



Agenda Report

City Council

Date: June 23, 2020

To: Brian Saeki, City Manager

From: Jeffery S. Adams, Director of Community Development
Luis G. Escobedo, Senior Planner

Subject: Conditional Use Permit No. CUP20-0002
7926 Pickering Avenue (The Salvation Army)

RECOMMENDATION

Receive and file the Planning Commission action approving Conditional Use Permit No. CUP20-0002 to increase the total number of beds from 37 to 187, within the existing hospitality house and existing Salvation Army Corps building, operated and owned by the Salvation Army at 7926 Pickering Avenue.

BACKGROUND

The subject site is located on a 63,190-square foot, irregularly shaped lot and composed of five parcels. The site is developed with a two-story, 15,725-square foot Salvation Army Corps building (Corps Building) and a 3,144-square foot, single-story hospitality house, and three separate parking lots, with a total of 60 parking spaces.

Conditional Use Permit No. CUP20-0002 is a request to expand the existing number of beds (37) by an additional 150 beds in the Salvation Army Corps building (Corps Building), for a total of 187 beds. The interior of the existing Corps building will be remodeled to accommodate the additional beds, without a physical expansion to the building.

DISCUSSION

On June 1, 2020, the Planning Commission voted (4-1, Chair Claver dissenting) to adopt Resolution No. P.C. 2020-09 approving Conditional Use Permit No. CUP20-0002. The attached resolution cites the adopted findings and conditions of approval for the project (Attachment A).

Approval of Conditional Use Permit No. CUP20-0002 will become final and effective 30 days from the date of the Planning Commission's action, July 15, 2020, unless, within said 30 day period, the approval is appealed in writing by an interested party or a member of the City Council requests review of the decision.

FISCAL IMPACT

There is no fiscal impact associated with this report.

ATTACHMENTS

- A. Resolution No. P.C. 2020-09 for Conditional Use Permit No. CUP20-0002, with Conditions of Approval
- B. June 15, 2020, Planning Commission Agenda Report with Attachments

RESOLUTION NO. P.C. 2020-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WHITTIER, CALIFORNIA, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER SECTION 15332 (IN-FILL DEVELOPMENT PROJECTS) AND APPROVING CONDITIONAL USE PERMIT NO. CUP20-0002 TO INCREASE THE NUMBER OF BEDS FOR AN EXISTING HOSPITALITY HOUSE WITHIN THE EXISTING BUILDINGS, OPERATED AND OWNED BY THE SALVATION ARMY LOCATED AT 7926 PICKERING AVENUE (AIN 8141-021-020)

THE PLANNING COMMISSION OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

RECITALS

- A. On June 1, 2020, Conditional Use Permit No. CUP20-0002 was submitted to the City of Whittier by the applicant, Shannon DeLong, Assistant City Manager, City of Whittier, 13230 Penn St., Whittier, CA 90602;
- B. Conditional Use Permit No. CUP20-0002 is a request to increase in the number of beds for an existing hospitality house within the existing buildings, operated and owned by the Salvation Army for the property located at 7926 Pickering Avenue, in the City of Whittier, Assessor Identification No. 8141-021-020; and,
- C. On June 15, 2020, the Planning Commission conducted a duly noticed public hearing and considered all public testimony and information submitted for Conditional Use Permit No. CUP20-0002.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are a substantial part of this resolution.

SECTION 2. The Planning Commission finds and determines that Conditional Use Permit No. CUP20-0002 constitutes a Class 32, Section 15332 (In-fill Development Projects) Categorical Exemption from the California Environmental Quality Act (CEQA) as it meets the following conditions: 1) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; 2) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; 3) the

project site has no value as habitat for endangered, rare or threatened species; 4) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and, 5) the site can be adequately served by all required utilities and public services.

SECTION 3. Based upon the testimony and other evidence received at the public hearing and upon the analysis and evidence contained in the agenda report, the Planning Commission hereby makes the following findings, as required by the Whittier Municipal Code, Section 18.52.040(B) and approves Conditional Use Permit No. CUP20-0002 based on the following findings:

1. **FINDING:** That the site proposed for the use is adequate in size, shape and topography.

FACT: The 63,190-square foot project site is relatively flat and located on an irregular shaped lot. The day to day operation and use of the Salvation Army proves that the site is adequate in size, shape and topography for the proposed use.

2. **FINDING:** That the site proposed for the use has sufficient access to streets, which are adequate, in width and pavement type, to carry the quantity and quality of traffic generated by the proposed use.

FACT: According to the City's Traffic Engineer, Pickering Avenue including the alleyway have been improved to accommodate the volume of traffic that could be generated by the subject site. The existing day-to-day operation of the existing hospitality house operated by The Salvation Army is evidence that the site provides adequate access, both vehicular and pedestrian, to the site.

3. **FINDING:** That the proposed use will not unreasonably interfere with the use, possession and enjoyment of surrounding properties.

FACT: The increase in the number of beds for the existing hospitality house, operated and owned by the Salvation Army is not expected to adversely affect the use or enjoyment of the surrounding properties, subject to the implementation of the suggested conditions of approval. With the incorporation and implementation of the conditions of approval, the use will be harmonious with the surrounding land-uses. Finally, the Whittier Police Department has included conditions of approval for Conditional Use Permit No. CUP20-0002 to help mitigate any potential law enforcement concerns.

4. **FINDING:** That the proposed use will be compatible with the permitted uses of surrounding adjacent properties.

FACT: The surrounding uses include a church and a multi-family apartments. The operation of the hospitality house is a conditionally permitted use in the R-4, Heavy Multiple Residential Zone. Conditions of approval, including those recommended by the Police Department intended to ensure safety and security have been incorporated into the approval of Conditional Use Permit No. CUP20-0002 so that the use will be compatible with the surrounding properties.

5. **FINDING:** That the use will, as to location, operation, and design, be consistent with the General Plan and the City of Whittier zoning regulations.

