PUBLIC HEARING

TITLE: CONDITIONAL USE PERMIT 2-1993 (MODIFICATION NO. 1) - PROPOSED CONVERSION OF A SINGLE FAMILY RESIDENCE AND TRIPLEX APARTMENT FOR RESIDENTIAL AND MEETING SPACE FOR THE PAAR CENTER ALCOHOL AND DRUG REHABILITATION FACILITY (CLARK MURRAY - PAAR CENTER)

SOURCE: COMMUNITY DEVELOPMENT AND SERVICES DEPARTMENT - PLANNING DIVISION

COMMENT: The applicant is requesting approval of a modification to an existing Conditional Use Permit to allow the expansion of the PAAR Center onto a site developed with a single family residence and triplex apartments on the south side of Belleview Avenue, 100± feet east of Hawaii Street.

Upon purchase of the subject site, the developer applicant intends to convert the single family residence to a residential apartment for a staff member and meeting space for inpatient and outpatient rehabilitation counseling. The triplex may be initially maintained as standard rental units, however, a future phase will involve the conversion of those units to residential rehabilitation units housing up to six clients in each unit. The current PAAR Center facilities in the vicinity include an office, a drop-in center, and five residential properties. The PAAR Center has functioned in the neighborhood for 27 years without adversely impacting the neighborhood.

RECOMMENDATION: That the City Council:

1) Adopt the resolution approving Conditional Use Permit 2-1993 (Modification No. 1);

ATTACHMENTS:

1. Complete Staff Report
PUBLIC HEARING

STAFF REPORT

TITLE:  CONDITIONAL USE PERMIT 2-1993 (MODIFICATION NO. 1) - PROPOSED CONVERSION OF A SINGLE FAMILY RESIDENCE AND TRIPLEX APARTMENT FOR RESIDENTIAL AND MEETING SPACE FOR THE PAAR CENTER ALCOHOL AND DRUG REHABILITATION FACILITY

APPLICANT:  Clark Murray  
PAAR Center  
184 W. Bellevue Avenue  
Porterville, CA 93257

AGENT:  John Gifford  
John Gifford Construction  
P.O. Box 2470  
Porterville, CA 93258

LOCATION:  South side of Bellevue Avenue, 100± feet east of Hawaii Street.

SPECIFIC REQUEST:  The applicant is requesting approval of a modification to an existing Conditional Use Permit to allow the expansion of the PAAR Center onto a site developed with a single family residence and triplex apartments in the vicinity of their existing facilities.

PROJECT DETAILS:  Upon purchase of the subject site, the developer applicant intends to convert the single family residence to a residential apartment for a staff member and meeting space for inpatient and outpatient rehabilitation counseling. The triplex may be initially maintained as standard rental units, however, a future phase will involve the conversion of those units to residential rehabilitation units housing up to six clients in each unit. The current PAAR Center facilities in the vicinity include an office, a drop-in center, and five residential properties. The PAAR Center has functioned in the neighborhood for 27 years without adversely impacting the neighborhood.

GENERAL PLAN LAND USE DESIGNATION AND ZONING:

The site is designated for High Density Residential Uses and is Zoned R-3 (Multiple Family Residential).
SURROUNDING AREA ZONING AND LAND USE:

NORTH: R-3 (Multiple Family Residential), R-1 (One Family Residential) - Single Family Residences, Apartments
SOUTH: R-3 - Single Family Residences, Apartments
EAST: R-3 - PAAR Center Facilities, Single Family Residences, Belleview Elementary School
WEST: R-3, R-1 - Apartments, Single Family Residences

ENVIRONMENTAL: This project is exempt from review under the California Environmental Quality Act Guidelines, pursuant to Section 15063(c) as there is no potential for a significant environmental impact. Under the Permit Streamlining Act (Section 65950 of the Government Code), the City has 60 days from the date the project was accepted as complete to reach a determination regarding this project.

DATE FILED FOR PROJECT REVIEW COMMITTEE PROCESSING: April 19, 2002

DATE ACCEPTED AS COMPLETE: June 6, 2002

STAFF ANALYSIS: The PAAR Center has a long history of providing alcohol and drug rehabilitation services in the neighborhood of the proposed expansion. They currently occupy seven buildings along Belleview Avenue, consisting of an office, a drop-in center, and residential accommodations for a maximum of 63 clients at any one time. The facility has distinguished itself by conducting its operations in a manner which is sensitive to the surrounding residential and educational uses. The Police Department has noted that the facility does not create an undue burden on law enforcement, and eight neighboring residents have signed the application for a modification to the existing Conditional Use Permit, recommending approval of the request. If approved, the PAAR Center would add accommodations for up to 18 additional clients, and a meeting room facility which would be used by both residential and non-residential clients. Management of the Center believes that the additional facilities will be necessary to address the anticipated increase in service requests generated by the diversionary requirements of Proposition 36, passed by the voters in 2001.

City Staff recommends approval of the proposal, largely on the strength of the existing facility’s record of successful operation. However, the proposal to begin providing outpatient counseling services requires consideration of conditions of approval to ensure continued success. Under the operating rules of the facility, residential clients are not permitted to keep cars at the PAAR Center. This has relieved the neighborhood of the potential for undue traffic and parking impacts from a relatively high concentration of residents. It is Staff’s understanding that many of the outpatient clients are expected to arrive by car, raising the potential for new impacts. In order to relieve this concern, Staff recommends the following Conditions of Approval:

- Non-Residential Counseling Groups shall be limited to a maximum of six participants at any one meeting.
• A minimum of three parking spaces at the facility at 237 West Belleview Avenue shall be reserved for non-residential clients.

