

**Mesa Council Chambers Lower Level – 57 E 1st St**

**Date: November 1, 2023 Time: 5:30 p.m.**

**MEMBERS PRESENT:**

Chair Alexis Wagner  
Vice Chair Shelly Allen  
Boardmember Nicole Lynam  
Boardmember Heath Reed  
Boardmember Ethel Hoffman\*  
Boardmember Troy Glover

**MEMBERS ABSENT:**

Vice Chair Shelly Allen  
Boardmember Chris Jones

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

**STAFF PRESENT:**

Evan Balmer  
Jennifer Merrill  
Charlotte Bridges  
Joshua Grandlienard  
Chloe Durfee Daniel  
Emily Johnson  
Kwasi Abebrese  
Vanessa Felix

**OTHERS PRESENT:**

**1 Call meeting to order.**

Chair Wagner excused Vice Chair Allen and Boardmember Jones from the entire meeting and declared a quorum present, and the Public Hearing was called to order at 6:00 pm.

**2 Take action on all Consent Agenda items.**

A motion to approve the Consent Agenda was made by Boardmember Glover as read by Boardmember Lynam seconded by Boardmember Reed.

### **Items on the Consent Agenda**

#### **3 Approval of the following minutes from previous meeting:**

##### **\*3-a Minutes from October 4, 2023 Study Session and Public Hearing.**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

#### **4 Take action on the following cases:**

##### **\*4-a Case No.: BOA23-00156 (Approval with Conditions)**

Location: 651 East Main Street. Located east of Mesa Drive on the south side of Main Street.

Subject: Requesting a Development Incentive Permit (DIP) to allow for the expansion of an existing hotel.

Decision: Approval with conditions

Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA23-00156 was made by Boardmember Glover as read by Boardmember Lynam seconded by Boardmember Reed.

##### **Conditions of Approval:**

1. Compliance with the final site and landscape plan as submitted.
2. Compliance with all City development codes and regulations, except as identified in Table 1 of this report.
3. Compliance with all requirements of ZON22-01102 for site plan approval.
4. Compliance with all requirements of Design Review Case No. DRB22-01096.

##### **Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

**\*4-b Case No.: BOA23-00487 (Approval with Conditions)**

Location: 2733 North Recker Road. Located South of McDowell Road on the east side of Recker Road.

Subject: Requesting a Special Use Permit (SUP) to allow for the modification of an existing Comprehensive Sign Plan (CSP) for an existing Commercial Development.

Decision: Approval with conditions

Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA23-00487 was made by Boardmember Glover as read by Boardmember Lynam seconded by Boardmember Reed.

**Conditions of Approval:**

1. Compliance with the sign plan documents submitted.
2. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
3. All signs shall remain outside of the public domain including rights-of-way, PUEs and PUFEs.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

**\*4-d Case No.: BOA23-00617 (Approval with Conditions)**

Location: Within the 500 block of South Pasadena. Located west of Mesa Drive and south of Broadway Road.

Subject: Requesting a Development Incentive Permit (DIP) to allow deviations from certain development standards for a duplex development within the Multiple Residence 2 (RM-2) zoning district.

Decision: Approval with conditions

Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA23-00617 was made by Boardmember Lynam as read by Boardmember Lynam seconded by Boardmember Reed.

**Conditions of Approval:**

1. Compliance with the final site and landscape plan as submitted.
2. Compliance with all City development codes and regulations, except as identified in Table 1 of this report.
3. Compliance with all requirements of ZON23-00697 for site plan approval.
4. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

**\*4-f Case No.: BOA23-00666 (Continued to December 6, 2023)**

Decision: Continued to December 6, 2023

Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to continue case BOA23-00666 was made by Boardmember Lynam as read by Boardmember Lynam seconded by Boardmember Reed.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

**\*4-g Case No.: BOA23-00723 (Approval with Conditions)**

Location: Within the 400 block of South Hobson (west side). Located east of Mesa Drive and south of Broadway Road on the west side of Hobson.

Subject: Requesting a Development Incentive Permit (DIP) to allow for the expansion of an existing multiple residence development in the Multiple Residence 2 (RM-2) zoning district.

Decision: Approval with conditions

Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA23-00723 was made by Boardmember Lynam as read by Boardmember Lynam seconded by Boardmember Reed.

**Conditions of Approval:**

1. Compliance with the final site plan, elevations and landscape plan as submitted.
2. Compliance with all City development codes and regulations, except as identified in Table 1 of this report.
3. Compliance with all requirements of ZON23-00760 for site plan approval.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

**\*4-h Case No.: BOA23-00725 (Continued to December 6, 2023)**

Decision: Continued to December 6, 2023

Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to continue case BOA23-00725 was made by Boardmember Lynam as read by Boardmember Lynam seconded by Boardmember Reed.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

**\*4-i Case No.: BOA23-00737 (Approval with Conditions)**

Location: Within the 900 Block of North Lindsay Road (east side) and within the 2800 to 3000 blocks of East Encanto Street (south side). Located east of Lindsay Road and south of Brown Road.

Subject: Requesting a Substantial Conformance Incentive Permit (SCIP) to allow deviations from certain development standards.

Decision: Approval with conditions

Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA23-00737 was made by Boardmember Lynam as read by Boardmember Lynam seconded by Boardmember Reed.

**Conditions of Approval:**

1. Compliance with the final site plan and landscape plan as submitted.
2. Compliance with case ZON23-00766
3. Compliance with case DRB23-00765
4. Compliance with all City Development Codes and regulations, except as identified in Table 1 of this report.
5. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

- \*4-j Case No.: BOA23-00738 (Approval with Conditions)**
- Location: Within the 0 to 100 block of South Country Club Drive (east side), 200 to 400 Block of West Main Street (south side), 0 to 100 block of South Morris (both sides) and the 200 Block of West Mahoney Avenue (north side). Located east of Country Club Drive and south of Main Street.
- Subject: Requesting a Variance from the Form-Based Code Building Form, Building Type and Private Frontage Standards, to allow for a mixed-use development in the Transect 5 Main Street (T5MS) district.
- Decision: Approval with conditions
- Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA23-00738 was made by Boardmember Lynam as read by Boardmember Lynam seconded by Boardmember Reed.

**Conditions of Approval:**

1. Compliance with the final site plan and final landscape plan.
2. Compliance with all City development codes and regulations, except as modified by the variance request listed in Table 1 of this report.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
4. Prior to the issuance of a building permit, obtain approval and record the abandonment of the Morris right-of-way to accommodate the Proposed Project as depicted in the final site plan.
5. Prior to the issuance of a building permit, obtain approval of and record a lot combination to assemble the project lots and the abandoned Morris right-of-way area into one lot.
6. Prior to the submittal of a building permit, submit and obtain approval from the City of Mesa of a Zoning Clearance for compliance with the FBC.
7. Prior to the issuance of a building permit, submit and obtain approval from the City of Mesa City Engineer to allow the project to encroach into the Main Street, Country Club Drive, Morris and Mahoney public rights-of-way.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

**\*4-k Case No.: BOA23-00750 (Approval with Conditions)**  
Location: 1500 West Main Street  
Subject: Requesting a Variance to reduce the minimum lot size requirements in the General Commercial (GC) District.  
Decision: Approval with conditions  
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA23-00750 was made by Boardmember Lynam as read by Boardmember Lynam seconded by Boardmember Reed.

**Conditions of Approval:**

1. Compliance with the Lot Line Amendment as submitted.
2. Compliance with all City Development Codes and regulations.

**Consent Agenda Approved**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None



## Items not on the Consent Agenda

### 5 Act on the following case:

#### \*4-c Case No.: **BOA23-00543 (Approval with Conditions)**

Location: Within the 400 Block of North Val Vista Drive (west side) and within 3500 block of East University Drive (north side). Located north of University Drive and west of Val Vista Drive.

Subject: Requesting a Development Incentive Permit (DIP) to allow deviations from certain development standards for a restaurant with drive-thru

Decision: Approval with conditions

Summary: This item was on the consent agenda and not discussed on an individual basis

Staff member Balmer clarified case was over advertised for special use permit. Which was heard last meeting by Planning and Zoning Board. Board of Adjustment will be considering the development incentive permit this meeting.

#### **Staff member Kwasi Abebrese presented case BOA23-00543 to the Board.**

See attached presentation.

