

Mesa Council Chambers Lower Level – 57 E 1st St

Date: April 5, 2023 Time: 4:30 p.m.

MEMBERS PRESENT:

Chair Alexis Wagner
Vice Chair Nicole Lynam
Boardmember Chris Jones
Boardmember Ethel Hoffman
Boardmember Troy Glover

MEMBERS ABSENT:

Boardmember Adam Gunderson
Boardmember Heath Reed

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

STAFF PRESENT:

Margaret Robertson
Evan Balmer
Josh Grandlienard
Charlotte Bridges
Kwasi Abebrese
Sergio Solis
Alexis Jacobs
Vanessa Felix

OTHERS PRESENT:

1 Call meeting to order.

Chair Wagner declared a quorum present, and the Study Session was called to order at 5:30 p.m.

2 Staff Update:

***2-a no updates**

3 Review and discuss items listed on the Public Hearing agenda for April 4, 2023.

***3-a Staff member Josh Grandlienard presented case BOA22-00718 to the Board.**
See attached presentation.

***3-b Staff member Kwasi Abebrese presented case BOA22-01329 to the Board.**
See attached presentation.

***3-c Staff member Charlotte Bridges presented case BOA22-01350 to the Board.**
See attached presentation.

***3-d Staff member Kwasi Abebrese presented case BOA23-00059 to the Board.**
See attached presentation.

***3-e Staff member Joshua Grandlienard presented case BOA23-00065 to the Board.**
See attached presentation.

City of Mesa - Board of Adjustment – April 5, 2023
Study Session Minutes

***3-f Staff member Charlotte Bridges presented case BOA23-00106 to the Board.**
See attached presentation.

***3-g Staff member Sergio Solis presented case BOA23-00166 to the Board.**
See attached presentation.

4 Adjournment.

Boardmember Hoffman moved to adjourn the Study Session and was seconded by Vice Chair Lynam. Without objection, the Study Session was adjourned at 5:48 p.m.

Respectfully submitted,

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



Board of Adjustment



BOA22-00718



Request

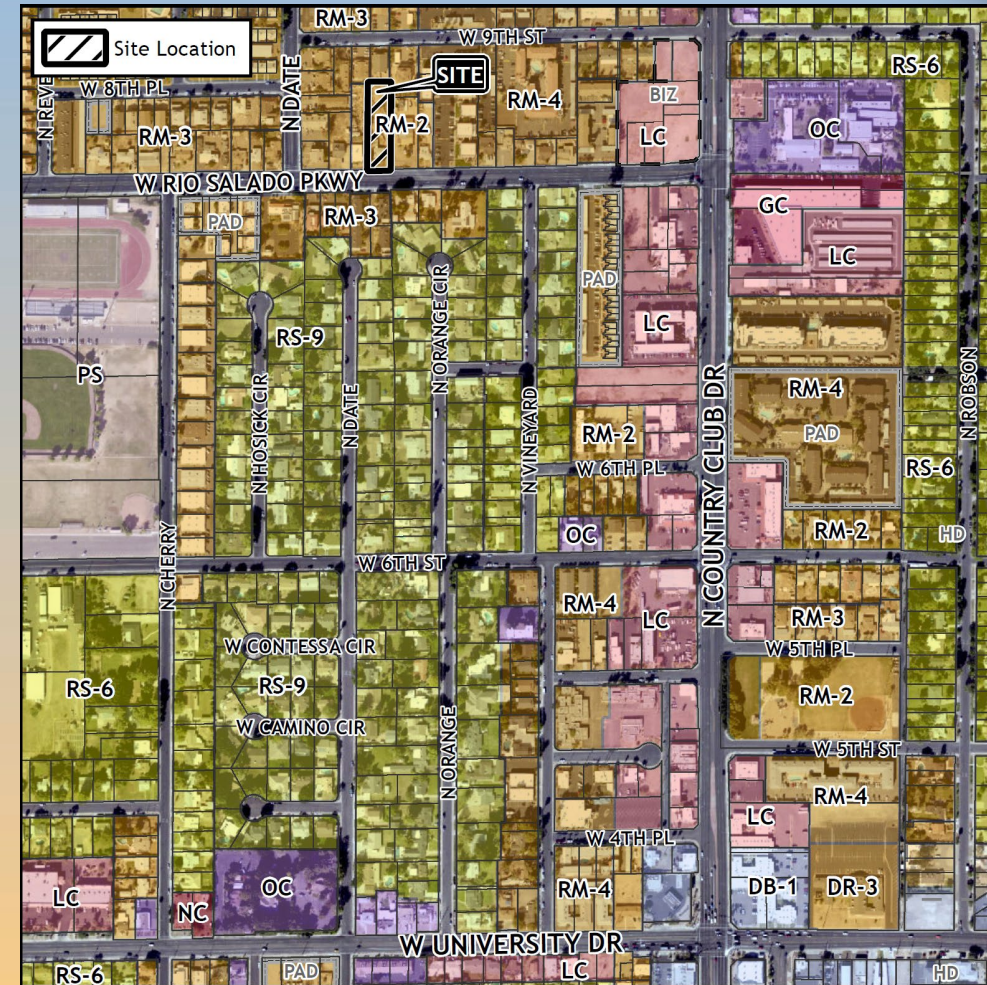
- For a Development Incentive permit to allow for deviations from certain development standards to construct multiple residence (4-dwelling units)





Location

- 554 E Rio Salado Parkway
- West of Country Club Drive, north of University Drive

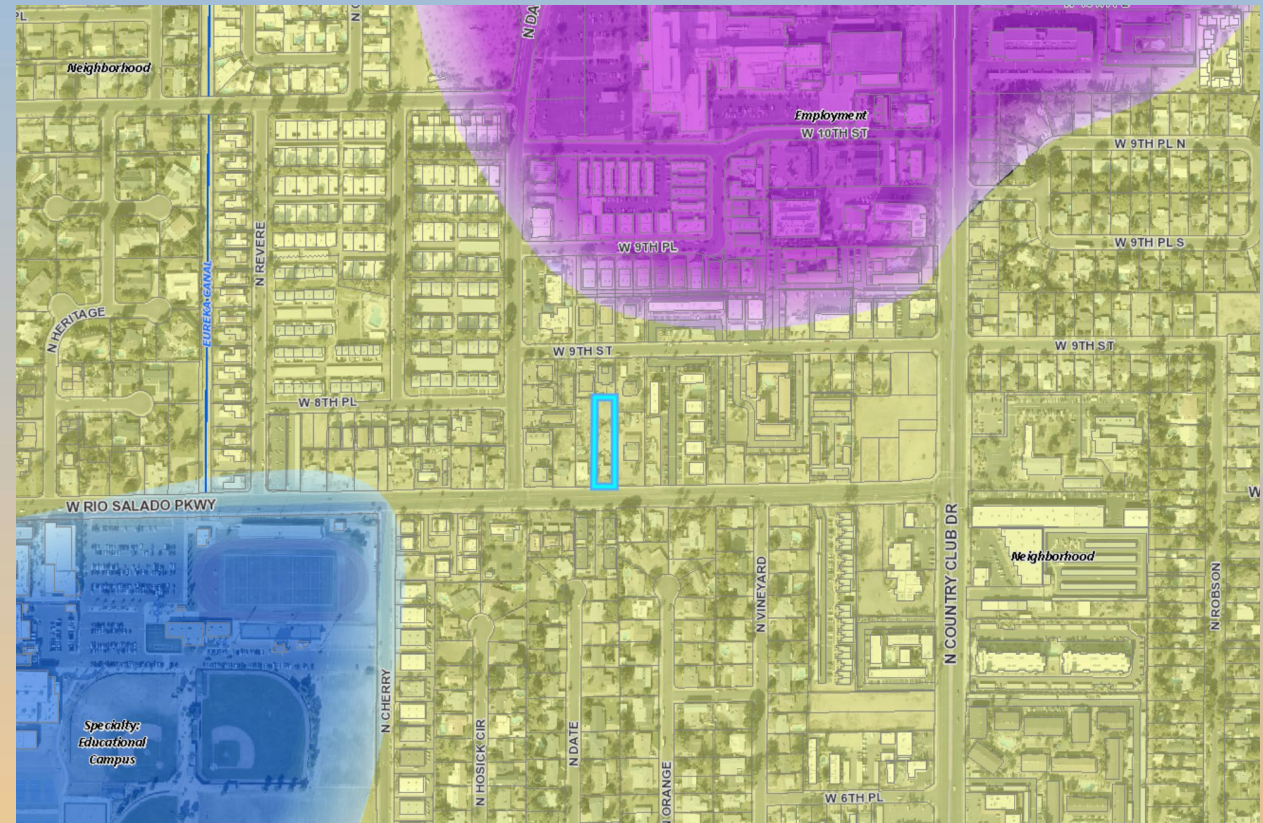




General Plan

Neighborhood

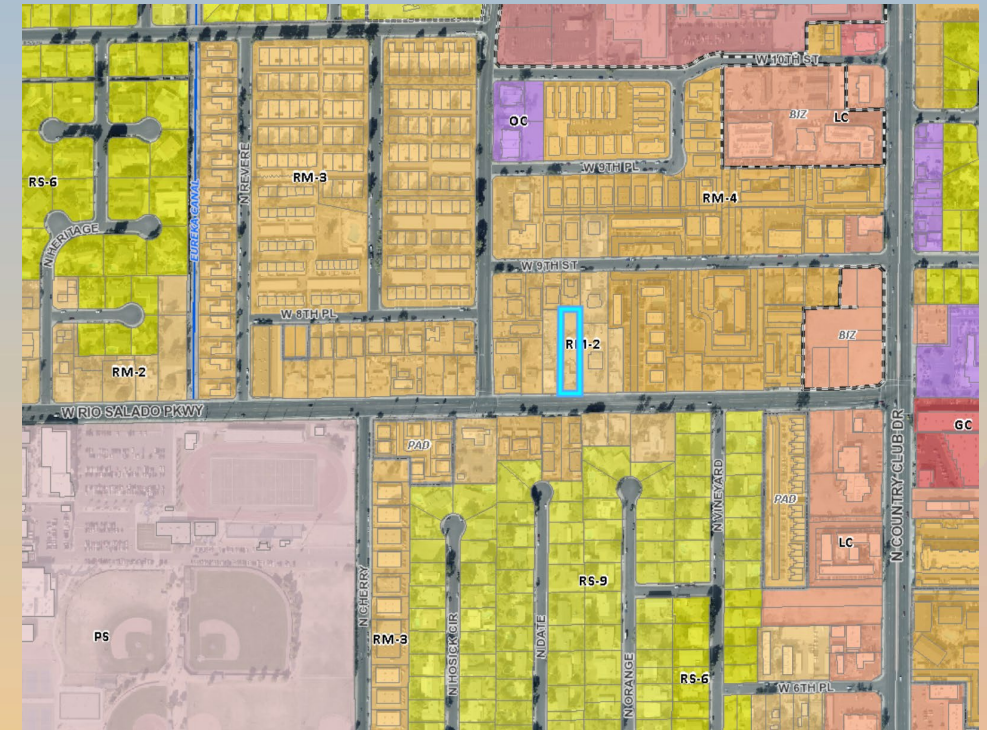
- Safe places for people to live
- Wide range of housing options allowed
- Existing use complies with the goals of this character area





Zoning

- Multiple Residence 2 – (RM-2)
- Multiple residence allowed by right
- Existing home is a nonconforming structure





Site Photos

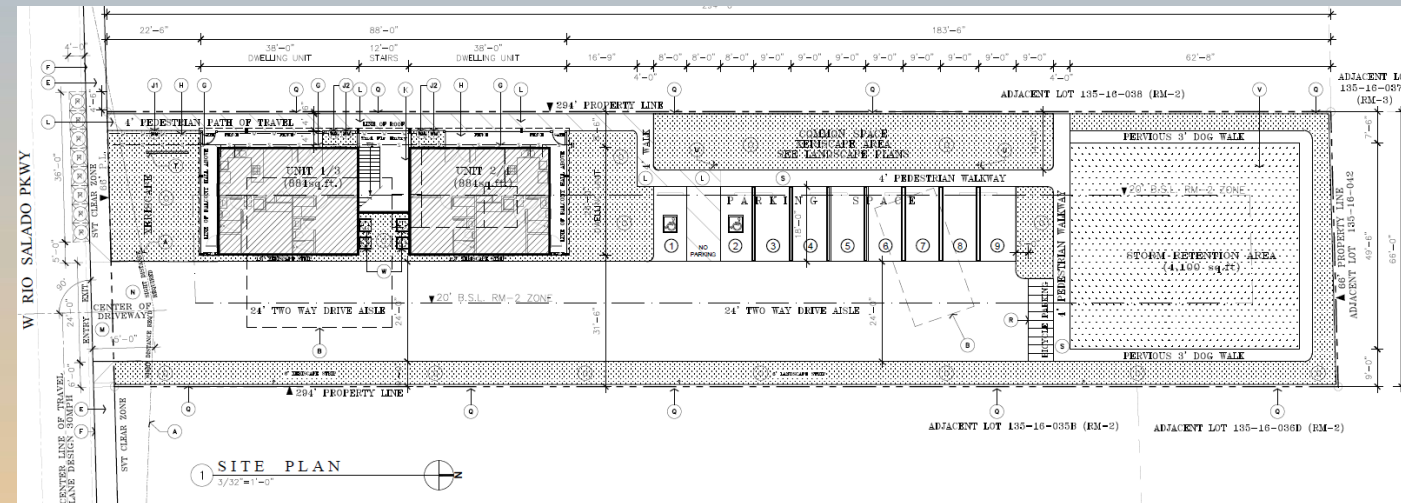


January 2023





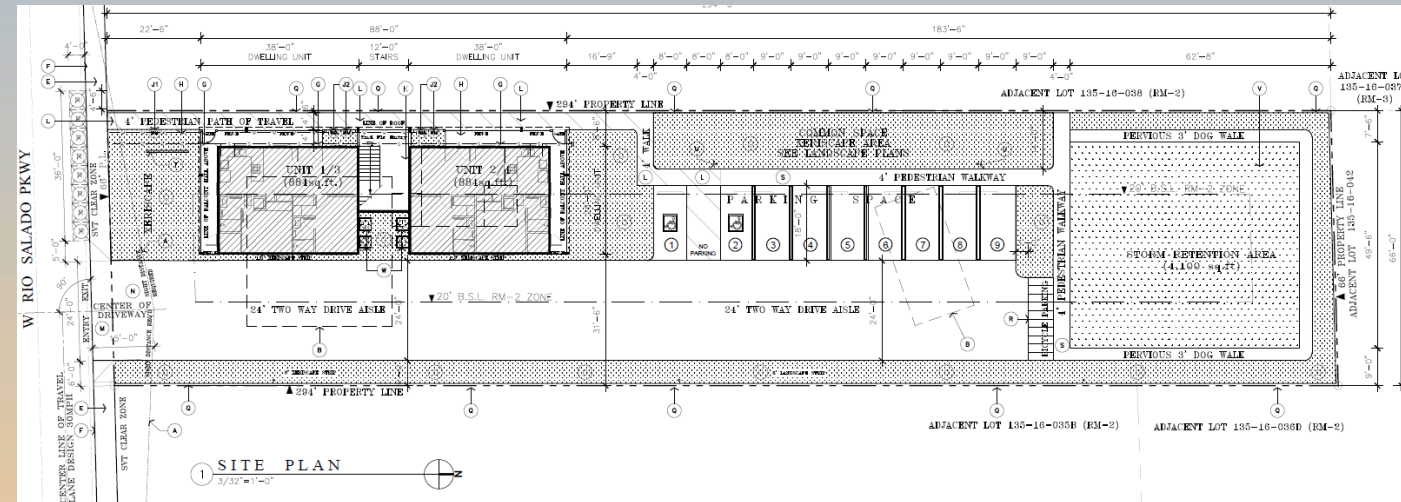
- Reduced western setback from 30 ft to 10 ft
- Trash and refuse location to be allowed on collection days to be the front yard
- Reduction in Landscape yard from 20 ft to 6ft and reduced required plantings
- Reduction of required parking islands from every 8 spots to every 9 spots





