

RESOLUTION NO. 2021-49

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF VISALIA APPROVING CONDITIONAL USE PERMIT NO. 2021-28, A REQUEST A REQUEST BY THE OROSCO GROUP, TO ALLOW USE OF 6,526 SQ. FT. INSIDE AN EXISTING 10,200 SQ. FT. COMMERCIAL BUILDING FOR A MEDICAL CLINIC, LOCATED WITHIN THE C-R (REGIONAL COMMERCIAL). THE SITE IS LOCATED AT 3221 S. MOONEY BLVD. (APN: 121-100-054)

WHEREAS, Conditional Use Permit No. 2021-28, is a request by the Orosco Group; to allow use of 6,526 sq. ft. inside an existing 10,200 sq. ft. commercial building for a medical clinic, located within the C-R (Regional Commercial). The site is located at 3221 S. Mooney Blvd. (APN: 121-100-054); and

WHEREAS, the Planning Commission of the City of Visalia, after duly published notice did hold a public hearing before said Commission on December 13, 2021; 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. The Visalia Zoning Matrix identifies medical offices as a conditional use in the C-R zone and requires the submittal and approval of a CUP application. Through the CUP process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. The proposed medical office will not have a negative impact on surrounding uses given the fact that sufficient on-site parking is provided, the sites proximity to the major street and other office and commercial uses within the area.
 - 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.

The Visalia Zoning Matrix identifies medical clinic as a conditional use in the C-R zone and requires the submittal and approval of a CUP application. Through the CUP process, potential impacts can be addressed thereby ensuring compatibility between the proposed use and existing surrounding uses. The proposed medical office will not have a negative impact on surrounding uses given the fact that sufficient on-site parking is provided, the sites proximity to the major street and other office and commercial uses within the area.

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 minor alterations in land use limitations. (Categorical Exemption No. 2021-48).

BE IT FURTHER RESOLVED that the Planning Commission hereby approves the Conditional Use Permit on the real property here described in accordance with the terms of this resolution under the provisions of Section 17.38.110 of the Ordinance Code of the City of Visalia, subject to the following conditions:

1. That the project be developed in substantial compliance with the comments from the approved Site Plan Review No. 2021-080.
2. That substantial changes to the site plan and/or operational plan, or an intensification of the land use wherein the parking demand exceeds the parking required for the land use, may require evaluation by the Site Plan Review committee and/or an amendment to this Conditional Use Permit.
3. City shall review and approve the parking agreement and receive an executed copy prior to the issuance of the Certificate of Occupancy to allocate additional onsite parking from the adjacent property located at 3103 S. Mooney Boulevard.
4. That a minimum of 41 parking spaces shall be allocated and configured for the subject site located at 3221 S. Mooney Boulevard as depicted per the site plan exhibit noted as sheet A102 (35 stalls shall be located on 3221 S. Mooney Boulevard).
5. Landscape plans shall be required to as part of building plan check submittal.
6. That any project signage shall be obtained under a separate permit.
7. That all applicable federal, state and city laws, codes and ordinances be met.

Commissioner Peck offered the motion to this resolution. Commissioner Beatie seconded the motion and it carried by the following vote:

AYES: Commissioners Peck, Beatie, Tavaréz, Hansen

NOES:

ABSTAINED:

ABSENT: Commissioner Gomez

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss
CITY OF VISALIA)

ATTEST: Paul Bernal, City Planner

I, Paul Bernal, Secretary of the Visalia Planning Commission, certify the foregoing is the full and true Resolution No. 2021-49, passed and adopted by the Planning Commission of the City of Visalia at a regular meeting held on December 13, 2021.



Paul Bernal, City Planner



Marvin Hansen, Chairperson