Boardmember Reed questioned if the owner planned on replacing the wall to the North of the property.

Staff member Abebrese answered the wall will be replaced with a new eight-foot wall.

Marija Grozic, 3557 E Caballero Street - expressed their opposition to this project.

A motion to approve case BOA23-00543 was made by Chair Wagner and seconded by Boardmember Reed.

#### **Conditions of Approval:**

1. Compliance with the final site and landscape plans as submitted.
2. Compliance with all City development codes and regulations, except as identified in Table 1 of this report.
3. Compliance with all requirements of case ZON23-00545.
4. Compliance with all requirements of case DRB23-00551.
5. Compliance with all requirements of the Development Services Department regarding the issuance of building permits

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

- \*4-e Case No.: BOA23-00660 (Approval with Conditions)**  
Location: Within the 9300 block of East Southern Avenue (south side). Located south of south of Southern Avenue and east of Ellsworth Road.  
Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards to allow for the expansion of a mini-storage facility in the Limited Commercial (LC) zoning district.  
Decision: Approval with conditions  
Summary: This item was on the consent agenda and not discussed on an individual basis

**Staff member Kwasi Abebrese presented case BOA23-00660 to the Board.**

See attached presentation.

Boardmember Glover asked if there are gate restrictions and what are the hours of operation.

Applicant Clint Gluppy, 2597 96<sup>th</sup> Lane – answered there is access controlled and gated to the rear portion of the building and the hours limited from 6am to 10pm.

A motion to approve case BOA23-00660 was made by Boardmember Lynam and seconded by Boardmember Glover.

**Conditions of Approval:**

1. Compliance with the final site plan and landscape plan as submitted.
2. Compliance with all City Development Codes and regulations, except as identified in Table 1 of this report.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Vote: 5-0

Upon tabulation of vote, it showed:

AYES – Wagner – Lynam - Reed - Hoffman - Glover

NAYS – None

ABSENT – Allen – Jones

ABSTAINED – None

**5 Adjournment.**

Boardmember Glover moved to adjourn the Public Hearing and was seconded by Boardmember Reed. Without objection, the Public Hearing was adjourned at 6:48 p.m.

Respectfully submitted,

Evan Balmer,  
On behalf of Zoning Administrator (Mary Kopaskie-Brown)



# Board of Adjustment



# BOA23-00543





# Request

- Development Incentive Permit for deviations from development standards to allow for a restaurant with a drive-thru

