



PLANNING DIVISION
STAFF REPORT

Board of Adjustment

November 1, 2023

CASE No.: BOA23-00737	CASE NAME: CCC Mesa Children’s Building
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Owner’s Name:	Central Christian Church of Mesa
Applicant’s Name:	Dan Brusnahan, Todd and Associates
Location of Request:	Within the 900 Block of North Lindsay Road (east side) and within the 2800 to 3000 blocks of East Encanto Street (south side). Located east of Lindsay Road and south of Brown Road.
Parcel Nos:	140-06-114
Nature of Request:	Requesting a Substantial Conformance Incentive Permit (SCIP) to allow deviations from certain development standards.
Zone District:	Single Residence – 9 (RS-9) District
Council District:	1
Site size:	34± acres
Existing use:	Church
Hearing date(s):	November 1, 2023 / 5:30 p.m.
Staff Planner:	Josh Grandlienard, AICP, Planner II
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **November 8, 1975**, the City Council annexed 247.7± acres of land, including the subject property, into the City of Mesa and subsequently zoned the subject property Single Residence 9 (R1-9 equivalent to modern RS-9)(Case No. Z76-009, Ordinance No. 978).

On **October 9, 1984**, the Zoning Administrator approved a deviation to allow for the Church Building to exceed the 30’ height requirement in order to allow the building to meet Acoustic and Balcony requirements of the use. (Case No ZA84-115)

In **1986**, per Maricopa County Historic Aerials, the existing main church structure was developed which included the existing parking lot adjacent to Lindsay Road.

On **July 10, 1990**, the Zoning Administrator approved the use of the existing property to allow a preschool on site that would be available Monday through Friday. (Case No ZA90-061)

On **April 10, 2007**, the Board of Adjustment approved a Special Use Permit to allow the development of athletic fields in conjunction with a place of worship in the R1-9 zoning district. (Case No BA07-002)

PROJECT DESCRIPTION

Background:

The applicant is requesting a Substantial Conformance Improvement Permit (SCIP) to allow for deviations from certain development standards in the Single Residence 9 (RS-9) District. The proposed project involves the construction of a new, 24,470 square foot Children's Ministry building which will serve the existing church services and will allow for the removal of modular classroom buildings to be replaced with the new proposed structure.

The church on the subject property was initially developed in the Early 1980's. Currently, the existing Church includes a chapel building as well as a new life center, storage building, maintenance, and administrative buildings, in addition to five existing modular structures. The modular structures will be removed once the proposed Children's Ministry structure is built. These existing buildings and site improvements were constructed in accordance with the building and zoning codes in effect at the time; however, some of the existing site improvements do not conform with current developments standards of Section 11-5-3 of the Mesa Zoning Ordinance (MZO) and the site is considered legal non-conforming. Due to existing conditions, achieving full conformance with the MZO would require significant alterations to the site including relocation of the existing church structures, partial demolition of the parking spaces and modifications to on-site circulation. Section 11-73 of the MZO establishes the SCIP process and review criteria to allow a non-conforming site to be brought into substantial conformance without having to bring the entire site into full conformance. In order to bring the site into further conformance, the applicant is proposing to replace dead and missing landscape material throughout the entire site, and to provide additional landscaping along Lindsay Road.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Specialty with an Educational Campus subtype. Per Chapter 7 of the General Plan, the Educational Campus subtype is typically for high school and college campuses and associated athletic facilities and may have large buildings set in parking lots. This sub-type also includes junior high and/or elementary schools located adjacent to a high school and form a large campus area. The proposed improvements to the existing church site advances the goals and objectives the Mesa 2040 General Plan by providing a service to the surrounding residential neighborhoods and is consistent with the existing neighboring school.

Site Characteristics:

The subject site is located south of Brown Road at the northeast corner of Encanto Street and Lindsay Road. The first phase of the church was constructed in the mid 1980's. The subject property includes a total of eleven existing structures, which includes existing child ministry

structures in the form of modular classrooms. Access to the church is provided by two primary drives, both located along Lindsay Road, as well as emergency access from Encanto Street and through the existing city park to the south.

The proposed site plan shows the construction of a new 24,407 square foot Children’s ministry building on the south side of the existing church. The site plan indicates a total of 131 parking spaces are required for the Children’s ministry uses and 763 parking spaces are required for the church use itself, where the existing parking on site is 1,150 in compliance with the MZO parking requirement. Within the vicinity of the Children’s Ministry, a variety of trees, shrubs and ground cover are planted within the required parking lot landscape islands and foundation base area. Additionally, a variety of trees and shrubs are planted in the landscape yards along the public rights-of-way and the perimeter of the site along Lindsay Road.

Surrounding Zoning Designations and Existing Use Activity:

<p>Northwest (Across N Lindsay Road) RS-9 Single Residences</p>	<p>North (Across E Encanto Street) RS-9 Single Residences</p>	<p>Northeast (Across the Eastern Canal) RS-15 Single Residences</p>
<p>West (Across N Lindsay Road) RS-9 Single Residences</p>	<p>Subject Property RS-9 Place of Worship</p>	<p>East (Across the Eastern Canal) RS-15 Single Residences</p>
<p>Southwest (Across N Lindsay Road) RS-9 Single Residences</p>	<p>South RS-9 City of Mesa Public Park/Mesa Public School</p>	<p>Southeast (Across the Eastern Canal) RS-15 Single Residences</p>

Mesa Zoning Ordinance Requirements and Regulations:

Substantial Conformance Improvement Permit (SCIP) MZO Section 11-73:

The subject site is legal non-conforming as it does not conform to development standards of Section 11-4-3 of the MZO. Table 1 below summarizes the minimum MZO requirements, the applicant’s proposal, and staff’s recommendations. Text in bold indicates modifications from the MZO code requirements.

