

To: Spring Lake Park City Council  
City of Spring Lake Park

From: Phil Carlson, Stantec

File: Bethel City of Hope  
8485 Plaza Blvd NE  
Applicant: Joe Nick, City of Hope  
Owners: Brian & Peter Lunseth

Date: February 1, 2021

**Re: Conditional Use Permit, Bethel City of Hope Church, 8485 Plaza Blvd NE**

## INTRODUCTION

Bethel City of Hope Church wants to lease space in the multi-tenant building at 8485 Plaza Blvd NE. Churches are considered an “assembly” use in the Zoning Code, requiring a Conditional Use Permit. The church would occupy an existing space (Unit D) in the building and make little or no changes to the building and site.

The property is guided Commercial and zoned C-1 Shopping Center Commercial. “Assembly uses, including auditoriums, religious and philanthropic uses” are by Conditional Use Permit in the C-1 district.

Surrounding uses are commercial in the other building tenant spaces and other parcels both south and north on the same block; church and industrial in the block to the east; commercial uses across 85<sup>th</sup> Avenue in Blaine; and Highway 65 to the west.

The Planning Commission considered the request at a public hearing at their January 25, 2021 meeting and gave no clear recommendation, splitting 3-3 on a motion to approve the request.



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## **SITE ISSUES – CONDITIONAL USE PERMIT**

The Zoning Code allows the City to impose reasonable conditions on certain uses to address issues that may impact surrounding properties or public health, safety and welfare. Conditional uses are considered *permitted uses to which reasonable conditions may be attached based on findings of fact*. The assumption is that the use is allowed and if there are potential issues associated with the use, the City can articulate the conditions under which the use might be approved, not deny it because of potential conditions that do not yet exist. If it appears there is no reasonable way to accommodate the use in this location, the City can deny the use.

In this case, there is an existing multi-tenant commercial building with several other uses. The church would join those uses and share parking, but no changes are proposed to the exterior of the building or site, other than occupying a space on the existing signs.

The key issue for this use on this site is parking, and that was the main topic of discussion at the Planning Commission. There were three areas of concern expressed:

- The 12 spaces in the back of the building may not be available or may not be appropriate for use;
- The church may outgrow the attendance noted in the original application and therefore exceed the parking capacity of the site;
- Congestion on the site due to the church use might interfere with deliveries for other businesses sharing the block.

Each of these issues, I believe, can be addressed in conditions that the City can attach to the Conditional Use Permit. The building has been in existence for many years with a variety of commercial and service uses. The request here is not to build something new, but to occupy a space in the existing building for a church use.

The parking on site was summarized in our report to the Planning Commission:

- Available and proposed parking
  - 95 parking spaces, total on site (83 in front, 12 in back)
  - 85 spaces available to the church on Sunday, according to the building owners
  - 55 spaces available for the church during the week, according to the building owners

According to this plan, the church would use all but 10 of the parking spaces on site on Sundays. It would be up to the owner to agree:

- 1) That the spaces promised to the church are designated, marked and enforced as such;
- 2) That the other businesses have enough parking available;
- 3) That if there are parking problems on site, the owner and the church use would lose the ability to use the space for the church under the Conditional Use Permit.

On weekdays, the church would use all but 40 of the parking spaces on site.

The entire building comprises about 26,000 sq ft of leased space, of which the proposed church would use 5,000 sq ft. Overall, with 95 parking spaces, the building has available about 3.7 spaces/1,000 sq ft, which is at the low end of parking ratios for this kind of commercial space. The church, with 85 spaces reserved for 5,000 sq ft, would use about 17 spaces/1,000 sq ft, a very high ratio.

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*Parking in back*

The 12 parking spaces in the back of the building, accessed from Center Drive, are similar to parking spaces used for other businesses on Center Drive and on Theorin Terrace, as seen in the street view photos below.



Center Drive  
View to SW



Center Drive  
View to NW



Corner of Center Drive  
& Theorin Terrace  
View to NW

*Church attendance/outgrowing available parking*

The amount of parking on site is finite and the City can limit the use of the building and space with clear conditions of approval. The conditions would indicate the amount of parking that must be available with assurance that it will be clearly marked and enforced. If parking problems arise, the City has the ability to review the Conditional Use Permit and insist that the conditions be adhered to or revoke the permit for use of the space by the church.

*Congestion interfering with other uses*

Similar to the above issue of total parking on site, if the use of the parking lot poses problems or interference with other uses in the building and nearby on other sites, the City can review or revoke the Conditional Use Permit.

