

City Council
December 9, 2014

Appeal of City Planning Commission Decision - Calvary Worship Center

File Number(s): CPC PUZ 14-00055 & CPC PUD 14-00056
Planner: Mike Schultz

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Appeal Request:

Calvary Worship Center has filed an appeal of the City Planning Commission decision, made during the October 16th hearing date, denying its request for a change of zone to PUD along with the accompanying PUD Development Plan.

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Applications:

1) PUD Zone Change (CPC PUZ 14-00055):

A change of zone from **PBC (Planned Business Center)** and **R-2/cr (Two-family Residential with conditions of record)**; a development plan is required prior issuance of any building permits) to **PUD**.

- Type: Religious Institution and accessory uses as they relate to the church
- Height: Max. Ht. on west portion – 45-ft. /
Max. Ht. on east portion – 30-ft.
- Density: Max. Seating – 1,780 seats
- PUD Area: 8.37 acres
- R-2/cr (to remain): .68 acres

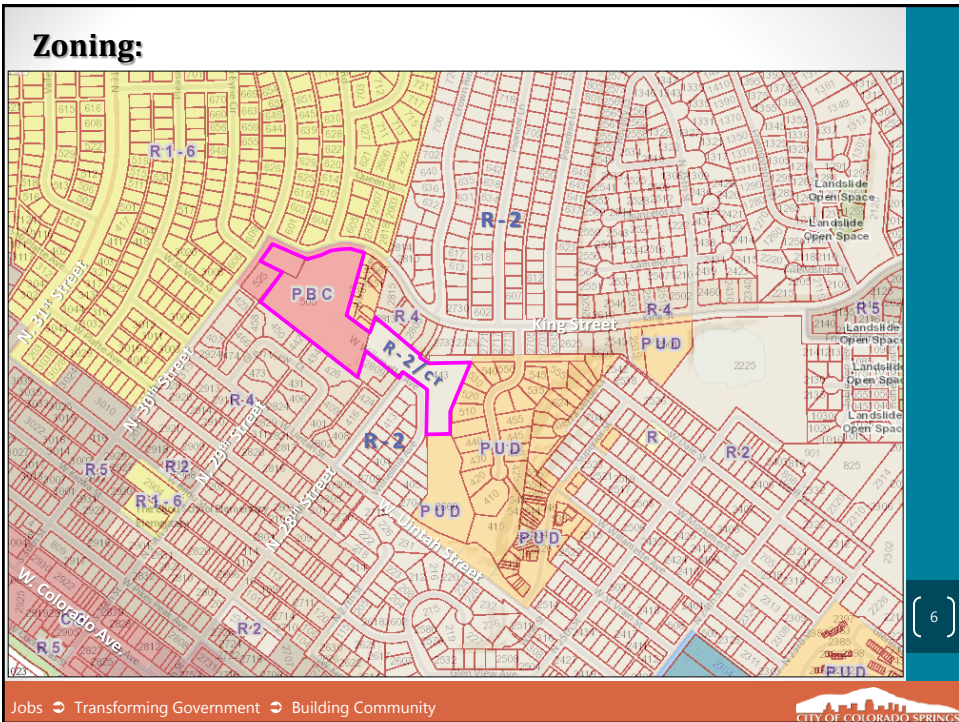
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Applications (continued):

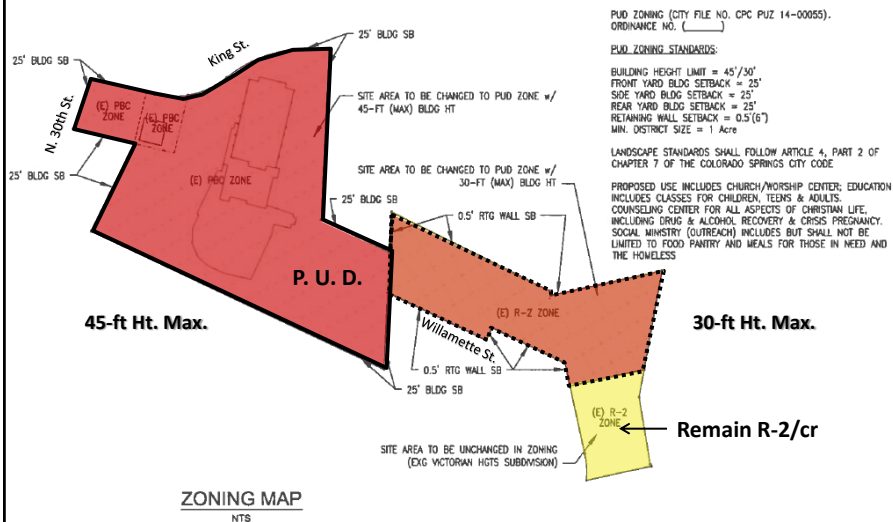
2) PUD Development Plan (CPC PUD 14-00056):

