

DRAFT



MINUTES

**BOARD OF ADJUSTMENT
COUNCIL CHAMBERS BUILDING
CONFERENCE ROOM B3
5850 W. GLENDALE AVE.
GLENDALE, ARIZONA 85301**

**APRIL 14, 2022
4:00 P.M.**

1. CALL TO ORDER

The meeting was called to order at approximately 4:00 PM

2. ROLL CALL

Present: Cathy Cheshier, Chair
Benjamin Naber, Vice Chair On Zoom
Brian Britton, Commissioner
Lawrence Feiner, Commissioner
Tammy Gee, Commissioner On Zoom

Absent:

Also Present: Tabitha Perry, Planning Manager
Russ Romney, Deputy City Attorney
Lisa Wilson, Recording Secretary
Christina Lavelle, Planner
Alex Lerma, Planner

3. CITIZEN COMMENTS

Chairperson Cheshier asked for Citizen Comments, no citizen comments were made.

4. APPROVAL OF THE MINUTES

A motion to approve the March 10, 2022 was made by Mr. Feiner and seconded by Mr. Britton. All were in favor. Motion Passed

5. WITHDRAWALS AND CONTINUANCES

There were no withdrawals or continuances at this meeting.

6. PUBLIC HEARING ITEMS

- a. **VAR21-11 SAFStor Self-Storage**-A request by Michael Maerowitz on behalf of Gammage & Burnham, PLC representing Lilia Figueroa, to reduce the minimum parking space requirements from 173 spaces to 21 spaces and to increase the maximum Floor Area Ratio (FAR) from 0.5 to 1.25 in the M-1 (Light Industrial) zoning district. The purpose of this variance is to allow the construction of a self-storage facility. The site is located along Grand Avenue, Northwest of the Northern Avenue and 67th Avenue intersection in the Barrel District. Staff Contact: Alex Lerma, Planner 623-930-2810.

FINDINGS:

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;

The property is 7,000 square feet in size with a lot of width of 50 feet and lot length of 135 feet. The existing building was built in the mid 1970s with a drive aisle of 12 feet. At the time of construction, the lot could be accessed by either 59th Avenue or the alley at the rear of the property. In 2019, the city closed off the alley. When this happened, it created a situation where the only means of ingress and egress is from 59th Avenue. The northern drive aisle does not allow for two-way access, therefore parking in the rear of the property is not possible. This reduces the number of parking spaces that can be made available. The maximum number of parking spaces that can be provided is 4.

In addition, the existing parking, off 59th Avenue, does not provide enough turning radius for vehicles to safely park. Currently, employees and customers must back out on to 59th Avenue to exit the site.

These are not circumstances that were self-imposed by the owner and were existing conditions when the owner purchased the property. A variance for parking and landscape setbacks provide some relief for the property and will allow for safe circulation and parking on site.

RECOMMENDATION

If the Board decides to grant the variance, it should be subject to the following stipulations: Development shall be in conformance with applicable site plan dated March 15, 2022, and project narrative date stamped, March 15, 2022.

Any areas outside of access, parking, sidewalks, or buildings shall be landscaped.

Chairperson Cheshier inquired about parking turnaround.

Staff Mr. Lerma referred to parking study in staff report.

Chairpeson Cheshier opened public hearing

Applicant Mr. Michael Maerowitz made a presentation.

Commissioner Feiner commented parking would be sufficient.

No further comments or guidance from Staff, the chair closed the public hearing.

Board discussed the proposal site plan complimenting the applicant.

The board voted per each finding with the help of Mr. Romney

Finding 1 Mr. Feiner, Mr. Britton, Ms. Gee, Mr. Naber and Chairperson Cheshier all vote, "aye."

Finding 2 Mr. Feiner, Mr. Britton, Ms. Gee, Mr. Naber and Chairperson Cheshier all vote, "aye."

Mr. Britton Motioned to approve Variance subject to stipulations, Ms. Gee seconded. All

voted "aye" in favor and none opposed. Variance granted.

- b. **VAR22-01-AZ Sunset Variance**-A request from Marin Sandino, from Martin Sandino Architecture and Planning LLC, representing Victor Salazar, to reduce the required parking spaces to four spaces, reduce the building setback from the north to 14 feet 7 inches, reduce the rear side building setback to 9 feet, reduce the building setback from the south to 7 feet 5 inches, reduce the front building setback to 19 feet 9 inches, reduce the front landscaping buffer to 0 feet, and to reduce the landscaping requirement to five percent for the property located at 6613 N 59th Avenue, in the Ocotillo District. Staff Contact: Christina LaVelle, 623-930-2553, clavelle@glendaleaz.com.

