

Mesa Council Chambers Lower Level – 57 E 1st St

Date: January 4, 2023 Time: 5:00 p.m.

MEMBERS PRESENT:

Chair Alexis Wagner
Vice Chair Nicole Lynam
Boardmember Adam Gunderson
Boardmember Chris Jones
Boardmember Heath Reed
Boardmember Ethel Hoffman
Boardmember Troy Glover

MEMBERS ABSENT:

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

STAFF PRESENT:

Evan Balmer
Samanth Brannagan
Kwasi Abebrese
Victoria Chavez
Alexis Jacobs

OTHERS PRESENT:

1 Call meeting to order.

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

2 Staff Update: None

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

***3-a Staff member Evan Balmer presented case BOA22-00919 to the Board.**

See attached presentation.

Boardmember Hoffman asked if there were any other properties in the immediate area that have a two-story garage.

Staff member Balmer replied that he did not look for that type of information specifically and clarified that the maximum height in the RS-9 zoning district is 30 feet.

Vice Chair Lynam asked for additional clarification on the setbacks.

Staff member Balmer explained that this lot has two side setbacks and two rear setbacks due to the frontage being on a cul-de-sac.

***3-b Staff member Evan Balmer presented case BOA22-01171 to the Board.**

See attached presentation.

City of Mesa - Board of Adjustment – January 4, 2023
Study Session Minutes

***3-c Staff member Kwasi Abebrese presented case BOA22-01211 to the Board.**

See attached presentation

***3-d Staff member Victoria Chavez presented case BOA22-01226 to the Board.**

See attached presentation

Vice Chair Lynam asked about the length of the Halloween event that will also take place at this location.

Staff member Chavez replied that the event will be held for 19 days over the course of 15 weeks.

Further discussion ensued about the different Special Use Permits that have been approved in relation to this location.

Boardmember Hoffman asked if there was a requirement to provide changing tables in addition to the required public toilets.

Staff member Balmer answered that there are additional processes that the applicant will need to go through with the Parks department and that would be something they would assess.

Vice Chair Lynam asked if there have been any other special use permits in the City for this length of time.

Staff member Balmer replied that we have had a number of Special Use Permits in the city for longer events. Malls aren't doing quite as well as they used to so they're looking for avenues to attract visitors and this is an avenue for them. This is the longest one that I know of. But that's kind of the driving force behind it is to get more foot traffic to the mall.

***3-e Staff member Samantha Brannagan presented case BOA22-01279 to the Board.**

See attached presentation

Boardmember Glover asked if there would be any stipulations in place to control what can or cannot be displayed in the open area.

Staff member Brannagan answered that it was discussed at the Planning and Zoning Board meeting and there would be a stipulation in place.

4 Adjournment.

Boardmember Gunderson moved to adjourn the Study Session and was seconded by Boardmember Hoffman. Without objection, the Study Session was adjourned at 5:38 p.m.

Respectfully submitted,

Evan Balmer

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



BOA22-00919



Request

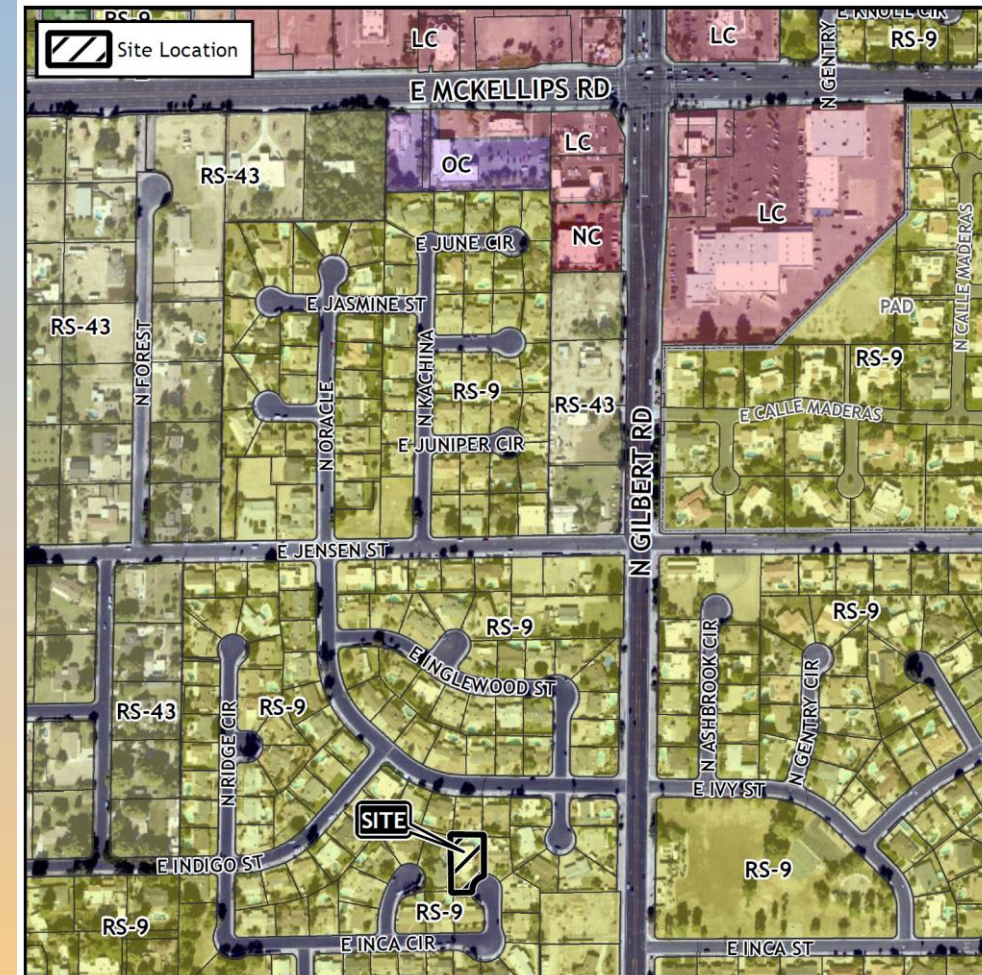
- Variance to allow a new attached garage within the required front and rear setbacks within the RS-9 District





