

**Mesa Council Chambers Lower Level – 57 E 1<sup>st</sup> St**

**Date: September 1, 2021 Time: 5:30 p.m.**

**MEMBERS PRESENT:**

Chair Alexis Wagner  
Boardmember Adam Gunderson  
Boardmember Chris Jones  
Boardmember Heath Reed  
Boardmember Troy Glover

**MEMBERS ABSENT:**

Vice Chair Nicole Lynam  
Boardmember Ethel Hoffman

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

**STAFF PRESENT:**

\*Margaret Robertson  
Rachel Prelog  
Michelle Dahlke  
Alexis Jacobs  
Evan Balmer  
Sean Pesek  
Victoria Chavez

**OTHERS PRESENT:**

**1 Call meeting to order.**

Chair Wagner declared a quorum present, and the Public Hearing was called to order at 5:31 p.m.

**2 Take action on all Consent Agenda items.**

A motion to approve the Consent Agenda was made by Boardmember Gunderson as read by Boardmember Jones and seconded by Boardmember Reed.

**Items on the Consent Agenda**

**3 Approval of the following minutes from previous meeting:**

**\*3-a Minutes from August 4, 2021 Study Session and Public Hearing.**

Vote: 5-0 (Vice Chair Lynam, Boardmember Hoffman, absent)  
Upon tabulation of vote, it showed:  
AYES – Wagner-Gunderson-Jones-Reed-Glover  
NAYS – None  
ABSENT – Lynam, Hoffman  
ABSTAINED – None

**4 Take action on the following cases:**

**\*4-a Case No.: BOA21-00477(Approved with Conditions)**

**Location:** District 4. 151 E. 1st Street and 48 N. Hibbert. Located west of Mesa Drive and north of Main Street.

**Subject:** Requesting variances from the parking access drive maximum width and the maximum footprint depth for a multiple residence development in the T5 Main Street Flex (T5MSF) Transect Zone.

**Decision:** Approved with Conditions

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

A motion to approve case BOA21-00477 was made by Boardmember Gunderson as read by Boardmember Jones, with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Reed to approve the following conditions:

1. Compliance with the site plan, and floor plans submitted.
2. Compliance with all City development codes and regulations, except as modified by the variance requests listed in Table 1 of this report.
3. Compliance with all conditions of the zoning clearance ADM20-00391.
4. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
5. Prior to the submittal of a building permit, submit and obtain approval from the City of Mesa for a Zoning Clearance for compliance with the Form Based Code.

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

- A. There are special circumstances, including the engineering standards for safety, as well as the existing shape and size of the site, which pose challenges to the developer to fully conform to all requirements of the Form-Based Code.
- B. The strict application of the MZO will deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district.
- C. The approval of the variances will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the form-based code zoned district.

**Consent Agenda Approved**

Vote: 5-0 (Vice Chair Lynam, Boardmember Hoffman, absent)

Upon tabulation of vote, it showed:

AYES – Wagner-Gunderson-Jones-Reed-Glover

NAYS – None

ABSENT – Lynam, Hoffman

ABSTAINED – None

- \*4-b Case No.: BOA21-00487 (Approved with Conditions)**  
Location: District 2. 3020 E. Main Street  
Subject: Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP) for new monument signage in the Multiple Residence (RM-4) 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 BOA21-00487 was made by Boardmember Gunderson as read by Boardmember Jones, with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Reed to approve the following conditions:

1. Compliance with the sign plan documents submitted.
2. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
3. All signage to be reviewed and approved through a separate permit application.

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

- A. Per Table 11-43-3-B of the Mesa Zoning Ordinance (MZO), the maximum sign area in the RM-4 zoning district is one square foot of sign area per five lineal feet of street frontage, up to a maximum of 32 square feet (maximum of 12 square feet for the E. Main Street frontage).
- B. Per Table 11-43-3-B in the MZO, the maximum height for a detached sign in the RM-4 zoning district is eight feet.
- C. The applicant is proposing to replace two previously approved monument signs with a new detached sign that exceeds maximum height and sign area requirements.
- D. The proposed detached sign is approximately 18 feet tall with a sign area of 24 square feet.
- E. The applicant has identified four existing signs (two detached and two attached) to be replaced with a new sign face. No other structural changes are proposed.
- F. The subject property contains unusual physical conditions and exhibits unique characteristics of land use, both of which represent a clear variation from conventional development in the surrounding area.
- G. The materials and design of the proposed signs will be well integrated with the theme and architecture of the resort.
- H. 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.

### **Consent Agenda Approved**

Vote: 5-0 (Vice Chair Lynam, Boardmember Hoffman, absent)

Upon tabulation of vote, it showed:

AYES – Wagner-Gunderson-Jones-Reed-Glover

NAYS – None

ABSENT – Lynam, Hoffman

ABSTAINED – None

- \*4-c Case No.: BOA21-00581(Approved with conditions)**  
Location: District 5. 3759 North Hawes Road.  
Subject: Requesting a Variance to allow a detached accessory building in the area between the front of the principal dwelling and the front property line in a RS-90 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 BOA21-00581 was made by Boardmember Gunderson as read by Boardmember Jones, with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Reed to approve the following conditions:

1. Conformance with the Site Plan submitted with this request.
2. Compliance with all City Development Codes and regulations.