FACT: The Salvation Army has been in existence, and has operated as a hospitality house, since 1957. Therefore, it can be found that the existing operation of the hospitality house is consistent with the General Plan and in the City of Whittier zoning regulations. Based on the adoption and implementation of the conditions of approval for Conditional Use Permit No. CUP20-0002, the project will be consistent with the City's General Plan and the R-4, Heavy Multiple Residential Zone.

SECTION 4. To protect the public's health, safety and welfare, mitigate potential primary and secondary impacts associated with Conditional Use Permit No. CUP20-0002 and to ensure appropriate operation and development of the project site, the following conditions of approval are adopted for Conditional Use Permit No. CUP20-0002:

STANDARD CONDITIONS OF APPROVAL

1. The subject property shall be developed and maintained in substantial compliance with Attachment C dated June 15, 2020, except as modified below to the satisfaction of the Director of Community Development. (Planning)
2. The property owner and operator shall sign and remit to the City the "*Statement of Acceptance of Conditions*" form acknowledging and accepting all conditions of approval as set forth herein. (Planning)
3. The use shall be operated in conformance with the approved plans on file with the City for Conditional Use Permit No. CUP20-0002. Failure to do so shall be grounds for the revocation of Conditional Use Permit No. CUP20-0002. Any deviation from the approved plans shall be reviewed and approved by the Director of Community Development. (Planning)

4. All other applicable City, County, State and Federal regulations shall be complied with at all times to the satisfaction of the Director of Community Development. Failure to do so shall constitute grounds for the revocation of Conditional Use Permit No. CUP20-0002. (Planning)
5. The applicants and each successor in interest to the property which is the subject of this project approval, shall defend, indemnify and hold harmless the City of Whittier and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval of the City, City Council or City Planning Commission concerning this use. (Planning)
6. The use of Conditional Use Permit No. CUP20-0002 shall commence within two years (June 15, 2022) of approval. Failure (for any reason) to increase the number of beds of the hospitality house will result in Conditional Use Permit No. CUP20-0002 becoming null and void. Prior to the expiration date (June 15, 2022), the applicant may request a single, one-year, time extension (approval) for Conditional Use Permit No. CUP20-0002 from the Director of Community Development, subject to submitting the appropriate Conditional Use Permit application fee and a letter requesting the time extension. The time extension request may be granted if the Director of Community Development determines that the original findings approving Conditional Use Permit No. CUP20-0002 is still valid. The Director of Community Development shall have the discretion to add or modify these conditions of approval (as deemed appropriate) as part of any time extension approval. (Planning)
7. Approval of Conditional Use Permit No. CUP20-0002 shall result in the previous approval the following applications: Conditional Use Permit No. C75-14, Conditional Use Permit No. C75-14(M) and, Conditional Use Permit No. C88-04 becoming null and void.

SPECIAL CONDITIONS OF APPROVAL

8. Conditional Use Permit No. CUP20-0002 is approved to increase the number of beds from 37 to 187 for an existing hospitality house and within the existing Salvation Army Corps building (Corps Building), operated and owned by The Salvation Army at 7926 Pickering Avenue.
9. The Corps Building (7926 Pickering Avenue) shall not exceed 150 total beds, nor shall more than 150 persons be permitted during any one night for overnight sleeping purposes. (Planning)
10. The hospitality house (7930 Pickering Avenue) shall not exceed 37 total beds, nor shall more than 37 persons be permitted during any one night for overnight sleeping purposes. (Planning)

11. The normal hours of operation for the Salvation Army Hospitality House (emergency shelter) and the Salvation Army Corps building (community services) can be considered a 24-hour operation, however, admission to the emergency shelter typically takes place before 7:00 p.m.
12. There shall be no in-and outs for facility guest between the hours of 8:00 p.m. and 6:00 a.m., except if referred by the Whittier Police Department, in the case of a job commitment or in case of an emergency. (Planning)
13. The Salvation Army shall provide a minimum of one staff person during the hours of 7:30 a.m. to 5:30 p.m. to periodically walk the area around the Salvation Army site to enforce the rules of the Salvation Army emergency shelter amongst its guests and to communicate with the neighbors and management of the Salvation Army emergency shelter with respect to any problems neighbors may experience with the Salvation Army emergency shelter. (Planning)
14. To reduce the possibility of loitering within the public right-of-way, those wishing emergency shelter services shall wait within a designated area within the Salvation Army property. (Planning)
15. The Salvation Army Navigation Center (Emergency Shelter) shall comply with the policies and procedures outlined in the Service Provider Agreement agreed to by the Salvation Army and the City. Any modifications or deviations from the stated policies and procedures that impact the community shall be approved by the Director of Community Development and Chief of Police. Significant modifications of the approved policies or procedures may require an application for modification of this conditional use permit. (Planning)
16. Individuals who are denied entry to, or evicted from the Salvation Army Emergency Shelter for any reason, shall be referred to an appropriate shelter and/or provided lodging or transportation vouchers when available. Should an individual be removed or evicted from the facility, the operator or staff member if finding it necessary should notify the Whittier Police Department. (Planning)
16. The applicant shall adhere to their existing rules and procedures, which include, but not limited to:
 - a) Security at the facility and in the surrounding areas;
 - b) Specific plans to ensure the safety and security of staff, associates, and guests;
 - c) Designated number of personnel, required training, and uniforms for security personnel;
 - d) Roles and responsibility of security personnel;
 - e) Specific plans for dealing with unruly guests and preventing loitering and anti-social behaviors in the surrounding areas;
 - f) Specific plans for ensuring the orderly conduct of all guests; and,

