



CITY OF PACIFIC GROVE
 300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Planning Commission
FROM: Anne Coates, Associate Planner
MEETING DATE: July 8, 2010
SUBJECT: Use Permit Application # 3022-10 to reconfigure the Gateway Center into two separate licensed residential care facilities. The proposed reconfiguration will reduce the occupancy from 49 to 30 maximum residents and will continue to offer day programs for 90 participants.

PROPERTY

ADDRESS: 850 Congress Ave.

APPLICANT: Gateway Center

ZONING: R-1

**GENERAL PLAN
 LAND USE**

DESIGNATION: Medium Density Residential – 7.3 du/acre

CEQA STATUS: Categorically Exempt, Class 1

RECOMMENDATION: Adopt a resolution granting approval by the City of Pacific Grove for a proposal by Gateway Center to Amend Use Permit Application No. 3022-10 to reconfigure the existing Gateway Center into two separate licensed residential care facilities, with a reduction in the occupancy from 49 to 30 residents. Gateway Center will continue to offer day programs for 90 participants.

BACKGROUND: The current General Plan Land Use Designation for the Gateway Center, located at 850 Congress Avenue, is “Group Quarters.” The underlying R-1 zoning is superceded by the Group Quarters Land Use Designation. Existing Use Permit No. 1043-74 allows for 49 residents and 90 day use participants. The proposed application is to reconfigure the existing facility into two separate residential care facilities with 15 beds/residents in each.

Group Quarters include residential living facilities for persons defined by federal law as “handicapped,” which includes those having physical or mental impairments. State Law requires licensed residential care facilities located within 300 feet of each other to obtain permission from the City, as a result of State statutes concerning overconcentration of such facilities (Health and Safety Code Section 1520.5(c)). Therefore, on April 29, 2009 the City Council adopted a resolution granting approval by the City of Pacific Grove for Gateway Center to relicense the

existing facility into three separate licensed facilities on the same site, in order to obtain state funding for the proposed project.

DISCUSSION: Resolution 09-016, adopted by City Council on April 29, 2009, the Gateway Center was approved to split their existing single facility into three separate facilities on the same site. The resolution determined that the change in the licensing structure would not result in an intensification of the existing land use or in an overconcentration of residential care facilities. Since that time, the Gateway Center has further reduced its request from three licensed facilities to two licensed facilities. Therefore, the Use Permit amendment request is for two licensed facilities (15 beds each), for a total of 30 residents, and to continue the day use program for up to 90 participants. There would be a no more than 20 employees on site at any one time.

Each licensed facility would be independent of the other, have a separate address and be designed to address the needs of the current residents of Gateway as well as future referrals. The facility reconfiguration will be based on the following principles:

- Retain and improve wheelchair accessibility
- Improve accessibility of bathrooms, kitchen and shower/bathing facilities
- Incorporate increased accessibility design features
- Two smaller specialized licensed areas, a maximum of 15 beds each
- Increased personal space, some private rooms and more social/recreational areas
- Create increased learning opportunities for food preparation and other opportunities leading to the ability to live more independently
- Retain existing day services

Further information is provided in the applicant's project description (Attachment C)

General Plan Analysis

The 1994 General Plan Land Use Element contains the following goal and policy applicable to this project application:

- **Goal 1:** Provide for orderly, well-planned, and balanced development consistent with the historic nature of Pacific Grove, the capacity or the City's infrastructure, and ability to assimilate new growth.
 - **Policy 2:** Ensure that new development is compatible with adjacent existing development.

The proposed project is consistent with the above goal and policy given that it is an existing structure that has been previously used as group housing and has adequate services and infrastructure to support similar continued uses.

The 2003 General Plan Housing Element contains the following policies applicable to this project application:

- **Goal 2:** Provide for a balanced range of housing types and densities for all economic segments of the community.

