

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

**Date: December 4, 2024 Time: 5:30 p.m.**

**MEMBERS PRESENT:**

Chair Alexis Wagner  
Boardmember Nicole Lynam  
Boardmember Heath Reed  
Boardmember Troy Glover  
Boardmember Todd Trendler  
Boardmember Gerson Barrera\*

**MEMBERS ABSENT:**

Vice Chair Shelly Allen

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

**STAFF PRESENT:**

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

**OTHERS PRESENT:**

**1 Call meeting to order.**

Chair Wagner excused Vice Chair Allen and declared a quorum present, and the Public Hearing was called to order at 5:35 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 and seconded by Boardmember Reed.

**Items on the Consent Agenda**

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

**\*3-a Minutes from November 6, 2024 Study Session and Public Hearing.**

**Consent Agenda Approved**

Vote: 6-0

Upon tabulation of vote, it showed:

AYES –Wagner – Lynam – Reed – Glover – Trendler – Barrera

NAYS – None

ABSENT – Allen

ABSTAINED – None

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

**\*4-a Case No.: BOA24-00371 (Approval with Conditions)**

Location: 755 East Main Street

Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards for a medical office and general retail sales 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 **BOA24-00371** was made by Boardmember Glover as read by Boardmember Lynam and seconded by Boardmember Reed.

**Conditions of Approval:**

1. Compliance with the final site plan and landscape plan as submitted.
2. Compliance with case ZON24-00365.
3. Compliance with case DRB24-00366.
4. All signage is to be reviewed and approved through a separate permit application.
5. Compliance with all City Development Codes and regulations, except as identified in Table 1 of this report.
6. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

**Consent Agenda Approved**

Vote: 6-0

Upon tabulation of vote, it showed:

AYES –Wagner – Lynam – Reed – Glover – Trendler – Barrera

NAYS – None

ABSENT – Allen

ABSTAINED – None

- \*4-b Case No.: BOA24-00550 (Approval with Conditions)**  
Location: Southeast corner of East Elliot Road and South Power Road.  
Subject: Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP) in the Limited Commercial (LC) 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 **BOA24-00550** was made by Boardmember Glover as read by Boardmember Lynam and seconded by Boardmember Reed.

**Conditions of Approval:**

1. Compliance with the Comprehensive Sign Plan and submitted documents.
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, Public Utility Easements and Public Utility Facility Easements.
4. All signage to be reviewed and approved through a separate permit application.

**Consent Agenda Approved**

Vote: 6-0

Upon tabulation of vote, it showed:

AYES –Wagner – Lynam – Reed – Glover – Trendler – Barrera

NAYS – None

ABSENT – Allen

ABSTAINED – None

**\*4-d Case No.: BOA24-00889 (Approval with Conditions)**

Location: Located 650 feet west of the southwest corner of South Signal Butte Road and East Hampton Avenue.

Subject: Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP) in the Multiple Residence-5 with two Planned Area Development Overlays (RM-5-PAD-PAD) 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 BOA24-00889 was made by Boardmember Glover as read by Boardmember Lynam and 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 signage is to be reviewed and approved through a separate permit application.

**Consent Agenda Approved**

Vote: 6-0

Upon tabulation of vote, it showed:

AYES –Wagner – Lynam – Reed – Glover – Trendler – Barrera

NAYS – None

ABSENT – Allen

ABSTAINED – None

**\*4-e Case No.: BOA24-00893 (Approval with Conditions)**  
Location: 2221 East Dartmouth Street  
Subject: Requesting a Special Use Permit (SUP) to allow an addition that extends into a nonconforming yard in the Single Residence-9 (RS-9) 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 BOA24-00893 was made by Boardmember Glover as read by Boardmember Lynam and seconded by Boardmember Reed.