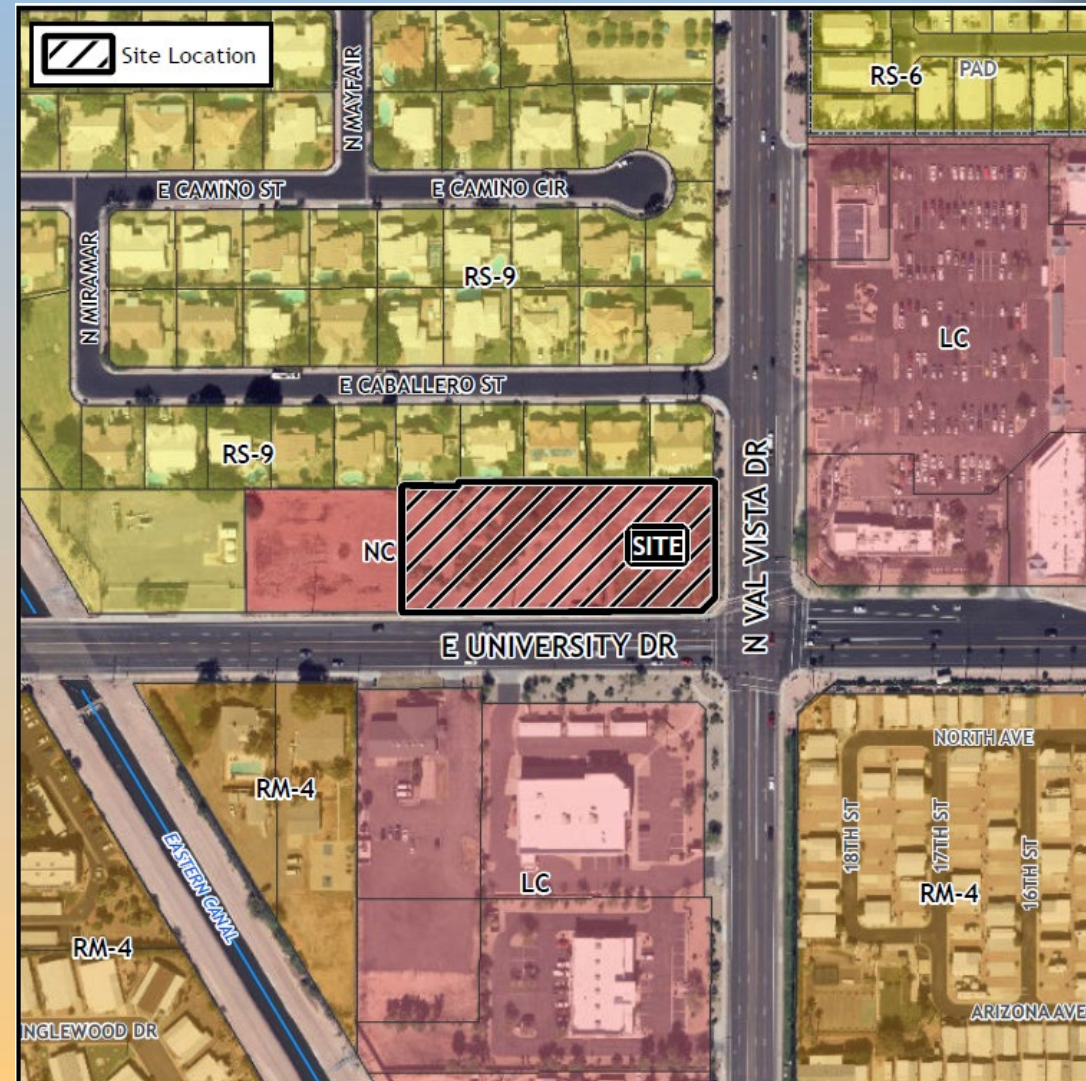






# Location

- North of University Drive
- West of Val Vista Drive







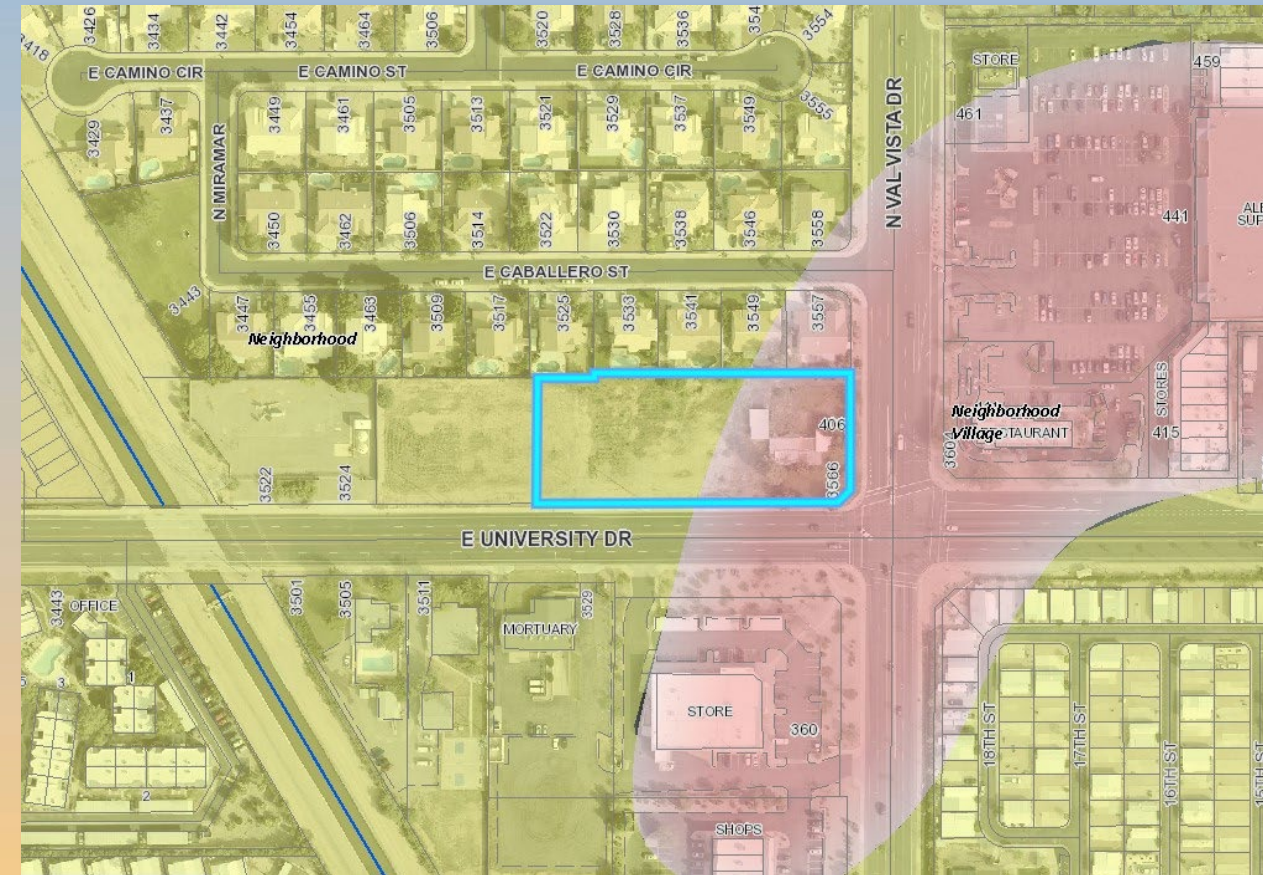
# General Plan

## Neighborhood

- Provide safe places for people to live and enjoy their surrounding community

## Neighborhood Village Center

- Shopping areas that serve the neighborhood population within less than a two-mile radius

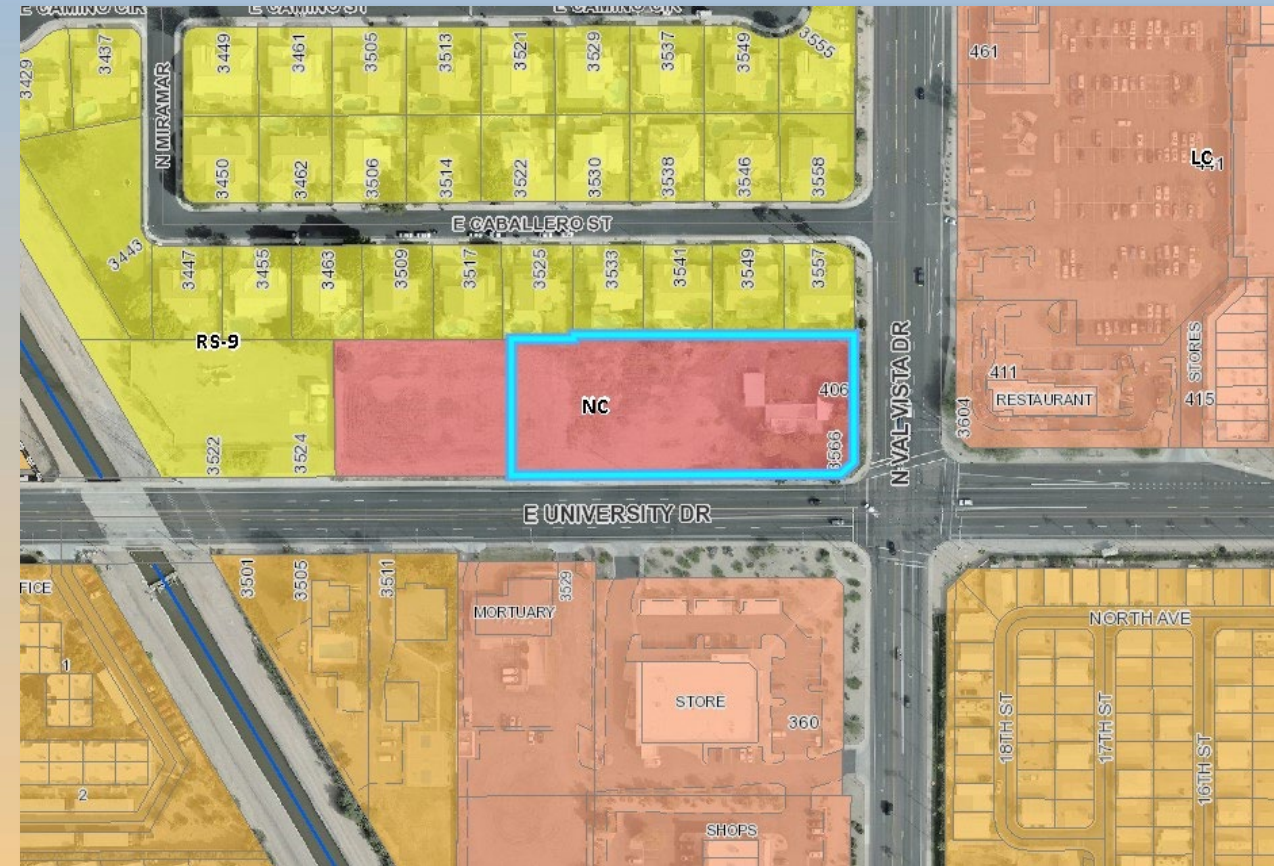






# Zoning

- Neighborhood Commercial (NC)
- Limited-service restaurant with drive-thru is permitted in the NC district







