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## Planning Commission Study Session

**TO:** PLANNING COMMISSION

**FROM:** SAMANTHA NOVOTNY, PLANNER I *SN*  
(480) 503-6602, SAMANTHA.NOVOTNY@GILBERTAZ.GOV

**THROUGH:** ASHLEE MACDONALD, AICP, PRINCIPAL PLANNER *AM*  
(480) 503-6748, ASHLEE.MACDONALD@GILBERTAZ.GOV

**MEETING DATE:** FEBRUARY 2, 2022

**SUBJECT:** A. GP21-07 VALOR CHRISTIAN CENTER: REQUEST FOR A MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROXIMATELY 6.7 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF S CLAIBORNE AVENUE AND E WARNER ROAD FROM SINGLE FAMILY-8 (SF-8) TO NEIGHBORHOOD COMMERCIAL (NC).

B. Z21-09 VALOR CHRISTIAN CENTER: REQUEST TO REZONE APPROXIMATELY 6.7 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF S CLAIBORNE AVENUE AND E WARNER ROAD FROM SINGLE FAMILY-8 (SF-8) TO NEIGHBORHOOD COMMERCIAL (NC).

**STRATEGIC INITIATIVE:** Exceptional Built Environment

The proposed rezoning and General Plan amendment will allow the existing place of worship to utilize commercial sign allowances and would allow the potential for commercial development.

### RECOMMENDED MOTION

- A. No motion requested, and
- B. No motion requested.

**APPLICANT**

Company: Provident Law  
Name: Erik Stanley  
Address: 14646 N Kierland Blvd,  
Scottsdale, AZ 85254  
Phone: (480) 388-3343  
Email: [erik@providentlawyers.com](mailto:erik@providentlawyers.com)

**OWNER**

Company: Grace International  
Churches and Ministries  
Address: 3015 E Warner Rd., Gilbert,  
AZ 85964  
Email: [info@gracelifegilbert.com](mailto:info@gracelifegilbert.com)

**BACKGROUND/DISCUSSION**

**History**

<b>Date</b>	<b>Description</b>
<i>July 30, 1996</i>	Town Council adopted Ordinance No. 988 (A96-6), which annexed approximately 190 acres into the Town jurisdiction, which included the subject site.
<i>September 11, 1997</i>	The Design Review Board approved DR97-53 for the Celebration Christian Center. This approval has since expired.
<i>December 9, 1999</i>	The Design Review Board approved DR99-109 for the Celebration Christian Center. This approval has since expired.
<i>February 1, 2005</i>	Town Council reclassified all properties with the Town of Gilbert to zoning districts in the 2005 Land Development Code. The subject site was reclassified from R1-8 to SF-8.
<i>November 10, 2005</i>	The Design Review Board approved DR05-63, a site plan, grading and drainage plan, elevations, landscaping, architecture, and lighting plan for a conceptual 4-phase church master plan along with Phase I for Oasis Family Church.
<i>September 11, 2008</i>	The Design Review Board approved DR05-63-S, a Comprehensive Sign Program for Oasis Family Church.
<i>August 9, 2018</i>	Staff administratively approved DR05-63-A, a picnic ramada addition for Valor Christian Center.

**Overview**

The subject site is comprised of approximately 6.7 acres generally located at the southeast corner of Claiborne Avenue and Warner Road in the Gateway Character Area. The applicant is proposing two requests:

- 1) A Minor General Plan amendment to change the land use designation from Residential > 3.5-5 dwelling units (DU)/acre to Neighborhood Commercial (NC); and
- 2) A rezone from Single Family-8 (SF-8) to Neighborhood Commercial (NC) zoning district.

With these proposals, Valor Christian Center intends to increase the allowed signage; however, the site would not be limited to the existing place of worship use and all uses allowed under the Neighborhood Commercial zoning district would be permitted in the future.

