



# CITY OF POMONA

## PLANNING COMMISSION REPORT

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**DATE:** January 25, 2017

**TO:** Chairman and Members of the Planning Commission

**FROM:** Planning Division

**SUBJECT:** CONDITIONAL USE PERMIT (CUP 11-002):

Conditional Use Permit request for a proposal to legalize the conversion of a group care facility to an eleven unit roominghouse on a 16,600 square foot property located at 804 William Street in the R-2 (Low Density Multiple Family Residential) zoning district.

### STAFF RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt the attached PC Resolution (Attachment 1) approving Conditional Use Permit (CUP 11-002), subject to conditions.

### PROJECT/APPLICANT INFORMATION

<b>Project Location:</b>	<b>804 William Street</b>
APN Information:	8357-012-046
Project Applicant:	Michael S. Agron
Property Owner:	Michael S. Agron
<b>CC District:</b>	<b>District # 1</b>
Historic/CBD:	Not applicable
Specific Plan:	Not applicable

### PROJECT DESCRIPTION AND BACKGROUND

This case was initially scheduled for the July 11, 2012 Planning Commission meeting. At the request of the applicant, the case was continued to a date uncertain. It was not until recently that Planning staff received communication from the applicant to move the case forward and reschedule the public hearing for the Conditional Use Permit. The Conditional Use Permit was scheduled accordingly to the January 25, 2017 Planning Commission meeting.

The applicant, Mr. Michael Agron, is proposing to legalize the conversion of a group care facility to an eleven unit roominghouse, located at 804 William Street. The subject site is on the southwest

corner of William Street and Hamilton Road. The applicant currently rents out 11 rooms to individual tenants.

The subject site is an approximately 16,600 square foot lot, developed with a 4,837 square foot residential building. The western portion of the lot is developed with a surface parking lot that takes access from the alley at the southern portion of the property, via Hamilton Boulevard. There are a total of 10 off-street parking spaces provided on the subject site. There is a small, detached laundry room located in the parking area. There is a one bedroom apartment and a studio, each unit with a restroom included. The remaining nine rooms are single bedrooms with shared restrooms. There are common areas, such as a kitchen, dining area, and community room. A roominghouse is defined as *a dwelling where housing is provided to three or more individuals, pursuant to an arrangement for compensation by month or greater term, and in which rooms are not occupied by, nor meals served, to transients.*

The current property owner purchased the property in 2007, and utilized the property as a roominghouse. The property owner was been cited by the Code Enforcement Division for operating a roominghouse without City approval. Recent records show that calls for service to the roominghouse have significantly dropped under the current property management.

The subject site has historically housed group living facilities. The front portion of the structure was originally constructed as a single-family residence in 1890 and subsequently remodeled in 1926. Building permit records indicate that an addition was constructed in 1948 to allow five additional patient rooms for a rest home. In 1972, a Certificate of Occupancy was issued to convert the property from a “sanitarium” to a “residence” in conjunction with a permit to demolish an existing single family residence and install a surface parking lot of the western portion of the property. In 1989, a Certificate of Occupancy was issued for the structure to be converted from “Communal living and convalescent care” to a “Temporary Shelter for Women and Children”. At the time of the applicant’s purchase of the property, it was staff’s assessment that the operation of group living facility, now roominghouse had continuously operated on the subject site without an active business license. Therefore, the unpermitted current operation of the roominghouse is not recognized as a legal non-conforming use and subject to a Conditional Use Permit in order to legalize the current roominghouse operations on the subject site.

#### Applicable Code Sections

Pursuant to the Zoning Ordinance, Section .580, pertaining to Conditional Use Permits, requires a Conditional Use Permit for a roominghouse in the R-2 (Single-Family Residential) zone.

#### Surrounding Land Use Information

The properties that surround the subject site are single-family residential uses and an automobile repair garage. The following table summarizes the surrounding land uses, zoning and general plan designations.

**Land Use Summary Table**

	<b>Existing Land Use</b>	<b>Zoning Designation</b>	<b>General Plan Designation</b>
<b>Subject Site</b>	<b>Existing Residential Structure</b>	<b>R-2 (Low Density Multiple Family Residential)</b>	<b>Activity Center</b>
<b>North</b>	<b>Single Family Residence</b>	<b>R-2 (Low Density Multiple Family Residential)</b>	<b>Residential Neighborhood</b>
<b>South</b>	<b>Automobile repair garage</b>	<b>Pomona Corridors Specific Plan, Neighborhood Center</b>	<b>Activity Center</b>
<b>West</b>	<b>Single Family Residence</b>	<b>R-2 (Low Density Multiple Family Residential)</b>	<b>Residential Neighborhood</b>
<b>East</b>	<b>Single Family Residence</b>	<b>R-2 (Low Density Multiple Family Residential)</b>	<b>Activity Center</b>

## **ZONING COMPLIANCE ANALYSIS**

### Site Development Standards

The project site is zoned R-2 (Low Density Multiple-Family Residential) and is subject to the development standards of the zoning district. Staff has evaluated the project site and determined that it is in compliance with the minimum applicable development standards of the R-2 zone with the exception of existing legal nonconforming side yard building setback and off-street parking requirements. The following tables summarize the required development standards applicable to the proposed project site:

### Development Standards

Development Standards	R-2 Requirements (R-1-10,000 standards, based on type of development)	Existing Structure (Proposed legalization of Roominghouse)	Compliance Determination
Front Yard	25' min.	25' 1"	Yes
Street Side Yard – East	15' min.	2'5"to 26'	Yes*
Side Yard – South	5' min.	49'	Yes
Rear Yard	25' min.	0' (building at alley)	Yes*
Height	2 Stories or 40' max.	2 stories	Yes
Off-street Parking	1 space per room/unit	11 spaces	No*

**\*Existing condition is deemed to be legal non-conforming**

### ISSUES ANALYSIS

#### Issue 1: General Plan Consistency

The General Plan, adopted in 2014, designates the subject site as Activity Center. It is staff's assessment that the proposed project conforms to General Plan as described below:

**Goal 6G.G2:** *Preserve the scale and character of established neighborhoods.* The proposed project will preserve in place a site that has a history of being utilized as a group living facility. Approval of the Conditional Use Permit application to legalize a rooming house because an active business license was not obtained by previous operators will not affect the scale and character of the established neighborhood. There is no new construction proposed, therefore the scale and character of the established neighborhood will remain the same.

