

# MEMORANDUM

**TO:** PLANNING COMMISSION  
**FROM:** ROB HUNT, CD DIRECTOR   
**SUBJECT:** DR NO. 1013 – ELEVATION CHANGE  
**DATE:** NOVEMBER 14, 2016

Attached for your review is a proposed change in elevation (replacing a walk-up window with an Entry Door) on the 1,200 sq. ft. commercial building at the SEC of “K” Street and Kern Avenue, which was approved by the Planning Commission on 9/10/10. The approved front elevation of the building included walk-up only type service windows for the four tenant spaces. The proposed change involves the replacement of the walk-up service window on tenant space #4 (approximately 200 sq. ft. floor area), with a glass/store front entry door. Applicant will be required to obtain a building permit and meet ADA standards. Building owner has indicated the proposed change is required in order to accommodate a nail salon.

## RECOMMENDATION:

Staff offers no objections and recommends approval.

## Attachments:

Revised Elevation  
Original Staff Report & Resolutions DR No.1013



## PLANNING DIRECTORS REVIEW

(Staff Report)

Agenda Item No.

July 21, 2008

### DESIGN REVIEW NO. 1013

<b>PROJECT PLANNER:</b>	Susan Simon, Associate Planner
<b>APPLICANT:</b>	Jordan Properties
<b>LOCATION:</b>	This project is located on the southeast corner of 'K' Street and Kern Avenue.
<b>ZONING CLASSIFICATION:</b>	C-3 (retail commercial)
<b>GENERAL PLAN DESIGNATION:</b>	Community Commercial
<b>SURROUNDING LAND USES AND ZONING:</b>	North: Commercial C-3 South: Commercial C-3 East: Commercial C-3 West: Commercial C-3
<b>REQUEST:</b>	

Applicant proposes to construct a 1,200 sq. ft. commercial building with food court.

#### DETAILS OF THE PROPOSAL:

Applicant proposes to construct a 1,200 sq. ft. commercial building on the vacant lot located on the southeast corner of 'K' Street and Kern Avenue. The site plan depicts the building in an "L" shape configuration. The commercial building will be divided into 5 tenant spaces; one tenant space will be 418 sq. ft., another tenant space will be 55 sq. ft., and three tenant spaces will each contain 200 sq. ft. In addition, there will be a 128 sq. ft. city storage room and two (8 x 8) restrooms (not public) for the patrons of the food court. No indoor seating area, an open space area (plaza) will be landscaped and contain a patio area with a canopy and approximately seven concrete tables. The city proposes to maintain the plaza area. The utilities will be shared (one meter). Elevations depict customer service windows will be set in and covered by the roof line. The exterior color tones will be a combination of beige and brown stucco with red trim.

**STAFF COMMENTS:**

The City of Tulare's Redevelopment Agency will separate this property into two separate parcels; the Redevelopment Agency will retain the 2,136.22 sq. ft. plaza and will sell the commercial building. A condition of approval has been included for a maintenance agreement of the plaza area.

An existing double wide trash enclosure is located along the alley near this site. Grease bins/enclosure will be located on the southeast portion of the property.

The Planning Commission has the right to waive parking requirements for downtown projects (section 10.192.04). On street and public parking lots are located nearby. There appears to staff that there is sufficient parking available in this area to justify waiving any additional on-site parking.

Applicant and staff have reviewed the appearance of the adjacent structures in the consideration of the design of the proposed structure. Staff recommends that the Commission find that the proposed structure elevations are consistent with the design standards set forth in the Downtown Combing District (Zoning Ordinance Section 10.108).

A finding has been added that this project meets the intent of the design review and is consistent with the General Plan and Zoning Ordinance.

**ENVIRONMENTAL FINDINGS:**

This project is exempt pursuant to Section 15332 (in-fill development) of the California Environmental Quality Act of 1970, as amended.

**FINDINGS:**

Staff recommends that Planning Commission make the following findings with regards to Design Review No1013

- 1) That the request is in conformance with the goals and objectives of the General Plan.
- 2) That this request is in conformance with the goals and objectives of the Zoning Ordinance prescribed in Section 10.04.020 of the Tulare City code.
- 3) That this request will not have a significant negative effect on the surrounding properties or improvements in the vicinity.

Design Review No. 1013

- 4) That the request meets the intent of design review policies of the City of Tulare.
- 5) That the proposed structure elevations are consistent with the design standards set forth in the Downtown Combing District (Zoning Ordinance Section 10.108).

**RECOMMENDATIONS:**

Based on the findings, staff recommends that Design Review No 1013, be approved subject to the following conditions:

- 1) Construction shall be in accordance with the plans approved by the Planning Commission.
- 2) Applicant shall comply with conditions established by the Public Works/Engineering Department and Fire Department.
- 3) Approval does not authorize any deviation from Fire and Building Codes.
- 4) All requirements of Title 10 shall be met.
- 5) Applicant shall obtain Tulare Redevelopment Agency approval prior to issuance of a building permit.
- 6) At time of building permit, applicant shall submit **three copies of a Landscape/Irrigation plan** consistent with City Landscape Ordinance.
- 7) Applicant shall comply with San Joaquin Valley Air Pollution Control district regarding dust control during construction as required by SJVAPCD.
- 8) Applicant to provide security lighting for the landscaped area southwest of the proposed building. Subject lighting to be approved by the Planning & Building Director.
- 9) Applicant to obtain sign permit approval from the Building and Planning Director.
- 10) A mechanical screen shall be used for any roof mounted equipment.
- 11) Maintenance responsibilities of the plaza area shall be prepared, signed and approved by the Redevelopment Agency.
- 12) Location of the grease bins/enclosures are subject to approval of the Public Works Director.

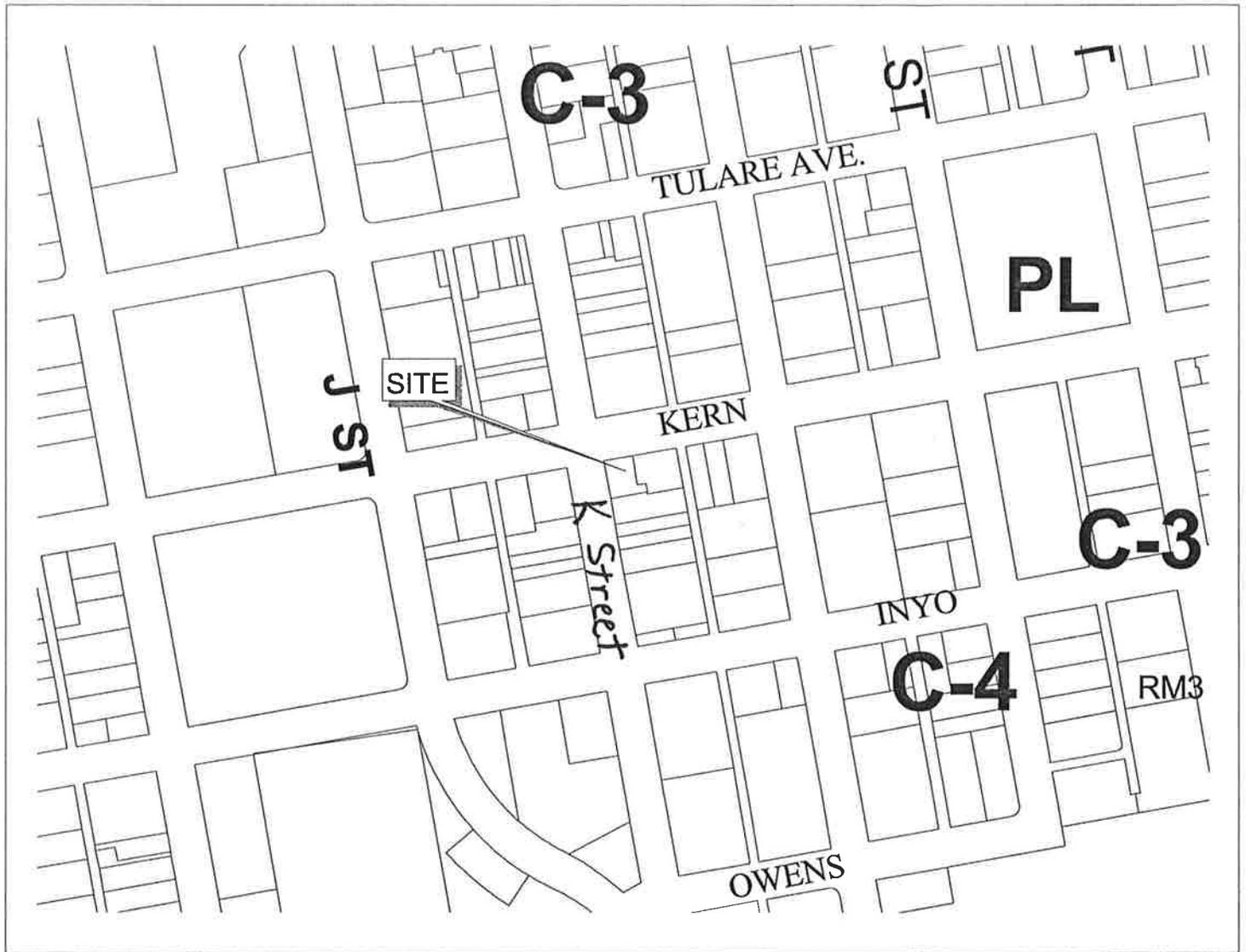
**Page 4**

**Design Review No. 1013**

**Attachments:**

1. Zoning Ordinance Section 10.108.05 Design Standards
2. Location Map
3. Site Plan
4. Floor Plan
5. Elevations
6. Comments:
  - Engineering Division
  - Tulare Fire Department
  - Tulare Redevelopment Agency
  - Tulare Solid Waste Division
  - San Joaquin Valley Air Pollution Control District