# Site Photo



Looking north from University Drive





# Site Photo



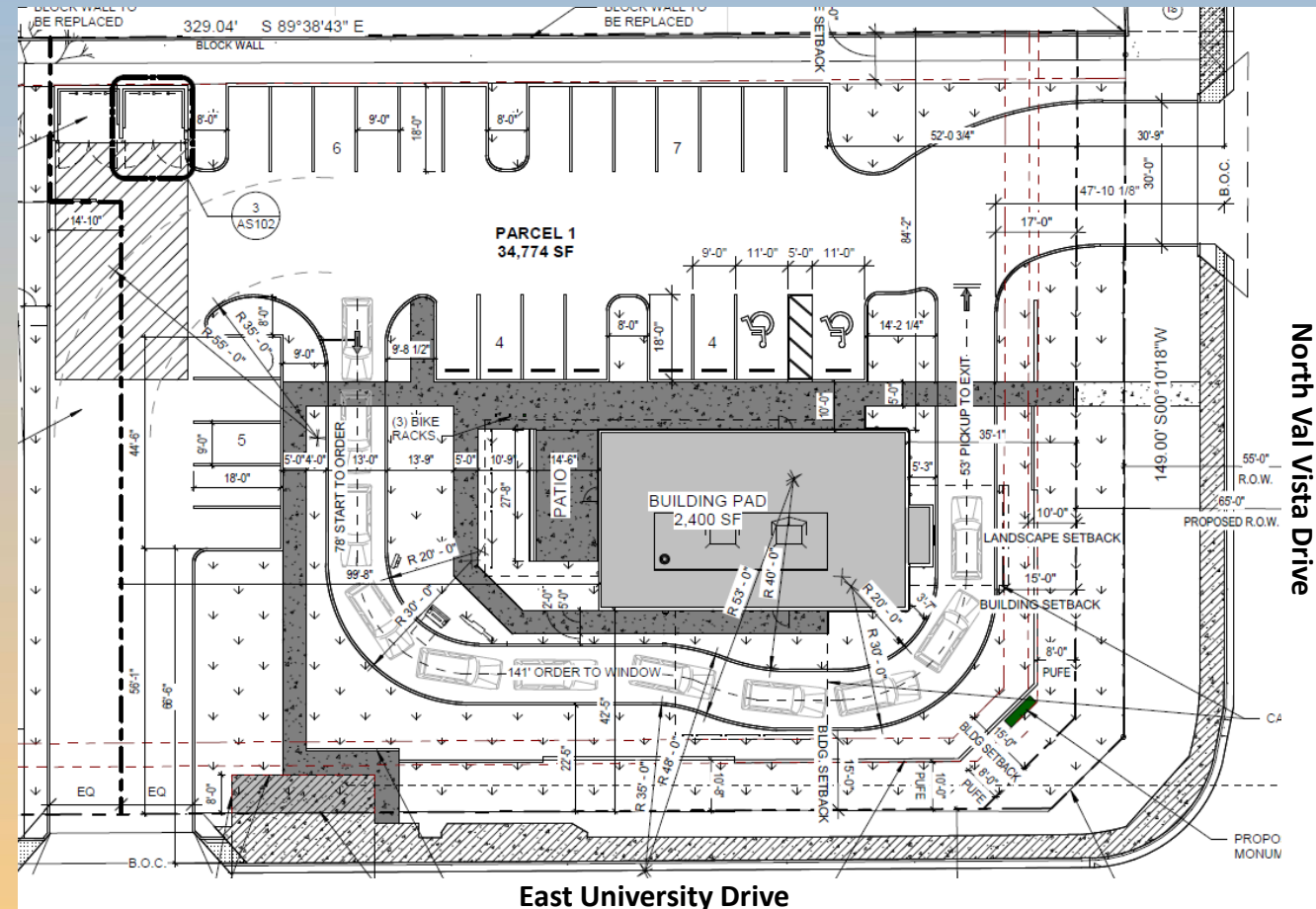
Looking west from Val Vista Drive





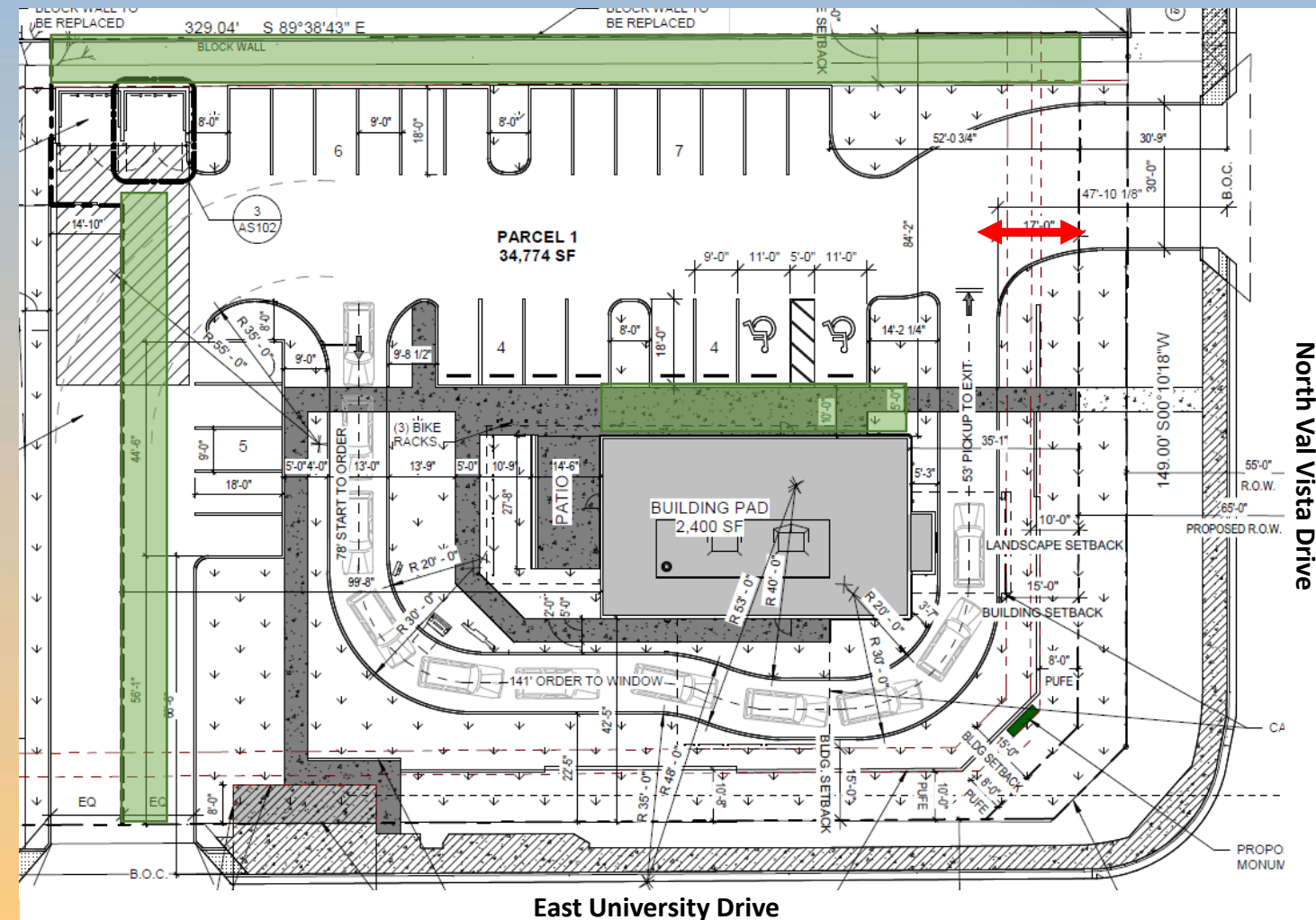
# Site Plan

- 2,400 sq. ft. restaurant with a drive-thru
- 400 sq. ft. outdoor dining area
- Vehicular access is provided from University Drive and Val Vista Drive





- Reduction to **landscape yard** along north and west property lines;
- Reduction to **distance from ROW to cross drive aisle**;
- Reduction to **foundation base width**;

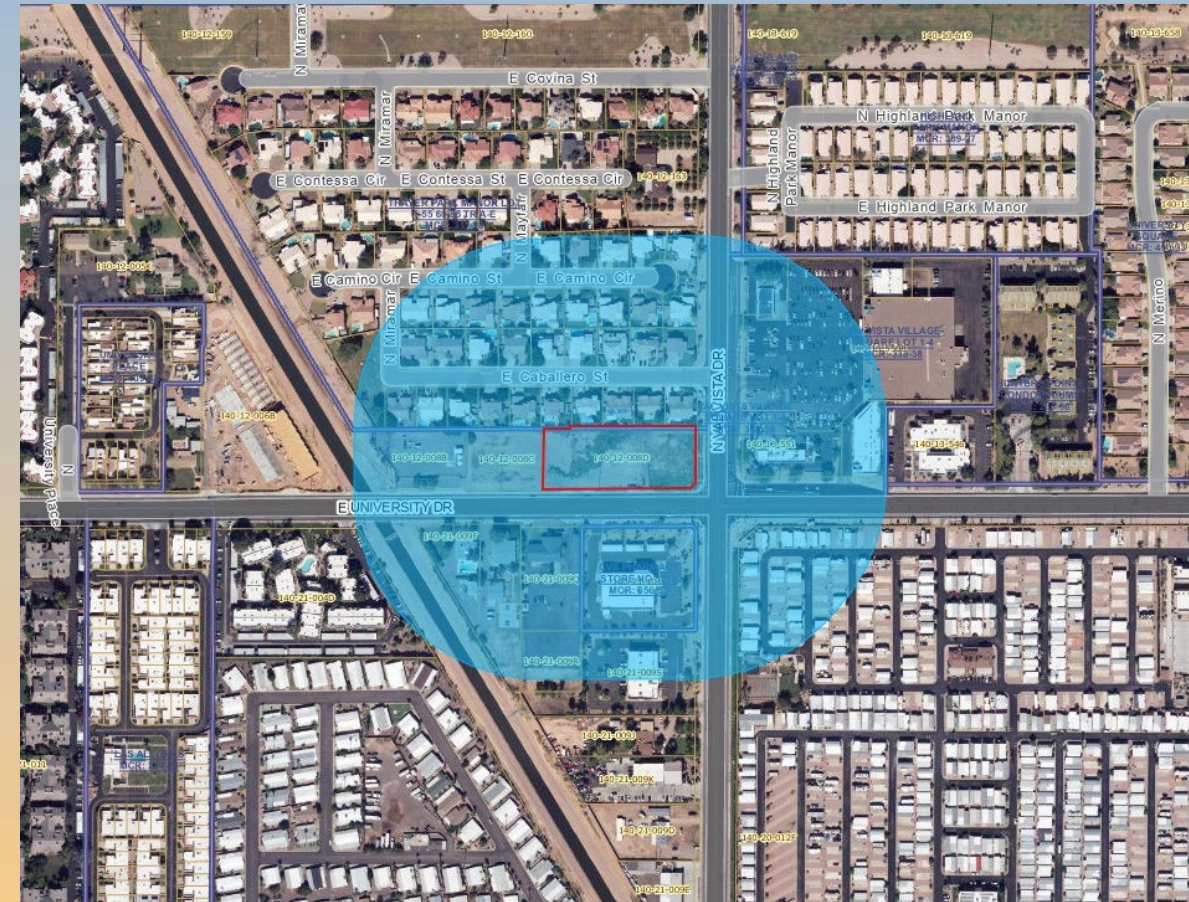






# Citizen Participation

- Notified property owners within 500', HOAs and registered neighborhoods
- Neighborhood meeting held on May 23, 2023 with seven attendees
- Questions related to:
  - Hours of operation
  - Condition of existing wall along the north property line
  - Solid waste enclosure







