

## Board of Adjustment

### *Staff Report*

**CASE NUMBER:** BA16-050 (PLN2016-00489)  
**STAFF PLANNER:** Wahid Alam, AICP  
**LOCATION/ADDRESS:** 4550 East Southern Avenue  
**COUNCIL DISTRICT:** Council District 2  
**OWNER:** Beth Coons, RFN Investment  
**APPLICANTS:** Jeff D Welker, Welker Development Resources, LLC

**REQUEST:** *Requesting: 1) a Substantial Conformance Improvement Permit (SCIP) to facilitate additions to an existing mini-storage warehouse facility in the LC zoning district; 2) a Special Use Permit (SUP) to allow an existing recreational vehicle (RV) storage yard initially provided as an accessory use to a residential master plan development in the RS-6-PAD zoning district to be utilized by the general public; and 3) and minor modifications to a Planned Area Development (PAD) overlay district related to development standards for that same RV storage yard.*

#### **SUMMARY OF APPLICANT'S REQUEST**

This proposal would expand the existing mini-storage facility located at 4550 East Southern Avenue further north with three more buildings oriented parallel to the existing mini-storage building along Southern Avenue. It would also reduce the size of the existing RV storage area, reconfigure the shape of the RV storage area, and allow it's use by the general public.

This RV storage area is currently a part of the Sunland Village development, and its use is exclusive to the residents of this development. However, approval of the SUP request would permit the RV storage facility to be open to general public. The existing mini-storage and RV storage share the same parcel located within "Sunland Village Eight - Tract A (MCA parcel # 14051721)" and consists of approximately 7.33± acres. The request for SCIP and PAD modification is to consider the site plan recently approved by the Planning and Zoning Board (case# Z16-043), which requires some relief from current development standards.

#### **STAFF RECOMMENDATION**

Staff recommends **approval** of case BA16-050, *conditioned upon the following:*

- 1. Compliance with the project narrative, site plan, landscape plan and elevations submitted except as modified by the following conditions.*
- 2. Compliance with the Design Review approval for this project.*
- 3. Compliance with all other City development codes and regulations.*
- 4. Compliance with all requirements of Development Services in the issuance of building permits.*
- 5. Submit a revised site plan, landscape, building elevations (including color elevations) and materials board for Planning Division staff approval prior to Building Permit submittal.*
- 6. All non-conforming signs shall be removed from the site upon issuance of a building permit.*
- 7. All conditions attached to the SCIP, SUP and PAD modification shall be completed prior to issuance of a Certificate of Occupancy.*

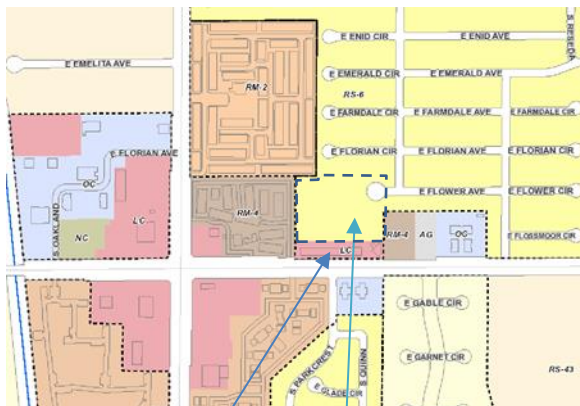
#### **SITE CONTEXT**

**CASE SITE:** Existing mini storage and RV storage facility – zoned LC and RS-6-PAD  
**NORTH:** Existing retirement-oriented residential development (Sunland Village) - zoned RS-6-PAD  
**EAST:** Existing multiple residence development – zoned RM-4; and Sunland Village - zoned RS-6-PAD  
**SOUTH:** (across Southern Avenue) Existing multiple residence and Medical Offices – Zoned RM-3 & OC  
**WEST:** Existing multiple residence – zoned RM-4

