#### City of Mesa | Board of Adjustment

Study Session Minutes



Mesa Council Chambers Lower Level – 57 E 1st St Date: August 7, 2024 Time: 5:00 p.m.

#### **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
Evan Balmer
Jennifer Merrill
Tye Hodson
Charlotte Bridges
Joshua Grandlienard
Chloe Durfee Daniel
Emily Johnson
Tulili Tuiteleleapaga-Howard
Vanessa Felix

1 Call meeting to order.

Chair Wagner declared a quorum present, and the Study Session was called to order at 5:00 p.m.

2 Staff Update: Welcome new Boardmember Trendler.

Case BOA24-00585 continued to Special Meeting August 14, 2024.

- 3 Review and discuss items listed on the Public Hearing agenda for August 7, 2024.
- \*3-a Staff member Joshua Grandlienard presented case BOA23-00736 to the Board. See attached presentation.
- \*3-b BOA24-00092 continued to September 4, 2024 Board of Adjustment meeting.
- \*3-c BOA24-00104 continued to September 4, 2024 Board of Adjustment meeting.

#### \*3-d Staff member Tulili Tuiteleleapaga-Howard presented case BOA24-00411 to the Board. See attached presentation.

Boardmember Trendler asked it the current structure will be converted.

Staff member Tuiteleleapaga-Howard confirmed the structure is existing, and the variance request is for its ADU conversion only.

Vice Chair Allen asked if the property has two access entries.

Staff member Tuiteleleapaga-Howard answered the site has two access entries from the east.

Boardmember Trendler inquired about the garage to come and if the property has shared parking.

Staff member Tuiteleleapaga-Howard clarified that the proposed garage is conceptual in nature, and will provide additional parking on the site, if built.

- \*3-e Staff member Charlotte Bridges presented case BOA24-00437 to the Board. See attached presentation.
- \*3-f Staff member Emily Johnson presented case BOA24-00452 to the Board. See attached presentation.
- \*3-g Staff member Tye Hodson presented case BOA24-00518 to the Board. See attached presentation.
- \*3-h BOA24-00585 continued to Special Meeting August 14, 2024 Board of Adjustment meeting.
- 4 Adjournment.

Boardmember Reed moved to adjourn the Study Session and was seconded by Boardmember Lynam. Without objection, the Study Session was adjourned at 5:33 p.m.

Respectfully submitted,

Evan Balmer,

On behalf of Zoning Administrator (Mary Kopaskie-Brown)





# Board of Adjustment





# BOA23-00736





For a Development
 Incentive Permit for
 deviations from
 development standards
 to develop a new
 Duplex

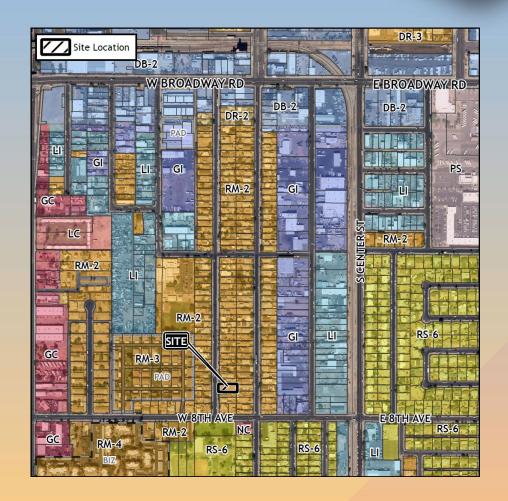






### Location

- West of S Center Street
- South of Broadway Road
- East side of Grand



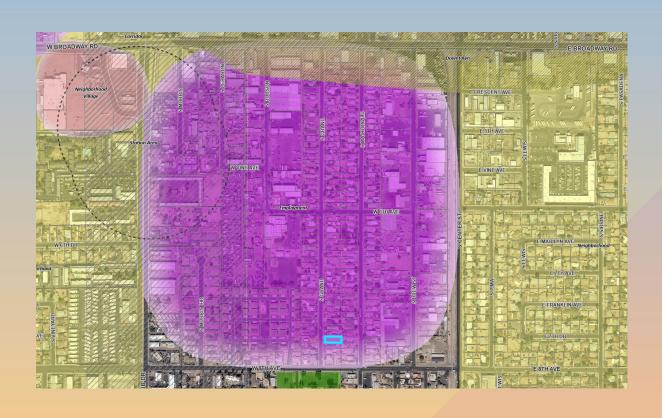




### General Plan

### **Employment**

- Goal of Employment character type is to provide for a wide range of employment opportunities in high-quality settings
- Existing zoning of RM-2 allows multiple residential uses