# DESIGN REVIEW NO. 1013



APN NO. 176-052-001

 **City Limits**  
 **Tulare map**



# PROPOSED FLOOR PLAN

SCALE 1/4" = 1'-0"

PROPERTY LINE 24.00'

PROPERTY LINE 19.00'

PROPERTY LINE 55.50'

74'-3"

800 LBS. FIRE RIS. CAB. (5) 1/2" DIA. MAIN PANEL

4'-0"

7'-0"

21'-9"

17'-9"

17'-7"

17'-6"

17'-7"

17'-9"

11'-8"

11'-10"

11'-10"

11'-10"

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11'-10"

**BUILDING #1**  
418 SQ. FT.  
9' CEIL. HT.

**BUILDING #3**  
800 SQ. FT.  
9' CEIL. HT.

**BUILDING #4**  
240 SQ. FT.  
9' CEIL. HT.

**BUILDING #2**  
240 SQ. FT.  
9' CEIL. HT.

**EXIT SPACE**  
9' CEIL. HT.

**CITY STORAGE**  
128 SQ. FT.

**R.R.**

**R.R.**

**CITY PLAZA AREA**

PROPERTY LINE 56.00'

PROPERTY LINE 79'-9"

20'-1"

59'-9"

79'-9"

20'-1"

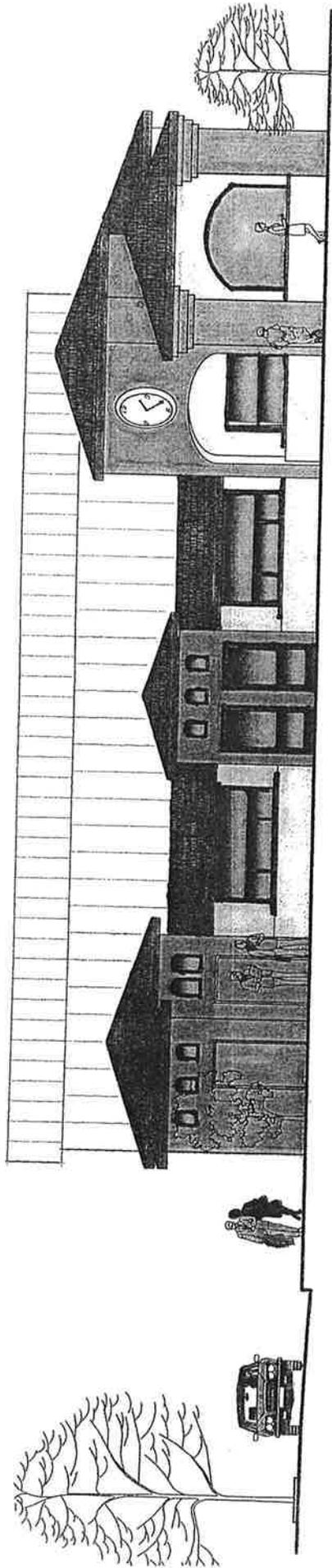
KE. N STREET

K STREET



### SITE DATA

TOTAL SITE FOOTPRINT	487.08 SQ. FT.
JORDAN PROPERTIES BUILDING FOOTPRINT	176.8 SQ. FT.
JORDAN EXIT SPACE FOOTPRINT	540.5 SQ. FT.
TOTAL JORDAN FOOTPRINT	717.3 SQ. FT.
R.B. & STORAGE FOOTPRINT	353.68 SQ. FT.
REMAINING CITY OF TOLLADE PLAZA AREA	268.22 SQ. FT.
JORDAN PROPERTIES PERCENT OF COVER	.4849 %
CITY OF TOLLADE PERCENT OF COVER	.562 %



**RESOLUTION NO. 4849**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING  
DESIGN REVIEW APPLICATION NO. 1013**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on August 4, 2008 to consider a request by Jordan Properties to construct a 1,200 sq. ft. commercial building with a food court, located on the southeast corner of "K" Street and Kern Avenue; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the request is in conformance with the goals and objectives of the General Plan; and,

**WHEREAS**, the City of Tulare Planning Commission determined this request is in conformance with the goals and objectives of the Zoning Ordinance prescribed in section 10.04.020 of the Tulare City code; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the request will not have a significant negative effect on the surrounding properties or improvements in the vicinity; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the request meets the intent of design review policies of the City of Tulare; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed structure elevations are consistent with the design standards set forth in the Downtown Combining District (Zoning Ordinance Section 10.108); and,

**WHEREAS**, the City of Tulare Planning Commission determined that this project is exempt pursuant to Section 15332 (in-fill development) of the California Environmental Quality Act; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Design Review Application No. 1013 is hereby approved subject to the following conditions:

1. Construction shall be in accordance with the plans approved by the Planning Commission.
2. Applicant shall comply with conditions established by the Public Works/ Engineering Department and Fire Department.
3. Approval does not authorize any deviation from Fire and Building Codes.
4. All requirements of Title 10 shall be met.
5. Applicant shall obtain Tulare Redevelopment Agency approval prior to issuance of a building permit.

6. At time of building permit, applicant shall submit **three copies of a Landscape/Irrigation plan** consistent with City Landscape Ordinance.
7. Applicant shall comply with San Joaquin Valley Air Pollution Control district regarding dust control during construction as required by SJVAPCD.
8. Applicant to provide security lighting for the landscaped area southwest of the proposed building. Subject lighting to be approved by the Planning & Building Director.
9. Applicant to obtain sign permit approval from the Building & Planning Director.
10. A mechanical screen shall be used for any roof mounted equipment.
11. Maintenance responsibilities of the plaza area shall be prepared, signed and approved by the Redevelopment Agency.
12. Location of the grease bins/enclosures are subject to approval of the Public Works Director.

**PASSED, APPROVED AND ADOPTED** this fourth day of August, 2008 by the following recorded vote:

AYES: Nunes      NOES: None      ABSENT: Miller      ABSTAIN: Killion  
Miguel  
Kinard  
Rocha  
Chairman Miller

  
\_\_\_\_\_  
RICHARD P. MILLER, CHAIRMAN  
City of Tulare Planning Commission

  
\_\_\_\_\_  
MARK S. KIELTY, SECRETARY  
City of Tulare Planning Commission

**RESOLUTION NO. 4963**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING ELEVATION REVISIONS  
FOR  
DESIGN REVIEW APPLICATION NO. 1013**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on September 20, 2010 to consider a request by Jordan Properties to for elevation revisions to a 1,200 sq. ft. commercial building with a food court, located on the southeast corner of "K" Street and Kern Avenue; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the request is in conformance with the goals and objectives of the General Plan; and,

**WHEREAS**, the City of Tulare Planning Commission determined this request is in conformance with the goals and objectives of the Zoning Ordinance prescribed in section 10.04.020 of the Tulare City code; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the request will not have a significant negative effect on the surrounding properties or improvements in the vicinity; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the request meets the intent of design review policies of the City of Tulare; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed structure elevations are consistent with the design standards set forth in the Downtown Combining District (Zoning Ordinance Section 10.108); and,

**WHEREAS**, the City of Tulare Planning Commission determined that this project is exempt pursuant to Section 15332 (in-fill development) of the California Environmental Quality Act; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that elevation revisions for Design Review Application No. 1013 is hereby approved subject to the following conditions:

1. Applicant to install exhaust fans at three locations to replace the "swamp" coolers that were previously installed. (see exhibit A and B)

