



PLANNING COMMISSION STAFF REPORT

APPLICATION: CUP2015-10

AGENDA ITEM: PH-3

PREPARED BY: Jose Barriga
Assistant Planner

MEETING DATE: July 15, 2015

SUBJECT: Conditional Use Permit CUP2015-10
1311 South Shamrock Avenue

REQUEST: Allow a preschool and day care center in an existing 6,000 square foot industrial building in a Manufacturing Zone.

APPLICANT: Tania Torres, Monrovia Preschool and Day Care Center

ENVIRONMENTAL DETERMINATION: Categorical Exemption (Class 1)

BACKGROUND: The Applicant is requesting approval of a Conditional Use Permit to establish a full-time preschool and day care center in the M (Manufacturing) Zone. Section 17.08.010 of the Monrovia Municipal Code allows for the establishment of a child care services in the Zone through the Minor Conditional Use Permit process; however, due to the subject property being adjacent to a residential zone it therefore requires a Conditional Use Permit.

In September of 2004, the Planning Commission approved CUP2004-08 to allow an education facility serving children 11-17 years of age. Several different uses have occupied the site since that approval and therefore that permit has expired.

SUBJECT PROPERTY: The subject property is located on the west side of Shamrock Avenue between Los Angeles and Fig Avenues at 1311 South Shamrock Avenue in the M (Manufacturing) Zone. The subject property measures 144.60' wide by 138' deep and is developed with a 6,000 square foot building with 19 parking spaces on site. The surrounding zoning designations are Manufacturing to the north, east and south and RM2500 (Residential Medium) to the west. A chain link fence separates the subject property from the residential properties to the west.

DISCUSSION/ANALYSIS: The proposed use will be a preschool and day care center serving children 2-6 years of age. The school will operate Monday through Friday commencing at 7:00 AM and closing at 7:00 PM. Currently, the Applicant occupies a space at the Monrovia Church of the Nazarene. Due to an expansion of the preschool and day care center, the applicant has chosen to relocate to a space that can accommodate their needs.

The proposed preschool and day care center will occupy approximately 3,600 square feet within the existing 6,000 square foot building. The remaining area of the building will remain vacant. There are no new structures proposed. The initial plan calls for approximately 3 classrooms for 36 (currently enrolled) students and 3 staff members.

As part of their curriculum, the academic program includes instruction in English and Spanish. As part of the program, the preschool and day care provide a full complement of academic subjects including mathematics, science, history, language exercises, art, music, yoga and many other extracurricular activities. The children also receive a healthy breakfast, lunch, and two snacks in the afternoon as part of the services provided.

Site Plan

The subject property is developed with 6,000 square foot industrial building with 19 parking spaces. The proposed preschool and day care center will occupy approximately 3,600 square feet within the building. The preschool and day care center proposes to eliminate seven (7) parking spaces, the northwest corner of the property, to locate a playground area. This would leave 12 remaining spaces. The parking spaces remaining will meet the code requirement for the preschool and day care center and any other appropriate use. The playground area will wrap around the northwest corner of the building and will be enclosed by the existing building to the north, chain-link fence to the east and west, and an existing building to the south. As a condition of approval (Data Sheet 1, Condition #2) the applicant shall replace the existing chain-link with an 8’ high decorative block wall along the rear (west) property line that is in common with the neighboring residential properties. The block wall will serve as a buffer for the residential properties.

Parking

The subject site currently has a total of 19 parking spaces, 6 spaces are provided in the front and 13 parking spaces in the rear of the building. As a manufacturing use, the existing 6,000 square foot building would only require 1 parking space per 500 square feet or required 12 parking spaces. A child care center requires 1 parking space per staff member and 1 parking space per 20 children. With the proposed preschool and day care center, it would only require 5 parking spaces. The following table provides a summary of the required parking for the proposed use and available area:

	Preschool and Day Care Center	Remaining Building
19 Total Parking Spaces		
Area Occupied	3,600 square feet	2,400 square feet
Parking Requirement	1 per staff & 1 per 20 children	1 per 500 square feet
Parking Required	3 (staff) + 2(36 children) = 5 spaces	5 spaces
Parking Provided	12 spaces	

The proposed parking would be able to accommodate the requirements for the proposed use and still have seven (7) parking spaces available for the vacant space future use in the vacant space.

