PIMA COUNTY

DEVELOPMENT SERVICES

DATE: May 3, 2016

TO: BOARD OF ADJUSTMENT, District 1

FROM: Terrill L.Tillman, Assistant Executive Secretary

SUBJECT: **P16VA00011 LUTHERAN CHURCH OF THE ASCENSION – W. MAGEE ROAD**
Scheduled for public hearing on June 6, 2016

LOCATION:
The subject property is located approximately 600 feet east of N. La Canada Drive on the north side of W. Magee Road. The property is zoned SR (Suburban Ranch) and TR (Transitional).

SURROUNDING ZONING / LAND USES:

North	CR-1	Developed Residential
South	TR/CR-1	Medical Care Center/Developed Residential
East	TR/CR-1	Planned Church Expansion Parking/Developed Residential
West	CR-1	Developed Residential

PUBLIC COMMENT:
To date, no public comments have been received.

PREVIOUS CASES ON PROPERTY:
There has not been a previous Board of Adjustment case on this property

REQUEST:
The applicant requests the following variances:

1. **To increase the height of a freestanding identification sign to 7 feet 9 inches.** Section 18.79.110E8 of the Pima county Zoning Code limits the height to 6 feet.
2. **To increase the square footage of a freestanding identification sign to 65 square feet.** Section 18.79.110E8 of the Pima County Zoning Code limits the sign area to 32 square feet.
3. **To allow electronic changeable copy on a proposed freestanding identification sign.** Section 18.79.020B5a defines a changeable copy sign as "An on-site sign designed to permit the changing of messages by means of non-electronic sign copy".

TRANSPORTATION AND FLOOD CONTROL REPORT:
Transportation and Flood Control will review this proposed sign at the time of permitting.

BACKGROUND:
The subject property is approximately 8.87 acres in size of which 5.32 acres contains the existing church and accessory uses in the SR zone and 3.53 acres is planned for a future parking lot expansion and is zoned TR. The subject property began development in 1963 by

permit 47283 for a church building. Subsequent expansion of the church occurred in the early 80's for the administration building and multipurpose addition to the existing church. A communication tower was approved and built by development plan CoSW94071 in 1994. A revised development plan (P1200-040) was approved in 2000 for expansion of the site to add a school and day care with a conditional use permit P21-00-008 for the school and day care uses. A third revision to the development plan (P1201-109) for the addition of the family center and additional elementary school classrooms subject to the previously approved conditional use permit for the school was approved in 2001 and built shortly thereafter. A fourth revision to the development plan occurred in 2005 expanding the church site by incorporating the adjacent TR zoned property to the east for a parking lot expansion that has not been constructed. An additional conditional use permit P21-10-021 for increasing the height of the communication tower was approved in 2010. The project was built in conformance with the approved development plans and permits for the projects were obtained.

This variance request addresses an increase in height, square footage, and to allow an electronic change of copy to the proposed *freestanding identification sign* to be located adjacent to Magee Road, classified as a Major Street and Scenic Route (MSSR) according to the Major Streets and Routes Plans. The proposed sign will meet both the color and monument style requirements of the MSSR and will replace the existing signage in the same location. The monument style freestanding identification sign will contain illuminated sign copy on both sides of the sign. The maximum height of the proposed sign is 7 feet, 9 inches with 65 square feet of sign copy with an electronic change of copy sign. The applicant states, "The variance is based on the unusual physical conditions of the property that were created by the Regional Traffic Authority relatively recently during the Magee Road alignment and expansion project. As a component of the expansion, the entrance to our church parking lot now, has been elevated several feet and is no longer level with the road, changing the view in which to see our sign."

Staff supports these requests due to the need to clearly identify the provision of services and to update the existing signage to a more current version.

RECOMMENDATION:
Staff recommends **APPROVAL** of the variance requests. The increased height, square footage, and electronic change of copy for the proposed monument freestanding identification sign is not granted solely to increase the economic return from the property as the use is a not for profit church and does not appear to cause injury or adversely affect the rights of surrounding property owners and residents as noticed by the lack of public comment.