- **Policy 6:** Promote the development of a broad mix of housing types, using the current mix of housing as a guide to the type of housing to be approved.
 - **Policy 13:** Within all housing programs, give special attention to the needs of special groups, including the physically and mentally disabled, large families, the elderly, and families with lower incomes.
 - **Policy 14:** Support increased housing opportunities for people with disabilities.
 - **Policy 15:** Support shared housing programs operated by local nonprofit organizations.
- **Goal 3:** Promote equal opportunity to secure safe, sanitary, and affordable housing for all persons regardless of race, sex, marital status, ancestry, national origin, color or sexual orientation.
 - **Policy 19:** Increase awareness of remedies for housing discrimination.
 - **Goal 4:** Designate land at residential densities appropriate to meet the housing needs of the community.
 - **Policy 34:** The City will consider relaxing development standards on a case-by-case basis in order to meet affordable housing goals.

The proposed project is consistent with the above goals and policies because continued use of the existing facility at 850 Congress Ave. provides a housing type and opportunity for a special needs group, as suggested by Policies 6, 13, and 14. The existing facility has already been permitted in the neighborhood and the project will be implemented with no major exterior alterations to the existing structure. The Gateway Center is a non-profit organization, and is operating a shared housing program for low, very low and extremely low income people with disabilities that should be supported consistent with Policy 15. Denial of this type of housing opportunity may be inconsistent with Policy 19.

Zoning Analysis

As defined in PGMC 23.08.135, Group Quarters may be permitted, provided a use permit shall first be obtained in each case, but only in those areas of R districts defined on the general plan land use map. The property located at 850 Congress Ave. is designated as Group Quarters in the General Plan, but is zoned R-1. "Group Quarters" are defined by PGMC as residential living arrangements, other than a usual house, apartment or mobile home, in which two or more unrelated persons share living quarters and cooking facilities. Included are licensed residential care facilities for 25 or more persons and large boarding houses. The PGMC General Provisions Section 23.64.190 for off-street parking requires one parking space for each six beds and one parking space for each employee on the shift with the maximum number of employees. The maximum number of employees proposed is 20 and with the proposed 30 full-time residents a total of 25 spaces would be required. There are 42 existing parking spaces on site. Therefore, the existing parking configuration provides an excess of the required number of spaces.

Environmental Determination

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review. Section 15301 of the State CEQA Guidelines exempts projects involving existing facilities or structures involving negligible or no expansion

of use (Class 1). The proposed reduction in the intensity of use from the previously approved use would qualify this project as an exempt project.

ATTACHMENTS:

- A. Draft Resolution
- B. City Council Resolution No. 09-016
- C. Use Permit Application No. 3022-10
- D. Use Permit 1043-74

RESPECTFULLY SUBMITTED:

REVIEWED BY:

Anne Coates
Associate Planner
June 30, 2010

Sarah Hardgrave, AICP
Senior Planner

**ATTACHMENT A
DRAFT RESOLUTION**

**RESOLUTION NO.
RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF PACIFIC GROVE, STATE OF CALIFORNIA**

WHEREAS, the Planning Commission of the City of Pacific Grove has considered Use Permit # 3022-10 to allow a reconfiguration of the existing Gateway Center and establishing two separate two separate licensed residential care facilities at 850 Congress Ave.; and

WHEREAS, a Notice of Public Hearing was distributed to all property owners of record within 300 feet of the project and published in the Monterey Herald on June 28, 2010, in accordance with City policies and Government Code 65090; and

WHEREAS, the Planning Commission of the City of Pacific Grove has held a public hearing, reviewed said Use Permit request, and has studied the compatibility of this request with adjacent land uses, and has considered this request in accordance with the Use Permit criteria established in Chapter 23.72 of the City of Pacific Grove Municipal Code; and

WHEREAS, as conditioned, the establishment, maintenance or operation of the building uses applied for will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the city because:

- a) The project is consistent with policies and regulations of the City of Pacific Grove General Plan and Zoning Ordinance, including Group Quarters allowed in the R-1 zoning district, and
- b) The project increases affordable housing opportunities to people with disabilities; and

WHEREAS, Gateway Center has been in operation at its current site since 1974 under Use Permit No. 1043-74 and this proposal will not result in an intensification of the existing uses of the site; and

WHEREAS, the reconfiguration of the existing facility into two separately licensed facilities will not result in an overconcentration of licensed residential care facilities; and

WHEREAS, it is a policy of the City of Pacific Grove to promote the development of a broad mix of housing types, using the current mix of housing as a guide to the type of housing to be approved; and