**PASSED, APPROVED AND ADOPTED** this twentieth day of September, 2010 by the following recorded vote:

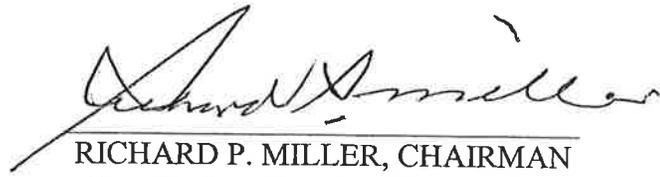
AYES: Nunes  
Miguel  
Kinard

NOES: None

ABSENT: None

ABSTAIN: Killion

Rocha  
Miller  
Chairman Miller



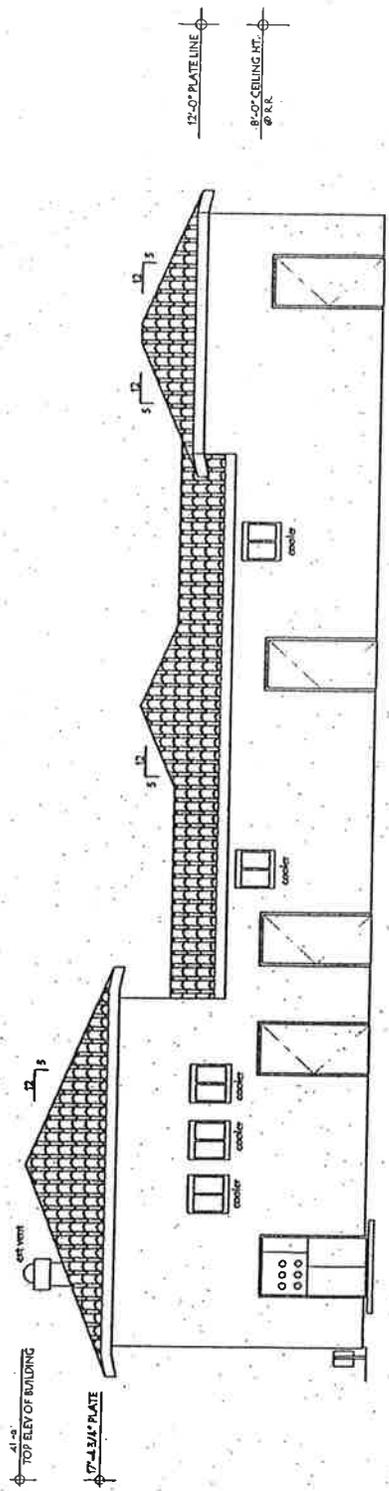
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RICHARD P. MILLER, CHAIRMAN  
City of Tulare Planning Commission

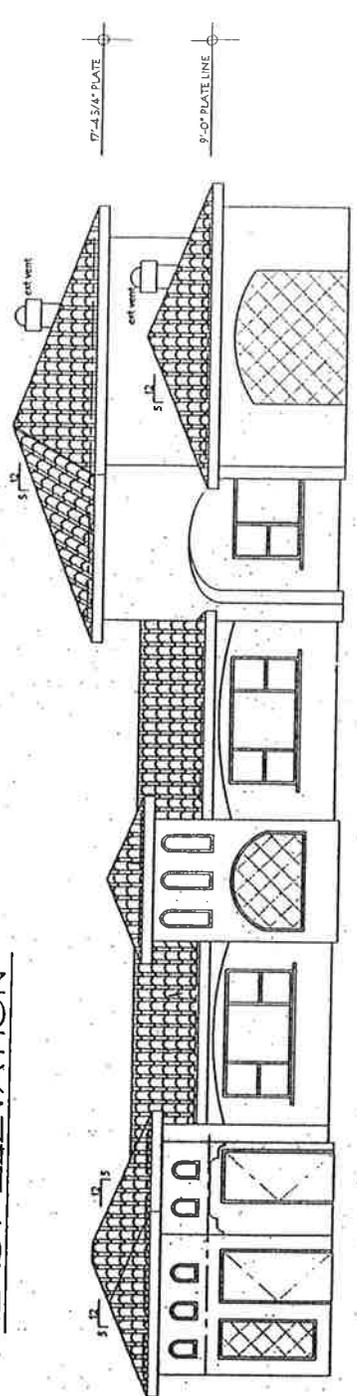


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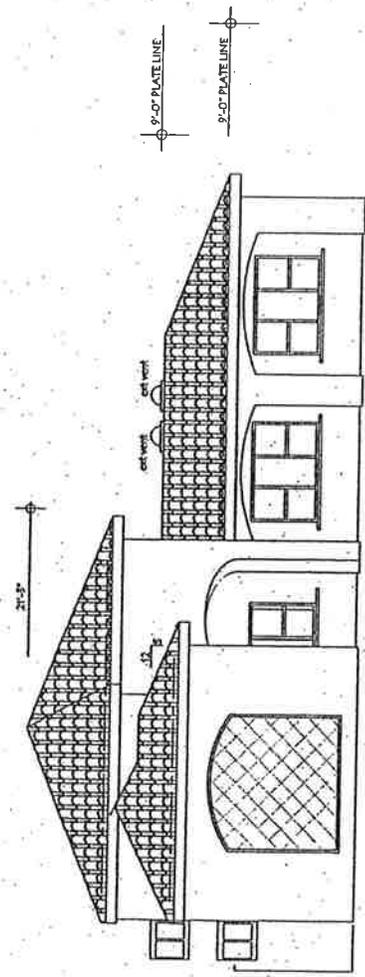
MARK S. KIELTY, SECRETARY  
City of Tulare Planning Commission



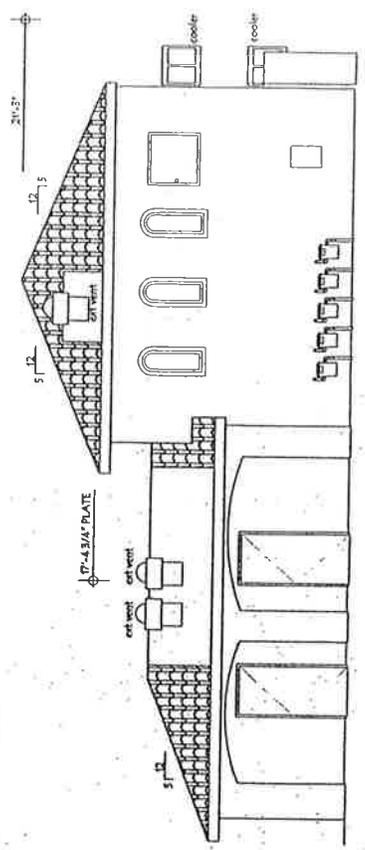
EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION

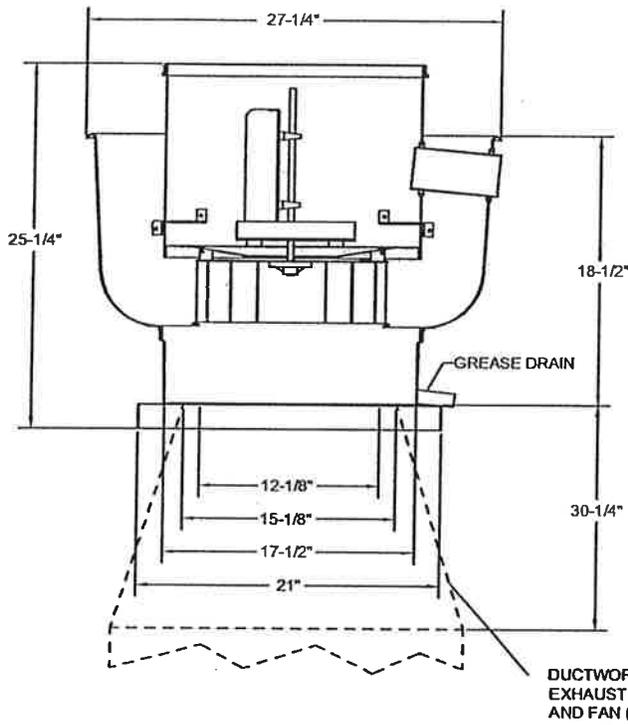


SOUTH ELEVATION

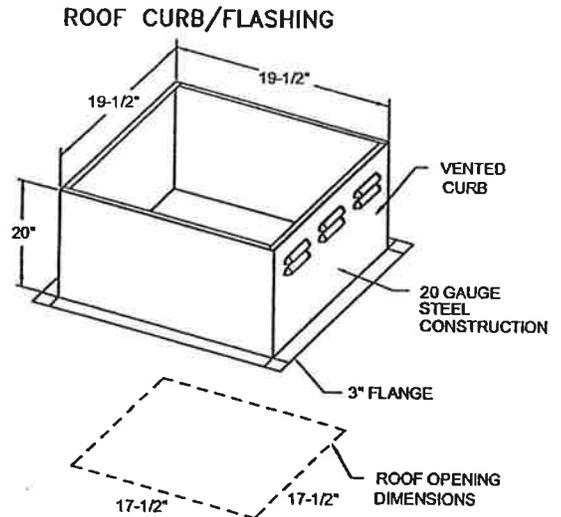
**EXHIBIT A**

EXTERIOR FINISHES

## DU30H860 DIRECT DRIVE EXHAUST FAN

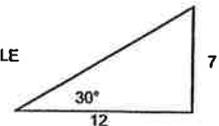


- ROOF MOUNTED FAN
- RESTAURANT MODEL
- UL762
- AMCA SOUND AND AIR CERTIFIED
- WIRING FROM MOTOR TO DISCONNECT SWITCH
- WEATHERPROOF DISCONNECT
- HIGH HEAT OPERATION 300°F (149°C)
- GREASE CLASSIFICATION TESTING
- WEIGHT: 105 LBS



PERFORMANCE DATA							
FAN MODEL	RPM	S.P.	CFM	VOLTAGE	PHASE	AMPS	H.P.
DU30H860	1445	0.5"	860	115	1	4.0	0.25

PITCHED CURBS ARE AVAILABLE FOR PITCHED ROOFS.