- g) An operational panic button linked directly to the City of Whittier Police Department.
17. It shall be unlawful for any person, who is intoxicated, or under the influence of any illicit drug or controlled substance, to enter, be at, or remain upon the Salvation Army premises. (Planning)
 18. All individuals in the facility are prohibited from possessing or providing alcohol or any illicit drug or controlled substance at any time. (Planning)
 19. Any biomedical waste or contaminated equipment shall be disposed of in accordance with applicable regulations. (Planning)
 20. Sleeping shall be allowed in the dormitory areas only. The office space shall not be used or converted to sleeping area. Living or sleeping in vehicles on the property is prohibited. (Planning)
 21. Overnight parking shall be limited to the operator and guests. Vehicles shall be kept within the property boundaries at all times. (Planning)
 22. There shall be no stored or abandoned vehicles at any time. (Planning)
 23. There shall be no physical obstruction (at any time) to any on-site drive aisles or parking spaces that may inhibit their use by the operator, employees or guests of the facility to the satisfaction of the Director of Community Development. (Planning)
 24. There shall be no over-night storage (within the parking lot or within the landscape planters) of any vehicles, repair equipment, parts (new or used) or material of any kind, at any time, without obtaining approval from the Director of Community Development. (Planning)
 25. The Salvation Army shall make a reasonable effort to work with adjacent businesses to resolve problems associated with the operation of the Center including representation on the Good Neighbor Advisory Committee. (Planning)
 26. The applicant shall cooperate with providers of similar services in the Community. (Planning)
 27. The applicant shall comply at all times with the City of Whittier's Noise Ordinance to the satisfaction of the Director of Community Development. (Planning)
 28. There shall be no changes to the exterior façade of the building without the prior review and approval of a Development Review Application by the City of Whittier. (Planning)

29. These conditions of approval shall be retained on-site at all times. It shall be the Salvation Army's representative's responsibility to provide these conditions of approval to the Whittier Police Department upon request. (Planning)
30. The Conditional Use Permit shall be reviewed in one year (June 2021) and re-reviewed on a yearly (12-month) basis by the Director of Community Development unless he/she chooses to defer the review to the highest approval authority for Conditional Use Permit No. CUP20-0002. A written report detailing the business's compliance with all CUP conditions shall be submitted to the highest approval authority. If necessary, the highest approval authority may, at any time, consider requesting a public hearing to consider the addition, deletion or of any/all conditions of approval or the revocation of this Conditional Use Permit. The decision to request a hearing to add conditions to the CUP rather than to revoke it shall not preclude the highest approval authority from revoking the CUP in the future or from considering the facts supporting revocation as recited herein from being used in future review and/or revocation proceedings. In addition, the applicants shall pay the current Conditional Use Permit monitoring fee for the preparation of the initial CUP review. If any subsequent annual review reveals any CUP violations, police calls, or any other activities that would potentially result in the or revocation of the CUP, the applicants shall pay the Conditional Use Permit monitoring fee for that year in the amount set forth by City Council resolution. (Planning)
31. The applicant shall reimburse the City of Whittier (at full cost recovery) for all staff time, materials and resources associated with every review/revocation hearing concerning Conditional Use Permit No. CUP20-0002 the applicants shall make full payment to the City of Whittier within thirty calendar days of being invoiced for each review/revocation hearing for Conditional Use Permit No. CUP20-0002. Failure to do so, for any reason, shall constitute grounds to revoke Conditional Use Permit No. CUP20-0002. (Planning)

Police Department

32. The applicant shall work cooperatively with the Police Department to resolve any public safety issues that may develop. (Police)
33. Security personnel, and other employees and associated staff, shall immediately report to the Whittier Police Department all incidents in which a person could be charged with a felony or misdemeanor, and that are associated with the Salvation Army Navigation Center's operation or guests, when observed by such personnel, or when reported to such personnel by others. (Planning)
34. Security personnel and staff shall cooperate with city officials and law enforcement personnel, and shall not obstruct or impede their entrance into the premises while in the course of their official duties. (Planning)

35. The applicant/owner shall provide adequate lighting, as determined by the Chief of Police and Director of Public works, inside the building, and surrounding the building and alleyway. In addition, all lighting shall be maintained in good (operational) condition at all times in order to provide security to patrons and deter criminal activity to the satisfaction of the Police Department and Director of Community Development. (Planning)
36. Adequate lighting on the outside of the building shall be required and maintained in order to provide security to patrons and deter criminal activity. It is recommended they follow minimum, Criminal Prevention Through Environmental Design (CPTED) guidelines as follows:
- a. Provide lighting systems for nighttime vision of motorists to increase the visibility of pedestrians, other vehicles and objects that should be seen or avoided.
 - b. Design lighting systems for pedestrians to see risks involved in walking at night.
 - c. Provide lighting systems, which will enhance the ability for natural surveillance and observation.
 - d. Provide lighting systems that minimize glare, shadow, light pollution and light trespass.
37. An on-site surveillance camera is required. This system shall be of digital quality and recordable to a thumb drive for easy retrieval. (Police)
38. Loitering shall be prohibited. Minors are expressly forbidden from loitering in or around the facility during school hours or between the hours of 10 p.m. and sunrise. (Police)

Public Works

39. The existing trash enclosure shall be increased in size or the operator shall increase the number service trips as necessary and to the satisfaction of the Public Works Department. (Planning)

Building

40. The applicant shall comply with all Building Division, Public Works Department and Fire Department requirements to the satisfaction of the Directors of Community Development and Public Works prior to the issuance of building permits. (Planning)
41. All required exit ways shall be kept clear at all times. (Building)

Maintenance

42. The operator of the subject property shall maintain all exterior areas of the business free from graffiti, trash and debris placed on the property. Any/all on-site graffiti shall be removed as soon as possible but no later than within 72 hours of its discovery to the satisfaction of the Director of Community Development. (Planning)

—End of Conditions—

SECTION 5. The Secretary shall attest to the adoption of this resolution and shall forward a certified copy hereof to the applicants and any person requesting the same.

