

Mesa Council Chambers Lower Level – 57 E 1st St

Date: May 1, 2024 Time: 5:30 p.m.

MEMBERS PRESENT:

Chair Alexis Wagner
Boardmember Chris Jones
Boardmember Heath Reed
Boardmember Ethel Hoffman*
Boardmember Troy Glover

MEMBERS ABSENT:

Vice Chair Shelly Allen
Boardmember Nicole Lynam

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

STAFF PRESENT:

Kelly Whittemore
Evan Balmer
Jennifer Merrill
Joshua Grandlienard
Sergio Solis
Tulili Tuiteleleapaga-Howard
Vanessa Felix

OTHERS PRESENT:

1 Call meeting to order.

Chair Wagner excused Vice Chair Allen and Boardmember Lynam and declared a quorum present, and the Public Hearing was called to order at 5:34 pm.

2 Take action on all Consent Agenda items.

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

Items on the Consent Agenda

3 Approval of the following minutes from previous meeting:

***3-a Minutes from April 3, 2024 Study Session and Public Hearing.**

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Jones - Reed – Hoffman - Glover

NAYS – None

ABSENT – Allen – Lynam

ABSTAINED – None

4 Take action on the following cases:

***4-a Case No.: BOA23-01028 (Approval with Conditions)**

Location: 1002 East Main Street

Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards for a restaurant building in the LC District.

Decision: Approval with conditions

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

A motion to approve case BOA23-01028 was made by Boardmember Glover as read by Boardmember Jones seconded by Boardmember Reed.

Conditions of Approval:

1. Compliance with the final site plan and landscape plan as submitted.
2. Compliance with all requirements of Design Review Case No. DRB23-00508.
3. Compliance with all City Development Codes and regulations, except as identified in Table 1 of this report.
4. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Consent Agenda Approved

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Jones - Reed – Hoffman - Glover

NAYS – None

ABSENT – Allen – Lynam

ABSTAINED – None

***4-c Case No.: BOA24-00124 (Continued to June 5, 2024)**

Decision: Continued to June 5, 2024

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

A motion to continue case BOA24-00124 was made by Boardmember Glover as read by Boardmember Jones seconded by Boardmember Reed.

Consent Agenda Approved

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Jones - Reed – Hoffman - Glover

NAYS – None

ABSENT – Allen – Lynam

ABSTAINED – None

***4-d Case No.: BOA24-00219 (Approval with Conditions)**

Location: 4055 East Leonora Circle. Located west of Greenfield Road and north of McKellips Road.

Subject: Requesting a Variance to allow the aggregate area of all detached buildings to be greater than 50 percent of the primary residence in the Single Residence 35 with a Planned Area development overlay (RS-35-PAD) District.

Decision: Approval with conditions

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

A motion to approve case BOA24-00219 was made by Boardmember Glover as read by Boardmember Jones seconded by Boardmember Reed.

Conditions of Approval:

1. Compliance with the final site plan submitted.
2. Compliance with Section 11-31-3 of the Mesa Zoning Ordinance regarding Accessory Dwelling Units.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.
4. Compliance with all City Development Codes and regulations.

Consent Agenda Approved

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Jones - Reed – Hoffman - Glover

NAYS – None

ABSENT – Allen – Lynam

ABSTAINED – None

***4-e Case No.: BOA24-00239 (Approval with Conditions)**

Location: 5559 South Sossaman Road, Hanger 107. Located south of Ray Road on the east side of Sossaman Road.

Subject: Requesting a Special Use Permit (SUP) for a parking reduction for a manufacturing use in the Light Industrial with a Planned Area Development Overlay (LI-PAD) District.

Decision: Approval with conditions

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

A motion to approve case BOA24-00239 was made by Boardmember Glover as read by Boardmember Jones seconded by Boardmember Reed.

Conditions of Approval:

1. Compliance with all City Development Codes and regulations.

Consent Agenda Approved

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Jones - Reed – Hoffman - Glover

NAYS – None

ABSENT – Allen – Lynam

ABSTAINED – None

- *4-f Case No.: BOA24-00280 (Continued to June 5, 2024)**
Decision: Continued to June 5, 2024
Summary: This item was on the consent agenda and not discussed on an individual basis

A motion to continue case BOA24-00280 was made by Boardmember Glover as read by Boardmember Jones seconded by Boardmember Reed.

Consent Agenda Approved

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Jones - Reed – Hoffman - Glover

NAYS – None

ABSENT – Allen – Lynam

ABSTAINED – None

Items not on the Consent Agenda

5 Act on the following case:

- *4-b Case No.: BOA24-00031 (Approval with Conditions)**
Location: 224 South Mesa Drive
Subject: Requesting a Variance to exceed the maximum fence height in the required front yard setback in the Downtown Business 1 (DB-1) District.
Decision: Approval with conditions
Summary: This item was on the consent agenda and not discussed on an individual basis

Staff member Sergio Solis presented case BOA24-00031 to the Board.

See attached presentation.

Boardmember Reed inquired when the fences to the North and South were installed by the City of Mesa.

Staff member Balmer answered the property was a part of a capital improvement project. The project was done in 2 phases, from the 60 freeway to North of Main. The city started building around the year 2012. That was about 10 to 12 years ago.

Pete Lopez, 230 South Mesa Drive – expressed their opposition to this project.

Boardmember Jones asked for confirmation regarding the fence being transparent.

Staff member Solis stated the transportation department recommended a view fence due to traffic concerns.

Boardmember Jones asked if parking was in front of the building or on the side of the building.

Staff member Balmer answered there is no designated parking from Mesa Drive. The property is a double frontage lot, with access off Pomeroy. Any parking from Mesa Drive would be in the right of way, which is not permitted.

Boardmember Reed inquired if landscaping off Mesa Drive could be added to the request to discourage parking.

Staff member Balmer answered the request presented is for a variance fence height. Landscaping is a separate consideration. Staff member Balmer also added, the area in question is city property.

A motion to approve case BOA24-00031 was made by Boardmember Jones and seconded by Boardmember Glover.

Conditions of Approval:

1. Compliance with the final site plan as submitted.
2. Compliance with all City Development Codes and regulations.
3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Consent Agenda Approved

Vote: 5-0

Upon tabulation of vote, it showed:

AYES –Wagner – Jones - Reed – Hoffman - Glover

NAYS – None

ABSENT – Allen – Lynam

ABSTAINED – None

6 Adjournment.

Boardmember Reed moved to adjourn the Public Hearing and was seconded by Boardmember Jones. Without objection, the Public Hearing was adjourned at 5:59 p.m.

