

Board of Adjustment

Staff Report

CASE NUMBER: BA15-009 (PLN2015-00063)
STAFF PLANNER: Angelica Guevara
LOCATION/ADDRESS: 2730 E. Baseline Rd.
COUNCIL DISTRICT: Council District 3
OWNER: J & M YIN Investment LLC
APPLICANT: Mary Maddock, Evolution Automotive, LLC.

REQUEST: *Requesting a Substantial Conformance Improvement permit to allow the redevelopment of the site in the LC zoning district.*

SUMMARY OF APPLICANT'S REQUEST

The applicant is requesting a Substantial Conformance Improvement Permit (SCIP) to allow the renovation of an existing building that is now vacant but was formerly occupied by Famous Sam's Restaurant and Sports Bar for use by Evolution Automotive for light auto repair. The change in occupancy to a more intense use invokes compliance with current development standards. The applicant is requesting the SCIP to allow deviations to the 1.24± acre site that is located on the north side of Baseline Road just west of Lindsay Road. The site was originally developed in 1998.

STAFF RECOMMENDATION

Staff recommends **approval** of case BA15-009, *conditioned upon the following:*

- 1. Compliance with the project narrative, site plan, floor plan, and elevations submitted except as modified by the following conditions.*
- 2. The pedestrian connection proposed from the building to Baseline Road shall include upgraded materials such as colored and/or stamped asphalt or concrete and shall not be composed of painted stripes except at the accessible parking space.*
- 3. Provide a designated pedestrian access route across the drive aisle on the north side of the building to connect to the building to the north. The pedestrian connection shall include upgraded materials such as colored and/or stamped asphalt or concrete and shall not be composed of painted stripes.*
- 4. Each parking lot landscape island shall include one tree and three shrubs as per Sec. 11-33-4.*
- 5. Provide 1 tree and 6 shrubs per 25 linear feet along the south property line.*
- 6. Provide landscape material within the right-of-way that consists of low-water using trees, shrubs, and groundcovers to comply with the City of Mesa's Engineering and Design Standards.*
- 7. Automobile repair as allowed in the Limited Commercial Zoning District is limited to the service and repair of automobiles, light-duty trucks, and motorcycles, including the sales, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, muffler shops, auto glass services, and tire sales and installation, where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes establishments providing engine repair, body and fender work, vehicle painting, or towing. It also excludes repair of heavy trucks or construction vehicles.*
- 8. Minor Automobile/Vehicle Service and Repair shall be operated in compliance with Section 11-31-6 which requires all noise-generating activities to be conducted within the building with sound attenuating measures to absorb noise. Compressors shall be located within separately enclosed, sound attenuated rooms.*

9. *A separate sign permit is required from the Development Services Office to modify the existing free standing sign or to install new signage on the building.*
10. *Compliance with all requirements of Development Services in the issuance of building permits.*

SITE CONTEXT

CASE SITE: Existing commercial building – zoned LC
NORTH and WEST: Existing single-residences – zoned RS-6
EAST: (across Lindsay Road) Existing commercial development and single residences – zoned LC and RM-2 and RS-9
SOUTH: (across Baseline Road) Existing automobile fueling station and vacant lot – Located in Town of Gilbert

STAFF ANALYSIS

The applicant is requesting a SCIP to facilitate the reuse of the 5,460 s.f. building that had previously been used as a restaurant/bar. The applicant is proposing to remodel and change the occupancy of the building to a more intense use to accommodate light automotive repair. The interior of the building will be remodeled to accommodate the new user. A minor modification is also proposed on the north elevation of the building to provide a 12' x 12' overhead door that will be painted to match the color of the building.

The lot is approximately 1.24± acres within an 8± acre group commercial center located at the northwest corner of Baseline and Lindsay Roads.

The applicant is asking to be allowed to maintain the existing reduced foundation base width around the building. The SCIP would allow the change of occupancy of the building without having to modify the existing site so it conforms to current standards.

The applicant is proposing to relocate the existing pedestrian connection from the building to the street further east on the site to line up with the main entry into the building. Staff believes this is an enhancement to the site plan and has added a condition of approval requiring enhanced materials across the drive aisle to clearly identify the pedestrian route from the vehicular route. Staff also noted there is an existing sidewalk that leads to the building to the north. Staff has also added another condition of approval requiring enhanced materials across the drive aisle to identify the pedestrian route.

