

# Staff Summary Report



Hearing Officer Hearing Date: July 7, 2009

Agenda Item Number: 2

**SUBJECT:** This is a public hearing for a request by **CHRIST LIFE CHURCH (PL090213)** located at 1137 East Warner Road for one (1) use permit.

**DOCUMENT NAME:** 20090707dssa01 **PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request by **CHRIST LIFE CHURCH (PL090213)** (Phillip Goldsberry, Sr., Senior Pastor, applicant; Christ Life Church, property owner) located at 1137 East Warner Road in the AG, Agricultural District for:

**ZUP09093** Use permit to allow two (2) accessory (modular) buildings.

**PREPARED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

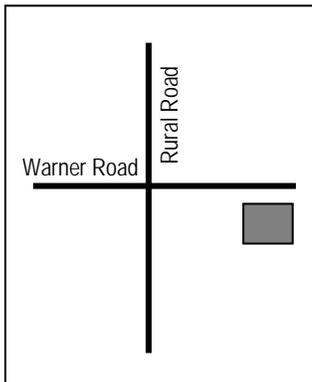
**LEGAL REVIEW BY:** N/A

**DEPARTMENT REVIEW BY:**

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to conditions

**ADDITIONAL INFO:**



The Christ Life Church is requesting a use permit for two (2) accessory modular buildings to be located south of the main building outside of all setbacks. The proposed accessory buildings are temporary as they will provide office and worship space while a new building is constructed during an approximate 18 month period. Staff recommends approval of the use permit in that this will be a short-term use. To date, no public input has been submitted for this request.

**PAGES:**

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

**ATTACHMENTS:**

1. Location Map(s)
2. Aerial Photo(s)
- 3-6. Letters of Intent
7. Site plan
- 8-9. Floor Plans
10. Staff Photograph(s)

**COMMENTS:**

The Christ Life Church is requesting a use permit for two (2) accessory modular buildings to be located south of the main building outside of all setbacks. The property is located mid-block on the south side of Warner Road (an arterial street) and is adjacent to single-family residential zoning (R1-15 and AG) on all sides. The proposed accessory buildings are temporary as they will provide office and worship space while a new building is constructed during an approximate 18 month period. The modular structures are 2,772 s.f. and 4,704 s.f. in building area; approximately eleven feet, six inches (11'-6") in height and are planned to be located outside the required setbacks for the AG, Agricultural District.

**Use Permit**

The Zoning and Development Code requires a use permit for accessory buildings that exceed two hundred square feet (200 s.f.) in area and/or eight (8) feet in height. The structure must be placed at the required building setback for the district. The two (2) proposed structures are 2,772 s.f. and 4,704 s.f. in building area; eleven feet, six inches (11'-6") in height and are planned to be located outside the required setbacks for the AG, Agricultural District. This use permit request meets all applicable tests in the following manner:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
  - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
  - No potential nuisances.
- c. Compatibility with existing surrounding structures and uses;
  - The proposed building is compatible with surrounding structures the uses.

**Conclusion**

Staff recommends approval of the use permit, subject to conditions of approval.

**REASON(S) FOR APPROVAL:**

- 1. No apparent nuisance resulting from noise, smoke, odor, dust vibration or glare.
- 2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
- 3. Traffic generated by this use should not be excessive.
- 4. The use (temporary) appears to be compatible with the building, site and adjacent property.

**SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.**

**CONDITION(S)**

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**OF APPROVAL:**

1. Obtain all necessary clearances from the building safety division.
2. This use permit is limited to 24 months (**July 7, 2011**). Continuation of this use beyond 24 months will require a new use permit.

**HISTORY & FACTS:**

February 20, 1997	Use Permit granted by the Hearing Officer to allow two (2) temporary modular buildings to be utilized as classrooms.
March 25, 1999	Use Permit extension granted by the Hearing Officer to allow two (2) temporary modular buildings to be utilized as classrooms.
October 12, 2000	Use Permit extension to allow existing temporary modular buildings to remain for one (1) additional year.
June 27, 2007	Use Permit to allow temporary accessory buildings for a duration of twenty-four (24) months.

