

P98-099 5101 Lawrence Drive

- REQUEST:
- A. Categorical Exemption (Section 15301);
 - B. **Special Permit** to allow a 170± seat church within an existing 9,093 square foot building; and
 - C. **Variance** to waive the required six foot high masonry wall between the non-residential use and the adjacent residential uses on a .76± acre parcel in the Heavy Commercial (C-4) zone.

LOCATION: 5101 Lawrence Drive
APN: 022-0280-013
Council District 5

APPLICANT:	Rick Dwyer P.O. Box 215223 Sacramento, CA 90201
OWNER:	Jean Stone Trust 1360 Summitridge Place Beverly Hills, 90201
APPLICATION FILED:	September 8, 1998
STAFF CONTACT:	Don Smith, 264-8289

SUMMARY: The applicant is seeking the necessary entitlements to allow the conversion of a 9,093 square foot building that was used for a post office and theater to a 170± seat church. A Variance is also requested to waive the requirement for a six foot high masonry wall.

RECOMMENDATION: Staff finds the proposal to be a good reuse of the property. The waiver of the six foot high masonry wall is also supported since the waiver will not impact adjacent uses.

PROJECT INFORMATION:

General Plan Designation:	Community/ Neighborhood Commercial and Offices
Zoning:	Heavy Commercial (C-4)
Existing Land Use of Site:	9,093 square foot building (past uses include: a post office, theater and a church)

School District: Sacramento Unified

Surrounding Land Use and Zoning:

North: Multi-Family (Duplexes); (R-2B)

South: Commercial (Kmart); (C-2)

East: Office (County Welfare); (C-2)

West: Single Family Residential (R-2B)

Property Area: .76 acres

Property Dimensions: 130' X 257'

Lot Coverage: 26% ±

Size of Existing Building: 9,093 ± sq.ft.

Required Parking Spaces: 43 (1 space/ 4 seats) @ 170 seats

Provided Parking Spaces: 47 spaces

Height of Existing Building: 1 story, approximately 19'6"

Materials of Existing Building: Concrete/ Stucco

Roof Materials Existing Building: Built Up

OTHER APPROVALS REQUIRED: In addition to the requested entitlement, the applicant will be required to obtain the following permits or approvals, including but not limited to:

<u>Permits</u>	<u>Agency</u>
Building Permit	Building Division
Sign Permit	Building Division

BACKGROUND: The existing building on the site that is proposed for the church was constructed in 1965 as a post office. The post office operated there until around 1988. After the post office moved, a parcel post service operated out of the building for two years. A theater followed and had performances until about two years ago. A church then occupied the building for several months. The building has been vacant since. The building is contemporary to the architecture of the 1960's and is compatible with the adjacent architecture which includes: a County office building (to the east) and a K Mart on the opposite side of the street (to the south).

The adjacent existing residences, that are located on the north and west side, would be buffered from the proposed church by a street (to the west) and a parking lot (to the north). Both sides have fairly dense landscaping between the uses. Traffic

impacts from the proposed church on the adjacent residential area would be less than that of previous post office and parcel post uses since church activities are usually on Sunday and one or two evenings a week. Traffic would typically come from Stockton Boulevard to the site. Lawrence Drive, however, provides a route to Fruitridge Road which may be used. The number of trips to the site would be minimal as the church would have 47 spaces on-site.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

The General Plan designation and zoning of the property is Community/ Neighborhood Commercial and Offices, and Heavy Commercial, respectively. The Zoning Ordinance allows churches to locate in any zone with an approved Special Permit. The proposed reuse of the building would be considered consistent with the adopted policies of the General Plan and zoning.

B. Site Plan

The site plan primarily shows parking in the front and back with the building in the middle of the property. Parking in the rear is adjacent to another small parking lot for the residential complex to the north. On the west side, there is a street that separates the church parking from the residences. On the east is a County Welfare office which would not be open during church activities. K Mart is located south of the site.

The application requests approval of a Special Permit for a church with 170± seats. The 47 parking spaces provided would (at the one space per four seats ratio) provide for up to 188 seats. The parking lot layout has been reviewed by the City Transportation Division. Several changes pertaining to the design of the internal circulation were recommended by staff to the applicant. Specifically, widening portions of the driveways in the front of the building and adding planters in the rear. The applicant responded by revising the plan to incorporate those recommendations.

A trash enclosure is not proposed at this time, as the church will be using 90 gallon containers.

C. Design

The design of the building is compatible with its surrounding uses. A six foot high masonry wall is required by the ordinance between residential and non-residential uses and zones. Staff can support the Variance to waive the wall as the surrounding residential uses are separated from the proposed church by a street (west side) and a

parking lot (north side).

