



CITY OF BAKERSFIELD PLANNING COMMISSION

MEETING DATE: February 29, 2024

AGENDA: 6.a

TO: Chair Bashirtash and Members of the Planning Commission

FROM: Paul Johnson, Planning Director *PJ*

DATE: February 23, 2024

WARD: 1

FILE: Conditional Use Permit No. 23-0642

STAFF PLANNER: Louis Ramirez, Associate Planner

REQUEST: A conditional use permit to allow the conversion of an existing 151-room hotel into a multi-family dwelling complex.

APPLICANT: Skarpol/Frank Associates
Gregory Frank
925 17th Street
Bakersfield, CA 93301

OWNER: 2700 White Lane, LLC
Eli Cohen
12444 Victory Boulevard #118
North Hollywood, CA 91606

LOCATION: 2700 White Lane, Bakersfield, California

APN: 405-101-06 and 405-101-07

PROJECT SIZE: Approximately 2.5 Acres

CEQA: Section 15332 (Class 32; In-fill Development)
Section 15301 (Class 1: Existing Facilities)

EXISTING GENERAL PLAN DESIGNATION: GC (General Commercial)

EXISTING ZONE CLASSIFICATION: C-2 (Regional Commercial)

STAFF RECOMMENDATION: Render a decision.

SITE CHARACTERISTICS: The project site is currently developed with a 151-room, two-story hotel and associated parking lot. Surrounding properties are primarily developed as: north – vacant land, self-storage facility, and multiple-family residential; east – vacant land and automobile service station; south – on and off-ramps to State Route 99, restaurants; and west – State Route 99.

BACKGROUND AND TIMELINE:

- July 29, 1963 - City Council approved the annexation of the project site to the City of Bakersfield as part of Annexation No. 138, Hughes No. 1 and a zone classification of C-2 (Regional Commercial) upon final annexation (Ordinances 1491 and 1492).
- July 20, 1999 - Site Plan Review No. P99-0395 was approved for construction of an 80-unit motel and a 60-unit motel on 5 acres containing an existing 152-unit motel (to be remodeled) and an existing 12,000 square foot restaurant (to be demolished). Staff notes the expansion did not occur and the renovation resulted in 151 units within 4 interconnected buildings.
- October 10, 2000 - A Certificate of Compliance was recorded for Parcel Map Waiver P99-0810 which subdivided the 5 acres into 3 parcels, one of which is the current project site (DOC 0200126374).
- July 20, 2023 - General Plan Amendment/Zone Change (GPA/ZC) No. 22-0421 was considered by the Planning Commission to change zone classification from C-2 (Regional Commercial) Zone to R-4 (High Density Multiple-Family Dwelling) Zone to facilitate conversion of the hotel into a multi-family dwelling complex. Although no written comments were received, opposition statements were taken from 10 neighborhood residents. Following questions from the dais, the applicant requested a two-week continuance to address the concerns and provide an opportunity to meet with the neighbors.
- August 3, 2023 – GPA/ZC No. 22-0421 was reconsidered by the Planning Commission. Staff presented responses to concerns raised and provided options for the Planning Commission regarding the request. A motion was made to refer the project back to staff to address concerns of illegal behavior, loitering, littering, and safety raised by the neighboring residents.
- November 22, 2023 - Applicant withdrew their request for GPA/ZC No. 22-0421.
- December 7, 2023 - Applicant submitted for a conditional use permit (No. 23-0642) to facilitate conversion of the hotel into a multi-family dwelling complex.

PERMITTING:

Zoning. The site is zoned C-2 (Regional Commercial). Properties with a C-2 zone are typically retail developments and often abutting or near a residential development. Pursuant to Bakersfield Municipal Code Section 17.24.040, all permitted uses in the residential zones are permitted in the C-2 zone with approval of a conditional use permit. These residential zones allow for a variety of housing types varying from single-family (e.g., 1 dwelling unit per acre) to high density apartment buildings (e.g., 72 dwelling units per acre).

PROJECT ANALYSIS:

Project. If your Commission approves the request, the applicant will convert the existing 49,719 square foot hotel into a multiple-family dwelling complex (The Blanco). The complex will consist of 151 micro-units that range in floor space size between 262 square feet to 292 square feet. Each studio unit will have a kitchen, bathroom, and living/bedroom space. Shared amenities include a swimming pool, spa, laundry room, community space in the lobby area, and an onsite food bank. Access to the project site is provided by two approaches to/from Los Carneros Place, on the north side of the project site.