Based on the change to the proposed use, the parking requirements have drastically reduced on the site. A total of 15 parking spaces are required and there are 83 existing parking spaces proposed after three parking spaces are eliminated to accommodate the overhead roll up door on the north elevation. The Zoning Code also limits the maximum number of parking spaces that can be provided on a site. The limit is 125% of the minimum required spaces except when a change in use to an existing development causes a lower parking requirement, which is the case with this proposal.

Minor automobile/vehicle service and repair is allowed in this district, but is limited to the service and repair of automobiles, light-duty trucks, and motorcycles, including the sales, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, muffler shops, auto glass services, and tire sales and installation, where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes establishments providing

engine repair, body and fender work, vehicle painting, or towing. It also excludes repair of heavy trucks or construction vehicles. Staff has added a condition of approval specifying this requirement.

Minor automobile/vehicle service and repair is also required to be operated in compliance with Section 11-31-6 which requires all noise-generating activities to be conducted within the building with sound attenuating measures to absorb noise. Compressors shall be located within separately enclosed, sound attenuated rooms. Staff has added a condition of approval specifying this requirement.

Table 1 below provides a summary of the code requirements, the requested deviations, and the staff recommendation.

Table 1	Code Requirement	Applicant Proposed	Staff Recommended
Setbacks (parking and/or building) Baseline Road (6-lane arterial street)	15' from future Right of Way	23'-10" measured from future right-of-way	Meets Code Meets Code Meets Code Meets Code
East property line of the lot	0	No change	
North property line of the lot	0	No change	
West property line of the lot	0	No change	
Foundation Base South elevation (w/public entrance)	15 feet	No change	As proposed
West elevation (w/public entrance)	10 feet	5 feet	
North elevation (no public entrance)	10 feet	10 feet	
East Elevation (w/public entrance)	10 feet	7 feet	
Landscape Islands in the parking field	Max. 8 spaces between islands and at each end of rows of parking	No change	Meets Code
Landscape island width	Minimum 8' wide	Varies	As proposed
Screen wall in front of parking areas	Required along street frontages	No change	As proposed
Parking: 1 space required for each 375 s.f. of gross floor area	5460 s.f./375 = 15 spaces required (minimum)	83 parking spaces exist on the site	As proposed

FINDINGS

- 1.1 The change of use from a restaurant to minor automotive repair invokes conformance with current development standards on the entire site.
- 1.2 At the time of initial development in 1998 the setbacks, foundation base, and landscape requirements of the Zoning Code varied when compared to the development standards of the current Code.
- 1.3 The site was developed with some street frontage landscape that has died and has not been replaced within the existing landscape yards and will need to be replaced as a condition of approval of the SCIP.
- 1.4 Requiring additional landscape along the street frontage and within the parking lot landscape islands will help bring the site closer to compliance with current code while allowing the reuse of the site.
- 1.5 Requiring compliance with current code would require the removal of existing improvements and would discourage the property owner from retrofitting the site for the intended and allowed use.
- 1.6 The proposed improvements with the recommended conditions of approval help bring the site into a closer degree of conformance with current standards.

- 1.7 The proposed use will not be detrimental to surrounding properties.

ORDINANCE REQUIREMENTS:

Zoning Ordinance, Sec. 11-73-3 – Substantial Conformance Improvement Permits – 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.

To Whom It May Concern,

We had a meeting to discuss the SCIP wit Ms. Lesley Davis in October and we discussed current codes and the need to update where possible in our renovation of the property from its original restaurant use to the desired light auto repair usage. During the discussion there were two areas that were pinpointed as not within code.

1. Building setbacks on the east side of the building.
2. Landscaping requirements of a landscape island whenever there is a continual row of ten or more parking spaces.

In our renovation of the property into a light auto repair facility we would not be altering any fire lanes, water retention or other aspects of the lot. We would be adding a twelve-foot by twelve-foot door in the rear of the building (away from Baseline Rd) and eliminating three parking spaces in the rear

Should we be required to correct the building setback that would require substantial demolition and reconstruction of the east wall of the building.

The landscaping requirement is one we are going to fix with the addition of a landscape island as indicated in the site plan submitted with the SCIP paperwork.

