

PLANNING COMMISSION

Agenda Item No.: H.2
Date: **November 22, 2011**

CASE NUMBER: PHG 11-0035

APPLICANT: Mark Madore, Word of Life Worship Center

LOCATION: The proposed church would be located in an existing commercial center that includes two parcels totaling 2.2 acres located on the southern side of East Valley Parkway, between Rose Street and Midway Drive, addressed as 1707 and 1711 East Valley Parkway.

TYPE OF PROJECT: Conditional Use Permit

PROJECT DESCRIPTION: A request for a Conditional Use Permit to establish a church within a 3,240 SF commercial suite in an existing multi-tenant commercial building located in the East Valley Parkway Area Plan. The proposed church would include a small sanctuary for up to 48 persons, a bookstore and a Sunday school classroom.

STAFF RECOMMENDATION: Approval

GENERAL PLAN DESIGNATION/TIER: GC (General Commercial)

ZONING: CG (General Commercial) East Valley Parkway Area Plan

BACKGROUND/SUMMARY OF ISSUES: The commercial center located at 1707 and 1711 East Valley Parkway was approved and constructed in the late 1970's and includes a multi-tenant commercial building and a fast-food restaurant building each located on separate lots. Although both parcels were developed together, adequate parking was provided on each lot to meet anticipated demand and code requirements. Both parcels are still owned by a single entity.

The applicant is proposing to utilize a vacant commercial suite in the multi-tenant building for a church and associated activities. The site is located in the CG (General Commercial zone) and the East Valley Parkway Area Plan. Churches and religious activities are typically a permitted use in the CG Zone. In this case, a Conditional Use Permit is required because the East Valley Parkway Area Plan lists churches and religious organizations as conditional uses.

Staff feels that the issues are as follow:

1. Whether adequate parking exists to accommodate the proposed religious facility.

REASONS FOR STAFF RECOMMENDATION:

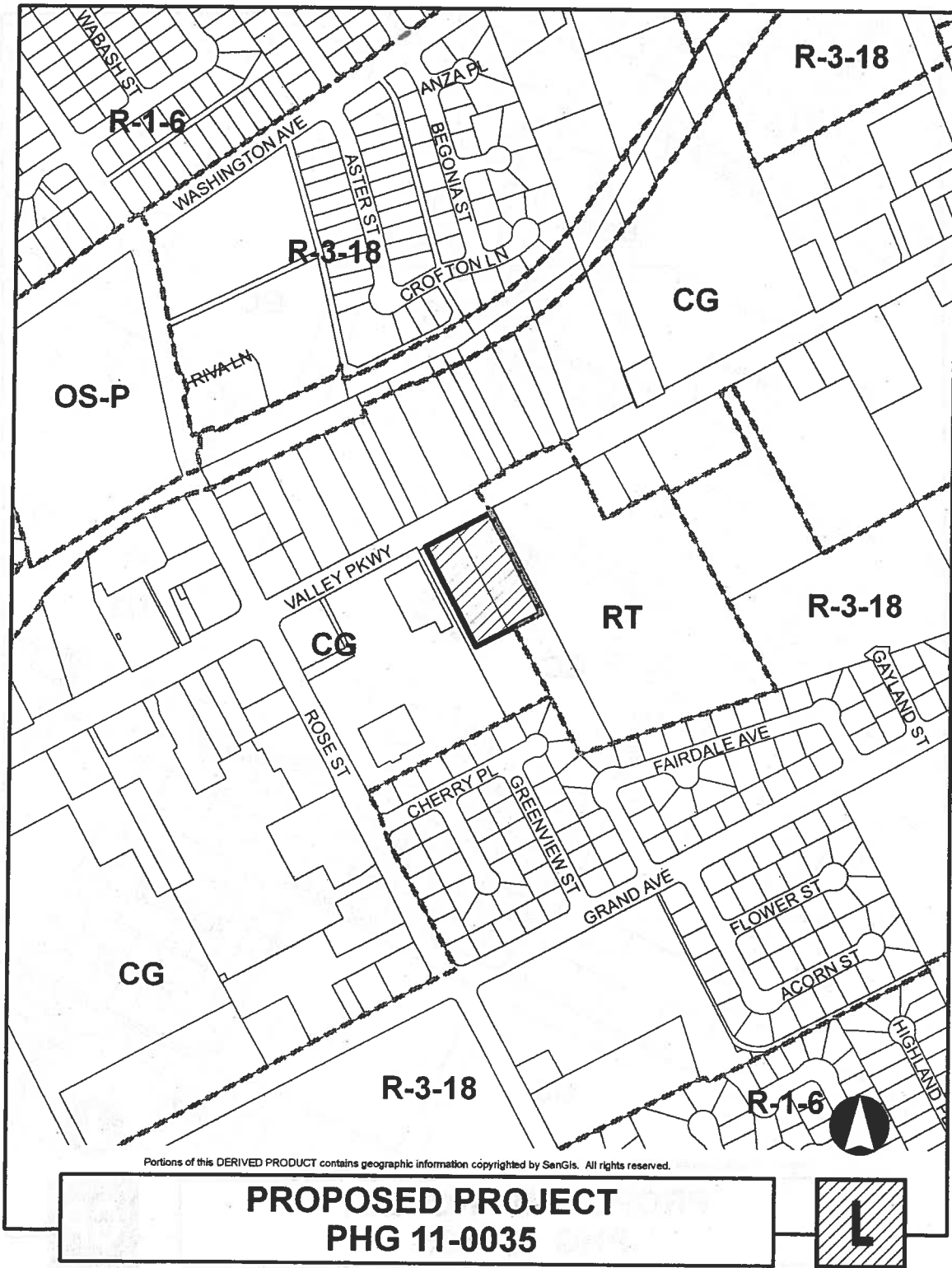
1. The proposed church would require 16 parking spaces based on a calculation of the various uses that would occur within the church suite. A total of 43 parking spaces are provided on the multi-tenant building site. All other suites within the multi-tenant building are currently occupied with a variety of commercial businesses. A calculation of parking requirements for the other businesses indicates a total of 43 spaces would be needed to satisfy code requirements for the existing businesses and the proposed church. While the required amount of parking can be provided on the same lot, it should also be noted that the adjacent restaurant parcel, under the same ownership, has a surplus of 41 parking spaces that also could be used by the church or other tenants in the commercial center.

