



Community & Economic Development Department

To: *Planning Commission*
From: *Steven Sopp, Associate Planner*
Re: *Copper Creek*
Date: *January 14, 2019*

Department staff has received a request by Thomas Foran for a time extension for the Copper Creek Tentative Subdivision Map (TSM). The Copper Creek TSM subdivides approximately 1.53 acres into 6 common area lots for residential development of 20 condominiums on the property located on the south side of Inyo Avenue, between Marin and West Streets.

The Copper Creek TSM was approved by the Planning Commission on December 17, 2007 and was valid for a period of 24 months. A one-year time extension was then approved extending the map to December 17, 2010. The Copper Creek TSM then qualified for a series of automatic time extensions granted through State legislative action approved by AB 333, AB 208, AB 116 and AB 1303 which extended the map to December 17, 2018.

The Subdivision Map Act Section 66452.6(e) allows that the developer may request and the City may grant, discretionary extensions not to exceed a total of (6) years. The requested time extension would be the second one-year time extension available under provisions of the Subdivision Map Act and would extend the map to December 17, 2019.

RECOMMENDATION

Staff offers no objections and recommends that a one-year extension be approved until December 17, 2019.

Attachments

Applicants Extension Request
 TSM Copper Creek
 Site Plan Copper Creek

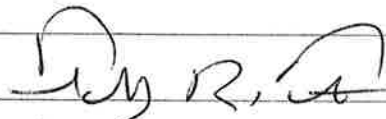
OCT 15, 2018

Steven,

AS PER RECENT PHONE CONVERSATION
PLEASE FIND ENCLOSED A CHECK FOR \$293

I WISH TO BE CONSIDERED FOR A ONE
YEAR EXTENSION ON TENTATIVE MAP APPROVAL
FOR AN UNIMPROVED PARCEL LOCATED IN
THE CITY OF TULARE APN# 168-180-012-000
MAP TSM COPPER CREEK RANCH ZA# 665
CUP 2007-33 LOCATED ON INYO AVE
APPROX 1.53 AC.

I DECLARE THAT I AM THE LEGAL OWNER
OF THIS PROPERTY. I APPRECIATE YOUR HELP
ON THIS MATTER.



THOMAS R. FORAN

8970 JUNIPERO AVE

ATASCADERO, CA. 93422

805 461-0282-805 550 2931

EMAIL LORINDA.FORAN@YAHOO.COM

COPPER CREEK RANCH TENTATIVE SUBDIVISION MAP A CONDOMINIUM PROJECT

BEING A PORTION OF THE N.1/2 OF THE N.E. 1/4 OF THE S.E. 1/4 OF SEC. 9 T.20S., R.24E., M.D.B. & M. LOCATED IN THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA.

JUNE 2007

OWNERS: RONALD RAY HOMES, INC.

DEVELOPER: RONALD RAY HOMES, INC.
P.O. BOX 2160
TULARE, CALIFORNIA, 93275
PH: 280-0692

SURVEYOR: FORESTER WEBER & ASSOCIATES L.L.C.
1020 N. Market Vnch, Suite B
Visalia, California 93291
(559) 732-0102

NOTES:

EXISTING PROPERTY USE: RESIDENTIAL
PROPOSED PROPERTY USE: RESIDENTIAL
A.P.N.: 065-019-012
ZONING: R-1
CITY: CITY OF TULARE
SEWER: CITY OF TULARE
STORM DRAINAGE: CITY OF TULARE
FLOOD ZONE: 17
AREA: 1.53 AC±

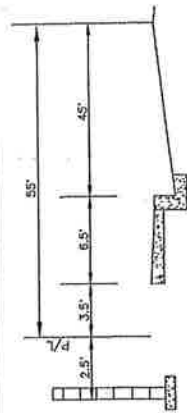
ACCESS EASEMENT AREA & UTILITIES
SET BACKS: FRONT 17.5'
REAR 10'
SIDES 10'

SEE SHEET 2 FOR CONDOMINIUM UNITS

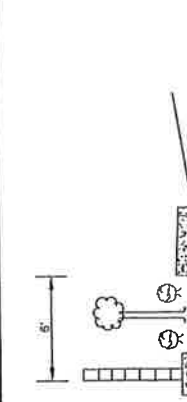
LOTS 1, 2, 3 & 4 ARE TO BE USED FOR 3 CONDOMINIUM UNITS EACH
LOTS 5 & 6 ARE TO BE USED FOR 4 CONDOMINIUM UNITS EACH
ALL AS DEFINED IN SECTIN 1355, ET. SEQ. OF THE CIVIL CODE OF THE STATE OF CALIFORNIA AND IS FILED PURSUANT TO THE SUBDIVISION MAP ACT.

