



**PLANNING DIVISION  
STAFF REPORT**

**Board of Adjustment**

**December 6, 2024**

CASE No.: **BOA24-00371**

CASE NAME: Associated Retina Consultants

|                       |  |
|-----------------------|--|
| Owner's Name:         | 755 East Main Street Properties LLC  |
| Applicant's Name:     | Kristen Thiem, Thiem Design Group  |
| Location of Request:  | 755 East Main Street   |
| Parcel Nos:           | 13828054A, 13828055, 13828056B, and 13828056C  |
| Nature of Request:    | Requesting a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards for a medical office and general retail sales development. |
| Zone District:        | Limited Commercial (LC)  |
| Council District:     | 4  |
| Site size:            | 1.5± acres   |
| Proposed use:         | Medical Office and General Retail Sales  |
| Existing use:         | Vacant   |
| Hearing date(s):      | <b>December 4, 2024 / 5:30 p.m.</b>  |
| Staff Planner:        | Emily Johnson, Planner I   |
| Staff Recommendation: | APPROVAL with Conditions   |

**HISTORY**

On **January 5, 1949**, the City Council annexed 2,419.5± acres, including the project site, into the City of Mesa (Ordinance No. 228)

On **August 30, 1994**, the Zoning Administrator approved a variance reducing the landscape setback along Horne from 20 feet to 10 feet provided the same quantity of landscape materials is provided. A second variance was approved increasing the number of signs permitted to six (Case No. ZA94-101).

**PROJECT DESCRIPTION**

**Background:**

The applicant is requesting a Substantial Conformance Improvement Permit (SCIP) to allow for deviations from certain development standards to redevelop an existing, vacant retail building into a medical office and two general retail sales suites.

The project site is a 1.5± acre site and consists of a former Walgreens building that is currently vacant. In order to redevelop the building without having to bring the entire site into full conformance, the applicant is requesting the approval of a SCIP. Per Chapter 11-73 of the MZO, the purpose of the SCIP is to allow for incremental improvements to the site while recognizing existing site constraints.

**General Plan Character Area Designation and Goals:**

The Mesa 2040 General Plan Character area designation on the property is Neighborhood with a Traditional sub-type. Per Chapter 7 of the Plan, the primary focus of the Neighborhood character type is to provide safe places for people to feel secure and enjoy their surrounding community. This character type also contains commercial uses along arterial frontages and at major street intersections. Traditional neighborhoods are predominately single residence in character but may contain supportive land uses such as small neighborhood-scale offices, retail, restaurants, and personal services that are located along arterials or at the intersection of arterials and collector streets. Within Traditional neighborhoods, non-residential lots are typically three acres or less in size and the aggregate of any cluster of non-residential uses is generally 15 acres.

The project site is also within the Transit Corridor. The Transit district includes the light rail corridor, bus rapid transit corridors, and areas designated for a consistent high level of transit options. The focus of this area is to develop a mixed use, pedestrian oriented, urban environment, particularly within walking distance of transit stops. This character type overlays the other character types and is used to transition the area into a more transit and pedestrian oriented development form.

The project site is within Central Main Street Area Plan. The Central Main Street Area Plan was created to manage change that is taking place since the Light Rail was established in Mesa. It establishes the principles and goals to guide future development and redevelopment in the area and transform it from a strip commercial corridor to a more urban form with a series of mixed-use villages centered on light rail stations and connected by a pedestrian oriented urban transit corridor. The plan identifies the project site as a Commercial/Mixed Use Node (Main and Horne). Per the Central Main Street Plan, nodes should encourage infill and redevelopment of existing suburban shopping nodes into more urban development forms that connect and provide service to surrounding neighborhoods, address the street, and engage pedestrians. The Main and Horne Commercial Node is envisioned to transform from the current suburban corridor character into an urban commercial node that could incorporate a mix of uses that support surrounding residential neighborhoods.

The proposed medical office and retail development along with the proposed improvements advance the goals and objectives of the Mesa 2040 General Plan by contributing to a mix of uses to serve the surrounding residential neighborhoods and along the light rail corridor.

**Site Characteristics:**

The project site is located on the south side of Main Street, east of Mesa Drive, at the corner of Main Street and Horne. The site is 1.5± acres in size and is zoned LC. Access to the site is provided from Main Street as well as Horne. The site plan shows the existing 15,260 square foot building generally located in the middle of the property with existing parking to the north and east of the building. The general site development, current configuration of the parking, and landscaping does not conform to the current standards found in the general site development standards from Chapter 11-30, parking design standards from Chapter 11-32, or landscape standards from Chapter 11-33 of the MZO; therefore, the project site is considered legal non-conforming. All new development on the site, which includes the proposed parking and landscaping to the west of the building, will meet all current development standards.

