#### City of Mesa | Board of Adjustment

Study Session Minutes



#### Mesa Council Chambers Lower Level – 57 E 1<sup>st</sup> St Date: <u>December 4, 2024</u> Time: <u>5:00 p.m.</u>

#### **MEMBERS PRESENT:**

**MEMBERS ABSENT:** 

Chair Alexis Wagner

Vice Chair Shelly Allen

Boardmember Nicole Lynam

Boardmember Heath Reed

**Boardmember Troy Glover** 

Boardmember Todd Trendler

Boardmember Gerson Barrera\*

(\*Boardmembers and staff participated in the meeting through the use of audio conference equipment)

#### **STAFF PRESENT:**

**OTHERS PRESENT:** 

Kelly Whittemore Jennifer Merrill Kwasi Abebrese Emily Johnson Sergio Solis Tulili Tuiteleleapaga-Howard Noah Bulson Vanessa Felix

1 Call meeting to order.

Chair Wagner excused Vice Chair Allen and declared a quorum present, and the Study Session was called to order at 5:10 p.m.

- 2 Staff Update: The meeting in January will be held on January 15, 2025 due to a holiday.
- 3 Review and discuss items listed on the Public Hearing agenda for December 4, 2024.
- \*3-a Staff member Emily Johnson presented case BOA24-00371 to the Board. See attached presentation.
- \*3-b Staff member Sergio Solis presented case BOA24-00550 to the Board. See attached presentation.
- \*3-c Staff member Kwasi Abebrese presented case BOA24-00714 to the Board. See attached presentation.
- \*3-d Staff member Noah Bulson presented case BOA24-00889 to the Board.

See attached presentation.

#### \*3-e Staff member Tulili Tuiteleleapaga-Howard presented case BOA24-00893 to the Board. See attached presentation.

#### 4 Adjournment.

Boardmember Lynam moved to adjourn the Study Session and was seconded by Boardmember Trendler. Without objection, the Study Session was adjourned at 5:34 p.m.

Respectfully submitted,

Jennifer Merrill

Jennifer Merrill,
On behalf of Zoning Administrator (Mary Kopaskie-Brown)





# Board of Adjustment





# BOA24-00371





#### Request

 Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards for a medical office and general retail sales development







#### Location

- On the south side of Main Street
- West of Horne
- East of Mesa Drive







#### General Plan

#### Neighborhood – Traditional Sub-Type

- Provide safe places for people to live and feel secure. May contain commercial uses along arterial frontages.
- Traditional neighborhoods may contain supportive land uses.







#### General Plan

#### Transit Corridor

 Develop a mixed-use, pedestrian oriented, urban environment.

#### Central Main Street Area Plan

 Transform into a node incorporating a mix of uses that support surrounding residential neighborhood.







## Zoning

- Limited Commercial (LC)
- Medical Office and General Retail Sales are permitted uses







#### Site Photo



Looking south from Main Street





#### Site Photo



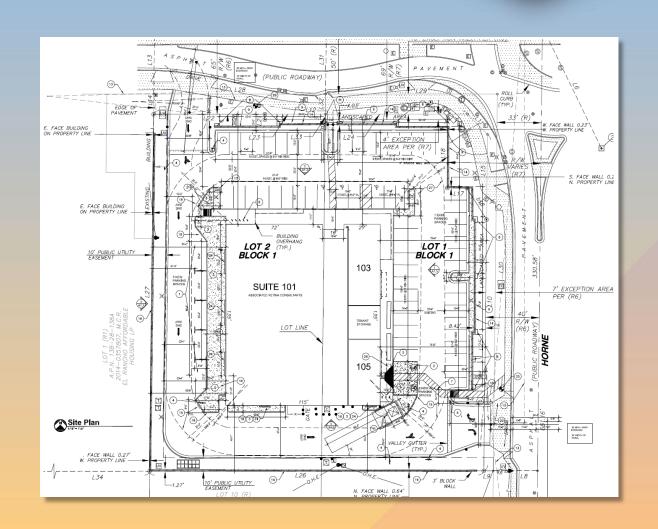
Looking west from Horne





#### Site Plan

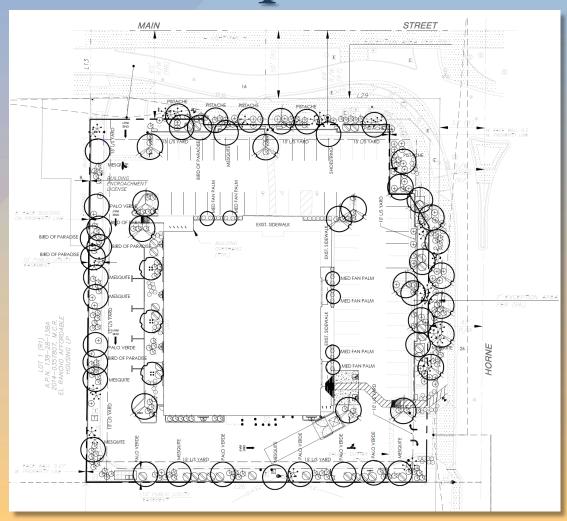
- Former Walgreens building repurposed for a medical office with two retail suites
- Primary access from Main
   Street and Horne
- 67 parking spaces required; 67 provided