TRASH PICKUP-ROLL OUT CANS FOR DOMESTIC WASTE
GREEN WASTE-TO BE REMOVED BY GARDENER

LOT A- PRIVATE STREET, GUEST PARKING & EASEMENT FOR CITY SEWER & WATER
LOT B & C- LANDSCAPE AREA



X-SECTION LANDSCAPE AREA



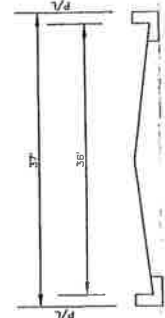
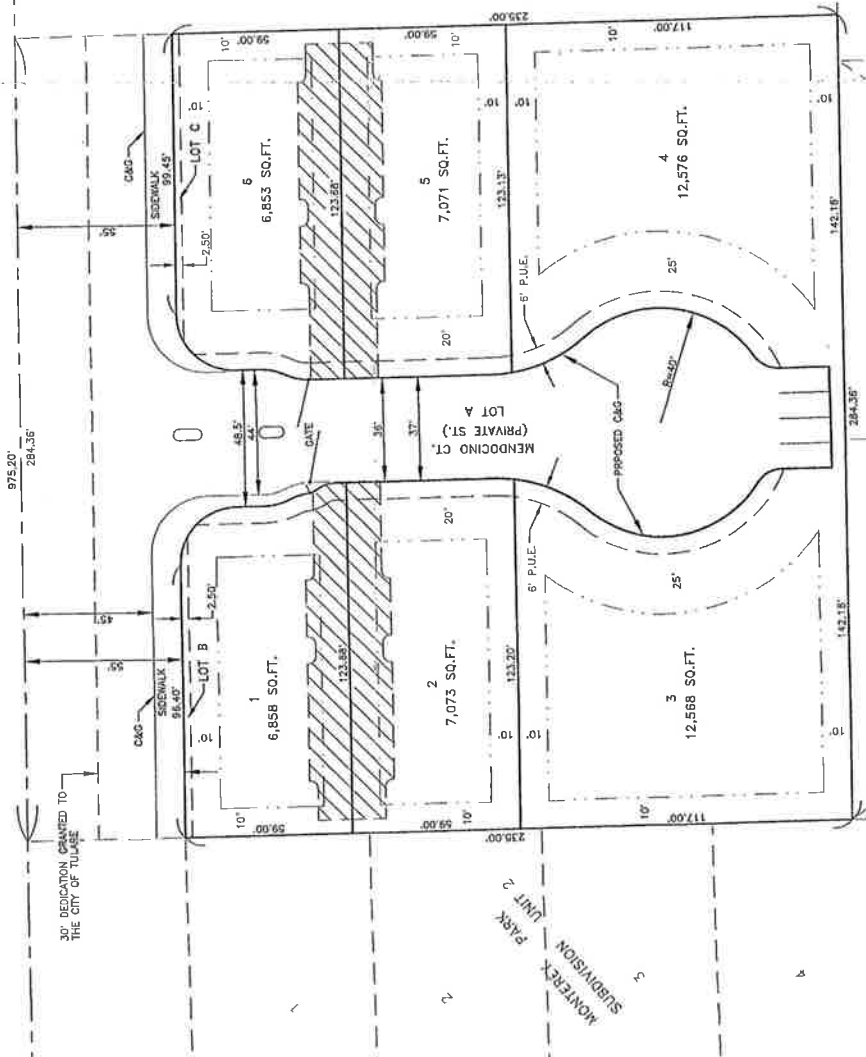
X-SECTION INYO AVE.