**Conditions of Approval:**

1. Compliance with the final site plan as submitted.
2. Compliance with all City Development Codes and regulations.

**Consent Agenda Approved**

Vote: 6-0

Upon tabulation of vote, it showed:

AYES -Wagner - Lynam - Reed - Glover - Trendler - Barrera

NAYS - None

ABSENT - Allen

ABSTAINED - None

**Items not on the Consent Agenda**

**5 Act on the following case:**

**\*4-c Case No.: BOA24-00714 (Approval with Conditions)**

Location: 143 South Morris

Subject: Requesting a Variance from the Form Based Code Building Form Standards to allow for a Multiple Residence development.

Decision: Approval with conditions

Summary: This item was discussed and voted on an individual basis

Brandon Sheldon, 146 South Robson - expressed their opposition to this project.

Applicant Richard Noris stated the building is centrally located on the parcel. He also added the windows on the second floor are smaller in size to also add more privacy to surrounding properties.

Boardmembers discussed the merits of the case.

A motion to approve case BOA24-00714 was made by Boardmember Glover and seconded by Boardmember Trendler.

**Conditions of Approval:**

1. Compliance with the final site plan and landscape plan submitted with this request.
2. Compliance with all City development codes and regulations, except as modified by the variance requests 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 submittal of a building permit, submit and obtain approval from the City of Mesa for a Zoning Clearance for compliance with the Form Based Code.

Vote: 6-0

Upon tabulation of vote, it showed:

AYES –Wagner – Lynam – Reed – Glover – Trendler – Barrera

NAYS – None

ABSENT – Allen

ABSTAINED – None

**6 Adjournment.**

Boardmember Lynam moved to adjourn the Public Hearing and was seconded by Boardmember Reed. Without objection, the Public Hearing was adjourned at 5:52 p.m.

Respectfully submitted,

*Jennifer Merrill*

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



# Board of Adjustment





# BOA24-00714

Kwasi Abebrese, Planner II

December 4, 2024



# Request

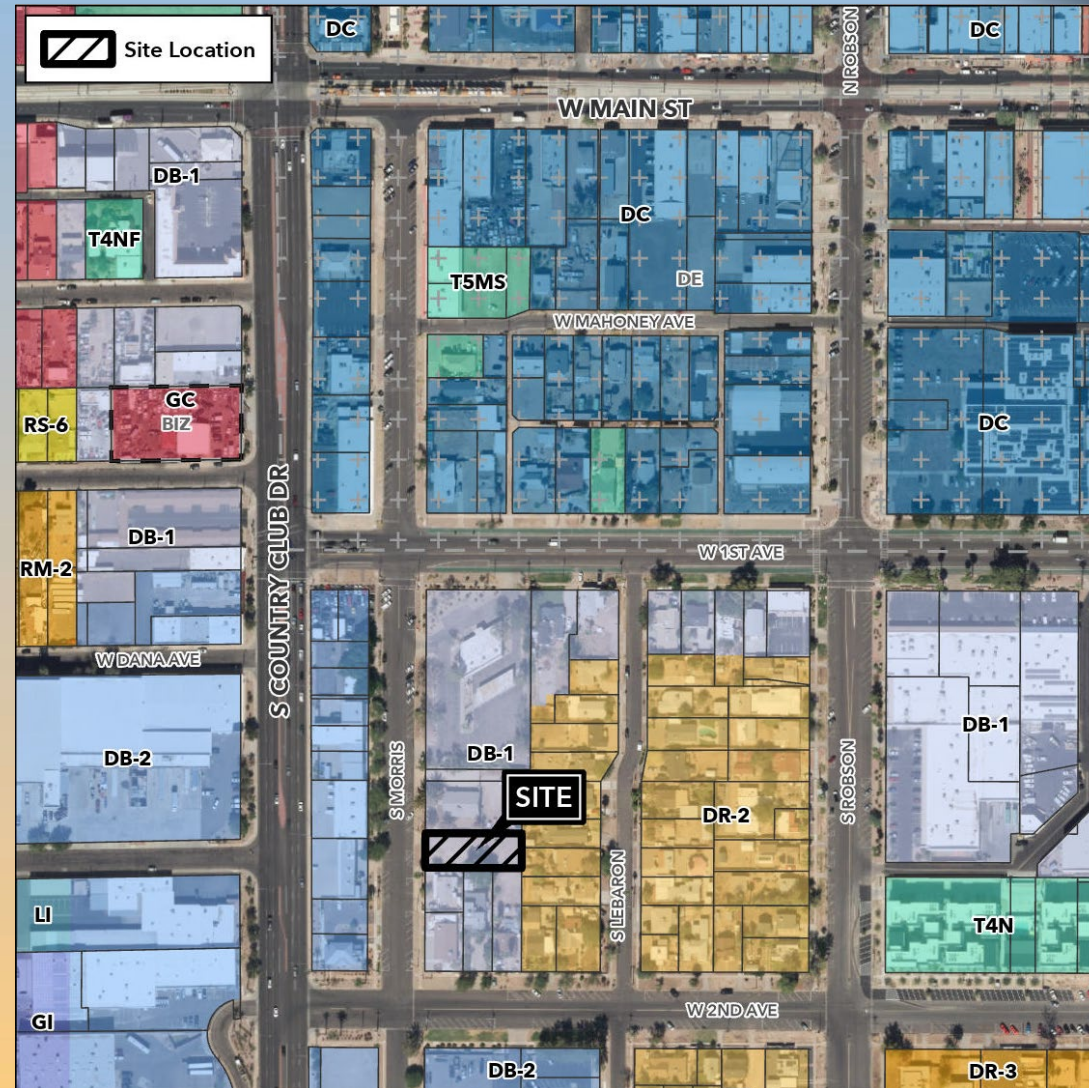
- Variance from the Form-Based Code Building Form Standards
- To allow for a multiple residence development





# Location

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





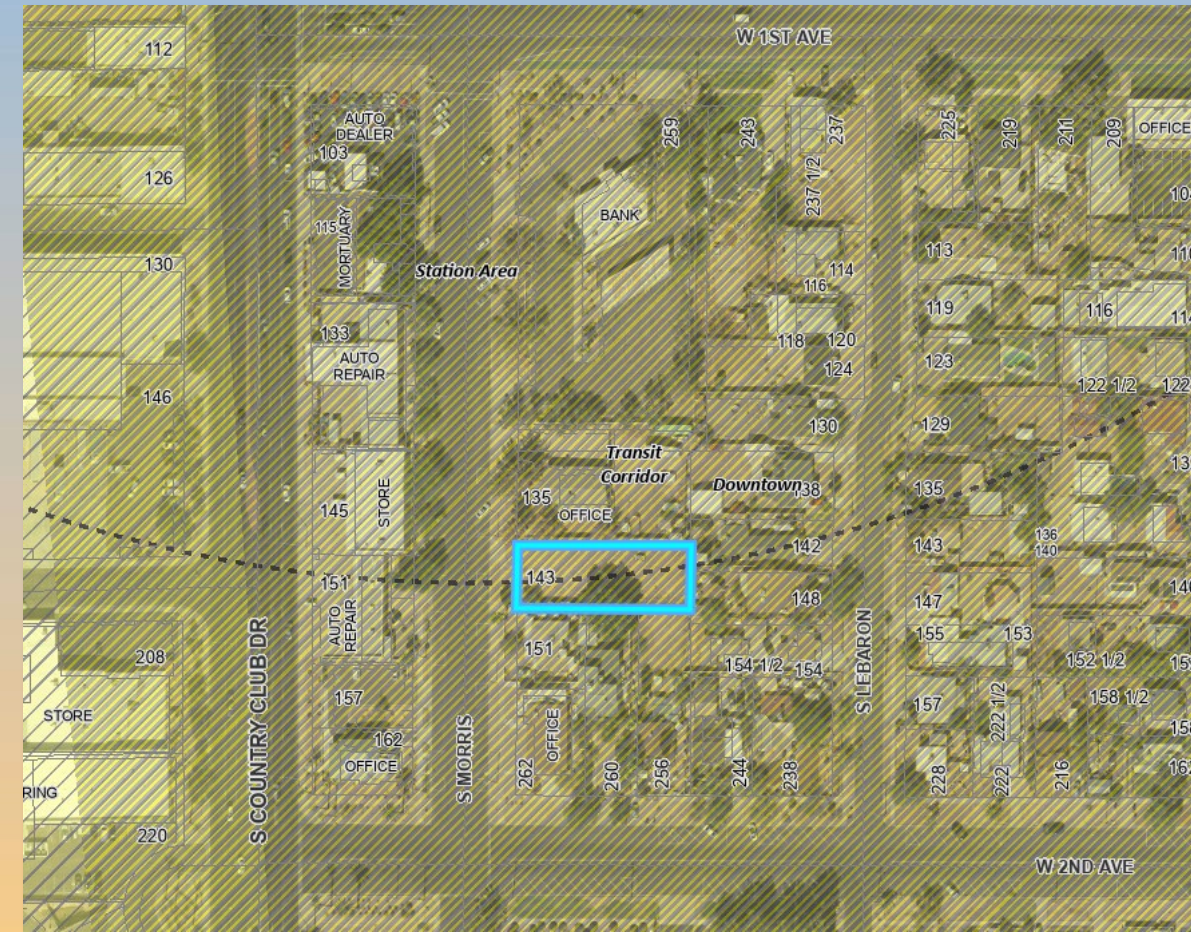
# General Plan

## Downtown with Transit District overlay of Station Area

- Pedestrian oriented
- Variety of housing, entertainment and events

