



ITEM IV-B: **CONDITIONAL USE PERMIT – 911 WASHINGTON BOULEVARD – NWRSP PCL 39, GRACE & MERCY MINISTRY OF DELIVERANCE – FILE # 2009PL-120 (CUP-000061)**

REQUEST

The applicant requests approval of a Conditional Use Permit to allow a community assembly use (Grace & Mercy Ministry) to operate within a Light Industrial (M1) zone.

Property Owner: Kenneth Jackson, Roseville Business Park, LLC
Project Applicant: Chris Weatherford, Grace & Mercy Ministry of Deliverance

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission:

- A. Adopt the three (3) findings of fact for the Conditional Use Permit; and
- B. Approve the Conditional Use Permit subject to four (4) Conditions of Approval

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with the recommended Conditions of Approval.

BACKGROUND

The project site is located at the southwest corner of Washington Boulevard and Junction Boulevard within the Roseville Business Park (RBP). The property is zoned Light Industrial (M1) and has a land use designation of Community Commercial (CC). The site is surrounded by a storage facility to the east, Placer County Fair Grounds to the south, the Roseville Police Department to the west, and single-family residential homes to the north. The RBP is an eight-building office/warehouse complex totaling 126,348 square feet that was approved by the Roseville Design Committee on February 5, 1998. The facility is completely constructed and roughly 81 percent of the RBP space is leased at this time.

The applicant is now proposing to operate a community assembly use within the Light Industrial zoning district. According to the Roseville Zoning Ordinance, community assembly uses are permitted in the M1 zone upon approval of a Conditional Use Permit (CUP), and on July 13, 2000, the Planning Commission approved a CUP for the operation of the St. Matthew Lutheran Church within the RBP. In addition to the applicant's request for a CUP, an Administrative Permit (AP) was also approved allowing a parking reduction for shared parking within the business park. The AP was required to address the higher parking requirement associated with the community assembly use as opposed to the office/commercial uses originally assumed for the subject tenant spaces.

With approval of the CUP and AP, St. Matthew Lutheran Church located in a 4,500 square-foot tenant space within Suites 203, 204, and 205 of Building G. The church was located within the business park for approximately eight years while building a permanent church facility and moved out of the tenant space in 2008. Currently, Grace & Mercy Ministries is proposing to locate within the same space. However, the previous CUP was tied to the operation of St. Matthew Lutheran Church, and per the Zoning Ordinance (Section 19.24.020F) the CUP expired after the church moved and the tenant space was left vacant for six months. The AP for the parking reduction, however, runs with the land and because the proposed use

locating within the vacant tenant space is not changing or increasing in size, the parking reduction is still valid.

Staff has reviewed the original CUP analysis and verified with the property manager (Melissa Chapman, Focus Commercial, Inc.) that there were no issues on record regarding the operation of the previous church. In addition, Grace & Mercy Ministries has provided a letter (see Attachment 1) which describes their basic operations, including services and hours of operation. After comparing this information to the information previously submitted for St Matthew's Church, staff finds the operational characteristics identical.

Figure 1: Zoning and Land Use



FINDINGS & EVALUATION

Conditional Use Permits are evaluated for consistency with the City's General Plan, conformance with the City's Zoning Ordinance, and potential for impacts to the health, safety and welfare of persons who reside or live in the area. Specifically, the Planning Commission must make the three findings listed below in ***bold italics*** to approve the Conditional Use Permit. An analysis of the project follows each finding:

1. The proposed use or development is consistent with the City of Roseville General Plan.

The land use designation for the subject property is Community Commercial (CC). Typically the CC land use designation is intended to serve the principal retail shopping needs of the entire community by providing areas for shopping centers, and other retail and service uses. However, in this location, a project that has retail store fronts but more intense industrial type tenants in the back was envisioned and has been constructed. In this setting a church use is approved, provided the operation can be made compatible through the CUP.

2. The proposed use or development conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance.

Chapter 19.14 of the Roseville Zoning Ordinance identifies that community assembly uses are conditionally permitted within the Light Industrial (M1) zone. Conditional Use Permits are used to address potential incompatibilities between land uses. The standards and requirements of the Zoning Ordinance are used to evaluate the appropriateness of a use or uses for that location. For community assembly uses, the Roseville Zoning Ordinance does not establish any specific development standards

except for parking requirements. As such, the following evaluation will focus on the parking situation within the RBP.

The project site was approved with a total of 276 parking spaces. However, as the project started to develop, some of the buildings within the business park were constructed smaller than originally anticipated. These changes reduced the total size of the facility from 131,866 sq ft to 126,348 sq ft and reduced the total number of required parking stalls from 273 to 266. The net result left a ten stall surplus.

