

# PLANNING COMMISSION ACTION AGENDA

CHAIRPERSON:

Chris Gomez



VICE CHAIRPERSON:

Marvin Hansen

**COMMISSIONERS PRESENT: Mary Beatie, Marvin Hansen, Sarrah Peariso, Adam Peck, Chris Gomez**

**MONDAY SEPTEMBER 14, 2020**

**VISALIA CONVENTION CENTER**

**LOCATED AT 303 E. ACEQUIA AVE. VISALIA, CA**

**MEETING TIME: 7:00 PM**

**Citizens may appear at the Planning Commission meeting in person and will be asked to maintain appropriate, physical distancing from others and wear a mask or face shield pursuant to the Governor's Executive Orders and public health guidance during the COVID-19 situation.**

7:00 To 7:00

1. THE PLEDGE OF ALLEGIANCE -

7:00 To 7:01

2. CITIZEN'S COMMENTS – This is the time for citizens to comment on subject matters that are not on the agenda but are within the jurisdiction of the Visalia Planning Commission. You may provide comments to the Planning Commission at this time, but the Planning Commission may only legally discuss those items already on tonight's agenda. The Commission requests that a five (5) minute time limit be observed for Citizen Comments. You will be notified when your five minutes have expired.

No one spoke

7:01 To 7:01

3. CHANGES OR COMMENTS TO THE AGENDA--

None

7:01 To 7:01

4. CONSENT CALENDAR - All items under the consent calendar are to be considered routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of the Commission and made a part of the regular agenda.

No Items on the Consent Calendar

- No Items on the Consent Calendar

7:01 To 8:28

5. PUBLIC HEARING Cristobal Carrillo, Associate Planner

Open: 7:25

Close: 7:52

Who spoke:

1. Nizar Karimi
2. Salima Karimi
3. Nabil Karimi

Planning Commission approved General Plan Amendment No. 2019-05 as recommended to the City Council (Peck, Peariso) 5-0

- General Plan Amendment No. 2019-05: A request by Nizar Karimi to change the land use designation of a 10,132 sq. ft. parcel from Low Density Residential to Neighborhood Commercial. The project site is located at 1209 S. Garden Street (APN: 097-251-020). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Environmental Document No. 2019-44.
- Change of Zone No. 2019-06: A request by Nizar Karimi to change the zoning designation of a 10,132 sq. ft. parcel from R-1-5 (Single Family

Planning Commission approved Change of Zone No. 2019-06 as recommended to the City Council (Peck, Beatie) 5-0

Planning Commission approved Conditional Zoning Agreement No. 2019-07 to the City Council with changes to:

2a. That the Hours of Operation for any use/business on this site shall be 6:00 a.m. to 10:00 p.m.

2b. That the Hours of Operation for any delivery activities on this site shall be 7:00 a.m. to 7:00 p.m. with the exception of gasoline delivery to be 7:00 a.m. to 9 p.m.

2c. The removal of this condition.

(Peck, Hansen) 4-1 Peariso voted no

Planning Commission approved Conditional Use Permit No. 2019-20 as recommended to the City Council (Peck, Peariso) 5-0

Residential, 5,000 sq. ft. minimum site area) to C-N (Neighborhood Commercial). The project site is located at 1209 S. Garden Street (APN: 097-251-020). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Environmental Document No. 2019-44.

- Conditional Zoning Agreement No. 2019-07: A request by Nizar Karimi to establish conditions limiting the allowed and conditional uses on two properties within the C-N (Neighborhood Commercial) Zone for Conditional Use Permit No. 2019-20. The project site is located at 249 E. Tulare Street and 1209 S. Garden Street (APN: 097-251-020 and 041). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Environmental Document No. 2019-44.
- Conditional Use Permit No. 2019-20: A request by Nizar Karimi to replace an existing convenience store with a new 3,900 sq. ft. convenience store on two properties totaling 21,612 sq. ft. in the C-N (Neighborhood Commercial) and R-1-5 (Single Family Residential, 5,000 sq. ft. minimum site area) Zones. The project site is located at 249 E. Tulare Street and 1209 S. Garden Street (APN: 097-251-020 and 041). The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Environmental Document No. 2019-44.

8:28 To 8:44

Motion to Adjourn Peck, Hansen 5-0

#### 6. CITY PLANNER/PLANNING COMMISSION DISCUSSION-

- The Next Planning Commission Meeting will be September 28, 2020
- September 28, 2020 there will be a Work Session on 5-Packs
- Modify the Appeal Procedure

The Planning Commission meeting may end no later than 11:00 P.M. Any unfinished business may be continued to a future date and time to be determined by the Commission at this meeting. The Planning Commission routinely visits the project sites listed on the agenda.

For Hearing Impaired – Call (559) 713-4900 (TTY) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Office, 315 E. Acequia Visalia, CA 93291, during normal business hours.

#### **APPEAL PROCEDURE**

**THE LAST DAY TO FILE AN APPEAL IS THURSDAY, SEPTEMBER 24, 2020 BEFORE 5 PM**

According to the City of Visalia Zoning Ordinance Section 17.02.145 and Subdivision Ordinance Section 16.04.040, an appeal to the City Council may be submitted within ten days following the date of a decision by the Planning Commission. An appeal form with applicable fees shall be filed with the City Clerk at 220 N. Santa Fe, Visalia, CA 93292. The appeal shall specify errors or abuses of discretion by the Planning Commission, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website [www.visalia.city](http://www.visalia.city) or from the City Clerk.

**THE NEXT REGULAR MEETING WILL BE HELD ON MONDAY, SEPTEMBER 28, 2020**