Project Operations. According to the applicant, The Blanco's mission is to foster self-reliance and provide tools for permanent housing and societal reintegration. They are a privately funded housing facility serving previously homeless individuals on a minimum 12-month lease basis. By partnering with external organizations for additional services, The Blanco provides a healthy environment for residents, supported by daytime staff for programs and support services, including resource fairs, outreach, and assistance with job opportunities, medical services, pet care, and more. Daily operations are overseen by a property manager between 8:00 am-5:00 pm, Monday through Friday, with programs and support services addressing tenants' needs.

Staff notes the applicant did not provide a list of partners associated with The Blanco. Additionally, the applicant states The Blanco is not supportive housing, transitional housing, a shelter as defined by the local zoning ordinance and state law.

Good Neighbor Policy. The applicant provided a Good Neighbor Policy that outlines the commitment and expectations between The Blanco and the community to foster a harmonious living environment and mutual respect. The Good Neighbor Policy outlines The Blancos responsibility and establishes a Code of Conduct that residents of The Blanco shall abide by. Should your Commission approve this conditional use permit, staff is recommending the Good Neighbor Policy be established as conditions of approval.

Code Enforcement. During preparation of this report, staff was informed of a code compliance complaint by tenants. The complaint was investigated on February 6, 2024 and the investigating officer identified two housing violations associated with ventilation equipment and pest infestation. As of February 20, 2024, those violations remained open.

Lot Line Adjustment. A Lot Line Adjustment No. 22-0456 is also being processed as a ministerial action. The purpose of this request is to extend the property boundary easterly to accommodate residential setbacks and parking requirements. Should your Commission approve this conditional use permit, staff is recommending a condition of approval to require recordation before final occupancy can be granted.

ENVIRONMENTAL REVIEW AND DETERMINATION:

This project has been found to be exempt from the provisions of the California Environmental Quality Act ("CEQA") and the City of Bakersfield's CEQA Implementation Procedures in accordance with Section 15332 (Class 32: Infill Development Projects). This exemption consists of projects characterized as in-fill development meeting the following conditions:

- 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.
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare, or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

Moreover, this project has been found to be exempt from CEQA in accordance with Section 15301 (Class 1: Existing Facilities), because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Examples of Class 1 exemptions include but are not limited to:

- Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.
- Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.
- Division of existing multiple family or single-family residences into common-interest ownership and subdivision of existing commercial or industrial buildings, where no physical changes occur which are not otherwise exempt.

In addition to the conversion complying with local ordinances, state laws, and standards of the Uniform Building Codes, the applicant submitted the necessary documents to demonstrate the proposed project meets the conditions outlined above. Therefore, should your Commission approve this conditional use permit, a notice of exemption has been prepared.

NEIGHBORHOOD AND PUBLIC NOTIFICATION:

Public Notification. Public notice for the proposed project and environmental determination was advertised in *The Bakersfield Californian* and posted on the bulletin board in the City of Bakersfield Development Services Building, 1715 Chester Avenue, Bakersfield, California. All property owners within 300 feet of the project site were notified by United States Postal Service mail regarding this public hearing in accordance with city ordinance and state law.

Signs are required as part of the public notification process and must be posted between 20 to 60 days before the public hearing date. Photographs of the posted signage and the Declaration of Posting Public Hearing Notice signed by the applicant are on file at the Planning Division.

Comments Received. As of this writing, no written comments have been received.

Neighborhood Outreach. Subsequent to the GPA/ZC being referred back to staff on August 3, 2024, the owner offered one neighborhood meeting on November 11, 2023. This meeting was held at the Crest Bar and Grill, approximately 0.75 miles from the project site. According to the applicant, the neighbors raised concerns with The Blanco residents leaving trash and shopping carts, having aggressive dogs, intimidating commuters and rummaging through trash.

CONCLUSIONS:

Findings. Bakersfield Municipal Code (B.M.C.) Section 17.64.060.D contains specific findings that must be made for your Commission to approve the requested conditional use permit. Specifically, the section states that a conditional use permit shall be granted only when it is found that:

1. The proposed use is deemed essential or desirable to the public convenience or welfare; and
2. The proposed use is in harmony with the key elements and objectives of the general plan and applicable specific plans.