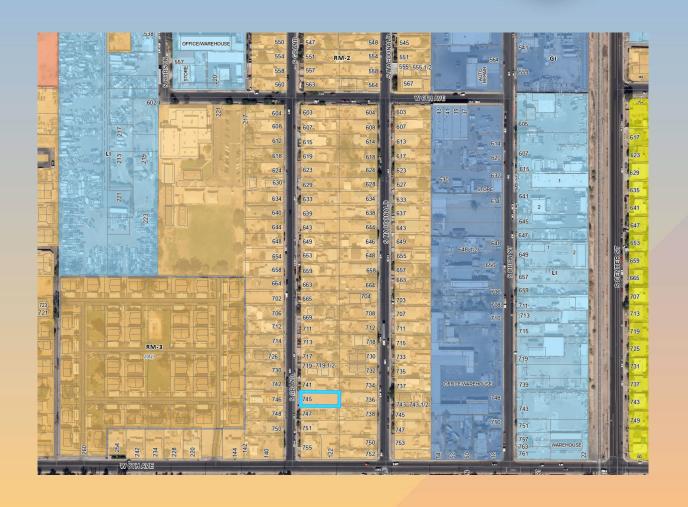






# Zoning

- Multiple Residence 2 (RM-2)
- Multiple residence use permitted with ≤15 du/ac







## Site Photo



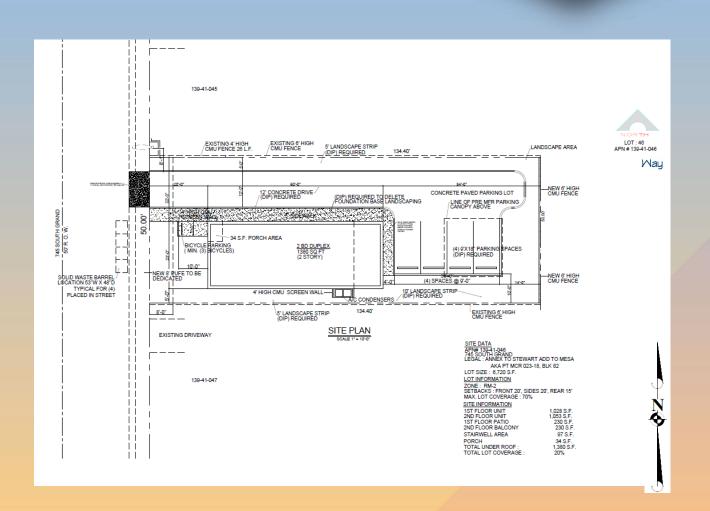
Looking east from Grand





### Site Plan

- Proposed 1380 SF 2-story duplex
- 4 parking spaces required/provided (2 covered)

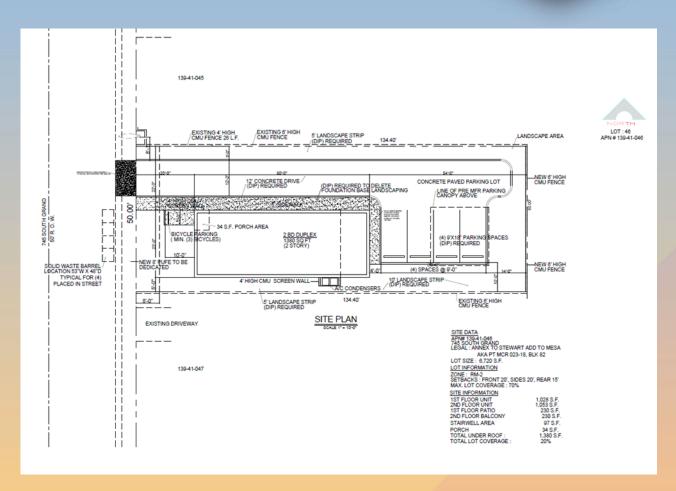






### Development Incentive Permit – Site Plan

- Reductions to building setbacks along north and south property lines; 5 ft requested
- Reduction to rear setback from 15 ft to 14 ft for parking Canopy
- Reduction to Building
   Entrance Reduction from 50
   sq ft to 34 sq ft







# Citizen Participation

- Mailed notification letters to property owners within 500 feet
- No comments received







# DIP Approval Criteria

### Section 11-72-1 DIP Purpose and Applicability

- ✓ Total area of the parcel does not exceed 2.5 net acres and the parcel has been in its current configuration for more than 10 years;
- ✓ The parcel is served by, or has direct access to, existing utility distribution facilities.
- ✓ The parcel is surrounded by properties within a 1,200-foot radius in which:
  - ✓ 1. The total developable land area is not more than 25 percent vacant; and
  - ✓ 2. Greater than 50 percent of the total numbers of lots or parcels have been developed 15 or more years ago.





Site
1200-ft Buffer
Development Status
Developed -- 99.41%

Current

Developed -- 99.41

2009

Site
Jacon-ft Buffer
Development Status
Developed -- 98.81%
Vacant -- 1.19%









# Approval Criteria

#### Section 11-72-3 DIP Criteria

- ✓ The proposed development is consistent with the General Plan, any other applicable Council adopted plans and/policies, and the permitted uses as specified in this Ordinance;
- ✓ The incentives do not allow development that is more intense than the surrounding neighborhood; commensurate with existing development within a 1,200 foot radius of the by-passed property; and
- ✓ The architectural elements, construction and landscape materials, and other site improvements of the proposed development meet the intent of the Design Standards of this Ordinance.