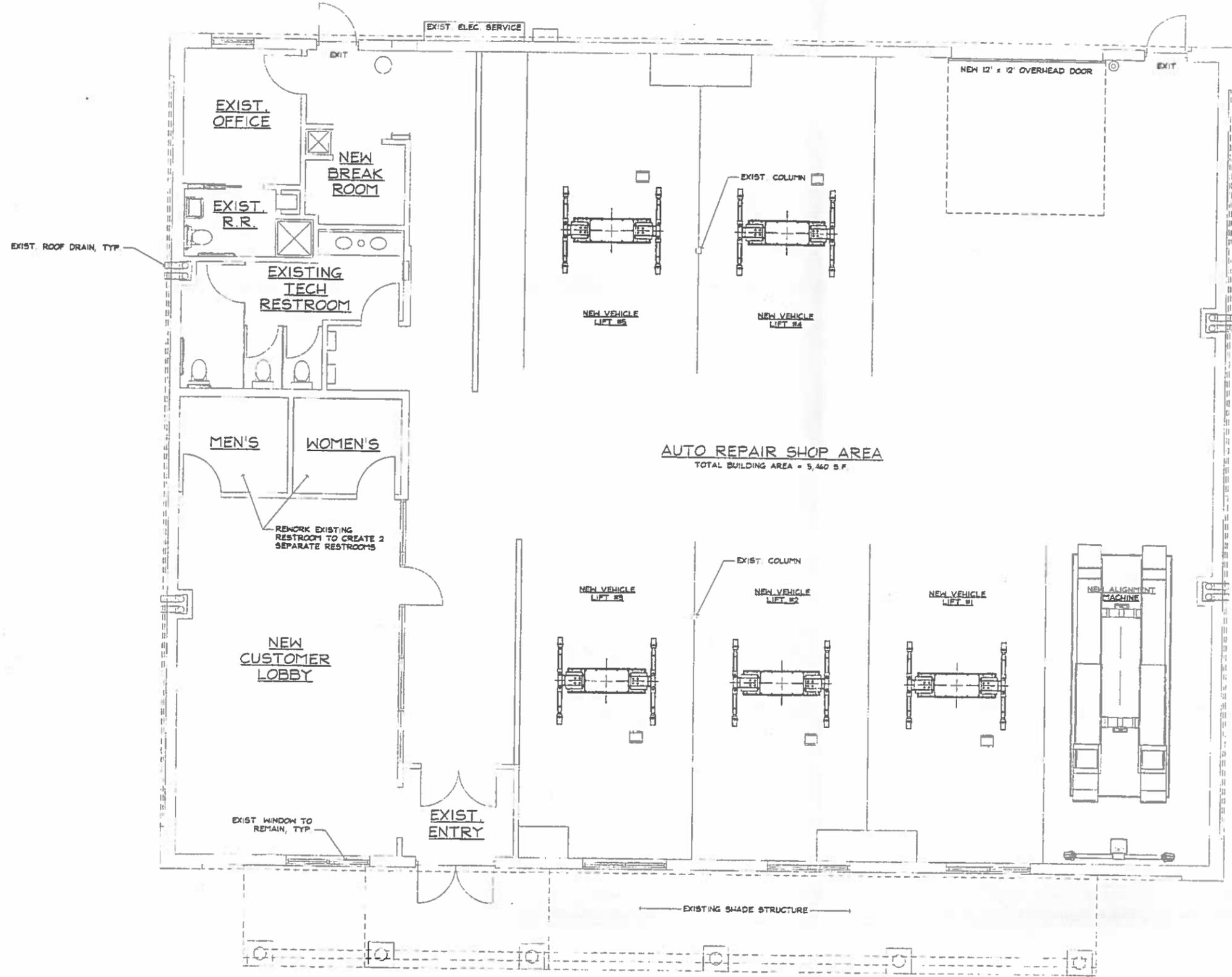
Thank you for your time and consideration.


