



PLANNING COMMISSION STAFF REPORT

APPLICATION: CUP2017-03

AGENDA ITEM: PH-1

PREPARED BY: Barbara Lynch
Senior Planner

MEETING DATE: April 12, 2017

SUBJECT: Conditional Use Permit CUP2017-03
790 West Chestnut Avenue

REQUEST: Allow a non-profit organization to occupy an existing building to provide services to low-income and homeless families who reside in Monrovia and several other communities throughout the San Gabriel Valley. The building will be used for office headquarters, case management, health referrals, warehouse storage of perishable and non-perishable food items, and sorting and distribution of food items. This property is located in the PD 3 (Planned Development-Area 3) Zone.

APPLICANT: Foothill Unity Center/Betty McWilliams

ENVIRONMENTAL DETERMINATION: Categorical Exemption (Class 1)

BACKGROUND: The applicant is requesting approval to occupy an existing building for the headquarters of a non-profit organization that provides several services that are not clearly defined in the Zoning Ordinance. Because there is no clear definition in the Zoning Ordinance (§17.08.030) the Development Review Committee made the determination that it should be considered an "Other Use" as defined in the code and the applicant should apply for a conditional use permit. The code defines "Other Use" as "uses not specifically mentioned or easily identified by the Development Review Committee as belonging to one or more of the use types defined (in the definition section of the Zoning Ordinance), and shall be permitted in any zone if granted a conditional use permit by the Commission. When granting a conditional use permit in such a circumstance, the Commission must find that the use is compatible with other uses permitted in the zone."

SUBJECT PROPERTY: The property is located on the south side of Chestnut Avenue between Monterey and Fifth Avenues. The 210 Freeway is directly to the south of the subject property. The surrounding neighborhood includes a 7-unit Planned Unit Development project to the east and single-family and multiple residential properties to the north, across the street on Chestnut. The properties on the north side of Chestnut are double frontage lots that front Walnut Avenue. The rear yards of these properties are along Chestnut.

The site was developed in phases with the first building (800 W. Chestnut) constructed in 1978 and a second building (790 W. Chestnut) constructed in 1982. The parking lot currently provides 205 spaces that are served by four driveway approaches. The site was developed specifically for World Vision International who continues to occupy the 800 W. Chestnut

building. The 3.17 acre site consists of five parcels and is irregular in shape having approximately 1,063' of frontage and an average depth of 104'.

DISCUSSION/ANALYSIS: World Vision International is currently in negotiations to sell 1.4 acres of the site, improved with the 790 W. Chestnut building, to the Foothill Unity Center. In order for the Foothill Unity Center to occupy the building with their proposed services at this location, approval of a conditional use permit is necessary.

Foothill Unity Center

The Foothill Unity Center is a non-profit organization that was established in Monrovia 36 years ago. They have been at their current location at 425 West Chestnut Avenue since 1996 and expanded to a second location in Pasadena in 2004. In addition to Monrovia and Pasadena, the Foothill Unity Center also provides services to low-income and homeless families who reside in Altadena, Arcadia, Azusa, Baldwin Park, Bradbury, Duarte, Irwindale, Sierra Madre and South Pasadena.

They have outgrown their current location in Monrovia and are requesting to relocate to the subject property, which is a larger site with a larger building. They believe it will meet their needs and it can accommodate on-site parking for their clients, employees, volunteers and their fleet of seven (vans and trucks). The vans and trucks will be shared between their two locations in Monrovia and Pasadena. A larger building will allow more space for their office headquarters and warehouse areas where they can sort and store the food items that are distributed to their clients.

On distribution days, the clients (in vehicles) will enter the center driveway and park in the parking lot. They will enter the west side of the building and select their food items in the warehouse. When they are done, they will go back to their vehicles and drive to the south side of the building to pick up their food items that will be delivered to them in shopping carts by volunteers. The shopping carts will then be taken back into the building and the clients will then exit in their vehicles from the east driveway (Exhibit A). Food distribution will take place on Mondays from 1:00 PM to 3:30 PM and on Wednesdays and Fridays from 9:00 AM to 11:30 AM. A typical distribution provides food to approximately 70 to 100 clients. The Foothill Unity Center staff is assisted by 15 to 20 volunteers when each scheduled distribution occurs. An existing window on the east side of the building is proposed to be replaced with an overhead roll-up door to allow another access into the warehouse area. This door will not be used for food distribution.

The Foothill Unity Center's business hours will be from 9:00 AM to 5:00 PM, Monday through Friday. Case management and health referrals will be conducted throughout each business day. The administrative office staff manages the overall business operations of the charity and coordinates off-site programs and special events. Food sorting will take place in the warehouse area and will also be done during normal business hours; occasionally on Saturdays. Typically, one to two employees and ten to twenty volunteers will do the sorting.

Each year the Foothill Unity Center, at its two locations, distributes approximately four million pounds of food, hundreds of motel vouchers, and hundreds of health services to approximately 10,000 people.

Community Meeting

On December 13, 2016, a community meeting was held at 6:30 PM at the World Vision building (800 W. Chestnut). The City Staff and Foothill Unity Center wanted to solicit input

from the neighbors early on in the process and prior to a formal application being filed. There were over 140 notices that were sent to property owners and tenants that were within a 500' radius (extending to block corners) of the site. Two people who received notification attended the meeting. One person resided at an adjacent condominium complex and the other person owned a nearby apartment building. The Foothill Unity Center presented an overview of their daily operations and discussed the services they provide at their current location and the need for a larger site.

The questions/comments and explanations expressed during the meeting included:

- Does the Foothill Unity Center intend to conduct classes? It was explained that daily classes will not be held. There may be seminars in one or two multi-purpose rooms periodically.
- Traffic has increased immensely on Chestnut Avenue and residential property owners/tenants are having great difficulty getting in and out of their driveways. Will the Foothill Unity Center further impact this street? City Staff explained that once a formal application was filed by the Foothill Unity Center potential traffic impact would be evaluated.
- There are many homeless people in the area now and will the storage of several large trucks and vans in the parking lot encourage more homeless people to loiter and camp out overnight around these vehicles? It was noted that there are driveway gates that will be closed after business hours each day. Potential clients are screened and pre-qualified and if they loiter they can be banned from the program.
- Will there be an increase of shopping carts in the area? How are they contained? The Foothill Unity Center explained that once food distribution takes place it is the volunteers and employees who use shopping carts and they go from the building to the vehicles and back into the building. The clients typically arrive in vehicles or are picked up and dropped off by a taxi or dial-a-ride van.

The community meeting concluded at 8:00 PM and the people attending left with a better understanding of the Foothill Unity Centers' overall business operation and planned use of the site.

On-site Parking/Landscaping

The site was designed as one cohesive development and if subdivided it will continue to appear as one site. The landscaping along the frontage of the site will continue to be commonly maintained (DS1 #24), a reciprocal access and parking agreement for ingress, egress and maintenance of the parking lot (DS1 #25) will be recorded and no fence or wall will be permitted along the new property line (DS1 #7).

A total of 78 parking spaces are required for the applicants building based on the proposed tenant improvement plans. World Vision International is currently required to provide 115 parking spaces based on their floor plan. There are 205 parking spaces on the site and 193 are required.

Chestnut Avenue Traffic Impact

Chestnut Avenue is used as a commuter shortcut and the traffic volumes on the road are more than local street volumes. Based on the existing average daily traffic counts on Chestnut Avenue, the minimal added trips per day for the change in use of this facility will not change the current level of service. Although traffic volumes have increased over time, the existing daily traffic counts are still within the acceptable level range. Because the buildings

are existing and have been occupied the change of occupancy of one building will not increase the traffic volumes and impacts at peak hours. The distribution of food will bring additional vehicles to the site but this will occur only three days a week during non-peak hours. Peak hours are typically from 7:00-9:00 AM and 5:00-7:00 PM.

Security Measures

The subject property is located in PD-3 (Planned Development-Area 3) which sets forth development guidelines in the Land Use Element of the General Plan that include requiring “all uses to be compatible with adjacent uses in the area particularly the surrounding residential uses.” In order to insure that the site is secured and loitering is prohibited there are several security measures that are conditions of approval. Some of these measures include requiring a security plan to be submitted and approved by the Police Chief (DS1 #12), requiring all clients to wait in the lobby if arriving early for food distribution or waiting to be picked up following food distribution (DS1 #17), prohibiting clients to be on the premises during closed hours (DS1 #18), requiring the installation of a video surveillance system (DS1 #20) and requiring that all driveways into the parking lot be gated after hours (DS1 #21). In addition to security measures there are also conditions to insure that the property is kept clear of outdoor storage and if littering occurs as a result of the food distribution the applicant’s employees will be responsible for cleanup.

Conclusion

The subject property is a better location for the Foothill Unity Center because it will accommodate their needs within a larger site. All food distribution activities will take place within an enclosed building three days a week and the parking lot will provide ample parking and circulation for both employees and clients. The conditions of approval provide safeguards to insure that the surrounding residential properties are not impacted by their overall business operation.

RECOMMENDATION: Staff recommends approval of CUP2017-03. 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 CUP2017-03 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 CUP2017-03, which are incorporated herein by this reference.
4. The Planning Commission approves CUP2017-03, 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 approve CUP2017-03 pursuant to the recommendations 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 CUP2017-03, for occupying an existing 28,300 square foot industrial/office building with a non-profit organization located at 790 West Chestnut Avenue 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.

1. A decorative trash enclosure shall be constructed per City specifications and regulations, and shall be shown and indicated on the submitted site plan, subject to review and approval by the Planning Division Manager. A trash generation study shall be completed to determine the initial pick-up frequency. Trash pick-up shall be scheduled with enough frequency to ensure that the provided dumpster does not overflow.
2. No roof mounted mechanical equipment shall be permitted on the building unless completely screened.
3. Plans showing all exterior lighting shall be submitted to the Planning Division for review prior to building permit issuance and no exterior lighting shall be installed without the approval of the Planning Division Manager. All exterior lighting shall be designed, arranged, and installed so as to confine direct rays onto the premises and to direct light away from adjacent structures.
4. Ground level mechanical equipment shall be placed a minimum of 5' from the interior property lines and shall be completely screened with landscaping or fencing. Ground level mechanical equipment shall not be located within the front setback.
5. No required parking area shall be fenced-off or otherwise enclosed for outdoor storage uses or for any other non-parking use.
6. All commercial trucks and vans and all employee, volunteer and client vehicles shall be parked in the parking lot and not in the street.
7. No fence/wall shall be erected within the parking lot area.
8. All exterior signs (identification, informational and directional), 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.