#### Landscape Plan



#### **EXISTING** LANDSCAPE LEGEND



EXISTING TREE PROTECT FROM CONSTRUCTION



EXISTING SHRUB PROTECT FROM CONSTRUCTION



PISTACHE X 'RED-PUSH' RED PUSH PISTACHE 36" BOX



ACACIA ANEURA MULGA (SRP/APS APPROVED)



TECOMA 'ORANGE JUBILEE' ORANGE JUBILEE 5 GALLON



RUELLIA PENINSULARIS BAJA RUELLIA 5 GALLON



CAESALPINIA MEXICANA MEXICAN BIRD OF PARADISE 5 GALLON



PINK TRUMPET VINE 5 GALLON

LANTANA MONTEVIDENSIS 'GOLD MOUND' 1 GALLON

1/2" MINUS MADISON GOLD DECOMPOSED GRANITE 2" DEPTH IN ALL LANDSCAPE AREAS

#### MAIN STREET (NORTH)

PROPERTY LINE = 248 10 TREES REQUIRED 10 TREES PROVIDED (9-36" box equiv., 1-new 36" box)

#### WEST PROPERTY LINE

60 SHRUBS PROVIDED

PROPERTY LINE = 265 12 TREES PROVIDED (12-36" box equiv.) 53 SHRUBS REQUIRED 53 SHRUBS PROVIDED

#### SOUTH PROPERTY LINE

PROPERTY LINE = 248' 8 TREES REQUIRED 50 SHRUBS PROVIDED

#### HORNE ROAD (EAST)

PROPERTY LINE = 265' 11 TREES REQUIRED 11 TREES PROVIDED (3-36" box equiv.8-new 36" box)

#### PARKING LOT NON-COMPLIANT PARKING WILL BE

PARKING STALLS = 62 12 TREES REQUIRED (2-36" box, 10-24" box) 12 TREES PROVIDED (12-36" box) 36 SHRUBS REQUIRED (5-gallon) 40 SHRUBS PROVIDED (5-gallon)

#### LANDSCAPE COVERAGE

LANDSCAPE AREA: 10,667 SQ.FT. LANDSCAPE COVERAGE REQUIRED: 5,334 SQ.FT. (50%) LANDSCAPE COVERAGE PROVIDED: 6,133 SQ.FT. (57%)

#### FOUNDATION BASE:

BUILDING PERIMETER: 500 L.FT. TREES REQUIRED: 10 TREES (1-36" BOX, 9-24" BOX) TREES PROVIDED: 12 TREES (8-36" BOX EQUIV., 4-24" BOX)





Development Standard	MZO Requirements	Applicant Proposal
Maximum Lot Coverage — Table 11-6-3.A	80%	82% (existing)
Building Form and Location  — Front and Street-Facing  Side — Table 11-6-3.A:		
Main Street	15 feet	0 feet (existing parking at northeast corner of site)
		8 feet 2 inches (existing parking along Main Street
Horne	15 feet	13 feet (existing parking along Horne)





Development Standard	MZO Requirements	Applicant Proposal
Fences and Freestanding Walls Maximum Height in Front Yards and Required Street Side Yards — Section 11-30-4(B)(1)(a):		
Main Street	3.5 feet	5 feet 7 inches (existing wall along west property line starting 13.5 feet from front property line)
		4 feet (existing wall once iron fence removed along Main Street)
Horne	3.5 feet	4 feet (existing wall once iron fence removed along Horne)





Development Standard	MZO Requirements	Applicant Proposal
Fence Articulation – Section		
11-30-4(E):		
The maximum length of continuous, unbroken and uninterrupted fence or wall plane adjacent to right-of-way or private streets functioning as public roads shall be forty (40) feet. Articulation shall be provided through the use of columns, landscaping pockets and/or a change to different materials	40 feet	44 feet 8 inches (longest existing wall without articulation)





Development Standard	MZO Requirements	Applicant Proposal
Minimum Setbacks from Intersections for Parking Areas and Drive Aisles — Table 11-30-10:  Major/Midsection Collection (90-110' R.O.W.) with Major/Midsection Collector	Minimum 35-foot radius	Within 35-foot radius (existing)





Development Standard	MZO Requirements	Applicant Proposal
Standard Parking Space and Aisle Dimensions — Table 11-32-2-H-1:		
90 Degree Angle of Parking		
North Drive Aisle	Two-way aisle width – 24 feet	23 feet (existing)
East Drive Aisle	Two-way aisle width – 24 feet	20 feet (existing)





Development Standard	MZO Requirements	Applicant Proposal
Setbacks of Cross Drive		
Aisles – Section 11-32-4(A):		
Parking spaces along		
main drive aisles		
connecting directly to a		
street and drive aisles		
that cross such main		
drive aisles shall be set		
back at least 50 ft from		
the property line abutting the street.		
the street.		
North Property Line	50 feet	28 feet 5 inches (existing)
East Property Line	50 feet	32 feet 9 inches (existing)





