

**City Council Chambers – Lower Level
57 East 1st Street Mesa, AZ 85201
Study Session 5:00 p.m. and Public Hearing 5:30 p.m.
Wednesday, June 3, 2020**

Boardmembers Present via virtual connection:

Chair Chris Jones
Vice Chair Kathy Tolman
Boardmember Ken Rembold
Boardmember Nicole Lynam
Boardmember Steven Curran
Boardmember Wade Swanson

Staff members Present via virtual connection:

Margaret Robertson, City Attorney
Nana Appiah, Planning Director
Rachel Prelog, Senior Planner
Charlotte Bridges, Planner I
Kellie Rorex, Planner I
Heather Omta, Planning Assistant

Boardmembers Absent:

Boardmember Adam Gunderson

Other City members Present:

The study session began at 5:00 p.m. and concluded at 5:36 p.m. The Public Hearing began at 5:37 p.m., before adjournment at 5:42 p.m., the following items were considered and recorded.

Board of Adjustment Study Session

1. Call meeting to order.

Study Session began at 5:00 p.m.

2. Staff Report.

Senior Planner, Rachel Prelog, asked Boardmembers to verify their availability for the scheduled July 01, 2020 meeting to ensure a quorum would be met. Mrs. Prelog will send an email to the Board and asked each member to individually reply to confirm.

3. Review and discuss items listed on the Public Hearing agenda for June 3, 2020.

The items scheduled for the Board's Public Hearing were discussed.

- Planner Charlotte Bridges presented case BOA20-00170
 - Boardmember Rembold complimented Mrs. Bridges on the presentation and the prior special event history provided for the Board's review.
- Planner Kellie Rorex presented case BOA20-00248
- Planner Charlotte Bridges presented case BOA20-00252

4. Adjournment.

Without objection, the Study Session was adjourned at 5:36 p.m. Boardmember Swanson motioned to adjourn and Boardmember Rembold seconded.

Board of Adjustment Public Hearing

1. Call meeting to order.

Public Hearing began at 5:37 p.m.

2. Take action on all consent agenda items.

Items on the Consent Agenda

3. Approval of the May 6, 2020 minutes.

A motion to approve the previous meeting's minutes was made by Boardmember Rembold and seconded by Boardmember Swanson.

Vote: 6-0

Upon tabulation of vote, it showed:

AYES – Jones-Tolman-Rembold-Swanson-Curran- Lynam

NAYS – None

ABSENT – Gunderson

4. Take action on the following cases:

A motion to approve the following cases on the consent agenda as read by Vice Chair Tolman was made by Boardmember Rembold and seconded by Boardmember Swanson.

Vote: 6-0

Upon tabulation of vote, it showed:

AYES – Jones-Tolman-Rembold-Swanson-Curran-Lynam

NAYS – None

ABSENT – Gunderson

Board of Adjustment – Wednesday, June 3, 2020 Minutes

***4-a Case No.: BOA19-000979 (Continue to July 1, 2020 Public Hearing)**

Location: Within the 5600 to 6000 blocks of East Thomas Road (north side) and within the 3600 to 4000 blocks of North Recker Road (west side).

Subject: Requesting a Special Use Permit (SUP) to allow a Comprehensive Sign Plan (CSP) for a single-residence subdivision.

Decision: Continued to July 1, 2020 Public Hearing

Summary: This item was on the consent agenda to be continued and not discussed on an individual basis.

***4-b Case No.: BOA20-00170 (Approved with Conditions)**

Location: Within the 5600 to 6000 blocks of East Thomas Road (north side) and within the 3600 to 4000 blocks of North Recker Road (west side).
Subject: Requesting a Special Use Permit (SUP) to allow a Comprehensive Sign Plan (CSP) for a single-residence subdivision.
Decision: Approved with Conditions.
Summary: This item was on the consent agenda and not discussed on an individual basis.

A motion to approve case BOA20-00170 was made by Boardmember Rembold as read by Vice Chair Tolman with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Swanson to approve the following conditions:

1. Compliance with the applicant's narrative, operation plan, and site plan, except as modified by the conditions below.
2. Compliance with all requirements of the Development Services Department.
3. A dust proof surface of decomposed granite or asphalt millings must be provided for the temporary parking located at southeast corner of the site.
4. Compliance with Title 6-12 "Offensive, Excessive, and Prohibited Noises" of the Mesa City Code.
5. Prior to operations, the applicant must obtain a Special Event License for each event through the City of Mesa License Department.
6. The Special Use Permit shall automatically expire on December 31, 2022 and be of no further force and effect.
7. Events shall operate, per the applicant's Operation Plan, between the hours of 8:00 AM and 10:00 PM.
8. The Special Use Permit allows up to 25 events per year in which the SUP is in effect.
9. The Special Use Permit allows up to 50 event days per year in which the SUP is in effect.
10. A special event may exceed the 4-day-per-event limit.

