

Board of Adjustment

Staff Report

CASE NUMBER: BA17-002
STAFF PLANNER: Lisa Davis, Planner II
LOCATION/ADDRESS: 241 & 249 S Alma School Road
COUNCIL DISTRICT: Council District 4
OWNER: Kadkhoda, LLC
APPLICANT: Pedram Kadkhodaian

REQUEST: *Requesting a Development Incentive Permit (DIP) to allow the development of an auto sales dealership in the GI zoning district. (PLN2016-00557)*

SUMMARY OF APPLICANT'S REQUEST

The request is for a Development Incentive Permit to allow for the development of an used car sales dealership in an employment area. This small, 14,000-square feet (SF), site is located on the east side of Alma School Road north of Broadway Road. The applicant is proposing an 18-car display area for this auto sales dealership. Improvements to the site include a 637-SF office building with foundation base and perimeter landscape and the installation of vehicular circulation, parking spaces and vehicle storage areas.

STAFF RECOMMENDATION

Staff recommends **approval** of case BA17-002 with the following conditions:

1. *Compliance with the site plan, landscape plan and elevations as submitted, except as modified by the conditions below.*
2. *Compliance with all requirements and conditions of approval for site plan, Z16-060.*
3. *Compliance with all requirements and conditions of approval for forthcoming and required Design Review Board review.*
4. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*
5. *Consistent with staff recommendations as indication in the table of this report.*
6. *A bike rack shall be required to accommodate a minimum of three bicycles.*

SITE CONTEXT

CASE SITE: Existing vacant land zoned GI
NORTH: Existing industrial zoned GI
EAST: Existing industrial zoned GI
SOUTH: (Across Birchwood Avenue) Existing industrial zoned GI
WEST: (Across Alma School Road) Existing industrial zoned GI

STAFF SUMMARY AND ANALYSIS

The request is for approval of the Development Incentive Permit for a proposed auto sales dealership to develop on a small 14,000 SF lot, presently zoned GI-General Industrial. Two driveway accesses to the property are indicated, one from Alma School Road and one from Birchwood Avenue. Each driveway will have a gate that will be closed and locked at the end of the business day for securing the inventory. The hours of operation will be from 9 am to 10 pm daily. The inventory will be driven to the site and does not require an area for loading and unloading of vehicles. Dedication to 65' of right-of-way was stipulated with the site plan review case Z16-060 approved by the Planning and Zoning Board on December 21, 2016. In order to have the vehicle storage and light poles in the right of way as indicated, an Encroachment Agreement will need to be approved through the City Engineer. The existing billboard at the north side of the property will remain and the existing shade structure will be removed.

Per Section 11-72 of the Mesa Zoning Ordinance (MZO) a Development Incentive Permit (DIP) may be approved to allow incentives for the development of parcels that meet the certain criteria. Below are the criteria:

A. Area.

1. Total area of the parcel does not exceed 2.5 net acres, and the parcel has been in its current configuration for more than 10 years;

The site is 14,000-SF or .3 acres and has been in the current configuration for more than 10 years.

B. Utilities. The parcel is served by, or has direct access to, existing utility distribution facilities.

Utilities are directly accessible for the site.

C. Surrounding Development. The parcel is surrounded by properties within a 1,200-foot radius in which:

1. The total developable land area is not more than 25 percent vacant; and
2. Greater than 50 percent of the total numbers of lots or parcels have been developed 15 or more years ago.

The site meets the criteria.

Once the site qualifies as indicated above, the purpose of a DIP is to provide incentives for development of smaller tracts of land that have been bypassed by previous development. In order to be approved for incentives, the project must provide sufficient evidence to show the project is:

A. Consistent with the General Plan

The proposed use is consistent with the Mesa 2040 General Plan Employment use character area designation

B. Consistent with the surrounding area, not more intense

The proposed use is consistent with the surrounding industrial uses in the area and is not more intense

C. The improvements need to meet the intent of the Development Standards of the MZO.

The proposed development with the approval of the DIP and Design Review approval will meet the intent of the Development Standards

The dedication of right of way for Alma School Road squeezes the already undersized site further and creates a very difficult lot to develop to all current standards. The minimum size lot in the GI zoning district is one acre and this site is 1/3 of an acre. Below is a table indicating Code requirements, applicants proposed modifications and staff's recommendation.