Prior to approval of the CUP and AP for St. Matthew Lutheran Church, the original parking allocation for the subject tenant space was 18 spaces. As noted previously, Grace & Mercy Ministry is now proposing to occupy the same 4,500 square-foot tenant space. Based on the parking requirements for Community Assembly in the Zoning Ordinance (i.e. 1 stall per 50 sq ft of non-fixed seating in the assembly area plus 1 stall per classroom), the church's parking requirement is 37 spaces (see Attachment 3). The parking requirement for the church exceeds the parking allocation for their tenant space by a total of 19 spaces, but has the same parking requirement as the previously approved church. Additionally, at this time there are more vacancies within the RBP than when St. Matthew's was located within the center, providing for additional parking.

As illustrated in Exhibit A, there is sufficient parking for the church provided by the 32 spaces located in front of Building G. If successful, the church would use a majority, if not all, of these parking stalls. As noted in their project description letter, the average attendance on Sundays totals 75 people. Assuming a general value of two persons per vehicle, this would result in 37 vehicles, plus 1-2 vehicles for the pastor and any support staff. This is consistent with the parking requirement for a community assembly use (37 spaces). In addition, based on an informal survey, the church indicates that they average roughly 25 vehicles at most services. The average number of vehicles is currently less than the parking requirements established by ordinance and is more consistent with the original parking assumption for the subject tenant space.

Furthermore, the main hours of operation for the church, which are identified below and in Attachment 1, include their Sunday services and some weekday evenings. The adjacent tenants (a beauty salon and a dress shop) have been located within the center since 2004 and maintain conventional hours of operation. Based on the list of permitted uses in the M1 zone, most future tenants in the adjacent spaces would also be likely to have conventional hours of operation. Since the hours of operation for the church are substantially different from the current (and potential future) tenants, the Planning Department does not foresee any significant conflicts between uses at this location. Additionally, the applicant has discussed the proposed use with the adjacent businesses and received signatures in support of their request (see Attachment 2).

3. *The location, size, design and operating characteristics of the proposed use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.*

The applicant has documented the various services and activities that will occur in conjunction with the operation of the church (see Attachment 1). The activities include: Sunday Morning Services from 9:30 am to 12:30 pm; Sunday Evening Services from 4:00 pm to 6:00 pm; and Weekday Evening Services (Wednesday, Thursday and Friday) from 6:00 pm to 9:00 pm.

The proposed activities are compatible with the operation of the RBP. All of the church activities are located inside, therefore there will be few if any conflicts with adjacent tenants. The majority of the church activities will be occurring at off-peak times (i.e. on weekends and after 5 p.m. on weekdays), which will minimize any conflicts. Since the majority of the use will occur at off-peak hours, traffic will be less than what might be expected if the church tenant space(s) were occupied by typical commercial, office, or industrial users with conventional hours of operation. Additionally, this site was approved and developed as one project site and is designed such that there is no connection to any neighboring uses (e.g. the Police facility, Placer Co. Fairgrounds, adjacent residences), with the exception of the Arco gas station at the corner of Junction and Washington.

CONCLUSION

Based on the hours of operation for the church, the availability of parking within the center, the types of tenants within the business park, and the prior approval and operation of an identical use, staff believes that the proposal will not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area. Based on the analysis contained in this staff report and with the project conditions, the required findings can be made for the proposed Conditional Use Permit.

ENVIRONMENTAL DETERMINATION

This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines, operation of existing private facilities.

RECOMMENDATION

The Planning Department recommends that the Planning Commission take the following actions:

- A. Adopt the three (3) findings of fact listed above for the Conditional Use Permit – 911 Washington Boulevard, Suite 203-205 (Grace & Mercy Ministry of Deliverance) - FILE# CUP-000061; and
- B. Approve the Conditional Use Permit – 911 Washington Boulevard, Suite 203-205 (Grace & Mercy Ministry of Deliverance) - FILE# CUP-000061 subject to the four (4) conditions below:

CONDITIONS OF APPROVAL FOR THE CONDITIONAL USE PERMIT (CUP-000061):

1. The activities and services approved in conjunction with this CUP shall be as identified in Attachment 2. (Planning & Redevelopment)
2. The CUP shall be effectuated upon issuance of an occupancy permit by the Building Department. (Planning & Redevelopment, Building)
3. All activities for Grace & Mercy Ministry of Deliverance shall take place inside 911 Washington (Building G), units 203, 204, and 205. (Planning & Redevelopment)
4. Tenant improvement plans shall comply with all applicable code requirements (Uniform Building Code - UBC, Uniform Mechanical Code - UMC, Uniform Plumbing Code - UPC, Uniform Fire Codes - UFC and National Electrical Code - NEC), California Title 24 and the American with Disabilities Act - ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Department for applicable Code editions). (Building)

ATTACHMENTS

1. Operations Plan/Project Description
2. Business Owner's Signatures
3. Floor Plan

EXHIBIT

- A. Site Plan

Note to Applicant and/or Developer: Please contact the Planning Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing.