

Board of Adjustment

Staff Report

CASE NUMBER: BA15-031 (PLN210S-00257)
STAFF PLANNER: Gordon Sheffield AICP CNUa, Zoning Administrator
LOCATION/ADDRESS: 819 South Stapley Drive
COUNCIL DISTRICT: 4
OWNER: Muth Greg Trust/ Adela R Trust
APPLICANT: Archi-Cap Architects PLLC

REQUEST: Requesting: 1) a Special Use Permit to allow alterations and improvements to an existing non-conforming multiple residence use; and 2) a Special Use Permit to allow a reduction in the minimum number of required parking spaces, all in the LC zoning district.

SUMMARY OF APPLICANT'S REQUEST

The owner of this site wishes to remodel an existing apartment development that is located in the LC-Limited Commercial zoning district. As currently configured, the use is considered 'legal, but non-conforming', as it was constructed at a time when the zoning ordinance allowed multiple residence activities in commercial districts on a 'by-right' basis. An amendment to the zoning ordinance in the 1970's removed that option, and that revision to allowed uses in Limited Commercial districts is the basis for the non-conforming status of this site.

The proposed remodel would result in one less apartment, as one unit is proposed to be reconfigured as a common room amenity. This development will continue to have less than the required minimum number of parking spaces for an apartment project with 17 units (22 provided, 36 required).

STAFF RECOMMENDATION

Staff recommends approval of case BA15-031, *conditioned upon:*

- 1) Compliance with the site plan as submitted, except as may be modified by conditions listed below;
- 2) Residents and tenants shall be limited to one motor vehicle per dwelling unit; and
- 3) Compliance with all requirements of the Mesa Building Code (Title 4 of the Mesa City Code).

SITE CONTEXT

CASE SITE: 18-unit Apartment Development, zoned LC-Limited Commercial
NORTH: Martial Arts Studio, zoned LC-Limited Commercial
EAST: Single residence, zoned RS-6
SOUTH: 4-unit apartment development, zoned LC-Limited Commercial
WEST: (Across Stapley Dr) City of Mesa Fire Station, zoned LC-Limited Commercial

STAFF SUMMARY AND ANALYSIS:

Special Use Permit for Alteration of a Non-conforming Use

The owner has proposed to update a rather old multiple residence project by removing one apartment to create a common room, as well as other maintenance related updates to the existing buildings. Because this site is a non-conforming use, changes to the existing facility are limited. Under Section 11-36-7.B of the Zoning Ordinance, alteration to an existing non-conforming use may be made subject to approval of a Special Use Permit. The review of the SUP application centers on confirmation that the result of the alteration:

- 1) Does not increase the number of units;
- 2) Does not exceed applicable height limits;
- 3) Does not result in additional encroachments of structures into required setbacks; and
- 4) Does not increase the required number of off-street parking spaces.

This proposal satisfies each requirement. No physical changes are being made to the outside shell of each of the two principal buildings. The number of dwelling units is being reduced (from 18 to 17), and the number of parking spaces required is being reduced from 39 to 36, although the number provided is still significantly less than the minimum required.

Special Use Permit for Reduced Minimum Parking Requirements

The two building apartment complex was developed under a standard of 1 parking space per unit, and 1 guest parking space per 10 units (1.1 spaces per unit), which would result in a minimum count of 20 parking spaces for 18 units. Because of a cultural shift resulting in a higher ratios of vehicles owned per family or dwelling, parking ratios have been adjusted for sites that are not adjacent to higher capacity transit lines to 2.1 spaces per unit.

The physical limits of this site make it impractical to require additional parking spaces be added, especially in light of the owner's request to reduce the number of residential dwelling units for this site

ORDINANCE REQUIREMENTS:

Mesa Zoning Ordinance, Section 11-36-7.B Alterations and Enlargements to Non-conforming Structures

B. *Alterations and enlargements that extend into a nonconforming yard or height limit may be approved through a Special Use Permit where the alteration or enlargement would not:*

1. *Further reduce any existing nonconforming yard;*
2. *Exceed applicable building height limits;*
3. *Further reduce existing nonconforming lot coverage or floor area ratio requirements; and*
4. *increase the required number of off-street parking spaces unless parking is provided under current standards for the addition of the use only.*

Mesa Zoning Ordinance, Section 11-32-6.A

Required parking for any use may be reduced through approval of a Special Use Permit, pursuant to Chapter 70, unless specified otherwise, and the following:

A. *Criteria for Approval. A Special Use Permit for reduced parking shall only be issued if the following criteria are found to be true:*

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

FINDINGS:

- 1.1 Case site is a non-conforming land use and includes non-conforming structures.
- 1.2 No physical changes are being made to the outside shell of the buildings.
- 1.3 The proposed alterations involves the remodeling of a present two-bedroom dwelling into a community common room.
- 1.4 The proposed alterations will result in a lower number of dwelling units (from 18 to 17).
- 1.5 The number of parking spaces will remain at 22, which is 14 less than required by the present zoning ordinance standards for a 17 unit development.
- 1.6 No physical area is available that may be used to increase the number of available on-site parking spaces.

Project Description and Narrative

Stapley Manor Apartments
819 S. Stapley Dr.
Mesa, AZ 85204

Existing property is an apartment complex built in 1959 consisting of two 2 story buildings with a total of 18 dwelling units. The north building, Building A, has 6 apartment units on each floor. The south building, Building B, currently has 3 apartment units on each floor, however one of the units on the first floor will be converted to a clubhouse type space for use of the residents for special occasions. The dwelling units consist of 8 one bedroom units and 10 two bedroom units. A small laundry room and maintenance storage room are attached to building 'B' on the ground floor. Both buildings are two story CMU with stucco exterior walls, tile mansard roofs and wood framed interiors.

Currently there are 26 parking spaces on site. 14 parking spaces are covered by a canopy and 2 spaces are designated for the handicapped which are currently not compliant with ADA and would require restriping to include an aisle. The existing lot is zoned LC and designated as MF Very High Density Residential. The adjacent properties to the north and south are also zoned LC. The adjacent properties to the east are zoned RS-6.

The proposed buildings remodel consists of the two apartment buildings and the addition of a community ramada and a gated trash enclosure. The proposed building remodel includes enhancing the exterior with additional stucco pop-outs, stone and wire trellises. We are also adding two additional windows to the west elevations of both buildings on the first floor. The ramada addition will be of masonry construction with steel frame and z-girts as shade louvers. The gated trash enclosure will be of masonry walls and steel gates. In order to make the site appear unified, the design calls for the ramada and trash enclosure to be stuccoed masonry with pop-outs and stone to match the buildings. The wall separating the alley will match the design of the trash enclosure walls. The existing parking canopies will remain and be painted to match the field color of the buildings. The existing asphalt will be removed at the ramada and the remaining resurfaced. The landscaping of the site will be enhanced per the landscape plan.

