

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION  
FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: CONDITIONAL USE PERMIT 12-008 (NEWDAY CHURCH)

DATE: AUGUST 14, 2012

Needs: For the Planning Commission to consider an application filed by Newday Church, to establish and operate a church within an existing building. (APN: 009-093-061)

- Facts:
1. The project is located at 530 12<sup>th</sup> Street, which is in the TC-1 (Town Centre 1) zoning district, see attached Vicinity Map (Attachment 1).
  2. Table 5.3-1 of the Uptown Town Centre Specific Plan requires a Conditional Use Permit (CUP) for churches in the TC-1 zone.
  3. The Specific Plan requires 1 parking space for every 400 square feet of building. Based on the 6,376 square foot building, 16 parking spaces are required. There are 8 parking spaces on site. The applicant is requesting that the Planning Commission allow the other 8 spaces to be located off-site, in the Heritage Oaks Bank parking lot across 12<sup>th</sup> Street.
  4. The Specific Plan refers to Chapter 21.22.090 of the Zoning Code for off-site parking requirements. Chapter 21.22.090 allows off-site parking on lots within 300 feet of the subject site, subject to a 15 year (minimum) parking agreement. Newday Church has received approval by Heritage Oaks bank for a parking agreement, See Attachment 3.
  5. The Development Review Committee (DRC) reviewed the proposal at their meeting on July 9, 2012. The Committee recommended approval of the CUP, including the shared parking, indicating that the church use seemed compatible with the surrounding area.
  6. This application is categorically exempt from environmental review per Section 15301 (existing building) of the State's Guidelines to Implement CEQA.

Analysis  
and

Conclusion: The church use along with the shared parking seems reasonable as proposed by Newday Church. As described in their letter (Attachment 2), the church will only be operating during the day on Sunday, and during the evenings on the week days. Since most of the businesses in the area of the church, including Heritage Oaks Bank, are not open after 6:00 pm, the church activities and shared parking would seem to be compatible with the other businesses in the neighborhood.

Policy

Reference: CEQA, The City of Paso Robles Zoning Code

Fiscal

Impact: None identified at this time.

Options: After consideration of any public testimony, the Planning Commission should consider the following options:

- a). Adopt the attached resolution approving the proposed Conditional Use Permit 12-008, including the approval of the off-site parking agreement, subject to standard and site specific conditions of approval;
- b). Amend, modify or reject the above noted options.

Attachments:

1. Vicinity map/Site Plan
2. Applicant's Letter
3. Heritage Oaks Bank Letter
4. Resolution Approving CUP 12-008
5. Newspaper notice and mail affidavits



Attachment 1  
Vicinity Map  
CUP 12-008  
530 12th Street  
(Newday Church)

SITE



**NEWDAY CENTER  
PS BRAD E ALFORD**

RECEIVED

JUN 28 2012

Engineering Division

**PROJECT DESCRIPTION: FOR THE PROPOSE SIGHT OF  
530 12TH STREET FOR NEWDAY CHURCH**

**THIS PROJECT WILL BE ENTIRELY USED FOR CHURCH  
SERVICES. CONFERENCES AND RELATED FUNCTIONS SUCH AS  
WEDDINGS, FUNERALS AND CHURCH POTLUCKS**

**HOURS OF OPERATION:**

**OFFICE HOURS: TUESDAY-FRIDAY 9:00AM -5:00PM**

**SUNDAYS A.M 10:30 AND 2:00 PM**

**MONDAY PM 7:00 PRAYER SERVICE**

**TUESDAY PM. 7:00PM MUSIC PRACTICE**

**WEDNESDAY P.M 7:00PM MIDWEEK SERVICE**

**FRIDAY PM 7:00 PM SERVICE SPANISH SERVICE**

**THANKS**

  
**PS BRAD E ALFORD**

**805-550-5521**

Attachment 2  
Applicant Letter  
CUP 12-008  
530 12th Street  
(Newday Church)

