

Study Session Minutes

Mesa Council Chambers Lower Level – 57 E 1st St

Date: August 2, 2023 Time: 5:00 p.m.

MEMBERS PRESENT:

Chair Alexis Wagner
Vice Chair Shelly Allen
Boardmember Nicole Lynam
Boardmember Chris Jones
Boardmember Heath Reed
Boardmember Ethel Hoffman
Boardmember Troy Glover

MEMBERS ABSENT:

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

STAFF PRESENT:

Margaret Robertson
Evan Balmer
Charlotte Bridges
Kwasi Abebrese
Sergio Solis
Vanessa Felix

OTHERS PRESENT:

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:

***2-a Introduced and welcomed new Boardmember Shelly Allen.**

***2-b Election of Board of Adjustment Officers:**

a. Chair – Boardmember Wagner was nominated as the new Chair by Boardmember Jones, second by Boardmember Allen and passed unanimously.

b. Vice Chair – Boardmember Allen was nominated as the new Vice Chair by Boardmember Lynam, second by Chair Wagner and passed unanimously.

3 Consider revised Board of Adjustment Bylaws

***3-a Staff member Evan Balmer presented modification of Board of Adjustment Bylaws to the Board.**

See attached presentation.

Boardmember Lynam asked if the bylaws had an option to approve a case in the event the applicant is not present at the hearing.

Staff member Robertson answered there is no option to approve or deny a case if the applicant fails to appear at the hearing within the new bylaws. The two options would be to continue the case to a date certain or to withdraw the case.

4 Review and discuss items listed on the Public Hearing agenda for August 2, 2023.

***4-a Staff member Charlotte Bridges presented case BOA22-01324 to the Board.**

See attached presentation.

***4-b Staff member Kwasi Abebrese presented case BOA23-00286 to the Board.**

See attached presentation.

Chair Wagner asked if the building will also be used by the current tenant.

Staff member Balmer stated Gravity is going to be an addition to the building.

***4-c Staff member Sergio Solis presented case BOA23-00392 to the Board.**

See attached presentation.

***4-d Staff member Evan Balmer presented case BOA23-00179 to the Board.**

See attached presentation.

***4-e BOA23-00462 continued to September 6, 2023.**

***4-f Staff member Sergio Solis presented case BOA23-00468 to the Board.**

See attached presentation.

5 Adjournment.

Boardmember Hoffman moved to adjourn the Study Session and was seconded by Vice Chair Allen. Without objection, the Study Session was adjourned at 6:08 p.m.

Respectfully submitted,

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



Board of Adjustment



Request

- Revised Board of Adjustment Bylaws



Decisions of the Board

- 1) After a public hearing wherein City staff, the applicant, ~~from the applicant and from those present, both those persons~~ in favor and ~~for~~ those in opposition of the subject application are given an opportunity to present their position, provide testimony and/or evidence in support of their position, and are providing provided an opportunity for rebuttal, the Chairperson will close the public hearing and provide an opportunity for the Board to discuss the requested subject application action. In doing so, the Chairperson will not recognize applicants or persons in support or opposition for further comment. During the period of discussion by the Board, unless a Board Member may request the Chairperson ~~to~~ call a staff member, an applicant, ~~or a~~ person in support or in opposition for further questions; there will be no further presentations from staff, applicant, or persons in support or opposition of the subject application. In addition, during the period of discussion of the Board however, no Board Member shall debate or argue an issue with a staff member, the applicant or persons in interest support or opposition of the subject application.



Decisions of the Board

2) Voting shall be by electronic signal, paper ballot, or voice vote, on the call of the Chairperson. Each member participating shall vote “yes” or “no.” Upon decision of the Chairperson, whether before or after a voice vote, a roll call vote ~~shall~~ may be taken and each member participating shall answer the roll call by voting “yes” or “no.”

4) ~~In the event the applicant of any item on the agenda~~ ~~The Board may continue the hearing on any application for which the applicant fails to appear,~~ ~~the Board on a motion and second from Board, may vote to continue that case to a future date certain or to withdraw the case.~~ ~~or it may approve or deny the request; however,~~ in addition, ~~the Board,~~ in its discretion, may hear testimony from persons present in favor or in opposition of the subject application. ~~those persons appearing in response to the notice of hearing.~~



Decisions of the Board

7) In the event that a motion is made by a ~~B~~board ~~M~~member and seconded by a different ~~board~~Board ~~member~~Member, but upon voting the motion ~~on the motion, it~~ fails to garner sufficient support for the motion to pass (a minimum of four (4) votes to approve a case; a simple majority of board members present if the motion is to deny the case), the Chair may acknowledge a subsequent motion by a ~~B~~board ~~M~~member, a second on the subsequent motion by a differing ~~B~~board ~~M~~member, and then call for a vote on the subsequent motion, all without requiring a motion for reconsideration of the request. Such a subsequent motion shall be made immediately after the vote on the failed motion, and before the public hearing begins on next item on the same agenda of the same calendar date. In the event that no subsequent motion is made, or a subsequent motion is made but fails to



Motions for Reconsideration

A request for the Board to reconsider the decision on an application shall ~~be limited only to~~ occur ~~only~~ at the same meeting that the Board rendered ~~its a~~ decision on the application, or at the next regularly scheduled meeting of the Board, wherein all the Board Members who rendered the decision which is the subject of the request for reconsideration are present. ~~Any~~ Only a Board member that voted in favor of the decision which is the subject of the reconsideration may make a motion to reconsider a previous decision. A Motion for Reconsideration shall only ~~may~~ be based on a Board Member's belief that: (i) there may have been a mistake in the law that was the subject of the decision being reconsidered, or (ii) a mistake was made in the a Board's Member's interpretation of the evidence or due to the existence of previously unknown or unavailable evidence, or a mistake in procedure that may have effected the decision of the Board. The concurring vote of four members of the Board who voted in favor of the decision that is being reconsidered shall be necessary to grant a motion for reconsideration ~~only~~. If a motion for reconsideration does not receive four or more votes in favor of the motion for reconsideration from the Board Members that rendered the votes in favor of the decision being reconsidered, the motion is denied and the previous



Motions for Reconsideration

decision on the application stands. If a motion for reconsideration receives at least four votes of the Board Members that rendered the initial decision~~the Board denied an application and then grants a motion for reconsideration~~, the case may re-discussed only by the Board Members that rendered the original decision at the current meeting and a new motion for a decision can be made by any Board ~~M~~member that was present at the meeting wherein the case was initially heard or the case can be continued to a new meeting at a date certain. If the application is continued to a new date, only the Board Members who were present at the meeting wherein the initial case was heard can re-deliberate the case and render a decision. At the meeting wherein the case is re-discussed, there shall not be any presentations from staff or the applicant. The reconsideration shall consist for only a re-discussion of the case by the Board Members that were present at the meeting wherein the initial decision was rendered.~~the property shall be reposted in accordance with the rules that govern the Board, and the applicant shall comply with all requirements for citizen participation under Mesa Zoning Ordinance.~~



BOA23-01324

Charlotte Bridges, Planner II

August 2, 2023



Request

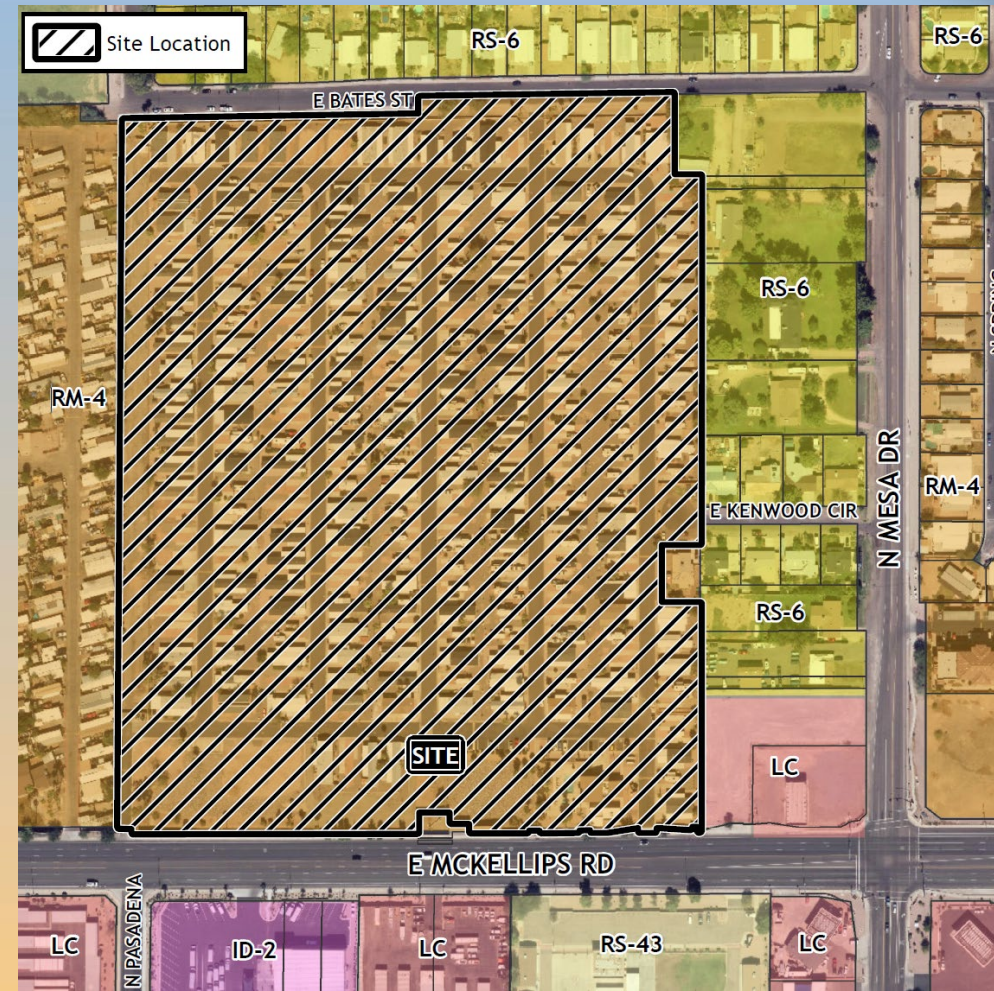
- Substantial Conformance Improvement Permit
- To allow deviations from certain development standards
- To allow for the new site improvements to an existing manufactured home community