Development Standard	Code Requirement	Applicant Proposed	Staff Recommended
Setback (building/landscape) Alma School Road Birchwood Avenue North Property Line East Property Line	15 feet 20 feet 0 feet 0 feet	Landscape-0' from future ROW Landscape- 14'-7" Landscape-5'-8" Landscape-3'-10"	As proposed As proposed Meets Code Meets Code
Landscape material adjacent to street Alma School Road Birchwood Avenue	Total of 10 trees for both frontages	10 trees for both frontages	Meets code sizes will be required to meet code. Shrubs will be required to meet code in numbers and sizes
Foundation Base West elevation South elevation North elevation East elevation	5 feet 15 feet 5 feet 5 feet	5 feet 15 feet 5 feet 5 feet	Meets Code Meets Code Meets Code Meets Code
Landscape material at Foundation Base	2 trees total	2 trees total	Meets Code
Bicycle parking	Min 3 spaces	None	Min 3 spaces

In addition to the items listed in the table above, there are specific standards for vehicle sales in MZO Sec. 11-31-5, including one that requires no more than 30 % of the street side landscape area shall be used for display, and another that specifies

that display areas that encroach into the landscape setback cannot be more than 30' wide. The proposed site plan indicates that about 50% of the street side landscape area will be utilized for display and the width of the one display area is 78' wide. The site overall is very narrow at 155' wide, the 78' wide display accommodates only 7 cars as indicated on the site plan and this is the only area for display.



Design Review:



The auto sales lot will be discussed at the January 10, 2017 Design Review Board work session (at the time of writing this staff report, a case number had not yet been assigned. The building is proposed with to have stucco finish with brick veneer and storefront windows. Per the Zoning Ordinance, the proposed project including the building and landscape plan will require Design Review approval prior to issuance of any construction permits.

FINDINGS:

1. The development conforms to the General Plan's description of an Employment character area.
2. The site is 14,000 SF, which is considerably under the 2.5-acres maximum allowed for a DIP application, and the lot has been in its current configuration for more than 10 years.
3. The site has direct access to existing utility services.
4. The proposed auto sales dealership compares favorably with the level of development of existing and surrounding industrial/employment uses and developments.
5. Compliance with the Design Review approval will ensure that the level of architectural detailing and design elements on the building will meet the Design Standards listed in the Zoning Ordinance.
6. With the recommended conditions of approval, the landscape quantities and materials meet the intent of the development standards listed in the Zoning Ordinance.

ORDINANCE REQUIREMENTS:

Development Incentive Permits

11-72-1: Purpose and Applicability

Development Incentive Permits (DIPs) are intended to provide incentives for the development of smaller tracts of land that would have difficulty meeting current development standards, having been bypassed by previous developments, and where land assembly either is not available, or is available only to a limited extent.

11-72-3: Required Findings

A [DIP](#) shall not be granted unless the [Zoning Administrator](#), acting at the [Hearing Officer](#), or [Board of Adjustment](#) shall find upon sufficient evidence:

- A. The proposed development is consistent with the [General Plan](#), any other applicable Council adopted plans and/ policies, and the permitted uses as specified in this [Ordinance](#);
- B. The incentives do not allow development that is more intense than the surrounding neighborhood; commensurate with existing development within a 1200 foot radius of the by-passed property; and,
- C. The architectural elements, construction and landscape materials, and other site improvements of the proposed development meet the intent of the [Design Standards](#) of this [Ordinance](#).