

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING September 23, 2010

Prepared by: Derek Ogden, Associate Planner

ITEM IV-C: CONDITIONAL USE PERMIT MODIFICATION - 10020 FOOTHILLS BOULEVARD - NIPA PCL 46, BAYSIDE OF WEST ROSEVILLE - FILE # 2010PL-058 (CUP-000064)

REQUEST

The applicant requests approval of a Conditional Use Permit Modification to modify the approved operations plan of a community assembly use (Warehouse Ministries) within a Light Industrial (M1) zone. The modified operations will increase the number of services and outreach activities of the use. The maximum number of occupants within the building at any one time will not change with this request.

Property Owner: Joe Gildone, Warehouse Christian Ministries Project Applicant: Scott Edwards, Bayside of West Roseville

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission:

- A. Adopt the two (2) findings of fact for the Conditional Use Permit Modification; and
- B. Approve the Conditional Use Permit Modification subject to four (4) Conditions of Approval.

SUMMARY OF OUTSTANDING ISSUES

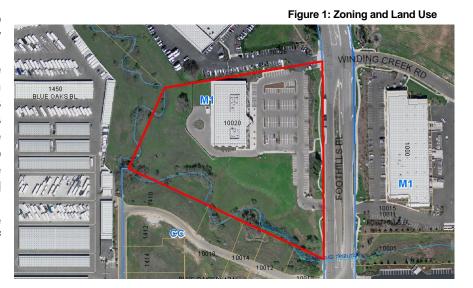
There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with the recommended Conditions of Approval.

BACKGROUND

The project site is located at 10020 Foothills Boulevard just north of the intersection of Foothills Bl. and Blue Oak Bl. The property is zoned Light Industrial (M1) and has a land use designation of Light Industrial (LI). The site is surrounded by a storage facility to the west, an office complex and McDonald's restaurant to the south, Foothills Bl. to the east, and Pride Industries to the north. The Warehouse Ministries Church project was approved by the Planning Commission on March 29, 2001 and constructed in 2002. The church building totals 26.400 square feet with associated parking, landscaping, and lighting.

The applicant is now proposing to operate a community assembly use (Bayside of West Roseville) within the same building that the Ministries Church Warehouse once occupied. The Church was in operation for nearly eight years from late 2002 until 2010. The applicant is now proposing to modify the operations of the church to include an expanded worship service on Sundays, outreach ministries during the week, as well as the number of staff people working at the church.

FINDINGS & EVALUATION



Conditional Use Permit Modifications are evaluated for compliance with the intent of the original approval, consistency with the City's General Plan, and conformance with the City's Zoning Ordinance. The evaluation of the modification will focus on the differences between the previously approved operations of Warehouse Ministries and the proposed Bayside of West Roseville Church. Specifically, the Planning Commission must make the two findings listed below in **bold italics** to approve the Conditional Use Permit. An analysis of the project follows each finding:

1. The proposed modification is in substantial compliance with the intent of the original approval, prior conditions of approval and all applicable design, development, and improvement standards in effect as of the date of application for the modification.

Warehouse Ministries previously submitted a project description that was used to approve the CUP for 10020 Foothills BI. This description included two worship services from 9 am to 12:30 pm with approximately 250 people attending each service (Attachment 2). Warehouse Ministries also held various evening activities Wednesday through Saturday and had approximately 50 people in attendance each evening. The number of attendees for Bayside will not be substantially more than the number of attendees for Warehouse Ministries initially. Over time the Church has plans to increase the number of attendees and services it provides. As the Church expands they may need to evaluate if the future expansion areas planned by Warehouse Ministries would be necessary to serve a growing congregation. This may include additional buildings and parking areas.

The applicant is not proposing any changes to the exterior of the building or site as part of the application. As discussed below the site design meets the intent of the Zoning Ordinance and Community Design Guidelines. Given this fact, Staff recommends that the Planning Commission find that the project is consistent with the intent of the original approval.

2. The proposed modification is in compliance with all standards and requirements of the City's Zoning Ordinance, with the applicable goals, policies, and objectives set forth in the General Plan, the applicable Community Design Guidelines, and the applicable specific plan.

The land use designation for the subject property is Light Industrial (LI). Typically the LI land use designation is intended to serve the office, industrial, and research and development needs of the community. Secondary uses including service uses with large space requirements such as health clubs, religious assembly, and gymnastic studios may also be permitted. The General Plan relies on the Zoning Ordinance through the CUP process to address any potential incompatibilities between uses. In this situation a CUP for a church use was previously approved for the site. Therefore the project is consistent with the City of Roseville General Plan.

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 adjacent uses. As was mentioned above, a community assembly use was previously approved for the site through a CUP. The standards and requirements of the Zoning Ordinance were evaluated at the time of approval and the project was deemed to have met the development standards of the Zoning Ordinance. As such, the following evaluation will focus on the parking requirements for Bayside of West Roseville.