Location

- West of Mesa Drive
- North side of McKellips Road

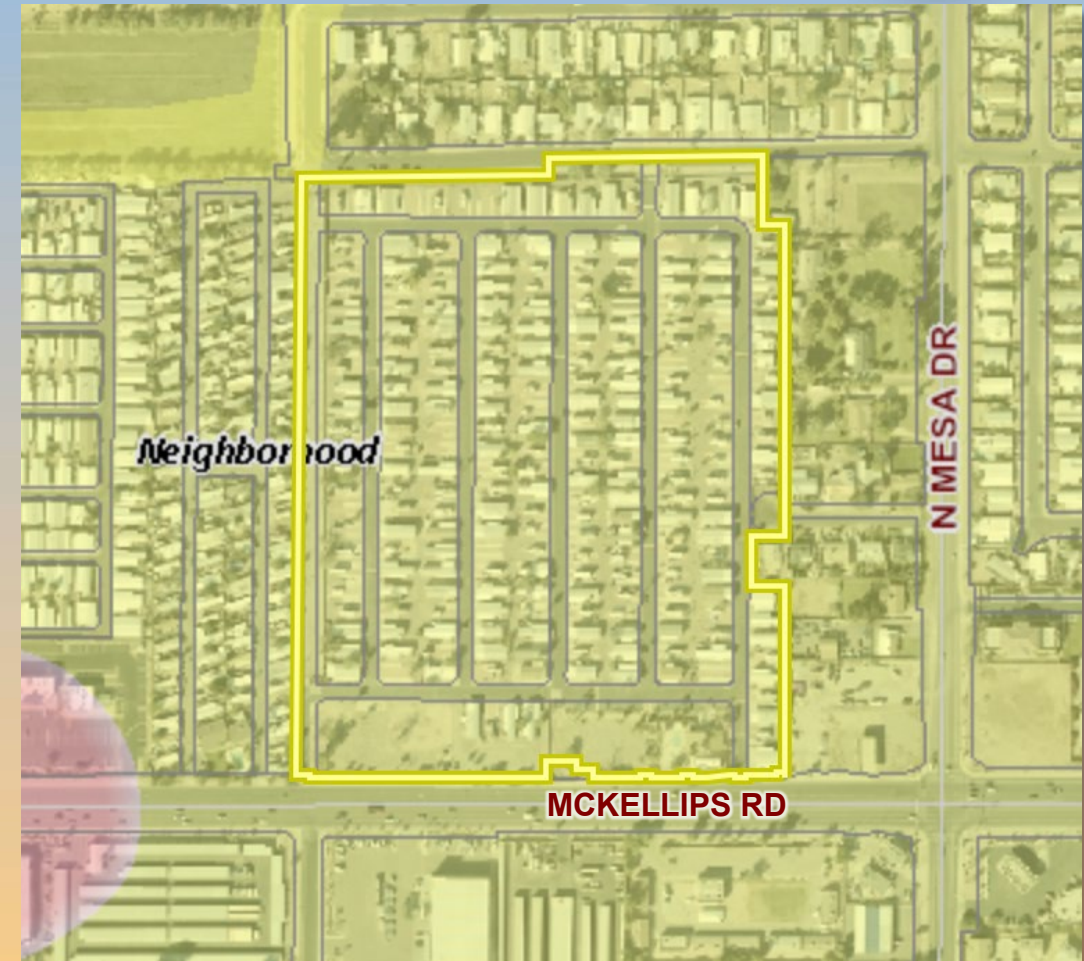




General Plan

Neighborhood with a Manufactured Home sub-type

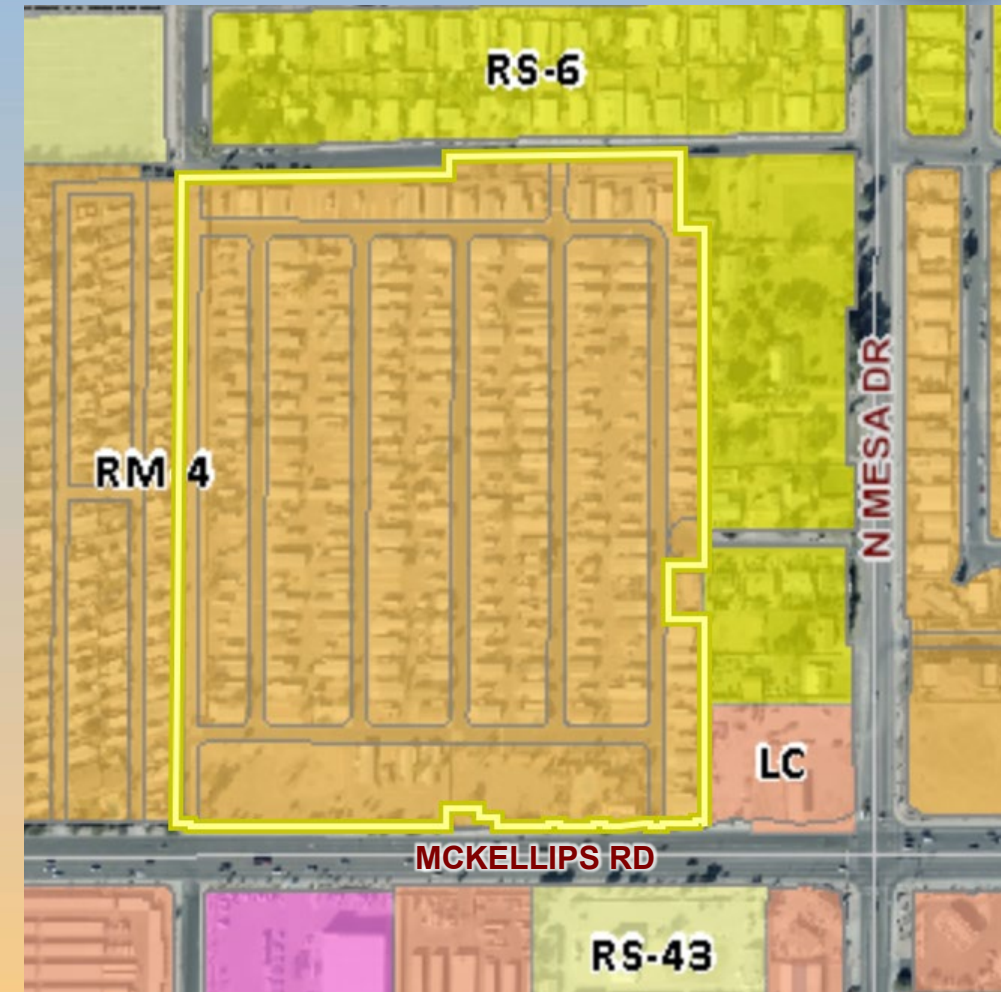
- Provide safe places for people to live and enjoy their surrounding community
- Manufactured Home sub-type includes areas of a least 80 contiguous acres comprised of one or more recreational vehicles or manufactured home parks or subdivisions





Zoning

- Multiple-Residence-4 (RM-4)
- A manufactured home park is permitted in the RM-4 district





Site Photo



Looking northeast from McKellips Road



Site Photo

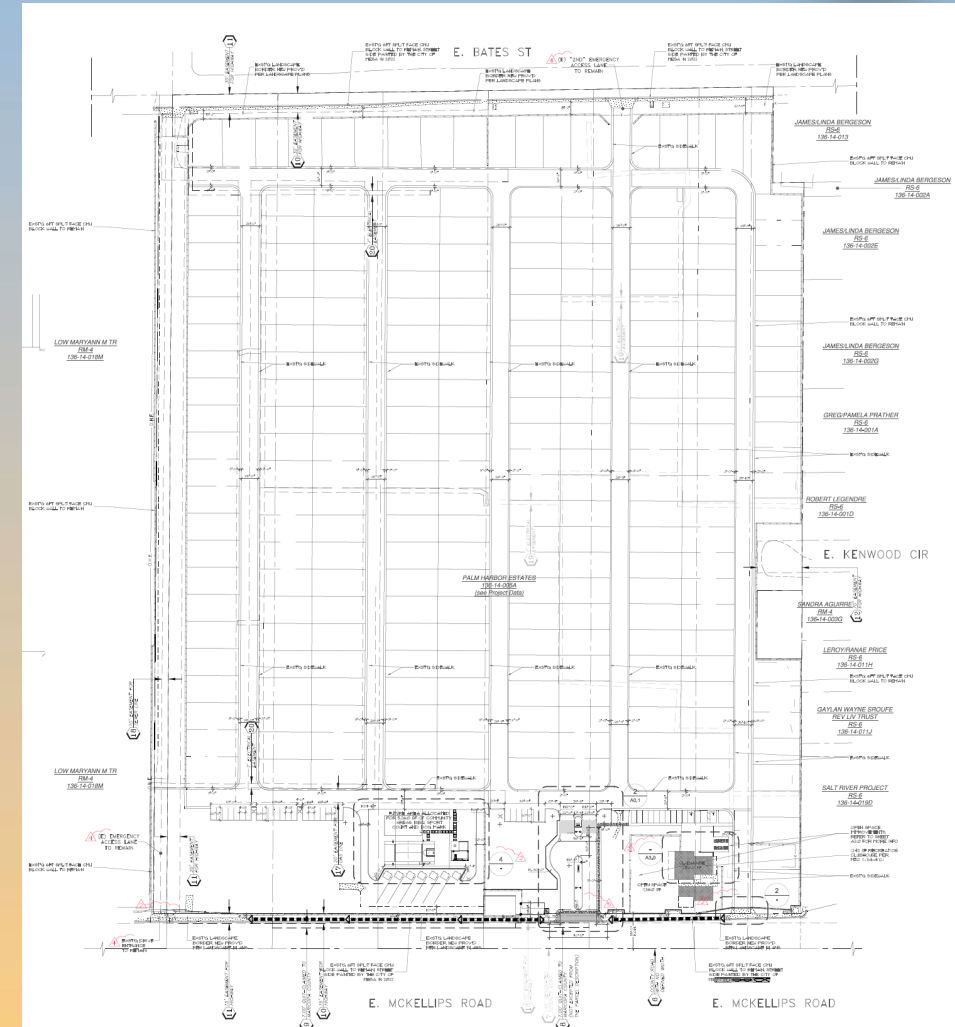


Looking northwest from McKellips Road



Site Plan

- Existing 246 unit manufactured home park
- New centrally located, gated entry and access
- Closing existing access drive on east side of the park
- 35 new visitor parking spaces
- Centralized trash enclosure compound
- An additional 11,471 square feet of common open space
- SCIP request for existing non-conforming conditions

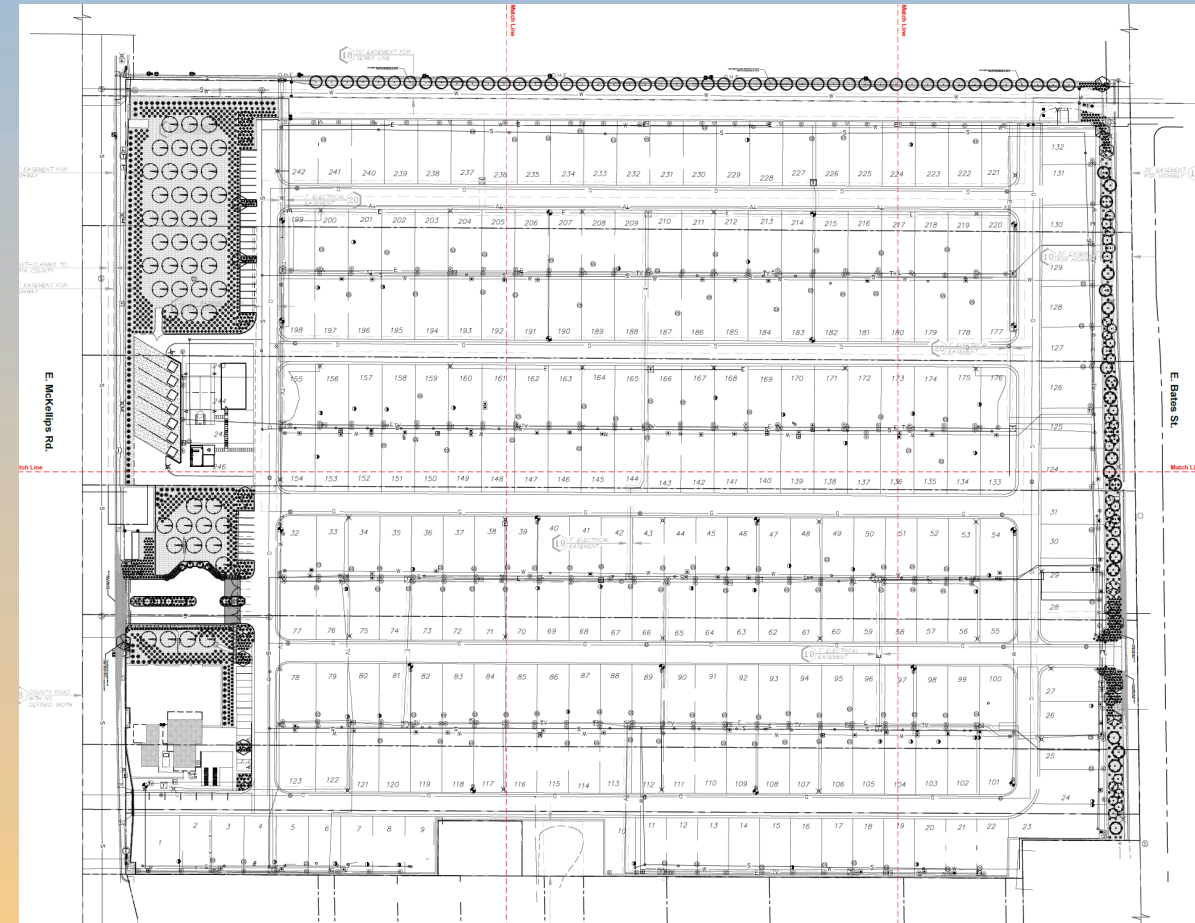




Landscape Plan

PLANTING LEGEND				
SYMBOL	COMMON NAME	BOTANICAL NAME	QTY.	SIZE
NEW TREES				
	Date Palm	Phoenix dactylifera	5	20' HT
	Mexican Blue Palm	Brahea armata	4	24" Box
	Mediterranean Fan Palm	Chamaedrops humilis	12	24" Box
	Palo Rojo	Cercidium X sp. 'Palo Rojo'	22	36" Box
	Velvet Mesquite	Prosopis velutina	48	24" Box
	Palo Blanco	Acacia willardiana	30	36" Box
	Desert Willow	Chilopsis linearis	19	36" Box
	Cascalote	Caesalpinia cacalaco	49	36" Box

NEW CACTI / SUCCULENTS				
	Aloe Vera	Aloe barbadensis 'Yellow'	9	5 Gal
	Century Plant	Agave americana	6	5 Gal
NEW GRASSES				
	White Muhly	Muhlenbergia capillaris 'White Cloud'	364	5 Gal
	Pink Muhly	Muhlenbergia capillaris	496	5 Gal
NEW SHRUBS				
	Upright Rosemary	Rosemarinus officinalis	6	5 Gal
	Brittlebush	Encelia farinosa	582	5 Gal
	Texas Ranger	Leucophyllum frutescens	143	5 Gal
	Pink Fairy Duster	Calliandra eriophylla	102	5 Gal
	Goldeneye	Viguiera deltoidea	139	5 Gal
MATERIALS LEGEND				
SYMBOL	MATERIAL NAME	SIZE	QTY.	AREA
	DG Top Dress (Screened)	1/2"	1,048 Tons	104,800 sf.
	Color: Match Clubhouse			
	Granite			





SCIP Development Standards

Development Standard	MZO Requirements	Applicant Proposal
<p><i>Perimeter Landscape Yard: – [Table 11-6-3]:</i></p> <p>McKellips Road</p> <p>Bates Street</p> <p><i>[Section 11-33-3.B.2]:</i></p> <p>East property line</p> <p>West property line</p>	<p>15 feet</p> <p>20 feet</p> <p>25 feet</p> <p>15 feet</p>	<p>One foot, eight-inches, minimum</p> <p>13 foot, two-inches, minimum</p> <p>0 feet</p> <p>0 feet, minimum</p>
<p><i>Perimeter Landscape Yard – [Table 11-33.A.4]:</i></p> <p><i>McKellips Road (1,013 linear feet of street frontage)</i></p>	<p>44 trees, 264 shrubs (1 trees and 6 shrubs per 25 linear feet of street frontage)</p>	<p>1 tree, 6 shrubs (The plant material within the McKellips Road public right-of-way is maintained by the City of Mesa)</p>