Location

- 1920 E Inca Circle
- West of Gilbert Road,
South of McKellips Road

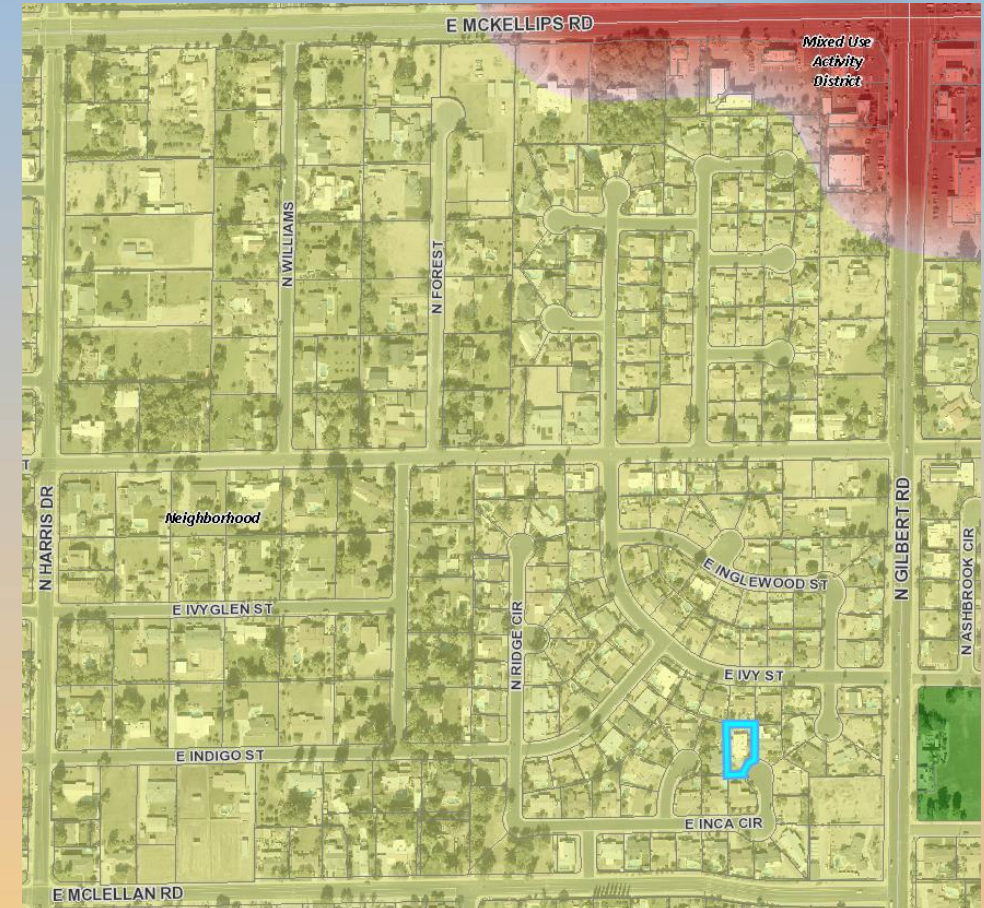




General Plan

Neighborhood

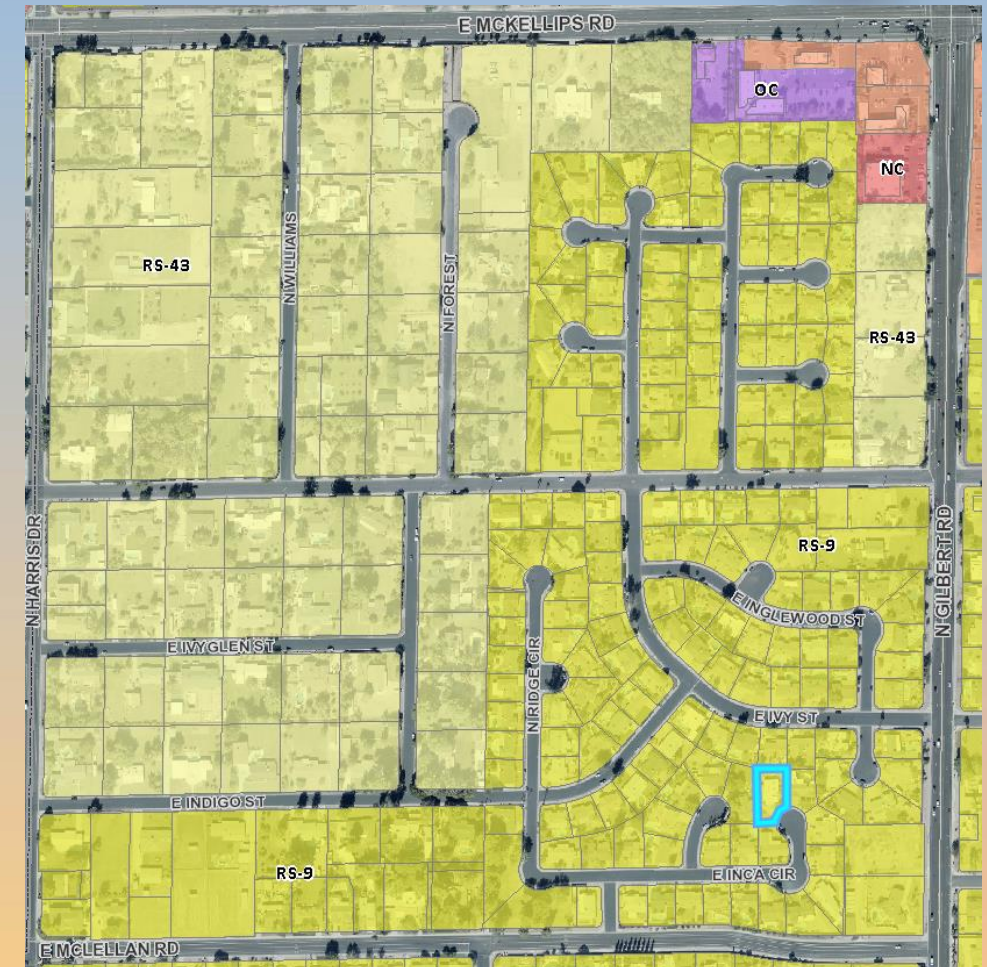
- Safe places for people to live
- Wide range of housing options allowed
- Existing use complies with the goals of this character area





Zoning

- Single Residence-9 (RS-9)
- Single residential allowed by right
- Existing home is a nonconforming structure





Site Photos



September 2022



Site Plan

- Proposed Garage Addition to allow for a new garage to replace the existing garage which will be converted to livable space





Citizen Participation

- Notified property owners within 150 feet
- One comment from rear neighbor concerned about trash in the front yard





Approval Criteria

Section 11-80-3 Variance Criteria

- ✓ There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, and
- ✓ That such special circumstances are pre-existing, and not created by the property owner or appellant; and
- ✓ The strict application of the zoning Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district; and
- ✓ Any variance granted will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.



Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Meets required findings for a Variance in Section 11-80-3 of the MZO