**Surrounding Zoning Designations and Existing Use Activity:**

|   |  |  |
|---|--|--|
| <b>Northwest</b><br>(Across Main Street)<br>LC<br>Commercial            | <b>North</b><br>(Across Main Street)<br>LC<br>Restaurant | <b>Northeast</b><br>(Across Main Street)<br>LC<br>Commercial |
| <b>West</b><br><br>LC and T4MS<br>Commercial and Multiple<br>Residences | <b>Subject Property</b><br><br>LC<br>Vacant Building     | <b>East</b><br>(Across Horne)<br>LC<br>Commercial            |
| <b>Southwest</b><br><br>T4MS and RM-4<br>Multiple Residences            | <b>South</b><br><br>RM-4<br>Multiple Residences          | <b>Southeast</b><br>(Across Horne)<br>LC<br>Office           |

**Mesa Zoning Ordinance Requirements and Regulations:****Substantial Conformance Improvement Permit (SCIP) MZO Chapter 11-73:**

The project site is legal non-conforming as it does not conform to development standards of the MZO. Table 1 below summarizes the minimum MZO requirements and the existing legal non-conforming conditions of the site.

**TABLE 1 DEVELOPMENT STANDARDS:**

| <b>Development Standard</b>                                     | <b>MZO Requirements</b> | <b>Applicant Proposal</b>        | <b>Staff Recommendation</b> |
|---|-------------------------|----------------------------------|-----------------------------|
| <i>Maximum Lot Coverage –<br/>Table 11-6-3.A</i>                | 80 percent              | <b>82 percent<br/>(existing)</b> | As proposed                 |
| <i>Building Form and Location<br/>- Front and Street-Facing</i> |                         |                                  |                             |

| <b>Development Standard</b>   | <b>MZO Requirements</b>                          | <b>Applicant Proposal</b>   | <b>Staff Recommendation</b> |
|---|--|---|-----------------------------|
| <i>Side – Table 11-6-3.A:</i><br><br>Main Street<br><br><br><br><br><br><br><br>Horne   | 15 feet<br><br><br><br><br><br><br><br>15 feet   | <b>0 feet (existing parking at northeast corner of site)</b><br><br><b>8 feet 2 inches (existing parking along Main Street)</b><br><br><b>13 feet (existing parking along Horne)</b>  | As proposed                 |
| <i>Fences and Freestanding Walls Maximum Height in Front Yards and Required Street Side Yards – Section 11-30-4(B)(1)(a):</i><br><br>Main Street<br><br><br><br><br><br><br><br>Horne | 3.5 feet<br><br><br><br><br><br><br><br>3.5 feet | <b>5 feet 7 inches (existing wall along west property line starting 13.5 feet from front property line)</b><br><br><b>4 feet (existing wall once iron fence removed along Main Street)</b><br><br><b>4 feet (existing wall once iron fence removed along Horne)</b> | As proposed                 |
| <i>Fence Articulation – Section 11-30-4(E):</i><br><br>The maximum length of continuous, unbroken and uninterrupted fence   | 40 feet  | <b>44 feet 8 inches (longest existing wall without</b>  | As proposed                 |

| Development Standard   | MZO Requirements  | Applicant Proposal  | Staff Recommendation |
|--|---|---|----------------------|
| <p>or wall plane adjacent to right-of-way or private streets functioning as public roads shall be forty (40) feet.</p> <p>Articulation shall be provided through the use of columns, landscaping pockets and/or a change to different materials.</p> |   | articulation)   |                      |
| <p><i>Minimum Setbacks from Intersections for Parking Areas and Drive Aisles – Table 11-30-10:</i></p> <p>Major/Midsection Collector (90-110' R.O.W.) with Major/Midsection Collector</p>  | Minimum 35-foot radius  | <b>Within 35-foot radius (existing)</b>                           | As proposed          |
| <p><i>Standard Parking Space and Aisle Dimensions – Table 11-32-2-H-1:</i></p> <p>90 Degree Angle of Parking</p> <p>North Drive Aisle</p> <p>East Drive Aisle</p>  | <p>Two-way aisle width – 24 feet</p> <p>Two-way aisle width – 24 feet</p> | <p><b>23 feet (existing)</b></p> <p><b>20 feet (existing)</b></p> | As proposed          |
| <p><i>Setback of Cross Drive Aisles – Section 11-32-4(A):</i></p> <p>Parking spaces along main drive aisles connecting directly to a street and drive aisles</p>   |   |   |                      |