**Goal 7D.G26:** *Align the amount of parking available and the amount of parking provided by new development with the real pattern of anticipated parking demand.* Staff's observation during site visits and also from the applicant is that the tenants of the proposed rooming house either do not drive or own vehicles that require parking. Although 11 parking spaces are required for each room per the Pomona Zoning Ordinance, the existing 10 off-street parking spaces provided are sufficient per staff's observation.

#### Issue 2: Zoning Ordinance Compliance

The proposal to legalize the roominghouse is in compliance with the site zoning of R-2 (Single-Family Residential). A Conditional Use Permit is required for a roominghouse in the R-2

(Single Family-Residential) zone. The proposed project meets all applicable standards and conforms to the Zoning Ordinance and the Conditional Use Permit (CUP 11-002) is conditioned to ensure that the roominghouse will not create negative impacts to the surrounding area.

### **Issue 3: Land Use Compatibility/Neighborhood Context**

The proposed use will not have a significant impact on the surrounding neighborhood, in that the roominghouse is consistent with the zoning designation and compatible with the surrounding uses. The proposed off-street parking for the roominghouse is currently accessed through the existing alley at the rear of the property.

The facility over recent years has attracted crime and drug related activities. The Conditional Use Permit submittal is the result of Code Enforcement action. The current property manager has worked with the Pomona Police Department and the California Department of Corrections to evict problem tenants and prevent loitering and crime committed by former residents and non-residents of the facility. As a result, the property has been vastly improved and numerous additional upgrades and improvements are proposed as a part of the project. Staff has worked with the applicant to propose conditions of approval that will improve the aesthetics of the site while improving the security for the facility. Police calls for service have been substantially reduced.

### **Issue 4: Property Condition**

The property was neglected over the years, however, the current property owner has taken steps to clean up the property, including:

- Re-painting of the existing structures;
- Reducing the height of wrought-iron bars enclosing the 2<sup>nd</sup> story balcony;
- Upgrade of exterior lighting fixtures;
- Removal of bars on windows (with exception of alley-facing windows);
- Removal of ancillary and non-operational exterior equipment mounted to structures;
- Removal of window mounted A/C units; and
- Re-slurry and re-striping of parking lot.

### **ENVIRONMENTAL ANALYSIS/DETERMINATION**

Upon submittal of the project, staff reviewed the proposed project in accordance with the California Environmental Quality Act (CEQA) guidelines. After examining the proposed project, staff determined that the project is Categorically Exempt under Section 15301, Class 1 (Existing Facilities) of CEQA, in that the proposed project involves the permitting and minor alteration of an existing private structure involving negligible or no expansion of use.

## **PUBLIC COMMUNICATIONS**

A copy of the public hearing notice was published in the Inland Valley Daily Bulletin and was sent to all property owners and occupants of surrounding properties within a 400-foot radius of the subject site on June 28, 2012 and on January 11, 2017 (Attachment 5). As of the date of this staff report, staff had received an inquiry related to the population that the roominghouse intends to serve.

## **CONCLUSION**

The proposal to legalize a roominghouse is consistent with the Activity Center place type described in the City's General Plan and meets all applicable development standards of the Pomona Zoning Ordinance. Based on analysis of the issues, the proposal to legalize the roominghouse as conditioned, will improve a dilapidated site, will be compatible with the adjacent land uses and will minimize negative impacts to the surrounding area.

## **RECOMMENDATION**

The Planning Division recommends that the Planning Commission adopt the attached PC Resolution approving Conditional Use Permit (CUP 11-002), subject to conditions.

Respectfully Submitted:



Brad Johnson  
Development Services Manager

Prepared By:



Nancy Lee  
Associate Planner

## **PC ATTACHMENTS:**

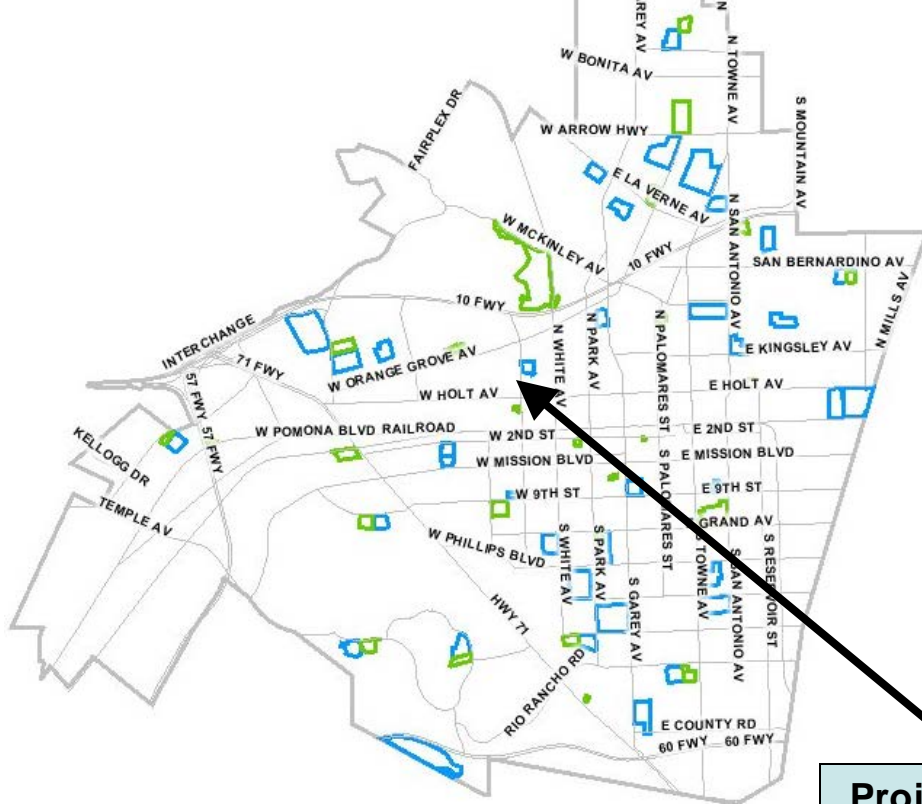
- 1) Draft PC Resolution for CUP 11-002
- 2) Vicinity Map/Aerial Photograph
- 3) Site Photographs
- 4) Project Plan Reductions (8 ½" x 11")
- 5) Public Hearing Notice & 400-foot Radius Map
- 6) Full size plans (24" x 36")

