

STAFF ANALYSIS

PROJECT NUMBER

02-124-(4)

CASE NUMBER

Conditional Use Permit Case No. 02-124-(4)

OVERVIEW OF PROPOSED PROJECT

The applicant is requesting a Conditional Use Permit (CUP) to authorize the establishment of a church facility in the R-1-12,000-DP (Single Family Residence, 12,000 square foot minimum lot size, Development Program) zone.

A duly noticed public hearing was scheduled before the Regional Planning Commission on June 4, 2003 on the project. The request was to develop a church and a convent comprised of five detached buildings. The Planning Commission, the Rowland Heights Community Coordinating Council (RHCCC) and residents raised concerns regarding the scale and intensity of the project. After receiving testimony, the Commission voted to take the matter off-calendar to provide additional time for the applicant to meet with the RHCCC and revise the project to address community concerns.

The applicant has since revised the project consisting of three buildings: a one-story chapel building, two-story classroom building and two-story parking structure. The proposed use is for religious worship and other auxiliary activities such as prayer meetings, seminaries, Sunday school, bible study groups, fellowships and outreach events. The proposed facility will include chapel building comprised of a sanctuary with seating for 250 persons, an office area, bride and cry rooms, storage and mechanical equipment rooms. The classroom building consists of 12 classrooms, an administration office, kitchen, storage room and a guest living quarter. The two-story parking structure consists of 96 parking spaces.

DESCRIPTION OF SUBJECT PROPERTY

Location

The 3.43 acre subject property (APN No. 8269-016-071) is located at the northwest corner of the intersection of Brea Canyon Cutoff Road and Balan Road, Roland Heights, in the San Jose Zoned District.

Physical Features

The triangular shaped subject property is currently vacant and consists of sloping topography with a graded pad. The subject property is covered with bushes and weeds. An existing L.A. County Flood Control District easement runs along the southern boundary of the property and a storm drainage easement is situated at the intersection of Brea Canyon Cutoff and Balan Roads.

Access

The subject property takes access from Brea Canyon Cutoff Road which is a

designated Limited Secondary Highway with 90 feet of right-of-way. The applicant proposes to provide a 26-foot wide driveway to serve the development.

Operation

The church will have regular hours of operation from 6:00 a.m. to 10:00 p.m. Monday through Sunday, services will be held on Saturdays and Sundays, meetings and other church functions will be held at various days and time but no later than 10:00 p.m.

ENTITLEMENT REQUESTED

The applicant is requesting a Conditional Use Permit to authorize the establishment of a church with auxiliary uses in the R-1-12,000-DP zone.

EXISTING ZONING

Subject Property

Zoning on the subject property is R-1-12,000-DP (Single Family Residence, 12,000 square foot minimum lot size, Development Program).

Surrounding Properties

Surrounding zoning area zoned as follows:

North: A-1-20,000 (Light Agricultural, 20,000 square foot minimum lot size)

South: R-1-12,000-DP (Single-family Residence, 12,000 square foot minimum lot size, Development program)

East: RPD-10,000-13U (Residential Planned Development, 10,000 square foot minimum lot size, 13 units per acre), A-1-20,000 (Light Agricultural, 20,000 square foot minimum lot size)

West: A-1-10,000 (Light Agricultural, 10,000 square foot minimum lot size)

EXISTING LAND USES

Subject Property

The subject property is currently vacant.

Surrounding Properties

Surrounding properties contain the following uses:

North: Church, Multifamily residences

South: Single-family residences

East: Multifamily residences

West: Single-family residences

PREVIOUS CASES/ZONING HISTORY

Tentative Tract Map No. 36375 and CUP97034 were approved on November 18, 1997 by the hearing officer to create 57 single-family lots on 58.5 acres and to ensure compliance with hillside management development criteria and Development Program Zoning Addendum.

The Final Tract Map for this project was recorded on January 19, 2000. The subject property is Lot # 57 of the recorded map. The conditions of approval for CUP97034 require 72.56 percent of the subject property to remain undeveloped.

