



STAFF REPORT

Agenda Item: **CONDITIONAL USE PERMIT FOR SPIRIT OF JOY LUTHERAN CHURCH** - Discussion and consideration regarding a request for a Conditional Use Permit for Spirit of Joy Lutheran Church (Religious Worship) located at Scenic Drive and Old Jerome Highway, Parcel #406-29-070A.

Staff Contact : Paul Grasso, Community Development Department

Submitted By: Mr. Carl Mason/ Spirit of Joy Church

Meeting Date: July 13, 2010

Background: This property was granted a Conditional Use Permit (CUP) by Council in 2000. A renewal was granted in 2004, which expired in 2005. The current congregation is requesting that a new CUP be granted to build an 8,000-10,000 square foot building. The property is 4.76 acres, which is adequate to accommodate the building and required parking.

Zoning Code:

Section 3-1C Single Family Residential, lists Churches, Synagogues, or other places of worship on lots of at least 10,000 square feet as a use requiring a Conditional Use Permit.

The Planning Commission made the following findings at their June 15, 2010 meeting:

Section 5-5: Required Findings

The proposed Conditional use meets the following required findings:

1. Applicable Regulations: Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning Ordinance, Town of Clarkdale General Plan, other statutes, and any ordinance or policies that may be applicable.
2. Bulk Regulations: The site is adequate in size and topography to accommodate proposed use, population density, building height, lot coverage, setbacks, spaces, landscaping, fences, and parking. That these elements are compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly relate the proposed use with the existing land uses in the vicinity.
3. Performance: That the location, design and operation characteristics of the proposed use are such that it will have minimal adverse impact on the livability, public health, safety, welfare, or

convenience on persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general.

4. Traffic Impacts: The provisions for ingress and egress, public streets and traffic circulation is adequate, or can be upgraded through street improvements as a condition of approval.

5. Landscaping: Landscaping, and/or fencing of the proposed development, assures that the site development will be compatible with adjoining areas and with the intent of Town policies.

6. Nuisance: That the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. That the use will not create a nuisance arising from, but not limited to noise, smoke, odors, dust, vibration, signage, or illumination.

Section 5-6 Planning Commission Recommendation:

The Planning Commission voted unanimously to recommend that the Town Council approve the request by Spirit of Joy Church for a Conditional Use Permit with the following conditions:

1. That the Church be consistent with the General Plan.
2. Sanitary waste improvements are required.
3. Street and/or sidewalk improvements are required to meet the Town's standards.
4. Fire protection measures are required by ordinance.
5. Utility service improvements shall be provided.
6. Amount, type and location of outdoor lighting and signage will be required to adhere to the lighting code.
7. Off-street parking area, aisles and access drives shall be designed and constructed so as to provide a durable, dustless surface that will be reviewed as part of the site plan review
8. Storm drainage improvements, based on a drainage report prepared by a licensed engineer, and approved by the Town Engineer.
9. Water service improvements as required.
10. Hours of operation. The building will be open from 8-12, four (4) days a week and consistent with the intended use.
11. Access provided along Scenic Drive and Old Jerome Highway.
12. Landscaping shall meet the Town of Clarkdale's landscaping standards.
13. Compliance with applicable Federal, State and Local regulations will be required.
14. The maximum height will not exceed thirty five feet (35').
15. All current Town of Clarkdale building codes will be met.
16. Signage must be approved by the Town of Clarkdale Design Review Board.

Staff Recommendation: Staff recommends that the Town Council approve the Conditional Use Permit for the Spirit of Joy Church with conditions as recommended by the Planning Commission.