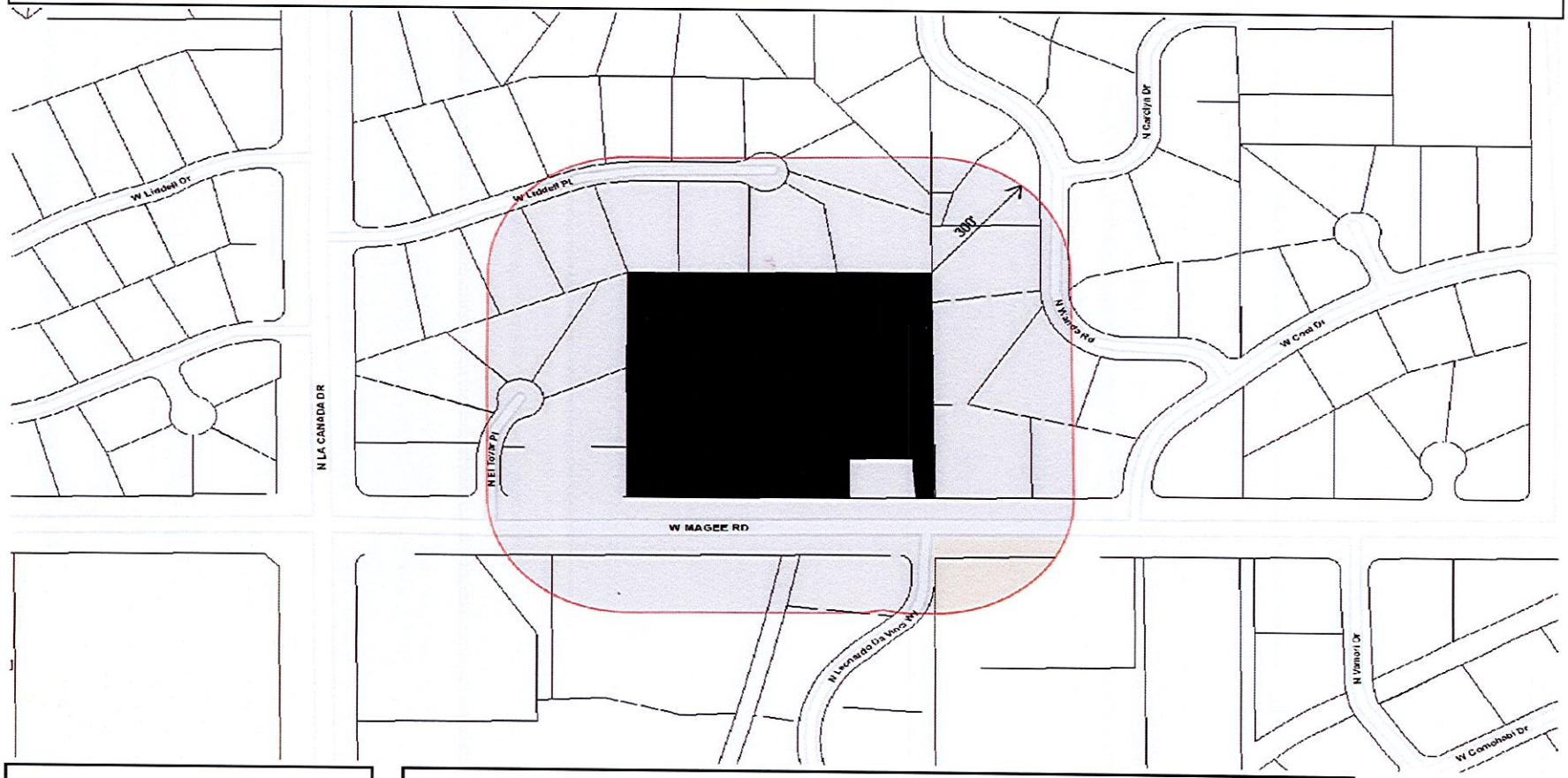
Standards that must be considered by a board of adjustment when considering a variance request include:

1. The strict application of the provision would work an unnecessary hardship;
2. The unnecessary hardship arises from a physical condition that is unusual or peculiar to the property and is not generally caused to other properties in the zone;

3. The unnecessary hardship does not arise from a condition created by an action of the owner of the property;
4. The variance is the minimum necessary to afford relief;
5. The variance does not allow a use which is not permitted in the zone by the Code;
6. The variance is not granted solely to increase economic return from the property;
7. The variance will not cause injury to or adversely affect the rights of surrounding property owners and residents;
8. The variance is in harmony with the general intent and purposes of the Code and the provision from which the variance is requested;
9. The variance does not violate State law or other provisions of Pima County ordinances;
10. The hardship must relate to some characteristic of the land for which the variance is requested, and must not be solely based on the needs of the owner;
11. If the variance is from a sign or advertising structure area limitation, no reasonable use of the property can be made unless the variance is granted;
12. If the variance is from a height limitation, no reasonable use of the property can be made unless the variance is granted.

