



PLANNING DIVISION
STAFF REPORT

Board of Adjustment

August 3, 2022

CASE No.: **BOA22-00478**

CASE NAME: World Deliverance Outreach Ministries

Owner's Name:	World Deliverance Outreach Ministries
Applicant's Name:	Michelle O. Rutkowski, MOR Studio
Location of Request:	4151 East Pueblo Avenue
Parcel Nos:	140-48-003P
Nature of Request:	Requesting a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards for the redevelopment of an existing place of worship.
Zone District:	Single-Residence-43 (RS-43)
Council District:	2
Site size:	2.3± acres
Proposed use:	Place of Worship
Hearing date(s):	August 3, 2022 / 5:30 p.m.
Staff Planner:	Charlotte Bridges
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **November 5, 1973**, the City Council annexed approximately 392± acres, including the subject site, into the City of Mesa and subsequently zoned the subject property Suburban Ranch (SR) (equivalent to current Single Residence-43 [RS-43] District) (Ordinance No. 829).

PROJECT DESCRIPTION

Background:

The applicant is requesting a Substantial Conformance Improvement Permit (SCIP) to allow for deviations from certain development standards to accommodate the redevelopment of an existing place of worship in the Single Residence-43 (RS-43) District. The proposed redevelopment entails demolishing the existing worship center and covered patio located on the

east and south sides of the property and constructing a new 13,690 square foot building, which will include gathering space for worship, classrooms, offices, restrooms, and a lobby. The scope of work also includes a reconfiguration of the parking lot to provide additional parking spaces, new parking lot landscape islands, and enhanced pedestrian circulation.

Maricopa County historical aerial photos indicate the existing site improvements and a majority of the existing buildings were constructed in 1986. Currently, the subject site does not conform to the development standards of Section 11-31-22(D) of the Mesa Zoning Ordinance (MZO), which requires places of worship to comply with the landscaping and screening requirements as specified for a Limited Commercial (LC) development, pursuant to Section 11-30-9 and Chapter 33 of the MZO, and all parking requirements in Chapter 32 of the MZO. Due to existing conditions, achieving full conformance with the MZO would require significant alterations to the site including removal of parking spaces and modification to the on-site circulation. Section 11-73 of the MZO establishes the SCIP process and review criteria which allows the 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, East Pueblo Avenue will be widened, and improved with new landscaping. New landscaping will also be installed around the perimeter of the site and within the foundation base areas of the buildings.

In conjunction the SCIP, the applicant is requesting Alternative Compliance to certain design standards in Section 11-6-3(B) of the MZO. Section 11-31-22(C)(2) of the MZO, requires places of worship to comply with the design standards of the LC District. Per Section 11-6-3(B)(7) of the MZO, applicants may propose alternative designs to the Building and Form Standards in Section 11-6-3(B) of the MZO by providing comparable standards in a creative way.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood. Per Chapter 7 of the General Plan, the primary focus of the Neighborhood character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Neighborhoods can contain a wide range of housing options and often have associated nonresidential uses such as schools, parks, places of worship, and local serving businesses. Nonresidential areas within neighborhoods should be designed and located to bring people together and not disrupt the fabric and functioning of the neighborhood as a place where people live. The existing place of worship advances the goals and objective the Mesa 2040 General Plan by providing a gathering place for residents within the surrounding neighborhoods.

Site Characteristics:

The subject site is located at the approximately 820± feet east of Greenfield Road on the south side of Pueblo Avenue. The site is 2.3± acres in size and is zoned RS-43. Access to the site is provided by two drive entrances along Pueblo Avenue. A total of 93 on-site parking spaces will be provided to the west of the buildings, 92 parking spaces are required. Sidewalks will connect the parking area to the buildings and public right-of-way. Currently, plant material is sparse throughout the site.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Pueblo Avenue and the Eastern Canal) RS-9 Existing single residences	North (Across Pueblo Avenue) RS-6-PAD Existing public park	Northeast (Across Pueblo Avenue) RS-6-PAD Existing public park
West RS-43 Undeveloped lot	Subject Property RS-43 Existing place of worship	East RS-43 Existing single residence
Southwest RS-43 Existing single residences	South RS-43 Existing single residences	Southeast RS-43 Existing single residences

Mesa Zoning Ordinance Requirements and Regulations:

Per Section 11-31-22 of the MZO, a place of worship is required to comply with the following:

1. Buildings must be located outside the required setbacks for the zoning district in which it is located;
2. The site must comply with design standards for the LC district, unless located within an area designated by the "-U" character designator, when it would then comply with LC- U design standards.
3. Buildings must adhere to the height requirements established by the zoning district for which the Places of Worship is located; unless modified as a building height exception pursuant to Section 11-30-3.
4. Landscaping and screening requirements are adhered to as specified for a LC development, pursuant to Section 11-30-9 and Chapter 33. In the event character designators "-U" or "-A" are established for the Places of Worship site, the development standards associated with such character designators shall also apply. site, the development standards associated with such character designators shall also apply.
5. All parking requirements are met as specified in Chapter 32.

All new improvements proposed meet the criteria for a place of worship above and are in conformance with the development standards of the MZO. All non-conforming conditions are permitted to remain through the approval of a Substantial Conformance Improvement Permit.