# Findings

- ✓ Complies with the Mesa 2040 General Plan
- ✓ Meets required findings for a DIP in Section 11-72-3 of the MZO

Staff recommends Approval with Conditions





# Board of Adjustment





# Board of Adjustment





# BOA24-00411





 Variance to allow detached accessory buildings to be located within the required front yard and in the area between the front of the principal dwelling unit and the front property line.







 Variance to allow the aggregate area of all detached structures to be greater than 50 percent of the primary residence







 Variance to exceed the maximum fence height in the required front yard.







### Location

- North of McLellan Road and east of Val Vista Drive
- Along North 40<sup>th</sup> Street







### General Plan

### Neighborhood

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

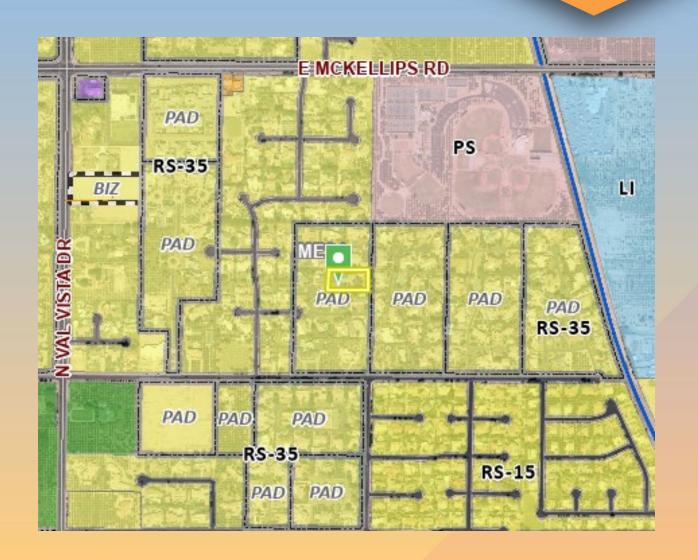






# Zoning

 Single Residence-35 with a Planned Area Development overlay (RS-35 PAD)







## Site Photos



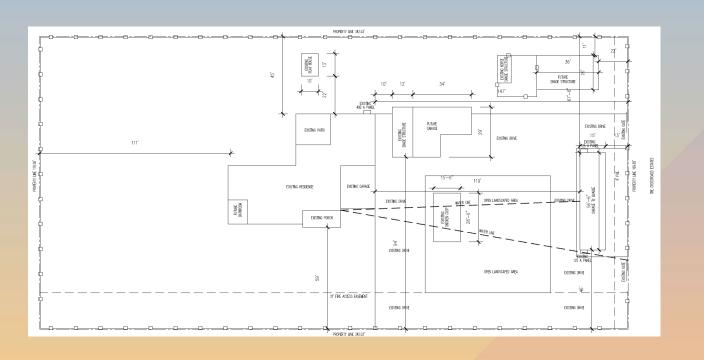
Looking southwest from N 40<sup>th</sup> Street





### Site Plan

- Existing residence: 3,021 SF (livable)
- Existing detached buildings:
  - 847 SF garage (future ADU)
  - 128 SF horse corral
  - 130 SF playhouse
  - 348 SF shade structure
  - 442 SF chicken coop
  - = 1,895 SF total



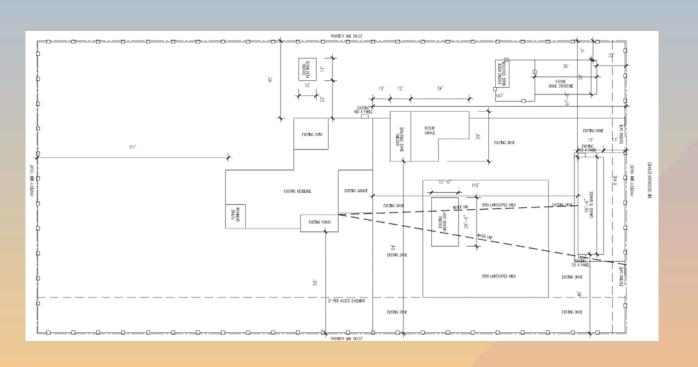




### Site Plan

- Existing residence: 3,021 SF (livable)
- Future proposed detached buildings:
  - 720 SF future DT garage
  - 752 SF future shade structure
  - 1,895 SF existing detached buildings

