

**Application
Narrative
Cash Transmittal
Pre-Application
Pre-App Narrative
Pre-App Cash Transmittal
Development Standards**



Development Application

Development Application Type:
Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Signs
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other:
<input type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input checked="" type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Project Name: One Armor Auto

Property's Address: 8650 E Frank Lloyd Wright Blvd

Property's Current Zoning District Designation: C-3

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.

Owner: Hugh Casiano

Agent/Applicant: William E Lally

Company:

Company: Tiffany & Bosco PA

Address: 8650 E Frank Lloyd Wright Blvd

Address: 2525 E Camelback Rd

Phone: 480-420-8468

Fax:

Phone: 602-452-2716

Fax:

E-mail: hughcasiano@gmail.com

E-mail: wel@tblaw.com

Designer: Cornerstone Design

Engineer:

Company:

Company:

Address: Gilbert, AZ 85298

Address:

Phone: 602-695-5324

Fax:

Phone:

Fax:

E-mail:

E-mail:

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications¹ will be reviewed in a format similar to the Enhanced Application Review methodology.

Enhanced Application Review:

I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.

Standard Application Review:

I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

Owner Signature

Agent/Applicant Signature

Official Use Only

Submittal Date:

Development Application No.:

Planning, Neighborhood & Transportation

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 Phone: 480-312-7000 Fax: 480-312-7088

City of Scottsdale's Website: www.scottsdaleaz.gov

13-BA-2015
12/4/15



Request for Site Visits and/or Inspections Development Application (Case Submittals)

This request concerns all property identified in the development application.

Pre-application No: 907 - PA - 2015

Project Name: One Armor Auto

Project Address: 8650 E Frank Lloyd Wright Blvd

STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owners agent: William Lully

Print Name

W.S. Lully
Signature

City Use Only:

Submittal Date: _____ Case number: _____

Planning, Neighborhood & Transportation Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088

13-BA-2015
12/4/15



Offices in:
Phoenix, Arizona
Las Vegas, Nevada
San Diego, California

December 4, 2015

Board of Adjustment
City of Scottsdale
Planning, Neighborhood & Transportation Division
7447 E Indian School Road
Scottsdale, Arizona 85251

RE: Request for Variance Request at 8650 E Frank Lloyd Wright Blvd

Dear Board of Adjustment Members:

This firm represents Casiano Holdings LLC (the "Developer"), the developer of the approximately 19,166 square feet property located approximately 300 feet west of the northwest corner of E Frank Lloyd Wright Blvd and N Hayden Rd (the "Property"). The Property is currently zoned C-3 Highway Commercial. The existing 2,636 square foot building on site is currently vacant, and was a former oil and lube business. Please see **Exhibit 1** for site location.

The Developer intends to redevelop and expand the current building by 2,000 square feet and add a new 2,002 square foot canopy to improve the front of the building, along with new glazing and removal of bay windows and associated screening. The intended use will be a One Armor auto detail shop.

REQUEST

The purpose of this request is to obtain relief from C-3 development standards pertaining to rear building setbacks adjacent to residential districts from a minimum of 50 feet down to 0 feet.

Section 5.1504.D.1.a requires a building setback of a minimum 50 feet for structures adjacent to a single-family residential district. The building is proposed to expand 2,000 square feet to the northeast and push the rear of the building to be consistent with the existing portion of the building, as well as with buildings on adjacent properties. By placing the expansion on the rear, allows the front of the building to be redeveloped from the old bays of auto lube business to an aesthetically and architecturally pleasing store front with appropriate glazing and facade. The new building expansion will be used as a bay for cars to be detailed. The bay will face east, instead of the current front facing bays towards the street. The existing building and the buildings on the adjacent lots are on the north property line with 0 feet setback to the single family district boundary. We are requesting to allow a minimum setback of 0-feet along northern (rear) property line to match the existing building setback and the setback of the buildings to the east and west of the Property.

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BACKGROUND

The Developer proposes to redevelop a previously abandoned auto repair use located in a predominantly commercial area along the Central Arizona Project "CAP" canal (see **Exhibit 2 Site Photos**). The proposed commercial project is consistent with current surrounding land uses and zoning patterns. As shown by the Scottsdale Zoning Map, properties along the corridor are zoned for commercial uses (see **Exhibit 3**). The area is designated Mixed-Use Neighborhoods in the City's General Plan Land Use Map. The Property has been used for auto related repair since the late 1990's when the entire north strip of commercial properties on the north side of Frank Lloyd Wright Boulevard were developed.

The Property is sandwiched between an existing Sun Devil Auto repair shop to the east and a Shell gas super-station to the west. The CAP is to the north of the property and car dealerships are to the south across Frank Lloyd Wright Blvd. The property to the north is owned by the United States Bureau of Reclamation and is currently zoned R1-35, single-family. The canal and adjacent land, which is used for maintenance and subsequently recreation use, was annexed into the City of Scottsdale as R1-35. The Bureau of Reclamation has no intention of building single-family residential developments on the adjacent portion, or any portion of the canal. As you can see in **Exhibit 1**, there are four buildings in the vicinity that encroach into the 50-foot setback. In fact, the City of Scottsdale approved these associated site plans and permits understanding the 0-setbacks being proposed by the respective parcels and the Bureau of Reclamation having no intention to develop the single family residential homes on the land along the canal.

There is a cross access agreement between the Property and the sites to the east and west in the front of the Property. This has also limited any improvements to the south of the existing building. All parking and access will be retained and will not interfere with the agreement.