2. The proposed church has approximately 30 members. The site is suitable for the church because the property is located within an established commercial area, there is space in the building for all of the proposed activities related to the church, and there is adequate parking available on the site.

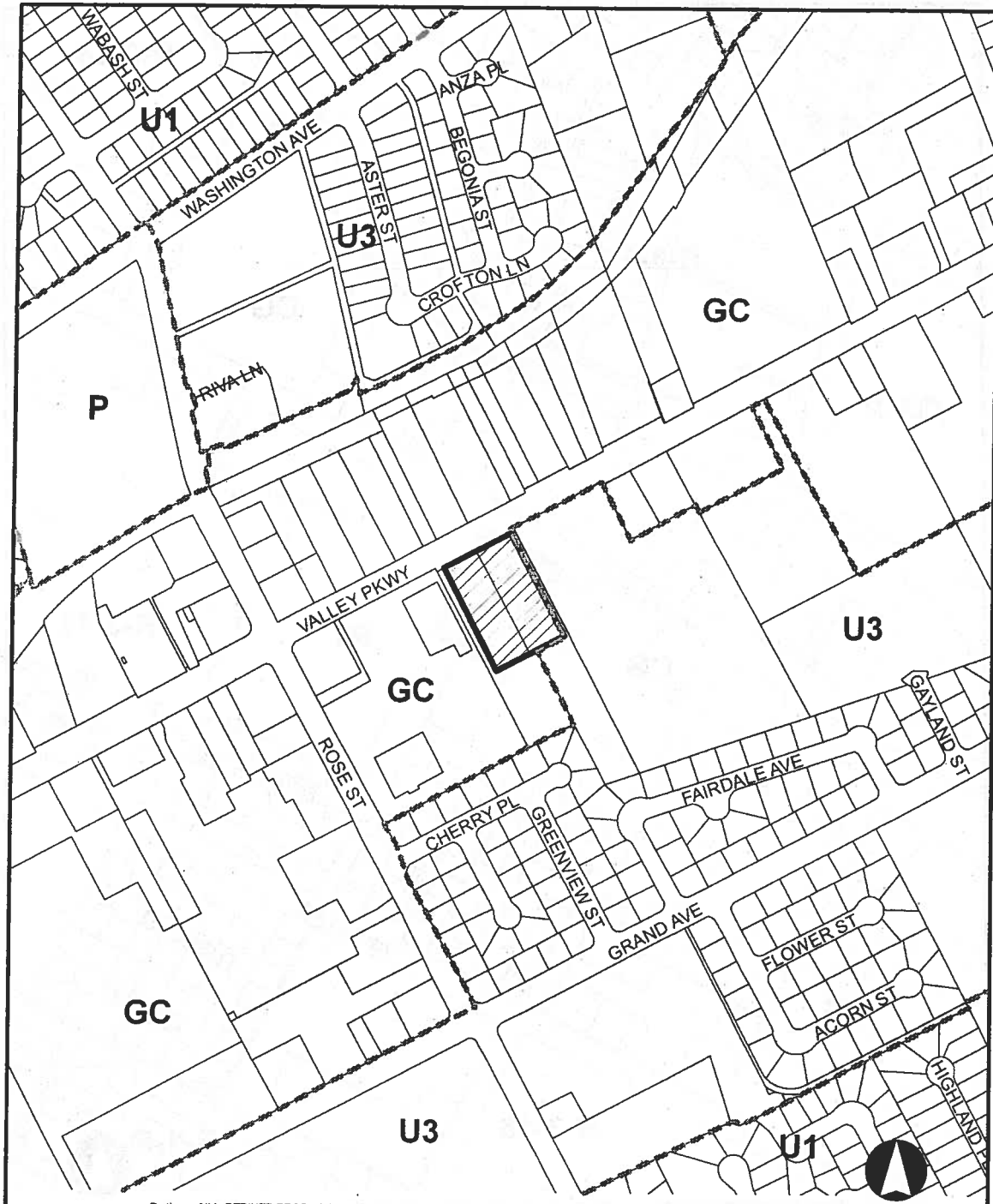
Respectfully submitted,



Bill Martin
Principal Planner



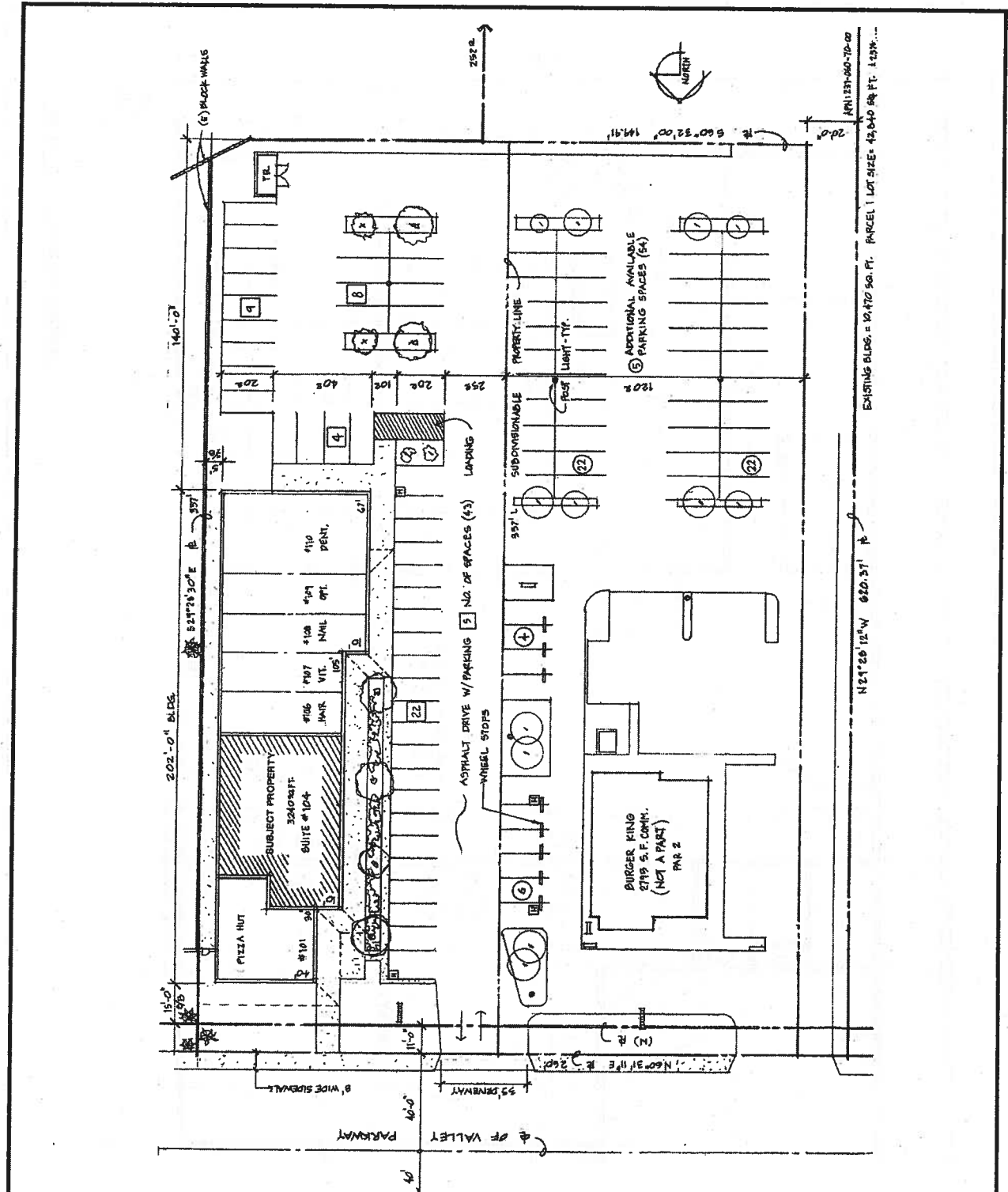
Portions of this DERIVED PRODUCT contains geographic information copyrighted by SenGis. All rights reserved.