NOTIFICATION MAP

LUTHERAN CHURCH OF THE ASCENSION—W. MAGEE ROAD



LEGEND

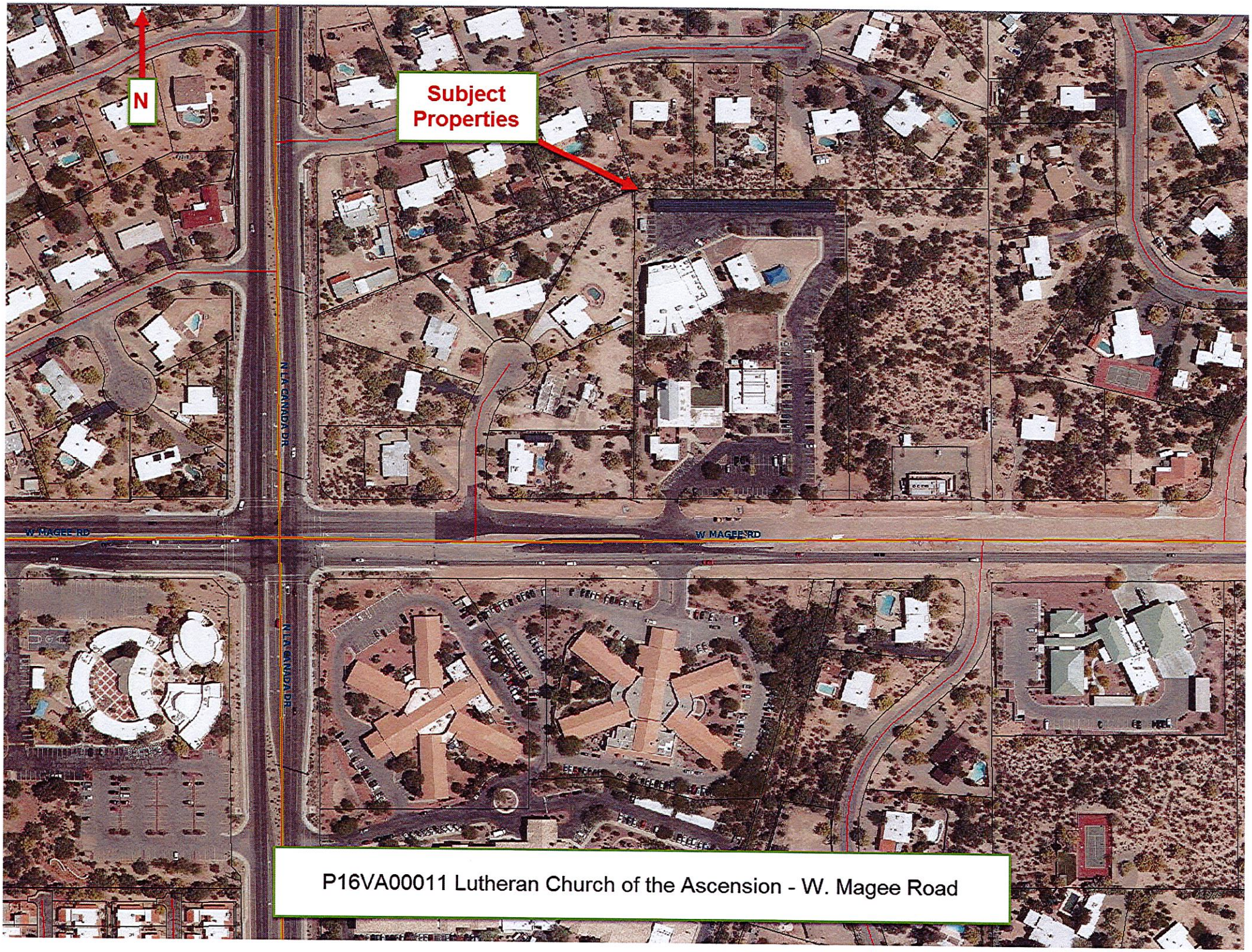
Petition Area

Notification Area

