

Mesa Council Chambers Lower Level – 57 E 1st St

Date: January 4, 2023 Time: 5:30 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
Samantha Brannagan
Kwasi Abebrese
Victoria Chavez
Alexis Jacobs

OTHERS PRESENT:

1 Call meeting to order.

Chair Wagner declared a quorum present, and the Public Hearing was called to order at 5:45 p.m.

2 Take action on all Consent Agenda items.

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

Items on the Consent Agenda

3 Approval of the following minutes from previous meeting:

***3-a Minutes from December 7, 2022 Study Session and Public Hearing.**

Vote: 7-0

Upon tabulation of vote, it showed:

AYES – Wagner- Lynam - Gunderson - Jones - Reed – Glover - Hoffman

NAYS – None

ABSENT – None

ABSTAINED – None

4 Take action on the following cases:

- *4-b Case No.: BOA22-01171 (Approval with Conditions)**
Location: District 6. Within the 7600 to 8400 blocks of East Baseline Road (south side), the 2000 to 2800 blocks of South Hawes Road (west side), the 7600 to 8400 blocks of East Guadalupe Road (north side) and the 2000 to 2800 blocks of South Sossaman Road (east side). Located north of East Guadalupe Road and east of South Sossaman Road.
Subject: Requesting a minor modification of the approved Sunland Village East Planned Area Development (PAD) to increase the maximum allowed fence height.
Decision: Approval with conditions
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA22-01171 was made by Boardmember Jones as read by Vice Chair Lynam and seconded by Boardmember Gunderson.

Conditions of Approval:

1. Compliance with Sunland Village East PAD as approved by Z83-126 and subsequent modifications, except as modified by the request.
2. Compliance with all applicable City of Mesa Development Codes and regulations.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Consent Agenda Approved

Vote: 7-0

Upon tabulation of vote, it showed:

AYES – Wagner- Lynam - Gunderson - Jones - Reed – Glover - Hoffman

NAYS – None

ABSENT – None

ABSTAINED – None

***4-c Case No.: BOA22-01211 (Approval with Conditions)**
Location: District 3. 1201 South Alma School Road
Subject: Requesting a Special Use Permit (SUP) to allow a Modification to a Comprehensive Sign Plan (CSP)
Decision: Approval with conditions
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA22-01211 was made by Boardmember Jones as read by Vice Chair Lynam and seconded by Boardmember Gunderson.

Conditions of Approval:

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

Consent Agenda Approved

Vote: 7-0

Upon tabulation of vote, it showed:

AYES – Wagner- Lynam - Gunderson - Jones - Reed – Glover - Hoffman

NAYS – None

ABSENT – None

ABSTAINED – None

***4-e Case No.: BOA22-01279 (Approval with Conditions)**
Location: District 6. Within the 9200 to 9400 blocks of East Cadence Parkway. Located south of East Ray Road and east of South Ellsworth Road.
Subject: Requesting a Special Use Permit for permanent outdoor display areas for a proposed Ace Hardware.
Decision: Approval with conditions
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to approve case BOA22-01279 was made by Boardmember Jones as read by Vice Chair Lynam and seconded by Boardmember Gunderson.

Conditions of Approval:

1. Compliance with final site plan, landscape plan, and elevations submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with the Cadence Community Plan.
4. Compliance with Development Unit 1 Phase 2 of the Cadence Community Plan.
5. Compliance with all conditions of approval on zoning case no. Z12-028 (Ordinance No. 5115).
6. Compliance with all conditions of approval on zoning case no. ZON22-00582.
7. The southernmost outdoor display area indicated on the site plan adjacent to Cadence Parkway shall be limited to the display plant material.

Consent Agenda Approved

Vote: 7-0

Upon tabulation of vote, it showed:

AYES – Wagner- Lynam - Gunderson - Jones - Reed – Glover - Hoffman

NAYS – None

ABSENT – None

ABSTAINED – None

Items not on the Consent Agenda

5 Act on the following case:

***4-b Case No.: BOA22-00919 (Approval with Conditions)**
Location: District 1. 1920 East Inca Circle
Subject: Requesting a Variance from the required minimum required front, side, and rear yards to allow an attached garage addition.
Decision: Approval with conditions
Summary: This item was discussed and voted on an individual basis

Staff member Evan Balmer presented case BOA22-00919 to the Board.
See attached presentation.

Susanne Smith, 1639 N Kachina Circle – expressed their opposition to this project.

Kirkland Smith, 1639 N Kachina Circle – expressed their opposition to this project.

Benny Stevens, 1903 E Ivy – expressed their opposition to this project.

Boardmember Hoffman asked for an aerial image of the property be shown on the monitors.

Staff member Balmer reiterated that the maximum height in the RS-9 zoning district is 30 feet and also applies to the height of the garage.

Boardmembers discussed the merits of the case.

A motion to approve case BOA22-00240 was made by Boardmember Gunderson and seconded by Boardmember Jones.

