. These stalls will be reserved primarily for customers. The site has a drive aisle along the south side of the building leading to a large, onsite storage area behind the building which can be striped for the remaining balance of the parking demand. Additionally, the area behind the building served as a customer vehicle/boat storage area for the previous upholstery use and is proposed to be utilized in the same manner for the automotive repair business.

Staff concludes that the site has ample ability to meet the parking requirements, subject to the adoption of Condition No. 3, requiring that the large, paved storage area be striped to accommodate the remaining nine (9) parking stalls or pay parking in-lieu fees for any required parking not provided on-site given the sites location within Parking District "A". In addition, Condition No. 4 has also been included for the Planning Commission's consideration. This condition requires all company or customer vehicles be stored onsite, behind the building after hours and may not be permitted to be stored in the public way along North Burke Street.

## **Environmental Review**

The requested action is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures or facilities. (Categorical Exemption No. 2023-10). This exemption is based on the project is a request to lease and exiting building with no description of alteration or intensification of the site.

# **RECOMMENDED FINDINGS**

- 1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- 3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures or facilities. (Categorical Exemption No. 2023-10). This exemption is based on the project is a request to lease and exiting building with no description of alteration or intensification of the site.

## RECOMMENDED CONDITIONS OF APPROVAL

- 1. That the use operates in substantial compliance with the comments from the approved Site Plan Review No. 2023-025.
- 2. That the use operate in substantial compliance with the Site Plan, Floor Plan, and Operational Statements as show in Exhibits "A", "B", and "C".
- 3. That the nine parking spaces be striped at the rear of the building (west end of the property) to City standards or that parking in-lieu fees be paid for any required parking stall not provided on site.
- 4. That all company or customer vehicles be stored onsite, behind the building after hours and may not be permitted to be stored in the public way along North Burke Street.
- 5. That the site is subject to and shall comply with the City of Visalia Community Noise standards as set forth in the Noise Ordinance.
- 6. That all other Federal, State, Regional, and City codes 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 California. 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 <a href="https://www.visalia.city">www.visalia.city</a> or from the City Clerk.

#### Attachments:

- Related Plans and Policies
- Resolution No. 2023-09
- Exhibit "A" Site Plan
- Exhibit "B" Floor Plan
- Exhibit "C" Operational Statement
- Site Plan Review No. 2023-025, Comments
- General Plan Land Use Map
- Zoning Map
- Aerial Photo
- Vicinity Map

# Related Plans & Policies

# Zoning Ordinance, Title 17 of Visalia Municipal Code Excerpts from 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.

# 17.38.030 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.

## 17.38.080 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.

# Chapter 17.19 MIXED USE ZONES

<b>Sections:</b>	
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 core area.
17.19.070	Development standards in the D-MU zone and in the C-MU zones inside the core area.

# 17.19.010 Purposes.

- 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 Downton 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.

# 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.

# Exhibit - A



# Exhibit – B



# Exhibit - C

 From:
 John Akers

 To:
 Josh Dan

Subject: 505 N Burke Street William Ledesma Conditional Use Permit

Date: Monday, April 3, 2023 11:25:32 AM Attachments: 505 N Burke Street Aerial5.pdf

You don't often get email from jakerszcre@outlook.com. Learn why this is important

Good morning Josh. Here is a little background on the business that is relocating to 505 N Burke Street:

The business is A & L Muffler and Auto Repair, currently located at 1020 E Acequia. The building that they are currently occupying is being sold and the business owner needs to relocate, preferably nearby. We are the leasing agent on the 505 N Burke property. The business will operate M-F 8-5 and will have 3 employees. The peak hours of operation will be from 11-3. It is a small business and should not have any effect on traffic in the area. The next door business will share the front parking and the rear parking area. Both businesses will share the driveway to the rear parking and will divide the rear parking according to the size of their share of the building. 505 N Burke, the subject property, has approximately 4,000 sf and 507 N Burke approximately 2,400 sf. In practice, the previous tenants have agreed to extend an imaginary line out from the dividing wall between the two units to the rear fence of the property. This has worked well in the past. The owner of the building has offered to build a fence to divide the parking but it has never been an issue in the past.

