

Board of Adjustment

Staff Report

CASE NUMBER: BOA18-00913
LOCATION/ADDRESS: 1330 South Crismon Road
COUNCIL DISTRICT: District 6
STAFF PLANNER: Charlotte Bridges, Planner I
OWNER: 1330 South Crismon Road LLC
APPLICANT: Keith Green, Next Ideas Architects

REQUEST: *Requesting: 1) a Substantial Conformance Improvement Permit (SCIP) to allow modifications to development standards; and 2) a Special Use Permit (SUP) to allow athletic facilities in conjunction with a place of worship in the Single Residence (RS-43)-PAD District.*

SUMMARY OF APPLICANT'S REQUEST

This Substantial Conformance Improvement Permit (SCIP) request for the expansion of an existing church campus, adds a new full-sized soccer field, two new half-sized soccer fields, three new outdoor basketball courts, upgrades a temporary parking lot to a permanent parking lot, makes a provision for a future parking area, realigns an interior access drive and makes additional miscellaneous improvements throughout the church campus. To accommodate the new improvements, the Mesa Zoning Ordinance (MZO) requires the existing church campus improvements, which were constructed under an older Code, be brought into full conformance with current development standards unless a Substantial Conformance Improvement Permit (SCIP) is approved. In addition, the Zoning Ordinance requires the approval of a Special Use Permit (SUP) to allow athletic facilities (soccer fields) in conjunction with a place of worship in the RS-43 District.

STAFF RECOMMENDATION

Staff recommends **approval** of case BOA18-00913, ***with the following conditions:***

1. *Compliance with all City development codes and regulations.*
2. *Compliance with all requirements of the Development Services Department in the issuance of building permits.*
3. *Compliance with the site plan and operation plan as submitted, except as modified by the conditions below.*
4. *Per MZO 11-32-2.C.5, approval of an exception to the maximum 15' height allowance for lighting fixtures by the Zoning Administrator for the proposed 60' tall sports field lighting fixtures.*
5. *Per MZO 11-30-5.C.2, approval of an Administrative Use Permit to allow more surface parking than the maximum standard of 125% of the required number of parking spaces.*
6. *Prior to issuance of a building permit, revise the landscape plan to provide a minimum of 26 trees and 159 shrubs along the western 660' portion of Hampton Avenue to comply with MZO Table 11-33-3.A.4 and MZO 11-33-3.A.6 for minimum size of plant material.*
7. *Prior to issuance of a building permit, revise the site plan to include an alternative paving material for pedestrian crosswalks such as stamped concrete, decorative concrete pavers, or similar materials.*
8. *Replace any dead or missing landscape material in existing parking and circulation areas and in landscape areas adjacent to Crismon Road and Hampton Avenue per previously approved plans, BA04-037.*

SITE CONTEXT

CASE SITE: Existing church facilities -- Zoned RS-43 PAD
NORTH: Existing United States Post Office -- Zoned RS-43 PAD
Existing Assisted Living Facility -- Zoned LC
EAST: (Across Crismon Road) existing commercial development -- Zoned LC
Existing hospital facilities -- Zoned NC BIZ
SOUTH: (Across Hampton Avenue) Undeveloped property -- Zoned PEP PAD and PEP PAD-CUP
WEST: Existing multi-family -- Zoned RM-2 PAD
Vacant -- Zoned PEP

STAFF SUMMARY AND ANALYSIS:

Substantial Conformance Improvement Permit (SCIP)

The intent of this SCIP is to recognize existing site constraints to achieve a proportional degree of improvements that will bring the site into greater compliance with current development standards. The church has expanded over the years and has received several approvals along the way.



2002 Historical Aerial Photo



2007 Historical Aerial Photo



2018 Aerial Photo

- In 1987, this ±22.2-acre site located at 1330 South Crismon Road, which is the northwest corner of Crismon and Hampton Roads, was annexed into the City of Mesa and subsequently zoned Suburban Ranch (SR).
- In 1990, the site was rezoned to SR and obtained a Development Master Plan (DMP) to allow for the development of a business park. However, the business park was not developed. The 2011 MZO updates changed the name of the SR district to RS-43 and DMPs were renamed to Planned Area Developments (PADs), respectively.
- In 2002, the initial church facilities were constructed.
- In 2004, a SCIP (BA04-037), was approved to allow the church to expand based on a phased construction master plan. Under this approval, as a part of Phase II, the south building and a temporary parking lot west of the buildings were constructed. Phase III of the master plan approved the construction of a third church building in the area occupied by the temporary parking lot and delayed the installation of the required perimeter landscape material and screen walls for the west half of the site until the construction of the Phase III building.