# Approval Criteria

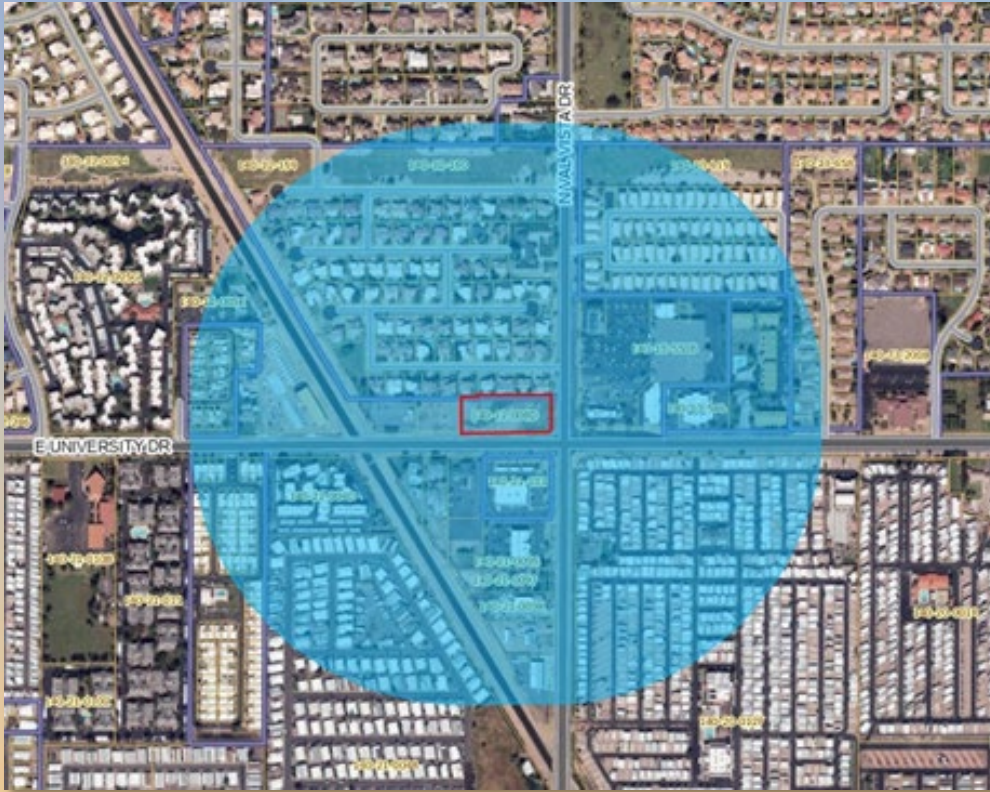
## Section 11-72-1 DIP Purpose and Applicability

- ✓ 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.

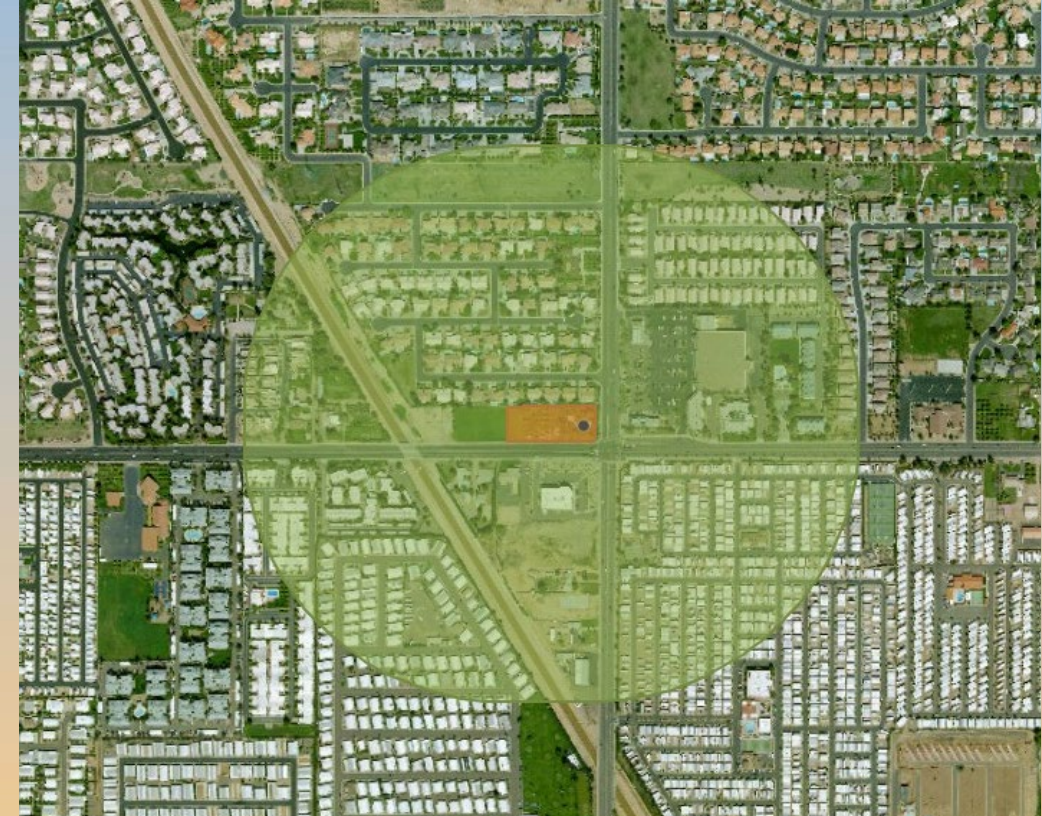




# Approval Criteria



15-yr Historical Aerial Photo



2022 Aerial Photo





# 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 1200 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***



# BOA23-00660



# Request

- Substantial Conformance Improvement Permit
- To allow deviations from certain development standards
- To allow for the expansion of a mini-storage facility

