

# **GATHER ESTATE BANQUET & CONFERENCE CENTER**

**2600 East Southern Avenue  
Mesa, Arizona**

**REZONE, SCIP, & SUP REVISED PROJECT NARRATIVE – REVISED  
January 7, 2016**

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## **PROJECT SUMMARY & REQUESTS**

Pew & Lake, PLC (Applicant), on behalf of Michael & Shelley McKown (Owners), hereby submits this revised project narrative and supporting documents in support of a zoning change on the approximate 1.4 acres located at 2600 East Southern Avenue in Mesa, Arizona (Property) and is commonly known as APN: 140-44-096A. The specific requests are as follows:

- A. Rezoning from Single Residence (RS-43) to Office Commercial (OC).
- B. Special Use Permit (SUP) for outdoor entertainment or outdoor activity.
- C. Substantial Conformance Improvement Permit (SCIP) to allow the majority of existing site conditions to remain.
- D. Site Plan approval.

If approved, these requests will accommodate the development and operation of a banquet and conference center on this existing property.

## **SITE & BUILDING DESCRIPTION**

The lot size is 62,222 sq. ft. and the size of the former residence is approximately 5,677 sq. ft. with an existing 1,020 sq. ft. detached storage building located in the rear yard. The new reception center will re-purpose the existence residence. As demonstrated on the Site Plan included with this application, the existing buildings will remain as they exist today. Minor improvements will be made to the interior of the building to comply with current ADA Accessibility and City of Mesa Building code and Fire code requirements.

Please note that the exterior colors and materials will remain unchanged at this time, but may be touched up where needed with the same color of paint and materials. Of course, business signage (if any) will be applied for in the normal course and in conjunction with the required construction permits.

## **PLAN OF OPERATION & GOOD NEIGHBOR POLICY**

Hours of operation on the site are anticipated to be 9 AM to 10 PM Monday through Saturday and closed on Sunday. The Owner's anticipate Thursday, Friday, and Saturday evening to be when the majority of their operations and activities will occur. Depending on the day and time of the day, there could be anywhere between five (5) and ten (10) employees on site in support of the event being held.

Regarding sound at outdoor events, the owner's have a decibel meter and use it to monitor sound levels. The owner is familiar with the City noise ordinance and are sincere about their maintaining compliance with said ordinance during events. No hard alcohol will be permitted at any events. Champagne toasts (and other similar drinks such as wine and beer) will be allowed and will be enforced pursuant to the owner's operating agreement / contract with its customers.

The name and mobile telephone number of the Owner and manager is Shelley McKown, 480-600-3444, and can be reached at any time. Adjacent property owners have already been provided this contact information and communication is ongoing.

A minimum of five (5) event staff will be present for each event and where necessary, additional staff, parking attendants and related employees will be utilized. It is not anticipated that security personnel will be needed for any events, but the owner reserves the right to employ such if needed. After each event, the staff will clean the grounds of litter as well as checking any adjacent areas such as the alleyway and the church parking lot. If any neighbor finds any litter in their property and believes such has originated from the event facility, such neighbor is invited to contact Shelley McKown who will immediately arrange to have that litter removed from the neighbor's property.

Any complaints regarding the facility can be lodged with Shelley McKown by either calling or writing to her at the address of the facility: 2600 E. Southern, Mesa, AZ 85204. Complaints will be addressed quickly and personally by Shelley McKown with an initial return call or email within 24 to 48 hours of receipt.

## **PARKING & CIRCULATION**

Access to the Property will continue from Southern Avenue via two existing driveways. Parking for guests will be provided primarily on the south and west sectors of the site and will exceed City of Mesa minimum standards. The primary entrance for guests will remain through the existing entry on the south side of the primary building.