**CITY OF TULARE PLANNING COMMISSION  
STAFF REPORT**

Agenda Item No.

November 14, 2016

**CONDITIONAL USE PERMIT No. 2016-19**

<b>PROJECT PLANNER:</b>	Amy Wilson, Planning Tech
<b>APPLICANT:</b>	CNS Steel, Inc. (Clint Russel)
<b>LOCATION:</b>	Industrial Place (Private Road), off of Industrial Avenue
<b>APN:</b>	191-320-012
<b>ZONING CLASSIFICATION:</b>	M-2 (Heavy Industrial District)
<b>GENERAL PLAN DESIGNATION:</b>	Heavy Industrial
<b>SURROUNDING LAND USES AND ZONING:</b>	North: Vacant; Light Industrial M-1 South: Vacant; Heavy Industrial M-2 West: Vacant; Heavy Industrial M-2 East: Vacant; Heavy Industrial M-2

**REQUEST:**

Request by CNS Steel, Inc., to construct an 80,225 sf. steel fabrication facility (72,600 sf. warehouse/7,625 sf. office constructed in two phases) and associated parking lot and landscaping on 9.46 acres. The steel building manufacturing facility is a permitted use in the M-2 Zone; a conditional use permit is required due to the applicants request to base on-site parking on the maximum number of employees on peak shift rather than on building square footage.

**DETAILS OF THE PROPOSAL:**

The project will be constructed in two phases. The first phase includes a 36,300 sq. ft. manufacturing building with an attached 7,625 sq. ft. two story office building. The second phase will construct a second manufacturing building that is approximately 36,300 sq. ft. Proposed landscaped area meets the 5% minimum of the developed gross lot area as required by Landscape Ordinance. One double wide trash enclosure will be located on site. Access to the new building will be off of Industrial Place (a private road) through two drive approaches, one to the northeast of the building and one to the southeast of the building. Applicant will install sidewalk, curb and gutter along the east side of the property to meet current city standards.

Elevations depict the new building will have one roll up door on the east side and three roll up doors on the west side. The front (east side) of the building will have architectural pop-outs, large windows, and several exterior colors to break up the building elevations and avoid monotonous blank wall space for the elevations viewable from right-of-way (Industrial Place).

CNS Steel operates five days a week from 6 am to 5pm. Once the second phase is completed they would likely add a second shift which would extend their operational hours to 11pm. Initially there would be a maximum of 10 employees and one shift, upon completion of the second phase they would likely expand the number of employees to 22 and two shifts.

**STAFF COMMENTS:**

Zoning Ordinance Section 10.192.040(C)(1) provides for parking for general industrial uses to be based upon 1.2 parking spaces per employee during maximum shift by securing a Conditional Use Permit. Based upon the first phase of construction and the maximum of 10 employees, 12 parking spaces are required. Upon completion of the 2<sup>nd</sup> phase and the maximum of 22 employees 26 parking spaces will be required. Site plan depicts a total of 35 parking spaces which meets or exceeds the required number of parking spaces. It appears to staff that there is ample room for additional parking should the need arise.

The proposed project has been reviewed by the Public Works Director and City Engineer and determined that the proposed project will not have a significant impact on the existing water system, therefore the project will be exempt from the water model analysis.

The project meets the requirements of the Industrial (M-2) Zoning District and complies with the details of the Industrial Design Guidelines.

No comments have been received by staff during the public comment period.

**ENVIRONMENTAL:**

On Wednesday, October 19, 2016, the Environmental Impact Review Committee determined from the initial study completed by Planning Staff and the Environmental Information Form submitted by the applicant, that the project will not have a significant effect on the environment. A negative declaration is recommended by the committee for public review pursuant to provisions of the Public Resources Code, State of California, Section 21000 to 21177 and the California Environmental Quality Act (CEQA).

**ENVIRONMENTAL FINDINGS:**

- 1) That the Negative Declaration has been prepared in accordance with the California Environmental Quality Act.
- 2) That the Planning Commission has considered the proposed Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment.
- 3) The Planning Commission finds that the proposed Negative Declaration reflects the independent judgment of the lead agency.

## **CONDITIONAL USE PERMIT FINDINGS:**

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2016-19:

- 1) That the proposed location of the project is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located.
- 2) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 3) That the proposed conditional use will comply with each of the provisions of the Zoning Title;
- 4) That the proposed use is consistent with the Tulare General Plan; and
- 5) That the site for the proposed use is adequate in size, shape and location to accommodate the use the district for which it is proposed.

## **RECOMMENDATIONS:**

- A. Adopt a negative declaration for Conditional Use Permit No. 2016-19 (Resolution 5202).
- B. Based on the approved findings, staff recommends that Conditional Use Permit No. 2016-19, be approved subject to the following conditions:
  - 1) All requirements of Title 10 shall be met.
  - 2) The conceptual site plan and elevations for the proposed steel fabrication facility and its associated parking and landscaping are approved as shown in shown in the attachments hereto.
  - 3) Applicant shall comply with San Joaquin Valley Air Pollution Control District Rule 2010, Rule 2201, Dust Control and SWPP requirements.
  - 4) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
  - 5) All roof mounted equipment shall be screen from public view by materials similar to those used in overall structure and approved by the Community Development Director at time of Building Permit review.

- 6) Applicant shall obtain clearance letter from Tulare County Airport Land Use Commission consistent with adopted airport master plan prior to building permit issuance.
- 7) Applicant shall comply with Engineering, Fire Department and Parks Division comments/conditions (Attachments III, IV and V).
- 8) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.
- 9) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance.
- 10) Applicant shall maintain on-site parking spaces at a ratio of 1.2 spaces per employee during the maximum shift.
- 11) Approval does not authorize any deviation from Fire and Building Codes.
- 12) The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

Attachments:

- I. Project Vicinity Map
- II. Site Plan/Elevations
- III. Engineering Comments
- IV. Fire Comments
- V. Parks Comments
- VI. San Joaquin Valley Air District Comments
- VII. Resolution 5202 and 5203