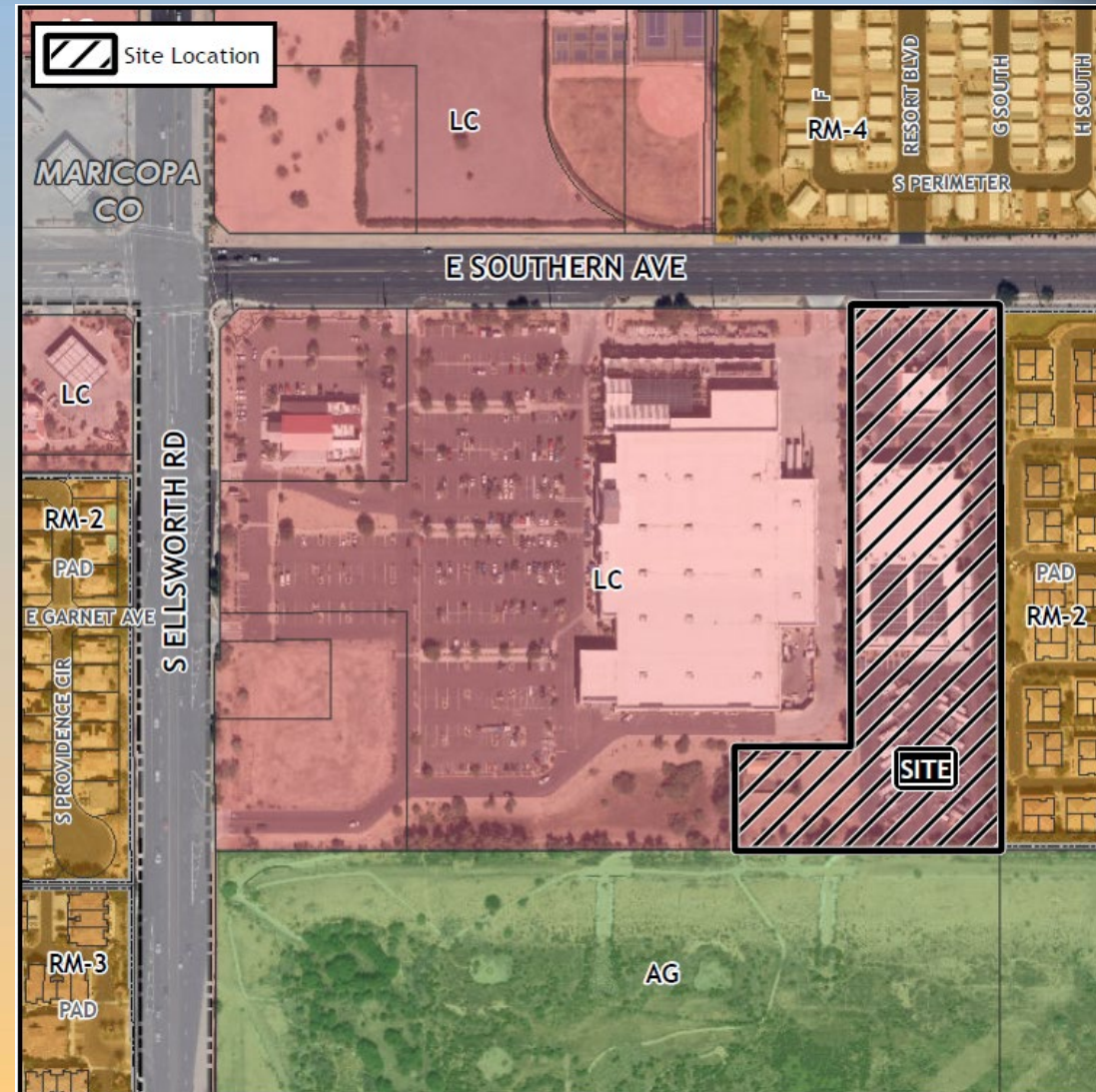






# Location

- East of Ellsworth Road
- South of Southern Avenue







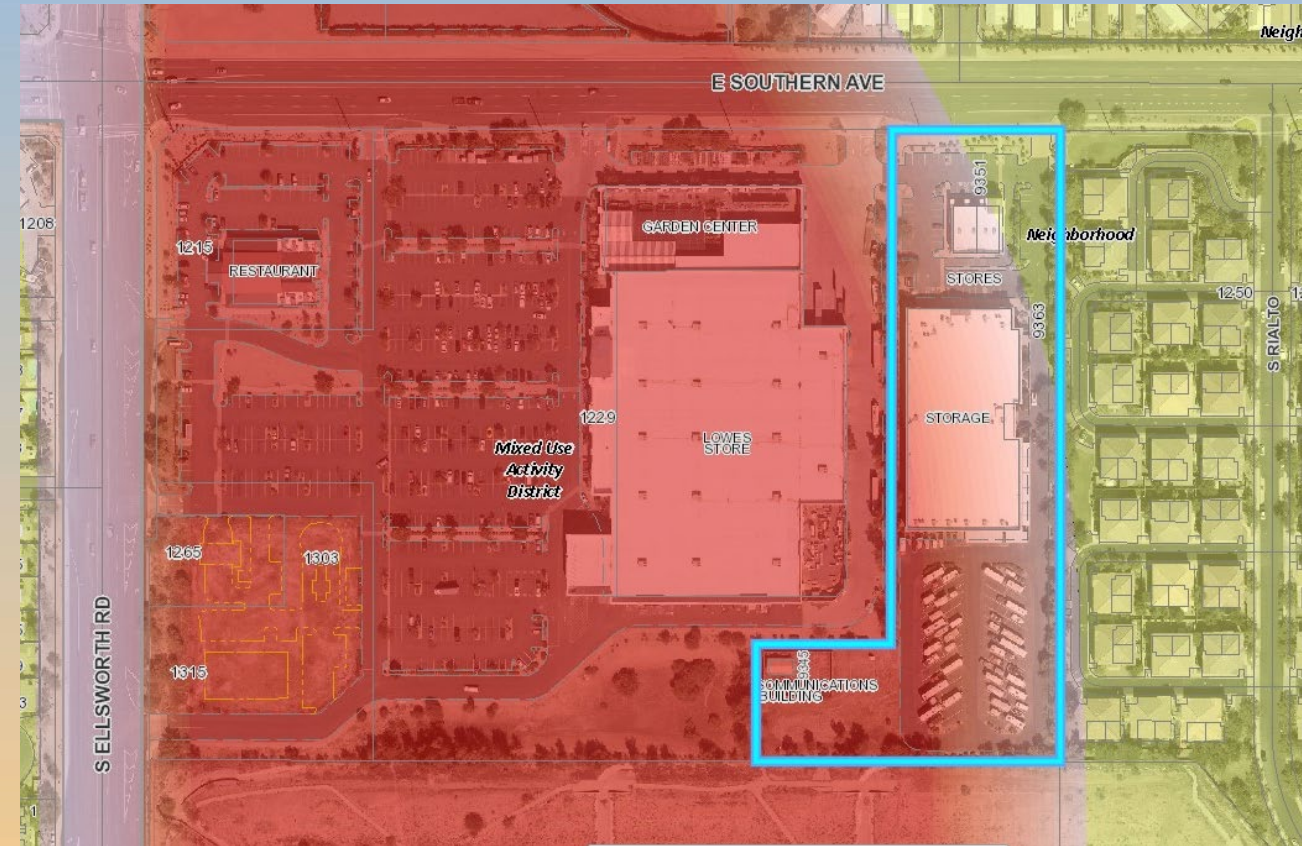
# General Plan

## Mixed Use Activity District

- Strong and viable centers of commercial activity
- Attract people to unique shopping and entertainment experiences

## Neighborhood

- Provide safe places for people to live and enjoy their surrounding community
- May contain commercial uses along arterial frontages and intersections