Vote: 6-0

Upon tabulation of vote, it showed:

AYES – Jones-Tolman-Rembold-Swanson-Curran-Lynam

NAYS – None

ABSENT – Gunderson

The Board's decision is based upon the following Findings of Fact:

- A. Previously approved SUP allowed 25 special events and up to 30 event days per year.
- B. The Desert Wind Harley Davidson 2019 Special Event Report and Staff research indicates no complaints were received for events held at the site during the 2019 calendar year.
- C. The SUP request would allow 25 special events and up to 50 event days per year for Desert Wind Harley-Davidson.
- D. The applicant has submitted an Operation Plan that indicates the hours of operation for each event will be limited to the hours of 8:00 AM to 10:00 PM. If the event includes the

sale of alcohol the applicant will obtain the appropriate license and provide security to ensure the proper ID for sales and to ensure the alcohol does not leave the premises.

- E. The applicant's Good Neighbor Policy indicates neighborhood complaints will be directed to the Marketing Director for resolution of any problems.
- F. The applicant indicates there is adequate parking on site for most events. If additional parking is required, the applicant proposes two methods for providing additional parking: 1) Temporary parking on the undeveloped area, dust proof portion of the site located at the southeast corner of the site; 2) Request a permit for the closure of Emerald Avenue in conjunction with the application for the license for the specific event.
- G. The proposed special event is consistent with the location, design and operating characteristics of GC-PAD District and conforms with Mesa 2040 General Plan.
- H. The proposed special event will not be injurious or detrimental to the surrounding properties.
- I. The City of Mesa utilities and public infrastructure are available to serve the special event.

***4-c Case No.: BOA20-00248 (Approved with Conditions)**

Location: 1108 South Extension Road

Subject: Requesting a Special Use Permit (SUP) to allow a caretaker's residence at a mini-storage facility in the LC-BIZ District.

Decision: Approved with Conditions.

Summary: This item was on the consent agenda and not discussed on an individual basis.

A motion to approve case BOA20-00248 was made by Boardmember Rembold as read by Vice Chair Tolman with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Swanson to approve the following conditions:

1. Compliance with the final site plan submitted.
2. Compliance with all applicable City of Mesa Development Codes and Regulations.
3. Compliance with all conditions of approval for ADM18-00843 except as modified by this request.
4. Compliance with all conditions of approval for DRB18-00842 except as modified by this request.

Vote: 6-0

Upon tabulation of vote, it showed:

AYES – Jones-Tolman-Rembold-Swanson-Curran-Lynam

NAYS – None

ABSENT – Gunderson

The Board's decision is based upon the following Findings of Fact:

- A. A site plan for a mini-storage facility in the LC-BIZ zoning district was approved on the subject property by the Planning Division in 2018.
- B. A caretaker's residence is an allowed accessory use in the LC zoning district with approval of a SUP.
- C. The development meets parking requirements per MZO Section 11-32-3 for a mini-storage facility with an accessory caretaker's residence.
- D. This request conforms with the criteria for the granting of a SUP as outlined in Section 11-70-5(E) of the Mesa Zoning Ordinance.

***4-d Case No.: BOA20-00252 (Approved with Conditions)**

Location: 4942 and 5004 South 71st Street.

Subject: Requesting a Special Use Permit (SUP) to allow a Comprehensive Sign Plan (CSP) for an industrial development in the LI-AF PAD District.

Decision: Approved with Conditions.

Summary: This item was on the consent agenda and not discussed on an individual basis.

A motion to approve case BOA20-00252 was made by Boardmember Rembold as read by Vice Chair Tolman with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Swanson to approve the following conditions:

1. Compliance with the sign plan documents submitted.
2. Compliance with all requirements of the Development Services Department in the issuance of sign permits.

Vote: 6-0

Upon tabulation of vote, it showed:

AYES – Jones-Tolman-Rembold-Swanson-Curran-Lynam

NAYS – None

ABSENT – Gunderson

The Board's decision is based upon the following Findings of Fact:

- A. The site is approved for the development of two industrial buildings.
- B. The site is visible from the Loop 202 Freeway frontage but only has frontage on 71st Street, a private street internal to the industrial subdivision. Therefore, typical detached signs would not be visible from drive-by traffic.
- C. The maximum aggregated attached sign area allowed by Table 11-43-3(D)(1) is 176 square feet and the maximum individual attached sign is 160 square feet.
- D. The subject CSP proposes increased area allowances for an attached sign placed on the west elevation of each building to take advantage site visibility from the Loop 202 Freeway.
- E. The subject CSP proposes increased area allowances for an attached sign placed on the east elevation of each buildings to provide proper identification at the main entry.
- F. The subject CSP proposes attached signs with increased sign areas that are appropriate in proportion to the physical scale of the buildings.
- G. No detached signs are requested in the subject CSP.
- H. The materials, finishes and design of the proposed signs are considered "high quality" and integrate well with the architecture of the buildings.
- I. The subject CSP will advance the goals and objectives of the General Plan. The sign area allowances are also consistent with the location, size, design and operating characteristics of the property and will not be injurious or detrimental to the surrounding properties.

Items not on the Consent Agenda

5. **Take action on the following cases:** None
6. **Items from citizens present.**
7. **Adjournment.**

Without objection, the public hearing was adjourned at 5:42 p.m.

Boardmember Swanson motioned to adjourn, Vice Chair Tolman seconded the motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rachel Prelog". The signature is written in a cursive, flowing style.

Rachel Prelog,

On behalf of Zoning Administrator (Dr. Nana Appiah)