ROWLAND HEIGHTS COMMUNITY GENERAL PLAN

The subject property is designated N2 (Non Urban 2) in the Rowland Heights Community General Plan. This designation allows low-density residential development between 0.3 and 1 unit per gross acre. The Land Use element of the Plan indicates that, "all urban classifications may include such services and facilities as schools, utility stations and churches, subject to necessary permit procedures." The subject property is located within an established residential community developed at density consistent with urban density. Therefore, the requested use is consistent with the adopted local plan for the area. There are no other pertinent Plan policies related to the proposed project.

SITE PLAN

Overview

The applicant's site plan depicts three buildings consisting of a 5,884 square-foot one-story chapel building, 8,802 square-foot two-story classroom building and 31,196 square-foot two-story parking structure to accommodate 96 parking spaces. The chapel building, the largest assembly area, is located at the center of the property and according to the Occupant Load, as determined by the County Engineer, can hold a maximum of 403 people. The proposed parking structure is located on the northerly portion of the site with 96 parking spaces to accommodate the proposed development. The two-story proposed classroom building, located to the south of the chapel, has 12 classrooms, a guest living quarter, in addition to space for administrative office, storage and other church related uses. The remainder area of the site will be developed with landscaping, driveway and walkways made of permeable and non permeable pavement materials.

The proposed vehicular entrance to the project is located at the northwest edge of the property facing Brea Canyon Cutoff Road and runs parallel to the western property boundary. In addition, it is consistent with the paved 26-foot wide fire lane recommended by the Fire Department. The two pedestrian entrances proposed along Balan Road will be for Fire Department use only and will provide direct access to the chapel and classroom buildings.

Compliance with Applicable Zoning Standards

Per section 22.20.100.A of the County Code, the subject property is considered part of churches, temples or other places used exclusively for religious worship, including customary, incidental educational and social activities in conjunction therewith. This category is subject to a conditional use permit under zone R-1.

Unless specifically modified by a conditional use permit during the discretionary review process, premises in Zone R-1 shall be subject to the following development standards:

- Lot Size: The zone R-1-12,000 determines that the minimum lot size is 12,000 square-feet.

The subject lot size is 149,377 square feet. Therefore, this requirement has been met.

- Open Space: As a requirement by the condition of approval of CUP97034, the maximum developable area (including buildings and non-permeable paved areas) shall be 27.4 percent (40,990 square feet) of the total area of the lot. The remaining area shall consist of landscaped grounds and permeable pavement with a minimum of 70 percent of grass or other vegetative material.

The Site Plan proposes total site coverage of 27.4 percent (40,972 square feet). Therefore, the proposed development is consistent with the requirement.

- Height: Per section 22.20.110 of the County Code, a building shall not exceed a height limit of 35 feet above grade, except for chimneys and rooftop antennas.

The proposed structures are 35 feet high or lower, except for the bell tower (part of the chapel building) that is requested to have maximum height of 43'2". Therefore, the requirement has not been met. Pursuant to section 22.56.110 of this County Code: "unless specifically modified by a conditional use permit, all regulations prescribed in the zone in which such conditional use permit is granted shall apply." The applicant is requesting modification of this requirement to accommodate the bell tower.

- Yard: Per section 22.20.120 of the County Code, Front Yards shall be no less than 20 feet in depth; Corner Side Yard shall be no less than 10 feet on reversed corner lots or five feet on other corner lots; Interior Side Yard shall be no less than five feet; Rear Yards shall be no less than 15 feet in A-1 zone.

The site plan depicts a front yard of 43 feet and a rear yard of 46 feet. Therefore the requirements have been met.

- Parking: Per section 22.52.1095 of the County Code, parking required for churches are calculated at a ratio of one parking space per every five persons based on the occupant load of the largest assembly area as determined by the county engineer.

The occupant load of the largest assembly area (chapel) was determined to be 403. Therefore, the parking requirement would be 81 spaces. The site plan depicts 96 spaces. Therefore, this requirement has been met.