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*Additional parking off-site*

With the limited parking on the site and the large parking demand for the proposed church use, the building owner and the church might make arrangements with another adjacent property for use of some parking at certain times – “joint parking” as permitted in the Zoning Code. If this were to be arranged:

- Such a joint parking agreement would have to be in writing and agreed to by the City and all property owners;
- The additional off-site parking would be sufficient to keep adequate parking for all other uses in the building at 8485 Plaza Drive NE;
- The City would need to review the parking situation for the off-site property to determine that excess parking exists on that site and that allowing parking for the site at 8485 Plaza Drive NE would not create parking, traffic, or safety problems on either site.

**CONCLUSION**

The church use may be able to use this space and have adequate parking for itself and the remaining uses in the building, but the use of those parking spaces on various days and times of day would need to be carefully monitored, and is important to understanding if it can work. The City Council needs to have more information from the building owner and others about how parking works on site now and how it would work with this proposed use. It may be that the site can support the proposed use, or that additional off-site parking can be arranged. Or it may be that there is no feasible way the site can support this parking intensive use on a small commercial site.

*Approval*

The City Council might approve the Conditional Use Permit for Bethel City of Hope Church at 8485 Plaza Drive NE, with conditions for approval and findings such as the following:

- 1) The property owners will sign an agreement with the City indicating the use of 85 parking spaces on site reserved for the church on Sundays and 55 spaces other days. The spaces for church use will be clearly marked and the building owner will enforce the use of them. If parking becomes a problem, in the City’s opinion, on site or on the street, the City reserves the right to review the Conditional Use Permit and impose additional conditions, limit the use of the space, or revoke the Conditional Use permit for the church.
- 2) The property owner and church will arrange for off-site joint parking with an adjacent property *[to be determined]*.
- 3) The church or the property owners will apply for a sign permit if and when the church wishes to install new signage, which will comply with the City’s sign regulations.
- 4) Any changes proposed to the exterior of the building or site as a result of this church use, other than signage, will be reviewed by City staff to see if such changes require review of the Conditional Use Permit. In such a case, the City reserves the right to refer the Conditional Use Permit to the Planning Commission and City Council and impose additional conditions or limit the use of the space.

*Findings of Fact for Approval of the CUP*

- 1) The proposed church use in an existing multi-tenant commercial building appears to not involve issues beyond parking. From information supplied by the applicant and owners, parking appears to be adequate, and will be confirmed in a written agreement between the building owner and the City *[and off-site joint parking with be provided. . . to be determined]*.
- 2) It is reasonable and appropriate for the City to review and respond to potential parking issues on site which could result in traffic or safety issues. Such review may involve imposing additional conditions on the use, which is an appropriate function of the City’s zoning authority.

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*Denial*

The City Council might deny the Conditional Use Permit for Bethel City of Hope Church at 8485 Plaza Drive NE, with findings for denial including the following:

*Findings of Fact for Denial of the CUP*

- 1) The commercial building at 8484 Plaza Drive NE comprises approximately 26,000 sq ft of space with 95 parking spaces, a ratio of 3.7 spaces per 1,000 sq ft of floor area, which is a low parking ratio for commercial space.
- 2) The proposed church use would lease 5,000 sq ft of space and be expected to use 85 spaces on Sundays, a ratio of 17 spaces per 1,000 sq ft. Using 85 spaces for the church leaves 10 parking spaces on site on Sundays for the remaining 21,000 sq ft of commercial space, a ratio of less than 0.5 space per 1,000 sq ft, which is well below the typical parking needs of commercial space.
- 3) On weekdays the building owner would reserve 55 parking spaces for the church, leaving 40 spaces on site for the remaining 21,000 sq ft of commercial space, a ratio of about 1.9 spaces per 1,000 sq ft, well below the typical parking needs of commercial space.
- 4) There does not, therefore, seem to be a reasonable way to accommodate the parking needs of the proposed church use on this site without creating significant parking shortages, resulting in inconvenience or traffic and safety concerns for owners and patrons of the uses in the area.

**OPTIONS**

- 1) Recommend approval of the CUP as presented with the recommended conditions and findings, or as modified by the Planning Commission.
- 2) Recommend denial of the CUP, with findings for denial for each.
- 3) Continue the items to a future meeting to gather more information or for more discussion, including the potential for joint parking off-site.

**60-DAY RULE**

The Conditional Use Permit application was received on November 24, 2020 and was considered complete on December 7, 2020 with receipt of information on site and building use. The 60-day deadline for final action by the City Council was extended an additional 60 days, as permitted by State statute, to March 6, 2021, to give the City more time, if needed, to review and act on the application.