Development Incentive Permit – Site Plan

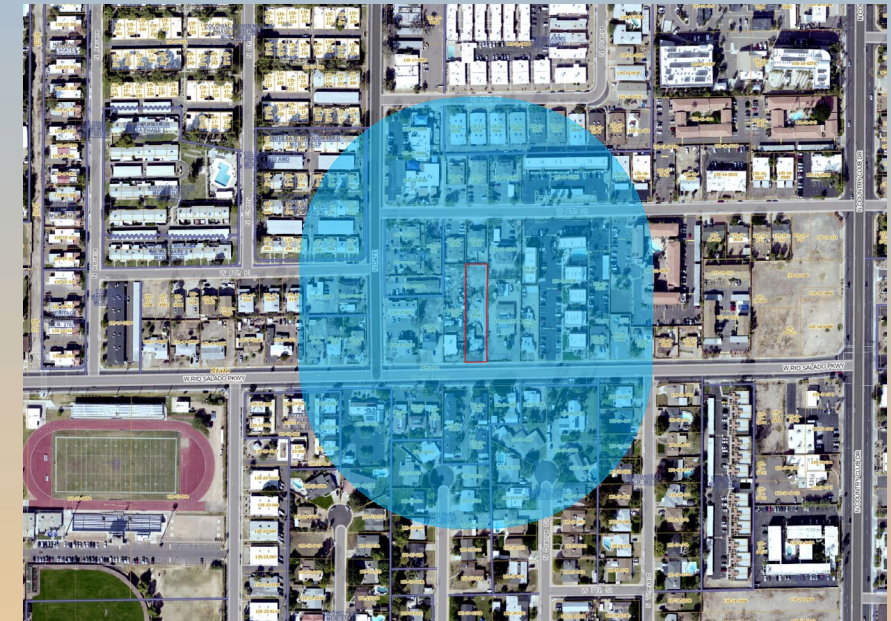
- Reduced Foundation Base adjacent to the drive aisle and adjacent to a public entrance





Citizen Participation

- Notified property owners within 500 feet
- No comments received from neighboring property owners





Approval Criteria

Section 11-72-1 DIP Purpose and Applicability

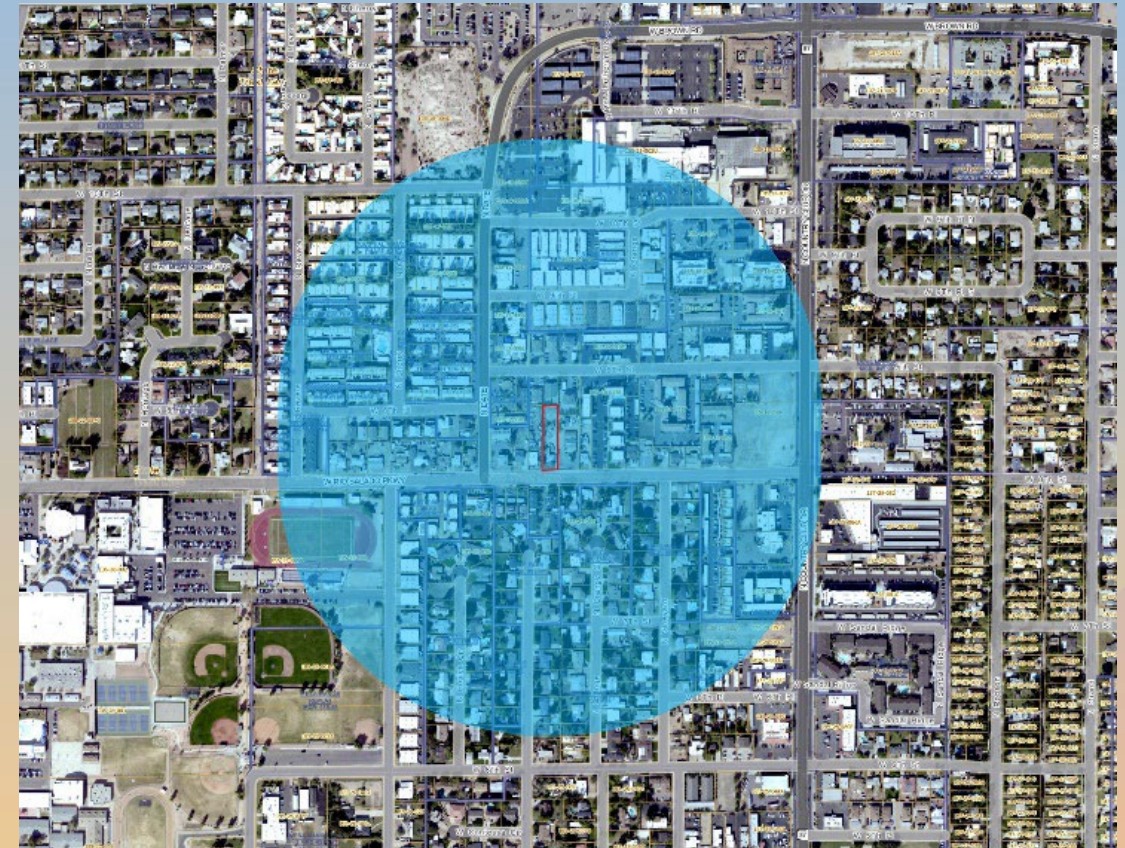
- ✓ Total area of the parcel does not exceed 2.5 net acres, and the parcel has been in its current configuration for more than 10 years;
- ✓ The parcel is served by, or has direct access to, existing utility distribution facilities.
- ✓ The parcel is surrounded by properties within a 1,200 foot radius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



2005 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.



Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Meets required findings for a DIP in Section 11-72-3 of the MZO

Staff recommends Approval with Conditions



BOA22-01329

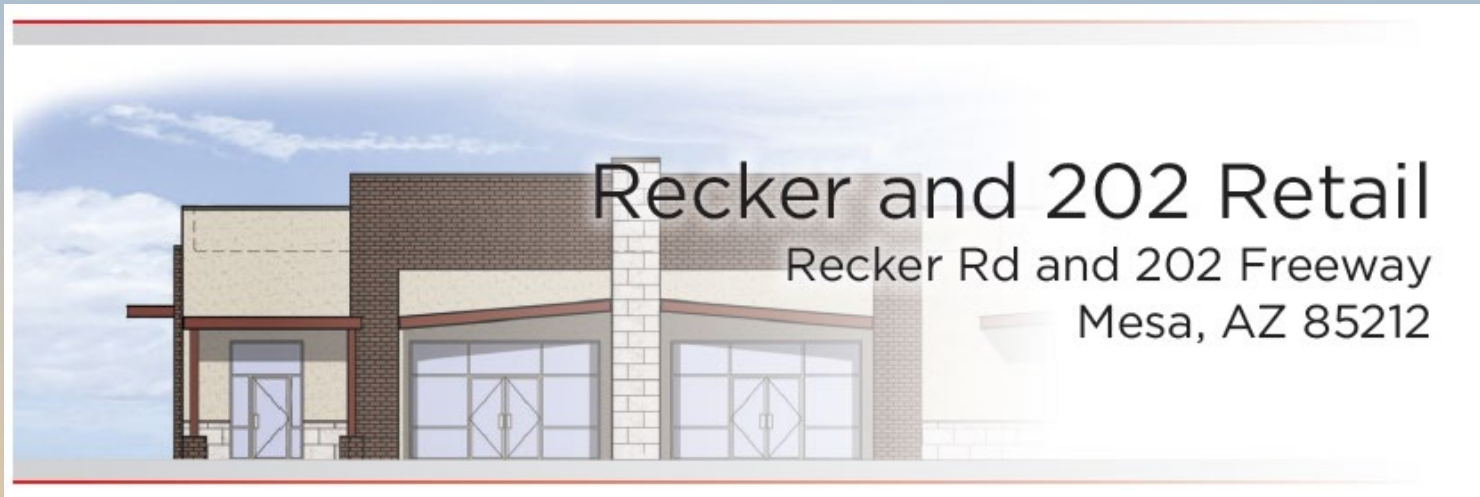
Kwasi Abebrese, Planner I

April 5, 2023



Request

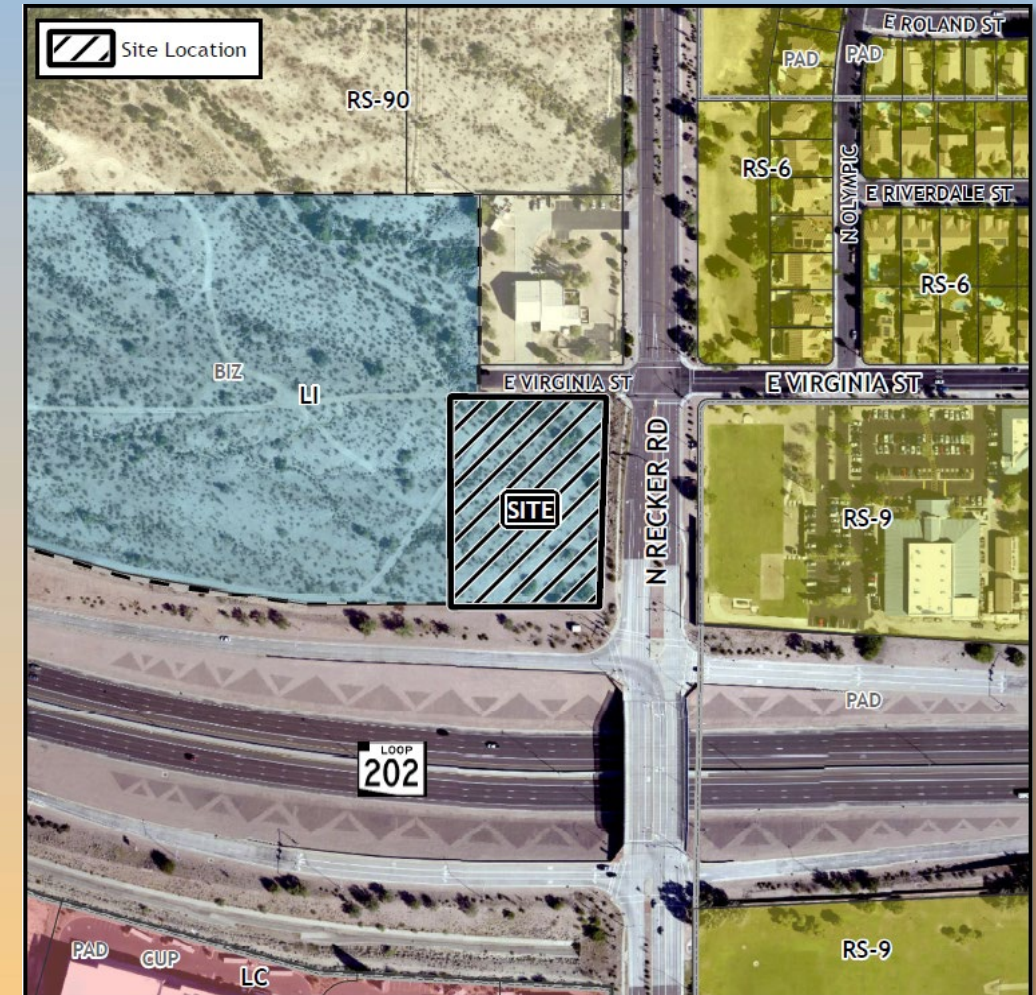
- Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP)





Location

- South of East Virginia Street
- West of North Recker Road
- North of East 202 Red Mountain Freeway





