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STAFF REPORT

Item # 5

To: Lemoore Planning Commission
From: Gloria Hobbs, Planning Technician / Joseph Mendiola, Assistant Planner
Review Date: May 14, 2007
Subject: Application by Larry J. Sullivan for Assembly of God Church for E.I.A. No. 2007-06 / Conditional Use Permit No. 2007-02 / Site Plan Review No. 2007-05

A. Plan Location & Description:

The Assembly of God Church is located on the south side of Bush Street east of Lemoore Avenue on 3.94 acres. The site address is 501 E. Bush Street, known as Assessors Parcel Number 023-040-002. The church complex has an existing sanctuary, a day care center (consisting of approximately 14,934 square feet of space), parking and play areas, and other ancillary structures.

The church is wanting to construct two (2) storage buildings a 1600 square foot (40' x 40') building and a 100 square foot (10' x 10') building, (making the total building square footages equal 16,634 square feet) because of a grant that they have access to which must be spent by the end of June 2007. The buildings will have pitched roofs and use T-III siding in 4'x8' sheets as shown in the attached drawings and should be painted to match adjacent buildings to blend into the backdrop. The larger of the two buildings is being proposed at east side of the site, south of an existing 474 square foot garage and north of a future play area. The smaller of the two buildings is being proposed at the southwest corner of the site, north of the existing 4,128 square foot community center/daycare facility and south of a trash enclosure.

B. Compliance with Conditional Use Permit Criteria:

The church is located in an R-1-7 zone district which only allows churches through the Conditional Use Process (CUP). Because the existing church is a CUP, any "accessory structures and uses located on the same site with a conditional use" are also subject to the CUP process under Section 9-7B-5 of the Zoning Ordinance.

The proposed addition is reviewed to determine its convenience with Section 9-15B-2E of the Lemoore Municipal Code, with is the CUP procedure.

Criteria 1. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.

The subject property has been a church for many years. It is located on the south side of Bush Street an "arterial" street, making this location convenient for serving large residential populations and desirable for these types of uses. The proposed additions for storage units are considered a minor addition to the site and do not change the intensity of the existing conditional use approved for the site. In order to adequate store unsightly objects, the proposed storage buildings are a needed component of the site.

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Criteria 2. That the proposed location of the Conditional Use is in accordance with the objectives of the Zoning Regulations and the purpose of the district in which the site is located.

The purpose of the R-1-7 (Single Family Residential) designation is “to promote and encourage a suitable environment for family life” and “to provide space for community facilities, needed to complement urban residential areas”. The proposed ancillary structures will provide the needed storage required by the church so it can continue to provide a safe and clutter free environment, for gathering and worshipping, to a growing community.

Criteria 3. That the proposed use will comply with each of the applicable provisions of the zoning regulations.

The submitted proposal is found to generally comply with all applicable zoning standards as stated in the “Site Plan Review” portion of this staff report.

C. Site Plan Review:

1. Yards, Spaces and Buffers:

The minimum distance between two structures should be not less than 10 feet as required per Section 9-7B-6:E. The 1,600 square foot building is being proposed at a distance of 10 feet south of the existing garage and approximately 14 feet east of the west-property line. No structure exists or is being proposed at this time to the south of the building and is designated as a future play area on the site map.

The 100 square foot building is being proposed at a distance of 6 feet north of the existing Community Center. This is unacceptable per Section 9-7B-6:E and will have to be moved 4-feet north to meet the 10 feet minimum setback requirement between structures. However there presently exists a trash enclosure to the north and a 10 feet clearance between these two structures will also be required. If 10 feet distance minimum can not be attained between each of the existing structures then a new location will need to be proposed for the smaller of the two storage buildings and reflected on a revised site plan.

The R-1-7 zone district allows a maximum lot coverage of 40%. At the present time, only 2.36 acres of the 3.94 acre church site have been substantially developed. Based on the 2.36 acres of land space, and the 16,634 square feet of buildings, the existing and proposed buildings will cover 16% as the developed site area and therefore is in compliance with these requirements.

2. Fences, Walls and Hedges:

A six foot (6') high chain link fence presently exists across the entire length at the rear of the property, the south property line. No other fencing is being proposed.

3. Play Area:

An existing chain-linked fenced play area of approximately 2,750 square feet is located adjacent to the Community Center/Preschool/Daycare facility. A second existing 1,750 square feet play area is located behind the Community Center/Preschool/Daycare facility. There is a 7,215 square foot area designated for future play area, however it is presently undeveloped.

4. Parking:

There are presently 79 parking spaces with 8 spaces provided for handicapped persons. No additional parking spaces are proposed for this project or required.

5. Landscaping:

The R-1-7 zone district requires that 25% of a lot to be landscaped and parcels adjacent to arterial or collector streets to have a 10' wide landscape easement strip with a solid ground cover and trees planted.

At the present time, only 2.36 acres of the 3.94 acre church site have been substantially developed. Therefore, staff feels that only 35% of the 2.36 acres should be required to be landscaped which equals 25,700 square feet. Approximately 35,719 square feet of site area is landscaped thereby meeting this requirement. Once the remainder of the site develops additional landscaping will need to be installed.

However, the site currently does not contain street trees in a "landscape easement" close to the public sidewalk and will need to be installed with this project along Bush Street. These trees need to be planted approximately 5 feet behind the sidewalk at a distance of 40 feet between each of their centers, in accordance with the City's Street Tree list and standards. This was originally a required condition of approval in 2001 when the City Council approved Resolution 2001-21 for the church to build the child care center and needs to be installed with this project. Because the streetscapes lacks many trees on both sides of the street, staff recommends planting trees along the entire frontage of the church site, rather than just across the developed portion with adequate irrigation.

6. Building Safety and infrastructure:

The storage buildings will need to be placed on permanent foundations and meet the City's Building Department standards. The proposed structures will need to be inspected by the Building Department for approval and appropriate permits pulled.

The site is currently served with City water, storm and refuse services which will not change based on the proposed project.

One City Street Light currently exists along the 500' property frontage along Bush Street, which is a City designated arterial street. City standards require that street lights be installed every 165' on arterials. Therefore the site may need up to two additional street lights installed along Bush Street per City standards. In the Public Works Director's comments he asks that street lighting be provided on Bush Street. This was originally a required condition of approval in 2001 when the City Council approved Resolution 2001-21 for the church to build the child care center, however the church was given the option to enter into a deferral agreement with the City. Staff is unsure if a deferral agreement was entered into but would require one if the improvements cannot be installed with this project as approved by the Public Works Director.

D. Public Input:

Notices were mailed to owners of properties located within a 300 feet radius of the project site and a public hearing was noticed in the Lemoore Advance. No comments have been received by this agency either against or in favor of the project.

E. Comments form Other Agencies/Departments:

Agencies and City Departments who may be impacted by project received notification. To date comments have been received from the Public Works Department, (see Attached)

F. Environmental Impact:

The project was determined to be categorically exempt under CEQA Article 19 Categorical Exemptions Section 15301(e)(1).

G. Recommendation:

Staff recommends that staff give a report, the public hearing be opened to take testimony, and the Planning Commission adopt the attached Resolution 2007-09 approving the Categorical Exemption and approving the Conditional Use Permit with the conditions stated therein.