



BOARD OF ADJUSTMENT STUDY SESSION MINUTES

May 6, 2026

The Board of Adjustment of the City of Mesa met in the Study Session room at City Hall, 20 East Main Street, on May 6, 2026, at 5:00 p.m.

BOARD PRESENT

Alexis Wagner, Chairperson
Shelly Allen, Vice Chairperson
Todd Trendler
Janice Paul
Gerson Barrera

BOARD ABSENT

Troy Glover

STAFF PRESENT

Kelly Whittemore
Jennifer Merrill
Cassidy Welch
Vanessa Felix

1. Call meeting to order.

Chairperson Wagner conducted a roll call.

Chairperson Wagner excused Boardmember Glover from the entire meeting.

2. Staff update.

No update.

3. Review and discuss items listed on the Public Hearing agenda for May 6, 2026.

Chairperson Wagner asked whether the agenda items needed to be taken in a specific order and whether it was necessary to note previously continued items before proceeding.

Deputy City Attorney Kelly Whittemore responded that the Board may proceed in any order as long as the items are properly listed on the agenda. Staff further clarified that if there are continued items, those may be noted either at the beginning or the end of the meeting, and either approach is acceptable for the record.

Planner II Chloe Durfee Daniel reviewed agenda Item 3-b, **BOA25-00857. "Mesa Station," 0.7± acres located at 245 South Power Road. Substantial Conformance Improvement Permit (SCIP) to allow for deviations from certain development standards to allow for the redevelopment of a Service Station and Automobile/Vehicle Washing facility. (District 2)),** on the Board of Adjustment Public Hearing agenda and displayed a PowerPoint presentation. **(See Attachment 1)**

Ms. Durfee Daniel presented a request for a Substantial Conformance Improvement Permit for a 0.7-acre site located at 245 South Power Road, on the east side of Power Road north of Broadway Road. The site is within the Urban Center place type and part of the Evolve growth

strategy area in the Mesa 2050 General Plan, where convenience services are identified as a principal land use. (See Attachment 1 Page 1 through Page 6)

Ms. Durfee Daniel provided an overview of the proposed development includes a 6,905-square-foot car wash and service station and a 4,470-square-foot gas canopy. The project requires 18 parking spaces; four are provided onsite, while the remaining spaces are accommodated through a shared parking and cross-access agreement with the adjacent property, including shared access to Power Road. The landscape plan incorporates a mix of trees and shrubs, including fruitless olive, rosewood, mastic, and additional shrub varieties. Ms. Durfee Daniel noted that most of the building elevations already exist and that the proposal is intended to bring the site into substantial conformance to the greatest extent feasible. (See Attachment 1 Page 7 through Page 10)

Ms. Durfee Daniel added the applicant completed the required citizen participation process, including notification of property owners within 500 feet, HOAs, and registered neighborhoods. Ms. Durfee Daniel reported receiving no calls or emails in response to the proposal. Ms. Durfee Daniel reviewed the applicable Substantial Conformance Improvement Permit requirements and the existing deviation summary, which is detailed in the staff report. Staff concluded that the project is consistent with the Mesa 2050 General Plan and meets the required findings for approval of a Substantial Conformance Improvement Permit under Section 11-73-3. (See Attachment 1 Page 11 through Page 15)

Ms. Durfee Daniel reviewed agenda Item 3-c, **BOA25-01000. "Power Village," 6.7± acres located at the northwest corner of East Broadway Road and South Power Road. Requesting a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standard to allow for modifications to an existing Group Commercial Center. (District 2)),** on the Board of Adjustment Public Hearing agenda and displayed a PowerPoint presentation. **(See Attachment 2)**

Ms. Durfee Daniel provided an overview of BOA25-01000, a request for a Substantial Conformance Improvement Permit for Power Village, a 9.8-acre commercial center located at the northwest corner of East Broadway Road and South Power Road. The site is located within the Local Employment Center place type and the Evolve Growth Strategy area. Retail is a principal land use for the site, and entertainment and recreation, proposed as one of the major tenant uses, is also an allowed land use within the designation. (See Attachment 2 Page 1 through Page 5)

Ms. Durfee Daniel presented an existing site photo looking northeast toward the property and noted that the site has been vacant for an extended period. The proposal includes approximately 59,531 square feet of retail and commercial space, along with a 47,243-square-foot anchor tenant space intended for small-scale commercial recreation. (See Attachment 2 Page 6)

Ms. Durfee Daniel added the site currently contains 480 parking spaces. Based on the proposed mix of uses and land use types, 596 parking spaces would normally be required. The parking reduction is included as part of the SCIP request, and the applicant submitted a parking study as part of the application materials. (See Attachment 2 Page 7)

Ms. Durfee Daniel explained that the site includes five access points connecting to Broadway Road, Power Road, and Baywood Avenue. Proposed landscaping includes a variety of trees and shrubs, including fruitless olive and Red Push pistache trees, along with other shrub

varieties. Building elevations and renderings of the proposed redevelopment were also presented. (See Attachment 2 Page 8 through Page 11)

Ms. Durfee Daniel summarized the requested SCIP deviations, which include landscape setbacks, interior parking lot landscaping, foundation landscaping requirements, and parking standards. Staff stated that the project otherwise meets applicable requirements and recommended approval with conditions. (See Attachment 2 Page 12 through Page 16)

Vice Chairperson Allen raised a question regarding the parking layout, specifically about the omission of the required parking islands between spaces. It was noted that including all required islands would further reduce the parking count beyond the proposed 490 spaces.

Ms. Durfee Daniel responded that, because the recreation and entertainment land use is not classified as a listed primary or supporting use, requiring full landscape islands would eliminate additional parking spaces and create a new nonconforming condition on the site. She explained that this would necessitate a Special Use Permit, which would require compliance with the General Plan and would likely not meet the necessary findings. Staff stated that they worked with the applicant to incorporate landscaping in ways permitted by code while maintaining the most straightforward approval process possible.

Chairperson Wagner requested clarification on the acreage identified in the agenda description, asking whether the referenced 6.7 acres represented only the portion of the overall 9.8-acre site included in the application.

Ms. Durfee Daniel explained that the original application did not include an additional parcel, which is why the earlier agenda language referenced 6.7 acres. She clarified that the updated 9.8-acre figure reflects the inclusion of the additional parcel located on the southwest corner of the site. Ms. Durfee Daniel confirmed that the 9.8 acres encompasses the entire area shown on the screen and reflected in the current GIS mapping.

Senior Planner, Jennifer Merrill asked Ms. Durfee Daniel whether modifications were proposed for the western parcel included in the request.

Ms. Durfee Daniel confirmed that the entire western area was included as part of the SCIP application. She also confirmed that 9.8 acres was the correct site area and that the 6.7-acre figure was outdated.

Deputy City Attorney Kelly Whittemore expressed concern related to a potential public notice issue due to the discrepancy in acreage descriptions. It was noted that the agenda description may not have provided sufficient notice to the public regarding the full extent of the property involved. Ms. Whittemore made a recommendation to continue the item and re-notice it for consideration at the following month's meeting on June 3, 2026.

Ms. Durfee Daniel reviewed agenda Item 3-e, **(BOA26-00230. "Fry's #55 Fuel Center," 7.6± acres located at 6838 East Baseline Road. Revocation of a Special Use Permit (SUP) for a Service Station. (District 6))**, on the Board of Adjustment Public Hearing agenda and displayed a PowerPoint presentation. **(See Attachment 3)**

Ms. Durfee Daniel presented Board of Adjustment case BOA26-00230 for Fry's Fuel Center, located at 6838 East Baseline Road on a 7.6-acre site north of Baseline Road and east of Power Road. The request involved the revocation of an existing special use permit for a service station that is no longer in operation. She explained that the site is designated within the

Neighborhood Center place type under the Mesa 2050 General Plan and that convenience services are not a listed land use within that designation. The removal of the service station was described as furthering compliance with the General Plan. (See Attachment 3 Page 1 through Page 5)

Ms. Durfee Daniel added the proposal includes demolition of the abandoned 4,961-square-foot service station structure and the addition of landscape islands, landscaping diamonds, and improvements to the site, including an access point onto Baseline Road at the southwest portion of the property. She reviewed the landscape plan, noting a variety of proposed and existing vegetation, including Palo Verde and Arizona velvet mesquite trees, along with additional shrubs. (See Attachment 3 Page 6 through Page 8)

Ms. Durfee Daniel stated that property owners within 500 feet, homeowners associations, and registered neighborhoods were notified of the request and that no public comments or inquiries had been received. Staff explained that the revocation request met the required findings for a special use permit revocation, specifically that the use in question had ceased to exist. She concluded that the project complied with the Mesa 2050 General Plan and met the findings required under Section 11-67-11(D), and recommended approval with conditions. (See Attachment 3 Page 9 through Page 12)

Vice Chairperson Allen inquired whether the gas station had been inactive or out of service for more than one year, as it relates to revocation requirement.