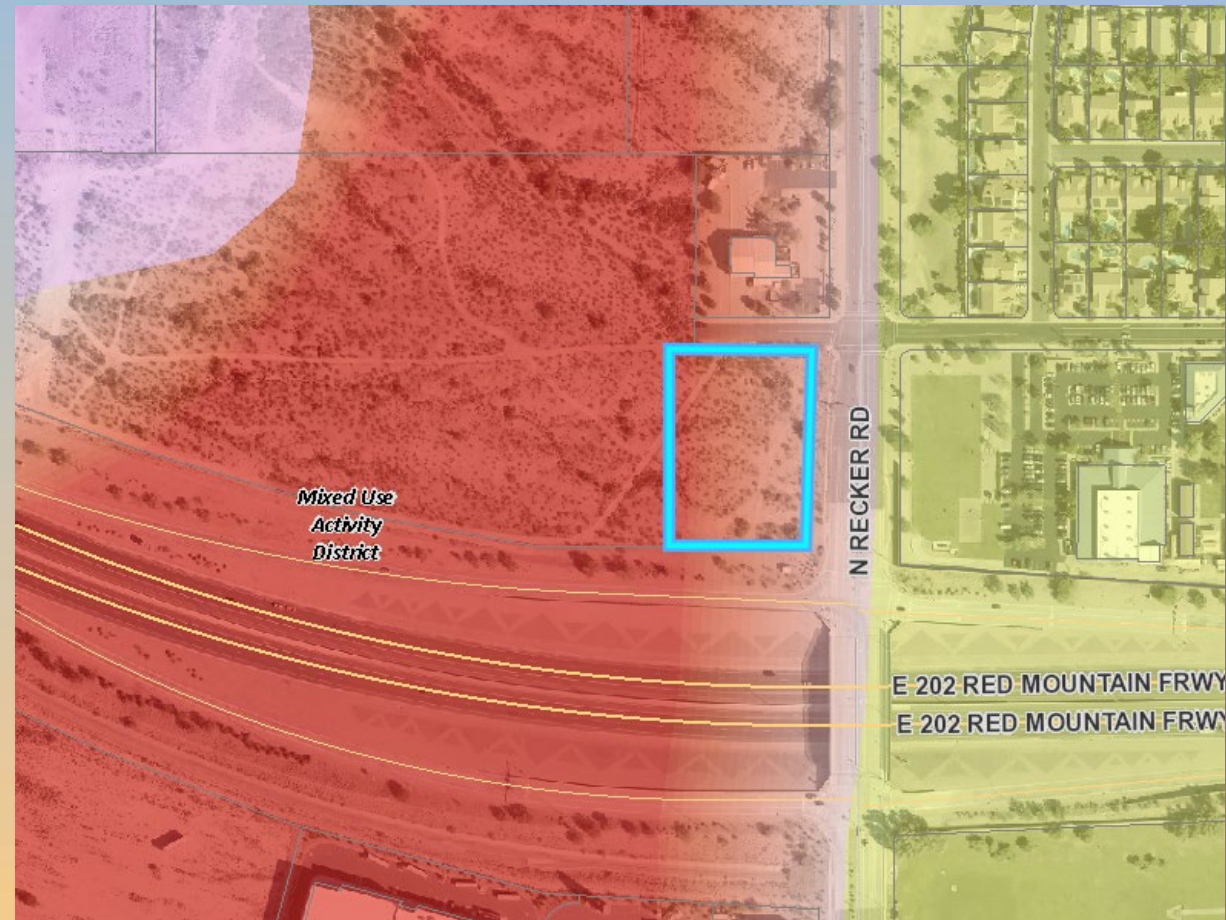
General Plan

Mixed Use Activity District

- Regional activity areas
- Strong and viable centers of commercial activity

Falcon Field Sub Area Plan

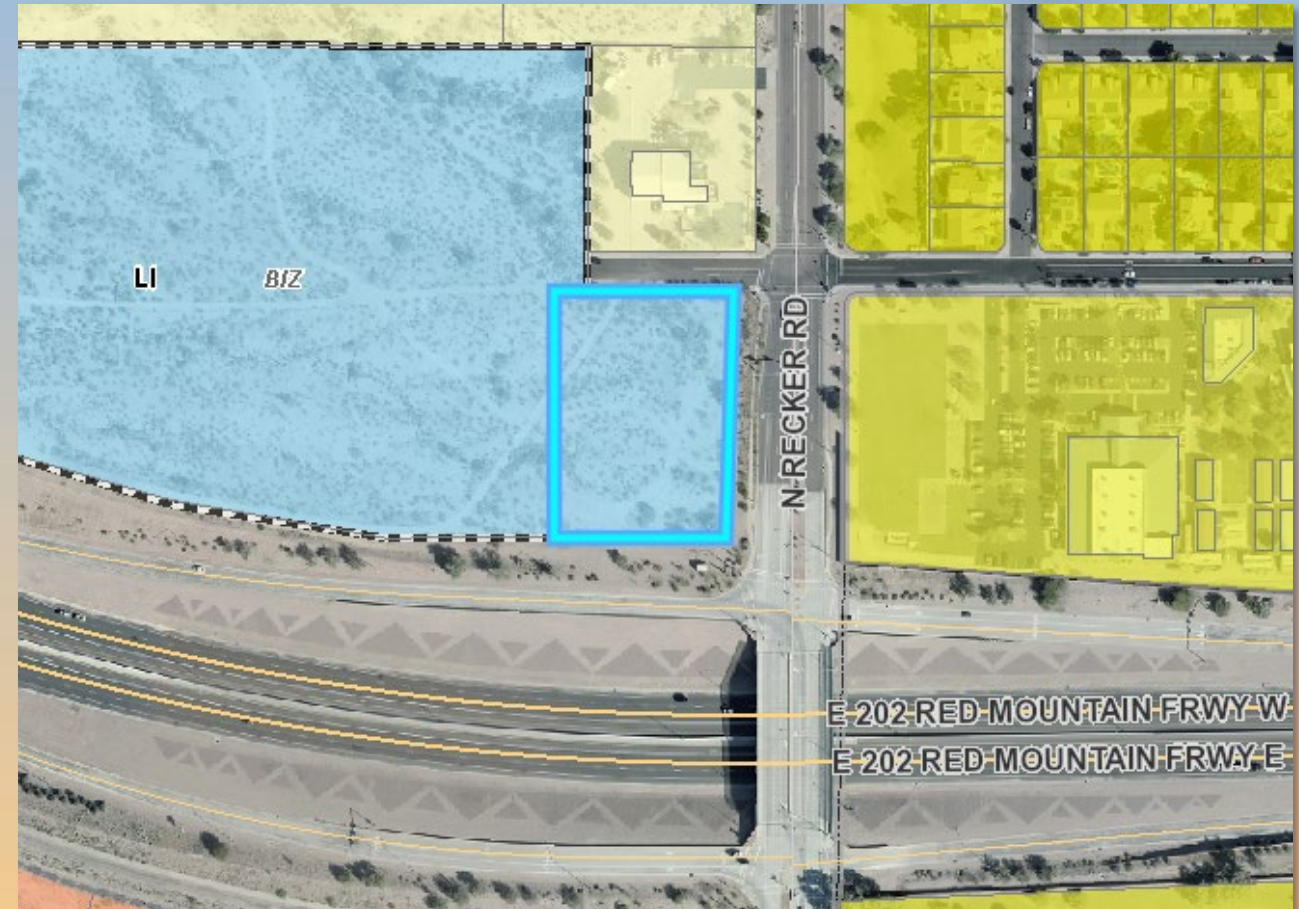
- Create a vibrant and progressive urban center





Zoning

- Light Industrial with a Bonus Intensity Zone overlay (LI-BIZ)





Site Photos

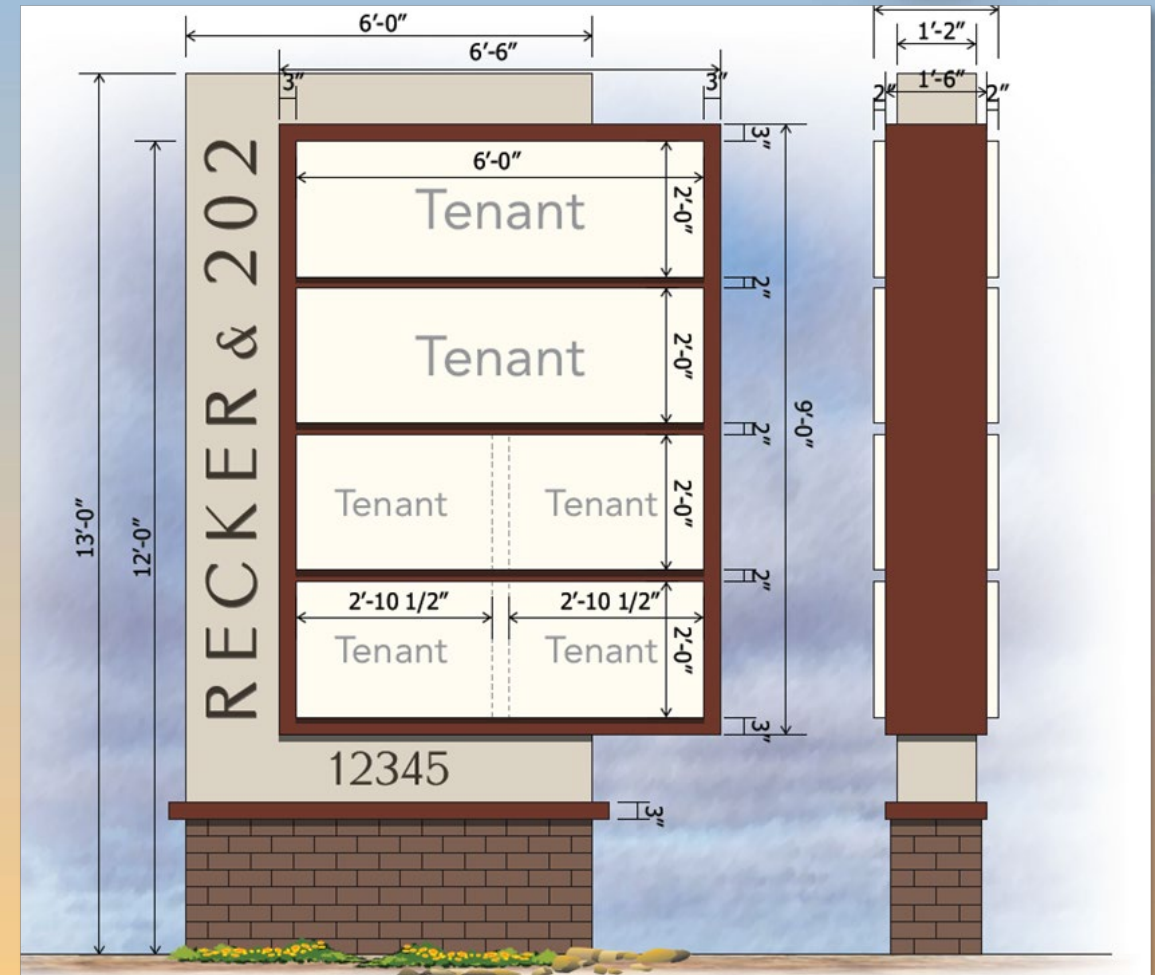


Looking west towards the site from North Recker Road



Proposed CSP

- Allows for the installation of only two types of permanent attached signs
 - LED Face-illuminated pan channel signs
 - LED Halo-Face illuminated pan channel signs
- One type of permanent detached sign
 - Routed copy backed with plex





Sign Plan



 Sign Band



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



BOA22-01350



Request

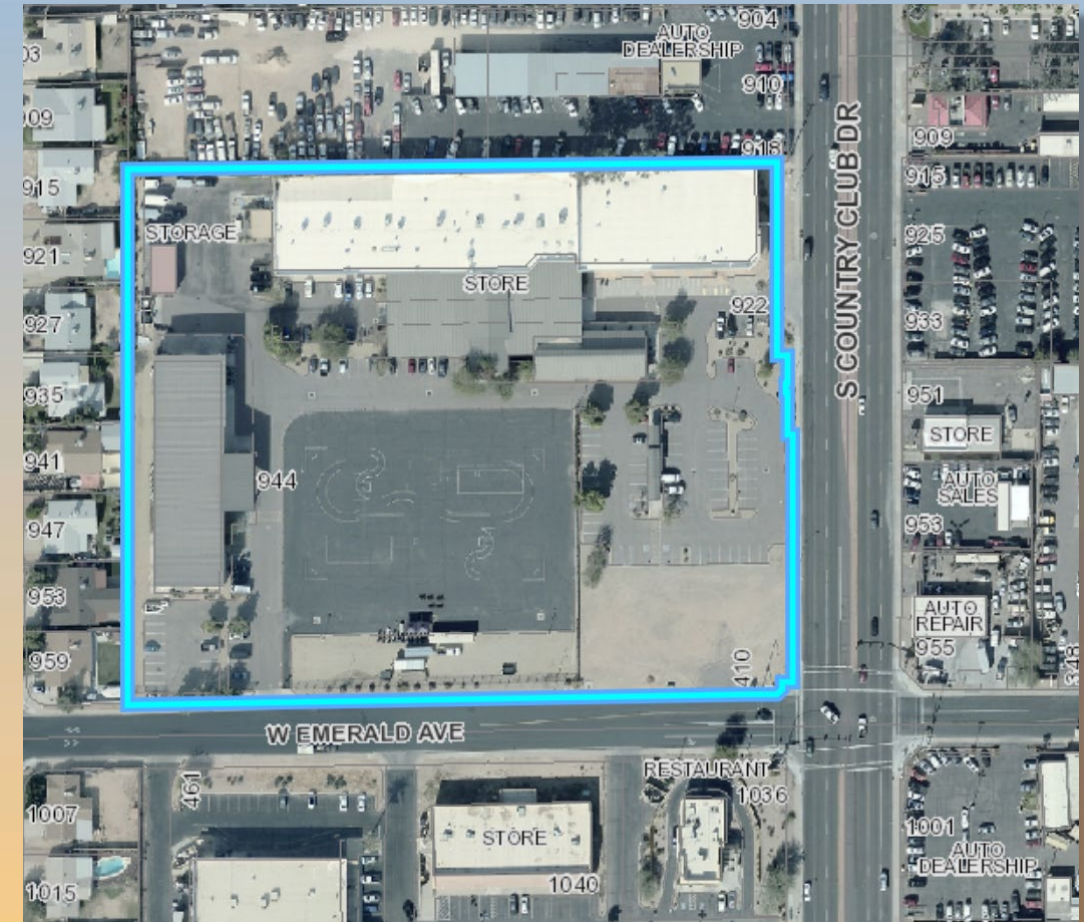
- Special Use Permit
- To exceed the maximum number of special events allowed in one (1) calendar year





Location

- West of South Country Club Drive
- Northwest from intersection of South Country Club Drive and West Emerald Avenue

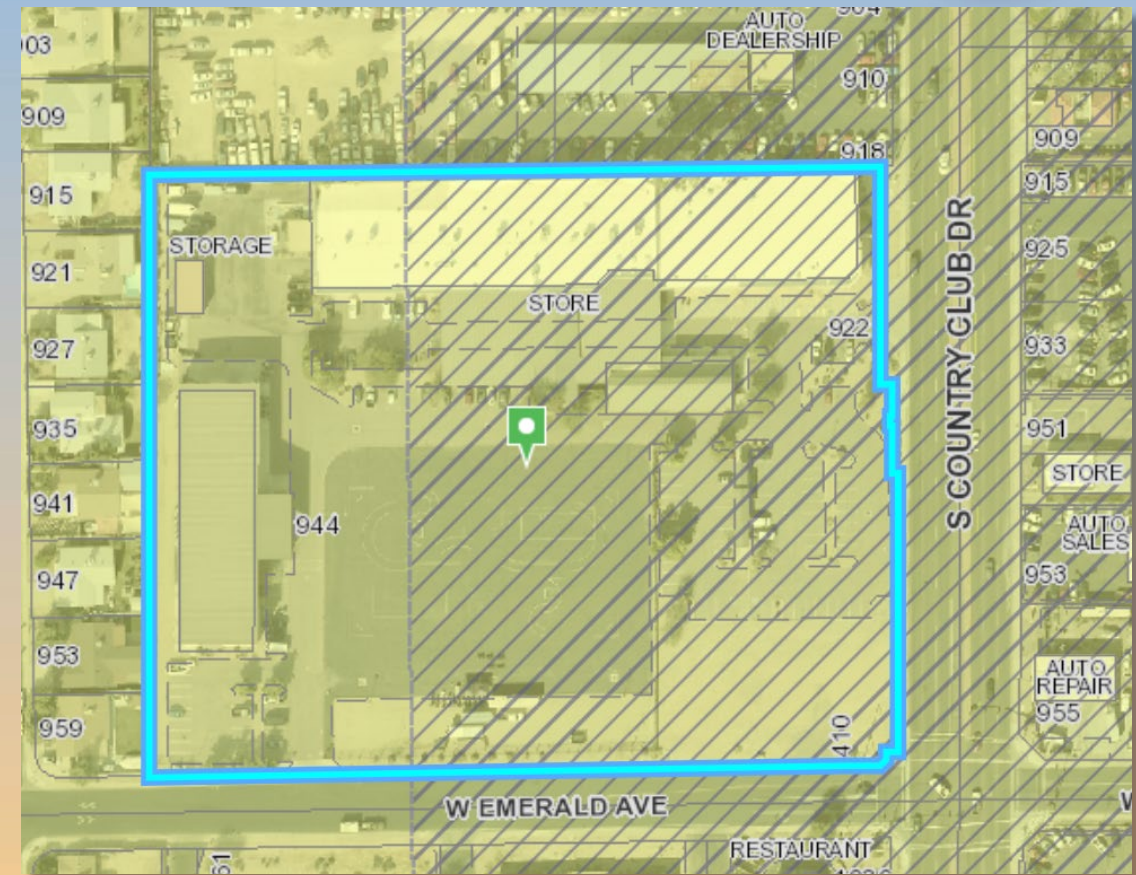




General Plan

Neighborhood

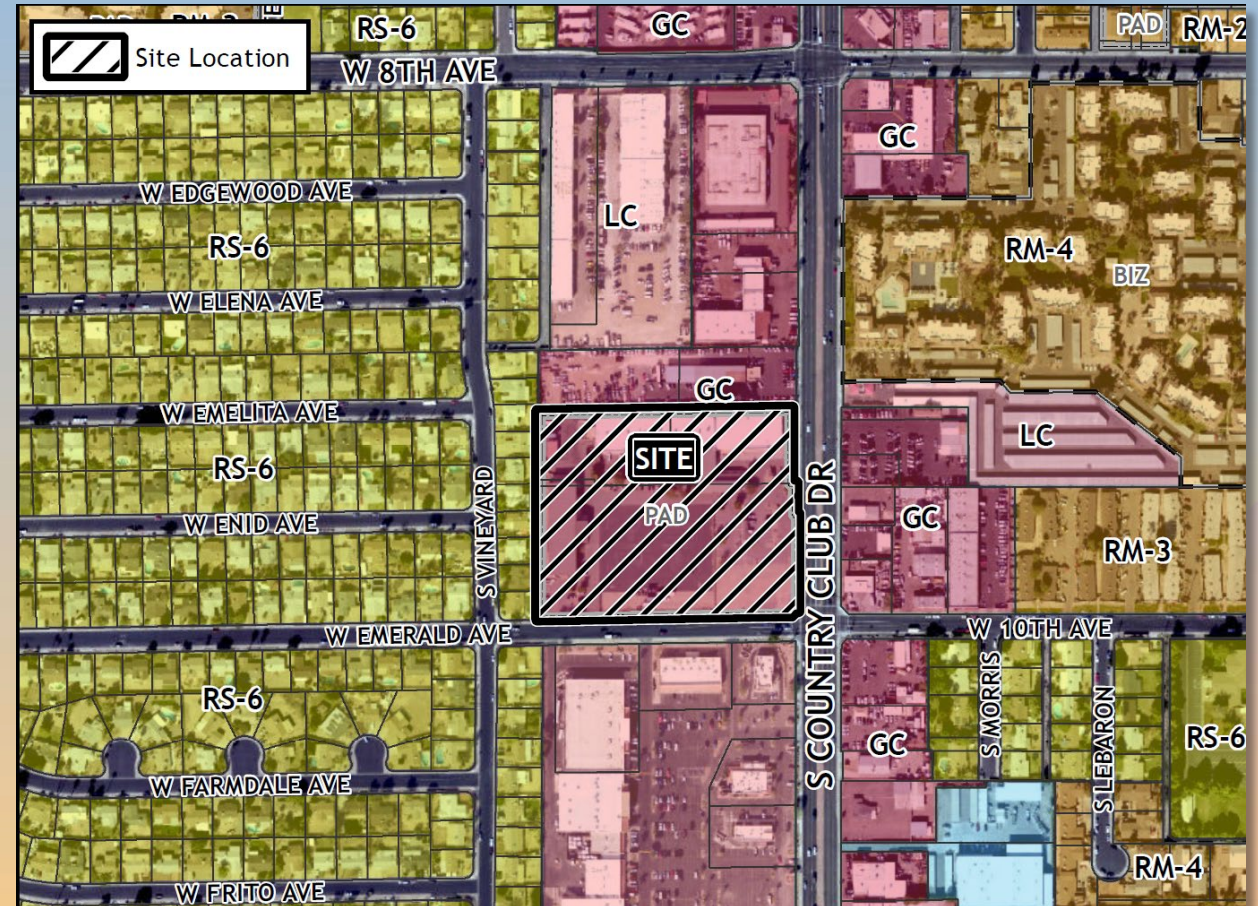
- Safe places to live and work
- Accessory non-residential activities such as schools and places of worship





Zoning

- General Commercial with a Planned Area Development overlay (GC-PAD)
- Retail and related service-oriented businesses to serve the larger surrounding residential trade area





Site Photos



Entrance from S. Country Club Dr.

