



PLANNING COMMISSION STAFF REPORT

APPLICATION: CUP2014-04

AGENDA ITEM: PH-1

PREPARED BY: Barbara Lynch
Senior Planner

MEETING DATE: April 9, 2014

SUBJECT: Conditional Use Permit CUP2014-04
401 East Huntington Drive

REQUEST: Occupy an existing commercial building (approximately 13,000 square feet) with a religious assembly use in the O/RD/LM (Office/Research and Development/Light Manufacturing) Zone.

APPLICANT: Fellowship Monrovia
P.O. Box 118
Monrovia, CA 91016

ENVIRONMENTAL DETERMINATION: Categorical Exemption, (Class 1)

BACKGROUND: This application represents a request for a conditional use permit to use an existing 12,988 square foot commercial building for church offices, large group gatherings and meetings (MMC §17.08.030 defining "Religious Assembly"). A conditional use permit is required for a religious assembly use in the O/RD/LM (Office/Research & Development/Light Manufacturing) Zone (MMC §17.08.010).

On March 19, 2014 the Development Review Committee forwarded a recommendation of approval with a condition that the applicant obtain a parking agreement with another property (17.24.090 (B) (2)) to make up the deficiency in required parking.

SUBJECT PROPERTY: The subject property is bound by three streets, Huntington Drive to the south, California Avenue to the west and Maple Avenue to the east. It is rectangular in shape measuring 150.9' in width (Huntington Drive) and 261.47' in depth, totaling 39,456 square feet in size. The 12,988 square foot building is currently vacant. The 47 space parking lot has driveway access from Huntington Drive and California Avenue. There is no access from Maple Avenue.

Properties surrounding the site include the Monrovia Unified School District (MUSD) headquarters to the west, a medium density residential neighborhood to the north, office/industrial to the east and office/R&D to the south.

DISCUSSION/ANALYSIS: The Fellowship Monrovia Church began holding Sunday services at the Monrovia Community Center over 2 years ago. After experiencing significant growth the church services were moved to Monrovia High School and the services increased from one to two services each Sunday. There are approximately 1,200 attendees who currently participate in the Sunday services. Also, a men's group of approximately 100 to 150

meet once a month on Saturday mornings. The Church's offices are currently located at 106 West Lime Avenue.

Proposed Church Operation/Floor Plan

While continuing to hold Sunday services and the Saturday morning men's group meetings at Monrovia High School the Church is requesting to occupy the subject property for office space, evening gatherings and a Sunday satellite meeting room.

The buildings existing office space in the front (south) portion of the building will remain very similar to its current layout with approximately 18 offices. Interior walls will be removed from the center of the building opening up a 3,420 square foot assembly room area. An entry with a large foyer and five additional office spaces will be added to the rear (north) portion of the building where interior storage space currently exists. Also, in this area is a staircase that leads to a small second level with four additional offices that will remain.

There are 9 full-time staff members and 15 part-time staff members who will work normal business hours from 8:00 AM to 6:00 PM. The Church anticipates that the assembly room area will be used for weekly staff meetings of 15 to 30 people, for which there is sufficient parking on-site for such ancillary office use. The occasional evening and Saturday gatherings of 50 to 100 people and a Sunday satellite meeting of 100 to 200 people will qualify as a religious assembly use for which off-site parking will be required.

Parking

The subject property was developed in 1983 as an R&D (Research and Development) site and it was anticipated that the floor space would be approximately 40% office and 60% warehouse. Initially, there was extra parking provided based on this breakdown (office 1/250 s.f. and warehouse 1/500 s.f.) and over time additional office space was added based on the available extra parking.

Church assembly parking is calculated differently. It is based on assembly room size and is calculated at 1 space for every 40 square feet. The Church's 3,420 square foot (45'x76') assembly room requires a total of 86 spaces; 47 spaces are provided on the property. Since there is not enough parking on-site the church has secured an agreement with the MUSD to use their headquarters site directly across the street to the west for additional parking whenever the room is used for religious assemblies. The code allows parking on neighboring sites (within 500') to be counted towards required parking if an agreement is filed with the City and remains in effect as long as the use that needs the parking remains. The off-site parking has to be either extra or the business has to be closed at the time the parking is used by the use that needs the additional parking.