Staff recommends Approval with Conditions



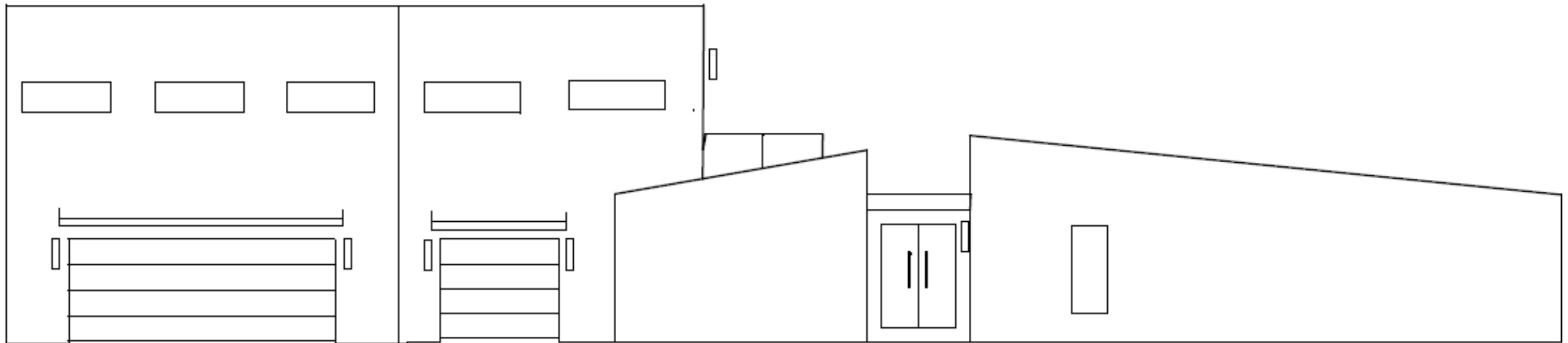






Elevations

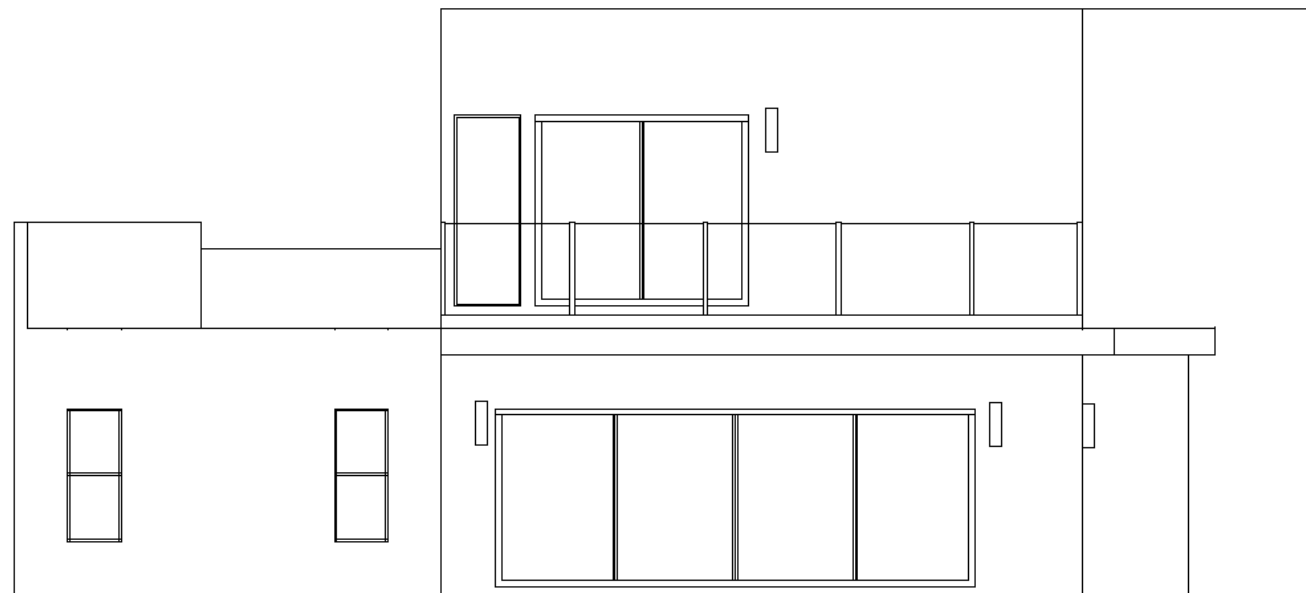
East Elevation





Elevations

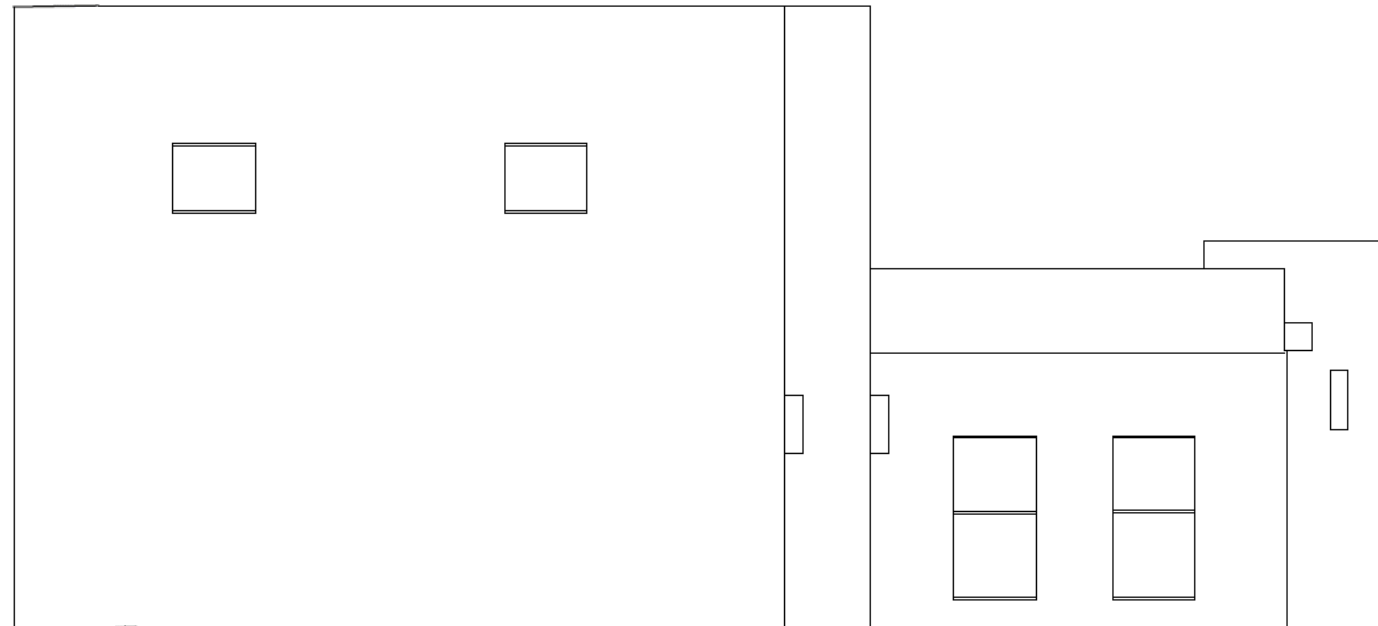
North Elevation





Elevations

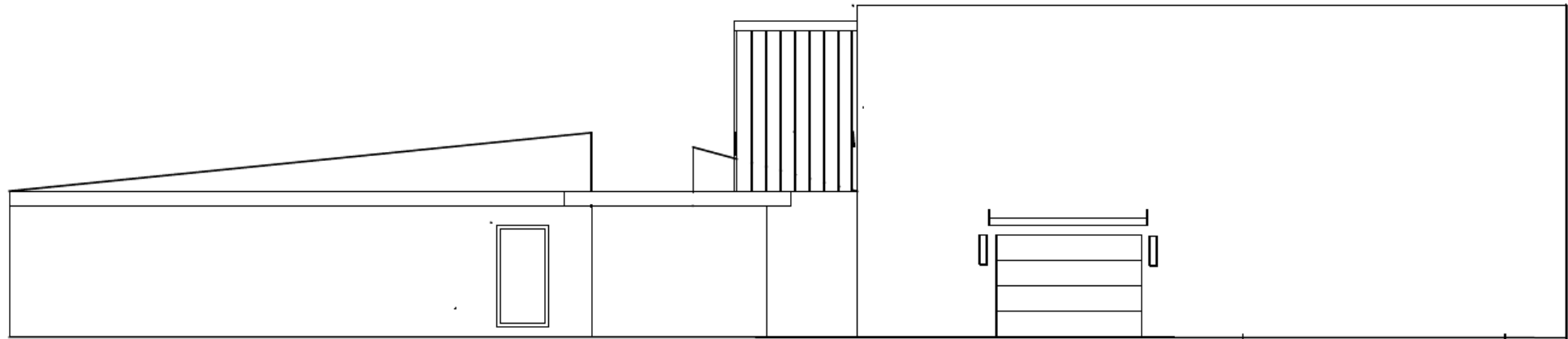
South
Elevation





Elevations

West elevation





BOA22-01171



Request

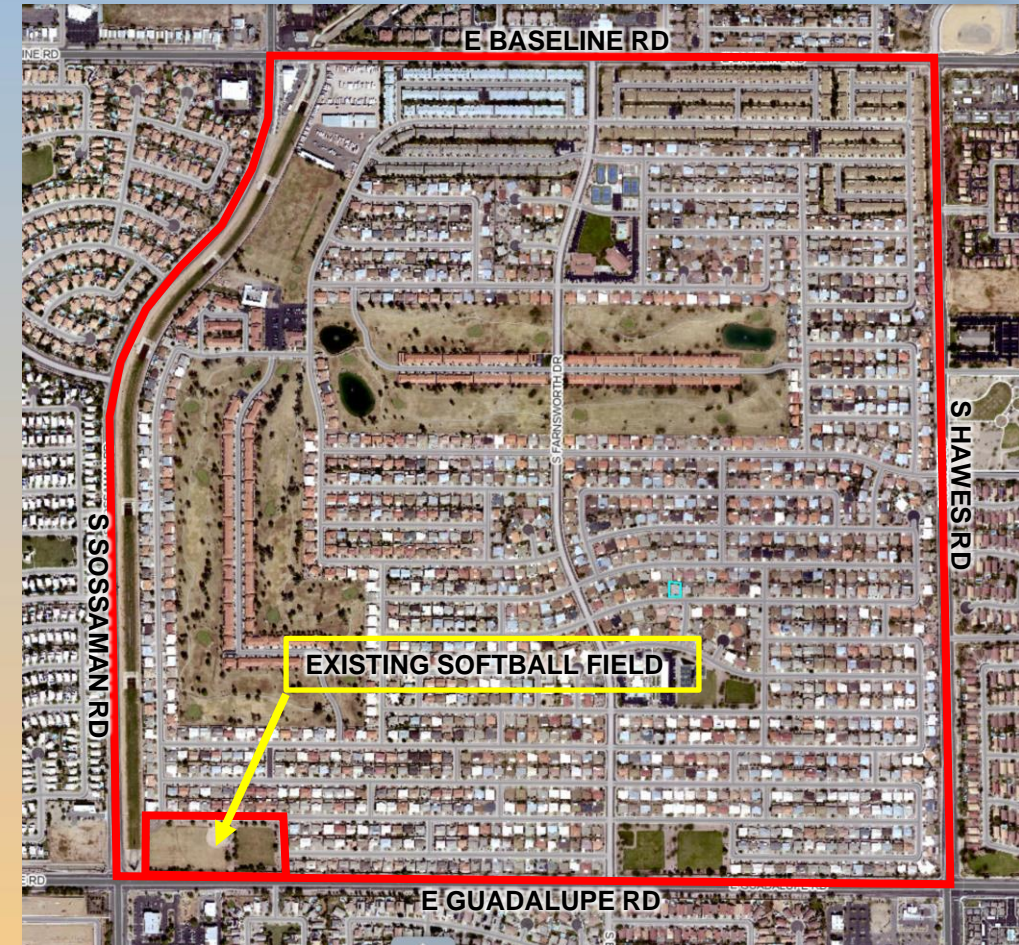
- Minor Modification of the Sunland Village East PAD to increase the allowed fence height for softball field safety net fence