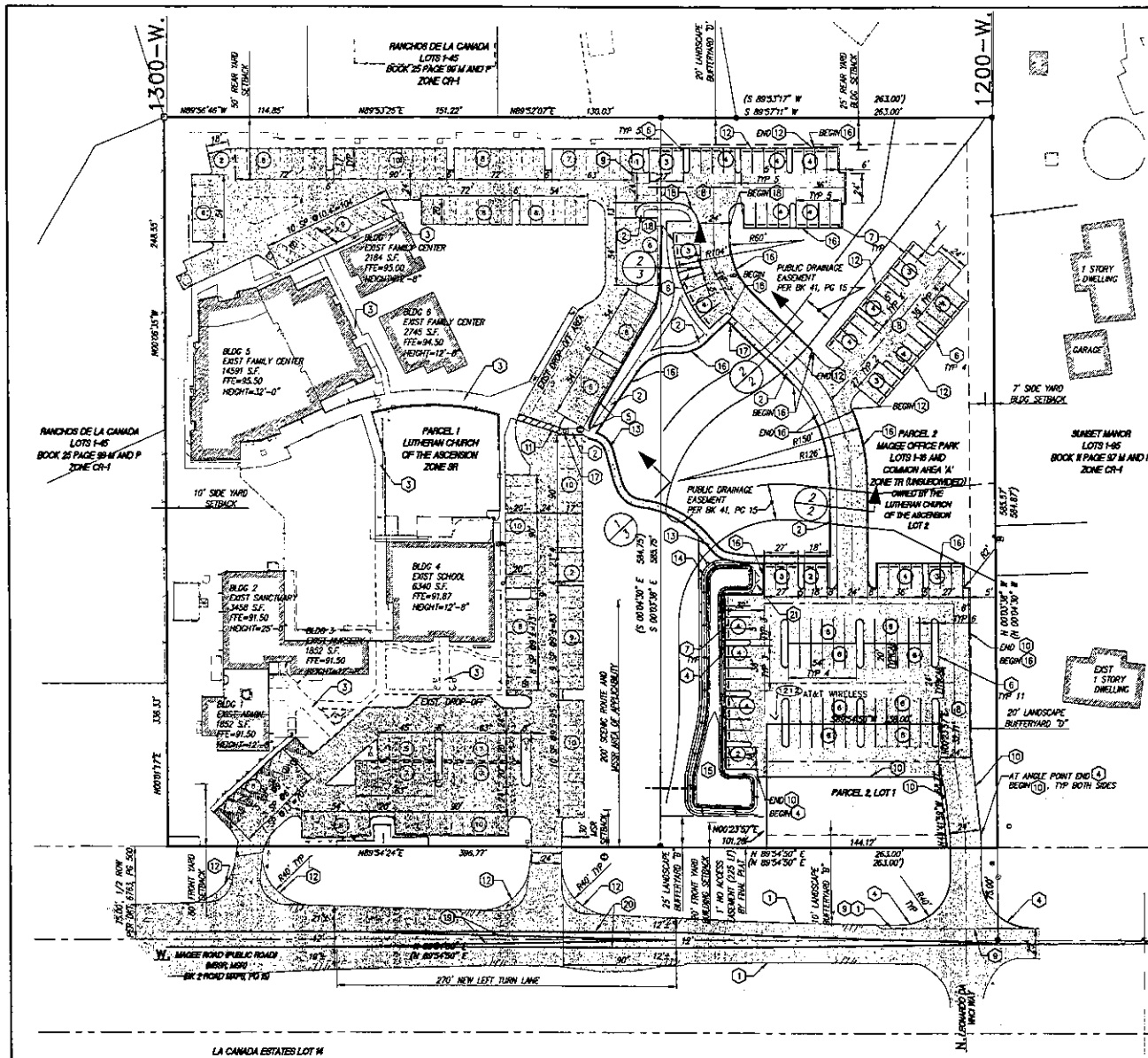
NOTES			
File no.:	P16VA00011	**Tax Code(s):**	225-18-007B/225-20-2390
Application:	VARIANCE	**Base Map:**	115, 116
N W E S	0 300'	**Drafter:**	A.H.