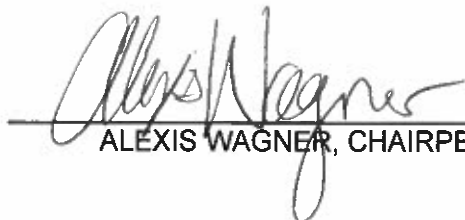
Ms. Durfee Daniel clarified that the revocation criteria allow for either condition to be met either the use has ceased to exist or it has been suspended for one year or more. Staff explained that, in this case, the use has ceased to exist; therefore, the one-year duration criterion is not applicable.

Chairperson Wagner stated for the record that Item 3A, BOA25-00815, RV Service Building, was continued to the June 3, 2026 meeting. She also noted that Item 3D, BOA26-00157, Living Word Church, was likewise continued to June 3, 2026.

4. Adjourn.

Without objection, the Board of Adjustment Study Session adjourned at 5:17 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Board of Adjustment Study Session meeting of the City of Mesa, Arizona, held on 6th day of May 2026. I further certify that the meeting was duly called and held and that a quorum was present.


ALEXIS WAGNER, CHAIRPERSON

City of Mesa

Board of Adjustment

BOA25-00857

Mesa Station

Chloe Durfee Daniel



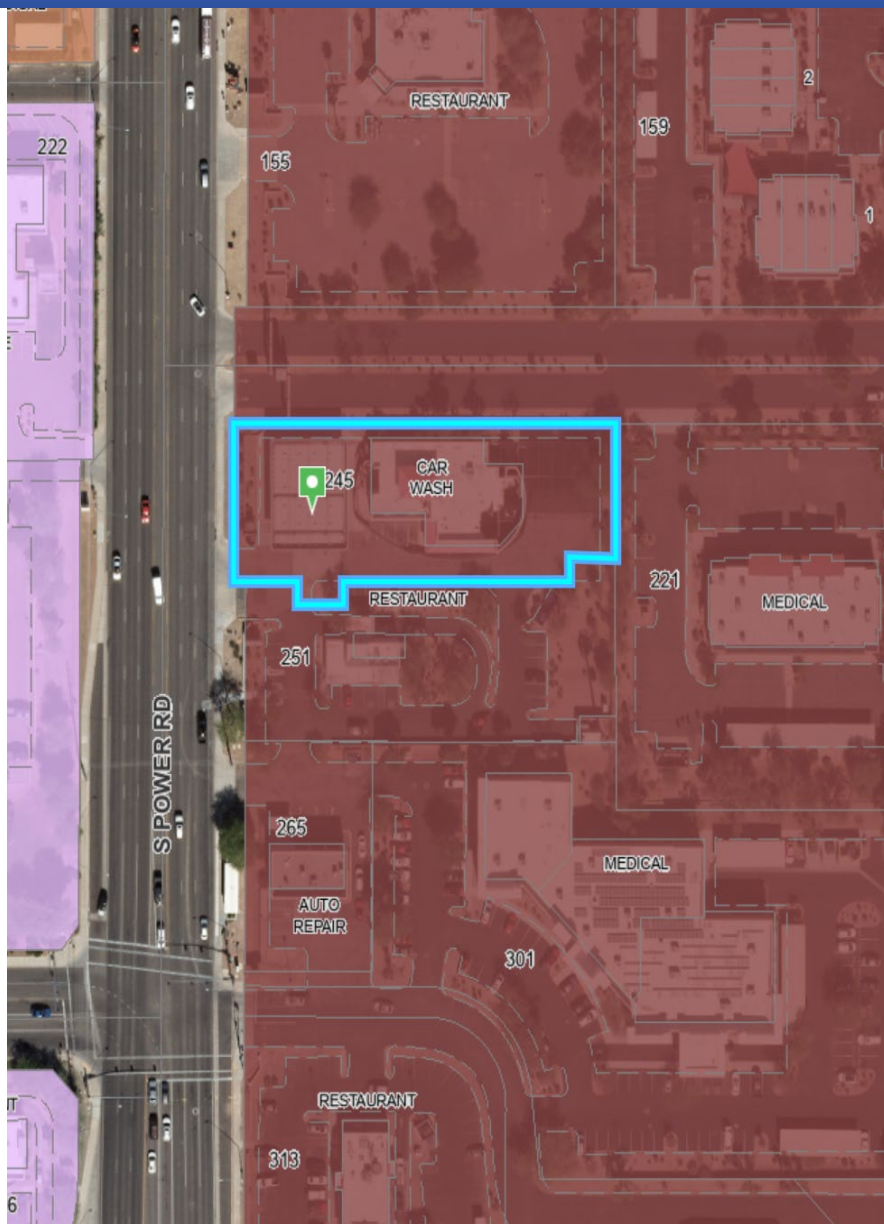
Request

- Substantial Conformance Improvement Permit (SCIP)



Location

- 245 South Power Road
- 0.7± parcel
- East side of South Power Road
- North of East Broadway Road



General Plan

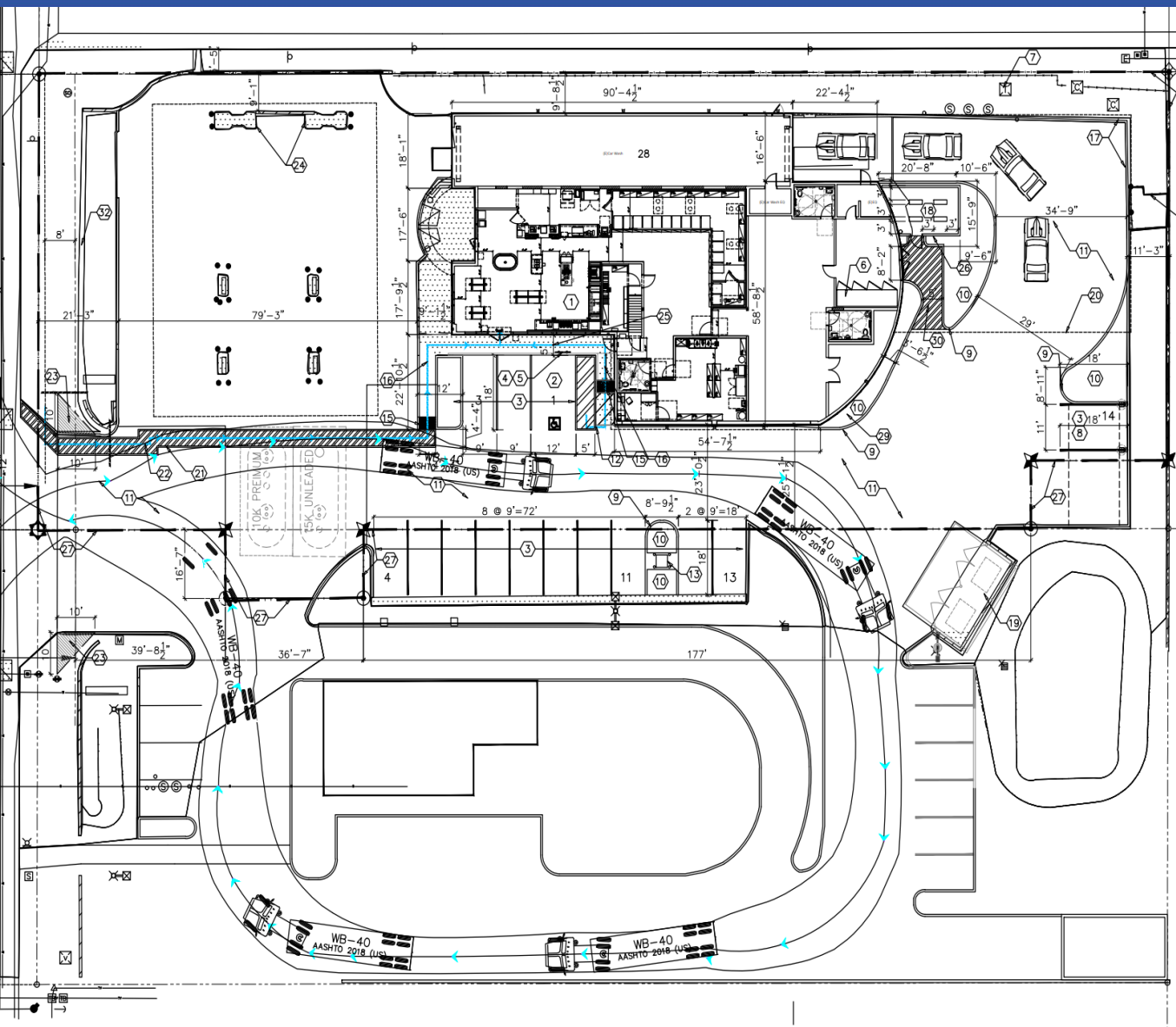
- Urban Center Placetype
- Evolve Growth Strategy
- Convenience Services is a principal land use