Per section 22.52.1070 of the County Code, parking for handicapped persons shall be provided according to a table that depicts total number of parking spaces and the correspondent number of handicapped parking spaces required.

The site plan depicts 96 spaces with four spaces reserved for people with disabilities. According to County regulation, three handicapped spaces shall be provided. Therefore, this requirement has been met.

- Signage: Per section 22.52.970.B.1 of the County Code, Civic Organization

Signs shall not exceed 50 square feet in sign area or 100 square feet in total sign area. It shall not exceed a maximum height of 15 feet, measured vertically from the base of the sign.

The proposed signage is comprised of metal letters 3 feet in height by 13.5 in length. The letters are mounted on 5 a foot-tall stucco wall located at the northern boundary of the property by the driveway entrance. The total area of the signage is 40.5 square feet. The sign proposed height is 6 feet. Therefore, the proposed sign is consistent with the requirement.

Rowland Heights Community Standard District

Section 22.44.132 of the County Code establishes the Rowland Heights Community Standards Districts, the intent of which is to implement the Rowland Heights Community Plan. The following development standards are applicable to the proposed project:

- Front Yard Landscaping: Per section 22.44.132.D.1.a of the County Code, a minimum of 50 percent of the required front yard area shall contain landscaping consisting of grass, shrubs, trees, and other similar plant materials. Paved or all-gravel surfaces may not be included as part of the required landscaped area.
The subject property front yard was calculated to be approximately 21,700 square feet in area, of which more than 90 percent is landscaped. Therefore, this requirement has been met.
- Per section 22.44.132.C of the County Code, all properties shall be neatly maintained, and yard areas that are visible from the streets shall be free of debris, trash, lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.
Compliance with this standard would be required as part of the recommended conditions of approval.
- Per section 22.44.132.D.1.b of the County Code, trash containers and dumpsters stored in the front or side yard areas shall be screened from views from streets, walkways, and adjacent residences.
Compliance with this standard would be required if the project were to be approved.

Summary Table of Compliance with Development Standards

Applicable Standards	Compliance Yes/No
Neighborhood Land Use Compatibility	Yes
Height	No
Setback	Yes
Front Yard Landscaping	Yes
Rear Yard	Yes
Side Yard	Yes
Parking	Yes

Signage	Yes
Lot Size	Yes

BURDEN OF PROOF

As Required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall demonstrate to the satisfaction of the Hearing Officer and/or the Commission, the following facts:

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with uses in the surrounding area.
- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - 2. By other public or private service facilities as are required.

The applicant's Burden of Proof responses are attached to this document (Attachment A).

ENVIRONMENTAL DOCUMENTATION

An Initial Study for this project was prepared in compliance with the environmental guidelines and reporting procedures of the County of Los Angeles and the California Environmental Quality Act (CEQA). The project redesign and recommendations addressed the reduction of development area, increase landscaping coverage area, reduction of the number of proposed buildings from five to three, relocation of access, and the inclusion of project conditions to avoid potential noise impacts which include no outdoor public address system, bells or motors or air conditioners that violate the Los Angeles County Code for Noise Control.

Based on the factors mentioned above, the Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation for this project under CEQA reporting requirements.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

County of Los Angeles Fire Department

In letter dated May 29, 2007, the Fire Department indicates that required conditions regarding access and fire hydrants are adequate as shown on the site plan dated February 06, 2008 (Attachment B).

County of Los Angeles Public Works Department

In letter dated December 5, 2006, the Public Works Department recommends four conditions upon approval. The conditions address vehicular access, access locations and parking circulation, and repair of any displaced, broken or damaged curb, gutter, sidewalk, or pavement along property frontage to public streets (Attachment C).

County of Los Angeles Public Health Department

In letter dated March 6, 2007, the Public Health Department recommends to minimize potential noise impacts to surrounding properties during construction and operation phases (Attachment D).

