



Legislation Text

File #: PC 17-033, Version: 1

PUBLIC HEARING to consider Minor Revision No. 1 to Use Permit No. U-06-23 of Elmira Baptist Church for the construction of a new 5400 square foot sanctuary, re-model of existing church facilities and parking lot improvements located at 6111 California Pacific Road, in the unincorporated community of Elmira, in an "RTC-20" Residential Traditional Community Zoning District, APN 0142-041-030. (Project Planner: Karen Avery)

RECOMMENDATION:

1. The Planning Commission ADOPT the Negative Declaration and the mandatory and additional findings with respect to Minor Revision No. 1 to Use Permit No. U-06-23 and;
2. The Planning Commission ADOPT the attached draft resolution and APPROVE Minor Revision No. 1 to Use Permit No. U-06-23, subject to the recommended Findings and Conditions of Approval.

EXECUTIVE SUMMARY:

The Elmira Baptist Church is requesting a minor revision to their use permit to construct a 5400 square foot sanctuary, re-model of the existing church facilities and improve the parking lot for the church site.

ENVIRONMENTAL ANALYSIS:

Per the California Environmental Quality Act (CEQA), a Draft Negative Declaration was prepared and circulated for public review and comment. The public comment ends on August 1, 2017. No comments have been received to date.

BACKGROUND:

On November 15, 2007, the Zoning Administrator granted Use Permit U-06-23 to Elmira Baptist Church for the addition of a modular classroom to the existing church facility.

PROPERTY INFORMATION:

- A. Applicant/Owner:**
Elmira Baptist Church
6111 California Pacific Road
PO Box 160
Elmira, CA 95625
- B. General Plan Land Use Designation/Zoning:**
General Plan: Traditional Community Mixed Use (TC-MU)
Zoning: Residential Traditional Community (RTC-20)
- C. Existing Use:** Church Facility
- D. Adjacent Zoning and Uses:**
North: Exclusive Agriculture (A-40/ vacant then row crop

South: Residential Traditional Community (RTC-20)/single family residence
East: Residential Traditional Community (RTC-20)/Southern Pacific Railroad Tracks
West: Residential Traditional Community (RTC-20)/single family residence

E. Environmental Setting

The project site is located at 6111 California Pacific Road in unincorporated Elmira. The project site is located in a traditional community residential area on a parcel approximately 1.27 acres in size. The Elmira Baptist Church has occupied the site since the 1950's. The parcel is developed with a 2500 sq. ft. stucco building used as a main church sanctuary with offices and restrooms. A modular building of 960 sq. ft. is connected to the stucco building and is used for classrooms. The only other structure on the property is a small storage shed located behind the modular building which is adjacent to a children's playground.

Access to the site is from two driveways off California Pacific Road. There are currently two parking areas on the site. One gravel parking lot located on the north side of the two existing buildings and one asphalt parking lot located to the south of the two existing buildings. These parking lots are separated by a grassy area in front of the existing sanctuary building and do not connect. The asphalt parking area on the south side connects to a gravel/grassy field that is used for additional parking. The property frontage along California Pacific Road is bordered by raised landscaped flowerbeds that contain trees, shrubs and annuals.

There is an existing free standing sign (24 sq. ft.) identifying the church. The plywood sign is mounted on wooden posts with indirect lights.

Water is provided by the Solano Irrigation District. The church recently completed a project connecting the existing facilities to the City of Vacaville's sanitary sewer system. Other utilities such as natural gas and electricity are on-site.

F. Project Description

The applicant is proposing to construct a 5,400 sq. ft. sanctuary as a phased construction project. The proposed sanctuary will be adjacent to the two existing buildings. The proposed sanctuary will accommodate a 230 non-fixed seat auditorium, staff offices, bookstore for church members and a break room for staff and church members. Upon completion of construction of the proposed sanctuary, the applicant proposes to modify the existing stucco building (former sanctuary) to accommodate the need for classrooms and additional restrooms. None of the existing buildings on the site are to be demolished.