TOTAL: 3,367 SF; 111% of the primary residence

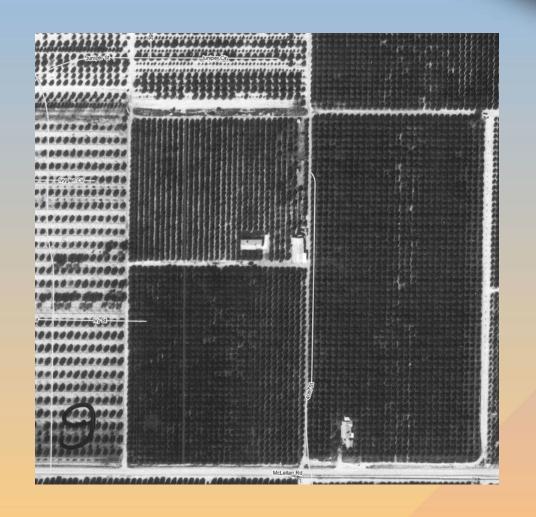






## History

- 1976: Primary residence and front yard structure as shown in Maricopa County Historic Aerials
- 1978: Subject site is annexed to the City of Mesa
- 1995: Subject site is rezoned for a 19-lot residential subdivision







### Present Day

- Citrus Sub Area
  - Approximate 15,700 SF citrus grove







# Citizen Participation

- Notified property owners within 150' radius
- 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
- ✓ Meets required findings for a Variance in Section 11-80-3 of the MZO

Staff recommends Approval with Conditions

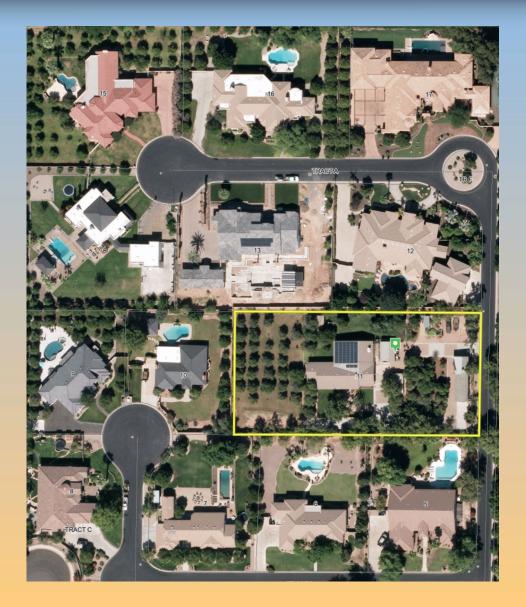
















# Board of Adjustment





# Board of Adjustment





# BOA24-00437





## Request

 For a Development Incentive Permit for deviations from development standards for an industrial development







### Location

- 3000 block of North Maple
- North of McDowell Road
- West of Greenfield Road







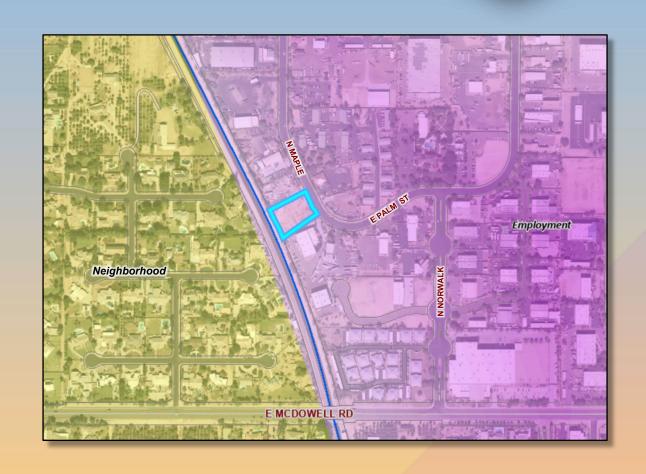
### General Plan

#### **Employment**

 Wide range of employment opportunities in high-quality settings

#### Falcon Field Sub Area Plan

 Oasis of abundant, high-quality employment for professionals, technical experts, and highly skilled labor.







# Zoning

- Light Industrial with a Planned Area Development Overlay (LI-PAD)
- An office and warehouse use is permitted