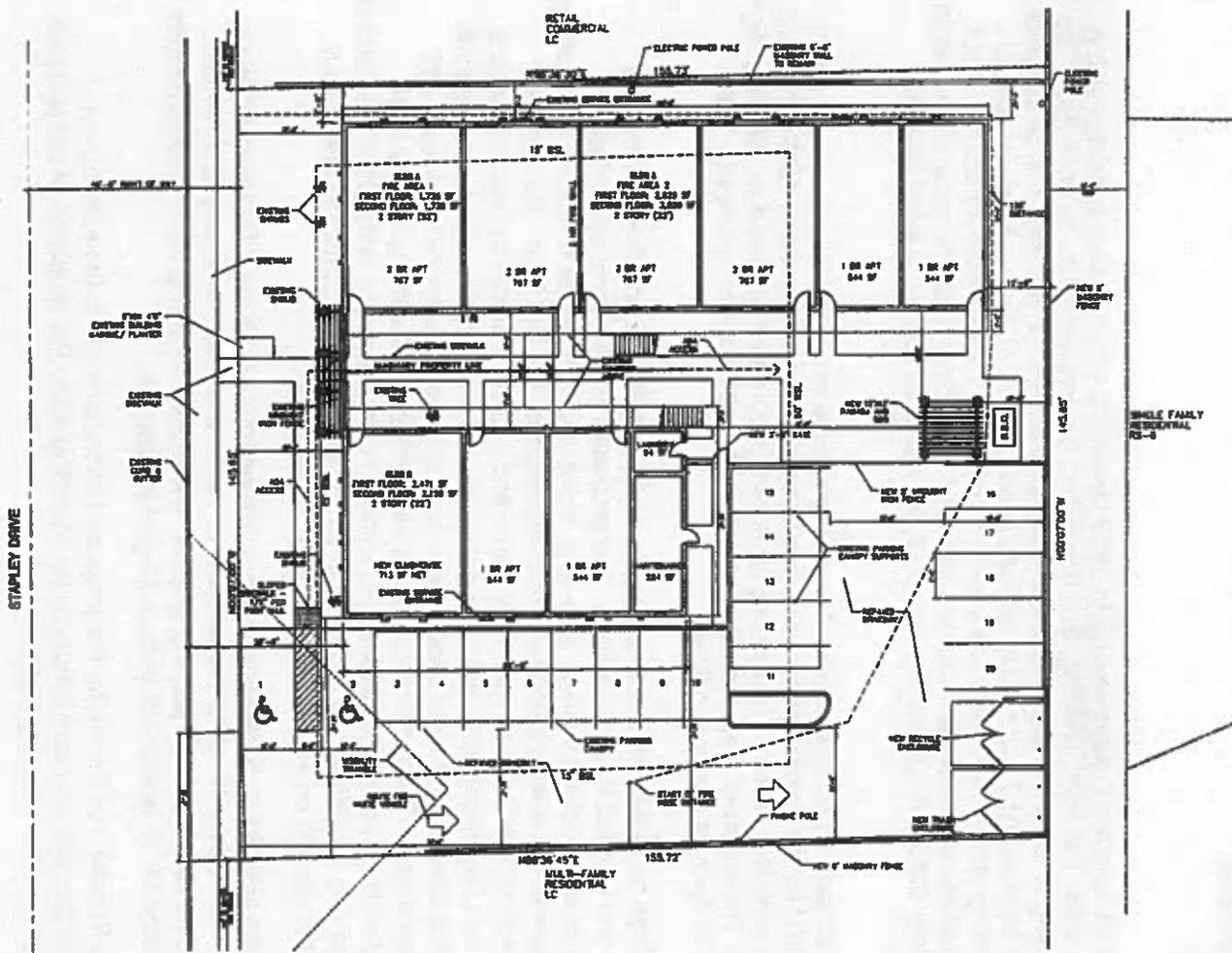
The proposed remodel of Building B will eliminate one two-bedroom apartment for the clubhouse, the total apartment count will be 17. With the addition of the double trash enclosure and ramada, the parking count will be reduced to 22 parking spaces. The required parking per the requirements of the Zoning Ordinance for 17 apartment units is 36 parking spaces.

We are requesting a Special Use Permit for the proposed improvements to the existing non-conforming residential use and an Administrative Use Permit to allow the reduction of the required parking spaces base upon the following justifications;

The demographics of the residents are of a lower socio-economic status with most residents using public transportation available on Stapley Drive and the remaining residents owning a single vehicle. None of the current residents nor the anticipated residents own multiple vehicles.

The current parking usage is under utilized with the existing 18 apartments. The owner reports that typical occupancy rates are around 80%. The occupancy rated combined the lower SES results in a typical average parking utilization of around 14 parking spaces.

Reducing the number of apartment units and the typical historical parking need of 1 space per apartment should maintain the current trend of under utilization of the available parking.



NOTES

OWNER
 CHRYSTAL
 415 152 5100
 6001 STAPLEY BL, SUITE 2
 DALLAS, TX 75244

ARCHITECT
 ARCHI-CAD ARCHITECTS, PLLC
 2008 G BUCKLEBUSH BLVD, SUITE 2
 TAMPA, FL 33606
 (813) 973-1111
 (407) 544-2271 FAX

PROJECT # 2010
 AT 020 23491

ADDRESS
 STAPLEY MANOR APARTMENTS
 519 S. STAPLEY DR.
 WEAVER, FL 33601

APR 13-13-1076

LEGAL DESCRIPTION
 PORTWATER WEAVER FOR 100% AC/1/4 TRACT 2 EX 1
 73.0 F & EX 10 73.0 F TR/4P.