A Planned Unit Development for Religious Institution and accessory uses; plan illustrates a three phased project.

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Existing & Proposed Zoning:



Site Information/History (Commercial Portion):

- Zoning:
 - West half: PBC
 - East half: R-2/cr (condition of record for development plan)
- Area rezoned to PBC in 1959 as part of Pleasant Valley Shopping Center.
- 1982 Conditional Use for religious institution denied by CPC but overturned by City Council upon appeal.
- 2006/2007: DP approved, construction commenced on new 753 seat worship center
- Former gas station razed (southeast corner of 30th St. and King St.)
- Portion of Willamette Ave. vacated in 2013 in anticipation of proposed project.
- Vacant portion of property part of prior development proposals (separate single-family and duplex projects)

Site Information/History (Victorian Heights):

- 1980: Rezoned to PUD in 1980 to permit townhomes on the site (15 du/acre).
- 1994: Rezoned from PUD to R-2/cr (Two-family Residential with conditions of record) - eight (8) single-family homes (condition of record requiring a development plan for any development of the property). Grading plan approved that allowed site grading.
- 1999: Pre-application meeting to allow six (6) two-family dwellings (12 units) as part of an affordable housing project.
- 2006: City Planning Commission initially approved zone change and concept plan, however it was later brought back due to the condition of record; it was reapproved later that year with the development plan.
- 2006: City Council upheld an appeal of the CPC decision citing the project was not compatible with the neighborhood.

(9)

Development Plan:

PUD Development Plan: A Planned Unit Development for Religious Institution and accessory uses; plan illustrates a three phased project.

- **Phase 1:** Construction of parking lot within eastern portion of site (2014/2015):
 - 107 parking stalls,
 - Retaining walls,
 - Stormwater pond,
 - New access onto Willamette Ave.

(10)

Development Plan:

2) PUD Development Plan: A Planned Unit Development for Religious Institution and accessory uses; plan illustrates a three phased project.

- **Phase 2:** Spring 2015
 - Demolition of existing youth ministries building;
 - 2-story 20,400 sq. ft. addition;
 - Parking modifications/ added parking;
 - No added seating to worship center.

(11)

Development Plan:

2) PUD Development Plan: A Planned Unit Development for Religious Institution and accessory uses; plan illustrates a three phased project.

- **Phase 3:** Spring 2020
 - New worship center addition.
 - 2-story
 - 50,000 sq. ft.
 - 1,780 seats
 - New retaining wall along south property line;
 - Reconfigured parking east of new worship center, 38 additional stalls.
 - Elimination of access points along King St.

(12)

Neighborhood Issues:

- Increase in weekend traffic, safety at intersections, pedestrian safety.
- Introduction of access/traffic along Willamette Avenue, Wilhelmia Avenue and N. 28th Street.
- Increase of on-street parking issues along King Street and into the Pleasant Valley neighborhood particularly on Castle Road.
- Concerns of grading and slope stability of vacant property.
- Concerns if “criblock” retaining wall system is most appropriate system for slope stability.
- Concerns over “criblock” retaining wall system and aesthetic appearance (too industrial).
- Concerns if stormwater run-off and drainage will negatively impact properties, in particular along 28th Street and Wilhelmia Avenue.
- Parking lot lighting.