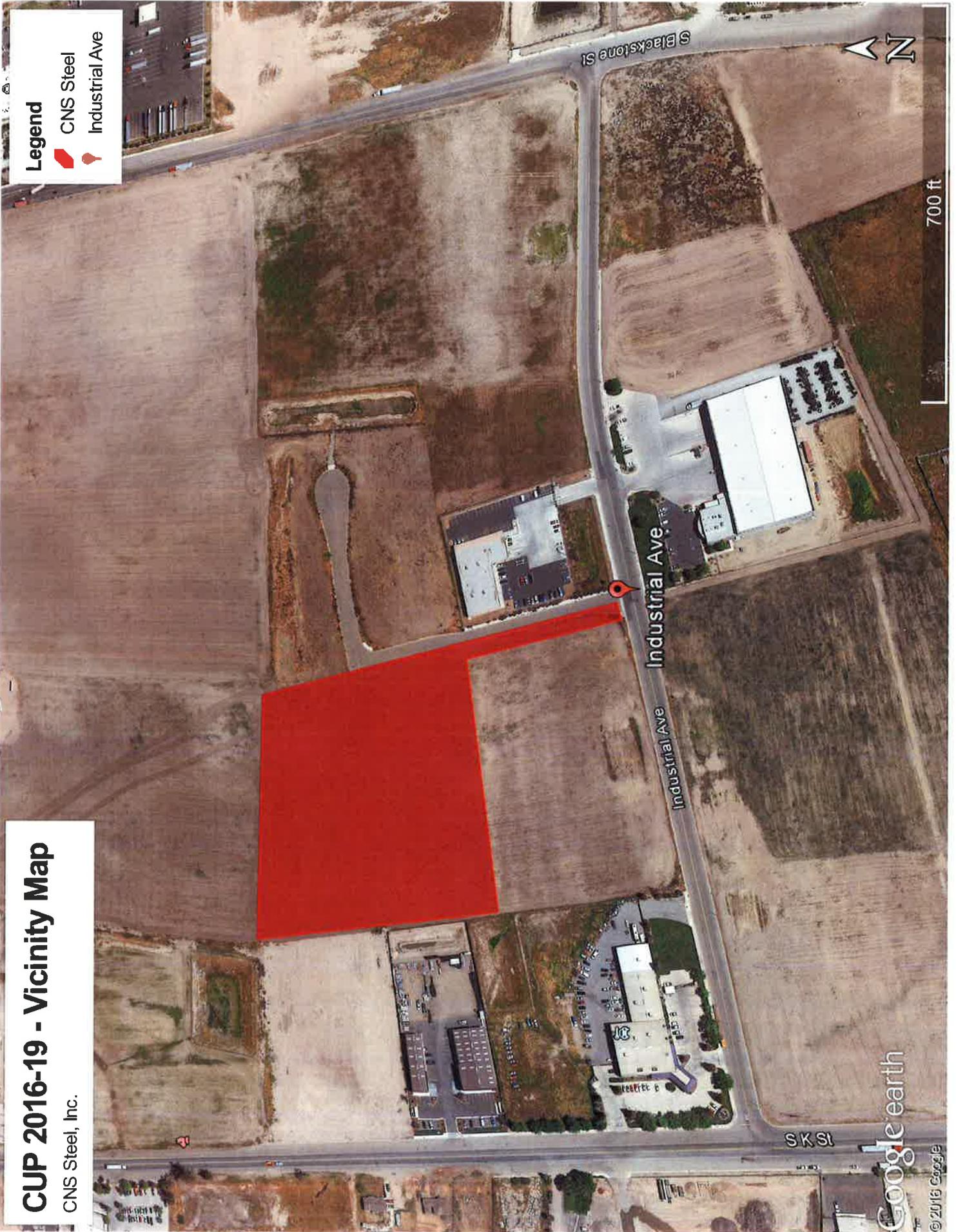
# CUP 2016-19 - Vicinity Map

CNS Steel, Inc.

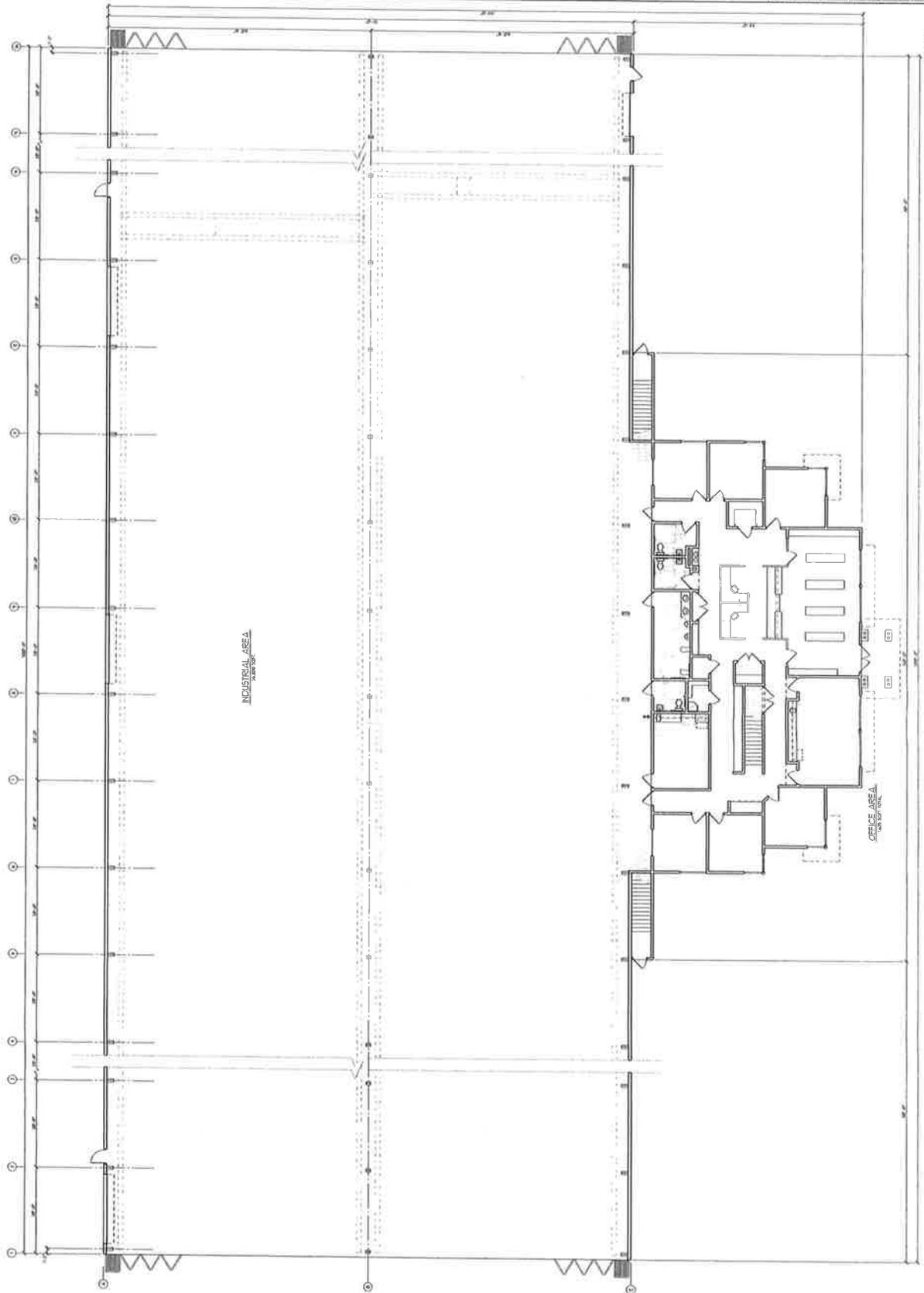
## Legend

 CNS Steel

 Industrial Ave







OVERALL FACILITY FLOOR PLAN

**REGISTRATION:**  
 ARCHITECT: STATE OF CALIFORNIA  
 ARCHITECT NO. 10000

**PROJECT:**  
 1000 S. GARDEN ST. SUITE 100  
 ANAHEIM, CA 92805  
 PROJECT NO. 10000

**DATE:** 10/10/16  
**SCALE:** 1/8" = 1'-0"

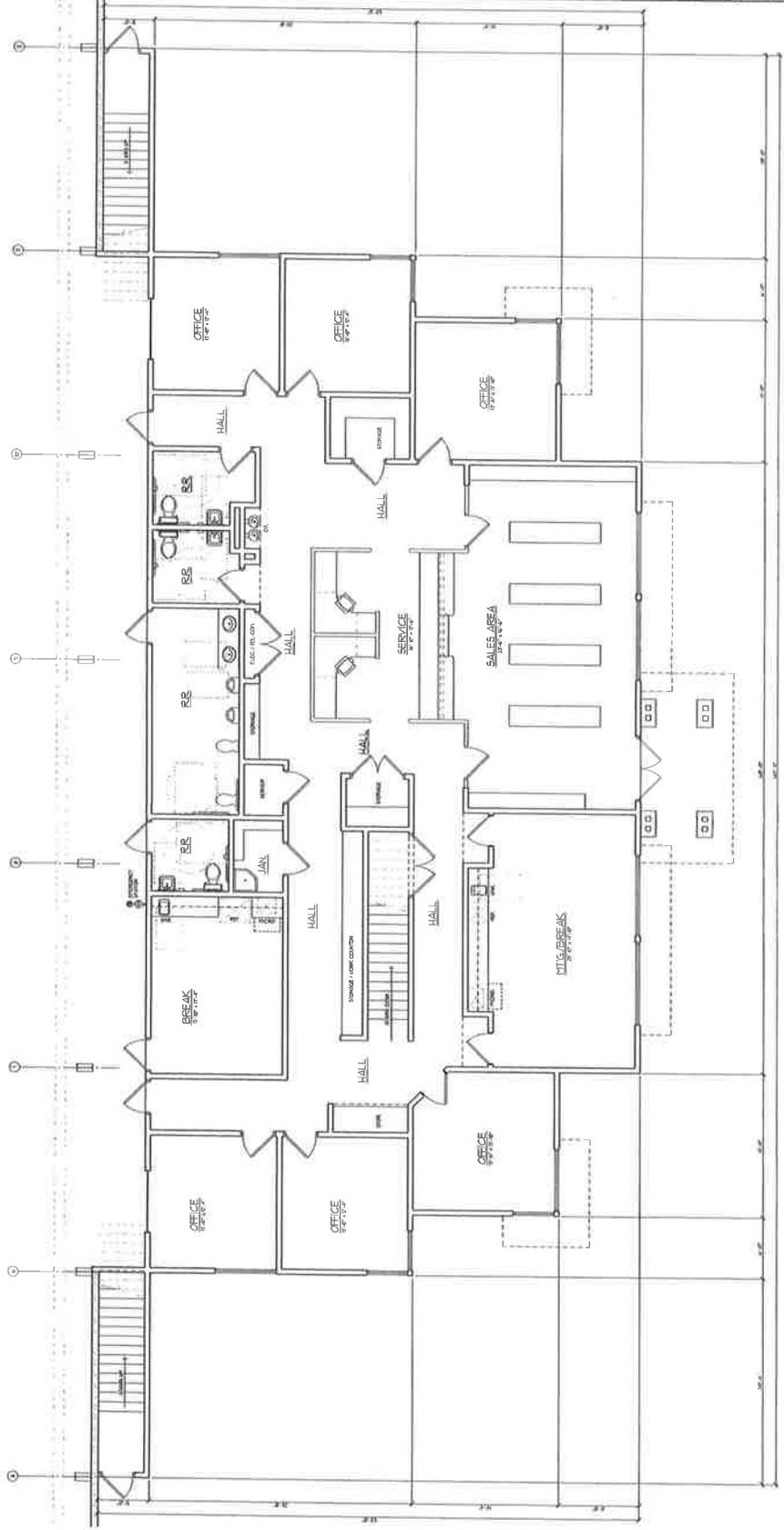
**PROJECT:**  
 1000 S. GARDEN ST. SUITE 100  
 ANAHEIM, CA 92805

