

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-15441 - APPLICANT/OWNER: CANYON RIDGE
CHRISTIAN CHURCH

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. The modular building shall be moved by August 1, 2008 unless an Extension of Time is approved by the City Council.
2. Conformance to all applicable conditions of approval for Site Development Plan Review [U-0088-95(3)] and all other related cases.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for an Extension of Time of an approved Site Development Plan Review [U-0088-95(3)] that required a modular building to be removed by December 8, 2000 or whenever Phase 2 is completed, whichever occurs first at 6200 West Lone Mountain Road.

The City Council conditions on Review of Condition (ROC-4692) for Special Use Permit [U-0088-95] specifically allowed an extension of time to be able to be considered.

EXECUTIVE SUMMARY

The modular building was originally approved by the City Council on 12/08/97. The applicant is proposing to continue to utilize the existing modular building for an additional five years, until a permanent facility can be constructed. A building permit for the modular building was issued on 07/14/99 and finalized on 08/27/99. Therefore, staff cannot support the continuation of the modular building at this location. The applicant has utilized the building since 1999. Therefore, denial is recommended for the subject application.

BACKGROUND INFORMATION

A) Related Actions

- 09/06/95 The City Council approved a Special Use Permit (U-0088-95) for the church on this site. The Board of Zoning Adjustment and staff recommended approval on July 25, 1995.
- 05/15/96 The City Council approved a Plot Plan and Building Elevation Review [U-0088-95(1)] for Phase I of the church facility proposed for this site. The Board of Zoning Adjustment recommended denial on April 23, 1996. The Planning Development Department recommendation was for approval.
- 12/08/97 The City Council approved a Site Development Plan Review [U-0088-95(3)] for a 3,600 square foot modular office and four proposed 1,440 square foot modular classrooms in conjunction with this church. Condition No. 2 required the office modular building to be removed in three years or whenever Phase 2 is completed, whichever occurs first, with a status report to staff every six months commencing January 1, 1998. The Planning Commission and staff recommended denial on November 6, 1997.

- 04/12/99 The City Council approved a Site Development Plan Review [U-0088-95(4)] for an expansion of the church. Condition No. 2 of that approval required that all modular buildings on this site shall be removed upon completion of Phase II. The Planning Commission and staff recommended denial on March 11, 1999.
- 07/17/02 The City Council approved a Review of Condition [U-0088-95(4)] for the approved Site Development Plan Review [U-0088-95(3)] to allow the modular building to remain on the site after the completion of Phase II. A condition of the approval required the modular building to be removed by August 1, 2004. The Planning and Development Department recommendation was for approval.
- 12/17/03 The City Council approved a Site Development Plan Review (SDR-3213) for two proposed classroom buildings and an expansion of an existing church and a waiver of the parking lot landscaping requirements on this site. The Planning Commission and staff recommended denial on November 20, 2003.
- 02/18/04 The City Council approved a General Plan Amendment (GPA-3469) to PF (Public Facility) and a Rezoning (ZON-3471) to C-V (Civic) on this site. The Planning Commission and staff recommended denial on January 22, 2004.
- 08/04/04 The City Council approved a Review of Condition (ROC-4692) of Condition Number 2 of an approved Review of Condition [U-0088-95(5)] of an approved Site Development Plan Review [U-0088-95(4)], which required the removal of a modular building by August 1, 2004. Staff recommended approval of the Review of Condition.

B) *Pre-Application Meeting*

A pre-application meeting is not required for an Extension of Time request.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for an Extension of Time request, nor was one held.

D) *Building Permit History*

A building permit was issued for the modular building on 07/14/99. The permit was finalized on 08/27/99. Since the approval of the modular building, the church has expanded their facilities. A building permit was issued for an addition to the worship center and youth building on 01/03/06. A final inspection has not been completed on the additions. It should be noted that these additions were approved as a part of Site Development Plan Review (SDR-3213).

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 31.79

B) Existing Land Use

Subject Property: Church
 North: Single Family Dwellings
 South: Single Family Dwellings
 East: Single Family Dwellings, Convenience Store and Mini-Storage
 West: Single Family Dwellings

C) Planned Land Use

Subject Property: PF (Public Facility)
 North: R (Rural Density Residential)
 South: L (Low Density Residential)
 East: R (Rural Density Residential) and SC (Service Commercial)
 West: R (Rural Density Residential)

D) Existing Zoning

Subject Property R-E (Residence Estates)
 North R-E (Residence Estates)
 South R-1 (Single Family Residential)
 East R-E (Residence Estates) and R-E (Residence Estates) under
 Resolution of Intent to C-1 (Limited Commercial)
 West R-E (Residence Estates)

E) General Plan Compliance

The site is designated PF (Public Facility) on the Centennial Hills Sector Plan Map of the General Plan. The existing C-V (Civic) Zoning designation is in conformance with the General Plan designation of PF (Public Facility).

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

This site is not affected by any Special Districts or Zones.

ANALYSIS

A) General Analysis and Discussion

The modular building was originally approved by the City Council on 12/08/97. The modular building was intended to be removed upon completion of the Phase II church expansion. A Review of Condition required the modular building to be removed by August 1, 2004. A second Review of Condition (ROC-4692) was approved on 08/04/04 to allow the modular building to remain an additional two years. The applicant indicates that they would like to use the modular building until expansion of the church can occur. The applicant has submitted building permits for an addition to the worship center addition and new youth center building. The applicant has not indicated that modular building will be removed upon completion of the additional buildings. The applicant is proposing to extend the use of the modular building five years. The continued use of temporary structures on the subject site is not appropriate. Permanent building(s) should be constructed in place of these structures. Therefore, staff is recommending denial of the subject Extension of Time as the continued use of the modular building is not appropriate.

B) Conditions of Approval from Review of Condition (ROC-4692)

1. The modular building shall be moved by August 1, 2006 unless an Extension of Time is approved by the City Council.
2. Conformance to all applicable conditions of approval for Special Use Permit U-0088-95.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. The proposed development is compatible with adjacent development and development in the area;

The continued use of the modular building at this site is not appropriate. The modular building is intended to be temporary. The continuation of this use is incompatible with adjacent development.

2. The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;

The continued use of the modular building is not consistent with Title 19. The intent of a temporary structure is for short term use. The temporary structures have been in place since 1999, which clearly demonstrates that the modular building is not temporary.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

The continued use of the modular building will not affect site circulation and traffic in the area.

4. Building and landscape materials are appropriate for the areas and for the City;

The continued use of the modular building does not affect the existing building and landscape materials.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The continued use of the modular building is undesirable and incompatible with development in the area. Development of a permanent facility would allow the overall site to be harmonious with existing development on-site and its surroundings.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The modular structure will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0