

Virtual Platform

Date: June 2, 2021 Time: 5:00 p.m.

**MEMBERS PRESENT:**

- \*Chair Adam Gunderson
- \*Vice Chair Ken Rumbold
- \*Boardmember Steve Curran
- \*Boardmember Chris Jones
- \*Boardmember Alexis Wagner
- \*Boardmember Nicole Lynam
- \*Boardmember Heath Reed

**MEMBERS ABSENT:**

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

**STAFF PRESENT:**

- Rachel Prelog
- Sean Pesek
- Alexis Jacobs

**OTHERS PRESENT:**

**1 Call meeting to order.**

Chair Gunderson declared a quorum present and the Study Session was called to order at 5:00 p.m.

**2 Staff Updates:**

Principal Planner, Rachel Prelog, recognized and thanked Boardmember Curran and Vice Chair Rumbold for their service on the Board.

**3 Review and discuss items listed on the Public Hearing agenda for June 2, 2021.**

**3-a Case BOA20-00808 is continued to the July 7, 2021 Public Hearing**

**3-b Staff member Sean Pesek presented case BOA21-00320 to the Board.**

This is case BOA21-00320 and the request is to modify an existing PAD to reduce the front yard setback for carports and garages from 20 feet to 15 feet and 10 inches. The site is located at 311 East Bay Avenue and is within the Fountain of the Sun Masterplan Community. More specifically, it's about a quarter mile northwest of the intersection of East Southern Road and South Hawes Road. It was annexed into the city in 1985 and zoned Single Residence, R1-6. The General Plan designation for the property is Neighborhood and this character area is intended to provide safe places to live with a variety of housing including single residence, so the existing use complies with that character area designation. The current zoning for the property is RS-6, Single Residence. There are also several overlays; a Planned Area Development overlay that sets the design standards and development standards for the Fountain and the Sun Masterplan Community, an Age Specific Overlay, and an Airfield Overlay. The existing use of single-family home is allowed in the RS-6

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zoning district. So as mentioned, the request is to modify the PAD to allow for a 19-foot-wide by 6-foot-long (19' X 6') addition to the existing carport in order to facilitate a garage enclosure. With the addition the garage enclosure will be 15 feet 10 inches within that front yard setback of the PAD creating a four-foot two-inch encroachment into the front setback. After review of the application, staff finds that the existing home's carport is 19 feet by 18 feet and with the addition to facilitate a garage enclosure will meet the length requirements of Section 11-32-4 for the Mesa Zoning Ordinance. And the enclosure of the carport into a garage improves security, adds value and contributes to the sustainability of the Fountain of the Sun PAD and furthers the purpose and intent of that development plan. Staff recommends approval with conditions, and I'd be happy to answer any questions from members of the board.

Boardmember Curran asked if there had been any comments from neighbors regarding this case.

Staff member Sean Pesek responded that he received one voicemail from a surrounding property owner in support of the application.

Boardmember Reed asked about site visibility triangles in relation to the driveways proximity to the intersection.

Staff member Sean Pesek responded that he would look into it, but due to the street being private didn't believe that the site triangle would be applicable.

**3-c Staff member Sean Pesek presented case BOA21-00325 to the Board.**

This is case BOA21-00325 and the request is for a Special Use Permit for a small animal daycare, and an accessory outdoor activity area within the LC zoning district. The property is located north of Baseline Road and east of South Gilbert Road. It is within the Mesa Shore Shopping Center; the tenant space is outlined on the exhibit and is part of larger parcel. The General Plan character area designation is Mixed Use Activity and is intended to provide strong viable centers of commercial activity and serve the nearby population. Typically, this character area designation promotes a mixture of commercial uses. The zoning designation for the property is LC (Limited Commercial), per the Mesa Zoning Ordinance, a small animal daycare facility is permitted in the zoning district with the approval of a Special Use Permit and that the use is enclosed in a sound attenuated facility. The accessory outdoor activity space is also permitted with the approval of a Special Use Permit. The proposed outdoor area is approximately 1,200 square feet in size with an eight-foot concrete masonry wall surrounding all four sides of that area, and then a two-foot wrought iron fence on top of that, to visually mitigate it from surrounding properties.

The indoor dog daycare portion is approximately 7,100 square feet in size. The applicant will provide sound attenuating interior rooms and have also provided an operations plan to reduce noise. Section 11-70-5 of the Mesa Zoning Ordinance outlines the approval criteria for a Special Use Permit. The first is the approval of the proposed project will advance the goals and objectives and is consistent with the policies of the General Plan and any other applicable City plan and or policies. Staff finds that the subject site is located within the Mixed Use Activity District area for the Mesa 2040 General Plan and the focus of this character area is to provide large scale community and regional activity areas that have a significant retail commercial component including shopping malls. And this district encourages a mixture of uses and this this proposed use will further that that intent and purpose by providing a mixture of uses. The second is the location size, design and operating characteristics of the proposed project are consistent with the purpose of the district where it's located in and conform with the General Plan any other applicable City plan and policies. The intent of the LC district is to provide areas for indoor retail entertainment and service-oriented

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businesses that serve the surrounding residential trade area within a one (1) to 10-mile radius. A small animal daycare facility with an accessory outdoor area are permitted uses with a Special Use Permit. Regarding the design and operations of the business the applicant has provided a plan and has demonstrated that there are several measures in place to mitigate noise both inside and outside. That leads into that third criteria, the proposed project will not be detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be detrimental to the neighborhood or to the general welfare of the City. The applicant has demonstrated through that operations plan that several measures are in place to prevent any detrimental impacts to the surrounding community. And then lastly, adequate public services, public facilities and public infrastructure are available to serve the proposed project. The use is going to be within existing developed shopping center, there are no needed public facilities or new public facilities and infrastructure to serve the site. After a review of the application this request complies with the 2040 Mesa General Plan. A small animal daycare facility is permitted with approval of a Special Use Permit and if enclosed in a sound attenuated facility, and then accessory outdoor activities are permitted as well with a Special Use Permit. The request meets the criteria outlined in Section 11-70-5. Staff recommendation is approval with conditions. Thank you.

Principal Planner Rachel Prelog added that the applicant did conduct a neighborhood meeting with the surrounding neighborhood to the north. They were working with those neighbors to address any concerns that they may have. As a part of that, they have adopted some additional mitigation measures, an anti-barking deterrent ultrasonic devices, that you put up to help deter barking. Staff has been in communication with those residents as well and they are satisfied with the measures that the applicant is taking to address their concerns.

**4 Adjournment.**

Boardmember Curran moved to adjourn the Study Session and was seconded by Boardmember Jones. Without objection, the Study Session was adjourned at 5:17 p.m.

Respectfully submitted,



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