As noted on the site plan submitted and consistent with Table 11-32-3A, the proposed use requires a minimum total of 51 parking spaces, which are provided. However, the Owners are sensitive to the occasional extra parking needs of banquet facilities and are thus proposing to provide a total of 61 parking spaces onsite, which includes 2 accessible/van spaces closely located near the main building entrance and 3 spaces in the garage for caterer services. In addition, the Owners have worked closely with the church (Sant Nirankari Mission Universal Brotherhood) immediately adjacent to their east property line to accommodate any overflow parking on their site. This cross-parking arrangement would add an additional 55 parking spaces to the 61 being provided by the Owners for 116 total spaces. As reflected on the site plan, a pedestrian walkway

is proposed between this property and the church to facilitate easy access between both sites. Directional signage will be utilized to accommodate and safely direct traffic. Additionally, the Owners propose through signage on site that the existing east driveway will become the “entrance only” and the existing west driveway will become the “exit only”.

To effectively address concerns regarding the preservation of access to the existing irrigation standpipe and pasture access for the north neighbor, the site plan has been revised to maintain a commonly used alleyway. As demonstrated on the revised site plan, the existing wall will remain in place and then be extended north to connect to the existing northern boundary wall and will be anywhere between 6 and 8 ft. in height depending on the final design of the wall. The portion of the wall above 6 feet, if any, may consist of either solid block or green screen material affixed to the wall, which will fill in with the associated plantings below. A 3’ gate, with a locking mechanism, will be provided in the north end of the extended wall to also allow the Owner’s easy access to the irrigation standpipe. This design will preserve the pasture and irrigation access as it historically exists. The new wall will also contain visitors to the site so they don’t wander beyond the Owner’s property and with the added height it will effectively screen visibility to and from the property to the west. Maintenance of this alleyway has historically been done by the adjacent property owners who have agreed to continue with their efforts. However, if necessary, the Owner will maintain the alleyway in a neat and orderly fashion.

## **LANDSCAPING**

The perimeter of the site will be landscaped consistent with the surrounding properties and per the standard requirements of the City of Mesa modified through these applications. The proposed landscaping palette will be harmonious with both the existing site landscaping and the surrounding context. Existing landscaping adjacent to the buildings exceeds City requirements and will be maintained. Two deviations to the standard City of Mesa requirements are detailed in the SCIP portion of this narrative.

The plan submitted clearly shows the existing and mature trees, shrubs, turf, and other plant materials that are already located on this site. Additionally, the plan also shows the existing mature trees that exist adjacent to this site on neighboring parcels. The combination of onsite existing landscaping, proposed supplementary landscaping, and existing landscaping on adjacent parcels easily demonstrates compliance with the intent of Mesa’s landscape standards.

The wall along the west boundary will be anywhere between 6 and 8 ft. in height (as described above) and will have a few landscape-parking islands added per the revised site plan and will implement climbing vines and a “green-screen” approach to soften the appearance of the wall from those onsite.

## **UTILITIES**

The existing 1” onsite water service and meter is sufficient to serve the domestic water needs of the proposed use. The wastewater for this site is currently processed via an onsite private septic system. A City of Mesa 4” public sewer service is provided to the site from Southern Avenue. Accordingly, the existing septic system will be abandoned and connection made to the aforementioned service. Water service for the proposed 4” automated fire sprinkler system will

be provided via attachment to an existing 8" public water mainline stub existing on the north side of Southern Avenue near the east boundary of this parcel.

### **STORMWATER RETENTION**

This Property has been historically flood irrigated, as are all the neighboring parcels. The Owner intends to maintain the existing flood irrigation. As was previously approved for the other commercial land changes in this area, Mesa's storm water retention requirements will be achieved via the existing depressed irrigation areas on site. While these existing retention areas are generally shown on the Site Plan, detailed Grading & Drainage plans that demonstrate compliance with Chapter 8 of the 2012 Engineering Procedure Manual will be submitted with the Owner's comprehensive application package for construction permits.

### **PUBLIC RIGHTS-OF-WAY & ACCESS DRIVES**

The current Mesa Transportation Plan reflects maintaining the existing 4 lane arterial configuration of Southern Avenue in this reach. Furthermore, the existing utility mainlines and services in Southern Avenue are sufficient to accommodate the anticipated uses in the area. The Owner's anticipate dedicating an additional 10' of rights-of-way along it's Southern Avenue frontage to achieve a total of 65' in accordance with City of Mesa Detail M-19.01. The Site Plan submitted reflects this dedication.