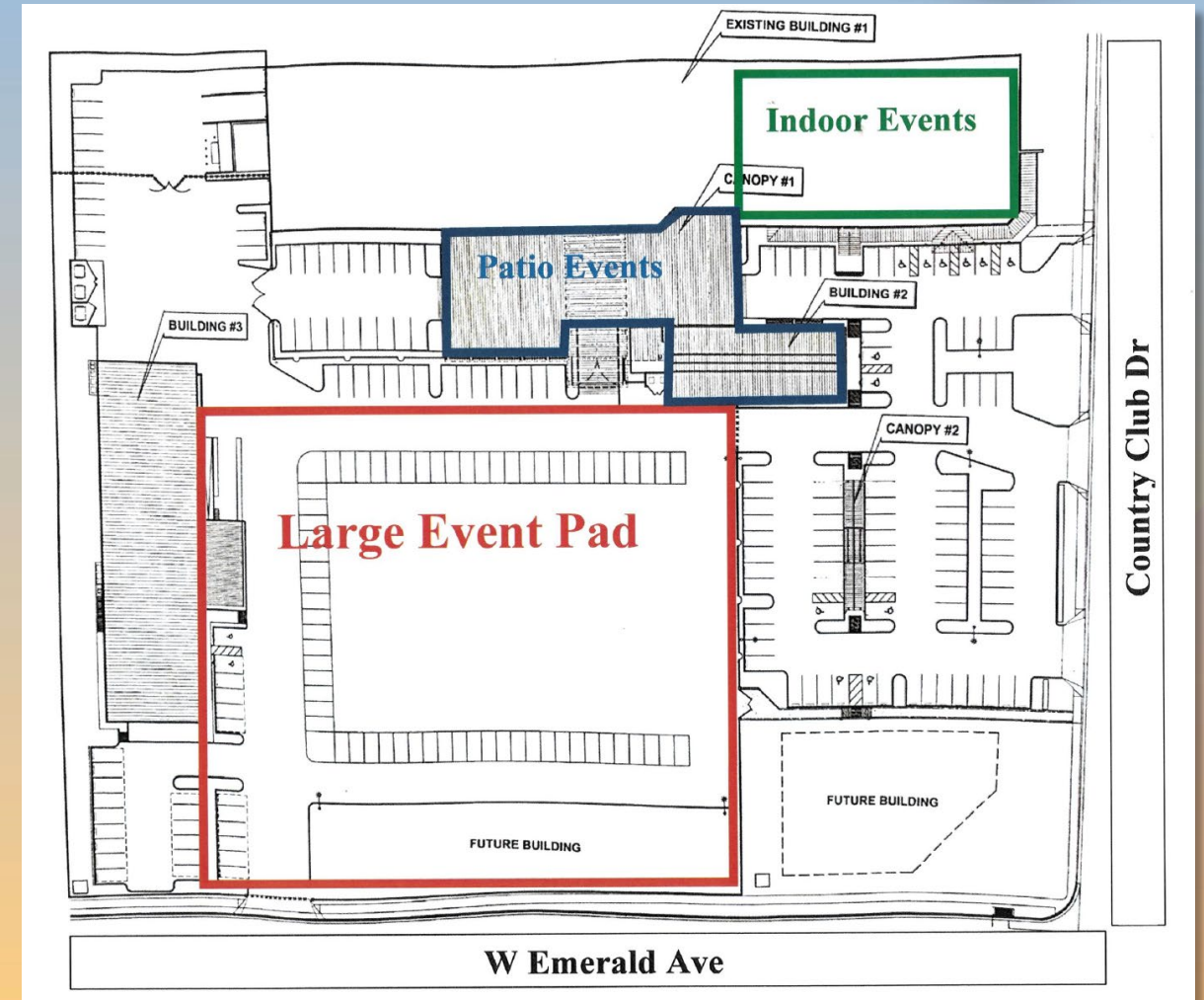


Entrance from W. Emerald Ave.



Site Plan

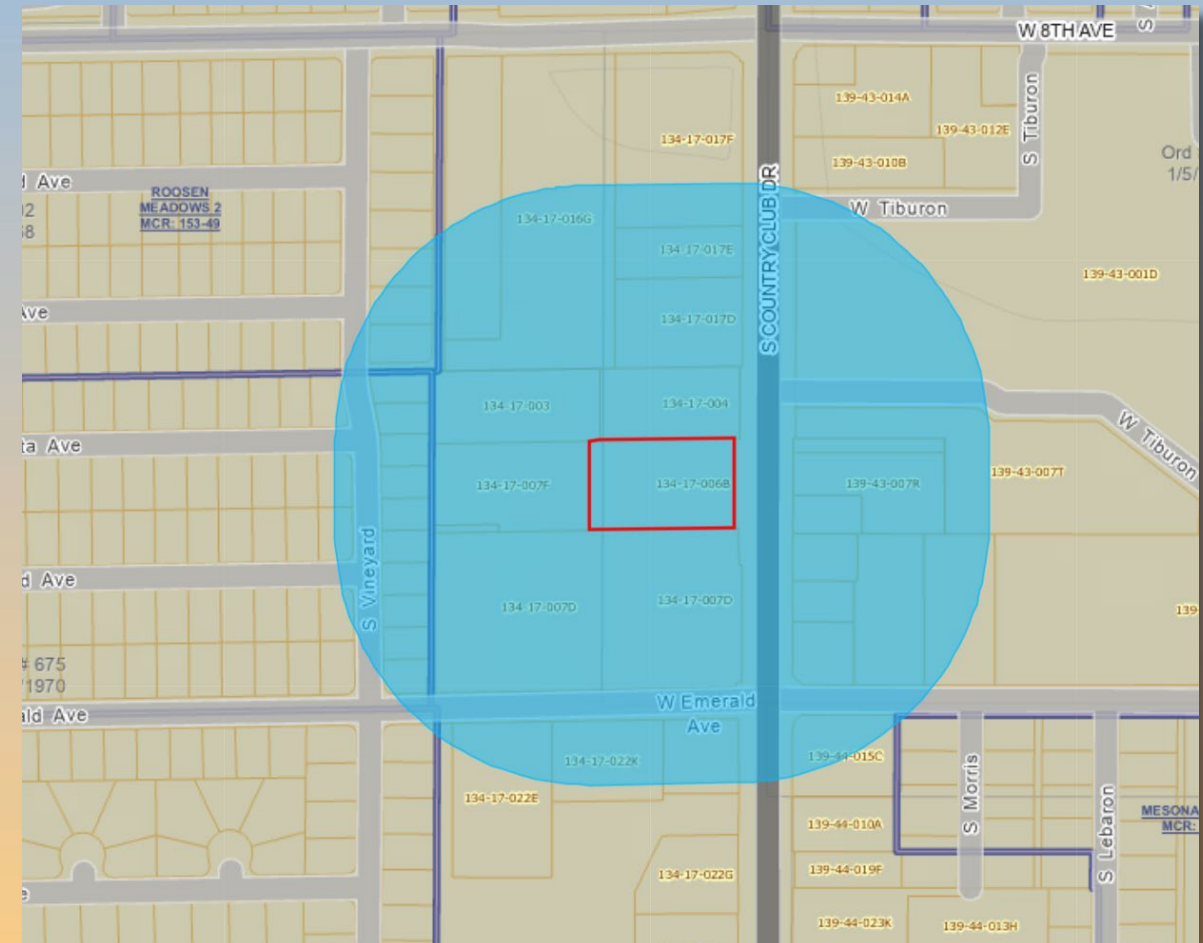
- 25 proposed events for 2023
- 90% will be single-day events
- No event to exceed 4 consecutive days
- Security staff on-site for all events





Citizen Participation

- Notified property owners within 500', HOAs and registered neighborhoods
- Staff and applicant have received no comments or concerns





Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Criteria in Chapter 70 for a Special Use Permit

Staff recommend Approval with Conditions



BOA23-00059

Kwasi Abebrese, Planner I

April 5, 2023



Request

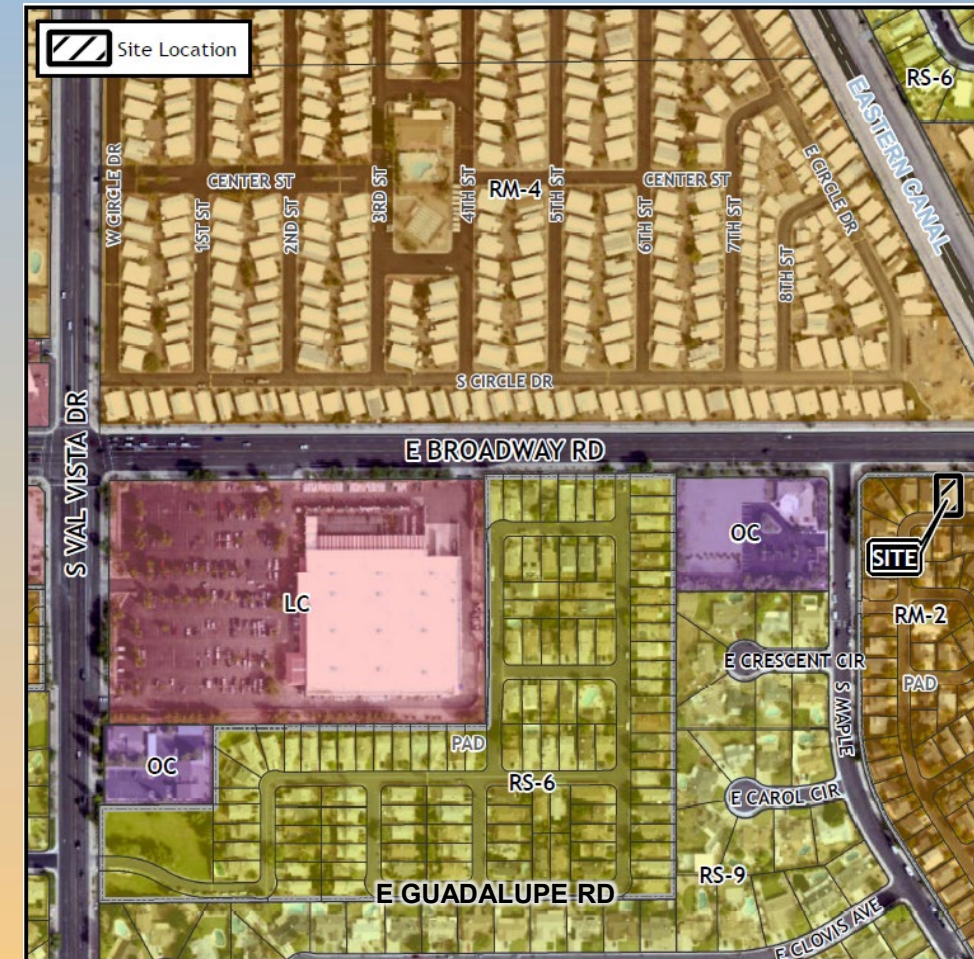
- Modification of the Windsor Shadows PAD for a reduced rear setback to allow for the addition of a patio in a single-family residence





Location

- South of East Broadway Road
- East of South Val Vista Drive





General Plan

Neighborhood

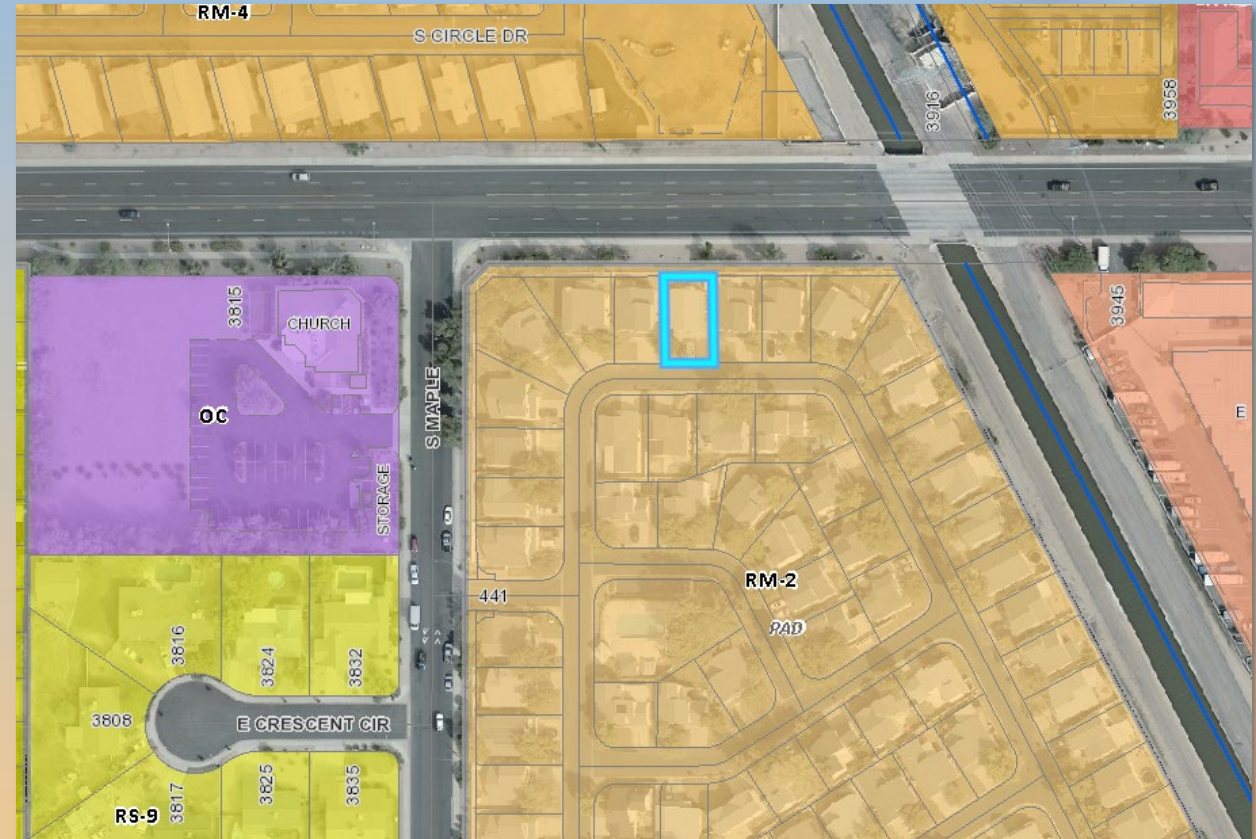
- Safe places to live
- Variety of housing
- Enjoy surrounding community