Development Standard	MZO Requirements	Applicant Proposal
Perimeter Landscaping — Table 11-33-3.A.4:		
1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (North Property Line)	10 trees and 60 shrubs	4 trees and 16 shrubs
1 Tree and 6 Shrubs per 25 Linear Feet of Street Frontage (East Property Line)	11 trees and 64 shrubs	3 trees and 15 shrubs





Development Standard	MZO Requirements	Applicant Proposal
Required Landscape Yards –		
Section 11-33-3(B)(2)(a)(ii):		
Properties that are not		
part of a group C-O-I		
Development, as defined		
in Chapter 87, must		
provide a 15-foot		
landscape yard except		
where a cross-access		
drive aisle occurs within		
the required landscape		
yard.		
West Property Line	15 feet	0 foot (ovicting)
West Property Line	15 leet	9 feet (existing)
South Property Line	15 feet	9 feet (existing)
South Froperty Line	15 1000	J leet (existing)





Development Standard	MZO Requirements	Applicant Proposal
Number of Plants – Section 11-33-		
3(B)(2)(c):		
A minimum of three (3) non-		
deciduous trees and 20 shrubs per		
100 linear feet of adjacent property		
line shall be provided. In the event		
of fractional results, the resulting		
number will be rounded to the next		
highest whole number. Shrubbery		
and ground covers are not		
necessary if the area is not visible		
from public parking and drive aisles.		
West Property Line	8 trees and 53 shrubs	0 trees and 53 shrubs
	o trees and 55 sin abs	o trees and so simass
South Property Line	8 trees and 50 shrubs	0 trees and 53 shrubs





Interior Parking Lot Landscaping — Landscape Islands — Section 11-33- 4(B)(1):	
Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 8 contiguous	14 contiguous parking spaces (existing maximum)





Development Standard	MZO Requirements	Applicant Proposal
Interior Parking Lot		
Landscaping – Landscape		
Islands – Section 11-33-		
4(B)(2):		
Landscape islands shall	8 feet wide by 15 feet in length	4 feet 9 inches wide (existing
be a minimum of eight		minimum landscape island width)
feet wide and 15 feet in		
length for single-row and		
30 feet in length for		
double-row parking. All		
measurements are to		
face of curb.		





Development Standard	MZO Requirements	Applicant Proposal
Foundation Base along Exterior Walls  – Exterior Walls with Public Entrance  – Section 11-33-5(A)(1):  A 15-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall. For buildings with corner entries, both adjacent walls require a 15-foot-wide foundation base.		
North Elevation	15 feet	11 feet 7 inches (existing)
East Elevation	15 feet	10 feet (existing)





Development Standard	MZO Requirements	Applicant Proposal
Foundation Base along Exterior Walls  — Exterior Walls with Public Entrance  — Section 11-33-5(A)(1)(a):		
For buildings larger than 10,000 square feet with parking spaces that abut the foundation base, additional foundation base width is required as follows: An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum width and depth of 20 feet, and a minimum area of 900 square feet.	Additional minimum 20- foot-deep entry plaza area with minimum area of 900 square feet	No additional entry plaza (existing)





## Approval Criteria

#### Section 11-73-3 SCIP Criteria

- Significant alterations to the site would need to occur to bring the site into full conformance with current MZO development standards
- ✓ Full compliance would discourage redevelopment of the site
- ✓ No new non-conforming conditions will be created
- Proposed request is compatible with, and not detrimental to, adjacent properties or neighborhood





## Citizen Participation

- Notified property owners within 500 feet
- Staff has received no correspondence regarding the proposal







## Findings

- ✓ Complies with the Mesa 2040 General Plan
- ✓ Meets the SCIP findings of Section 11-73-3 of the MZO

Staff recommends Approval with Conditions





# Board of Adjustment





### Elevations







### Elevations







## Rendering







# Board of Adjustment





# BOA24-00550 Avalon Ranch CSP





#### Request

 Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP)