Location

- Sunland Village East PAD
 - South of Baseline Road
 - West of Hawes Road
 - North of Guadalupe Road
 - East of Sossaman Road
- Sunland Village East PAD – Softball Field
 - Northeast corner of Sossaman and Guadalupe Roads

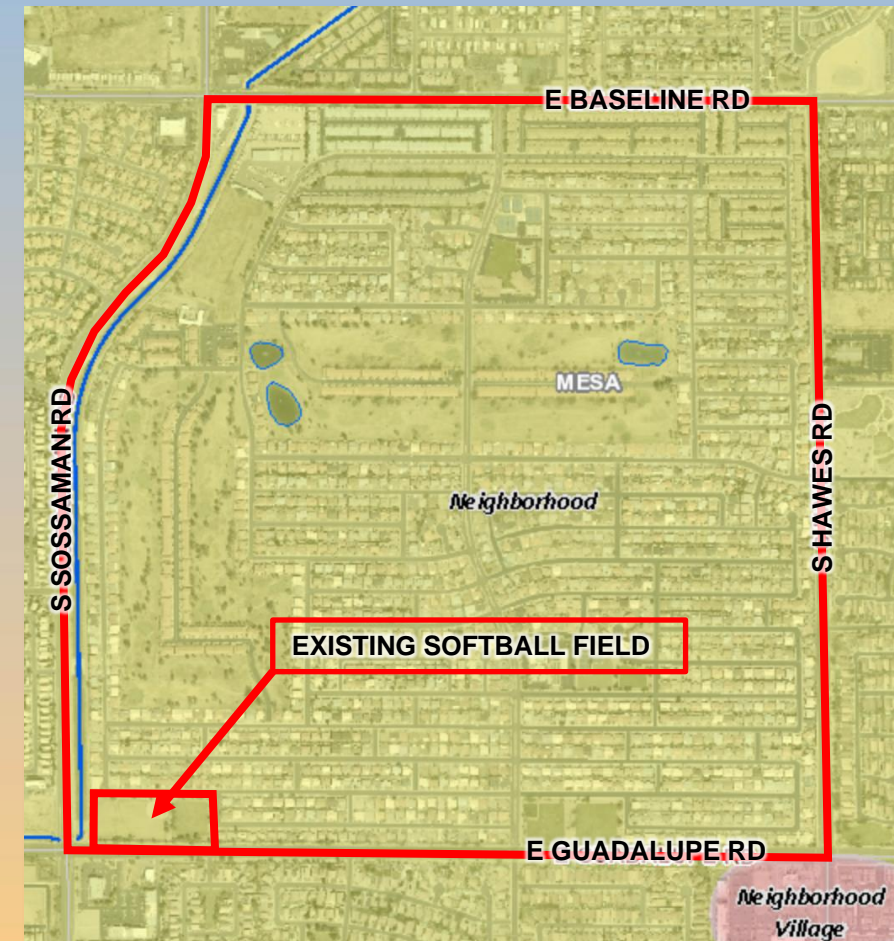




General Plan

Neighborhood

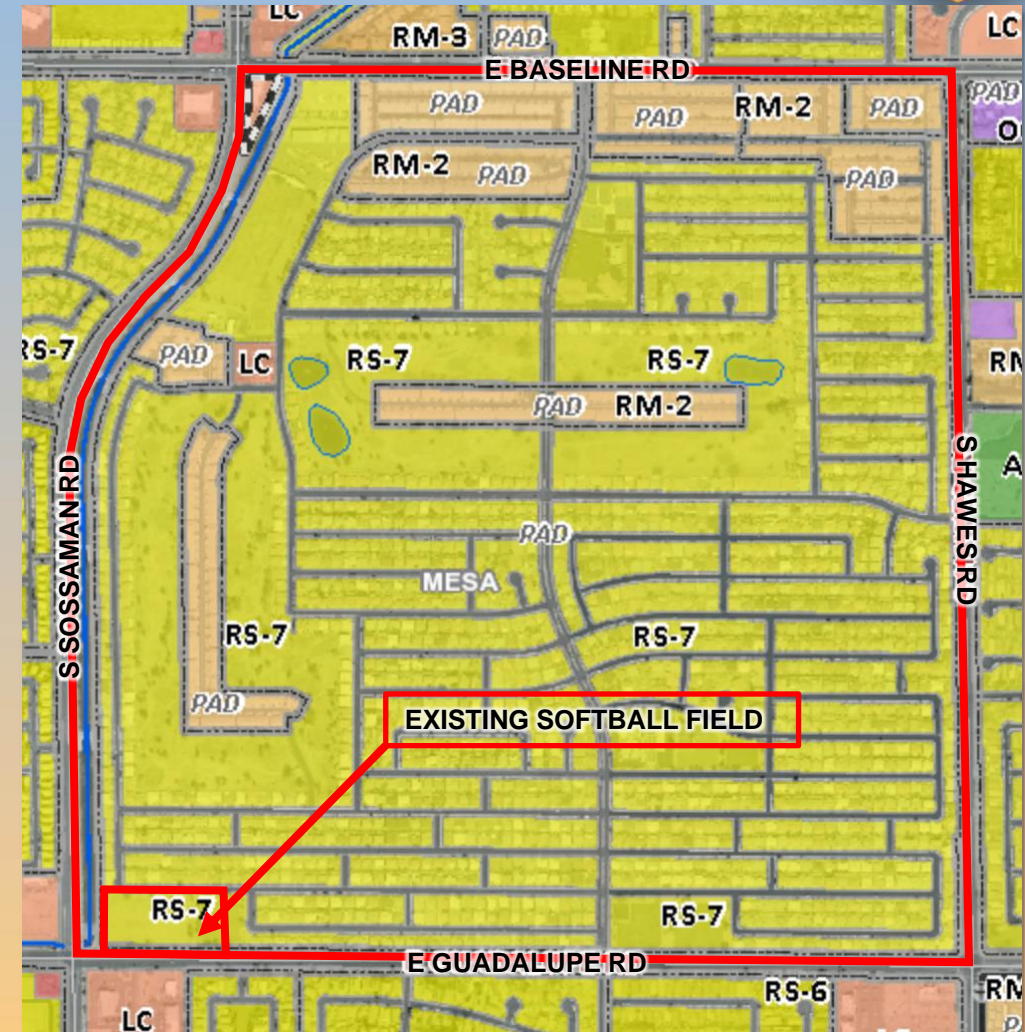
- Safe places to live
- Variety of housing
- Enjoy surrounding community





Zoning

- Single Residence-7 Planned Area Development (RS-7-PAD)





Site Photos



Looking north towards the softball field from East Guadalupe Road



Site Photos



Looking south towards the softball field from East Nopal Avenue



Site Photos



Google map photo of previous safety net fence looking north from East Guadalupe Road



Site Plan

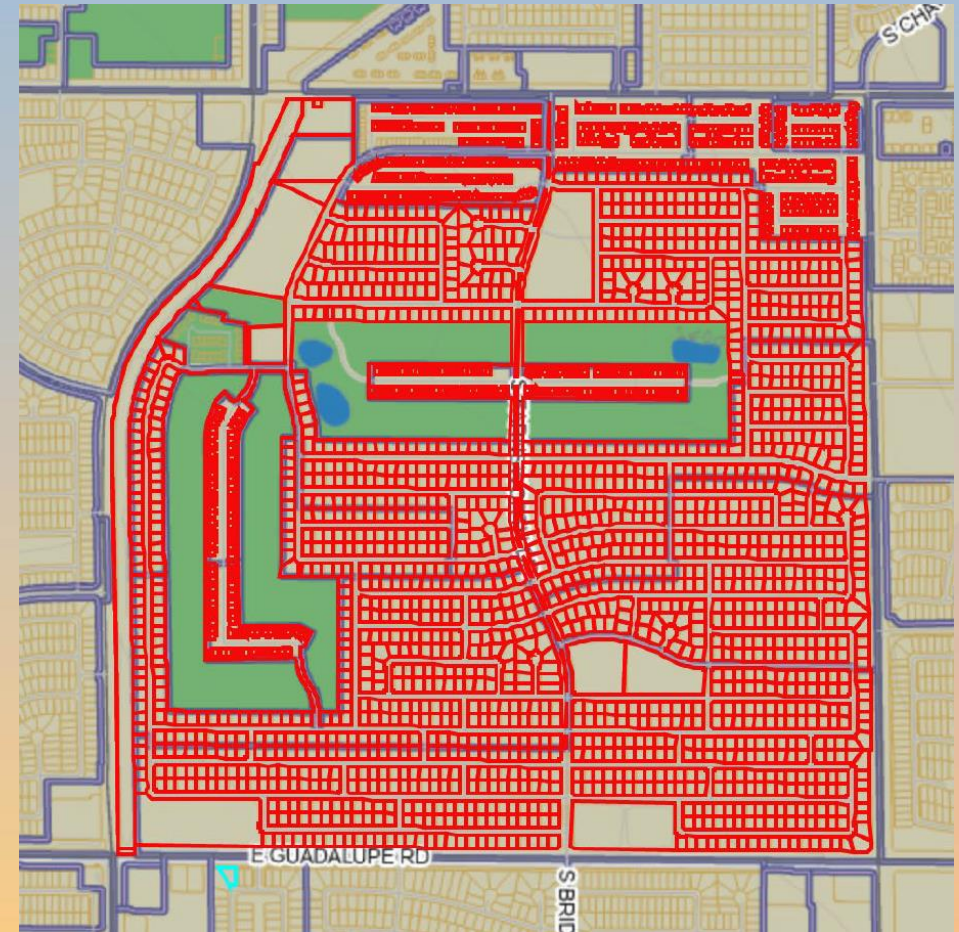
- Allow 50-ft tall softball field safety net fence
- Safety net fence is 200-ft in length
- Poles located 9-feet the north of the existing block wall along Guadalupe Road.