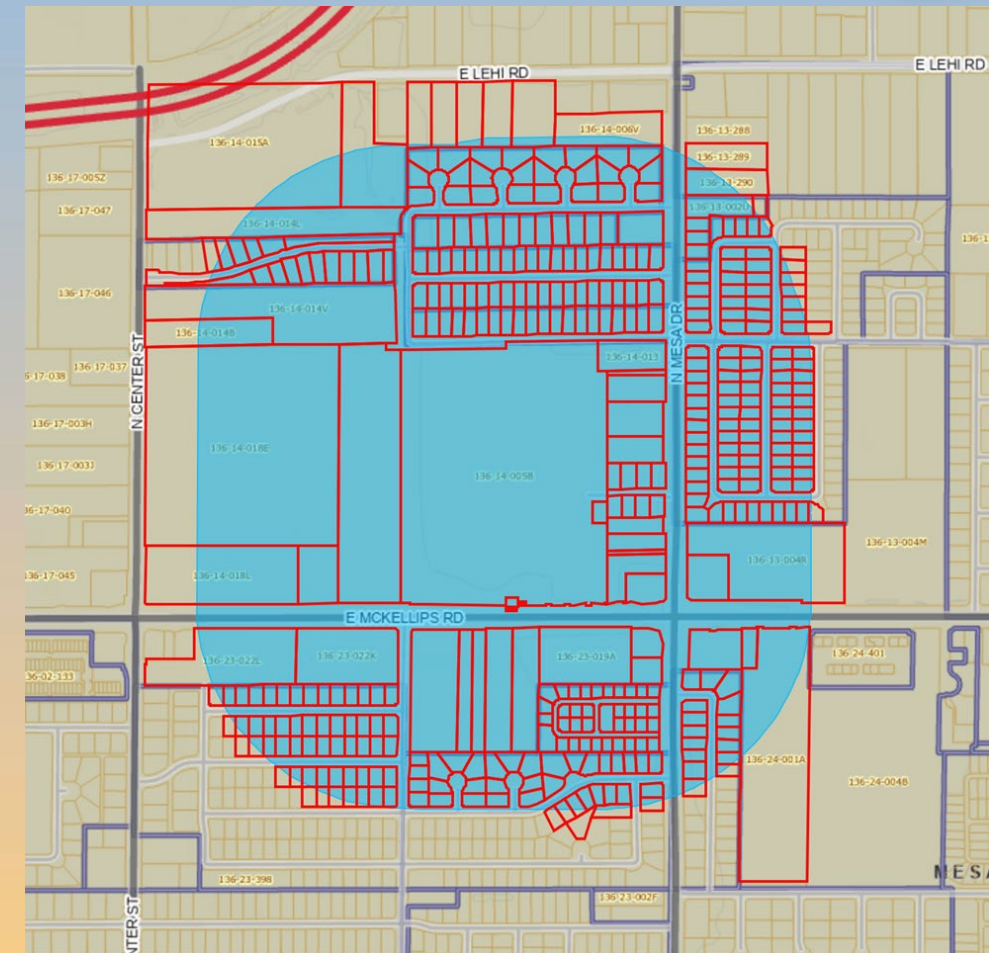
SCIP Development Standards

Development Standard	MZO Requirements	Applicant Proposal
<p><i>Parking Lot Landscape Island</i> – [Section 11-33-4.B.1]:</p> <p>East parking area</p>	<p>Landscape islands shall be installed at each end of a row of stalls and in between for maximum 8 contiguous parking spaces</p>	<p>13 contiguous spaces</p>
<p><i>Minimum Visitor Parking</i> – [Table 11-34-3]:</p>	<p>50 spaces (1 per 5 manufactured home space)</p>	<p>45 spaces</p>



Citizen Participation

- Notified property owners within 1,000 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



BOA23-00286



Request

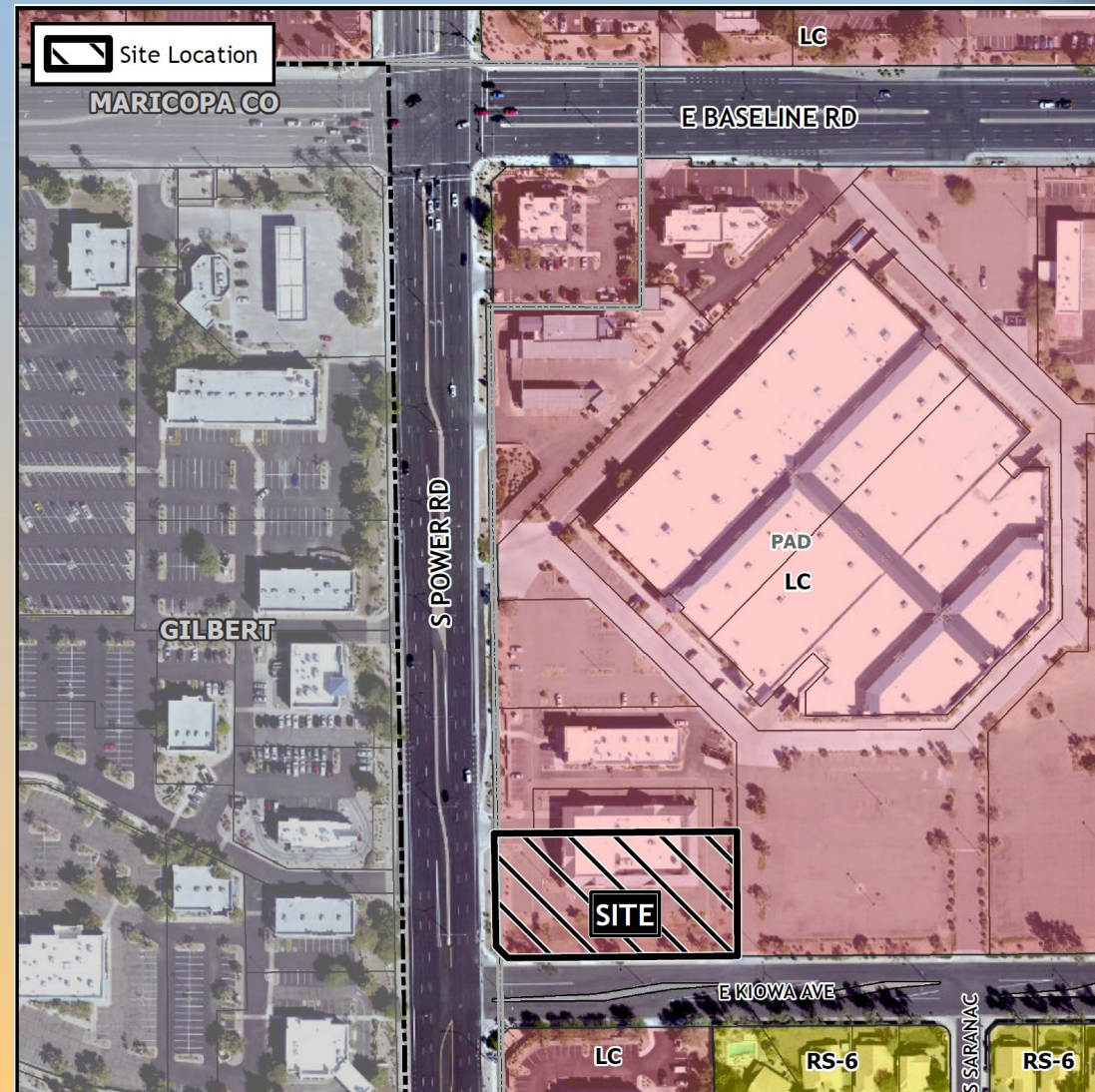
- Substantial Conformance Improvement Permit
- To allow deviations from certain development standards
- To allow for the development of a limited-service restaurant with a drive-thru facility





Location

- South of Baseline Road
- East of Power Road
- North of Kiowa Avenue





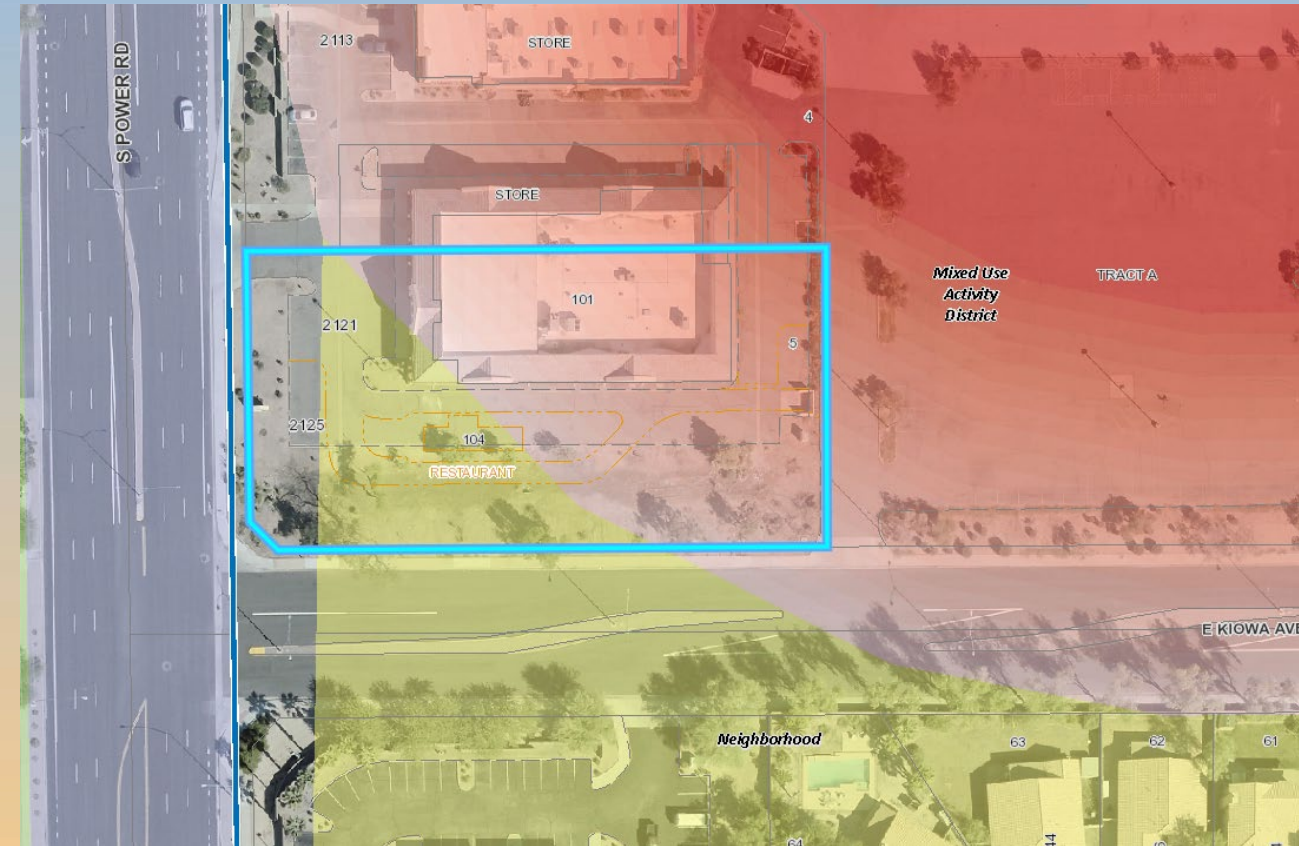
General Plan

Mixed Use Activity District

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

Neighborhood

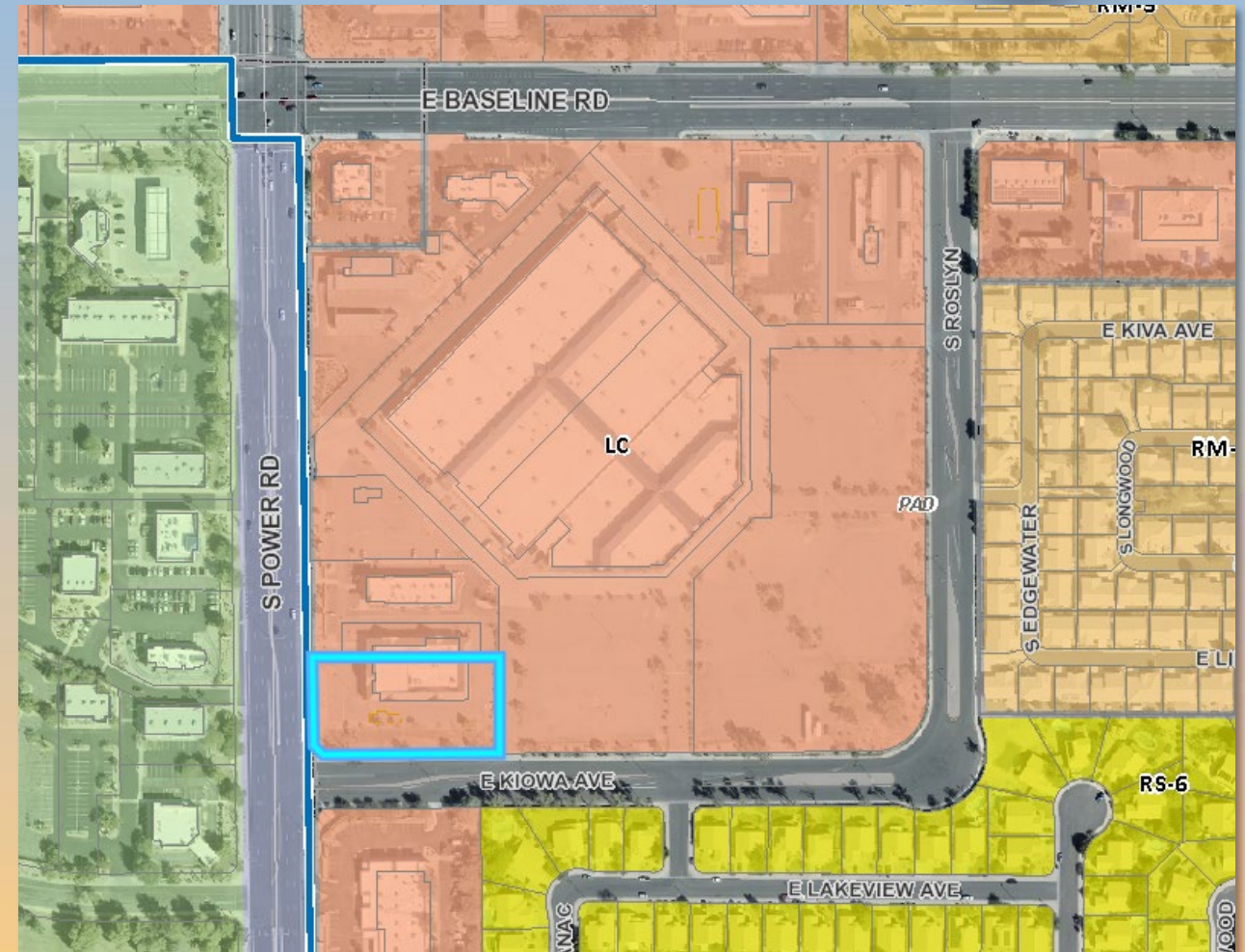
- Provide safe places for people to live and enjoy their surrounding community
- May contain commercial uses along arterial frontages and intersections