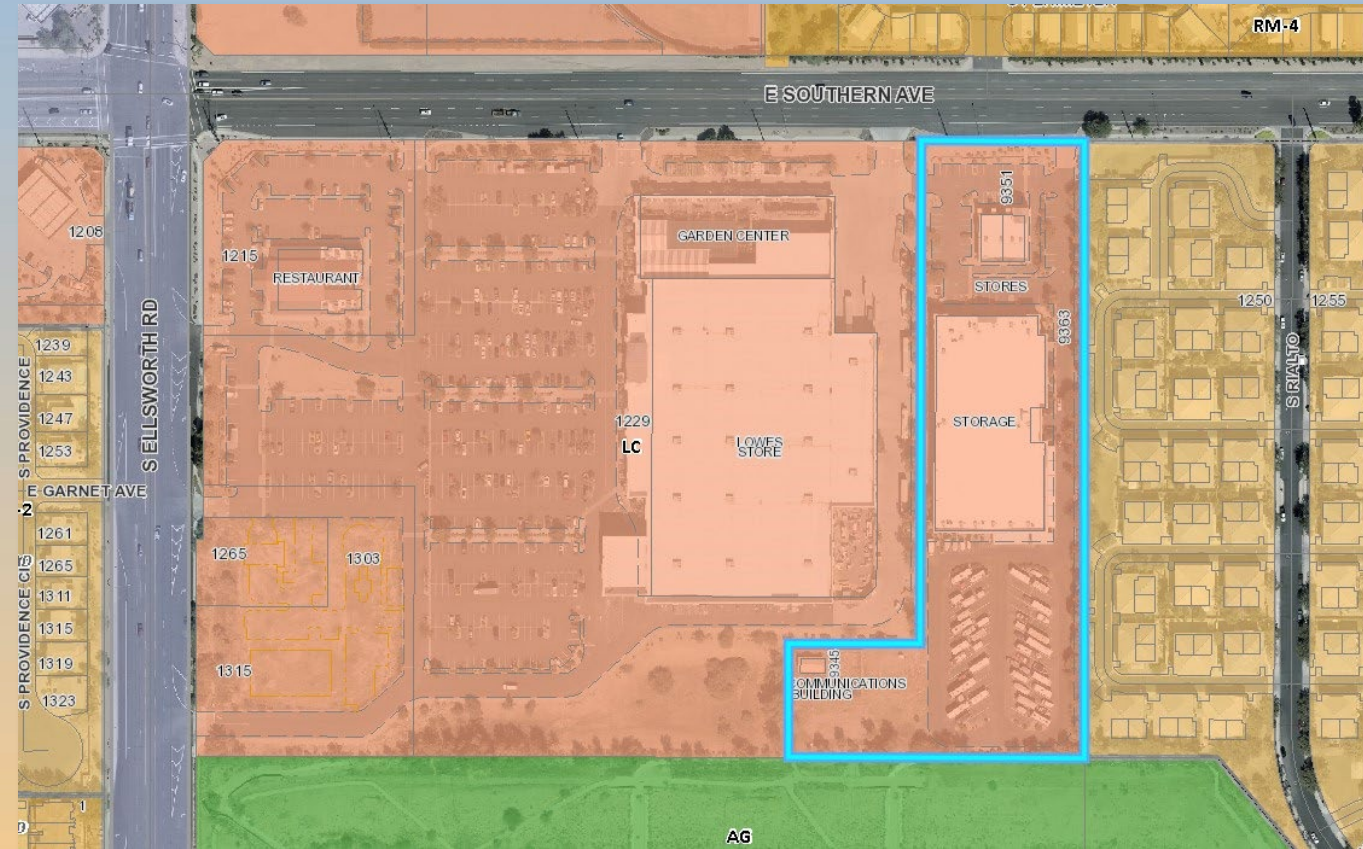






# Zoning

- Limited Commercial (LC)
- Proposed expansion of the existing use requires a Council Use Permit in the LC district







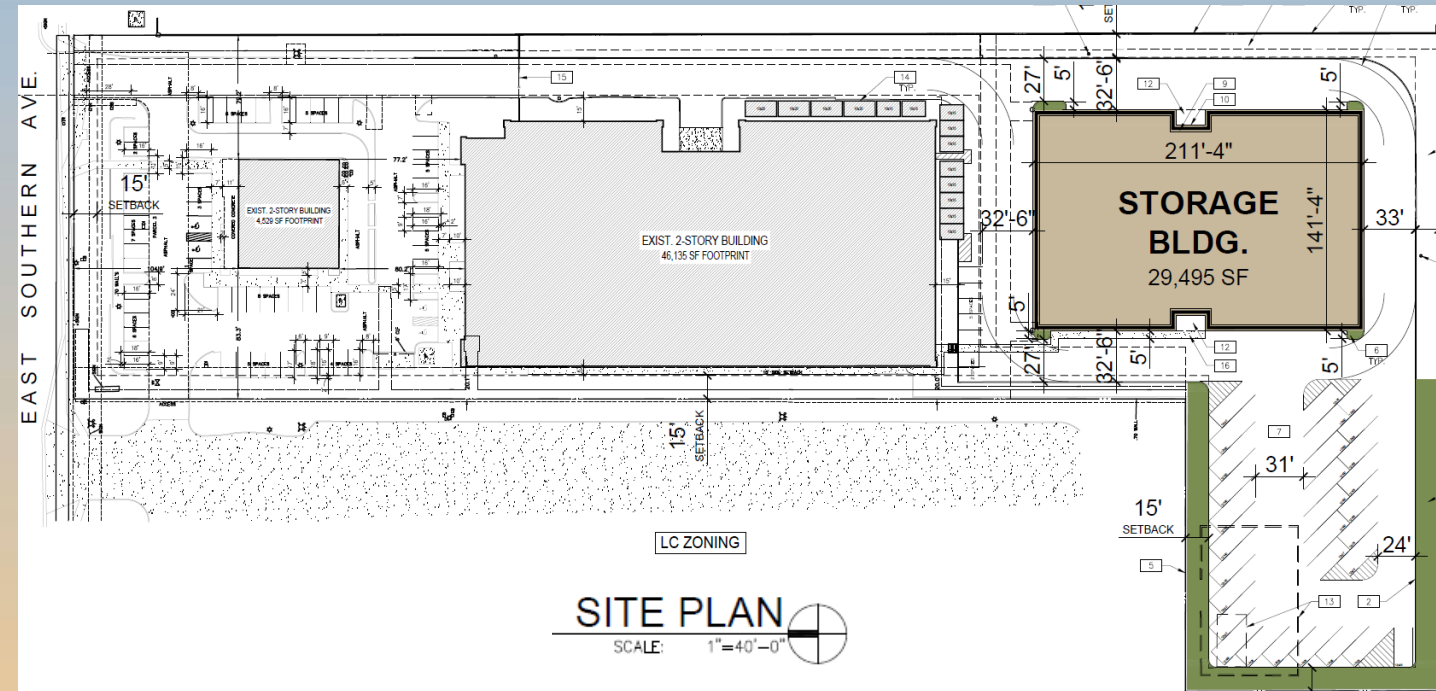
# Site Photo



Looking south from Southern Avenue



- 29,495 sq ft mini-storage building
- 30 RV parking spaces
- Vehicular access is provided from an existing driveway from East Southern Avenue
- SCIP request for existing non-conforming conditions







# SCIP Development Standards

Development Standard	MZO Requirements	Applicant Proposal
<p><i>Setback of cross drive aisles: [Section 11-32-4(A)]</i></p> <p><i>Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles</i></p>	50'	28' (Existing)
<p><i>Interior Parking Lot Landscaping: [Section 11-33-4(B)]</i></p> <p><i>Minimum dimensions for an interior parking lot standard island</i></p>	8' wide by 15' long	<p>One Island at 7' wide by 16' long (Existing)</p> <p>One Island at 6' wide by 16' long (Existing)</p>
<p><i>Foundation base width: [Table 11-33-5(A)(2)(A)]</i></p> <p><i>Foundation Base for exterior wall Without a public entrance adjacent to Parking stalls</i></p>	15'	0' (Existing) at the east side of the existing south building



# SCIP Development Standards

Development Standard	MZO Requirements	Applicant Proposal
<p><i>Foundation base width: [Section 11-33-5(A)(2)(A)]</i></p> <p><i>Foundation Base for exterior wall without a public entrance adjacent to Parking stalls</i></p>	10'	5' (Existing) at the south side of existing south building
<p><i>Foundation base width: [Section 11-33-5(A)(2)(B)]</i></p> <p><i>Foundation Base for exterior wall without a public entrance adjacent to a drive aisle</i></p>	5'	0' (Existing) at the east side of the existing north building
<p><i>Perimeter landscaping: [Section 11-33-3(B)(2)]</i></p> <p><i>Landscaping for Non-Single Residence Uses adjacent to other Non-Single Residence</i></p>	A minimum of three (3) trees per 100 linear feet of adjacent property line	A minimum of three (3) trees per 155 linear feet of adjacent property line at the existing west property line



# SCIP Development Standards

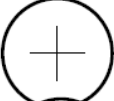








Development Standard	MZO Requirements	Applicant Proposal
<i>Foundation base landscaping: [Section 11-33-3(B)(2)]</i>  <i>Number of trees</i>	A minimum of one (1) tree per 50 linear feet or less of exterior wall length	<b>None provided at the south side of the existing north building</b>  <b>1 tree per 109 linear feet provided at the east side of the existing south building</b>