In 2008, the church was granted a Specific Use Permit (BA08-057) to allow athletic fields (a temporary paintball field) and a variance to allow the phased installation of perimeter landscaping, perimeter walls and additional parking lot landscaping until Phase III. Since the previous approvals, the church has changed ownership and with this request, Christ Church of the Valley (CCV), is proposing to change the previously approved master plan

with the following:

- At the west of the existing buildings, eliminate the proposed third building and upgrade the temporary parking lot to permanent parking.
- Expand the landscape and hardscape at the west side of the existing buildings, which will realign the existing drive aisle.
- Add a future parking area on the north side of the existing buildings.
- Install new athletic fields facilities (soccer fields) on the west half of the site in the place of the temporary paintball field approved in 2008. This includes installation of new field lights.

Since the existing church improvements were developed under a previous Code and the expansion of the site is not in conformance with the previously approved master plan, the proposed changes require full compliance with current MZO development standards. The applicant has applied for approval of the SCIP because full compliance would require removal of existing improvements that would be impractical.

The table below is a summary of the minimum MZO requirement, applicant's proposal and staff recommendations for the site. Items in bold face type indicate modifications from code requirements:

Development Standard	MZO Requirement		Applicant Proposal based on existing conditions:		Staff Recommends:
	<i>Building</i>	<i>Landscape</i>	<i>Building</i>	<i>Landscape</i>	
<i>Setback</i>					
Southern Avenue	30'	15'	±754'	30'	Meets code
Sossaman Road	30'	15'	±317'	10'*	As proposed
Hampton Road	30'	20'	±76'	20'	Meets code
West Property Line	30'	15'	±709'	30'	Meets code
North Property Line (adjacent to the Post Office)	10'	25'	NA	25'	Meets code
West Property Line (adjacent to the Post Office)	10'	25'	NA	155'	Meets code
East Property Line (adjacent to the Assisted Living)	10'	15'	NA	15'	Meets code
North Property Line (adjacent to the Assisted Living)	10'	15'	135'	10'**	As proposed
<i>Parking lot landscape islands</i>	<i>1 per 8 parking spaces</i>		1 per 10 parking spaces*** (existing east parking lot)		As proposed
<i>Screening wall abutting residential district or use:</i>					
North Property line adjacent to Post Office	6' wall		Proposed 6' concrete masonry unit (CMU) wall		Meets code
West Property line adjacent to Post office	6' wall		Existing 6' chain link fence		As proposed
West property line	6' wall		Existing 6' CMU/stucco wall		Meets code

*BA04-057 condition of approval required the installation of a 30' wide landscaping area along Crismon Road at the time of issuance of building permit for the third phase worship center to meet current MZO requirements. In 2011, the MZO was changed and only requires a 15' wide landscape setback along Crismon Road.

**BA04-057 approved this modification as a part of the SCIP request.

***Represents the greatest non-conformity. In some cases, the ratio is 1 landscape island per 9 parking spaces.

The SCIP allows for the requested modifications from the following development standards:

- Required landscape width adjacent to the Crismon Road public right-of-way and the north property line adjacent to the LC District.
- Required parking lot landscape islands at a ratio of 1 per 10 parking spaces.
- Existing 6' chain link fence adjacent to the east property line of the Post Office.

Per MZO Chapter 73, the intent of a SCIP is to recognize existing site constraints, and to work with the applicant to proportionally improve the property based upon current development standards. The applicant is proposing the following improvements, which would bring the site into closer compliance with current Code:

- Install parking lot screen wall and landscape material along the west half of the property adjacent to Hampton Road.
- Install required landscape material adjacent to the west property line and along the north property line adjacent to the Post Office property.
- Install a 6 ft. cmu wall along the north property line adjacent to the Post Office.
- Install parking lot landscape islands and plant material to meet current Code requirements to upgrade the temporary parking lot located to the west of the existing buildings to a permanent parking lot.

The combination of the proposed improvements, and staff recommended improvements listed in the conditions of approval, constitute the greatest degree of compliance with current development standards without requiring demolition of significant improvements to the site. Deviations to current development standards are necessary to accommodate the continued viable use of this site. The deviations requested allow the development of the site in a manner that is consistent with development at other similar sites. The modifications will result in a development compatible with and not detrimental to the surrounding neighborhood. Staff recommends approval of the SCIP with conditions as listed in this report.

SCIP FINDINGS:

- 1.1** The church site was originally developed in 2002
- 1.2** The request for a SCIP would allow for the expansion of an existing church site and facilities.
- 1.3** The proposed new improvements, including upgrade of parking lot, additional landscape material, and sports fields, with the recommended conditions of approval help bring the site into a greatest degree of conformance with current standards.
- 1.4** Full compliance with current code would require removal or relocation of existing improvements.
- 1.5** All new improvements to the site will meet development standards and do not create a new non-conformity.
- 1.6** The proposed improvements will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.
- 1.7** The modifications requested along with the conditions of approval are consistent with the degree of change requested to allow improvements to the site.

Special Use Permit (SUP)

The applicant is requesting a SUP to allow athletic facilities in conjunction with a place of worship in the RS-43-PAD District. The proposed athletic fields include the construction of one full-sized soccer field and two half-sized soccer fields. According to the project narrative, the CCV has a youth and adult sports program and is open to everyone in the community. The soccer fields are proposed to be located west of the existing parking lot and the existing buildings. The applicant's justification/compatibility statement specifies that the soccer fields will operate Monday through Friday, until 9:00 p.m. and on Saturday mornings. The church holds services Saturday

evening, so the soccer fields will not be used on Saturday evenings and on Sundays. As part of the request for the soccer fields, the applicant has submitted an Administrative Review application to the Zoning Administrator requesting an exception to the maximum height of light fixtures to allow 60' tall sports field lights within the soccer field area. Per MZO Table 11-30-5: Maximum Height of Lighting Fixtures, the maximum height allowed for freestanding light poles a residential district is 15' tall. MZO 11-30-5.C.2, allows the Zoning Administrator to approve an exception to the maximum height of lighting fixtures after a review of the photometric study for compliance with MZO 11-30-5.A. Notification of the request for the 60' tall sports lights was included in the letters notifying property owners within 500' of the request for this SCIP and SUP. To date, Planning Staff has not had any inquiries or concerns about the proposed application including the increased height request. If approved by the Zoning Administrator, the sport lights would allow the soccer fields to operate from dusk to 9:00 p.m., Monday-Friday. According to the narrative, the lights will be turned off at 10:00 p.m. All lighting is required to meet lighting and illumination requirements of MZO Section 11-30-5.

The proposed soccer fields are located on the west half of the lot. To the north, the adjacent properties are zoned RS-43 PAD and LC Districts and are developed with a Post Office and an assisted living facility respectively. To the south, across Hampton Avenue, the property is Zoned PEP PAD and PEP PAD-CUP District and is vacant. To the west, the soccer fields are adjacent to a RM-2 District, which is currently under construction with a new multi-family development. The site plan provides the required 30' setback and landscape material along the west property line, providing a buffer between the soccer fields and the adjacent multi-residence development. Below is an analysis of the athletic field use and the MZO SUP requirements.

MZO 11-70-5 provides required findings for approval of a SUP. To approve the request, the Board must find that the following criteria have been met:

REQUIREMENT	FINDINGS
Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;	The adopted Mesa 2040 General Plan designates the site as Mixed Use Activity District/Employment. The Mixed Use Activity Districts are large-scale (over 25 acres) community and regional activity areas and the definition lists typical uses such as retail, restaurants, offices, services, and entertainment. The Employment sub-type encourages employment type land uses and allow for supporting commercial uses. The existing church with the proposed athletic fields supports and serves the surrounding community, fits the definition of this character type and advances the goals and objectives of the General Plan.
The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;	The proposed location size, design and operation of the church's proposed athletic fields, as defined in the project's justification/compatibility statement and shown on the site plan, conforms with the General Plan and policies.
The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and	Planning staff does not believe the proposed athletic fields will be injurious or detrimental to the neighborhood or the City. According to a letter provided by the applicant, the owner of the RM-2 property has provided verbal support for this request, including the proposed 60' tall sports lights.
Adequate public services, public facilities and public infrastructure are available to serve the proposed project.	Public services, facilities and infrastructure are available for the proposed athletic fields.

SUP FINDINGS

- 2.1** The proposed athletic fields for the existing place of worship is consistent with the policies of the General and plan and will advance the goals and objectives.
- 2.2** The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan. The applicant's justification/compatibility statement indicate that the hours of operation for the soccer fields are Monday through Friday until 9:00 p.m. and on Saturday mornings. The soccer fields will not be used on Saturday evenings or on Sundays.
- 2.3** The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area. The proposed athletic fields are consistent with the surrounding uses. The applicant's justification/compatibility statement includes a Plan of Operation & Good Neighbor Policy. An existing 6' high CMU wall and 30 ft. landscape buffer along the west property line and a proposed 6' tall cmu wall and 25' wide landscape buffer separates the proposed soccer fields from the adjacent properties.
- 2.4** Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

Staff recommends approval of the applicant's request for a SUP to allow athletic facilities in conjunction with a place of worship.

ORDINANCE REQUIREMENTS:

11-70-5: Special Use Permit (SUP)

- E. Required Findings.** A SUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria. If it is determined that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established in the record.
1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;
 2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;
 3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
 4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

Section 11-73-3 Substantial Conformance Improvement Permit (SCIP) Required Findings

A SCIP shall not be granted unless the Zoning Administrator, acting as a Hearing Officer, or Board of Adjustment shall find upon sufficient evidence that:

- A. The entire development site will be brought into substantial conformance. Substantial conformance shall mean physical improvements to the existing development site which constitute the greatest degree of compliance with this Ordinance that can be attained without causing or creating any of the following conditions:
 1. The demolition or reconstruction of existing buildings or other significant structures (except signs); or
 2. The cessation of the existing conforming use, or the preclusion of any other lawful, permitted use.
 3. The creation of new non-conforming conditions.
- B. The improvements authorized by the SCIP will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.