Portions of this DERIVED PRODUCT contains geographic information copyrighted by SanGis. All rights reserved.

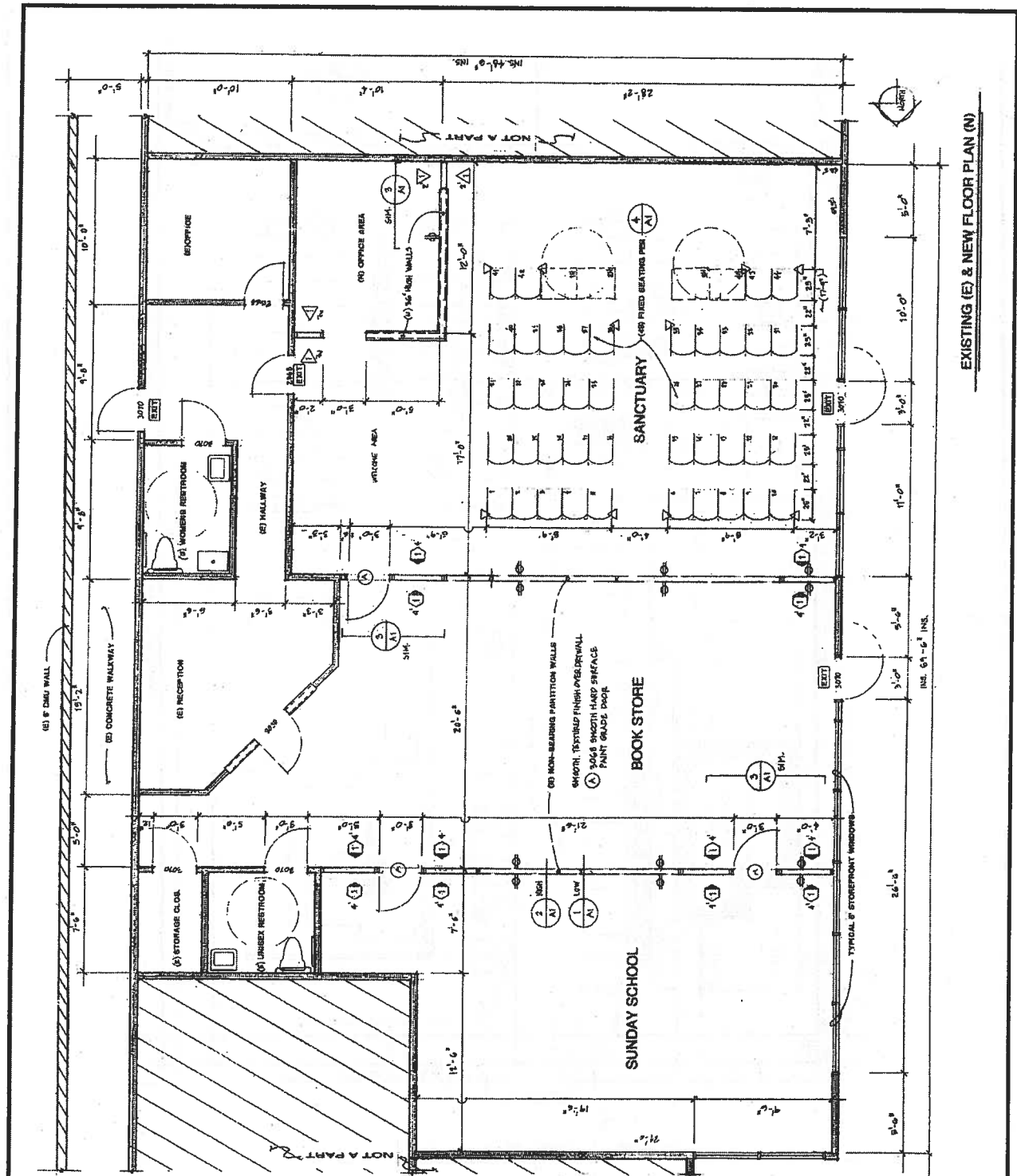
PROPOSED PROJECT
PHG 11-0035





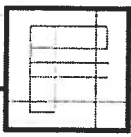
**PROPOSED PROJECT
 PHG 11-0035**





EXISTING (E) & NEW FLOOR PLAN (N)

**PROPOSED PROJECT
 PHG 11-0035**



FLOOR PLAN

ANALYSIS

A. LAND USE COMPATIBILITY/SURROUNDING ZONING

NORTH - CG (General Commercial) zoning/ Across East Valley Parkway is a multi-tenant commercial center known as the Valley Plaza Shopping Center.

SOUTH - CG and RT (Mobilehome Residential) zoning/ South of the parking lot for the subject property is a small office building and mobilehome residences that are part of the Valley Parkway Mobile Home Park.

EAST - RT zoning/ The Valley Parkway Mobile Home Park is located to the east behind the subject commercial building.

WEST - CG zoning/ The Escondido Town and Country shopping center is located to the west of the subject site.

B. AVAILABILITY OF PUBLIC SERVICES

1. Effect on Police Service – The Police Department has expressed no concern regarding their ability to provide service to the site.
2. Effect on Fire Service – The site is served by Fire Station No. 2 (421 N. Midway), which is within the seven and one-half minute response time specified for urbanized areas in the General Plan. The Fire Department has indicated that adequate services can be provided to the site and the proposed project would not impact levels of service.
3. Traffic – The project takes access from East Valley Parkway, which is classified as a Major Road (102' r.o.w.) in the Circulation Element of the Escondido General Plan. East Valley Parkway operates at a Level of Service "C" or better under existing improvement conditions. Based on SANDAG's traffic generation rates for the San Diego region, the project would generate approximately 9 trips per 1,000 SF (quadruple that on Sundays), or approximately 29 ADT (117 on Sundays), which is well within the capacity of the surrounding streets. According to the Engineering Division, the project does not materially degrade the levels of service on the adjacent streets.
4. Utilities – City sewer and water mains with sufficient capacity to serve the project are available within the adjoining street or easement. The project does not materially degrade the levels of service of the public sewer and water system.
5. Drainage – The project site is located within a 100-year Flood Zone as indicated on current FEMA maps. There is no exterior construction proposed as part of the project and no site modifications needed to establish the proposed church use. Runoff from the project will remain unchanged from the current condition. The project does not materially degrade the levels of service of the existing drainage facilities.

C. ENVIRONMENTAL STATUS

1. The proposal is exempt from the requirements of the California Environmental Quality Act in conformance with CEQA Section 15301, "Existing Facilities." A Notice of Exemption was issued on November 15, 2011.
2. In staff's opinion, no significant issues remain unresolved through compliance with code requirements and the recommended conditions of approval.
3. The project will have no impact on fish and wildlife resources as no sensitive or protected habitat occurs on-site or will be impacted by the proposed development.

D. CONFORMANCE WITH CITY POLICY/ANALYSIS

General Plan

The General Plan land use designation on the site is General Commercial, which allows a broad range of retail and service activities, including local commercial, community shopping/office complexes, and regional shopping centers. The site also is located within the East Valley Parkway Area Plan. The goals of the area plan include attracting office and professional uses to the area, encouraging the rehabilitation of existing commercial centers, and strengthening existing establishments through façade and streetscape improvements. The proposed Conditional Use Permit would be consistent with the General Plan, since a church is permitted within the area plan subject to the issuance of a Conditional Use Permit.

Appropriateness of the Proposed Use and Whether Adequate Parking Exists to Accommodate the Religious Facility

Although a church is typically permitted in a commercial zone by right, the East Valley Parkway Area Plan requires a Conditional Use Permit for all religious facilities. Issues that arise from churches going into existing commercial suites generally include parking adequacy and the loss of retail space and tax revenue. While the vacancy rate on East Valley Parkway has been declining over the last few years, there still remains a substantial amount of available commercial floor area for lease. The potential loss of this particular suite to a non-retail use is not considered to be significant due to its relatively small size and the continued availability of other retail space in the area for new businesses. Members of the church also could add to the customer base that supports the commercial and retail uses along the East Valley Parkway corridor.

At the time the property was developed, it was planned as a small commercial center with two buildings situated on separate parcels. A total of 112 parking spaces were provided which was far in excess of the Zoning Code parking requirement for the proposed retail and restaurant buildings that together required a total of 70 parking spaces. Forty-three spaces were provided on the multi-tenant commercial parcel where a standard retail parking ratio of one space per 250 SF of floor area required 42 parking spaces. The restaurant parcel was developed with 69 parking spaces where the standard restaurant parking ratio of one space per 100 SF of floor area required 28 spaces. This resulted in a surplus of 42 parking spaces for the commercial center at the time it was developed.

The proposed church would require 16 parking spaces based on a calculation of the various uses that would occur within the church suite. This calculation includes 10 spaces for the sanctuary where 48 fixed seats are proposed (1 space per 5 fixed seats), three spaces for the bookstore, two spaces for the classroom, and one space for the offices. All other suites within the multi-tenant building are currently occupied with a variety of commercial businesses. A calculation of parking requirements for the other businesses indicates a total of 43 spaces would be needed to satisfy code requirements for the existing businesses and the proposed church. A total of 43 parking spaces are provided on the multi-tenant building site. That would allow the church and all businesses to be fully operational during the same times, although most of the church operations would occur when some of the other businesses are closed. While the required amount of parking can be provided on the same lot, it should be noted that the adjacent restaurant parcel, under the same ownership, has a surplus of 41 parking spaces that could be used by the church or other tenants in the commercial center if needed. The availability of extra parking spaces in the commercial center should help alleviate recent concerns expressed by the commission about the city's parking standard for fixed seating in churches.

SUPPLEMENT TO STAFF REPORT/DETAILS OF REQUEST

A. PHYSICAL CHARACTERISTICS

The site is fairly level and has been previously developed with two commercial buildings, associated paving for parking and driveways, and ornamental landscaping. Excess parking was provided at the time the site was developed and an underutilized parking area is located behind the restaurant building. Two driveways access the site from East Valley Parkway with the eastern driveway providing closest access to the proposed church suite. The property has been completely developed and there is no native vegetation on the site.

B. SUPPLEMENTAL DETAILS OF REQUEST

1. Property Size: 2.2 acres
2. Number of Lots: 2
3. Building Size:
 - Multi-tenant Commercial: 10,405 SF
 - Fast-food Restaurant: 2,795 SF
4. Proposed Church Suite Size: 3,240 SF
5. Proposed Uses:
 - Sanctuary: 993 SF
 - Bookstore: 829 SF
 - Sunday School Classroom: 625 SF
 - Offices: 384 SF
 - Other (restrooms/hallways): 409 SF
 - 3,240 SF
6. Days and Hours of Activities:

Sunday:	Services, Bookstore, Bible study, Sunday school	8:00 a.m. – 1:00 p.m.
Wednesday:	Member meetings, Bible study, Bookstore	5:00 p.m. – 9:00 p.m.
Thursday:	Teen meeting	7:00 p.m. – 9:00 p.m.
7. Size of Congregation: Approximately 30 people.
Maximum occupancy of Sanctuary limited to 49 persons.

C. CODE COMPLIANCE ANALYSIS

	<u>Proposed</u>	<u>Required</u>
1. Parking:		
Commercial Building:	43 spaces	43 spaces
Restaurant Building:	<u>69 spaces</u>	<u>28 spaces</u>
TOTAL:	112 spaces	71 spaces
Proposed Church:		
Sanctuary:	10 spaces	
Bookstore:	3 spaces	
Sunday School:	2 spaces	
Offices:	<u>1 space</u>	
TOTAL:	16 spaces	16 spaces

**FINDINGS OF FACT
PHG 11-0035
EXHIBIT "A"**

1. Granting the proposed Conditional Use Permit would be based upon sound principles of land use and in response to services required by the community since the site has adequate parking, no additions to the structure are proposed, the building can accommodate all proposed uses of the church, and churches are typically permitted by right in commercial zones.
2. The proposed use would not cause a deterioration of bordering land uses or create special problems in the area in which it is located, since the site is zoned for and surrounded by existing commercial and residential uses, all church-related activities will occur indoors and adequate off-street parking exists on the site. In addition, the facility would meet all requirements of the Building Division and Fire Department.
3. The proposed Conditional Use Permit has been considered in relationship to its effect on the neighborhood and has been determined to be compatible with the surrounding properties. The site is located in a commercial zone and is surrounded by commercial and residential uses. No physical expansion of the building is proposed and the site would provide adequate parking. In addition, the church is consistent with the East Valley Parkway Area Plan, since the church would provide religious services for the adjacent residential neighborhoods and would help support the commercial and retail uses within the East Valley Parkway area.

**CONDITIONS OF APPROVAL
PHG 11-0035
EXHIBIT "B"**

Planning Division Conditions

1. The developer shall be required to pay all development fees of the City then in effect at the time and in such amounts as may prevail when building permits are issued, including any applicable City-Wide Facilities fees.
2. All construction and grading shall comply with all applicable requirements of the Escondido Zoning Code and requirements of the Planning Division, Engineering Division, Building Division, and Fire Department.
3. The legal description attached to the application has been provided by the applicant and neither the City of Escondido nor any of its employees assume responsibility for the accuracy of said legal description.
4. All requirements of the Public Art Partnership Program, Ordinance No. 86-70, shall be satisfied prior to building permit issuance. The ordinance requires that a public art fee be added at the time of the building permit issuance for the purpose of participating in the City Public Art Program.
5. All exterior lighting shall conform to the requirements of Article 35 (Outdoor Lighting) of the Escondido Zoning Code. All outdoor lighting shall be provided with appropriate shields to prevent light from adversely affecting adjacent properties.
6. As proposed, a minimum of 43 striped parking spaces shall be provided on the multi-tenant building parcel in conjunction with this development. An additional 28 parking spaces shall be maintained on the restaurant parcel. Said parking spaces shall be double-striped and dimensioned per City standards.
7. Parking for disabled persons shall be provided (including "Van Accessible" spaces) in full compliance with Section 1129B (Accessible Parking Required) of the California Building Code, including signage. All parking stalls shall be provided with six-inch curbing or concrete wheel stops in areas where a vehicle could reduce minimum required planter, driveway or sidewalk widths.
8. Trash enclosures must be designed and built per City standards, and permanently maintained. All trash enclosures (including existing trash enclosures) shall meet current engineering requirements for storm water quality, which includes the installation of a decorative roof structure. Solid metal doors shall be incorporated into the trash enclosure. A decorative exterior finish shall be used. All trash enclosures must be screened by landscaping as specified in the Landscape Ordinance. All trash enclosures shall be of sufficient size to allow for the appropriate number of trash and recyclable receptacles as determined by the Planning Division and Escondido Disposal, Inc.
9. The use of the property and activities conducted within the building shall be in substantial conformance with the plans, exhibits and details in the staff report to the satisfaction of the Planning Division.
10. No signage is approved as part of this permit. A separate sign permit shall be required prior to the installation of any signs. All proposed signage associated with the project must comply with the City of Escondido Sign Ordinance (Article 66, Escondido Zoning Code).
11. All new utilities shall be underground.
12. All rooftop equipment must be fully screened from all public view utilizing materials and colors which match the building.
13. The City of Escondido hereby notifies the applicant that the County Clerk's office requires a documentary handling fee of \$50.00 in order to file a Notice of Exemption for the project (environmental determination for the project). In order

to file the Notice of Exemption with the County Clerk, in conformance with the California Environmental Quality Act (CEQA) Section 15062, the applicant should remit to the City of Escondido Planning Division, within two working days of the final approval of the project (the final approval being the hearing date of the Planning Commission or City Council, if applicable), a certified check payable to the "County Clerk" in the amount of \$50.00. The filing of a Notice of Exemption and the posting with the County Clerk starts a 35 day statute of limitations period on legal challenges to the agency's decision that the project is exempt from CEQA. Failure to submit the required fee within the specific time noted above will result in the Notice of Exemption not being filed with the County Clerk, and a 180 day statute of limitations will apply.

14. All project generated noise shall comply with the City's Noise Ordinance (Ord. 90-08) to the satisfaction of the Planning Division.
15. This CUP shall become null and void unless utilized within twelve months of the effective date of approval.
16. The proposed use shall be consistent with all requirements of the East Valley Parkway Area Plan including the prohibition on charitable organizations providing the direct distribution of goods or services to clients from this location.

Building Division Conditions

1. Prior to establishment of the proposed use, an occupant load sign shall be provided in the interior of the sanctuary indicating a maximum of 49 fixed seats are permitted.
2. Seating in the sanctuary shall remain affixed to the floor for as long as the use remains in the building.



**CITY OF ESCONDIDO
 PLANNING DIVISION
 201 NORTH BROADWAY
 ESCONDIDO, CA 92025-2798
 (760) 839-4671**

Notice of Exemption

To: San Diego County Recorder's Office
 Attn: Linda Kesian
 P.O. Box 121750
 San Diego, CA 92112-1750

From: City of Escondido
 201 North Broadway
 Escondido, CA 92025

Project Title/Case No.: Word of Life Worship Center (PHG 11-0035)

Project Location - Specific: The proposed church would be located in an existing commercial center that includes two parcels totaling 2.2 acres located on the southern side of East Valley Parkway, between Rose Street and Midway Drive, addressed as 1707 and 1711 East Valley Parkway.

Project Location - City: Escondido **Project Location - County:** San Diego

Description of Project:

A request for a Conditional Use Permit to establish a church within a 3,240 SF commercial suite in an existing multi-tenant commercial building located in the East Valley Parkway Area Plan. The proposed church would include a small sanctuary for up to 48 persons, a bookstore and a Sunday school classroom. No physical changes are proposed to the exterior of the building.

Name of Public Agency Approving Project: City of Escondido

Name of Person or Agency Carrying Out Project

Name Mark Madore

Telephone (619) 454-4935

Address 7912 Mt. Vernon Street, Lemon Grove, CA 91945

Private entity School district Local public agency State agency Other special district

Exempt Status:

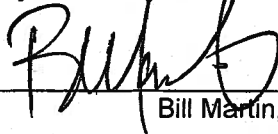
Categorical Exemption. CEQA Sections 15301 (Existing Facilities)

Reasons why project is exempt:

1. The proposed church would be located in an existing commercial building within a commercial center that is less than five acres in size. The proposal would involve interior modifications to accommodate the small congregation of approximately 30 persons. No additional floor area or modifications to the exterior of the building are proposed.
2. The project site has been completely disturbed and has no value as habitat for endangered, threatened or rare species.
3. The proposed church would be located in an established commercial area and would not result in any significant effects related to traffic, noise, air quality or water quality; and the site is adequately served by all required utilities and public services.
4. In staff's opinion the proposed development would not have the potential to cause an adverse impact on the environment. Therefore, the proposal is not subject to further CEQA review.

Lead Agency Contact Person: Bill Martin

Area Code/Telephone/Extension (760) 839-4557

Signature: 
 Bill Martin, Principal Planner

Nov. 15, 2011
 Date

Signed by Lead Agency

Date received for filing at OPR:

