

**Mesa Council Chambers Lower Level – 57 E 1<sup>st</sup> St**

**Date: April 6, 2022 Time: 5:00 p.m.**

**MEMBERS PRESENT:**

Chair Alexis Wagner

Vice Chair Nicole Lynam

Boardmember Adam Gunderson

Boardmember Chris Jones

Boardmember Heath Reed

Boardmember Ethel Hoffman

Boardmember Troy Glover

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

**MEMBERS ABSENT:**

**STAFF PRESENT:**

Michelle Dahlke

Josh Grandlienard

Jennifer Merrill

Alexis Jacobs

**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: None**

**3 Review and discuss items listed on the Public Hearing agenda for April 6, 2022.**

**\*3-a Case BOA21-01213 has been continued.**

**\*3-b Staff member Josh Grandlienard presented case BOA22-00006 to the Board.**

Thank you, Madam Chair and members of the board. This is for BOA22-00006 The location is off of Dana Avenue, which is relatively east of Stapley and south of Main Street. And the General Plan designation on this site is Neighborhood as well as Transit Corridor. Zoning on this site is RM-2 for multiple residents. And this use itself is for multiple residents which is permitted within the RM-2 district. The request is for a Substantial Conformance Improvement Permit to allow the expansion of the existing multiple residents. This is the current site. looking north from Dana Avenue. The existing structure is on the east side shown here. And then the vacant lot area is where this new structure is being placed. Here's the overall site plan. The eastern side is the existing structure and on the west is the new proposed structure. As part of this, they're asking for reduced northern and eastern setbacks to maintain the existing structure at zero for the northern property line, and seven-feet nine-inches for the eastern property line. As part of the overall site plan a new residential structure is being placed on the west side that meets all setbacks and other development standards it is 7,076 square feet of new ground floor area. Primary access is still maintained off the Dana Avenue and based off of the transit corridor the required parking on the site is 19.5 parking spaces and 20 have been proposed and that includes the eight required cover spots for the new

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development. As part of that a landscape plan has also been provided. They include thornless cascalote trees, leslie roy mesquite and live oak. Here are the elevations, this was presented to Design Review Board about two weeks ago, they had some minor changes to some of the site plan, which was just the basically the site wall, they just wanted a material other than the vinyl because we didn't feel that would hold up in the sun. So, we just wanted to maintain those materials. But other than that, DRB was pretty consistent with what was proposed and P&Z was consistent with the expansion of the residential multiple use. The approval criteria for a SCIP is significant alterations to the site would need to occur to bring the site in into full conformance, it would discourage redevelopment of the site, new non-conforming conditions are being created. And the proposed request is compatible with and not detrimental to the residential properties in the neighborhood. So, because of the existing structure, it would have to be demolished in order to allow for that use to occur. And that was deemed to be a significant challenge to this site, as well as would discourage overall redevelopment. Because currently there's no paving it is just a dirt lot with no surface treatment so bringing the site in full conformance as well as providing solid waste enclosures and a fire access that meets standards for both solid waste vehicles as well as the fire trucks. So based off of that the overall request is compatible with the adjacent neighborhoods since most of the properties are RM-2or RM-4 within that area. So based off that staff finds that the proposal complies with the 2040 General Plan, as well as meeting the criteria for SCIP from chapter 73 of the Mesa Zoning Ordinance, and staffs recommending approval with conditions.

**\*3-c Staff member Jennifer Merrill presented case BOA22-00195 to the Board.**

Thank you, Madame Chair, members of the board. This is case BOA22-00195. The location is in the original Mesa square mile, in the downtown area. It's west of Center on the north side of Second Avenue and on the east side of McDonald. The General Plan land use designation is Downtown Transit Corridor. And that is geared towards having a pedestrian oriented development as well as options for housing, employment, events, shopping and entertainment. The request is also located in the Central Main Street area plan and the planning area is Downtown Neighborhood, which is aimed to provide high density residential within an urban environment. The zoning designation is the form-based Code Transect Five Main Street Flex Zone, which is for providing a flexible area with a mixture of ground floor uses. The request is for variances from the form-based code and for the purpose of allowing a third phase of a multi residential development. You can see in this aerial photo that to the north of the blue outlined area, those are phases one and two of The Residences on First development. Here's a photo of the site looking east from McDonald into the site. Here's the site plan of phase three, it shows buildings six, seven and eight of the overall residences on first development, building Six fronts on to McDonald. There are 24 residential units per building for a total of 72 new units. And on the phase three portion of the site there are providing 47 additional parking places to bring the overall development to a little over one space per unit for all three phases. The requested variances for the project for this request include the setback of cross drive aisles, and that's shown as letter A on this plan in the highlighted area. The requirement per the Mesa Zoning Ordinance is for 50 feet from the property line to the nearest parking space. They're asking for a reduction to 20 feet. The transportation reviewer has seen this and is comfortable with that. The building widths and depths, they're asking for modifications to that per the form-based code the maximum width of buildings is allowed to be 60 feet and the maximum depth is 50 feet. They're asking for a maximum width of 124 feet for a building six and 114 feet for building seven and eight and then maximum depths of 60 feet for all three buildings. The door yard circulation per code, the door yard. Private frontage type is permitted to allow one private dwelling unit circulation through it and each of the door yards that are proposed will have four units accessed through them. The depth of the door yard which is the space between when you enter the door yard feature to where the face of the building is, is required to be eight feet per code They're asking for a depth to five feet. A couple of those feet will actually be in the public right of way. But the door yard feature

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itself extends out into the public right of way. The ground floor finished level for the T5MSF transect. For a building that is located right up close to the sidewalk, the ground floor finish level is required to be 24 inches above grade to provide more of a formal entrance to the building. And the request is to reduce that to 18 inches. The distance between entries is required by code to be no more than 50 feet apart. And they're asking for 67 feet. And the distance between glazing is allowed per code to be a maximum of four feet apart. And they're asking for 10 feet in certain locations. And those are where the private patios are located. Overall, the request meets the requirements for a variance. There are special circumstances related to this site, the size of the site, the shape of the site, and the fact that there is a development agreement in place for the final phase three of this residential development that the applicant is trying to abide by. There are special circumstances and their preexisting, the strict application of the form base code would deprive the property of privileges that other properties wouldn't need to worry about or our other properties would enjoy without having to have this because of the development agreement and the other requirements. And the approval of this variance would not grant special privileges to this property. In summary, the request complies with the Mesa 2040 General Plan. It complies with this central Main Street area plan. And it meets the criteria in chapter 80. For variances and staff recommendation is approval with conditions. Thank you.

**Boardmember Jones:** A couple of clarification questions. The City of Mesa owns the land. And this project?

**Staff Planner Jennifer Merrill:** Yes, Chair, Boardmember Jones, the City of Mesa is the current owner of the land. But as part of the development agreement, it's my understanding that when this site is developed, that land will be deeded to the private owner of the of the development.

**Boardmember Jones:** A follow up question and is that the same situation that was in phase one and phase two?

**Staff Planner Jennifer Merrill:** Yes. phases one and two are already deeded over to the private property.

**Boardmember Jones:** Following the construction. And did phase one and phase two have similar variances? Do you recall or do you know? You may not.

**Staff Planner Jennifer Merrill:** Chair, Boardmember Jones phases one and two did not require similar variances because of the way the code was interpreted at the time of their construction.

**Boardmember Gunderson:** I've got some follow up questions. So, on the width of the building where there's a 60-foot max and what they're asking for 124 feet, is that right? Does that width match the buildings that are already there, so that it would be the same width as the existing buildings that are part of the same development?

**Staff Planner Jennifer Merrill:** Chair Wagner, Boardmember Gunderson I believe it does.

**Boardmember Glover:** Quick question on the parking count. Does that include or exclude the on-street parking?

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**Staff Planner Jennifer Merrill:** Per the applicant. It excludes the on-street parking.

**Boardmember Glover:** Okay. Just because on the site plan, it shows number of stalls and that appears to be like within the public right away. So, okay, I was questioning that. So. Okay, thank you.

**Boardmember Reed:** Going with the parking question and asking for the setback from the entry from 50 to 20 feet was that to meet certain parking requirements within the form-based code, or I must have missed that in the staff report. But what's the reason for the reduction of 30 feet?

