

Board of Adjustment

Staff Report

CASE NUMBER: BOA18-00768
LOCATION/ADDRESS: Within the 800 block of North Country Club Drive (east side)
COUNCIL DISTRICT: District 1
STAFF PLANNER: Veronica Gonzalez
OWNER: Child Crisis Arizona and First Christian Church Inc of Mesa
APPLICANT: Brent Henderson, Henderson Engineering Group, LLC

REQUEST: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow modifications to certain development standards in the Limited Commercial (LC) and Office Commercial (OC) Districts.

SUMMARY OF APPLICANT'S REQUEST

The purpose of this request is to allow modifications to development standards of the Mesa Zoning Ordinance (MZO) for the expansion of First Christian Church and an existing Child Crisis Arizona facility located in the 800 block of North Country Club Drive in the Limited Commercial (LC) and Office Commercial (OC) Districts. This SCIP request is proposed to bring the site into substantial conformance with the MZO without bringing the entire site into full conformance with current development standards.

STAFF RECOMMENDATION

Staff recommends **approval** of case **BOA18-00768** with the following conditions:

1. Compliance with the final site plan and landscape plan submitted, except as modified by the conditions below;
2. Compliance with all requirements of the Development Services Division regarding the issuance of building permits.
3. Compliance with the conditions of case ZON18-001014.

SITE CONTEXT

CASE SITE: Existing family resource center and church – Zoned LC and OC
NORTH: Existing residential – Zone RM-3 and RS-6
EAST: Existing residential – Zoned RS-6
SOUTH: Existing commercial – Zoned GC
WEST: (Across Country Club Drive) Existing commercial and vacant land – Zoned LC

PROJECT DESCRIPTION

	Existing Site	Project Changes
Site area	4.11± acre	4.5± acre
Building area	30,325 SF	No Changes
Parking	137 spaces	150 spaces

STAFF SUMMARY AND ANALYSIS:

Substantial Conformance Improvement Permit (SCIP):

The purpose of the SCIP is to recognize existing site constraints and achieve incremental improvements that demonstrate substantial conformance with current development standards. This SCIP request is to allow for an expansion of an existing commercial site that has previously received SCIP approval through case ZA05-058. Below is the summary of the history of development of the site, as well as the current request and improvements:

- The First Christian Church is an existing development that received approval of a SCIP through case ZA05-058 to address existing non-conformities when the site was expanded to include the development of the Child Crisis Arizona facility.
- The approved 2005 site plan for the Child Crisis Arizona facility conformed to all development standards of the Mesa Zoning Ordinance and no modifications were requested.
- As a group commercial development, First Christian Church and Child Crisis Arizona have shared parking and access agreements, which will be amended to include the ±0.39-acre parcel.
- Child Crisis Arizona purchased an existing, non-conforming ±0.39-acre parcel at the northwest portion of the site and is requesting to incorporate it to the existing development to provide additional parking spaces for the overall development. The SCIP is requested to address the existing non-conformities of the recently purchased site. The additional parking is intended to replace parking spaces removed from the site as a result of a planned expansion to the playground facilities at the northeast portion of the site.
- The applicant is requesting to modify the previously approved SCIP (case #ZA05-058) and incorporate the ±0.39-acre parcel into the overall site development. The proposed modification of the SCIP will result in a development that is compatible with and not detrimental to the surrounding neighborhood.
- The improvements to the ±0.39-acre parcel include:
 - Currently the site has no landscape setback adjacent to Country Club Drive. The applicant proposes to install a minimum 23' landscape setback adjacent to Country Club Drive.
 - Currently, the site does not include any landscaping within the parking lot area. The applicant proposes to install parking lot landscape islands in conformance with Section 11-33-4 of the MZO that requires one landscape island for every eight parking spaces.
 - In its original configuration, there was a retail building with a 7' setback from the north property line. The retail building has been demolished and the applicant proposes a 20' setback that will include new landscape material. The proposed 20' setback is consistent with the setback established on the balance of the development site.

Table 1 below is a summary of the minimum MZO requirements, the standards previously approved with ZA05-058, the applicant's proposal and staff recommendations for the site. Items in **bold face type** indicate modifications from code requirements:

TABLE 1 DEVELOPMENT STANDARDS

MZO Requirement	Approved with ZA05-058	Existing on ±0.39-acre parcel	Applicant Proposes:	Staff Recommends:
<i>Setbacks (overall site)</i> Country Club Drive (west) – 15' North Property Line – 25' East Property Line – 25' South Property Line – 15'	<i>(landscape/building)</i> 23' 20' 25' 10'	<i>(landscape/building)</i> 0' landscape 7' N/A N/A	<i>(landscape/building)</i> 23' landscape 20' 25' 10'	Meets Code As proposed Meets Code Existing, As proposed
<i>Required Parking</i> Church (5,175 sf) – 1 space/75 sf = 69 Child Crisis facility (19,982 sf) – 1 space/375 = 53 Total required parking = 122 spaces	137 spaces	22 spaces	150 spaces	As proposed
<i>Required Parking Landscape Islands –</i> 1 per 8 spaces Church parking Child Crisis facility parking Proposed additional parking	Maximum 1 per 12 spaces 1 per 8 spaces 1 per 8 spaces	None	Maximum 1 per 12 spaces 1 per 8 spaces 1 per 8 spaces	Existing, As proposed Meets Code Meets Code

FINDINGS:

1. The development site is zoned OC and LC and includes existing improvements for First Christian Church and Child Crisis Arizona.
2. The proposed improvements to the ±0.39-acre parcel include increasing the setbacks along the north property line and Country Club Drive, installation of new landscape islands within the parking field and installation of new landscape material.
3. Full compliance with current development standards would require demolition of existing improvements including removal of parking and circulation.
4. The modifications requested constitute the greatest degree of compliance with the MZO.
5. The proposed improvements will result in a development that is not detrimental to the adjacent properties or neighborhood.

ORDINANCE REQUIREMENTS:

Section 11-73-3 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.