Pursuant to discussions with staff regarding this dedication, Mesa indicates it will support an Encroachment Agreement/Permit to allow the existing wall to remain in its current location and allow the proposed parking and proposed landscaping shown on the Site Plan to be located within the proposed ROW dedication. Said support for an Encroachment Agreement/Permit will be noted in staff's written report to the P&Z Board.

It should also be noted that the typically required commercial M-42 driveway standards in the "Public Street Access Guidelines" of the City of Mesa will not be required for this project pursuant to a separate agreement with the Engineering Department. As noted in our request letter to the Engineering Department, the pattern established by Mesa for other properties in this reach of Southern Avenue is the basis for this deviation as well as the small size of this Property. So, while neither this zoning request nor the SCIP address this issue directly, it should be noted that this condition will remain pursuant to the agreement reached with the Engineering Department.

### **NEIGHBORHOOD INTEGRATION**

In an effort to ensure this proposed use will effectively blend and be harmonious with the mix of existing commercial and residential uses nearby, the Owners have been diligent in their efforts to communicate and discuss the proposed land use changes with their neighbors. Their proactive efforts have gone well beyond the required public meetings and have involved informal 1-on-1 conversations seeking input and comment. As a result of their efforts, the owners have obtained 28 written statements of support signed by property owners on the north side of Southern Avenue and within a 500' radius of the Property. These statements of support have been attached to the Citizen Participation Report that is part of this follow-up submittal package.

## **ADJACENT ZONING DISTRICTS AND EXISTING USES**

The surrounding zoning and uses are as follows:

	<b>EXISTING ZONING</b>	<b>CURRENT GENERAL PLAN</b>	<b>EXISTING USE(S)</b>
North	RS-43	Neighborhood Suburban	Single Family Detached Homes
South	Southern Avenue and RM-2 PAD	Neighborhood Suburban	Southern Avenue, Single Family Detached Homes
East	OC	Neighborhood Suburban	Sant Nirankari Mission @ 2640 E. Southern, Law Offices @ 2650 E. Southern
West	RS-43 & OC	Neighborhood Suburban	Single Family Detached Home @ 2550 E. Southern, Medical Offices @ 2530 E. Southern

As indicated in the chart above, the change from RS-43 to OC will be compatible with the existing uses and zoning between the subject site and the properties to the north, east, and west. The proposed change is also consistent with the General Plan. The proposed use will be commensurate with the other commercial land uses in the area.

Specifically, on the north side of Southern Avenue between the 24th Street and Lindsay Road, there were originally built eleven (11) suburban ranch-style, single-family homes that were constructed on large acre+ lots during the 1960's. Over time, all but two (2) of the original eleven (11) homes have been rezoned or otherwise transitioned to non-residential uses such as; churches, medical offices, professional offices and law offices, etc.

## **SUBSTANTIAL CONFORMANCE & IMPROVEMENT PERMIT (SCIP) CRITERIA**

The SCIP request is to allow the existing conditions to remain as recognized deviations from the zoning code, while making strategic and specific improvements to satisfy substantial conformance with the City's standard zoning code requirements. The approval of the SCIP is necessary and justified because: (a) the demolition or reconstruction of existing building on the Property will cause a significant and unreasonable financial hardship, (b) the cessation of the existing use/building would cause an unreasonable hardship, and (c) the non-conformities, such as building and landscape setback requirements, do not impose unreasonable encroachments to surrounding properties and their uses.

Accordingly, the Applicant hereby requests a SCIP to address the following code requirements:

1. Deviation from the required 25 ft. rear yard setback per Table 11-6-3A to allow the existing storage building to remain at its current location, which meets the applicable setback established when the building was originally constructed in 1963. Please note that the existing storage building is over 150 ft. from the home to the northeast, over 100 ft. from the home to the northwest, and over 125 ft. from

the home on the west. All these distances generously exceed the minimum separation between commercial and residential uses; thereby maintaining the intent of Table 11-6-3A.