• If, at any time, it is determined that the parking or traffic impacts of the facility on the neighborhood are extensive or burdensome, Staff will bring the Conditional Use Permit back to the City Council to recommend additional measures.

Staff is also concerned that continued future growth of the facility in this neighborhood may eventually change the character to one dominated by the institutional use. It may be appropriate to consider establishing a presence in another neighborhood for future expansions to avoid such long term impacts.

ALTERNATIVES TO THE PROJECT AND THEIR EFFECT:

1. No Project. Denial of the proposed project would prohibit the expansion of the PAAR Center into the Single Family Residence and Triplex Apartment as proposed.

2. Approve the Project. Approval of the request would result in the applicant being conditionally allowed to convert the residences at 253 W. Belleview Avenue to residential and meeting space for the PAAR Center Alcohol and Drug Rehabilitation Facility.

RECOMMENDATION: That the City Council:

1) Adopt the resolution approving Conditional Use Permit 2-1993 (Modification No. 1)

ATTACHMENTS:

1. PAAR Center Facility Map
2. General Plan/Zoning/Land Use Map
3. CUP Application
4. Resolution of Approval of Conditional Use Permit 2-1993
5. Draft Resolution of Approval (including Site Plan as Exhibit “A”)
RESOLUTION NO. ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE CONTAINING FINDINGS AND CONDITIONS IN SUPPORT OF APPROVAL OF CONDITIONAL USE PERMIT 2-1993 (MODIFICATION NO. 1) TO ALLOW THE CONVERSION OF A SINGLE FAMILY RESIDENCE AND TRIPLEX APARTMENT ON THE SOUTH SIDE OF BELLEVIEW AVENUE, 100± FEET EAST OF HAWAII STREET FOR USE AS RESIDENTIAL AND MEETING SPACE FOR THE PAAR CENTER ALCOHOL AND DRUG REHABILITATION FACILITY

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of June 18, 2002, conducted a public hearing to consider Conditional Use Permit 2-1993 (Modification No. 1) being a request to allow the conversion of a single family residence and triplex apartment on the south side of Belleview Avenue, 100± feet east of Hawaii Street for use as residential and meeting space for the PAAR Center Alcohol and Drug Rehabilitation Facility; and

WHEREAS: The City Council received testimony from all interested parties relative to said Conditional Use Permit; and

WHEREAS: The City Council made the following findings:

4. That the proposed project is consistent with the General Plan;

5. That the design and operation of the proposed project will be consistent with the General Plan;

6. That the design of the project and the proposed improvements are not likely to cause substantial environmental damage;

4. That, pursuant to Section 15063(c) of the California Environmental Quality Act, the Conditional Use Permit to allow the conversion of existing residential buildings for residential and meeting space use is “General Rule” Exempt from environmental review;

5. That Section 401.A(6) of the Porterville Zoning Ordinance requires a Conditional Use Permit for proposed “institutional” uses;
6. The existing authorized facilities for the PAAR Center include the following buildings: 182 West Belleview Avenue, 184 West Belleview Avenue, 218 West Belleview Avenue, 232 West Belleview Avenue, 237 West Belleview Avenue, 242 West Belleview Avenue and 509 North El Granito Street;

7. That the proposed location of the project and the conditions under which it will be operated and maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;

8. That the standards of population density, site area, dimensions, site coverage, yard spaces, height of structures, distance between structures, off-street parking facilities, and landscaped areas will produce an environment of stable and desirable character consistent with the objectives of the Zoning Ordinance;

NOW, THEREFORE, BE IT RESOLVED: That the City Council of the City of Porterville does hereby approve Conditional Use Permit 7-2001 subject to the following conditions:

1. Any future change in operation which substantially alters the condition or nature of the subject use will require approval by the City Council.

2. Except as modified herein, all prior conditions of approval regarding the PAAR Center shall continue in effect.

3. Non-residential counseling sessions shall be limited to a maximum of six clients meeting at the site at any one time.

4. A minimum of three parking spaces at 237 W. Belleview Avenue shall be reserved for Non-Residential Clients. Appropriate signage shall be posted.

5. If, at any time, it is determined that the parking or traffic impacts of the use on the neighborhood are extensive, or burdensome, Staff will bring the Conditional Use Permit back to the City Council to recommend additional measures.

6. Prior to use of the structures as proposed, the developer/applicant shall secure a Change of Occupancy permit from the Building Division and shall modify the buildings as required to comply with the Uniform Building Code, the Uniform Fire Code, the Americans with Disabilities Act, and all other applicable regulations.

7. The developer/applicant shall install one street tree per City Standards.

9. The developer/applicant shall pay all applicable fees according to the Municipal Code and State law. The developer/applicant is hereby notified that you have the right to pay fees, dedications, reservations or other exactions, under protest, pursuant to Government Code Section 66020(a). The developer/applicant has 90 days from the date fees are paid to file a written protest.

10. The developer/applicant shall construct new or repair damaged City improvements, if any (e.g. street “pave-out”, alley, sidewalk, wheelchair ramp, curb, gutter, etc.).

11. If not already dedicated, the developer/applicant shall dedicate property for street right of way called for in the Circulation Element and a disabled ramp(s) to comply with City Standards.

12. Unless an extension of time is granted by the City Council, the Conditional Use Permit shall expire one (1) year after the date of approval if no building permit has been secured, or one (1) year after the date of issuance of the building permit if the occupancy permit has not been secured.

____________________________________
Gordon T. Woods, Mayor

ATTEST:

_________________________________
John Longley, City Clerk