PIMA COUNTY
DEVELOPMENT SERVICES

5/13/2016



P16VA00011 Lutheran Church of the Ascension - W. Magee Road

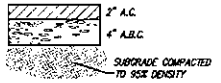


KEYNOTES

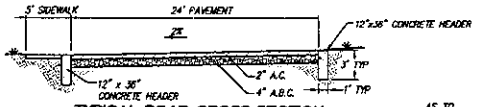
1. EXISTING EDGE OF PAVEMENT
2. NEW 5' WIDE CONCRETE SIDEWALK PER PC/COT SD #200.
3. EXISTING SIDEWALK
4. CONCRETE HEADER PER PC/COT SD #213.
5. EXISTING RETAINING WALL TO REMAIN IN PLACE.
6. NEW LANDSCAPE ISLAND WITH 6" REVEAL VERTICAL CURB PER PC/COT SD #209, TYPE 2
7. NEW WHEEL STOP
8. NEW ASPHALT PAVING PER DETAIL 1, SHEET 2.
9. SAWCUT, TACK AND JOIN NEW PAVING TO EXISTING.
10. NEW 350 LF 6" REVEAL EXTRUDED CURB
11. CONNECT NEW SIDEWALK FROM OVERFLOW PARKING TO EXISTING SIDEWALK WITH NEW 5' WIDE CROSSWALK.
12. ASPHALT PAVEMENT THICKENED EDGE
13. NEW 5' SIDEWALK TO MATCH GRADE AT WASH CROSSING, WITH 12"x36" CONCRETE HEADER BOTH SIDES
14. NEW 42" HIGH CHILDPROOF BASIN BARRIER
15. DETENTION BASIN, SEE SHEET 3
16. 12" WIDE x 36" DEEP CONCRETE HEADER
17. ACCESS RAMP, MAX SLOPE 12:1 FOR SIX FEET
18. NEW 6" REVEAL VERTICAL CURB PER PC/COT SD #209, TYPE 2
19. EXISTING PAINTED MEDIAN, TO BE REMOVED
20. NEW PAINTED MEDIAN, YD154-040/040
21. MAINTENANCE ACCESS GATE, 10' MIN

N

SCALE: 1 INCH = 40 FEET



1/2 ASPHALT PAVEMENT SECTION
PER RECOMMENDATIONS OF TERRACON CONSULTING ENGINEERING IN A REPORT DATED APRIL 15, 2005, BOOSTER STATION, 1220 W. MAGEE RD, #63055052
NTS



2/2 TYPICAL ROAD CROSS SECTION
AT WASH CROSSING
NTS

AS TO ENGINEERING ONLY

REVISED DEVELOPMENT PLAN FOR

Lutheran Church Of The Ascension

REVISION 2,
OVERFLOW PARKING AREA

Lots 1 and 2 of the
Lutheran Church of the Ascension – Parcel 2;
recorded at Book 62 Page 12, Maps and Plats
Located within Section 26, Township 12 South, Range 13 East,
Gila & Salt River Meridian, Pima County, Arizona

P1205-084

DATE: JANUARY 2006; SCALE: AS NOTED
STANTEC PROJECT NO. 185120046

2/3

CASE REFERENCES:
P1205-085
P1201-109
P1200-040
C05-83-139
C012-86-113
C013-58-8

Stantec Consulting
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Stantec

1-800-782-5348

DEVELOPMENT PLAN
1"=40'