TABLE 1 DEVELOPMENT STANDARDS:

Development Standard	MZO Requirements	Applicant Proposal	Staff Recommendation
<p>Lighting and Illumination <i>MZO Table 11-30-5</i></p>	<p>Maximum Height Lighting Fixtures Residential Districts Maximum Height (ft) – Detached 15 feet</p>	<p>25 feet (existing)</p>	<p>As proposed</p>

Development Standard	MZO Requirements	Applicant Proposal	Staff Recommendation
Interior Parking Lot Landscaping <i>MZO 11-33-4</i>	Maximum of 8 contiguous spaces between landscape islands.	Maximum of 26 contiguous spaces between landscape islands	As proposed
Perimeter Landscaping <i>MZO 11-33-3 (B)(1)(a)</i>	Provide 25 foot landscape yard adjacent to residential to the north. Provide 25' landscape yard adjacent to the park zoned residential to the south.	5 feet (north) 10 feet (south)	As proposed
Perimeter Landscaping <i>MZO Table 11-33-3 (A)(4)</i>	1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (4 trees and 24 shrubs per 100') 1785' of landscape frontage along Encanto Street = 72 Trees 286 Shrubs	No additional landscaping for Encanto	As Proposed
Pedestrian Connections <i>MZO 11-30-8 (A)</i>	Connection to Public Sidewalk. An on-site walkway shall connect the main entry of each building or each primary entry to a public sidewalk on each street frontage.	No connection to public sidewalks	As proposed
Bicycle Parking <i>MZO 11-32-8 (A)(1)(a)</i>	Provide at least 3 bicycle parking spaces or at least 1 bicycle space per 10 on-site vehicle parking spaces	12 bicycle parking stalls (existing)	As proposed

Development Standard	MZO Requirements	Applicant Proposal	Staff Recommendation
	<p>actually provided, whichever is greater. After the first 50 bicycle parking spaces are provided, the required number of additional bicycle parking spaces is 1 space per 20 vehicle parking spaces for 64 total bicycle parking spaces</p>		

To bring the site into substantial conformance with the development standards of the MZO, dead and missing landscape material will be replanted in the required landscape yards along Encanto Street and Lindsay Road and in the required landscape yard along the west property line between the parking lot and Lindsay Road.

Per Section 11-73-3 of the MZO, when deciding on a SCIP, the 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

Significant alterations to the site, including the existing Church buildings, partial demolition of the parking spaces and modifications to on-site circulation would need to occur to bring the site into full conformance with current MZO development standards.

The request complies with this criterion.

- 2. The cessation of the existing conforming use, or the preclusion of any other lawful, permitted use.

Full compliance with current development standards would impose an extreme hardship that may cause the cessation of the church use and would discourage improving the site.

The request complies with this criterion.

3. The creation of new non-conforming conditions.

The proposed Children’s Ministry building and associated site improvements meet the development standards of Section 11-4-3 of the MZO.

The request complies with this criterion.

- B. The improvements authorized by the SCIP will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.

The proposed improvements to the church are compatible with the surrounding neighborhood and improve the overall site. Therefore, staff believes that the proposed request will not be detrimental to adjacent properties or neighborhoods.

The request complies with this criterion.

Findings:

- A. The subject property was annexed into the City of Mesa in 1975 and subsequently zoned RS-9 District.
- B. In 1984, the Zoning Administrator approved a deviation to allow for the Church Building to exceed the 30’ height requirement (Case No ZA84-115).
- C. In 1990, the Zoning Administrator approved the use of the existing property to allow a preschool on site that would be available Monday through Fridays. (Case No ZA90-061)
- D. In 2007, the Board of Adjustment approved a Special Use Permit to allow the development of athletic fields in conjunction with a place of worship in the R1-9 zoning district. (Case No BA07-002)
- E. The subject site does not meet current MZO development standards and is therefore legal non-conforming.
- F. The proposed improvements to the existing church site advance the goals and objectives of the Mesa 2040 General Plan by providing a service to the surrounding neighborhoods.

Neighborhood Participation Plan and Public Comments:

The applicant mailed the required notification letters to all property owners within 500 feet of the site. As of the date of this report, staff has not been contacted by any resident or property owner to express support or opposition to this request.

Staff Recommendations:

Based upon the application received and preceding analysis, staff find that the request will comply with the Mesa 2040 General Plan and the required findings for a Substantial Conformance Improvement Permit outlined in Section 11-73-3 of the MZO. Therefore, recommends approval with the following **Conditions of Approval:**

1. Compliance with the final site plan and landscape plan as submitted.

2. Compliance with case ZON23-00766
3. Compliance with case DRB23-00765
4. Compliance with all City Development Codes and regulations, except as identified in Table 1 of this report.
5. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Attachments:

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Narrative/Justification Statement

Exhibit 4 – Site Plan

Exhibit 5 – Landscape Plan

Exhibit 6 – Building Elevations