Mary Maddock
Managing Member, Evolution Automotive









BUILDING INFORMATION
 OCCUPANCY: F-1 (AUTOMOTIVE REPAIR)
 CONSTRUCTION TYPE: VB
 FIRE SPRINKLERS: NONE
 STORIES: 1
 EXTERIOR BEARING WALL RATING: NONE
 EXTERIOR NON-BEARING WALL RATING: NONE
 ALLOWABLE BUILDING AREA: 6000 S.F. (PER TABLE 505)
 TOTAL ALLOWABLE AREA = 6,000 S.F.
 ACTUAL GROSS BUILDING AREA: 5,460 S.F.

OCCUPANCY LOAD:
 USE: CUSTOMER LOBBY (556 S.F.)
 FACTOR = 1.7 (556/7) = 80 OCC.
 USE: OFFICE (124 SQ. FT.)
 FACTOR = 1.100 (124/100) = 2 OCC.
 USE: SHOP AREA (3,999 SQ. FT.)
 FACTOR = 1.500 (3,999/500) = 8 OCC.
 TOTAL OCCUPANT LOAD = 90 OCC.

EXITING:
 REQUIRED EXITS : 2 @ 32' EACH 3 TOTAL 1 @ 72'
 EXITS PROVIDED : 2 @ 56" 2 @ 56"
 TOTAL PROVIDED = 108'

FLOOR PLAN
 SCALE: 1/4"=1'-0"