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# **ATTACHMENT 1**

## **DRAFT RESOLUTION FOR CUP 11-002**

# 804 William Street Vicinity Map



**Project Location**





804 William Street  
Aerial Photograph  
(Google Map)







**Existing structure  
(corner of William St  
and Hamilton Blvd)**

**1-19-17**







**William Street frontage**

**1-19-17**



**William Street view**



**Rear of property along  
alley**



**Gate at rear of parking lot area  
1-19-17**





# Parking Lot





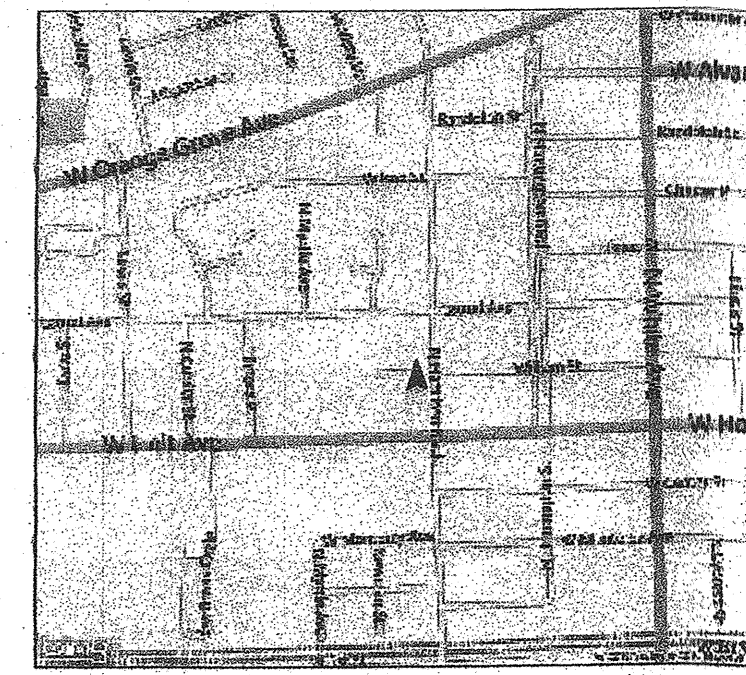
**Hamilton Boulevard frontage along alley**

