

# Board of Adjustment



## *Staff Report*

**CASE NUMBER:** BOA18-00993  
**LOCATION/ADDRESS:** 2850 East Main Street  
**COUNCIL DISTRICT:** District 2  
**STAFF PLANNER:** Veronica Gonzalez  
**OWNER:** Red Mountain Asset Fund I, LLC  
**APPLICANT:** Jeff Welker, Welker Development Resources, LLC

**REQUEST:** *Requesting a Substantial Conformance Improvement Permit (SCIP) to allow modifications to development standards in the Limited Commercial (LC) District.*

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

The purpose of this request is to allow modifications to development standards of the Mesa Zoning Ordinance (MZO) for the redevelopment of an existing retail center located at 2850 East Main Street, Retail 5 and 6, in the LC District. This SCIP request is proposed to bring the site into substantial conformance with the MZO without bringing the entire site into full conformance with current development standards.

### **STAFF RECOMMENDATION**

*Staff recommends **approval** of case BOA18-00993 with the following conditions:*

- 1. Compliance with the site plan 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. Prior to the issuance of a building permit, the site plan shall be revised to include the pedestrian pathway termination points integrated into adjacent landscape islands as show on sheet La.01 of the landscape plan.*

### **SITE CONTEXT**

**CASE SITE:** Existing retail center – Zoned LC  
**NORTH:** Existing RV Park – Zone RM-4  
**EAST:** Existing retail – Zoned LC  
**SOUTH:** (Across Main Street) Existing commercial – Zoned GC  
**WEST:** (Across Lindsay Road) Vacant commercial – Zoned LC

### **STAFF SUMMARY AND ANALYSIS:**

The intent of the SCIP is to recognize existing site constraints, and work proportionately with the degree of improvement being sought by the applicant to improve the property based upon the development standards of the Mesa Zoning Ordinance. This request is to accommodate the redevelopment of a portion of an existing retail center located at the northeast corner of Lindsay Road and Main Street. The center was originally developed in the mid-1970's, but then experienced a decline in use. In 2016, the new owner of the property began a phased approach to redeveloping the site. The site was brought into substantial conformance with current MZO standards through case BA16-033 and included new landscaped areas along Main Street and

Lindsay Road, a new façade for the western portion of the building (shown as Retail 1-4 on the site plan), increased foundation base at the entrance (south elevation) and addition of landscape islands in the parking lot. The subject request will allow the second phase of redevelopment and will include similar site and building improvements as was completed with phase one.

The table below is a summary of the minimum MZO requirements, the applicant's proposal and staff recommendations for the site. Items in bold face type indicate modification from code requirements:

**DEVELOPMENT STANDARDS:**

<b>Development Standard</b>	<b>MZO Requirement</b>	<b>Applicant Proposes:</b>	<b>Staff Recommends:</b>
<i>Setback standards as approved with case BA16-033</i> Main Street (south) North Property Line	<i>(landscape/building)</i> 15'/15' 20'/15'	<i>(landscape/building)</i> <b>10'/ 10'</b> <b>0'/±104'</b>	Existing, As proposed Existing, As proposed
<i>Foundation Base</i> North Elevation South Elevation (main entry)	5' 15'	0' <b>±11'</b>	Existing, As proposed As proposed
<i>Landscape material at Foundation Base</i> Retail 5 and 6	5 trees	<b>3 trees and 20 shrubs</b>	As proposed
<i>Landscape material in parking lot</i> Retail 5 and 6	10 trees and 30 shrubs	15 trees and 46 shrubs	As proposed

- The applicant is requesting a SCIP to allow modifications to development requirements to allow the second phase of ongoing redevelopment at an existing retail center. The first phase of redevelopment of the center has been completed. This proposal will remodel a vacant 33,000 square foot retail building into two individual tenants, Retail 5 and 6.
- New landscape islands with landscape material is proposed to be installed within the parking field in close proximity to the redeveloped retail building.
- Foundation base comprised of both landscape and hardscape materials is proposed to be provided along the main entry (south elevation) of the building. Currently, the foundation base at the south wall of the building measures approximately 9'. The applicant proposes to increase the foundation base by 2' for a total of 11'. This will bring the foundation base closer to the required 15'.
- The amount of landscape area within the scope of work area for this phase of development will increase from 672 square feet to 2,295 square feet.
- Two pedestrian walkways from the front of the building to the parking area are proposed to be added. The material of the pedestrian walkways will be an enhanced concrete that is consistent with the material installed in phase one. Staff is concerned that the new walkways don't terminate at a logical point.

Therefore, staff is recommending a condition of approval (condition #3) requiring the revision of the site plan for integration of the new pedestrian walkways into the adjacent landscape islands.

- The elevations of the building are proposed to be modified to accommodate two individual tenants. In its current condition, the building is designed for a single tenant. The same color palette, building materials and architectural themes previously established at the first phase will be carried through to this façade update of phase two.
- The intent of the SCIP in this case is to recognize existing site constraints and work with the applicant on incremental improvements that will facilitate redevelopment of the property. The proposed improvements constitute the greatest degree of compliance with current development standards without requiring demolition of existing buildings or other significant improvements to the site. Existing deviations to current development requirements are necessary to accommodate the continued use of this site. The SCIP will result in a development compatible with and not detrimental to the surrounding neighborhood.

#### **FINDINGS:**

1. The site is zoned LC and is part of an existing retail center.
2. Proposed improvements to the site include increased foundation base at the south elevation of the building, installation of landscape islands within the parking field installation of new landscape material, and an update to the building facade. The proposed improvements will not create any new non-conformities.
3. Full compliance with current development standards would require demolition of existing improvements including removal of parking and circulation.
4. The modifications requested constitute the greatest degree of compliance with the MZO.
5. The proposed improvements will result in a development that is not detrimental to the adjacent properties or neighborhood.

#### **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.