| Development Standard  | MZO Requirements  | Applicant Proposal  | Staff Recommendation |
|---|---|---|----------------------|
| <p>that cross such main drive aisles shall be set back at least 50 ft from the property line abutting the street.</p> <p>North Property Line</p> <p>East Property Line</p>  | <p>50 feet</p> <p>50 feet</p>                               | <p><b>28 feet 5 inches (existing drive aisle setback)</b></p> <p><b>32 feet 9 inches (existing drive aisle setback)</b></p> | <p>As proposed</p>   |
| <p><i>Perimeter Landscaping – Table 11-33-3.A.4:</i></p> <p>1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (North Property Line)</p> <p>1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (East Property Line)</p>   | <p>10 trees and 60 shrubs</p> <p>11 trees and 64 shrubs</p> | <p><b>4 trees and 16 shrubs</b></p> <p><b>3 trees and 15 shrubs</b></p>   | <p>As proposed</p>   |
| <p><i>Required Landscape Yards – Section 11-33-3(B)(2)(a)(ii):</i></p> <p>Properties that are not part of a group C-O-I Development, as defined in Chapter 87, must provide a 15-foot landscape yard except where a cross-access drive aisle occurs within the required landscape yard.</p> <p>West Property Line</p> | <p>15 feet</p>  | <p><b>9 feet (existing)</b></p>   | <p>As proposed</p>   |

| <b>Development Standard</b>  | <b>MZO Requirements</b>                                   | <b>Applicant Proposal</b>   | <b>Staff Recommendation</b> |
|--|---|---|-----------------------------|
| South Property Line  | 15 feet   | <b>9 feet (existing)</b>  |                             |
| <p><i>Number of Plants – Section 11-33-3(B)(2)(c):</i></p> <p>A minimum of three (3) non-deciduous trees and 20 shrubs per 100 linear feet of adjacent property line shall be provided. In the event of fractional results, the resulting number will be rounded to the next highest whole number. Shrubbery and ground covers are not necessary if the area is not visible from public parking and drive aisles.</p> <p>West Property Line</p> <p>South Property Line</p> | <p>8 trees and 53 shrubs</p> <p>8 trees and 50 shrubs</p> | <p><b>0 trees and 53 shrubs</b></p> <p><b>0 trees and 53 shrubs</b></p> | As proposed                 |
| <p><i>Interior Parking Lot Landscaping – Landscape Islands – Section 11-33-4(B)(1):</i></p> <p>Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 8 contiguous parking spaces.</p>   | 8 contiguous parking spaces                               | <b>14 contiguous parking spaces (existing maximum)</b>                  | As proposed                 |
| <p><i>Interior Parking Lot Landscaping – Landscape Islands – Section 11-33-4(B)(2):</i></p>  |   |   |                             |

| Development Standard   | MZO Requirements  | Applicant Proposal  | Staff Recommendation   |
|--|---|---|--|
| Landscape islands shall be a minimum of eight feet wide and 15 feet in length for single-row and 30 feet in length for double-row parking. All measurements are to face of curb.   | 8 feet wide by 15 feet in length  | <b>4 feet 9 inches wide (existing minimum landscape island width)</b>                                       | As proposed  |
| <i>Foundation Base along Exterior Walls – Exterior Walls with Public Entrance – Section 11-33-5(A)(1):</i><br><br>A 15-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall. For buildings with corner entries, both adjacent walls require a 15-foot-wide foundation base.<br><br>North Elevation<br><br>East Elevation | <br><br><br><br><br><br><br><br><br><br>15 feet<br><br>15 feet                        | <br><br><br><br><br><br><br><br><br><br><b>11 feet 7 inches (existing)</b><br><br><b>10 feet (existing)</b> | <br><br><br><br><br><br><br><br><br><br>As proposed<br><br>As proposed |
| <i>Foundation Base along Exterior Walls – Exterior Walls with Public Entrance – Section 11-33-5(A)(1)(a):</i><br><br>For buildings larger than 10,000 square feet with parking spaces that abut the foundation base, additional foundation base width is required as follows:  | Additional minimum 20-foot-deep entry plaza area with minimum area of 900 square feet | <b>No additional entry plaza (existing)</b>   | As proposed  |



| Development Standard  | MZO Requirements | Applicant Proposal | Staff Recommendation |
|---|------------------|--------------------|----------------------|
| An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum width and depth of 20 feet, and a minimum area of 900 square feet. |                  |                    |                      |

To bring the site into substantial conformance with the development standards of the MZO, the applicant proposes the following improvements as identified on the site plan and landscape plan:

- New landscape material in all existing parking lot landscape islands to meet standards in Section 11-33 of the MZO.
- Additional landscape material along Main Street and Horne in the R.O.W and in perimeter landscape yard. Counted together, the material provided would meet the planting requirements in Section 11-33 of the MZO.
- Removal of the existing iron fencing on top of the existing 4-foot wall along Main Street and Horne, reducing the overall height of the wall.
- Pop out details applied to the existing site wall to help wall articulation (pop outs not adding in areas where they would encroach into the R.O.W).
- New accessible pathway to Horne.
- Design updates to the existing building.