The neighboring business is Alonzo's Flooring (507 N Burke Street) and has very little foot traffic in their store, most of their customer contact is via the internet or by phone. They occasionally park their trucks in the rear parking overnight. The owner, Jose Alonzo, has indicated that he does not feel that dividing the rear parking will be necessary. The business phone number is (559) 280-2528 and email address is alonzosflooringvisalia@google.com. Let me know if there is any other information that you would like for me to provide. Thank you.

John

# John Akers

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DRE Lic #00871521

#### RESOLUTION NO. 2023-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2023-07, A REQUEST BY SERVANDO LEDESMA TO ESTABLISH AN AUTOMOTIVE REPAIR SHOP WITHIN AN EXISTING 4,000 SQUARE FOOT TENANT SPACE. THE PROJECT SITE IS LOCATED AT 505 NORTH BURKE STREET (APN: 094-250-028).

**WHEREAS,** Conditional Use Permit No. 2023-07, is a request by Servando Ledesma to establish an automotive repair shop within an existing 4,000 square foot tenant space. The project site is located at 505 North Burke Street. (APN: 094-250-028); and

**WHEREAS**, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on April 24, 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,** the Planning Commission finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA) and City of Visalia Environmental Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the project is exempt from further environmental review pursuant to CEQA Section 15301.

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

- 1. That the proposed project will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- 2. That the proposed conditional use permit is consistent with the policies and intent of the General Plan and Zoning Ordinance. Specifically, the project is consistent with the required findings of Zoning Ordinance Section 17.38.110:
  - a. The proposed location of the conditional use permit is in accordance with the objectives of the Zoning Ordinance and the purposes of the zone in which the site is located.
  - b. The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity.
- 3. That the project is considered Categorically Exempt under Section 15301 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA) for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures or facilities. (Categorical Exemption No. 2023-10). This exemption is based on the project is a request to lease and exiting building with no description of alteration or intensification of the site.

**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 use operates in substantial compliance with the comments from the approved Site Plan Review No. 2023-025.
- 2. That the use operate in substantial compliance with the Site Plan, Floor Plan, and Operational Statements as show in Exhibits "A", "B", and "C".
- 3. That the nine parking spaces be striped at the rear of the building (west end of the property) to City standards or that parking in-lieu fees be paid for any required parking stall not provided on site.
- 4. That all company or customer vehicles be stored onsite, behind the building after hours and may not be permitted to be stored in the public way along North Burke Street.
- 5. That the site is subject to and shall comply with the City of Visalia Community Noise standards as set forth in the Noise Ordinance.
- 6. That all other Federal, State, Regional, and City codes and ordinances be met.

Resolution No. 2023-09

# City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



# Site Plan Review

March 9, 2023

# Site Plan Review No. 2023-025

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 **February 15, 2023**. A site plan review permit shall lapse and become null and void one year following the date of approval unless, prior to the expiration of one year, a building permit is issued by the building official, and construction is commenced and diligently pursued toward completion.

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

Respectfully,

Paul Bernal

Community Development Director

315 E. Acequia Ave.

Visalia, CA 93291

# Attachment(s):

Site Plan Review Comments

# City of Visalia

315 E. Acequia Ave., Visalia, CA 93291



# Planning Division

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

MEETING DATE

February 15, 2023

SITE PLAN NO.

2023-025

PARCEL MAP NO.

SUBDIVISION

LOT LINE ADJUSTMENT NO.

		your review are the comments and decisions of the Site Plan Review committee. Please nments since they may impact your project.
		<b>BMIT</b> Major changes to your plans are required. Prior to accepting construction gs for building permit, your project must return to the Site Plan Review Committee for of the revised plans.
		uring site plan design/policy concerns were identified, schedule a meeting with
		Planning Engineering prior to resubmittal plans for Site Plan Review.
		Solid Waste Parks and Recreation Fire Dept.
$\boxtimes$	REVIS	SE AND PROCEED (see below)
		A revised plan addressing the Committee comments and revisions must be submitted for Off-Agenda Review and approval prior to submitting for building permits or discretionary actions.
		Submit plans for a building permit between the hours of 9:00 a.m. and 4:00 p.m. Monday through Friday.
	$\boxtimes$	Your plans must be reviewed by:
		CITY COUNCIL REDEVELOPMENT
		PLANNING COMMISSION PARK/RECREATION
		□ CUP
		HISTORIC PRESERVATION OTHER – Lot Line Adjustment
		ADDITIONAL COMMENTS:

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

# SITE PLAN REVIEW COMMENTS

## Josh Dan, Planning Division, 559-713-4003

Date: February 15, 2023

SITE PLAN NO: 2023-025

PROJECT TITLE: A&L Muffler & Auto Shop
DESCRIPTION: Relocate Shop (C-MU)
APPLICANT: Servando Ledesma

PROP. OWNER: J&J Exeter real Estate LLC.