(13)

Responses to Neighborhood Issues:

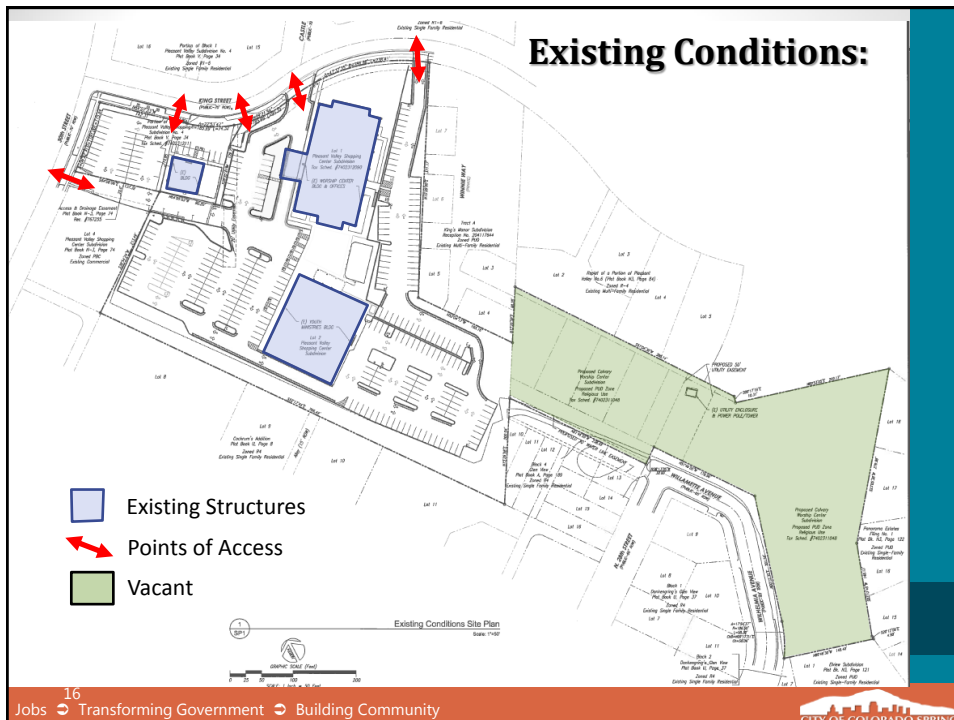
- A traffic management plan will be required of the church prior to approval of a building permit for Phase 3 involving the expanded worship center.
- Both RMG Engineers and Colorado Geologic Survey (CGS) have determined that the site will be safe for the purposes of a surface parking lot (Figures 4 & 5, pp. 170-171).
- Applicant believes the “crib-lock” retaining wall system is most appropriate design.
- Applicant has agreed to plant vines at mid-wall and top of wall to soften the bulk of the wall. Additional planting will occur along a portion of Willamette.
- Wall couldn't be tiered from Willamette because of concerns of pushing parking further up the slope and would be unable to achieve appropriate parking lot design.

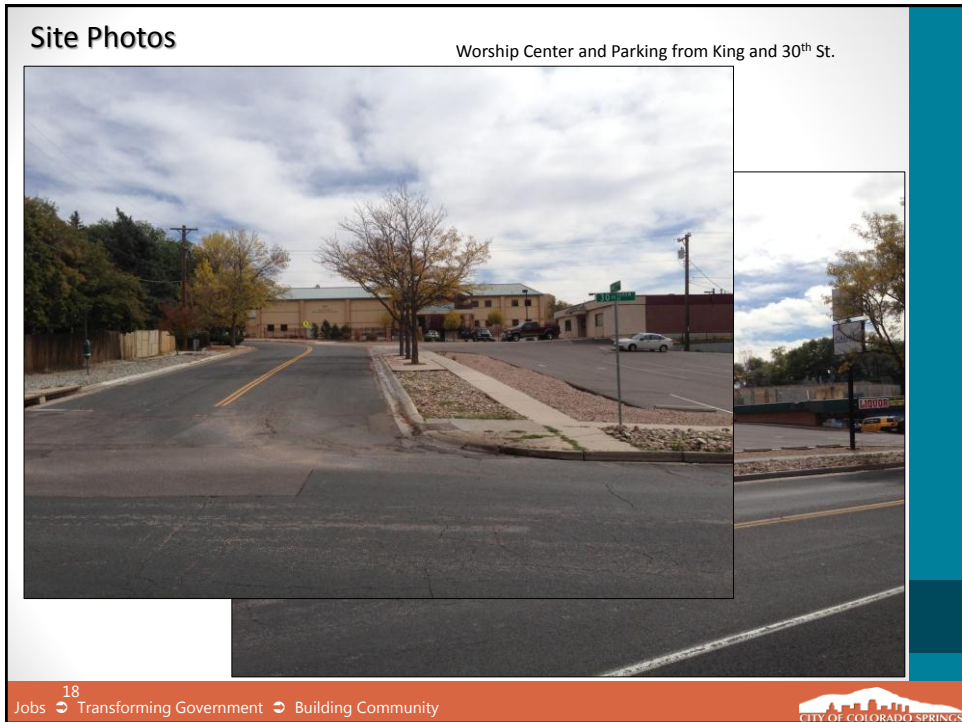
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Responses to Neighborhood Issues:

- Current stormwater system in Willamette & N. 28th Street functions properly upon inspection by City Streets Dept.
- The crib-lock retaining wall system is matter of aesthetics and not within the purview of the review criteria. (see Fig. 6, p. 173)
- A photometric plan has been added to the revised plans; foot-candle (fc) readings range from 13 to 16.6 fc immediately below parking lot lights; readings drop toward perimeter. (Ave. 3.26). Applicant notes lights to be on during evening gatherings on Wednesdays and Saturdays.

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Site Photos

Worship Center and Youth Center



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Site Photos

Retaining walls



Retaining walls ?



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Site Photos

Retaining wall



(21)

Site Photos

Easterly vacant site (looking east)



(22)

Site Photos

Easterly vacant site (looking east)



(23)

Jobs → Transforming Government → Building Community



Site Photos

Parking Lot east of worship center



(24)

Jobs → Transforming Government → Building Community



Site Photos

Parking along Castle Rd, Sun. 10 a.m. service



(25)

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Site Photos

Parking along Castle Rd, Sun. 10 a.m. service

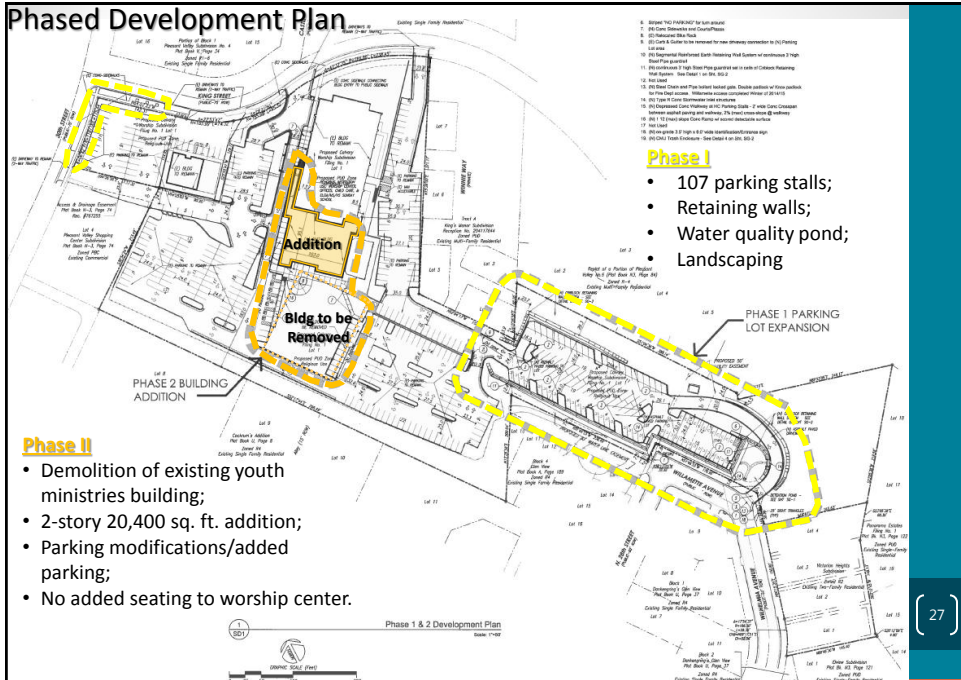


(26)