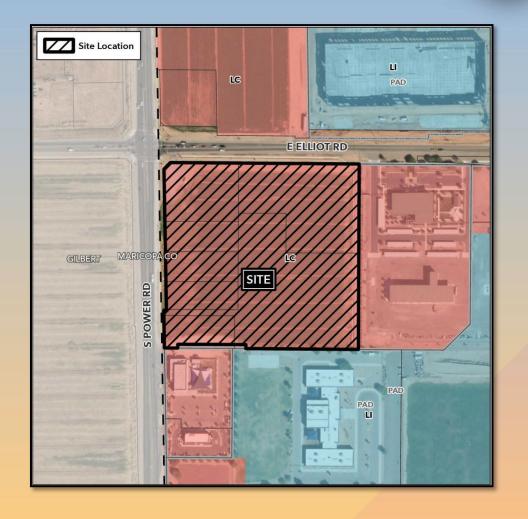






#### Location

- East of Power Road
- South of Elliot Road







#### General Plan

Mixed Use Activity
District/Employment

- Regional activity areas
- Wide range of employment
- Supportive commercial







### Zoning

 Limited Commercial (LC) District

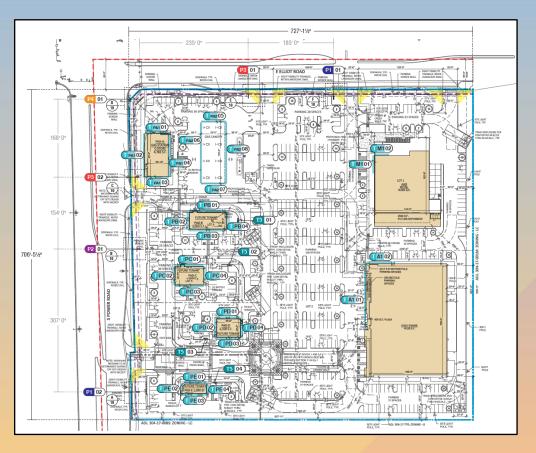






#### Site Plan

- 7 commercial buildings
  - Approximately 75,000 SF
  - 1 service station
  - 4 restaurants with drive-thrus
  - 2 major anchor tenants
- 727± feet of frontage (Elliot Rd.)
- 706± feet of frontage (Power Rd.)



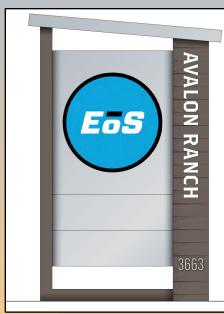




# Sign Plan Freestanding Monument Signs – P1

- No deviations requested
- Aluminum framing and finishes
- Nichia Fiber Cement Exterior Cladding
- Face-illuminated cabinet



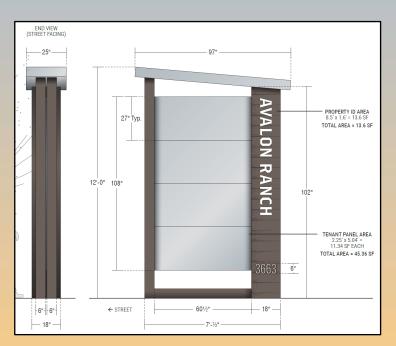






# Sign Plan Freestanding Monument Signs – P2

No deviations requested



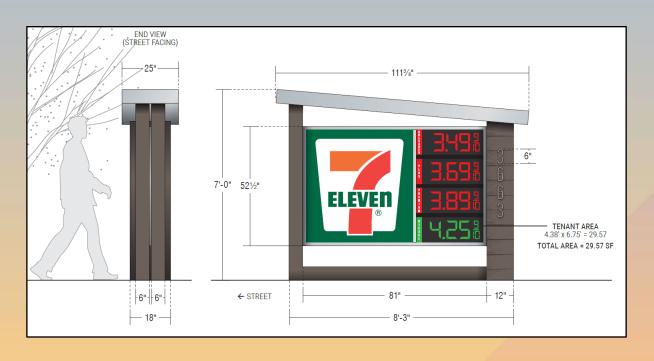






# Sign Plan Service Station Monument Signs – P3

No deviations requested







### Sign Plan Project ID Sign – P4

No deviations requested

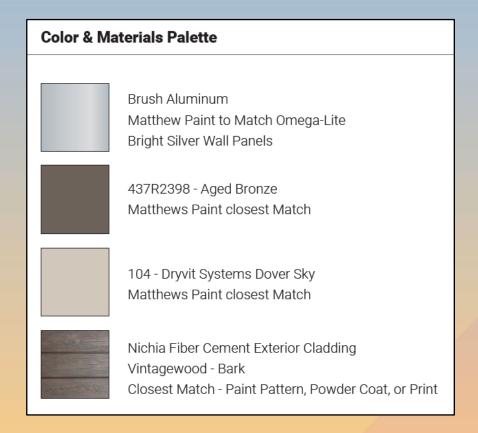






### Sign Plan

 Palette harmonious with approved commercial center

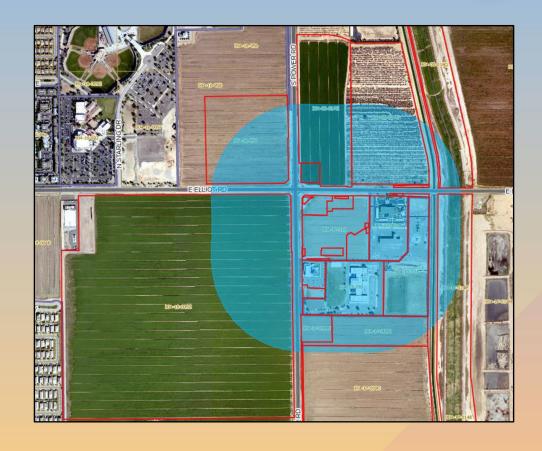






#### Citizen Participation

- Notification letters were sent to property owners within 500' of the site.
- Staff received no feedback.







