

Board of Adjustment



Staff Report

CASE NUMBER: BOA18-00167
STAFF PLANNER: Cassidy Welch, Planner I
LOCATION/ADDRESS: 730 East Southern Avenue
COUNCIL DISTRICT: District 4
OWNER: Nationwide Surplus Holding, LLC
APPLICANT: Edward Scheletsky, 648 Architecture

REQUEST: *Requesting a Substantial Conformance Improvement Permit (SCIP) for deviations to standards for an industrial building in the LI District.*

SUMMARY OF APPLICANT'S REQUEST

Requesting a Substantial Conformance Improvement Permit (SCIP) to allow for the expansion of an existing industrial building at 730 East Southern Avenue and located in the LI district. This SCIP would bring the site into substantial conformance with the Mesa Zoning Ordinance (MZO), allowing an expansion to the existing warehouse and reconfiguring the site to accommodate parking.

STAFF RECOMMENDATION

Staff recommends **approval** of case BOA18-00167 **with the following conditions:**

1. *Compliance with the site plan and landscape plan submitted, except as modified by the conditions below.*
2. *Compliance with all requirements of the Development Services Department in the issuance of building permits.*
3. *Compliance with the conditions of case ZON18-00227.*
4. *Provide at least three additional trees in the landscape area north of the building.*

SITE CONTEXT

CASE SITE: Existing industrial building – Zoned LI
NORTH: Existing residential – Zoned RS-6
EAST: Existing commercial – Zoned LI
SOUTH: (Across Southern Avenue) Existing automotive – Zoned LI
WEST: Existing industrial – Zoned LI

PROJECT DESCRIPTION

	Existing site	Proposed changes
Site area	±3.7 acres	none
Building area	36,264 SF	40,547 SF addition
Parking = 1 space/375 SF GFA	99 spaces required	None – 99 spaces provided

STAFF SUMMARY AND ANALYSIS:

Substantial Conformance Improvement Permit (SCIP):

This ±3.7 acres site is located on the north side of Southern Avenue, east of Mesa Drive. The site was annexed into the City of Mesa in 1963. Maricopa County Assessor records indicate that the existing warehouse was built sometime between 1969 and 1974. No records for the construction of the building exist. In 1974 this parcel was included in a rezoning request that changed the base zoning districts from R1-6, R-4 and C-3 to M-1 (LI) to accommodate existing uses.

This SCIP request is to allow for the expansion of the warehouse on the northern portion of the site. The request includes modifications to the landscaping within the existing on-site parking. The expansion of the warehouse requires the site be brought into compliance with current MZO development standards. A SCIP has been requested for deviations to current development standards.

The table below is a summary of the minimum MZO requirements, applicant's proposal and staff recommendations for the site:

DEVELOPMENT STANDARDS:

Development Standard	Code Requirement	Applicant Proposes:	Staff Recommends:
<i>Setback (landscape/building)</i> Southern Avenue East Property Line North Property Line West Property Line	<i>(landscape/building)</i> 15'/15' 0'/0' 20'/1' for each 1' of height, min. 20' 0'/0'	<i>(landscape building)</i> 0'±65' 0'±14' 11' to 64'±64' Varies: 0' to 14'±20'	As proposed As proposed As proposed As proposed
<i>Landscape material</i> Southern Avenue East Property Line North Property Line West Property Line	10 trees/48 shrubs 0 trees/0 shrubs 13 trees/ 0 shrubs 0 trees/0 shrubs	0 trees/0 shrubs 0 trees/0 shrubs 10 trees/0 shrubs 0 trees/0 shrubs	As proposed As proposed 13 trees/0 shrubs As proposed
<i>Foundation Base</i> North Elevation East Elevation South Elevation West Elevation	5' no entrance 5' no entrance 15' at the entrance 5' no entrance	Varies: 0' to 64' ±8'-3" Varies: ±7' Varies: 0' to 14'	As proposed As proposed As proposed As proposed
<i>Landscape islands 1 per 8 parking spaces</i>	12 islands	7 islands	As proposed
<i>Required parking</i>	99 stalls	99 stalls	As proposed
<i>Screening wall abutting residential district or use South property line</i>	8' tall	Existing 6'-7' tall masonry wall	As proposed

The requested SCIP allows for the reduction of the landscape area adjacent to the public right-of-way, foundation base requirements of the building, and parking lot landscape requirements. In order to bring the site into substantial conformance with the MZO, these allowances are balanced with site improvements, which include:

- Reconfiguring the parking stalls at the front of the building, including the addition of parking islands
- Redesign of existing warehouse to conform to the design of the addition
- New gates and fencing at the entrance
- Installation of a new trash enclosure per the requirements of the Solid Waste Division
- The addition of landscaping at the rear of the lot to better screen the use from the adjacent residential
- Installation of an approximately 32' wide landscape strip at the building entrance that runs from the public right-of-way to the foundation base

Per the MZO Chapter 73, the intent of a SCIP is to recognize existing site constraints, and work with the applicant to proportionally improve the property based upon current development standards. The proposed improvements, and staff recommended improvements listed in the 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 and its improvements. The deviations requested will allow the development of the site in a manner that is consistent with development at comparable sites. The deviations will result in a development compatible with and not detrimental to the surrounding neighborhood.

FINDINGS FOR SCIP:

1. This request for a SCIP would allow for the redesign and expansion of an existing industrial building
2. The expansion on the site invokes conformance to current development standards
3. At the time of initial development, the setbacks, foundation base, and landscape requirements of the Zoning Code varied from the development standards of the current Code.
4. Full compliance with current code would require removal of the existing building and would impact site circulation
5. The deviations requested and the proposed improvements along with the conditions of approval are consistent with the degree of change requested to improve the site and will help bring the site into a greater degree of conformance with current standards.
6. The proposed improvements will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.

ORDINANCE REQUIREMENTS:

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.