PASSED AND APPROVED this 15th day of June 2020, by the following vote:

AYES:	4	Commissioners:	T. Borzi, L. Cornejo, R. Quirk, D. Lara
NOES:	1	Commissioner:	C. Claver
ABSTAIN:	0		
ABSENT:	0		



 Jeffrey S. Adams, Secretary
 WHITTIER CITY PLANNING COMMISSION

Agenda Report

Planning Commission



Date: June 15, 2020

To: Planning Commission

From: Jeffery S. Adams, Director of Community Development
Luis G. Escobedo, Senior Planner

Subject: Conditional Use Permit No. CUP20-0002
The Salvation Army - 7926 Pickering Avenue

RECOMMENDATION

Adopt the attached resolution approving Conditional Use Permit 20-0002, with conditions of approval.

Environmental Review

The project is categorically exempt from the environmental review process, pursuant to Section 15332, Class 32 (In-fill Development Projects) of the California Environmental Quality Act, as it meets the following conditions: 1) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; 2) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and, 5) the site can be adequately served by all required utilities and public services.

BACKGROUND

Applicant: The City of Whittier – Shannon DeLong, Assistant City Manager
Owner: Salvation Army No. 15
Rep: Mayra Chaidez, The Salvation Army Santa Fe Springs Transitional Living Center
Zoning: R-4, Heavy Multiple Residential Zone
Request: To increase the total number of beds from 37 to 187, within the existing hospitality house and existing Salvation Army Corps building, operated and owned by the Salvation Army at 7926 Pickering Avenue.

The Salvation Army has been in existence, and has operated as a hospitality house since 1957. In 1975, the Planning Commission approved a Conditional Use Permit No. C75-14 to continue the operation of the Salvation Army as a hospitality house, with a maximum of 20 beds.

On September 22, 1986, the Planning Commission adopted Resolution No. P.C. 86-33 approving a modification to the Conditional Use Permit, C75-14(M), to expand the hospitality house to include offices and a lounge within the dormitory area.

On July 5, 1988, the Planning Commission adopted Resolution No. P.C. 88-12 to approve Conditional Use Permit No. C88-04 to allow the reconstruction and expansion of Salvation Army facilities destroyed during the October 1987 earthquake. The project resulted in the construction of a new 15,725-square foot, two-story Salvation Army Corps building (Corps Building), housing a 174-seat chapel, meeting rooms, large kitchen, offices and a two-bedroom apartment.

On October 8, 2002, the City Council adopted Resolution No. 7501 denying an appeal and upholding the Planning Commission's action to approve a modification to Conditional Use Permit No. C75-14(M) to increase the number of beds from 20 to 37 in the existing hospitality house, without a physical expansion of the building.

On June 1, 2020, the applicant submitted Conditional Use Permit No. 20-0002 to allow an increase in the number of beds for an existing hospitality house use within the existing Corps Building, also without a physical expansion to the Corps Building.

Pursuant to the Whittier Municipal Code (WMC), Section 18.52.030(F), hospitality houses require the review and approval of a Conditional Use Permit. The Planning Commission is the final approval authority for Conditional Use Permit No. CUP20-0002, unless appealed to the City Council.

DISCUSSION

A 2018 9th Circuit Court of Appeals Case ruled that enforcement of anti-camping and other ordinances related to public spaces were a violation of civil rights unless a jurisdiction could provide adequate shelter space for individuals experiencing homelessness. In April 2020, the Whittier City Council entered into a settlement agreement with Orange County Catholic Workers that will allow the City to enforce quality of life and public safety ordinances in parks and public spaces once the City is able to provide sufficient shelter beds exclusively for Whittier residents. The agreement outlines specific criteria by which Whittier residency would be determined.

Following the signing of the settlement, the City Council directed staff to negotiate an agreement with The Salvation Army as the intended service provider. The Salvation Army proposed the use of their roughly 15,700-square foot building on Pickering as a potential site for a navigation center (an expansion of the existing Hospitality House) that would provide the adequate shelter space.

As noted earlier, the existing 37 beds were approved by the City Council on October 2002. The applicant is requesting approval of an additional 150 beds in the Corps Building, for a total of 187 beds within the project. The interior of the Corps building will

be remodeled to accommodate the additional beds. The proposal includes increasing the number of beds within the overall facility, without any external modifications or expansion of either of the buildings.

FACTS

PROPERTY DESCRIPTION

The property is located on the along the east side of Pickering Avenue, north of the intersection of Washington Boulevard and Whittier Boulevard.



	ZONING	GENERAL PLAN	LAND USE
Site	R-4, Heavy Multiple Residential Zone	High Density Residential	Salvation Army
North	R-4, Heavy Multiple Residential Zone	High Density Residential	Church
South	W.B.S.P., Workplace District	Specific Plan	Greenway Trail
East	R-4, Heavy Multiple Residential Zone	High Density Residential	Single-Family Dwelling Units and Multi-family Apartments
West	R-2, Light Multiple Residential Zone/ W.B.S.P., Workplace District	Medium Density Residential/ Specific Plan	Multi-family Apartments/ Greenway Trail

Figure No. 1: Aerial site plan and surrounding land uses with zoning classification

Site Layout

The subject site is located on a 63,190-square foot, irregularly shaped and composed of five lots. The site is developed with a two-story, 15,725-square foot Salvation Army Corps building (Corps Building) and a 3,144-square foot, single-story hospitality house, and three separate parking lots, with a total of 60 parking spaces. The hospitality house is tucked away in the far southeast corner of the subject site, and is not readily visible from Pickering Avenue. Pedestrian and vehicular access to the site is provided from the Pickering Avenue and from the alleyway. The applicant has indicated to staff that they are not proposing any changes to the exterior of the existing buildings.

The existing number of beds (37) permitted was established under Conditional Use Permit 75-14(M) approved by the City Council on October 2002. The applicant is requesting approval of an additional 150 beds in the Corps Building, for a total of 187 beds within the project. The interior of the Corps building will be remodeled to accommodate the additional beds.