ZONING
 ZONING LC
 (CITY) WEST WIND COUNTRY RESIDENTIAL
 CASE NO. PW-1-01 (PLANNED-0004)

DATE SHEET
 SHEET = 0200 OF 0200 (AC)
 SET = 21.00 OF 21.00 (AC)

LOT COVERED
 (14.12/21.00)/100-42-30

BUILDING CONSTRUCTION TYPE
 TYPE 3-B (4-4) (42)

OCCUPANCY TYPE
 MULTI-FAMILY RESIDENTIAL, 6-2

BUILDING HEIGHT
 ALLOWABLE: 32.00 FT. (CITY) 47/7 STORIES
 ACTUAL: 32'

BUILDING AREA
 ALLOWABLE: OCCUPANCY 6-2 7,880 S.F.T
 ACTUAL: 52'

BUILDING 1
 FIRE AREA 1 1,736 SF
 SECOND FLOOR 1,736 SF
 TOTALS 1,736 SF

BUILDING 2
 FIRE AREA 2 3,288 SF
 SECOND FLOOR 3,288 SF
 TOTALS 3,288 SF

TOTALS 14,120 SF

DENSITY CALCULATIONS
 BUILDING 1 DENSITY PROPOSED
 FIRE FLOOR: 0 APTS 0 APTS
 SECOND FLOOR: 0 APTS 0 APTS
 TOTALS 0 APTS 0 APTS

BUILDING 2
 FIRE FLOOR: 3 APTS 3 APTS
 SECOND FLOOR: 2 APTS 2 APTS
 TOTALS 5 APTS 5 APTS

TOTAL 16 APTS 11 APTS

17 UNITS / 0.421 UNITS = 22.83 UNITS/AC

PARKING CALCULATIONS
 17 APARTMENT UNITS @ 1.1 on / parking unit
 REQUIRED: 19 SP
 PROPOSED PROVIDED: 22 SP

ACCESSIBLE REQUIRED: 2
 ACCESSIBLE PROVIDED: 2

STAPLEY MANOR APARTMENTS
 REMODEL
 519 S. STAPLEY DRIVE
 ARCHITECTURAL SITE PLAN

PROJECT NUMBER: A-0

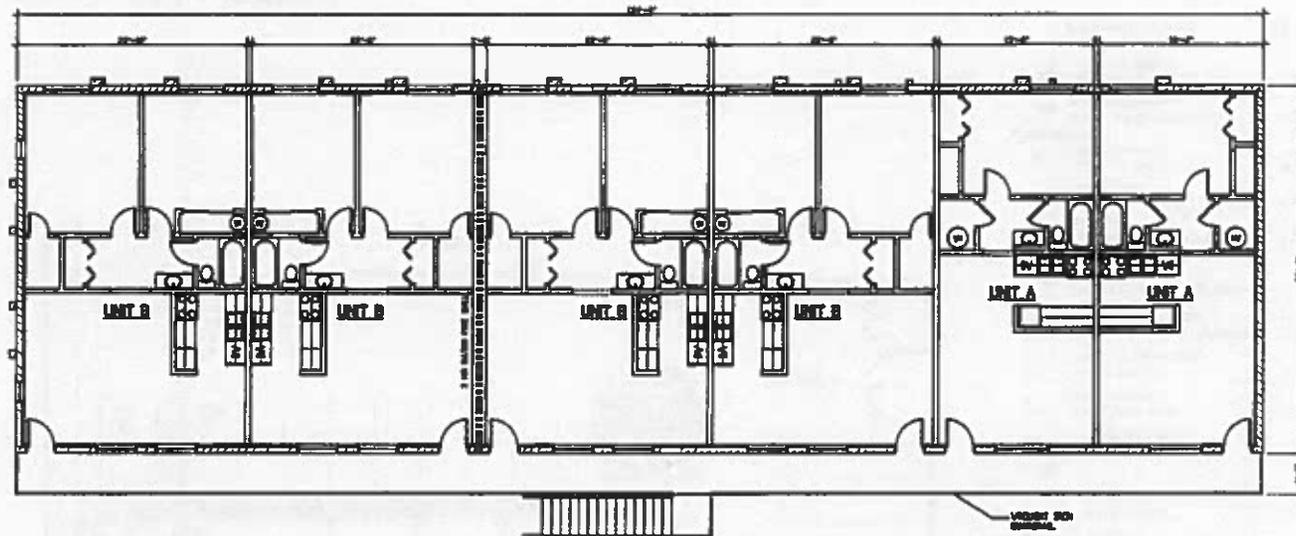
Archi-CAD
 ARCHITECTS, PLLC
 2008 G BUCKLEBUSH BLVD, SUITE 2, TAMPA, FL 33606
 (813) 973-1111 • FAX (813) 973-1112