PROPOSED IMPROVEMENTS

The Developer is proposing to keep the existing entrance and store front, but is replacing the bay doors with a new aluminum and glass storefront (see **Exhibit 4 site plan and elevations**). The new bay door will be on the east side of the new portion of the building. The new building will be new stucco and painted to match the existing building. All landscaping in the parking lot and within the southern setback (outside of the building area) will be provided. A new 2,000 square foot canopy will be placed on the front of the building along with a landscape area to improve the storefront façade and entrance into the building.

The proposal is consistent with development patterns along the canal and Frank Lloyd Wright Boulevard, as well as along the Loop 101. Much of the vicinity is auto related sales and uses that are typically clustered in these types of areas. This use is consistent with the General Plan Land Use map and the surrounding area. The activation of this site is consistent with the surrounding uses and activity and adds to the vitality of the corridor.



COMPLIANCE WITH THE CITY'S VARIANCE TEST

1. *That because of special circumstances applicable to the property including its size, shape, topography, location, or surroundings, the strict application of the zoning ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district:*

Special circumstances merit the variances to reduce the building setbacks. The need for the variances is due to the location and surrounding zoning of the Property, the size and shape of the parcel and the cross access agreement disallowing any expansion to the south.

The Property is part of a small development of like uses just west of the Loop 101. The development fronts Bureau of Reclamation land that was annexed into the City of Scottsdale as R1-35. The zoning ordinance requires buildings in a C-3 zoning district to have a maximum rear setback of 50-feet adjacent to residential zoning districts. The intent of this standard is to protect residential developments from the impacts of commercial uses allowed in C-3 zoning. The R1-35 land owned by the Bureau of Reclamation has no plans of ever developing residential uses. The land is currently used as maintenance along the canal and the canal itself distributing water across the state of Arizona. Four of the six buildings within this development also abut the R1-35 land with a 0-foot setback. The City of Scottsdale approved these site plans and issued permits, also with this understanding.

The only portion of the Property that can be expanded on for the new auto detail use is in the rear, because of the small size of the parcel (19,166 square foot) and the cross access agreement in the front used by the properties to the east and west. The parcel and overall development is oddly shaped along the canal. This precise situation is very unique to the City of Scottsdale where that commercial abuts the canal. The canal and curve of Frank Lloyd Wright Blvd has created a triangular parcel for the entire commercial development.

Strict application of the C-3 standards would not allow the reuse and redevelopment of the site and would restrict similar uses within the overall development. The surroundings, even though zoned residential, are never going to have a single family home that requires any setback from the Property.

2. *That the authorization of the variance is necessary for the preservation of privileges and rights enjoyed by other property of the same classification in the same zoning district, and does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.*

The unique situation of a C-3 property adjacent to an undevelopable residential zoning district presents the necessity of a variance and does not provide a grant of special privileges that are inconsistent limitation upon other properties in similar zoning districts. The other properties in the development are in the same situation regarding location adjacent to the R1-35 zoning district and also have the same zoning. The surrounding buildings are also at 0-foot setback because of the understanding that the



residential district will never be constructed with dwelling units, therefore the intent of the restriction implied in the ordinance is not applicable to this and surrounding properties.

3. *That the special circumstances applicable to the property were not self-imposed or created by the owner or applicant:*

The special circumstances are not self-imposed. The site's size, location, and private easements are existing circumstances beyond the control of the Developer. The canal and residential zoning restrictions surrounding it has created many development challenges over the years in this area. The subject Property's burden is heightened since it is adjacent to R1-35 that will never be developed as such.

4. *That authorization of the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general:*

Approval of the variances will not be detrimental to the neighbors. The surrounding area is commercial and the Property is among more intense auto related uses. The use is consistent with typical uses along a freeway. The variance will actually allow the building to be further away and hidden from the street allowing the Developer to create a more aesthetically pleasing storefront and remove automobile repair bay doors visible from the public right-of-way.

CONCLUSION

The request meets the overall intent of the Zoning Code by allowing for an applicant to improve a situation when a hardship exists. This application does the following:

1. Meets the variance tests and will not negatively impact adjacent properties;
2. Remedies a hardship that is created by the size, location, surroundings and existing easements on the Property.
3. Occupies a blighted vacant property, resulting in an overall benefit to the surrounding area and adjacent properties.
4. Allows for a vacant property to develop consistent with uses along Frank Lloyd Wright Blvd and the Loop 101.

Please let me know if you have any questions regarding the above.

Sincerest regards,

William E. Lally,
Attorney at Law

enclosures



City of Scottsdale Cash Transmittal

104345

104345
 3 00850818
 12/4/2015 PLN-1STOP
 JDGAZ HPTC600512
 12/4/2015 3:52 PM
 \$1,240.00

Received From :

CORNERSTONE DESIGN
 2753 E BROADWAY RD 101-315
 MESA, AZ 85204
 602-695-5324

Bill To :

CORNERSTONE DESIGN
 2753 E BROADWAY RD 101-315
 MESA, AZ 85204
 602-695-5324

Reference #	907-PA-2015	Issued Date	12/4/2015
Address	8660 E FRANK LLOYD WRIGHT BL	Paid Date	12/4/2015
Subdivision		Payment Type	CASH/CREDIT CARD
Marketing Name		Cost Center	
MCR		County	No
APN	215-51-001M	Gross Lot Area	0
Owner Information		NAOS Lot Area	0
Judith Casiano		Net Lot Area	
10846 N SUNDOWN DR		Number of Units	1
SCOTTSDALE, AZ 85260		Density	
		Meter Size	QS 35-48

Code	Description	Additional	Qty	Amount	Account Number
3140	BOARD OF ADJUSTMENT FEES		1	\$1,240.00	100-21300-44221

13-BA-2015
12/4/15



SIGNED BY JACOB ZONN ON 12/4/2015

Total Amount

\$1,240.00

(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)

TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 104345