Site Photos



Looking east towards the site



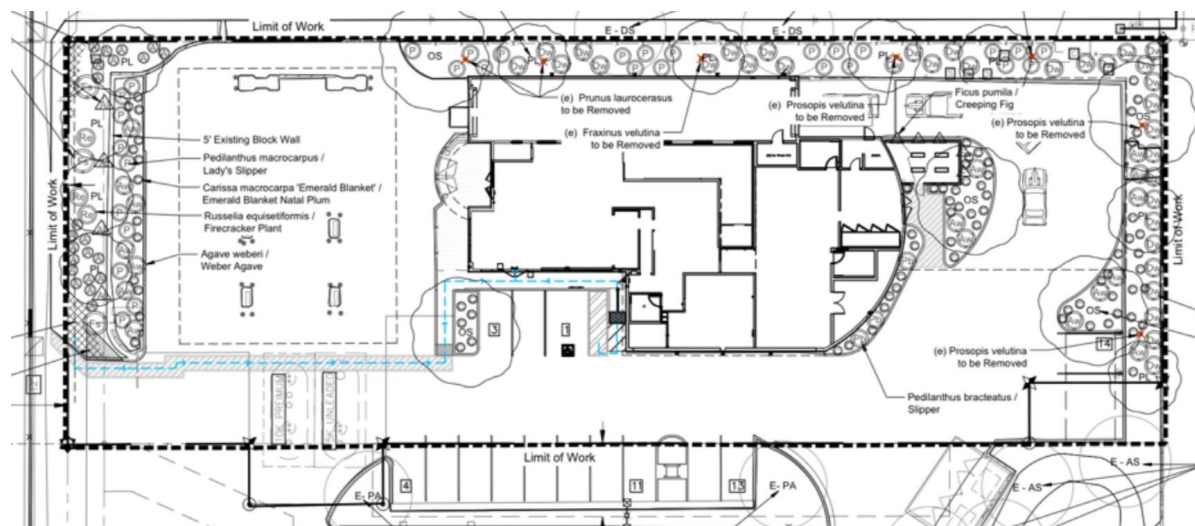
Site Plan

- 6,905 sq. ft. carwash and service station
- 4,470 sq. ft. of gas canopy
- 18 parking spaces required
- 4 parking spaces on site and the rest shared through cross parking
- Shared access to Power.



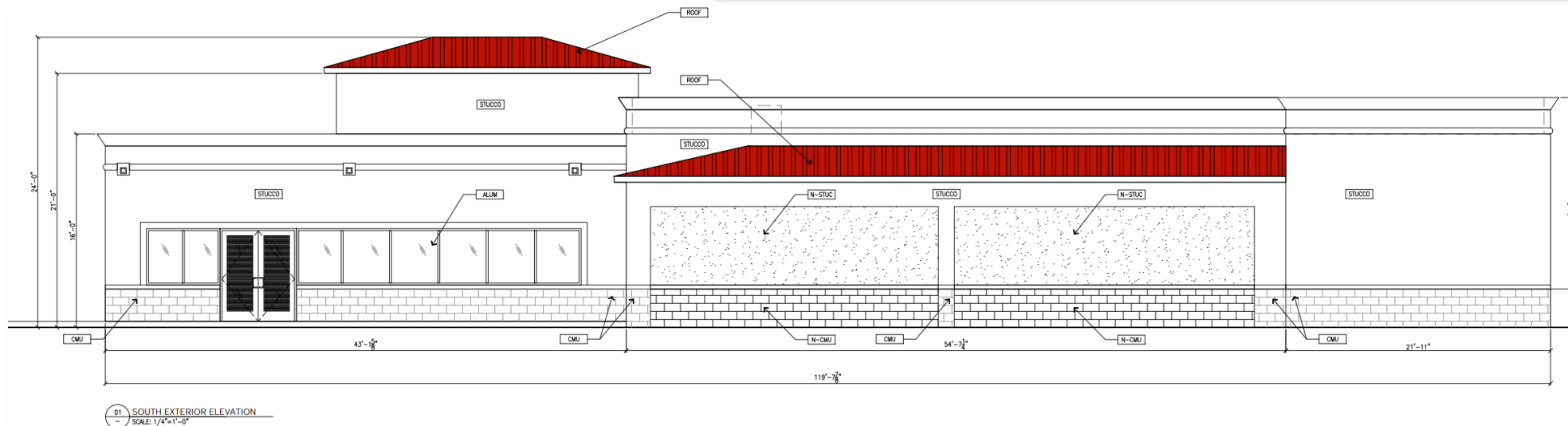
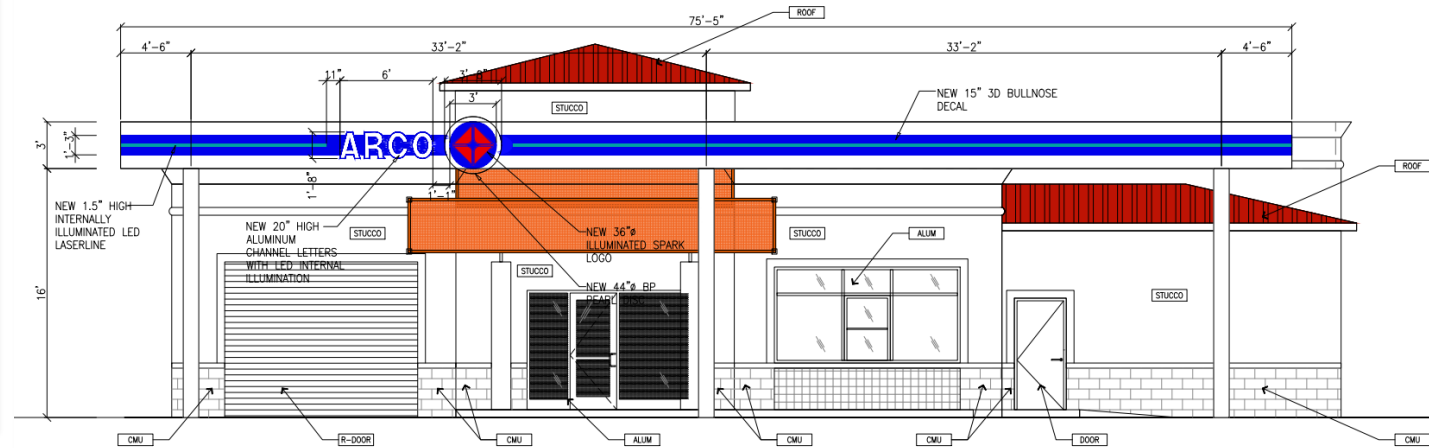
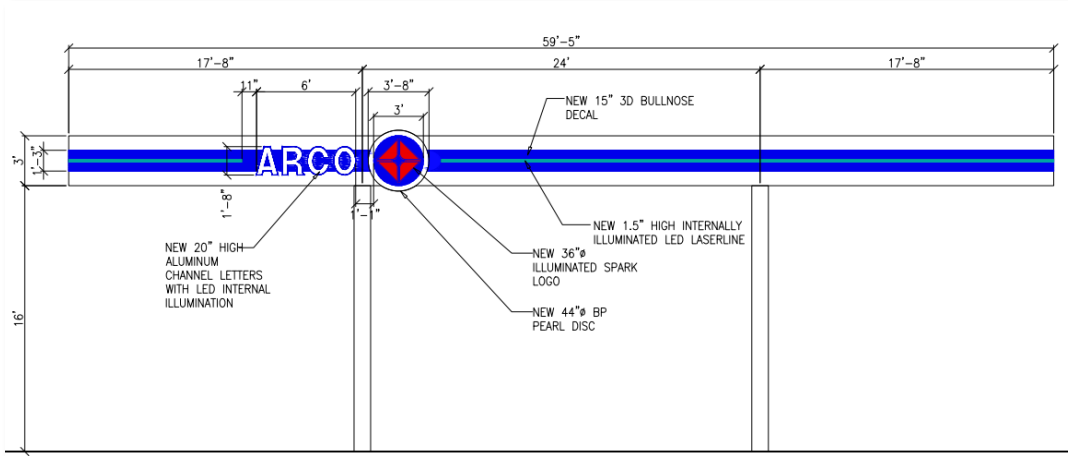
Landscape Plan

- Trees: Fruitless Olive, Rosewood, Mastic Tree etc.
- Shrubs: Ocotillo, Creeping Fig, Coral Vine, Lady's Slipper, Fire Cracker Plant etc.