SCALE 1" = 30'

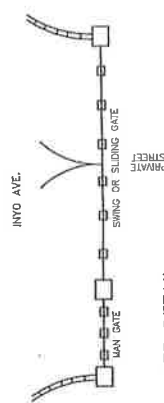


E. 1/4 COR. OF SEC. 9-20/24

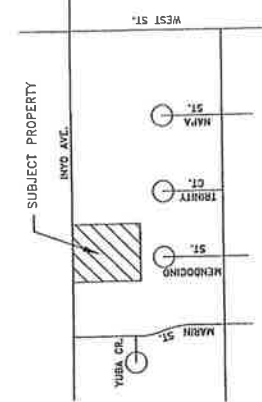
INYO AVE.



X-SECTION PRIVATE ST.

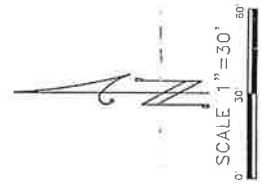
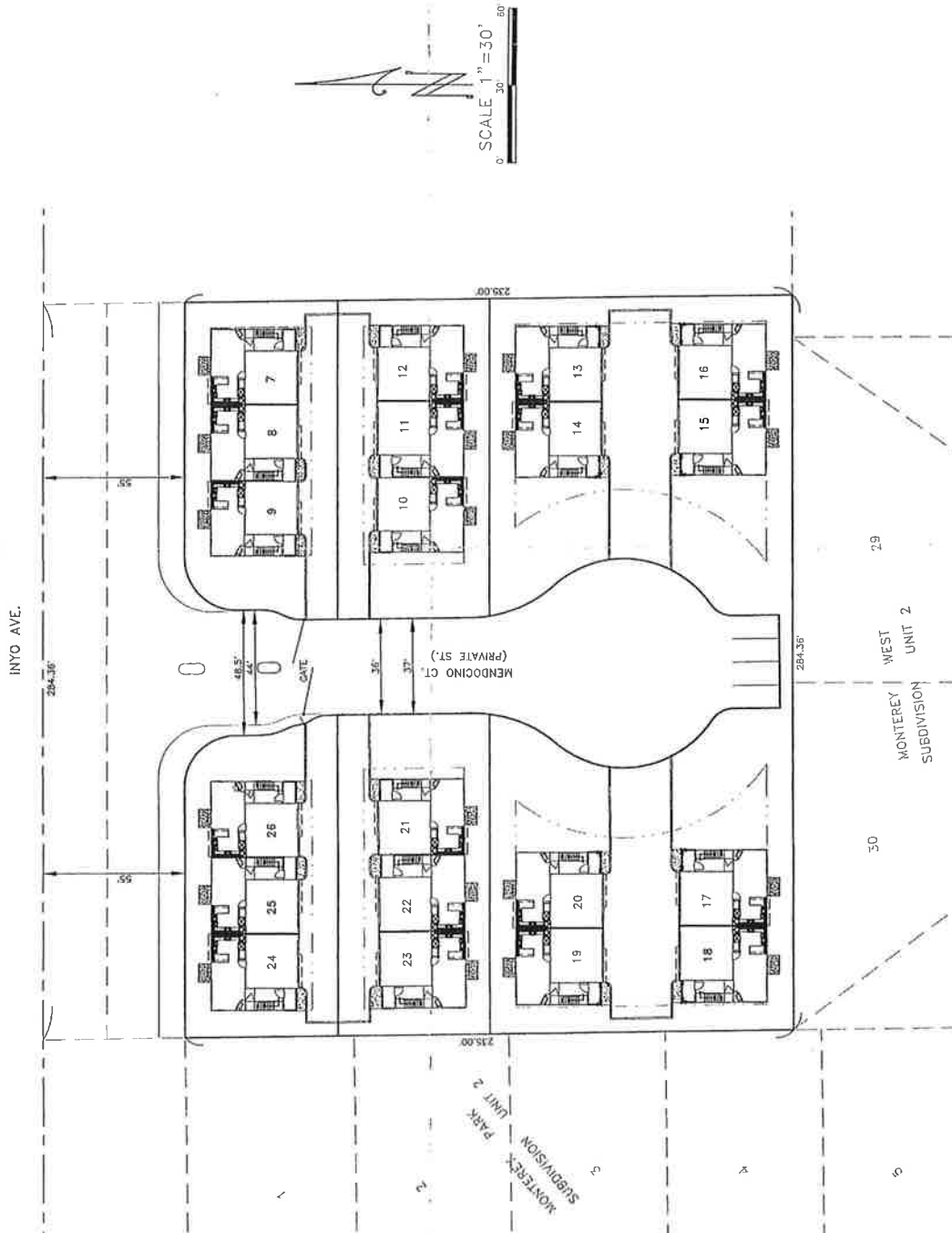