The parking area located in the front of the building will serve primarily as the drop-off and pick-up area for the children. The 6 parking spaces are angled parking that would facilitate the use of one entrance and one exit during the peak drop-off and pick-up times. All employees will be required to park behind the building.

Conclusion

Given the history of the subject property, allowing a preschool and day care center to operate at this location would be a consistent with previous approvals. With the introduction of a

preschool and day care center, it will allow an existing business in Monrovia to remain in town and continue to serve the community.

RECOMMENDATION: The Development Review Committee and Staff recommend approval of the preschool and day care center. 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 CUP2015-10 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 CUP2015-10, which are incorporated herein by this reference.
4. The Planning Commission approves CUP2015-10, 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 Conditional Use Permit CUP2015-10 as presented in the Staff Report.



Development of the subject property and operations on the site must remain in substantial conformance at all times with the request and application forms and plans for CUP2015-10 to allow a Preschool and Day Care Center to occupy 3,600 square feet of an existing 6,000 square foot commercial/industrial building with 12 parking spaces submitted by the applicant, 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.

DEVELOPMENT STANDARDS

1. The trash bin shall be relocated to the south west portion of the parking lot, and shall be shown and indicated on the submitted site plan. All outside trash collection areas shall be enclosed or screened with a six-foot high wall with metal opaque gates and shall be located so as to allow for convenient pickup and disposal.
2. An 8' high decorative block wall shall be constructed along the rear property line.
3. No new roof mounted mechanical equipment shall be permitted on the building unless completely screened.
4. New utilities and structures such as gas meters, electrical meters, telephone pedestal-mounted terminal boxes, surface mounted electrical transformers, or other potential obstructions shall be noted on the plans with provisions for appropriate screening.
5. New ground level mechanical equipment shall be placed a minimum of 5' from the interior property lines and shall be completely screened with landscaping. Ground level mechanical equipment shall not be located within the front setback.
6. All exterior signs shall be submitted for review by the Development Review Committee and no exterior sign may be installed without prior approval of the Development Review Committee.
7. The street address shall be clearly visible to the right-of-way to facilitate Police and Fire Access.

BUSINESS OPERATION

1. All supplies, products, and materials shall be stored within the building. Outdoor storage of supplies, products, and materials is prohibited.

2. The Development Review Committee shall review the use six months from the date the business commences. The review shall focus primarily on compliance with the conditions of approval related to any noise impacts and any other impacts upon the surrounding properties.
3. The owner and/or operator of the school shall be held strictly accountable for compliance with each and every condition imposed as part of this Conditional Use Permit, whether or not the owner and/or operator is personally present at the location.
4. The maximum enrollment shall be determined based on the availability of parking pursuant to Monrovia Municipal Code
5. All activities shall be conducted entirely within the enclosed building, except for the use of the outdoor play area.
6. Hours of operation for child care shall be limited to 7:00 AM to 7:00 PM Monday through Friday. Before any change is made in these hours of operation, approval by the Development Review Committee (DRC) shall be obtained by Applicant. Alternatively, the DRC may refer the matter to the Planning Commission for its review, in which case no change in the hours of operation shall be made without Planning Commission approval.

PARKING

1. The outdoor play area shall not replace more than 6 parking spaces in the north west corner of the lot to ensure that adequate parking is maintained.
2. All employees of this business shall park in the rear of the building to provide for adequate parking for drop off and pick up.
3. All parking spaces shall be maintained and clearly marked by 2" wide pavement paint or alternate method if approved by the Development Review Committee. 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).
4. Adequate wheel stops shall be maintained as a safeguard to abutting property. The barrier shall be at least three feet from any property line, but in no case shall it be less than necessary to meet the intent of MMC §17.24.060 through §17.24.120.

GENERAL REQUIREMENTS

1. Any violation of these conditions of approval or 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.

2. In addition to Planning (Data Sheet No. 1) conditions of approval, the Applicant shall also comply with all requirements of the Monrovia Municipal Code, Building Division and Fire Department that are directly applicable to the project.
3. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.
4. 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 establishment, or its patrons, are 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 such as adding an employee to monitor the area where problems are occurring.
5. 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.
6. The Applicant shall, within 30 days after approval by the Planning Commission, submit to the Community Development Department his/her written consent to all of the conditions of approval contained in Data Sheet Number 1. This CUP shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
7. The use or development associated with this CUP shall begin within one (1) year after its approval or it will expire without further action by the City.
8. 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.