2. Deviation from the required 15 ft. arterial street setback from Southern Avenue per Table 11-6-3A to allow for 5 ft. landscaped areas on the north side of the proposed parking adjacent to Southern Avenue. The existing screen wall on the south property line effectively obscures any benefit to be derived from a landscape area located in the traditional setback. By effectively relocating landscaping to the proposed areas adjacent to the proposed parking will create a visual aesthetic visible from both Southern Avenue and the interior of the site.
3. Deviation from the required 25 ft. interior side setback (adjacent to RS District) from the West property line per Table 11-6-3A to allow a 12-15 ft. landscaped setback, which will consist of a 10 ft. wide alley, a 6 to 8 ft. tall screen wall (as described above), and a 2 ft. wide planning strip that will contain climbing vines and green-screen techniques. Stated differently, there is still a substantial setback, but such area is landscaped non-traditionally. To add a bit more of an explanation, it should be noted that the existing block wall on the west side of the Property will remain, and then be extended further to the north so that the active area of the reception center is fully contained and visitors to the site do not accidentally wander onto a neighbor's property. This proposed masonry fence and landscaping in its proposed configuration is a compromise between the Owner and the adjacent neighbors to preserve irrigation and pasture access along the western "alleyway." As of the date of this narrative, we believe that the adjacent neighbors are supportive of this configuration and its associated deviation.
4. Deviation from the required parking surface standards in 11-32-2(C.1) that: require parking areas, maneuvering areas, and driveways to be paved with asphalt, concrete, paving stone, or masonry to a sufficient thickness to withstand repeated vehicular traffic. In order to preserve the historic onsite retention provided for on the Property, the Owner proposes to use a porous and compacted crushed rock dust-free parking surface that will facilitate percolation of accumulated storm water as shown on the Site Plan approved as part of this Application. We note that the actual paving surface to be approved will be part of the SCIP process.

### **SCIP REQUIREMENTS**

Full conformance with the current code requirements would cause or create:

- a) *The demolition or reconstruction of existing buildings or other significant structures; and*
- b) *The cessation of the existing conforming use (current application pending for a Rezoning for the subject property to bring the use into conformance with City Code).*

## **SCIP JUSTIFICATION & COMPATIBILITY**

As previously mentioned, the proposed use on the site is compatible with the surrounding commercial and residential uses. The character of the neighborhood located on this reach of Southern Avenue has changed over time with many of the homes in the immediate area being converted to businesses. It is anticipated the only remaining RS-43 property in this area will ultimately make similar requests for their site to take advantage of the highest and best use for such transitional properties.

## **SPECIAL USE PERMIT (SUP) JUSTIFICATION & COMPATIBILITY**

Table 11-6-2 requires that for any outdoor entertainment activities in a zoning district, that the owner shall obtain a SUP. A SUP is a discretionary permit issued by the Zoning Administrator or Board of Adjustment and is approved by showing compliance with the criteria shown in § 11-70-5 of the Zoning Code. Additionally, and while not directly applicable, the criteria found in § 11-31-9 (Commercial Uses in a Residential District) also apply well to this request for outdoor activities since this site is adjacent to residential uses.

1. *Applicable Policies.* The use is found to be in compliance with the General Plan, and with applicable Sub Area Plans, Neighborhood Plans and other recognized development plans or policies, and will be compatible with surrounding uses.
2. *Site Plan.* A finding that an acceptable site plan has been submitted for review and consideration.
3. *Operational Plan.* A finding that an acceptable operational plan in narrative form has been submitted for review and consideration, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures.
4. *Addresses Adverse Impacts.* Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use shall adequately provide paved parking and on-site circulation in a manner that minimizes impacts on adjacent sites; and existing or proposed improvements to the site shall minimize dust, fugitive light, glare, noise, offensive smells and traffic impacts on neighboring residential sites.

Section 11-70-5(E) provides the required findings for an SUP, which shall only be granted if the approving body determines that the project as submitted or modified conforms to all of the following criteria:

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;

2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;
3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

### **CONCLUSION**

The subject property meets all the requirements for a land use change, a Substantial Conformance Improvement Permit, and a Special Use Permit, and the granting of the rezoning and permits will not create conditions detrimental to any surrounding properties. The proposed use is appropriate for the subject site and is consistent the surrounding zoning context and existing character of the uses in the area. The site plan has been revised to maintain the historical access to the northern and western property owner and will ensure unfettered and continued access to the irrigation standpipe.