Church services are held on Sunday with two main services; one at 9:45 a.m. and the second at 11:00 a.m. Smaller services are held at 6:00 p.m. on Sunday and 7:00 p.m. on Wednesday. Current attendance at the smaller services is 40-60 parishioners. Attendance at the main services are between 100-125 parishioners. No changes to the schedule of services is being proposed.

Access and Parking:

Access will continue to be from California Pacific Road. The current northern driveway will remain and lead to a parking area with eight parking spaces. The current southern driveway will be relocated and that parking lot expanded to include 34 parking spaces. This parking lot will include landscaped islands and four 25' light poles with LED lighting directed downward. In addition to the two parking lots, there will be nine new parking spaces along the western side of the new sanctuary. An additional 17 spaces will be located adjacent to California Pacific Road and will allow the two parking areas to connect. All new parking areas are proposed to be paved. The applicant has submitted a preliminary landscape plan which indicates five species of trees to be planted within the parking lot and along California Pacific Road.

Project Phasing:

The construction is proposed in four phases (duration of each phase is approximately six months):

Phase 1 - Site grading, utilities, foundation

Phase 2 - Construction begins of new sanctuary

Phase 3 - Install parking lot, obtain Certificate of Occupancy for new sanctuary

Phase 4 - Remodel of existing buildings

Discussion and Analysis

G. General Plan and Zoning Consistency

General Plan

The proposed project would occur on land designated Traditional Community Mixed Use. Per the Solano County General Plan, the designation of Traditional Community Mixed Use recognizes the current residential and mixed-use communities where previous development has occurred and specific to certain areas of the unincorporated county such as the Elmira area.

Zoning

The site is located on land zoned Residential Traditional Community which allows public assembly uses such as churches with an approved conditional use permit. The church was established in 1957 and has been in continuous operation since that time. In 2007, the Zoning Administrator approved a Use Permit to add a modular building to be used as classrooms as a part of the church campus. Although the existing church facility did not meet the current minimum site development standards, enumerated in Section 28.73.30A & B which were added to the Zoning Regulations in 1997, the Zoning Administrator approved the use permit for the addition of the modular building and waived the strict adherence to the modern day development standards. The Zoning Administrator reasoned that the church facilities were lawfully established prior to the additional development standards now in place and it would be unreasonable to expect that they could comply with each and every one of the new standards.

The church is now requesting a revision to the use permit to add a sanctuary building within the existing church facility site. The proposed sanctuary will meet many of the current minimum site development standards; however, as recognized by the approved 2007 use permit and waiver, the church facility will not meet all of the minimum development standards as defined in the Zoning Regulations. Specifically, the church will not meet the requirements in Section 28.73. 30B1.a, c, d, and j:

a. Located on a principal street on a minimum one-acre site.

California Pacific Road is not a principal street.

c. A six-foot-high decorative masonry wall shall be constructed and maintained on all side and rear property lines abutting R Districts, excepting the Rural Residential (RR) District.

The location of an alley, required parking spaces and shape of the parcel prohibit installing a six-foot high masonry wall along the side and rear property lines.

d. No building shall be located closer than twenty-five feet to any property line constituting the parcel boundary.

The existing modular classroom does not meet the 25' from rear or side property lines. However, the new sanctuary is placed on the parcel so that it meets the 25' from each parcel boundary.

j. The development standards set forth in subdivision (1) through (9), inclusive, shall not apply to the review

and consideration of any conditional use permit application that was filed prior to November 4, 1997. The minimum development standard for such applications are that the use shall be located on a principal street on a minimum on half acre parcel; and in all districts, shall maintain a minimum ten-foot wide landscape strip on all property lines abutting R districts.

The parcel is not located on a principal street and does not meet the landscaping buffer requirements of 10' due to the layout of the church facility on the lot.

As noted above, churches are an allowed use with an approved conditional use permit in the Residential Traditional Community zone district, the use permit and waiver for this church facility was established in 2007 during the planning review of the addition of the modular classroom. Because in 2007, it was determined that the existing church facility had been operating on the parcel since the 1950's and could not meet the 1997 development standards; the proposed sanctuary, re-model of the existing buildings, and parking lot improvements can also be found consistent with the intent of the County's Zoning Regulations.