**1-19-17**



**Hamilton Boulevard frontage**





VICINITY MAP SCALE: NO SCALE

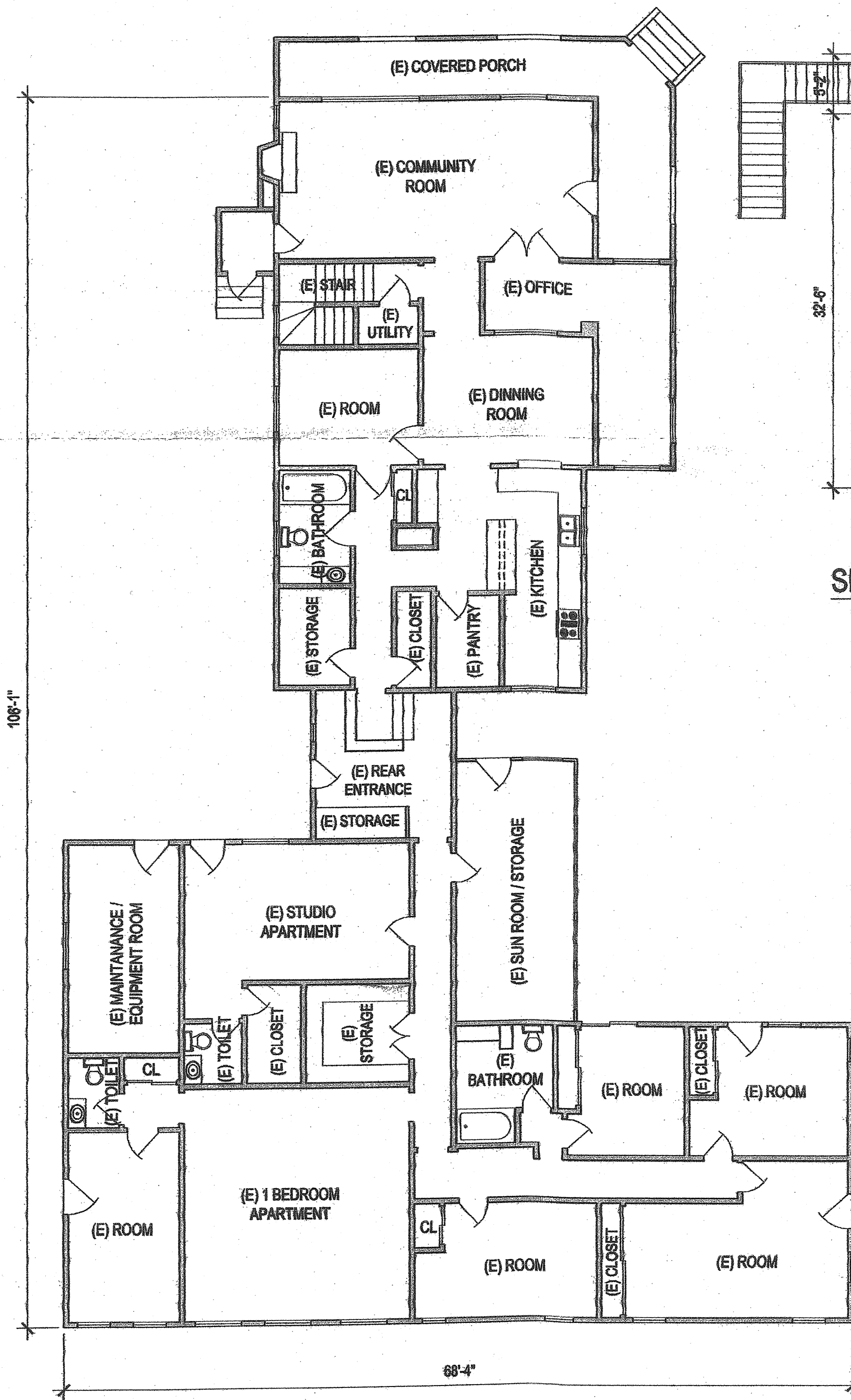
## PROJECT INFORMATION

OWNER: MICHAEL S. AGRON  
ADDRESS: P.O. BOX 210  
POMONA, CA. 91769

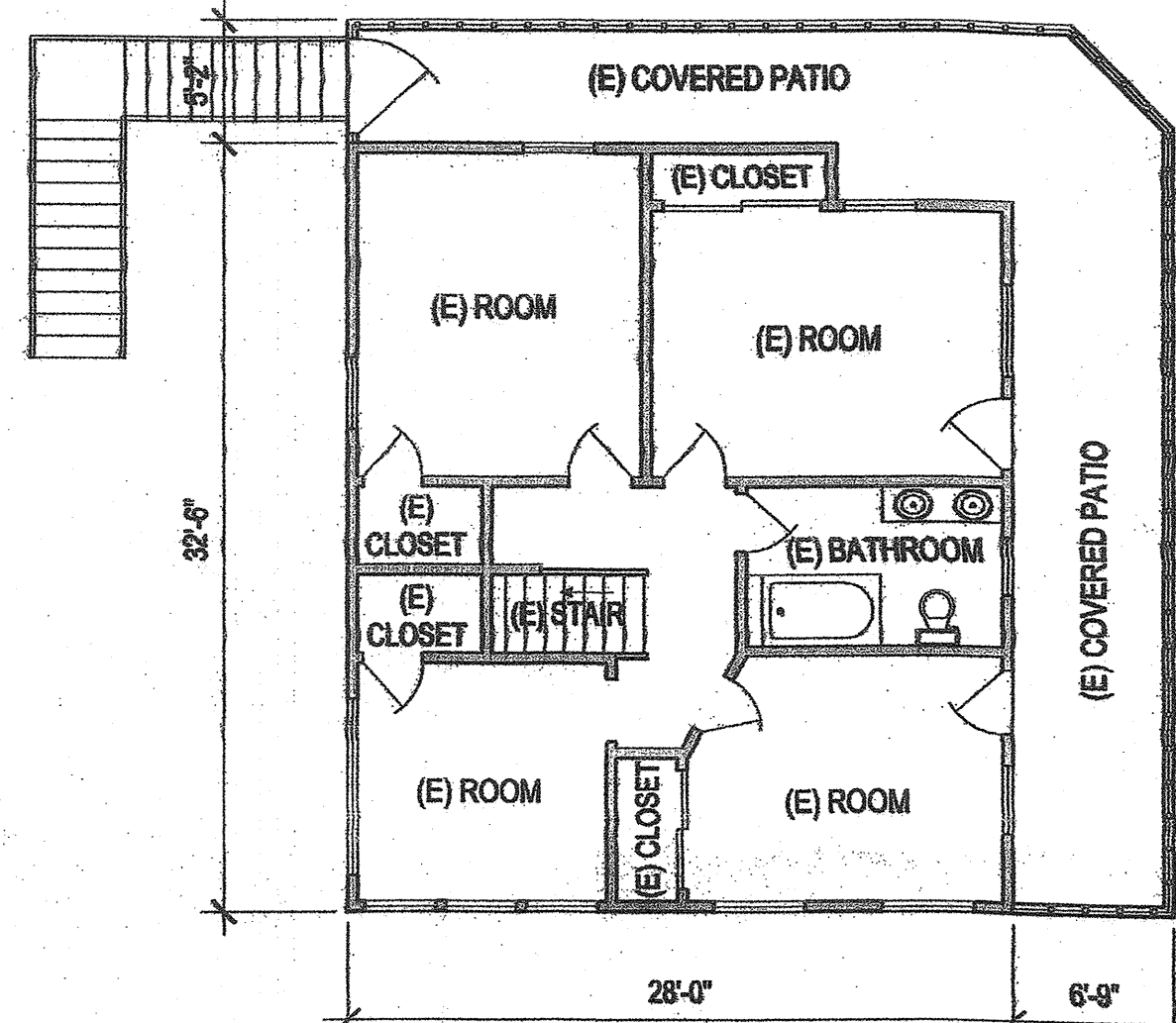
APPLICANT: MICHAEL S. AGRON  
SITE ADDRESS: 804 WILLIAM ST.  
POMONA, CA. 91768

APN: 8367-012-046  
LEGAL DESCRIPTION: TRACT NO 383  
(EX OF STS) LOT 11 & ALL OF LOT 12  
LOT: 11  
LOT SIZE: 120' X 141'  
LOT AREA: 16,920 SQ. FT.