Respectfully submitted,

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



BOA24-00031

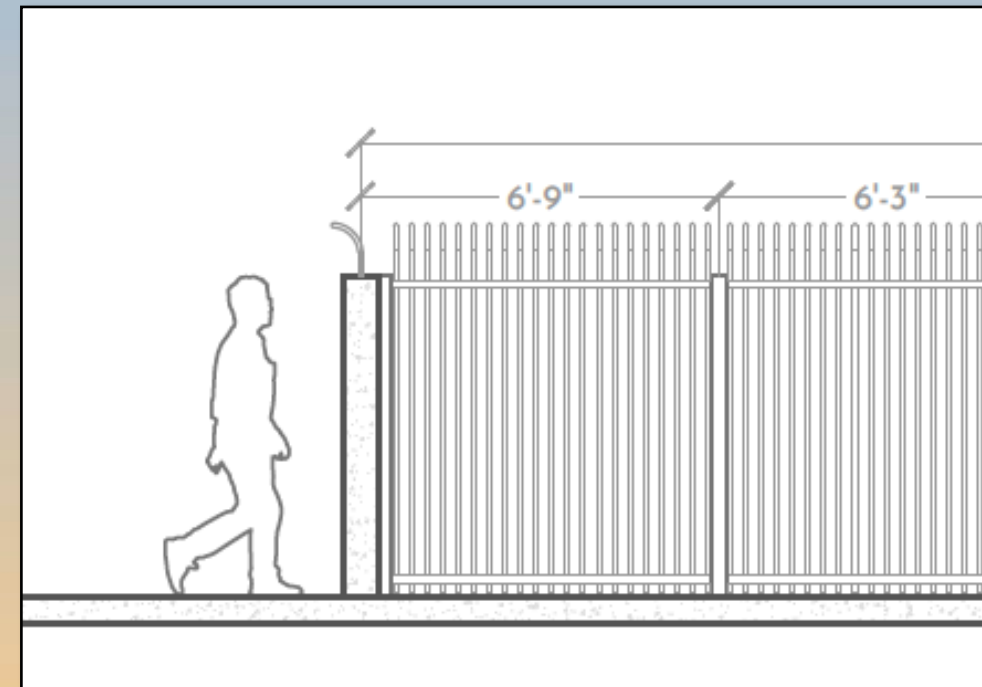
Sergio Solis, Planner I

May 1, 2024



Request

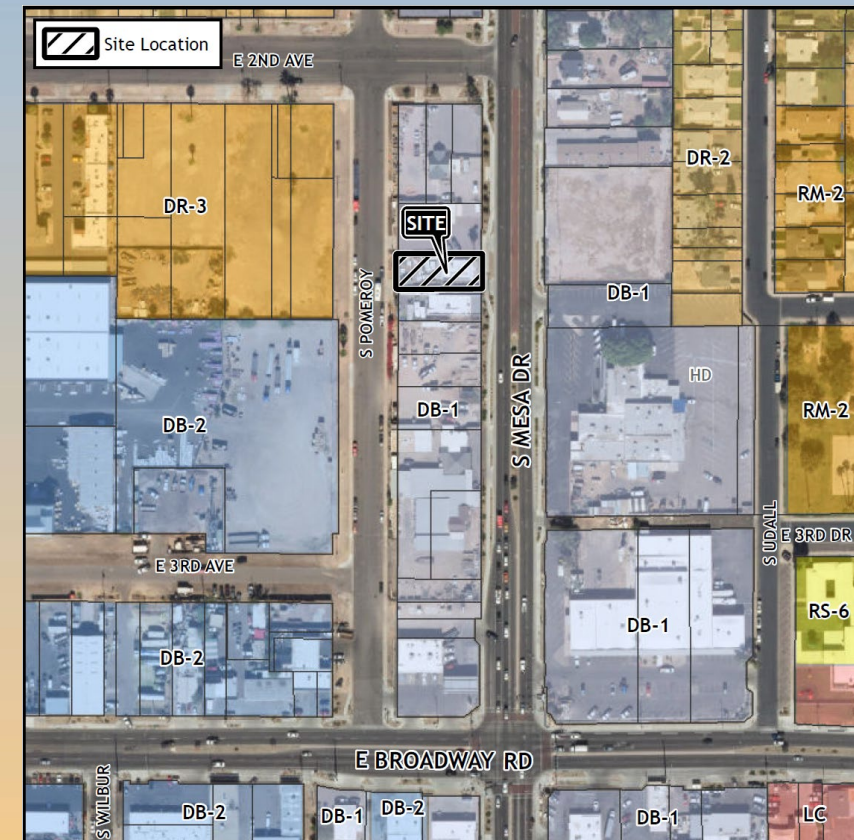
- Variance to exceed the maximum fence height in the required front yard setback in the Downtown Business 1 (DB-1) District.





Location

- 224 South Mesa Drive
- Located north of Broadway Rd.
- Located west of Mesa Dr.