## Central Main Street Area Plan - Neighborhood Evolution Area

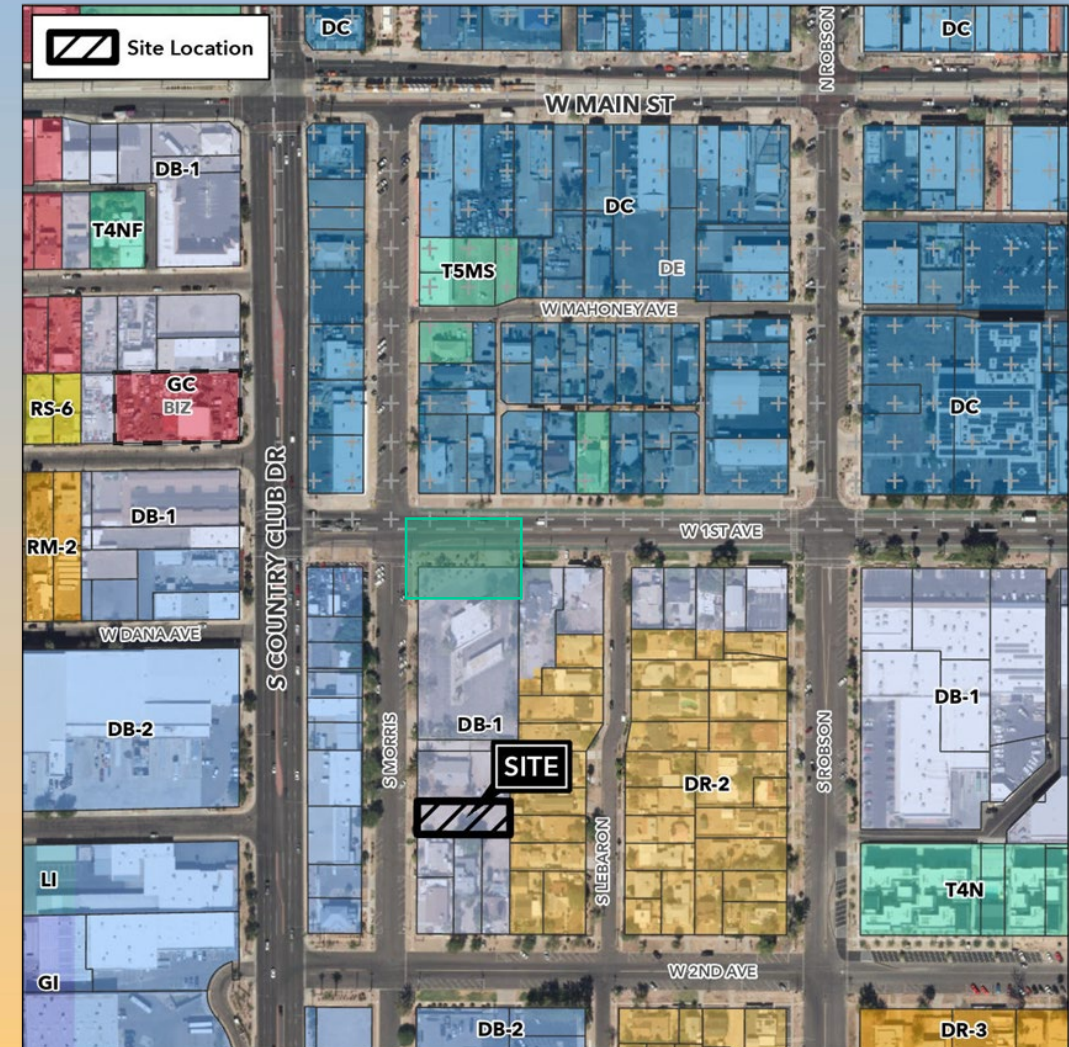
- Evolve over time into a neighborhood that can include a mix of single residence, duplex and small apartment buildings.