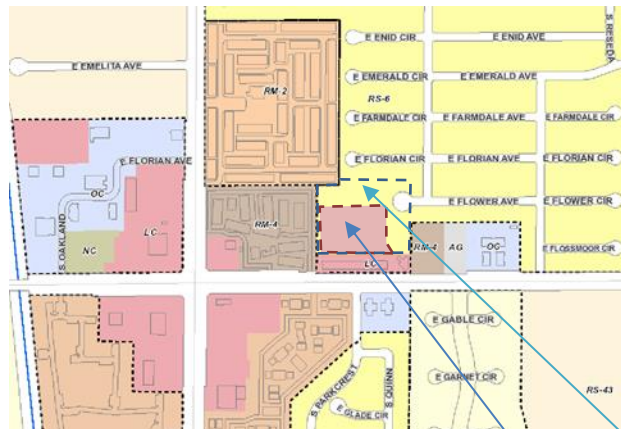
## STAFF ANALYSIS

In 1984, a 1.2± acre portion of Tract A that is approximately 110' deep from Southern Avenue, was rezoned to C-2 (now LC) to allow the existing mini-storage facility that faces Southern Avenue. The remaining northern 6.13± acres of Tract A remained zoned RS-6-PAD, and was designated for use as an RV storage facility for the residents of Sunland Village. There is currently no existing vehicular access between the mini storage and the RV storage facility. As proposed, two vehicular access gates would be added to facilitate access between the two uses.

The Planning and Zoning Board recommended approval (case Z16-043) of the request to rezone the 2.78± acres just north of the existing mini-storage facility from RS-6-PAD to LC to expand it by adding three buildings, which when combined with the existing mini-storage building will total 75,600 square feet. The total site area for the proposed expanded mini storage facility is 3.98± acres, and the existing RV storage area will be reduced to 3.35 ± acres.



Current Zoning LC & RS-6-PAD



P&Z recommends approval of rezoning to expand LC & reduce area of RS-6-PAD

In addition to the rezoning application, the applicant is requesting the following:

- 1) A Substantial Conformance Improvement Permit (SCIP) to facilitate additions to an existing mini-storage warehouse facility in the LC zoning district;
- 2) A Special Use Permit to allow an existing recreational vehicle (RV) storage yard initially provided as an accessory use to a residential master plan development in the RS-6-PAD zoning district to be utilized by the general public; and
- 3) Minor modifications to a Planned Area Development (PAD) overlay district related to development standards for that same RV storage yard.

### SITE PLAN:

Overall, the site plan is standard for development of this type of land use. There are, however, several issues with regards to the specific context that need to be considered and addressed.

#### 1. Connection between the RV storage and mini storage

The proposed site plan shows two points vehicular access between the existing RV Storage area to the north and the proposed expansion of the ministorage area along Southern Avenue. Since the RV storage area is currently approved for use by only residents of Sunland Village, Planning would prefer to keep the RV's ingress and egress only from Flower Circle. Having the two uses integrated by driveway access will make it too easy to convert the RV storage area into an operation open to any user. Typically, outdoor RV storage uses require General Commercial zoning.

The requested Special Use Permit (SUP), if approved, allows these types of accessory use RV storage areas in RS districts to be opened up to non-resident use. The applicant has applied for this SUP. If the SUP is approved, the concerns regarding vehicle access between the two sites is removed because both sites will be open to the general public.

The Planning and Zoning Board recommended a contingency condition with regard to this question about access between the two sites. Condition 6b of the P&Z recommendation would require the site plan be revised to show a solid wall between the two portions of the site. It also provides, however, that should the SUP be approved by the Board of Adjustment, that the connections as shown on the current site plan would be allowed (no wall would be required).

## 2. Perimeter landscaping

The proposed site plan is deficient in perimeter landscaping. The zoning code requires all LC zoned properties to have the following landscape setbacks:

Street/ Property Line	Minimum Required Setback	Provided Setback	Staff Recommendation
<b>South:</b> Southern Avenue	15'	Existing condition- driveway 0', Building 24'	approval
<b>West:</b> Adjacent to Mini Storage- (RM-4)	20' at least 15' landscaped	0' existing and 0' proposed	approval
<b>East:</b> Adjacent to Mini Storage- (RM-4)	20' at least 15' landscaped	15' (existing condition)	approval
<b>North:</b> Adjacent to RV storage (RS-6-PAD)	20' (when compared to same use in commercial districts)	20' proposed	approval

The north boundary of the mini-storage facility requires a landscape buffer in the event the SUP for general public use of the RV storage area is denied. If the SUP is approved, as is recommended, then the deviation along the boundary between the mini storage and the RV storage is no longer needed because the site would then be considered one development, and the cross access allowance between the two sites removes the need for a landscape buffer, since the SUP authorizes use for both sites by the general public. A contingency does exist. Zoning case # Z16-043 mentions that if the SUP and/or SCIP applications are not approved by the Board of Adjustment, then the site plan will need to be modified to reflect the code requirements (conditions 6c, 6d and 6e). This would mean modifying the site plan to include landscape areas between the min-storage facility and the resident-only RV storage area. Because the existing apartment complex along the west property line already has established mature perimeter landscaping buffer between the properties, the recommendation includes allowance of zero landscaping along that perimeter.