General Plan

Downtown/Transit Corridor

- Pedestrian oriented development





Zoning

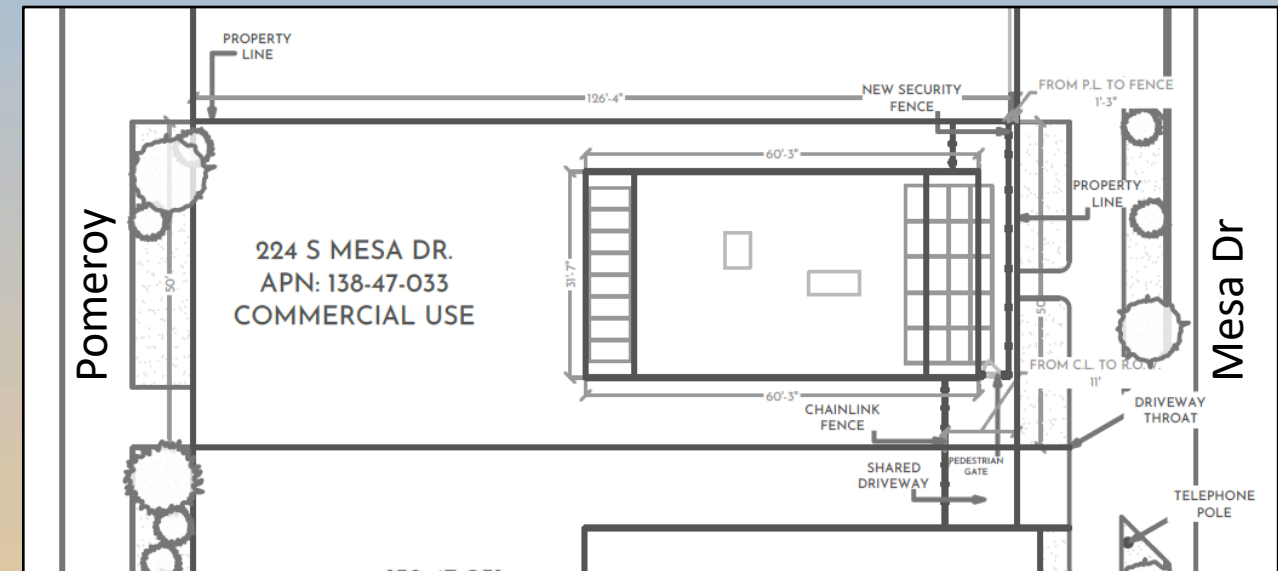
- Downtown Business 1 (DB-1) District





Site Plan

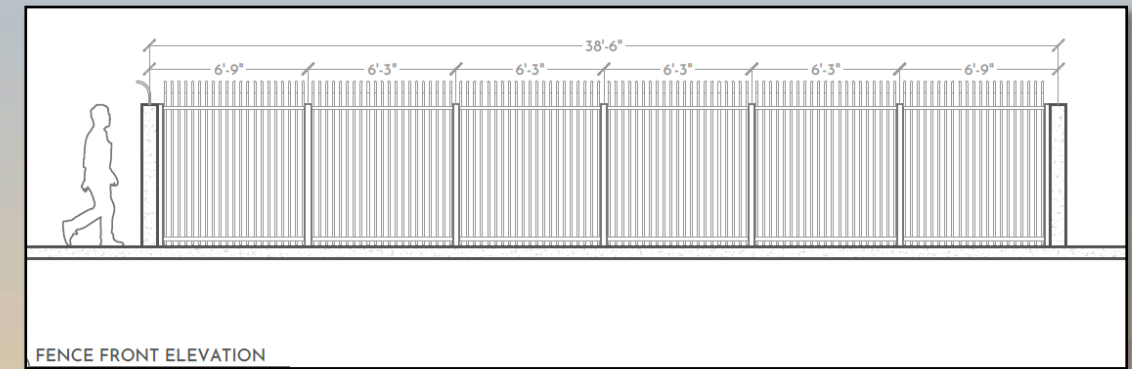
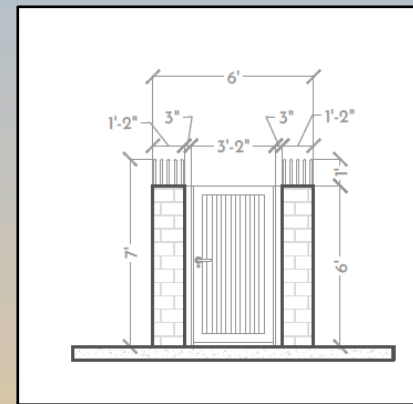
- Section 11-30-4 of MZO:
Maximum height of 3.5' within front setback of DB-1 zone
- Existing 6' block wall along Pomeroy
- Proposing new 7' high fence 1'-3" from the east property line