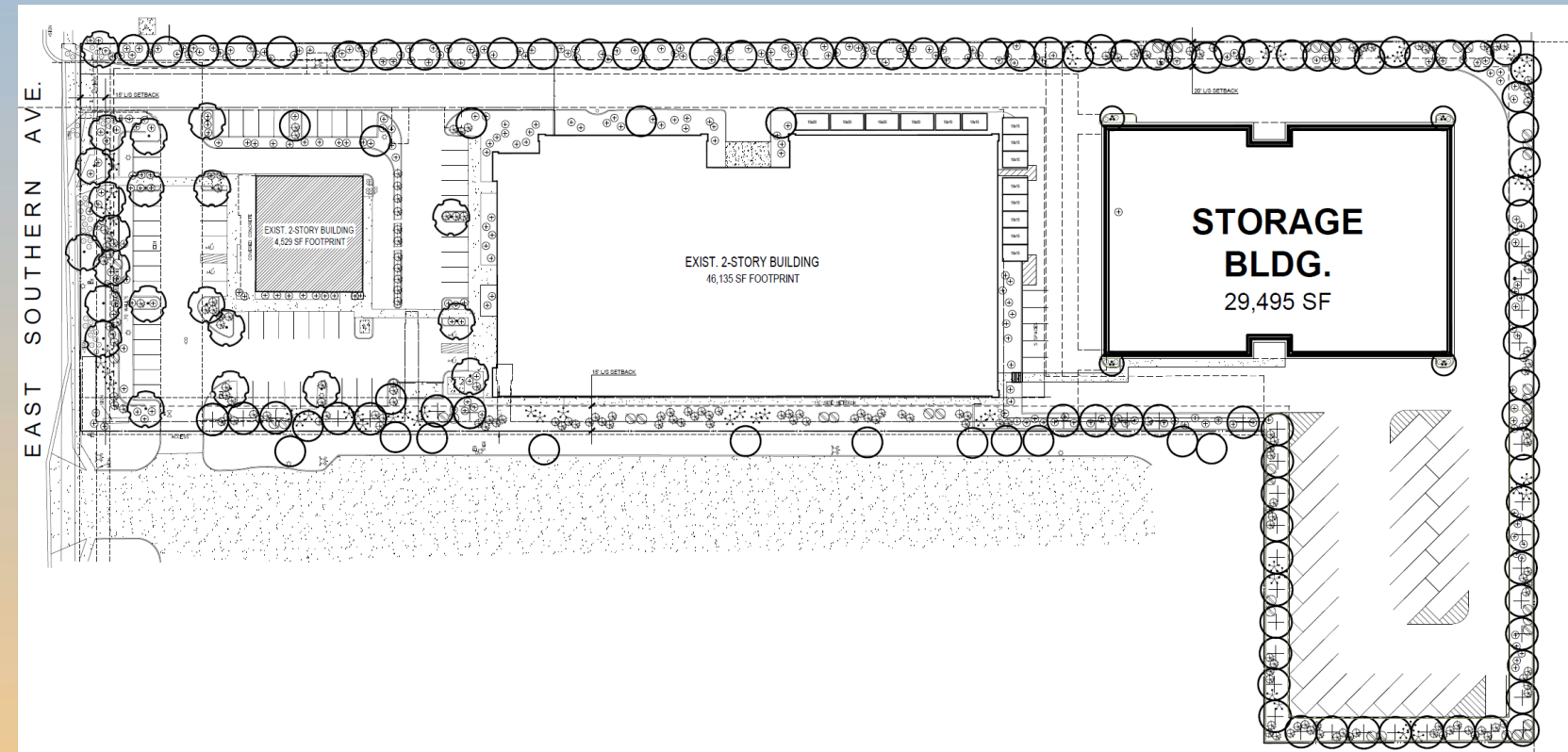




# Landscape Plan

## LANDSCAPE LEGEND

-  ACACIA SALICINA  
WILLOW ACACIA  
24" BOX (41)
-  EXISTING TREE (36" BOX EQUIV.)  
PROTECT FROM  
CONSTRUCTION (34)
-  ULMUS PARVIFOLIA  
CHINESE ELM (MATCHING)  
36" BOX (22)
-  SOPHORA SECUNDIFLORA  
TEXAS MOUNTAIN LAUREL  
36" BOX (4)
-  EXISTING SHRUB  
PROTECT FROM  
CONSTRUCTION (301)
-  TECOMA 'ORANGE JUBILEE'  
ORANGE JUBILEE  
5 GALLON (40)
-  LEUCOPHYLLUM FRUTESCENS  
'GREEN CLOUD'  
5 GALLON (184)
-  CAESALPINIA MEXICANA  
MEXICAN BIRD OF PARADISE  
5 GALLON (54)
-  LANTANA MONTEVIDENSIS  
'GOLD MOUND'  
5 GALLON (45)







# Renderings



Northeast Elevation





# Renderings



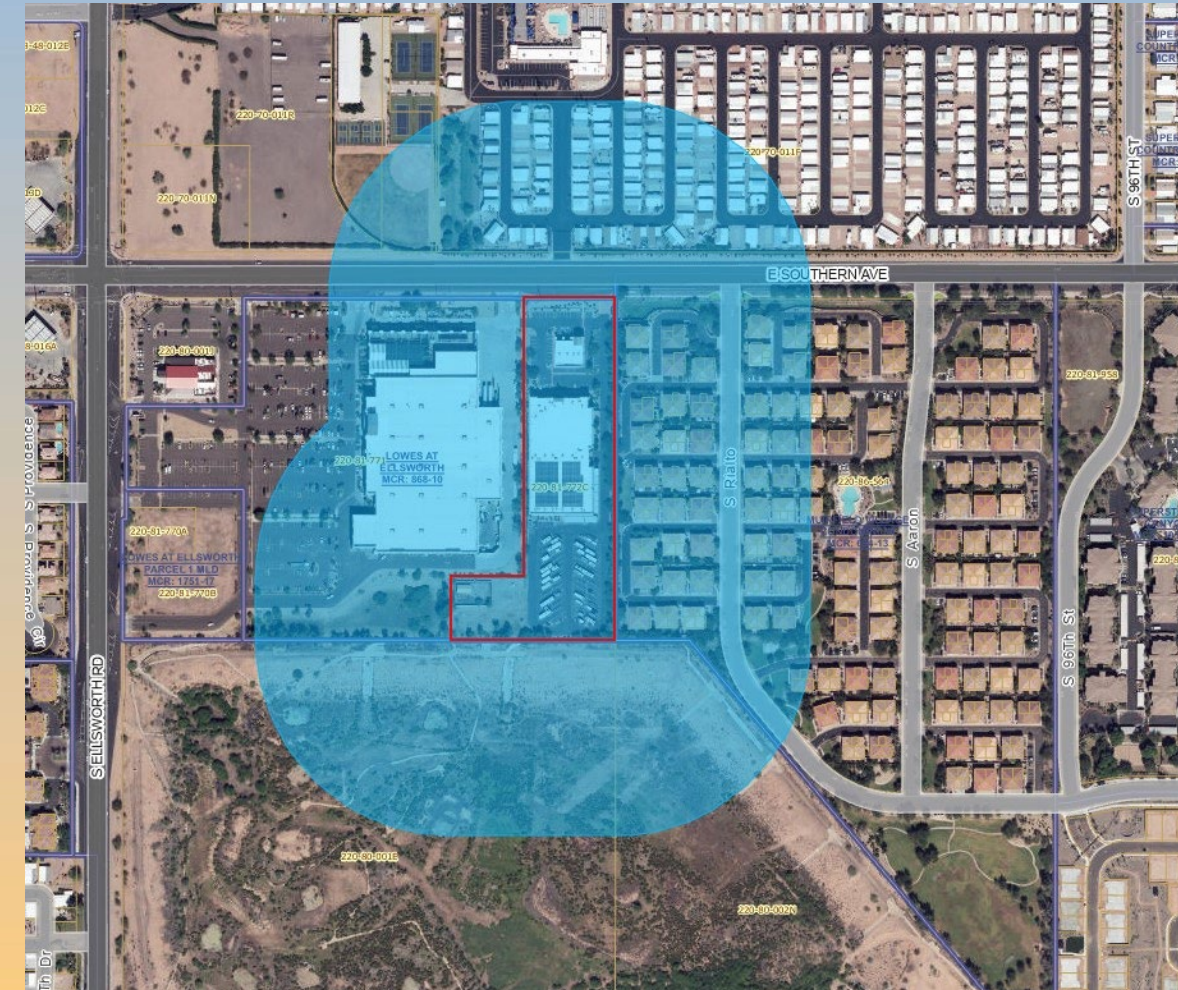
Southeast Elevation





# Citizen Participation

- Notified property owners within 500 feet
- Neither staff nor the applicant received any comment.







# 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





# Findings

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

***Staff recommends Approval with Conditions***



# Board of Adjustment