# Zoning

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





# Site Photos

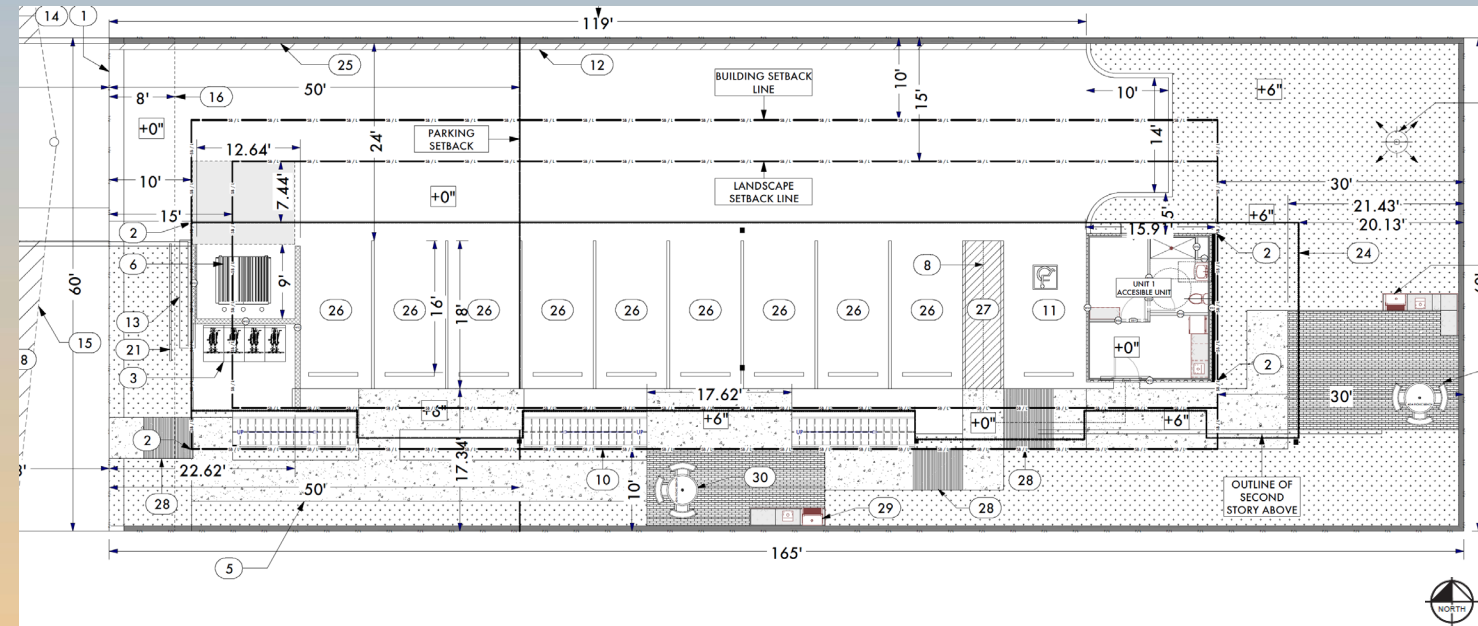


Looking east towards the site from Morris



# 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

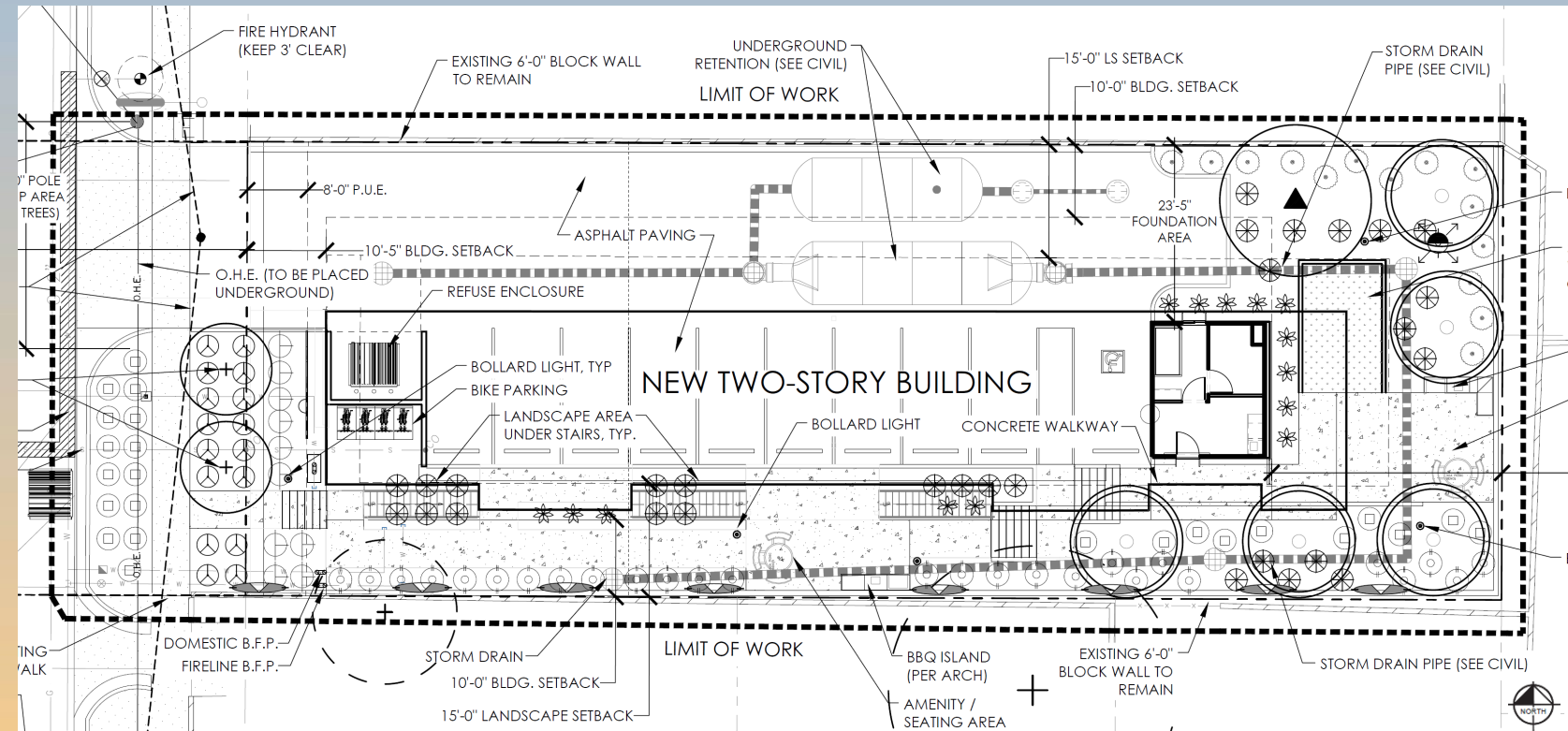




# Landscape Plan

## PLANT SCHEDULE \*CAN BE PLANTED UNDER POWER LINES

TREES		
TREES	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		
ACCENTS	SIZE	QTY
	ALOE BARBADENSIS MEDICINAL ALOE	5 GAL 14
	FICUS PUMILA CREEPING FIG VINE	5 GAL / TRAIN TO WALL 8
	MUHLENBERGIA CAPILLARIS REGAL MIST DEER GRASS	5 GAL 16
	MUHLENBERGIA RIGENS DEER GRASS	5 GAL 29