GATE DETAIL



Vicinity Map
NO SCALE

TENTATIVE SUBDIVISION MAP
A CONDOMINIUM PROJECT



**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

January 14, 2019

CONDITIONAL USE PERMIT No. 2018-28

PROJECT PLANNER:	Steven Sopp, Associate Planner
APPLICANT:	SKW Architects
LOCATION:	134 South 'K' Street
APN:	176-082-010
ZONING CLASSIFICATION:	C-3 (Retail Commercial)
GENERAL PLAN DESIGNATION:	Central Business District
SURROUNDING LAND USES AND ZONING:	North: Commercial Bldg. C-3 South: Commercial Bldg. C-3 West: Commercial Bldg. C-3 East: Wells Fargo/Parking C-3

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2018-28 subject to the findings and conditions in Resolution No. 5306. Staff's recommendation is based on the findings and the project's consistency with the policies and intent of the City's General Plan and Municipal Code.

REQUEST:

Conditional Use Permit No. 2018-28 is a request by SKW Architects on behalf of Teodo Holdings LLC to obtain a conditional use permit for an ABC license (Type 41: On Sale Beer & Wine—Eating Place) to sell beer and wine on-site at 134 South 'K' Street in association with a restaurant proposed within an approximately 2,300 sq. ft. portion of an existing commercial building.

DETAILS OF THE PROPOSAL:

The applicant proposes to establish a 'Tacos N Taps' restaurant within an approximately 2,300 sq. ft. portion of an existing commercial building located at 134 South 'K' Street on the east side of 'K' Street between Kern and Tulare Avenues. The restaurants proposed hours of operation are 11:00AM-9:00PM Monday through Friday and 4:00PM to 2:00AM Saturdays and Sundays. The restaurant intends to employ 9 to 12 employees split between multiple shifts during hours of operation.

STAFF COMMENTS:

The zoning ordinance requires that businesses engaged in on-sale alcoholic beverages are subject to a conditional use permit (Zoning Ordinance Section 10.168.04). This application is for an ABC Type 41 On Sale Beer & Wine in conjunction with a restaurant.

No comments have been received by staff in response to the public notice that was published and mailed to surrounding property owners.

ENVIRONMENTAL FINDINGS:

This project is exempt pursuant to Section 15301 (existing facilities) of the California Environmental Quality Act of 1970, as amended.

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2018-28:

- 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.
- 5) That the request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site.
- 6) The project is exempt pursuant to Section 15301 (existing facilities) of the California Environmental Quality Act of 1970, as amended.
- 7) That public convenience and necessity would be served by the issuance of an “on-sale beer and wine — eating place” Type 41.

CONDITIONS:

Based on the approved findings, staff recommends that Conditional Use Permit No. 2018-28, be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.

- 2) This permit is limited to on-sale beer and wine in conjunction with a restaurant.
- 3) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 4) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 5) Applicant to maintain all licenses and/or permits required by the State.

APPEAL INFORMATION:

According to the City of Tulare Zoning Ordinance Section 10.20.020, decisions of the Planning Commission may be appealed by filing a letter with the City Clerk, located at 411 East Kern Avenue, Tulare, CA 93274, no later than ten (10) days after the day on which the decision was made. The appeal shall state the name of the person making the appeal, the decision that is being appealed, and the reasons for the appeal, including an error, abuse of discretion or a decision that is not supported by the evidence in the record.

