



PLANNING DIVISION
STAFF REPORT

Board of Adjustment

March 1, 2023

CASE No.: BOA22-01220	PROJECT NAME: AZ-001 Mesa East
Owner's Name:	Velda Rose United Methodist Church
Applicant's Name:	Smartlink
Location of Request:	Within the 5500 Block of East Main Street and the 0 Block of North 56th Street.
Parcel No(s):	141-77-056A
Nature of Request:	Requesting a Special Use Permit (SUP) for a freestanding communications facility.
Zoning District:	Multiple-Residence-4 (RM-4)
Council District:	2
Site Size:	40,440± square feet
Existing Use:	Parking Lot for the Velda Rose Church
Hearing Date(s):	March 1, 2023
Staff Planner:	Samantha Brannagan, Planner II
Staff Recommendation:	Approval with Conditions

HISTORY

On November 16, 1974, the City Council approved the annexation of 3,960± acres including the subject parcel (Ordinance No. 907).

On May 19, 1975, the City Council subsequently approved the rezoning of recently annexed 35± acres, including the subject parcel, to Single-Residence-4 (R-4) and Limited Commercial (C-2) (Ordinance No. 936; Case No. Z75-026).

In 1976, per Maricopa County Assessor's aerial photos, the existing church was built on adjacent parcels 141-77-058C and 141-77-057F with the subject parcel used as a parking lot for such.

Background:

The applicants are requesting a Special Use Permit (SUP) to place a new, freestanding

communications facility on the subject parcel for the storage of fiber optic equipment to serve City of Mesa residents and businesses. The facility will be unmanned and located on the southeast corner of an existing parking lot that serves Velda Rose United Methodist church, with access from East Main Street. The equipment for such facility will be installed on a 1,265 square foot lease area on a concrete foundation and will serve residents remotely, with employees onsite 1-2 times per month for maintenance only. The facility will be screened from public view by an 8' high slump block wall to match the church, with two (2) access gates. Placement of the communications facility will involve the removal of eight (8) parking spaces.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood. Per Chapter 7 of the General Plan, the primary focus of the Neighborhood character type is to provide safe places for people to live and enjoy their surrounding community, with a wide range of associated non-residential uses such as schools, parks, and local-serving businesses in the area.

The subject site is also located within the Transit Corridor Character Area designation. The Transit Corridor designation applies to development of corridors between transit stations and stops. These areas are expected to transition from suburban into an urban pattern with buildings brought close to the front property line and parking behind or beside buildings to create a pedestrian-oriented urban environment within walking distance of transit stops.

Site Characteristics:

The lot currently serves as additional parking for an existing church on adjacent parcels 141-77-058C and 141-77-057F. The church provides 314 visitor parking spaces overall, of which eight (8) spaces will be removed for the freestanding communications facility. In addition, eleven (11) other stalls will be re-stripped to accommodate access to the facility when needed.

Surrounding Zoning Designations and Existing Use Activity:

Northwest Maricopa County R1-6 Single Residence	North Maricopa County R1-6 Single Residence	Northeast LC Mortuary
West LC Vacant	Subject Property RM-4 Parking Lot for Velda Rose Church	East LC Church
Southwest LC Vacant	South LC Medical Offices	Southeast LC Church

Mesa Zoning Ordinance Requirements and Regulations:

Per Section 11-70-5(E) of the MZO, the Board of Adjustment shall find upon sufficient evidence that the proposed SUP will meet all of the following 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 or policies;

The General Plan character area designation for the property is Neighborhood. Per Chapter 7 of the General Plan, the Neighborhood character area includes not only housing but also associated non-residential uses to serve those living in the area. The freestanding communications facility is intended to provide fiber internet services to not only those nearby, but also the greater area of the City of Mesa including commercial and industrial services as well as residential. The proposal is seen to advance the goals and objectives of this character area and the Mesa 2040 General Plan.

The request meets this criterion.

2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;

The communications facility is proposed to be 1,265 square feet in size and located on a 40,440± square foot existing parking lot that serves the church on adjacent parcels. The communications facility will be screened by an 8' higher perimeter wall, which will be made of slump block wall to match the church.

The proposed location will require the removal of eight (8) parking stalls. According to the parking calculations provided by the applicant, including the subject parking lot, the church provides 314 parking spaces overall for visitors as needed. Currently, the church has an 11,860 square foot assembly hall for the public, and per Table 11-32-3.A of the MZO one (1) parking stall is required per 75 square feet used for public assembly in a place of worship. As calculated, the minimum parking required for such is 158 stalls and the communications facility will not cause a significant reduction in existing parking provided.

The request meets this criterion.

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and

As indicated above, the proposal will involve the removal of eight (8) existing parking stalls, which will not affect the minimum amount of parking required to be provided for the church. Per the submitted narrative, the communications facility will create no additional noise and will be visited 1-2 times per month, at most, for maintenance only. The facility will be located six feet from the wall of the church. As such, the applicants have proposed a wrought iron gate to block this open space between the communications facility and the church from use by non-maintenance persons. The placement of the project is not seen to be injurious or detrimental to the adjacent or surrounding properties.

The request meets this criterion.

4. Adequate public services, public facilities, and public infrastructure are available to serve the proposed project.

Adequate City of Mesa public services, facilities, and infrastructure are available on site as needed.

The request meets this criterion.

Findings:

- A. The property was annexed into the City of Mesa in 1974 as part of a greater 3,960± acre area and subsequently zoned Single-Residence-4 (R-4) and Limited Commercial (C-2).
- B. The lot currently provides 314 parking spaces for its visitors, of which eight (8) spaces will be removed.
- C. 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 plan and/or policies;
- D. The location, size, design, and operating characteristics of the proposed project 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;
- E. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and
- F. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

Neighborhood Participation Plan and Public Comments:

The applicant sent the required notification letters to all property owners within 500 feet of the site as well as HOAs and registered neighbors within one mile of the site. As of this report, staff has not been contacted by any resident to express support or opposition to the request.

Staff Recommendation:

Based upon the application received and preceding analysis, staff find that the request will comply with the Mesa 2040 General Plan and the criteria for Special Use Permits outlined in Section 11-70-5 of the MZO. Therefore, staff recommends **approval** with the following conditions:

1. Compliance with the final documents submitted with this application.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Exhibits:

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Narrative and Justification Statement

Exhibit 4 – Site Plan