**CNS STEEL**

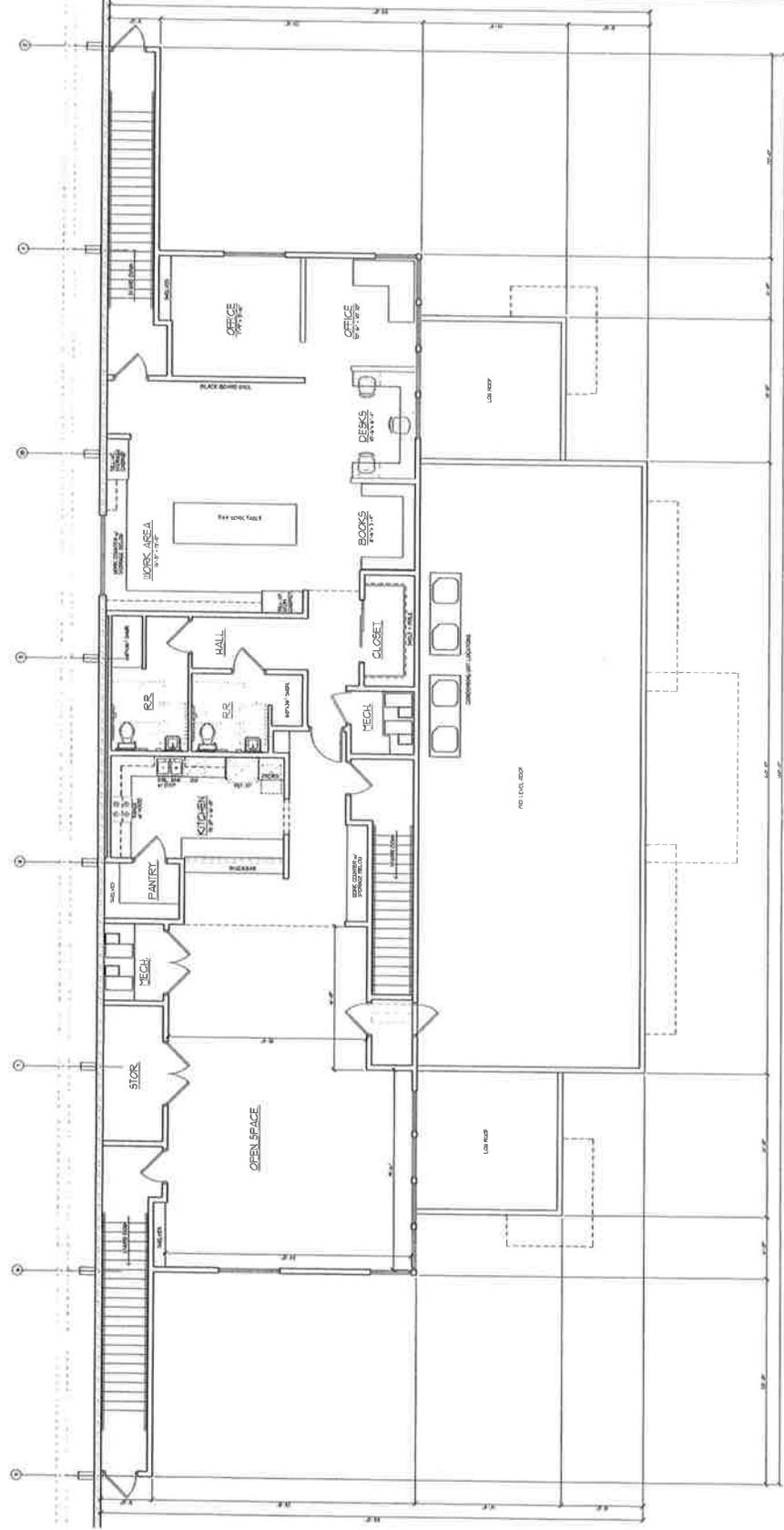
**TEAM:** CALIFORNIA  
**ARCHITECT:** TAB  
**ENGINEER:** A NEW FORTY FIVE

**DATE:** 10/10/16  
**PROJECT NO.:** 10000  
**SCALE:** 1/8" = 1'-0"

**NO.:** A2.2  
**PROJECT NO.:** 10000

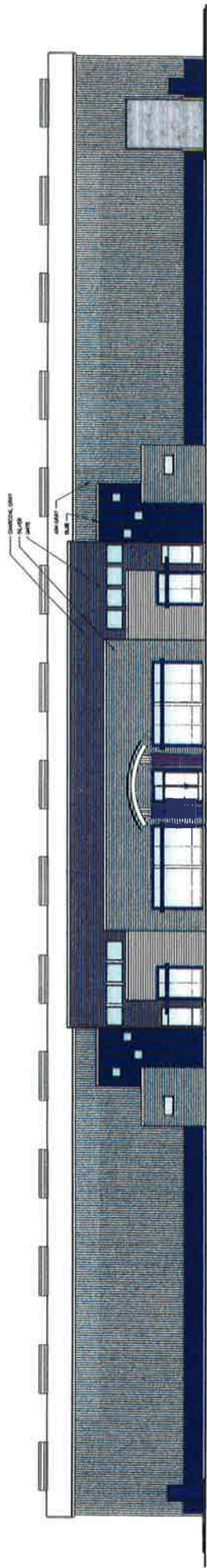


**GROUND FLOOR OFFICE FLOOR PLAN**



SECOND FLOOR  
ENLARGED OFFICE FLOOR PLAN





FRONT ELEVATION - COLORED



## INTEROFFICE MEMORANDUM

Engineering Department

Michael W. Miller, City Engineer

TO: Planning and Building

FROM: Engineering

SUBJECT: Conditional User Permit No.: 2016-19

LOCATION: Industrial Place (APN 191-320-012)

OWNER/DEVELOPER: CNS Steel

DATE: 11/08/2016

1. All required engineering plans and calculations shall be prepared by a registered civil engineer. Any elevations shown on plans required for the subject development shall be based on the official City of Tulare datum. The Engineer shall provide three (3) copies of each improvement plan set submitted to the City of Tulare for checking. All public improvements shall be on 24" x 36" sheets, in a plan/profile format at a scale of 1"=50' or larger. Private on-site improvements may be plan-view only format, and may be on sheet sizes consistent with the rest of the on-site construction plans. Following approval of the improvement plans, the Engineer shall provide the City of Tulare with two reproducible plan sets. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements.
2. Any work to be done within the City street rights-of-way requires an encroachment permit issued by the Engineering Department, and shall be done under the inspection of the City Public Works Inspector. All contractors working within City street rights-of-way shall possess a valid City of Tulare business license. Separate encroachment permits are also required from the following agencies for work within their rights-of-way or on their facilities:  County of Tulare: \_\_\_\_\_,  State: \_\_\_\_\_,  Tulare Irrigation District.
3. All design and construction of public improvements shall be in accordance with applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering conditions are intended to deal with major issues apparent to the Engineering Department while reviewing this development proposal. Nothing in these conditions precludes the City Engineer from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.
4. Easements will be required for all utilities to be located outside of dedicated rights-of-way. Six-foot public utility easements will be required along all street frontages, unless otherwise waived by the City Engineer. Additional easements may be required for ingress/egress, drainage, or shared trash enclosures.
5. New City standard curb and gutter shall be installed along the following street frontage(s): Industrial Place along project frontage. Curb and gutter installation to be deferred for future parcels until time of

their development. Existing asphalt curb along west side of Industrial Place to be removed during full pave out of Industrial Place. A swale replacing the asphalt curb will direct storm flow toward adjacent frontages and shall not be directed toward Industrial Avenue. Existing temporary drain inlet on west side of Industrial Place to be removed, and lateral plugged per City standards. Any unused depressed curb along project frontages shall be replaced with City standard barrier curb or, subject to City Engineer approval, a full City standard drive approach.