Jobs → Transforming Government → Building Community



Phased Development Plan



Phase I

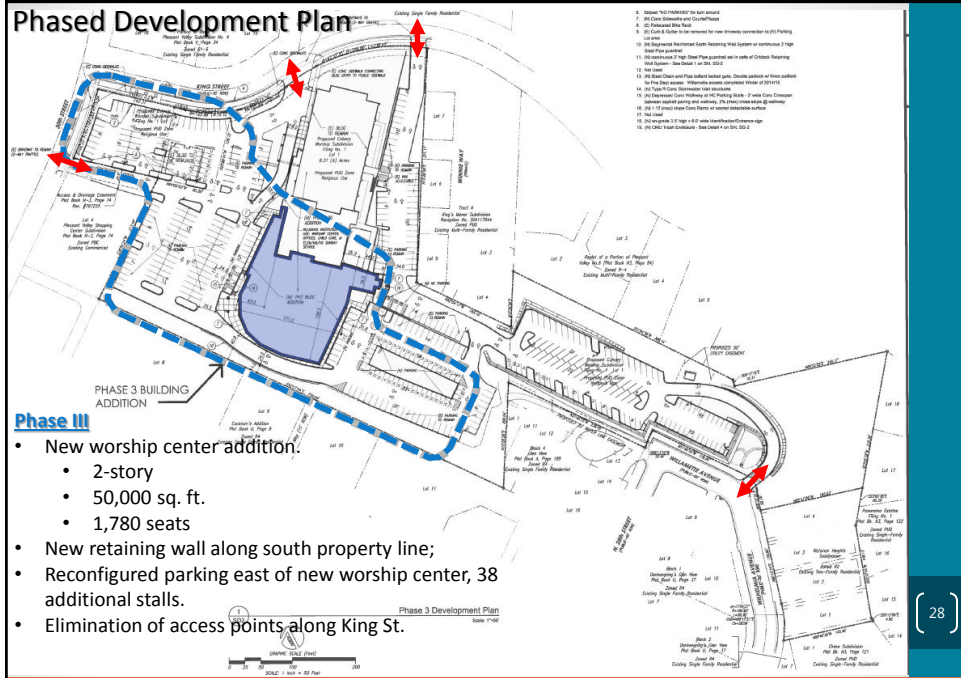
- 107 parking stalls;
- Retaining walls;
- Water quality pond;
- Landscaping

Phase II

- Demolition of existing youth ministries building;
- 2-story 20,400 sq. ft. addition;
- Parking modifications/added parking;
- No added seating for worship center.

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Phased Development Plan



Phase III

- New worship center addition.
 - 2-story
 - 50,000 sq. ft.
 - 1,780 seats
- New retaining wall along south property line;
- Reconfigured parking east of new worship center, 38 additional stalls.
- Elimination of access points along King St.

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CPC Recommendation:

APPEAL OF CPC DECISION - QUASI-JUDICIAL

Deny the appeal by Calvary Worship Center upholding the decision of the City Planning Commission to deny the change of zone application CPC PUZ 14-00055 and the Calvary Worship Center PUD development plan application CPC PUD 14-00056 on the basis that the project does not meet the PUD review criteria primarily regarding traffic impacts to the neighborhood and intensity of the use.

(29)

Staff Recommendation:

APPEAL OF CPC DECISION - QUASI-JUDICIAL

Approve the appeal reversing the decision of the City Planning Commission

CPC PUZ 14-00055 - QUASI-JUDICIAL

Approve the change of zone from PBC (Planned Business Center) and R-2/cr (Two-family Residential with conditions of record) to PUD (Planned Unit Development to allow Religious Institution and associated uses, a maximum building height of 45-feet and 30-feet as demonstrated on the development plan and maximum worship space seating capacity of 1,780 seats) based upon the finding that the zone change complies with the zone change review criteria in City Code Section 7.5.603.

CPC PUD 14-00056 – QUASI-JUDICIAL

Approve the PUD development plan for the Calvary Worship Center development, consisting of a three phased development including additional off-street parking, new youth center and 1,780 seat worship center; subject to the Technical and Information items as outlined in staff report. Approval is based on the finding the plan complies with the review criteria in City Code Section 7.3.606.

(30)

Questions?

(31)