H. Environmental Analysis

An Initial Study and Negative Declaration have been prepared for the project and circulated for public review. The public comment period expires August 1, 2017. No comments have been received to date. In summary, the Negative Declaration found that the project could not have a significant effect on the environment. Details regarding each of the California Environmental Quality Act (CEQA) checklist items considered for this project are discussed in Attachment C.

I. Project Review

As part of the Department of Resource Management project review process, the application Initial Study, and Negative Declaration have been reviewed by various County Departments, as well as other local agencies. Any recommended conditions of approval have been incorporated into the use permit resolution.

Solano County Building Division

The Building Division reviewed the application and commented that any new construction will require approval of a building permit. A condition of approval requiring a building permit is included below.

Solano County Public Works Engineering Division

California Pacific Road is a County of Solano maintained road. Any on-site grading and driveway improvements will require a grading permit and encroachment permit as noted in the conditions of approval below.

Solano County Environmental Health Division

At this time, the applicant has indicated that the breakroom/kitchen is for employee use only. If in the future, the kitchen use was to change to include food being prepared by members or guests, a food permit will be needed. The requirement for a food permit would also include an update to the kitchen facilities to meet the standards in the California Retail Food Code. This language is included in the conditions of approval below.

Solano Irrigation District

The project was reviewed by the Solano Irrigation District which provides potable water to the church facility. A complete list of their requirements is included below.

City of Vacaville

The City of Vacaville provided a "will serve" letter for the connection to the City of Vacaville sanitary system. No other comments were received from the City of Vacaville.

FINDINGS:

1. The establishment, maintenance, or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulations, population densities and distribution, and other aspects of the General Plan.

The church facility has been established on the property since the 1950's and churches are a conditionally permitted land use within the Traditional Community Mixed Use designation as well as the Residential Traditional Community Zoning District. Traffic circulation and population density and distribution would not be changed by this project

2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Vehicular access to the site will continue to be from two driveways off California Pacific Road. The site has existing electrical power and the building plans will be reviewed and approved by the Solano County Building and Safety Division before a permit is issued. Grading and drainage plans will be reviewed and approved by the Public Works Engineering Division. The Solano Irrigation District supplies potable water to the site and the City of Vacaville will provide septic service.

3. The subject use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

A Draft Initial Study and Negative Declaration was prepared and circulated by the Department of Resource Management. No potentially significant adverse environmental impacts are likely to occur with this project. Implementation of conditions of approval would prevent the project from creating significant effects to the persons residing or working in, or passing through the neighborhood; nor would the conditioned project be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

CONDITIONS OF APPROVAL:

General

1. Approval is hereby granted to the Elmira Baptist Church for the continued use of the church and the addition of a 5400 square foot sanctuary, the re-modeling of the existing sanctuary and modular classroom buildings and the improvements to the parking lot in accord with the application materials and development plans submitted with Minor Revision No. 1 of Use Permit U-06-23 and as approved by the Solano County Planning Commission.
2. The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust or other impacts, which constitute a hazard or nuisance to motorists, persons or property in the surrounding areas.
3. No additional uses or new or expanded buildings shall be established or constructed beyond those identified on the approved development plans without prior approval of a new, revised, or amended use permit.
4. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris

and junk.

5. The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust or other impacts which constitute a hazard or nuisance to surrounding properties.
6. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
7. The Minimum Development Standards enumerated in Section 28.73.30A & B of the Zoning Regulations are waived and shall not be applied to the new church sanctuary and existing improvements.
8. A permittee shall apply for and obtain a sign permit from the Department of Resource Management prior to installation of new signage.
9. Failure to comply with any of the conditions or limitations set forth in the subject conditions of approval shall be cause for the revocation of this permit.
10. This use permit is approved for an indefinite term and shall be subject to periodic compliance review every five years beginning on August 3, 2022. Cost for the compliance review will be subject to the Board of Supervisor's approved fees at that time.