**DESCRIPTION:**

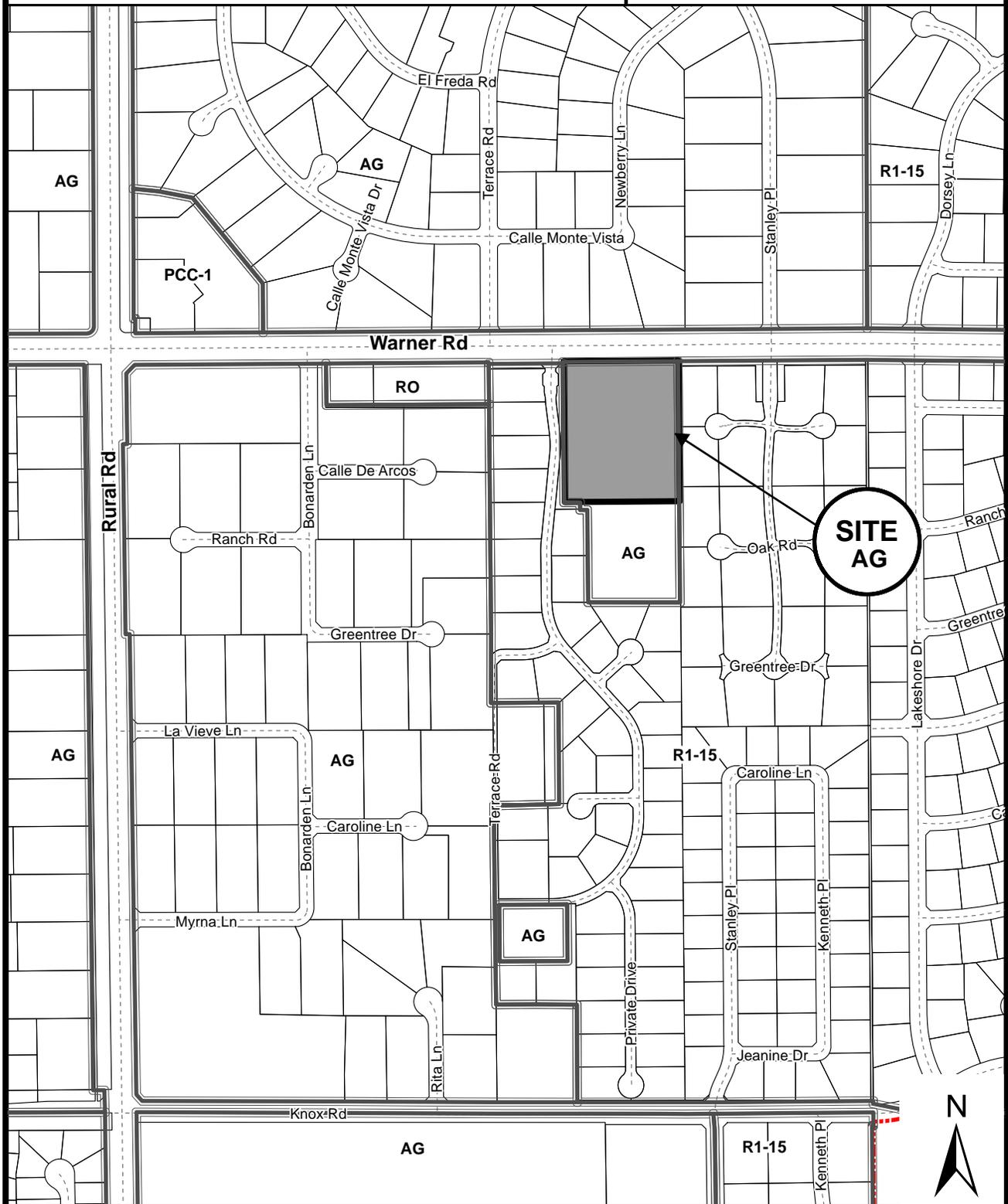
Owner – Christ Life Church  
Applicant – Phillip Goldsberry, Sr., Senior Pastor  
Existing Zoning – AG, Agricultural District

**ZONING AND  
DEVELOPMENT  
CODE REFERENCE:**

Section 3-401 – Accessory Buildings, Uses and Structures  
Section 6-308 – Use Permits