WHEREAS, it is a policy of the City of Pacific Grove, within all housing programs, to give special attention to the needs of special groups, including the physically and mentally disabled, large families, the elderly, and families with lower incomes; and

WHEREAS, it is a policy of the City of Pacific Grove to support increased housing opportunities for people with disabilities; and,

WHEREAS, it is a policy of the City of Pacific Grove to support shared housing programs operated by local nonprofit organizations; and,

WHEREAS, adoption of this resolution does not exempt Gateway Center from future requirements for amendments to the existing Use Permit or Building Permits to implement the proposed reconfiguration of the existing building; and,

WHEREAS, support of this resolution involves licensing of an existing facility with negligible or no expansion of the existing permitted use, and therefore is eligible for a Class 1 Categorical Exemption from the requirements of CEQA; therefore, no additional environmental documentation is necessary.

Conditions:

1. The terms and conditions of Use Permit # 1043-74 and Use Permit # 3022-10 shall be perpetual, and it is the intention of the City of Pacific Grove and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
2. The Gateway Center shall maintain the area surrounding the residence in a clean and orderly manner at all times. Gateway Center shall be responsible for and shall monitor the area surrounding the residence to ensure peace and quiet.
3. In the event that nuisances are created within either of the two facilities, the Community Development Department Chief Planner may refer the conditional use permit to the Planning Commission for additional review. If necessary, the Planning Commission may add additional conditions of approval or may revoke the conditional use permit.
4. If operation of this use results in conflicts pertaining to parking, noise, traffic, or other impacts, at the discretion of the Community Development Department Chief Planner, this conditional use permit may be referred to the Planning Commission for subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said conditional use permit upon applicable findings.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Pacific Grove held on the 8th day of July, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Please note that this resolution does not take effect until the 10-day appeal period has expired.

Craig Riddell, Chair

ATTEST:

Lynn Burgess, AICP, Secretary

The undersigned hereby acknowledge and agree to the approved terms and conditions, and agree to fully conform to and comply with said terms and conditions.

Owner:

By _____ Date _____
Lee Underwood, Chair
Bridge Restoration Ministry

By _____ Date _____
Rick F. Barnett, Trustee
Property Owner

By _____ Date _____
Loretta K. Barnett, Trustee
Property Owner

RESOLUTION NO. 09-016

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE
GRANTING APPROVAL FOR GATEWAY CENTER TO RELICENSE THE EXISTING
FACILITY INTO THREE SEPARATE LICENSED FACILITIES ON THE SAME SITE**

WHEREAS, Gateway Center has special local needs and conditions, and provides much needed housing to very low income people with disabilities in the City of Pacific Grove; and,

WHEREAS, many of the residents at Gateway Center are long standing members of the community, and if the housing and services provided by Gateway Center cannot be adequately maintained or provided, the loss of housing and services will be a detriment to the community at large; and

WHEREAS, Gateway Center has been in operation at its current site since 1974 under Use Permit No. 1043-74 and this proposal will not result in an intensification of the existing number of beds allowed on the site; and

WHEREAS, the reconfiguration of the existing facility into three separately licensed facilities will not result in an overconcentration of licensed residential care facilities; and

WHEREAS, it is a policy of the City of Pacific Grove to promote the development of a broad mix of housing types, using the current mix of housing as a guide to the type of housing to be approved; and

WHEREAS, it is a policy of the City of Pacific Grove, within all housing programs, to give special attention to the needs of special groups, including the physically and mentally disabled, large families, the elderly, and families with lower incomes; and

WHEREAS, it is a policy of the City of Pacific Grove to support increased housing opportunities for people with disabilities; and,

WHEREAS, it is a policy of the City of Pacific Grove to support shared housing programs operated by local nonprofit organizations; and,

WHEREAS, adoption of this resolution does not exempt Gateway Center from future requirements for amendments to the existing Use Permit or Building Permits to implement the proposed reconfiguration of the existing building; and,

WHEREAS, support of this resolution involves licensing of an existing facility with negligible or no expansion of the existing permitted use, and therefore is eligible for a Class 1 Categorical Exemption from the requirements of CEQA; therefore, no additional environmental documentation is necessary.