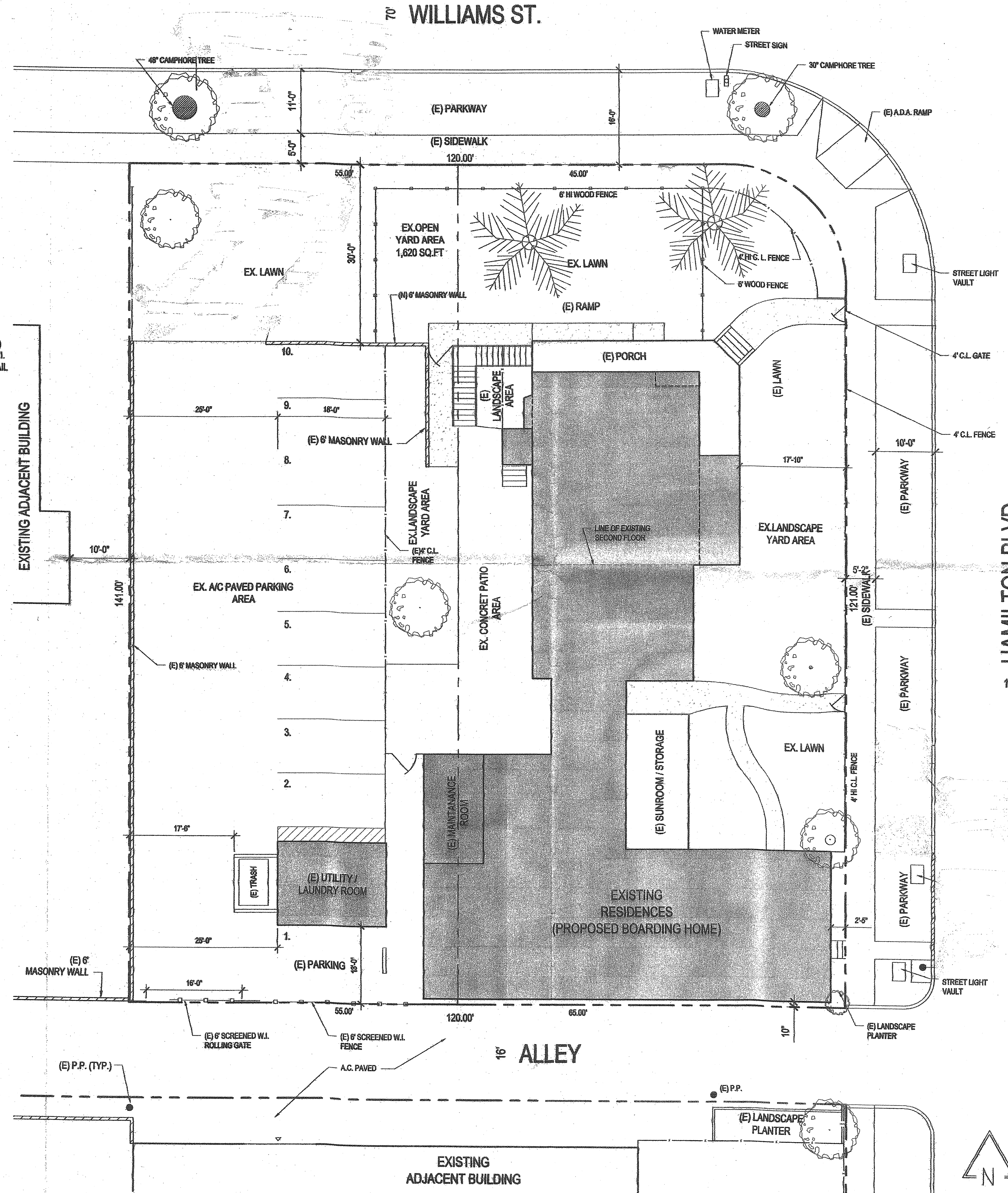
EX. BUILDING AREA: 6,065 SQ. FT.  
(11 ROOMS)  
FIRST FLOOR = 3,840 SQ. FT.  
SECOND FLOOR = 890 SQ. FT.  
SUNROOM / STORAGE = 240 SQ. FT.  
MAINTENANCE ROOM = 180 SQ. FT.  
LAUNDRY ROOM = 250 SQ. FT.  
SECOND FLOOR PATIO = 400 SQ. FT.  
FIRST FLOOR PATIO = 265 SQ. FT.  
OPEN SPACE:  
FENCED YARD AREA = 2,450 SQ. FT.  
CONCC. PATIO AREA = 875 SQ. FT.  
PARKING:  
9-9' X 18' STALLS



FIRST-FLOOR PLAN SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN SCALE: 1/8" = 1'-0"



SITE PLAN SCALE: 1" = 10'-0"

NOTE: THIS PLAN IS NOT A SURVEY OF LAND AND IS A DIAGRAM FOR INFORMATION ONLY AND IS DEEMED TO BE ACCURATE FOR THE PURPOSES INTENDED. ALL INFORMATION AND PHYSICAL MONUMENTS SHOWN ON THE SITE PLAN ARE BY FIELD MEASURE AND SHALL NOT BE USED FOR CONSTRUCTION PURPOSES.

Revisions  
By

JOE MORENO  
(626) 360-5944  
OWNERSHIP / OCCUPANTS LIST - RADIUS MAPS - LAND USE  
PLANS - MUNICIPAL COMPLIANCE CONSULTING  
12106 LAMBERT AVE ELM MONTE, CA 91732 - FAX (626) 950-1632

SITE PLAN  
&  
FLOOR PLAN

PROPOSED BOARDING HOME  
804 WILLIAM ST.  
POMONA, CA. 91768  
MICHAEL S. AGRON

Date: 5/11/11  
Scale: AS NOTED  
Drawn: MORENO  
Job:  
Sheet: A1



### DECLARATION OF MAILING

I, Maria Jaramillo, say that on the 12<sup>th</sup> of January 2017 a copy of the notice attached hereto was mailed to each of the persons whose name and address appears on the attached list. Said mailing was done at Pomona City Hall, Planning Division, located at 505 South Garey Avenue, Pomona, California.

Address: 804 William Street

Project: Conditional Use Permit (CUP 11-002)

Meeting Date: P.C. Public Hearing – January 25, 2017

I declare, under penalty of perjury, that the foregoing is true and correct.

  
Executed at Pomona, California on January 12, 2017.



## NOTICE OF PUBLIC HEARING

**Project Title:** Conditional Use Permit (CUP 11-002)

**Project Applicant:** Michael Agron

**Project Location:** 804 William Street

**Project Description:** A Conditional Use Permit to legalize the conversion of a group care facility to an eleven unit roominghouse on a 16,600 square foot parcel in the R-2 (Low Density Multiple-Family Residential) zone.

**Lead Agency:** City of Pomona, Development Services Department, Planning Division.

**Public Hearing Date & Location/Time:** The public hearing is scheduled for **Wednesday, January 25, 2017 at 7:00 p.m.** in the City of Pomona City Council Chambers located at 505 S. Garey Avenue in the City of Pomona.

### **Environmental Review**

Pursuant to the provisions of the California Environmental Quality Act (CEQA-Public Resources Code, Section 21084 et. seq.), the guidelines include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. In compliance with Article 19, Section 15301 (Class 1 – Existing Facilities), the proposed project described above hereby meets the guidelines for a Categorical Exemption. Therefore, no further environmental review is required. The Categorical Exemption will be considered by the Planning Commission at the public hearing for this project scheduled for January 25, 2017.

### **Public Hearing Notice**

Any interested individual may appear in person or by agent at the Planning Commission hearing and be heard on any matter relevant to such proceedings. The staff report on this matter will be available in the Planning Division on or about January 19, 2017. Please call the Planning Division at (909) 620-2191 with any questions you may have regarding this matter.

**PLEASE NOTE:** If you challenge this matter 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 City of Pomona, Planning Division at, or prior to, the public hearing.

