

PLANNING COMMISSION MINUTES OF JUNE 14, 2010

2010-7260 - San Jose Korean Presbyterian Church [Applicant] **Silicon Valley, LLC** [Owner] Use Permit to allow a place of assembly (San Jose Korean Presbyterian Church) within an existing industrial building on a site located at **770 Lucerne Drive** (Negative Declaration) (APN: 205-32-004). NC

Noren Caliva, Associate Planner, presented the staff report. She said staff recommends approval of the Use Permit subject to the conditions in Attachment B.

Comm. Rowe asked staff about condition 19.a that refers to 252 “fixed” seats and asked if that means additional folding chairs could be allowed. Staff said the intent is that the maximum seating allowed in the sanctuary is 252 seats. **Trudi Ryan**, Planning Officer, said the condition could be rephrased to remove the word “fixed”. **Comm. Rowe** discussed with staff the Draft Site Safety Plan in Attachment I with staff confirming that the plan needs final approval from the City and is subject to an annual review. **Comm. Rowe** discussed with staff that a few years ago a study issue was completed regarding rezoning certain sites for Place of Assembly (POA) use. The proposed property is one of the approved sites which allows POAs to be considered through a Use Permit.

Comm. Klein asked about the architectural upgrades mentioned in the conditions. **Ms. Caliva** said the upgrade requirement was discussed with the applicant at the time the permit was applied for however the applicant has not proposed any upgrades at this time. **Ms. Ryan** said that the condition is phrased so the applicant would have to return for staff's approval and depending on the proposed upgrades, the applicant might have to return to the Planning Commission for architectural review. **Comm. Klein** discussed with staff the use of the fellowship hall and parking.

Comm. Hungerford asked about the trees that were removed by Pacific Gas and Electric (PG&E) that were in the easement under the power lines confirming that the church would be required to replace the trees to create shading for the parking lot. **Comm. Hungerford** asked if PG&E should be replacing the trees. **Ms. Ryan** said PG&E is trying to safely maintain the easement and apparently the trees that were planted were no longer appropriate in the easement. **Ms. Ryan** said it would be the property owner's responsibility to replace the trees.

Comm. Rowe asked staff if PG&E can make the determination to remove trees without any assistance from the City Arborist. **Ms. Ryan** said technically, no.

Chair Chang discussed with staff the recycling and solid waste enclosures mentioned in the conditions and the existing enclosure.

Chair Chang opened the public hearing.

Chol Chong, Elder of the San Jose Korean Presbyterian Church and applicant, introduced **Senior Pastor David Park** and a large group of supporting congregation members in attendance. He provided a history of the church and why the church decided to purchase this property zoned POA. He said the church currently has about 165 members and holds Korean and English services in a leased building in Sunnyvale. He said the church would like to commit to Sunnyvale and serve the community explaining some of the current services provided to the community. **Pastor Park** discussed the ministry of the San Jose Korean Christian Church and the constant emphasis of balancing life and ministry. He said they are a caring church and explained many examples of services the members are involved in including senior support through meals and transportation, sharing of the facilities with groups outside of the church for special events, support for other local churches and schools, providing volunteers for schools and the Senior Center, participating in helping the City to minister to the homeless. He said they want to continue to show love, serving neighbors to make a better community. He said they would like to continue the ministry at the new facilities, providing a home for worship and to practice the love of God beyond their membership with people from different walks of life.

Comm. Klein asked Mr. Chong about plans for upgrading the architecture. Mr. Chong said there are no current plans other than putting up a sign, however they understand that they would need to work with staff to add exterior features to make the architecture better reflect the non-industrial use of the building. Comm. Klein asked Mr. Chong about special events at the site, e.g., weddings, and Christmas events, and asked how many attendees have shown up in the past and whether the seating would be adequate. Mr. Chong said that 252 seats would be more than adequate and if the church grows then Temporary Use Permits would be obtained for larger events.

Vice Chair Travis confirmed with Mr. Chong that the church would comply with the conditions and would obtain a separate permit for special events as needed.

Comm. Rowe confirmed with the applicant that the address of the building they are going to occupy includes both 770 and 772 Lucerne Drive. Comm. Rowe discussed with Mr. Chong about talking to the neighbors regarding overflow parking.

Mr. Chong said he respectfully asks for approval of the permit as they would like to be part of this City and community.

Chair Chang closed the public hearing.

Comm. Rowe moved for **Alternative 2**, to approve the Use Permit with modified conditions, modifying condition 19.a regarding the maximum number of seating

by removing the word “fixed” which occurs two times, and changing the word “be” to are. Comm. Klein seconded the motion.

Comm. Rowe said that the applicant and staff did a good job working together. She said this type of development is allowed in this zone so she has no problem approving this request as presented.

Comm. Klein said it was easy to make the findings on this project and the applicant and staff have given time and worked well together in the planning of this project. He said he is a little concerned that architectural upgrades have not been identified. He said this type of use was approved previously for this area and he thinks this is a good location for the use. Comm. Klein cautioned staff that this project may need to come before the Planning Commission again for the architecture as it does need to fit into the community visually.

Comm. Hungerford said he would be supporting the motion as the use is allowed by the POA zoning, there are two other churches nearby, and there is very good access to the site. He said he agrees with Comm. Klein that it would be helpful to do some changes to the exterior so the site clearly looks more like a POA rather than an industrial building.

Chair Chang said he would be supporting the motion. He said he thinks this a good fit for the location. He said he has the same concerns as Comm. Klein about the architecture.

ACTION: Comm. Rowe made a motion on 2010-7260 to approve the Use Permit with modified conditions: modifying condition 19.a to read “A maximum of 252 seats may be installed within the sanctuary. Any future increase in the number of seats in the sanctuary is subject to Planning review and approval.” Comm. Klein seconded. Motion carried 6-0, with Comm. McKenna absent.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than June 29, 2010.

Ms. Ryan commented about the trees and PG & E’s responsibility. She said if PG&E needs to trim a tree they do not need City approval, however any removal of a tree within the City over a certain size requires a tree removal permit before it can be removed.

Comm. Rowe thanked the public for attending and said she appreciates the way members presented themselves. She said it sounds like the church is doing a lot of good things in the community.