

RESOLUTION NO. PC 2024-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA MESA APPROVING PROJECT 2023-2714 (HOPE INC.) – A REQUEST FOR A CONDITIONAL USE PERMIT FOR AN ADULT DAY CENTER AT 7811 LA MESA BOULEVARD (APN 470-173-01-00) IN THE RB-D-MU (RESIDENTIAL BUSINESS/URBAN DESIGN OVERLAY/MIXED USE OVERLAY) ZONE

WHEREAS, project applicant HOPE Inc. has submitted a conditional use permit application to the City of La Mesa for an adult day center at 7811 La Mesa Boulevard (APN 470-173-01-00) in the RB-D-MU (Residential Business/Urban Design Overlay/Mixed Use Overlay) zone (Project 2023-2714);

WHEREAS, under La Mesa Municipal Code (LMMC) Section 24.01.100, day care centers for adults are defined as community care facilities;

WHEREAS, pursuant to La Mesa Municipal Code (LMMC) Section 24.05.020C.3, community care facilities, which are principally permitted in the CN (Neighborhood Commercial) zone, are permitted upon approval of a conditional use permit in the RB (Residential Business) zone when the subject property is adjacent to commercially zoned property and any adverse effect on adjacent residential property is mitigated through project design;

WHEREAS, the Planning Commission did receive and consider a staff report on the proposed project;

WHEREAS, the Planning Commission of the City of La Mesa did hold a duly noticed public hearing on November 6, 2024, and accepted public testimony in considering Project No. 2023-2714; and

THE PLANNING COMMISSION FINDS AND DETERMINES AS FOLLOWS:

1. The project is exempt from environmental review in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction or Conversion of Small Structures, which allows for the conversion of existing small structures from one use to another where only minor modifications are made to the exterior. The exemption applies to office buildings not exceeding 10,000 square feet in area where the site is zoned for the use, the use does not involve the use of significant amounts of hazardous substances, and all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. The project meets all of the conditions necessary to qualify for the exemption and none of the exceptions listed in Section 15300.2 apply.
2. The project site is located adjacent to commercially zoned property. Adjacent properties to the north and west are zoned C-D-MU (General Commercial/Urban Design Overlay/Mixed Use Overlay).
3. Adverse effects on adjacent residential property are mitigated through the project design. The project site will primarily serve as a drop off point for program participants. In addition, project design features and proposed business operations will further assist in avoiding adverse effects on adjacent residential properties to the east and south, including the placement of the adult day center's classroom and activity areas indoors and daytime

business hours. The parking area is separated from adjacent residences to the east by landscaping and fencing and no new lighting is proposed that could impact the adjacent residential properties.

4. Conditional Use Permit Findings (La Mesa Municipal Code Section 24.02.060):

(A) Incompatibility with other uses in the same vicinity will not result.

The proposed adult day center use appears to be compatible with other uses in the same vicinity. The surrounding area is developed with uses of similar intensity, including two churches within 500 feet of the project site operate large preschool/day care facilities and K-8 private schools. In addition, the existing businesses on the site, including medical offices (dentist) and a beauty salon, are compatible with the proposed use as these are also community serving uses. Nearby residences would not be affected by nighttime or weekend activity because the proposed program would operate Monday through Friday, during daytime business hours consistent with other commercial uses in the area.

(B) Issuance of such a conditional use permit would not lead to the creation of a nuisance and would not endanger the public health, safety, or order by:

(1) Unreasonably increasing pedestrian and/or vehicular traffic in the area in which the premises are located;

An unreasonable increase in pedestrian or vehicular traffic is not anticipated. The project site is located in a high-volume pedestrian area, with signalized pedestrian crosswalks at the La Mesa Boulevard/El Cajon Boulevard intersection and a bus stop nearby. Clients will utilize public transportation and two company vans that will be parked in the parking lot during the day. There may be an increase in pedestrian traffic utilizing public transit, but no significant increase in vehicular traffic or parking is anticipated as it is expected that program participants will be dropped off at the center.

(2) Increasing the incidence of disruptive conduct in the area in which the premises are located;

The adult day center use is not anticipated to increase the incidence of disruptive conduct in the area. Similar facilities located on University Avenue, Fletcher Parkway, and at other sites have not generated any complaints about disruptive conduct. Loading and off-loading of will take place within designated areas in the parking area on-site. A condition of approval outlines the process for a new public hearing before the Planning Commission should the Director of Community Development determine that the use is not in compliance with the CUP and/or the City of La Mesa Code of Ordinances.

(3) Unreasonably increasing the level of noise in the area in which the premises are located.

The proposed adult day center use would not unreasonably increase the level of noise in the area. Operation of the center will be limited to daytime hours, and with

the exception of clients and staff coming and going from the property, will be conducted entirely indoors. Other adult day center programs located in commercial/mixed-use areas similar to the project site have not generated noise complaints from neighbors. A standard condition of approval, typical for all conditional use permits, outlines the process for a new public hearing before the Planning Commission, should the Director of Community Development determine that the use is not being operated in compliance with the CUP and/or the City of La Mesa Code of Ordinances.