## Site Photo



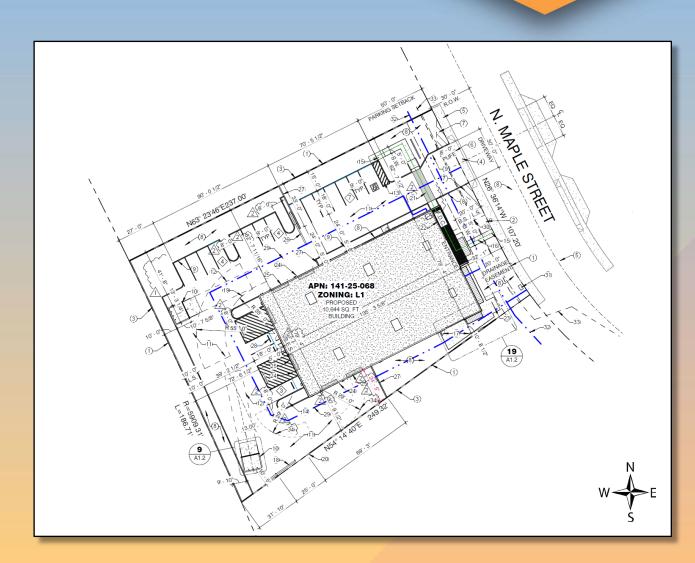
Looking west from Maple





### Site Plan

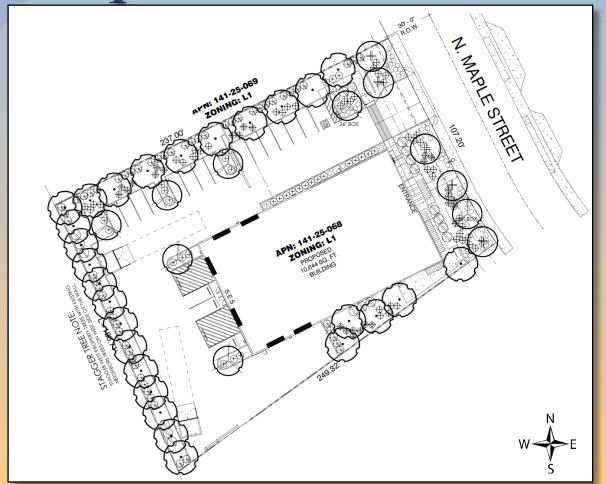
- Proposed 10,644 sf, 2-tenant office/warehouse building
- 18 provided parking spaces,
   16 required parking spaces







Landscape Plan



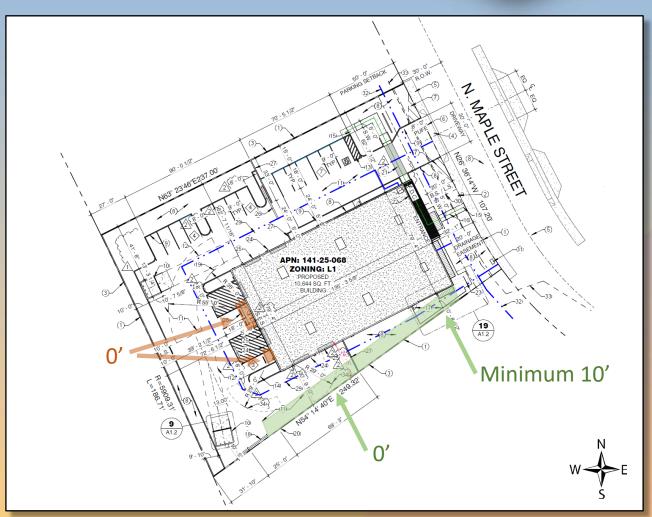
#### LANDSCAPE LEGEND PISTACIA X 'RED-PUSH' RED PUSH PISTACHE ACACIA SALICINA WILLOW ACACIA 24" BOX (27) ULMUS PARVIFOLIA CHINESE ELM 24" BOX (5) 36" BOX (IDENTIFIED) (2) LARGE SHRUBS TECOMA 'ORANGE JUBILEE' ORANGE JUBILEE 5 GALLON (20) MEDIUM SHRUBS EREMOPHILA MACULATA VALENTINE EMU BUSH 5 GALLON (32) LEUCOPHYLLUM FRUTESCENS 'GREEN CLOUD' 5 GALLON (57) **ACCENTS** HESPERALOE PARVIFLORA RED YUCCA 5 GALLON (45) HESPERALOE PARVIFLORA YELLOW YUCCA 5 GALLON (27) GROUND COVER LANTANA MONTEVIDENSIS 'GOLD MOUND' 1 GALLON (32) LANTANA MONTEVIDENSIS TRAILING PURPLE 1 GALLON (28) 1/2" SCREENED ROCK PROS CARMEL DECOMPOSED GRANITE 2" DEPTH IN ALL LANDSCAPE AREAS





#### Development Incentive Permit – Site Plan

- Reduction to the landscape yard along the south property line.
- Reduction to the foundation base along the west elevation.







# Citizen Participation

- Mailed notification letters to property owners within 500 feet
- One neighbor contacted
   Planning with concerns







# DIP Approval Criteria

#### Section 11-72-1 DIP Purpose and Applicability

- ✓ Total area of the parcel does not exceed 2.5 net acres and the parcel has been in its current configuration for more than 10 years;
- ✓ The parcel is served by, or has direct access to, existing utility distribution facilities.
  The parcel is surrounded by properties within a 1,200-foot radius in which:
  - √ 1. The total developable land area is not more than 25 percent vacant; and
  - ✓ 2. Greater than 50 percent of the total numbers of lots or parcels have been developed 15 or more years ago.







