

Staff Analysis – CUP13-03 XP Ministries

REQUEST

Conditional Use Permit (CUP) 13-03: Christian Services Association is requesting extension of previously approved CUP08-07 to allow administrative and bookkeeping operations for three (3) employees from a residentially zoned lot within the Heritage District area of the City of Maricopa. The site is located just east of the southeast corner of Hathaway Avenue and Wilson Avenue within the City of Maricopa Incorporated Limits, property address 45057 W. Hathaway Ave.

RECOMMENDATION

On February, 24 2014 a motion was made by Planning and Zoning Commissioner Bradbury to approve Conditional Use Permit case # CUP13-03 subject to the conditions recommended by the Commission, and was seconded by Commissioner Huggins. Voice vote carried the motion 5-0.

COUNCIL PRIORITIES AND/OR THEMES ADDRESSED

- Quality of Life
- Economic Sustainability
- Managing the Future
- Public Safety

PROJECT INFORMATION

Property Owner/Applicant:

Christian Services Association
Contact: Francisco Arboleda
PO Box 1017
Maricopa, AZ 85139

Project Location: 45057 W. Hathaway Ave.,

Assessor Parcel #: 510-19-002G and 002H

General Plan: **Commercial** - The **Commercial** land use category provides for commercial nodes on individual parcels. The intent is to provide neighborhood and community scale shopping, offices, medical facilities, and subordinate multi-family residential uses which incorporate pedestrian and neighborhood needs through site planning, architecture, access, lighting and parking design. Single-family residential uses are not supported. For larger parcels, over 40 acres, regional retail development is anticipated in this designation.

History:

- September 16, 2008 City Council approves administration office and bookkeeping for up to six (6) on site employees.
- May 19, 2009 City Council approves amendment to CUP08-07 to allow the increase from six (6) to eight (8) on site employees and also allow for meetings up to 18 persons.

Surrounding Land Uses and Zoning Info:

North	Future Commercial Development	General Business (CB-2) Zoning
East	Maricopa Community Church	General Rural (GR)
South	Pinal County Court House	General Rural (GR)
West	Residential	General Rural (GR)

Site Location Map:



Street view:



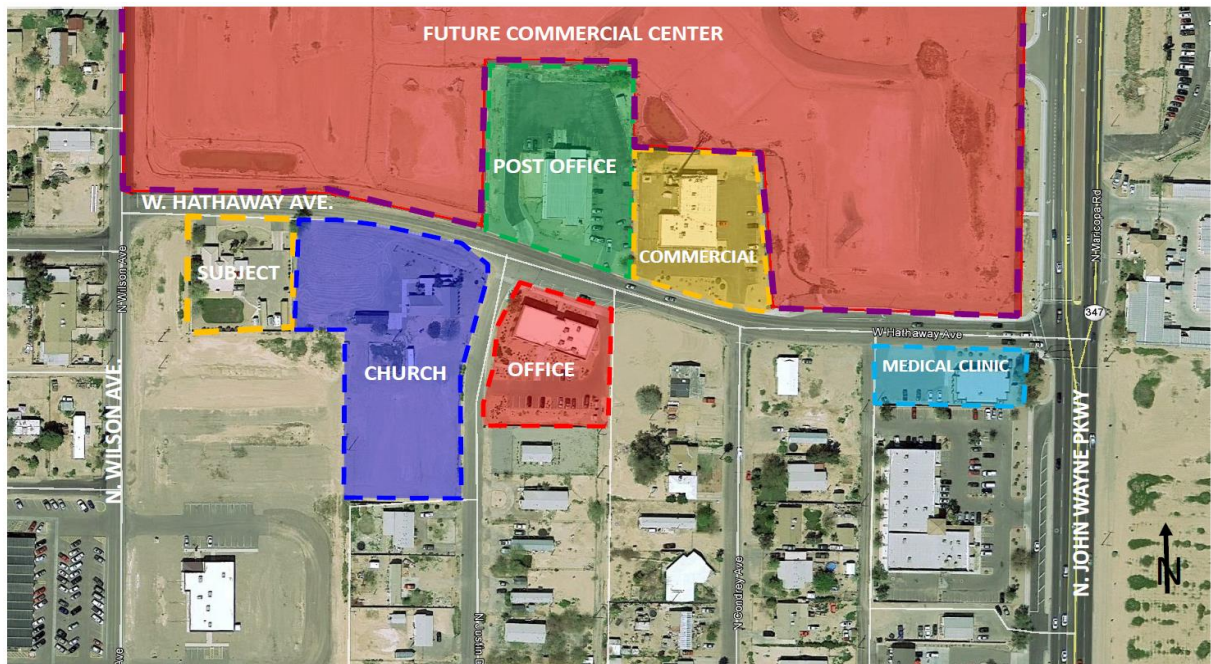
Site Data:

- Building Size: 3,732 SF
- Overall Site Acreage: ± .25 acres, 10,890 square feet
- Parking Provided: 6 plus 2 ADA spaces
- Parking Required: 3 plus 1 ADA space

Background and Request:

The applicant is seeking approval for extension of the 2009 Conditional Use Permit approval for an additional five (5) years to continue its current operation. However staff is requesting that term is reduced to three (3) years with a renewal of two (2) years to be reviewed by staff and approved by the Planning and Zoning Commission. This is reflected in the stipulation section on page 6 of this report. In the narrative submitted, the applicant states that the reason why the extension is needed at this time because the organization needs to maintain the current operation at the site and financially cannot improve the site today to meet minimum development standards of the city (see narrative, Exhibit A)

In addition, the applicant will reduce the amount of employees that was previously approved in 2009 from eight (8) on site employees to three (3) and will no longer require the need of meetings for up to 18 persons. The location of the requested use is situated on Hathaway Ave that staff considers a main gateway road to the Heritage District area. A mix of uses lines up the road which is uniquely transitioning from a residential area to a small neighborhood mix use destination corridor. See map detail below or refer to Exhibit F.



Community Outreach:

The applicant has fulfilled all necessary requirements for processing a Citizen Participation Plan (CPP), Ordinance 07-01. This included the following (see Exhibit C for full CPP Report):

- Sending a notification letter, 15 days prior to the neighborhood meeting to all properties within 300 feet of the subject property. Notification letter included project information and meeting dates for all public meetings.
- Publishing a legal notice in the Maricopa Monitor 15 days prior to the neighborhood meeting.

- Posting a meeting sign on the property 15 days prior to the neighborhood meeting.

Public Comments:

This case was advertised in accordance to Ordinance 07-01 and at the time of writing this report, staff has not received any form of opposition.

Planning and Zoning Commission:

This application request was originally presented January 22, 2014. Concerns did arise with the amount of employees on site, current ADA compliance, and whether the city has approved any similar request within the city. A motion was made Commissioner Batt and was seconded by Commissioner Bradbury, the motion failed to carry as the vote was a 2-2 tie.

Chairman Viser requested reconsideration and so the case was brought back to the Planning and Zoning Commission on February 24, 2014. Additional information was presented in regards to the current number of employees (reduced from 8 to 3 employees), ADA compliance status (update provided by Development Services Manager), and other similar request approved (provided by staff). A motion to approve the request was made by Commissioner Bradbury and was seconded by Commissioner Huggins. Voice vote carried the motion 5-0.

Exhibit A – Narrative

Exhibit B – CUPo8-09 Amendment

Exhibit C – CPP Report

Exhibit D – Architectural Site Plan

Exhibit E – Site Aerial

Exhibit F – Vicinity Land Use Map

Exhibit G – Building Safety Determination

-- End of staff report --