

Virtual Platform

Date: December 1, 2021 Time: 5:00 p.m.

MEMBERS PRESENT:

Chair Alexis Wagner
Vice Chair Nicole Lynam
Boardmember Adam Gunderson
Boardmember Chris Jones
Boardmember Heath Reed
Boardmember Troy Glover

MEMBERS ABSENT:

Boardmember Ethel Hoffman

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

STAFF PRESENT:

Margaret Robertson
Rachel Prelog
Michelle Dahlke
Alexis Jacobs
Jennifer Gniffke
Sean Pesek
Joshua Grandlienard

OTHERS PRESENT:

1 Call meeting to order.

Chair Wagner declared a quorum present, and the Study Session was called to order at 4:30 p.m.

2 Staff Update: None

3 Review and discuss items listed on the Public Hearing agenda for December 1, 2021.

***3-a Staff member Sean Pesek presented case BOA21-00787 to the Board.**

Good evening, Chair, Vice Chair and Members of the Board, this is case, BOA21-00787. This request before you is a Development Incentive Permit to allow deviations from certain development standards to construct an apartment complex. So, the location as shown on the screen is west of Greenfield Road, east of Val Vista Drive and south of University Drive. The General Plan Character Area Designation for the property is Neighborhood which provides a safe place where people live and offers a good variety of housing types, including multiple residents. So, the requests for an apartment complex is consistent with the General Plan. The Zoning District is RM-4 which is a multiple residence, and the proposed use is allowed per Table 11-6-2 of the Mesa Zoning Ordinance subject to the applicable development standards. Here is a site photo looking south from University Drive into the site. And here's a copy of an image of the site plan. I split the deviations into two categories - those related to the site plan and those relate to landscape design. For the site plan, the

City of Mesa - Board of Adjustment – November 3, 2021
Study Session Minutes

applicant is requesting a reduced building setback to the front, side, and rear; a reduction to the required number of covered parking space; a reduction to the parking space setback across drive aisles; and then a reduction to the minimum building separation between buildings on the same lot, if you have any questions about where these deviations are in relation to the site plan. For the landscape design, the applicant is requesting reductions to the landscape yard width along University, that's the front and to each side, and then along the rear property line. They're also asking for a reduction to the required number of trees and shrubs within the street frontage landscape yards and that is along University Drive. And then lastly, a reduction to the required numbers of trees and shrubs within perimeter landscaped yard on the side property lines and the rear property line. So, for Section 11-72-1 in the Mesa Zoning Ordinance, a parcel has to qualify as a bypassed parcel to qualify for a Development Incentive Permit and there are three criteria. The first is that the total area of the parcel can't exceed two and a half acres and the parcel has been its current configuration for more than 10 years. This parcel is just over one acre. And as I'll show on the next slide, it has been in its current configuration for more than 10 years. Number two, the parcel has to be served by or have direct access to existing utility facilities. Through our review staff deemed that this criterion is met. And last the total developable land area within a 1200-foot radius of the site cannot be more than 25% vacant and more than half of the total number of lots of parcels have to be developed 15 or more years ago. Here are some images - the image on the left is a 2006 aerial and then the center aerial is from this year and the image on the right is a radius image this year with the vacant parcels outlined in yellow. You can see not much has changed. We have an existing mobile home subdivision just south that was there in 2006 and is still there today. So, we have reason to believe that most of the parcels were developed more than 15 years ago. And then as you can see in the far-right image, far less than 25% of the parcels within that radius are vacant. So, then the required findings for a Developments Incentive Permit to be approved the Board has to find that the proposed developments consistent with the general plan, and any other applicable Council adopted plans and policies and the permitted uses as specified in the ordinance. That criterion is met. The incentives do not allow development that is more intense in the surrounding neighborhood. And the incentives have to be commensurate with existing development with a focus on the radius of the bypass property staff found that that criterion is met. And lastly the architectural elements, construction and landscaping materials and other site improvements, meet the intents of the design standards of the zoning ordinance and staff found that criteria to be met. So, in summary, the request complies with the General Plan, qualifies for the Development Incentive Permit, and complies with the approval criteria for development site. Staff recommends approval with the issues.