#### BOA24-00437 Land Development

accuracy of the data on this map nor assumes any liability resulting from the use of the information here. The data on this map is the property of the City of Manand in not to be distributed in any form nor used in a manner not authorized by the City of Mesa in writing

Site
1200-ft Buffer

Development Status

Developed -- 96.15%

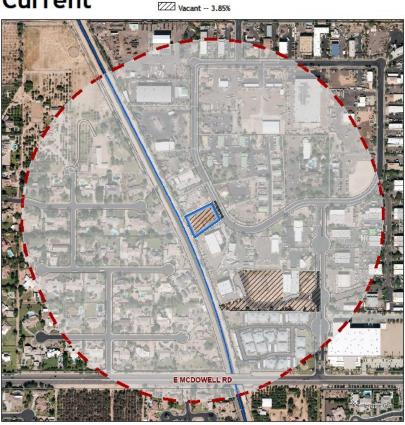
2009

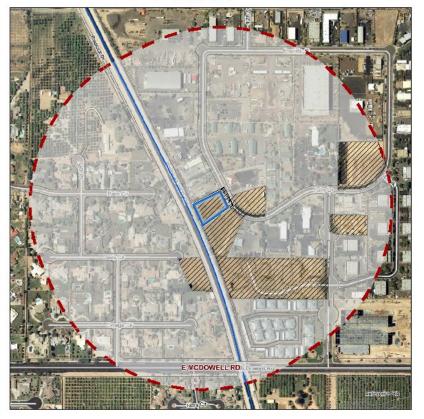
■ 1200-ft Buffer
Development Status
Developed -- 89.4%

Site

Vacant -- 10.6%

Current









# Approval Criteria

#### Section 11-72-3 DIP Criteria

- ✓ The proposed development is consistent with the General Plan, any other applicable Council adopted plans and/policies, and the permitted uses as specified in this Ordinance;
- ✓ The incentives do not allow development that is more intense than the surrounding neighborhood; commensurate with existing development within a 1,200 foot radius of the by-passed property; and
- ✓ The architectural elements, construction and landscape materials, and other site improvements of the proposed development meet the intent of the Design Standards of this Ordinance.





# Findings

- ✓ Complies with the Mesa 2040 General Plan
- ✓ Meets required findings for a DIP in Section 11-72-3 of the MZO

Staff recommends Approval with Conditions





# Board of Adjustment





# Board of Adjustment





# BOA24-00452





## Request

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

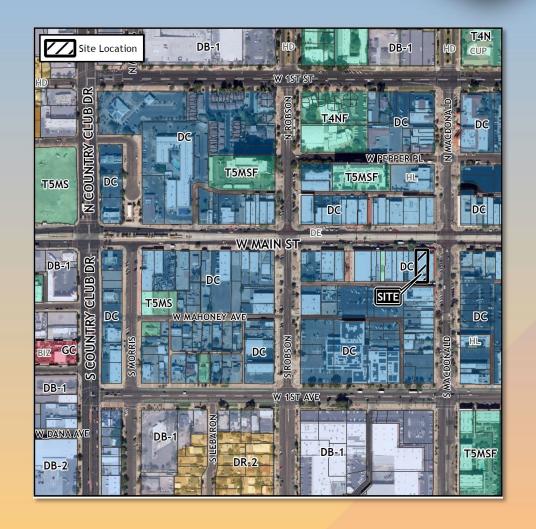






### Location

- South side of Main Street
- West of MacDonald







### General Plan

# Downtown Transit Corridor / Station Area

 Pedestrian oriented development

#### Central Main Street Area

 Recognizes the use of specialized signage in the creation of distinctive places







# Zoning

- Downtown Core with a Downtown Events overlay and a Historic Landmark overlay (DC-DE-HL)
- The existing use is permitted in the Downtown Core District

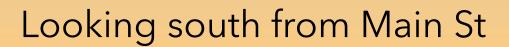






### Site Photos







Looking north from Main St Alley





# Proposed CSP

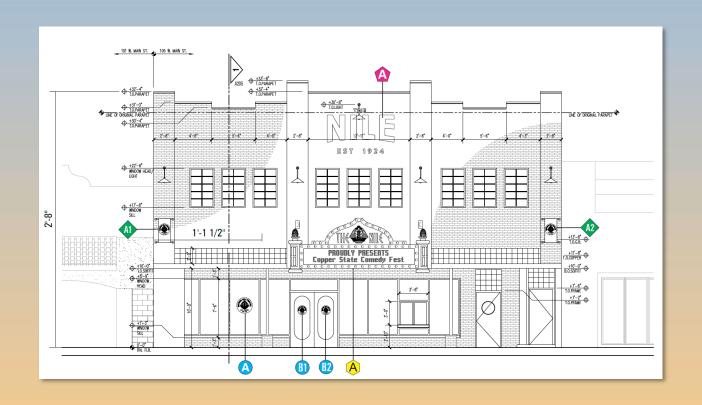
- Increase the number and size of wall signs
- Increase the sign length for a marquee sign
- Increase the number of window signs

