

Board of Adjustment

Staff Report

CASE NUMBER: BA16-051 (PLN2016-00650)
LOCATION/ADDRESS: 111 S Dobson Road
COUNCIL DISTRICT: 3
PLANNER: Lisa Davis, Planner II
OWNER: EHM LLC
APPLICANT: Mohamad Mouslli

REQUEST: *Requesting a Special Use Permit (SUP) for an alternative compliance parking plan with transit accessibility for an existing commercial center in the LI-Light Industrial zoning district.*

SUMMARY OF APPLICANT'S REQUEST

Requesting a Special Use Permit (SUP) for an alternative compliance parking plan with transit accessibility for an existing commercial strip center at 111 S. Dobson Road in the LI-Light Industrial zoning district. The SUP for the alternative parking plan proposes a reduction in the minimum required number of parking spaces required on the lot. Specifically they are requesting a 33% reduction as allowed by Mesa Zoning Ordinance (MZO) section 11-32-7.E., because it is located within 1320 feet of the light rail stop with frequent service.

STAFF RECOMMENDATION

Staff recommends approval of the SUP for the alternative compliance parking plan for case **BA16-051**, conditioned upon the following:

- 1. Compliance with the site plan submitted and alternative compliance parking plan submitted except as modified by the conditions listed below.*
- 2. Compliance with all requirements of the Development Services Division with regard to the issuance of permits.*
- 3. The existing 53 parking spaces must be maintained for the commercial center.*

SITE CONTEXT

CASE SITE: Existing commercial strip center – zoned LI
NORTH: Existing commercial – zoned LI
EAST: Existing Industrial - zoned LI
SOUTH: Existing commercial – zoned LI
WEST: (Across Dobson Road) Existing commercial – zoned GC

PROJECT DESCRIPTION

Development	Overall Commercial site
Site area	1.6± acres
Building area	20,414 SF
Code required minimum parking	1 space per 275 SF=75 spaces
Parking provided	53 existing spaces

STAFF SUMMARY AND ANALYSIS

The commercial center developed in 1987. In 2008, by way of case BA08-013, a variance was granted for a reduction in parking in regards to a night club moving into the commercial center. The stipulations of approval included a limit of one restaurant within the commercial center. The nightclub is no longer located in the center and the limitation of one restaurant has proven to be a challenge to the property owner.

The 2011 MZO changes included the addition of a potential alternative compliance with minimum parking requirements with authorized alternatives including transit accessibility with the approval of a Special Use Permit. The applicant is requesting approval of a Special Use Permit for the alternative parking plan. Current minimum parking requirements for a commercial center with no specific users is 1 space per 275 square feet (SF) of building area. This equates to a minimum total of 75 parking spaces. A full reduction of 33% of required parking spaces would allow for a reduction of 24 spaces requiring 51 parking spaces on the site. There are 53 existing parking spaces. There is not a shared parking agreement with the owner to the south.

Within the applicant's proposal there is data that was collected for two weeks, June 15-22 and August 3-9 at 5 different time periods for each day, 8 am, 12 pm, 3 pm 6 pm and 9 pm. Reviewing the data, the busiest time was at 12 noon for each of two weeks. The maximum number of parking spaces being used was 25 spaces of the existing 53 spaces. It is important to note that there are two vacant suites within the building. The overall building size is 20,414 SF divided into 11 suites. Although some users occupy as many as three suites, there are no large single users within the commercial center.

The commercial center is located within the Mixed Use Activity District and Transit Corridor as identified in the Mesa 2040 General Plan. It is also within the West Main Street Area Plan. The existing commercial center is in conformance with the Mesa 2040 General Plan. The General Plan and the West Main Street Area Plan promote Transit Oriented Development with urban design, pedestrian friendly design. The MZO encourages decreased parking space requirements as a development is within the 1320' from the light rail stop.

The proposed alternative compliance parking plan is generally consistent with the Ordinance. As justification for the decreased number of minimum number of parking spaces the applicant has noted 1) the commercial center is located within a pedestrian urban transit friendly location; 2) the tenants have little parking use and parking needs tend to be for short periods of time; 3) the site is approximately 1,055 feet from the light rail stop at Main Street which is within the 1320' required to be considered for minimum parking reductions; 4) and the plan is consistent with and will not be detrimental to the surrounding neighborhood.

FINDINGS

- 1.1** The commercial center was developed in 1987
- 2.1** The site is within 1320' of the light rail stop with frequent service located at Dobson Road and Main Street.
- 3.1** The site is located within the boundaries of the West Main Street Area Plan that encourages Transit Oriented Development, which includes reductions in surface parking. Mixed Use, pedestrian-friendly environment is encouraged around transit facilities.
- 4.1** The aggregate number of required parking spaces for the total development is 75 spaces, accounting for a wide range of commercial activities, and not just retail uses. A 33% reduction would result in a total of 51 parking spaces. The existing 53 parking spaces on the site are within the allowed 33% reduction.

- 5.1 Currently the maximum number of parking spaces being used at the peak time of use is 25 spaces of the 53 spaces available, based on observations submitted by the applicant.
- 6.1 There is not a shared parking agreement in place with the property to the south.
- 7.1 The existing commercial center is identified in the Mesa 2040 General plan as within the Mixed Use Activity District and within the Transit Corridor. The proposed alternative compliance parking plan for the commercial center is in conformance with the intent of the MZO and the General Plan.
- 8.1 The proposed alternative compliance parking plan for the commercial center is compatible with, and not detrimental to, adjacent properties or the neighborhood in general

ORDINANCE REQUIREMENTS

Zoning Ordinance, Section 11-19-5 – Definition of Terms:

SPECIAL USE PERMIT (S.U.P.): A discretionary authorization issued by the Zoning Administrator/Board of Adjustment only upon finding, through a public hearing, that the proposed activity permitted by such Special Use Permit is in conformance with the intent of this Code, the General Plan and/or other specified plans or Council policies; and will be compatible with, and not detrimental to, adjacent properties or the neighborhood in general; and may be limited by specific conditions, restrictions, terms or time periods.

11-32-7: Alternative Compliance with Minimum Parking Requirements

- A. Authorized Alternatives. The Zoning Administrator is authorized to approve alternative compliance parking permits for the following: 1. Off-site parking; 2. Valet parking; 3. Transit accessibility; 4. Residential Special Needs; and 5. Community building(s) for residential developments.
- B. Special Use Permit Required. Applicants seeking approval of an alternative compliance parking plan must secure approval of a Special Use Permit, pursuant to Chapter 70.
- E. Transit Accessibility. The Zoning Administrator may authorize up to a 33 percent (total) reduction in parking ratios for uses located within 1320-feet (1/4 mile) of a BRT or light rail stop with 30-minute or more frequent service during the hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m. The basis point for determining the reduction shall be the aggregate number of parking spaces for the total development required before any reductions have been applied.