Floor Plan

The interior remodel and increase in beds will be located exclusively within the existing 15,725-square foot Corps building with no external modifications. There are no changes proposed to the existing hospitality house.

OPERATIONAL CHARACTERISTICS

Hours of Operation

The Navigation Center can be considered a 24-hour operation, however, admission to the emergency shelter takes place before 7:00 p.m. The Salvation Army Navigation Center (Emergency Shelter) shall comply with the policies and procedures outlined in the Service Provider Agreement agreed to by the Salvation Army and the City. Staff is onsite 24/7 and a security guard, as well as other staff are present overnight.

Scope of Services (Emergency Shelter)

Emergency shelter is provided exclusively for Whittier residents based on the settlement agreement which outlines specific criteria by which Whittier residency would be determined. This includes homeless individuals and also includes small families (up to 3 children). An overnight stay includes the following:

- Beds
- Breakfast
- Dinner
- Use of Lavatories

The Salvation Army has indicated that a stay typically lasts from 20 to 90 days, during which time, the clients actively pursue transitional or permanent housing. In extreme cases, extensions are provided, however, they are not common. A case file is created for each applicant, to find out their history and their current situation, and to assist them in obtaining permanent housing and prevent repeat and prolonged stays.

Food Services

The emergency shelter provides breakfast, lunch and dinner which are reserved for only those people who use the overnight services. The food service hours are as follows:

- Breakfast: Begins at 7:00 a.m.
- Lunch: Begins at 11:00 a.m.
- Dinner: Begins between 6:00 p.m. and 6:30 p.m.

Number of Employees

The number of staff on-site during the day varies, but there are generally up to twenty paid employees on-site during the day. There are usually six to eight staff members working overnight, which includes a security guard.

Parking

The existing required parking was established and approved in the 1988 under Conditional Use Permit No. C75-14. The conditional use permit required 59 parking stalls for the entire development. The existing development has 60 parking spaces. The parking ratio was established based on the square footage of the buildings and the uses associated with the subject site, more specifically, the 174-seat chapel inside the Corps building, offices, multi-purpose rooms, game room and apartment.

The applicant has indicated that clients that use the emergency shelter do not typically drive automobiles and therefore the number of emergency shelter clients rarely affects parking demand. Conditional Use Permit No. C75-14 established the required parking based primarily on the uses stated above, not necessarily on the number of clients which use the emergency shelter. The applicant is not proposing to increase the existing building floor area. Therefore, it is not anticipated that the increase in number of beds will negatively affect existing parking demand and no additional parking stalls are required.

Police Department Review

The Police Department has reviewed the proposed project and provided recommendations that have been incorporated into the draft conditions of approval. Standard conditions include requirements for adequate lighting and alarms. With the implementation of the conditions, the Police Department is in support of the proposed request.

Land-Use Compatibility

In staff's opinion, the proposed expansion of the hospitality house is not anticipated to change the character of the existing facility or its relationship with the properties since they are compatible residential uses. The increase in beds is accommodated by the creation of extra rooms, creation of an extra bathroom, and upgrades to the existing bathrooms, without a physical expansion to the Corps building. Therefore, both staff and the Whittier Police Department are supportive of Conditional Use Permit 20-0002, subject to the attached conditions of approval.

Public Comments

As of the completion of this report, no public comments on the project have been received by staff.

CONCLUSION

It is the opinion of staff and the Police Department that the applicant's request to expand the existing hospitality house use, with the adoption of the suggested conditions of approval will not have any primary or secondary adverse impacts to the community.

FISCAL IMPACT

There is no fiscal impact to the City associated with this application.

ATTACHMENTS

- A. Draft Planning Commission Resolution for Conditional Use Permit No. 20-0002 with conditions of approval
- B. Location Map
- C. Site Plan
- D. Site Photos

DRAFT RESOLUTION NO. P.C.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WHITTIER, CALIFORNIA, DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER SECTION 15332 (IN-FILL DEVELOPMENT PROJECTS) AND APPROVING CONDITIONAL USE PERMIT NO. CUP20-0002 TO INCREASE THE NUMBER OF BEDS FOR AN EXISTING HOSPITALITY HOUSE WITHIN THE EXISTING BUILDINGS, OPERATED AND OWNED BY THE SALVATION ARMY LOCATED AT 7926 PICKERING AVENUE (AIN 8141-021-020)

THE PLANNING COMMISSION OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

RECITALS

- A. On June 1, 2020, Conditional Use Permit No. CUP20-0002 was submitted to the City of Whittier by the applicant, Shannon DeLong, Assistant City Manager, City of Whittier, 13230 Penn St., Whittier, CA 90602;
- B. Conditional Use Permit No. CUP20-0002 is a request to increase in the number of beds for an existing hospitality house within the existing buildings, operated and owned by the Salvation Army for the property located at 7926 Pickering Avenue, in the City of Whittier, Assessor Identification No. 8141-021-020; and,
- C. On June 15, 2020, the Planning Commission conducted a duly noticed public hearing and considered all public testimony and information submitted for Conditional Use Permit No. CUP20-0002.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are a substantial part of this resolution.

SECTION 2. The Planning Commission finds and determines that Conditional Use Permit No. CUP20-0002 constitutes a Class 32, Section 15332 (In-fill Development Projects) Categorical Exemption from the California Environmental Quality Act (CEQA) as it meets the following conditions: 1) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; 2) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; 3) the

project site has no value as habitat for endangered, rare or threatened species; 4) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and, 5) the site can be adequately served by all required utilities and public services.

SECTION 3. Based upon the testimony and other evidence received at the public hearing and upon the analysis and evidence contained in the agenda report, the Planning Commission hereby makes the following findings, as required by the Whittier Municipal Code, Section 18.52.040(B) and approves Conditional Use Permit No. CUP20-0002 based on the following findings:

1. **FINDING:** That the site proposed for the use is adequate in size, shape and topography.

