

## Board of Adjustment

### *Staff Report*

**CASE NUMBER:** BA17-010 (PLN2016-00928)  
**LOCATION/ADDRESS:** 2055 E. Hampton  
**COUNCIL DISTRICT:** District 3  
**STAFF PLANNER:** Cierra Edwards, Planner I  
**OWNER:** Onni Hampton, LP  
**APPLICANT:** Diamondback Carport (Bradley Pitsch)

**REQUEST:** *Requesting a Substantial Conformance Improvement Permit (SCIP) with regard to the installation of new carports placed over existing parking spaces for a multiple residence development in the RM-3 District.*

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

The applicant is requesting a Substantial Conformance Improvement Permit (SCIP) principally to accommodate new covered parking. Superstition Villas is located on the northeast corner of Gilbert Road and the US 60 Freeway. The SCIP proposes 26 new carport structures over the existing parking lot. No additional parking is included or requested as part of the proposed SCIP.

### **STAFF RECOMMENDATION**

Staff recommends approval of the SCIP for the Superstition Villas for case BA17-010, conditioned upon the following:

1. *Compliance with the site plan, narrative, and exhibit submitted.*
2. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*
3. *Compliance with all established setbacks within the Superstition Villas apartment development.*

### **SITE CONTEXT**

**CASE SITE:** Proposing new covered parking- zoned RM-3 within the Superstition Villas  
**NORTH:** Existing residential and commercial development - zoned OC, LC, and RM-3  
**EAST:** Existing residential development- zoned RS-7  
**SOUTH:** Existing commercial development and the US 60 Freeway- zoned LC  
**WEST:** (Across Gilbert Road) Residential and commercial development – zoned RM-3 and LC

### **STAFF SUMMARY AND ANALYSIS**

The site is in the northeast corner of Gilbert Road and the US 60 Freeway. The site is proposing 26 new carport structures within the Superstition Villas.

### **Parking Requirements**

Superstition Villas has (±250) dwelling units. The Mesa Zoning Ordinance (MZO) requires 2.1 spaces per dwelling unit for multi residence per §11-32-3.A - Required Parking Spaces By Use Table. Per MZO §11-32-3.D.1 multi residence projects shall provide a minimum of 1 covered parking space per unit. The site is required to have 525 spaces but maintains 569 parking spaces. The development is currently over parked by 44 spaces but it will not be affected by the decision made at the Board of Adjustment.

Table 1 below shows the required parking spaces by use per COM Zoning Ordinance:

Table 11-32-3.A: Required Parking Spaces By Use		
Use	Minimum Standard	
Residential		
<u>Single Residence</u> , detached or attached, including <u>Manufactured Home Subdivisions</u>	2 spaces per dwelling which may be in tandem with Zoning Administrator approval	
<u>Multiple Residence</u> (Typical)	See sub categories, below	
Apartments, multiple residence condominiums, and mixed-use residential, townhomes, patio homes and similar multiple residence buildings: development site located within 1/4 mile radius (1320- feet) of bus rapid transit or light rail station, regardless of bedroom count	9 or fewer total units	1.4 spaces per dwelling unit
	10 – 25 total units	1.3 spaces per dwelling unit
	26 or more total units	1.2 spaces per dwelling unit
Apartments, multiple residence condominiums, mixed-use residential, townhomes, patio homes, and similar multiple residence buildings: development site not located within 1/4 mile radius (1320- feet) of bus rapid transit or light rail station, regardless of bedroom count	2.1 spaces per dwelling unit	

The proposed 26 new carport structures will be less than 3,000 sq. ft. and (10) ten ft. in height. The style will consist of a box frame with a slate gray, fascia color. The structures will aesthetically match the current multi residence and be installed on the existing parking surface. The carports will not affect the landscape nor the streetscape along Gilbert Road and the US 60 Freeway. They will also remain an appropriate distance from the property line and other commercial/residential development.

#### **Parking Status**

No additional parking is being proposed. Any added parking in the future would require review of a SCIP application.

#### **Conclusion**

The proposed SCIP would authorize 26 new carport structures within Superstition Villas. Staff finds the covered parking justifiable because carports are required under the updated zoning ordinance, provided added mechanical shade, and are otherwise viewed as an improvement to the site. Staff supports and recommend maintenance of architectural integrity throughout the entire center. Therefore, allowing the carports to be placed over existing parking spaces, without requiring both the carports and the associated parking spaces to be adjusted to comply with newer perimeter setback requirements, is viewed as a means of brining the site design into a greater degree of compliance with current MZO standards. The carports will be 10-ft in height and cover 238 parking spaces. The structures will provide shading for up to 42% of the center's parking.

#### **FINDINGS**

- 1.1 Superstition Villas currently has no covered parking within the complex.
- 2.1 The proposed 26 carport structures will cover 238 parking spaces.
- 3.1 The deviations requested are consistent with the degree of change requested to improve the site.
- 4.1 The design of the carport is consistent in material and design with the architecture of the center.
- 5.1 The proposed improvements will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods

## **ORDINANCE REQUIREMENTS**

### **Chapter 73, Substantial Conformance Improvement Permits (SCIP)**

#### **Section 11-73-1 Purpose and Applicability**

The purpose of this chapter is to establish a review process by which improvement standards required by this Ordinance can be incrementally installed on non-conforming sites when such sites are enlarged; buildings are replaced, extended or have additions constructed; or other site modification developed. The intent is to recognize existing site constraints, and work proportionately with the degree of improvement being sought by the applicant to also improve the property based upon the development standards adopted by the Ordinance, and therefore bring non-conforming developments into substantial compliance with this Ordinance through approval of a Substantial Conformance Improvement Permit (SCIP).

#### **Section 11-73-2 Allowed Modifications**

The only development requirements that may be modified in a SCIP are building setbacks, landscaping design, on-site parking, building height, right of way dedication, and other site development provisions, contained in this Ordinance.

#### **Section 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); 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