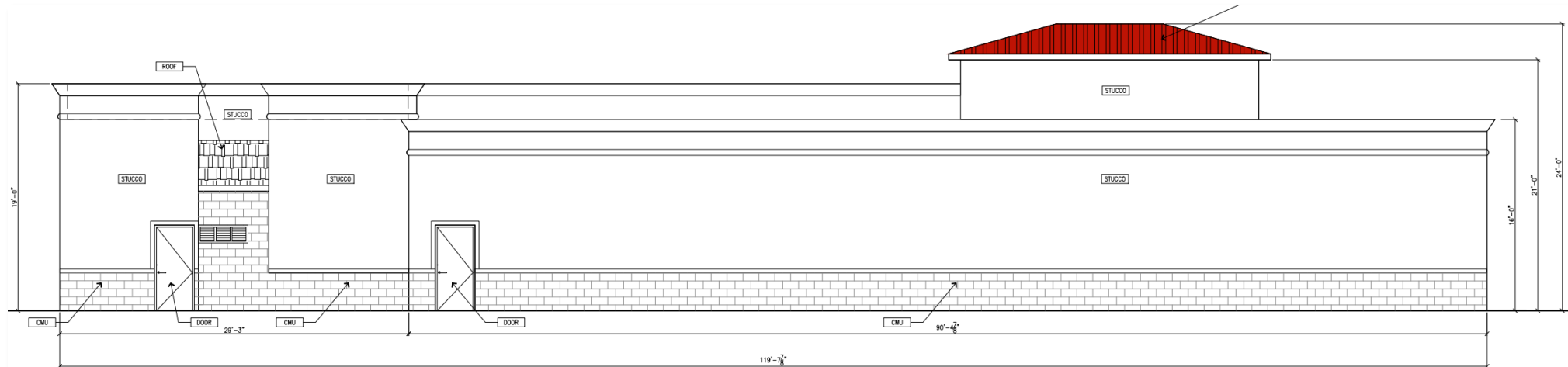
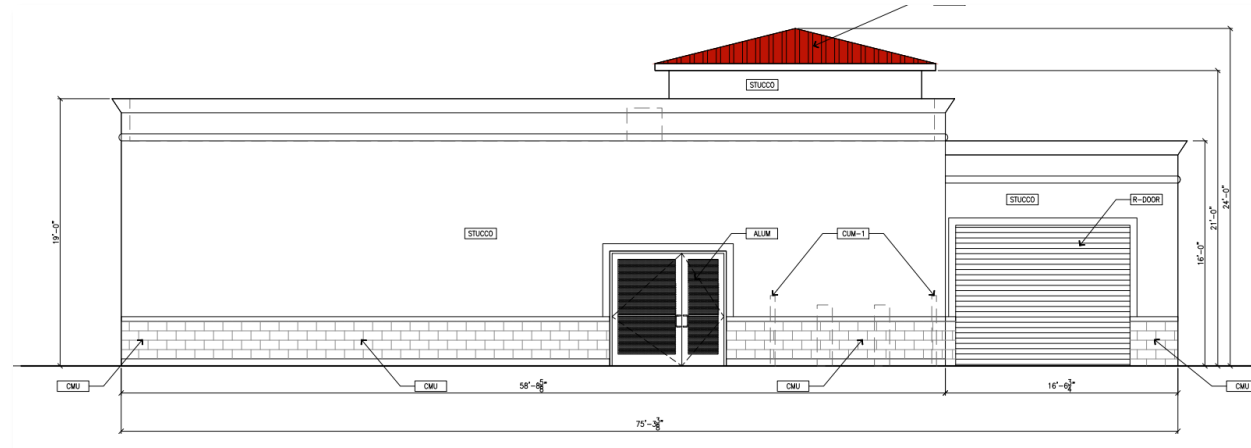


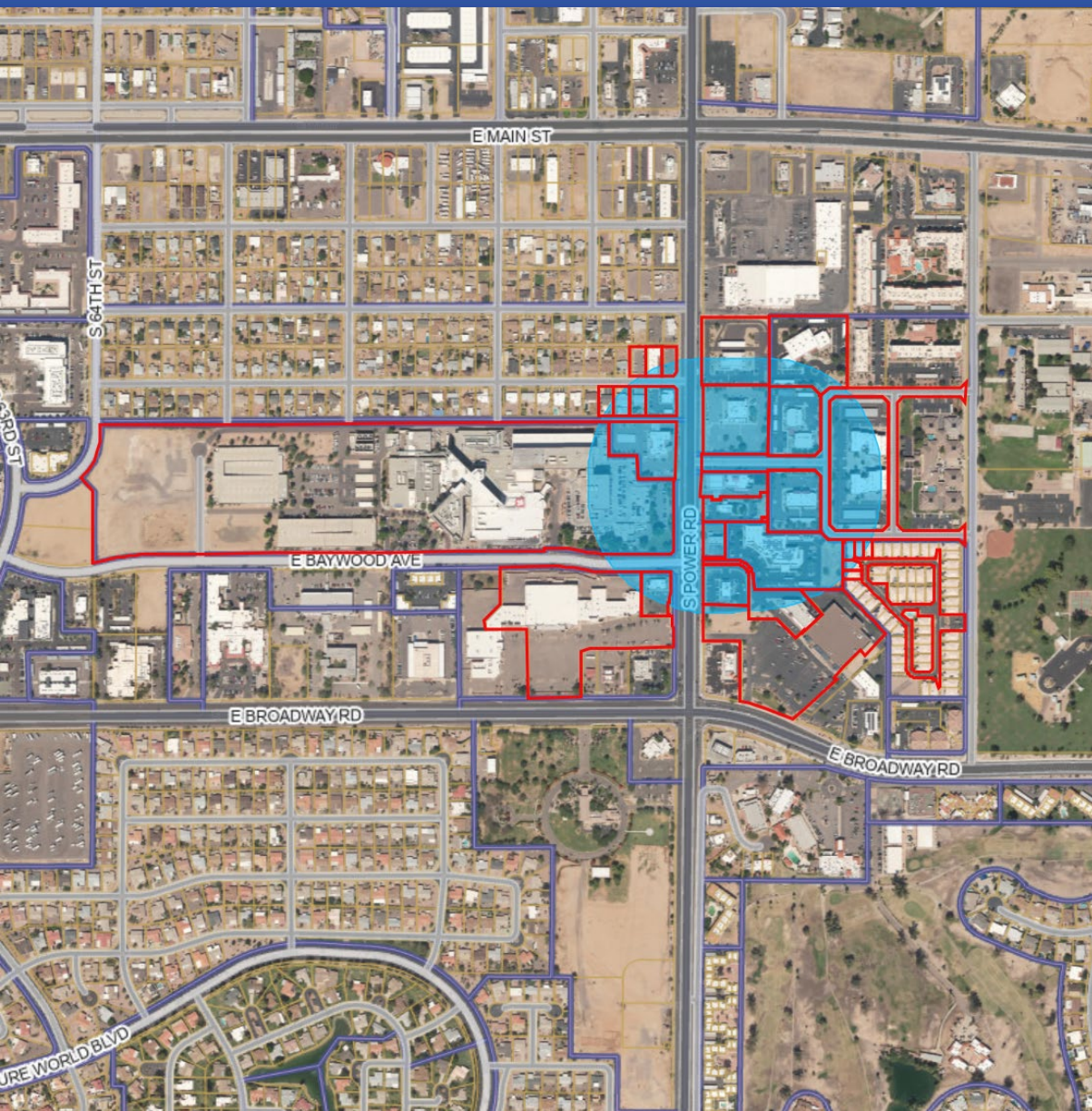
Elevations





Elevations





Citizen Participation

- Notified property owners within 500', HOAs, and registered neighborhood
- Staff has not received any calls or emails regarding the Proposed Project.