FACT: The 63,190-square foot project site is relatively flat and located on an irregular shaped lot. The day to day operation and use of the Salvation Army proves that the site is adequate in size, shape and topography for the proposed use.

2. **FINDING:** That the site proposed for the use has sufficient access to streets, which are adequate, in width and pavement type, to carry the quantity and quality of traffic generated by the proposed use.

FACT: According to the City's Traffic Engineer, Pickering Avenue including the alleyway have been improved to accommodate the volume of traffic that could be generated by the subject site. The existing day-to-day operation of the existing hospitality house operated by The Salvation Army is evidence that the site provides adequate access, both vehicular and pedestrian, to the site.

3. **FINDING:** That the proposed use will not unreasonably interfere with the use, possession and enjoyment of surrounding properties.

FACT: The increase in the number of beds for the existing hospitality house, operated and owned by the Salvation Army is not expected to adversely affect the use or enjoyment of the surrounding properties, subject to the implementation of the suggested conditions of approval. With the incorporation and implementation of the conditions of approval, the use will be harmonious with the surrounding land-uses. Finally, the Whittier Police Department has included conditions of approval for Conditional Use Permit No. CUP20-0002 to help mitigate any potential law enforcement concerns.

4. **FINDING:** That the proposed use will be compatible with the permitted uses of surrounding adjacent properties.

FACT: The surrounding uses include a church and a multi-family apartments. The operation of the hospitality house is a conditionally permitted use in the R-4, Heavy Multiple Residential Zone. Conditions of approval, including those recommended by the Police Department intended to ensure safety and security have been incorporated into the approval of Conditional Use Permit No. CUP20-0002 so that the use will be compatible with the surrounding properties.

5. **FINDING:** That the use will, as to location, operation, and design, be consistent with the General Plan and the City of Whittier zoning regulations.

FACT: The Salvation Army has been in existence, and has operated as a hospitality house, since 1957. Therefore, it can be found that the existing operation of the hospitality house is consistent with the General Plan and in the City of Whittier zoning regulations. Based on the adoption and implementation of the conditions of approval for Conditional Use Permit No. CUP20-0002, the project will be consistent with the City's General Plan and the R-4, Heavy Multiple Residential Zone.

SECTION 4. To protect the public's health, safety and welfare, mitigate potential primary and secondary impacts associated with Conditional Use Permit No. CUP20-0002 and to ensure appropriate operation and development of the project site, the following conditions of approval are adopted for Conditional Use Permit No. CUP20-0002:

STANDARD CONDITIONS OF APPROVAL

1. The subject property shall be developed and maintained in substantial compliance with Attachment C dated June 15, 2020, except as modified below to the satisfaction of the Director of Community Development. (Planning)
2. The property owner and operator shall sign and remit to the City the "*Statement of Acceptance of Conditions*" form acknowledging and accepting all conditions of approval as set forth herein. (Planning)
3. The use shall be operated in conformance with the approved plans on file with the City for Conditional Use Permit No. CUP20-0002. Failure to do so shall be grounds for the revocation of Conditional Use Permit No. CUP20-0002. Any deviation from the approved plans shall be reviewed and approved by the Director of Community Development. (Planning)
4. All other applicable City, County, State and Federal regulations shall be complied with at all times to the satisfaction of the Director of Community Development. Failure to do so shall constitute grounds for the revocation of Conditional Use Permit No. CUP20-0002. (Planning)

5. The applicants and each successor in interest to the property which is the subject of this project approval, shall defend, indemnify and hold harmless the City of Whittier and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval of the City, City Council or City Planning Commission concerning this use. (Planning)
6. The use of Conditional Use Permit No. CUP20-0002 shall commence within two years (June 15, 2022) of approval. Failure (for any reason) to increase the number of beds of the hospitality house will result in Conditional Use Permit No. CUP20-0002 becoming null and void. Prior to the expiration date (June 15, 2022), the applicant may request a single, one-year, time extension (approval) for Conditional Use Permit No. CUP20-0002 from the Director of Community Development, subject to submitting the appropriate Conditional Use Permit application fee and a letter requesting the time extension. The time extension request may be granted if the Director of Community Development determines that the original findings approving Conditional Use Permit No. CUP20-0002 is still valid. The Director of Community Development shall have the discretion to add or modify these conditions of approval (as deemed appropriate) as part of any time extension approval. (Planning)
7. Approval of Conditional Use Permit No. CUP20-0002 shall result in the previous approval the following applications: Conditional Use Permit No. C75-14, Conditional Use Permit No. C75-14(M) and, Conditional Use Permit No. C88-04 becoming null and void.

SPECIAL CONDITIONS OF APPROVAL

8. Conditional Use Permit No. CUP20-0002 is approved to increase the number of beds from 37 to 187 for an existing hospitality house and within the existing Salvation Army Corps building (Corps Building), operated and owned by The Salvation Army at 7926 Pickering Avenue.
9. The Corps Building (7926 Pickering Avenue) shall not exceed 150 total beds, nor shall more than 150 persons be permitted during any one night for overnight sleeping purposes. (Planning)
10. The hospitality house (7930 Pickering Avenue) shall not exceed 37 total beds, nor shall more than 37 persons be permitted during any one night for overnight sleeping purposes. (Planning)
11. The normal hours of operation for the Salvation Army Hospitality House (emergency shelter) and the Salvation Army Corps building (community services) can be considered a 24-hour operation, however, admission to the emergency shelter typically takes place before 7:00 p.m.