Conditions of Approval:

1. Compliance with the final site plan as submitted.
2. Issuance of a building permit for the proposed home addition.
3. Compliance with all City Development Codes and regulations.

Vote: 7-0

Upon tabulation of vote, it showed:

AYES – Wagner- Lynam - Gunderson - Jones - Reed – Glover - Hoffman

NAYS – None

ABSENT – None

ABSTAINED – None

***4-d Case No.: BOA22-01226 (Approval with Conditions)**
Location: District 6. 6421 East Southern Avenue
Subject: Requesting a Special Use Permit (SUP) to exceed the maximum number of days allowed for a special event
Decision: Approval with conditions
Summary: This item was discussed and voted on an individual basis

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

See attached presentation.

Vice Chair Lynam asked for clarification on the staff report, stating it would be an annual event but also having an expiration date.

Staff member Balmer explained that a recent text amendment had been adopted that changes the Temporary Use Permit criteria and special events are limited to four events per year for a duration of four days per site. The reason for the expiration date is to get them through the next cycle and to the point that the new TUP ordinance will be in effect and they can utilize that moving forward.

Vice Chair Lynam asked if we have other locations in town that have similar ongoing temporary events. She expressed concern at what point does there become the need for permanent facilities?

Staff member Balmer answered that it is really a case-by-case basis. But one event that comes to mind is the Harley Davidson dealership on Country Club, that has a Special Use Permit to exceed the number of events in a year. This is the longest one that I am aware of and part of that is due to the transient nature of these events. The mall owners are eager to have these sorts of events to bring people in, but we are a little cautious of making it permanent as that will impact parking.

A motion to approve case BOA22-01226 was made by Chair Wagner and seconded by Boardmember Reed.

Conditions of Approval:

1. Compliance with the applicant's site plan, project narrative and FunBox operational plan except as modified by the conditions below.
2. Signage shall be restricted to the boundaries of the Special Event area. Signage visible from outside the boundaries of the site shall not be display prior to nor after the dates of the Special Event (may include construction and break down days), as specified in the Special Event License.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
4. Compliance with all requirements of the Business Services Department regarding application for and issuance of a Special Event License.
5. The Special Use Permit shall be valid for 180-days starting January 10, 2023 and shall expire February 29th, 2024. The Special Use Permit is non-transferable for both location and applicant.

Vote: 7-0

Upon tabulation of vote, it showed:

AYES – Wagner- Lynam - Gunderson - Jones - Reed – Glover - Hoffman

NAYS – None

ABSENT – None

ABSTAINED – None

6 Items from citizens present: None

7 Adjournment.

Boardmember Hoffman moved to adjourn the Public Hearing and was seconded by Boardmember Reed. Without objection, the Public Hearing was adjourned at 6:24 p.m.

