



Staff Report

TO: Planning Commissioners

FROM: Carole Kendrick, Senior Planner

DATE: October 13, 2020

SUBJECT: **Conditional Use Permit CUP2020-0048 & Variance V2020-0079 – A Request for Planning Commission Consideration of the Operation of a 31 Bed Residential Care Facility Serving as a Drug Rehabilitation Facility Within an Existing 11,790 Square Foot, Two-Story Building and a Variance Requesting Reduced Parking Requirements Located at 210 W. 6th Street, with Consideration of an Environmental Exemption pursuant to CEQA Guidelines Section 15301 (Existing Facilities)**

APPLICANT: URP California LLC

Background and Analysis:

The Commercial General zone use table (17.03-3) allows chemical dependency clinics and transitional housing subject to the approval of a Conditional Use Permit. The Beaumont Municipal Code Section 17.02.100. requires the approval of a Conditional Use Permit by the Planning Commission for certain uses, due to the nature of the use, intensity, or size require special review to determine if the use proposed, or the location of that use, is compatible with surrounding uses, or through the imposition of development and use conditions, can be made compatible with surrounding uses. The purpose of this requirement is to establish a formal review of such proposals, which involves conducting a public hearing and giving written notice to property owners within a 300-foot radius of the site.

Beaumont Municipal Code Section 17.02.110 establishes a variance procedure to grant relief from zoning provisions when, because of special circumstances applicable to a property, including size, shape, topography, location, or surroundings, that the strict application of the zoning ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zoning classification.

The Planning Commission can either approve, conditionally approve or deny the conditional use permit and variance proposals and may establish conditions of approval for the business' operations to ensure that it will not be a detriment to the community.

The subject site is approximately 0.37 acres and contains an existing 11,790 square foot, two-story single-family building that County records show was constructed in 1925 and annexed into the City limits in 1993. Previous uses include a hotel and women and children's shelter. The site is currently improved with curb, gutter, parkway sidewalks and mature street trees.

Description:

The applicant is requesting approval of a Conditional Use Permit for the operation of a 31-bed drug rehabilitation facility located on the northwest corner of Sixth Street and California Avenue. A parking variance has also been requested for relief from the 39-space parking requirement to the 12 existing parking stalls that currently exist on the site. Additional discussion regarding parking is provided in the circulation and parking section of this staff report.

The project setting can also be seen in the following materials attached to this staff report:

- General Plan Land Use Map (Attachment C)
- Zoning Map (Attachment D)
- Aerial Photograph (Attachment E)

The land uses, zoning, and General Plan land use designations of the project site and surrounding area are shown in the following Table.

	LAND USE	GENERAL PLAN	ZONING
PROJECT SITE	Vacant 2-Story Building	General Commercial (GC)	Commercial General (CG)
NORTH	Single-Family Residences	General Commercial (GC)	Commercial General (CG)

SOUTH	Parking lot for Ramona's Restaurant	General Commercial (GC)	Commercial Manufacturing (CM)
EAST	Rocky's Pawn and Single-Family Residences	General Commercial (GC) & Single-Family Residential (SFR)	Commercial General (CG) & Residential Single Family (RSF)
WEST	Single-Family Residences	General Commercial (GC)	Commercial General (CG)

Analysis:

The applicant is proposing to operate a care facility providing drug rehabilitation services with a 31-bed capacity. The project will utilize the existing 11,790 square foot building, with a first-floor square footage of 6,481 and a second-floor square footage of 5,309.

The first floor will include two (2) 157-158 square foot bedrooms providing one (1) bed each. The remainder of the first floor includes a reception area and lobby, two (2) group rooms, a dining area and kitchen, three (3) private therapy rooms, a nursing office, dry storage room, laundry room, storage and janitorial rooms, a locked medication room, two (2) restrooms and an administration office.

The second floor will comprise of 17 bedrooms with a total of 29 beds, four (4) bathrooms and a manager's office. The operation of the facility will be conducting in three (3) shifts with the first shift occurring from 8am to 4pm with 10 employees. The second shift provides eight (8) employees between the hours of 4pm to 12am and the third shift includes seven (7) employees between the hours of 12am to 8am. The employee breakdown is provided in the applicant's statement of operations that is included as Attachment F to this staff report.

The facility proposes a rehabilitation facility that provides a detoxification process of clients from alcohol/drug abuse supervised by a medical team 24 hours a day, seven (7) days a week. Treatment periods range from 21 to 28 days and include activities such as group and one (1) on one (1) therapy sessions. All meals will be catered, with meals times at 8am, 1pm and 6pm.

All patients are picked up by the facility at their homes or at the airport and not permitted to have vehicles on site. Due to the nature of the treatment, visitors are not allowed at the facility.

The attached Development Plans (Attachment B) include the site layout and floor plans.

Architecture:

The existing architecture is standard two-story building with one and two-story elements, recessed windows and mansard style tile roof. The applicant is proposing to install foam trim at the top of the building, foam molding at the bottom of all existing windows, remove the existing first floor overhang at the southwest corner of the building and install foam trim in its place, construct two pop-outs at the south of the building at the middle and south east entrances, install a two (2) foot stone veneer at the south side of the building, including a portion of the southwest and southeast corners of the building, in addition re-plastering the entire building and installing decorative expansion joints.

Circulation and Parking:

Commercial parking requirements are broken down into 13 categories. The proposed use is considered a boarding house use and requires one (1) space per sleeping unit in addition to the professional office space that requires one (1) space per 200 square feet, per Table 17.05-1.

The parking requirement for boarding house style use is based on the number of sleeping units and will require 19 parking spaces based on the 19 bedrooms/sleeping units being provided. The professional offices will occupy 3,917 square feet of the building and are required to provide 20 parking spaces for a total of 39 required parking spaces for the use.

The site is currently developed and provides 12 parking spaces that are located west of the building that are accessible by a 20-foot-wide alley between Sixth Street and California Avenue.

Due to the project's inability to provide the required parking spaces, a variance has been requested for relief from the parking requirements. The applicant has indicated that clients are picked up from an off-site location and not permitted to bring vehicles to the facility, no visitors are allowed at the facility at any time, and the maximum number of employees on needed during a shift is ten (10). Based on the operational aspects of the use, the applicant considers that the 12 existing parking spaces are sufficient to

serve the use as proposed and as described in the attached justification (Attachment No.G).

Multi-Species Habitat Conservation Plan (MSHCP):

The project is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

Development Review Committee (DRC):

The Development Review Committee reviewed for the project for design on May 21, 2020, and August 20, 2020. Staff from the various City departments provided written comments that have been incorporated into the proposed conditions of approval.

CEQA Review:

This project is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 in that information contained in the project file and documents incorporated herein by reference demonstrates that: Conditional Use Permit No. CUP2020-0048 is consistent with the General Commercial (GC) General Plan designation and all applicable General Plan policies as well as the applicable zoning designation of Commercial General (CG) zone; the proposed project site is located within the boundaries of the City of Beaumont; CUP2020-0048 has no value as habitat for endangered, rare or threatened species; there is no substantial evidence in the record that CUP2020-0048 will result in significant effects related to traffic, noise, air quality or water quality in that the proposed design incorporates and otherwise is subject to air and water quality resource agency design requirements to avoid harmful effects; and the site is or can be adequately served by all required utilities and public services. As such, the project meets the criteria for application of a Class 01 (Existing Facilities) Categorical Exemption under the CEQA Guidelines. Additionally, none of the exceptions provided in CEQA Guidelines Section 15300.2 apply to this project.

Public Communications Received:

Property owners located within a 300-foot radius of the project site were notified of the public hearing on October 2, 2020, with a 10-day hearing notice in addition to a public notice in the Press Enterprise. At the time of report preparation, the Planning Department has not received any letters of comment from the public in favor or

opposition to the project. Any comments received prior to the time of the scheduled Planning Commission meeting will be provided to the Commission at the time of the public hearing.

Conditional Use Permit Findings:

The Planning Commission may approve and/or modify a Conditional Use Permit in whole or in part, with or without conditions, provided that all of the following findings of fact are made:

1. The proposed uses conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this Zoning Ordinance.

The site is currently developed with an existing two-story building and is generally consistent Development Standards for the Commercial General (CG) zone. The zoning allows chemical dependency clinics and transitional housing subject to a Conditional Use Permit.

2. The proposed uses would not impair the integrity and character of the zone in which it is to be located.

The subject property is zoned General Commercial (GC) which allows chemical dependency clinics and transitional housing subject to a Conditional Use Permit. The site is located in an area that includes Commercial General (CG) properties surrounding the site, and Residential Single Family (RSF) to the east. The proposed use is consistent with the character of the Commercial General (CG) zone.

3. The subject site is physically suitable for the type of land use being proposed.

The site is currently developed with an existing two-story building, curb, gutter, sidewalk, landscaping and parking that was previously utilized as a women and children's shelter. The proposed project is in a predominately commercially zoned area that is developed with existing commercial developments or pre-existing non-conforming single-family residences. Minor architectural enhancements are proposed as part of the application, but no vertical construction or addition of square footage.

4. The proposed uses are compatible with the land uses presently on the subject property.

The site is currently developed and was previously utilized with a similar use, as a women and children's shelter, and is zoned Commercial General and the proposed use are allowed subject to approval of a Conditional Use Permit.

5. The proposed uses would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.

The zoning and land use designation for the project site is Commercial General (CG). The proposed project is surrounded by property that is Commercial General, and Residential Single Family to the east and designated as General Commercial and Single Family Residential by the General Plan. The site is surrounded by developed land with existing commercial structures or pre-existing non-conforming single-family residences. The proposed use is compatible with the surrounding commercial and single family residential zoned properties as it will provide drug rehabilitation services in a semi-residential environment.