NOW THEREFORE BE IT RESOLVED,

1. The City Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.

2. The City approves the proposal of Gateway Center to relicense its existing facility into three (3) separate licensed facilities on the same site at 850 Congress Avenue under Use Permit No. 1043-74.

3. Based on special local needs and conditions, the change in the licensing structure shall not result in an intensification of the existing land use.

4. Based on special local needs and conditions, the change in the licensing structure shall not result in an overconcentration of residential care facilities in the vicinity of 850 Congress Avenue.

5. This resolution shall become effective immediately following passage and adoption hereof.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacific Grove held on the 29th day of April, 2009, by the following vote:

AYES: Council Members Bennett, Cohen, Cort, Garcia, Kampe, Lindsay, and Stilwell

NOES: None

ABSENT: None

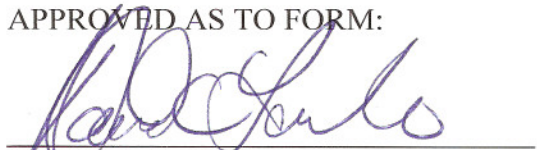
APPROVED:


DANIEL E. CORT, Mayor

ATTEST:


JAMES L. BECKLENBERG, City Clerk

APPROVED AS TO FORM:


DAVID C. LAREDO, City Attorney

RECEIVED

CITY OF PACIFIC GROVE
APPLICATION FOR USE PERMIT
(Municipal Code Chapter 23.72.030)

MAY 13 2010

MAY 13 2010

Accepted for Submittal by

Cynamoto
[CDD Staff person]

COMMUNITY DEV. DEPT.
CDD Use only
USE PERMIT NO.
3022-10

PAID
MAY 13 2010
By <i>Cynamoto</i>

✓ FEE (650 + 1570 URP)
01-4401

Fee = 1747.50

Project Location 880 CONGRESS AVE, PACIFIC GROVE APN 006-641-77

Lot(s) _____ Block _____ Tract _____ Lot Size _____

Applicant WALD, RUNNKE & DOST ARCHITECTS (*CHRISTOPHER BARLOW*)

Applicant's Address 2340 GARDEN ROAD, SUITE 100, MONTEREY, CA 93940

Applicant's Daytime Phone No(s). 831-649-4642

Applicant's E-mail Address: ~~CHRISB~~ @ WRDARCH.COM Check if you prefer e-mail contact

Property Owner STEPHANIE LYON (*INTERIM EXECUTIVE DIRECTOR*)

Property Owner's Address 880 CONGRESS AVE, PACIFIC GROVE, CA 93950

Property Owner's Phone No. 831-372-9002 x20 E-mail: SLYON @ GATEWAYCENTER.ORG

PROPOSED USE OR PROJECT (State in detail) – Attach additional sheets if necessary:
 PROPOSED PROJECT IS AN INTERIOR REMODEL CONSISTING OF VOLUNTARY ACCESSIBILITY UPGRADES AND NEW INTERIOR PARTITIONS, FINISHES, AND PLUMBING FIXTURES WITHIN A 7,813 SQUARE FOOT AREA (ABOUT 1/3 OF THE ^{TOTAL} GROUND FLOOR AREA OF THE EXISTING BUILDING). THE COMPLETED REMODEL WILL ENCOMPASS A NEW FIFTEEN (15) BED INTERMEDIATE CARE FACILITY/DEVELOPMENTALLY DISABLED-HABILITATIVE AREA (ICE/DD-H) WITHIN THE EXISTING GATEWAY FACILITY.

Indicate, if applicable: Days/hours of operation, number of employees: (REFER TO INCLUDED SUMMARY PROVIDED BY GATEWAY CENTER)

I, the undersigned, under penalty of perjury, depose and say that I am the applicant for this request, that the owner of the property approves this application and that all statements are true and correct.

