

**CITY OF TULARE PLANNING COMMISSION
STAFF REPORT**

Agenda Item No.

July 8, 2019

CONDITIONAL USE PERMIT No. 2018-11

PROJECT PLANNER:	Steven Sopp, Associate Planner	
APPLICANT:	Altura Centers For Health	
LOCATION:	Northeast corner of Hillman Street and Cartmill Avenue	
APN:	149-060-024 & 016	
ZONING CLASSIFICATION:	C-3 (Retail Commercial)	
GENERAL PLAN DESIGNATION:	Community Commercial	
SURROUNDING LAND USES AND ZONING:	North: Vacant	County
	South: Vacant/SFR	C-3/R-1-7
	West: Vacant	County
	East: Vacant	County

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve Conditional Use Permit No. 2018-11 subject to the findings and conditions in Resolution No. 5328. 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. 2018-11 is a request by Altura Centers for Health to construct a five-building medical complex to be constructed in three (3) phases and operated by Altura Centers for Health. The project is proposed to be located on the northeast corner of Hillman Street and Cartmill Avenue (APNs 149-060-024 & 016).

DETAILS OF THE PROPOSAL:

The proposed project consists of the construction of a five-building medical complex to be constructed in three (3) phases as follows:

Phase 1

Phase 1 consists of Buildings 1,2, and 4 described as follows:

Building No. 1 would provide pediatrics medical services on an outpatient basis, will be an Office of Statewide Health Planning and Development (OSHPD) 3 Licensed Facility, and would consist of medical exam rooms, hearing testing rooms, medical laboratory, vaccine room, nurse stations, provider offices, administrative support offices, employee break room, provider's lounge, reception desk, and waiting rooms. There will be a covered outdoor patio for employees and covered outdoor waiting areas for patients.

Building No. 2 would provide women's health OB/GYN medical services on an outpatient basis, would be an OSHPD 3 Licensed Facility, and would consist of medical exam rooms, laboratories, nurse stations, medical laboratory, provider offices, provider's lounge, employee break room, administrative support offices, reception desk, and waiting rooms. There would be a covered outdoor patio for employees and covered outdoor waiting areas for patients. This building would temporarily house a Call Center until the future phases are built out.

Building No. 4 would house all the administrative offices for the complex and would include the following departments: human resources, billing, patient bill pay desk, accounting, IT support, accounts payable, mail/copy room, reception desk, and waiting area. There would be an employee break room, various meeting rooms, and the company boardroom.

Phase 2

Phase 2 consists of Building 3, described as follows:

Building No. 3 would provide dental services and would be an OSHPD 3 Licensed Facility. The dental department consists of private operatories, an open operatory area with self-contained dental stations to provide general dentistry services, a dental sterile laboratory, panoramic x-ray room, support offices, reception desk, waiting room, administrative support offices, and employee break room.

Phase 3

Phase 3 represents the buildout of the remainder of the site and would comprise primarily the construction of Building 5, described as follows:

Building No. 5 would provide adult medicine, family practice, internal medicine, and specialty services on an outpatient basis, would be an OSHPD 3 Licensed Facility, and would consist of medical exam rooms, behavioral health, health education offices, medical laboratory, nurse stations, provider offices, administrative support offices, employee break room, providers lounge, reception desk, and waiting rooms. The Call Center for the company would be relocated from Building 2 to this building, once it's

built. There will be a covered outdoor patio for employees and covered outdoor waiting areas for patients.

Access to and from the project site would be from four points. Two access points are proposed along the north side of Cartmill Avenue while the remaining access points are proposed along the west side of a future local street proposed and located on the eastern project site boundary. The applicant will be required to construct curb, gutter and sidewalk along the parcel's frontage along Hillman Street, Cartmill Avenue and a new local street proposed on the eastern project site boundary. Landscaping will be provided on-site and will meet the 5% minimum of the developed gross lot area as required by the City of Tulare Landscape Ordinance.