Zoning

- Limited Commercial with a Planned Area Development overlay (LC-PAD)
- A limited-service restaurant with drive-thru is permitted in the LC district





Site Photo



Looking east from Power Road



Site Photo

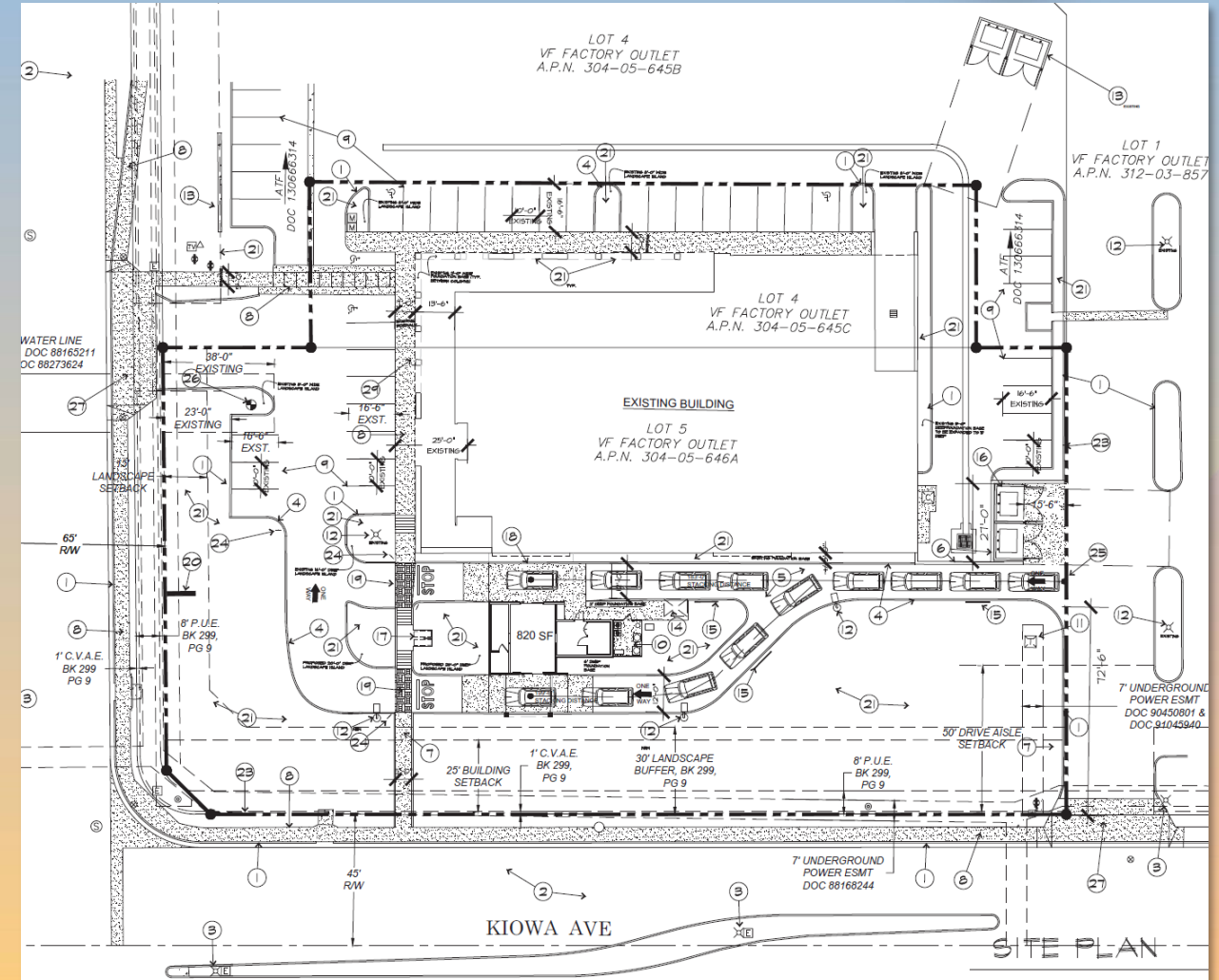


Looking north from Kiowa Avenue



Site Plan

- 820 sq ft restaurant building with drive-thru
- Building will be attached to the existing retail building
- Vehicular access from East Kiowa Avenue and South Power Road
- SCIP request for existing non-conforming conditions





SCIP Development Standards

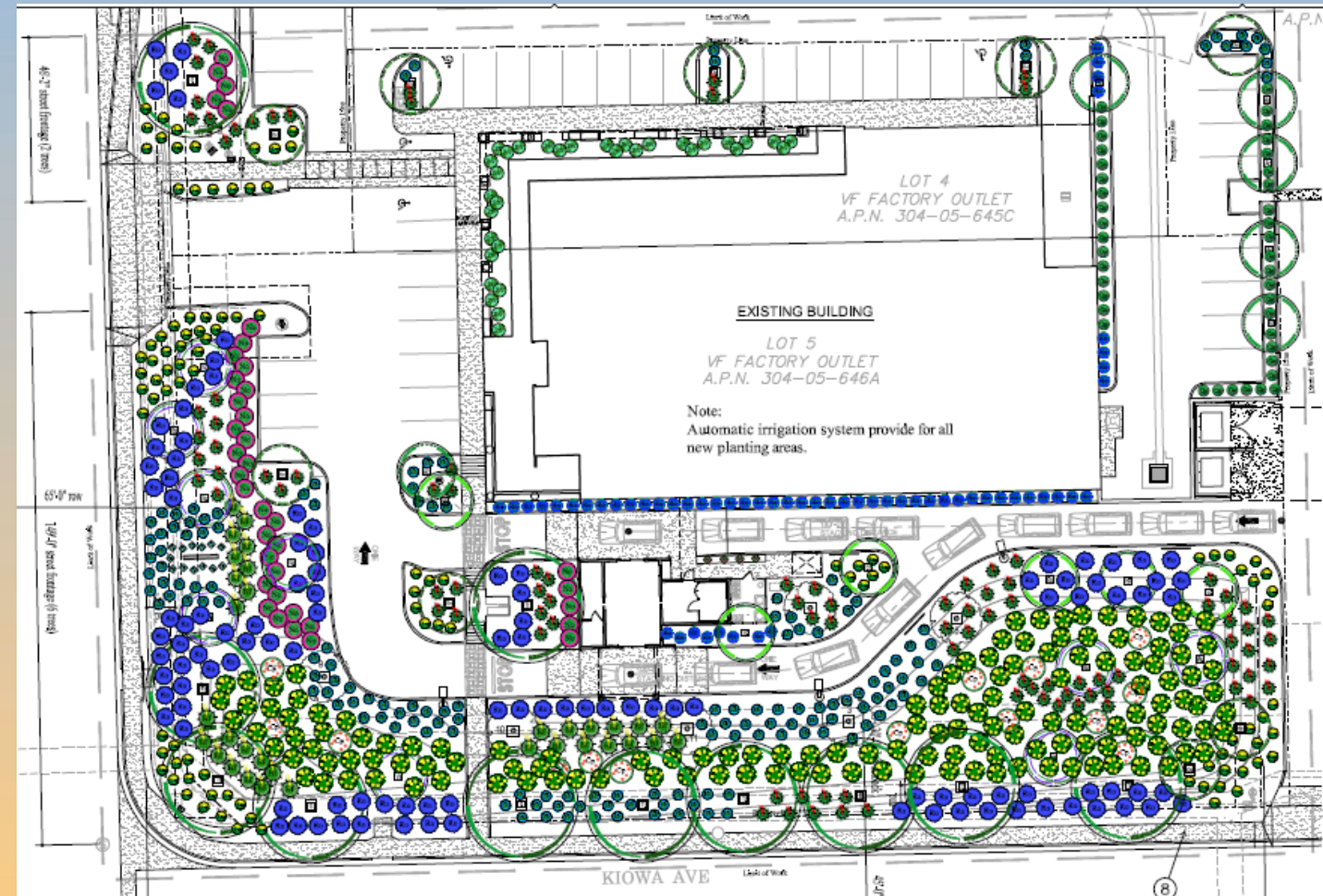
Development Standard	MZO Requirements	Applicant Proposal
<p><i>Setback of cross drive aisles: [Section 11-32-4(A)]</i></p> <p><i>Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles</i></p>	<p>50'</p>	<p>38' (Existing)</p>
<p><i>Standard parking spaces: [Section 11-32-2(H)(1)]</i></p> <p><i>Minimum basic dimensions for standard parking spaces</i></p>	<p>9' by 18'</p>	<p>10' by 16' 6" (Existing)</p>
<p><i>Foundation base landscaping: [Table 11-33-5(B)(1)]</i></p> <p><i>Number of trees</i></p>	<p>A minimum of one (1) tree per 50 linear feet or less of exterior wall length</p>	<p>1 tree per 52 linear feet at the west side of building</p>



Landscape Plan

PLANT LEGEND

sym.	common name	botanical name	size	total qty.
Trees				
(#)	Salvaged Tree	Refer to Salvage Legend	Boxed size varies	6
(Ac)	Leather Leaf Acacia	Acacia carpedocarpa	24" box	6
(Ep)	Ghost Gum	Eucalyptus papuana	36" box	6
(Oe)	Fruitless Olive Tree	Olea europaea 'Swan Hill'	36" box	9
(Ti)	Tipu Tree	Tipuana tipu	24" box	11
(Va)	Chaste Tree	Vitex agnus-castus	24" box	9
Shrubs & Cactus				
(Blue Elf)	Blue Elf Aloe	Aloe hybrid 'blue elf'	1 gal	4
(Parry's)	Parry's Agave	Agave parrii	5 gal	21
(Blue Bells)	Blue Bells Emu	Eremophila hygrophana	5 gal	143
(Red Hesperaloe)	Red Hesperaloe	Hesperaloe parviflora	5 gal	101
(Giant Hesperaloe)	Giant Hesperaloe	Hesperaloe funifera	5 gal	35
(New Gold)	New Gold Lantana	Lantana sp. 'new gold'	5 gal.	98
(Pink Petite)	Pink Petite Oleander	Nerium oleander	5 gal	44
(Little Ollie)	Little Ollie	Olea europaea 'little ollie'	5 gal	41
(Trailing Rosemary)	Trailing Rosemary	Rosmarinus officinalis	5 gal	113
(Upright Rosemary)	Upright Rosemary	Rosmarinus officinalis 'tuscan blue'	5 gal	58
(Variegated Pittosporum)	Variegated Pittosporum	Pittosporum tobira	5 gal	33
(Candelilla)	Candelilla	Euphorbia antisiphilitica	5 gal	-
(Outback Sunrise)	Outback Sunrise Emu	Eremophila glabra 'mingenew'	5 gal	119
(Red Bird of Paradise)	Red Bird of Paradise	Caesalpinia pulcherrima	5 gal	14
Landscape Materials				
(Granite Topdressing)	Granite Topdressing		3/4" screened	22,593 sqft
(Color: match existing, 2" thick application)	Color: match existing, 2" thick application			