The MUSD headquarters site has approximately 80 parking spaces available. However, because MUSD sometimes has evening and weekend activities and has other parking commitments (Julian Fisher Park and AME Zion Church) the availability of its parking is limited. The Church will be required to coordinate its religious assembly use with the times that are available. The combined parking between the sites total 126 spaces, providing 40 spaces more than what is required by code.

CONCLUSION: During the week the Fellowship Monrovia Church will primarily operate as other businesses do along the East Huntington Drive corridor. The activity that will occur on the weekends and evenings will be when most businesses are closed. The residential neighborhood to the north is physically buffered with a large landscape setback and wall

along Maple Avenue. Church parking along this residential street will be prohibited. As long as sufficient parking for overflow parking is available when the Church's large gatherings occur there should be no adverse impacts to surrounding properties.

RECOMMENDATION: The Development Review Committee and Staff recommend approval. If the Planning Commission concurs with this recommendation, then following the public hearing, the adoption of the following resolution is appropriate:

The Planning Commission of the City of Monrovia hereby finds, determines and resolves as follows:

1. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the Planning Commission in the exercise of its independent judgment finds that CUP2014-04 is categorically exempt from CEQA under Class 1.
2. The Planning Commission finds that the custodian of records for all other materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California, 91016.
3. The Planning Commission in the exercise of its independent judgment hereby makes the findings listed on attached Data Sheet No. 3 for CUP2014-04, which are incorporated herein by this reference.
4. The Planning Commission approves CUP2014-04, subject to the attached Planning Conditions on Data Sheet No. 1 and recommendations in the Staff Report, all of which are incorporated herein by this reference.

MOTION:

Close the public hearing and adopt the Resolution approving CUP2014-04 as presented in the Staff Report.



DATA SHEET 1

Planning Conditions

CUP2014-04

401 East Huntington Drive

Operations on the site must remain in substantial conformance at all times with the request and application forms and plans submitted by the applicant for CUP2014-04, allowing the religious assembly use at 401 East Huntington Drive, as approved by the Planning Commission and placed on file in the office of the Planning Division, except as modified by the conditions imposed by the Planning Commission and by subsequent modifications determined by the Planning Division Manager to be in substantial compliance with the conditions of approval. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.

1. A parking agreement between Monrovia Unified School District (MUSD) and Applicant shall be approved by the Community Development Director and shall be executed prior to the start of the religious assembly use and shall remain in effect as long as the Monrovia Municipal Code requires the assembly use to provide more parking spaces than are available at 401 East Huntington Drive (the "site"). The agreement shall not be modified or revoked without the prior written approval of the City of Monrovia. The parking agreement shall provide Applicant with 80 parking spaces at the MUSD headquarters at 325 East Huntington Drive for exclusive use by Applicant's employees, volunteers, and patrons, along with ingress and egress, whenever the assembly room at the site is used for public assemblies.
2. Applicant shall not use the assembly room for public assemblies, which require the availability of the off-site parking at the MUSD headquarters, for time periods on dates when the off-site parking is not available.
3. Employees, volunteers, and patrons, while working, volunteering, or attending functions at the site, shall not park their vehicles on Maple Avenue. Applicant shall be responsible for notifying its employees, volunteers and patrons of this restriction. In the event a violation of this condition is verified as valid by the Police Department, Code Enforcement, or other City department, the review may be conducted by the Development Review Committee (DRC) and the DRC is empowered to modify the CUP, based upon a finding that those problems exist, by requiring additional conditions as determined necessary by the DRC, or the DRC may refer the matter to the Planning Commission to take any action pursuant to the Monrovia Municipal Code, including without limitation, modification or revocation of this CUP.
4. Any change to the parking agreement between Applicant and MUSD must be submitted to the Community Development Director in advance for review and written approval, unless the change would cause a reduction in available parking. Prior to any change in the parking agreement between Applicant and MUSD that would cause a reduction of available parking for the assembly room use, such proposed change must be reviewed and approved by the Development Review Committee (DRC) and must be determined to be in substantial compliance with the CUP. Alternatively, the DRC may refer the matter to the Planning Commission for its review, in which case no changes shall be made without Planning Commission approval.
5. All activities shall be conducted entirely within the building.
6. Applicant shall provide no less than 47 parking spaces on the site. All on-site parking spaces shall be clearly marked by 2" wide pavement paint or alternate method if approved by the DRC. Double striping shall be used for delineating all parking spaces so as to provide a minimum parking area of 8'-6" in width by 18' in depth (see details in MMC §17.24.120).