Zoning

- Multiple Residence-2 with a Planned Area Development overlay (RM-2-PAD)





Site Photos



Looking south towards the site from East Broadway Road



Site Plan

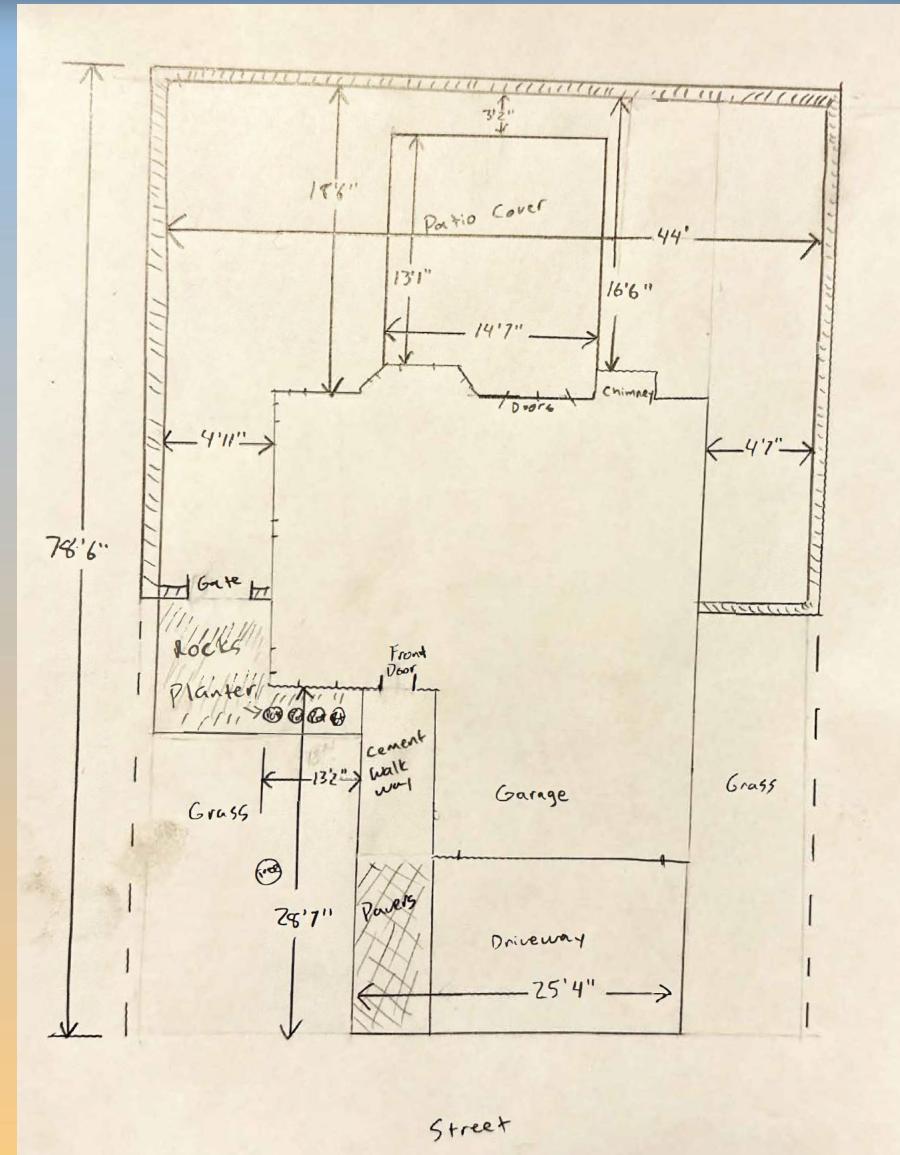
- Size of attached covered patio is 218 square feet
- Patio encroaches 12 feet into the required 15 foot rear setback to provide a rear setback of 3 feet





Site Plan

- Size of attached covered patio is 218 square feet
- Patio encroaches 12 feet into the required 15 foot rear setback to provide a rear setback of 3 feet





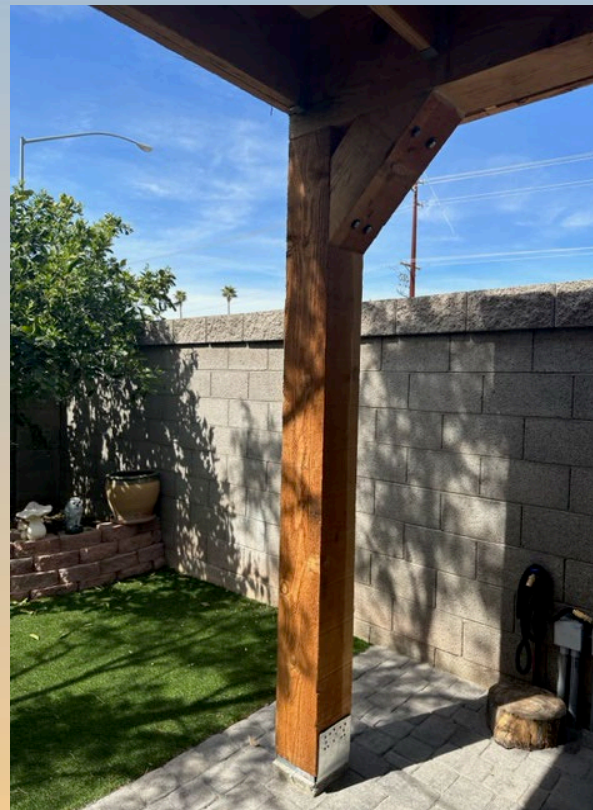
Site Photos



Pictures of the existing attached covered patio



Site Photos



Pictures of the existing attached covered patio



- Notified property owners within 150 feet
- Staff has been contacted by a neighbor expressing opposition





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

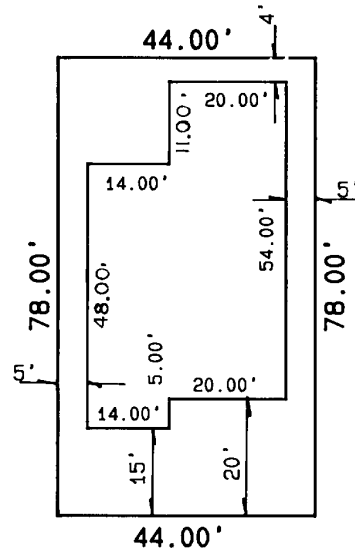
- ✓ The Windsor Shadows PAD was approved with four different rear setbacks based on the location of the lot within the subdivision.
- ✓ These rear setbacks range from 15 feet for perimeter lots to 4 feet for internal lots.
- ✓ The rear yard of the subject property backs up to a 10-foot-wide tract adjacent to the public right-of-way on East Broadway Road.
- ✓ The existing home was constructed in 1991 and complies with the required RM-2-PAD District development standards.
- ✓ Per Maricopa County historical aerial photography, the existing patio was constructed in 2022.



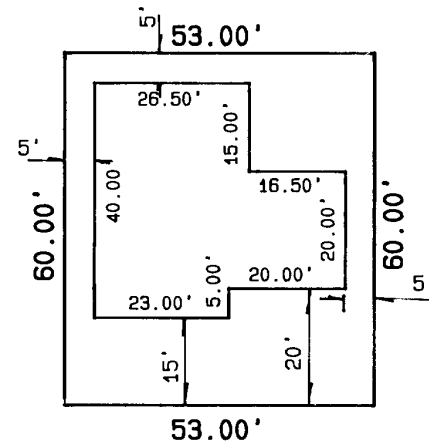
Findings Cont'd

- ✓ The addition of the covered patio at the rear of the subject property provides additional shade in the subject rear yard and has the potential of adding value to the property, as well as contributing towards the sustainability of the Windsor Shadows PAD.
- ✓ The request is consistent with the purpose and intent of the Windsor Shadows PAD and approved development plans.

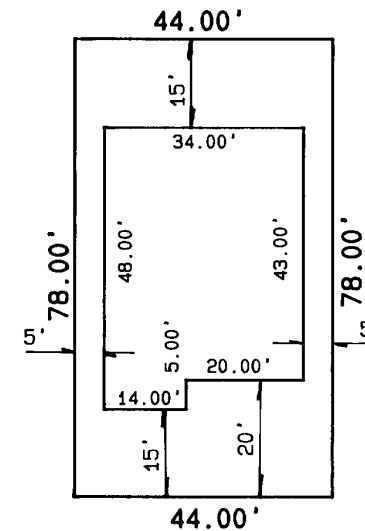
Staff recommends Approval with Conditions



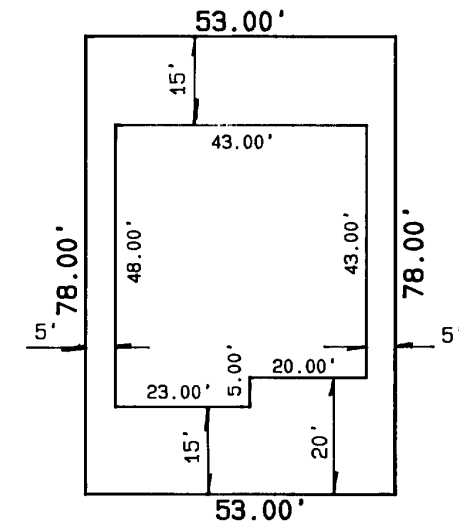
TYPE 'A' LOT
(TYPICAL)



TYPE 'C' LOT
(TYPICAL)



TYPICAL TYPE 'A'
(PERIMETER LOTS)



SOUTH PL LOTS
(LOTS 26, 28, 30)

LOT BUILDING SETBACK DETAILS

311-11





BOA23-00065

Josh Grandlienard, AICP, Planner II

April 5, 2023



Request

- SUP for a Comprehensive Sign Plan (CSP)





Location

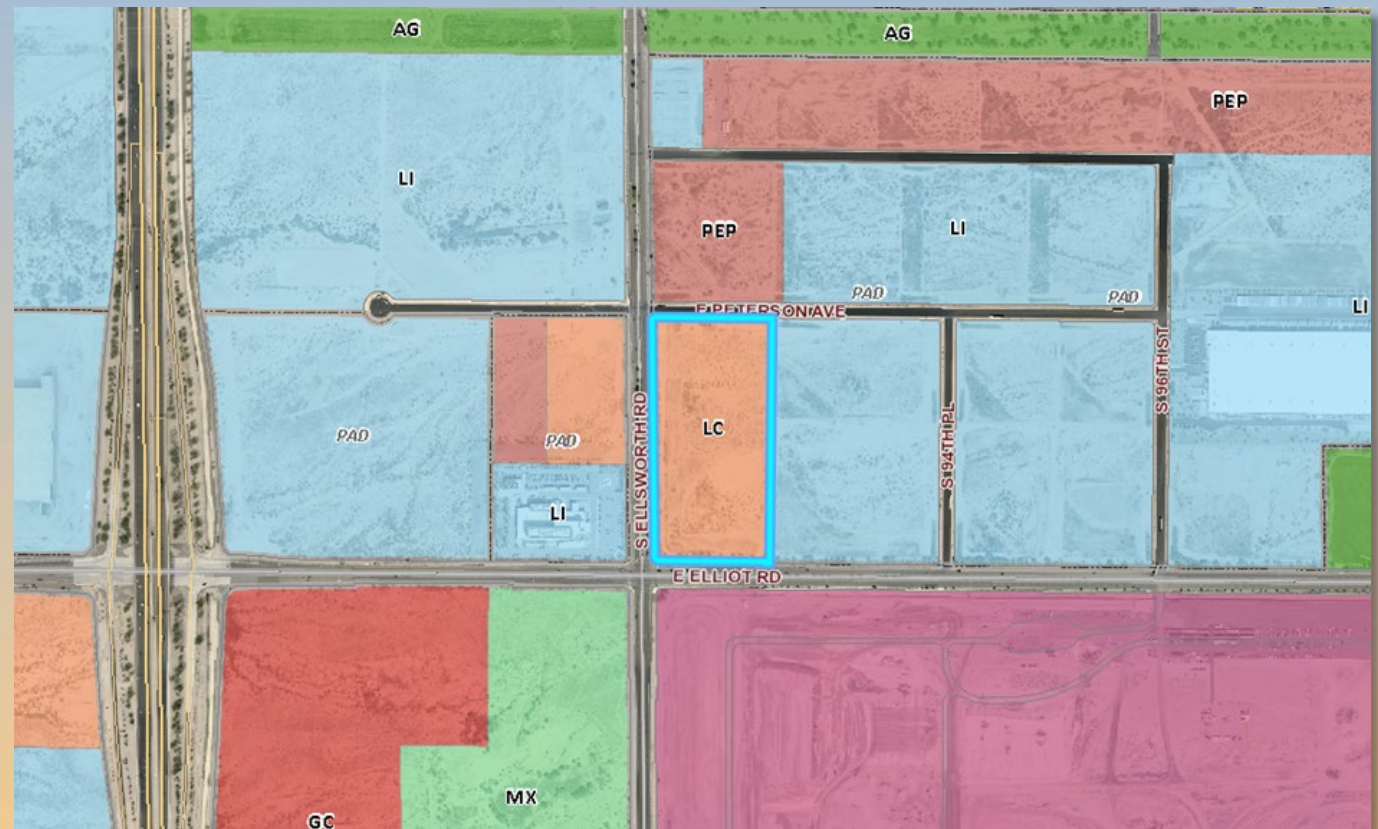
- North of Elliot Road
- East of Ellsworth Road
- South of Peterson Avenue





