

## Board of Adjustment

### *Staff Report*

**CASE NUMBER:** BA17-020 (PLN2017-00052)  
**STAFF PLANNER:** Wahid Alam, AICP  
**LOCATION/ADDRESS:** 1356 East Baseline Road (north side)  
**COUNCIL DISTRICT:** Council District 3  
**OWNER:** Robert McGregor, Life Storage LP  
**APPLICANTS:** Cain Garcia, RKA Architects, Inc.  
**REQUEST:** *Requesting a Substantial Conformance Improvement Permit (SCIP) to allow for the redevelopment of an existing mini storage in the LI-Limited Industrial zoning district.*

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

The request is for a Substantial Conformance Improvement Permit to allow reduced landscape setback along the east property line. Access to the new building is provided by an existing 30 feet wide drive that will connect the building with the existing self-storage facility to the north.

The proposed redevelopment will allow the expansion of the existing mini storage facility with a contemporary, multi-story building and additional landscaping. Its orientation along Baseline Road will significantly enhance the curb appeal of this development.

### **STAFF RECOMMENDATION**

Staff recommends **approval** of the SCIP, case **BA17-020**, *conditioned upon the following:*

1. *Compliance with the project narrative, site plan, landscape plan and elevations submitted except as modified by the conditions below;*
2. Compliance with all requirements of the Development Services Division regarding the issuance of building permits.
3. Compliance with all requirements of Design Review approval process (DR17-017) and Planning and Zoning Board approval of the Site Plan Modification (Z17-009).
4. *All conditions attached to the SCIP shall be completed prior to issuance of a Certificate of Occupancy.*
5. Signs (detached and attached) require separate approval and permit for locations, size, and quantity.

### **SITE CONTEXT**

**CASE SITE:** Existing mini storage facility – zoned LI-Limited Industrial.  
**NORTH:** Mesa Spectrum Group Commercial Center – zoned LI-CUP (for Large Format Retail)  
**SOUTH:** Vacant land (Across E. Baseline Rd.) – Non-residential, Town of Gilbert  
**EAST:** Roman Catholic Church Cemetery – zoned AG with a Special Use Permit  
**WEST:** Mesa Spectrum Group Commercial Center – zoned LI- CUP

### **STAFF SUMMARY AND ANALYSIS**

This request is for a SCIP that will allow redevelopment of a mini-storage warehouse facility by authorizing a new three-story air-conditioned, self-storage building of approximately 30,375 square feet. This new building replaces existing buildings along Baseline Road. The proposed three-story building:

- 1) Includes the facility's office, with its main entry facing Baseline Road.
- 2) Has a loading area and elevator accessible from a 30' wide drive aisle along the north elevation of the building.
- 3) Utilizes the existing driveway from Baseline Road, therefore no new drive cut will be required.
- 4) Will maintain an 18' landscape setback along Baseline Road, where only 15' is required by the zoning code.
- 5) Will be placed on the west property line to avoid any potential negative space between the building and the

perimeter wall.

This property was annexed from the County in 1973. Then the area was rezoned from agriculture to industrial in 1976. Subsequently in 1998 a group commercial center was approved. In 2007, a site plan modification request was approved to allow a self-storage facility at this location.

- The applicant is requesting a Substantial Conformance Improvement Permit to allow deviation from the required landscape setback adjacent to AG zoned property to the east. A 20' landscape setback is required between LI and AG zoned properties; the applicant is requesting a deviation to reduce the setback to 8'-10". With the current development, the paving is all the way to the property line. This will increase the landscape area over what is existing today while still providing for adequate parking and circulation. Application of current Code development standards would require the demolition or significant alteration of the existing conforming use.
- The applicant is providing a more than 18' front landscape setback where only 15-foot landscape setback is required. This landscape area provided along east property line adjacent to mortuary and along Baseline Road will significantly enhance the curb appeal of the existing mini-storage facility at this location with the proposed three story building.
- The proposed site plan, including staff recommended conditions of approval, would allow expansion of an existing non-conforming site, while providing substantial conformance with current Code development standards.



Site (current condition)

The intent of a SCIP is to recognize existing site constraints, and work with the applicant to proportionately improve the property based upon current development standards. The proposed improvements, and those recommended in listed conditions of approval, constitute the greatest degree of compliance with current development standards without requiring demolition of existing buildings or other significant improvements to the site. Deviations to current development standards are necessary to accommodate the continued viable use of this site. The deviations requested will allow the development of the site in a manner that is consistent with development at other similar sites. The deviations will result in a development compatible with and not detrimental to the surrounding neighborhood.

The applicant received positive comments for the proposed redevelopment from Design Review Board at their Work Session on April 11, 2017. The applicant has submitted a Design Review application and is scheduled for a Design Review Board Work Session on April 11, 2017.

#### **FINDINGS for the SCIP:**

1. The 3.4± acre site was developed in 2007.
2. The 30,375 square feet proposed building will replace existing buildings along Baseline Road.
3. The proposed three-story building includes the office with the main entry facing Baseline Road.
4. The loading area and elevator will be accessed from a 30' wide drive aisle along the north elevation of the building.
5. The proposed building will utilize the existing driveway from Baseline Road, therefore no new drive cut will be required.
6. The proposed building will maintain an 18' landscape setback along Baseline Road, where only 15' is required by the zoning code.

7. The minimum number of parking stalls required is 4. Since there is no manager's quarters, there is no need for 2 additional spaces for an on-site residential facility, per current code. The proposed development provides 5 parking stalls. The proposed expansion of this existing facility with a contemporary building design and its orientation along Baseline Road will significantly enhance the curb appeal.
8. The existing self-storage facility has parking stalls against the perimeter block wall along the east property line with no landscaping yard. Staff worked with the applicant to provide landscaping along the east perimeter wall by locating the proposed building on the west property line. The landscape setback along the east property line is 8'-10", where 20' minimum is required adjacent to the cemetery which is zoned Agricultural.
9. Full compliance with development standards would require demolition of the existing site improvements including removal of parking and circulation.
10. The deviations requested are consistent with the degree of change requested to improve the site.
11. The proposed redevelopment will bring the site into a closer degree of partial conformance with current standards.
12. The proposed use and redevelopment will not be detrimental to surrounding properties.

#### **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.