

DATE ISSUED: July 13, 2006 **REPORT NO. PC-06-191**

ATTENTION: **Planning Commission, Agenda of July 20, 2006**

SUBJECT: HEART OF GOD MINISTRIES - PROJECT NO. 89852
PROCESS FOUR

OWNER Yaghdjian Family Trust, Alan and Mireille Yaghdjian, Co-Trustees
(Attachment 10)

APPLICANT: Heart of God Ministries

SUMMARY

Issue(s): Should the Planning Commission approve church assembly and church office uses to operate within an existing two-story, 73,264 square foot commercial building on an existing 5.87 acre site within the Rancho Bernardo Community Plan Area?

Staff Recommendations:

1. **APPROVE** Conditional Use Permit No. 287770 and
2. **APPROVE** Planned Development Permit No. 319081

Community Planning Group Recommendation: On May 18, 2006, the Rancho Bernardo Community Planning Group voted 17-0-0 to recommend approval of the project with two conditions (Attachment 9). These two conditions are addressed on page 3 of this report.

Environmental Review: This project is exempt from environmental review pursuant to Article 5, Section 15061(b)(3), General Rule, of the California Environmental Quality Act (CEQA). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on April 4, 2006 and the opportunity to appeal that determination ended April 25, 2006.

Fiscal Impact Statement: All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Code Enforcement Impact: None with this action

Housing Impact Statement: The proposed project is located on a site identified as Specialized Commercial in the Rancho Bernardo Community Plan. No residential units are proposed as part of this project.

BACKGROUND

The proposed project is located at 16935 West Bernardo Drive in the CV-1-1 Zone within the Rancho Bernardo Community Plan Area. The project is designated Specialized Commercial by the Rancho Bernardo Community Plan (RBCP). The site is developed with a two-story, 73,264 square foot building and surface parking (Attachment 1). The site is approximately 5.87 acres and is bound by office complexes and office buildings to the north, south and west. Interstate 15 is located adjacent to and east of the project site (Attachment 2). The site was originally development under Planned Commercial Development (PCD) Permit No. 88-086 (Attachment 8).

DISCUSSION

Project Description:

The project proposes to process a Conditional Use Permit and Planned Development Permit to amend Planned Commercial Development Permit No. 88-0850 to allow for church assembly and their office uses within the existing building on site. The church activities are proposed within the existing Auditorium, Suite 195, which is approximately 4,400 square feet. Church activities would occur during off-peak hours (weekends and holidays). The church office proposed within Suite 180, approximately 1,900 square feet, would have office hours proposed from 8AM to 5PM, Monday through Friday. The existing parking spaces on site are adequate for the proposed church and office use.

Community Plan Analysis:

The Rancho Bernardo Community Plan identifies the project site as Specialized Commercial. Specialized commercial uses and business office complexes are oriented toward visitor and special community activities and have easy access to Interstate 15. Commercial areas which accommodate visitor-oriented, commercial-recreation, and special community-serving commercial activities are grouped in one land use category.

In general, these use areas provide sites for establishments which are primarily highway-oriented and serve an area extending beyond the community. The Rancho Bernardo Community Plan does not specifically identify a church use at this site. However, the Pla does encourage community and regional-serving facilities to locate in this area. Therefore, the proposed Conditional Use Permit application will not adversely impact the Rancho Bernardo Community Plan. The proposed facility will provide community services while also serving an extended area, similar to the adjacent visitor-oriented and special community-serving commercial activities.

Project-Related Issues:

The Rancho Bernardo Community Planning Group (RBCPG) voted 17-0-0 to recommend approval of the proposed project with two conditions at their meeting on May 18, 2006, as identified within Attachment 9. The two conditions are presented below:

1. Limit the Conditional Use Permit time to five years.
2. Allow a five year extension on the Conditional Use Permit for a total time limit on the permit of 10 years.

RBCPG Condition No. 1 has been incorporated into the Conditional Use Permit/Planned Development Permit as Condition No. 9 by allowing the proposed uses for a total of 10 years.

RBCPG Condition No. 2 has been incorporated into the Conditional Use Permit/Planned Development Permit as Condition No. 10 with a requirement that if the proposed use were to continue beyond the 10 year time limit, a new Conditional Use Permit would need to be applied for, reviewed by staff and a decision by the appropriate decision maker at that time.

Conclusion:

The proposed project is requesting a Conditional Use Permit and Planned Development Permit to amend PCD Permit No. 88-0850 to allow church and office uses within an existing two-story, 73,264 square foot building. No exterior modifications are proposed with this project and no additional parking spaces are required for the proposed use. Staff recommends approval of the proposal as requested. The project is consistent with the RBCP as well as the underlying zones. The Rancho Bernardo Community Planning Group voted 17-0-0 to approve the project as proposed.

ALTERNATIVES

1. **Approve Conditional Use Permit No. 287770 and Planned Development Permit No. 319081 with modifications.**
2. **Deny Conditional Use Permit No. 287770 and Planned Development Permit No. 319081 if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,

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Program Manager
Development Services Department

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Project Manager
Development Services Department

MW/LCB

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plans
6. Draft Permit with Conditions
7. Draft Resolution with Findings
8. Copy of Prior Recorded Planned Commercial Development Permit No. 88-0850
9. Community Planning Group Recommendation
10. Ownership Disclosure Statement
11. Project Chronology