PROJECT: STAPLEY MANOR APARTMENTS
 DATE: 04/13/10
 DRAWING: SITE PLAN

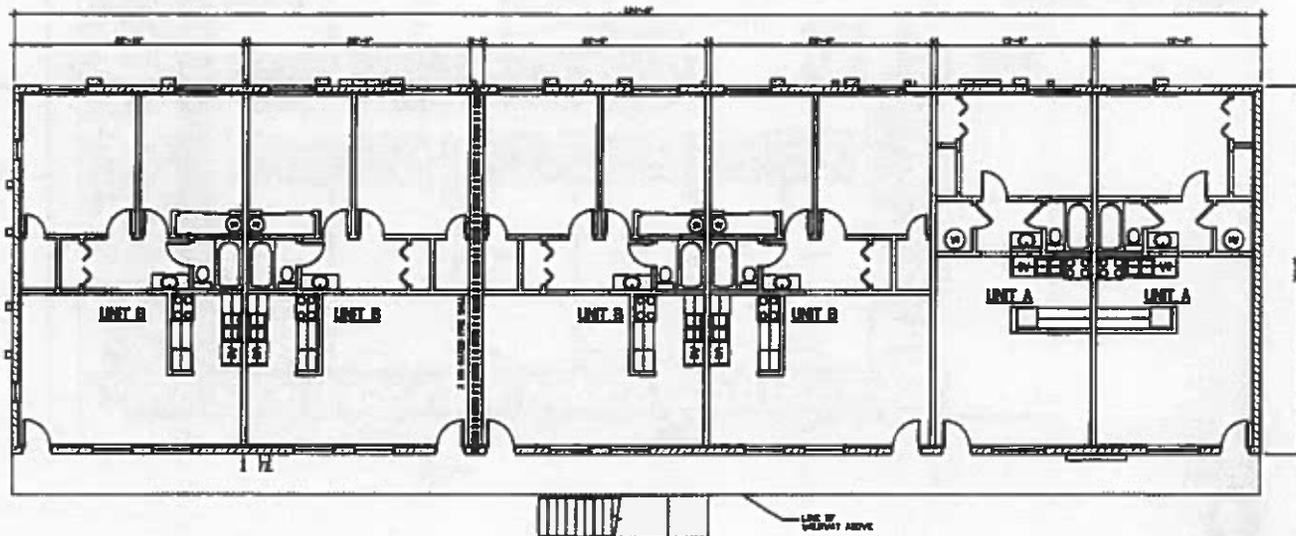
2010
 ARCHITECTS, PLLC
 TAMPA, FL



VICINITY MAP
 1:12



BUILDING A SECOND FLOOR PLAN
2/25/2017



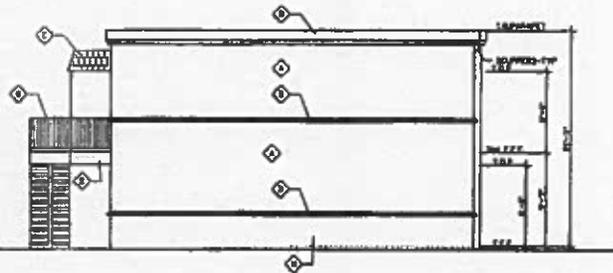
BUILDING A FIRST FLOOR PLAN
2/25/2017

NOTES

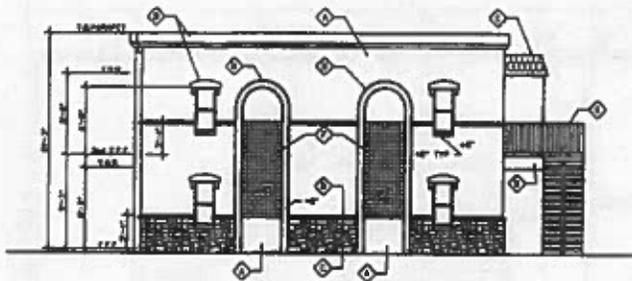
**STAPLEY MANOR APARTMENTS
REMODEL
319 S. STAPLEY DRIVE
Building A Floor Plans
SHEET NUMBER A-1**

Archi-CAD
ARCHITECTS, PLLC