**Attachment 3**  
**Heritage Oaks Bank Letter**  
**(To Be Submitted)**

RESOLUTION NO: \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 12-008  
(NEWDAY CHURCH)  
APN: 009-093-061

WHEREAS, Table 5.3-1 of the Uptown Town Center Specific Plan (Specific Plan) of the City of El Paso de Robles requires approval of a Conditional Use Permit for churches in the TC-1 (Town Center 1) zoning district; and

WHEREAS, the applicant, Newday Church has filed a Conditional Use Permit application to establish and operate a church within the existing building located at 530 12<sup>th</sup> Street; and

WHEREAS, the applicant is requesting that the Planning Commission allow 8 parking spaces to be located in the Heritage Oaks Bank parking lot located across 12<sup>th</sup> Street; and

WHEREAS, Heritage Oaks Bank has provided a letter indicating their willingness to enter into an agreement with Newday church for a minimum 15 year time period; and

WHEREAS, a public hearing was conducted by the Planning Commission on August 14, 2012, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 12-008 subject to the following conditions:

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Hours of Operation
B	Floor Plan

2. This Conditional Use Permit (CUP) authorizes the establishment and operation of a church use within the existing building located at 530 12<sup>th</sup> Street, and approves the use of off-site parking for 8 parking spaces within the Heritage Oaks Bank parking lot.

3. Prior to the issuance of a business license for the church, a Parking Agreement between Newday Church and Heritage Oaks bank shall be reviewed and approved by the City Attorney.
4. This project approval shall expire on August 14, 2014, unless the church use has not been executed, or unless a time extension request is filed with the Community Development Department prior to expiration.
5. The church services would take place on Sunday between 10:00am and 2:00pm, and on Wednesday at 7:00pm. Other church activities would take place Monday, Tuesday and Friday starting at 7:00pm (See Exhibit A).
6. All signage shall be reviewed and approved by the Development Review Committee (DRC) as necessary, prior to installation.
7. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
8. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
9. Any site specific condition imposed by the Planning Commission in approving this project 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 approval of this project. 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 for this approval.

PASSED AND ADOPTED THIS 14<sup>th</sup> day of August, 2012 by the following Roll Call Vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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AL GARCIA, CHAIRMAN

ATTEST:

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ED GALLAGHER, SECRETARY OF THE PLANNING COMMISSION

RECEIVED

JUN 28 2012

Engineering Division

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PS BRAD E ALFORD**

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**PS BRAD E ALFORD**

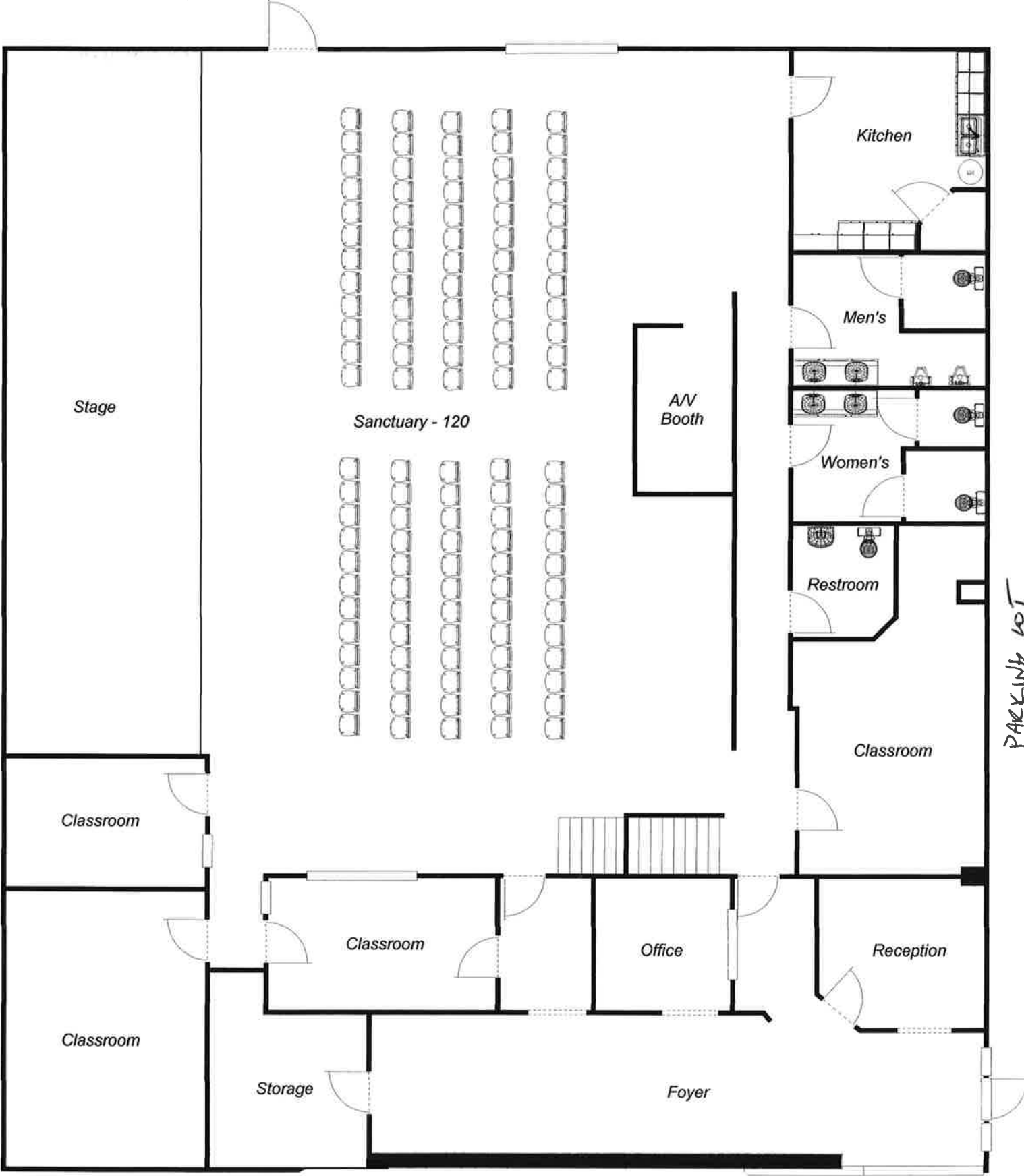
**805-550-5521**

Exhibit A  
Hours of Operation  
CUP 12-008  
530 12th Street  
(Newday Church)



# Newday Church Drawing G

P 1 1



12TH STREET

Exhibit B  
Floor Plan  
CUP 12-008  
530 12th Street  
(Newday Church)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

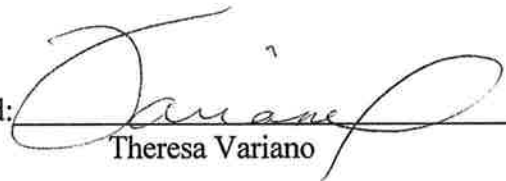
Newspaper: Tribune

Date of Publication: August 2, 2012

Hearing Date: August 14, 2012  
(Planning Commission)

Project: Conditional Use Permit 12-008 (Newday Church)

I, Theresa Variano, 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:   
Theresa Variano

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**CITY OF EL PASO DE ROBLES**  
**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, August 14, 2012, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following project:

Conditional Use Permit (CUP 12-008), a request by New Day Church to establish a church in the existing building located at 530 12th Street, Paso Robles, California.

The application and staff report may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970 or by email at dnash@pcity.com.

If you challenge the project 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.

Darren Nash  
Associate Planner  
August 2, 2012

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**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Theresa Variano, 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 12-008 (Newday Church) on this 31<sup>st</sup> day of July 2012.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: \_\_\_\_\_

  
Theresa Variano