**Para Informacion en Espanol, llame (909) 620-2191.**

Date: January 11, 2017

  
\_\_\_\_\_  
Brad Johnson  
Development Services Manager

Publication Date: January 16, 2017

Eva Buice  
City Clerk, City of Pomona

*More Services*

**SUE MORENO**  
(626) 350-5944

OWNERSHIP / OCCUPANTS LIST  
RADIUS MAPS - LAND USE - PLANS  
MUNICIPAL COMPLIANCE CONSULTING

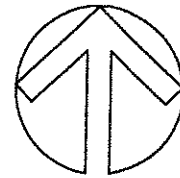
12106 LAMBERT AVE. EL MONTE, CA 91732 - FAX (626) 350-1532

# PROJECT INFORMATION

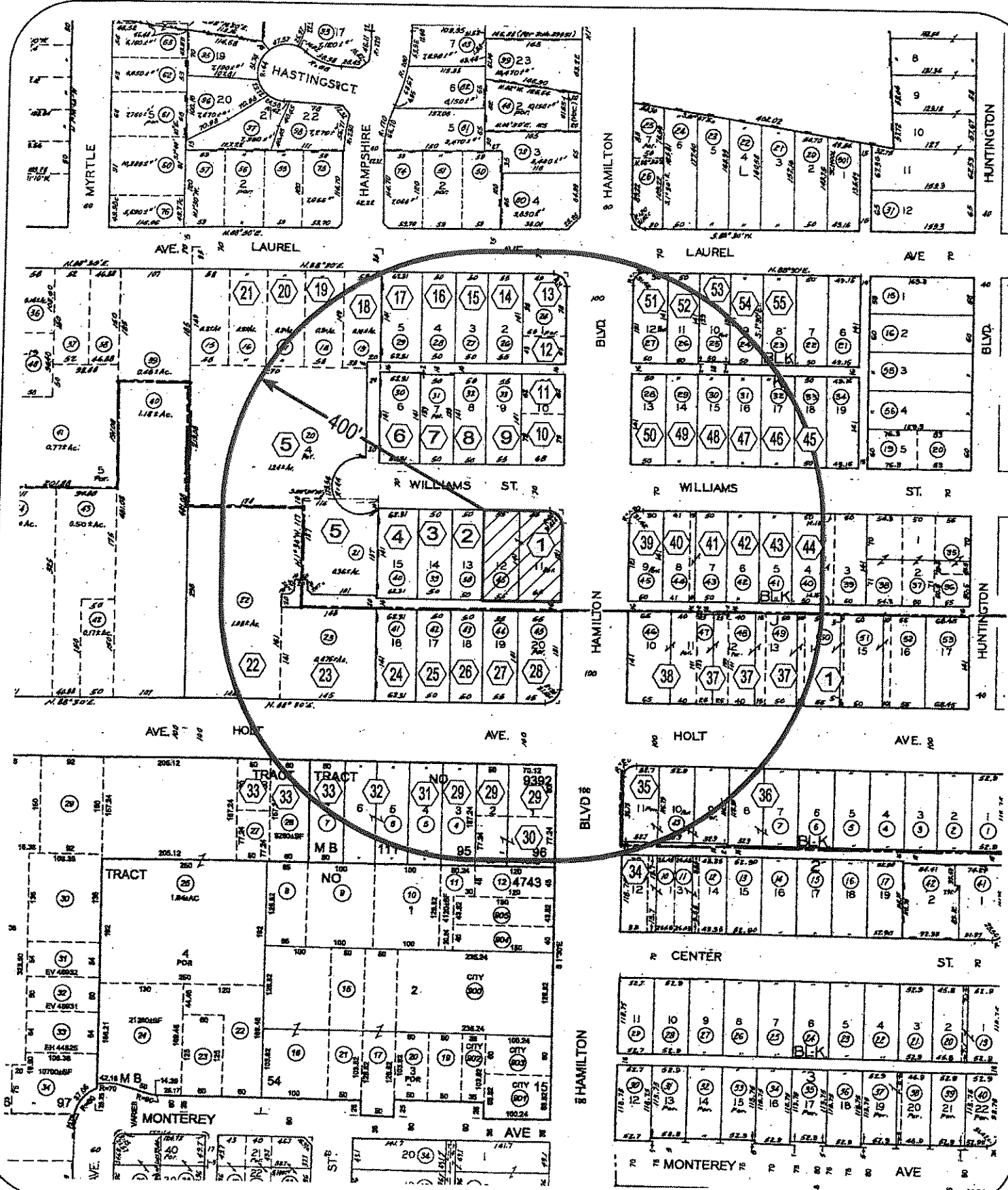
804 WILLIAM ST.

POMONA, CA.

10-295



SCALE 1" = 200'



## NOTICE OF PUBLIC HEARING

**Project Title:** Conditional Use Permit (CUP 11-002)

**Project Applicant:** Michael Agron

**Project Location:** 804 William Street

**Project Description:** A Conditional Use Permit to legalize the conversion of a group care facility to a ten unit roominghouse on a 16,600 square foot in the R-2 (Low Density Multiple-Family Residential) zone.

**Lead Agency:** City of Pomona, Community Development Department, Planning Division.

**Public Hearing Date & Location/Time:** The public hearing is scheduled for **Wednesday, July 11, 2012 at 7:00 p.m.** in the City of Pomona City Council Chambers located at 505 S. Garey Avenue in the City of Pomona.

### Environmental Review

Pursuant to the provisions of the California Environmental Quality Act (CEQA-Public Resources Code, Section 21084 et. seq.), the guidelines include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. In compliance with Article 19, Section 15301 (Class 1 – Existing Facilities), the proposed project described above hereby meets the guidelines for a Categorical Exemption. Therefore, no further environmental review is required. The Categorical Exemption will be considered by the Planning Commission at the public hearing for this project scheduled for July 11, 2012.

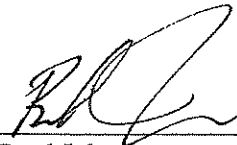
### Public Hearing Notice

Any interested individual may appear in person or by agent at the Planning Commission hearing and be heard on any matter relevant to such proceedings. The staff report on this matter will be available in the Planning Division on or about July 5, 2012. Please call the Planning Division at (909) 620-2191 with any questions you may have regarding this matter.

**PLEASE NOTE:** If you challenge this matter 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 City of Pomona, Planning Division at, or prior to, the public hearing.

