

AGENDA ITEM # \_\_\_\_\_

DATE: February 25, 2013

COAC NUMBER: 13-4971

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

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**SUBJECT: Amendment of Stipulation  
No. 11 for the Rock of Refuge Church  
Special Use Permit**

**STAFF PRESENTER:** Steve Careccia,  
Planner III

**APPLICANT:** Kevin Goff, Rock of  
Refuge Church

**CASE NUMBER:** 02-350-00004

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**RECOMMENDATION:**

Approve a request to amend Stipulation No. 11 of the special use permit for the Rock of Refuge Church located at 877 North Sarival Road to allow the construction of two-story buildings with a maximum building height of 30 feet, not including parapets as otherwise allowed by the Zoning Ordinance.

**PURPOSE:**

The applicant would like to construct a two-story church facility and charter school on the property. As such, an amendment to the special use permit has been submitted that would revise a stipulation limiting buildings to a single story height of 30 feet.

**BACKGROUND AND COMMUNITY BENEFIT:**

A special use permit to construct a church facility at 877 North Sarival Road was approved by the City Council on January 27, 2003, subject to a number of stipulations. The property is located on the east side of Sarival Avenue approximately one-quarter mile north of Van Buren Street. The property is zoned AU, Agricultural Urban.

Land uses surrounding the subject property include the following:

- North – Christ Presbyterian Church zoned AU, Agricultural Urban
- South – Jehovah’s Witness Church zoned AU, Agricultural Urban
- East – Single family development within Wade Acres zoned AU, Agricultural Urban
- West – Single family development within the Canyon Trails PAD and Sarival Avenue

Several stipulations were attached to the approval of the special use permit. Stipulation No. 11 states the following, “All buildings shall be limited to single-story height (30 feet).” In reviewing the record, it appears the intent of the stipulation was to ensure that the proposed buildings were in character with the surrounding single family residential development. The record indicates there were no specific complaints or objections

regarding building height or number of stories voiced by neighboring property owners at either the citizen review meeting, Planning and Zoning Commission, or City Council.

The applicant would like to construct a two-story church facility and charter school on the property. As such, an amendment to the special use permit has been requested that would remove the reference to a single story height. The proposed stipulation would be restated as follows, "All buildings shall be limited to a maximum height of 30 feet except for parapets and other appurtenances as otherwise allowed by the Zoning Ordinance." As revised, the stipulation language would be consistent with the maximum height of 30 feet allowed by the property's AU, Agricultural Urban, zoning. The maximum building height allowed in the Canyon Trails PAD and within Wade Acres is also 30 feet.

The applicant has submitted an application for site plan review. Elevations of the proposed building were included with the site plan submittal. The building would include facilities for the church as well as for a proposed charter school. Review of the site plan and building elevations is ongoing.

The proposed building would adhere to the 30-foot maximum building height permitted in the AU, Agricultural Urban, zoning district. The parapet walls and some of the architectural features would exceed 30 feet in height. However, the Zoning Ordinance does permit parapet walls and architectural features to exceed the maximum building height to allow for the screening of mechanical equipment and to provide architectural interest to the building.

Staff supports the request to amend this stipulation of the special use permit to allow the construction of a two-story building. While the number of building stories would be increased from one to two, the maximum building height would remain at 30 feet. This maximum height would be consistent with the building heights allowed in the surrounding area.

**PREVIOUS ACTIONS AND DISCUSSION:**

This specific request has not previously been before the Council. A special use permit to construct the church facility was approved by the Council on January 27, 2003.

**FISCAL ANALYSIS:**

This request will not have a fiscal impact upon the city.

**ATTACHMENTS:**

1. Vicinity Map
2. Building Elevations
3. January 27, 2003, City Council Meeting Minutes