Citizen Participation

- Notified all property owners within the Sunland Village East Planned Area Development





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 approved Sunland Village East PAD development standards limit the maximum height of fences and freestanding walls within or along the exterior boundary of the required side or rear yards to six feet.
- ✓ The Sunland Village East softball field is at the northeast corner of Sossaman and Guadalupe Roads, within the Sunland Village East PAD at 7731 East Nopal Avenue.
- ✓ In 2001, the Board of Adjustment approved a similar modification to the Sunland Village East PAD to allow golf net fences to exceed a height of six-feet in the RS-7-PAD District



Findings Cont'd

- ✓ Allowing the proposed softball field net to exceed the maximum allowed fence height of six feet will help keep softballs within the boundary of the softball field and protect vehicles and people utilizing the Guadalupe Road public right-of-way improvements.
- ✓ The 50 foot in height safety net will contribute to the continued use of the softball field recreational amenity, which adds value to the Sunland Village East properties, and contributes to the sustainability of the Sunland Spring Village PAD.



Findings Cont'd

- ✓ The request is consistent with the purpose and intent of the Sunland Springs Village PAD approved development plans.

Staff recommends Approval with Conditions



BOA22-01211



Request

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





Location

- East of South Alma School Road
- South of West Southern Avenue





General Plan

Mixed Use Activity District

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

Transit Corridor

- Area designated for a consistent high level of transit options

Fiesta District

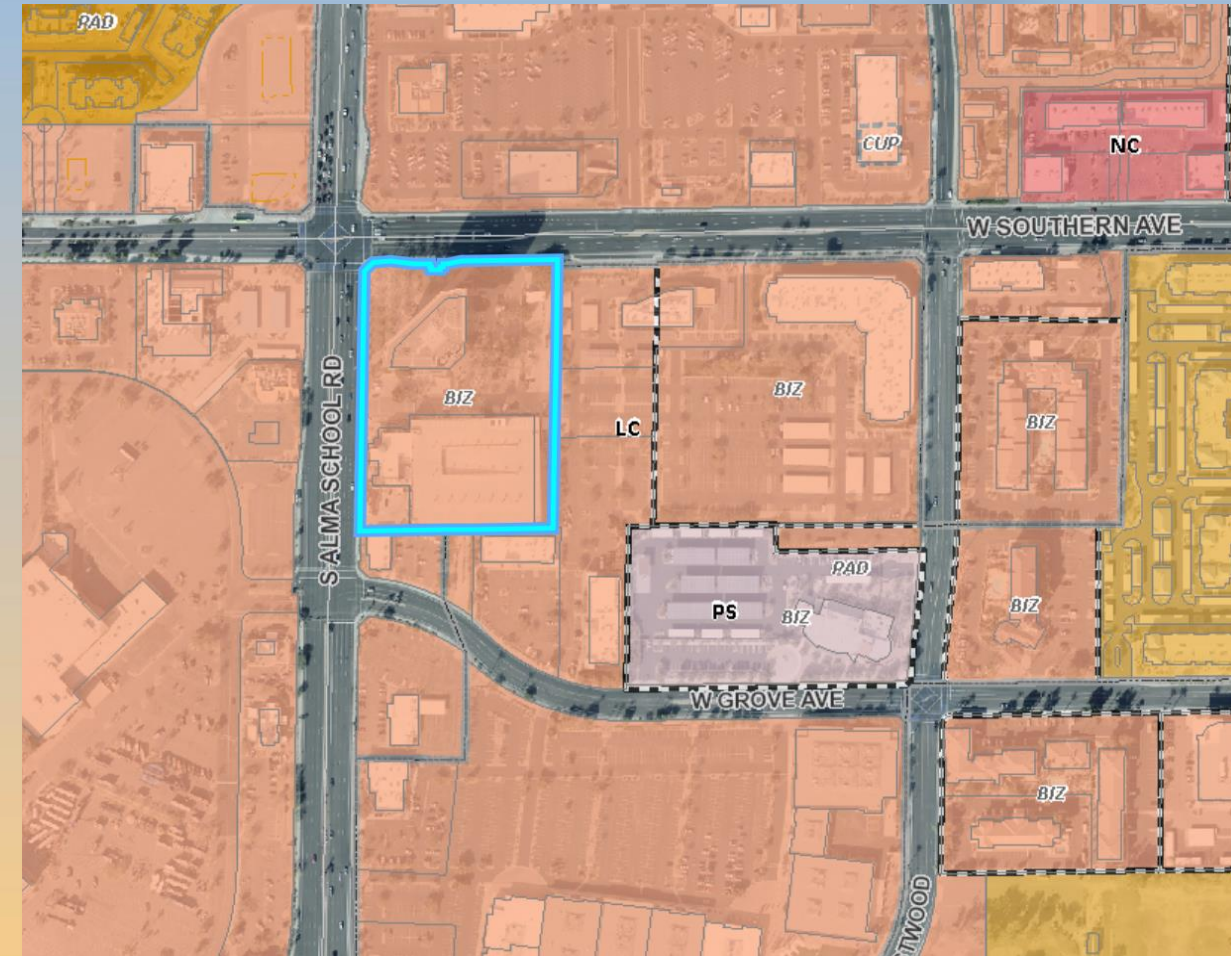
- Hub for advanced business and financial service, health care and retail industry





Zoning

- Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ)





Site Photos



Looking south towards the site from Southern Avenue



Looking southeast towards the site from Southern Avenue



Proposed CSP

- Increase sign area from 12.5 Square feet to 38.71 square feet
- Installation of an additional sign at the north elevation of drive-through canopy



North elevation of drive through canopy



Sign Plan



Existing west elevation of drive through canopy

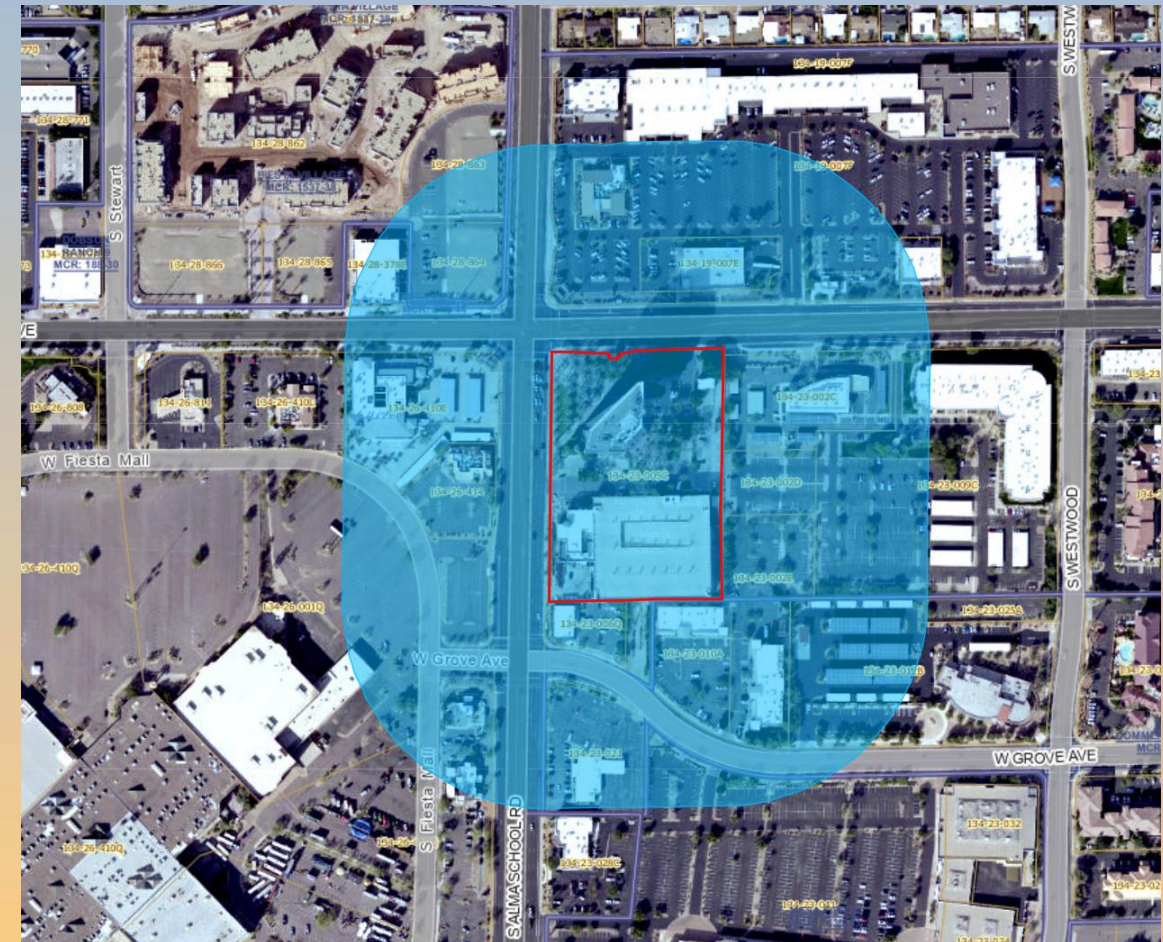


Proposed west elevation of drive through canopy



Citizen Participation

- Notified property owners within 500 feet
- Staff has not been contacted by neighbors





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 11-70-5(E) of the MZO

Staff recommends Approval with Conditions



BOA22-01226



Request

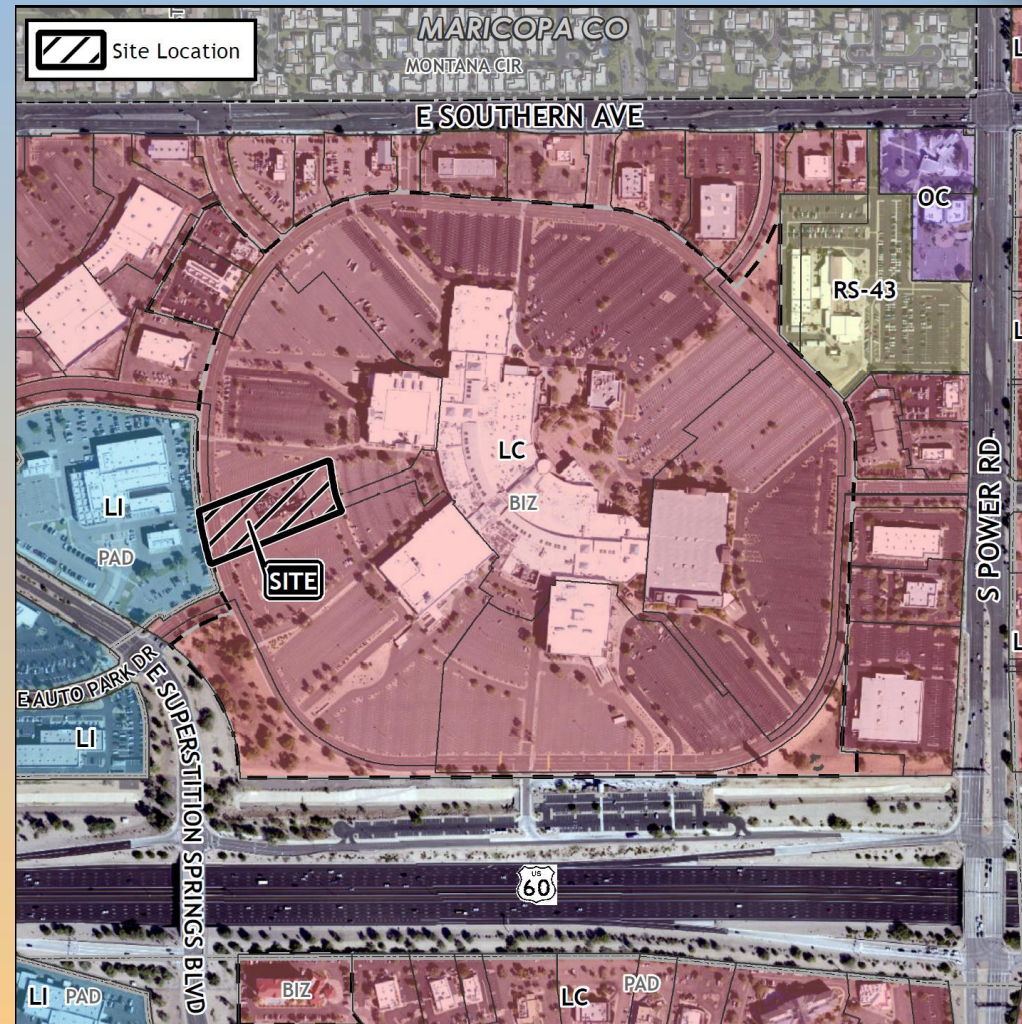
- Special Use Permit (SUP) to exceed the maximum number of days allowed for a special event in the Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ) District.





Location

- West of South Power Road
- South of East Southern Avenue

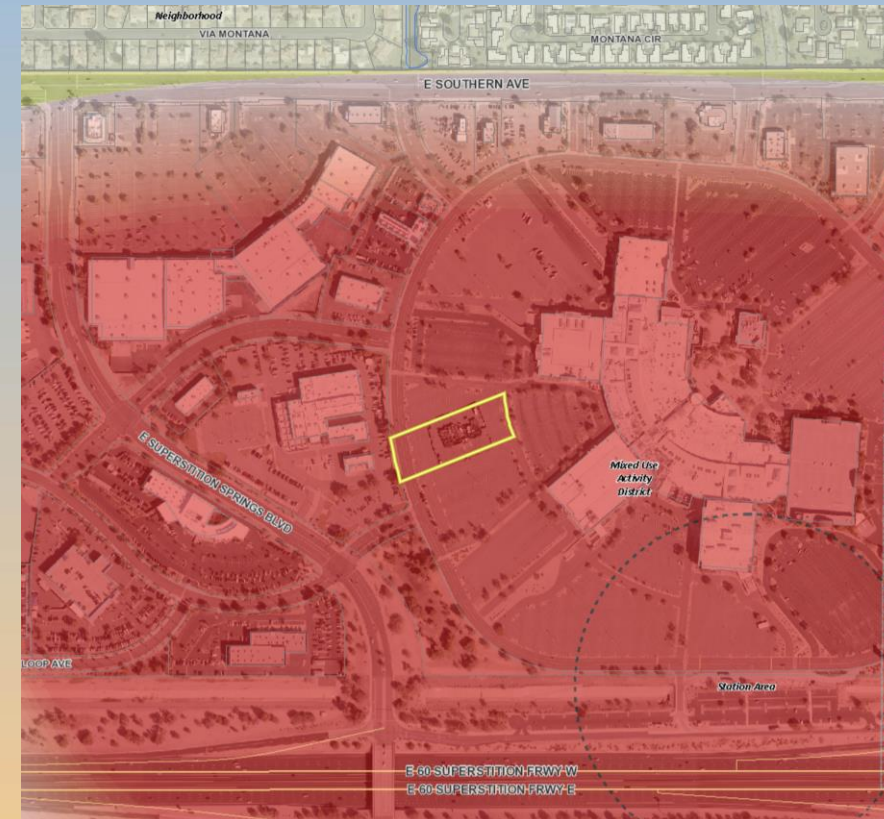




General Plan

Mixed Use Activity

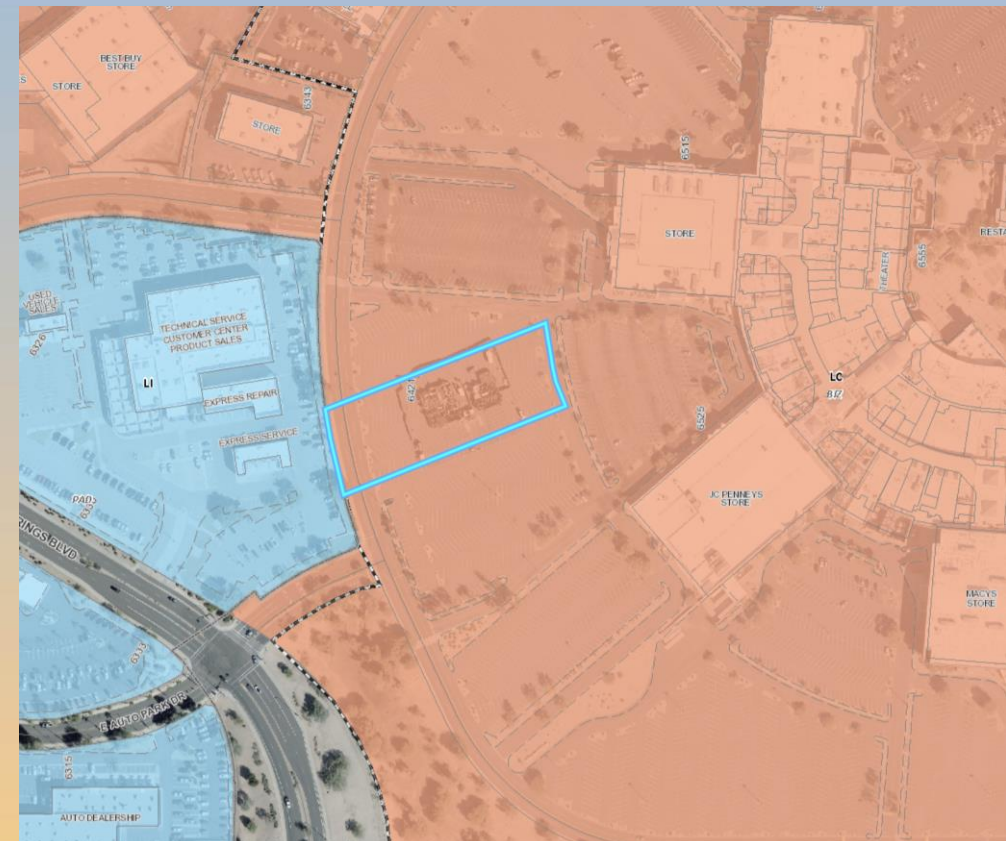
- Designated for largescale community and regional activity areas, which include a mix of retail, entertainment and office uses
- Existing use complies with the goals of this character area





Zoning

- Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ)





Site Photo



Looking east towards the site



Site Plan

- Occupy approximately 45,000 square feet of the west parking lot.
- Provide a variety of bounce and climbing activities and a large turf gathering area.
- Will be enclosed with a chain link fence.





Citizen Participation

- Notified property owners within 500 feet
- Staff has not been contacted by neighbors





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



BOA22-01279



Request

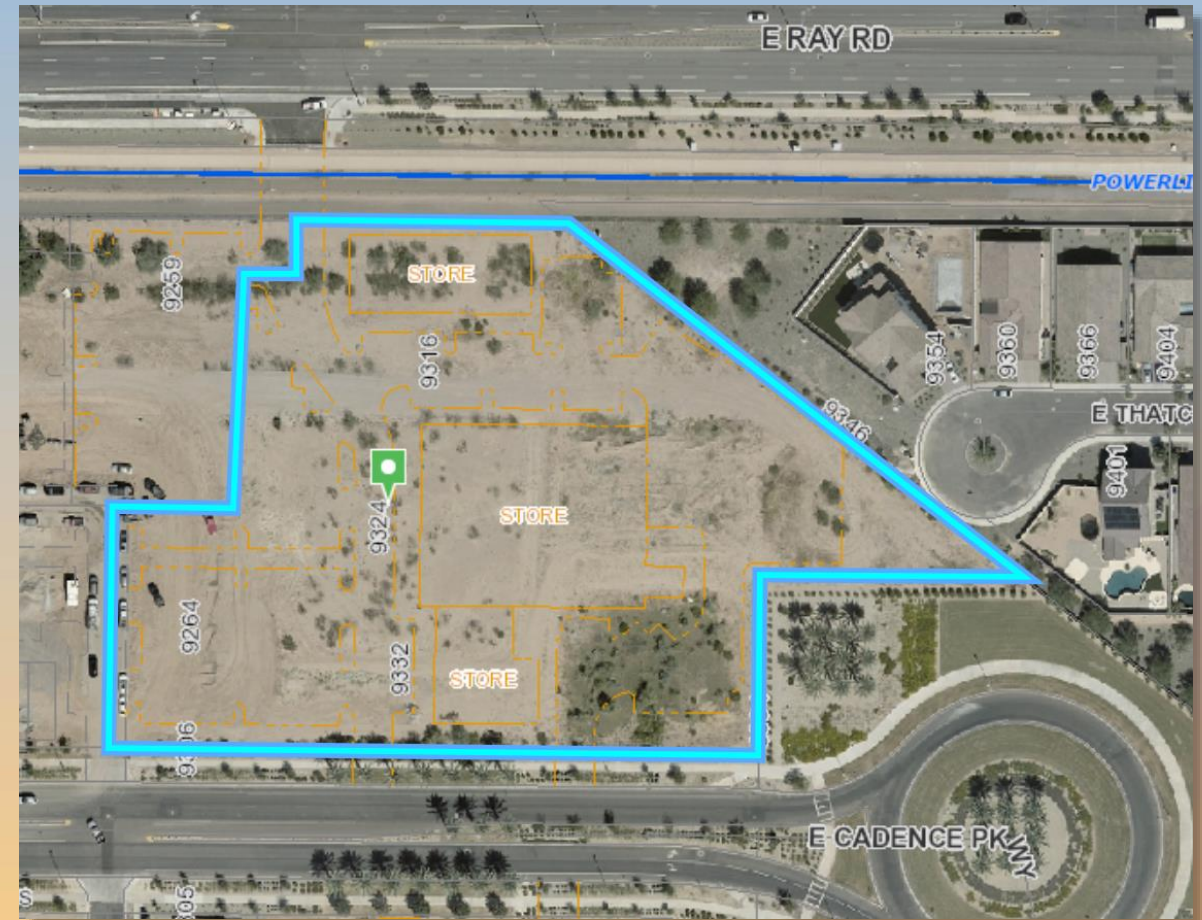
- Special Use Permit
- To allow for a permanent outdoor display area





Location

- North of E. Cadence Parkway
- East of S. Ellsworth Road
- South of E. Ray Road

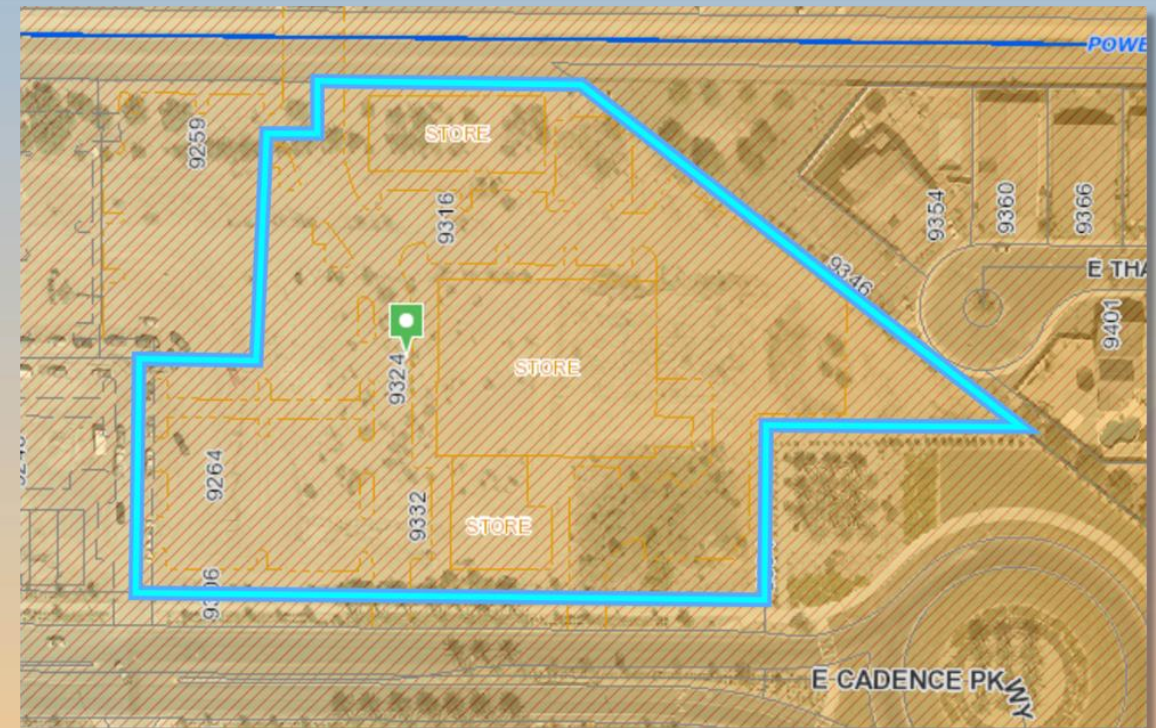




General Plan

Mixed Use Community

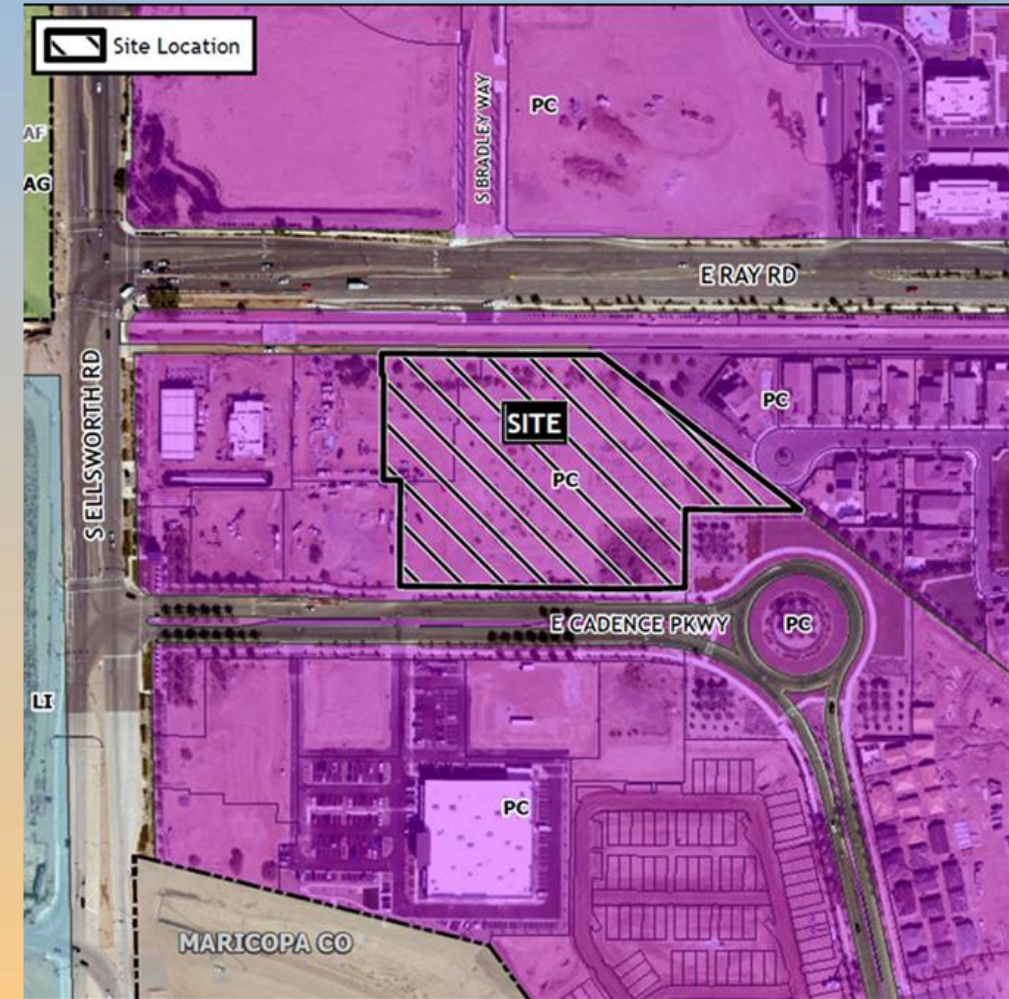
- Variety of housing types, parks, schools
- Mix of retail and commercial uses
- Sense of place





Zoning

- Planned Community (PC)
- Cadence Community Plan





Site Photos



Looking northeast towards the site



Looking north to the site

[illegible]





Special Use Permit





Special Use Permit

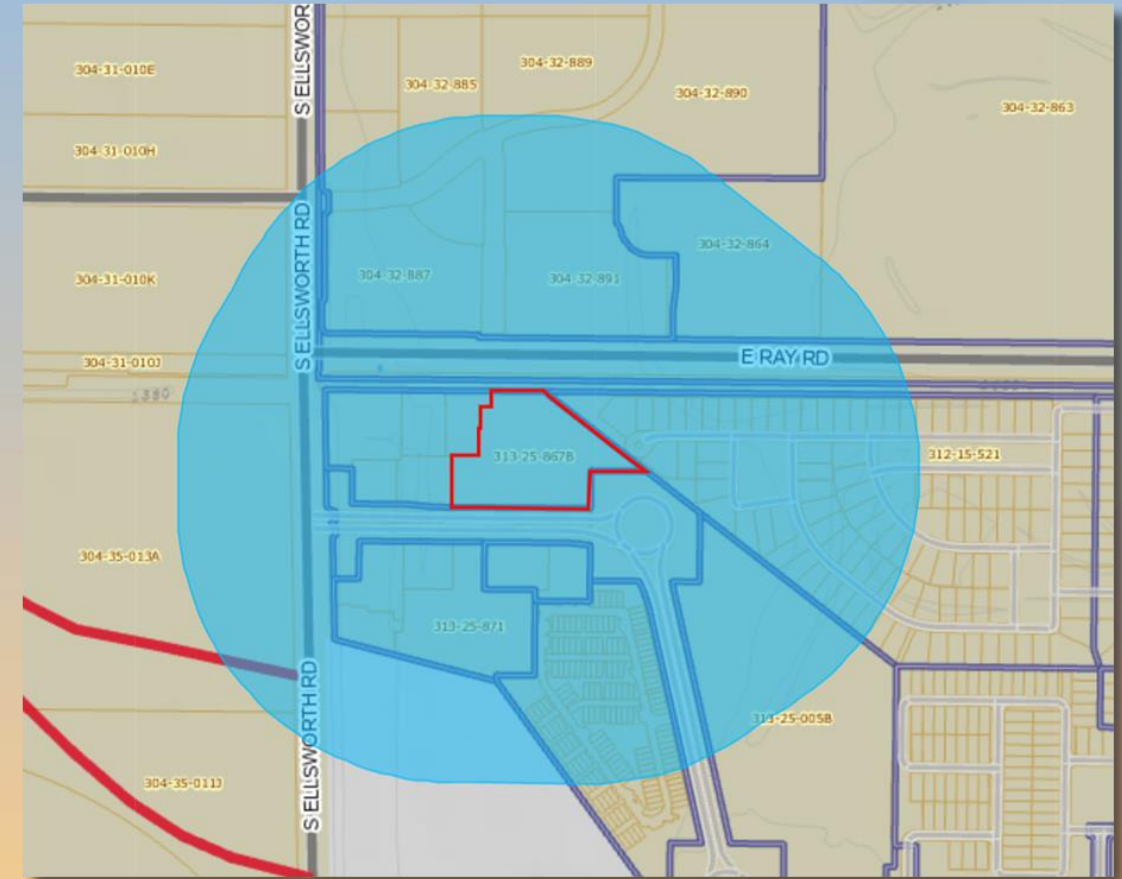
Section 11-70-5

✓	#1 Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plans and/or policies;
✓	#2 The location, size, design, and operating characteristics of the proposed project are consistent with the purpose of the district where it is located and conform with the General Plan and any other applicable plans and/or policies;
✓	#3 The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, the greater neighborhood, or the general welfare of the City; and
✓	#4 Adequate public services, public facilities and public infrastructure are available to serve the proposed project



Citizen Participation

- Notified property owners within 500', HOAs and registered neighborhoods
- Received no questions or comments





Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Complies with the Cadence Community Plan
- ✓ Criteria of 11-70-5 for a Special Use Permit

Staff recommends Approval with Conditions