**Surrounding Land Use & Zoning Designations:**

	Existing Zoning	Existing Land Use Classification	Existing Use
North	Single Family-6	Residential >3.5-5 DU/acre	Warner Road, then residential homes
South	Single Family Detached	Residential >5-8 DU/acre	Residential homes
East	General Commercial	General Commercial	Vacant land and Life Storage
West	Single Family-8	Residential >3.5-5 DU/acre	Claiborne Avenue, then residential homes
Site	Single Family-8	Residential >3.5-5 DU/acre	Valor Christian Center and partial improvements and vacant land

**General Plan**

The subject site is located within the Gateway Character Area as denoted in the 2020 General Plan. This proposal requests a Minor General Plan amendment from Residential > 3.5-5 DU/acre to Neighborhood Commercial (NC). Staff considers this an appropriate shift as NC is the lowest intensity non-residential land use classification and is intended to serve residential areas while serving as a buffer between more intense commercial uses, such as the uses to the east of the subject site along Higley Road.

The request conforms to the Town of Gilbert General Plan and is supported by the following goals and policies:

- Goal CM-1 “Encourage a Balanced Land Use Framework”
- Goal CM-4 “Promote Our Neighborhoods”

- Policy 6 “Support the provision of appropriate transitions between sites having distinct changes in types or intensities of land use.”
- Goal CM-3 to “Foster Vibrant Gathering Places”
  - Policy 7 “Preserve and maintain Gilbert’s attractive appearance and quality of development that provide a sense of place.”
- Goal CM-7 to “Bring Us Together”
  - Policy 25 “Expand and promote opportunities for all residents to connect socially and anticipate fully in the vitality of Gilbert.”

## Rezoning

With a successful rezoning from SF-8 to NC, the applicant and current site user intends to construct a larger monument sign along Warner Road to increase road and pedestrian visibility. They have reached their signage limit in the current zoning district SF-8. As stated, the zoning districts to the east of the church parcel are zoned General Commercial (GC) and Shopping Center (SC), which allows for more use categories. As NC is the lowest intensity commercial district, changing the subject site zoning to NC would be an acceptable transition between other commercial districts mentioned above.

The existing use, *Place of Worship-Small-Scale*, is an allowed use within the NC zoning district and is anticipated to remain. It is important to note that rezoning the subject site would allow all uses allowed within the NC zoning district; however, the applicant has shared that there is a deed restriction on the property limiting the use to a place of worship.

The existing development on site is in conformance with the development regulations of the Neighborhood Commercial zoning district. As of the writing of this staff report, the project is in 2nd review.

## Development Regulations Table

Site Development Regulations	Required per 2005 LDC (NC Zoning District)
Maximum Size of Use or User (SF)	25,000 SF
Maximum Height (ft.)/Stories	25’/1
Minimum Building Setbacks (ft.)	
Front	20’
Side (street, residential)	15’
Side (nonresidential)	10’
Rear (residential, nonresidential)	15’

Separation between Buildings (ft.)	10'
Minimum Perimeter Landscape Setback (ft.)	
Front	20'
Side (street, residential)	15'
Side (nonresidential)	10'
Rear (residential, nonresidential)	15'
Parking (1 space per 100 SF of assembly area + 1 space per 200 SF of other indoor area)	23 + 12 = 35 spaces

### PUBLIC NOTIFICATION AND INPUT

A virtual neighborhood meeting was held on January 18, 2021 at 5:30 PM. Attendees included 6 members of the public, the applicant, and 4 church representatives. Questions included the following comments and concerns:

- Height, brightness, ability to dim lighting, and angle for the proposed sign.
  - Pastor Whitwam explained they would work with the Church’s selected sign company to come up with options and that the Church wanted to ensure that the sign did not shine directly into the homes on the corner of Warner and Claiborne.
- Should stores be expected on the subject site with the new NC zoning classification.
  - Pastor Whitwam explained that the Church is subject to deed restrictions that the Property may only be used for a place of worship.
  - The applicant Erik Stanley explained that any future plans for development would need Town approval but there are no plans for commercial development on the Property.
- Could home renters/tenants attend the public hearing.
  - A church representative answered yes.
- Questions about the process for approval and the possibility of neighborhood decision/input into the process.
  - Erik Stanley explained that the Neighborhood Meeting was one point of input and that the public hearings would be additional points of input for the neighborhood.
- Whether the sign would have changing messages.
  - A church representative answered yes.