### Approval Criteria

Section 11-46-3(D) CSP Criteria

- ✓ The site contains unique or unusual physical conditions that would limit or restrict normal sign visibility, or
- ✓ The development exhibits unique characteristics of land use, that represent a clear variation from conventional development, **or**
- ✓ The proposed signage incorporates special design features that reinforce or are integrated with the building architecture.





#### Approval Criteria

#### Section 11-70-5.E Special Use Permit Criteria

- Project will advance the goals and objectives of the General Plan and other City plan and/or policies;
- Location, size, design, and operating characteristics are consistent with the purposes of the district where it is located and conform with the General Plan and any other applicable City plan or policies;
- ✓ Project will not be injurious or detrimental to the surrounding properties, the neighborhood, or to the general welfare of the City; and
- ✓ Adequate public services, public facilities and public infrastructure are available.





### Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Meets required findings for Sections 11-70-5.E and 11-46-3.D of the MZO

Staff recommends Approval with Conditions





## Board of Adjustment













## Board of Adjustment





### BOA24-00714





#### Request

- Variance from the Form-Based Code Building Form Standards
- To allow for a multiple residence development







#### Location

- East of Country Club Drive
- South of Main Street
- East of Morris







#### General Plan

### Downtown with Transit District overlay of Station Area

- Pedestrian oriented
- Variety of housing, entertainment and events

### Central Main Street Area Plan - Neighborhood Evolution Area

 Evolve over time into a neighborhood that can include a mix of single residence, duplex and small apartment buildings.

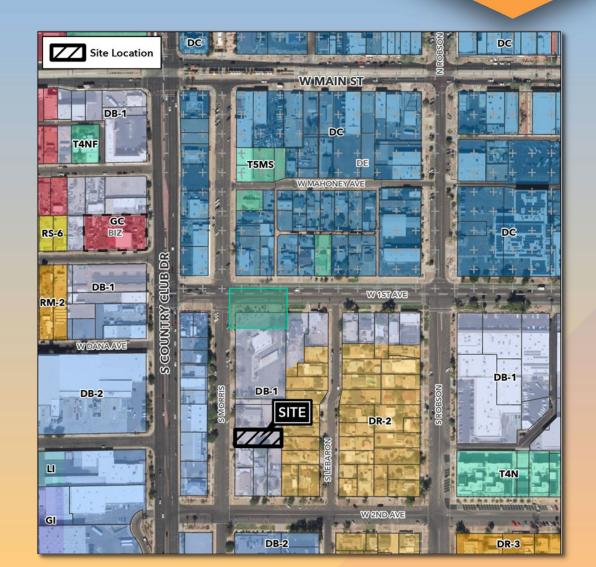






### Zoning

- Transect 3 Neighborhood (T3N) district
- Proposed use is allowed in the T3N district







#### Site Photos



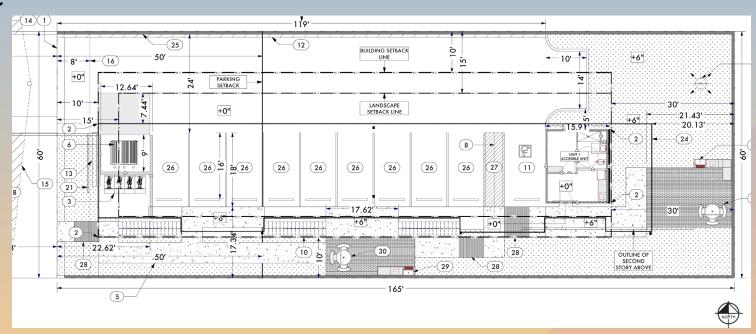
Looking east towards the site from Morris





#### Site Plan

- 6,168 sq. ft. two story multiple residence development
- 2,524 sq. ft. parking area and 311 sq. ft. livable area on ground floor
- 9 residential units