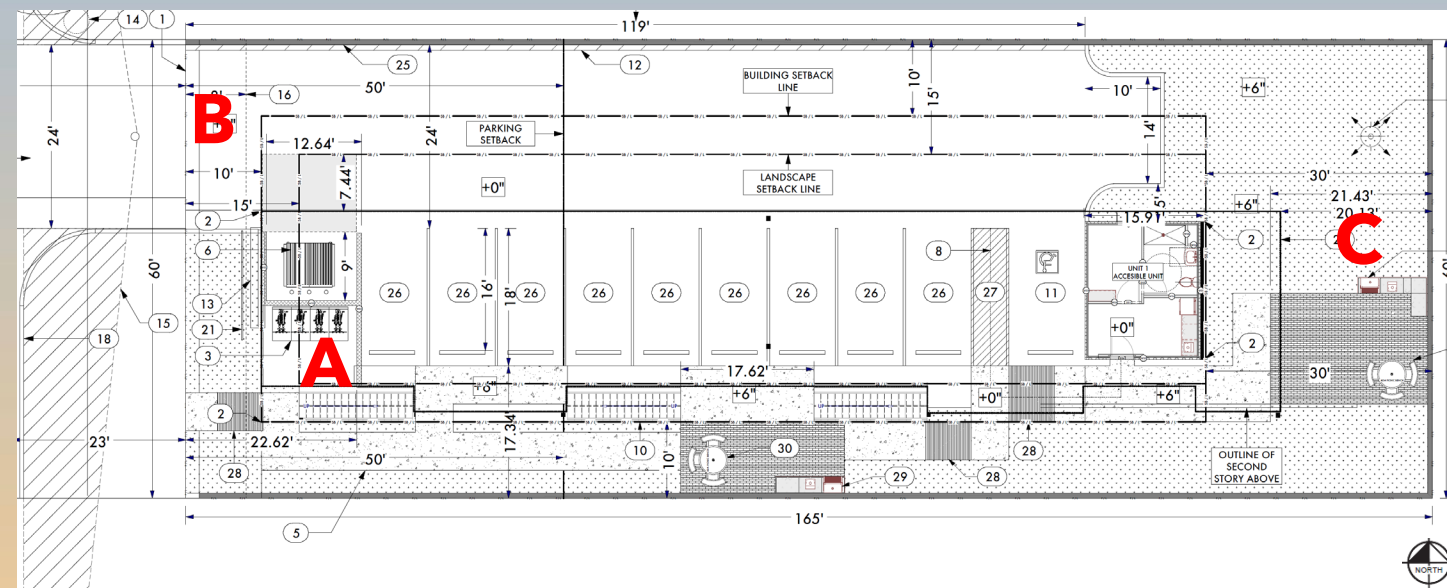






# Request Variances

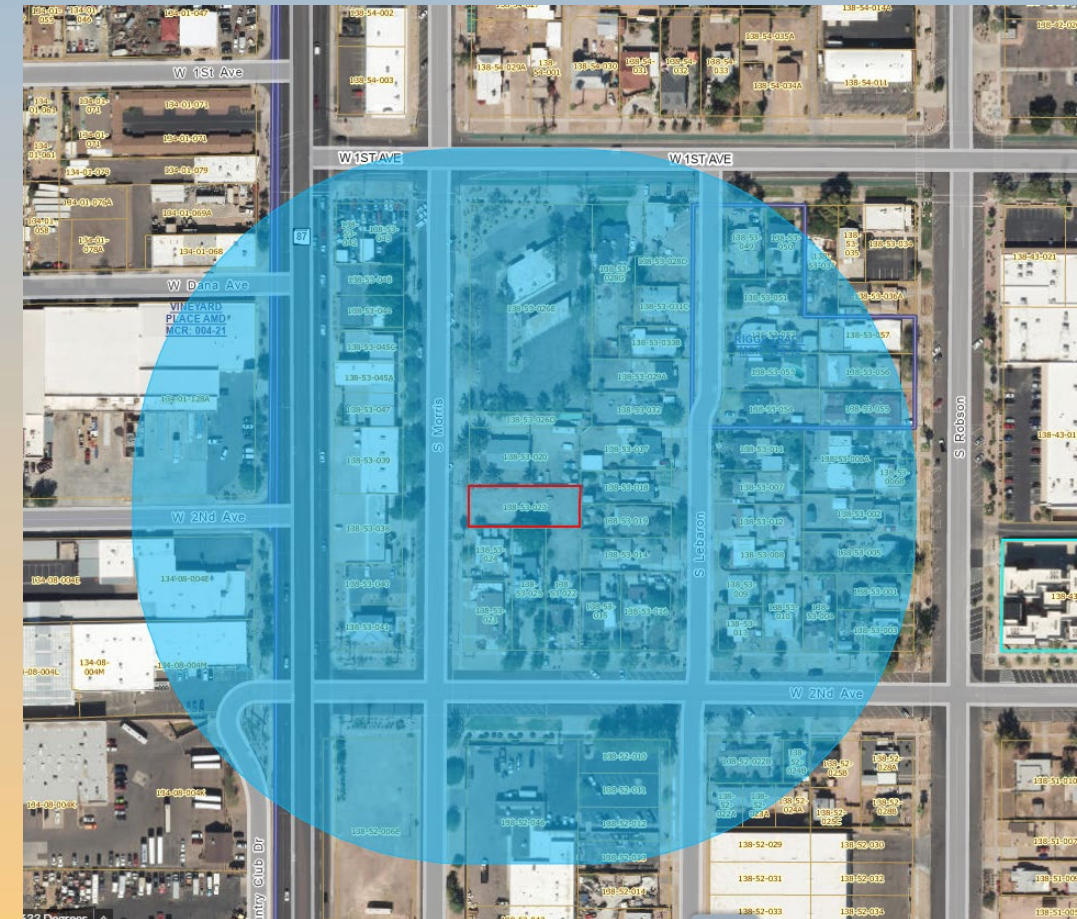
- Minimum setback of parking spaces from Property Line/ROW (**A**)
- Maximum width of Parking Access Drive (**B**)
- Minimum Rear Setback, Main Building (**C**)





# 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