Substantial Conformance Improvement Permit (SCIP)

Per Section 11-73-3, 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. That approval was obtained by means of fraud or misrepresentation of a material fact;



Substantial Conformance Improvement Permit (SCIP)

Existing Deviations:

- Building Setback
- Landscape Setbacks
- Foundation Base
- Parking



Findings

- Complies with the 2050 Mesa General Plan
 - Meet the SCIP findings of 11-73-3



Recommendation

Approval with conditions

City of Mesa

Board of Adjustment

City of Mesa

Board of Adjustment

BOA25-01000

Power Village

Chloe Durfee Daniel



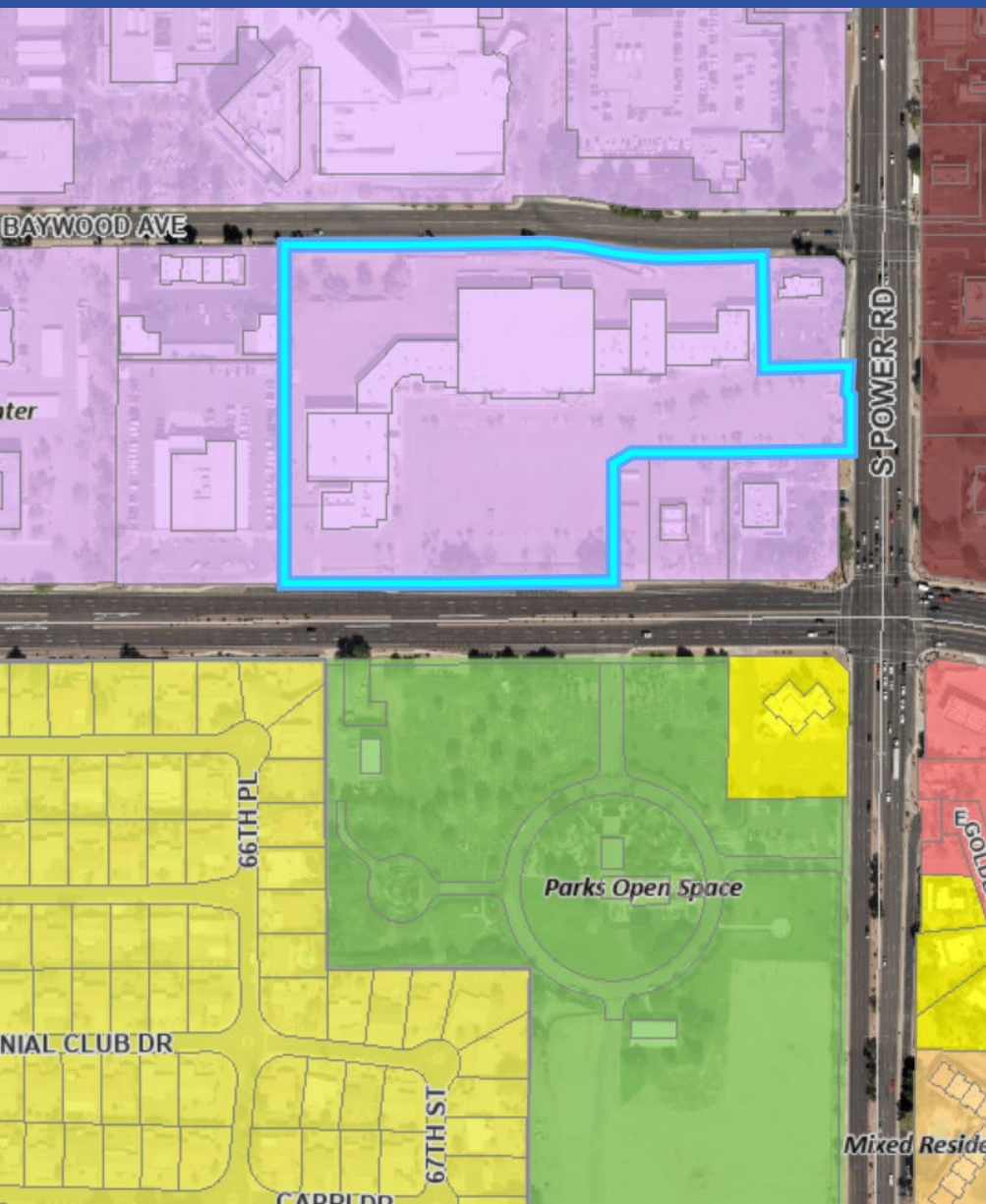
Request

- Substantial Conformance Improvement Permit (SCIP)



Location

- 9.8± parcel
- Northwest corner of E Broadway Road and South Power Road



General Plan

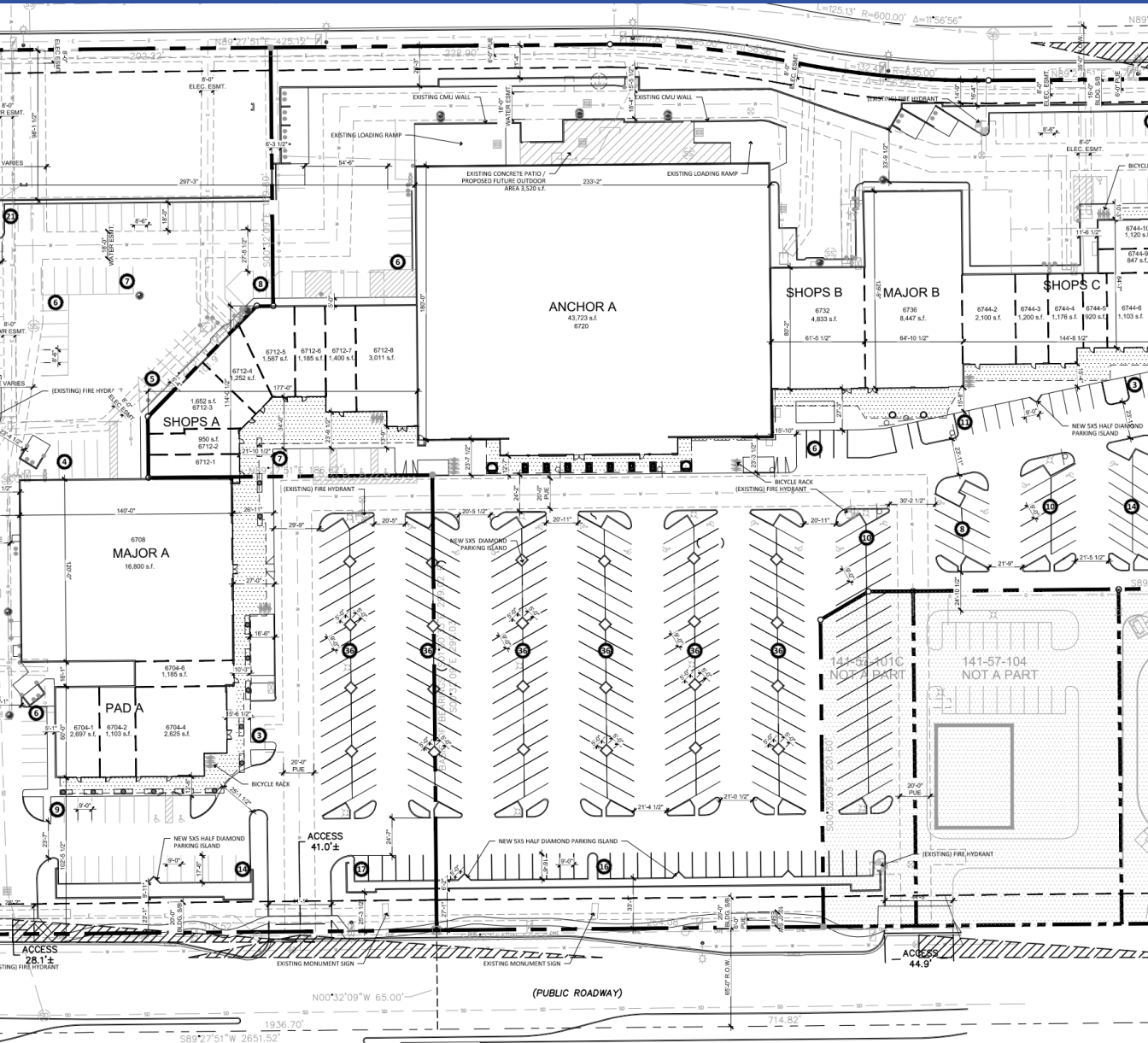
- Local Employment Center Placetype
- Evolve Growth Strategy
- Retail is a principal land use
- Entertainment and Recreation is not a listed land use



