

Board of Adjustment

Staff Report

CASE NUMBER: BOA19-00001
LOCATION/ADDRESS: 2937 East Main Street
COUNCIL DISTRICT: District 2
STAFF PLANNER: Cassidy Welch, Planner I
OWNER: Seat Covers Unlimited, Inc.
APPLICANT: Tom Barker, XACT Construction

REQUEST: *Requesting a Substantial Conformance Improvement Permit (SCIP) to allow modifications to development standards in the General Commercial (GC) 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 expansion of an existing industrial use located at 2937 East Main Street in the GC 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 BOA19-00001 **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 Division regarding issuance of building permits.*
3. *Compliance with the conditions of case ZON18-00861.*

SITE CONTEXT

CASE SITE: Existing industrial building – Zoned GC
NORTH: (Across Main Street) Existing commercial – Zoned LC
EAST: Existing vehicle rental facility – Zoned GC
SOUTH: Existing manufactured home park – Zoned RM-4
WEST: Existing manufactured home park – Zoned RM-4

PROJECT DESCRIPTION

	Existing site	Proposed changes
Site area	±2.4 acres	none
Building area	19,000 SF	15,000 SF addition
Parking	46 spaces required	50 spaces provided

STAFF SUMMARY AND ANALYSIS:

Substantial Conformance Improvement Permit (SCIP):

The intent of this SCIP is to recognize existing site constraints to achieve a proportional degree of improvements that will bring the site into greater compliance with current development standards. This SCIP request is to allow for an 15,000 SF expansion to the southern portion of the existing building. Improvements to the site will bring the site into greater conformance with current MZO development standards.

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

DEVELOPMENT STANDARDS:

Development Standard	MZO Requirement	Applicant Proposes:	Staff Recommends:
<i>Setback (landscape/building)</i> Main Street West Property Line East Property Line South Property Line	<i>(landscape/building)</i> 15'/15' 15'/20' 15'/15' 15'/20'	<i>(existing landscape/building)</i> 9'/±62' 44'/44' ±32'/107' 49'/49'	As proposed As proposed As proposed As proposed
<i>Landscape material</i> Main Street West Property Line East Property Line South Property Line	12 trees/72 shrubs 0 trees/0 shrubs 9 trees/ 60 shrubs 15 trees/0 shrubs	14 trees/225 shrubs 12 trees/46 shrubs 15 trees/38 shrubs 11 trees/0 shrubs	As proposed As proposed As proposed As proposed
<i>Foundation Base (Existing building)</i> North Elevation East Elevation South Elevation West Elevation	15' at the entrance 5' no entrance 5' no entrance 5' no entrance	15' Varies: 0-5' ±91' ±44'	As proposed As proposed As proposed As proposed
<i>Required parking</i>	46 stalls	50 stalls	As proposed
<i>Required parking landscape stalls</i>	Maximum 8 contiguous stalls	Maintain existing 9 contiguous stalls	As proposed

The requested SCIP would allow for reductions to the setbacks, foundation base, and parking landscape requirements for the existing site to accommodate the proposed addition. In order to bring the site into substantial conformance with the MZO, these allowances are balanced with the proposed site improvements, including:

- New landscape material and design at the Main Street frontage as outlined in the table above.
- Replacement of missing landscape material throughout the parking lot and providing additional landscape material at the building entrance.
- Increased landscaping adjacent to the south property line to screen the proposed expansion from the adjacent residences. Adding more than required landscape setback and landscape material at the east and west property lines.

The proposed addition complies with current development standards. The requested SCIP only addresses existing non-conformities of the existing improvements to the site. No modifications are requested for the addition.

Per 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 are proportional to the degree of proposed change and constitute the greatest degree of compliance with current development standards without requiring demolition of all or a portion of the existing building or other significant modification to the site. Modifications to current development standards are necessary to accommodate the continued use of the site in a manner that is consistent with development at comparable sites. The SCIP will result in a development that will improve the existing streetscape and will not be detrimental to the surrounding neighborhood.

FINDINGS for SCIP:

1. The site was developed in the late 1990's.
2. 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.
3. Proposed improvements to the site include installation of landscape material within the existing landscape setback adjacent to Main Street, replacement of landscaping in the parking and additional landscaping at the building, and increased landscaping at the rear. The proposed improvements will not create any new non-conformities.
4. Full compliance with current code would require removal of the existing parking spaces which would impact parking requirements and potentially site circulation
5. The modifications 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 15,000 SF addition does not create new non-conforming conditions.
7. 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.