Attachments:

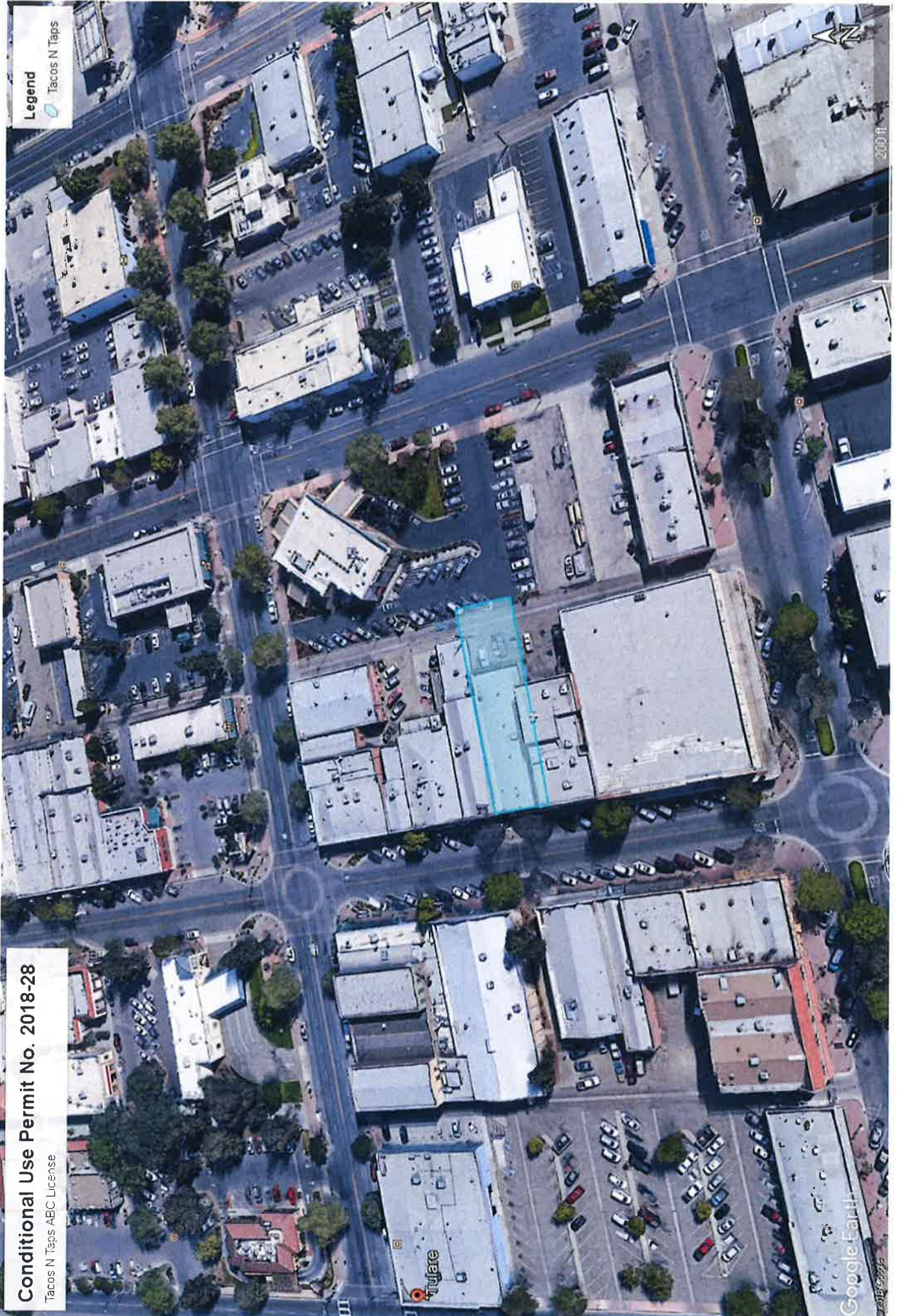
- I. Location Map
- II. Site Plan
- III. Floor Plan
- IV. Elevations
- V. Resolution

