



REPORT TO THE PLANNING COMMISSION

DATE: JANUARY 13, 2015

TO: HONORABLE CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: ALEXANDER P. MEYERHOFF, AICP
DIRECTOR OF COMMUNITY DEVELOPMENT

RE: CONDITIONAL USE PERMIT NO. 02-14, LOCATED AT 65909 PIERSON BLVD.

RECOMMENDATION

1. Open the Public Hearing;
2. Take Testimony;
3. Close Public Hearing;
4. Approve Conditional Use Permit No. 02-14 for church and ancillary uses, located at 65909 Pierson Blvd.

EXECUTIVE SUMMARY

Calvary Chapel of Desert Hot Springs, Pastor Todd Dilberto, the Applicant, has submitted an application for a Conditional Use Permit to convert the former American legion building into a church. The 9,800 square foot site accommodates a 2,420 square foot single story building. The applicant has made this application in response to a Code Enforcement action.

Calvary Chapel Desert Hot Springs was formed in 2007, originally as an outreach ministry of a larger Calvary Chapel located in Cathedral City. The church is a non-denominational congregation. Calvary Chapel Desert Hot Springs is part of the nationwide Calvary Chapel organization. Their mission is to be independent and self-sustaining, as all the Calvary churches are. In July 2007, the church incorporated under the law of the State of California. They received Exempt status from Internal Revenue Service under code section 501(c)(3) in July, 2007.

The church has met in several locations in Desert Hot Springs, in hopes of finding some permanent and large enough to support growth. The first met in the City Council Chambers, then moved to the Baptist church on Second Street, two different hotels, the High School and a building adjacent to the Mission Springs Water District. They are requesting approval of the Conditional Use Permit by the Planning Commission to locate at 65909 Pierson (across from City Hall). This building was formerly occupied by the American Legion.

The church presently has an average attendance on Sunday mornings of 40-50 adults plus children. They offer a Sunday school for ages 6-13, a nursery. Teens, children and adults will worship together in the sanctuary, which will seat 95. Additionally, they have a Wednesday night Bible Study group that is attended by about 15 adults.

The project is consistent with the adopted City of Desert Hot Springs Comprehensive General Plan Land Use Element. Staff recommends that the Planning Commission approve the project as conditioned.

BACKGROUND

The project site is located at 65909 Pierson Blvd. (Assessor Parcel Number: 663-302-003) and is zoned General Commercial (C-G)

There are vacant lots to the east and west boundaries of the site. Single-family residential uses exist to the south of the site. The lot is rectangle in shape and consists of elevation grades ranging from a maximum height of 1,063 feet above the mean sea level at the top of the curb on Pierson Blvd. to its lowest elevation grade of 1,059 feet above the mean sea level on the southernmost portion of the site. The Zoning and General Plan Designations within the Project are:

Zoning & General Plan Designations:

Subject Site = General Commercial (C-G)
 North = Vortex Specific Plan: Civic Center
 East = General Commercial (C-G)
 South = General Commercial (C-G)
 West = General Commercial (C-G)

Current Land Use:

Vacant Retail enter
 City Hall, Unimproved
 Unimproved
 Single Family Residential
 Unimproved

Existing Improvements

Existing improvements on the site include a 2,420 square foot single story commercial building, paved parking lot which accommodates ten (10) parking spaces, curb, gutters and sidewalks along the entire Pierson Blvd frontage, block retaining wall, trash enclosure, landscape planting area and monument sign.

Landscaping

The applicant will be upgrading the landscaping along the street frontage. Given that the site is largely paved, staff recommends that the Planning Commission allow staff to work with the applicant to ensure installation of a functional irrigation system with low water using a native desert plant palate.

Walls

No additional walls are proposed.

Conditional Use Permit – Church

Churches are allowed with a conditional use permit in the General Commercial Zone. The proposed project includes a 1,445 square foot worship hall, education center, lobby, office, kitchen, day care and three restrooms. The congregation averages attendance of 45 to 50 members each Sunday. Church staff includes a Pastor and Secretary that also serves as the Custodian.

The church's operational times and staffing are as follows:

- Sunday – 10:00 a.m. - Noon Worship for the family
- Wednesday – 6:30 pm to 8:00 pm Adult Bible Study

Parking

The parking requirements for a church are calculated based on the primary sanctuary or principle area which usually accounts for some secondary uses such as small meeting rooms, offices and nursery (church use only and not for outside services). The total requirement of ten (10) parking spaces can be accommodated on site and should therefore be sufficient for the proposed church use. The principle area may also be utilized for other functions and the current parking requirement considers multi-purpose uses as well.