**Para Informacion en Espanol, llame (909) 620-2191.**

Date: June 25, 2012



Brad Johnson  
Planning Manager

Publication Date: June 28, 2012

MARIE MICHEL MACIAS, CMC  
City Clerk, City of Pomona

*More Services*

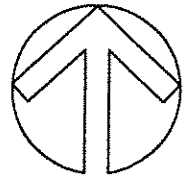
**SUE MORENO**  
(626) 350-5944

OWNERSHIP / OCCUPANTS LIST  
RADIUS MAPS - LAND USE - PLANS  
MUNICIPAL COMPLIANCE CONSULTING

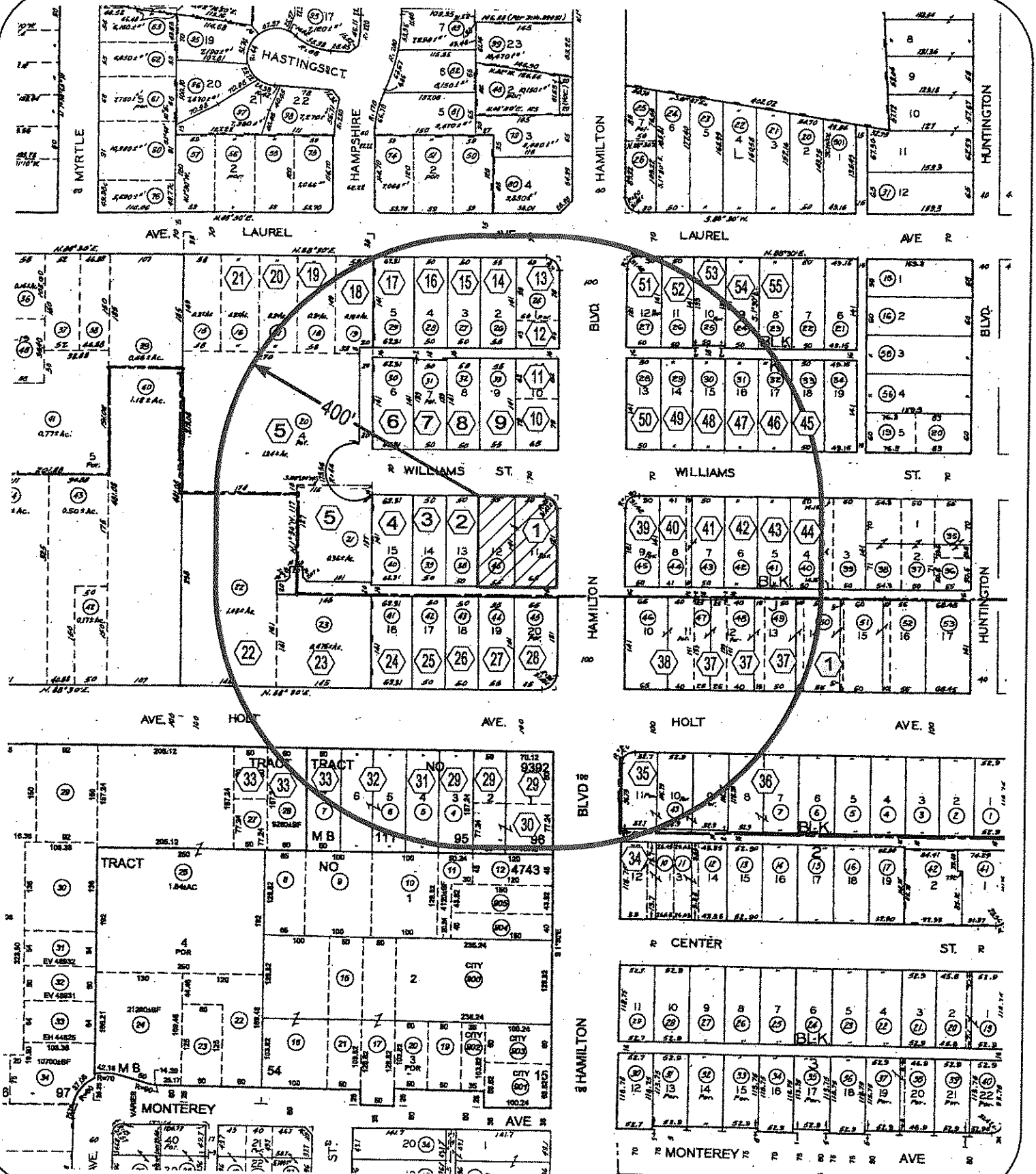
12106 LAMBERT AVE. EL MONTE, CA 91732 - FAX (626) 350-1532

# PROJECT INFORMATION.

804 WILLIAM ST.  
POMONA, CA.  
10-295



SCALE 1" = 200'





# CITY OF POMONA

## PLANNING COMMISSION REPORT

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**DATE:** March 8, 2017

**TO:** Chairman and Members of the Planning Commission

**FROM:** Planning Division

**SUBJECT:** **CONDITIONAL USE PERMIT (CUP 11-002):**

Adopt a resolution denying Conditional Use Permit (CUP 11-002), an application to legalize the conversion of a group care facility to an eleven unit roominghouse on a 16,600 square foot property located at 804 William Street in the R-2 (Low Density Multiple Family Residential) zoning district.

### STAFF RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt a resolution to deny Conditional Use Permit (CUP 11-002) based on findings listed. The project was denied by the Planning Commission on January 25, 2017 (Attachment 1).

### PROJECT/APPLICANT INFORMATION

<b>Project Location:</b>	<b>804 William Street</b>
APN Information:	8357-012-046
Project Applicant:	Michael S. Agron
Property Owner:	Michael S. Agron
<b>CC District:</b>	<b>District # 1</b>
Historic/CBD:	Not applicable
Specific Plan:	Not applicable

### PROJECT DESCRIPTION & BACKGROUND

The applicant, Mr. Michael Agron, submitted Conditional Use Permit (CUP 11-002) to legalize the conversion of a group care facility to an eleven unit roominghouse, located at 804 William Street. The subject site is on the southwest corner of William Street and Hamilton Road. The applicant currently rents out 11 rooms to individual tenants (Attachment 2). The subject site is an approximately 16,600 square foot lot, developed with a 4,837 square foot residential building. A roominghouse is defined as *a dwelling where housing is provided to three or more individuals, pursuant to an arrangement for compensation by month or greater term, and in which rooms are not occupied by, nor*

*meals served, to transients.* Conditional Use Permit (CUP 11-002) was considered by the Planning Commission during public hearing at the January 25, 2017 Planning Commission meeting.