**CHRIST LIFE CHURCH**

**PL090213**



**Location Map**



**CHRIST LIFE CHURCH (PL090213)**

May 15, 2009

Mr. Kevin O'Melia, Sr. Planner- Development Services  
and  
Ms. Lisa Collins, Deputy Director-Development Services  
City of Tempe - Development Services Group  
31 East Fifth St  
Tempe, AZ 85281

Re: Use Permit Extension / PLO70397 / PLO70237

Mr. O'Melia & Ms. Collins,

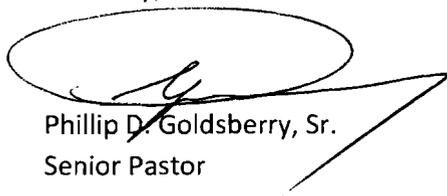
Regarding the Use Permit extension request for the two modular units at Christ Life Church, please consider this letter as a formal request to extend for a one-year term, the expiration of the current use permit previously granted to us by the City of Tempe. It has taken much longer than anticipated to obtain plan approval and build the Family Center, which will eliminate the need for the temporary units.

The portables currently being used for offices and classrooms do not cause any difficulties for the surrounding area and this will remain the case. They will be removed promptly upon completion and occupancy of the Family Center.

It is our sincere hope that our request for the extension of the permits as mentioned herein is given due consideration. The required documentation (Project Submittal Application) and additional fee (\$1,099.00) is enclosed.

We anxiously await the processing of same and a reply in the affirmative.

Sincerely,



Phillip D. Goldsberry, Sr.  
Senior Pastor

Enclosures



**CHRIST LIFE  
C H U R C H**

May 24, 2007

Mr. Brian Bazay  
c/o ModSpace/Resun Modulares  
22810 Quicksilver Drive  
Dulles, VA 20166

City of Tempe  
Development Services Dept.  
c/o Planning Dept.  
31 East Fifth Street  
Tempe, AZ 85280-5002

Ref: Use Permit Submitted for Modular/Temporary Buildings  
c/o Christ Life Church, 1137 E. Warner Rd., Tempe, AZ

Gentlemen:

In accordance with the requirements as set forth by the City of Tempe for a Temporary Use Permit applicable to two (2) modular buildings to be utilized by Christ Life Church on a temporary basis, the following narrative shall apply as a "letter of explanation".

The modular buildings as referenced herein are comprised of one (1) unit approximating 84' in width with 56' in length (7-plex) and one (1) unit approximating 42' in width and 66' in length (3-plex). The two (2) units will be located to the South of the existing worship facility. The units are located within the applicable front/back/side set-back requirements as noted in the City of Tempe building codes. The utility connections (i.e., electrical and water) are being accomplished in accordance with City code and performed under contract with Site Utilities Systems, LLC as per contract #1166 and SRP Job Order #BA839-681-001. The building(s) will be laterally secured into substrate with an asphaltic overlayment in accordance with State of Arizona regulations and be additionally chassis mainrail supported via rated steel piers resting on treated pier pads on the surface of the asphaltic overlayment.

**Phillip D. Goldsberry, Sr., Senior Pastor**  
**Christ Life Church**

1137 E. Warner Road • Tempe, AZ 85284 • (480) 777-9803 • Fax (480) 820-8740  
E-mail: [clc@christlifechurch.org](mailto:clc@christlifechurch.org) • [www.christlifechurch.org](http://www.christlifechurch.org)

ATTACHMENT 4

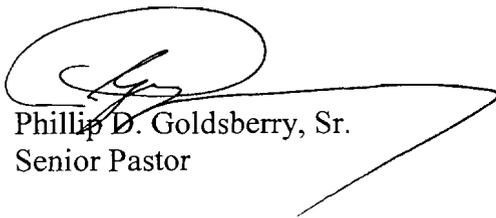
Page Two (2)  
May 24, 2007

The utilization of these buildings is to replace and supplant the current utilization of two (2) modular buildings existing on the site that because of staging of a proposed new facility (and its location) are to be removed. The existing building(s) serve the same utilization needs as the new modules. More specifically, the 7-plex will be utilized as a children's ministry activity center approximately three (3) days per week @ 4 hours per day. The 3-plex will be utilized as a church office with occupancy approximately six (6) days per week @ 10 hours per day. The ingress/egress for the modular units are in accordance with federal (ADA), state, county, and city municipal requirements for both accessibility and life safety concerns.