## 3. Surfacing of the RV storage area

The RV-Storage area needs to be improved with asphalt or concrete to meet current code requirements for dust free surfaces. The applicant may suggest alternative materials other than asphalt or concrete for the parking spaces provided that the alternative complies with City of Mesa development standards.

This project, specifically the mini-storage facility buildings, also requires approval of a Design Review application (a commercial use fronting an arterial street). The applicant has not yet submitted application for Design Review process.

## FINDINGS

- 1.1 The proposed expansion of the mini storage facility and reconfiguration of the existing RV storage facility invokes conformance with current development standards.
- 1.2 At the time of initial development in 1980's, the setbacks, foundation base, and landscape requirements of the Zoning Code varied or were non-existent when compared to the development standards of the current Code.
- 1.3 The proposed project is deficient in landscaping yards compared to current codes. Also the applicant is requesting to allow RV storage by non-residents of Sunland Village Subdivision.
- 1.4 The existing monument sign along Southern Avenue is a non-conforming sign.
- 1.5 The proposed use will not be detrimental to surrounding properties.
- 1.6 Requiring full conformance with present zoning related development standards would create new nonconforming conditions on the site, and require demolition or removal of significant existing improvements, including changes to the existing storm water retention basin, and modifications to the existing building for the mini-warehouse facility.

#### **ORDINANCE REQUIREMENTS:**

##### Zoning Ordinance, Sec. 11-73-3 – Substantial Conformance Improvement Permits (SCIP)

###### Required Findings:

A **SCIP** shall not be granted unless the **Zoning Administrator**, acting as a **Hearing Officer**, or **Board of Adjustment** shall find upon sufficient evidence that:

- A. The entire development site will be brought into substantial conformance. Substantial conformance shall mean physical improvements to the existing development site which constitute the greatest degree of compliance with this **Ordinance** that can be attained without causing or creating any of the following conditions:
  1. The demolition or reconstruction of existing buildings or other significant structures (except signs); or
  2. The cessation of the existing conforming use, or the preclusion of any other lawful, permitted use.
  3. The creation of new non-conforming conditions.
- B. The improvements authorized by the **SCIP** will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.

##### Zoning Ordinance, Sec. 11-31-35 – Recreational Vehicle Storage in Residential Zoning Districts

**Recreational Vehicle Storage Lots** that have been developed as part of a residential neighborhood and historically been used solely to serve the needs of that residential community may be allowed to expand the use in the RS district and provide storage service to people who reside outside of the adjacent neighborhood, subject to approval of a Special Use Permit, in accordance with Chapter 70 of this zoning ordinance.

- A. The review of the special use permit shall be based upon the following items:
  1. The applicant has demonstrated that the storage of recreational vehicles has historically taken place on this site, and that the continued use of this lot for open air storage of recreational vehicles is consistent with this historical usage.
  2. Screening of the storage lot is achieved through either: 1) a combination of a minimum 6-foot high masonry wall and 15-foot wide landscape buffer with trees planted at 20-foot on center; or 2) a minimum 8-foot high, fully grouted masonry wall.
  3. The site may be accessed directly from an arterial or collector street.
  4. Landscaping along street frontages complies with landscaping requirements for the LC zoning district where adjacent to arterial streets, and at minimum substantially complies with LC zoning district landscaping requirements where adjacent to streets not classified as a collector or arterial street.
- B. Signs associated with this activity:
  1. All signs facing single residence land uses shall remain non-illuminated.
  2. The maximum area of any individual sign shall be 32 square feet.
  3. The maximum height of any detached sign shall be no higher than 8-feet.
  4. The number of signs shall not exceed two per street front in which direct vehicular access to the Storage Lot is available.