D. Landscaping

Although there is landscaping in the front of the building, there are also weedy areas that could benefit by an increase of ground cover or additional bushes. In the rear of the building, the parking area does not meet landscaping or tree shading requirements. Staff has worked with the applicant to incorporate additional planters and tree shading into the design. Several new tree wells will be provided with a u-shaped planter in the middle of the parking area in the rear.

Staff recommends that these areas be automatically irrigated to provide assurance that the new plantings will be provided. A landscape plan will be reviewed and approved by the Planning staff prior to the issuance of an occupancy permit to ensure that the existing landscaping is improved upon. The applicant is opposed to the requirement to landscape the rear part of the property due to the expense of adding irrigation in the rear. Water service is available in the rear. Staff continues to recommend an automatic irrigation system for the rear planters as hand watering is unreliable.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project involves the minor alteration of an existing private structure involving negligible, or no expansion of the use beyond that currently existing. The project therefore qualifies for a Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines. No further environmental review is required.

B. Neighborhood Response

Public notice was sent to the Stockton Boulevard Merchant's Association, Stockton Boulevard Project Area Committee, Lawrence Neighborhood Association and properties within 500 feet of the subject site. No comments have been received.

C. Summary of Agency Comments

Comments received by public agencies have been incorporated into the conditions of approval.

PROJECT APPROVAL PROCESS: The Planning Commission has the authority to

approve or deny the requested entitlement(s). The Commission's action may be appealed to the City Council within 10 days following the Commission's action. Any modification to the project shall be subject to review and approval by Planning staff prior to the issuance of building permits.

RECOMMENDATION: Staff recommends that the Planning Commission take the following action:

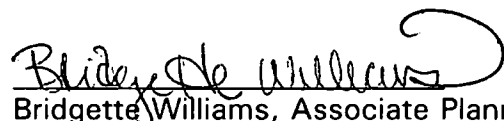
- A. Adopt the attached Notice of Decision and Findings of Fact with the environmental determination that the project is exempt pursuant to CEQA;
- B. Adopt the attached Notice of Decision and Findings of Fact approving the **Special Permit** to allow a 170 ± seat church within an existing 9,093 square foot building; and
- C. Adopt the attached Notice of Decision and Findings of Fact for the **Variance** to waive the required six foot high masonry wall between the non-residential use and the adjacent residential uses on a .76 ± acre parcel in the Heavy Commercial (C-4) zone.

Report Prepared By,



Don Smith, Associate Planner

Report Reviewed By,



Bridgette Williams, Associate Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1	Vicinity Map
Exhibit 2	Land Use and Zoning Map
Exhibit 3	Site Plan
Exhibit 4	Elevations
Exhibit 5	Floor Plans
Attachment 2	Letter from the Solid Waste Division

ATTACHMENT 1:**NOTICE OF DECISION AND FINDINGS OF FACT
FOR A SPECIAL PERMIT TO ALLOW A 190 ± SEAT CHURCH WITHIN AN EXISTING
9,093 SQUARE FOOT BUILDING IN THE HEAVY COMMERCIAL (C-4) ZONE AT 5101
LAWRENCE DRIVE, APN 022-0280-013, SACRAMENTO, CALIFORNIA,**

At the regular meeting of November 19, 1998, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following action for the location listed above:

- A. Categorical Exemption (Section 15301);
- B. Adopted the attached Notice of Decision and Findings of Fact approving the **Special Permit** to allow a 170 ± seat church within an existing 9,093 square foot building; and
- C. Adopt the attached Notice of Decision and Findings of Fact for the **Variance** to waive the required six foot high masonry wall between the non-residential use and the adjacent residential uses on a .76 ± acre parcel in the Heavy Commercial (C-4) zone.

These actions were made based upon the following findings of fact:

FINDINGS OF FACT**I. Environmental**

- A. Categorical Exemption The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines.

II. Special Permit

- A. Granting the Special Permit is granted upon sound principles of planning in that:
 1. The church will be a use that is less intensive than the previous post office or theater that had been located in the building.
 2. The church is permitted with an approved Special Permit in the Heavy Commercial zone.