We at Christ Life Church have been a collegial, purpose-driven church for eleven years at our current location. During this time we have striven to provide our congregation and our neighbors with activities and worship that minimally impact any vehicular traffic, causing no nuisances or disruptions for the surrounding area while matching the architectural continuity of our surrounds.

If you have any further questions, please contact the undersigned for any clarification or activity description.

Very truly yours,



Phillip D. Goldsberry, Sr.  
Senior Pastor



City Of Tempe  
Development Services Department  
31 East Fifth Street  
Tempe, Arizona 85281

Dear Sirs:

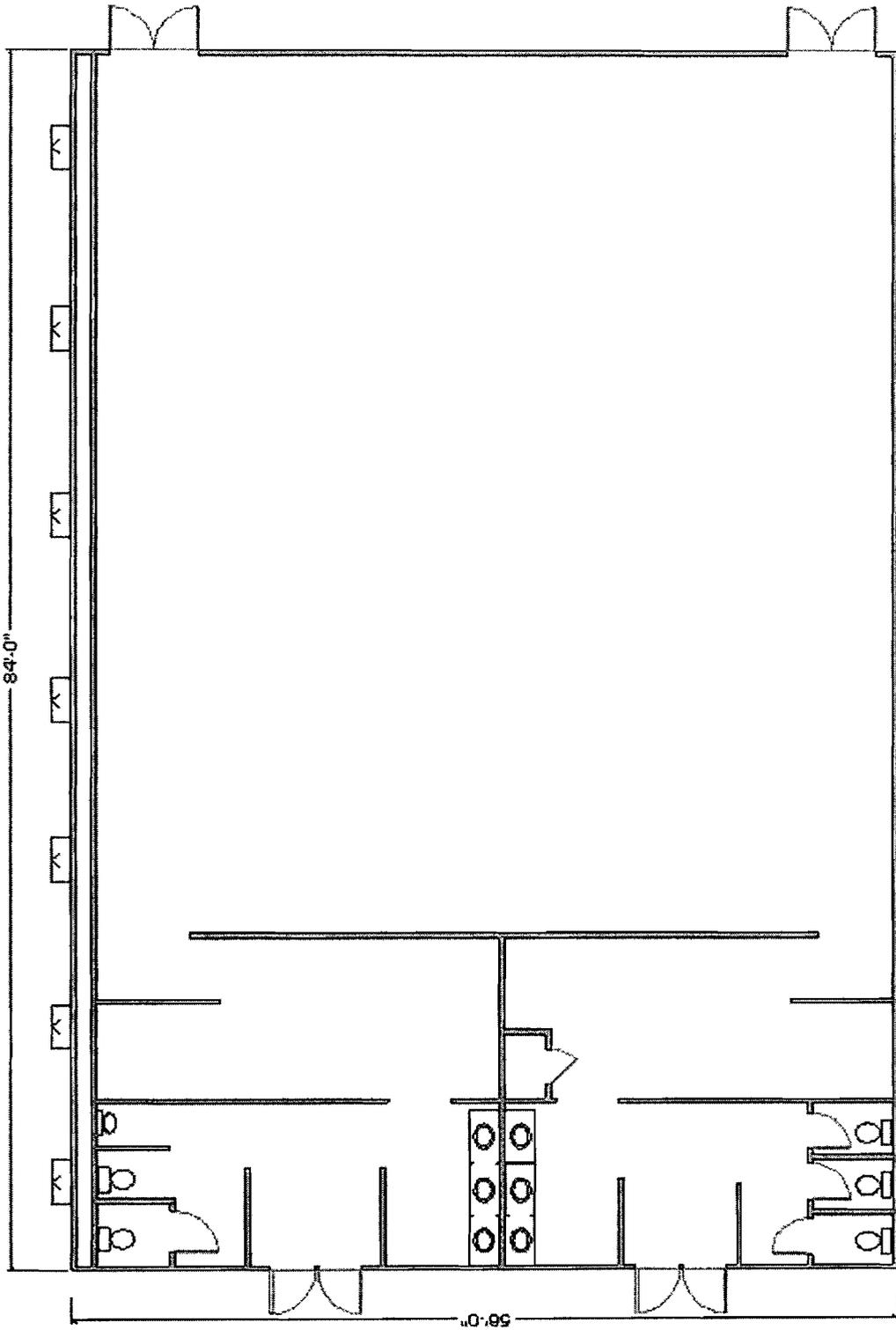
Modspace Incorporated is seeking your approval to install temporary modular office buildings (2) for Christ Life Church. The Church will be building a new building on their property and will need to office their employees while the construction process takes place. The buildings will be on site approximately 18 months. The existing offices will be taken down to prepare for the new construction where the offices now stand.

