



## PLANNING DIVISION

### STAFF REPORT

## Board of Adjustment

**February 7, 2024**

CASE No.: **BOA23-00938**

CASE NAME: Driven Strength & Performance

Owner's Name:	BTT Fiesta Plaza LLC
Applicant's Name:	Craig Recore
Location of Request:	Within the 1300 to 1400 blocks of West Southern Avenue (north side).
Parcel No:	134-28-674B, 769, 770, 771, 772 and 773
Nature of Request:	Special Use Permit (SUP) for a parking reduction.
Existing Zoning District:	Limited Commercial (LC)
Council District:	3
Site size:	13± acres
Proposed Use(s):	Commercial Recreation; Small-Scale
Existing Use(s):	Vacant
P&Z Hearing Date(s):	<b>February 7, 2024 / 5:00 p.m.</b>
Staff Planner:	Sergio Solis, Planner I
Staff Recommendation:	APPROVAL with Conditions

### HISTORY

On **May 18, 1981**, the City of Mesa's City Council approved a request for a Site Plan Review for a 205,000 square-foot group shopping center. Shared Parking Agreements were developed among all but two of the lots in the development (Case No. SPR81-001).

On **January 6, 2021**, the Board of Adjustment approved a request for a Special Use Permit (SUP) for a parking reduction for a trade school located in the group shopping center (BOA20-00803).

### PROJECT DESCRIPTION

#### **Background:**

The applicant is requesting a Special Use Permit (SUP) to allow for a reduction in the number of required parking spaces for a small-scale commercial recreation facility (health club). Per Section

11-32-3 of the Mesa Zoning Ordinance (MZO), health space and clubs, gyms, and tennis, handball, and racquetball courts and clubs must provide 1 parking space per 100 square feet of building square footage. The proposed health club is 9,474 square feet and therefore requires 95 parking spaces. The applicant is requesting a reduction of 60 parking spaces and has provided a parking analysis to demonstrate that the proposed use can be served by the onsite parking along with the shared parking within the existing group commercial center.

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

The General Plan character area designations on the property are Mixed Use Activity District and Transit Corridor. 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. These districts often include other uses such as office, entertainment and residential. 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 Transit Districts character type includes the light rail corridor, bus rapid transit corridors, and areas designated for a consistent high level of transit options. The focus of this character type 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 property is also located within the Fiesta District, which has its own Design Guidelines. The guidelines encourage pedestrian-friendly development, especially along Southern Avenue. The City of Mesa has invested significantly in the area and has applied the guidelines with the completion of streetscape improvements along Southern Avenue, which will benefit the members of the proposed gymnasium as they utilize local public transit options.

The requested Special Use Permit for a parking reduction conforms with the intent of the Mixed Use Activity District and with the Transit Corridor overlay.

#### **Zoning District Designations:**

The project site is currently zoned Limited Commercial (LC). Per Section 11-6-2, small-scale commercial recreation use is permitted in the LC district subject.

#### **Site Characteristics:**

The subject site is located within a group commercial center (Fiesta Plaza) on the northeast corner of Southern Avenue and Longmore. The group commercial center consists of inline shops and pad sites. A SUP was approved for a parking reduction for a trade school on January 6, 2021. The trade school is now open and per the applicant, the existing parking area has unused parking spaces. The applicant intends to lease Building H (Suites 1-7), a single-story building with approximately 9,474 square-feet of floor area. The group commercial center has an established shared parking and cross access agreement, with the exception of two pad sites located at 1346 and 1460 W. Southern Avenue.

Per the submitted plans, no exterior changes to Building H, or the overall site, are proposed.

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

<b>Northwest</b> RM-4 The District at Fiesta Park Apartments	<b>North</b> RM-4 Indian Springs Apartments	<b>Northeast</b> RM-4 Indian Springs Apartments
<b>West</b> (across Longmore) LC Group Commercial/Offices	<b>Subject Property</b> LC Commercial Offices	<b>East</b> (across Stewart) RM-5 PAD and LC PAD Multi-residential and retail commercial
<b>Southwest</b> (across Longmore & Southern Avenue) LC BIZ Target	<b>South</b> (Across Southern Avenue) LC Fiesta Mall/Vacant	<b>Southeast</b> (across Southern Avenue) LC Fiesta Mall/Vacant

**Mesa Zoning Ordinance Requirements and Regulations:**

Per Section 11-32-5 of the MZO, the Zoning Administrator may reduce the required parking for one use up to 100% if the following criteria is met:

1. That the various activities will have peak parking demands at different periods of the day or week; and

**The parking information provided by the applicant included counts of empty parking spaces observed during a variety of weekday and weekend hours; regardless of the day or time, over 300 spaces were empty. In addition, the project narrative states that the anticipated peak hours for the fitness center are typically 5:00-7:00 pm, which is after the peak hours for other tenants in the center.**

**The proposal meets this criteria.**

2. Based on competent evidence provided by the applicant that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.

**The other tenants in the group commercial center are a mix of restaurants with drive thrus, general retail shops, and a local trade school. Per the project narrative, the peak operating hours, 5:00 pm – 7:00 pm, will not create a conflict in the operating hours of the uses for which the sharing of parking is proposed, or a shortage in parking within the group commercial center.**

**The proposal meets this criteria.**

Per Section 11-32-6(A) of the City of Mesa Zoning Ordinance, the Board of Adjustment shall find the following criteria are met for approval of a SUP for reduced parking:

1. Special conditions—including but not limited to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site—exist that will reduce parking demand at the site;

**Per the narrative provided, a large percentage of members are expected to live nearby and will be able to walk or take public transportation to and from the health club. The nearest major bus line is located approximately 300 feet on Southern Avenue and Stewart.**

**The proposal meets this criteria.**

2. The use will adequately be served by the proposed parking;

**Per the parking information submitted by the applicant, the site contains adequate parking for the group commercial development including the proposed health club.**

**The proposal meets this criteria.**

3. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

**Per the parking information submitted, the site contains adequate on-site parking for the group commercial development including the proposed health club. There is no on-street parking in the immediate vicinity. Staff does not foresee overflow parking to occur in nearby neighborhoods.**

**The proposal meets this criteria.**

Per Section 11-70-5 of the City of Mesa Zoning Ordinance, the Board of Adjustment shall find upon sufficient evidence when making a decision on a SUP that:

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 General Plan character area designation on the property is Mixed Use Activity District and Transit Corridor. Per Chapter 7 of the General Plan, 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 focus in the Transit Corridor character type is to develop a mixed-use, pedestrian-oriented, urban environment, particularly within walking distance of transit stops.**

**The property is also located within the Fiesta District, which has its own Design Guidelines. The guidelines encourage pedestrian-friendly development, especially along Southern Avenue.**

**The proposal meets this criteria.**

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 with any other applicable City plan or policies;

**The proposed health club conforms to the land use requirements of the Zoning Ordinance and the General Plan character type designation.**

**The proposal meets this criteria.**

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 proposal does not involve changes to the site, and per the parking information will not cause additional parking on adjacent streets, and therefore the requested SUP should not be injurious or detrimental to the neighborhood or to the general welfare of the City.**

**The proposal meets this criteria.**

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

**The proposed SUP will not add a significant burden to the public services, facilities or infrastructure. Bus lines along Southern Avenue and other public services and facilities are already existing.**

**The proposal meets this criteria.**

**Findings:**

- A. The request is consistent with the goals of the General Plan and is in conformance with the LC zoning district designation on the property.
- B. Allowing a reduction in the number of required parking spaces will not be injurious or detrimental to adjacent properties.
- C. Adequate public services are available to the site.
- D. The request conforms with the criteria for granting a parking reduction as outlined in Section 11-32-6 of the Mesa Zoning Ordinance.
- E. This request conforms with the criteria for the granting of a SUP as outlined in Section 11-70-5(E) of the Mesa Zoning Ordinance.

**Neighborhood Participation Plan and Public Comments:**

The applicant completed a Citizen Participation Process which included mailing notice letters to property owners within 500 feet of the site as well as HOA's within ½ mile and registered neighborhoods within one mile.

As of writing this report, neither the applicant nor staff have received any comments or concerns from surrounding property owners.

**Staff Recommendation:**

Based upon the application received and the preceding analysis, Staff finds that the requested Special Use Permit for a reduction to the required number of parking spaces for a health club complies with the criteria for approving Special Use Permits per Section 11-70-5(E) of the MZO; and with the criteria for approving Special Use Permit applications for parking reductions per Section 11-32-6; therefore, staff recommends approval with the following conditions:

**Conditions of Approval:**

1. Compliance with all requirements of case SPR81-001 and BOA20-00803.
2. Compliance with all applicable City of Mesa Development Codes and regulations.

**Exhibits:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Narrative and Justification Statement

Exhibit 4 – Site Plan

Exhibit 5 – Parking Information