7. Applicant shall maintain in good condition all landscaping on-site, including the landscape setback adjacent to Maple Avenue.
8. Any violation of these conditions of approval of the Monrovia Municipal Code may be subject to the Administrative Fine Ordinance, other available remedies and/or revocation or modification of this permit at the discretion of the City Attorney and City Prosecutor.
9. This CUP may be called for review, including modification or revocation, at any time by City Staff, the City Council, or Planning Commission if a violation of the approved conditions or the Monrovia Municipal Code (MMC) is alleged, or if it is alleged that the religious assembly use is creating a public nuisance, and such violation or public nuisance is verified as valid by the Police Department, Code Enforcement, or other City department. In addition to any other remedy available to the City, security measures may be required.
10. Indemnification. As a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, or proceeding against the City, its officers, officials, employees, agents and/or volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at Applicant's expense.
11. The applicant shall, within 30 days after approval by the Planning Commission, submit to the Community Development Department his/her written acknowledgment of receipt of the decision approving the Conditional Use Permit and his/her written consent to all of the conditions of approval referenced in Data Sheet No. 1. This CUP shall be void and of no force or effect unless such written acknowledgment and consent is submitted to the City within the 30 day period.
12. The use associated with this CUP shall begin within one (1) year after its approval or it will expire without further action by the City.
13. All of the above conditions shall be complied with prior to commencement of the operation, unless an earlier compliance period is specified as part of a condition.



DATA SHEET 3

Findings

CUP2014-04

401 East Huntington Drive

CONDITIONAL USE PERMIT

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting CUP2014-04 to allow a religious assembly use at 401 East Huntington Drive is based on the following findings:

- A. The project site is adequate in size, shape and topography for the proposed religious assembly use. *The topography of this commercial site is relatively flat, and can support a religious assembly use.*
- B. The project site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the church activity. *The proposed use is located in a commercial area, which is suited to support these types of uses and traffic loads and the site is designed with two 25' wide driveway approaches allowing easy vehicle accessibility from California Avenue and Huntington Drive.*
- C. The proposed church use is compatible with the General Plan and will not adversely impact the objectives of the General Plan. *The proposed use is in a commercial area, which is suited to support these types of uses and traffic loads. The residential neighborhood will not be impacted as there is no vehicle access from Maple Avenue and there is a large landscape setback and perimeter block wall that provides a buffer.*
- D. The proposed religious assembly use will comply with the applicable provisions of the Zoning Ordinance. *There are no variances requested for this CUP and additional off-site parking will be secured with MUSD.*
- E. The proposed location of the religious assembly use and the conditions under which it will be operated will not be detrimental to the public health, safety or welfare, nor will it be materially injurious to properties or improvements in the vicinity, *in that the applicant will be required to adhere to the conditions of approval on Data Sheet No. 1 to safeguard the surrounding uses from any negative impacts.*



DATA SHEET 4

Surrounding Land Uses

CUP2014-04

401 East Huntington Drive

Property Description:

The subject property is bound by three streets, Huntington Drive to the south, California Avenue to the west and Maple Avenue to the east. It is 39,456 square feet in size and is improved with a 12,988 square foot building and 47 parking spaces.

Zoning

Subject site:

O/RD/LM (Office/Research & Development/Light Manufacturing)

Surrounding pattern:

north: RM3000 (Residential Medium Density)

south: O/RD/LM (Office/Research & Development/Light Manufacturing)

east: O/RD/LM (Office/Research & Development/Light Manufacturing)

west: PQP (Public/Quasi Public)

Land Use

Subject site:

Vacant commercial building

Surrounding pattern:

north: Medium density residential

south: Office/Research & Development

east: Office/Research & Development

west: Monrovia Unified School District headquarters

Environmental Determination:

Categorical Exemption Class 1

Applicable Ordinance Regulations:

MMC 17.52.020 Planning Commission Authority for CUP



www.cbre.com
For Lease
818 502 6700
15,265 Sq. Ft.
Damon Feldmeth
818 502 6768 **CBRE**



NO PARKING

NOTICE



NO⁹¹
PARKING
ANY
TIME

Huntington L





Smart & Final

Smart & Final

ONE WAY