B.M.C. Section 17.64.060.E also states that a conditional use permit may be subject to conditions as deemed appropriate or necessary to assure compliance with the intent and purpose of the zoning regulations and the various elements and objectives of the general plan and applicable specific plans and

policies of the city or to protect the public health, safety, convenience, or welfare. In other words, through appropriate conditions of approval, a conditional use permit allows local planning authorities to balance the needs of individual property owners or developers with the community's interests and zoning regulations, fostering appropriate and well-planned development. This is done by applying conditions of approval that can include the following:

- *Project Design Features.* Conditions may include building design guidelines, setback requirements, landscaping, specific fencing types, and other architectural elements to ensure that the project's appearance is aesthetically compatible with the surrounding area.
- *Public Safety.* Conditions of approval can include measures to enhance public safety, such as installing additional lighting, providing enhanced security systems to include on site security patrols, removing individuals who display disorderly conduct, etc.
- *Public Benefits.* Conditions may require the developer to provide public benefits such as recreational amenities, preservation of green space, gathering space.
- *Ensuring Compatibility.* Conditions are used to ensure that development is compatible with the existing character of the neighborhood or area. Conditions may address loitering, trash cleanup, etc., that must be followed to help preserve the community's overall appeal.
- *Construction Hours and Noise.* Conditions may limit construction hours and impose noise control measures to minimize disruption to neighboring properties.
- *Project Monitoring and Reporting.* Conditions may include requirements for periodic reporting and monitoring of the project's compliance with the approved plans and conditions.

Should your Commission approve this conditional use permit, staff is recommending conditions of approval where your Commission could make the required findings that (1) the proposed project would provide a public convenience by offering a variety residential types and densities; (2) the project would be a desirable contribution to the homeless community; and (3) the project would result in a development that is in harmony with the key elements and objectives of the Bakersfield Municipal Code by (a) accommodating development which captures the economic demands generated by the marketplace; (b) accommodating development which provides a full mix of uses to support its population; (c) ensuring that residential uses are located in proximity to commercial services, employment centers, public services, transportation routes, and recreational and cultural resources; and (d) accommodate projects which are infill or expansion of existing urban development.

Planning Commission Options. The Planning Commission has several options regarding this request:

1. *Approve as Requested.* If the Planning Commission recommends approval of the project as requested by the applicant, the motion would be to: Adopt Resolution and suggested findings **APPROVING** Conditional Use Permit No. 23-0642 with the listed conditions of approval. Staff notes that a Resolution has been prepared for this motion with recommended conditions of approval.
2. *Approve with Modified Conditions.* If the Planning Commission recommends approval of the project with modified conditions, the motion would be to: Adopt Resolution and suggested findings **APPROVING** Conditional Use Permit No. 23-0642 with the listed conditions of approval as modified by the Planning Commission.

3. *Continue Consideration to Future Date.* The Planning Commission may have unanswered questions and/or request additional information unavailable at the time of the hearing that is needed to make an informed decision. If this information can be obtained in a timely manner, your Commission could make a motion to continue consideration of the project to a specified hearing date. Hearings are typically held on the first and third Thursdays of each month.
4. *Refer the Project Back to Staff.* The Planning Commission may have unanswered questions and/or request additional information unavailable at the time of the hearing that is needed to make an informed decision. If it is unclear how long it may take to obtain such information, your Commission could make a motion to refer the project back to staff. At that point, the project will need to be publicly readvertised at a future Planning Commission hearing date.
5. *Deny the Request.* Based on evidence in the record (e.g., staff report, public testimony, deliberations, etcetera) the Planning Commission could make a motion to deny the project for reasons made known during the hearing. The project would not move forward unless the applicant appealed the decision to City Council for consideration.

Recommendation. Staff recommends the Planning Commission render a decision based on information in the record.

ATTACHMENTS:

Map Set

- Aerial
- Zone Classification
- General Plan Designation

Project Plans

- Site Plan
- Floor Plan
- Elevations
- Landscape Plan

Operational Statement

Good Neighbor Policy

Lease Agreement

Resolution for Approval