



PLANNING COMMISSION STAFF REPORT

To: Planning Commission Members
From: Liz Fields, AICP, Planner
Meeting Date: March 8, 2023

PC 23-08 Conditional Use | Church - 650 Harrison Ave

Property Information: Location: 650 Harrison Ave
Zoning: R-3, Central Residential District
Property Size: 0.608 acres
Proposed Use: Church
Proposed # of Seats: 52

Project Overview: The applicants, Gary and Tony Lee, are proposing to open a new church at the existing building at 650 Harrison Ave. The subject property is zoned R-3, Central Residential District, and churches are a conditional use in that zoning district.

Comments: Conditional Use General Standards for Approval:

1. The proposed use is a Conditional use in the zoning district for which it is proposed. **Churches are an identified conditional use in the R-3 zoning district.**
2. The proposed Conditional Use will be in accordance with the general objectives, or with any specific objective, of the City's Comprehensive Development Plan or this UDO. **The proposed lot does not meet the required minimum lot size for churches in the R-3 district. The requirement is 2 acres, and the subject property is 0.608 acres in size. Additionally, the existing building on this site does not meet the required side and rear setbacks for the R-3 zoning district. This lot was previously used for a church and the applicant is not proposed to enlarge the**

existing building, so staff is not concerned about these inconsistencies with the UDO.

3. The proposed Conditional Use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the neighborhood. **Neighborhood-scale churches are common in residential areas and this property has been used as a church on and off for some time. The proposed use will need to improve the site per code to ensure consistency with the surrounding area and the UDO.**
4. The proposed Conditional Use will not be hazardous or unreasonably disturbing to existing or future neighboring uses. **It is not expected that this use will be hazardous or unreasonably disturbing to adjacent residential uses.**
5. The proposed Conditional Use will be served adequately by essential public facilities and services such as streets, police and fire protection, drainage, water and sewer, or the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such services. **Yes, if the site is improved with a paved entrance, circulation area, and parking area.**
6. The proposed Conditional Use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. **No.**
7. The proposed Conditional Use will not involve uses, activities, processes, materials, equipment and conditions or operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors. **Yes.**
8. The proposed Conditional Use will have vehicular approaches to the property that are designed so as not to interfere with traffic on surrounding public thoroughfares. **The applicant will need to construct and pave an entrance to the property per the City's UDO.**
9. The proposed Conditional Use will not result in the destruction, loss, or damage of a natural, scenic, or historic features of major importance. **The applicant is proposing to utilize an existing building therefore there will not be significant loss of features or structures on the site.**

Conditional Use Specific Standards for Churches: The following standards are specific standards that apply to churches.

1. The place of worship shall be used only for the purposes of the local congregation or organization and shall not be operated as or in connection with any commercial use, except that the renting of rooms for community service purposes is permitted.
2. The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.

3. Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.
4. The proposed use shall comply with the Landscaping Standards contained in section 1111.06.
5. Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially zoned properties.
6. In residential districts, all buildings shall be set back an additional one foot (1') over the usual yard requirements for each one foot (1') of the building that exceeds thirty-five feet (35') in height.
7. The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.
8. A cemetery associated with a church shall require a separate Conditional Use Permit under 1113.01(e)(6).
9. Nursery, kindergarten, day care and compulsory (grades 1 through 12) schools shall be permitted accessory uses to a church; however, any outdoor playgrounds, tot lots, exercise areas, etc., shall be enclosed or otherwise protected from traffic or other hazards. The area shall be enclosed by a fence or wall a minimum of five feet (5') in height, except when the recreational area abuts a residential property, in which case it shall be enclosed by a solid wood fence or masonry wall six feet (6') high along.

Recommendation:

Staff recommends approval of the proposed conditional use permit for a church at 650 Harrison Ave in the R-3 zoning district per the following condition:

1. A parking plan shall be submitted that shows a paved entrance, circulation area, and a minimum of 13 parking spaces per Section 1111.07 to staff for review and approval.
 2. A sign permit shall be submitted in accordance with the regulations in Section 1111.08 to staff for review and approval.
 3. A landscape plan shall be submitted in accordance with the regulations in Section 1111.06 to staff for review and approval.
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