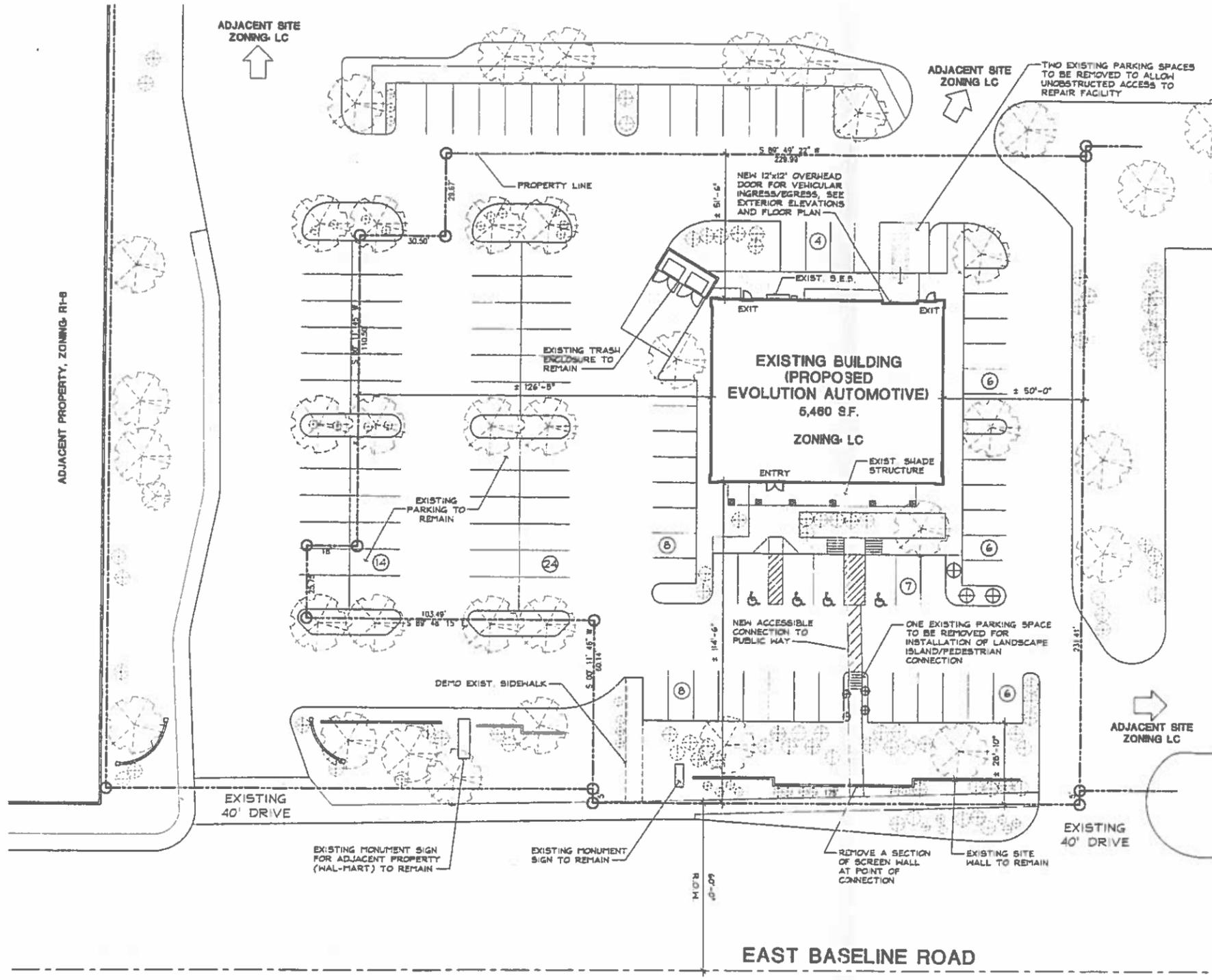
DATE: 01.29.15
 RBA PROJECT NO: 15009

A1

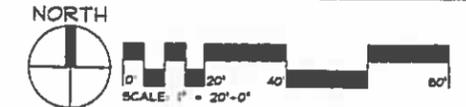
EVOLUTION AUTOMOTIVE
 2730 EAST BASELINE ROAD
 Mesa, Arizona 85204



**rober
brow architects**
 549 south 48th street • suite 108
 tempe • arizona • 85281
 p.480.377.2222 f.480.377.2230



CONCEPTUAL SITE PLAN



DEVELOPMENT PROGRAM

GENERAL INFORMATION
 OWNER/OPERATOR: EVOLUTION AUTOMOTIVE CONTACT: MICHAEL DRAGON
 ADDRESS: 3004 MARKET, APT. 372, GILBERT, AZ. 85237
 TELEPHONE: 480-797-1561
 ARCHITECT: ROBERT BROWN ARCHITECTS CONTACT: KELLY FERGUSON
 ADDRESS: 549 S. 48TH ST., SUITE 108, TEMPE, AZ. 85281
 TELEPHONE: (480) 377-2222 FAX: (480) 377-2230

SITE INFORMATION
 PROJECT ADDRESS: 2730 EAST BASELINE ROAD
 MESA, ARIZONA 85204
 PARCEL NUMBER: 140-03-003P
 EXISTING ZONING DISTRICT: LC
 SITE USE: AUTOMOTIVE REPAIR (F-1)
 SITE AREA: 54,194 SQ. FT. 1.24 ACRES
 BUILDING AREA: 5,480 S.F.
 GROSS FLOOR AREA (EXISTING): 5,480 S.F.
 LOT COVERAGE: 5,480 S.F. / 54,194 S.F. = 10%
 LANDSCAPE AREA: 9,516 S.F. / 54,194 S.F. = 18%
PARKING ANALYSIS:
 REQUIRED: 1 PER 375 S.F. OF INDOOR AREA FLOOR AREA
 5,480 s.f. / 375 = 15 SPACES
 PROVIDED: 83 SPACES (INCLUDES 4 ACCESSIBLE)

GENERAL NOTES:
 ALL DRAINAGE PATTERNS TO REMAIN, NO CHANGES.
 ALL LANDSCAPE IS EXISTING TO REMAIN UNLESS NOTED OTHERWISE. REPLACE ANY DEAD/MISSING LANDSCAPE WITH NEW.
 EXISTING SITE LIGHTING TO REMAIN. ANY NON-FUNCTIONING FIXTURES TO BE REPLACED AS NEEDED TO MATCH EXISTING.
CURRENTLY ADOPTED CODES:
 2006 INTERNATIONAL BUILDING CODE
 2006 INTERNATIONAL FIRE CODE
 2006 INTERNATIONAL PLUMBING CODE
 2005 NATIONAL ELECTRICAL CODE
 2005 INTERNATIONAL MECHANICAL CODE
 2006 INTERNATIONAL EXISTING BUILDING CODE
 2009 INTERNATIONAL ENERGY CONSERVATION CODE

VICINITY MAP



DATE: 01.29.15
 RBA PROJECT NO.: 15009

EVOLUTION AUTOMOTIVE
 2730 EAST BASELINE ROAD
 Mesa, Arizona 85204

**rober
brown architects**
 549 south 48th street • suite 108
 tempe • arizona • 85281
 p.480.377.2222 f.480.377.2230