

Virtual Platform

Date: January 6, 2021 Time: 4:30 p.m.

MEMBERS PRESENT:

- *Chair Adam Gunderson
- *Boardmember Chris Jones
- *Boardmember Steve Curran
- *Boardmember Kathy Tolman
- *Boardmember Alexis Wagner

MEMBERS ABSENT:

- Vice Chair Ken Rembold
- Boardmember Nicole Lynam

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

STAFF PRESENT:

- Rachel Prelog
- Lesley Davis
- Evan Balmer
- Charlotte Bridges
- Jennifer Gniffke
- Kellie Rorex
- Chloe Durfee-Sherman

OTHERS PRESENT:

None

1 Call meeting to order.

Chair Gunderson declared a quorum present and the Study Session was called to order at 4:30 p.m. Vice Chair Ken Rembold and Boardmember Nicole Lynam were absent.

2 Review and discuss items listed on the Public Hearing agenda for January 6, 2021.

2-a Staffmember Kellie Rorex presented case BOA20-00195 to the Board.

Good afternoon Chair, members of the Board. This is case BOA20-195 and is located south of Southern Avenue on the west side of Dobson Road just south of the hospital within the Desert Medical Complex. The General Plan designation is Specialty District which includes large areas with a single use such as a medical facility. The focus is on maintaining a campus feel and consistency in landscaping, signage, and high-quality building design and materials. This project is zoned Neighborhood Commercial with a Planned Area Development Overlay (NC-PAD). Here are two photos looking at the site from Dobson. The photo on the left is of the entrance area into the medical complex, the other photo is looking southwest towards the site.

The request is for a Special Use Permit for a Comprehensive Sign Plan. To the right is the sign plan for detached directional signs and the sites monument sign. To the left is the signage location plan for attached wayfinding signs, the center ID Sign and the campus map. The site is over 12 acres in

size so all sign locations have been located in the most visible areas for vehicles and pedestrians visiting the site. The site also has over 800 feet of street frontage on Dobson, however, the actual buildings are set back over 400 feet from the road, limiting sign visibility. The first modification requested in the proposed comprehensive sign plan is to allow one additional attached sign on buildings located at 1450 S. Dobson and 1500 S. Dobson. I have circled each building on the screen.

Four attached signs are permitted for building 1450 S. Dobson based on the buildings occupancy measurement and five signs are being proposed. Seven attached signs are permitted on 1500 S. Dobson and the applicants are proposing eight. Looking at the elevations for both buildings you will see that more than the requested number of signs are shown, this is because the applicant is showing allowed signage area for the allowed number of signs. So, if a tenant wants to install a sign on 1450 S. Dobson for example, they can choose any of the spaces shown on the elevations as long as the attached signage does not exceed what is allowed on the building.

The second modification request is for one foot of additional height for the monument sign. As I mentioned previously, this area has over 800 feet of frontage on Dobson Road. However, they only have one entrance off of Dobson, so instead of providing multiple signs, the applicants are proposing one monument sign that is 13 feet tall. Lastly, the CSP proposes 27 wayfinding signs that include attached address signs, detached address signs, and detached tenant signs. The Mesa sign code does not have specific criteria for wayfinding signs; however, based on the size of the project staff does not have any concern over the number of signs proposed. The applicant is using a color scheme for each building and all proposed wayfinding signs follow that color scheme. You can just see in these photos, these are the wayfinding signs and the color scheme that will be used.

So overall, the site meets the approval criteria for a Comprehensive Sign Plan. The site is over 12 acres in size and setback from the street, which limits sign visibility and creates the need for wayfinding signs. The sign plan also uses consistent sign themes for wayfinding purposes, and is integrated with the buildings. The proposed sign plan also meets the approval criteria for a special use permit. The proposed signage furthers the goals of the General Plan by contributing to the large medical specialty district through a consistent use of signage that connects individual buildings. The project will not be injurious or detrimental to the surrounding properties. And there are adequate public services facilities and public infrastructure available. With the findings listed in the staff report and included on this slide, staff recommends approval with conditions.

2-b Staffmember Charlotte Bridges presented case BOA20-00797 to the Board.

Chair and Boardmembers, this is Board of Adjustment case BOA20-00797. This project is located at 1665 East Glencove Street and is located just one street north of Brown Road and just east of Harris Drive which is the collector street between Stapley Drive and Gilbert Road. It is also located in the Orangewood Estates Unit Two subdivision. The General Plan designation for this area is Neighborhood. Single family residences and their accessory uses are permitted uses in the Neighborhood character area. The zoning on the property is RS-9, which allows single family residence as a permitted use. Also, the accessory uses associated with the single family residence are permitted.