During the Planning Commission's deliberations, commissioners expressed concerns about the applicant listing the property for sale upon obtaining Conditional Use Permit (CUP 11-002) approval. The Planning Commission also heard from adjacent residents of concerns related to findings of sex offenders who were registered at the address of the subject site on the Megan's Law Database. The Planning Commission discussed concerns regarding the CUP running with the land and future owners not being responsible operators, not providing background checks or having an age requirements for residents, and the roominghouse use not meeting the off-street parking requirements. Ultimately, the Commission voted 7-0-0-0 to deny the Conditional Use Permit (CUP 11-002) (Attachment 3).

### **RECOMMENDATION**

The Planning Division recommends that the Planning Commission adopt a resolution with the required findings to deny Conditional Use Permit (CUP 11-002).

Respectfully Submitted:

Prepared By:



Brad Johnson  
Development Services Manager



Nancy Lee  
Associate Planner

### **PC ATTACHMENTS:**

- 1) Draft Resolution for denial of Conditional Use Permit 11-002
- 2) Conditional Use Permit 11-002 Staff Report Dated January 25, 2017
- 3) Minutes of the Planning Commission meeting of January 25, 2017

\\STORAGE\CH-Depts\Planning\Master Planning\PLANNING COMMISSION\Staff Reports\Denial findings\Consent Item - 804 William Street (CUP 11-002).doc

**PC RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF POMONA, DENYING CONDITIONAL USE PERMIT (CUP 11-002) FOR THE LEGALIZATION OF THE CONVERSION OF A GROUP CARE FACILITY TO A ELEVEN UNIT ROOMINGHOUSE ON A 16,600 SQUARE FOOT PROPERTY LOCATED AT 804 WILLIAM STREET IN THE R-2 (LOW DENSITY MULTIPLE FAMILY RESIDENTIAL) ZONING DISTRICT.**

**WHEREAS**, the applicant, Michael Agron, has submitted an application for Conditional Use Permit (CUP 11-002) to legalize the conversion of a group care facility to an eleven unit roominghouse on a 16,600 square foot property located at 804 William Street;

**WHEREAS**, the subject property is currently located within the R-2 (Low Density Multiple-Family Residential) zoning district;

**WHEREAS**, the subject site is currently designated “Activity Center” by the City’s General Plan;

**WHEREAS**, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on July 11, 2012 concerning Conditional Use Permit (CUP 11-002) and continued the item to a date uncertain;

**WHEREAS**, the Planning Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on January 25, 2017 concerning Conditional Use Permit (CUP 11-002); and

**WHEREAS**, the Planning Commission has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Planning Commission of the City of Pomona, California, as follows:

**SECTION 1.** The Planning Commission exercising their independent judgment has determined that pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), this action as defined is Categorically Exempt under Section 15301, Class 1 (Existing Facilities) from further environmental review in that the proposed project involves the permitting and minor alteration of an existing private structure involving negligible or no expansion of use.

**SECTION 2.** If any part, provision, or section of this resolution is determined by a court or other legal authority with jurisdiction over the subject matter of this resolution to be unenforceable or invalid, the remainder of the entirety of this resolution shall not be affected and shall continue in full force and effect. To this end, the provisions of this resolution are severable.

**SECTION 3.** Pursuant to Section .580.B of the Zoning Ordinance, the Planning Commission must make the five findings listed below in order to grant Conditional Use Permit (11-002). Based upon a consideration of the whole record before it including, but not limited to, the staff report, public testimony received at the public hearing on this matter, and evidence made part of the public record, the Planning Commission hereby finds as follows:

1. *The proposed use at the particular location will contribute to the general well-being of the neighborhood or community.*

The proposal will not contribute to the general well-being of the neighborhood and community, in that the proposal to legalize the roominghouse will be detrimental to the general well-being of the established residential neighborhood.

2. *Such use will not, under the circumstances of the particular case be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity or detrimental to the use, valuation or enjoyment of property or improvements in the vicinity;*

The project will be detrimental to the health, safety, peace, or general welfare of persons residing or working in the vicinity and detrimental to the use, valuation or enjoyment of property and improvements in the vicinity. Legalizing the roominghouse will likely introduce negative impacts on the subject site and would be disruptive to sensitive adjacent land uses such as residences and schools.

3. *The site of the proposed use is of adequate topography, size and shape to accommodate said use as well as all yards spaces, walls, fences, parking, loading, landscaping and any other features necessary to allow said use with the land and uses in the neighborhood and make it compatible thereto;*

The site is not of adequate topography, size and shape to accommodate the use. The project does not meet the applicable development standards such as off-street parking requirements.

4. *The site abuts streets and highways adequate in width and improvements to carry traffic generations typical of the proposed use;*

The proposed project takes access from the existing street and alley (Hamilton Blvd). Additional access to the off-street parking facility for the proposed project from William Street was not proposed as part of the project.

5. *That granting of such conditional use permit will not adversely affect the General Plan of the City and conforms to the provisions of the zoning ordinance.*



The General Plan designation of the subject site is Activity Center. The proposed use is inconsistent with the following goal for the Activity Center Place type:

***Goal 6A.G2:** Over time, concentration of retail investment in “activity centers” that provide a variety of shopping environments that conveniently serve the regional and local community.”*

Legalization the proposed conversion of a group care facility to a boardinghouse is not consistent with the goal stated above in that no retail investment related to shopping environments is being proposed.

**SECTION 4.** Based on the above findings, the Planning Commission hereby denies Conditional Use Permit (CUP 11-002).

**SECTION 5.** The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

**APPROVED AND PASSED THIS 25<sup>TH</sup> DAY OF JANUARY, 2017**

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CAROLYN HEMMING  
PLANNING COMMISSION CHAIRPERSON

**ATTEST:**

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BRAD JOHNSON  
PLANNING COMMISSION SECRETARY

PC Resolution No.  
Conditional Use Permit 11-002  
804 William Street  
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**APPROVED AS TO FORM:**

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ANDREW JARED  
ASSISTANT CITY ATTORNEY

STATE OF CALIFORNIA     )  
COUNTY OF LOS ANGELES   ) ss.  
CITY OF POMONA            )

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

"Pursuant to Resolution No. 76-258 of the City of Pomona, the time in which judicial review of this action must be sought is governed by Sec. 1094.6 C.C.P."