9. All activities shall be conducted entirely within the enclosed building and all supplies, products and materials shall be stored within the building. Outdoor storage of supplies, products and materials is prohibited.
10. All donated food items shall only be accepted during business hours and shall be delivered immediately into the building.
11. Signs shall be posted to advise donors that items cannot be dropped off outside of the building and that donations will only be accepted when the business is open and when an employee/volunteer is in attendance to receive the donation.
12. A security plan shall be submitted to the Chief of Police for review and approval prior to occupancy of the building. Such security plan shall include features such as lighting, gating and/or recorded video surveillance.
13. The Development Review Committee shall review the use within three months from the date the Foothill Unity Center occupies the building and commences its business operation, and annually thereafter. The review shall focus primarily on compliance with the conditions of approval related to any traffic, loitering, noise impacts or other impacts upon the surrounding properties. Property owners within a minimum 300' radius of the site shall be notified by mail for all meetings.
14. If it is determined by the Community Development Director or Public Services Director that patrons are littering the surrounding streets, sidewalks, parking lots, parks, or adjoining private properties as a result of their coming or leaving the establishment, the property owner will provide employees to pick-up and properly dispose of all litter.
15. Any graffiti painted or marked upon the premises or on an adjacent area under the control of the licensee shall be removed or painted over within forty-eight hours, unless any law in effect at that time imposes a shorter time period for eradication.
16. All clients arriving in vehicles shall receive the food being distributed from the south side of the building. All vehicles shall enter from the westerly driveway and exit from the easterly driveway (Exhibit A/Circulation Plan). Directional signs shall be posted.
17. All clients shall wait inside the lobby of the building if food distribution is not taking place or if waiting to be picked up following food distribution.
18. No clients shall be on the premises during closed hours.
19. Applicant shall define an outdoor break area (if needed for cigarette smoking) for employees/volunteers away from the residential properties and submit to the Planning Division Manager the location of the outdoor break area and the design of the outdoor furniture for review and approval of the Planning Division Manager prior to commencement of the operation. Any portable outdoor furniture must be brought inside the building when the Foothill Unity Center is closed. Any change

in the outdoor break area location and/or furniture used shall be submitted in advance to the Planning Division Manager for review and approval prior to implementing any such change.

20. An operational recorded video surveillance system shall be installed and maintained for surveillance of the parking lot to discourage people from dropping off donations and loitering after business hours. Applicant shall check the recorded video on a weekly basis to confirm that the system is operating properly and keep a written log of such checks. In the event the recorded video surveillance system becomes inoperable, Applicant shall replace or repair it within 14 days of it becoming inoperable.
21. Once the Foothill Unity Center and World Vision offices (790 and 800 W. Chestnut Ave.) are closed each day of operation the parking lot driveway gates shall be closed and properly secured.
22. Hours of operation shall be limited to 9:00 AM to 5:00 PM and food distribution shall be limited to Monday (1:00 PM-3:00 PM), Wednesday (9:00 AM-11:30 AM) and Friday (9:00 AM-11:30 AM). Before any change is made in these days and hours of operation and food distribution, 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 days and hours of operation and food distribution shall be made without Planning Commission approval.
23. Applicant shall provide a copy of this Data Sheet No. 1 to each employee when the employee is hired (and to each volunteer when the volunteer begins work on the premises) and require that they become familiar with these Planning conditions.
24. Landscaping across the frontages of 790 and 800 West Chestnut Avenue shall continue to be a cohesive design and shall be commonly maintained.
25. A reciprocal access and parking agreement (the "Agreement") shall be recorded once the site is subdivided into two parcels. The Agreement shall be submitted to the Planning Division Manager providing for reciprocal ingress and egress and the maintenance and use of all common and parking areas by all parcels that are included within properties that are currently addressed 790 and 800 West Chestnut Avenue (APN's 8506-031-026, 8506-031-027, 8506-031-028, 8506-032-024, 8506-032-024).. The Agreement must meet with the approval of the Planning Division Manager, be acceptable in form and substance to the City Attorney, and once approved by the Planning Division Manager, shall be recorded with the Los Angeles County Recorder's office against each parcel that is included, in whole or in part, within the project prior to issuance of a business license for the Foothill Unity Center allowing commencement of its business operation at 790 West Chestnut Avenue. The Agreement shall not be modified or revoked without the prior written approval of the City.

26. The approved floor plan is an integral part of the decision approving Conditional Use Permit CUP2017-03. Any change in the approved floor plan which has the effect of expanding or intensifying the use may require an amendment to the CUP as determined by the Development Review Committee.
27. 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.
28. 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, Public Works Department and Fire Department that are directly applicable to the project.
29. The term "Applicant" as used herein shall include the applicant, the property developer and all successors in interest to this conditional use permit.
30. 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.
31. 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.
32. 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.

33. 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.
34. 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. CUP2017-03 for occupying an existing 28,300 square foot industrial/office building with a non-profit organization located at 790 West Chestnut Avenue is based on the following findings:

- A. The project site is adequate in size, shape and topography for occupying an existing industrial/office building with a non-profit organization that provides various services to homeless families. *The site has sufficient width, depth and lot area to accommodate this type of business operation. The site is relatively flat and of sufficient size to accommodate the proposed use and food distribution that requires on-site vehicle circulation.*
- 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 this non-profit organization that provides various services to homeless families. *The site is improved with a large parking lot and a circulation plan (Exhibit A) for food distribution pick-up is a condition of approval to insure adequate ingress and egress from Chestnut Avenue. The project provides the required residential and guest parking spaces.*
- C. The occupancy of an existing industrial/office building with a non-profit organization that provides various services to homeless families with the General Plan and will not adversely impact the objectives of the General Plan, *specifically the PD-Area 3 guidelines requires new uses to be compatible with residential uses. The conditions of approval provide security measures that will insure that the residential neighborhoods are not negatively impacted by the client services provided at the site.*
- D. The occupancy of an existing industrial/office building with a non-profit organization that provides various services to homeless families will comply with the applicable provisions of the Zoning Ordinance. *The subject site with existing improvements is in compliance with development standards, including on-site parking, required for the proposed occupancy.*
- E. The proposed location of the existing industrial/office building to be occupied with a non-profit organization that provides various services to homeless families 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, *as the conditions of approval will insure that the site is continually kept free of outdoor storage and litter and will be a secure site with several safety measures in place.*



DATA SHEET 4

Surrounding Land Uses

CUP2017-03

790 West Chestnut Avenue

Property Description:

Located on the south side of Chestnut Avenue between Monterey and Fifth Avenues. The 3.17 acre site consists of five parcels and is irregular in shape having approximately 1,063' of frontage and an average depth of 104'. The site was developed in phases with the first building (800 W. Chestnut) constructed in 1978 and a second building (790 W. Chestnut) constructed in 1982.

Zoning

Subject site: PD 3 (Planned Development - Area 3)

Surrounding pattern:

north: RH (Residential High Density)

south: 210 Freeway

east: PD 3 (Planned Development - Area 3)

west: PD 3 (Planned Development - Area 3)

Land Use

Subject site: Office/Industrial

Surrounding pattern:

north: Multifamily Residential

south: 210 Freeway

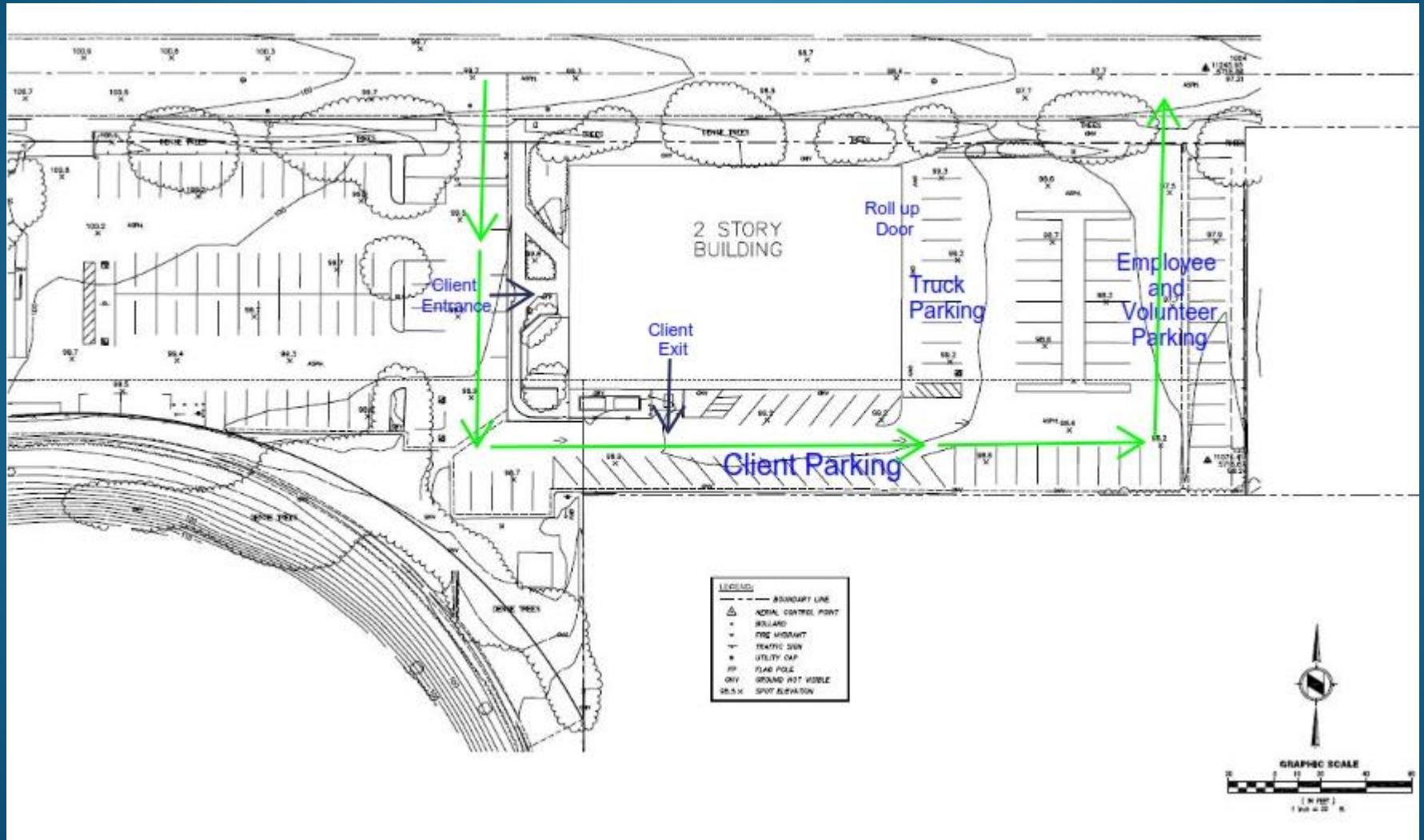
east: Multifamily Residential (7-unit PUD)