DP BK 31 PG 34 SHT 2 OF 3

North

External Geocortex Visualization for Google Maps™ Synchronize

1220 W. Magee Road

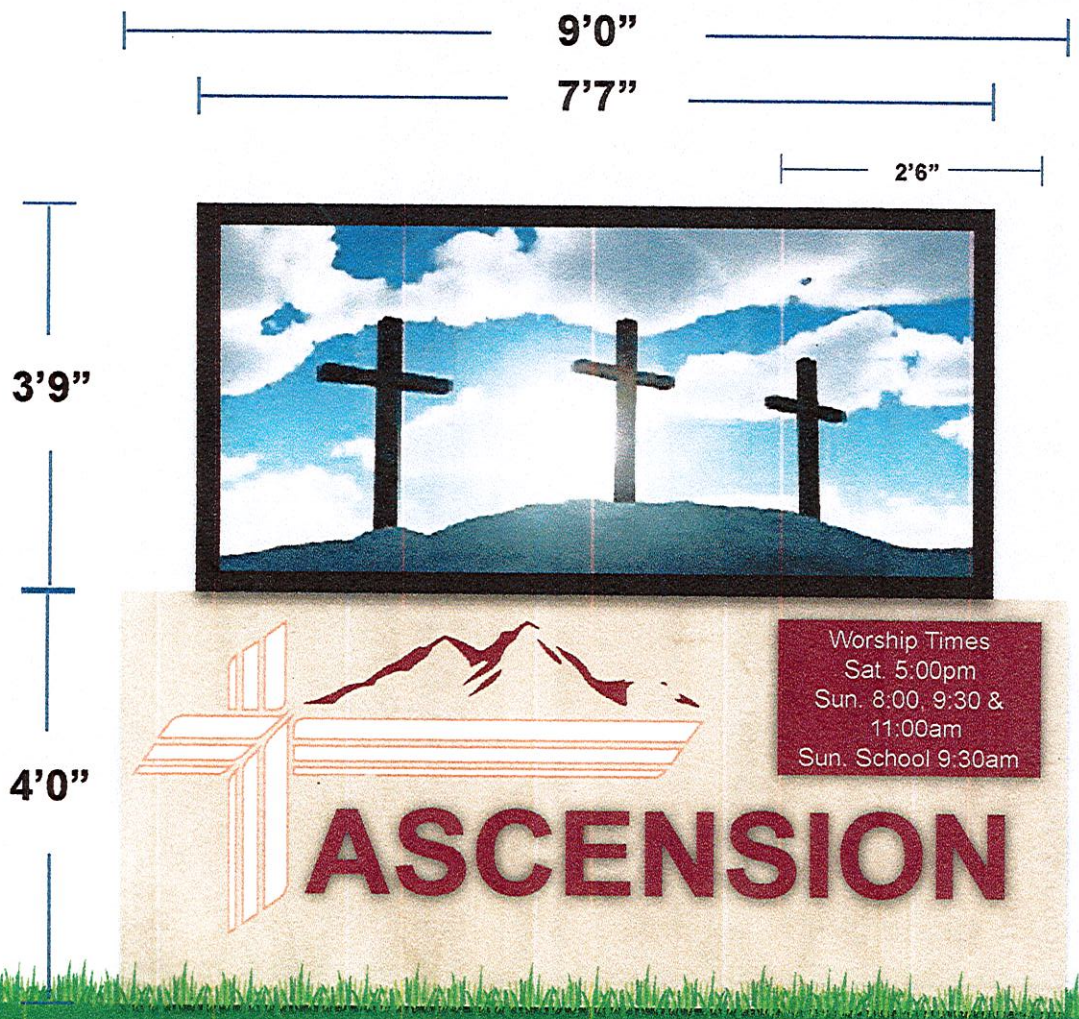
This map shows Magee Road under construction. Construction has now been completed

FOCUS DIGITAL DISPLAYS LLC
503 E Palm Valley Blvd
Suite 105
Round Rock, TX 78664
Phone : (877) 522-0839

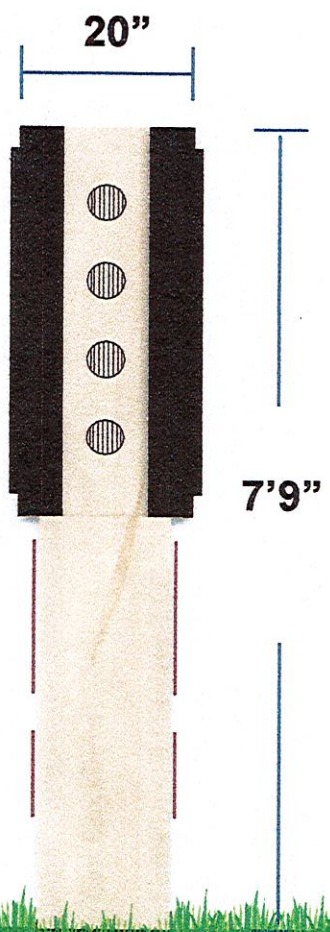
FC18-56120L

Client - Ascension Lutheran Church

Front View



Side View



LED Representation is detailing View from Ideal Viewing Distance

April 20, 2016

Board of Zoning Appeals
Pima County Development Services
201 N. Stone Avenue
2nd Floor Planning Division
Tucson, Arizona 85701