CONDITIONAL USE PERMIT

As required by Section 17.52.290 of the Monrovia Municipal Code, the decision for granting Conditional Use Permit No. CUP2015-10 for a preschool and day care center in the Manufacturing Zone located at 1311 South Shamrock Avenue is based on the following findings:

- A. The project site is adequate in size, shape and topography for the proposed preschool and day center. The use will be located in an existing 6,000 square foot building that is located towards the front of the property. There is sufficient on-site parking available for this use.
- B. The project site where the preschool and day care center will be located has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. Students will be driven to and from the site by parents via personal vehicles throughout the day. The anticipated increase in traffic will be minimal.
- C. The preschool and day care center is compatible with the General Plan and will not adversely impact the objectives of the General Plan. General Plan Policy 1.7 encourages services that support the office, industrial, and research and development uses. The conditions of approval will further ensure compatibility with the surrounding uses.
- D. The preschool and day care center will comply with the applicable provisions of the zoning ordinance. The proposed use will provide the 12 parking spaces and a block wall, along the rear property line, to meet the requirements of the zoning ordinance.
- E. The granting of the conditional use permit for a preschool and day care center and the conditions under which it will be operated or maintained will not be detrimental to the public health, safety or welfare, nor will it be materially injurious to properties or improvements in the vicinity. The subject property has previously been occupied by a similar use.
- F. The proposed project will not result in the demolition of a residential structure built prior to January 1, 1940, with architectural or known historic value. The existing structure is not a residential structure and was built in 1958.



DATA SHEET 4

Surrounding Land Uses

CUP2015-10

1311 South Shamrock Avenue

Property Description:

The subject property is located on the west side of South Shamrock Avenue between East Los Angeles and Fig Avenues. The site measures 144.60' wide by 138' deep and is developed with a 6,000 square foot building.

Zoning

Subject site: M (Manufacturing)

Surrounding pattern:

north: M (Manufacturing)

south: M (Manufacturing)

east: M (Manufacturing)

west: RM2500 (Residential Medium Density)

Land Use

Subject site: Commercial/Industrial Building

Surrounding pattern:

north: Commercial/Industrial Building

south: Commercial/Industrial Building

east: Commercial/Industrial Building

west: Single-Family Residences

Environmental Determination: Categorical Exemption Class 1

Applicable Ordinance Regulations: MMC 17.52.020 Planning Commission Authority for CUP