LOCATION TITLE: 505 N. Burke St. APN TITLE: 094-250-028

GENERAL PLAN: Commercial Mixed Use

ZONING: C-MU (Mixed Use Commercial)

# Planning Division Recommendation:

Revise and Proceed

Resubmit

## **Project Requirements**

- Conditional Use Permit (CUP)
- Apply for Building Permit
- · Additional Information as Needed

# PROJECT SPECIFIC INFORMATION: February 15, 2023

- 1. VMC Use Table 17.25.030, Line A16 lists Auto Repair, Major-Overhauling, Rebuilding, Painting as conditionally permitted in the zone.
- 2. The applicant will need to submit detailed exhibits of the following:
  - a. Site Plan
  - b. Floor Plan
  - c. Operational Statement
- 3. The applicant is requested to detail the tenant space next door (use and square footage) for staff to ensure there is sufficient parking available on site for both uses.
- 4. VMC 17.34.020.F.8 prescribes parking for automobile repair shops: one parking space for four hundred (400) square feet of building area.
- 5. Obtain building permits for all proposed work and signage.

#### Notes:

- 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 <u>final</u> for the project, a signed <u>Certificate of Compliance</u> for the MWELO standards is required indicating that the landscaping has been installed to MWELO standards.

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

17.19 Mixed Use Zones

17.30 Development Standards

17.36 Fences Walls and Hedges

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

Signature:





#### BUILDING/DEVELOPMENT PLAN ITEM NO: 8 DATE: FEBRUARY 15, 2022 REQUIREMENTS **ENGINEERING DIVISION** SITE PLAN NO .: 23-025 Adrian Rubalcaba 713-4271 **A&L MUFFLER & AUTO SHOP** PROJECT TITLE: Ather Razag 713-4268 DESCRIPTION: RELOCATE SHOP APPLICANT: SERVANDO LEDESMA Edelma Gonzalez 713-4364 PROP OWNER: J&J EXETER REAL ESTATE LLC ☐ Jaklin Rowley 713-4369 LOCATION: **505 N BURKE ST** ⊠Lugman Ragabi 713-4362 APN: 094-250-028 Lupe Garcia 713-4197 SITE PLAN REVIEW COMMENTS ☐REQUIREMENTS (indicated by checked boxes) Install curb return with ramp, with radius: Install curb: gutter Drive approach size: Use radius return: Sidewalk: width; parkway width at Repair and/or replace any sidewalk across the public street frontage(s) of the subject site that has become uneven, cracked or damaged and may constitute a tripping hazard. Replace any curb and gutter across the public street frontage(s) of the subject site that has become uneven and has created areas where water can stand. Right-of-way dedication required. A title report is required for verification of ownership. Deed required prior to issuing building permit; City Encroachment Permit Required. 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) \( \square\$ directed to the City's existing storm drainage system; b) \( \square\$ directed to a permanent on-site basin; or c) directed to a temporary on-site basin is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin: maximum side slopes, perimeter fencing required, provide access ramp to bottom for maintenance. Grading permit is required for clearing and earthwork performed prior to issuance of the building permit. Show finish elevations. (Minimum slopes: A.C. pavement = 1%, Concrete pavement = 0.25%. Curb & Gutter =.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.

Traffic indexes per city standards:

Install street striping as required by the City Engineer.
Install landscape curbing (typical at parking lot planters).
Minimum paving section for parking: 2" asphalt concrete paving over 4" Class 2 Agg. Base, or 4" concrete
pavement over 2" sand.
Design Paving section to traffic index of 5.0 min. for solid waste truck travel path.
Provide "R" value tests: each at
Written comments required from ditch company Contacts: James Silva 747-1177 for Modoc, Persian, Watson, Oakes, Flemming, Evans Ditch and Peoples Ditch; Jerry Hill 686-3425 for Tulare Irrigation Canal, Packwood and Cameron Creeks; Bruce George 747-5601 for Mill Creek and St. John's River.
□ Access required on ditch bank, 15' minimum □ Provide wide riparian dedication from top of bank. □ Show Valley Oak trees with drip lines and adjacent grade elevations. □ Protect Valley Oak trees during construction in accordance with City requirements.
☐ A permit is required to remove Valley Oak trees. Contact Public Works Admin at 713-4428 for a Valley Oak tree evaluation or permit to remove. ☐ A pre-construction conference is required.
Relocate existing utility poles and/or facilities.
Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
Subject to existing Reimbursement Agreement to reimburse prior developer:
Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air District's Regulation VIII. Copies of any required permits will be provided to the City.
If the project requires discretionary approval from the City, it may be subject to the San Joaquin Valley Air District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City.
☐ If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit and the SWPPP will be provided to the City.
☐ Comply with prior comments. ☐ Resubmit with additional information. ☐ Redesign required.
Additional Comments:

- Additional Comments:

  1. No change in use Proposed project will not incur additional impact fees.
- 2. A building permit is required, standard plan check and inspction fees will apply.
- 3. Comply with City standards Pk-1 through Pk-4.
- 4. Project is located in an AE flood zone, Substantial improvements will be in effect and assessed during the permit review process.
- 5. 20% of project valuation will need to be used in Path of Travel upgrades. project shall comply with CBC section 11b-250: Circulation paths contigous to vehicular traffic must be physically separated from vehicular traffic.

# SUMMARY OF APPLICABLE DEVELOPMENT IMPACT FEES

Site Plan No: <b>23-025</b> Date: <b>02/15/2023</b>
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 ime of <u>building permit issuance</u> .)
Fee Schedule Date:08/20/2022) Project type for fee rates:
Existing uses may qualify for credits on Development Impact Fees.
FEE ITEM Groundwater Overdraft Mitigation Fee
Transportation Impact Fee
☐ Trunk Line Capacity Fee
Sewer Front Foot Fee
Storm Drain Acg/Dev Fee
Park Acq/Dev Fee
Northeast Specific Plan Fees
Waterways Acquisition Fee
Public Safety Impact Fee: Police
Public Safety Impact Fee: Fire
Public Facility Impact Fee
Parking In-Lieu
Reimbursement:  1.) No reimbursement shall be made except as provided in a written reimbursement agreement between the City and the developer entered into prior to commencement of construction of the subject facilities.  2.) Reimbursement is available for the development of arterial/collector streets as shown in the City's Circulation Element and funded in the City's transportation impact fee program. The developer will be reimbursed for construction costs and right of way dedications as outlined in Municipal Code Section 16.44. Reimbursement unit costs will be subject to those unit costs utilized as the basis for the transportation impact fee.  3.) Reimbursement is available for the construction of storm drain trunk lines and sanitary sewer trunk lines shown in the City's Storm Water Master Plan and Sanitary Sewer System Master Plan. The developer will be reimbursed for construction costs associated with the installation of these trunk lines.

Luqman Ragabi

# 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.

		2
$\boxtimes$	A building permit will be required.	For information call (559) 713-4444
$\boxtimes$	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 light-frame construction or submit 1 digital set of engineered calculations.	h 2016 California Building Cod Sec. 2308 for conventional
	Indicate abandoned wells, septic systems and excavations on construction plans.	*
$\boxtimes$	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 acce  AUE SHALL BE USED FOR PATH OF TRAV  All accessible units required to be adaptable for persons with disabilities.	ss for persons with disabilities. 20% OF PERMIT
	Maintain sound transmission control between units minimum of SO STC.	
	Maintain fire-resistive requirements at property lines.	*
$\boxtimes$	A demolition permit & deposit is required.	For information call (559) 713-4444
$\boxtimes$	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
$\boxtimes$	Project is located in flood zone  Hazardous materials report.	REQUIREMENTS
	Arrange for an on-site inspection. (Fee for inspection \$157.00)	For information call (559) 713-4444
	School Development fees.	
	Park Development fee \$ per unit collected with building permits.	
	Additional address may be required for each structure located on the site.	For Information c≪ (559) 713-4320
	Acceptable as submitted	
	No comments at this time	
	Additional comments: REPAR CONDAGE SHALL	BE EQUIPPED WITH AN
LUT	OMATIC SPRINKLER SHOTEM (-	14PE 13) APPROVED DI
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	CONTAINERS.	TI PERLY 1/2011/2