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

- A. The existing property has a grade change of approximately 45 feet, with the lowest grade along the front property line (Hawes Road) and the highest elevation in the rear of the lot.
- B. The existing property is triangular shaped; the front property line is 200 feet wider than the rear property line.
- C. The existing property has a drainage easement along the southeast property line.
- D. The special circumstances are pre-existing and not created by the property owner.
- E. The request does not involve any encroachments into setbacks. Although the proposed accessory structures would be located in front of the principal dwelling, they meet all required setbacks.
- F. On October 7, 2015, the Board of Adjustment granted a variance to allow a detached accessory building to be located in front of the front line of an existing home for the property located across the street from the subject site at 3852 North Hawes Road. On April 7, 2021, the Board of Adjustment granted variances to allow detached accessory buildings to be located in front of new homes at two properties located at 3845 and 3861 North Hawes Road. Strict application of the zoning ordinance will deprive the subject property of privileges enjoyed by other property within the same zoning district and within the same neighborhood.
- G. Based on previous approvals of similar variances within the neighborhood and within the RS-90 District, approval of this variance request to allow detached accessory buildings to be located in front of the front line of a principal dwelling, does not grant special privileges inconsistent with the limitation upon other properties in the area or in the RS-90 District.

### **Consent Agenda Approved**

Vote: 5-0 (Vice Chair Lynam, Boardmember Hoffman, absent)

Upon tabulation of vote, it showed:

AYES – Wagner-Gunderson-Jones-Reed-Glover

NAYS – None

ABSENT – Lynam, Hoffman

ABSTAINED – None

- \*4-d Case No.: BOA21-00600 (Approved with Conditions)**
- Location: District 6. Within the 10700 block of East Hampton Avenue (south side) and within the 1400 to 1600 block of South Signal Butte Road (west side)
- Subject: Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan (CSP) for new monument signage in the Limited Commercial District with a Planned Area Development Overlay (LC-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 BOA21-00600 was made by Boardmember Gunderson as read by Boardmember Jones, with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Reed to approve the following conditions:

1. Compliance with the sign plan documents submitted.
2. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
3. All signage to be reviewed and approved through a separate permit application.

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

- A. Per Table 11-43-3-D-3 of the Mesa Zoning Ordinance (MZO), the maximum sign area in the LC zoning district is one square foot of sign area per lineal feet of street frontage, up to a maximum of 80 square feet.
- B. Per Table 11-43-3-D-3 of the MZO, the maximum height for a detached sign in the LC zoning district is 12 feet.
- C. Based on the 1,166 feet of street frontage along Signal Butte Road, the applicant could request up to four detached signs each with a height of 12 feet and an area of 80 square feet. In lieu of four signs, the applicant is proposing two signs with a height of 14 feet 3 inches and an area of 86.1 square feet.
- D. The aesthetic character of the signage is intended to complement the building design of the site.
- E. The design of the site is consistent with the Mountain Vista Marketplace Design Guidelines.
- F. 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.

### **Consent Agenda Approved**

Vote: 5-0 (Vice Chair Lynam, Boardmember Hoffman, absent)

Upon tabulation of vote, it showed:

AYES – Wagner-Gunderson-Jones-Reed-Glover

NAYS – None

ABSENT – Lynam, Hoffman

ABSTAINED – None

- \*4-e Case No.: BOA21-00766 (Approved with Conditions)**
- Location: District 4. Within the 500 block of East Main Street (south side), within the 500 block of East 2nd Avenue (north side), within the 0 to 100 blocks of south Lesueur (east side) and within the 0 to 100 blocks of south Hobson (west side).
- Subject: Requesting a Special Use Permit (SUP) for a Special Event to exceed a duration of four consecutive days in the General Commercial (GC), Downtown Residential 2 (DR-2) and Multiple Residential 2 (RM-2) Districts.
- Decision: Approved with Conditions.
- Summary: This item was on the consent agenda and not discussed on an individual basis.

A motion to approve case BOA21-00766 was made by Boardmember Gunderson as read by Boardmember Jones, with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Reed to approve the following conditions:

1. Compliance with the submitted narrative and exhibits.
2. Compliance with all requirements of the Development Services Department.
3. Prior to operations, the applicant must obtain a Special Event License for the event through the City of Mesa License Department.
4. The Special Use Permit shall automatically expire on November 30th, 2021 and be of no further force and effect.
5. Event shall operate, per the applicant's Operation Plan, between the hours of 8:00am and 10:00pm, Monday through Saturday.

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

- A. The requested SUP would allow one special event (Mesa Temple Open House) to run for seven consecutive weeks, on the Mesa Temple grounds located within the 500 block of East Main Street (south side), within the 500 block of East 2nd Avenue (north side), within the 0 to 100 blocks of south Lesueur (east side) and within the 0 to 100 blocks of south Hobson (west side).
- B. The special event will be held from October 4, 2021 through November 20, 2021.
- C. The proposed special event is consistent with the location, design and operating characteristics of DR-2, RM-2 and GC districts and conforms with Mesa 2040 General Plan.
- D. The applicant's Operational Plan uses several strategies to accommodate parking demand while maintaining public safety. The proposed operations should not be injurious or detrimental to the surrounding neighborhood.
- E. Staff research indicates that no complaints have been received for any of the Easter Pageant events that have been held annually at the Mesa Temple. Therefore, the proposed special event should not be injurious or detrimental to the surrounding properties.
- F. City of Mesa utilities and public infrastructure are available to serve the special event.

### **Consent Agenda Approved**

Vote: 5-0 (Vice Chair Lynam, Boardmember Hoffman, absent)

Upon tabulation of vote, it showed:

AYES – Wagner-Gunderson-Jones-Reed-Glover

NAYS – None

ABSENT – Lynam, Hoffman

ABSTAINED – None

5      **Items from citizens present: None.**

6      **Adjournment.**

Boardmember Jones moved to adjourn the Public Hearing and was seconded by Boardmember Glover. Without objection, the Public Hearing was adjourned at 5:39 p.m.

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)