DIAL 911 CASE OF EMERGENCY

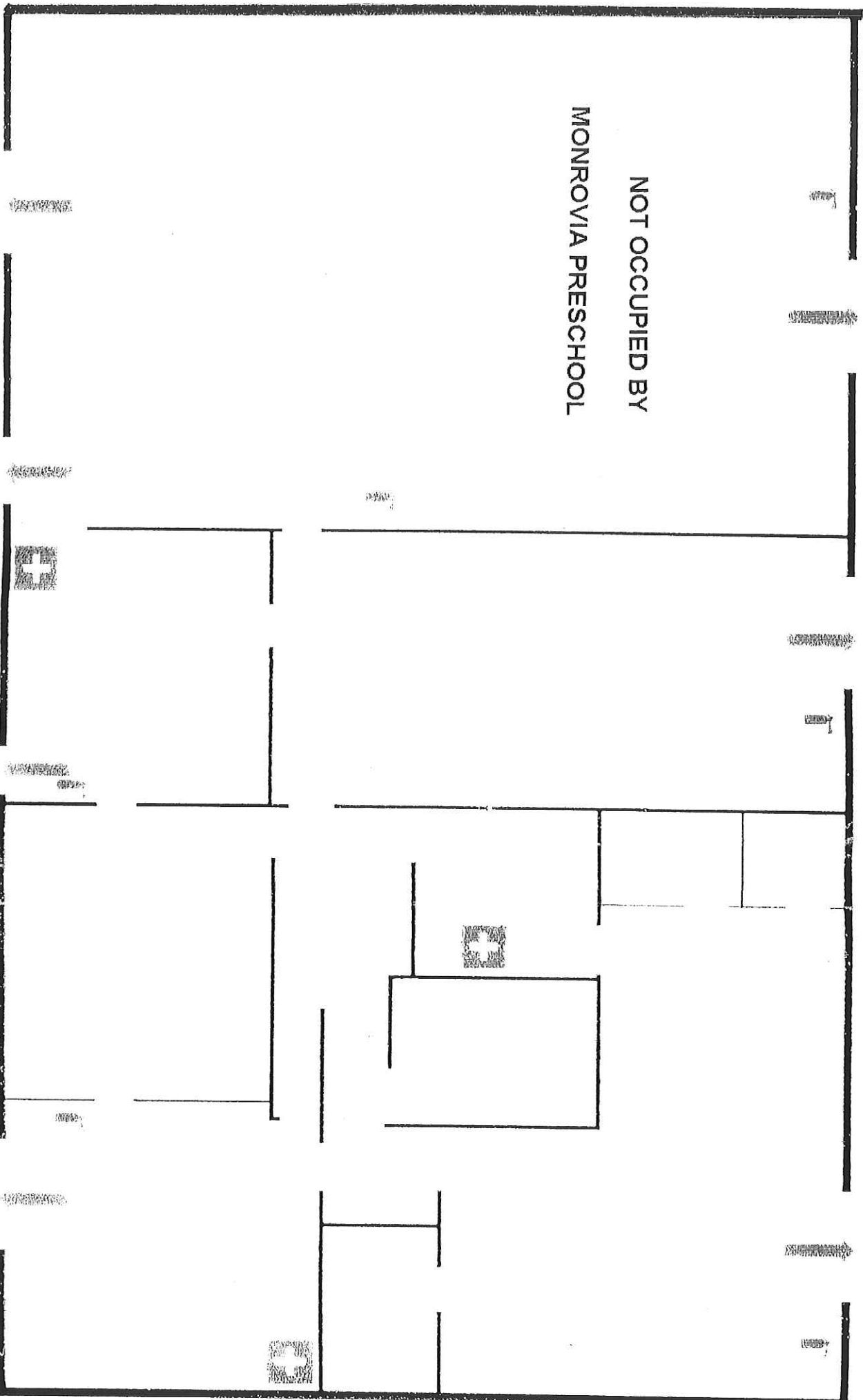
EXIT

EXIT

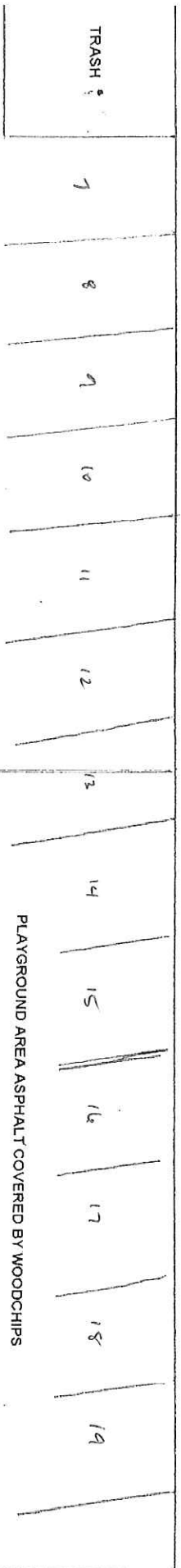
MONROVIA PRESCHOOL

EXIT

NOT OCCUPIED BY
MONROVIA PRESCHOOL

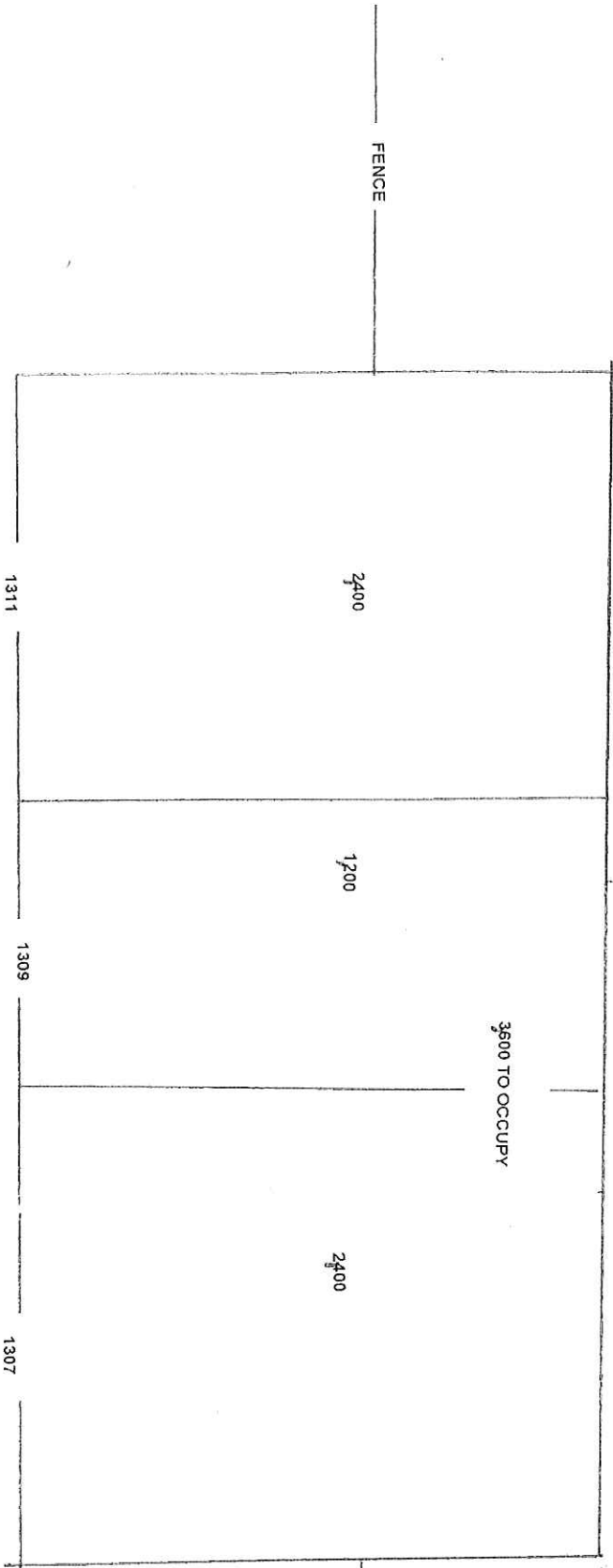


NEW WOOD FENCE



PARKING

PLAYGROUND AREA ASPHALT COVERED BY WOODCHIPS



FENCE

2400

1200

3600 TO OCCUPY

2400

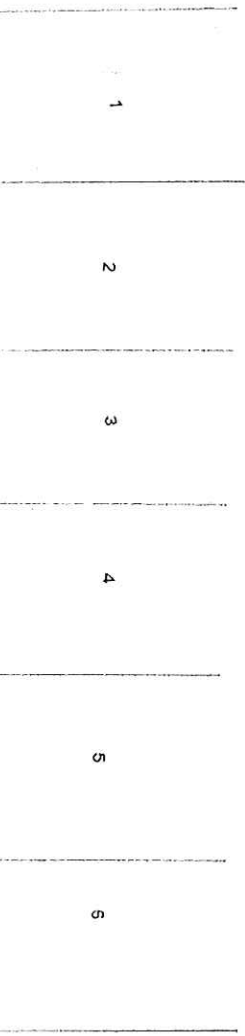
FENCE

1311

1309

1307

DROP OFF AREA



DRIVEWAY

DRIVEWAY

NOTICE OF PUBLIC HEARING

**MONROVIA PLANNING COMMISSION
415 South Ivy Avenue
Monrovia, CA 91016**

This Notice is to inform you of a public hearing to determine whether or not the following request should be granted under Title 16 and/or 17 of the Monrovia Municipal Code:

APPLICATION: Conditional Use Permit CUP2015-10

REQUEST: Allow a Preschool and Day Care Center to operate in an existing 6,000 square foot industrial building in a Manufacturing Zone.

ENVIRONMENTAL DETERMINATION: Categorical Exemption (Class 1)

APPLICANT: Tania Torres, Monrovia Preschool and Day Care Center

PROPERTY ADDRESS: 1311 South Shamrock Avenue

DATE AND HOUR OF HEARING: Wednesday, July 15 at 7:30 PM

PLACE OF HEARING: Monrovia City Hall, Council Chambers, 415 South Ivy Avenue, Monrovia, California

AREA MAP:



If you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Division at, or prior to, the public hearing. This application will not alter the zoning status of your property. For further information regarding this application, please contact the Planning Division at (626) 932-5565.

Staff Report pertaining to this item will be available on Thursday, July 9 after 4 p.m. at:
Monrovia City Hall
415 South Ivy Avenue
Monrovia, CA 91016

Este aviso es para informarle sobre una junta pública acerca de la propiedad indicada mas arriba.

Si necesita información adicional en español, favor de ponerse en contacto con el Departamento de Planificación al número (626) 932-5587.

Craig Jimenez, AICP
Planning Division Manager

PLEASE PUBLISH ON JULY 2