FINDINGS:

The Board of Adjustment must analyze four findings based on the evidence in the record prior to granting a variance. Each finding is presented below along with staff's analysis.

1. There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings, which were not self-imposed by the owner;

Parking

The Use table of the Zoning Ordinance has one parking requirement for industrial land uses. Stating all "manufacturing/assembly wholesale/ warehousing" require a minimum of 1 parking space per 600 square feet of floor area. Based on the proposed floor area, the development will need to provide approximately 173 parking spaces. A self-storage use is a land use that is typically less "congested" and requires significantly less parking than other traditional "warehouse" uses. The parking study included as part of the submittal, demonstrates that the amount of parking spaces needed to accommodate the actual peak parking demand for the proposed facility is 10 spaces. The applicant is requesting to reduce the required 173 parking spaces to 21 spaces, twice the number of spaces determined by the parking study to accommodate the peak parking demand.

FAR

The property has several site and development constraints that restrict and limit the building footprint. The property's narrow frontage limits the development to only providing one point of access along Grand Avenue. As such, accommodating for turnaround movements for larger vehicles will require a significant portion of the property to be dedicated for the use of drive aisles, maneuvering and a cul-de-sac. In addition, the development is required to comply with other development requirements, including landscaping, parking, and building setbacks, further restricting the area that can accommodate for the building. This leaves the applicant with the only alternative of developing a multi-story building.

The property is within a special development standard area known as the North Grand Employment Center. Such area allows for a building height of 56 feet and a FAR of 0.5 or less. Based on the property size, approximately 41,000 gross square-feet of building area would be permitted under the existing FAR. The FAR standard is more appropriately applied to more traditional and congested industrial uses allowed in the M-1 zoning district

and not for a less intense use like a self-storage facility.

A particular imbalance between the permitted height and the permitted FAR seems to exist when applied to the property. Meeting the FAR requirement, while still allowing for a building height of up to 56 feet becomes a challenge. Applying these standards to the property, in order to build a self-storage facility at 56 feet (approximately 5 stories) and complying with the maximum 0.5 FAR, the building footprint will need to be less than 10% of the total net site area with a building footprint of approximately 8,000 square-feet. The proposed facility is 16 feet under the maximum allowable building height and has a building footprint of 34,500 square-feet, approximately 41% of the total site area.

2. Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district;

A self-storage facility is a use permitted by right within the subject property's zoning classification, but the Zoning Ordinance parking and FAR requirements prevent the property from being developed in a reasonable and viable way. The property experiences a unique hardship that limits development and will deprive such property of the privileges that other similar zoned properties in the M-1 zoning district enjoy.

RECOMMENDATION

If the Board decides to grant the variance, it should be subject to the following stipulation:

Chairperson Cheshier opened the public hearing

Chairperson Cheshier asked if the applicant got the footage back from the City closing off the alley and also inquired if other residents were working to get the footage back.

Ms. Lavelle indicated that was still being looked into at this time

Mr. Sandino indicated it would be an extra 400 feet

Mr. Sandino made the applicant presentation

Chairperson Cheshier asked to verify the number of parking spaces

Mr. Sandino verified there were 4 and 1 tandem

The board had no further questions for the applicant

No comments or guidance from Staff, the Chair closed the public hearing

The board discussed the proposal commenting on the odd shape of the lot, not seeing any other viable solution and a concern over the parking on the street effecting the neighbors.

The board voted per each finding with the help of Mr. Romney.

Finding 1 Mr. Feiner, Mr. Britton, Ms. Gee, Mr. Naber and Chairperson Cheshier all vote, "aye."

Finding 2 Mr. Feiner, Mr. Britton, Ms. Gee, Mr. Naber and Chairperson Cheshier all vote, "aye."

Mr, Naber made a motion to approve the Variance 22-01 subject to the stipulations, and it was seconded by Ms. Gee All voted "aye" in favor, and none opposed. Variance granted.

7. STAFF REPORTS

No staff reports were presented

8. BOARD COMMENTS AND SUGGESTIONS

9. NEXT MEETING

The next regular meeting of the Board of Adjustment is scheduled for May 12th at 4:00 p.m., in conference room B3 of the Council Chambers Building, located at 5850 W. Glendale Ave, Glendale, Arizona, 85301.

10. ADJOURNMENT

Ms Gee motioned to adjourn Mr. Naber seconded. All vote "aye". Meeting adjourned approximately 5:05 PM

The Board of Adjustment meeting minutes of _____ were submitted and approved this _____ day of _____, 2022.

Kevin John Kazmerski
Recording Secretary