Site Photos

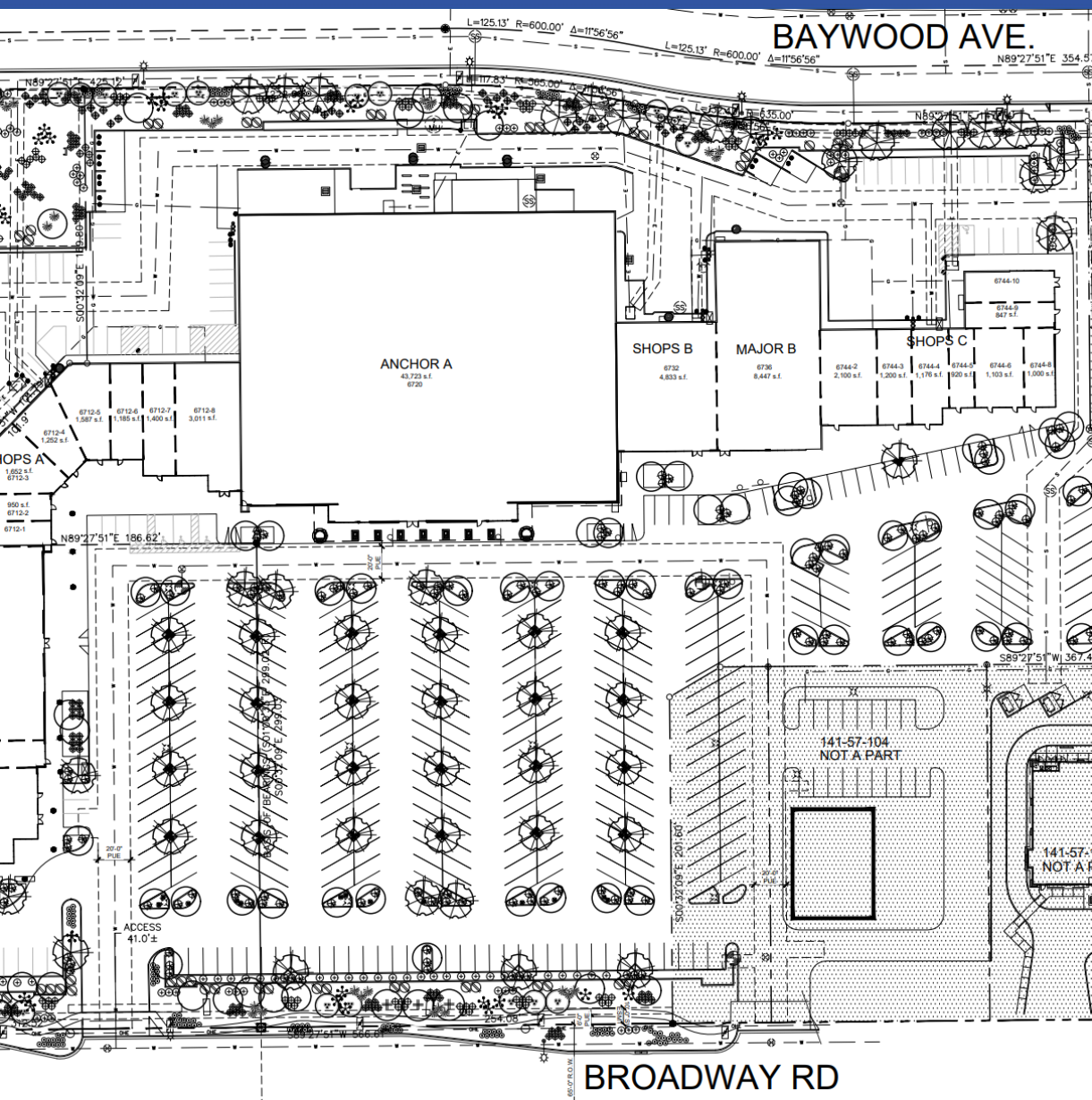


Looking northeast towards the site



Site Plan

- 59,531 sq. ft. of retail/commercial space
- 47,243 sq. ft. of Small Scale Commercial Recreation
- 480 parking spaces existing
- 596 parking spaces required
- 5 access points onto Broadway Rd., Power Rd., and Baywood Ave.



Landscape Plan

- Trees: Fruitless Olive, Smoothie Cascalote, Red Push etc.
- Shrubs: Green Cloud, Bird of Paradise, Valentine Emu Bush, Orange Jubilee, Red Yucca etc.



Elevations





Elevations



1 EAST ELEVATIONS - MAJOR A + SHOPS
SCALE: 1/8" = 1'-0"



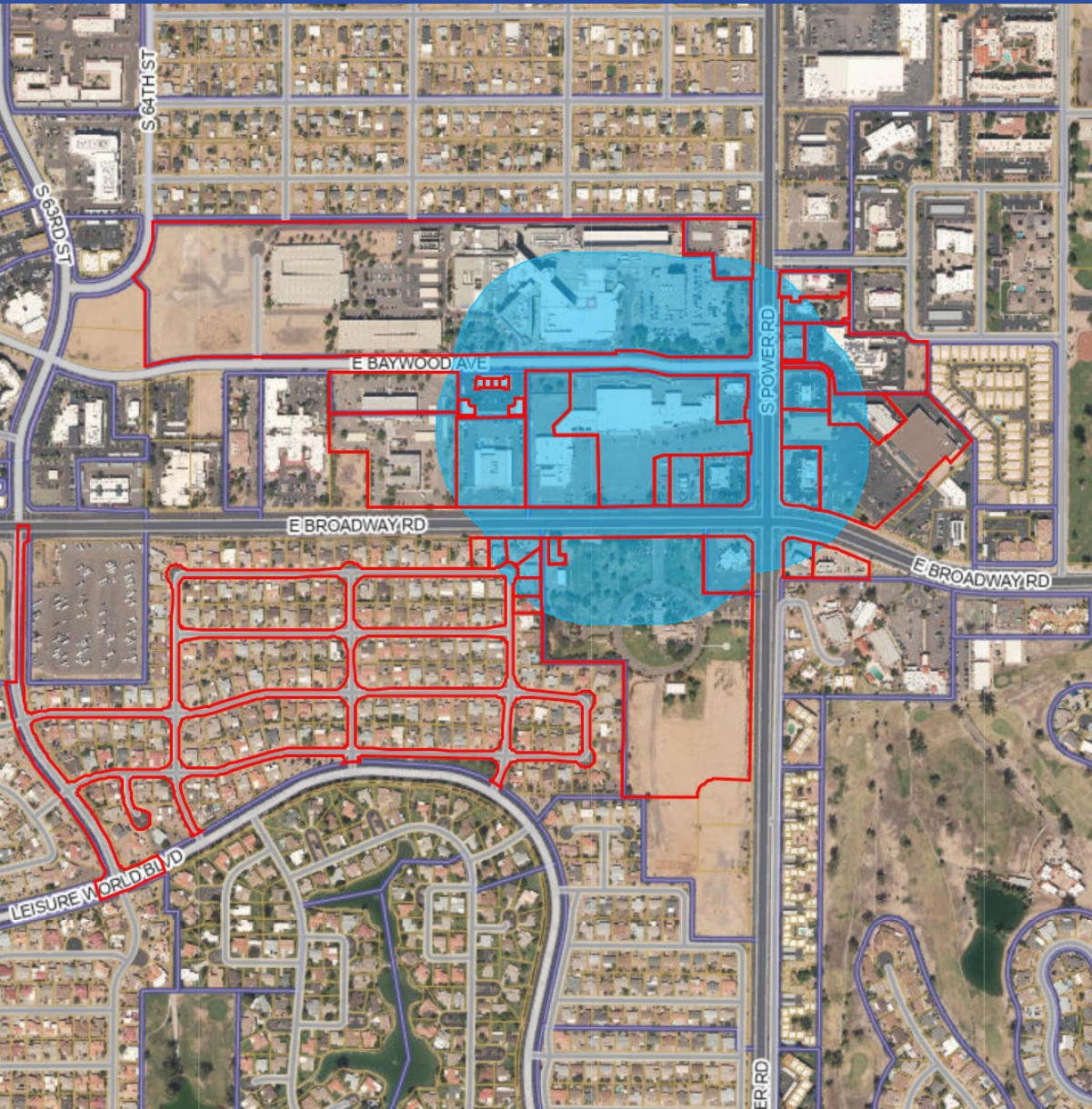
2 EAST ELEVATIONS - SHOPS C
SCALE: 1/8" = 1'-0"



Renderings



Looking northwest



Citizen Participation

- Notified property owners within 500', HOAs, and registered neighborhood
- Staff has not received any calls or emails regarding the Proposed Project.



