

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: CONDITIONAL USE PERMIT 09-002
1749 RAMADA DRIVE / APN: 009-631-015
APPLICANT - BRAD ALFORD / NEWDAY CHURCH
DATE: MARCH 10, 2009

Needs: For the Planning Commission to consider a request to establish a church located at 1749 Ramada Drive.

- Facts:
1. The site's General Plan designation is Business Park (BP), and it is zoned Manufacturing/Planned Development (M-PD), which is consistent with the General Plan designation.
 2. Table 21.16.200 of the Zoning Code requires approval of a Conditional Use Permit (CUP) to establish a church in the M zoning district.
 3. As described within the attached project description, the applicant proposes a church to accommodate approximately 100 members. Church service is proposed to be held at 10:00 am on Sundays. Another service may be held on Thursdays at 7:00 pm. The pastor will maintain an office within the building during the rest of the time.
 4. The City's parking regulations (Section 21.22.040(C)(2) Parking Space Requirements), requires one parking space for each four fixed seats in the principal place of assembly. The applicant has provided a floor plan showing 84 fixed seats. This seating arrangement will require 21 parking spaces and the site contains a total of 23 spaces. It should be noted that while membership is identified at approximately 100 members. However, the pastor has indicated that usually 80% of their members show up at any one time due to vacations, sickness, holidays, etc.
 5. No other uses, including daycare or a school are being proposed with this application. The nursery shown on the floor plan will only be utilized during scheduled church services.

Analysis
and
Conclusion:

The General Plan designation for the proposed area calls for clean and attractive businesses and industries that are industrial and manufacturing in character. No specific policies in the General Plan support or discourage a church use in this area. However, the use is can be allowed for through the conditional use permit process as called out in Table 21.16.200 of the Zoning Code. Through the conditional use permit process, considerations are given to the zoning, potential impacts to surrounding existing development, and to future development that may occur in the surrounding area. Due to the little or no impacts that are anticipated with the proposed use, through the conditional use permit process, the proposed use can be considered in compliance with the General Plan.

There is an existing brewery, which serves beer located nearby at Ramada Drive and Vendels Circle. The City and Planning Commission became aware through review of a similar application in the downtown area that the California Alcoholic Beverage Control Department (ABC) has process that factors input from nearby churches when determining whether to issue liquor licenses. The concern with this other application, which was near the downtown core, was whether adding a church into an area would create the potential for future objections to restaurants and bars that are appropriately located in our downtown. The sensitivity in this case is somewhat different because is not an area where our General Plan and Zoning “target” entertainment type uses.

The Development Review Committee (DRC) considered this request at their meeting on February 23, 2009. The DRC was generally in favor of the CUP request but wanted staff to make sure that the issue of parking was adequately addressed in the staff report. Also the DRC wanted staff to verify if there were any issues related to the proposed church being in close proximity to the brewery. The DRC recommended approval of the proposed CUP to the Planning Commission.

Policy

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, Economic Strategy and CEQA.

Fiscal

Impact: None.

Options: After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

- a. Adopt the attached Resolution approving Conditional Use Permit 09-002; or
- b. Amend, modify, or reject the above-listed action.

Report prepared by: Mathew Fawcett, Assistant Planner

Attachments:

1. Applicant’s Project Description
2. Vicinity Map
3. Resolution to Approve the Conditional Use Permit 09-002
4. Newspaper and Mail Notice Affidavits
5. Site Plan



Paso Robles

FEB 09 2009

Planning Division

January 15, 2009

To Whom It May Concern:

NewDay International Church of Paso Robles desires to rent space at 1749 Ramada Drive. It is our understanding that a conditional use permit will be required by the City of Paso Robles. We submit the attached application for your approval.

Our church, founded in 2006, maintains +/- 100 members. Our intended service will be on Sunday morning at 10:00. We may also have a Thursday evening service at 7:00 pm. The pastor will maintain an office within the premises.

We are excited to move forward with this project and will be happy to cooperate with the city staff in order to expedite this permit.

Sincerely Yours,

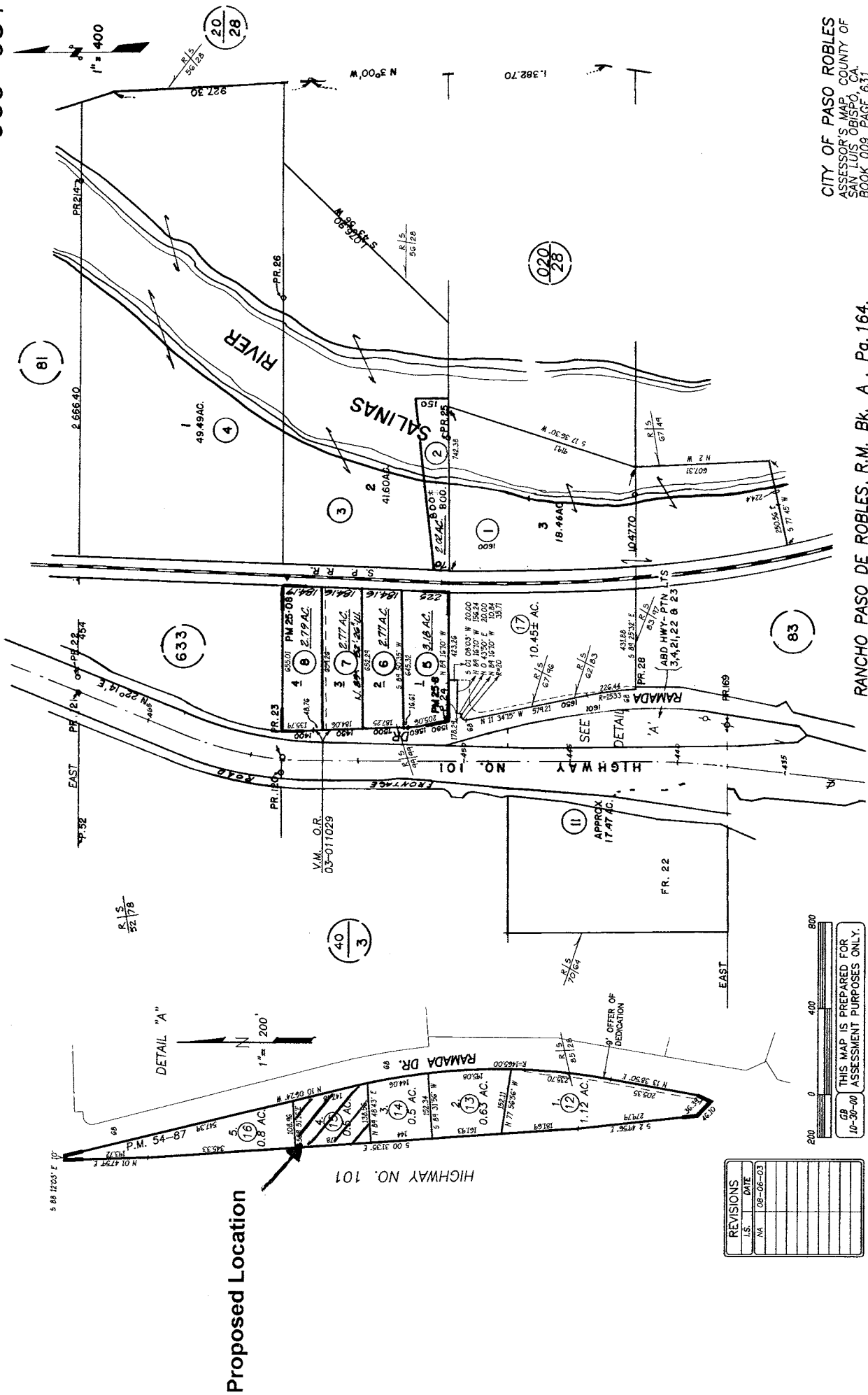
Brad Elias Alford

Pastor

1244 Pine Street, #221
Paso Robles, CA 93446
(805) 238-2317

**Attachment 1:
Project Description**

009-631



CITY OF PASO ROBLES
ASSESSOR'S MAP, COUNTY OF
SAN LUIS OBISPO, CA.
BOOK 009 PAGE 631

RANCHO PASO DE ROBLES, R.M. Bk. A, Pg. 164.

Attachment 2:
Vicinity Map

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING CONDITIONAL USE PERMIT 09-009
AT 1749 RAMADA DRIVE
APPLICANT: NEWDAY CHURCH
APN: 009-631-015

WHEREAS, Section §21.16.200 of the City of El Paso de Robles' Zoning Code requires approval of a Conditional Use Permit for churches in the M zone; and

WHEREAS, the applicant, Brad Alford, Newday Church, has proposed a Conditional Use Permit to establish a church in an existing building located at 1749 Ramada Drive; and

WHEREAS, the proposed use is compatible with the surrounding land uses and will not result in land use impacts on surrounding uses, nor will surrounding uses negatively impact the proposed church; and

WHEREAS, a public hearing was conducted by the Planning Commission on March 10, 2009, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15301 Existing Facilities, Class 1 of the State's Guidelines to Implement CEQA; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance or operation of the requested bar will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the vicinity of the proposed use, or be injurious or detrimental to property and improvements in the area or to the general welfare of the City.

WHEREAS, the project is consistent with the adopted codes, policies, standards and plans of the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 09-002 subject to the following conditions:

1. This Conditional Use Permit (CUP) authorizes a church with services at 10:00 am on Sundays and 7:00 pm on Thursdays. The pastor will maintain an office within the building during the rest of the time. Child care services will be offered only during scheduled church services.
2. The floor plan shall be in substantial compliance with Exhibit A: Floor plan.

EXHIBIT	DESCRIPTION
A	Propose Floor Plan

3. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the Conditional Use Permit.
4. Prior to commencing the operation of the business, the applicants shall obtain Building Permits for any tenant improvements and comply with all required Building and Fire Codes related to the proposed change in use.
5. All business signage (including temporary signs) shall comply with the City Sign Ordinance. A sign permit shall be approved prior to installation of any business signs.
6. No other uses, including daycare or a school shall be permitted with the church operation.

PASSED AND ADOPTED THIS 10th day of March 2009, by the following roll call vote:

AYES:

NOES:

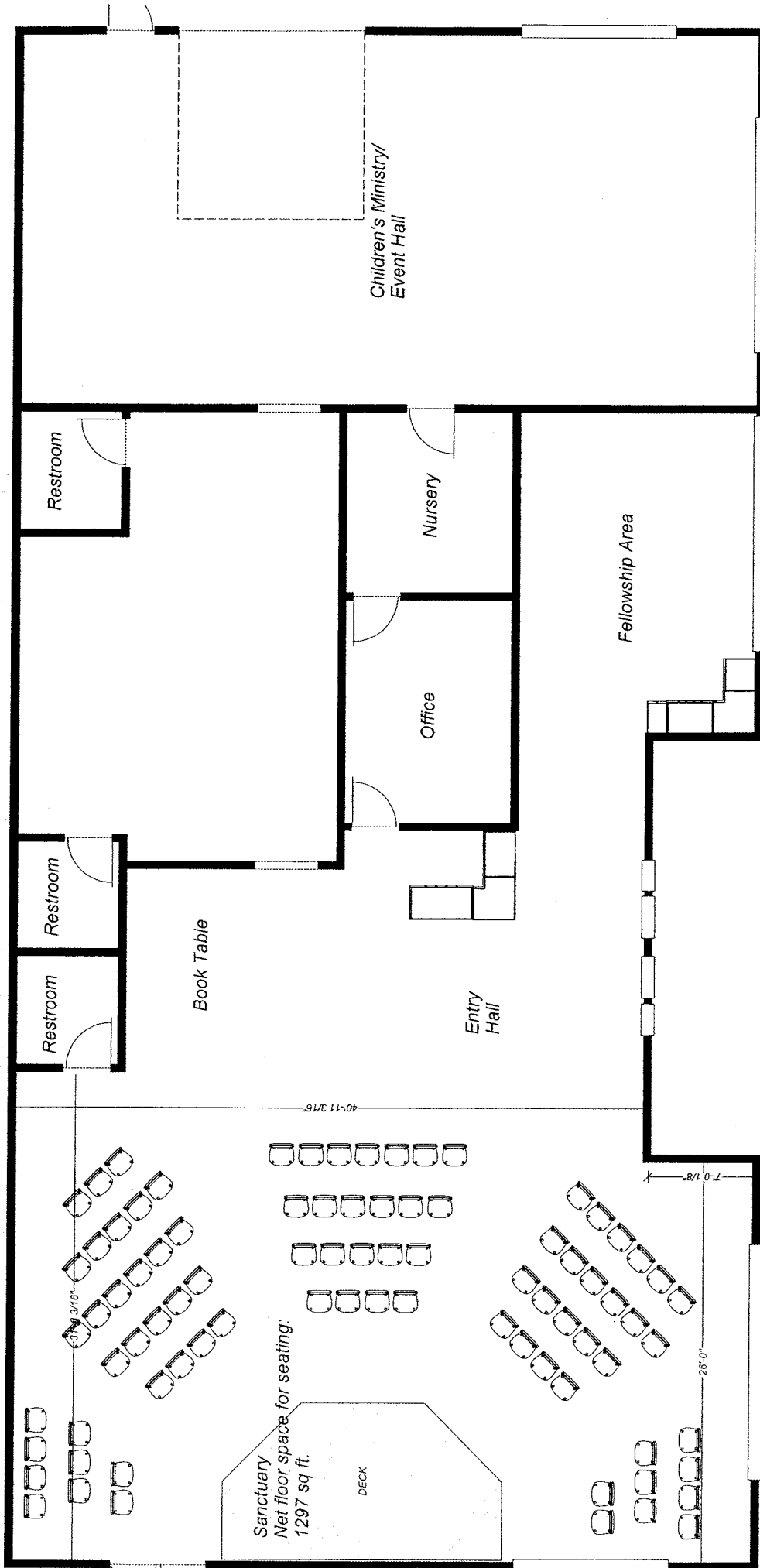
ABSENT:

ABSTAIN:

CHARLES TREATCH, CHAIRMAN

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY



21.22.040 Parking space requirements.
 2. Churches: one parking space for each four fixed seats in the principal place of assembly.

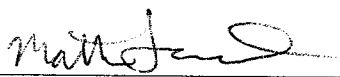
Number of fixed seats = 84
 Number of parking spaces required = 21
 Number of parking spaces at site = 25

**Exhibit A:
 Floor Plan**

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Mathew Fawcett, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Conditional Use Permit 09-002 (Newday Church – 1749 Ramada Drive) on this 23th day of February 2009.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Mathew Fawcett

forms\mailaffi.691

Attachment 4:
Affidavits

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING


Newspaper: Tribune

Date of
Publication: February 25, 2009

Hearing
Date: March 10, 2009
(Planning Commission)

