



**PLANNING DIVISION
STAFF REPORT**

Board of Adjustment

April 1, 2020

CASE No.: **BOA20-00107**

CASE NAME: Happy Wife Storage Flagpole

Owner's Name:	Timothy Quigley
Applicant's Name:	HAPPY WIFE STORAGE LLC
Location of Request:	3815 S Sossaman Road
Parcel Nos:	304-30-007Q
Nature of Request:	Requesting a Special Use Permit (SUP) for a flagpole within the Airfield Overlay (AOA 3) to exceed the maximum height allowed in the LI District.
Zone District:	Light Industrial (LI) within Airfield (AF) Overlay
Council District:	6
Site size:	11.8 ± acres
Existing use:	Recreational Vehicle (RV) and Boat Storage
Staff Planner:	Wahid Alam, AICP Planner II
Staff Recommendation:	APPROVAL with Conditions

HISTORY

- November 7, 2005:** Annexed into the Mesa City limit (Case No. A04-09, Ordinance No. 4473)
- January 23, 2006:** Established City of Mesa Zoning R1-43 from Maricopa County Rural 43 (Case No. Z05-110 and Ordinance No. 4512)
- June 26, 2018:** Rezoning by City of Mesa from R1-43 to C-2 and M-1 to bring into conformance to General Plan (Case No. Z06-035 and Ordinance No. 4560)
- September 19, 2018:** Site Plan Review approved with conditions for a Recreational Vehicle (RV) and Boat Storage facility (Case No. ZON18-00441)

PROJECT DESCRIPTION

Background:

The applicant is requesting a Special Use Permit (SUP) to install an eighty foot (80') high flagpole at a Recreational Vehicle (RV) and Boat Storage facility located at 3815 South Sossaman Road within the Airfield Overflight Area 3 (AOA 3). Per Section 11-30-3, flagpoles within Airfield Overflight Overlays require a SUP when they exceed the maximum base zoning district height. The subject site is located within an LI District which has a maximum height allowance of 40 feet. The proposed flagpole will be 80 feet tall and located 72 feet 6 inches east of the Sossaman Road right-of-way (ROW) and 24 feet 5 inches from the nearest building corner.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan character area designation for this site is Mixed Use Activity District. Per Chapter 7 of the General Plan, Mixed Use Activity Districts are largescale (typically over 25 acres) community and regional activity areas that usually have a significant retail commercial component including shopping areas such as malls, power centers, or lifestyle centers that are designed and developed to attract customers from a large radius. The goal is to help these districts be strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences. The existing commercial center is consistent with the General Plan character area.

Site Characteristics:

The subject site is currently vacant and is approved for Recreational Vehicle and Boat storage facility on a 12± acre property. The site plan was approved for a two-story building that includes a sales office on the 1st floor and a caretaker's quarter on the 2nd floor for a total of 1,899 square foot with three visitor parking spaces plus two RV parking spaces outside the gate.

Surrounding Zoning Designations and Existing Use Activity:

Northwest Maricopa County AOA 3 Vacant Undeveloped	North LI AOA 3 Vacant Undeveloped	Northeast LI AOA 3 Vacant Undeveloped
West Maricopa County AOA 3 Vacant Undeveloped	Subject Property LI AOA 3 Vacant undeveloped	East LI AOA 3 Vacant Undeveloped
Southwest Maricopa County AOA 3 Vacant Undeveloped	South Maricopa County and City of Mesa LI AOA 3 Vacant Undeveloped	Southeast Maricopa County AOA 3 Vacant Undeveloped

Mesa Zoning Ordinance Requirements and Regulations:

MZO Exceptions to Height Limits per Section 11-30-3

Maximum Vertical Projection Above the Height Limit (ft) for a flagpole is "No Limit" except in AF Overlay Districts which require a SUP when exceeding maximum base district height standard.

B. Airfield Overlay District. Notwithstanding any other provisions of this section, there shall be no exceptions to the specified height limits within the AF Airfield Overlay Districts, unless authorized by the approval of a Special Use Permit in accordance with Chapter 70, Conditional Use Permits.

Special Use Permit MZO Section 11-70-5

Per Section 11-70-5(E) of the City of Mesa Zoning Ordinance, the Board of Adjustment shall also find the following criteria are met for approval of a SUP:

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;

The Mesa 2040 General Plan character area designation for this site is Mixed Use Activity District. The proposed flagpole within the RV and Boat Storage facility is consistent with the goals and objectives of the General Plan. Approval of the SUP for the flagpole will advance the goals and objective of the General Plan by allowing a business to install a flagpole.

The request complies with this criterion.

2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and any other applicable City plan or policies;

The recently approved storage facility conforms to the land use regulations of the LI District and the General Plan character type designations. The proposed flagpole is consistent with the location, design and operating characteristics of the employment use.

The request complies with this criterion.

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and

The proposed flagpole will be located 105 feet east of the back of curb along Sossaman Road and 950 feet west of the eastern property line and therefore provides a fall zone clear from adjacent and public properties. Therefore, the requested SUP will not be injurious or detrimental to the surrounding properties.

The request complies with this criterion.

4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

The City of Mesa utilities and public infrastructure is adequate to serve the proposed storage facility.

The request complies with this criterion.

Findings

- A. The subject site is currently going through the building permit review process for an RV and Boat Storage facility and is located within the LI zoning district.
- B. The subject site is within the AOA-3 Overlay District.
- C. The two-story office building will be 27 feet high along Sossaman Road.
- D. The proposed Flagpole will be 80 foot high.
- E. The maximum height allowed in LI zoning district is 40 feet.
- F. Federal Aviation Authority (FAA) needs to be notified by developers proposing structures taller than 200 feet above ground level (AGL) or taller than the height of an imaginary surface extending outward and upward from the runway at a slope of 100 to 1 within 20,000 feet of any runway at an airport with at least one runway longer than 3,200 feet (such as the runways at the Airport).
- G. The SUP will allow the flagpole to be close to the proposed building along Sossamon Road and provide navigation and identity to the facility.
- H. The proposed flagpole's location and height are consistent with the location, size, design and operating characteristics of the property and will not be injurious or detrimental to the surrounding properties.

Neighborhood Participation Plan and Public Comments:

The applicant sent the required notification letters to all property owners within 500 feet of the site. As of the date of this report, staff has not been contacted by any resident or property owner to express support or opposition to the request.

Staff Recommendation:

Based on the applicant received and preceding analysis, staff finds that the proposed flagpole conforms to the review criteria for a Special Use Permit outlined in Section 11-70-5 of the MZO; and therefore, recommends approval with the following conditions:

Conditions of Approval:

- 1. Compliance with the location of the flagpole as shown on the accompanying site plan.
- 2. Compliance with all requirements of the Development Services Department in the issuance of permits.
- 3. Any proposed permanent, or temporary, structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. An FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.