



# CITY OF POMONA

## PLANNING COMMISSION REPORT

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**DATE:** August 23, 2017

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

**FROM:** Planning Division

**SUBJECT:** **CONDITIONAL USE PERMIT (CUP 6213-2016)**: A Conditional Use Permit to allow the establishment of an adult day care health facility serving elderly and disabled clients located at 105 Mercury Circle in the M-2 (General Industrial) zone.

### STAFF RECOMMENDATION

The Planning Division recommends that the Planning Commission adopt the attached PC Resolution (Attachment 1) recommending approval of Conditional Use Permit (CUP 6213-2016), subject to conditions.

### PROJECT/APPLICANT INFORMATION

<b>Project Location:</b>	<b>105 Mercury Circle</b>
APN Information:	8707-015-032
Project Applicant:	WF Palladium Inc.
Property Owner:	WF Palladium Inc.
<b>CC District:</b>	<b>District # 1</b>
Historic/CBD:	Not Applicable
Specific Plan:	Not Applicable

### PROJECT BACKGROUND AND DESCRIPTION

The applicant, WF Palladium Inc. (on behalf of Well and Fit ADHC), is requesting a Conditional Use Permit to establish an adult day care health facility serving disabled and elderly clients. The subject site sits at the intersection of Mercury Circle and Pacific Street. The proposed use is within a 12,000 square foot building on a property that is approximately 26,420 square feet in size. The applicant is proposing tenant improvements to accommodate their adult day care program operations (Attachment 3).

Well and Fit ADHC Inc. provides “a stimulating, protective environment for persons with Alzheimers Disease and other mental and physical impairments” as well as family education to

assist in providing care for clients. The programs include nursing care, rehabilitation, nutrition counseling and supervision, and daily curriculum. (Attachment 4).

The proposed adult day care program will operate Monday through Friday, between the hours of 8:00 a.m. to 2:00 p.m. The hours of operation for administration will be 8:00 a.m. to 4:00 p.m. There will be a maximum of 15 staff members working with the program and the applicant anticipates serving a maximum of 75 clients. The proposed floor plan (Attachment 3) consists of a lobby, dining area, rehab area, exam rooms, administrative offices, activity rooms, rest areas, kitchen, storage, changing rooms, and restrooms. All the program activities associated with the proposed use will take place within the building. Clients of the program will arrive by van pick up provided by Well and Fit ADHC.

### **Applicable Code Sections**

Pursuant to Pomona Zoning Ordinance (PZO) Section .580, a Conditional Use Permit is required for Day Care Center uses in the M-2 (General Industrial) zone and Section .5809-14 outlines development standards for Group Care Facilities.

### **Surrounding Land Use Information**

The property to the north is owned and operated by the Southern Pacific Railroad. The properties to the south and east are industrial uses. West of the subject site is the 57 Freeway. The zoning, General Plan and existing land use designations for the surrounding properties are delineated in the following table:

**Land Use Summary Table**

	Existing Land Use	Zoning Designation	General Plan Designation
<b>Subject Site</b>	Warehouse	M-2	Workplace District
<b>North</b>	Southern Pacific Railroad	N/A	N/A
<b>South</b>	Warehouse	M-2	Workplace District
<b>East</b>	Warehouse	M-2	Workplace District
<b>West</b>	57 Freeway	N/A	N/A

## **ZONING COMPLIANCE ANALYSIS**

### **Site Development Standards**

The project site is zoned M-2 (General Industrial) and is subject to the development standards of the M-2 Zoning District. The applicant is proposing interior tenant improvements and exterior façade improvements but not any expansion to the existing building. Specifically, the proposed use is subject to the development standards for Group Care Facilities serving seven or more persons outlined in Section .5809-14-D. The following table summarizes the required development standards:

**Project Summary Table**

<b>Development Standards</b>	<b>Zoning Code Requirements</b>	<b>Proposed Project</b>	<b>Compliance Determination</b>
Distance Separation	300 feet from another such facility.	Not within 300 feet of another adult day care facility.	Yes
Passenger loading	One loading space per 25 off-street parking spaces and one parking space for vans.	One loading, one van parking space, and one additional van accessible parking space provided.	Yes
Fencing	Six foot high block wall along all property lines except in front yard.	Combination of existing and new six foot high block walls along required property lines.	Yes
Landscaping	Landscaping to be consistent with neighborhood and regularly maintained.	Existing landscape planters to be improved as outlined in the Conditions of Approval.	Yes
Lighting	Lighting directed away from other properties and no greater than one foot candle of illumination.	Light fixtures throughout the subject site.	Yes

### **Off-Street Parking**

The PZO required off-street parking for Day Care Facilities is outlined in the chart below:

<b>Use</b>	<b>Tenant Space Square Footage</b>	<b>Parking Ratio</b>	<b>Required Off-Street Parking</b>	<b>Off-Street Parking Provided</b>
Proposed Adult Day Care Facility: 15 Employees 75 Clients	12,000 SF	1 space per employee; 1 space per every 5 students; 1 loading space; and 1 van space	30 plus one loading space and one van parking space	18 Standard; 4 compact; 1 ADA van accessible space; and 1 additional van accessible space

As outlined in the chart above, the proposed use does not have the PZO required number of off-street parking spaces for the proposed adult day care facility. The applicant has provided a parking demand study completed by a licensed traffic engineer (Attachment 5) stating that their off-street parking needs are less than what the PZO requires due to the fact that their clients do not drive and arrive by van. Also, the parking study provides examples of other facilities that they operate and operated by others that do not strictly meet off-street parking requirements. Per Section .503F.4 and .503F.5, the Planning Commission may approve a parking study that includes the basis for the recommended number of off-street parking spaces. Since the clients of the adult day care center are not capable of driving, the only off-street parking spaces that the applicant will need and actually utilize are for the 15 employees of the adult day care facility, one space for van drop off and pick up, and a loading space. To ensure that the site will be able to provide compliant parking at all times, a condition of approval is included in the draft resolution which requires that the applicant adhere to the parking study at all times and limit the number of clients to 75 and maximum number of employees to be 15.

### **ISSUES ANALYSIS**

#### **Issue 1: General Plan Conformity**

The General Plan designation of the subject site is located within the Workplace District place type. One of the goals of the General Plan (6F.G4) for Workplace District is to:

*“Improve the physical character of workplace districts to complement the transition of the areas to lighter industrial/higher technology uses”*

Therefore, approval of the proposed Conditional Use Permit to allow an adult day health care center would not be detrimental to the City and would improve the physical appearance of the Workplace District while promoting increased diversity of uses.

### **Issue 2: Zoning Ordinance Compliance**

Staff has evaluated the proposed project and has determined that the proposed adult day care facility complies with the development standards required of Group Care Facilities, with the exception of the required off-street parking. The applicant is proposing to improve and utilize an existing building in the M-2 (General Industrial) zone. The proposed project conforms to the Zoning Ordinance, and as a result, the granting of this Conditional Use Permit will not adversely affect the General Plan or the Zoning Ordinance.

### **Issue 3: Land Use Compatibility**

The proposed adult day care program for serving disabled and elderly clients is proposed in a location that minimizes the impacts to the surrounding community. The proposed project will not have a significant impact on the surrounding neighborhood since the project is consistent with its zoning designation. The activities on the subject site will take place indoors at all times. Staff has determined that there will be sufficient off-street parking to allow the subject use. Based on these factors, staff believes that the project will be a positive addition to the general area with the recommended conditions of approval.

### **Issue 4: Off-Street Parking Impacts**

A parking study may be taken into consideration by the Planning Commission when the proposed development does not adequately provide for off-street parking as it currently exists. Based on the parking justification study that was submitted by the applicant, the required findings can be made as outlined in the attached draft resolution (Attachment 1).

## **ENVIRONMENTAL ANALYSIS/DETERMINATION**

In accordance with the California Environmental Quality Act (CEQA) guidelines, the proposed project, under the Conditional Use Permit request, would be categorically exempt under Article 19, Section 15301 (Existing Facilities), because the proposed project will utilize existing structures where all public services and facilities are available to serve the project.

## **PUBLIC COMMUNICATIONS**

A copy of the public hearing notice was published on August 10, 2017 in the Inland Valley Daily Bulletin and was sent to the owners and occupants of properties within a 400-foot radius of the

subject site on August 7, 2017 (Attachment 6). As of the date of this report, staff has not received any comments in support or in opposition to the proposed project.

## **CONCLUSION**

The proposed project is consistent with the land use designation contained in the City's General Plan and meets the minimum development standards for Day Care Facilities as required by the Zoning Ordinance. Based on staff's analysis of the issues and the recommended conditions of approval, the proposed project will be compatible with adjacent land uses and will not result in any negative impacts to the surrounding uses.

## **RECOMMENDATION**

The Planning Division recommends that the Planning Commission adopt the attached PC Resolution (Attachment 1) recommending approval of Conditional Use Permit (CUP 6213-2016), subject to conditions.

Respectfully Submitted:

Prepared By:

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Mark Lazzaretto  
Development Services Director

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Cecily Session-Goins  
Associate Planner

## **PC ATTACHMENTS:**

- 1) Draft PC Resolution for CUP 6213-2016
- 2) Vicinity Map and Aerial Photograph
- 3) Project Plans (8-1/2" x 11") Reductions
- 4) Business Description Provided by Applicant
- 5) Parking Demand Study Completed by LIN Consulting Inc.
- 6) 400-foot Radius Map & Public Hearing Notice
- 7) Full Size Plans (Separate Cover)

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