Elevations



West Elevation



North Elevation



Elevations



South Elevation

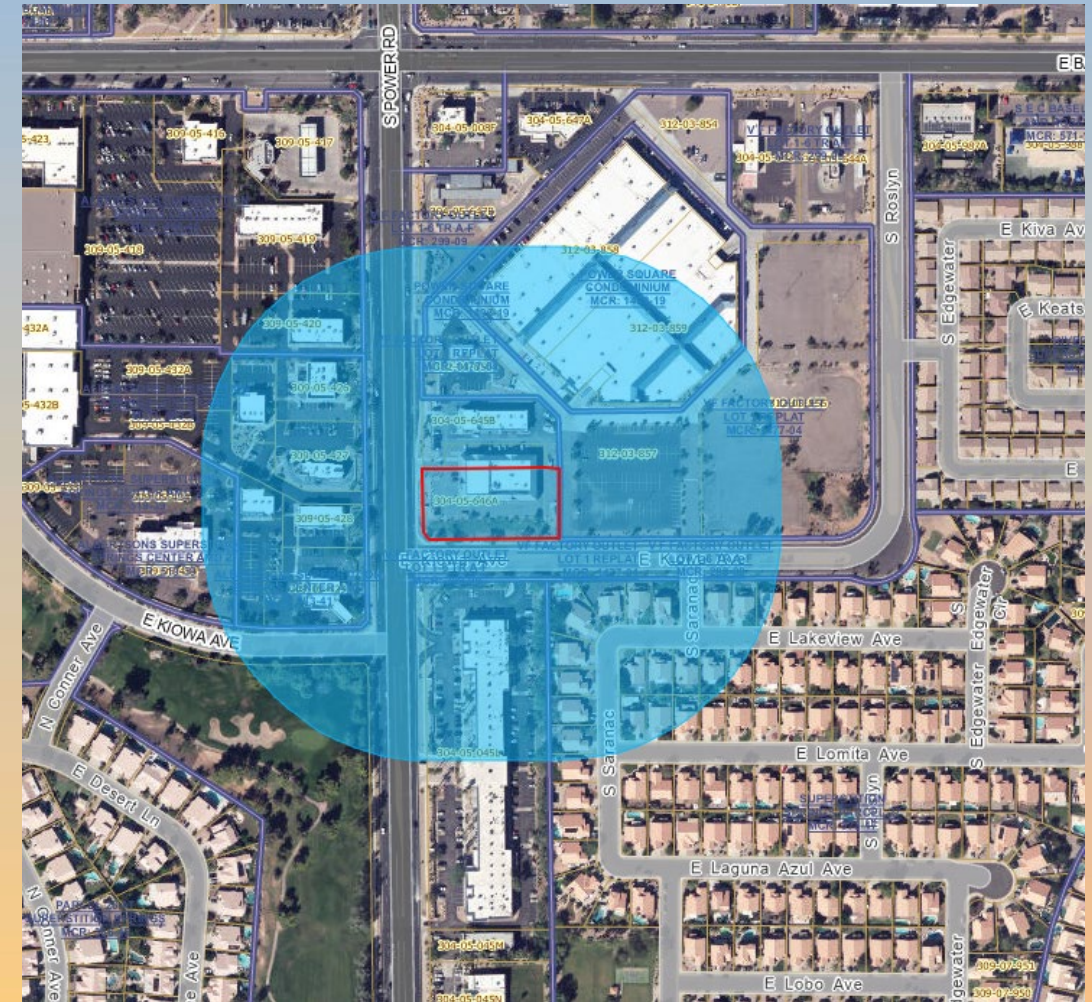


East Elevation



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



BOA23-00392

Sergio Solis, Planner I

August 2, 2023



Request

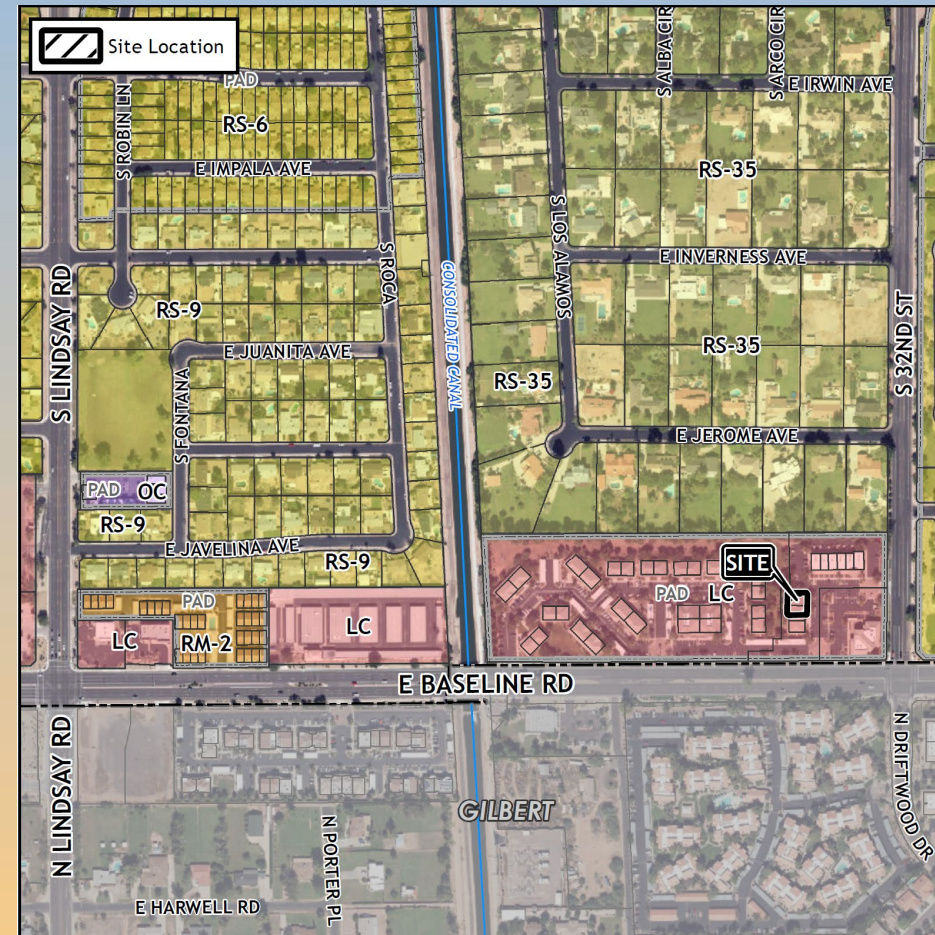
- Special Use Permit (SUP) to modify an approved Comprehensive Sign Plan (CSP) in the Limited Commercial with a Planned Area Development overlay (LC-PAD) district.





Location

- 3130 East Baseline Road
- East of South Lindsay Road
- North of East Baseline Road





General Plan

Neighborhood

Safe places for people to live where they can feel secure and enjoy their surrounding community





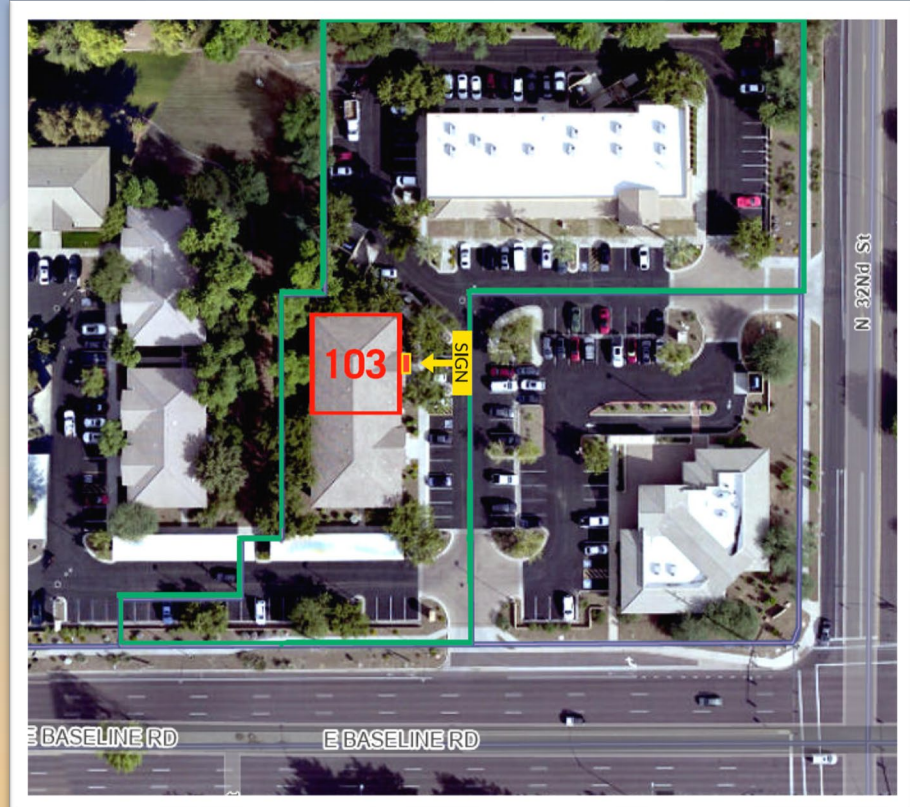
Zoning

- Limited Commercial (LC) with a Planned Area Development (PAD)
- Existing medical office permitted





Site Photos



Signage on east elevation



Looking towards the Suite 103:
All previous signage has been removed



Signage

- One set of white illuminated LED letters 15.0 inches x 10 feet 7 inches mounted to raceway
- Signage 13.20 square feet
- Raceway painted to match existing building elevation

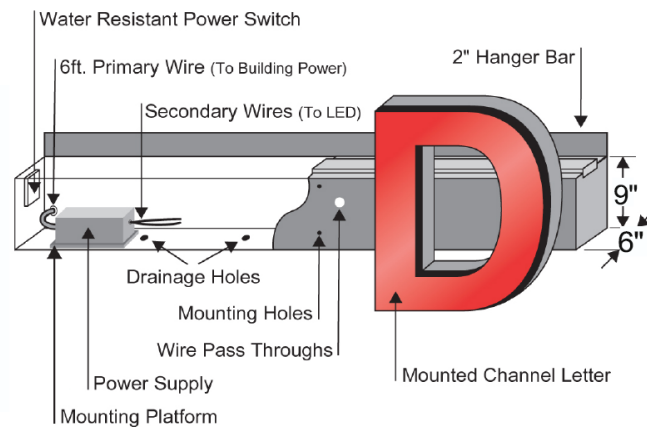




Signage

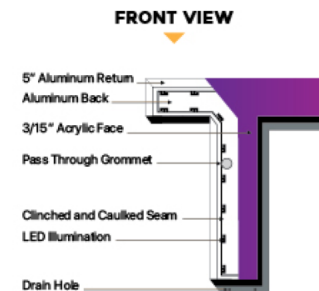


Raceway
12.6 ft" x 9" x 6"
Side-mounted
to pillars with adjustable
brackets secured w/threaded bolts,
nuts, washers & lock washers.
Painted to match building