(C) The use is consistent with the general plan.

The use is consistent with the General Plan. The site's planned land use, Mixed Use Urban, is intended to allow a more intensive level of commercial development than Local Serving Commercial, but not the high volume regionally significant activities found in Regional Serving Commercial. Those sites with a Local Serving Commercial planned land use are most consistent with CN (Neighborhood Commercial) zoning, which allows all types of community care facilities, including adult day centers, by-right.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LA MESA AS FOLLOWS:

1. The foregoing findings of fact and determinations are true and hereby made a part hereof.
2. The foregoing findings of fact and determinations are supported by the staff, report, plans, and exhibits, all of which are herein incorporated by reference.
3. The Planning Commission approves Project No. 2023-2714 subject to the conditions of approval in Exhibit A.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of La Mesa, California, held the xx day of November 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, Lynnette Santos, Secretary of the City of La Mesa Planning Commission, do hereby certify the foregoing to be a true and exact copy of Resolution PC-2024-xx, duly passed and adopted by the Planning Commission.

Lynnette Santos, Secretary
La Mesa Planning Commission

Exhibit A
PC Resolution PC-2024-xx
Project No. 2023-2714 – Conditional Use Permit
Conditions of Approval

A. GENERAL CONDITIONS

1. The project is conditionally approved as set forth on the application and project drawings received electronically by the City on October 30, 2024, consisting of nine (9) sheets total, including G001 – Title Sheet; G201 Occupancy and Egress Plan; A101 Existing Site Plan; A102 Proposed Site Plan; A200 Demo Floor Plans; A201 Floor Plan & RCP – 1st Floor Suite A; A202 Floor Plan & RCP 2nd Floor Suite E; A251 Existing Roof Plan; A301 Existing/Proposed West Elevation & Stair/Ramp Landing Section; all designated as approved by the Planning Commission on November 6, 2024, and shall not be altered without express authorization by the Community Development Department.
2. Hours of operation of the adult day center use shall be limited to Monday through Friday, 8:00 a.m. – 5:00 p.m.
3. This approval shall not waive compliance with any section of the La Mesa Municipal Code or any other applicable City regulations in effect unless specifically waived herein.
4. Prior to any use or issuance of final occupancy of the project site pursuant to this approval, all conditions of approval contained herein shall be completed or secured to the satisfaction of the Community Development Department.
5. The Director of Community Development (“Director”) shall provide written notice to the property owner if the Director determines that the use is not in compliance with the Conditional Use Permit and/or the City of La Mesa Code of Ordinances. The Director shall prepare and present a report regarding the complaint(s) and any analysis prepared to the Planning Commission in a noticed public hearing. Based on the evidence presented and testimony received in the public hearing, the Planning Commission may impose additional restrictions and conditions of approval.
6. This constitutes an approval of the discretionary entitlement only. Additional permits, including but not limited to building and encroachment permits, may be required by the Community Development Department or other City departments prior to commencement of construction and/or use. It is the property owner and applicant’s responsibility to obtain all necessary permits required for the type of project proposed.
7. The Owner(s) shall waive any claims of liability against the City and indemnify, hold harmless and defend the City and City’s employees regarding any component of the City’s approval, and shall execute an indemnity agreement in substantially the form as provided by the Community Development Department prior to building permit issuance, initiating use in reliance of this permit, recordation of the final map and/or recordation of the final parcel map, as applicable, and the Community Development Director is hereby authorized to execute the same.

B. THE FOLLOWING CONDITIONS SHALL BE SATISFIED AT BUILDING SUBMITTAL:

1. Plans must be complete and stamped by a licensed professional/s.
2. All permits (encroachment, fire, or other) for this development project shall be submitted and issued concurrently.
3. The project must comply with all applicable disabled accessibility regulations in Chapter 11B, Title 24 California Building Code.
4. The project must comply with the City's Construction and Demolition Ordinance regulating recycling of construction materials.
5. This project shall comply with 2022 California Building, Mechanical, Electrical, Plumbing, Green and Energy Efficiency codes.
6. The project shall comply with 2022 California Fire Codes, including but not limited to requirements to provide an automatic fire alarm system and an automatic sprinkler system throughout buildings with a Group 1 fire area.

C. THE FOLLOWING CONDITIONS SHALL BE SATISFIED PRIOR TO OCCUPANCY:

1. The applicant shall obtain finals from all departments for all issued permits: Building, Fire, Planning, Engineering, and San Diego County Environmental Division (APCD and Hazardous Materials) prior to the issuance of a certificate of occupancy.
2. The applicant shall maintain the property in good condition and repair. All yards and other open spaces around buildings shall be kept free of waste, litter, junk, or storage of any material. Packing boxes, lumber, litter, dirt and other debris accumulated in vestibules, doorways or the adjoining sidewalks or outside commercial buildings and visible from public or private streets shall be prohibited. Maintenance of the property and the responsibility for such maintenance shall be that of the owner of record and/or the occupant, separately or jointly, and either or both may be cited for any violation on the building site.