Title: Encounter Church (P19-076) [Noticed 04/08/2020]

File ID: 2020-00290

Location: 2408 Del Paso Road, APN 225-0070-140 (District 1)

Recommendation: Conduct a public hearing and upon conclusion approve: Item A. Environmental Exemption (per CEQA Guidelines Section 15301 - Existing Facilities); Item B. Conditional Use Permit to establish a 6,403-square-foot assembly use for a church within an existing building on a 0.42-acre parcel within the Employment Center Zone (EC-40-PUD) and Del Paso Road Planned Unit Development (PUD); and Item C. Revocation of a Conditional Use Permit for an assembly use on parcel 225-0070-141, approved on October 22, 2009 (P09-026).

Contact: Robby Thacker, Associate Planner, (916) 808-5584, rthacker@cityofsacramento.org; Teresa Haenggi, Senior Planner, (916) 808-7554, thaenggi@cityofsacramento.org

Presenter: Robby Thacker, Associate Planner, (916) 808-5584, rthacker@cityofsacramento.org

Applicant: Joel Chapin, Norr Associates, Inc., 1631 Alhambra Boulevard, Suite 100, Sacramento, CA 95816

Property Owner: Jon Salzburg, Pac West Office Equities, LP, 555 Capitol Mall, Suite 900, Sacramento, CA 95834

Attachments:
1-Description/Analysis
2-Background
3-Findings of Fact and Conditions of Approval
4-Exhibit A: Project Plans
Description/Analysis

Issue Detail: The applicant is requesting approval to establish an assembly use for a church within an established office park setting located in the Employment Center (EC-40-PUD) zone and in the Del Paso Road Planned Unit Development (PUD). The applicant’s tenant space will be used for religious services on weekends as well as weekly programs and staff office hours during the week. The proposed assembly use requires approval of a conditional use permit (CUP) by the Planning and Design Commission. The assembly use currently operates on an adjacent parcel and is moving to the proposed location to allow for expansion.

Public/Neighborhood Outreach and Comments: Staff routed the application to various agencies and neighborhood groups including Natomas Community Association, Natomas Chamber of Commerce, North Natomas Community Association, North Natomas Community Coalition, and Walk Sacramento. These groups and property owners within 300 feet of the project site were sent a notice of the March 12, 2020, Planning and Design Commission meeting. Additionally, the project site was posted with a notice of the meeting.

Staff received a letter from Walk Sacramento requesting that a crosswalk be striped between the proposed building and the existing church building (2406 Del Paso Road) to provide a designated pedestrian connection between the new church location and the existing childcare facility. The applicant was advised of this request and was agreeable to the installation of the crosswalk.

Environmental Considerations: The Community Development Department, Environmental Planning Services has reviewed this project and determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities (Categorical Exemption - Class 1). This project qualifies for this exemption because it consists of the operation, repair, permitting and minor alteration of an existing private facility involving negligible or no expansion of existing or former use. The project consists of tenant improvements to an existing building with minor alterations to a developed site within an urban setting such as parking lot striping, tree planting, bicycle rack installation, and signage.

Policy Considerations:

General Plan

The General Plan designates the site Urban Center High. The Urban Center High designation distinguishes areas with concentrations of uses similar to downtown. Each center includes employment-intensive uses, high-density housing, and a wide variety of retail uses including large format retail, local shops, restaurants, and services. These areas include major
transportation hubs accessible by public transit, major highways and local arterials, and pedestrian travel. Building heights vary from low to high rise (e.g., two to twenty-four stories). Other characteristics, such as building orientation, frontage-type, access, parking, streetscape, and open space, are similar to those in the Central Business District. The project supports the goals and policies of the TNCT designation and the overall 2035 General Plan as explained below.

**Goal LU 2.6 City Sustained and Renewed.** The City shall promote compact development patterns, mixed use, and higher-development intensities that use land efficiently; reduce pollution and automobile dependence and the expenditure of energy and other resources; and facilitate walking, bicycling, and transit use.

**Policy LU 2.6.5 Existing Structure Reuse.** The City shall encourage the retention of existing structures and promote their adaptive reuse and renovation with green building technologies to retain the structures' embodied energy, increase energy efficiency, make it more energy efficient, and limit the generation of waste.

_The existing building has been vacant since its construction in 2007. The proposed assembly occupancy of the building shell will allow an existing church to expand its services without the need to rely on new construction. As part of the project the building and site will receive upgrades, such as improved accessibility, additional restrooms, pedestrian crosswalk striping, and bicycle parking enhancements beneficial to the long-term viability of the building._

**Goal LU 5.1 Centers.** Promote the development throughout the City of distinct, well-designed mixed-use centers that are efficiently served by transit, provide higher-density, urban housing opportunities and serve as centers of civic, cultural, and economic life for Sacramento's neighborhoods and the region.

**Policy 5.1.1 Diverse Centers.** The City shall encourage development of local, citywide, and regional mixed-use centers that address different community needs and market sectors, and complement and are well integrated with the surrounding neighborhoods.

_The proposed religious use adds and contributes to a variety of uses that complements the employment uses and commercial support services in the Del Paso Road PUD and North Natomas community._

**Goal LU 8.2 Special Uses.** Provide for the development of Special Uses (e.g., assembly facilities, live-work studios, and care facilities) that are included within several Land Use and Urban Form Designations.
Policy LU 8.2.1 Assembly Facilities and Event Centers. The City shall encourage and support development throughout the city of assembly facilities for social, cultural, entertainment, sports, educational, and religious activities.

The proposed religious use contributes to the social and cultural vibrancy of the surrounding residential neighborhoods and is appropriately located along a commercial and employment corridor accessible from existing residential neighborhoods nearby.

North Natomas Community Plan

The subject property is located within the North Natomas Community Plan Area of the General Plan. This area is envisioned to provide a mixture of residential densities, employment centers, commercial and civic uses, interdependent on quality transit service and a radial network of connections linking activity centers with streets, transit routes, and linear parkways with pedestrian/bike trails. The Employment Centers, located at light rail stations and along the freeways, will be mixed-use centers consisting of primary employment generators and secondary support retail, industrial, and residential uses, serving the employees and employers of the center. The proposed use is consistent with the Community Plan Area and supports the following highlighted implementing policies.

Policy NN.LU 1.21 Support Retail Required. Every EC PUD will be required to provide some level of support retail goods and services, either ancillary (within a primary use building) or support (within a stand alone building). An EC PUD that is 2 acres or less in size and is located adjacent to a PUD with support retail is exempt from the retail requirement.

Policy NN.LU 1.25 Employment Center Support Commercial. The City shall allow a maximum of 10 percent of any employment center devoted to support retail serving the commercial needs of the employees and employers. A typical employment center commercial use would be a printing/ copy shop, dry cleaners, travel agent, specialty store, etc.

The use is fitting within the context of the area by locating a support service use within an existing employment center within the Del Paso Road Planned Unit Development (PUD). The proposed use, combined with the revocation of the existing CUP for 2406 Del Paso Road, will not exceed the 10 percent maximum allocation for support retail uses as required by the standards of the PUD.

Del Paso Road Planned Unit Development

The project is located within the Del Paso Road PUD which encompasses 82 net acres of land south of Del Paso Road between East Commerce Way and Truxel Road north of the arena site. The purpose and intent of the PUD guidelines is to facilitate the development of a viable
employment center within the North Natomas community through the implementation of overall development guidelines, site design guidelines, and consistent building design. Permitted land uses within the PUD include primarily employment generating uses. Commercial and residential uses are allowed on a more limited basis to support the employment centers and to lower vehicle trips. This is also reflected in the Employment Center (EC) zone of Title 17. The proposed church falls under the category of a commercial service within the PUD. The PUD guidelines establish land use allocation restrictions for these uses including a maximum of 10 percent of acreage within the PUD area may be dedicated to support retail services. The percentage of existing retail uses within the PUD area is currently at the maximum allowed allocation, therefore, in order to approve the proposed Encounter Church, the previous CUP for assembly at 2406 Del Paso Road will be revoked so that the acreage dedicated of commercial services does not exceed the 10% cap.

200-Year Flood Protection

State Law (SB 5) and Planning and Development Code chapter 17.810 require that the City must make specific findings prior to approving certain entitlements for projects within a flood hazard zone. The purpose is to ensure that new development will have protection from a 200-year flood event or will achieve that protection by 2025. The project site is within a flood hazard zone and is an area covered by SAFCA’s Improvements to the State Plan of Flood Control System, and specific findings related to the level of protection have been incorporated as part of this project. Even though the project site is within a flood hazard zone, the local flood management agency, SAFCA, has made adequate progress on the construction of a flood protection system that will ensure protection from a 200-year flood event or will achieve that protection by 2025. This is based on the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer’s report that were accepted by City Council Resolution No. 2016-0226 on June 21, 2016 and the SAFCA 2019 Adequate Progress Annual Report accepted by City Council Resolution No. 2019-0398 on October 22, 2019.

Rationale for Recommendation: Staff recommends approval of the project subject to the draft findings of fact and conditions of approval listed in Attachment 3. Staff’s recommendation is based on findings that the project: a) is consistent with the established goals and implementing policies within the 2035 General Plan Urban Center High designation, the EC-40-PUD zone, and the Del Paso Road PUD; b) is located adjacent to compatible uses with adequate vehicular and pedestrian access infrastructure to serve the proposed assembly; c) will utilize an existing vacant building and provide upgrades to the building that will increase long-term viability of the site; d) the proposed congregation’s services will mostly occur during off peak hours of the office complex thereby reducing potential traffic impacts and shared parking; and d) adds to the variety of neighborhood support services available on the Del Paso
Road corridor to the nearby North Natomas neighborhoods.
Background and Entitlement History

The project site is an existing 6,403-square-foot pad building on a 0.42-acre parcel located at 2408 Del Paso Road, within the existing Del Paso Corporate Center in North Natomas (Figure 2). The pad buildings were originally constructed in 2007. There are currently nine buildings including three, multi-story office buildings, connected by an integrated parking lot with associated landscaping, lighting, and trash disposal improvements. The project site is surrounded by office buildings on all sides with vacant land further to the south and the American River College Natomas Center to the north across Del Paso Road. The office park can be accessed via Del Paso Road and Five Star Way which also connects to Del Paso Road. The project parcel is a part of the Del Paso
Road Planned Unit Development which encompasses approximately 82 acres on the north side of the existing arena site between E Commerce Way and Truxel Road.

Several entitlements for assembly use have been approved within the office park dating back to 2008. On August 14th, 2008, a CUP was approved to establish an assembly use within the proposed project site at 2408 Del Paso Road (P08-062). The CUP was never exercised, and the CUP was eventually revoked as part of P08-097, which approved a CUP to locate an assembly use within a proposed new pad building in the parking lot of 2450 Del Paso Road. This project was never constructed and the CUP subsequently expired. On October 22nd, 2009, a CUP was approved to establish an assembly use at 2406 Del Paso Road (P09-026) which was exercised and is the site that Encounter Church currently occupies along with a daycare facility. The CUP for this parcel will be revoked as part of this project as previously discussed in this staff report.

Encounter Church currently shared its existing building with a childcare facility. Due to continuing growth since occupying the existing building, Encounter Church has realized a need to expand into a larger space, however expansion within the existing building in infeasible due to the existing daycare facility. The applicant is requesting a CUP to allow the church to move operations entirely into a new building within the existing office park to meet the needs of the church.

**Figure 2: Project Site Aerial**
### Table 1: Project Information

<table>
<thead>
<tr>
<th>Category</th>
<th>Details</th>
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<tbody>
<tr>
<td>General Plan Designation:</td>
<td>Urban Center High (UCNTHIGH)</td>
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<td>Community Plan:</td>
<td>North Natomas</td>
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<td>Zoning:</td>
<td>Employment Center 40 Employees per Acre (EC-40-PUD)</td>
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<tr>
<td>Planned Unit Development</td>
<td>Del Paso Road</td>
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<td>Special Planning District:</td>
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<td>Parking District:</td>
<td>Urban</td>
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<td>Tenant Space Area:</td>
<td>6,403 square feet</td>
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<td>Existing Use:</td>
<td>Vacant commercial building</td>
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<tr>
<td>Proposed Use:</td>
<td>Assembly – religious</td>
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</tbody>
</table>

### Figure 3: Existing Conditions

- Project South Elevation
- Project Southwest Elevation
- Office Park Entry (Looking West)
Entitlement Review

Conditional Use Permit

Pursuant to Sacramento City Code (SCC) Section 17.108.020, the proposed church is considered an assembly use. SCC Subsection 17.216.810.B establishes assembly uses as a conditional use subject to review by the Planning and Design Commission.

Operations

Encounter Church is a religious congregation that proposes to occupy the subject site for the purposes of providing weekly worship, church programming and classes, and general administrative offices for staff. Typical planned use of the site during the week will be staff office hours from 8 a.m. – 5 p.m. with evening meetings from 6 p.m. – 9 p.m. On weekends, prayer services will be 9 a.m. – 1 p.m. on Saturday, and periodically through the day on Sunday starting at 9 a.m. and concluding at 9 p.m. All church programs and all events, including those utilizing amplified sound, will be conducted entirely indoors.

The church proposes to occupy the entire 6,403-square-foot building. The proposed floor plan includes a chapel with 300 seat capacity and platform, main lobby and ancillary office, storage, and restrooms. There will be three exits through the south portion of the building. The applicant will be required to submit a building permit for tenant improvements to the interior of the building and fire protection for the change in occupancy rating of the building. The site has an existing sidewalk to access the parking lot and landscape planters adjacent to the building will accommodate required bicycle parking.
spaces. Refuse from the church will be handled by the existing shared trash bin and enclosure located within the office park serviced by a private hauler.

In an effort to improve the existing site, staff has included a condition of approval by Urban Forestry that requires the applicant to plant a new shade tree within the existing parking lot landscape island in front of the building where there currently is none. Per recommendation by Walk Sacramento who also reviewed the project, the applicant has agreed to the striping of a pedestrian crosswalk between the proposed church building and the existing childcare building to improve connectivity. No other modifications to the site or building are proposed as part of the CUP.

Figure 5: Floor Plan

The proposed operations of the church, including the occupancy size and anticipated programming, is compatible with the adjacent tenants and existing office park development. Existing circulation and driveway access for vehicular traffic within the site are adequate to serve the proposed use and the access points do not pass through any residential neighborhoods. Traffic from the site will enter and exit from Del Paso Road or utilize Five Star Way as a secondary means of access. Additionally, many of the church’s services will be held in evenings and on weekends during times when the existing office tenants are closed therefore further reducing potential traffic impacts with adjacent uses.
Parking

The existing office park contains a total of 1,463 parking spaces which are shared between all nine existing buildings altogether comprising 354,491 square feet of building area. When the office park was originally developed between 1996 and 2007, a total of 1,046 parking spaces were required, resulting in a surplus of 417 parking spaces over the minimum City Code requirement for off-street parking. The CUP for Encounter Church’s current location at 2406 Del Paso Road was required to provide a minimum of 50 required off-street parking spaces. This was made feasible through the overall reciprocal parking agreement for the entire office park. The proposed 300 seat assembly space as part of the requested CUP requires 50 parking spaces based on the currently adopted parking requirement of one space per six occupants. This results in no net increase of required parking with the relocation of the church into the new building and the proposed location will continue to use the existing reciprocal parking agreement for the office park as was previously done.

The site has no existing short-term bicycle racks and the applicant will be required to install new racks for the church use. Per the PUD standards, short-term bicycle parking shall be provided at a ratio of one space per 5,000 square feet of building area. Long-term spaces require a minimum of two spaces per City Code. As shown in Table 2, the proposed project has been conditioned to comply with the required parking. Bicycle parking facilities will be located within the landscape planter adjacent to the building entry.

<table>
<thead>
<tr>
<th>Table 2: Parking Requirements</th>
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<tr>
<td>Required</td>
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<td>Provided</td>
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<tr>
<td>Deviation</td>
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<tr>
<td>Vehicle</td>
</tr>
<tr>
<td>Bicycle</td>
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<tr>
<td>Short-Term</td>
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Summary

Staff supports the proposed CUP for assembly use in the proposed location based on several factors. The proposal includes the reuse and build-out an existing shell building that has not been leased since initial construction more than ten years ago. The applicant has agreed to enhance the site with new bicycle parking installation, planting of a new parking lot shade tree, and the striping of a new pedestrian crosswalk between the existing church building across from the project site. The site is physically suitable for an assembly use of the proposed size due to the presence of adequate vehicular and pedestrian access and circulation onto Del Paso Road and existing reciprocal access and
parking throughout the Del Paso Corporate Center. The relocation of the assembly use within the existing office park will allow the church to continue to provide a community serving use to North Natomas and surrounding community and contribute to the access of cultural and religious facilities within the community.
FINDINGS OF FACT

A. Environmental Determination: Exemption. Based on the determination and recommendation of the City’s Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning and Design Commission finds that the Project is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301, Existing Facilities (Categorical Exemption – Class 1). This project qualifies for this exemption because it consists of the operation, repair, permitting and minor alteration of an existing private facility involving negligible or no expansion of existing or former use. The project consists of tenant improvements to an existing building with minor alterations to a developed site within an urban setting such as parking lot striping, tree planting, bicycle rack installation, and signage.

B. The Conditional Use Permit to establish a 6,403-square-foot assembly use for a church within an existing building on a 0.42-acre site within the Employment Center 40 employees per acre (EC-40-PUD) zone and Del Paso Road Planned Unit Development (PUD) is approved based on the following Findings of Fact:

1. The proposed use and its operating characteristics are consistent with the general plan in that the proposed assembly use would occupy and improve an underutilized and vacant building in an appropriate location surrounded by compatible uses, promotes a diversity of community-serving uses, and contributes to the variety of cultural and religious uses within the North Natomas community.

2. The proposed use and its operating characteristics are consistent with development standards of the EC-40-SPD zone and applicable regulations of Title 17, in that the proposed assembly use is allowed within the EC-40-PUD zone subject to the approval of a conditional use permit. The assembly use consists of a religious congregation facility within an enclosed building on a parcel with existing parking, landscaping, lighting, and pedestrian access improvements.

3. The proposed use is situated on a parcel that is physically suitable in terms of location, size, topography, and access, and that is adequately served by public services and utilities, in that the project site is located within a an office complex which has direct vehicle access to a commercial corridor. The project site has existing onsite and offsite public improvements.
adequate to serve the proposed use. The building is appropriately sized to accommodate an assembly use and has adequate parking, circulation, landscaping, and lighting.

4. The proposed use and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance, in that all events will be conducted within the existing building’s designated assembly area. The use is proposed within a vacant 6,403-square-foot building located within an office complex which allows shared parking and vehicle access and which has adequate public improvements serving the site.

C. The Revocation of a Conditional Use Permit for an assembly use on parcel 225-0070-141 is approved subject to the following Finding of Fact:

1. The property’s use is detrimental to the public health, safety, or welfare in that in that the revocation is necessary in order to ensure the proposed project is compliant with the Del Paso Road PUD standards which allows a maximum of 10 percent allocation of commercial services within the PUD to ensure an appropriate mix of employment generating uses and commercial services within the PUD.

D. The 200-Year Flood Protection

The project site is within an area for which the local flood management agency has made adequate progress (as defined in California Government Code section 65007) on the construction of a flood protection system that will result in flood protection equal to or greater than the urban level of flood protection in urban areas for property located within a flood hazard zone, intended to be protected by the system, as demonstrated by the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer’s report accepted by City Council Resolution No. 2016-0226 on June 21, 2016 and the SAFCA 2019 Adequate Progress Annual Report accepted by City Council Resolution No. 2019-0398 on October 22, 2019.

CONDITIONS OF APPROVAL

B. The Conditional Use Permit to establish a 6,403-square-foot assembly use for a church within an existing building on a 0.42-acre site within the EC-40-PUD zone and Del Paso Road PUD is approved subject to the following Conditions of Approval:

Planning

B1. This approval is to allow an assembly use to occupy the existing building
as shown per the approved floor plan. Alterations to the interior of the building are permitted to accommodate the approved use. Any expansion of the assembly use within the building shall require additional planning review and approval; and may require additional entitlements.

B2. No amplified sound is authorized to be broadcasted outside of the building.

B3. The facility operator shall post the name of an emergency contact person and phone number on the exterior of the building in the event of an emergency or to report a complaint.

B4. Any modification to the attached plans shall be subject to review and approval by Planning Division staff prior to the issuance of building permits.

B5. Any future modification to the project site or business operations shall be subject to review and approval by Planning Division staff and may require additional entitlements.

B6. The facility operator shall obtain a sign permit before the fabrication or installation of any planned signage or the project.

B7. The facility operator shall obtain all necessary building permits prior to the commencement of the use, demolition, or construction.

B8. The plans submitted for building permit shall include two short-term bicycle parking spaces and two long-term bicycle parking spaces.

B9. A crosswalk shall be striped between the existing accessible parking stalls fronting the two buildings at 2406 and 2408 Del Paso Road.

**Urban Forestry**

B10. The applicant shall plant a 24-inch box tree with an expected mature canopy of at least 35 feet in diameter in the vacant finger island in the parking lot.

B11. The applicant shall optimize the existing irrigation for current size of the parking lot shade trees.

**Sacramento Area Sewer District (SASD)**

B12. Prior to the issuance of a building permit: The owner must contact Permit
Services Unit at PermitServices@sacsewer.com or by phone at (916) 876-6100 to determine if sewer impact fees are due. Fees are to be paid prior to the issuance of building permits.

Fire

B13. Any modifications to the facility must be done under permit by way of plan review for compliance with Fire and Building Codes.

B14. Obtain a fire clearance by requesting a fire and life safety inspection from the Fire Prevention Division.

B15. Obtain any required operational permits from the Fire Prevention Division.

B16. Provide documentation to verify that any fire and life safety systems such as fire suppression and fire alarm systems have been serviced, maintained and certified in accordance with the required maintenance schedules as may be applicable (quarterly, annual and 5-years service).

ADVISORIES

ADV1. The existing building is currently connected to public sewer. Any required construction and/or modification to the public sewer system must be to the satisfaction of SASD prior to the approval of improvement plans. SASD Design Standards and Specifications apply to any onsite and offsite public sewer construction. (SASD)

ADV2. Developing this property will require the payment of Regional San sewer impact fees (connection fees). Regional San sewer impact fees shall be paid prior to the issuance of building permits. For questions pertaining to Regional San sewer impact fees, please contact the Sewer Fee Quote Desk at (916) 876-6100. (Regional San)

C. The Revocation of a Conditional Use Permit for an assembly use on parcel 225-0070-141 is approved subject to the following Conditions of Approval:

Planning

C1. The Conditional Use Permit shall be revoked two months after the building at 2408 Del Paso Road receives final occupancy for the assembly use.

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Exhibit A: Project Plans
ENCOUNTER CHURCH
2408 DEL PASO RD.
SACRAMENTO, CA

EXISTING TO REMAIN. NO CHANGES.

EXISTING TO REMAIN.

EXISTING TO REMAIN. NO CHANGES.

EXISTING TO REMAIN. NO CHANGES.

KEYNOTES:

1. This drawing is not final or to be used for construction until signed by the licensed professionals.

2. All drawings and written material associated with this project constitute the original and unpublished work of NORR Associates Inc. and the same may not be duplicated, used or disclosed without the written consent of NORR Associates Inc.

3. NORR Associates Inc. and the undersigning licensed professionals do not represent that these plans and specifications are suitable for any other client and/or site other than the one denoted. NORR Associates Inc. and the undersigning licensed professional disclaim responsibility for these plans and specifications if they are used in whole or in part by another client or at any other site.

4. This page contains the original and issued drawing for ENCOUNTER CHURCH.

5. The drawing is issued for the project manager, consultants, and project leader.