This variance request is to allow a detached accessory structure to encroach within the required side yard setback of the RS-9 zoning district. These are the pictures of the existing home from Glencove Street and I've directed your attention to the arrow which is pointing at the detached accessory building located on the west side of the property. This is a site plan that shows the footprint of the existing building and then it also shows the footprint of the existing detached accessory structure. The detached accessory building at the highest point is 10 feet, six inches. The portion of the of the structure that is encroaching into the side yard is nine feet. The structure itself is three feet from the west property line and three feet from the south property line. The maximum height allowed for the structure within that side yard is eight feet. The detached accessory building meets the requirement of having a six-foot separation from it to the existing house and we measure that support to support not eave or to eave, it's support to support. These are just a couple of pictures I took around the neighborhood of other detached accessory buildings just to show you that there are other detached accessory buildings in the neighborhood.

As far as the justification for the variance, the primary argument from the applicant is that this structure existed before they purchased the property. Consequently, a special circumstance was present that would justify the variance as the special circumstance was created prior to this property owner taking possession of the property. Also, strict application of the zoning ordinance would deprive the property owner of privileges enjoyed by other property owners in the same classification in the same zoning district. There is precedent of another variance in the neighborhood that's been granted for a similar situation. Finally, granting of this requested variance would not grant special privileges to the subject property that are inconsistent with other properties in the area that are in the RS-9 zoning district. If you have any questions regarding this application or this variance, I'd be happy to answer them.

Chair Gunderson asked for clarification on whether the issue before the Board was to decide on the storage structure itself or the height of it for the variance.

Staff Planner Bridges clarified that it was for the height as they currently exceed the height requirement.

Boardmember Curran asked for clarification on whether the issue was just the height of the shipping container or if it was also the garage as well.

Staff Planner Bridges clarified that it was for the overall structure as they are both connected and both exceed the height limit.

Boardmember Curran asked how they were attached.

Staff Planner Bridges was unsure.

Boardmember Curran asked if a neighbor brought this issue to the City or if the City did and if there were any other complaints.

Staff Planner Bridges replied that a neighbor or resident submitted several code violations including this one and there have been no other complaints.

2-c Staffmember Jennifer Gniffke presented case BOA20-00803 to the Board.

Good afternoon Chairman, members of the Board. This is case BOA20-00803. The location is on the north side of Southern Avenue and is about a third of a mile west of Alma School Road and is just north of the Fiesta Mall. The General Plan land use designation is Mixed Use Activity and the Transit Corridor overlays Southern Avenue and is designated for consistent high level of transit options. The Southern Avenue bus line runs through this area. The site is also located in the Fiesta District and includes streetscape improvements to encourage pedestrian activity along Southern Avenue. The zoning designation for the property is Limited Commercial (LC) and the trade school is a permitted use in the LC zoning district.

The request is for a Special Use Permit for a reduction to the required number of parking spaces for a trade school. Trade schools require one parking space for every 200 square feet, which is greater than what is required for retail uses, which is one space per 375 square feet. The Fiesta Plaza shopping center includes almost 700 spaces, and because several of the suites are vacant, the parking lot is relatively empty. However, when the trade school parking ratio is applied to the proposed school space, along with the other potential users of the center, the required number of parking spaces exceeds what currently exists. The site photos include a view of the proposed trade school location, as well as a view of the proposed location for the support offices for the school.

The Special Use Permit request is for a parking reduction for a proposed trade school. Per the parking ratios specified in the Mesa Zoning Ordinance, the proposed 30,000 square foot trade school requires 150 parking spaces. Fiesta Plaza includes multiple parcels and most of them are part of a shared parking agreement, including the trade school location. This means that the trade school can utilize almost any of the parking spaces in the center. A shared parking study was prepared by a traffic engineer that demonstrates that the existing parking spaces are adequate for the proposed uses. One reason given is because the peak operating hours differ for the various tenants. So while one type of use may need more parking in the mornings and others may need more in the evenings, they balance each other out. Another reason offered by the parking study is because a large percentage of the trade schools students take public transportation.