Sign Type	MZO Requirements	Proposed	Staff Recommendation
Wall Sign (Single- Occupancy)	MZO Section 11-43-3.F: 1 per street frontage and 1 per alley frontage	3 signs per street frontage (Main Street) and 3 per alley frontage (Main Street Alley)	
	1 sq. ft. of sign area per linear foot of street frontage up to a max of 40 sq. ft.	56.96 sq. ft	As Proposed
	½ sq. ft. of sign area per linear foot of alley frontage up to a max of 20 sq. ft.	20.73 sq. ft.	
	No higher than 4-feet below the top of the building or 25- feet from grade, whichever is less	2'-2" from the top of the parapet, 30'-2" from grade (existing wall sign)	
Marquee Sign	MZO Section 11-43-3.F: Max sign length is 60% of the length of the marquee	Max sign length is 76.36% of the length of the marquee	As Proposed
Window Sign	MZO Section 11-43-3.F: Max 1 sign	6 signs	As Proposed





# Sign Plan

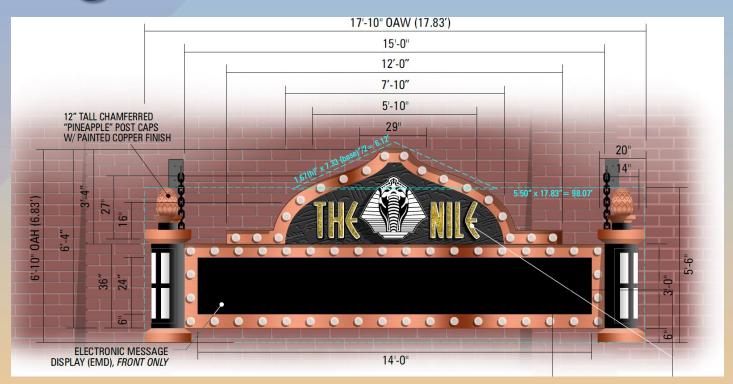


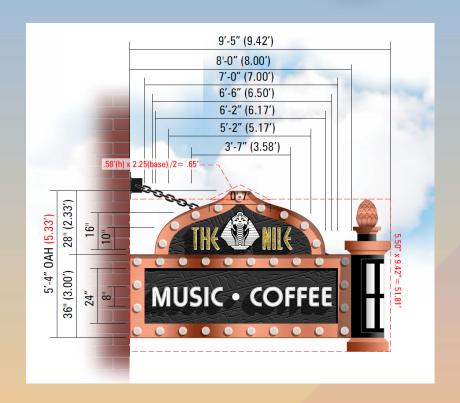
North Building Elevation





## Sign Plan





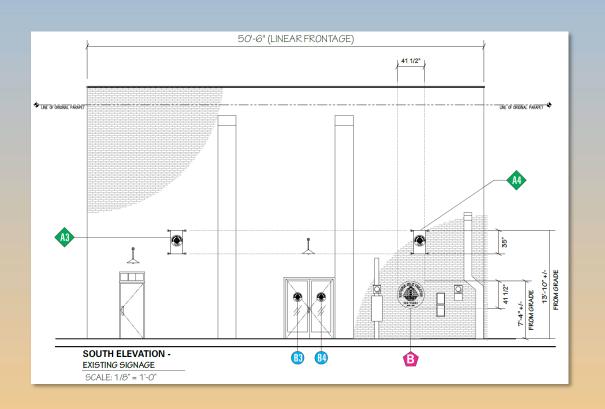
Proposed Marquee Sign - Front

Proposed Marquee Sign - Sides





# Sign Plan



South Building Elevation





# Citizen Participation

- Notified property owners within 500 feet
- Staff was contacted by a neighbor and the applicants modified plans based on the concerns







# 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 SUP 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 Mesa 2040 General Plan
- ✓ Meets the CSP criteria of Section 11-46-3.D of the MZO
- ✓ Meets the SUP findings of Section 11-70-5.E of the MZO

Staff recommends Approval with Conditions





# Board of Adjustment

BOA24-00452





# Board of Adjustment





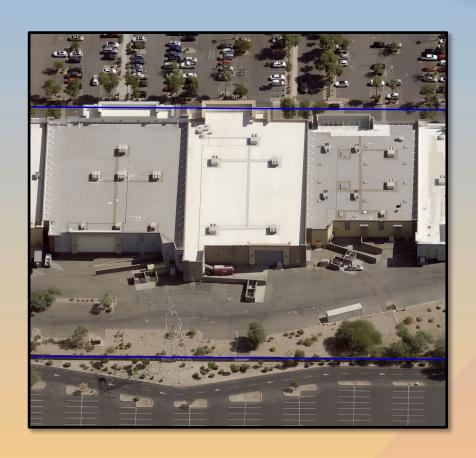
# BOA24-00518





## Request

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







## Location

- North of Baseline Road
- West of Signal Butte



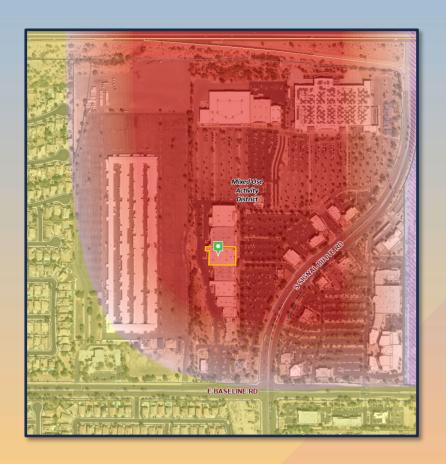




#### General Plan

#### Mixed Use Activity District

Large scale commercial development







# Zoning

- Limited Commercial with a Planned Area Development overlay (LC-PAD)
- The existing use is permitted in the Limited Commercial District