The number of employees for Phase 1 would be approximately 150 for the three buildings. After the full build-out and full capacity, the anticipated staff members would be approximately 300 employees. The operating hours for the medical office development are proposed as follows:

- Women's Center: Monday through Thursday 8:00am – 7:00pm
Friday 9:00am – 5:00pm
Saturday 8:00am – 5:00pm
- Pediatrics: Monday through Thursday 8:00am – 7:00pm
Friday 9:00am – 5:00pm
Saturdays 8:00am – 5:00pm
- Administration: Monday through Friday 8:00am – 5:00pm

Required parking breakdown is as follows:

Medical/dental offices:

10 spaces for the first 2,000 sq. ft. + 1 space / 175 sq. ft.

The site plan depicts a total 563 parking spaces being provided at full build-out. The proposed project meets the parking requirement per Chapter 10.192 of the City of Tulare Municipal Code.

STAFF COMMENTS:

The proposed site is designated as Community Commercial and zoned C-3 (Retail Commercial). The City of Tulare Municipal Code states that "health clinics/outpatient surgery" is a permitted use within the C-3 zone upon the granting of a conditional use permit in accordance with the provisions of Chapter 10.116 Conditional Use Permits (Chapter 10.40).

Surrounding land uses included vacant agricultural land to the north, east, and west, as well as a vacant parcel with a commercial zoning designation and a single-family residential subdivision to the south. The proposed use and site can operate in a compatible manner with the surrounding uses.

The Site Plan Review Committee reviewed the project with the applicant on April 18, 2018 and prepared comments and conditions for the applicant. The site plan was reviewed by the Committee for compliance with the City's adopted Zoning Ordinance and Municipal Code.

ENVIRONMENTAL FINDINGS:

An Initial Study was prepared for this project, consistent with the California Environmental Quality Act (CEQA). The Initial Study and proposed Mitigated Negative Declaration evaluated the potential environmental impacts associated with the project implementation. It was found that implementation of the proposed project would not result in potentially significant impacts on the environment with the incorporation of mitigation measures.

A 30-day public notice was published on May 16, 2019, for the Conditional Use Permit and Notice of Intent to adopt (NOI) a Mitigated Negative Declaration for the proposed project. The Initial Study and proposed Mitigated Negative Declaration was circulated for public review and comment.

No comments were received during the public review period of the circulated CEQA document.

FINDINGS:

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2018-11:

Environmental:

- 1) That the Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act.
- 2) That the Planning Commission has considered the proposed Mitigated 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 Mitigated Negative Declaration reflects the independent judgment of the lead agency.

Conditional Use Permit No. 2018-11

- 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.

CONDITIONS:

Based on the approved findings, staff recommends that Conditional Use Permit No. 2018-11 be approved subject to the following conditions:

- 1) All requirements of Title 10 shall be met.
- 2) Applicant to comply with all mitigation measures within the Initial Study/Mitigated Negative Declaration prepared for the project per adopted Resolution 5328, which are hereby incorporated as Conditions of Approval.
- 3) The conceptual site plan is approved as shown in the attachments hereto. Development shall conform to the site plan for the proposed project as shown in Attachment II.
- 4) Approval does not authorize any deviation from Fire and Building Codes.
- 5) All roof mounted equipment shall be screened from public view by materials similar to those used in overall structure and approved by the City Planner at time of Building Permit review.
- 6) Applicant to provide and maintain landscaping in accordance with Chapter 10.196 – Landscaping of the City of Tulare Municipal Code.
- 7) Landscape and irrigation plans shall be prepared by a licensed Landscape Architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system and approved prior to building permits being issued.
- 8) Applicant shall comply with San Joaquin Valley Air Pollution Control District regarding dust control during construction as required by SJVAPCD.
- 9) Applicant shall comply with Engineering, Fire Department, Parks and Solid Waste Division comments/conditions (Attachments IX, X, XI and XII).
- 10) Applicant shall comply with Tulare Irrigation District letter received (Attachment XIII)
- 11) 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.

- 12) 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 & Economic Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.

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. Project Vicinity Map
- II. Site Plan
- III. Floor Plan Building 1
- IV. Elevations Building 1
- V. Floor Plan Building 2
- VI. Elevations Building 2
- VII. Floor Plan Building 4
- VIII. Elevations Building 4
- IX. Engineering Comments
- X. Fire Department Comments
- XI. Parks Comments
- XII. Solid Waste Comments
- XIII. Tulare Irrigation District Letter
- XIV. Resolution