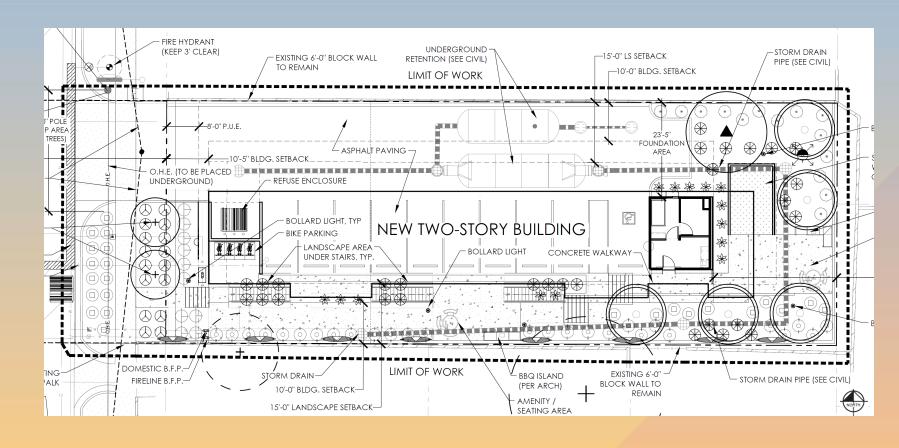






#### Landscape Plan

PLANT SCHEDULE *CAN BE PLANTED UNDER POWER LINES			
TRE	ES	SIZE / REMARKS	QTY
	LYSILOMA CANDIDA PALO BLANCO	36" BOX / STANDARD	5
+	*PISTACIA LENTISCUS MASTIC TREE	36" BOX / STANDARD	2
	PROSOPIS SEEDLESS HYB 'AZT' SEEDLESS HYBRID MESQUITE	36" BOX, MULTI-TRUNK, MATCHED	1
ACCENTS		SIZE	QTY
*	ALOE BARBADENSIS MEDICINAL ALOE	5 GAL	14
	FICUS PUMILA CREEPING FIG VINE	5 GAL / TRAIN TO WALL	8
$\otimes$	MUHLENBERGIA CAPILLARIS REGAL MIST DEER GRASS	5 GAL	16
$\oplus$	MUHLENBERGIA RIGENS DEER GRASS	5 GAL	29

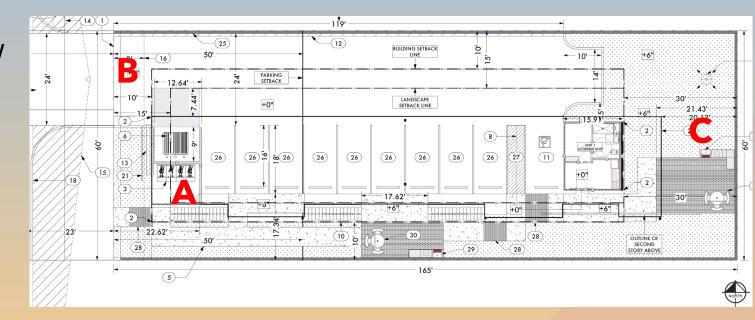






#### Request Variances

- Minimum setback of parking spaces from Property Line/ROW (A)
- Maximum width of Parking Access Drive (B)
- Minimum Rear Setback, Main Building (C)







### Citizen Participation

- Notified property owners within 500 feet
- No feedback received







#### Approval Criteria

#### Section 11-80-3 Variance Criteria

- ✓ There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, and
- ✓ That such special circumstances are pre-existing, and not created by the property owner or appellant; and
- ✓ 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; and
- Any variance granted will assure that the adjustment authorized shall 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.





### Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Complies with the Central Main Street Area Plan
- ✓ Meets the required findings for a Variance in Section 11-80-3 of the MZO

Staff recommends Approval with Conditions





## Board of Adjustment

BOA24-00714





# Board of Adjustment





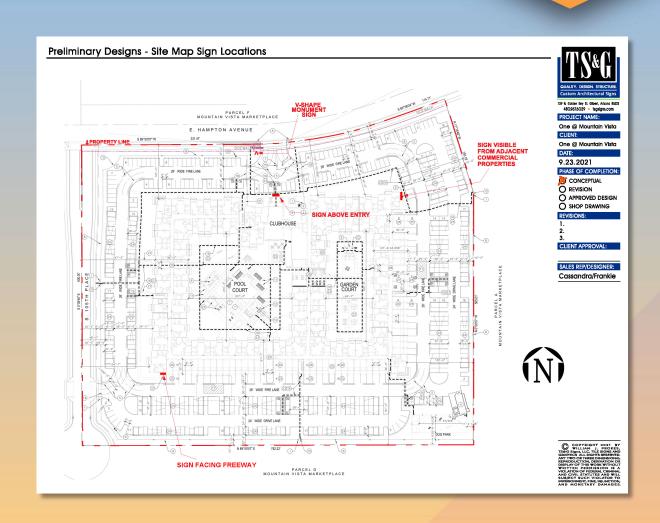
### BOA24-00889





#### Request

 Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP)







#### Location

- South of Southern Avenue
- West of Signal Butte Road



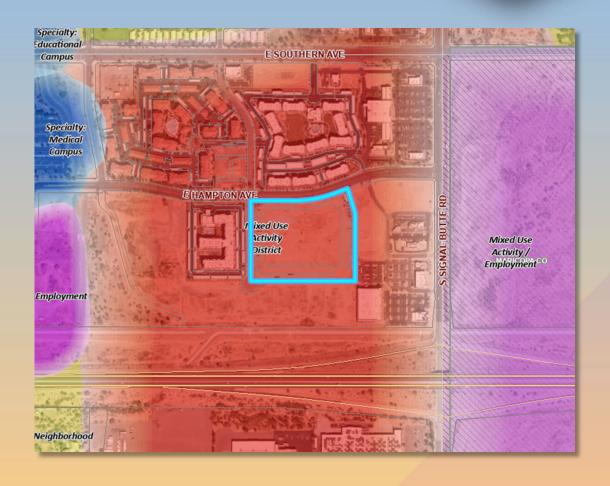




#### General Plan

#### Mixed Use Activity District

Strong and viable centers of commercial activity







### Zoning

 Multiple Residence 5 with two Planned Area Development Overlays (RM-5-PAD-PAD)