Per Section 11-73-3 of the MZO, when deciding on a SCIP, the 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

**Significant alterations to the site, including parking spaces and on-site circulation would need to occur to bring the site into full conformance with current MZO development standards.**

***The request complies with this criterion.***

2. The cessation of the existing conforming use, or the preclusion of any other lawful, permitted use.

**Full compliance with current development standards would require significant changes to the parking and drive aisles and would discourage redevelopment on this site.**

***The request complies with this criterion.***

3. The creation of new non-conforming conditions.

**The proposed improvements to the parking spaces and landscaping to the west of the existing building comply with the MZO development standards.**

***The request complies with this criterion.***

- B. The improvements authorized by the SCIP will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.

**The proposed improvements will provide a viable redevelopment to a currently vacant site that is compatible with the surrounding neighborhood. The improvements will bring the site into further compliance with the MZO development standards, enhance the appearance of the site, and improve the streetscape. Therefore, staff believes that the proposed request will not be detrimental to adjacent properties or neighborhoods.**

***The request complies with this criterion.***

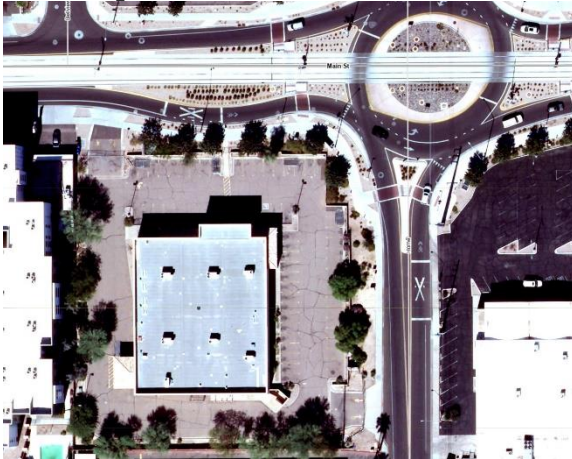
Findings:

- A. The property was annexed into the City of Mesa in 1949 and is now zoned LC.
- B. The existing building was a former Walgreens that has been vacant since 2016.
- C. The project site does not meet current MZO development standards and is therefore legal non-conforming.
- D. Full compliance with current MZO would require significant alterations to the site including demolition to parking and on-stie circulation.
- E. The installation of the light rail along Main Street changed the R.O.W. along the project site starting in 2016 as seen in the aerial photographs below from Maricopa County:

**2016 Sep - 2016 Dec 1**



**2022 Sep - 2022 Oct 1**



- F. There is an existing 10-foot Public Utility Easement, PUE, along the west and south property lines. Trees are not permitted to be planted in the PUE; therefore, no new trees are permitted to be planted. The deviation requested per this SCIP includes the allowance for 0 trees in the west and south landscape yards but does not require the existing trees to be removed.
- G. Improvements to the existing site include perimeter landscape improvements, interior parking lot landscape improvements, the addition of a bike rack, improvements to the existing wall including the addition of articulation and removal of additional wall height, and improvements to the design of the existing building.
- H. The modifications requested along with the proposed improvements are consistent with the degree of change requested to improve the site and to bring the site into a closer degree of conformance with current MZO standards.
- I. The proposed improvements will not create any new non-conformities.
- J. The proposed improvements will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.

**Neighborhood Participation Plan and Public Comments:**

The applicant mailed 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 this request.

**Staff Recommendations:**

Based on the application received and preceding analysis, staff finds the request for a Substantial Conformance Improvement Permit meets the required findings of Section 11-73-3 of the MZO, and therefore recommends approval with the following conditions.

1. Compliance with the final site plan and landscape plan as submitted.
2. Compliance with case ZON24-00365.
3. Compliance with case DRB24-00366.
4. All signage is to be reviewed and approved through a separate permit application.
5. Compliance with all City Development Codes and regulations, except as identified in Table 1 of this report.
6. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

**Attachments:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Narrative/Justification Statement

Exhibit 4 – Site Plan

Exhibit 5 – Landscape Plan

Exhibit 6 – Building Elevations