6. New City standard sidewalk shall be constructed as indicated below. The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For areas located within a Landscape and Lighting District, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

<u>Location</u>	<u>Configuration</u>	<u>Width</u>
Industrial Place along Project Frontage	adjacent to curb	6-ft

7. New City standard ramped curb returns and/or pedestrian ramps shall be installed at drive approach entrance/exit if required by City of Tulare Chief Building Official. Existing ramped curb returns and/or pedestrian ramps shall be upgraded to meet current design standards at northwest corner of Industrial Place and Industrial Avenue when adjacent lot is developed.
8. New City standard driveway approach(es) shall be constructed at entrance and exit drives of project.
9. The following minimum street improvements are required:
  - a. Full paveout from lip of gutter to the existing edge of pavement along the project's frontages of Industrial Place.
  - b. Full paveout with redwood header from future lip of gutter to the existing edge of pavement along future parcel's frontage on Industrial Place.
  - c. Construction of knuckle at north end of Industrial Place, and associated modification to existing curb and gutter required to accommodate same.

Roadway structural section design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the design criteria provided below:

<u>Roadway</u>	<u>Classification, Design T.I.</u>
Industrial Place	Industrial Street, T.I. = 8.5

10. On-site A.C. pavement design shall be based upon the results of "R" Value tests at locations approved by the City Engineer, and the following traffic index requirements: 4.0 for parking areas, 4.5 for travel lanes, and 6.5 for truck routes (including solid waste collection vehicles) up to end of Phase 1 building. A temporary 20' wide paved drive, 2" A.C. over native soil, east of industrial area shown on plan will be required for Phase 1 to allow fire department equipment complete access to buildings on-site.
11. Street Lights (Standard Concrete Marbelite Pole) shall be installed at locations designated by the City Engineer, and shall comply with the following general requirements:
  - LED, SCE Owned/Maintained on a metered service. The following street lights are required on roadways as follows:
    - 41 Watt LED 9,500 Lumen H.P.S.V. equivalent with 26-ft pole height and 6-ft mast arm: West side of Industrial Place at south end of Project site.
12. The following right-of-way dedications are required for street/alley purposes:
  - a. 20' property corner radius: At northwest corner of Industrial Place and Industrial Avenue
  - b. Alley: \_\_\_\_\_
  - c. Street: Irrevocable Offer of Dedication for Industrial Place
13. Existing reciprocal access easement along Industrial Place does not extend along full length of Project site. Applicant will be required to obtain ingress/egress rights for remainder of Project frontage.

Applicant will also be required to obtain temporary construction easement from adjacent property owner for construction of knuckle at north end of Industrial Place.

14. The Owner/Developer shall be responsible for all costs associated with the removal, relocation and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the bonding provided for the project.
15. Fire hydrants and fire suppression systems shall be provided as required by the City of Tulare Fire Marshall. The proposed development shall demonstrate that sufficient flows are available to support the required improvements. All points of connection to the City water system are subject to the approval of the City Engineer.
16. The proposed development shall install water services with back flow devices, as approved by Planning and Building. Water sizing calculations shall be provided at time of building permit application. Domestic and landscaping services shall be metered services using the make and model of meter specified by the City of Tulare Public Works Department. No substitutions are allowed.
17. Existing water wells shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
18. The proposed development shall connect to City sewer. If service from an existing lateral is proposed, said lateral shall be exposed for inspection by the Public Works Inspector and upgraded to current City standards if found to be broken or substandard.
19. A sewer monitoring station, oil/water separator and/or grease interceptor shall be installed as required by the wastewater manager.
20. Existing septic tanks shall be abandoned, filled and sealed in accordance with applicable City, County of Tulare, and State of California standards.
21. A grading/drainage plan prepared by a Registered Civil Engineer or Licensed Architect and subject to approval by the City Engineer shall be submitted. The plan shall include existing and proposed contours, and detail the means of collection and disposal of storm water runoff from the site and adjacent road frontages in such a manner that runoff is not diverted to adjacent property. On-site retention of storm water runoff is  required  not required.

A letter certifying that construction was completed according to the approved grading/ drainage plan shall be prepared by a Registered Civil Engineer or Licensed Architect and submitted to the City Engineer prior to the issuance of final occupancy permits. The Engineer or Architect shall affix their stamp and seal to the letter.

22. A trash enclosure is required and shall be shown on the improvement drawings. The type, location and orientation of the enclosure shall be subject to the approval of the Solid Waste Division Manager. For doublewide enclosures, separate bins are required for solid and recyclable waste, and identification signing shall be posted adjacent to all points of direct access. The wording of the signing shall be clear and concise, and shall identify all materials accepted in the recycling bin.
23. A Public Works Inspection Fee is required prior to the construction of improvements.
24. A landscaping plan subject to the review and approval of the Director of Parks and Community Services shall be provided. Approval of the landscaping plan is required prior to approval of engineering improvement plans by the City Engineer. All existing trees that conflict with proposed improvements shall be removed to a depth of two (2) feet below proposed finish grade.
25. In conformance with the City of Tulare's adopted air pollution control measures, a sign instructing delivery vehicle drivers to turn off their vehicle's engine while making deliveries shall be prominently posted at the location where deliveries are received.
26. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a),

these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

27. All applicable City fees shall apply unless specifically waived or modified elsewhere in these conditions. All fees shall be based on the current fee schedule in effect at the time of recordation of the final map. These fees include, but are not limited to:

- Sewer front foot charges of \$ TBD per front foot for frontages on Industrial Place.
- Sewer lift station fee of \$ \_\_\_\_\_ per acre.
- Water front foot charges of \$ 17.50 per front foot for frontages on Industrial Place.
- Street front foot charges of \$ \_\_\_\_\_ per front foot for frontages on \_\_\_\_\_.
- Benefit district creation fee (if applicable): \$ 1,008.19 per district.
- Traffic signal in-lieu fee of \$ \_\_\_\_\_.
- TID ditch piping In-lieu fee of \$ \_\_\_\_\_.
- Sewer main construction in-lieu fee of \$ \_\_\_\_\_.
- Water main construction in-lieu fee of \$ \_\_\_\_\_.
- Street construction in-lieu fee of \$ \_\_\_\_\_.
- Engineering inspection fee based on a percentage of the estimated cost of construction.
- Development impact fees to be paid with building permit.
- Engineering plan check fee to be paid at time of plan submittal.
- Final map plan check fee to be paid at time of map submittal.
- Other: \_\_\_\_\_

28. Additional Conditions:

\_\_\_\_\_

Prepared By: Tony Trevino, Engineering Assistant

**TULARE FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

The Fire Prevention Bureau conveys the following comments for CUP 2016-19:

**Project Name: CNS Steel**

**Date: 10/21/16**

1. The project must comply with all of the latest applicable codes and standards.
2. Based on the occupancy classification and square footage of the proposed commercial buildings an automatic fire sprinkler system *will* be required.
3. When a commercial fire sprinkler system is required, all valves controlling the water supply for the automatic fire sprinkler systems and water-flow switches on all commercial fire sprinkler systems shall be electronically monitored where the number of fire sprinklers is more than 20.
4. For automatic fire sprinkler systems, underground plans must be submitted along with the above ground plans. *A fire hydrant will be required within 50 feet of the Fire Department connection for all commercial applications.* The project **must** meet the minimum fire flow requirements per the tables in Appendix B & C of the California Fire Code.
5. Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required. Fire hydrant spacing shall be as follows:
  - a. **Commercial development**, one hydrant shall be installed at **300-foot** intervals.Or as required by Appendix C California Fire Code.
6. An approved water supply for fire protection **shall** be made available prior to combustible materials arriving on the site.
7. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the commercial buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20' wide and have a minimum height clearance of 13'6"
8. **All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities and comply with engineering standards. \*Phase II of project shall have a continued asphalt concrete approved access road around perimeter or buildings.**
9. Additional access may be required per CFC 2010 Section 503.1.2. The Fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code.
10. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City Engineering Standards.