Conditional Use Permit No. 2018-28

Tacos N Taps ABC License

Legend

Tacos N Taps



PROJECT INFORMATION

PROJECT SITE: 134 S K STREET TULARE, CA 93274
 PROJECT OWNER: TEGODO HOLDINGS LLC
 ARCHITECT: DENNIS D. WHISTLER
 SKW ARCHITECTS
 303 N. CHURCH
 VISALIA, CA 93274
 (559) 734-1725

APN: 176-082-010-000
 ZONE: S
 BUILDING AREA: C3

OCCUPANCY GROUP: S
 SUITE A: 2,742 SF
 SUITE B: 2,127 SF
 TOTAL: 4,869 SF

LEGAL DESCRIPTION: THE SOUTHWEST 1/4 SECTION AND ALL OF THE SOUTHWEST 1/4 SECTION, TOWNSHIP 12N, RANGE 12E, SECTION 36, TULARE COUNTY OF TULARE, STATE OF CALIFORNIA, AS SHOWN IN THE PUBLIC RECORDS OF TULARE COUNTY, CALIFORNIA, BOOK 3, PAGE 8 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

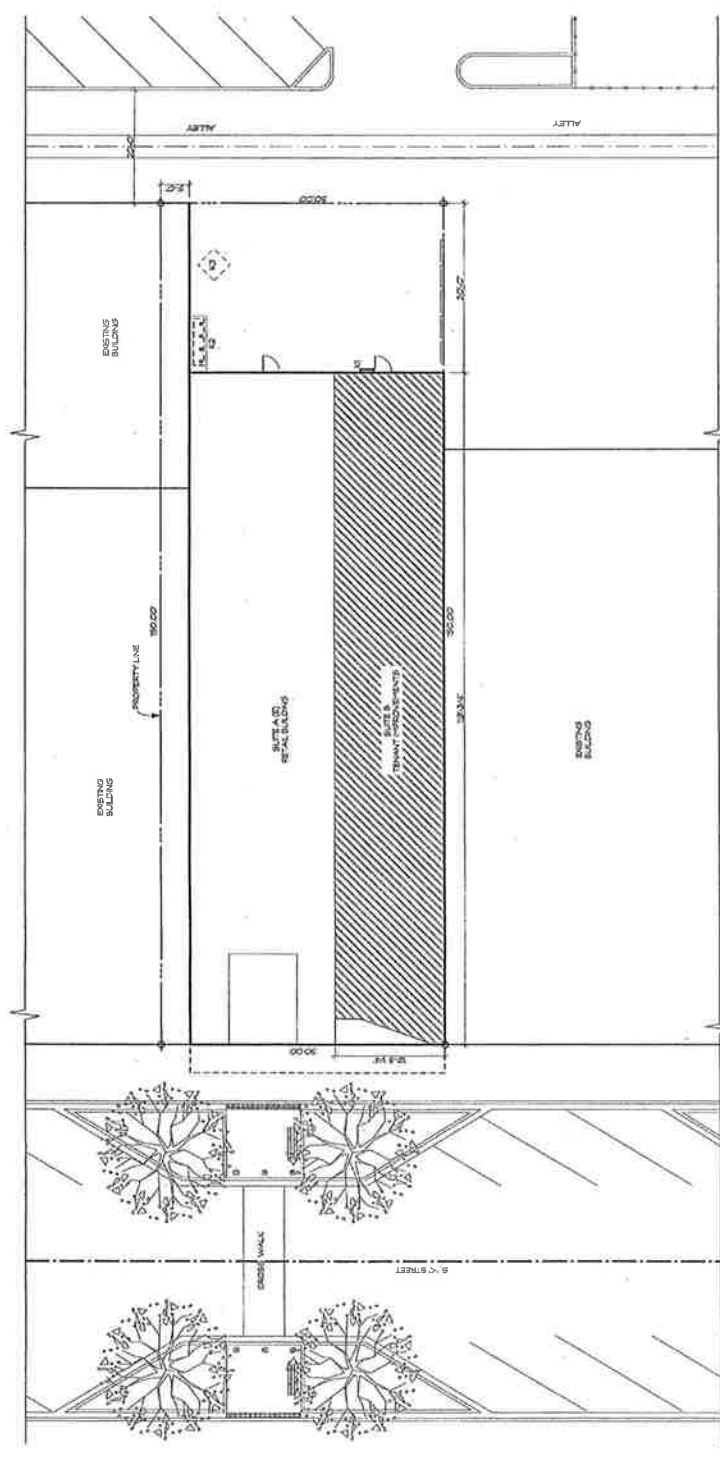
GOVERNING CODES: 208 CALIFORNIA BUILDING CODE
 208 CALIFORNIA ELECTRICAL CODE
 208 CALIFORNIA PLUMBING CODE