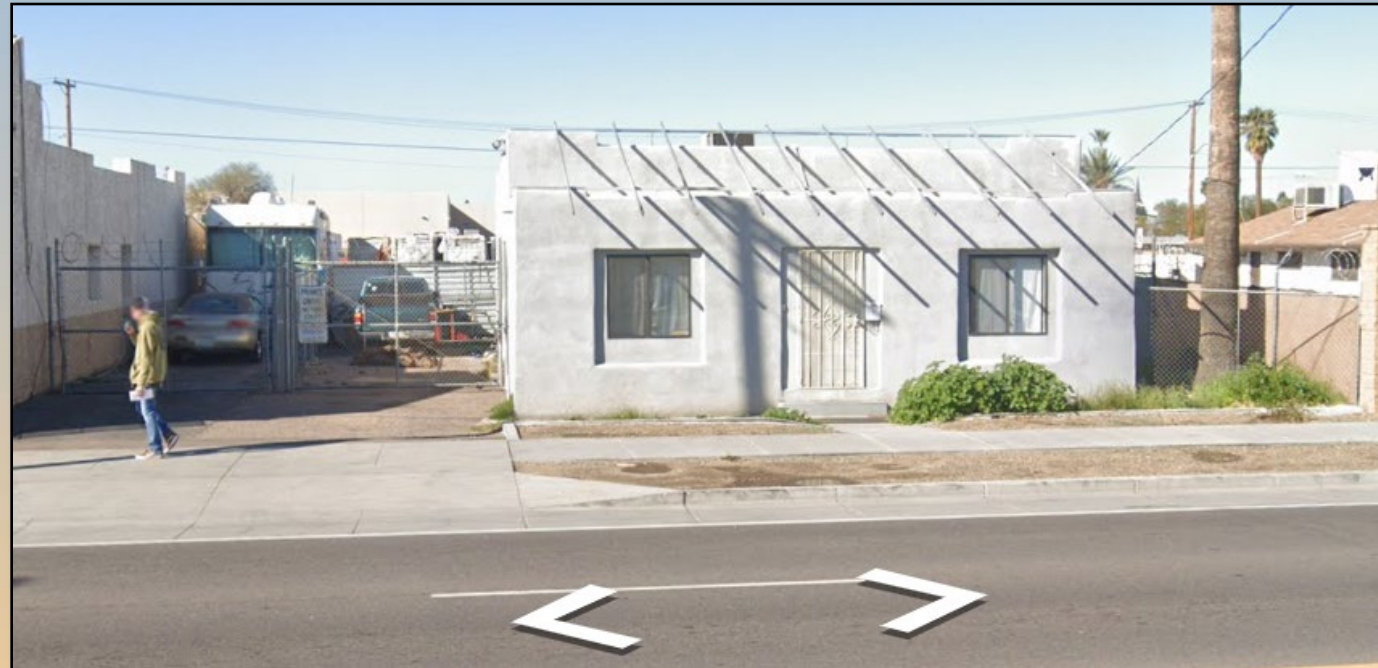
Fence Detail

- Proposing new 7' high fence
- 6' to top of CMU pilaster
- Internalized pedestrian gate





Site Photo

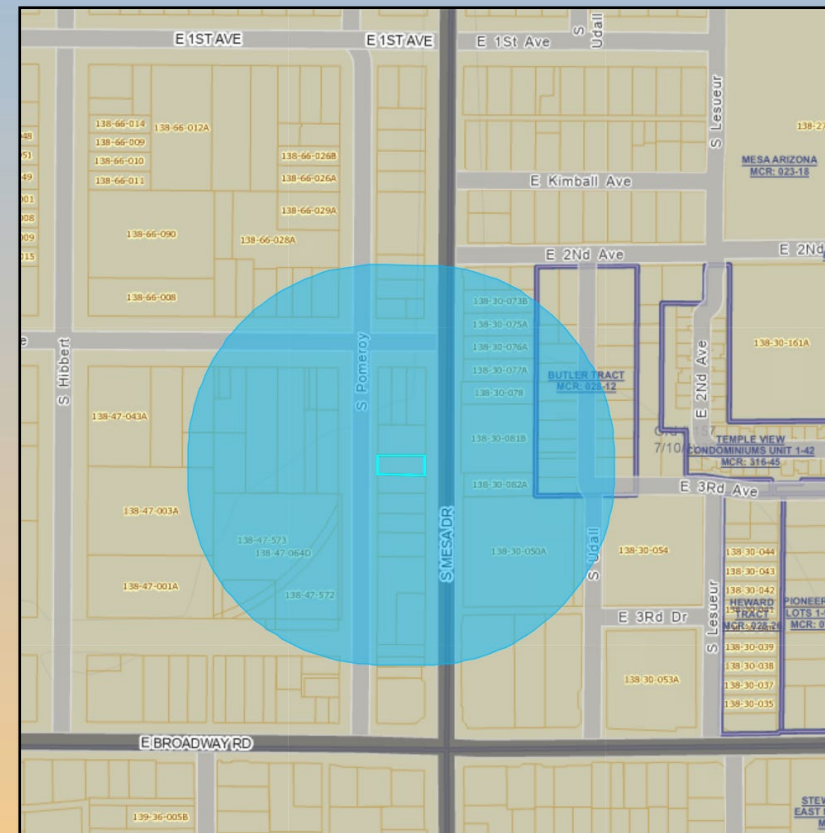


East elevation as seen from Mesa Drive



Citizen Participation

- Notified property owners within 500', HOAs and registered neighborhoods
- Staff and applicant have received no comments or concerns





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
- ✓ Criteria for a Variance in Section 11-80-3 of the MZO

Staff recommend Approval with Conditions