Staff has not received any other public input at this time.

## PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

## STAFF RECOMMENDATION

- A. Staff requests Planning Commission input; and
- B. Staff requests Planning Commission input.

Respectfully submitted,



Samantha Novotny  
Planner I

### **Attachments and Enclosures:**

- 1) Vicinity Map/Aerial Photo
- 2) Land Use Exhibit
- 3) Zoning Exhibit
- 4) Applicant’s Narrative

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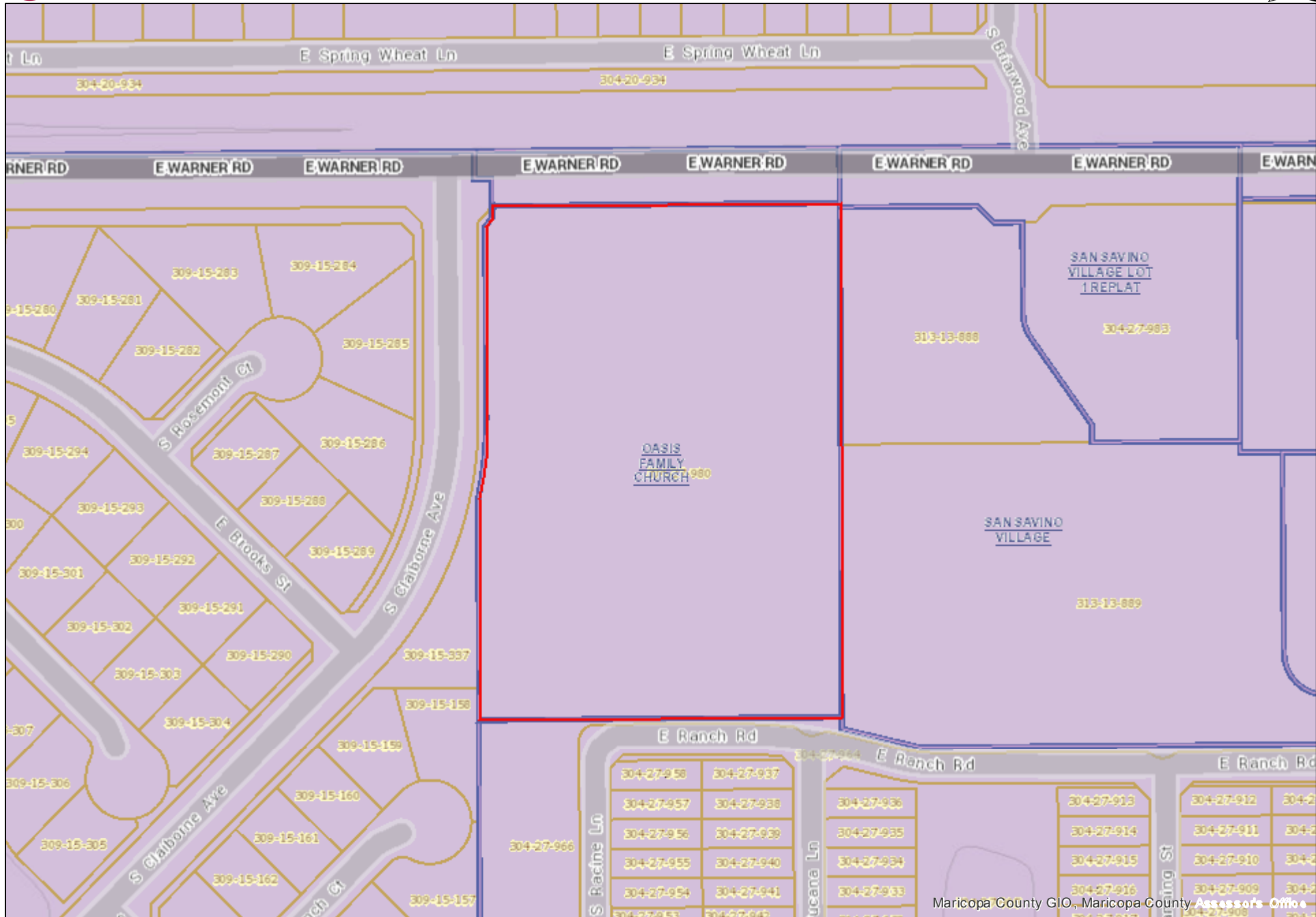
Samantha Novotny  
Planner I