200 S. Mitchell Drive, Suite 5, Tampa, FL 33602
Tel: 813.288.1111 • Fax: 813.288.1112 • www.archi-cad.com

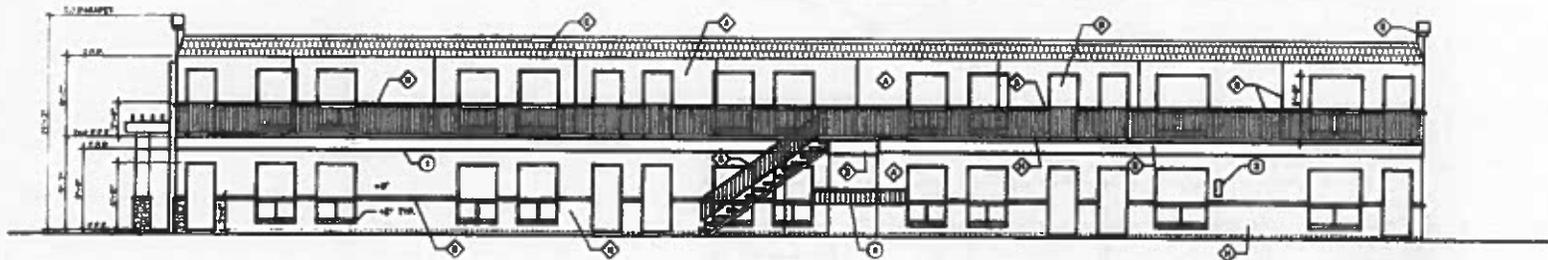
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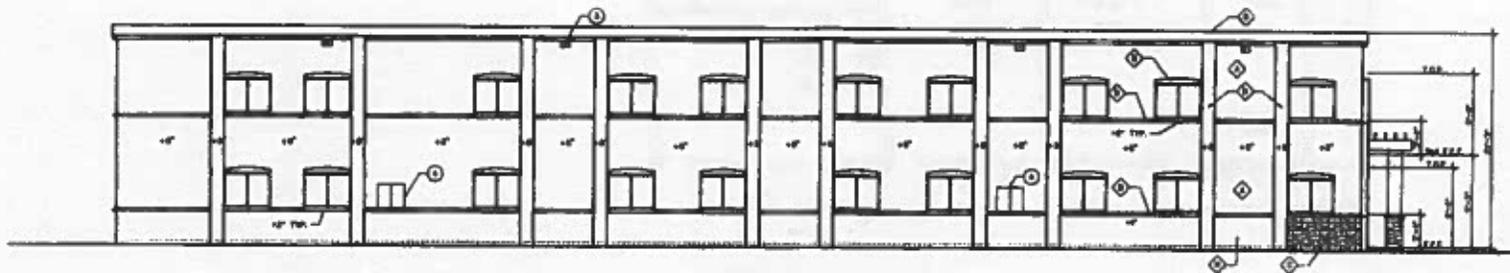
BUILDING A EAST ELEVATION
SCALE: 1/4" = 1'-0"



BUILDING A WEST ELEVATION
SCALE: 1/4" = 1'-0"



BUILDING A SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



BUILDING A NORTH ELEVATION
SCALE: 1/4" = 1'-0"