12. There shall be no in-and outs for facility guest between the hours of 8:00 p.m. and 6:00 a.m., except if referred by the Whittier Police Department, in the case of a job commitment or in case of an emergency. (Planning)
13. The Salvation Army shall provide a minimum of one staff person during the hours of 7:30 a.m. to 5:30 p.m. to periodically walk the area around the Salvation Army site to enforce the rules of the Salvation Army emergency shelter amongst its guests and to communicate with the neighbors and management of the Salvation Army emergency shelter with respect to any problems neighbors may experience with the Salvation Army emergency shelter. (Planning)
14. To reduce the possibility of loitering within the public right-of-way, those wishing emergency shelter services shall wait within a designated area within the Salvation Army property. (Planning)
15. The Salvation Army Navigation Center (Emergency Shelter) shall comply with the policies and procedures outlined in the Service Provider Agreement agreed to by the Salvation Army and the City. Any modifications or deviations from the stated policies and procedures that impact the community shall be approved by the Director of Community Development and Chief of Police. Significant modifications of the approved policies or procedures may require an application for modification of this conditional use permit. (Planning)
16. Individuals who are denied entry to, or evicted from the Salvation Army Emergency Shelter for any reason, shall be referred to an appropriate shelter and/or provided lodging or transportation vouchers when available. Should an individual be removed or evicted from the facility, the operator or staff member if finding it necessary should notify the Whittier Police Department. (Planning)
16. The applicant shall adhere to their existing rules and procedures, which include, but not limited to:
 - a) Security at the facility and in the surrounding areas;
 - b) Specific plans to ensure the safety and security of staff, associates, and guests;
 - c) Designated number of personnel, required training, and uniforms for security personnel;
 - d) Roles and responsibility of security personnel;
 - e) Specific plans for dealing with unruly guests and preventing loitering and anti-social behaviors in the surrounding areas;
 - f) Specific plans for ensuring the orderly conduct of all guests; and,
 - g) An operational panic button linked directly to the City of Whittier Police Department.

17. It shall be unlawful for any person, who is intoxicated, or under the influence of any illicit drug or controlled substance, to enter, be at, or remain upon the Salvation Army premises. (Planning)
18. All individuals in the facility are prohibited from possessing or providing alcohol or any illicit drug or controlled substance at any time. (Planning)
19. Any biomedical waste or contaminated equipment shall be disposed of in accordance with applicable regulations. (Planning)
20. Sleeping shall be allowed in the dormitory areas only. The office space shall not be used or converted to sleeping area. Living or sleeping in vehicles on the property is prohibited. (Planning)
21. Overnight parking shall be limited to the operator and guests. Vehicles shall be kept within the property boundaries at all times. (Planning)
22. There shall be no stored or abandoned vehicles at any time. (Planning)
23. There shall be no physical obstruction (at any time) to any on-site drive aisles or parking spaces that may inhibit their use by the operator, employees or guests of the facility to the satisfaction of the Director of Community Development. (Planning)
24. There shall be no over-night storage (within the parking lot or within the landscape planters) of any vehicles, repair equipment, parts (new or used) or material of any kind, at any time, without obtaining approval from the Director of Community Development. (Planning)
25. The Salvation Army shall make a reasonable effort to work with adjacent businesses to resolve problems associated with the operation of the Center including representation on the Good Neighbor Advisory Committee. (Planning)
26. The applicant shall cooperate with providers of similar services in the Community. (Planning)
27. The applicant shall comply at all times with the City of Whittier's Noise Ordinance to the satisfaction of the Director of Community Development. (Planning)
28. There shall be no changes to the exterior façade of the building without the prior review and approval of a Development Review Application by the City of Whittier. (Planning)

29. These conditions of approval shall be retained on-site at all times. It shall be the Salvation Army's representative's responsibility to provide these conditions of approval to the Whittier Police Department upon request. (Planning)
30. The Conditional Use Permit shall be reviewed in one year (June 2021) and re-reviewed on a yearly (12-month) basis by the Director of Community Development unless he/she chooses to defer the review to the highest approval authority for Conditional Use Permit No. CUP20-0002. A written report detailing the business's compliance with all CUP conditions shall be submitted to the highest approval authority. If necessary, the highest approval authority may, at any time, consider requesting a public hearing to consider the addition, deletion or of any/all conditions of approval or the revocation of this Conditional Use Permit. The decision to request a hearing to add conditions to the CUP rather than to revoke it shall not preclude the highest approval authority from revoking the CUP in the future or from considering the facts supporting revocation as recited herein from being used in future review and/or revocation proceedings. In addition, the applicants shall pay the current Conditional Use Permit monitoring fee for the preparation of the initial CUP review. If any subsequent annual review reveals any CUP violations, police calls, or any other activities that would potentially result in the or revocation of the CUP, the applicants shall pay the Conditional Use Permit monitoring fee for that year in the amount set forth by City Council resolution. (Planning)
31. The applicant shall reimburse the City of Whittier (at full cost recovery) for all staff time, materials and resources associated with every review/revocation hearing concerning Conditional Use Permit No. CUP20-0002 the applicants shall make full payment to the City of Whittier within thirty calendar days of being invoiced for each review/revocation hearing for Conditional Use Permit No. CUP20-0002. Failure to do so, for any reason, shall constitute grounds to revoke Conditional Use Permit No. CUP20-0002. (Planning)

Police Department

32. The applicant shall work cooperatively with the Police Department to resolve any public safety issues that may develop. (Police)
33. Security personnel, and other employees and associated staff, shall immediately report to the Whittier Police Department all incidents in which a person could be charged with a felony or misdemeanor, and that are associated with the Salvation Army Navigation Center's operation or guests, when observed by such personnel, or when reported to such personnel by others. (Planning)
34. Security personnel and staff shall cooperate with city officials and law enforcement personnel, and shall not obstruct or impede their entrance into the premises while in the course of their official duties. (Planning)