KEY NOTES

- K1: ALL ELECTRICAL SERVICES METERS
- K2: GAS METERS W/ FIRE BOLLARD PROTECTION
- K3: TRASH BIN LOCATION SHOWN PROVIDED BY OTHERS

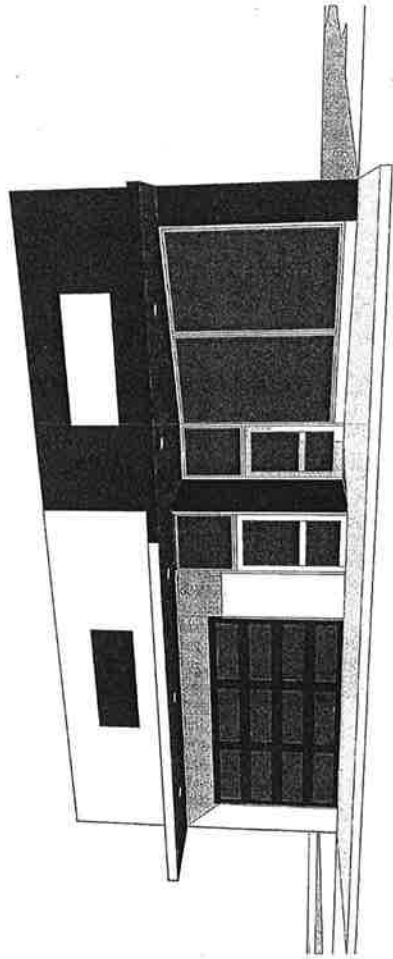
SHEET INDEX

- A-1: PROJECT INFORMATION, SITE PLAN
- A-2: FLOOR PLAN
- A-3: EXISTING AND PROPOSED PLUMBING PLAN
- B-1: ELECTRICAL PLAN
- M-1: HVAC
- M-2: TITLE 24

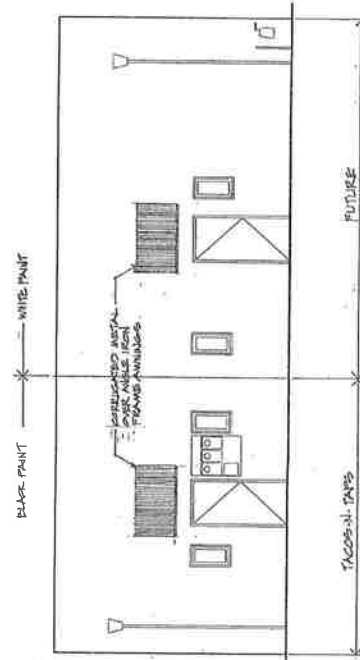
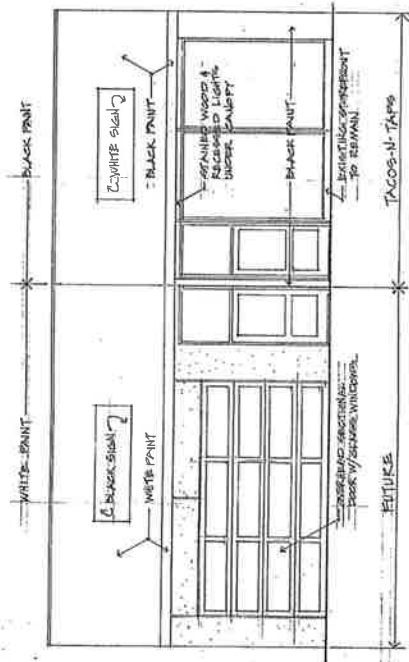


