

Virtual Platform

Date: April 7, 2021 Time: 5:00 p.m.

MEMBERS PRESENT:

- *Chair Adam Gunderson
- *Vice Chair Ken Rembold
- *Boardmember Chris Jones
- *Boardmember Steve Curran
- *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
- Margaret Robertson
- Charlotte Bridges
- Kellie Rorex
- Jennifer Gniffke
- Chloe Durfee-Sherman
- Alexis Jacobs

OTHERS PRESENT:

None

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 Update

Rachel Prelog introduced the new Boardmember, Heath Reed and invited him to introduce himself to the Board.

Rachel Prelog introduced the new staff member, Alexis Jacobs and invited her to introduce herself to the Board.

Ms. Prelog told the Board that City Council has started to return to in person meetings and that the City would like to invite the Board back for in person meetings starting next month. She asked the Board whether they were comfortable with the idea and extended that they could also still conduct hearing via zoom in a hybrid form. Several Boardmembers responded that they would like the opportunity to return to in person meetings but that through the summer it would be nice to keep a hybrid model to accommodate traveling.

3 Review and discuss items listed on the Public Hearing agenda for April 7, 2021.

3-a Staffmember Charlotte Bridges presented case BOA20-00626 to the Board.

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This is case BOA20-00626. It is located at 1526 East Main Street, which is the northwest corner of East Main Street and North Hunt Drive.

The General Plan Character Area designation for the site is Neighborhood. It is also within the Transit Corridor and Central Main Street Area Plan. The Neighborhood Character Area is primarily single residence uses but may contain commercial uses on arterial frontages. The focus of the Transit Corridor and Central Main Street Area Plan is to promote a mixed-use, pedestrian friendly, urban environment within walking distance of light rail stations. The proposed request complies with the goals of these plans by placing the building adjacent to Main Street, providing sidewalks to connect the site to the light rail stations and providing hardscape and landscape improvements along Main Street.

The existing zoning district is General Commercial, a full-service restaurant is a permitted use in the General Commercial (GC) district.

The applicant is requesting a Substantial Conformance Improvement Permit (SCIP) to allow for deviations from certain development standards to rebuild a restaurant destroyed by fire within the GC District. The applicant is proposing to reconstruct a 5,630 square foot restaurant building within the footprint of the previous building that was destroyed by a fire. The previous building and existing site improvements were constructed in the late 1960's/early 1970's, with minimal rear and side setbacks, and minimal perimeter, parking lot and foundation base landscaping. The fire-destroyed building and site improvements did not conform to the current Mesa Zoning Ordinance (MZO) development standards; therefore, the subject site is considered non-conforming.

Due to the existing site improvements, achieving full conformance with the MZO would require significant alterations to the site, including the building foundation, parking area, and on-site circulation. Section 11-73 of the MZO establishes the Substantial Conformance Improvement Permit (SCIP) process and review criteria which allows the site to be brought into substantial conformance without having to bring the entire site into full conformance. The requested SCIP modifications include a reduced building setback and landscape area at the west property line and reduced landscape areas along the north property line, within the parking area and building foundation base. To bring the site into substantial conformance with current MZO developments standards, new perimeter, parking lot and foundation base landscape improvements are proposed throughout the site.

Based on the application received and preceding analysis, staff finds the request for a Substantial Conformance Improvement Permit complies with the 2040 General Plan and meets the criteria outlined in Chapter 73 of the MZO; and therefore recommends approval with conditions.

3-b Staffmember Kellie Rorex presented case BOA20-00779 to the Board.

This is case BOA20-00779. The subject site is located on the south side of University Drive, just west of Stapley, and consists of nine (9) separate parcels Zoned RM-2 and RM-4.

The General Plan Character area designation is Neighborhood, and the goal of this character area is to provide a safe place for people to live. Typical uses in the Neighborhood Character Area includes

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a mix of housing types, including multiple residences. The site is also located within the Central Main Street Plan area. Specifically, within the Evolution Corridor which focuses on decreasing existing auto oriented developments and encouraging developments that enhance the streetscape and are more pedestrian oriented.

The applicant is requesting a Development Incentive Permit (DIP) to allow for deviations from certain development standards to develop nine (9) underutilized parcels into a 53-unit multiple residence project, with an associated club house, parking, and landscaping. The DIP request is the first of four steps the applicant will take to develop the site. The site will be going to the Planning and Zoning Board for Site Plan Review, the Design Review Board for review of proposed architecture and landscaping design, and lastly a Lot Combination to combine the nine (9) separate parcels into one (1) lot.

The purpose of a DIP is to provide incentive for the development of smaller tracts of land that would have difficulty meeting current development standards. Through the DIP, the applicant is requesting a reduction to the required building and landscape setback along University Drive, a reduction to the foundation base area required between buildings and parking areas, a reduction to the throat depth between parking areas and entry drives into the site, a reduction to the landscape setback along the southern property line, a reduction to the required separation distance between buildings and parking canopies, and a reduction to required building separation.