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

The subject site is non-conforming as it does not conform to landscape and screening requirements of Chapter 33 and Section 11-30-9, and all parking requirements of Chapter 32 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
Screening – <i>Section 11-30-9(I)</i> Common Property Lines - public or semi-public use adjacent to a residential district or residential use	Six-foot screen wall	Four-foot to four-foot, four-inch screen wall (southern property line) No screen wall (western property line) (existing)	As proposed
Parking – <i>Section 11-32-4(A)</i> Setback of Cross Drive Aisles -Parking spaces along drive aisle that cross main drive aisles	50-feet from the property line abutting the street	42-feet, six-inches and 43-feet from the property line abutting the street (existing)	As proposed
Landscape Yard – Section 11-33-3(B)(1)(a) -Adjacent to single residence uses	20 feet	11-feet, one-inch to 12-feet, 10-inches (southern property line) (existing)	As proposed

To bring the site into substantial conformance with the development standards of the MZO, the following improvements are proposed :

- A minimum 20-foot-wide landscape yard is provided along the east and south side of the new building in compliance with the Section 11-33-3(B)(1)(a) of the MZO.
- Pueblo Avenue widened and improved in compliance with City of Mesa development standards.
- A new three-foot-tall masonry parking area screen wall along Pueblo Avenue.
- Parking lot reconfiguration to provide 93 paved parking spaces in compliance with Chapter 32 of the MZO.

- New parking lot landscape islands constructed in compliance with Section 11-33-4(B) of the MZO.
- Installation of perimeter, parking lot landscape island, and foundation base plants and material in compliance with Chapter 33 of the MZO.
- New gated trash enclosure in compliance with Section 11-30-9(G) of the MZO and City of Mesa Solid Waste design standards.
- New parking lot lights in compliance with Section 11-30-5 of the MZO.
- New pedestrian connections built in compliance with Section 11-30-8 of the MZO.

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 demolition of parking area and 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 place of worship use.

The request complies with this criterion.

3. The creation of new non-conforming conditions.

The location of the new building meets the requirements of Section 11-31-22 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 redevelopment of the place of worship is compatible with the surrounding neighborhood and the improvements recommended by staff improve the

streetscape along the public rights-of-way and the overall. Therefore, staff does not believe that the proposed request will not be detrimental to adjacent properties or neighborhoods.

The request complies with this criterion.

Alternative Compliance MZO Section 11-6-3(B):

Requests for Alternative Compliance may be accepted for any application to which Site Planning and Design Standards apply. The applicant is requesting Alternative Compliance for the following MZO building design standards:

- Section 11-6-3(B)(2)(b)(ii): Flat roofs or facades with a horizontal eave, fascia, or parapet, in excess of one hundred feet in length, must provide vertical modulation. The minimum vertical modulation is two (2) feet or one-tenth ($1/10$) multiplied by the wall height, not to exceed one-third ($1/3$) of the height of the supporting wall.
- Section 11-6-3(B)(5)(d): No more than fifty percent (50%) of the total facade may be covered with one (1) single material.
- Section 11-6-3(B)(5)(g)(i): A recognizable "base" consisting of (but not limited to):
 - (1) Thicker walls, ledges or sills;
 - (2) Integrally textured materials such as stone or other masonry;
 - (3) Integrally colored and patterned materials such as smooth finished stone or tile; or
 - (4) Lighter or darker colored materials, mullions or panels; or planters.

Per the applicant's narrative, the design of the World Deliverance Outreach Ministries building is warm and modern. The linear charcoal bands direct the eye to a cross that anchors the street side façade. Glass is used to create a welcome and transparent lobby. A variety of building material are used including warm wood tile, EIFS with decorative reveals in cream and warm greys, and expansive glass. In lieu of a consistent recognizable "base" (a more traditional look), alternative compliance is achieved by grouping the enhanced materials into masses that provide depth and character for each façade. These vertical planes and masses are more befitting of modern design. The top of the building is enhanced with a wide metal cap to create dynamic lines that direct the eye to the cross. Mullion and reveal patterns are used on every façade to create rhythm and order. In conclusion, applicant proposes that the elevations meet the Alternative Compliance review criteria of Section 11-6-7(B)(iv) of the MZO, because they are aesthetically more complementary to the site, better fit into the context of the area, improves the overall architectural appeal of the area and/or meets or exceeds the design objectives as described in the City's General Plan.

Findings:

- A. The site is zoned RS-43 and is developed with a place of worship.
- B. The subject site does not meet current MZO development standards and is therefore legal non-conforming.
- C. Full compliance with current MZO would require significant alterations to the site including demolition and removal of parking spaces and alterations to the on-site circulation.
- D. Improvements to the site include improving Pueblo Avenue to meet current City of Mesa development standards; reconfiguring the parking area to provide parking lot landscape

islands and paved parking spaces; planting trees, shrubs, and ground covered in the required perimeter, parking lot islands, and foundation base landscape areas; providing a new trash enclosure; and installing a new parking lot screen wall adjacent to Pueblo Avenue.

- E. The modifications requested along with the proposed improvements are consistent with the degree of change requested to improve the site and to bring the site into a closer degree of conformance with current MZO standards.
- F. The proposed improvements will not create any new non-conformities.
- G. The proposed improvements will result in a development that is compatible with, and not detrimental to, adjacent properties or 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 on the application received and preceding analysis, staff finds the request for a Substantial Conformance Improvement Permit meets the required findings of Section 11-73-3 of the MZO, and the Alternative Compliance request meets the criteria of Section 11-6-7(B) (iv) of the (MZO); therefore, staff recommends approval with the following conditions.

Conditions of Approval:

- 1. Compliance with the final site plan, landscape plan, and building elevations submitted.
- 2. Compliance with all City Development Codes and regulations, except as identified in Table 1 of this report.
- 3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Exhibits:

Exhibit 1 – Vicinity Map
Exhibit 2 – Staff Report
Exhibit 3 – Narrative and Justification Statement
Exhibit 4 – Site Plan
Exhibit 5 – Landscape Plan
Exhibit 6 – Elevations