COLOR SCHEDULE

- A PLUMB LATE - BISHA
- B BRAN - BEYD
- C CORNISH HONEY LEASE, CARREL, MERTIAN
- D CHERRY GEL - BEARS
- E BROWN ROOFING - SANDY SLATE CHARLESTON
- F GRAY LEAFES - SAYS
- G BRUSHING BRN, CHERRY GELS - BEARS
- H STACED BURGESS, CLAY BRN - BETH

NOTES

1. QUALITY
2. FULL EXPOSURE
3. BRUSHING
4. ELECTRICAL PANEL
5. EXISTING PORCH CANOPY OUTLINE
6. SEE SHEET
7. METAL AND WOOD GATE

STAPLEY MANOR APARTMENTS

REMODEL

619 S. STAPLEY DRIVE

Building A Elevation

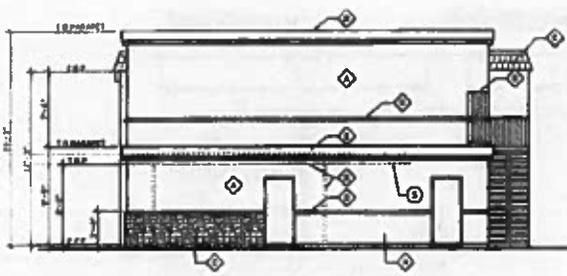
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A-2

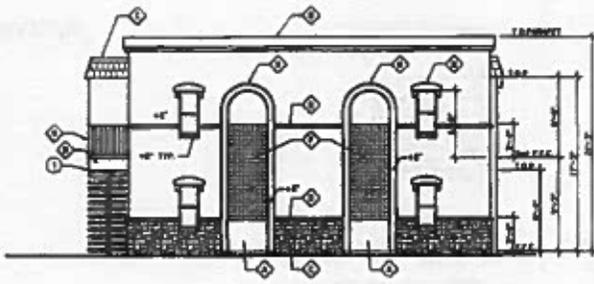
Archi-CAD
ARCHITECTS, PLLC

2300 G. W. BUSH BLVD., SUITE 200, HOUSTON, TX 77058
713-865-1111 • FAX 713-865-1112 • www.archicad.com

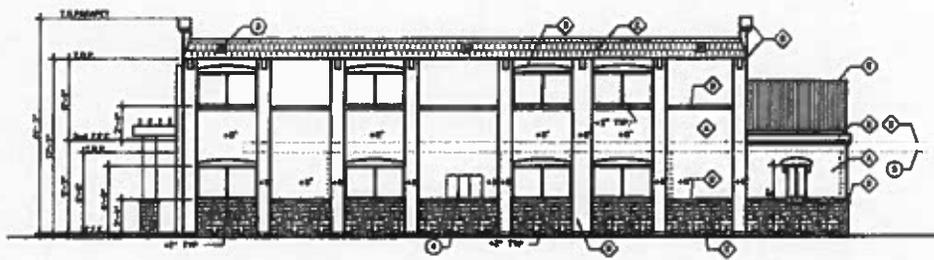
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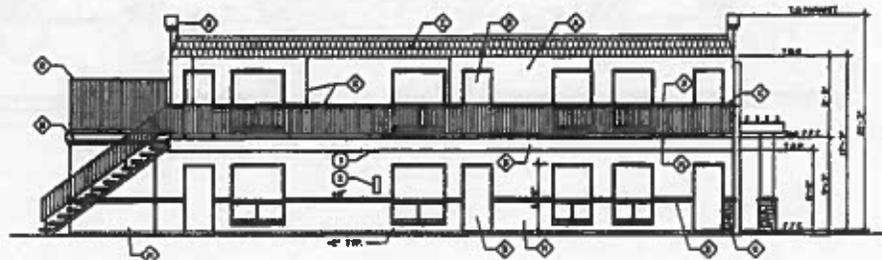
BUILDING B EAST ELEVATION
SCALE 3/4" = 1'-0"



BUILDING B WEST ELEVATION
SCALE 3/4" = 1'-0"



BUILDING B SOUTH ELEVATION
SCALE 3/4" = 1'-0"



BUILDING B NORTH ELEVATION
SCALE 3/4" = 1'-0"