Substantial Conformance Improvement Permit (SCIP)

Per Section 11-73-3, 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. That approval was obtained by means of fraud or misrepresentation of a material fact;



Substantial Conformance Improvement Permit (SCIP)

Existing Deviations:

- Landscape Setbacks
- Interior Parking Lot Landscaping
- Foundation Base
- Parking



Findings

- Complies with the 2050 Mesa General Plan
 - Meet the SCIP findings of 11-73-3



Recommendation

Approval with conditions

City of Mesa

Board of Adjustment

City of Mesa

Board of Adjustment

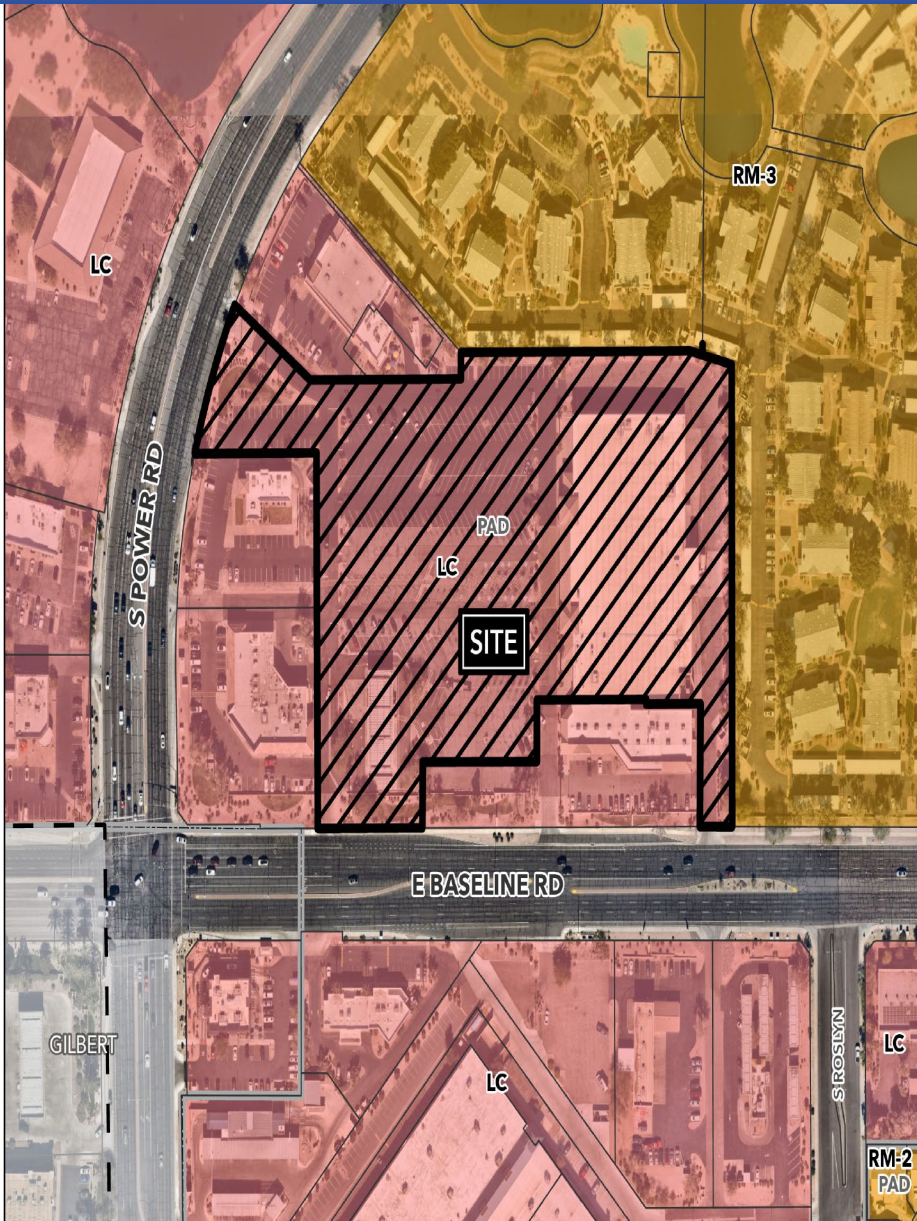
BOA26-00230
Fry's #55 Fuel Center

Chloe Durfee Daniel



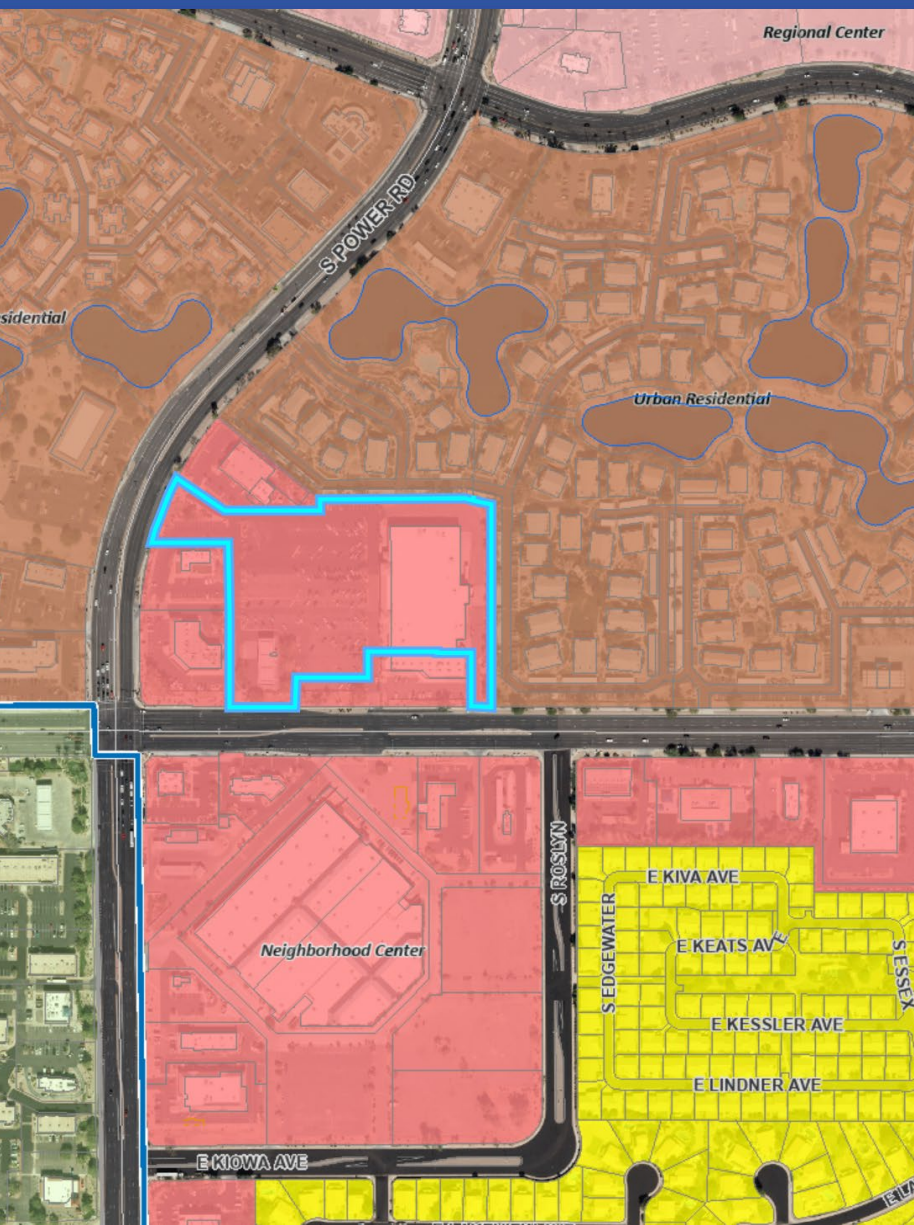
Request

- Revocation of the existing Special Use Permit (SUP) for a Service Station to allow for the removal of a Service Station



Location

- 6838 E Baseline Road
- 7.6± parcel
- North of Baseline Road
- East of Power Road