west: Office/Industrial

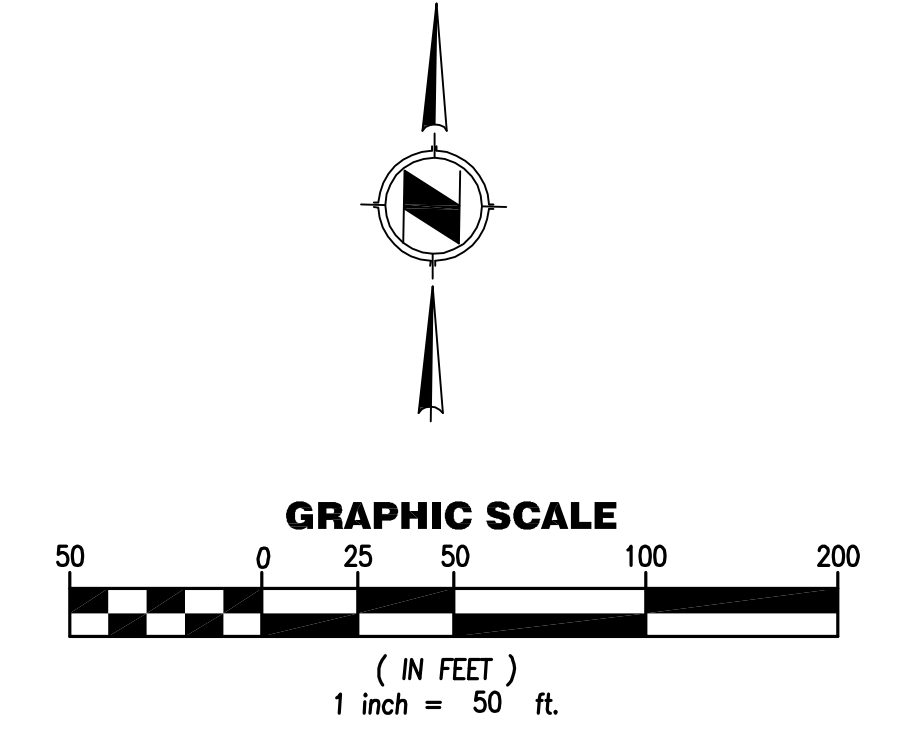
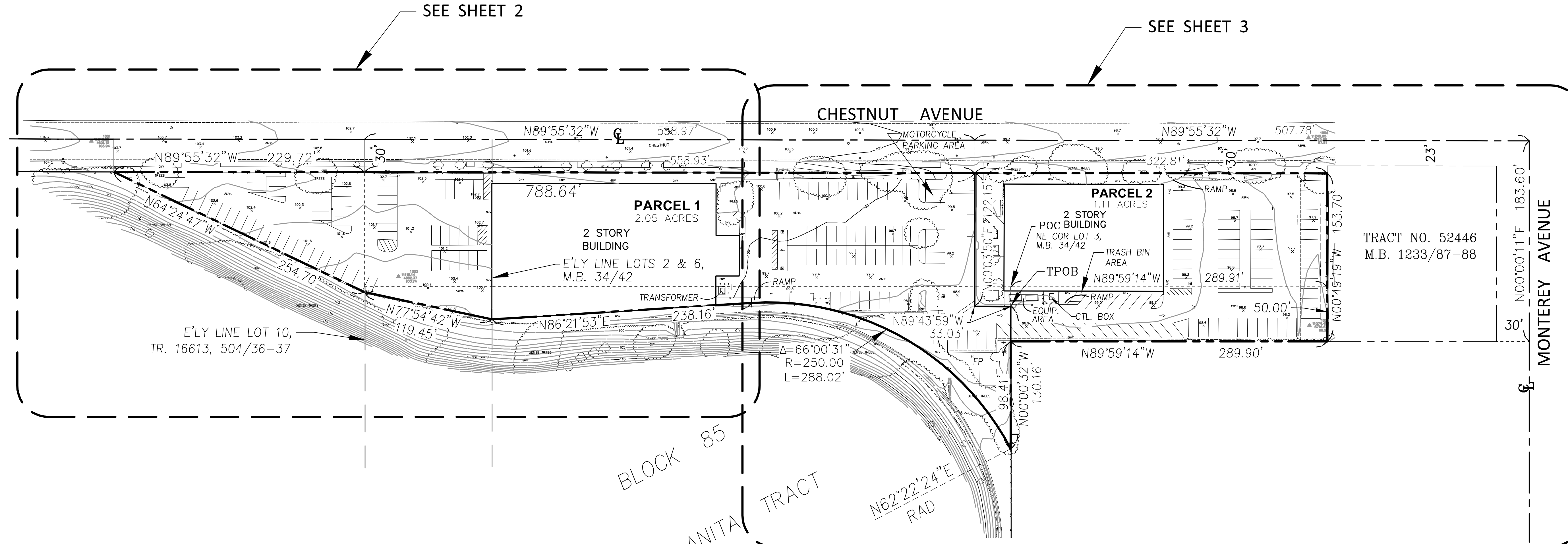
Environmental Determination: Categorical Exemption Class 1