**TULARE FIRE DEPARTMENT  
FIRE PREVENTION BUREAU**

11. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official. An application may is available at [www.knoxbox.com](http://www.knoxbox.com) department search "Tulare cit".

Shelli Vinson  
Fire Inspector III

# INTEROFFICE MEMORANDUM

**TO:** Development Services Division  
**FROM:** Parks Division  
**SUBJECT:** CUP 2016-19 (CNS Steel, Industrial Place)  
**DATE:** November 8, 2016

The main objectives of the City of Tulare's Landscaping Ordinance include conserving water through the selection of plants consistent with Tulare's Mediterranean climate; design of water efficient landscapes; and to enhance the aesthetic appearance of the city by promoting development that is well landscaped, properly irrigated and effectively maintained.

Development projects should include the following basic standards from the City's landscape Ordinance:

1. Four (4) sets of detailed landscape and irrigation plans that meet the City of Tulare's standards are required to be submitted prior to building permit issuance.
2. All areas not set aside for parking, storage, driveways, and walkways or loading areas shall be landscaped. A minimum of 5% of the gross lot area shall be developed.
3. Landscaped areas over 2,500 sq. ft. must comply with AB 1881 Water Efficient Landscape Standards and be certified by the developer.
4. Landscaped areas that front onto a street shall have a minimum tree density of one tree for every 200 sq. ft. of planter area.
5. Shrubs: At least 50% of shrubs within planter areas are to be 5 gallon size and spaced in such a way as to achieve a minimum of 1 plant per 20 square feet.
6. Trees used in parkways shall be from the approved City of Tulare Street Tree list.
7. All parking lots with a capacity of 20 cars or more shall contain shade trees, which within 10 years from installation, shall shade 50% of the parking lot.
8. For each ten parking spaces, a minimum of one 15-gallon shade tree shall be installed, but more may be required to meet the 50% shading requirement.
9. A minimum of 25% of the trees planted shall be 24 inch box trees or larger. The remaining trees shall be 15 gallon or larger and double staked per City Standards.
10. Shade trees planted within a parking lot shall be evenly distributed throughout the lot.
11. Turf shall not exceed 50% of the total landscaped area.
12. A minimum of 2" of forest humus or walk-on bark shall be applied to all planting areas except turf.
13. An approved back-flow device is required upstream of the irrigation system.
14. An automated irrigation controller is required, as well as an automatic rain shut-off device on irrigation systems with seven (7) or more valves.

A complete copy of the City's landscape standards may be viewed on-line at [www.ci.tulare.ca.us](http://www.ci.tulare.ca.us). If there are questions regarding the above requirements or how they impact the specific project, please contact the City of Tulare, Recreation and Parks Department at 559-684-4310.



October 12, 2016 **Addendum**

Amy Wilson  
City of Tulare  
Community Development Services  
411 East Kern Avenue  
Tulare, CA 93274

**Agency Project: Conditional Use Permit 2016-19 for CNS Steel**

**District CEQA Reference No: 20160614**

Dear Ms. Wilson:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project. Per the Conditional Use Permit Referral, the project consists of a proposal to construct an approximately 43,925 square foot steel fabrication facility. The project will include a 36,300 square foot manufacturing area with 7,625 square foot office area. The 9.46-acre project site is located on Industrial Drive, in Tulare, CA. (APN: 191-320-012)

Per the additional information submitted by the City of Tulare on October 12, 2016, the proposed facility would utilize plasma cutting.

The District offers the following comments:

1. Based on information provided to the District, project specific emissions of criteria pollutants are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.
2. The proposed project is subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review). As such, the District recommends the applicant contact the District's Small Business Assistance (SBA) office prior to starting construction regarding the requirements for an Authority to

Seyed Sadredin  
Executive Director/Air Pollution Control Officer

Northern Region  
4800 Enterprise Way  
Modesto, CA 95356 8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: 661-392-5500 FAX: 661-392-5585

Construct (ATC) and to identify other District rules and regulations that apply to this project. SBA staff can be reached at (559) 230-5888.

3. Pursuant to Section 4.4.3 of District Rule 9510 (Indirect Source Review) projects whose primary functions are subject to District Rules 2010 and 2201 are exempted from the requirements of District Rule 9510. Therefore, the District concludes that the proposed project is not subject to District Rule 9510.
4. The District recommends that a copy of the District's comments be provided to the project proponent.

If you have any questions or require further information, please contact Georgia Stewart at (559) 230-5937.

Sincerely,

Arnaud Marjollet  
Director of Permit Services



For: Brian Clements  
Program Manager

AM: gs

**RESOLUTION NO. 5202**

**A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION  
ADOPTING A NEGATIVE DECLARATION FOR  
CONDITIONAL USE PERMIT NO. 2016-19**

**WHEREAS**, the City of Tulare Planning Commission held a regular meeting on November 14, 2016 to consider a request by CNS Steel, Inc. (Clint Russel) to construct an 80,225 sf. steel fabrication facility (72,600 sf. warehouse/ 7,625 sf. office constructed in two phases) on property located on Industrial Place (Private Road), off of Industrial Avenue.; and

**WHEREAS**, the City of Tulare Planning Commission determined that a Negative Declaration has been prepared in accordance with the California Environmental Quality Act; and,

**WHEREAS**, the City of Tulare Planning Commission considered the proposed Negative Declaration and finds that there is no substantial evidence that the project will have a significant effect on the environment; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed Negative Declaration reflects the independent judgment of the lead agency; and,

**NOW, THEREFORE, BE IT RESOLVED** that the City of Tulare Planning Commission approves a Negative Declaration for Conditional Use Permit No. 2016-19 and recommended it to the City Council for adoption.

**PASSED, APPROVED AND ADOPTED** this fourteenth day of November, 2016 by the following recorded vote:

AYES: \_\_\_\_\_

\_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
JEFF KILLION, CHAIRMAN  
City of Tulare Planning Commission

ATTEST:

—

\_\_\_\_\_  
ROB HUNT, SECRETARY  
City of Tulare Planning Commission

**RESOLUTION NO. 5203**

**A RESOLUTION OF THE CITY OF TULARE PLANNING  
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2016-19**

**WHEREAS**, the City of Tulare Planning Commission at a regular meeting held on November 14, 2016, to consider a request by CNS Steel, Inc. (Clint Russel) to construct an 80,225 sf. steel fabrication facility (72,600 sf. warehouse/ 7,625 sf. office constructed in two phases) on property located on Industrial Place (Private Road), off of Industrial Avenue.; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed location of the conditional use is in accordance with the objectives of the Zoning Title and the purposes of the District in which the site is located; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed location of the conditional use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed conditional use will comply with each of the provisions of the Zoning Title; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the proposed use is consistent with the Tulare General Plan; and,

**WHEREAS**, the City of Tulare Planning Commission determined that the site for the proposed use is adequate in size, shape and location to accommodate the use the district for which it is proposed; and,

**WHEREAS**, the City of Tulare Planning Commission determined that a Negative Declaration has been prepared in accordance with the California Environmental Quality Act; and,

**NOW, THEREFORE, BE IT RESOLVED** by the City of Tulare Planning Commission that Conditional Use Permit Application No. 2016-19 is hereby approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) The conceptual site plan and elevations for the proposed steel fabrication facility and its associated parking and landscaping are approved as shown in shown in the attachments hereto.
- 3) Applicant shall comply with San Joaquin Valley Air Pollution Control District Rule 2010, Rule 2201, Dust Control and SWPP requirements.

- 4) In accordance with Zoning Ordinance Section 10.116.080, this Conditional Use Permit approval shall lapse and become void (3) years from the effective date of approval, unless a building permit is issued by the City and construction is being diligently pursued.
- 5) All roof mounted equipment shall be screen from public view by materials similar to those used in overall structure and approved by the Community Development Director at time of Building Permit review.
- 6) Applicant shall obtain clearance letter from Tulare County Airport Land Use Commission consistent with adopted airport master plan prior to building permit issuance.
- 7) Applicant shall comply with Engineering, Fire Department and Parks Division comments/conditions (Attachments III, IV and V).
- 8) Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.
- 9) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City's landscape ordinance.
- 10) Applicant shall maintain on-site parking spaces at a ratio of 1.2 spaces per employee during the maximum shift.
- 11) Approval does not authorize any deviation from Fire and Building Codes.
- 12) The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project begins as of the date of Planning Commission's conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

**PASSED, APPROVED AND ADOPTED** this tenth day of October, 2016 by the following recorded vote:

AYES: \_\_\_\_\_

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NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

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JEFF KILLION, CHAIRMAN  
City of Tulare Planning Commission

ATTEST:

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ROB HUNT, SECRETARY  
City of Tulare Planning Commission