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- 3) Zoning Exhibit
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# Parcel 304-27-980 (3015 E Warner Rd, Gilbert, AZ 85296)



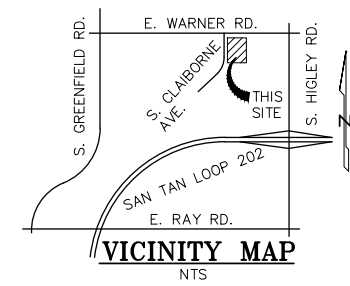




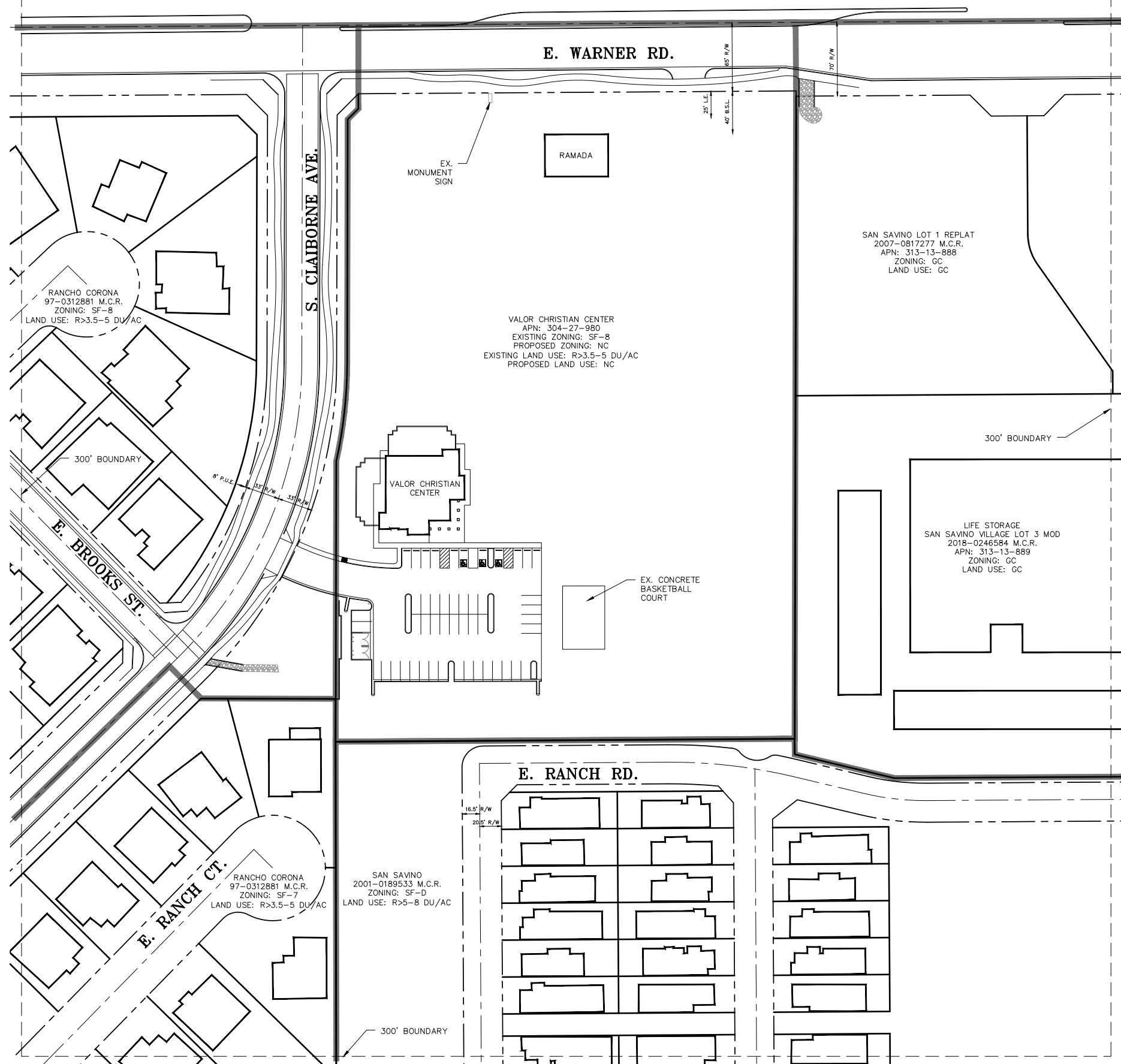
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GENERAL PLAN AMENDMENT EXHIBIT  
FOR  
**VALOR CHRISTIAN CENTER**  
3015 E. WARNER RD.  
GILBERT, AZ 85296