SITE PLAN

PROJECT DATE: 2/25/25 REV: 00/00/00	SHEET TITLE: PROJECT INFORMATION & SITE PLAN	SHEET NO.: A-1
TACOS-N-TAPS TEGODO HOLDINGS LLC. 134 S K STREET TULARE, CA 93274		
		
SKW ARCHITECTS R. MICHAEL KEEPE, ARCHITECT DENNIS D. WHISTLER, ARCHITECT		
303 N. CHURCH VISALIA, CA 93274 559 - 734 - 1725		
ALO ARCHITECTURE 339-897-4453		



ELEVATION



EXTERIOR ELEVATIONS

1/4" = 1'-0"

ALO
 ARCHITECTS
 335 - 897 - 4493

303 N. CHURCH
 VISALIA, CA
 93291
 559 - 754 - 1725

SKW ARCHITECTS
 R. MICHAEL KEEPS, ARCHITECT
 DENNIS D. WHISTLER, ARCHITECT



TACOS-N-TAPS
 TECOCO HOLDINGS LLC.
 134 S K STREET TULARE, CA 93272

PROJECT DATE: 3/2015

REVISIONS

SHEET TITLE
ELEVATIONS

SHEET NO.
A-3
 2015-03-15
 TULARE, CALIFORNIA

RESOLUTION NO. 5306

**A RESOLUTION OF THE CITY OF TULARE PLANNING
COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2018-28**

WHEREAS, Conditional Use Permit No. 2018-28 is a request by SKW Architects on behalf of Teodo Holdings LLC to obtain a conditional use permit for an ABC license (Type 41: On Sale Beer & Wine—Eating Place) to sell beer and wine on-site at 134 South ‘K’ Street; and,

WHEREAS, the Planning Commission of the City of Tulare after duly published notice, did hold a public hearing before said Commission on January 14, 2019; and,

WHEREAS, the Planning Commission of the City of Tulare determined that Conditional Use Permit No. 2018-28 is consistent with the goals and objectives of the Zoning Title and the purposes of the District in which the site is located; and,

WHEREAS, the Planning Commission of the City of Tulare finds the project to be Categorically Exempt consistent with the California Environmental Quality Act (CEQA):

NOW, THEREFORE, BE IT RESOLVED that the project is exempt from further environmental review pursuant to CEQA Section 15301(*existing facilities*); and,

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

- 1) The proposed request will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity; and,
- 2) The request will comply with each of the provisions of the Zoning Title; and,
- 3) The request is consistent with the Tulare General Plan; and,
- 4) The request will not have a significant effect on surrounding properties and improvements in the vicinity of the project site; and.
- 5) This project is exempt pursuant to Section 15301 (*existing facilities*) of the California Environmental Quality Act of 1970, as amended.
- 6) The public convenience and necessity would be served by the issuance of an ‘on-sale’ beer and wine—eating place” (Type 41); and

BE IT FURTHER RESOLVED, by the Planning Commission of the City of Tulare that Conditional Use Permit Application No. 2018-28 is hereby approved subject to the following conditions:

Conditions:

- 1) All requirements of Title 10 shall be met.
- 2) This permit is limited to on-sale beer and wine in conjunction with a restaurant.
- 3) Any upgrading of the alcoholic beverage license issued by Alcoholic Beverage Control will be subject to approval by the Planning Commission.
- 4) Any significant changes to the floor plan layout shall be subject to review and approval by the Planning Commission.
- 5) Applicant to maintain all licenses and/or permits required by the State.

PASSED, APPROVED AND ADOPTED this fourteenth day of January, 2019 by the following recorded vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

CHUCK MIGUEL, CHAIRMAN
City of Tulare Planning Commission

ATTEST:

JOSH MCDONNELL, SECRETARY
City of Tulare Planning Commission



2019

PLANNING COMMISSION MEETINGS



JANUARY	14 and 28
FEBRUARY	11 and 25
MARCH	11 and 25
APRIL	8 and 22
MAY	13 and 27
JUNE	10 and 24
JULY	8 and 22
AUGUST	12 and 26
SEPTEMBER	9 and 23
OCTOBER	14 and 28
NOVEMBER	11 and 25
DECEMBER	9 and 23