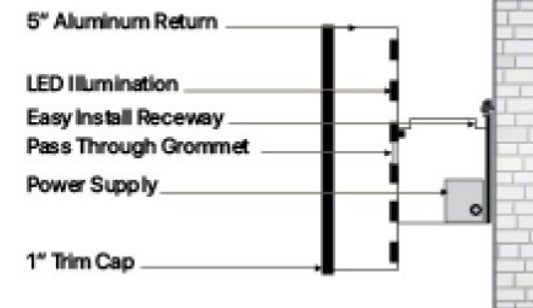


RACEWAY FRONT VIEW

**FRONT LIT
CHANNEL LETTERS
(RACEWAY)**



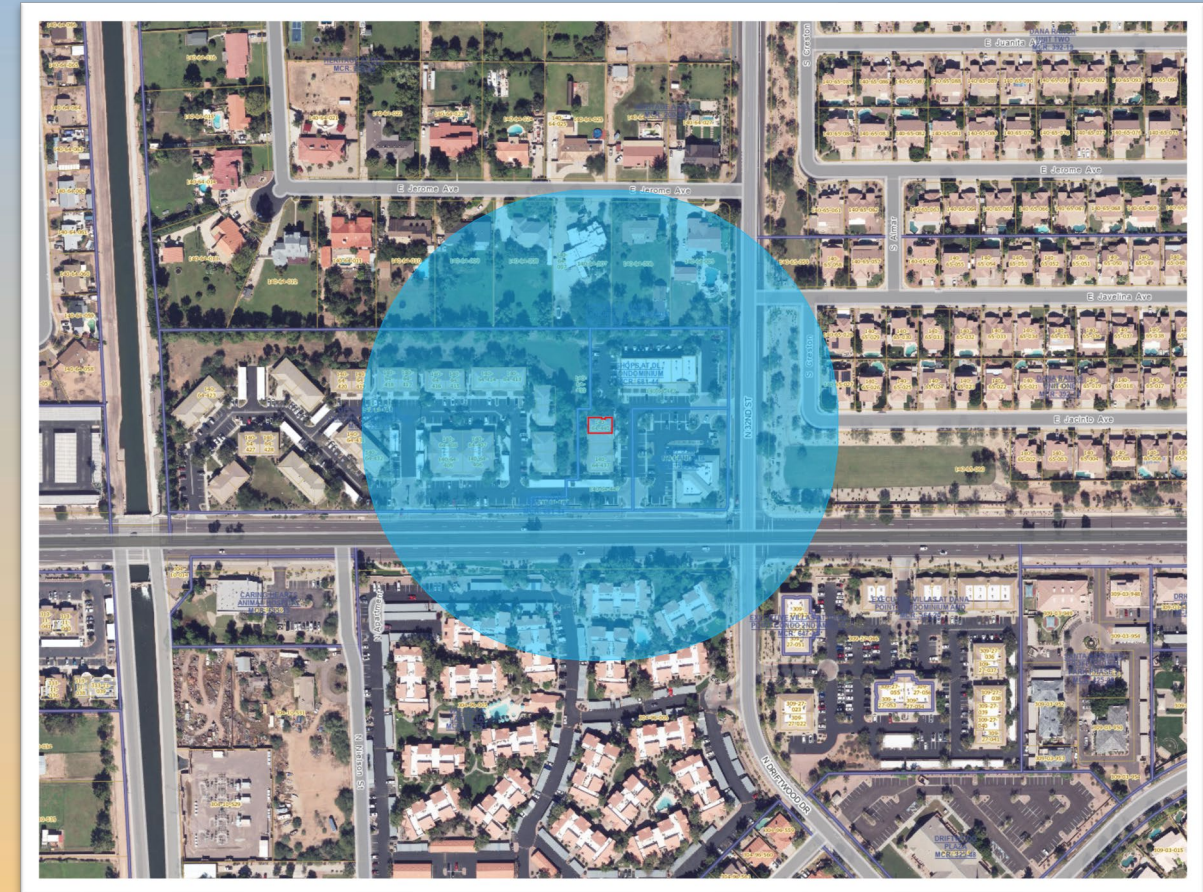
SIDE VIEW





Citizen Participation

- Notified property owners within 500 feet
- No comments received





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 11-7-5.E of the MZO

Staff recommends Approval with Conditions



BOA23-00397

Chloe Durfee Daniel, Planner II

August 2, 2023



Request

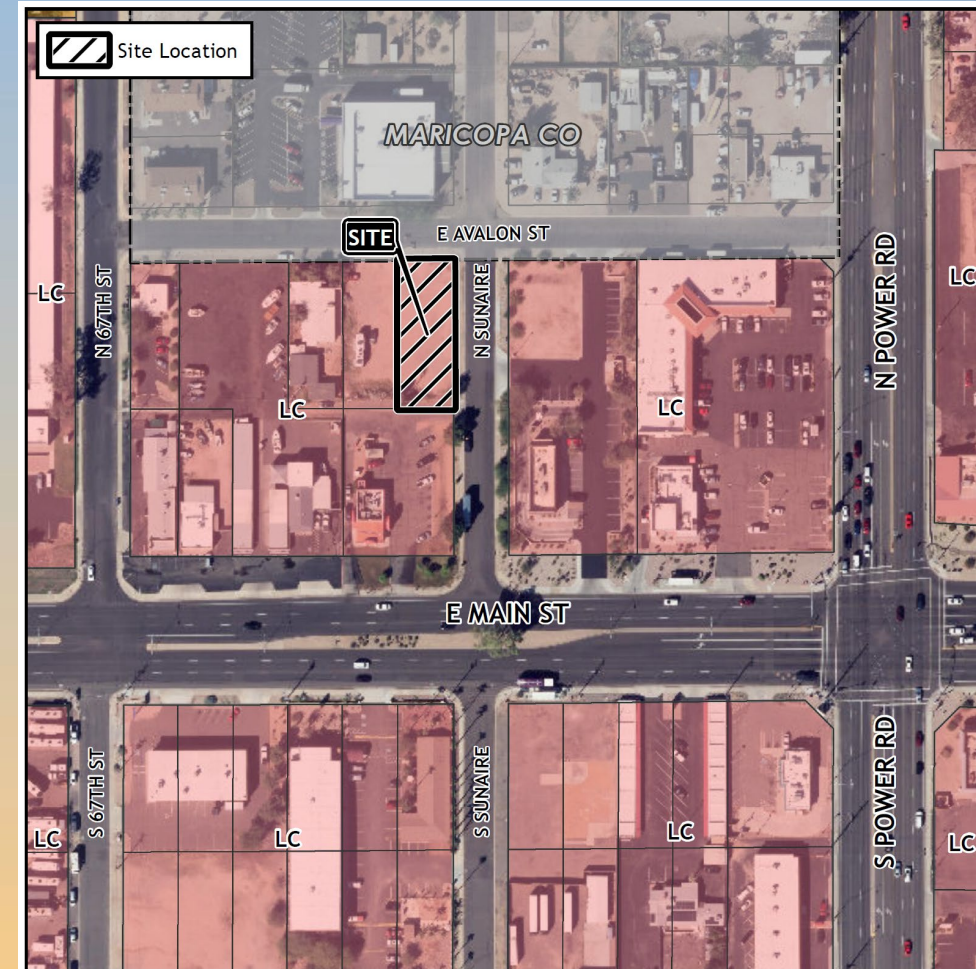
- Special Use Permit:
 - For a new freestanding communication facility
- Development Incentive Permit
 - To allow deviations from certain development





Location

- Within the 6700 block of East Avalon Street
- Located north of East Main Street
- Located west of North Power Road

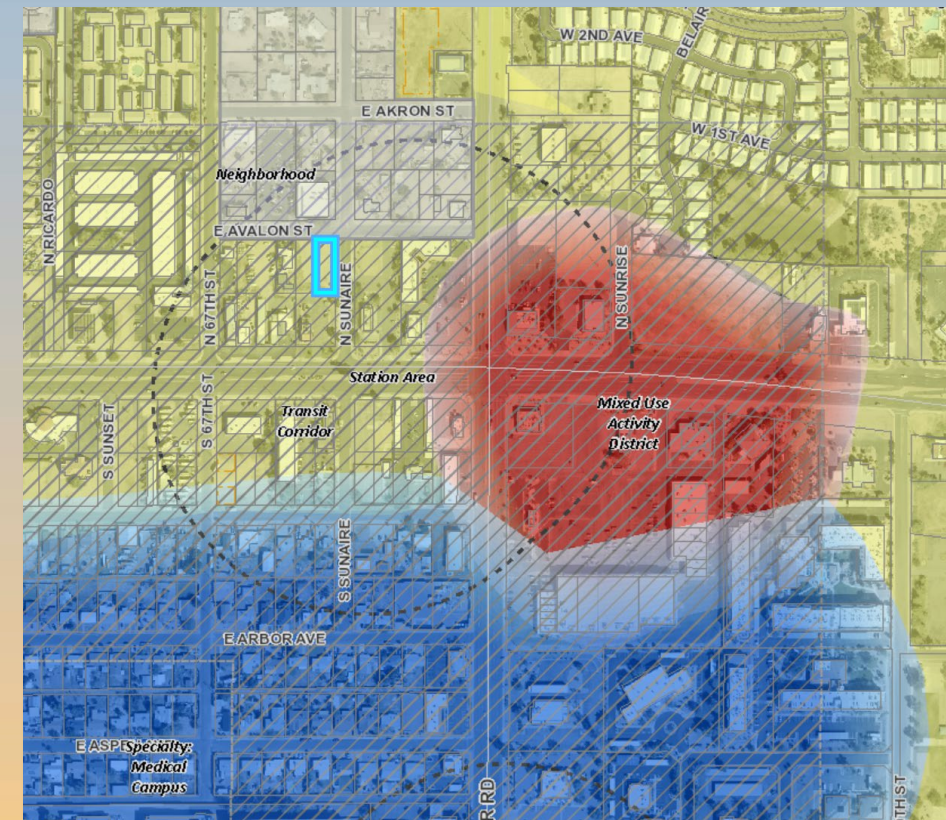




General Plan

Neighborhood/Station Area/Transit Corridor

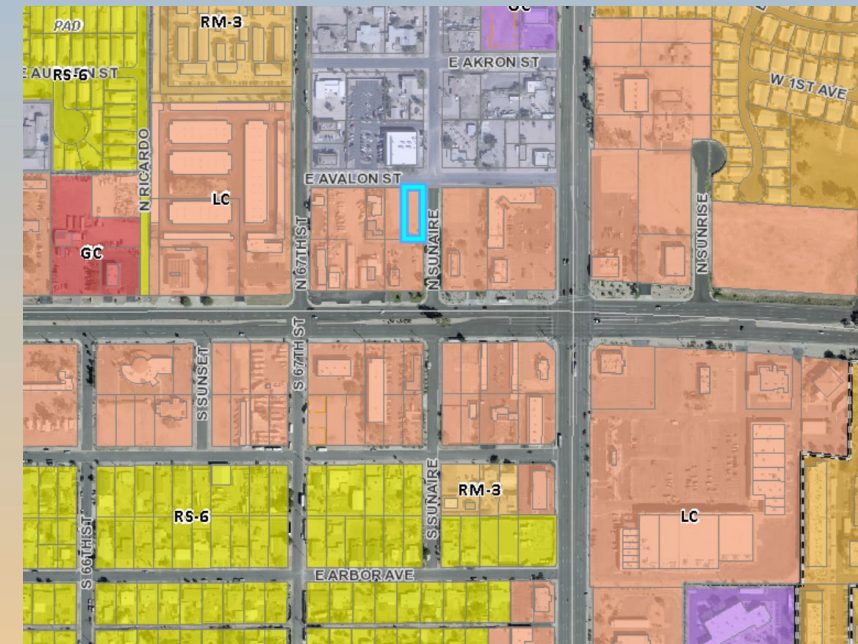
- Safe places for people to live
- Wide range of housing options allowed
- Pedestrian oriented
- Urban development





Zoning

- Limited Commercial (LC)
- Freestanding Communication Facility allowed with SUP





Site Photos

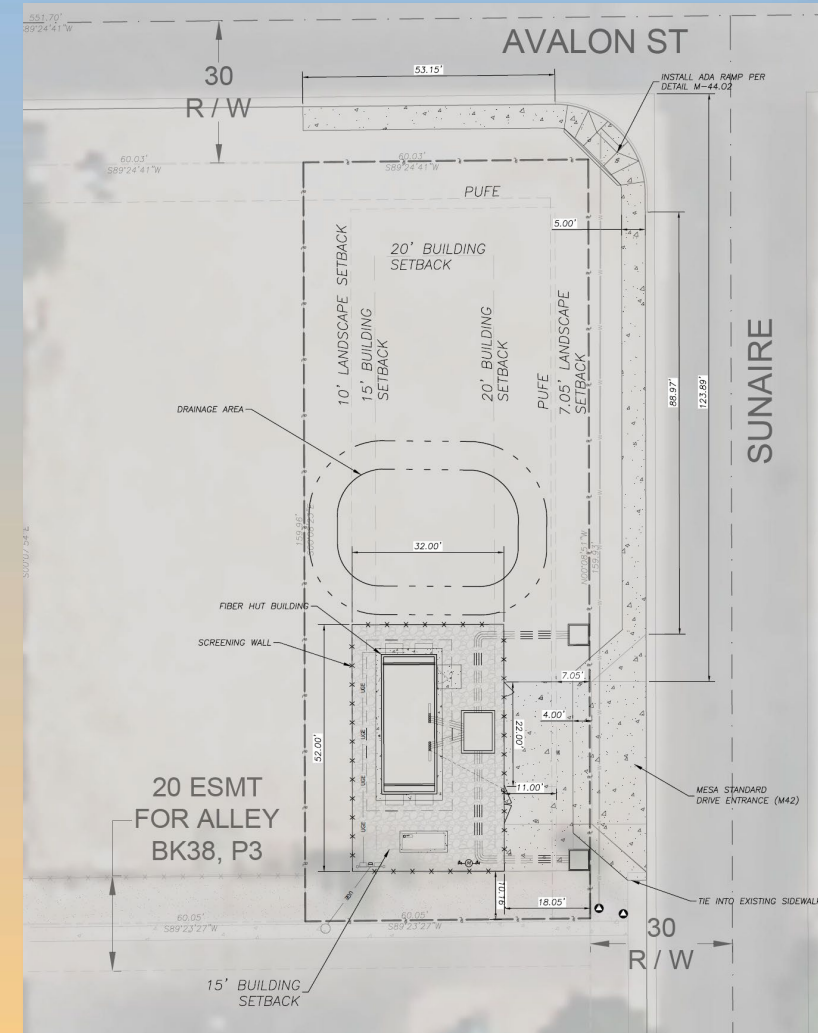


Looking northwest at the site from Sunaire



Site Plan

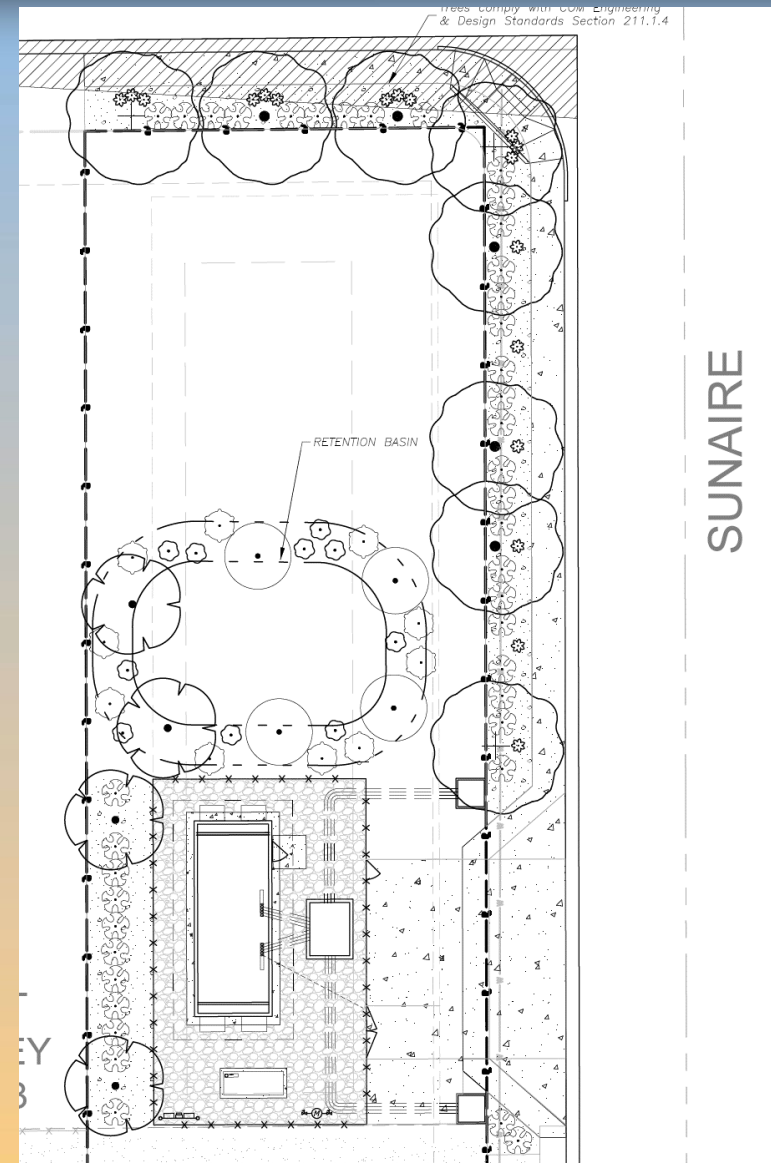
- 360 square foot building
- Two access gates
- Installation of:
 - Retention area
 - Sidewalks
 - Landscaping
 - Parking space





