

Lompoc City Council Agenda Item

City Council Meeting Date: May 16 , 2006

TO: Gary P. Keefe, City Administrator

FROM: Lucille T. Breese, AICP, City Planner
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SUBJECT: An appeal, submitted by Frank Thompson representing Transitions Mental Health Association, of the Planning Commission determination of March 13, 2006, denying a Conditional Use Permit - CUP 05-06. The CUP requested operation of a community counseling and advocacy office, including a 39-unit independent living facility for mentally disabled individuals and other low-income persons at 513 North G Street. (Assessor Parcel Numbers: 87-192-19, 20). Planning Division Project File No. CUP 05-06

RECOMMENDATION:

1. Take public testimony;
2. Direct staff to prepare a resolution, with appropriate Findings of Fact to either uphold the Planning Commission decision of March 13, 2005 or to grant the appeal.

BACKGROUND:

On March 13, 2006, the Planning Commission held a public hearing to review a request for a Conditional Use Permit (CUP 05-06). The CUP requested operation of a community counseling and advocacy office, including a 39-unit independent living facility for mentally disabled individuals and other low-income persons at 513 North G Street. The site is zoned *Central Business (C-2)* and the use was proposed with a Conditional Use Permit from the Planning Commission.

The Planning Commission staff report dated March 13, 2006 discusses the project conformance with adopted City policies. After reviewing the staff report, taking public testimony, and discussing the proposal with the applicant, the Commission determined that the proposal would not be compatible with existing uses. The Commission adopted Resolution No. 474 (06) denying CUP 05-06. The Resolution was adopted on a 3-2 vote with Commissioner Ruhge and Commissioner Grames-Lyra voting no.

The Planning Commission staff report, Resolution No. 474 (06), and minute excerpts for the March 13, 2006 meeting are attached for Council review.

APPEAL:

Mr. Thompson, representing Transitions Mental Health Association, has filed a timely appeal requesting that the Council review the Planning Commission action of March 13, 2006. Mr. Thompson has requested that the Council consider “*expanded information on management and security*” and “*uphold the appeal and approve the Conditional Use Permit*”. Due to scheduling conflicts, the applicant has submitted a letter agreeing to the appeal hearing being delayed until the May 16, 2006 Council meeting for consideration.

ANALYSIS:

The proposed use and conformance with the Zoning Ordinance development standards has been analyzed in the Planning Commission staff report of March 13 2006. The project is proposed on a site that is zoned *Central Business District (C-2)* and that faces onto G Street in a predominantly residential area. The facility proposes community counseling and advocacy offices on the first floor with independent living facilities on the second and third floors. The professional offices would be a permitted use in the C-2 zone and a Conditional Use Permit was proposed to assure conformance of the residential component with Commission review and imposition of Conditions of Approval to assure that the use would be compatible with existing uses.

At the public hearing the Commission was presented with a petition from adjacent property owners, which is attached to the meeting minutes, expressing opposition to the proposal based upon concern for the proposed use. There was also public testimony from adjacent commercial property owners expressing their opposition to the proposed location for the facility.

The Commission considered the information provided and did not review the Conditions of Approval (COA) specific to parking. The staff had recommended the addition of a COA limiting future use to that which would be supported by the proposed parking should the Transitions Mental Health Facility cease operation at any time in the future. If the Council upholds the appeal, consideration of the CUP could be returned to the Planning Commission for consideration of the COA which did not occur at the March 13 meeting or the Council could approve the CUP with the addition of any COA that the Council considers to be appropriate.

Lucille T. Breese, AICP, City Planner

Attachments:

1. [Notice of Appeal](#)
2. [Planning Commission Staff Report dated March 13, 2006](#)
3. [Draft Minute excerpts of March 13, 2006 Planning Commission Meeting & Petition](#)
4. [Planning Commission Resolution No. 474 \(06\)](#)
5. [Site Plan & Project Description](#) (City Council only, available in Planning Division for review)

APPROVED FOR SUBMITTAL TO THE CITY ADMINISTRATOR:

Arleen T. Pelster, AICP, Community Development Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Gary P. Keefe, City Administrator