MAY 13, 2010
Date

[Signature]
Signature of Applicant

(Applicant continues on reverse)

CHRISTOPHER BARLOW
WALD, RUNNKE & DOST ARCHITECTS
(831) 649-4642
chrisb @ wrdarch.com

Gateway Centers Request for change of use permit

Each facility would be independent of the other, have a separate address and be designed to address the needs of the current residents of Gateway as well as future referrals. The facility reconfiguration will be based on the following principles:

- Retain and improve wheelchair accessibility
- Improve accessibility of bathrooms, kitchen and shower/bathing facilities
- Incorporate increased accessibility design features
- Two smaller specialized licensed areas, a maximum of 15 beds each
- Increased personal space, some private rooms and more social/recreational areas
- Create increased learning opportunities for food preparation and other opportunities leading to the ability to live more independently
- Retain existing day services

Residential Services

Program Hours 24 hours seven days a week

The purposed project is a fifteen (15) bed intermediated care facility/Developmentally Disables-Habilitative (ICFDD-H) area within the existing building. Following the completion of the ICFDD-H Gateway center plans to reduce the remaining residential program to a fifteen (15) bed Community care Facility (CCF). Gateway Center will be reducing the number of clients we currently serve in our Residential programs from 49 to 30 by June 1212.

Philosophy

GCMC is developing this fifteen (15) bed ICF/DD-H and fifteen (15) bed CCF with the basic principle that individuals who want to live in an intermediate care residential setting should be provided with professional resources that allow for and encourage individual choices and decisions in life planning. Gateway Center's ICF/DD-H and CCF will provide a comfortable and supporting environment where two separate groups of fifteen residents can make choices in activities of daily living and are professionally supported in planning their future. The person-centered planning includes the person's strengths, capabilities, preferences, lifestyle and cultural background. Through the provision of such professional resources as an Interdisciplinary Team (ID Team), the person is provided with an environment that allows for maximum quality of life and growth through individual choices and life desires. Both facilities will focus on the individual and will promote quality and progress towards outcomes by addressing needs for choice, relationships, lifestyle, health and well-being, rights, and satisfaction of life.

Residential Program Mission and Overview

Gateway ICF I and CCF will provide 24-hour, seven day a week residential and habilitative training services to thirty (30) individuals who are developmentally disabled, within the community. An admission policy has been developed which identifies the entrance criteria for admission considerations. Gateway ICF I /CCF is part of the continuum of residential services available to individuals with developmental disabilities within the San Andreas Regional Center catchment area.

Within each residential facility, individuals will have the opportunity to learn behavioral self-management and develop critical life skills necessary to function as independently as possible within the immediate environment. This program specifies objectives and identifies a continuum of development in which projected progressive steps and the developmental consequences of services are outlined. Ongoing reviews are conducted to ensure appropriateness of current placement and to aid the individual in transition, as appropriate, to other community-based programs.

Day Program Services Mission and Overview **Program Hours are Monday through Friday 8am-3pm**

Gateway Center meets the particular needs of the consumers in various areas of life-skills and development training for adults with developmental disabilities over the age of 18 with four different day programs that has the capacity to serve up to 90 adults with developmental disabilities at the Pacific Grove site. Gateway Center's Day Program Services is licensed by the Department of Social Services, State of California. Consumers are either residents of Gateway Center or reside within the community.

Consumers participate in activities to improve and/or maintain gross and fine motor skill development, increase and improve self-help skills, increase the level of sensory awareness, improving appropriate social and emotional behaviors along with being able to function successfully in a group setting. Another aspect of services is our community Based Program. Consumers can participate in the community on a regular basis while learning specific skills such as safety in the community, social skills, recreation skills, learning how to access public transportation, product identification and purchasing skills, and vocational skills through volunteerism. Consumer objectives are focused on community enhancement activities and increasing consumer educational opportunities within the local community.

Program Staffing

Total Number of staff employed by Gateway center to include Administrative, Day services, and Residential services is approximately seventy (70).

Monday through Friday

Daytime hours between 8am- 3pm there will be an average of twenty (20) employees on site.

During the hours of 3pm-10pm there will be an average of ten (10) employees on site.

During the hours of 10pm-7am there will be an average of five (5) employees on site

Saturday-Sunday

During the hours of 8a-10p there is an average of Seven (8) employees on site

During the hours of 10p-8a there will be an average of four (4) employees on site

Parking

We have 42 off street parking spaces available for staff and Visitors.