35. The applicant/owner shall provide adequate lighting, as determined by the Chief of Police and Director of Public works, inside the building, and surrounding the building and alleyway. In addition, all lighting shall be maintained in good (operational) condition at all times in order to provide security to patrons and deter criminal activity to the satisfaction of the Police Department and Director of Community Development. (Planning)
36. Adequate lighting on the outside of the building shall be required and maintained in order to provide security to patrons and deter criminal activity. It is recommended they follow minimum, Criminal Prevention Through Environmental Design (CPTED) guidelines as follows:
- a. Provide lighting systems for nighttime vision of motorists to increase the visibility of pedestrians, other vehicles and objects that should be seen or avoided.
 - b. Design lighting systems for pedestrians to see risks involved in walking at night.
 - c. Provide lighting systems, which will enhance the ability for natural surveillance and observation.
 - d. Provide lighting systems that minimize glare, shadow, light pollution and light trespass.
37. An on-site surveillance camera is required. This system shall be of digital quality and recordable to a thumb drive for easy retrieval. (Police)
38. Loitering shall be prohibited. Minors are expressly forbidden from loitering in or around the facility during school hours or between the hours of 10 p.m. and sunrise. (Police)

Public Works

39. The existing trash enclosure shall be increased in size or the operator shall increase the number service trips as necessary and to the satisfaction of the Public Works Department. (Planning)

Building

40. The applicant shall comply with all Building Division, Public Works Department and Fire Department requirements to the satisfaction of the Directors of Community Development and Public Works prior to the issuance of building permits. (Planning)
41. All required exit ways shall be kept clear at all times. (Building)

Maintenance

42. The operator of the subject property shall maintain all exterior areas of the business free from graffiti, trash and debris placed on the property. Any/all on-site graffiti shall be removed as soon as possible but no later than within 72 hours of its discovery to the satisfaction of the Director of Community Development. (Planning)

—End of Conditions—

SECTION 5. The Secretary shall attest to the adoption of this resolution and shall forward a certified copy hereof to the applicants and any person requesting the same.

PASSED AND APPROVED this 15th day of June 2020, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

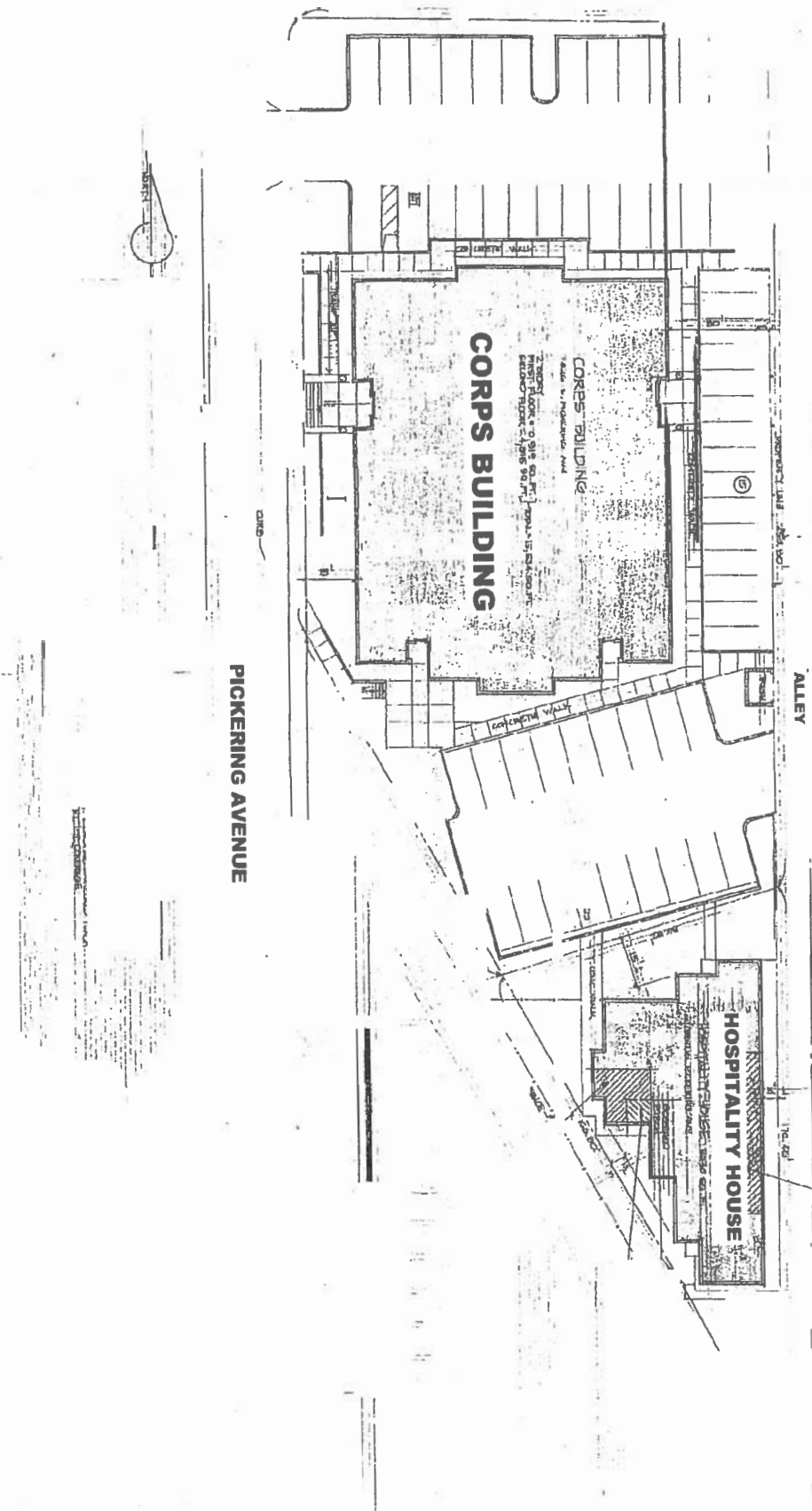
Jeffery S. Adams, Secretary
WHITTIER CITY PLANNING COMMISSION

Location Map



7926 Pickering Avenue
(A.I.N. 8141-021-020)

Conditional Use Permit No. CUP20-0002



SALVATION ARMY

SITE PLAN

**Conditional Use Permit No. CUP20-0002
The Salvation Army-7926 Pickering Avenue**