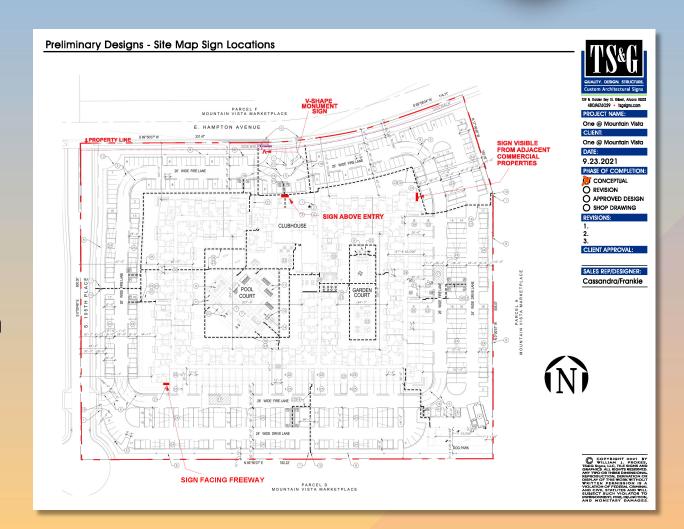






#### Sign Plan

- The applicant is proposing a new CSP that will allow for 1 detached monument sign and 3 attached building signs
- The proposed CSP requests deviation from sign allowances, sign area calculations, and sign illumination regulations.







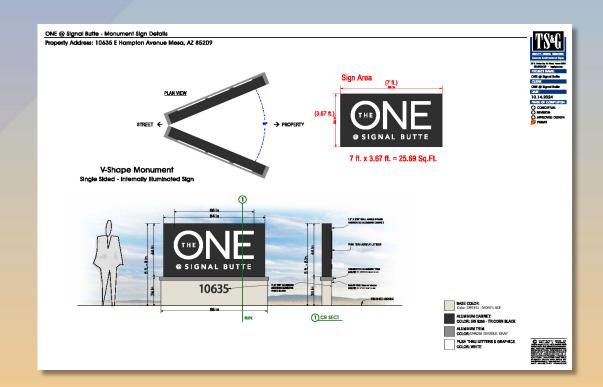
## **Deviation Requests**

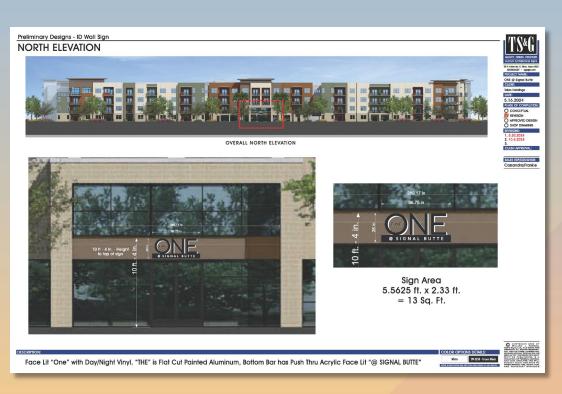
MZO	CSP Proposed	Staff Recommendation
<u>Table 11-43-3-B:</u> 2 signs per street front, attached or detached	4 signs total	As proposed
Table 11-43-3-B:  1 sq. ft. of sign area per 5-lineal feet of street frontage up to a max. of 32 sq. ft.	Max of 107.03 square feet between 4 signs	As proposed
Table 11-43-3-B:  Illumination is allowed if the sign is adjacent to an arterial or collector street.	Illumination permissible on all signage.	As proposed





### Elevations

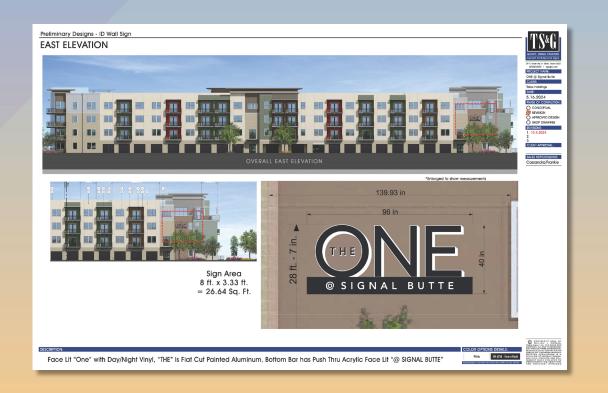








## Elevations









## Citizen Participation

- Notified property owners within 500'
- Staff has not been contacted regarding this request.







## Approval Criteria

#### Section 11-70-5(E) Special Use Required Findings

- ✓ Project will advance the goals and objectives of the General Plan and other City plans and/or policies;
- ✓ Location, size, design, and operating characteristics are consistent with the purposes of the district where it is located and conform with the General Plan and any other applicable City plan or policies;
- ✓ Project will not be injurious or detrimental to the surrounding properties, the neighborhood, or to the general welfare of the City; and
- ✓ Adequate public services, public facilities, and public infrastructure are available.