Landscape Plan

- Installation of perimeter landscaping, a retention area, and overall screening



PLANT SCHEDULE

EVERGREEN TREES	QTY	BOTANICAL / COMMON NAME	CONT
	5	Acacia pendula / Weeping Myall	24"box
	3	Acacia pendula / Weeping Myall	36"box
	4	Cordia boissieri / Anacahuta	24"box
SHRUBS	QTY	BOTANICAL / COMMON NAME	SPEC
	4	Acacia redolens 'Low Boy' / Low Boy Bank Catclaw	5 gal
	18	Chrysactinia mexicana / Damianita	1 gal
	41	Dalea frutescens / Black Dalea	5 gal
	10	Heliandthus maximiliani 'Lemon Yellow' / Lemon Yellow Maximilian Sunflower	1 gal
	10	Leucophyllum langmaniae 'Lynn's Legacy' / Lynn's Legacy Langman's Sage	5 gal

MULCH SCHEDULE

	DECOMPOSED GRANITE Fine to 1/4" particle size, 3" depth, Tan color or equivalent.	1,690 sf
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DIP Development Standards

Development Standard	MZO Requirements	Applicant Proposal
Perimeter Landscape Setbacks:		
East property line	20'	7.05'
West property line	15'	10'
North property line	20'	10'
South property line	15'	10'
Setbacks:		
East property line	20'	18.05'
West property line	15'	10'
South property line	15'	10.16'
Minimum Number of Parking Spaces		
	4 spaces	1 space
Setback of Cross Dive Aisle and Parking		
	50'	7.05'
Parking Location		
	Must be in the rear	In front of the building



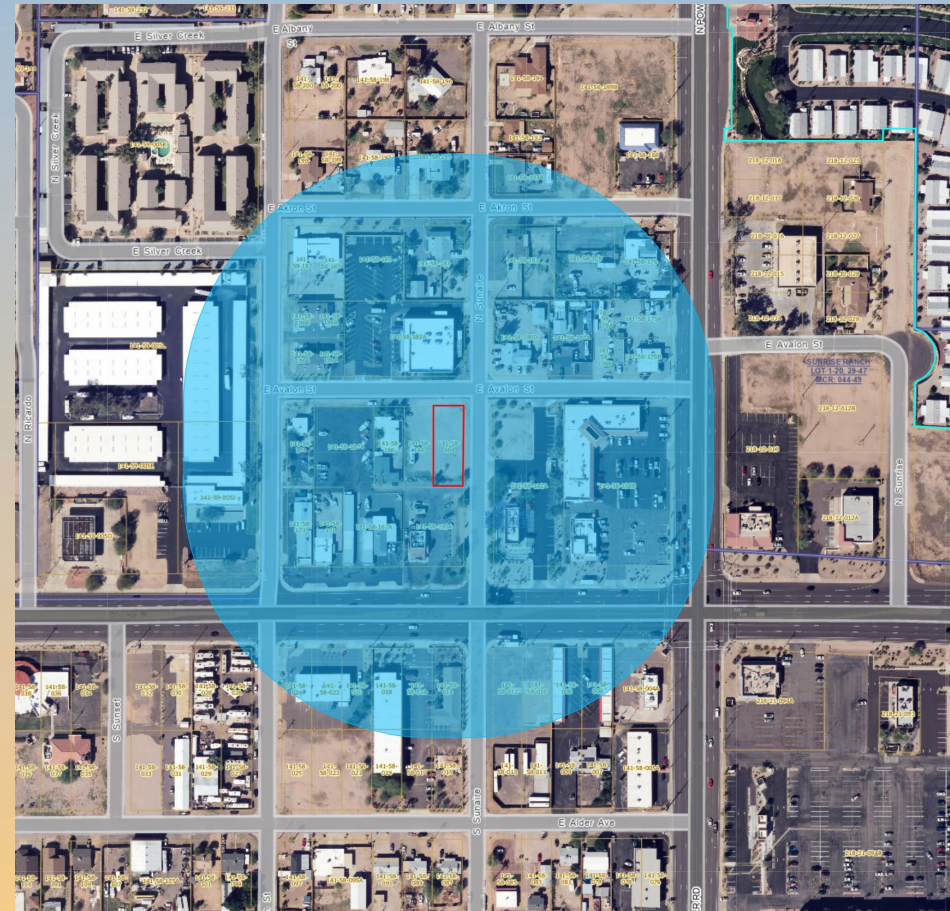
DIP Development Standards

Development Standard	MZO Requirements	Applicant Proposal
<p>Bicycle Required Parking</p>	<p>1 space</p>	<p>Zero spaces</p>
<p>Planting Requirements: Western Property Line (160 linear feet)</p> <p>3 non-deciduous trees per 100 linear feet 50% of trees at min 24" box size 20 shrubs per 100 linear feet 50% of yard coverage (square feet)</p>	<p>4.8 trees 2.4 trees 32 shrubs 50% planted</p>	<p>3 trees 3 trees 14 shrubs 27% planted</p>
<p>South Property Line Planting</p>	<p>3 trees and 20 shrubs</p>	<p>No plant zone due to existing utility easement</p>



Citizen Participation

- Notified property owners within 500 feet
- Staff has not received any calls or emails in regards to this project.





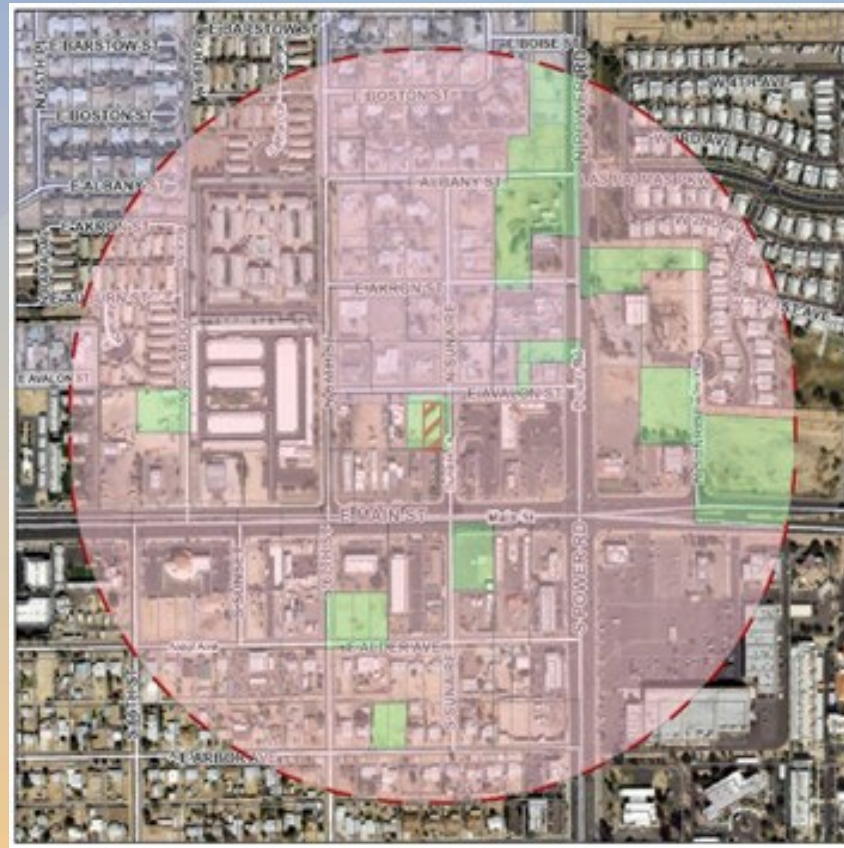
Approval Criteria

Section 11-72-1 DIP Purpose and Applicability

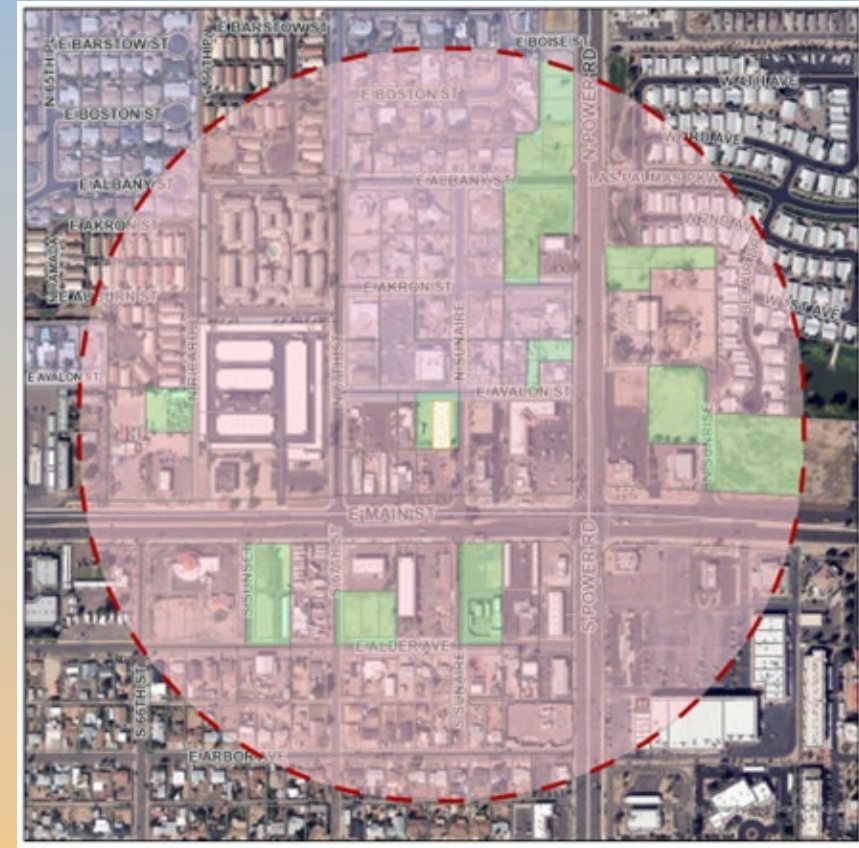
- ✓ Total area of the parcel does not exceed 2.5 net acres, and the parcel has been in its current configuration for more than 10 years;
- ✓ The parcel is served by, or has direct access to, existing utility distribution facilities.
- ✓ The parcel is surrounded by properties within a 1,200 foot radius 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.



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
- ✓ Meets required findings for a Development Incentive Permit in Section 11-72-3 of the MZO
- ✓ Meets required findings for a freestanding communication facility in Section 11-35-6(E)

Staff recommends Approval with Conditions



BOA23-00468

Sergio Solis, Planner I

August 2, 2023



Request

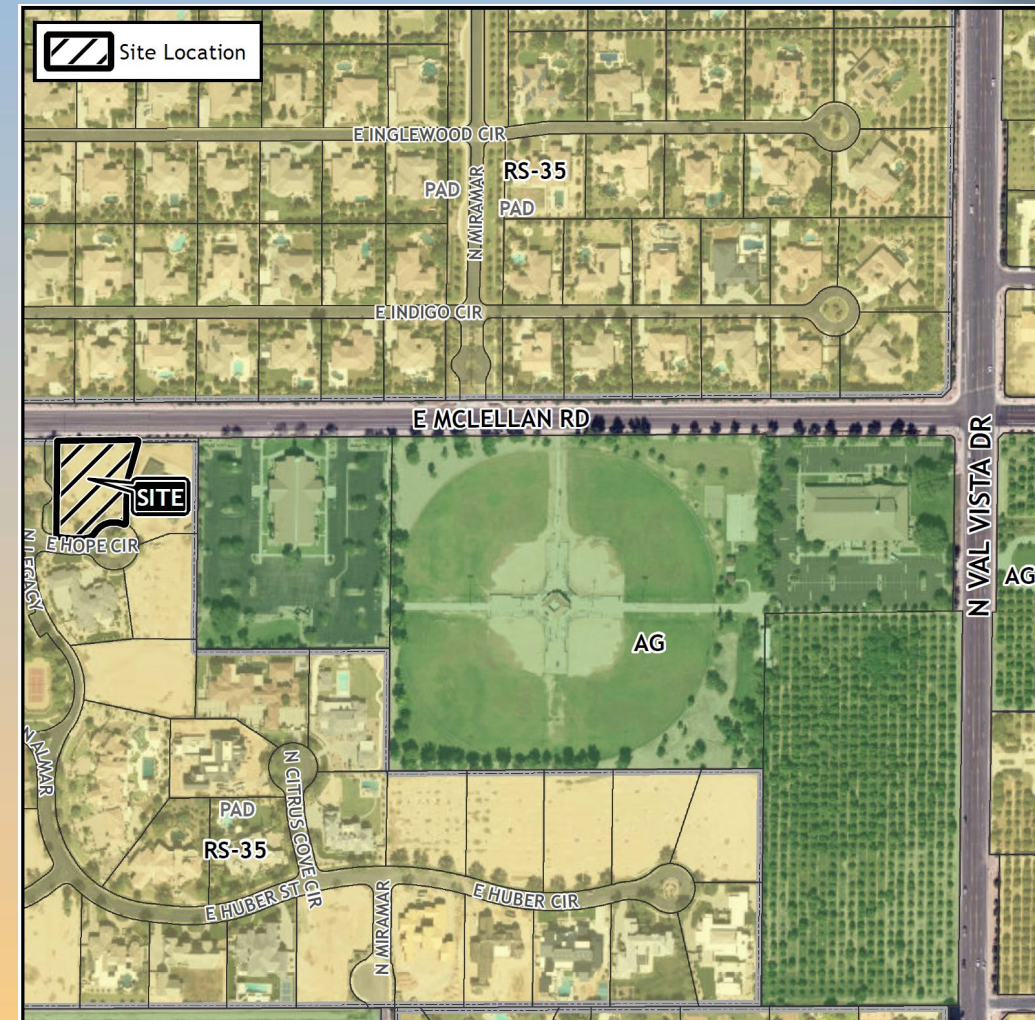
- Minor Modification of the Legacy Planned Area Development (PAD) to allow a new development standard for side-entry garages