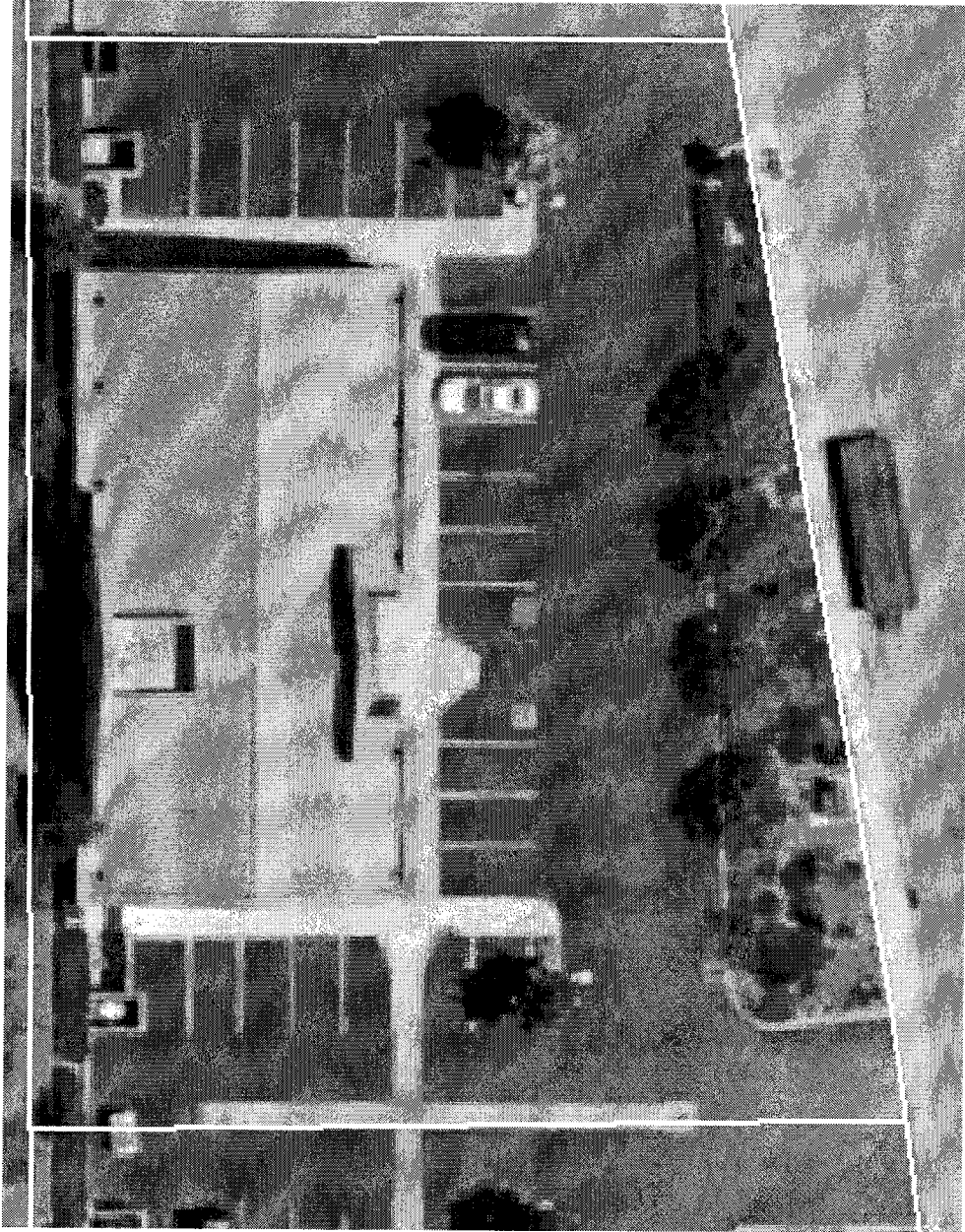
Project: Conditional Use Permit 09-002
(New Day Church-1749 Ramada Dr.)

I, Lonnie Dolan, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Lonnie Dolan

forms/newsaffi.691

<p style="text-align: center;">NOTICE OF PUBLIC HEARING</p> <p>NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider Conditional Use Permit 09-002, a request filed by Bard Alford, New Day Church, to establish a church located at 1749 Ramada Drive.</p> <p>This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, March 10, 2009, at which time all interested parties may appear and be heard.</p> <p>Comments on the proposed Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing.</p> <p>If you challenge the Conditional Use Permit application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.</p> <p>Mathew Fawcett, Assistant Planner February 25, 2009 6800437</p>
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**Attachment 5:
Site Plan**