## Approval Criteria

#### Section 11-46-3(D) CSP Review Criteria

- ✓ The site contains unique or unusual physical conditions that would limit or restrict normal sign visibility, or
- ✓ The development exhibits unique characteristics of land use, that
  represent a clear variation from conventional development, or
- ✓ The proposed signage incorporates special design features that reinforce or are integrated with the building architecture.





## Findings

- ✓ Complies with the 2040 General Plan
- ✓ Meets required findings and review criteria for Sections 11-70-5(E) and 11-46-3(D) of the MZO

Staff recommend Approval with Conditions





# Board of Adjustment





# Board of Adjustment





# BOA24-00893





## Request

 Special Use Permit to allow an addition to extend into a nonconforming yard

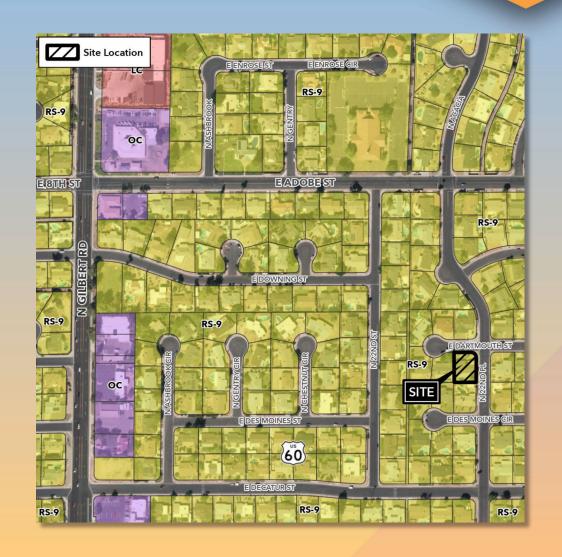






### Location

- 2221 East Dartmouth Street
- East of Gilbert Road and north of University Drive







#### General Plan

#### Neighborhood

 Safe places for people to live with wide range of housing options allowed







## Zoning

• Single Residence-9 (RS-9)







### Site Photos



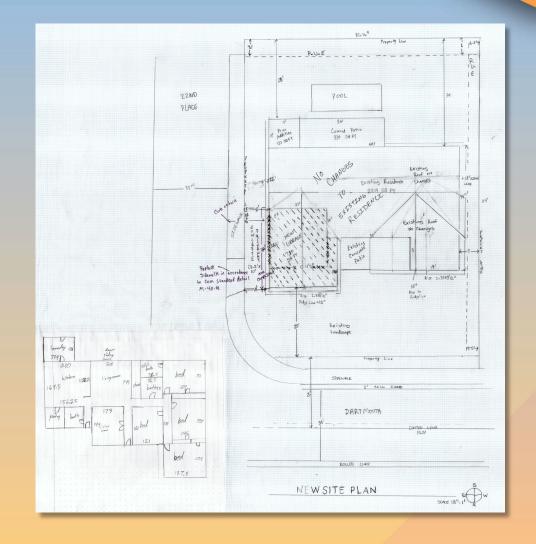
Looking south from Dartmouth St





### Site Plan

- Existing 441 square foot carport
- 269 square foot proposed addition to the carport to be converted to a 710 square foot garage

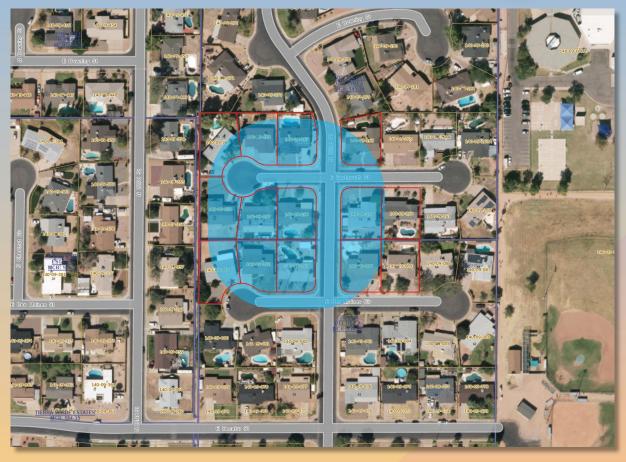






## Citizen Participation

- Notified property owners within 150 feet
- Staff has received no correspondence regarding the proposal







## Approval Criteria

#### Section 11-70-5 Special Use Permit Criteria

- ✓ #1 Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plans and/or policies;
- ✓ #2 The location, size, design, and operating characteristics of the proposed project are
  consistent with the purpose of the district where it is located and conform with the
  General Plan and any other applicable plans and/or policies;
- √ #3 The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, the greater neighborhood, or the general welfare of the City; and
- √ #4 Adequate public services, public facilities and public infrastructure are available to serve the proposed project





## Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Meets required findings for a Special Use Permit in Section 11-70-5 of the MZO

Staff recommends Approval with Conditions





# Board of Adjustment