#### Site Photo





Back of Building

Front of Building





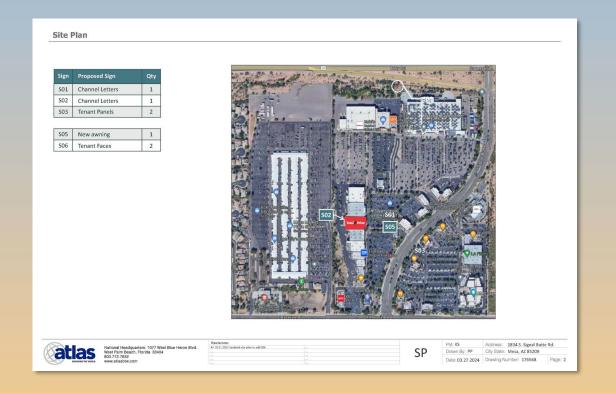
#### Proposed CSP

- Increase the total allowed square footage of wall signs from 240 S.F. to 312.64 S.F
- CSP will allow for one additional sign to be installed on the back of the building





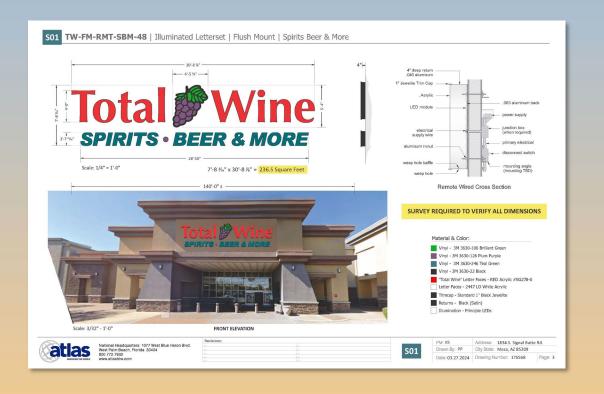




Sign Locations



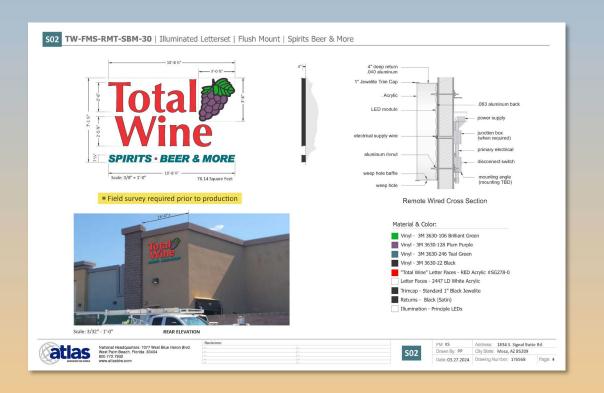




East Building Elevation



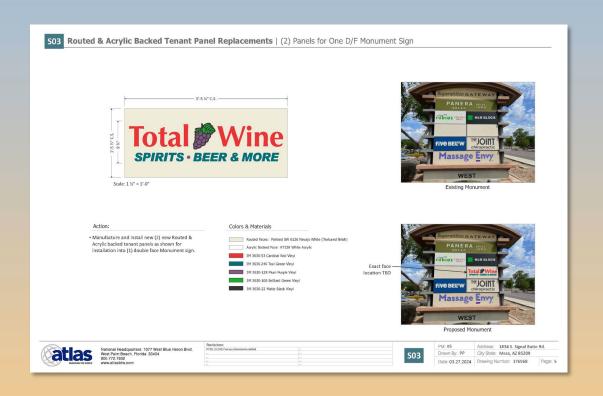




West Building Elevation







Signal Butte Tenant Monument Sign







Primary Tenant Monument Sign





# Citizen Participation

- Notified property owners within 500 feet
- Staff was not contacted







#### 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.
- ✓ The development exhibits unique characteristics of land use, that represent a clear variation from conventional development.
- ✓ The proposed signage incorporates special design features that reinforce or are integrated with the building architecture.





#### Approval Criteria

Section 11-70-5.E SUP 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 Mesa 2040 General Plan
- ✓ Meets the CSP criteria of Section 11-46-3.D of the MZO
- ✓ Meets the SUP findings of Section 11-70-5.E of the MZO

Staff recommends Approval with Conditions





# Board of Adjustment

BOA24-00518