General Plan

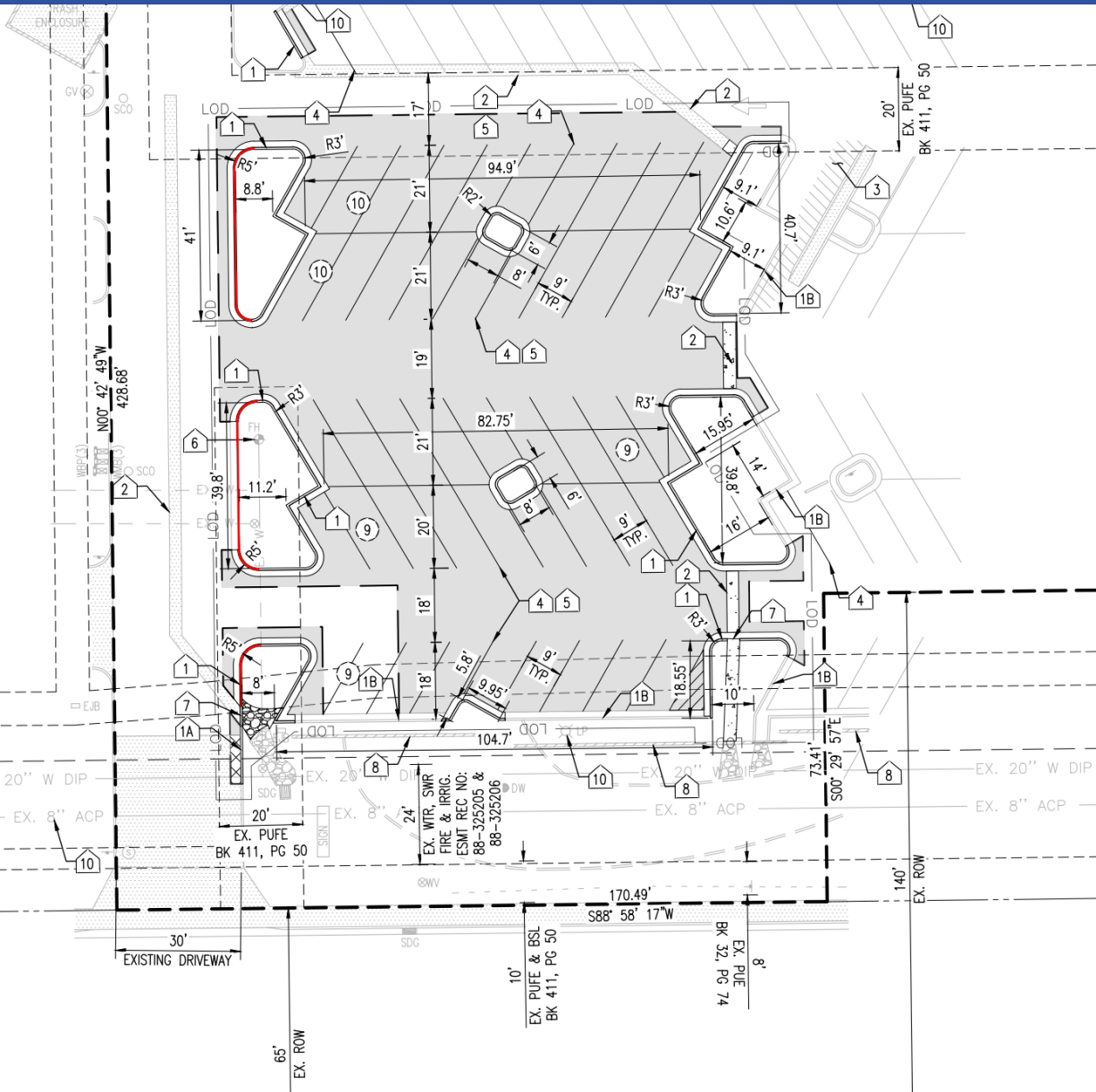
- Neighborhood Center Placetype
- Evolve Growth Strategy
- Convenience Services is not a listed land use within the Placetype



Site Photos



Looking north towards the site

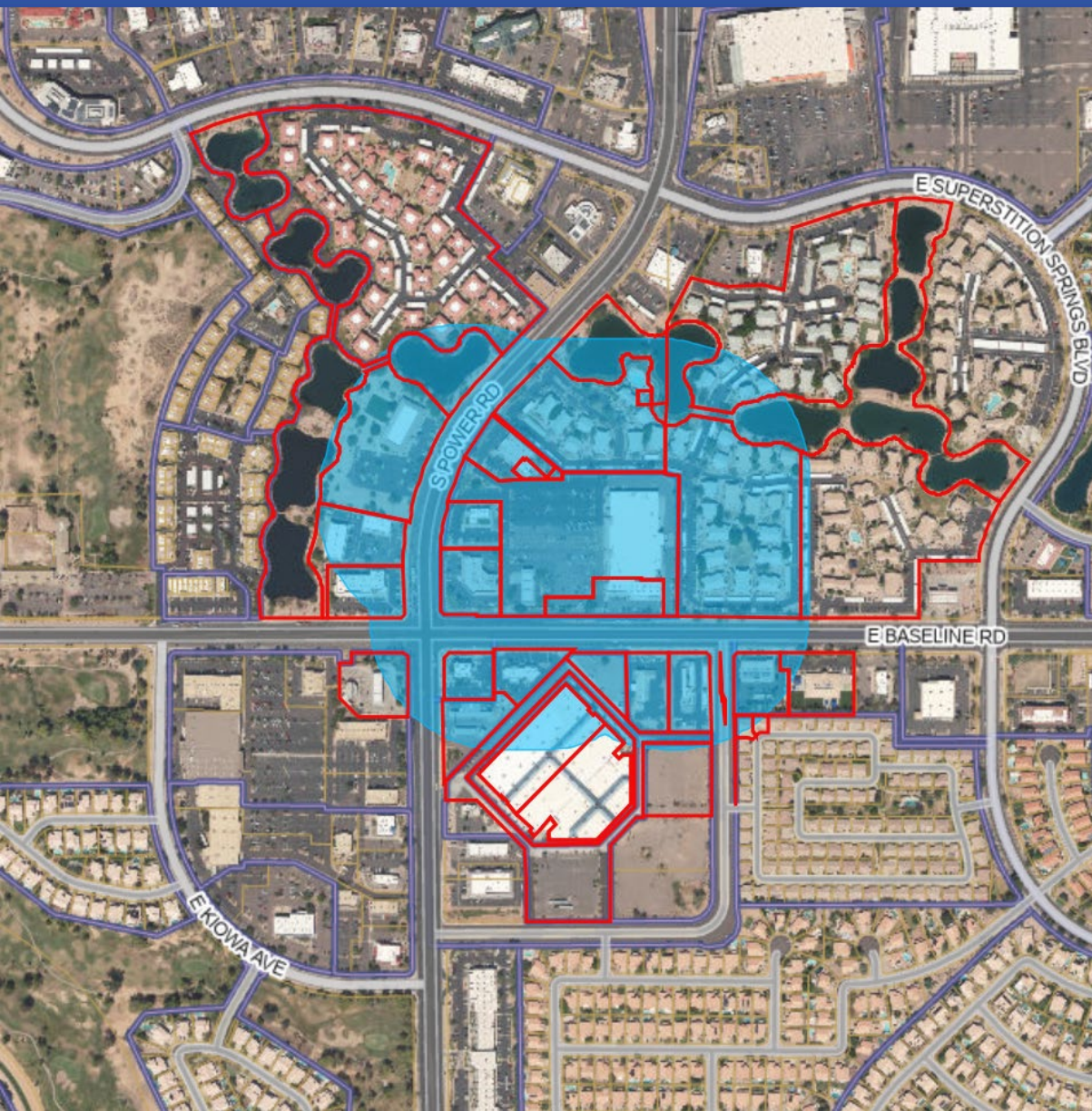


Site Plan

- Removal of abandoned Service Station
- Removal of 4,961 total sq. ft.
- Addition of landscape islands and diamonds
- Access point onto Baseline Rd.



- Trees: Blue Palo Verde, Arizona Velvet Mesquite, Existing Trees to remain.
- Shrubs: Brittlebrush, Candelilla, Autumn Sage, Yellow Lantana.



Citizen Participation

- Notified property owners within 500', HOAs, and registered neighborhood
- Staff has not received any calls or emails regarding the Proposed Project.



Special Use Permit Revocation

Per Section 11-67-11(D) of the City of Mesa Zoning Ordinance, the Board of Adjustment may revoke a permit if any of the following are found:

1. That approval was obtained by means of fraud or misrepresentation of a material fact;
2. That the permittee or holder of the permit has failed to initiate construction or undertake the use in question within a 1-year period following the effective date of the permit or variance;
3. That the use in question has ceased to exist or has been suspended for one year or more;
4. That there is or has been a violation of or failure to observe the terms or conditions of the permit or the use has been conducted in violation of the provisions of this Ordinance, law or regulation; or
5. That the use to which the permit or applies has been conducted in a manner detrimental to the public safety, health and welfare, or so as to be a nuisance.



Findings

- Complies with the 2050 Mes General Plan
- Meet the SUP Revocation findings of 11-67-11(D)



Recommendation

Approval with conditions

City of Mesa

Board of Adjustment