Noise

Eventually, additional commercial buildings will be constructed to the east and west of the site. The Vortex Specific Plan calls for a Civic Center to the north. In addition the Desert Hot Springs High School is located to the north west of the project site. The Police Station, and Fire Station, Library, Senior Center, Skate Park and Carl May Center are all located within lose proximity to this site. The neighborhood immediately to the south of the site is currently developed with residential

homes. Staff recommends that the Planning Commission impose a Condition of Approval requiring the applicant keep all doors/openings closed during church worship services to reduce and eliminate any noise issues with adjacent residential uses.

Signage

The project includes an existing, low profile monument sign and a building mounted wall sign. The applicant is required to secure a sign permit for all proposed signs prior to commencing operations.

Conditional Use Permit Findings:

1. That the proposed use is conditionally permitted within the subject land use district pursuant to Table 17.12.01 of Section of the City's Zoning Ordinance and a Conditional Use Permit would be appropriate for the proposed used in General Commercial (C-G) zoned sites. The proposed use complies with all of the applicable provisions of the City's Zoning Ordinance in that it complies with zoning designation, design and development standards applicable to the propose use.
2. That the proposed use will not impair the integrity and character of the land use district in which it is located as the proposed use is integrated as a church which has been determined to be an appropriate use within the General Commercial zoning district of the City.
3. That the subject site is physically suitable for the type and intensity of land use being proposed. The project proposes the reuse of an existing building totaling 2,040 square feet on a 9,800 square foot site. The project meets the minimum development standards of the General Commercial zoning district.
4. That the proposed use is compatible with the land uses presently within the vicinity in that the use is located within other general commercial zoned land.
5. That the proposed use would be compatible with existing and future land uses within the general area in which the proposed use is located as the proposed hotel is similar in use and intensity to the other nearby uses.
6. That the proposed use is compatible in scale, mass, coverage, density, and intensity with all adjacent land uses as the project's existing 2,040 square foot building on a 9,800 square foot site meet the minimum lot size and maximum lot coverage standards of the General Commercial zoning district.
7. That there are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
8. That there is adequate public access and roadway capacity to serve the subject proposal. The project is located on Pierson Blvd. Pierson Blvd is designated as a Minor Collector as identified on the City's General Plan Roadway Classification Map. The project has vehicle ingress and egress from this roadway. Existing street improvements provide for safe traffic circulation along the site frontage.
9. That there will not be an adverse effect upon desirable neighborhood characteristics as the project will adhere to all applicable zoning and building code requirements.
10. That the proposed use is needed or appropriate at the prescribed location. Hotels are conditionally permitted in the General Commercial (C-G) zoning district. Therefore, the proposed project is in an appropriate location.
11. That the proposed use is consistent with the General Plan as Commercial Policy 2 of the General Plan Land Use Element states that "Sufficient lands shall be designated to provide a full range of commercial services to the community and surrounding areas for present and

future years.” The proposed hotel use accomplishes this goal as it is in compliance with all standards of the General Commercial (C-G) zoning district.

12. That there will not be significant harmful effects upon environmental quality and natural resources in that the project qualifies as a Class 1 Categorical Exemption of Section 15301 (Existing Facilities) of the California Environmental Quality Act. The project meets all criteria for the exemption.
13. That the negative impacts of the proposed use are mitigated and/or a mitigated negative declaration may be filed in that although the project is exempt from CEQA, City standard conditions of approval mitigate any impacts the project may have.
14. That the proposed location, size, design, and operating characteristics of the proposed use would not be detrimental to the public interests, health, safety, convenience, or welfare of the City in that the proposed site will be inspected for compliance with the minimum building code and fire code requirements and all Conditions of Approval of this approval which will run with the land as long as the use exists.

ENVIRONMENTAL

Pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act, the proposed project, the operation of a place of worship within an existing commercial building, is Categorically Exempt from further environmental review under state law.

FISCAL IMPACT

There is no fiscal impact as a result of this action.

EXHIBIT(S)

1. Site Plans, Floor Plans
2. Draft CEQA Notice of Exemption
3. Conditions of Approval