DATE: 12/16/2021  
DRAWN BY: CDE  
CHECKED BY: SDM



**PROJECT ENGINEER**

CIVIL IMPROVEMENTS DESIGN, LLC.  
SHANE D. McCLARA, P.E.  
7856 E. GRANADA RD.  
SCOTTSDALE, AZ 85257  
PHONE: (480) 720-4543  
SHANEMCCLARA@YAHOO.COM

**PROJECT DESIGNER**

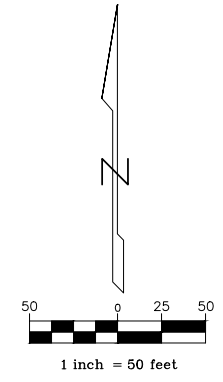
CHRIS EVERETT  
ALL TECHNIQUE  
PHONE: (480) 217-7610  
ALLTECHNIQUE@GMAIL.COM

**SITE DATA**

A.P.N: 304-27-980  
LEGAL DESCRIPTION: A SUBDIVISION OF A PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.  
CURRENT ZONING: SF-8 100%  
PROPOSED ZONING: NC 100%  
SITE AREA (NET): 263,779 S.F. 6.0543 AC.  
SITE AREA (GROSS): 291,364 S.F. 6.6888 AC.  
EXISTING GENERAL PLAN CLASSIFICATION: R>3.5-5 DU/AC  
PROPOSED GENERAL PLAN CLASSIFICATION: NC

**LEGEND**

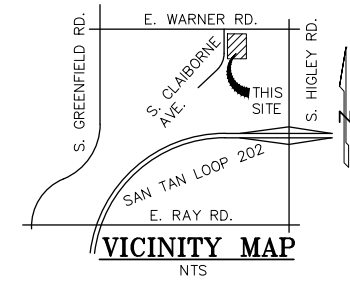
- EXISTING RIGHT-OF-WAY
- - - EXISTING CENTER LINE
- EXISTING PROPERTY LINE
- EXISTING ZONING DISTRICT BOUNDARY
- EXISTING BUILDING
- - - 300' BOUNDARY