LEGAL NOTIFICATION/COMMUNITY OUTREACH

Hearing notices were mailed to 94 property owners and residents within a 500-foot radius of the subject property on August 19, 2008. Case materials and the environmental document were mailed to Rowland Heights County Library on August 05, 2008. Advertisements were published in the San Gabriel Valley Tribune and *La Opinion* on August 12 and 9, 2008 respectively. According to the applicant, public hearing notices were posted at the project site on August 24, 2008.

PUBLIC COMMENTS

Staff has received two phone calls and one letter regarding this project at the time of this report. The callers requested more information about the project and expressed concern about traffic circulation, impact to property values and increase of development in the neighborhood. A letter dated July 11, 2006, from the Rowland Heights Community Coordinating Council (HRCCC) expressed support for the project with recommendations by the RHCCC Board, Development Committee and the community (Attachment E).

STAFF EVALUATION

According to the applicant, the congregation has out grown the current facility located in a shopping center. In addition to space needed to accommodate future needs of the congregation, which majority is from the Rowland Heights area, the church wants to provide a safer environment for the children who now play on inappropriate area. The church will maintain a regular hours of operation from 6:00 a.m. to 10:00 p.m., services will be held on Saturdays and Sundays, meetings and other church functions will be held at various days and time but no later than 10:00 p.m.

The proposed project is consistent with the Countywide General Plan and the Rowland Heights Community General Plan. The subject property is of sufficient size to accommodate the proposed buildings and required parking. The property will be served by public sanitary and water facilities and has direct access to a highway. Through the project's environmental review, county staff has determined that the project will have less than significant or no impact on the environment. Therefore, a Negative Declaration

was recommended.

The proposed classrooms are intended to be used for Sunday school and religious activities only. There will not be pre-school, day care or elementary school functions associated with this proposal unless specifically authorized in a subsequent conditional use permit. The applicant is not proposing any outdoor activities or fundraisers at this time. As the congregation develops, however, they may wish to pursue such events. As a condition of approval, such events will be limited to four times a year and would require a temporary use permit.

The subject plan is in compliance with the Rowland Heights Community Standard District regulations and all other applicable zoning standards, except for the proposed bell tower located as part of the chapel building. The applicant is requesting a modification of the bell tower height to be 43'2" above finished grade. Although this architectural feature exceeds the maximum height of 35 feet by eight feet and two inches, staff recommends approval of this modification request since a bell tower is a traditional feature of a church.

If approved, staff recommends a twenty (20) year term for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected annually for compliance with the final conditions of approval.

FEES/DEPOSITS

If approved as recommended by staff, the following will apply:

Fish & Game:

1. Processing fees of \$1,975.75 related to posting the Notice of Determination with the County Clerk.

Zoning Enforcement:

2. Cost recovery deposit of \$3,000.00 to cover the costs of the 20 recommended annual zoning enforcement inspections. Additional funds would be required if violations are found on the property.

STAFF RECOMMENDATION

Prior to making a decision on this case, Staff recommends the Planning Commission consider the facts, analysis and correspondence contained in this report along with the oral testimony and/or written comments received during the public hearing.

If the Commission finds the applicant satisfies the conditional use permit burden of proof requirements for this request, than Staff recommends **Approval** of Conditional Use Permit No. 02-124-(4), subject to the attached draft conditions.

SUGGESTED MOTION

“I MOVE THAT THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION APPROVES CONDITIONAL USE PERMIT NO. 02-124-(4) WITH FINDINGS AND CONDITIONS AND ADOPT THE NEGATIVE DECLARATION ASSOCIATED WITH THE PROJECT.”

Report prepared by Carolina Santoro Blengini, Regional Planning Assistant II
Reviewed by Samuel Dea, Section Head of Special Projects Section

Attachments:

Draft Findings and Conditions
Burden of Proof Statement
Environmental Documentation
Copy of Thomas Brothers Map
Land Use Map
Site Plan
Photographs
Agency Correspondence
Additional Correspondence
Project Description from Applicant