Building & Safety Division

11. Prior to any construction or improvements taking place, a Building Permit Application shall be submitted as per Section 105 of the 2010 California Building Code, or the latest edition enforced at the time of building permit application. "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit."
12. The building and any site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the 2016 California Building Code Chapter(s) 1,2,3,5,6,7,8, and A5 for Voluntary Measures. The building shall meet all the requirements for commissioning a Green Building due to the size exceeding 10,000 square feet. The commissioning information is found in Section 5.410.2 of the 2016 California Green Building Code (CalGreen). The building shall be designed by a licenses and/or registered architect/engineer who is knowledgeable in Green Building Codes.
13. No building shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Solano County Building Official has issued a certificate of occupancy.
14. Permittee shall obtain a separate permit for any grading.
15. A geotechnical/soils report shall be required for any expansions to existing buildings or for the construction of new buildings.
16. The building permit plans shall include a code analysis as listed below and the design shall be under

the 2016 California Codes and all current rules, regulations, laws and ordinances of the local, state, and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:

- A) Occupancy Classification
- B) Type of Construction
- C) Seismic Zone
- D) Location of Property
- E) Height of all buildings and structures
- F) Square footage
- G) Occupant Load
- H) Allowable Floor Area
- I) Height and Number of Stories

17. Plans and Specifications shall meet the requirements as per Section 107 of the 2016 California Building Code. "Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional." Electronic media documents are permitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provision of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.
18. The site and all facilities shall meet all of the accessibility requirement found in Chapter 11B of the 2016 California Building Code. The designer is required to design for the most restrictive requirements between ADA Federal Law and the 2016 California Building Code. The Solano County Building Division will be reviewing the plans for the most restrictive requirements of the two. There shall be a complete site plan, drawn to scale and designed by a licensed architect reflecting all site accessibility.
19. All accessible paths of travel and parking areas shall be a hard-scaped surface and shall meet all of the worst case requirements between Chapter 11B of the 2016 California Building Code and the ADA Federal Law.
20. The Fire District will reassess the site for fire, life and safety requirements.

Environmental Health Division

21. Environmental Health is not requiring a food permit at this time as the permittee has indicated that the kitchen facilities inside the church are for employee/breakroom use only. Should the permittee decide to change the function to a use that allows members, guests or others to prepare food for service either on or off-site, a food permit shall be required. Prior to utilizing any kitchen facilities for food service, the applicant shall submit plans to Environmental Health for review and approval. The permittee may apply for a food permit once the facilities have been constructed to meet California Retail Food Code requirements and received a final inspection by the Environmental Health Division.

Public Works Engineering

22. The permittee shall apply for, secure and abide by the terms and conditions of grading permit prior to any onsite grading. The permittee shall submit improvement plans to Public Works Engineering for

review and approval by the appropriate official. The review of plans and inspection of the construction is subject to fees to cover the cost to Public Works Engineering.

23. The permittee shall apply for, secure and abide by the conditions of an encroachment permit for any work that is proposed within the County right-of-way including any planned driveway connections to California Pacific Road. All private driveway connections to public roads shall meet Solano County Road Improvement Standards and Land Development Requirements.

Solano Irrigation District

24. The Elmira Improvement District currently provides the parcel with a 1" potable water service and 2" fire service. Raw irrigation water is currently unavailable to the site.
25. The improvement plans shall include a District signature block, latest revision, on the title sheet for District approval of the plan set.
26. The relocated fire hydrant and the new proposed irrigation service need to reference the appropriate Standard Details, latest revision, and the Standard Details must be included in the improvement plan set.
27. Prior to SID approval:
- a. The developer shall be required to sign and pay for a work order. The work order is the mechanism to which all fees and charges associated with District staff time/or materials will be charged for reimbursement from the landowner.
 - b. The developer shall pay the current Elmira Improvement District fee, as outlined in Resolution 91-36, for the new landscape irrigation service. The connection fee is \$5,040.00.
28. All costs related to the installation of the new landscape irrigation service and the relocation of the existing fire hydrant shall be borne by the developer.
29. Prior to construction, the developer's contractor shall be required to apply for and obtain a standard District Encroachment Permit. The encroachment filing fee is \$125.00 and the deposit is \$1,200.00.
30. Electronic AutoCAD files are required upon the completion of the project showing "as-builts" for electronic archiving.

ATTACHMENTS:

- A - Draft Resolution
- B - Assessor Map
- C - Negative Declaration
- D1-4 - Development Plans