***3-b Assistant Planning Director Rachel Prelog presented case BOA21-01021 to the Board on behalf of Charlotte Bridges.**

This is case BOA21-01021, it's located east of Dobson Road at 245 South Dobson north of Broadway and like I said this is a Substantial Conformance Improvement Permit request. So, the purpose of this is to allow for deviations from development standards. And they are proposing an automobile vehicle sales and leasing operations on this property. The General Plan character area designation for the property is employment as well as transit corridor. So, for the employment character area that's primarily for employment type uses, but it also may include secondary uses such as commercial and resale. Within the Main Street area, in the industrial corridor, the intent is to maintain and develop employment land uses. The zoning of this property is Light Industrial, so automobile vehicle sales and leasing is a permitted use, and it is subject to additional development standards of section 11-31-5 of the zoning ordinance. Here is a picture of this site, looking east from Dobson Road. You can see that this is built pretty close to Dobson. The building was originally constructed in the 1970s. There was a later addition that was built at the end of the 90s. There are some other views looking north from south of the building. So, the SCIP request is to allow for

City of Mesa - Board of Adjustment – November 3, 2021
Study Session Minutes

certain non-conforming conditions to remain in place. So those are reduced landscaped yards along the north, east and south property lines, reduced landscape material within those landscape yards and a reduced number of parking lot landscape islands. Here is the site plan showing the improvements that are being proposed for this SCIP. So, they are proposing to install new landscape islands on the south. As you can see just north of the building, on the south side toward Dobson Road, they're going to be installing landscaping islands on both ends of the parking stalls as required by code. They will be installing the new landscaping material within those landscape islands. And they will be increasing the foundation base along the north side of the building and landscaping that accordingly. Then they will be providing a new five-foot-wide sidewalk along the north elevation connected to Dabson Road. So as far as the landscape plan they will be adding that additional landscape material into those islands and then having that landscape into the foundation base. So, for Section 11-73-3 there are certainly require findings for the SCIP and staff finds that this proposal is meeting all of those. So, the first one is that to bring the site into full conformance would require alterations that would require significant demolition or alterations to the site, that would be the case with this building being placed so close to Dobson Road it would require significant demolition of that building. And therefore, full compliance would discourage any redevelopment of the site. With this development, they're not creating any new non-conforming conditions. And the proposed request is compatible with the adjacent properties. With that staff finds that it complies with the 2040 Mesa General Plan, and it meets the criteria in chapter 73 of the Mesa Zoning Ordinance. Staff is recommending approval with conditions.

***3-c Staff member Jennifer Gniffke presented case BOA21-01027 to the Board.**

Good evening Chair and members of the board this is request BOA21-01027. It is located west of Country Club Drive on the north side of Brown Road. The General Plan land use designation for this property is Employment. Employment land use character area is typically for employment uses, secondary uses would include commercial or retail. So residential doesn't seem to fit within this land use or character area. However, per Chapter 16 of the General Plan, it is this zoning ordinance that establishes land uses and the zoning is already established on this property of RM-4. Chapter Four the General Plan also encourages infill with neighborhood appropriate development. So, it is in conformance with the General Plan. The zoning designation is Multiple Residence 4 and apartments are permitted use in this zoning district. The request similar to the previous one is also for Substantial Conformance Improvement Permit, the purpose is to allow deviations to development standards and it's for conversion of medical offices into apartments. Here are two site photos, the first one is looking north from Brown Road and the front of the existing building. The second one is looking from within the site at the north end of the site looking south towards that same building. This requested SCIP includes reductions to the setbacks along the East property line so that would be a reduction to the building setback as well as the landscape setback, reduction to the parking space and landscape island sizes, reduced private open space for each of the units. Not for all of them. Increased parking canopy lengths, increased distances to the parking, increased building heights and increased parking that is visible along the Brown Road right of way. This site plan shows the existing building you can see it in the central portion of the site plan as an existing four-story building. There's also covered parking at the north end of the site that is existing and is proposed to remain. There's a new three story building proposed closer to Brown Road. There's new landscaping, new amenities, and new multi-use paths proposed. The path runs from the entrance on Brown Road along the west side of the property north to the prospect canal has access to that canal. And then it runs along the north perimeter of the property. The landscape plan shows new landscape areas on the property and paths along the southwest of the property. There's also new landscaping in the foundation base and in the amenity area. There are several approval criteria for a SCIP as Rachel went over with the last case, this one is the same and meets all four of those

City of Mesa - Board of Adjustment – November 3, 2021
Study Session Minutes

criteria. Significant alterations to the site, including demolition of existing buildings, or significant portions of it would need to occur in order to bring the site into conformance with current Mesa Zoning Ordinance requirements. So full compliance would discourage redevelopment of the site. No new non-conforming conditions are created. The proposed request is compatible with and not detrimental to the adjacent properties or neighborhood. In summary, the request complies with the Mesa 2040 General Plan, and it meets the criteria outlined in chapter 73 for the SCIP approval and staff's recommendation is approval with conditions and I'd be happy to answer any questions and the applicant is also available.

***3-d Staff member Josh Grandlienard presented case BOA21-00823 to the Board.**

Chairman and members of the board alright so this is continuance of what was originally presented on October 13. The location is at 939 East Kael Street and is located north of McKellips Road and east of Horne. Per the General Plan it is a Neighborhood designation which is for safe places to live as well as provide a variety of housing. The zoning itself is for Single Residents 35 with a Planned Area Development overlay. The Planned Area Development overlay did allow for residential uses that also had a recreational agricultural use, in this case, horse uses, on parcels that are 35, which is less than what is typically allowed for that typical zoning. But in this case, the PAD did allow for horses to be kept on this size parcel. Their request is a variance, reducing the rear setback. I will say that when I originally created this PowerPoint, there have been revisions provided by the applicant. So that's setback is being reduced from 30 feet to 15 feet rather than three-feet eight-inches. And this is to allow for an addition to the existing home. And it is an attached addition. Here is the site photo from Kael Street looking at the house. And here's the proposed site plan. And I will note that the hatched area on the southern portion that is kind of more I guess that's technically six-sided shapes. That section the three by eight has been removed. So, it is a 15-foot separation from the southern property line to where the start area is located. And that is for an RV garage as well as accessory dwelling unit. And here are the elevations of the proposal with that existing structure being removed. For the conditions of a variance section 11-80-3 special circumstances do not apply to the site, nor are they preexisting or not created by the applicant. Strict application of the MZO is not depriving some privileges presented throughout the area, as well as approval will grant a special privilege inconsistent with the MZO. So based off of that staff is recommending denial and based off the need for the variance occurred with the design choices of the applicant.

Boardmember Reed: So, looking at the aerial map, these lots do look unique. I know it's RS-35. So, all those lots along that roadway they're all wider than their depth correct but their counterparts acting as a buffer towards the Lehi area, but everything below that south of there is RS-15. Correct per the zoning map?

Staff member Josh Grandlienard: Yes. So, it's going to be the parcels that are directly adjacent on Kael are all R 35. And then just south of that is RS-15 to act as that transition from the Lehi sub area.

Boardmember Reed: So, what is the difference? The lot depths? The RS-35 and RS-15? Because it looks from a guy right here, it looks like there's a there's a significant difference.

Staff member Josh Grandlienard: Typically, the RS-15 is the smaller lot size. So that would meet the requirements of those RS-15. But in this case, the widths are a bit different. The RS-15 and the RS-35 were developed as part of the same plat, and per the original design that RS-35 is that transitional area to create a little wider berth so that the existing Lehi area has that transition area, to where it helps us, and it looks a little busier than how development curves can be high. But realistically, the depth is pretty consistent. It's just matter of the way that Kramer kind of goes a

City of Mesa - Board of Adjustment – November 3, 2021
Study Session Minutes

little bit north on that right of way. So, it does make it look like those lots a little bit smaller. But depths are consistent it is just kind of the widths that are larger on the RS-35.

Assistant Planning Director Rachel Prelog: Chair, Boardmember Reed I do have the MZO up so I can tell you the specifics of that. So, for the RS-35 the minimum lot depth is 150 feet and for the RS-15 it's 120.

Boardmember Reed: So, what are the actual numbers of this lot again?

Staff Planner Josh Grandlienard: The width of this lot is 257.57 and then 143.5 north south.

Chair Wagner: With the changes that were proposed today in this one, would the variance be required?

Staff Planner Josh Grandlienard: No, the variance is still required for the new proposal. There is that allowance of the encroachment of 10 feet, but since it is a 15-foot encroachment it still requires a variance.

Boardmember Jones: Although I may make most of my questions for the next meeting. I wasn't here at the last meeting so forgive me if you guys already hashed this out. Everywhere I see except for I'm looking at here 30 feet is what the rear setback is, but then there's an allowed 10 feet encroachment within that. So, it's allowed, so theoretically if what we're looking at right here from understanding it's really five feet now

Staff Planner Josh Grandlienard: Correct, an extension of that allowed encroachment.

Boardmember Jones: Based upon the updated site noted that the existing pool equipment structure.

4 Adjournment.

Vice Chair Lynam moved to adjourn the Study Session and was seconded by Boardmember Gunderson. Without objection, the Study Session was adjourned at 5:24 p.m.

Respectfully submitted,



Rachel Prelog,
On behalf of Zoning Administrator (Dr. Nana Appiah)