There are several sets of approval criteria, which needs to be met to approve this request. The first set is from Section 11-32-5 of the Zoning Ordinance regarding shared parking criteria. The trade school has different peak parking demands from the other uses in Fiesta Plaza and based on the parking study there is no substantial conflict. So this criteria is met. Section 11-32-6 outlines the parking reduction approval criteria. The site is located along a bus line and students often rely on public transportation. The parking study explains that the existing parking will be adequate and will not create any impacts to adjacent properties. So these criteria have been met as well. The general approval criteria for Special Use Permits are outlined in slide 11 and in Section 11-70-5 of the Mesa Zoning Ordinance. The trade school and transit use are consistent with the General Plan and the Fiesta District. Bus lines are available to serve the students and the approval of this Special Use Permit will not be injurious or detrimental to the surrounding properties. The four criteria listed here are met. In summary, the requested Special Use Permit complies with the 2014 Mesa

General Plan, and it meets the criteria for shared parking for a parking reduction as well as for a Special Use Permit in general and staff recommendation is approval with conditions.

2-d Staffmember Evan Balmer presented case BOA20-00805 to the Board.

Chair and Boardmembers, as you mentioned this is case BOA20-00805. The subject property is cross hatched here and located on the south side of Baseline Road east of Sossaman. So the southeast corner of that intersection is that triangular parcel. The General Plan designation is Neighborhood and the Neighborhood General Plan character area allows for a wide range of uses that are primarily housing uses, but also commercial uses along arterial front edges, which is the situation here. The zoning on the property is Limited Commercial with a Bonus Intensity Zone overlay. This property was rezoned in 2018 from Limited Commercial to the LLC with a BIZ overlay. The Bonus Intensity Zone overlay allows for deviations from development standards to aid and develop sometimes difficult parcels like this triangular piece. So as part of this request, there are a number of deviations, one of which was parking.

The applicant had indicated it's a two-story building and it's an outpatient surgical center. All the offices and medical uses would be located on the first floor and the mezzanine level on the second floor would be used for storage of medical equipment. As we went through this process, we included a condition of approval that should that mezzanine level occupancy change from storage to any other classification, it needed to come into compliance with Section 11-32 of the zoning ordinance. Which brings us to where we are today, the applicant would like to expand the surgical center component of the first floor. To make some additional room for that expanded surgery center. They're looking at moving the office users that are already occurring on the first floor to the second floor to free up some space. That would change that occupancy from storage to an office type classification. So they are requesting a Special Use Permit in conformance with Section 11-32, to allow a parking reduction for that expansion of a use.

Here's a site photo, it's a difficult site to photo so I apologize for that, but I wanted to capture the parking scenario. And it's really kind of a straight through shot through this site, you can see that here on the site plan. So when this came through zoning in 2018, based on the size of the building at the time, it would have required 60 spaces, the applicant provided 40 spaces, which was approved through the zoning and, given the configuration of the site, there's not a lot of additional space to add more parking. So where we are today, the building is actually a little bit smaller than was proposed in 2018. And based on the size of the building, including the second floor as an office type use will require 56 parking spaces, the request the applicant is making is to keep the 40 spaces that they're currently providing, which would be a reduction of 16 parking spaces. They did complete a parking study as part of this process. And there's kind of two avenues with that. The first one is they look at the transportation engineering manual, which looks at a similar use over a wide range of cases as there's a formula for how many parking spaces something like this would require. And based on the size of this building, that number was 37 spaces. The second avenue of that parking study was really getting into this specific business use of this specific clinic. And it's one doctor who works there. And there are two services, consultations and surgeries. So on days, when they're doing consultations, the average number that they do is 10 a day, when they do surgeries, there's three to four procedures a day that take about three hours. And with office staff, it was estimated

that the maximum number of spaces that they would need for staff, doctors, and patients would be 20 parking spaces.

So given that information, and in looking at our criteria, the applicants proposal is in conformance with the General Plan. The location, size, design, and characteristics are consistent with the LC BIZ district and their project wouldn't be injurious or detrimental to adjacent property owners. There are adequate public services and facilities in the area. And there are a number of special conditions with this site. I think the big one is just the actual physical configuration of the site being an awkwardly shaped triangular parcel at an intersection. The use according to the parking study, and all the information that's been provided would be adequately served by the parking that's currently on site. And the demand would not exceed the capacity of what is currently provided. So given that the sight is consistent with the General Plan, all the criteria is for a Special Use Permit from Section 11-70 and a parking reduction from Section 11-32. With that staff is recommending approval with conditions and I'd be more than happy to answer any questions the Board might have.

4 Adjournment.

Boardmember Jones moved to adjourn the Study Session and was seconded by Boardmember Curran. Without objection, the Study Session was adjourned at 5:00 p.m.

Respectfully submitted,



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