Zoning

- Site is currently zoned LC - PAD
- Permitted uses within the LC district

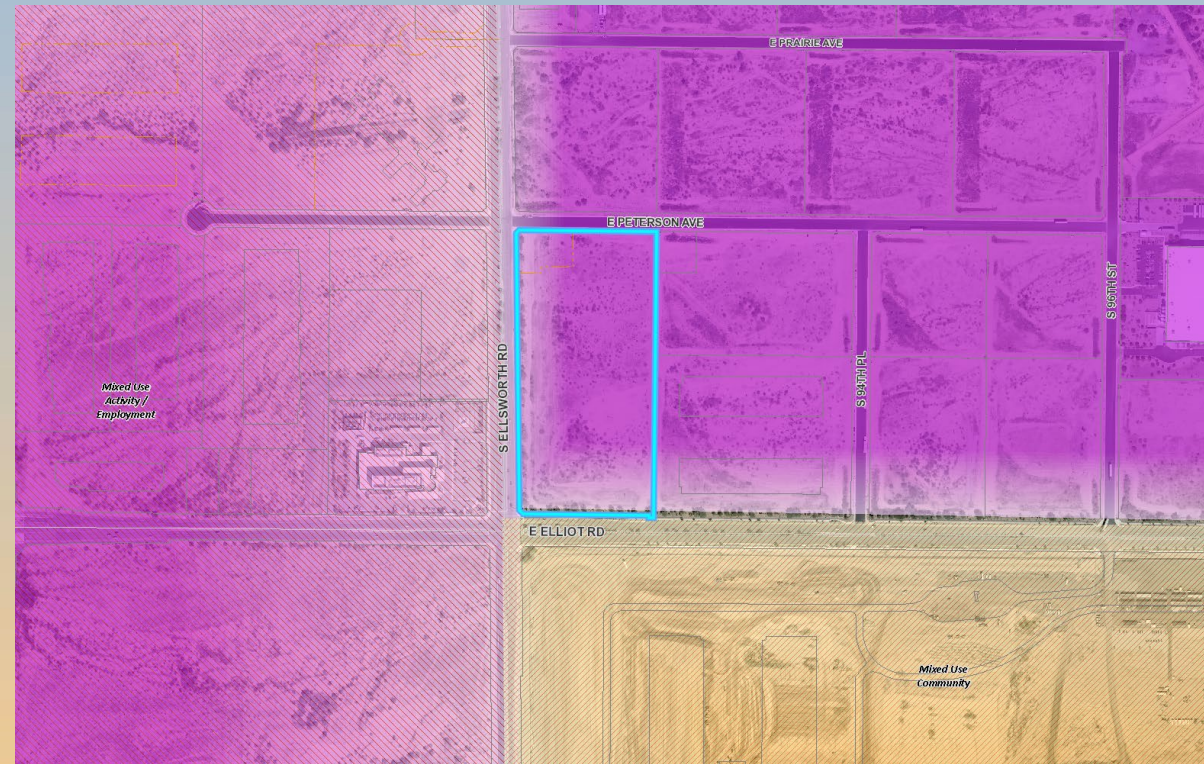




General Plan

Employment

- Provide for a wide range of employment opportunities in high-quality settings





Site Photos



Looking east from Ellsworth Road

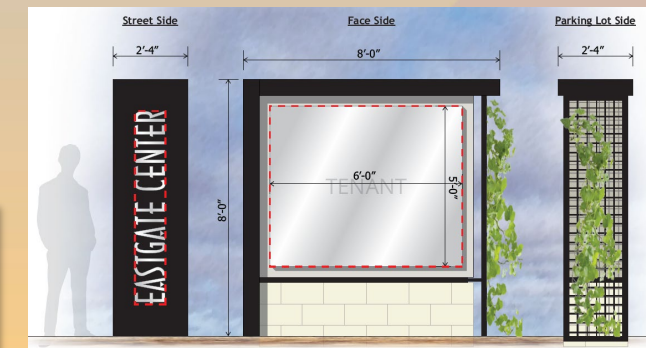
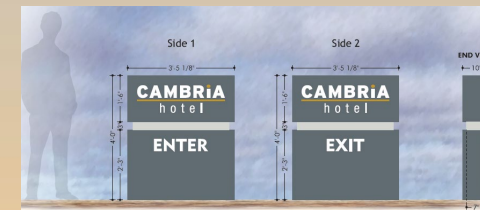
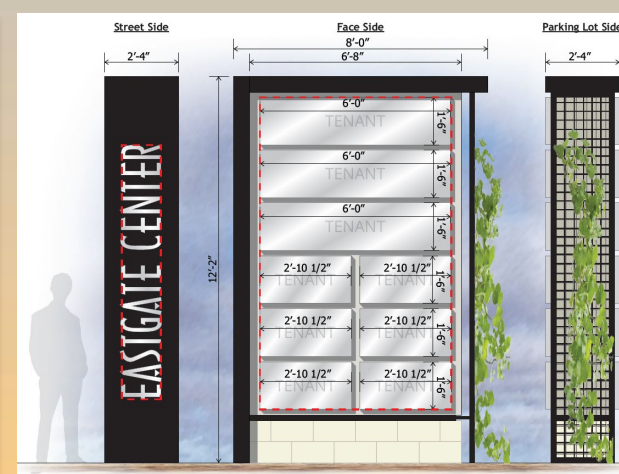
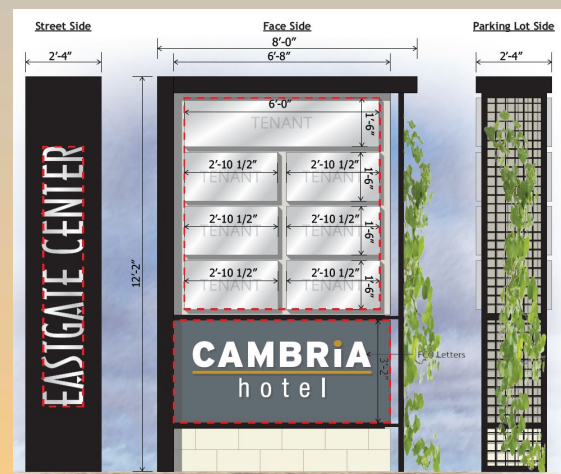
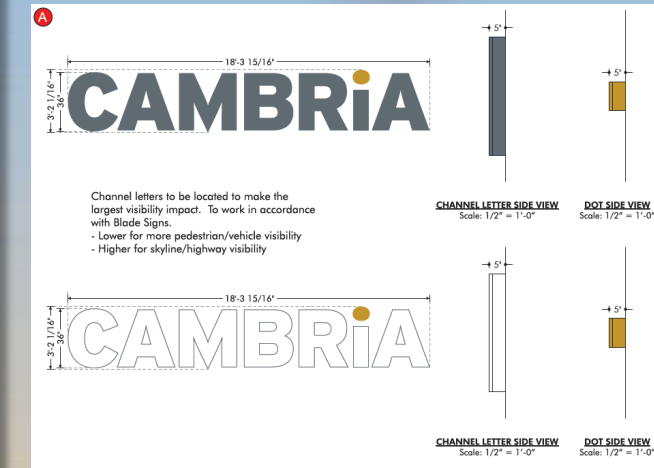
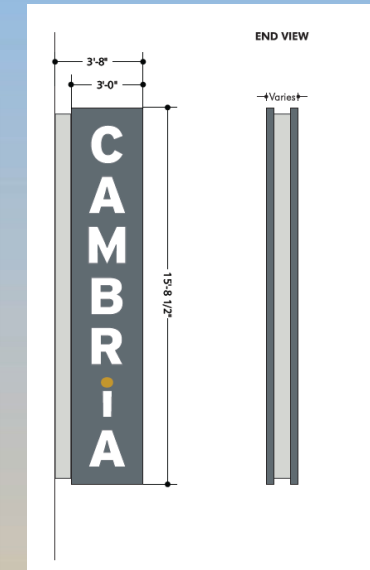
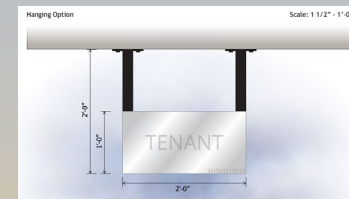
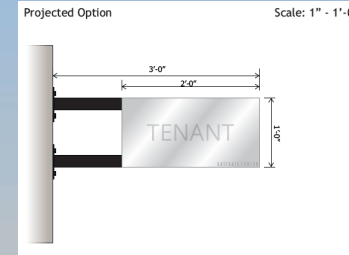




Proposed CSP

Monument signs:

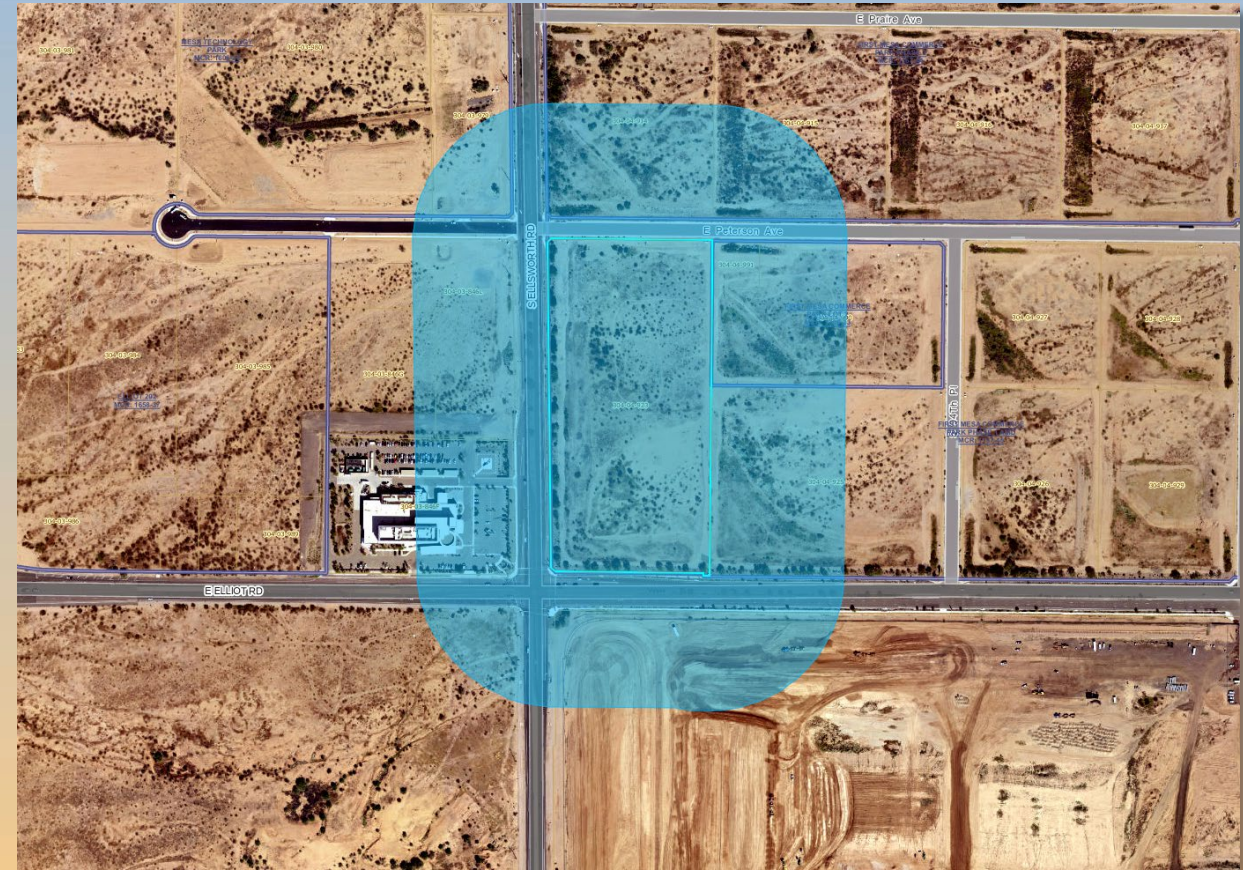
- Exceed the Maximum sign height by ~5'





Citizen Participation

- Notified property owners within 500 feet, HOAs and registered neighborhoods
- 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



BOA23-00106

Charlotte Bridges, Planner II

April 5, 2023



Request

- Special Use Permit

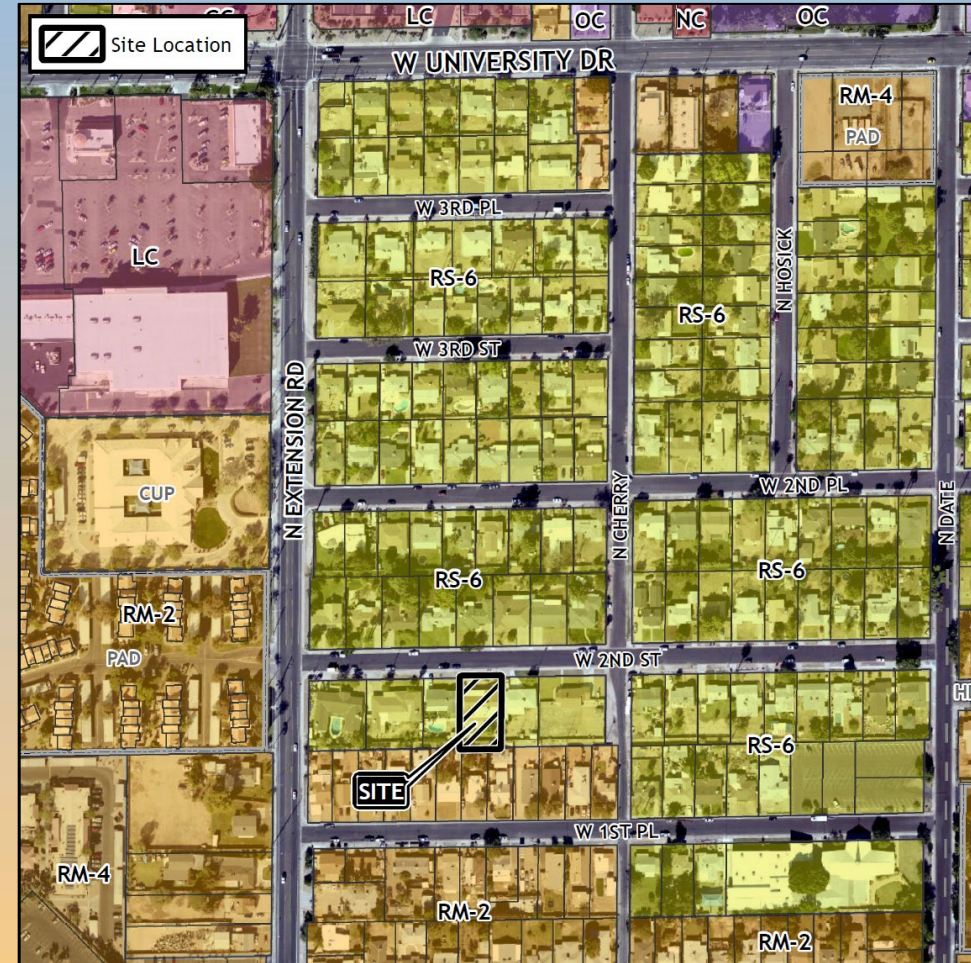
To allow for the enlargement of a legal nonconforming residence.