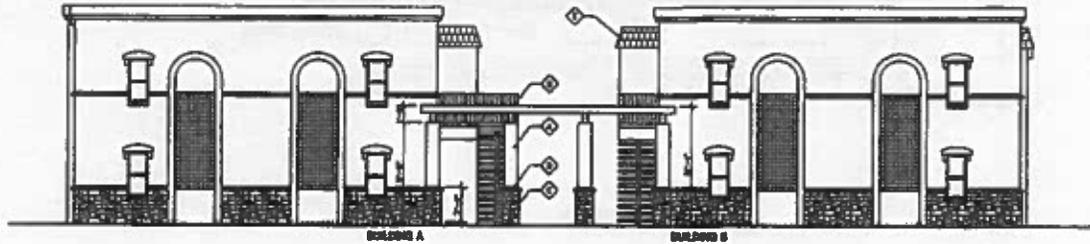
COLOR SCHEDULE	
A	LEMOND LAYE - BEETLE
B	BRAC - BEETLE
C	CORNBROD HONEY LIME, CAROL, VIGORIAN
D	CHERRY CELA - BEARD
E	DEAL, GRASS - SANDY SLATE CHARLETON
F	CRACK LEAF - SAGE
G	WILLOW HILL, CHERRY CELA - BEARD
H	STUDIO MANOR, BLUFF BRUSH - BEETLE

NOTES	
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100	SEE PLAN

STAPLEY MANOR APARTMENTS
REMODEL
 918 S. STAPLEY DRIVE
 BUILDING B (REMODEL)
 SHEET NUMBER **A-21**

Archi-CAD
 ARCHITECTS, PLLC
 310 S. BUCKINGHAM BLVD, SUITE 21, HOUSTON, TX 77057
 281.461.1111 • 281.461.1112 • www.archicad.com

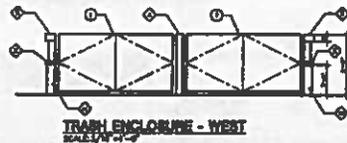
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BY:	ARCHITECT
CHECKED:	ARCHITECT
SCALE:	
PROJECT:	
DATE:	



ENTRY WEST ELEVATION
SCALE 1/8" = 1'-0"

COLOR SCHEDULE	
A	ALUMINUM LATEX - 8001-1
B	EMER - 02712
C	CONCRETE MASONRY BRICK, COMMON, REBATTED
D	CHEWY COILA - 02400
E	SMALL ROOFING - SHADY SLATE CHARLESTON
F	SHADE LEAFS - 3405
G	WINDYBORN, CHEWY COILA - 02400
H	BRICKS, BRICKS, BUFF BRICK - 02711

NOTES	
1	VERIFY
2	FIELD DIMENSIONS
3	CONCRETE
4	CONCRETE FOUNDATION
5	CONCRETE FOUNDATION CONCRETE
6	CONCRETE
7	CONCRETE



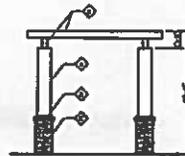
TRASH ENCLOSURE - WEST
SCALE 1/8" = 1'-0"



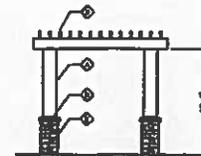
TRASH ENCLOSURE - EAST
SCALE 1/8" = 1'-0"



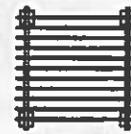
TRASH ENCLOSURE - NORTH & SOUTH
SCALE 1/8" = 1'-0"



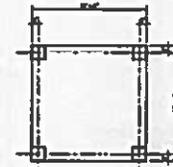
RAMADA NORTH & SOUTH ELEVATION
SCALE 1/8" = 1'-0"



RAMADA EAST & WEST ELEVATION
SCALE 1/8" = 1'-0"



RAMADA ROOF PLAN
SCALE 1/8" = 1'-0"



RAMADA FLOOR PLAN
SCALE 1/8" = 1'-0"

STAPLEY MANOR APARTMENTS
REMODEL
919 S. STAPLEY DRIVE
BIRMINGHAM, ALABAMA
SHEET NUMBER **A-22**

Archi-CAD
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220 S. OVERSHOOT ROAD, SUITE 2, TUSCALOOSA, AL 35326
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PROJECT	DATE
SHEET	DATE
DESCRIPTION	