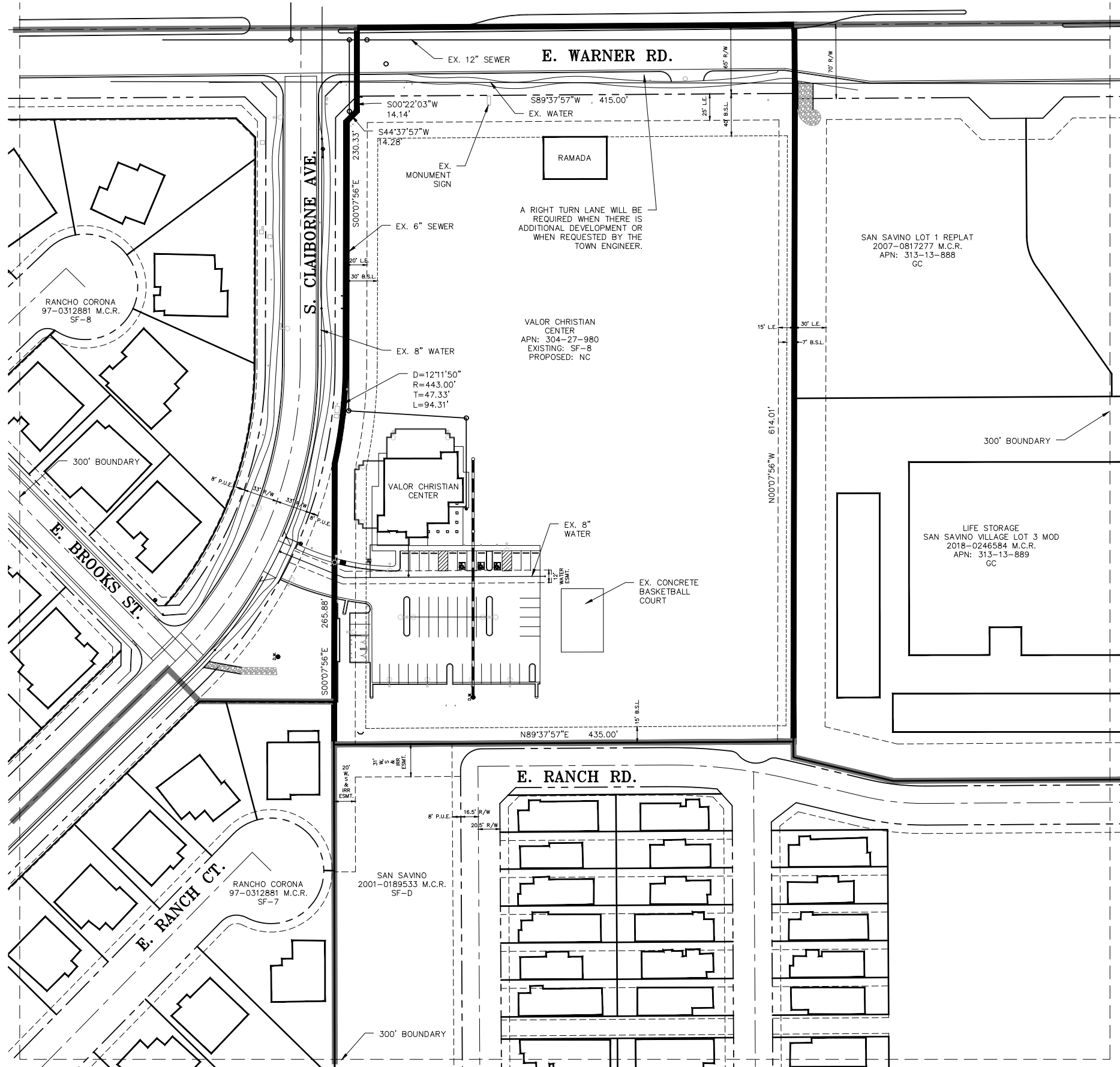
**VALOR CHRISTIAN CENTER**  
**GENERAL PLAN AMENDMENT EXHIBIT**  
 3015 E. WARNER RD.  
 GILBERT, AZ 85296



ZONING EXHIBIT  
FOR  
**VALOR CHRISTIAN CENTER**  
3015 E. WARNER RD.  
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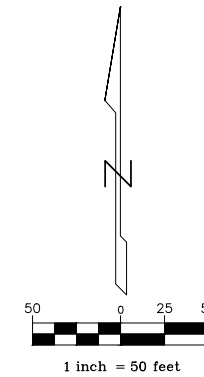
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**LEGEND**