The parking requirement for a community assembly use is one (1) space per fifty (50) square feet of assembly area. One (1) additional space is required for each classroom within the church. The church was built with an assembly area of 6,993 square feet and eleven (11) classrooms. No changes are proposed to exterior or interior of the building. Given the size and number of classrooms within Bayside Church a total of 151 spaces are required for the church. The project site was approved and constructed with a total of 154 parking spaces. An excess of three (3) spaces exist within the complex. Therefore the Church will meet the parking requirements of the Zoning Ordinance.

Bayside of West Roseville is also proposing to hold special events during holidays such as Easter, Halloween, and Christmas. The attendance at these events can range from 200 to 400 people per event. In addition, holiday services such as Christmas and Easter are also expected to draw large numbers of people. When these types of events require overflow parking extra spaces will be provided for visitors of Bayside in the Pride Industries parking area. Bayside of West Roseville has a parking agreement in place with Pride Industries (Attachment 1). This agreement allows the Church to utilize parking spaces for special events on weekends and holidays when Pride is not operating.

The applicant has documented the various services and activities that will occur in conjunction with the operation of the church (see Exhibit A). The activities include: Sunday morning services from 9:30 am to 12:30 pm; Sunday evening services from 6:00 pm to 9:00 pm; and weekday evening classes and groups (Monday through Friday) from 6:00 pm to 9:00 pm. The current number of attendees at the two Sunday services is approximately 485. The church anticipates that a maximum of 970 attendees would attend three services weekly.

In addition to the worship services and classes offered by Bayside Church, other ancillary activities are contemplated by the church. This includes an after school youth program, permanent and temporary office staffing, and weekly evening meetings. Bayside anticipates offering an after school sports, tutoring, and ministry program for school age children. It is anticipated that 50 to 100 children would attend the after school program initially. The church is hoping that the program might grow to 400 children over time. Staff office hours for the Church would be Monday through Friday from 8:00 am to 5:00 pm. There are currently 15 to 20 people working at the Church during normal business hours. Weekday evening meetings include youth programs, and Men's and Women's groups. Currently, these groups number between 20 and 100 people and meet on different evenings during the week. Please see Exhibit A for more information on these ancillary uses.

Given the fact that the Church is located within a Light Industrial zone, the Church is currently not permitted to have a private school facility or full time daycare facility. The Zoning Ordinance would require a Conditional Use Permit for these types of uses and the applicant is not proposing these activities at this time. It should be noted that industrial businesses that use significant amounts of hazardous materials are required to file an Accidental Release Plan (ARP) with the City's Fire Department, and applicable State and Federal agencies. These plans detail what steps and actions are needed to minimize impacts if a spill of hazardous materials occurs. These types of industrial users are required to prepare additional studies for their ARP when they are located in close proximity to sensitive uses (i.e. schools). Therefore the church would not preclude these types of industrial uses from locating in close proximity to Bayside of West Roseville. Those uses would only need to perform additional studies as part of their ARP.

The proposed activities are compatible with the operation of surrounding uses. All of the church activities are located inside, therefore there will be few if any conflicts with adjacent parcels. 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 between adjacent uses. Since the majority of the use will occur at off-peak hours, traffic will be less than what might be expected if the church were occupied by typical commercial, office, or industrial uses with conventional hours of operation. Additionally, this site was approved and developed as a church site and therefore there are little modifications that need to be made to accommodate Bayside of West Roseville.

CONCLUSION

Based on the hours of operation for the church, the availability of parking within the complex, the types of surrounding businesses, and the prior approval and operation of an identical use, staff believes that 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 two (2) findings of fact listed above for the Conditional Use Permit 10020 Foothills Bl. (NIPA Parcel 46, Bayside of West Roseville) FILE# CUP-000064; and
- B. Approve the Conditional Use Permit 10020 Foothills Bl. (NIPA Parcel 46, Bayside of West Roseville) FILE# CUP-000064 subject to the four (4) conditions below:

CONDITIONS OF APPROVAL FOR THE CONDITIONAL USE PERMIT (CUP-000064):

- 1. The activities and services approved in conjunction with this CUP shall be as identified in Exhibit A. (Planning & Redevelopment)
- 2. The CUP shall be effectuated upon issuance of an occupancy permit by the Building Department. (Planning & Redevelopment, Building)
- 3. All worship activities for Bayside of West Roseville shall take place inside the church building located at 10020 Foothills BI. (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)

ATTACHMENT

- 1. Parking Agreement with Pride Industries
- 2. Project Description for Warehouse Ministries Original Conditions of Approval

EXHIBIT

- A. Operations Plan/Project Description
- B. 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.