



GLPC AGENDA ITEM # 8

MAY 23, 2022

Conditional Use Request by Francisco Menjivar File #: CU-2022-06

Rev. Francisco Menjivar is requesting a Conditional Use Permit (CUP) for a Church in a Single-Family Residential (R-6) zoning district. The subject property consists of 0.54 acres and is located at 805 Old Clyattville Road. This is at the SW corner of Old Clyattville Road and Loch Laurel Street, and located directly behind the "Bratts Plaza" shopping center. The property contains an existing commercial building (3,048-sf) in the northern tip of the property, as well as some remnants of a small parking lot (broken pavement) immediately behind. The store has been vacant for more than 10 years, and it was last used as the "The Meat Place" butcher shop. The applicant is proposing to renovate the existing building and convert it for church use. The applicant is currently NOT proposing any changes to the site.

The subject property is located within an **Established Residential (ER)** Character Area on the Future Development Map of the Comprehensive Plan.

In spite of their being an existing commercial building on the property, the ER Character Area on the property does not allow any form of commercial zoning. Therefore, the only possible non-residential use of the building would be something "institutional" such as perhaps a church. The only alternative is to remove the old commercial building (which has been empty/vacant for more than 10 years....) and redevelop the property residentially under R-6 zoning, which equates to a handful of houses or duplexes. The cost of demolition alone would probably make that scenario cost-prohibitive.

In this case, the applicant is proposing to do nothing to upgrade the overall site, and therefore staff's initial recommendation was for denial. However, with the existing building being locked into its nonconforming status and it having sat empty for so many years already, staff has determined that even just "occupancy" of this building is a move in the right direction. With the existing building size having a limited capacity for the gathering of worshipers and there being enough pavement on site to accommodate 10-20 cars, then a modest version of the proposed use as a church should be deemed acceptable. However, certain conditions of approval will be needed to make sure the use of the property does not become overcrowded to the point that it becomes a detriment to the neighborhood rather than a positive change. If in the future the proposed church gathers sufficient resources to enable a true redevelopment of the whole property, then a new CUP review (with a proper site plan) would be required.

Staff Recommendation: Find consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommend approval to the City Council, subject to the following conditions:

- (1) Approval shall be granted for a small church and related church accessory uses which utilize the existing building only. Any new buildings or building expansions will trigger review of a new CUP application...
- (2) All parking for the facility shall be off-street on private property at all times.
- (3) All recent construction and renovation work performed on site shall be subject to full commercial plan review and required inspections as applicable..
- (3) Conditional Use approval shall expire after 2 years from the date of approval if no Certificate of Occupancy has been approved for the facility by that date..