

RECOMMENDED FINDINGS

Variance

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district.

The project site is a corner lot with two public street frontages. The existing buildings are generally developed with the longer side fronting N Mathilda Avenue; therefore, the location options for the enclosure are limited without being located between face of the existing building(s) and the street. The proposed location is most optimal, as it is behind the existing building that is facing N Mathilda Avenue, and far away from view from W Java Drive. The server needs to be located close to the main building to provide generated energy. The screening proposed and as conditioned, would be with landscaping elements such as vines and shrubs to mitigate visual impacts from the street.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

The outdoor equipment area with servers and other ancillary equipment would be located 285 feet away from W Java Drive, and more than 160 feet away from the adjacent property at 1235 Bordeaux Drive. The proposed outdoor equipment is expected to be compatible with the industrial use of the site and the surrounding uses. The outdoor equipment would comply with the City's noise standards. Staff finds that proposal has minimal impact on the surrounding neighborhood.

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.

The project does not grant the applicant any special privilege not enjoyed by other property owners within the same industrial zoning district, as the site has limited opportunities to locate the equipment and meet the requirement. The proposed project allows for an optimal location for the proposed equipment, while planned and required screening adequately reduces its visual impact. The proposed project falls under the allowable 5% of storage area for industrial properties without separate Use Permit approval.