Respectfully submitted,

Evan Balmer

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

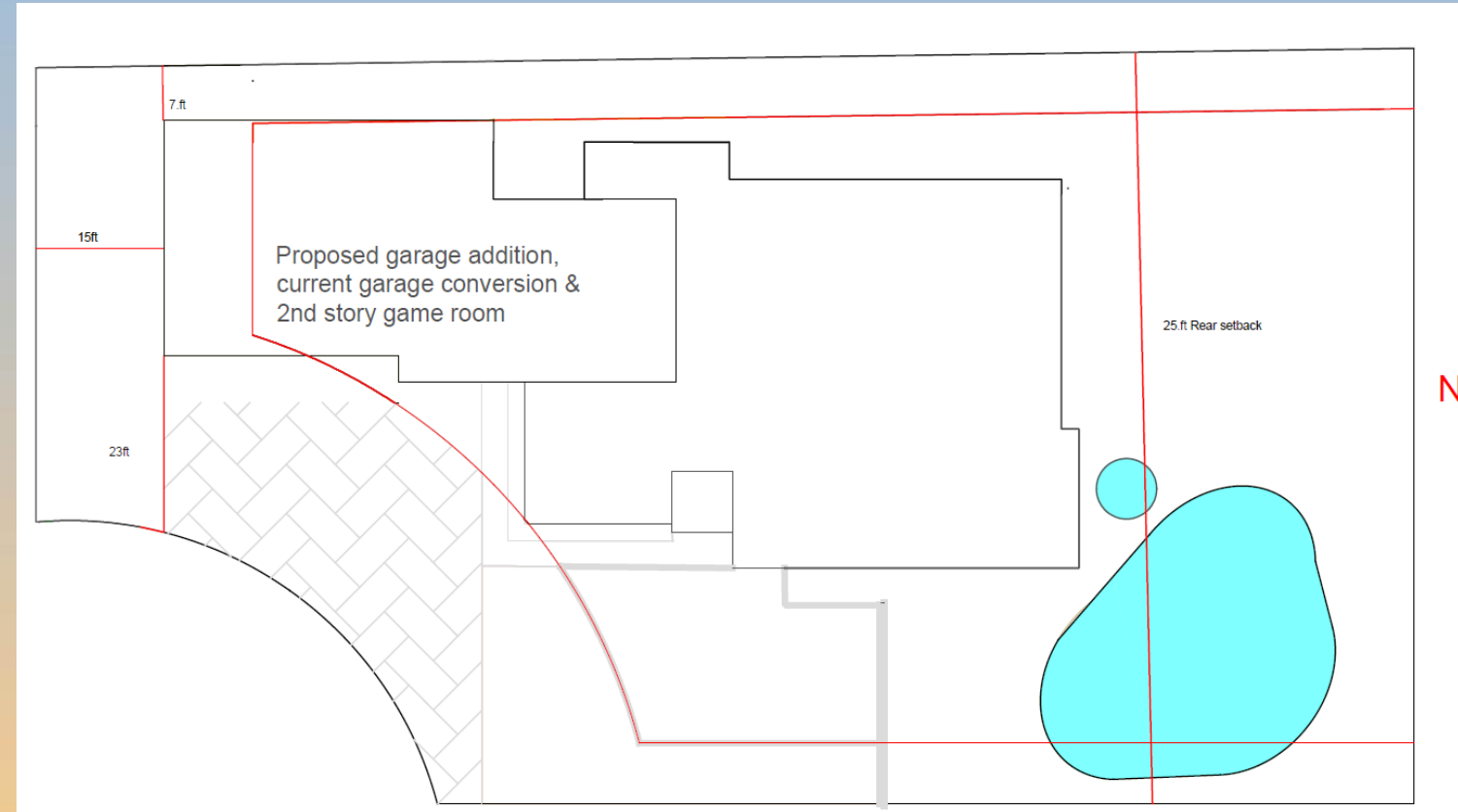


BOA22-00919



Request

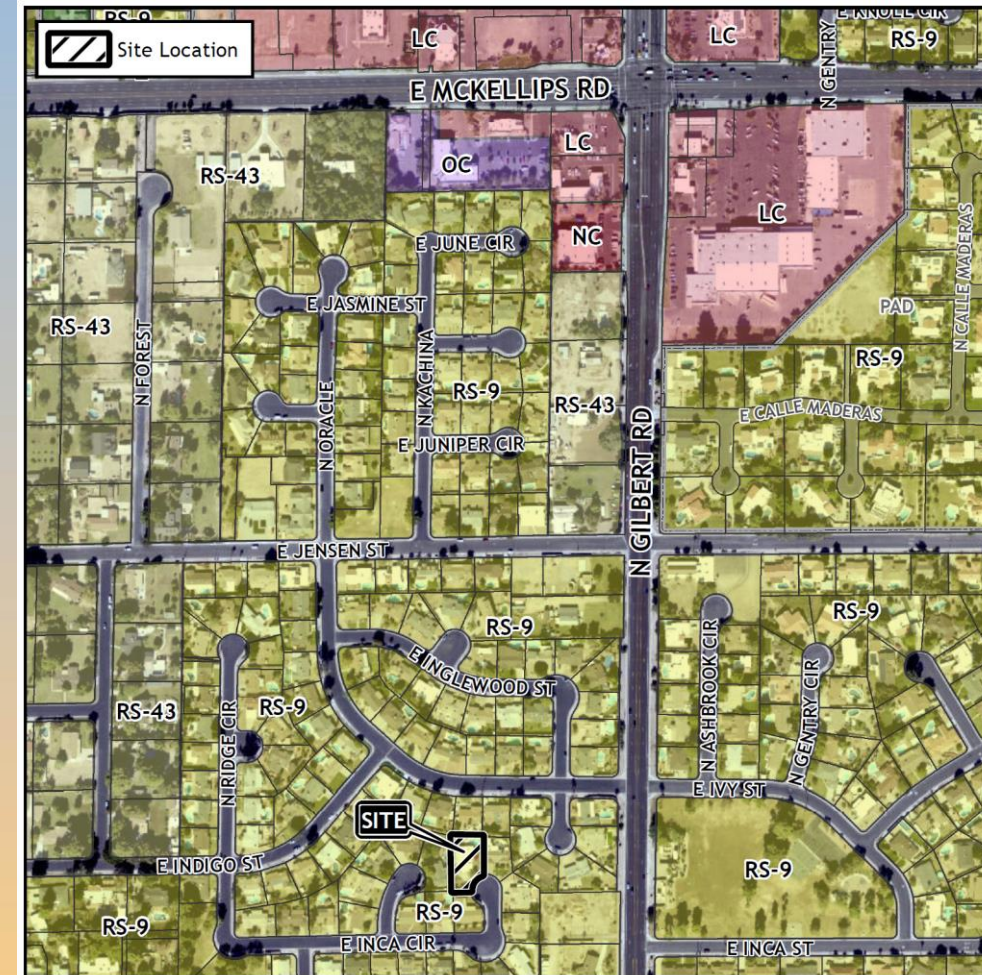
- Variance to allow a new attached garage within the required front and rear setbacks within the RS-9 District