Location

- Legacy PAD
 - 3264 East Hope Circle
 - East of North Lindsay Road
 - West of North Val Vista Drive
 - South of East McLellan Road

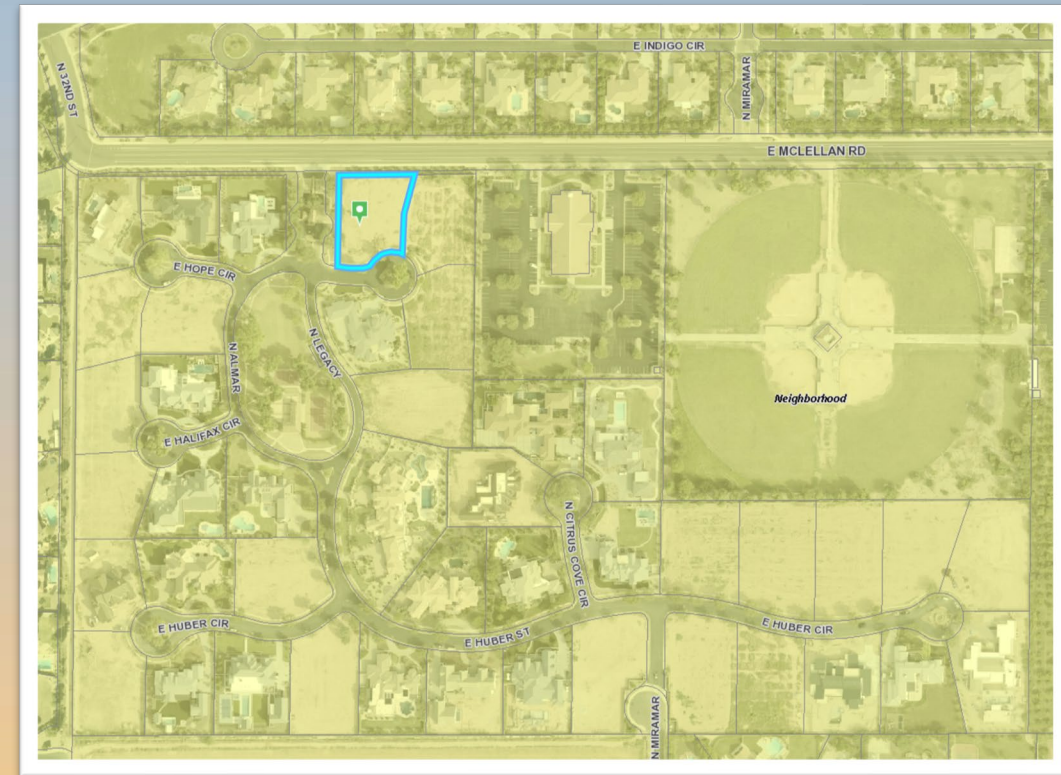




General Plan

Neighborhood

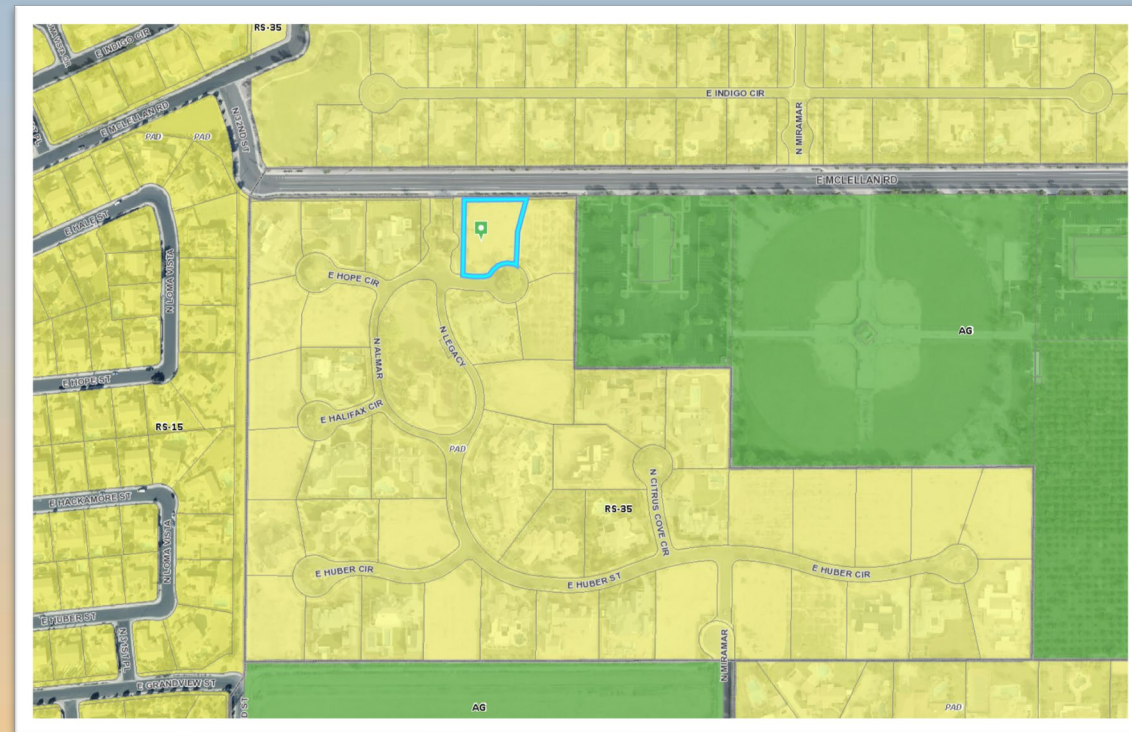
Safe places for people to live where they can feel secure and enjoy their surrounding community





Zoning

- SingleResidence-35 (RS-35) with a Planned Area Development (PAD)





Site Photos



Aerial view of Lot 44 pre-construction

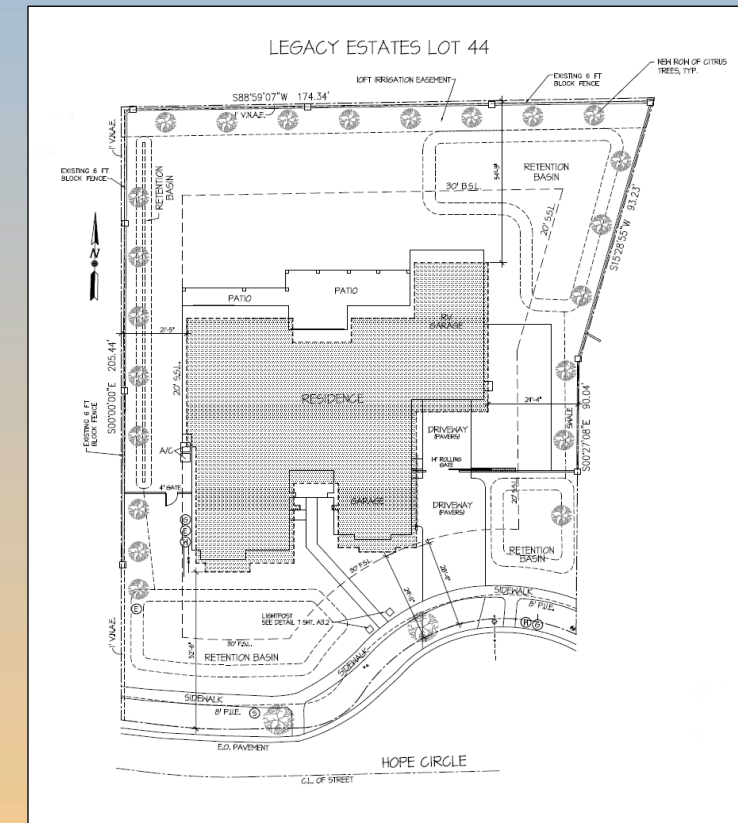
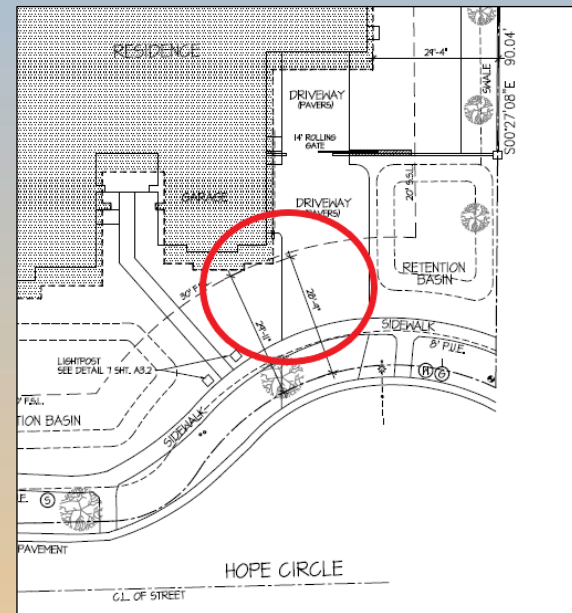


Looking north towards the residence



Site Plan – Lot 44

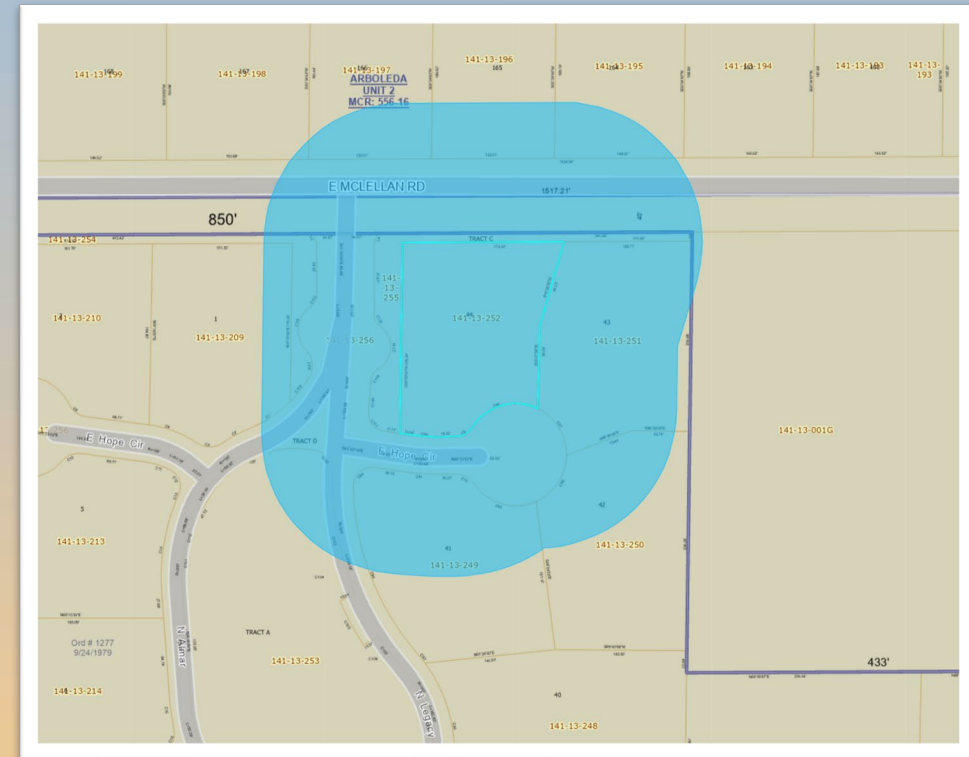
- Side-entry garage built with a 28'-9" front setback
- Site complies with all other development standards





Citizen Participation

- Notified property owners within 150 feet
- No comments received





Approval Criteria

Section 11-22-5(E): Planned Area Development, Conformance with Approved Plan – Modification after Initial Construction

- ✓ . . . any minor extension, alteration, or modification of an existing building or structure may be reviewed and approved by the Board of Adjustment, if the request is found to be consistent with the purpose and intent of the approved development plan.



Findings

- ✓ The request is consistent with the purpose and intent of the Legacy PAD approved development plans
- ✓ The approved Legacy PAD development standards limit residential construction to a minimum setback of 30 feet from the front property line.
- ✓ The new development standard for side-entry garages would allow the constructed side-entry garage to remain

Staff recommends Approval with Conditions



Board of Adjustment