- EXISTING RIGHT-OF-WAY
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- - - EXISTING EASEMENT LINE
- - - EXISTING SETBACK LINE
- EXISTING PROPERTY LINE
- EXISTING ZONING DISTRICT BOUNDARY
- EXISTING BUILDING
- 300' BOUNDARY
- EXISTING WATER LINE
- EXISTING SEWER LINE



VALOR CHRISTIAN CENTER  
ZONING EXHIBIT  
3015 E. WARNER RD.  
GILBERT, AZ 85296





**PROVIDENT LAW**

August 16, 2021

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**Project Narrative for Valor Christian Center Rezoning  
Application**

Valor Christian Center (the “Church”) applies for rezoning for its parcel from its current zoning of SF-8 with a General Plan Land Use Classification of Residential 3.5-5 du/ac to NC (Neighborhood Commercial). The purpose of the rezoning request is so that the Church may obtain approval for a larger electronic sign along Warner Road.

Valor Christian Center’s Property (the “Property”) is a 6.06-acre parcel at the intersection of East Warner Road and South Claiborne Avenue. A church sanctuary building and a parking lot currently exist on the Southwest corner of the Property. The Property is otherwise vacant except for a small outbuilding on the Northern portion of the Property.

The Church earlier attempted to apply for approval to change its current freestanding monument sign to a larger electronic changing message sign along East Warner Road but was unable to gain approval for doing so given that the type of sign and the size of sign the Church wanted was only allowed in commercial zones.

The Church submits this rezoning application to change the Property’s zoning classification to NC (Neighborhood Commercial) so that it may then apply for the type and size sign it wishes to place along Warner Road.

The Church’s request is compatible with adjacent properties. The surrounding properties to the Church are a mixture of commercial and residential zoning. The properties to the East of the Church are zoned GC. The property to the South of the Church is zoned SF-D. The properties to the West are zoned a mixture of SF-8 and SF-7. The property directly across Warner

Road to the North of the Church is zoned SF-6. Rezoning the Church's Property to NC will be compatible with the surrounding properties and will serve as a natural transition from the GC properties to the East to the residentially-zoned properties to the South and West.

The Church's rezoning request conforms to the General Plan in the following ways:

- The rezoning request conforms to Goal CM-1 to "Encourage a Balanced Land Use Framework" and Goal CM-4 to "Promote our Neighborhoods." Policy 6 under those goals supports "appropriate transitions between sites having distinct changes in types or intensities of land use." As stated, the properties to the East of the Church parcel are zoned GC (General Commercial) and are currently being used for general commercial purposes. Changing the Church's zoning to NC, the lowest level of commercial zoning, provides a natural transition between the General Commercial zoned properties to the East and the residentially zoned properties to the South and West of the Church Property.
- The rezoning request conforms to Goal CM-3 to "Foster Vibrant Gathering Places," and specifically Policy 7 to "Preserve and Maintain Gilbert's attractive appearance and quality of development that provide a sense of place." Churches are important gathering places for a Town such as Gilbert and contribute meaningfully to the plethora of vibrant gathering places on the Town. The rezoning request will allow the Church to apply for a larger sign along Warner Road that will better advertise its presence as a part of the Gilbert community.
- The rezoning request conforms to Goal CM-7 to "Bring us Together," and specifically Policy 25 to "Expand and promote opportunities for all residents to connect socially and participate fully in the vitality of Gilbert." The Church is an important part of the way residents of Gilbert connect socially. This rezoning request will, again, allow the Church to apply for a larger sign to advertise its presence as a gathering place for Gilbert's residents to connect and participate in life together.

There are no detrimental impacts to health or safety as a result of the Church's rezoning request. This is especially true because the Church plans no construction or other improvements other than an application for a larger electronic sign along Warner Road.