6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

The site is served by the Beaumont-Cherry Valley Water District for water services and the City of Beaumont for sewer disposal system. Electricity will be provided by Southern California Edison and natural gas will be provided by the Southern California Gas Company. Solid waste and refuse services are provided by Waste Management, Inc. on behalf of the City of Beaumont. The site can be adequately served and will not be detrimental to public health and safety.

7. There would be adequate provisions for public access to serve the subject proposal.

There is adequate access to the site as determined by the City's public safety departments. The site has access from 6th Street, California Avenue and the 20-foot-wide alley located to the west of the site.

8. The proposed use is consistent with the objectives, policies, general land uses, and programs of the City of Beaumont General Plan.

The proposed project is in conformance with the General Plan for the City of Beaumont. The land use designation for the project site is General Commercial (GC). The proposed development is consistent with the General Plan policies.

9. The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare.

The proposed project is located within an existing building that generally meets the development standards under the Commercial General zoning, which is intended to protect the public interest, health, safety, convenience, or welfare. The chemical dependency clinic/transitional housing will provide 24-hour treatment services in a semi-residential environment that will not be detrimental to public health, safety or welfare.

10. The proposed design and elevations preserve and maximize the image, character, and visual quality of the neighborhood.

The project as proposed will utilize an existing two-story building that was constructed in 1925 and is proposing minor architectural enhancements to update the image that will compliment the character of the commercial and residential properties that are developed in the area along 6th Street, California Avenue and the 20-foot-wide alley to the west of the building.

11. The Planning Commission shall find that the proposed use does not have a disproportionately high and adverse human health or environmental effect on minority and low-income populations.

This use will not have an adverse effect on humans or the environment for any population. The proposed project will provide drug rehabilitation services in a semi-residential environment to serve all income levels of the population.

Variance Findings:

The Planning Commission may approve, conditionally approve, or deny the application provided that all of the following findings of fact are made:

1. The strict or literal interpretation and application of this Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Zoning Ordinance or would deprive the applicants of privileges granted to others in similar circumstances.

The subject property was constructed in 1925 with limited parking spaces and has no opportunity to provide additional parking as the property surrounding the site is fully developed. The existing size of the building and parking would essentially not allow for any use without a parking variance due to the site constraints. The applicant has indicated that the operation will only a fraction of the required parking in order to operate, as stated in the statement of operations (see Attachment F).

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property that do not apply generally to other property in the same zone.

The subject property was constructed in 1925 with limited parking spaces and has no opportunity to provide additional parking as the property surrounding the site is fully developed. The existing size of the building and parking would essentially not allow for any use without a parking variance due to the site constraints. The site is also located in the downtown area of the City which in general has limited parking opportunities for existing businesses in this general location.

3. That the granting of such variance will not constitute the granting of a special privilege inconsistent with the limitations on other properties in the vicinity classified in the same zone.

The site is located in the downtown area of the City which in general has limited parking opportunities for existing businesses in this general location and would not constitute the granting of a special privilege inconsistent with limitations on other properties in the vicinity classified in the same zone, if the proposed use in fact only demands the parking as stated by the applicant.

4. That the granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.

The proposed use is subject to a Conditional Use Permit that per the Beaumont Municipal Code Section 17.02.100.I the Community Development Director has the authority to initiate proceedings to suspend or revoke a conditional use permit if it is found to be materially detrimental to the public health, safety, or general welfare or injurious to property or improvements in the zone or neighborhood in

which the property is located in. Therefore, if the property after operation cannot demonstrate that adequate parking is provided for the use, the Conditional Use Permit can be suspended or revoked.

5. That the granting of such variance will not create any inconsistency with any objective contained in the General Plan.

The proposed variance will not create any inconsistency with the General Plan objectives and satisfies Circulation Element Goal 3 by ensuring that new development provides sufficient parking to meet demand. The applicant has indicated that the parking demand for the proposed use will be limited to the number of employees on any given shift, which is a maximum of ten (10). The site currently provides for 12 parking spaces.

Recommended Action:

Hold a Public Hearing; and

Option 1:

Approve Conditional Use Permit No. CUP2020-0048 & Variance No. V2020-0079, subject to the proposed conditions of approval; and
Direct staff to prepare a Notice of Exemption for the applicant to record with the County Clerk.

Option 2:

Deny Conditional Use Permit No. CUP2020-0048 & Variance No. V2020-0079.

Option 3:

Require the applicant to modify the project and return to Planning Commission at a future date.

Attachments:

- A. Draft Conditions of Approval
- B. Development Plan
- C. General Plan Land Use Designation
- D. Zoning Map
- E. Aerial Photograph
- F. Applicant's Statement of Operations
- G. Parking Justification
- H. Proof of Publication

Incorporated herein by Reference:

City of Beaumont General Plan

City of Beaumont Zoning Ordinance

Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan
Informational Map

Contents of City of Beaumont Planning Department Project File 96-PUP-3, 97-PUP-3,
PP2017-0043, CUP2020-0048 & V2020-0079