Dear Review Board Members,

This letter is submitted in support of Activity Number: P16BP02012 for the replacement of our old sign with a new Illuminated Electronic Device sign to the front of our property located at 1220 W. Magee Road. Our current sign has an illuminated cabinet that measures 42.5" H x 108" L. The total square feet of illuminated signage space is approximately 31.5'. The new sign has a slightly smaller illuminated cabinet, measuring 45" H x 91" L. The total illuminated signage space is approximately 30.3'.

The overall height of the new sign, including the base, would be slightly higher than the existing sign. The non-illuminated supporting base for the new sign is slightly larger than the base for the existing sign, primarily because we have a decorative shell surrounding the post support. This base design has put us 1'9" over the height requirement, which we can justify because of the newly created conditions listed below.

We will honor the 10 foot setback from the property line.

The variance is based on the unusual physical conditions of the property that were created by the RTA relatively recently during the Magee Road alignment and expansion project. As a component of the expansion, the entrance to our church parking lot now, has been elevated several feet and is no longer level with the road, changing the view in which to see our sign. It now must be view though obstacles.

During this construction much vegetation was added for the beautification of the project, to the front of the property line. There is also some mature trees and shrubs that block the view of our sign due to the new elevation of the road, in addition to new electrical poles that are quite large in diameter, that also cause our sign to be blocked depending on the approach to our drive. Raising the sign to the new height will help us to be clear of some of the newly placed obstacles.

Magee Road has progressed from a small two lane, undivided road, to a four lane road with a median and designated turn lanes. The speed has increased from 35 miles per hour to 45 miles per hour.

The granting of this variance will not be detrimental to the public welfare or injurious to other property or improvements in the area that we are located. In fact, this will be in the interest of safety for our many children attending school on a daily basis, for worshipers attending church

on Sundays and to the many other events and groups that our church hosts on a daily basis, to have a clear view of the sign marking our driveway entrance.

Therefore based on the above arguments we respectfully request that the variance applied for in this case be granted based on the safety of the community.

Respectfully submitted,

Sharon Woolridge

Sharon Woolridge
Facilities Manger
Ascension Lutheran Church and School

PIMA COUNTY
DEVELOPMENT SERVICES

Variance Application

Revised 12/2013

(Please print or type) **NO PENCIL**

Property Owner: Ascension Lutheran Church and School Phone: 297-3095

Owner's Mailing Address: 1220 W. Magee Road City: Tucson Zip: 85704

Authorized Representative: Sharon Woolridge Phone: 520-730-9671

Rep's Mailing Address: 1449 W. Cool Drive City: Tucson Zip: 85704

Property Address: 1220 W. Magee Road City: Tucson Zip: 85704

Tax Code Number(s): 225-18-007B 225-20-2390 Zone: SR

Does the subject parcel have an active building or zoning code violation? No

Owner or Applicant's Email Address: mistyfilu@aol.com

I, the undersigned, swear that all the facts in this application are true to the best of my knowledge, that I will appear in person at public hearing to present the request, that I have read and understood the board of adjustment guidelines and procedure for granting a variance, and that I am able and intend to apply for all necessary county permits for construction and use of the property within nine months of receiving an approval of my variance request.

Signature: Sharon Woolridge Date: April 20, 2016

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

**********FOR OFFICE USE ONLY**********

Case Title: Lutheran Church of the Ascension - W. Magee Road Co10( ) P16VA00011
OWNER'S NAME – STREET NAME (EX. JONES- E. SPEEDWAY BOULEVARD)

requests a variance(s) to Section(s) 18.79.030 18.79.110 of the Pima County Zoning Code which requires general dev. standards & new standards by SFR type, including height.

REC'D AT DEVELOPMENT SERVICES - PLANNING DIVISION BY AH DATE 4/29/16.