Location

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

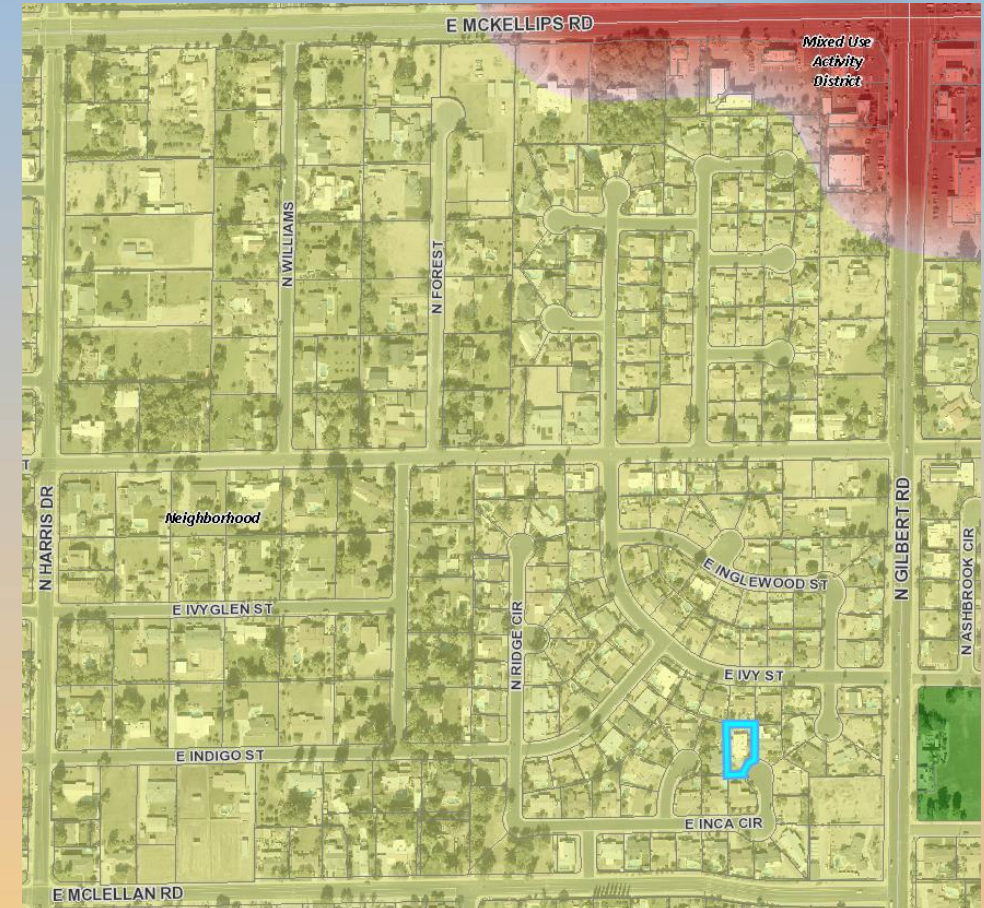




General Plan

Neighborhood

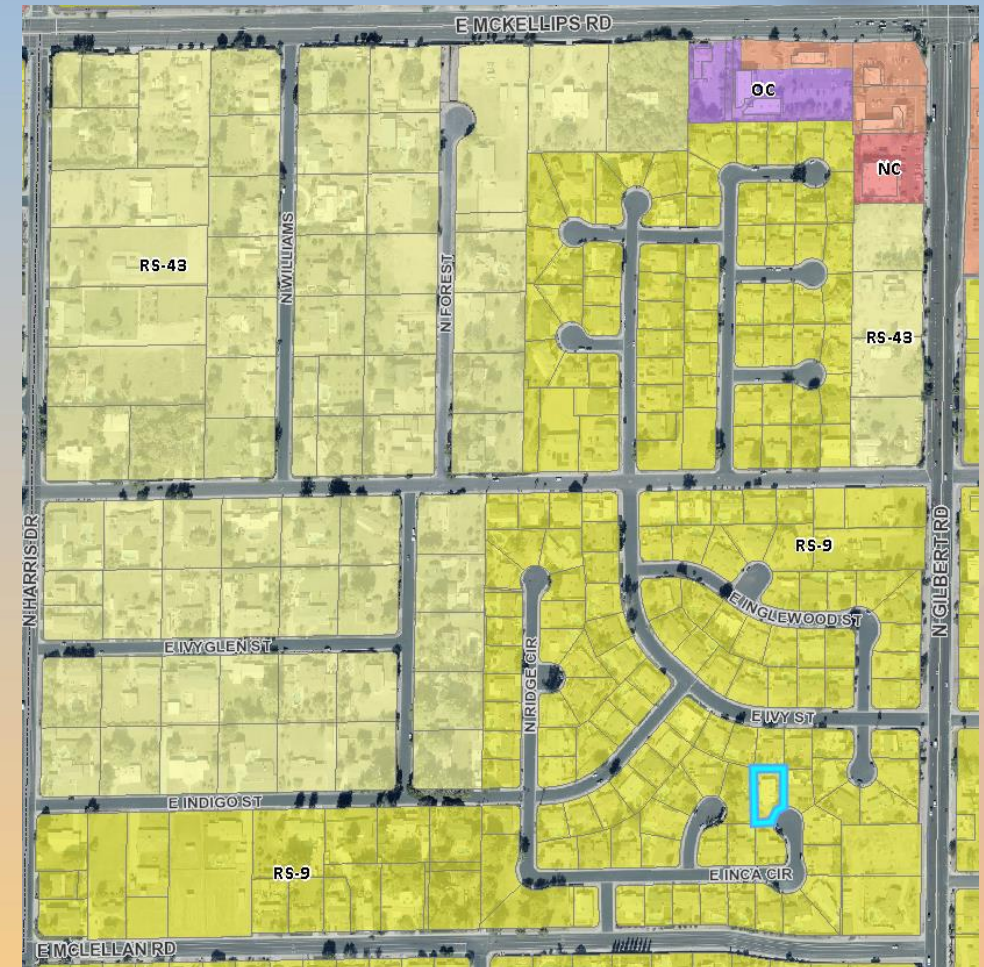
- Safe places for people to live
- Wide range of housing options allowed
- Existing use complies with the goals of this character area





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.



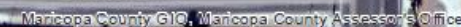
Findings

- ✓ 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





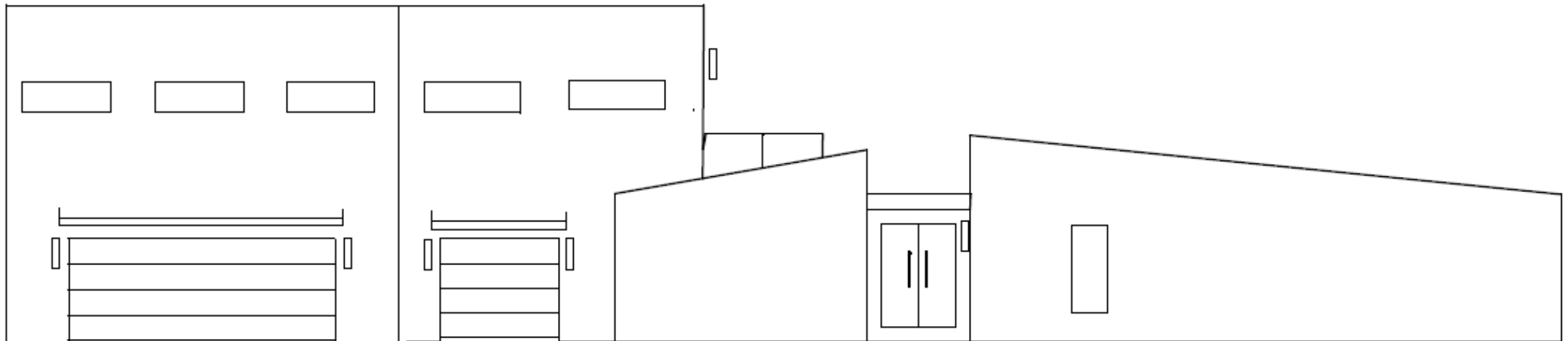


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Elevations

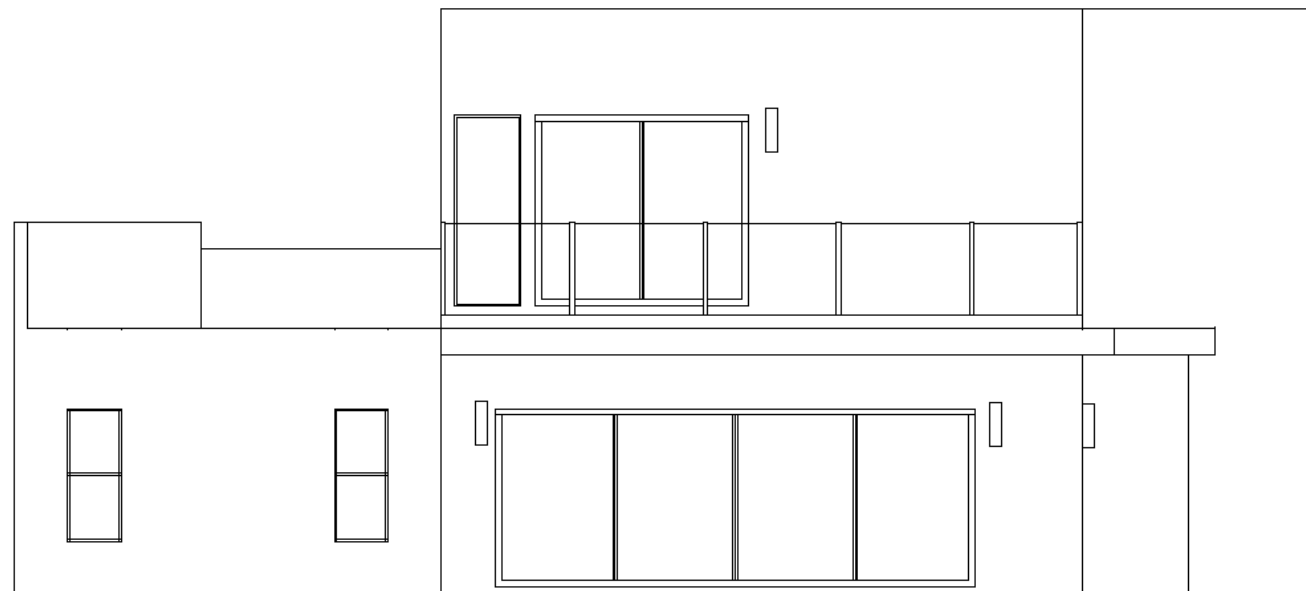
East Elevation





Elevations

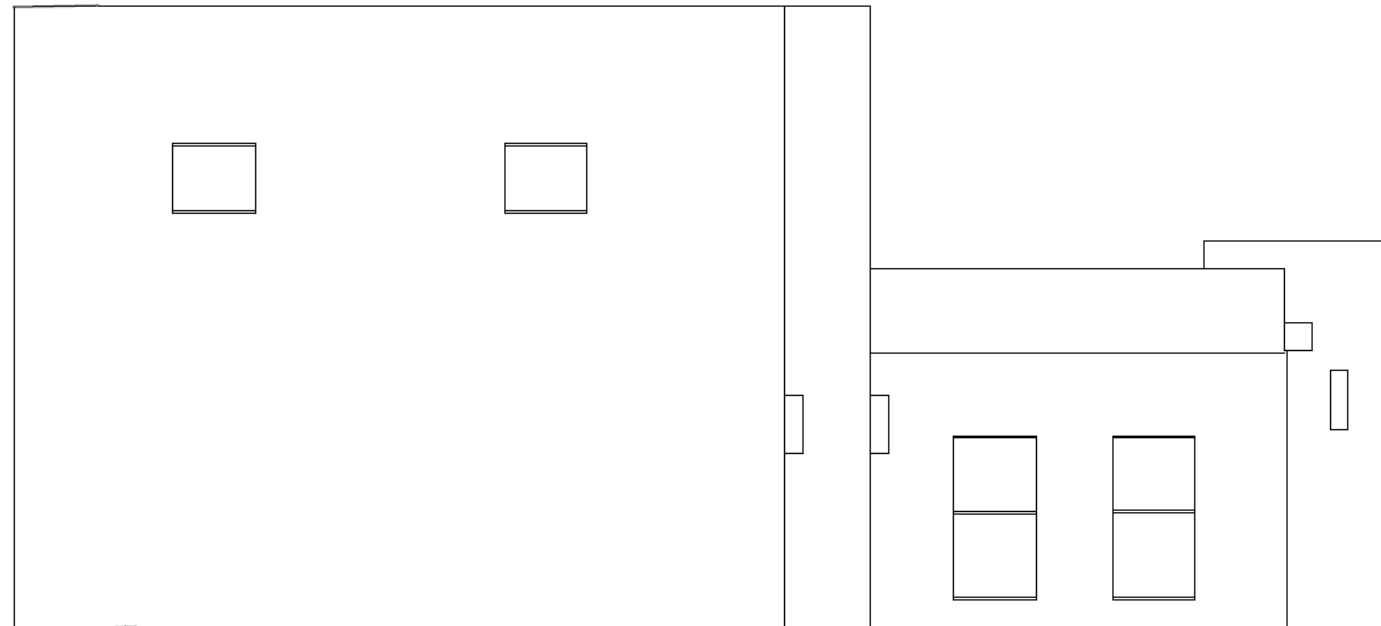
North Elevation





Elevations

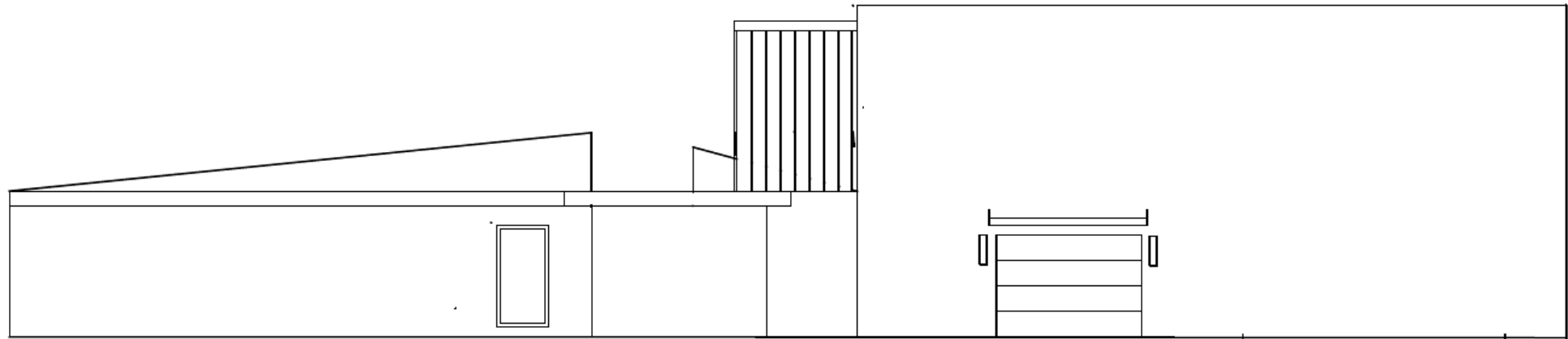
South
Elevation





Elevations

West elevation





BOA22-01226



Request

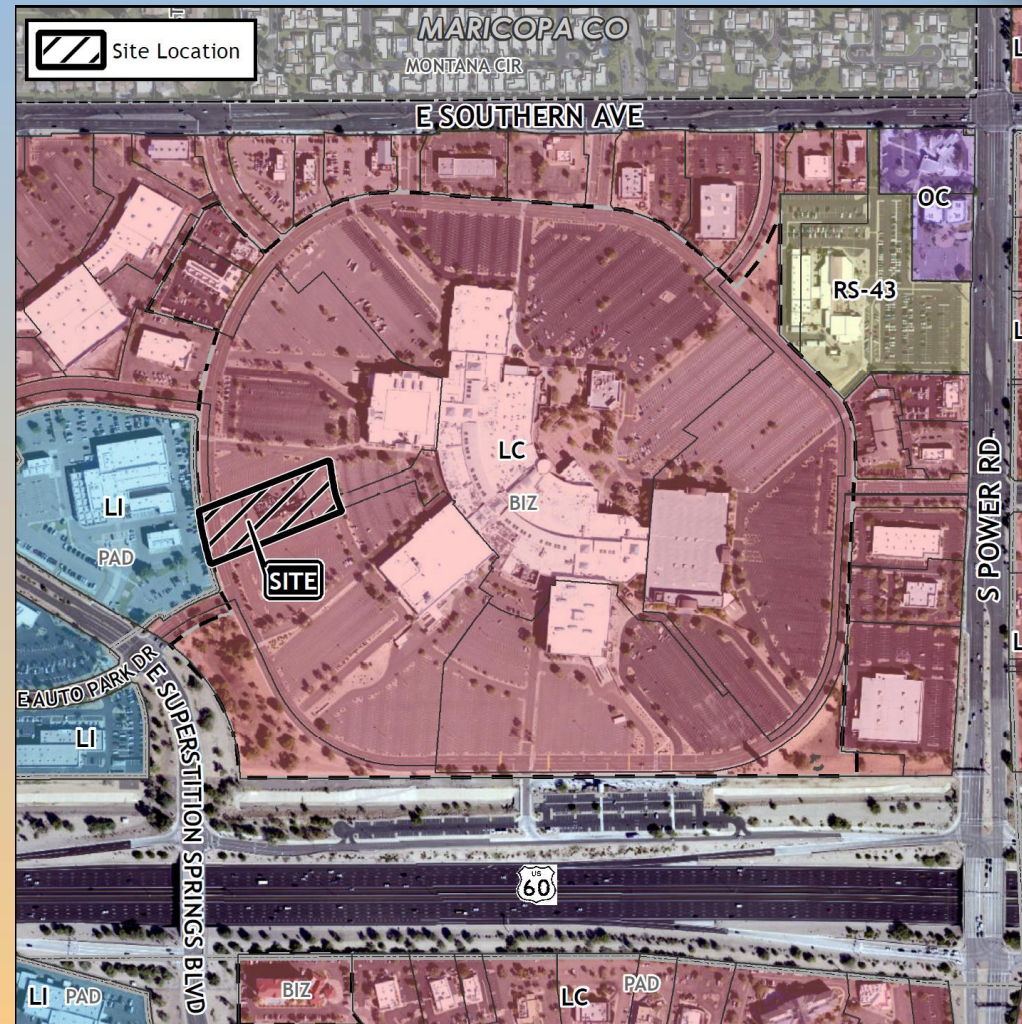
- Special Use Permit (SUP) to exceed the maximum number of days allowed for a special event in the Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ) District.





Location

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

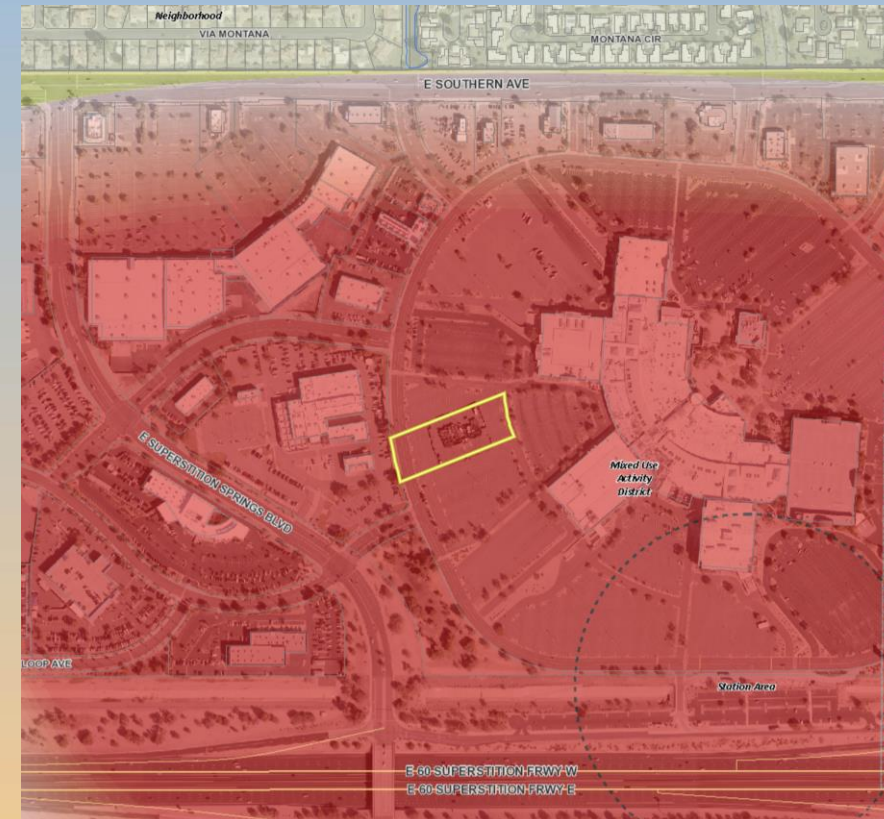




General Plan

Mixed Use Activity

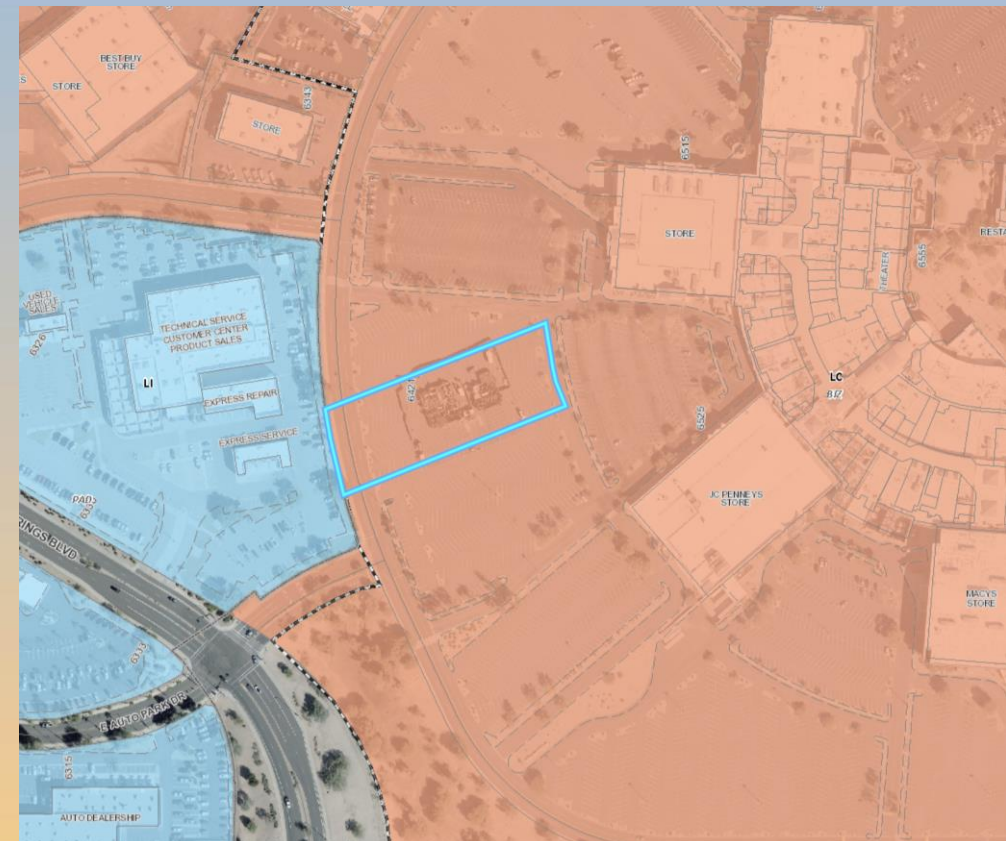
- Designated for largescale community and regional activity areas, which include a mix of retail, entertainment and office uses
- Existing use complies with the goals of this character area





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