Location

- 725 West 2nd Street
- South of University Drive
- East of Extension Road

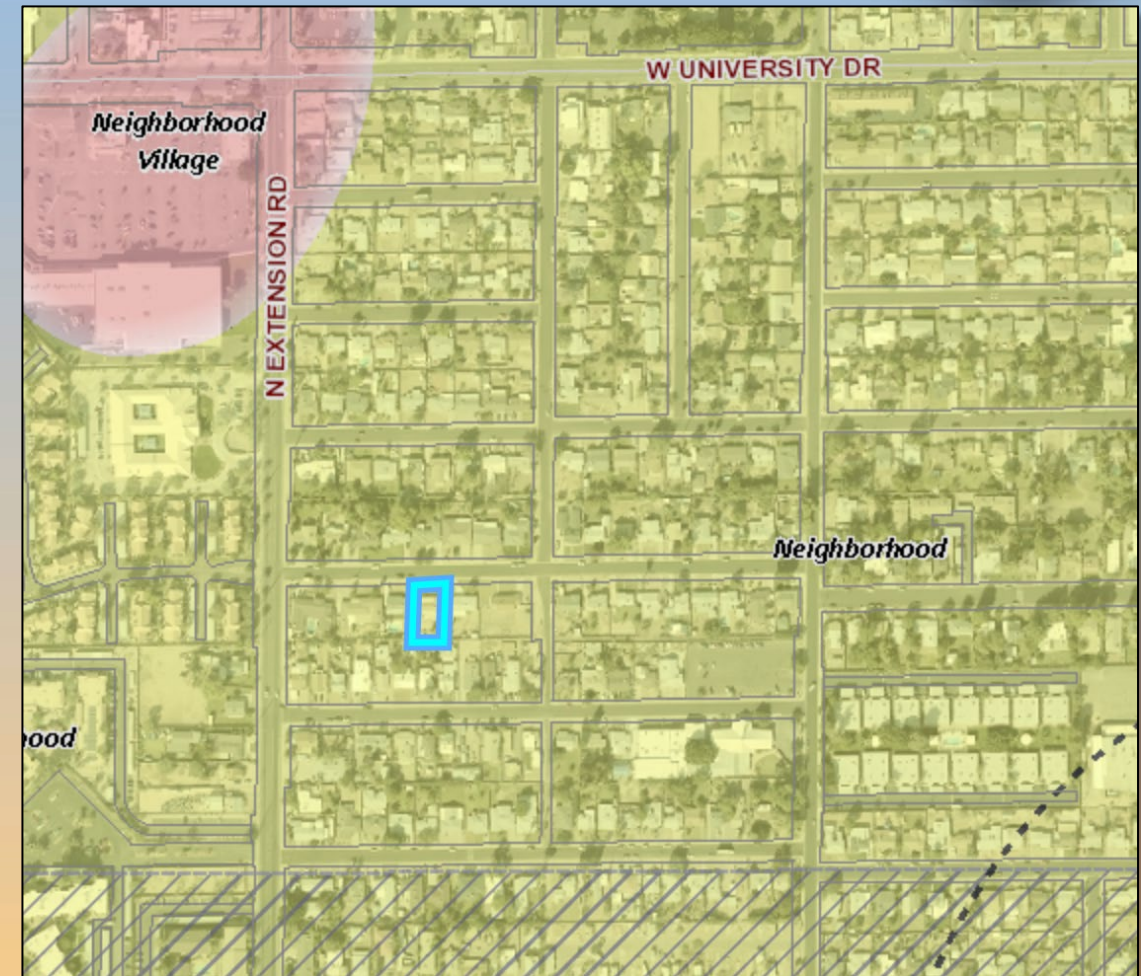




General Plan

Neighborhood

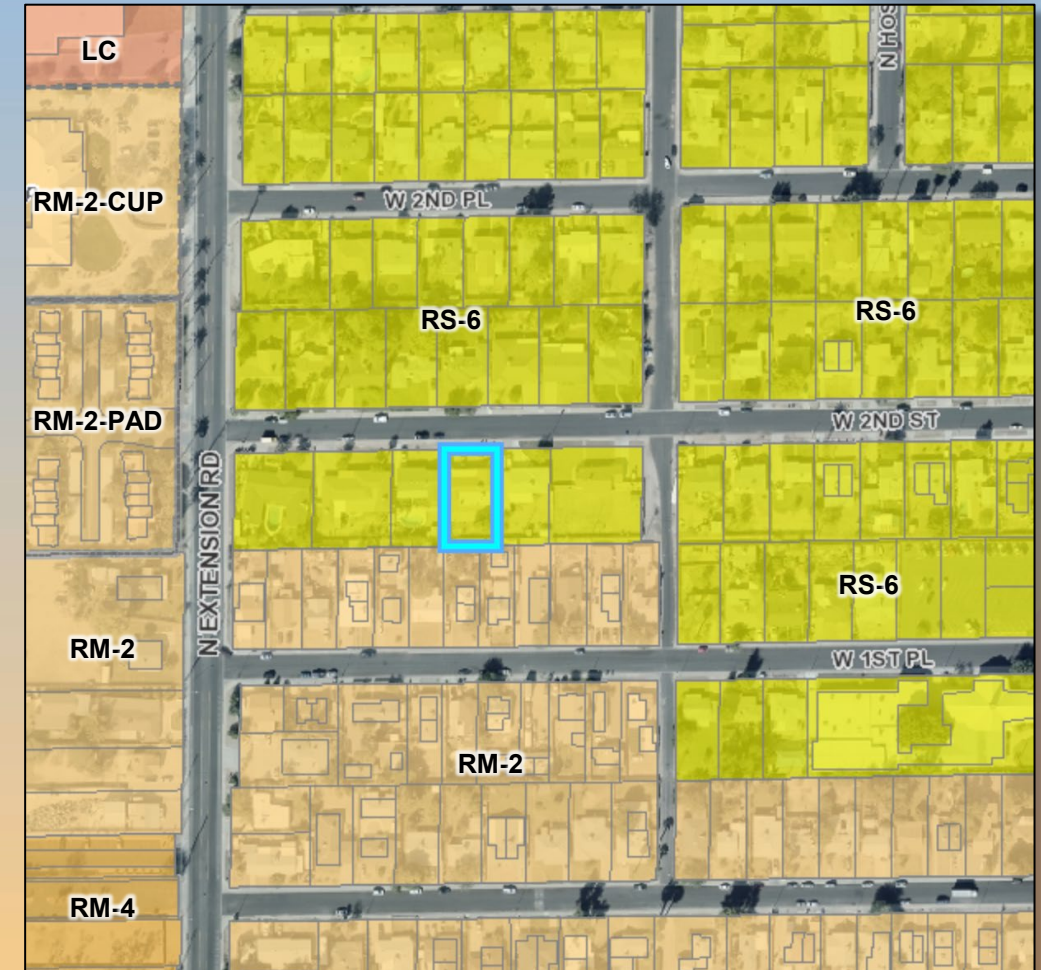
- Safe places for people to live and enjoy the surrounding community.
- Wide range of housing options and associated non-residential uses.





Zoning

- Single Residence-6 (RS-6)
 - Existing single residence is permitted.
 - Property is legal non-conforming





Site Photo

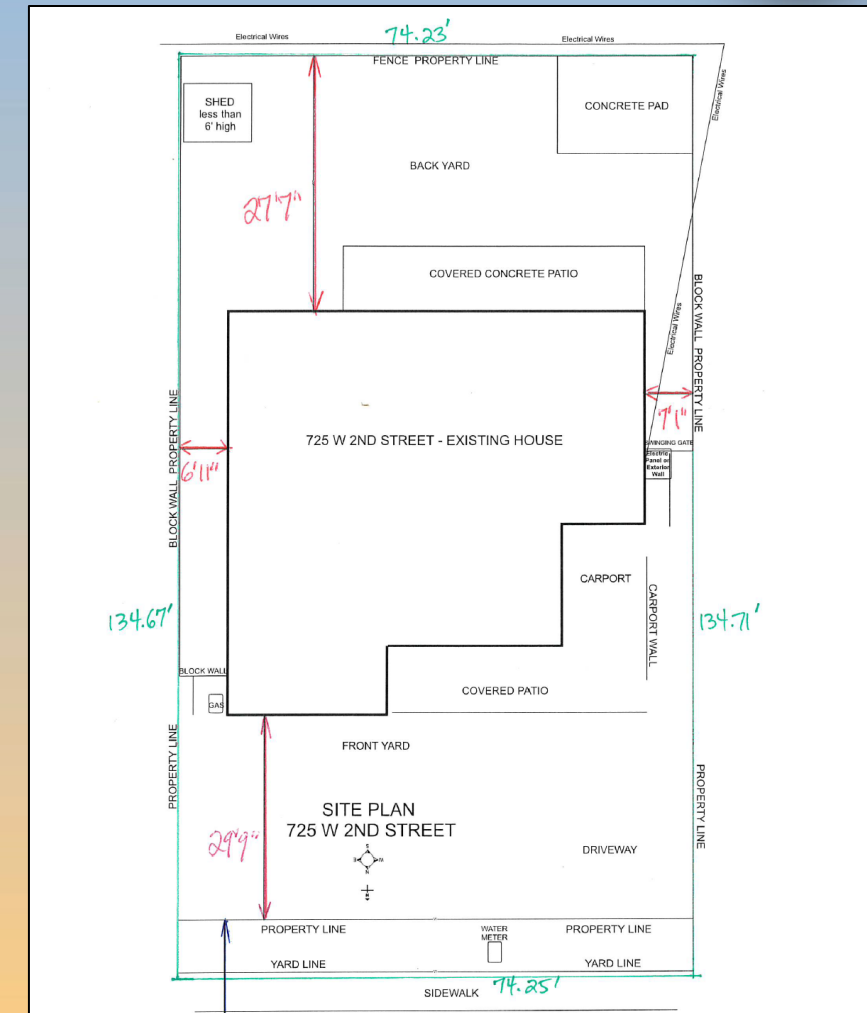


Looking south towards the site from 2nd Street



Site Plan

- Required Minimum Setbacks:
 - Internal side: 5-ft.
 - Aggregate of both sides: 15-ft.
- Existing Setbacks:
 - Minimum Internal Side: 6-ft., 11-inches
 - Aggregate of both sides: 14-ft.

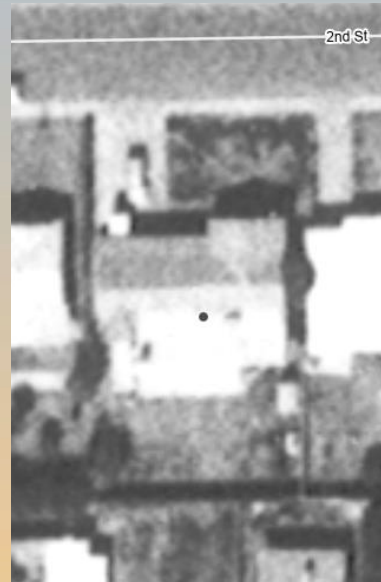




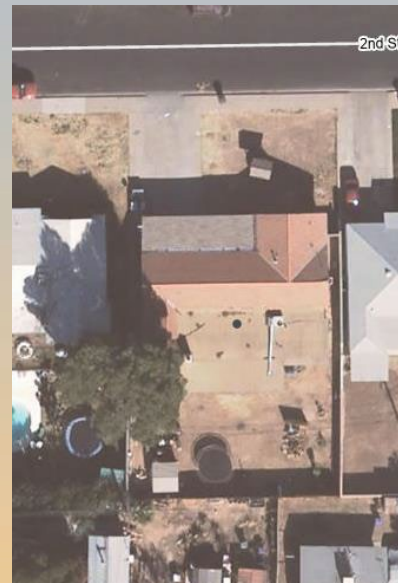
Maricopa County Historical Aerial Photos



1959



1976



2006



2011



2021



Elevations



North



South



East



West



Citizen Participation

- Notified property owners within 150-ft.
- Staff received one phone call





Section 11-70-5 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 2040 Mesa General Plan
- ✓ Meets the criteria in Section 11-70-5 for a Special Use Permit

Staff recommend Approval with Conditions



BOA23-00166

Sergio Solis, Planner I

April 5, 2023



Request

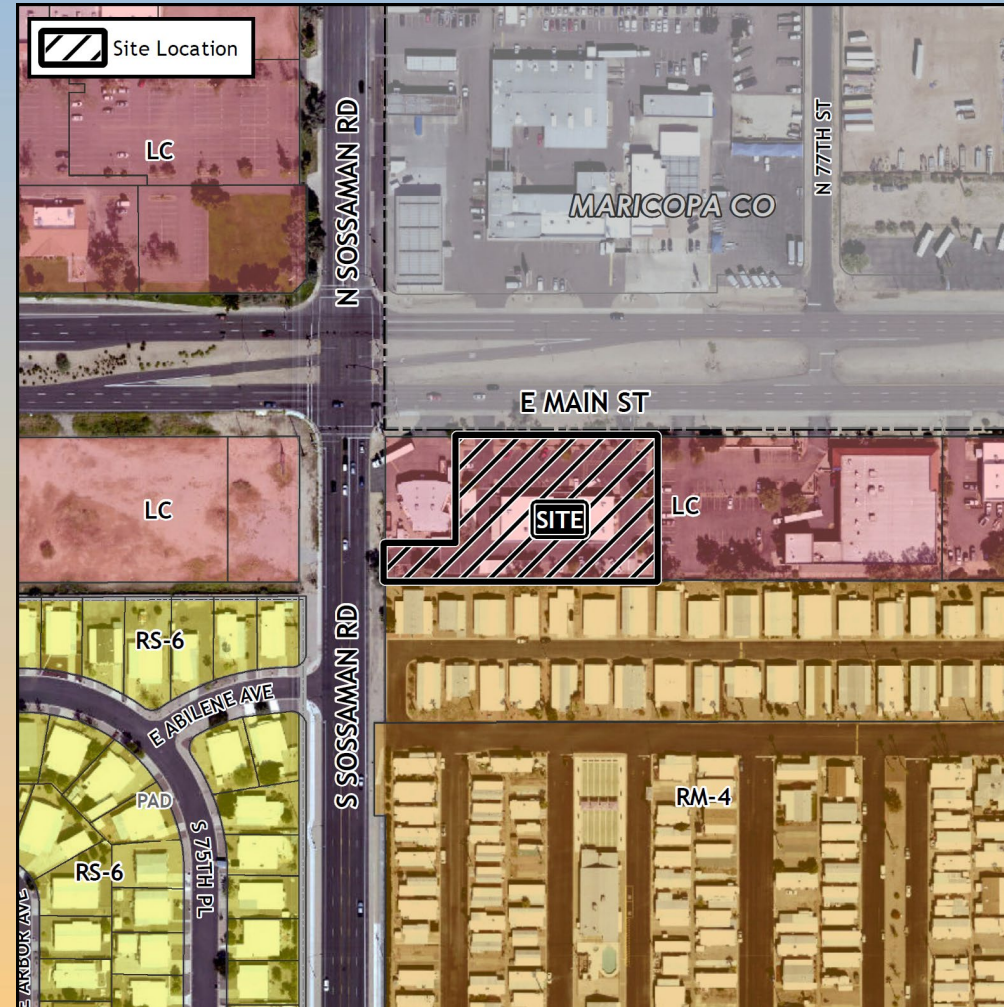
- Substantial Conformance Improvement Permit (SCIP) to allow the replacement of an existing shade canopy structure and for site improvements in the Limited Commercial (LC) district.





Location

- 7631 E Main St.
- East of Sossaman Rd.
- South of Main St.





General Plan

Mixed Use Activity District

Strong and viable centers of commercial activity

Neighborhood

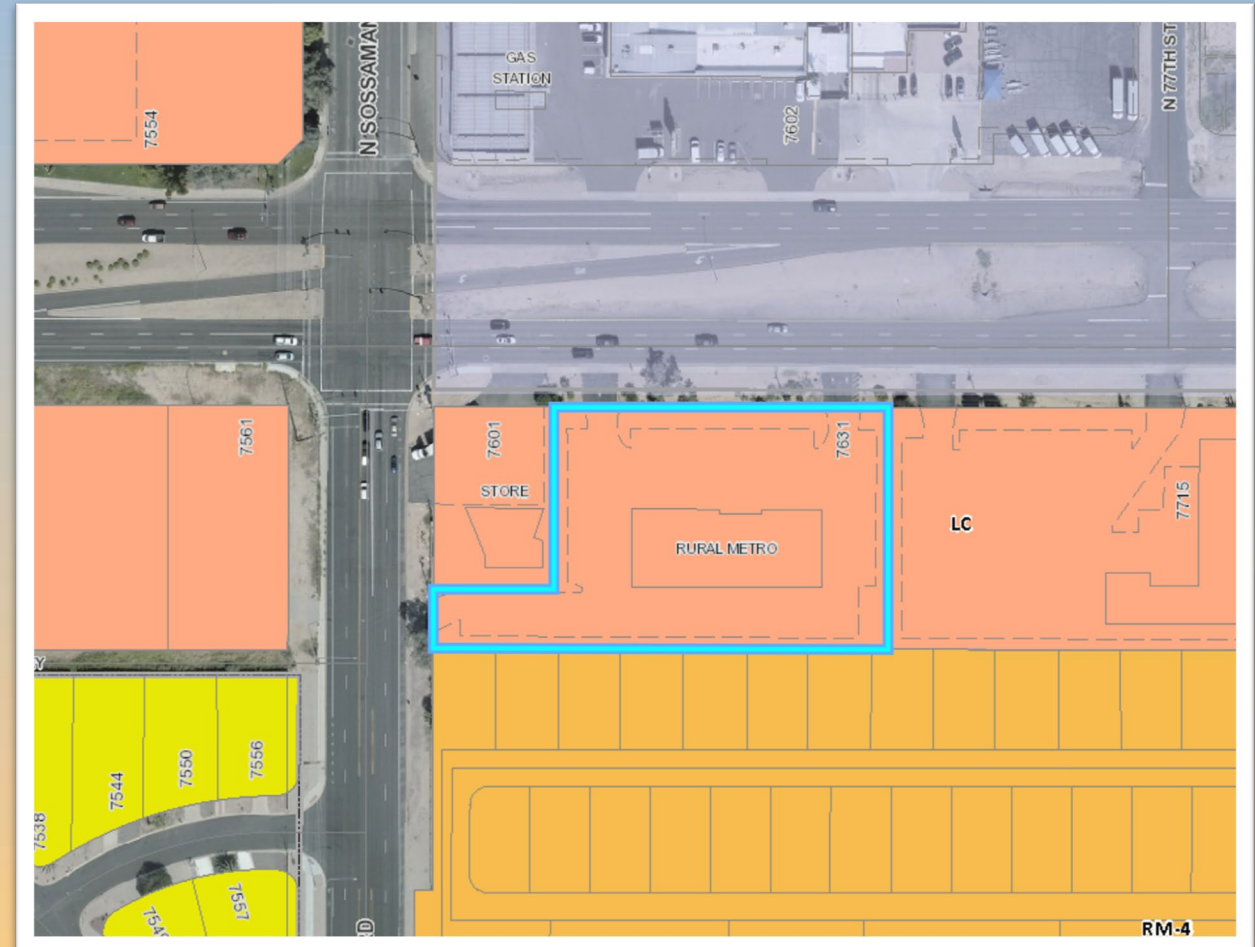
Safe places for people to live where they can feel secure and enjoy their surrounding community





Zoning

- Limited Commercial (LC)
- Existing use of Offices permitted





Site Photos



Looking south towards the site

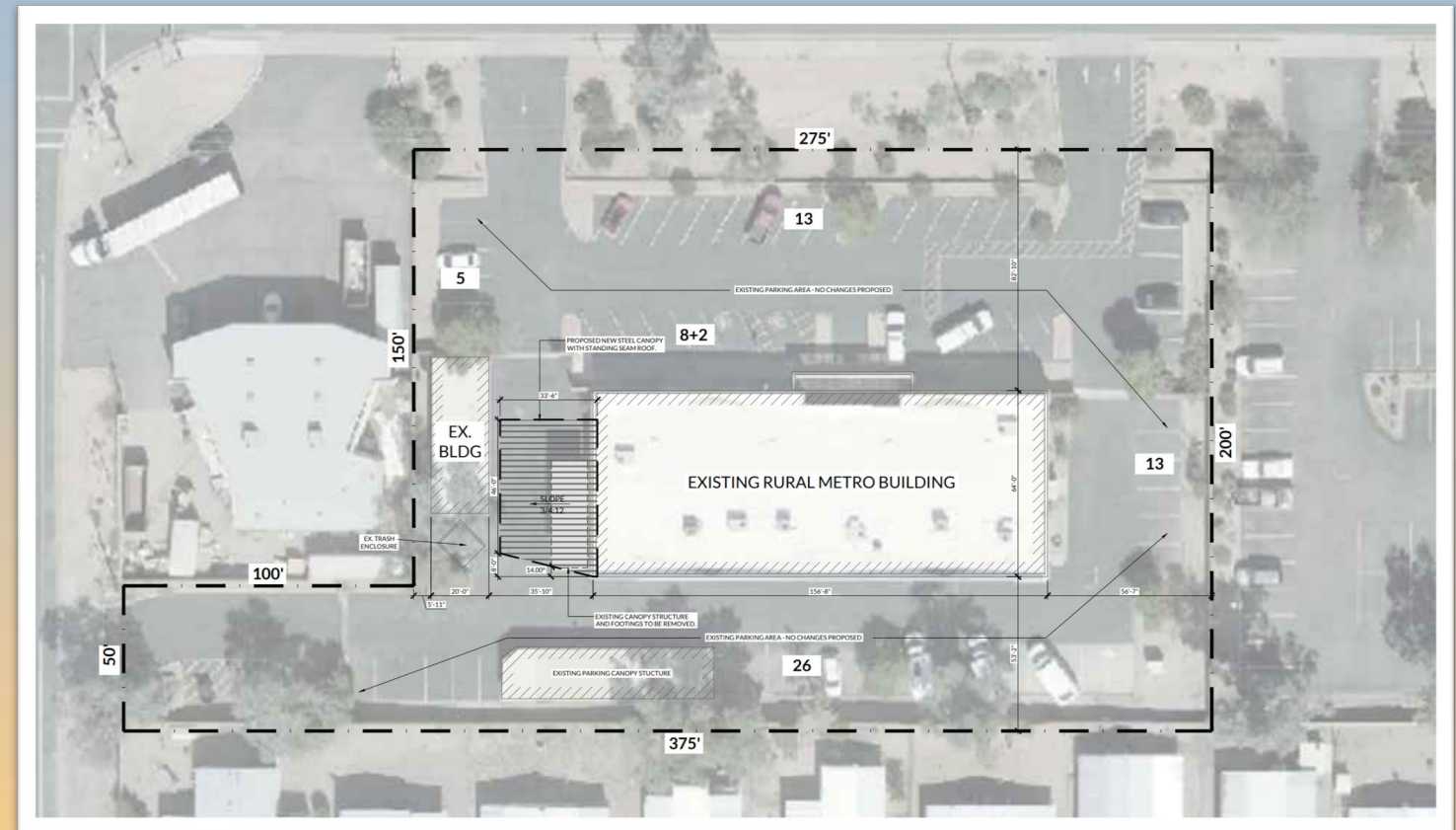


Looking south towards the site and
existing site conditions



Site Plan

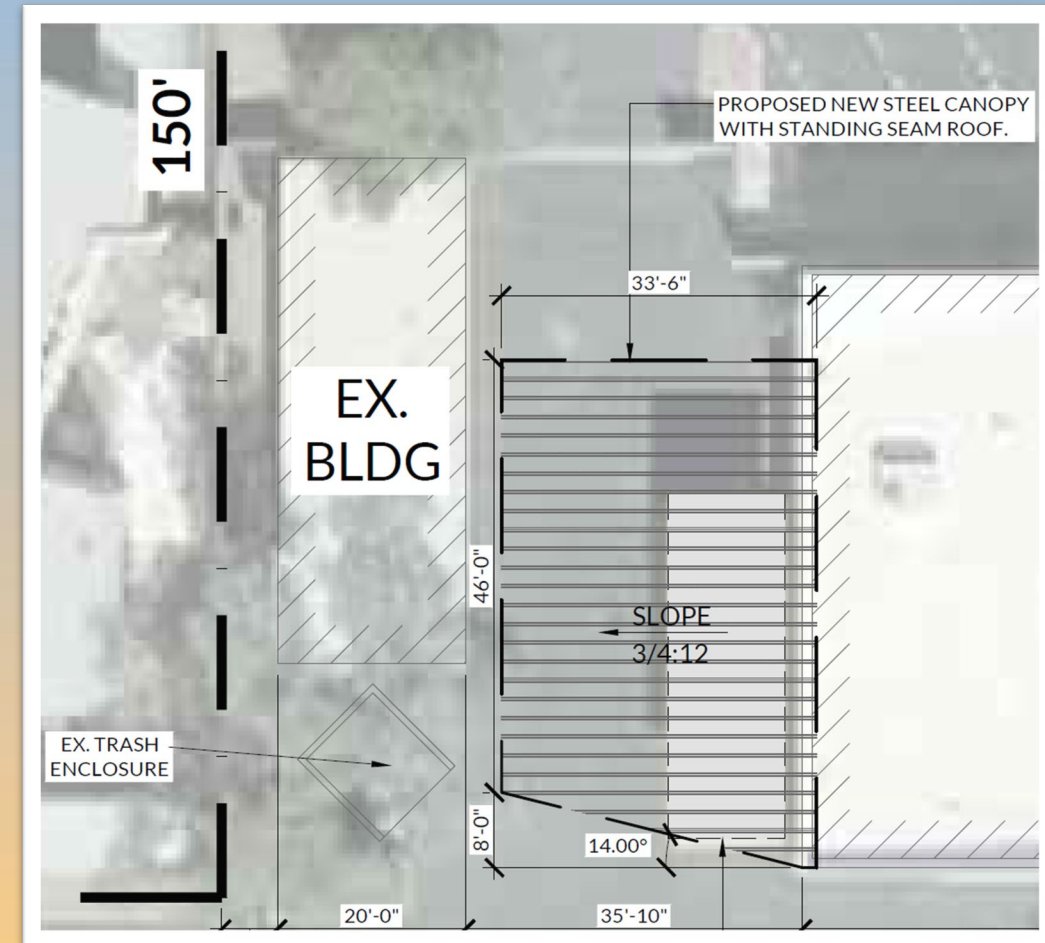
- Removing and replacing existing canopy with larger shade canopy
- Existing non-conforming permitter landscaping





Proposed Canopy

- 2,783 square foot canopy





Landscape Plan

- Improvements to perimeter landscaping including revegetation of parking islands

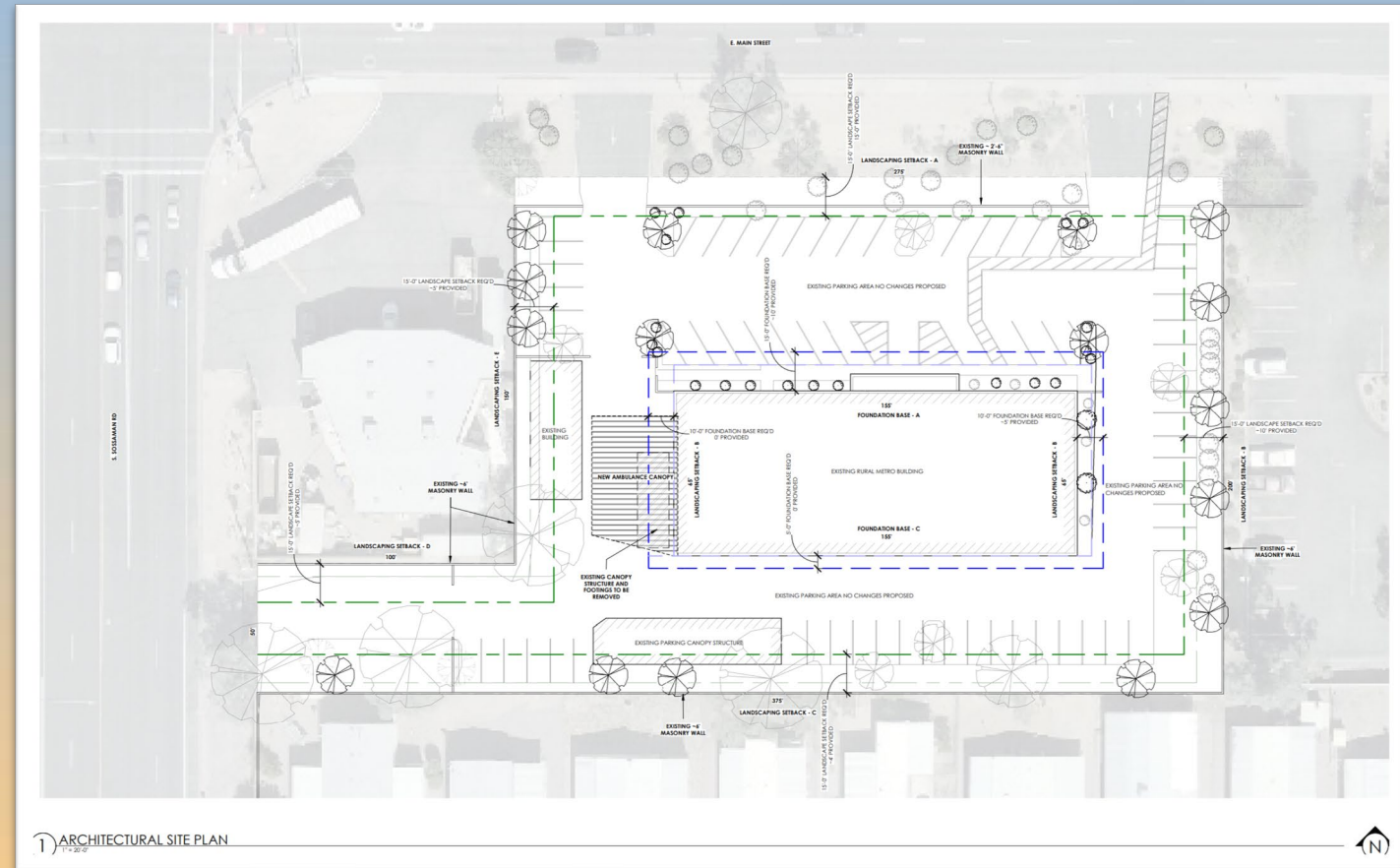




Table 1 Development Standards

Development Standard	MZO Requirements	Applicant Proposal
Building Setbacks: South property line West property line	15' 15'	4' 5'
Foundation Base: North elevation West elevation East elevation South elevation	15' 10' 10' 5'	10' 0' 5' 0'
Foundation Base Landscaping: North elevation East elevation South elevation	3 trees 2 trees 3 trees	2 trees 0 trees 0 trees



Table 1 Continued

Development Standard	MZO Requirements	Applicant Proposal
Perimeter Landscape Setbacks: West property line East property line South property line	15' 15' 15'	5' 10' 4'
Parking Lot Landscaping:	Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 8 contiguous parking spaces.	Maximum 17 contiguous parking spaces.



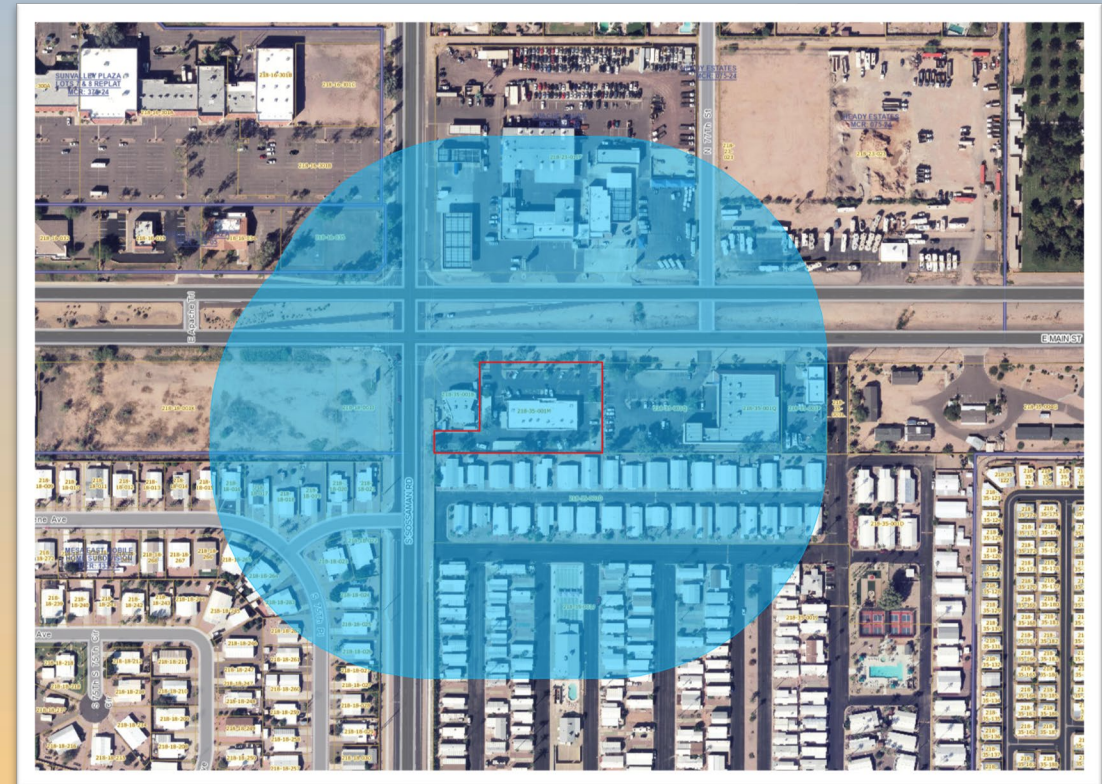
Table 1 Continued

Development Standard	MZO Requirements	Applicant Proposal
Perimeter Landscaping:		
North property line	11 trees and 66 shrubs	6 trees and 19 shrubs
East property line	6 trees and 40 shrubs	6 trees and 10 shrubs
South property line	12 trees and 75 shrubs	12 trees and 0 shrubs
Northwest property line	3 trees and 20 shrubs	0 trees and 0 shrubs
West property line	5 trees and 30 shrubs	5 trees and 0 shrubs



Citizen Participation

- Notified property owners within 500 feet
- No comments received





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 Mesa 2040 General Plan
- ✓ Meets the SCIP findings of Section 11-73-3 of the MZO

Staff recommends Approval with Conditions



Board of Adjustment