VAL CARCUS 2 11/23



# 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

February 14, 2023

Item#

8

Site Plan # 23025

APN:

094250028

- 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 2022 California Fire Code (CFC), 2022 California Building Codes (CBC) and City of Visalia Municipal Codes.
- All fire detection, alarm, and extinguishing systems in existing buildings shall be maintained in an operative
  condition at all times and shall be replaced or repaired where defective. If building has been vacant for a
  significant amount of time the fire detection, alarm, and or extinguishing systems may need to be evaluated by a
  licensed professional. 2022 CFC 901.6
- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly
  visible from the street. Numbers will be at least four inches (4") high and shall be of a color to contrast with
  their background. If multiple addresses are served by a common driveway, the range of numbers shall be posted
  at the roadway/driveway. 2022 CFC 505.1
- All hardware on exit doors, illuminated exit signs and emergency lighting shall comply with the 2022 California Fire Code. This includes all locks, latches, bolt locks, panic hardware, fire exit hardware and gates.
- Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system. 2022 CFC 304.3.3
- A Knox Box key lock system is required. Where access to or within a structure or area is restricted because of secured openings (doors and/or gates), a key box is to be installed in an approved location. Go to knoxbox.com to order and please allow adequate time for shipping and installation. 2022 CFC 506.1
- If your business handles hazardous material in amounts that exceed the Maximum Allowable Quantities listed on Table 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) and 5003.1.1(4) of the 2022 California Fire Code, you are required to submit an emergency response plan to the Tulare County Health Department. Also you shall indicate the quantities on your building plans and prior to the building final inspection a copy of your emergency response plan and Safety Data Sheets shall be submitted to the Visalia Fire Department.
- Gates on access roads shall be a minimum width of 20 feet and shall comply with the following (2022 CFC D103.5):
  - Gates shall be of the swinging or sliding type.

- Gates shall allow manual operation by one person (power outages).
- o Gates shall be maintained in an operative condition at all times.
- Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Note: Go to knoxbox.com to order and please allow adequate time for shipping and installation.
- 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%. 2022 CFC §912 and VMC 8.20.010 subsection C103.4
- Locking fire department connection (FDC) caps are required. The caps shall be ordered using an approved Knox Authorization Order Form. Go to knoxbox.com to order and please allow adequate time for shipping and installation. 2022 CFC 912.4.1
- All exterior risers, drain/test valves and backflow devices shall be protected from unauthorized tampering by approved means. Protection method shall be indicated on building plans. 2022 CFC 903.3.8.4.1

Corbin Reed Fire Marshal



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

Date:	2-14-23
Item:	8
Site P	lan: SPR23025
Name	: Agt. A. Saelee

# **Site Plan Review Comments**

	No Comment at this time.
	Request opportunity to comment or make recommendations as to safety issues as plans are developed.
	Public Safety Impact Fee: Ordinance No. 2001-11 Chapter 16.48 of Title 16 of the Visalia Municipal Code Effective date - August 17, 2001.
	Impact fees shall be imposed by the City pursuant to this Ordinance as a condition of or in conjunction with the approval of a development project. "New Development or Development Project" means any new building, structure or improvement of any parcels of land, upon which no like building, structure of improvement previously existed. *Refer to Engineering Site Plan comments for fee estimation.
	Not enough information provided. Please provide additional information pertaining to:
	Territorial Reinforcement: Define property lines (private/public space).
	Access Controlled/ Restricted etc.
$\checkmark$	lighting Concerns: Ample exterior lighting to deter criminal activity
	Traffic Concerns:
$\checkmark$	Surveillance Issues: External/internal surveillance cameras with 30 days worth of storage to deter and capture criminal activity
	Line of Sight Issues:
$\checkmark$	Other Concerns: Enroll/Participate in the Trespass Enforcement Program

# SITE PLAN REVIEW COMMENTS

# CITY OF VISALIA TRAFFIC SAFETY DIVISION February 15, 2023

ITEM NO: 8 Added to Agenda

SITE PLAN NO: SPR23025

PROJECT TITLE: A&L Muffler & Auto Shop DESCRIPTION: Relocate Shop (C-MU) APPLICANT: Servando Ledesma