3. The church is compatible with other development in the area.
- B. Granting the Special Permit is not detrimental to the public health, safety or welfare in that:
1. Adequate ingress, egress and parking is provided.
 2. The structure shall meet the provisions of the Uniform Building and Fire Codes.
- C. Granting of the Special Permit will not create a nuisance in that:
1. Adequate parking is provided.
 2. A buffer (parking area to the north and street to the west) exists to reduce impacts of the church parking lot on adjacent uses.
- D. Granting of the Special Permit complies with the objectives of the General Plan for the area in that:
1. The church is permitted in the Heavy Commercial (C-4) zone in which it is located with an approved Special Permit.
 2. The church is close to good transit service.
- III. Variance
- A. Granting of the Variance to waive the required six foot high masonry wall is not a special privilege extended to one individual property owner in that the same Variance may be granted for any property owner facing similar circumstances.
- B. Granting of the Variance is not considered a use variance.
- C. Granting of the Variance will not be injurious to the public welfare, nor to property in the vicinity of the project in that an adequate buffer between the church parking lot and adjacent residences exists such as the parking lot to the north and the street to the west.
- D. The Variance is in harmony with the general purpose and intent of the Zoning Ordinance and consistent with the Sacramento General Plan.

These actions were made based upon the following conditions of approval:

CONDITION OF APPROVAL The requested Special Permit is hereby approved subject to the following conditions:

1. Applicant shall obtain necessary building permit(s) and comply with the provisions of the Uniform Building Code. This is a change in occupancy. A structural survey may be required, in addition to full compliance for the change of occupancy.
2. Development of the site shall be consistent with the approved site plan (Exhibit 3).
3. Any trash enclosure(s) provided shall meet the city requirements of Section 34 of the Zoning Ordinance.
4. Applicant shall obtain review and approval of the plans by the Fire Department prior to the issuance of any occupancy permit.
5. Repair or replace existing deteriorated curb, gutter and sidewalk to City standards to the satisfaction of the Department of Public Works.
6. Applicant shall submit a landscape plan for the review and approval of Planning staff prior to the issuance of any occupancy permit. The landscape plan shall include ground cover, flowering shrubs and trees in the front and the rear of the site as necessary to enhance the existing landscaping. Plans shall include automatic irrigation for the rear planter areas.

CHAIRPERSON

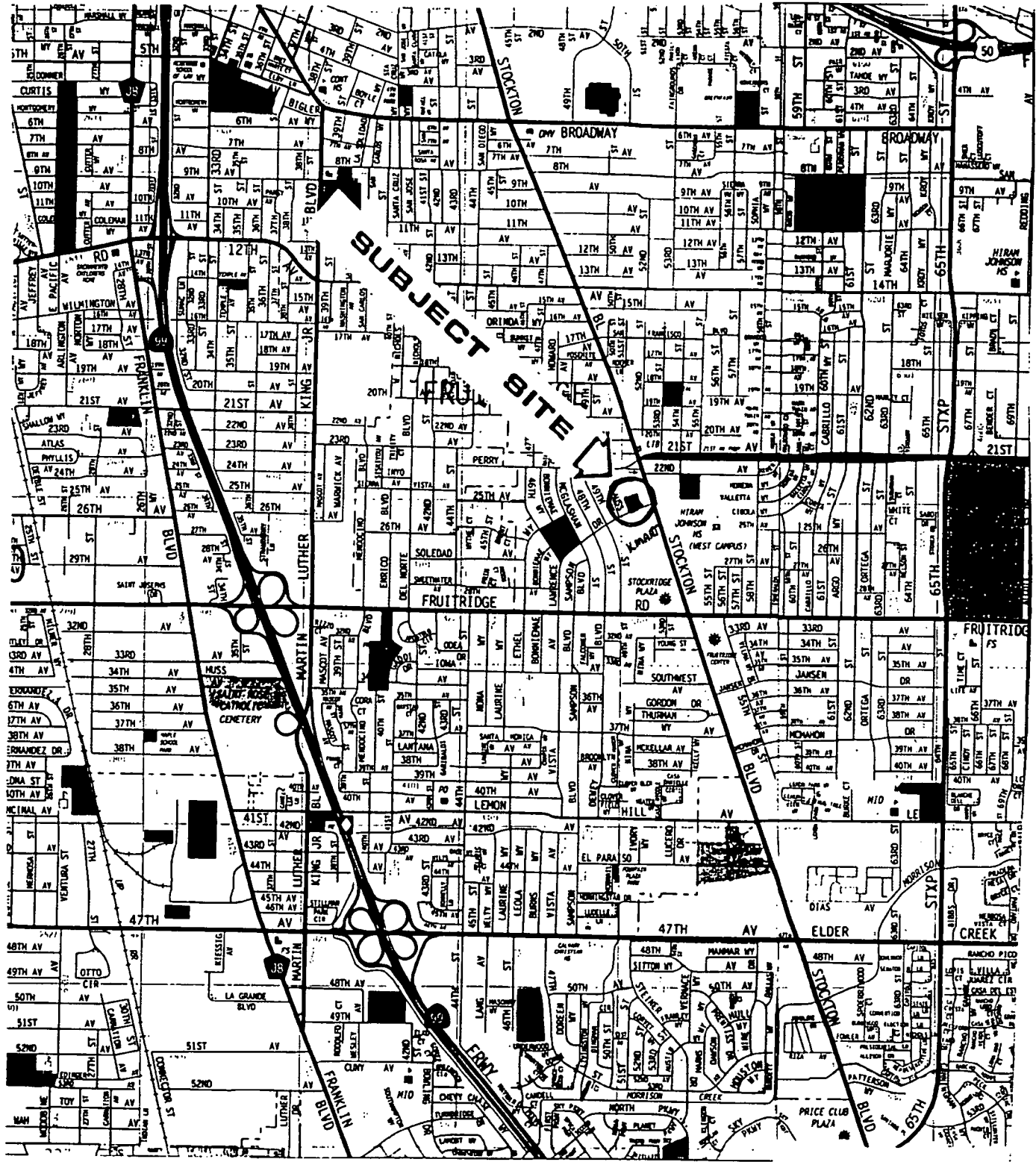
ATTEST:

SECRETARY TO CITY PLANNING COMMISSION

DATE (P98-099)

Attachments

Exhibit 1	Vicinity Map
Exhibit 2	Land Use and Zoning Map
Exhibit 3	Site Plan
Exhibit 4	Elevations
Exhibit 5	Floor Plans

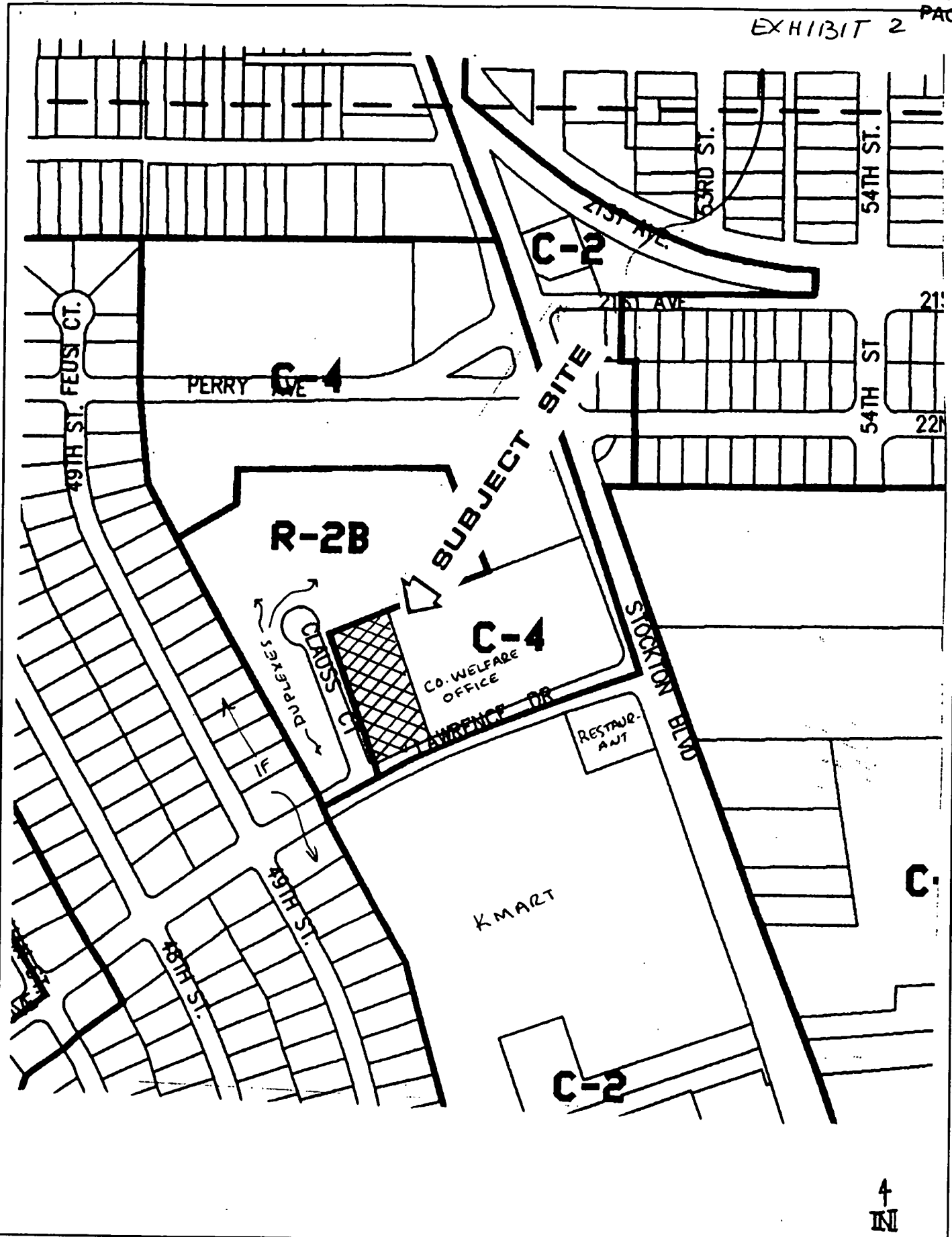


VICINITY MAP

November 19, 1998

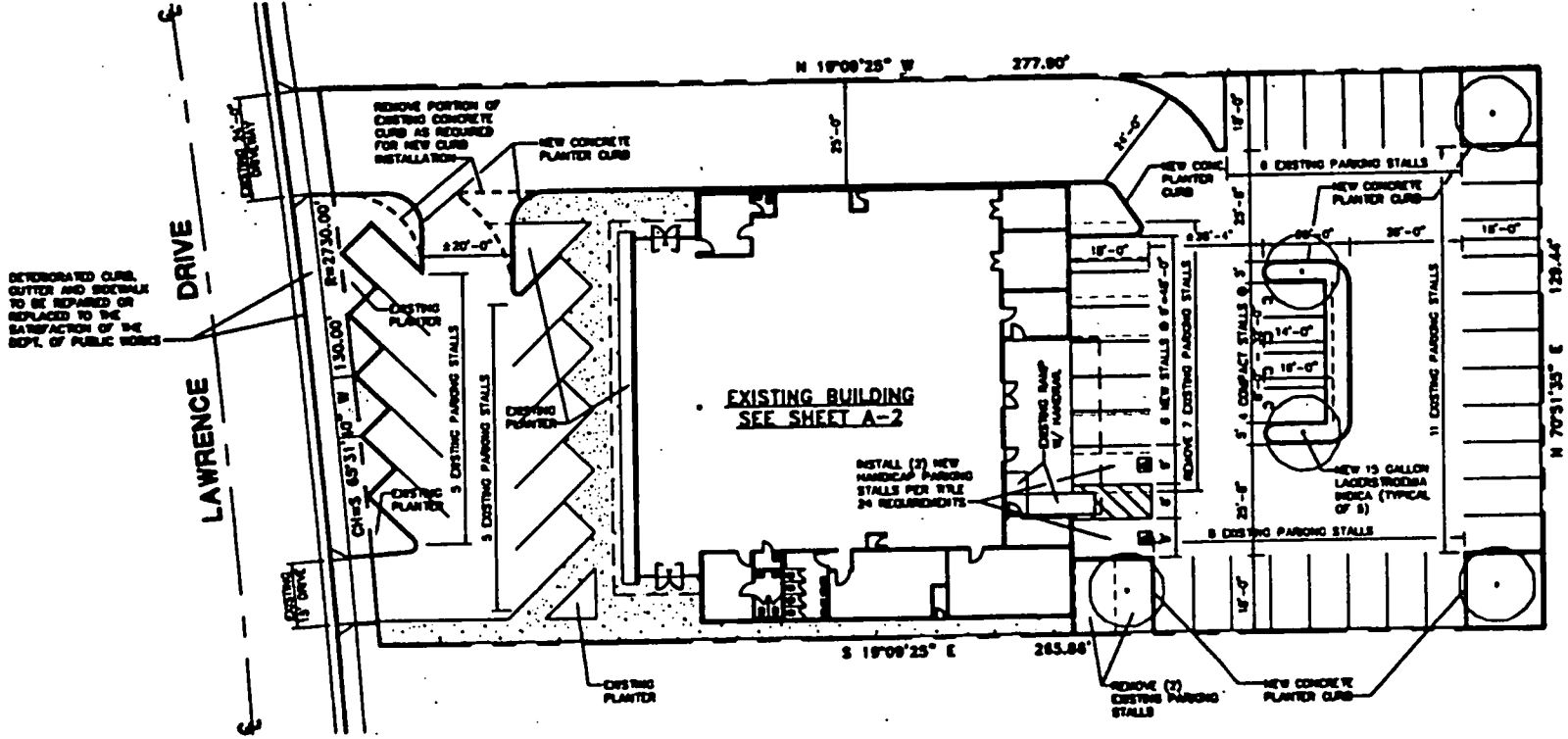
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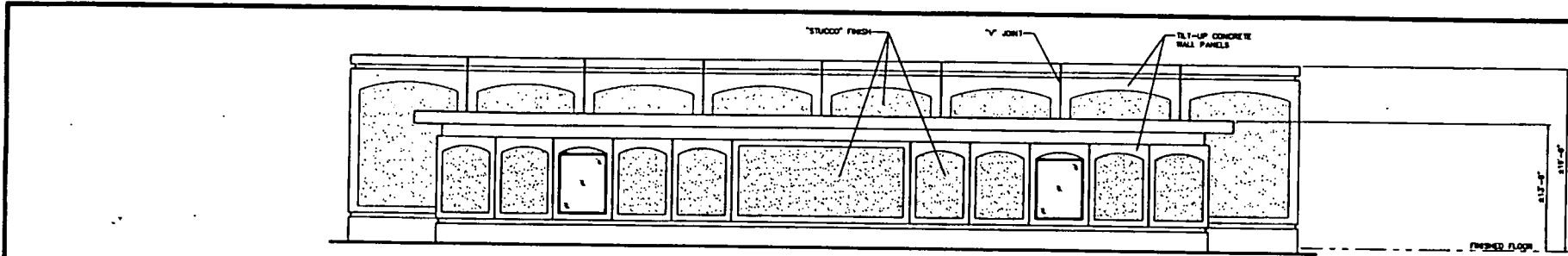
LAND USE AND ZONING MAP

EXHIBIT 3



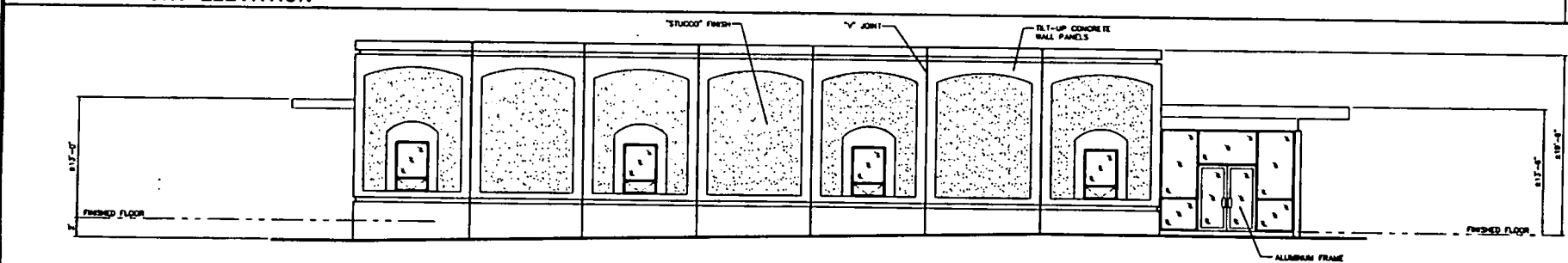
SITE DATA	
SITE AREA:	35,125.07 S.F.
EXISTING BUILDING AREA:	9,029.22 S.F.
EXISTING PARKING:	44 STALLS
EXISTING PARKING REMOVED:	9 STALLS
NEW ADDITIONAL PARKING:	12 STALLS
TOTAL PARKING PROVIDED:	47 STALLS

<p>DUBHAM & ASSOCIATES ARCHITECTURE & PLANNING</p> <p>1333 N. HAWK ROAD SAN JOSE, CALIFORNIA 95128 PHONE: 415/941-0070 FAX: 415/941-0083 WWW.DUBHAM.COM</p>	
<p>PROPOSED SITE PLAN</p> <p>CLIENT: NEW GENERATION CHRISTIAN CENTER 1333 N. HAWK ROAD SAN JOSE, CALIFORNIA 95128</p> <p>PROJECT: PROPOSED CHURCH 310 LAWRENCE AVE. N. STATION BUILDING SHERMAN OAK, CALIFORNIA</p>	
<p>DATE: 06-27-08</p> <p>DRAWN: J. DUBHAM</p> <p>CHECKED: J. DUBHAM</p> <p>SCALE: AS SHOWN</p> <p>FILE NAME: 08062708</p> <p>DRAWING: SITE PLAN</p> <p>SHEET: 1 OF 3</p>	<p>DATE: 06-27-08</p> <p>BY: J. DUBHAM</p> <p>SCALE: AS SHOWN</p> <p>FILE NAME: 08062708</p> <p>DRAWING: SITE PLAN</p> <p>SHEET: 1 OF 3</p>
<p>SHEET NO. A-1</p> <p>SHEET 1 OF 3</p> <p>SOLD: 11/21/08</p>	



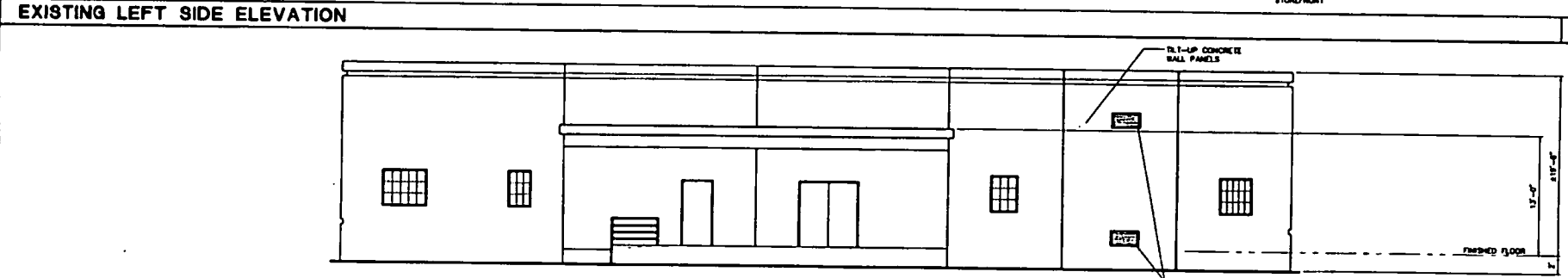
EXISTING FRONT ELEVATION

SCALE: 3/16" = 1'-0"



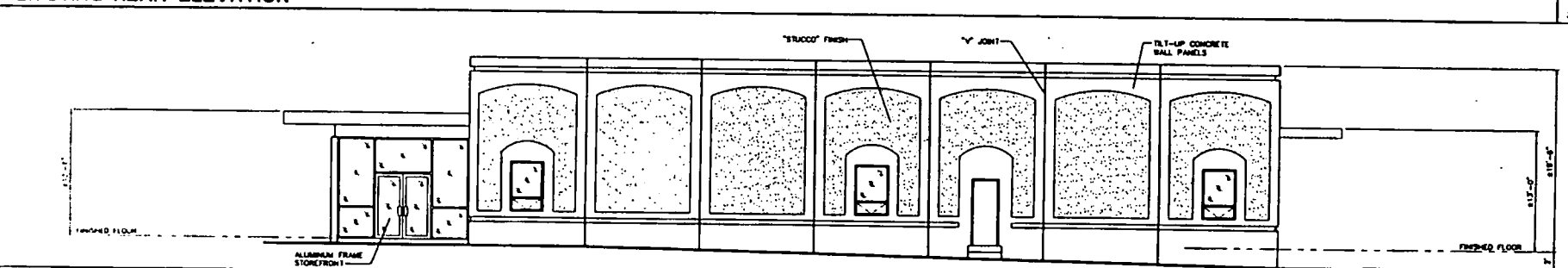
EXISTING LEFT SIDE ELEVATION

SCALE: 3/16" = 1'-0"



EXISTING REAR ELEVATION

SCALE: 3/16" = 1'-0"



EXISTING RIGHT SIDE ELEVATION

SCALE: 3/16" = 1'-0"

DATE	BY	REVISION

DURHAM & ASSOCIATES
ARCHITECTURE + PLANNING
151 GARDNER DRIVE
SAN DIEGO, CALIFORNIA 92108
PHONE: (619) 591-1133
FAX: (619) 591-1133
E-MAIL: info@durham.com



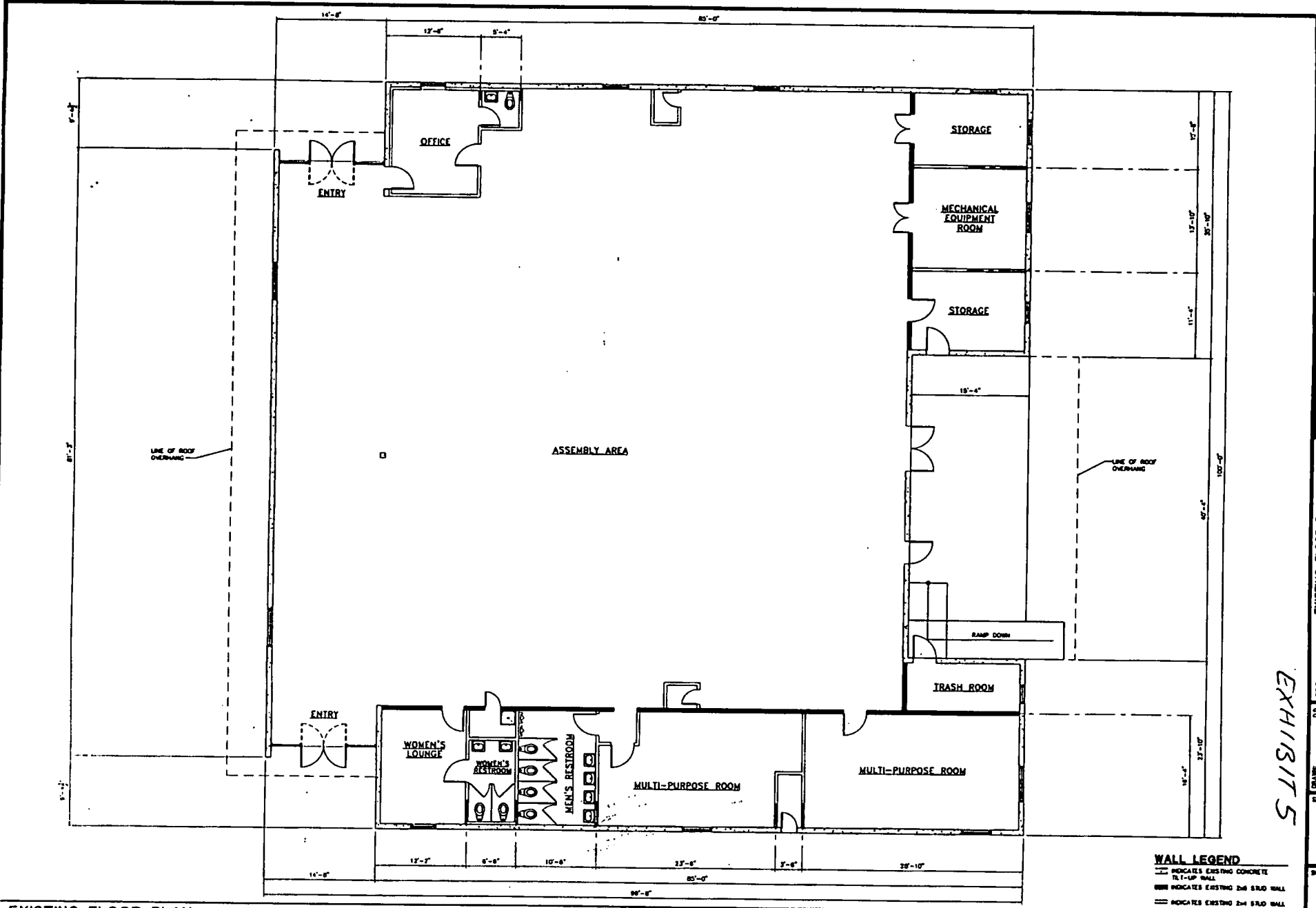
TITLE: EXISTING EXTERIOR BUILDING ELEVATIONS
CLIENT: NEW GENERATION CHRISTIAN CENTER
151 GARDNER DRIVE
SAN DIEGO, CALIFORNIA 92108
PROJECT: PROPOSED CHURCH BUILDING
151 GARDNER DRIVE
SAN DIEGO, CALIFORNIA

DATE	BY	DATE	BY

SHEET NO
A-3
SHEET 3 OF 3

SCALE: 3/16" = 1'-0"

EXHIBIT 4
ITEM 4
PAGE



EXISTING FLOOR PLAN

WALL LEGEND
 [Symbol] INDICATES EXISTING CONCRETE TILT-UP WALL
 [Symbol] INDICATES EXISTING 2 1/2" BRD WALL
 [Symbol] INDICATES EXISTING 2" BRD WALL

EXHIBITS

NO.	DATE	REVISION

DURHAM & ASSOCIATES
 ARCHITECTS & PLANNERS
 1411 GLENVIEW DRIVE
 SAN JOSE, CALIFORNIA 95128
 PHONE: (415) 871-9473
 FACSIMILE: (415) 871-8943
 E-MAIL: DURHAM@AOL.COM



EXISTING FLOOR PLAN
NEW GENERATION CHRISTIAN CENTER
 3333 MATTHEW FIELD ROAD
 SAN JOSE, CALIFORNIA 95128
PROPOSED CHURCH
 8101 LAURENCE DRIVE, NEAR STROTTON BOLLINGWOOD
 SAN JOSE, CALIFORNIA

DATE:	08-20-08
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SHEET NO. **A-2**
 SHEET 2 OF 3

SCALE: 3/8" = 1'-0"
 SCALE: 3/16" = 1'-0"
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 PAGE/2