

**JUSTIFICATION & COMPATIBILITY STATEMENT
FOR
ICE HOUSE AMERICA
4755 E. MAIN STREET, MESA, AZ.**

SUBSTANTIAL CONFORMANCE IMPROVEMENT PERMIT (SCIP)

October 13, 2016

11-73-3: 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).*

There will be no demolition or reconstruction of any existing structures for this permit.

(2) *The cessation of the existing conforming use, or the preclusion of any other lawful, permitted use.*

The project is not changing the existing conforming use.

(3) *The creation of new non-conformities such as the decrease in the number of on-site parking spaces below the required minimum, diminution of the water retention areas to less than the minimum required, constriction in the required landscape foundation base, constriction in the required vehicular access of fire lanes, or reduction of handicapped accessibility.*

The site has 120 existing parking spaces and this project will remove a total of 2 parking spaces. This site parking requirement is 26 spaces so there will not be a negative effect on parking. As part of this project the handicapped accessible parking will be concentrated at building entrance.

The ice kiosk structure is being placed on a landscape area that is not part of the existing water retention for the site as explain on Civil Plan C01 Drainage Statement. The kiosk is being located west of the existing market on an existing landscaped area providing and exceeding required foundation landscape. Also, landscape along Main Street is being added to comply with current requirements.

B. The improvements authorized by the SCIP will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.

There is no change in the existing zoning and use of the property. This is a permanently mounted, non-movable kiosk installed with a City of Mesa building permit that will meet or exceed current building codes in affect. All mechanical equipment will be screened from view and the unit will be architecturally designed to be in harmony with the surrounding area. The kiosk is being located west of the existing market on an existing landscaped area and is providing a pedestrian accessible route to the public sidewalk to maintain a pedestrian orientation.