

P95-071 - St. Jude Christian Tabernacle Church

- REQUEST:
- A. Special Permit to allow the 140-seat St. Jude Christian Tabernacle Church in an existing 6,220 square foot building on 0.2± developed acres in the Multi-Family residential (R-2B) zone.
  - B. Variance to waive 35 required parking spaces for a 140-seat church in the Multi-Family Residential (R-2B) zone.

LOCATION: 2828 33rd Street  
APN: #010-0372-010  
East Broadway Community Plan Area  
Sacramento Unified School District  
Council District 5

APPLICANT:	Rev. Isaac Cotton
OWNER:	P.O. Box 5282 Sacramento, CA 95817-0282 St. Jude Christian Tabernacle Inc. P.O. Box 5282 Sacramento, CA 95817-0282 (916) 386-2341
PLANS BY :	Jim Barnett Architect
APPLICATION FILED:	7-21-95 APPLICATION COMPLETE: 10/07/95
STAFF CONTACT:	Colleen Carollo, 264-5691

**SUMMARY/RECOMMENDATION:**

The applicant is requesting a Special Permit to allow the St. Jude Christian Tabernacle Church to operate within the existing 6,220± square foot building located at 2828 33rd Street. The two-story structure is located within the East Broadway Community Plan Area and the Oak Park Design Review Area. In the past, several other churches have operated at this location. Because over a year has passed since operation of the last church, the City Zoning Ordinance requires a new Special Permit for church operation at this location. The applicant was notified of this requirement and therefore submitted the current project application. On-site parking does not exist at the project site. The site consists of the existing two-story building and a small grass area on the north side of the building. There is no additional area to provide on-site parking. Therefore, the applicant

is also requesting a Variance to waive the 35 required parking spaces for the church. The applicant has indicated that the primary users of the church will live in the surrounding neighborhood and will probably walk to the site. In addition, the church is only proposed for operation on Friday evenings and Sundays. Therefore, staff recommends approval of the Special Permit and Variance, subject to compliance with the conditions included in the attached Resolutions. This recommendation is based upon the proposal's consistencies with the City's adopted plans and policies and because historical use of this location has been for church operations with no on-site parking.

**PROJECT INFORMATION:**

General Plan Designation: Medium Density Residential (16-29 du/na)  
 Existing Land Use of Site: Vacant Structure (St. Jude Christian Tabernacle owner)  
 Existing Zoning of Site: Medium Density Residential (R-2B)  
 Surrounding Land Use and Zoning:  
 North: Multi-Family Residential (R-2B)  
 South: Multi-Family Residential (R-2A)  
 East: Food Bank & Reading Center (C-2)  
 West: Multi-Family Residential (R-2B)

Existing Setbacks:	<u>Required</u>	<u>Provided (Existing Building)</u>
Front:	25'	20' ±
Alley Side:	5'	3' ±
Interior Side:	5'	33' ±
Rear:	15'	2-4' ±

Property Dimensions:	Irregular
Property Area:	0.2 ± developed acres
Square Footage of Building:	6,220 ± s.f.
Height of Buildings:	two-story
Exterior Building Materials:	White Stucco
Roof Material:	Built-Up Cap Sheet
Seats Provided:	140 seats proposed
Parking Provided:	0 on-site spaces; on-street parking available
Parking Required:	35 (1 per 4 seats)
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

**OTHER APPROVALS REQUIRED:** In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

Permit/ApprovalAgency

Building Permits (for remodeling/repairs) Building Division  
Sign Permit Building Division

**BACKGROUND:** Prior to 1976, the existing structure was used as a church for the New Greater Holy Temple Church of God in Christ. Because this was prior to the Zoning Ordinance requirement for a Special Permit for church uses in any zone, a Special Permit was not obtained for this facility. The St. Jude Christian Tabernacle has recently purchased the site (2828 33rd Street) and proposes use of the existing structure for their church. Included with this project is a request for a Variance to waive 35 required parking spaces. The site does not currently include an on-site parking area. Because of the existing structure, adequate space for the required number of parking spaces does not exist on the site (see Parking section on page 4).

The church proposes to offer a range of activities from prayer, Bible studies, Sunday School, Sunday morning worship, and Sunday evening services. The hours of services are proposed to be: Sunday 9:15 a.m. - 10:45 a.m. for Sunday school; Sunday 11:00 a.m. - 1:00 p.m. for morning worship; Sunday 7:00 p.m. - 9:00 p.m. for evening services; and Friday 7:00 p.m. - 9:00 p.m. for prayer and Bible study. The structure contains a main sanctuary with 140 seats, kitchen and storage areas.

**STAFF EVALUATION:** Staff has the following comments:

A. Policy Considerations

The Sacramento General Plan designates the project site for Medium Density Residential (16-29 du/na) development. The current proposal is consistent with the General Plan Land Use designation. The proposed use is allowed in the Multi-Family Residential (R-2B) zone with a Special Permit. This project proposal is for the re-use of an existing structure and therefore supports the General Plan goal to continue redevelopment and rehabilitation efforts in existing target areas and identify other areas experiencing blighting conditions, and to protect and preserve architectural, cultural and historic structures through the existing preservation program (SGPU, pg. 2-12).

B. Site Plan Design/Zoning Requirements

1. Setbacks

The City Zoning Ordinance requires a Special Permit for church operations in any zone. The project site is located in the Multi-Family Residential (R-2B) zone. It is surrounded by multi- and single-family residences on the north, south and west sides and by the Sacramento Food Bank and a reading center on the east side. The applicant proposes to use the existing

structure for church operations.

The existing structure is located at a setback of approximately 20 feet from 33rd Street (front yard); approximately two to four feet from the rear property line (rear yard); approximately three feet from the south property line (alley side yard); and approximately 33 feet from the north property line adjacent to a residential structure (side yard). The applicant is not currently requesting any additions to this building except for repairs and interior improvements; therefore, the existing setbacks will not be affected by the proposed project.

The City Zoning Ordinance requires a solid 6-foot masonry wall along property lines for non-residential uses which abut a residential use or zone. There is currently a wooden fence located along the east and west property lines. The applicant is proposing to repair and maintain these fences. The previous use of this structure was for a church and was in operation prior to the Zoning Ordinance requirement for a masonry wall. Because the current proposal is for use as a church and no expansion beyond a church use is proposed, construction of the 6-foot masonry wall is not required. However, a condition of approval has been placed on the project that requires repair of the existing wooden fence on the east and west sides of the site and for the construction of a 6-foot wooden fence along the north property line.

The applicant is not currently proposing uses or activities in the outdoor areas adjacent to the residential property. Any additional uses of these areas or future expansion of the existing structure (including changes in hours of operation) will require Planning Department review. Additional entitlements or construction of a 6-foot masonry wall may be required as a result of expansion or changes in use. Subject to the conditions included on the attached Resolution, Staff is satisfied that the currently proposed operation of the church in the existing structure will not be a nuisance to the adjacent residential uses and therefore recommends approval of the Special Permit.

## 2. **Parking**

The Zoning Ordinance requires that churches provide one parking space for every four seats. Based upon the current project proposal of 140 seats, a total of 35 off-street parking spaces are required. The existing site does not provide any on-site parking spaces (no additional space exists on-site for parking). The applicant is requesting a Variance to waive the 35 required parking spaces. The applicant has indicated that the populous of the church will be focused towards the surrounding neighborhood and that most users of the facility will walk to the site. The current proposal is for

operation on Friday evenings and Sundays. Changes to hours of operation beyond Friday evenings and Sundays would require additional Planning Department review which could result in conditions requiring provision of off-site parking.

On-street parking is currently available within the immediate area (32nd Street, 3rd Avenue, 4th Avenue). Because the existing structure was constructed as a church without on-site parking and because the current request is also for a church targeted towards neighborhood attendance, Staff believes that adequate on-street parking will be available and recommends approval of the Variance to waive the required 35 parking spaces.

### 3. Signage

The City Sign Ordinance allows one identification sign and one bulletin board for each developed parcel, not exceeding a total of 16 square feet in area for all displays. There is no request for signage included with the current application. Any future signage proposals for the church are required to either comply with the Sign Ordinance and obtain sign permits or apply for a Variance from these signage requirements. Any Variance for signage would be subject to additional approvals.

### C. Building Design

The project site is within the Oak Park Design Review Area. Modifications to the existing structure must be reviewed by Design Review Staff to ensure compatibility and preservation of the structure. The applicant is not proposing additions or expansions of the existing structure. The applicant is proposing repairs and interior improvements to the structure. An application has been submitted to Design Review Staff for review of these improvements.

## PROJECT REVIEW PROCESS:

### A. Environmental Determination

The proposed project is exempt from environmental review pursuant to the California Environmental Quality Act, Categorical Exemption Sections #15301 (operation, repair, maintenance of an existing structure) and #15305 (minor alterations in land use limitations).

### B. Public/Neighborhood/Business Association Comments

The project was routed to the following neighborhood associations: the Oak Park PAC; the Oak Park Neighborhood Improvement Association; the Med Center Neighborhood Association; and the Sierra Curtis Neighborhood Association. As of the date of this report, no comments have been received from any of these

associations or committees.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following section summarizes the comments received:

1. Building Inspections/Fire Department

Comments received from the Building Division and the Fire Department consisted of compliance with the Uniform Building Code and the Uniform Fire Code as they relate to occupancy use.

2. Public Works/Traffic Division/Utilities

Because this is an existing structure with existing improvements, no comments were provided by these Departments.

**PROJECT APPROVAL PROCESS:** The Planning Commission has the authority to approve or deny the project entitlements. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

**RECOMMENDATION:**


Staff recommends the Planning Commission take the following action:

- A. Adopt the attached Resolution approving the Special Permit to allow the 140-seat St. Jude Christian Tabernacle Church in an existing 6,220 square foot building on 0.2± developed acres in the Multi-Family residential (R-2B) zone; and
- B. Adopt the attached Resolution approving the Variance to waive 35 required parking spaces for a 140-seat church in the Multi-Family Residential (R-2B) zone.

Report Prepared By,

  
Colleen Carollo  
Associate Planner

Report Reviewed By,

  
Barbara L. Wendt  
Senior Planner

Attachments

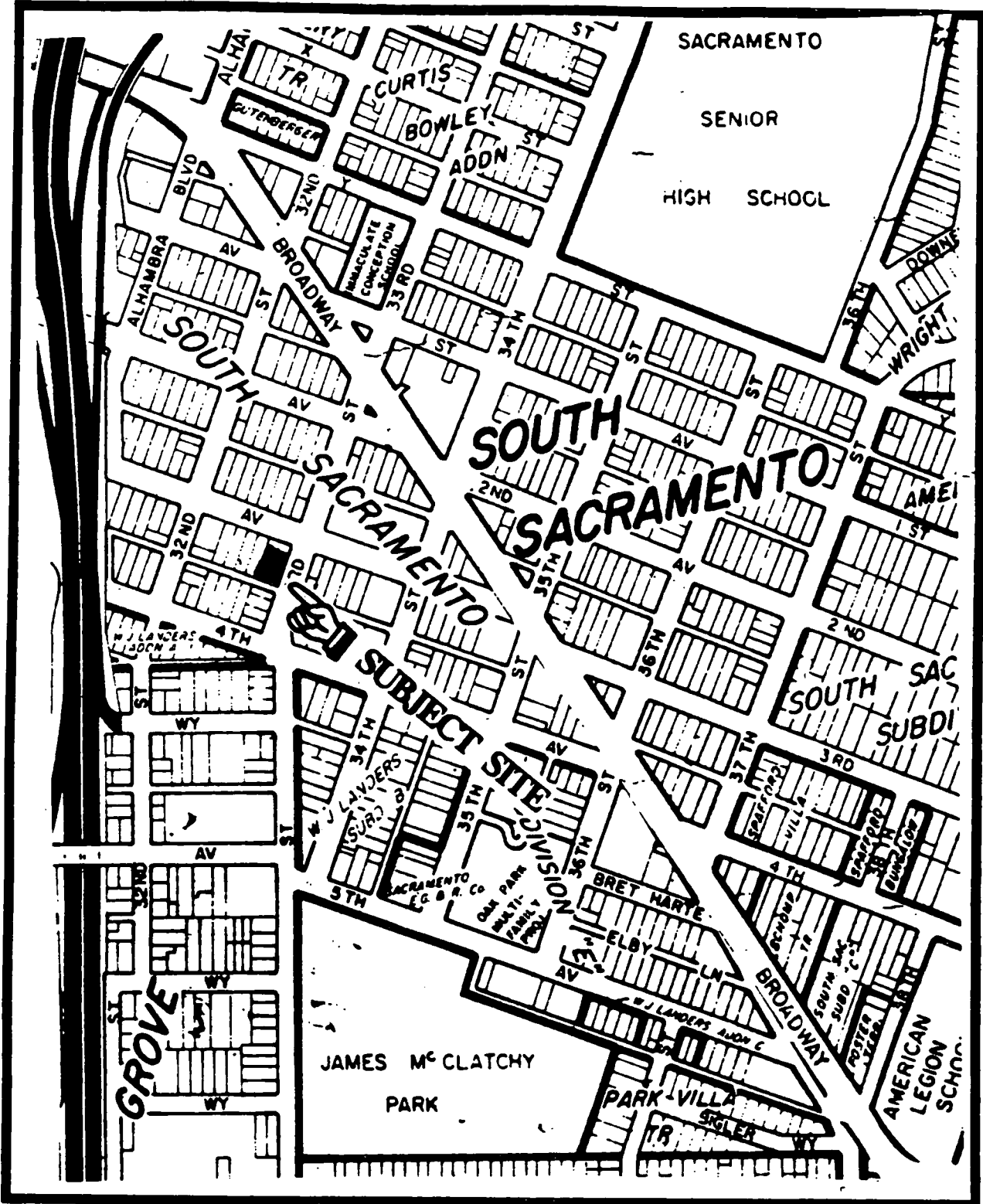
Attachment A	Vicinity Map
Attachment B	Land Use and Zoning Map
Attachment C	Resolution Adopting Special Permit
Exhibit C-1	Site Plan
Exhibit C-2	Floor Plans & Elevations
Attachment D	Resolution Adopting Variance

ATTACHMENT A

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VICINITY MAP

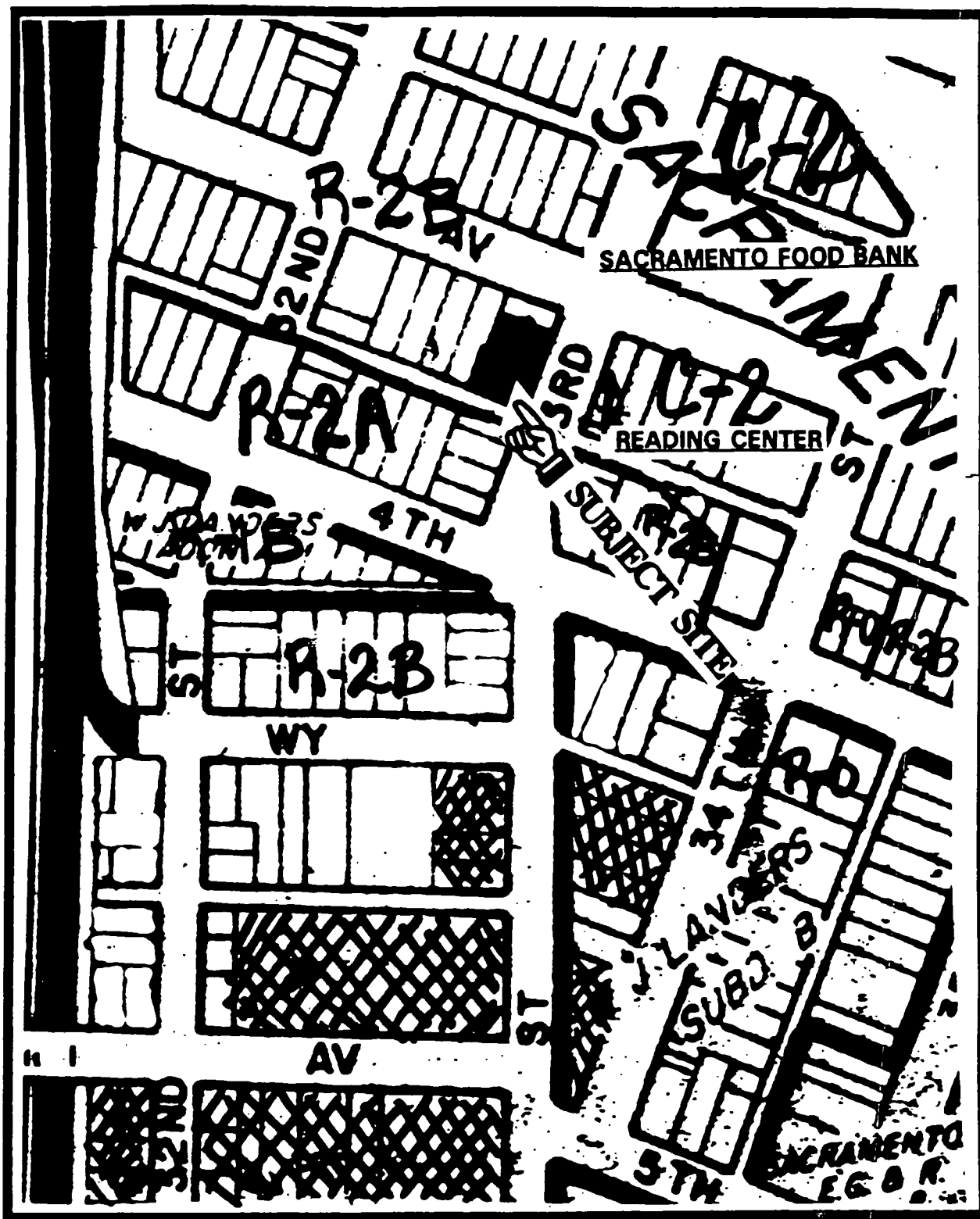


ATTACHMENT B

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LAND USE AND ZONING MAP



MC GEORGE CAMPUS

**ATTACHMENT C****RESOLUTION NO.****ADOPTED BY THE SACRAMENTO PLANNING COMMISSION****ON DATE OF DECEMBER 14, 1995****A RESOLUTION ADOPTING FINDINGS OF FACT  
AND APPROVING A SPECIAL PERMIT FOR  
PROPERTY LOCATED AT 2828 33RD STREET.****(P95-071) (APN:#010-0372-010)**

**WHEREAS, the City Planning Commission on December 14, 1995, held a public hearing on the request for approval of a Special Permit to allow the 140-seat St. Jude Christian Tabernacle Church in an existing 6,220 square foot building on 0.2± developed acres in the Multi-Family Residential (R-2B) zone for property located at the above described location;**

**WHEREAS, the proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section #15301 & #15305);**

**WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;**

**WHEREAS, the Planning Commission adopts the following findings of fact for the Special Permit to allow the 140-seat St. Jude Christian Tabernacle Church in an existing 6,220 square foot building on 0.2± developed acres in the Multi-Family Residential (R-2B) zone.**

- A. The project, as conditioned, is based upon sound principles of land use in that:**
- 1) the subject site is appropriately planned and zoned for the proposed use, and the proposed use is allowed subject to the granting of a Special Permit;**
  - 2) the proposal is compatible with the adjacent established neighborhood in that the existing structure was constructed as a church and has been previously used as a church.**
- B. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that:**
- 1) the applicant is not proposing any outdoor activities within the church operations;**
  - 2) the project has been conditioned to repair the existing wood fencing along the east and west property lines and construct a 6-foot wood**

- fence along the north property line separating the site from existing residential uses; and
- 3) activities are proposed on Friday evenings and Sundays only and are proposed to cease at 9:00 p.m.

C. The project is consistent with the General Plan which designates the site as Medium Density Residential (16-29 du/na).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Special Permit to allow the 140-seat St. Jude Christian Tabernacle Church in an existing 6,220 square foot building on 0.2± developed acres in the Multi-Family Residential (R-2B) zone is hereby approved, subject to the following conditions:
- a. Services shall be as proposed: Sundays - 9:15 a.m. to 1:00 p.m. and 7:00 p.m. to 9:00 p.m.; and Friday evenings - 7:00 p.m. to 9:00 p.m. Seating shall be as proposed for 140-seats. No outdoor activities are proposed for areas adjacent to existing residential properties. Any changes in hours or days of operation, number of seats, or in scheduled activities shall require additional Planning Department review. Changes may result in additional requirements such as provision of off-site parking and construction of masonry walls.
  - b. All existing wood fencing along the east, west, and south property lines shall be repaired and maintained. A 6-foot solid wood fence shall be constructed at the north property line (separating the project site from the existing residential property to the north of the site).
  - c. Applicant shall provide two 90-gallon trash containers for solid waste disposal. These trash containers shall be kept on-site in an area maintained in conformance with the Zoning Ordinance. These trash containers must be placed on the 33rd Street side of the property on the normal scheduled trash collection days. It is recommended that the applicant contact the Solid Waste Division (Gary Van Dorst, 264-7561) to work on appropriate recycling procedures.

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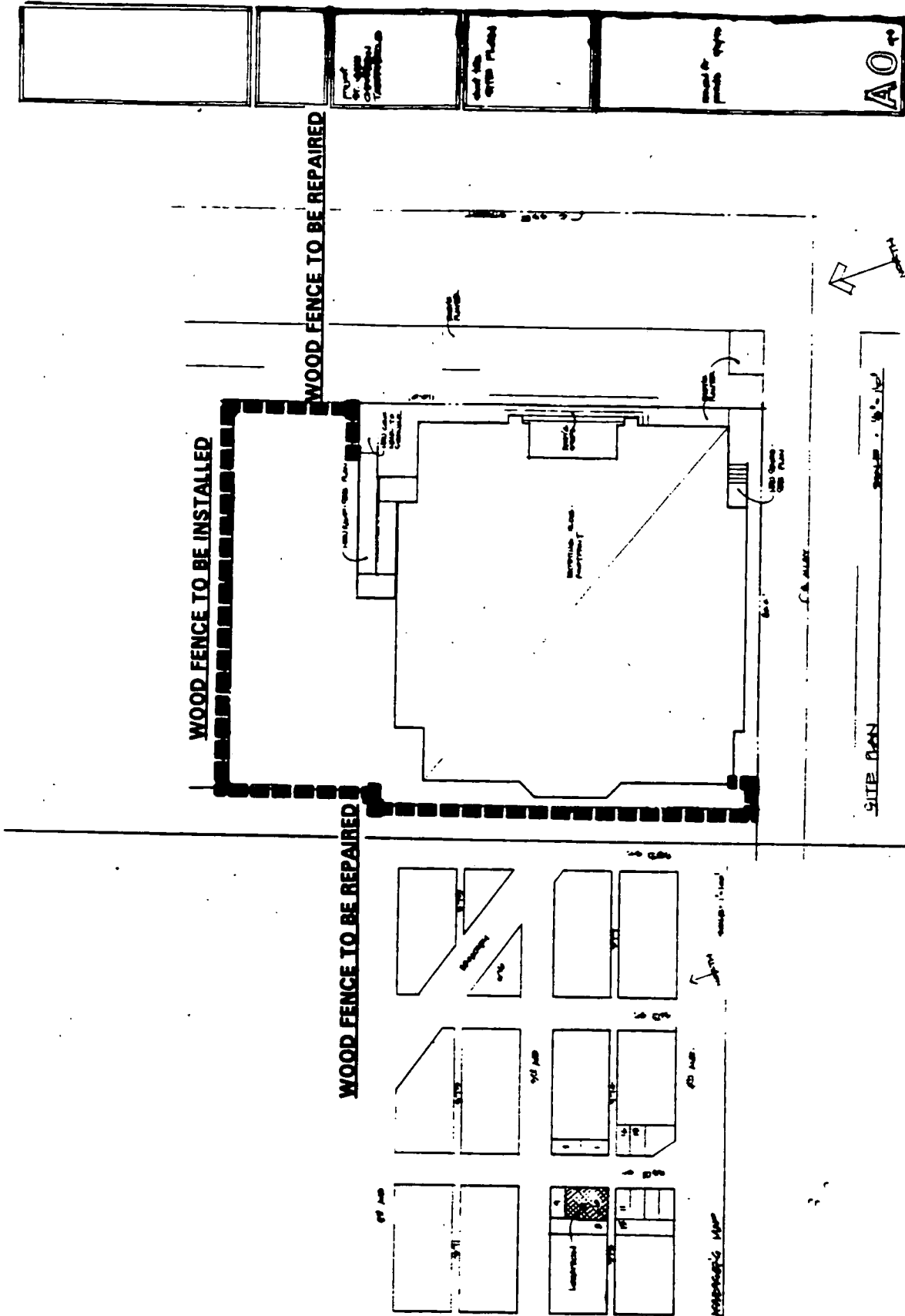
CHAIRPERSON

ATTEST:

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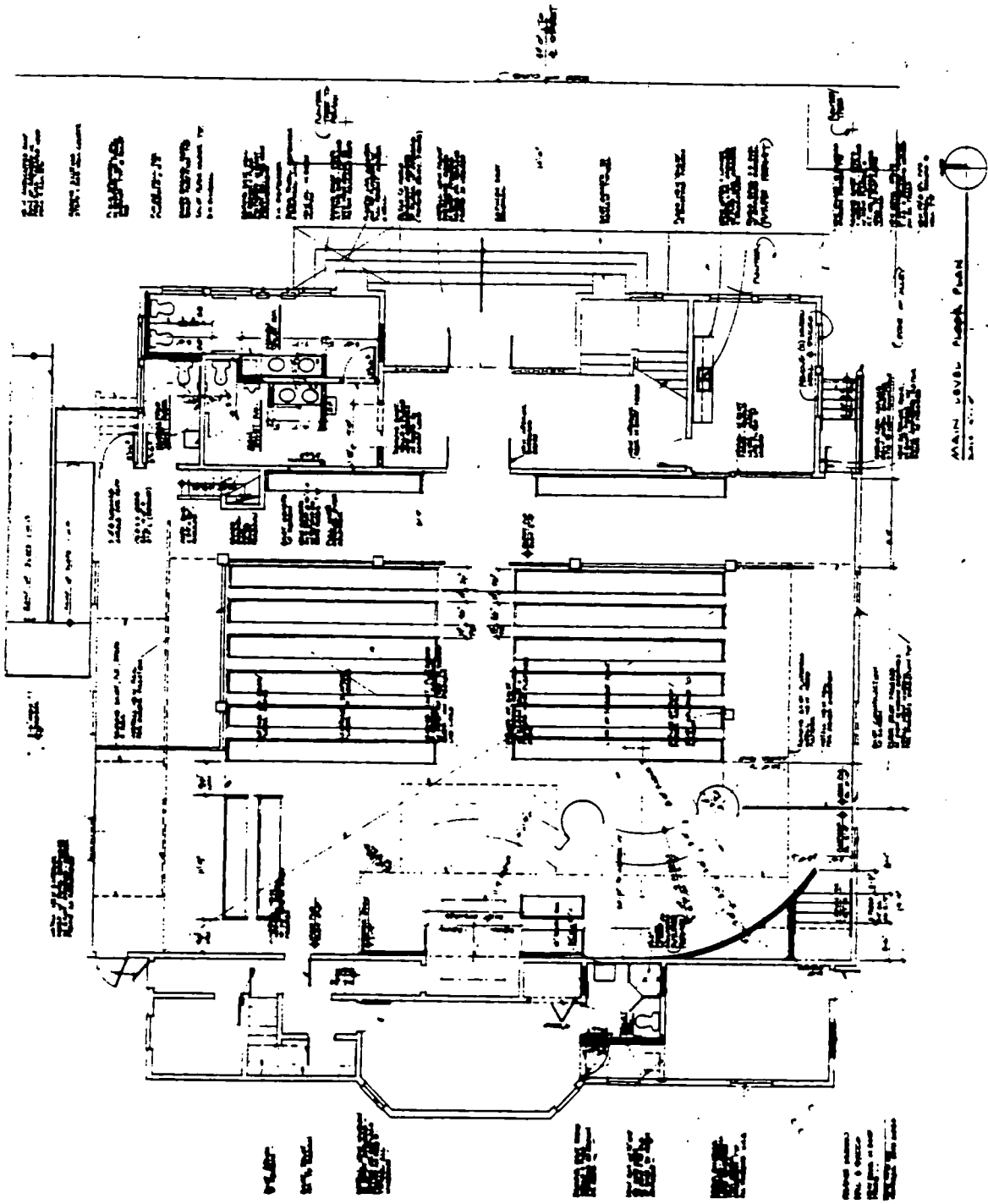
SECRETARY TO PLANNING COMMISSION  
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### EXHIBIT C-1 SITE PLAN

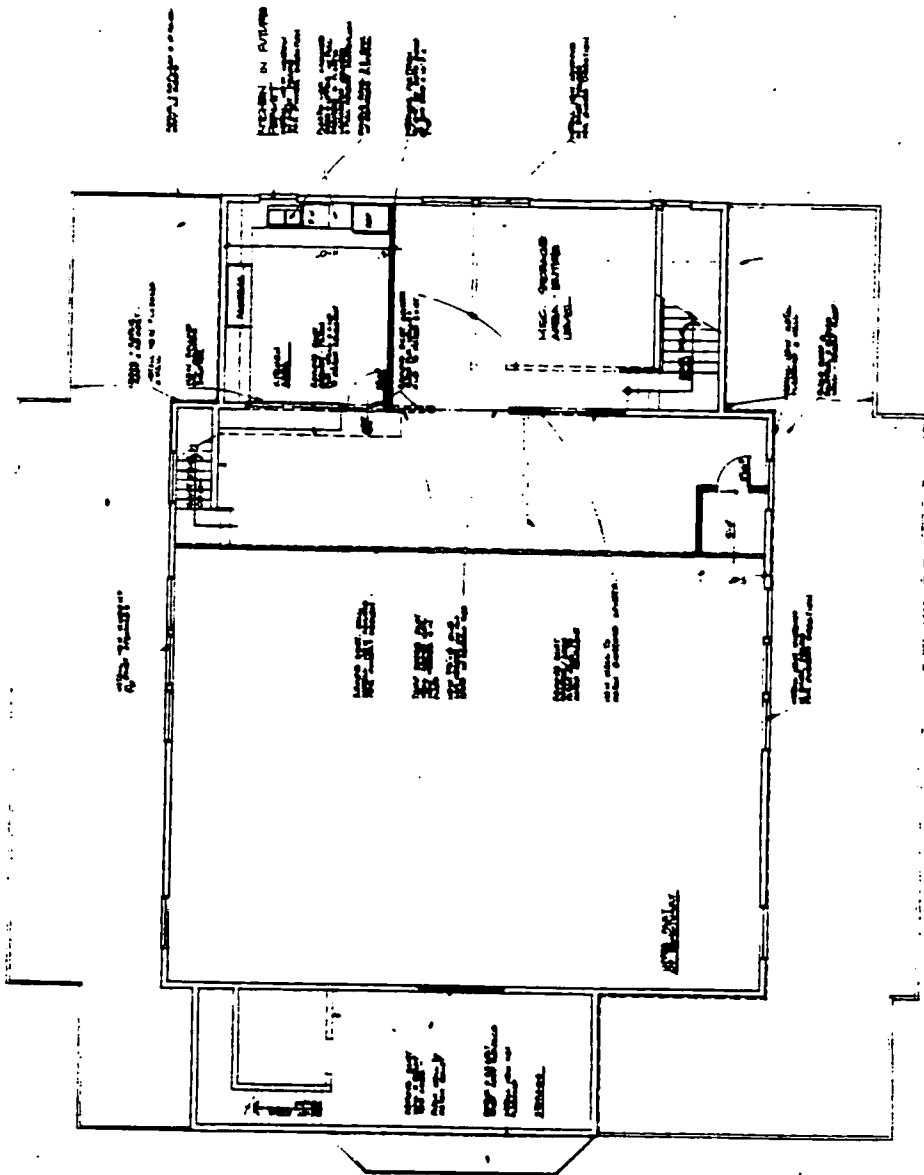


### EXHIBIT C-2 FLOOR PLANS & ELEVATIONS

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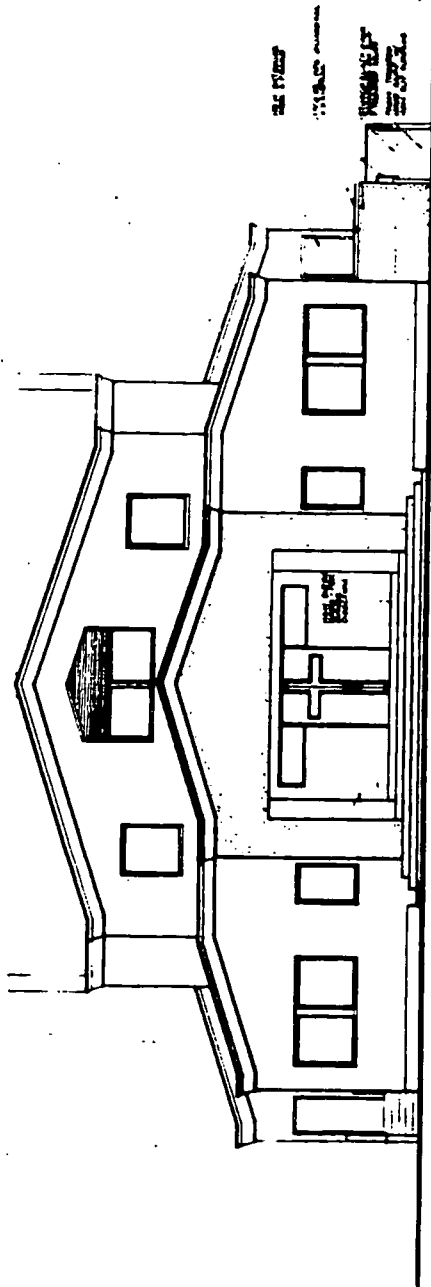


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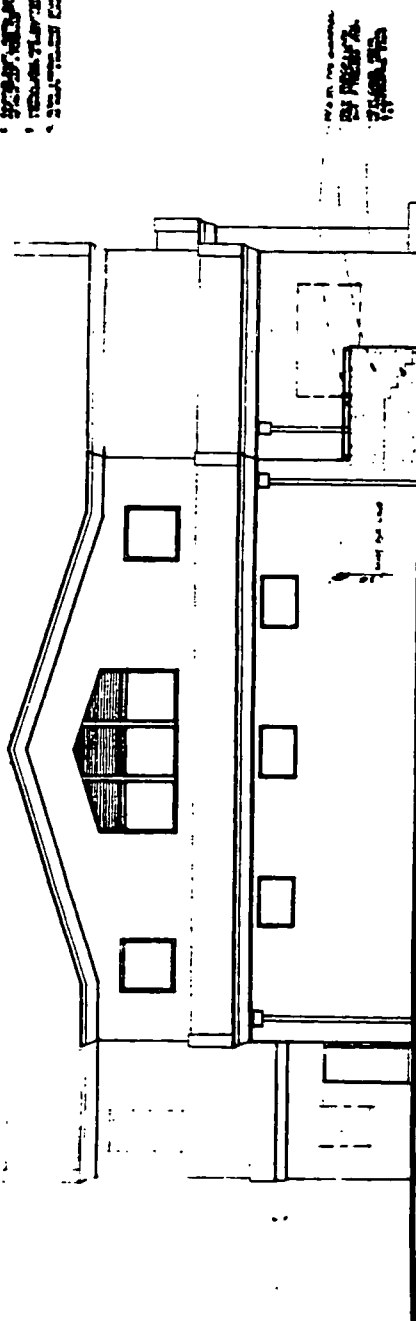
  
 SECOND LEVEL FLOOR PLAN  
 DATE: 12/14/95

		paper no.	FOR THE ENTER-CA ELEVATIONS	paper number date: 11/22/95 checked: approved: used in: 020 project: 5102
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EAST ELEVATION

1. 1/4\"



SOUTH ELEVATION

1. 1/4\"

A3

**ATTACHMENT D****RESOLUTION NO.**

**ADOPTED BY THE SACRAMENTO PLANNING COMMISSION**

**ON THE DATE OF DECEMBER 14, 1995**

**A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A VARIANCE TO WAIVE 35 REQUIRED PARKING SPACES FOR A 140-SEAT CHURCH IN THE MULTI-FAMILY RESIDENTIAL (R-2B) ZONE FOR PROPERTY LOCATED AT 2828 33RD STREET.**

**(P95-071) (APN:#010-0372-010)**

**WHEREAS, the City Planning Commission on DECEMBER 14, 1995, held a public hearing on the request for approval of a Variance to waive 35 required parking spaces for a 140-seat church in the Multi-Family Residential (R-2B) zone for property located at the above described location;**

**WHEREAS, the proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section #15301 & #15305);**

**WHEREAS, the Planning Staff has submitted to the City Planning Commission its report and recommendations on the proposed development;**

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:**

- 1. The Variance to waive 35 required parking spaces for the 140-seat church in the Multi-Family Residential (R-2B) zone is hereby approved based upon the following findings of fact:**
  - A. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.**
  - B. Granting the variance would not be detrimental to the public welfare nor result in the creation of a public nuisance in that the existing structure was constructed as a church without on-site parking and has always been used as a church.**



- C. Granting the variance does not constitute a use variance in that the use is allowed in this zone with a Special Permit.
  - D. The project is consistent with the General Plan which designates the site for Medium Density Residential land use (16-29 du/na).
2. The Variance to waive 35 required parking spaces for the 140-seat church in the Multi-Family Residential (R-2B) zone is hereby approved, subject to the following condition:
- A. Services shall be as proposed: Sundays - 9:15 a.m. to 1:00 p.m. and 7:00 p.m. to 9:00 p.m.; and Friday evenings - 7:00 p.m. to 9:00 p.m. Seating shall be as proposed for 140-seats. Any changes in hours or days of operation, or number of seats shall require additional Planning Department review. Changes may result in additional requirements such as provision of off-site parking.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY TO PLANNING COMMISSION

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