Applicable Ordinance Regulations: MMC 17.52.020 Planning Commission Authority for CUP

Site Plan



SITE PLAN



LEGEND:	
	BOUNDARY LINE
	AERIAL CONTROL POINT
	BOLLARD
	FIRE HYDRANT
	TRAFFIC SIGN
	UTILITY CAP
	FLAG POLE
	GROUND NOT VISIBLE
	SPOT ELEVATION

REVISIONS

NO.	DATE	DESCRIPTION	BY

PREPARED BY: **TTG**

STRUCTURAL
MECHANICAL
ELECTRICAL
CIVIL

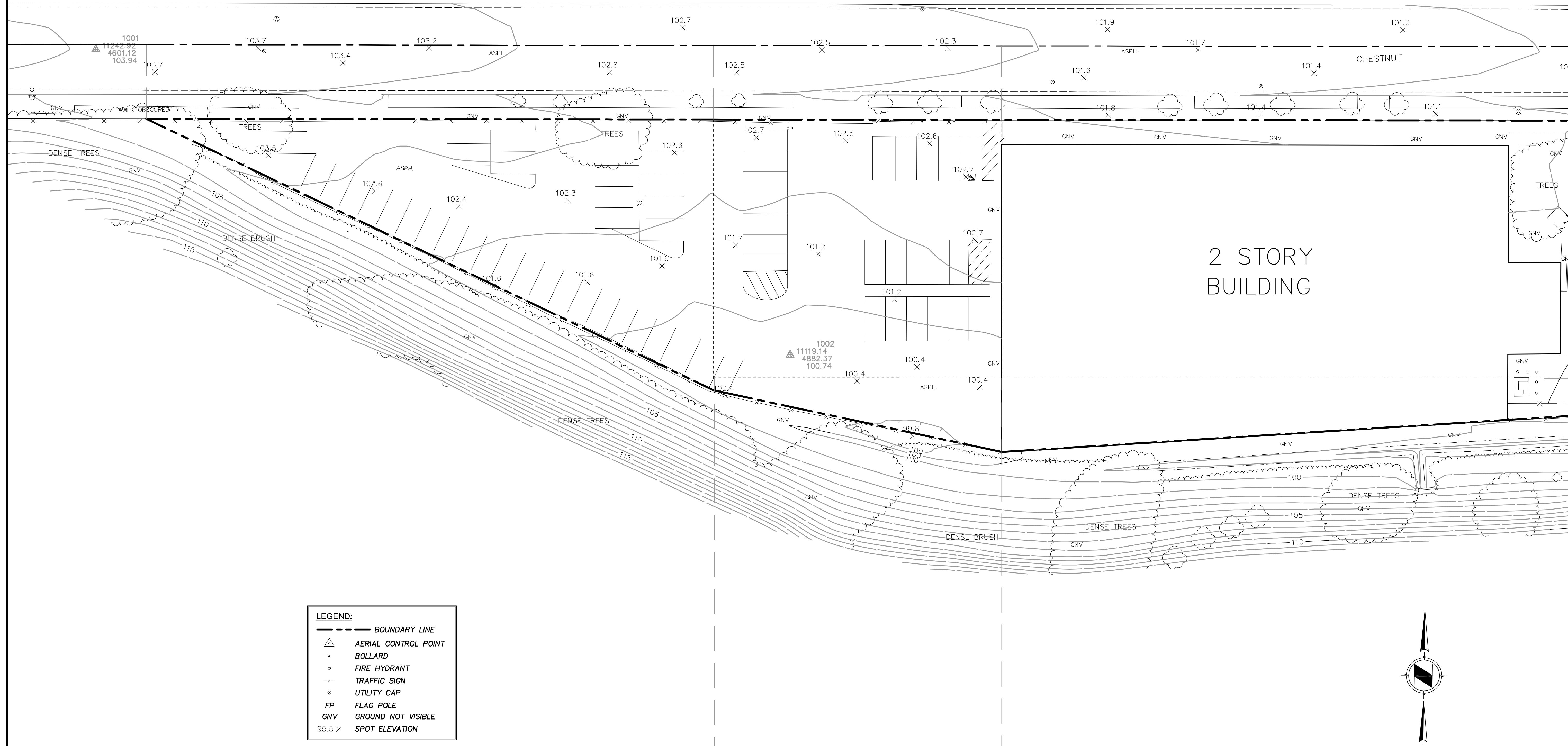
901 Via Piemonte, Suite 400
Ontario, California 91764
Phone: 909.477.8915 Fax: 909.477.8916
www.ttgcorp.com Project No. 0212.4520.00

SITE PLAN OF:

WORLD VISION
800 West Chestnut Avenue
Monrovia, CA 91016

SHEET
1
OF 3 SHEETS

AERIAL TOPOGRAPHIC MAP



LEGEND:

---	BOUNDARY LINE
△	AERIAL CONTROL POINT
•	BOLLARD
▽	FIRE HYDRANT
+	TRAFFIC SIGN
⊙	UTILITY CAP
FP	FLAG POLE
GNV	GROUND NOT VISIBLE
95.5 X	SPOT ELEVATION

REVISIONS

NO.	DATE	DESCRIPTION	BY

PREPARED BY:

TTG

STRUCTURAL
MECHANICAL
ELECTRICAL
CIVIL

901 Via Piedmonte, Suite 400
Ontario, California 91764
Phone: 909.477.6915 Fax: 909.477.6916
www.ttgcorp.com Project No. 0212.4520.00

WORLD VISION
800 West Chestnut Avenue
Monrovia, CA 91016

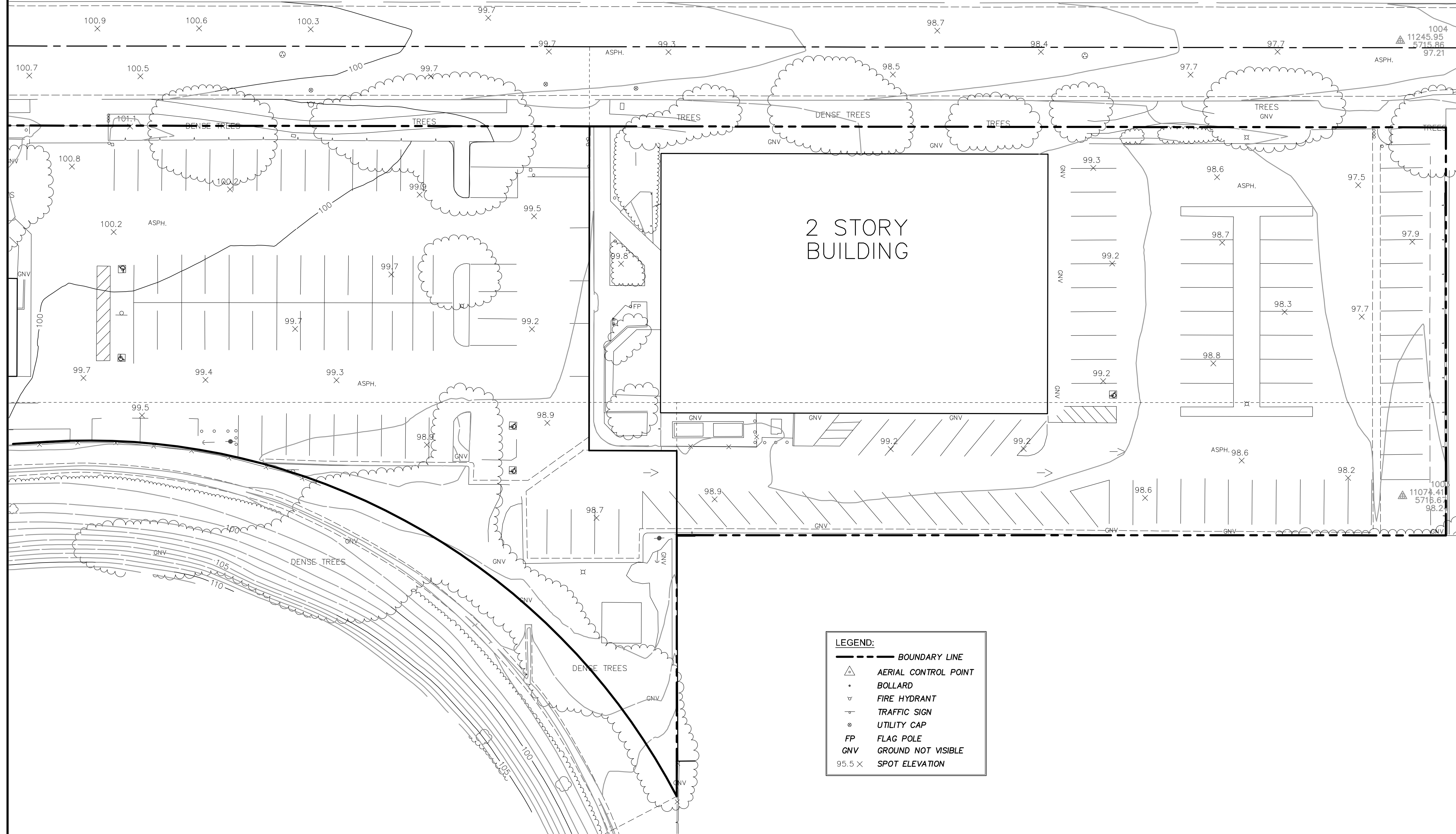
SITE PLAN OF:

SHEET

2

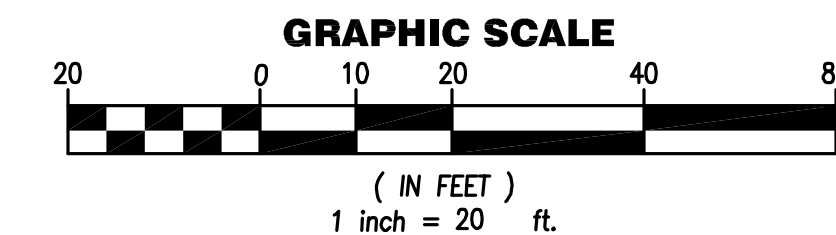
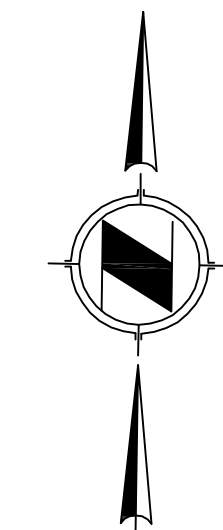
OF 3 SHEETS