**Staff Planner Jennifer Merrill:** Boardmember Reed that was part of the development agreement. I know that it was to maximize the spaces on the site. The parking isn't in front of the building. So, we didn't have a large concern with it. And then transportation reviewed it as well, so we were comfortable with it.

**Boardmember Reed:** And the follow up with a Boardmember Jones, how the code was interpreted was that was phase one and phase two part of was before the form base code was enacted and placed into an ordinance. Is that why it was interpreted differently?

**Staff Planner Jennifer Merrill:** Chair, Boardmember Reed the form-based code was established in 2012. And those projects came about...

**Boardmember Reed:** I think Phase One came before that.

**Staff Planner Jennifer Merrill:** The form base code has been modified since then, and also further clarified and interpreted differently over time. So yeah, the form base code was in place at the time, it was just how it was modified since then.

**Chair Wagner:** I have another question about the door yards. Can you further explain how there are four dwellings that will be utilizing the same door yard when there's only supposed to be one per code?

**Staff Planner Jennifer Merrill:** Chair Wagner. Per the code, each private frontage type is designed to accommodate one dwelling, because it is a private frontage type. Because of the way the buildings are designed. I should clarify also the maximum is a maximum of one dwelling on the first floor. So, we're looking at the ground floor and there are four dwelling units that will access that one single door yard on the ground floor. Does that help to clarify?

**Chair Wagner:** Yes, thank you. And is that going to cause any issue like safety reasons for people needing to come in or come out of that? And emergencies?

**Staff Planner Jennifer Merrill:** The zoning ordinance doesn't speak to that specifically, but it through looking at other apartment complexes, this wouldn't be different from those.

**\*3-d Staff member Jennifer Merrill presented case BOA22-00200 to the Board.**

Thank you, board. This is case, BOA22-00200. This request is for a Special Use Permit for a Comprehensive Sign Plan. It's for a Cobblestone Auto Spa. The location is 7215 South Ellsworth Road. It's at the southeast corner of Ellsworth and Pecos Roads. The General Plan character area is for Employment and that is geared for a wide range of employment opportunities and high-quality settings, as well as supporting secondary uses. It's also within the Logistics and Commerce District of the Mesa Gateway Strategic Development Plan. And the main purpose of that district is for compatibility with increasing overflight activity. The Zoning District for the property is Light Industrial. Here's a photo of the site looking southeast toward the site from the intersection. The proposed comprehensive sign plan would allow additional attached signage for the building. The detached signs would meet the requirements of the Mesa Zoning Ordinance. Per the standard sign code, the maximum number of attach signs is three and they're requesting six. The maximum aggregate sign area is 160 square feet total for all three of those signs and they're requesting a total of 388.18 square feet. Here is an example of what the signs look like those attach signs. Sign A is located at the front entrance of the building. Signs B and C are located on a portion of the building that sticks out. It's called a fin. They're calling it a fin. And so, the carwash over the Cobblestone Auto Spa sign is together as one sign and there's one set of those on each side of the fin. And then the carwash clean car exit letter D sign would be over the exit of the carwash. The request for the Comprehensive Sign Plan meets the approval criteria from section 11-43-6(D) of the Zoning Ordinance. The site contains unique or unusual physical conditions that would limit or restrict normal sign visibility. The building is setback, additional space from the roadway. And it also it's along a roadway where people are traveling at pretty high speeds. So, they're asking for additional size. The development exhibits unique characteristics of land use that represent a clear variation from conventional development. The use in includes a carwash, a convenience store, and a fuel canopy. So, they're trying to advertise all three of those uses and the signs. The proposed signage incorporates special design features that reinforce and are integrated with the building architecture. And the signs do integrate well with the architecture of the building. Off overall, the project meets the requirements of the Special Use Permit as well, which is related to the general plan. The Mesa Gateway Strategic Development Plan the location of it and making sure that it is safe, and it has public services. In summary, the request complies with the Mesa 2040 General Plan. It meets the Comprehensive Sign Plan criteria, as well as the Special Use Permit findings and Staff recommends approval with conditions.

**4 Adjournment.**

Boardmember Hoffman 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,

*Michelle Dahlke*

Michelle Dahlke,

On behalf of Zoning Administrator (Dr. Nana Appiah)