The buildings will not cause any significant vehicular or pedestrian traffic in adjacent areas and not cause any nuisance (odor, dust, gas, noise, vibration, smoke, heat or glare, etc.) exceeding that of ambient conditions and not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City and be compatible with the existing surrounding structures and not result in any disruptive behavior which may create a nuisance to the surrounding area or general public.

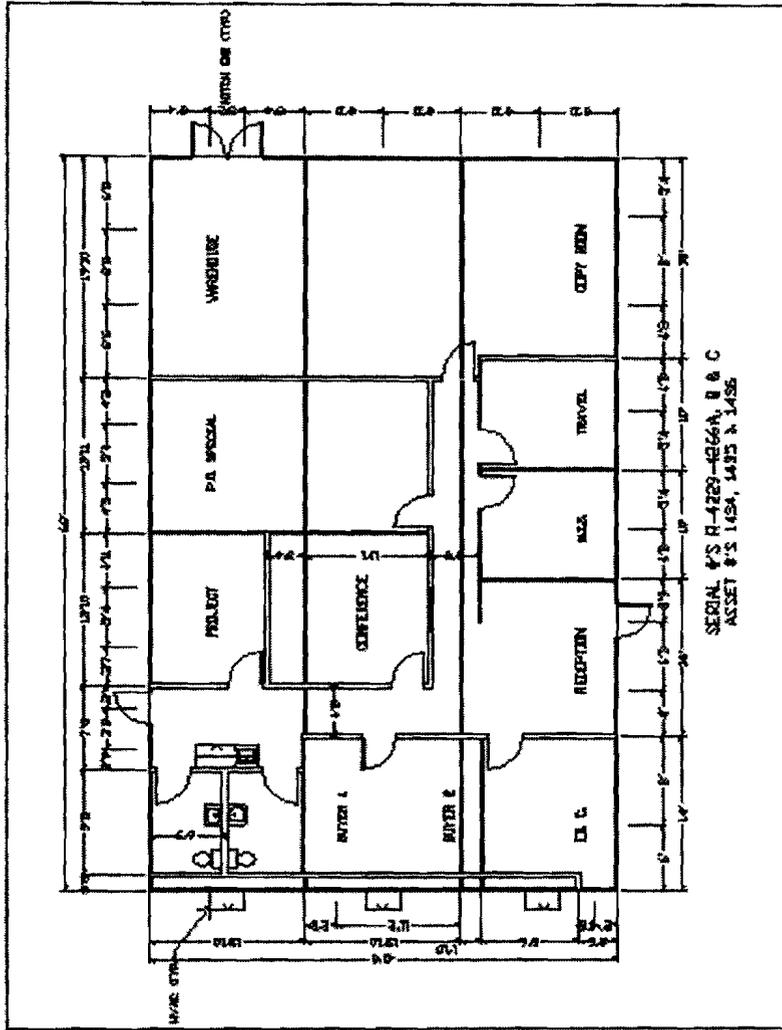
Respectfully,

Brian Bazay  
Sr. Territory Sales Manager





ASSETS - 50110, 50223, 50301, 50343, 50417, 50588, 50727



SERIAL #S R-4223-4866A, B & C  
 ASSET #S 1424, 1425 & 1426



**CHRIST LIFE CHURCH**

**1137 EAST WARNER ROAD**

**PL090213**

**FRONT OF CHURCH**

