

**SALINAS PLANNING COMMISSION
RESOLUTION NO. 2021-___**

Resolution approving a Conditional Use Permit to establish and operate a medical and dental office use in an existing 1,599 square-foot, one (1) story commercial building with a four (4) space (50%) Parking Reduction and site improvements located at 109 Capitol Street in the Commercial Office – Central City Overlay – Downtown Neighborhood Area (CO-CC-DN) District
(CUP 2021-011)

WHEREAS, on December 1, 2021, the Salinas Planning Commission, at the request of the Applicant, Craig Varjian, held a duly noticed public hearing to consider Conditional Use Permit 2021-011 to establish and operate a medical and dental office use in an existing 1,599 square-foot, one (1) story commercial building with a four (4) space (50%) Parking Reduction and site improvements located at 109 Capitol Street (Assessor's Parcel Number 002-252-009-000); and

WHEREAS, the Planning Commission weighed the evidence presented at said public hearing, including the Staff Report which is on file at the Community Development Department together with the record of environmental review; and

NOW, THEREFORE, BE IT RESOLVED by the Salinas Planning Commission that the Commission finds the project to be Exempt from the California Environmental Quality Act (CEQA) and approves Conditional Use Permit 2021-011; and

BE IT FURTHER RESOLVED that the Salinas Planning Commission adopts the following findings as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings:

1. ***The project has been found to be Exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines;***

The project has been determined to be exempt from the California Environmental Quality Act under Section 15301 (*Existing Facilities*) of the CEQA Guidelines, because no additional floor area and only minor site improvements are proposed for the existing commercial building.

2. ***The proposed location of the use is in accordance with the objectives of the Salinas General Plan, this Zoning Code and the purposes of the district in which the site is located;***

The subject site is designated Office by the 2002 Salinas General Plan. Per the General Plan, Office allows for single-tenant and multi-tenant offices that include professional, legal, medical, financial, administrative, research and development, corporate and general business offices and other supporting uses, such as restaurants. The proposed project is consistent with General Plan Goals and Policies. Located on an Office designated site, the project would reuse an existing commercial building and help maintain a compact City form, consistent with Land Use Policy LU-2.4.

As shown on the official Zoning Map, the site is located in the Commercial Office – Central

City Overlay – Downtown Neighborhood Area (CO-CC-DN). Per Section 37-30.190, the purpose of the Commercial Office District is to provide areas primarily for offices, personal services, financial services, mixed residential, and for residential uses. Per Zoning Code Section 37-30.200, Table 37-30.90, Medical and Dental Office uses (Dentist office) require an administrative Site Plan Review (SPR). However, because the project is requesting a four (4) space (50%) Parking Reduction, a Conditional Use Permit (CUP) is required per Zoning Code Section 37-50.370. In addition, since the proposed Parking Reduction exceeds 30-percent (30%), Planning Commission consideration for the Parking Reduction is required per Zoning Code Section 37-50.370(b). The proposed use is consistent with the purpose CO-CC-DN Zoning District.

The project proposes four (4) off-street parking spaces, including one (1) accessible space, which does not meet the minimum Zoning Code requirements and requires a four (4) space (50%) Parking Reduction. A Parking Reduction can be supported per Zoning Code Section 37-50.360(a)(4), because per the “Parking Reduction Data Survey for 109 Capitol Street dated July 26, 2021”, survey or other data exists which supports a reduction in parking, which by their nature, are not likely to be converted to another use with greater parking requirements. Per the survey there would be at least one (1) off-street parking space for patients as long as at least two (2) of the employees carpool to the project site. In addition, the off-street parking demand for medical and dental office uses is among the highest required by the Zoning Code and any on-site future change in use is unlikely to be converted to another use with a greater parking requirement.

3. ***The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained are consistent with the Salinas General Plan and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, nor detrimental to properties or improvements in the vicinity or the general welfare of the City of Salinas; and***

The subject site is designated Office by the 2002 Salinas General Plan. Per the General Plan, Office allows for single-tenant and multi-tenant offices that include professional, legal, medical, financial, administrative, research and development, corporate and general business offices and other supporting uses, such as restaurants. The proposed project is consistent with General Plan Goals and Policies. Located on an Office designated site, the project would reuse an existing commercial building and help maintain a compact City form, consistent with Land Use Policy LU-2.4.

Although a 50% Parking Reduction is significant, the actual number of spaces impacted is only four (4). Moreover, the potential impact of this reduction is further mitigated by the location of the subject site in Central City Overlay. The Central City Overlay District has the best access to public transportation, multiple on street parking spaces including two immediately adjacent to the subject property, and multiple public parking lots. Thus, the proposed location of the conditional use and proposed conditions under which it would be operated will not be detrimental to the public health, safety, or welfare.

4. ***The proposed conditional use will comply with the provisions of the Salinas Zoning Code, including any specific conditions required for the proposed use.***

Conditions have been recommended for this permit to ensure that, when implemented, the project will conform and comply with the provisions of the Salinas Zoning Code. A minimum of four (4) off-street parking spaces, including one (1) off-street parking space designated for people with disabilities on-site shall be provided in accordance with Zoning Code Section 37-50.400.

PASSED AND APPROVED this 1st day of December 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THIS IS TO CERTIFY that the foregoing is a full, true, and correct copy of a Resolution of the Planning Commission of the City of Salinas, that said Resolution was passed and approved by the affirmative and majority vote of said Planning Commission at a meeting held on December 1, 2021, and that said Resolution has not been modified, amended, or rescinded, and is now in full force and effect.

SALINAS PLANNING COMMISSION

Date: _____

Courtney Grossman
Secretary