OWNER: J & J EXETER REAL ESTATE LLC

APN: 094250028 LOCATION: 505 N BURKE ST

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

Ш	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.
$\boxtimes$	Construct parking per City Standards PK-1 through PK-4 at time of development.
$\boxtimes$	Construct drive approach per City Standards at time of development.
	Traffic Impact Analysis required (CUP)  Provide more traffic information such as TIA may be required.  Depending on development size, characteristics, etc., a
	<ul> <li>Additional traffic information required (Non Discretionary)</li> <li>Trip Generation - Provide documentation as to concurrence with General Plan.</li> <li>Site Specific - Evaluate access points and provide documentation of conformance with COV standards. If noncomplying, provide explanation.</li> <li>Traffic Impact Fee (TIF) Program - Identify improvments needed in concurrence with TIF.</li> </ul>
Add	ditional Comments:

For Leslie Blair

# City of Visalia

7579 Ave. 288, Visalia, CA 93277

# Public Works

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

2/1	5/2023	
-/ 1	01202	

SITE PLAN REVIEW DATE:

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

CITY OF VISALIA

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

# 23025

	No comments. February 15, 2023
XX	See comments below
	Revisions required prior to submitting final plans. See comments below.
	Resubmittal required. See comments below.
XX	Customer responsible for all cardboard and other bulky recyclables to be broken down before disposing of in recycle containers
	ALL refuse enclosures must be R-3 OR R-4
	Customer must provide combination or keys for access to locked gates/bins
XX	Type of refuse service not indicated.
	Location of bin enclosure not acceptable. See comments below.
	Bin enclosure not to city standards double.
	Inadequate number of bins to provide sufficient service. See comments below.
ХХ	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.
XX	Paved areas should be engineered to withstand a 55,000 lb. refuse truck.
	Bin enclosure gates are required
	Hammerhead turnaround must be built per city standards.
	Cul - de - sac must be built per city standards.
	Bin enclosures are for city refuse containers only. Grease drums or any other items are not allowed to be stored inside bin enclosures.
	Area in front of refuse enclosure must be marked off indicating no parking
	Enclosure will have to be designed and located for a STAB service (DIRECT ACCESS) with no less than 38 clear space in front of the bin, included the front concrete pad.
XX	Customer will be required to roll container out to curb for service.
	Must be a concrete slab in front of enclosure as per city standards, the width of the enclosure by ten(10) feet, minimum of six(6) inches in depth.
	Roll off compactor's must have a clearance of 3 feet from any wall on both sides and there must be a minimum of 53 feet clearance in front of the compactor to allow the truck enough room to provide service.
хх	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	This site will be required to roll bins out for scheduled collections as the site does not have enough room for solid waste vehicles to maneuver onsite. Solid waste services to include trash, recycle and organic collections per the State of California 's mandatory commercial recycling laws (AB-341 & AB-1826).

<u>Jason Serpa, Solid Waste Manager, 559-713-4533</u> <u>Edward Zuniga, Solid Waste Supervisor, 559-713-4338</u> Nathan Garza, Solid Waste,559-713-4532



# **CALIFORNIA WATER SERVICE**

Visalia District 216 North Valley Oaks Drive Visalia, CA 93292 Tel: (559) 624-1600

#### **Site Plan Review Comments From:**

California Water Service Scott McNamara, Superintendent 216 N Valley Oaks Dr. Visalia, CA 93292 559-624-1622 Office 559-735-3189 Fax

smcnamara@calwater.com

Date: 02/15/2023

Item #8

Site Plan # 23-025

Project: A&L Muffler & Auto Shop

Description: Applicant:

Location: 505 N Burke APN: 094-250-028

The following comments are applicable when checked:		
	Re-submit No Comments at this time	
	Fire Hydrants Comments	
⊠	Services Comments- Existing service, if this service is not sufficient in size, the customer will need to pay for an upsize in service or any additional services that may be needed.	
	Mains Comments-	
	Backflow Requirements Comments- Will be required if any parcel is for multi-family, commercial, or has multiple services on one parcel.  Please contact Cross Connection Control Specialist, Juan Cisneros at 559-624-1670 or <a href="mailto:visaliabackfow@calwater.com">visaliabackfow@calwater.com</a> for a backflow install packet.	
Addit	ional Comments:	
⊠	Please contact New Business Superintendent Sedelia Sanchez at 559-624-1621 or <a href="mailto:ssanchez@calwater.com">ssanchez@calwater.com</a> to start your project with Cal Water.	

Quality. Service. Value: calwater.com