AERIAL TOPOGRAPHIC MAP



LEGEND:

—	BOUNDARY LINE
△	AERIAL CONTROL POINT
•	BOLLARD
⊕	FIRE HYDRANT
+	TRAFFIC SIGN
⊙	UTILITY CAP
FP	FLAG POLE
GNV	GROUND NOT VISIBLE
95.5 X	SPOT ELEVATION



REVISIONS

NO.	DATE	DESCRIPTION	BY

PREPARED BY:

TTG

STRUCTURAL
MECHANICAL
ELECTRICAL
CIVIL

901 Via Piemonte, Suite 400
Ontario, California 91764
Phone: 909.477.6915 Fax: 909.477.6916
www.ttgcorp.com Project No. 0212.4520.00

SITE PLAN OF:

WORLD VISION
800 West Chestnut Avenue
Monrovia, CA 91016

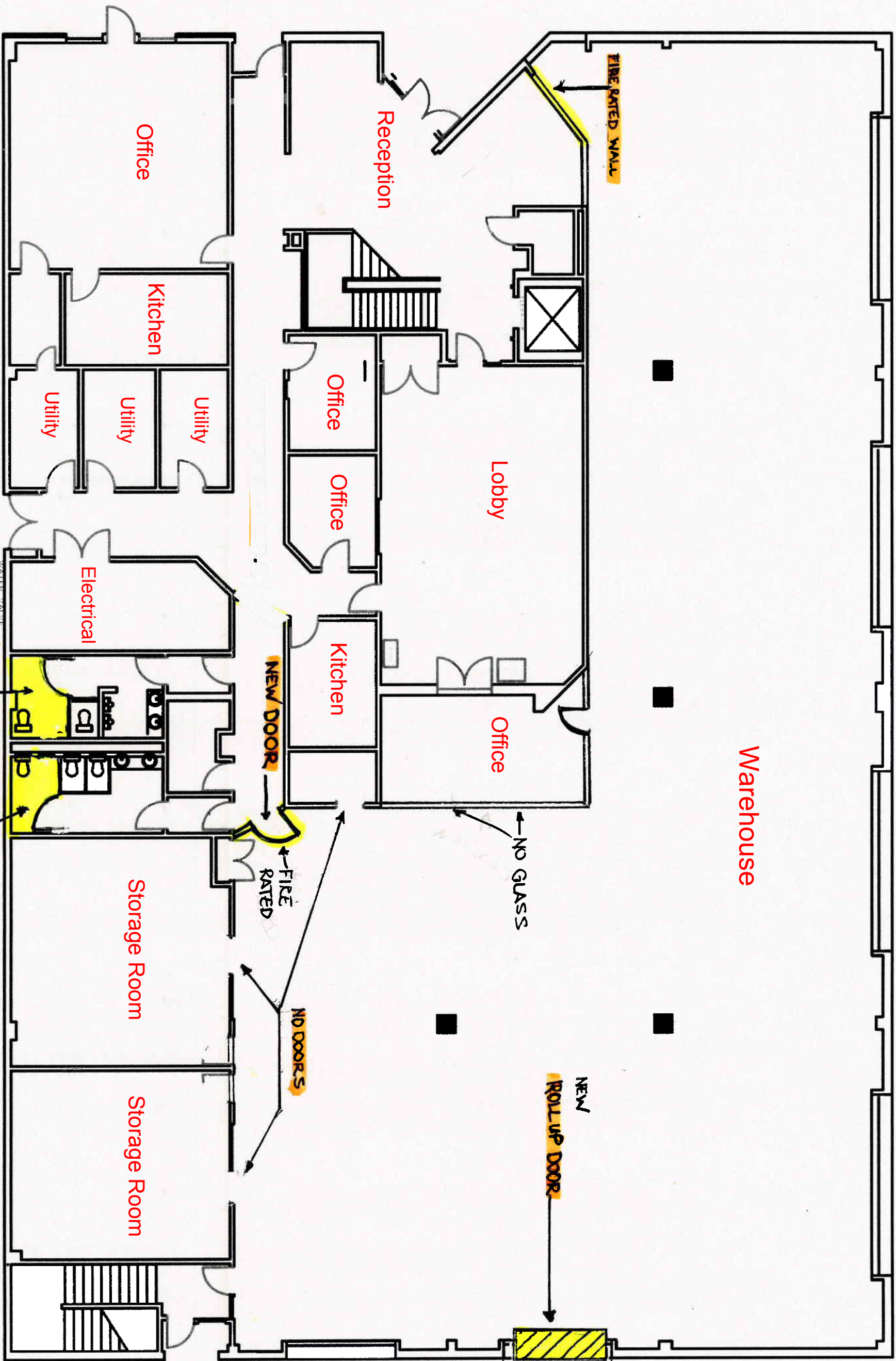
SHEET

3

OF 3 SHEETS

790B 1st Fl

Warehouse



FIRE RATED WALL

Reception

Lobby

Office

Office

Office

Kitchen

Office

Kitchen

Utility

Utility

Utility

Electrical

Storage Room

Storage Room

NO GLASS

NEW DOOR

FIRE RATED

NO DOORS

NEW ROLL UP DOOR

WINDOW TO BE CHANGED OUT

ADA COMPLIANT

1st + 2nd FLOORS

FOOTHILL'S 2ND DRAFT

PHONE LINE

WATER DRIVE

B790 2ND FLOOR