Prior to submitting for the DIP, the applicant had a neighborhood meeting with the surrounding neighbors in September of 2020. Neighbors had concerns regarding overflow parking, the building height, and the building design. As a result, the applicant modified their plans to reduce the building height and modified the building elevations to be less modern and more sympathetic with the post-war architecture of the neighborhood. The deviations requested allow the applicant provide all the required on-site parking. Staff is supportive of all the deviations as, the density requested is permitted in the RM-2 and RM-4 districts and the deviations will help develop underutilized parcels. Additionally, the reductions are to allow more room for onsite parking and open space requirements as well as helping to create a more pedestrian oriented development to comply with the Central Main Street Area Plan.

The future right-of-way (ROW) width required along University Drive is 65 feet. A small portion of the site along University was already dedicated to the City as 65-foot ROW. The applicant requested to purchase back 30 feet of that ROW. The City's Transportation and Real-Estate Department have agreed to vacate the 30 feet of ROW and have worked with the applicant to dedicate 10 feet of the abandoned ROW as a PUFÉ along University Drive. The formalization of this vacation is in process. I would like to enter a correction to the staff report into the record. In the staff report it stated that the applicant was going to be purchasing 20 feet of ROW. Please note that this is actually 30 feet.

Based on the application received and preceding analysis, Staff finds the request for a Development Incentive Permit meets the required findings in Section 11-72-1 and Section 11-72-3, and therefore recommends approval conditions.

Boardmember Jones asked to clarification whether the building height had been reduced.

Ms. Rorex confirmed that, yes, as a result of the neighborhood meeting, the building elevations had been changed to be more compatible with the surrounding post-war era neighborhood and that the building height was reduced and the DIP requested so that the development fully complied with all the parking requirements.

Boardmember Jones stated his appreciation for the applicants working with the neighbors and stated that this is how it should be done.

3-c Staffmember Charlotte Bridges presented case BOA21-00114 to the Board.

This is case BOA21-00114. The subject property is in the Fountain of the Sun Planned Area Development, which is bounded by East Broadway along the north, South Hawes Road on the east, East Southern Avenue on the south and South Sossaman Road on the west.

The Mesa 2040 General Plan Character Area designation for the property is Neighborhood with a Manufactured Home Sub type. Per Chapter 7 of the General Plan, the focus of the Neighborhood Character Area is to provide a variety of housing types and safe places for people to live where they can feel secure and enjoy their surrounding community. The existing single-residence conforms with the General Plan's Neighborhood Character Area and Manufactured Home Sub-type designation for the property.

The subject property is zoned Single Residence (RS-6) Planned Area Development (PAD) Age - Specific Overlay (AS) Airfield Overlay (AF). A single-residence is permitted in the RS-6-PAD-AS-AF District. The site plan submitted with this request shows that the setbacks to the existing home meet RS-6-PAD-AS-AF District requirements.

The Fountain of the Sun community was annexed into the City of Mesa in 1985, and the development standards for Fountain of the Sun community were adopted by the City through the approval of a Planned Area Development (PAD) Overlay District. Most of the homes in the subdivision were constructed in the late 1970's and early 1980's and many of the single residences within Fountain of the Sun were constructed with a double-car carport that if enclosed into a garage would not meet current Mesa Zoning Ordinance development standards.

This request is to allow a modification to the PAD to construct an addition to the existing carport within the required front yard setback of the RS-6-PAD-AS-AF District. The required front yard setback in the RS-6-PAD-AS-AF District is 20 ft. The proposed 18-foot, six inches wide by five-foot long (18'6" X 5') addition to the existing carport is 16-feet from the front property line.

Section 11-22-5(E) of the MZO, stipulates minor alterations, or modification of an existing building 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.

The purpose and intent of a PAD Overlay District is to allow for innovative design and flexibility in the application of MZO development standards to provide creative, high-quality development. The Fountain of the Sun master planned community includes a variety of housing types designed around a golf course and other amenities to create a unique and sustainable, development catering to a retirement-oriented, age specific community. Allowing an 18-foot, six inches wide by five-foot long (18'6" X 5') addition to the existing carport to facilitate the enclosure of the carport into a garage long enough to accommodate the homeowner's vehicles improves the security of the residence, adds value to the property and contributes to the sustainability of the Fountain of the Sun PAD.

Based on the application received and preceding analysis, staff finds that the request to modify an existing Planned Area Development (PAD) meets modification criteria of 11-22-5(E) of the MZO, and therefore recommends approval with conditions.

3-d Staffmember Kellie Rorex presented case BOA21-00151 to the Board.

This is case BOA21-0151. The subject site is located within the Sun Valley Plaza shopping center, on the northwest corner of Main Street and Sossaman Road.

The Mesa 2040 General Plan Character Area designation on the property is Mixed-Use Activity District with a Community Scale Sub-type. The goals for these areas are to provide strong commercial centers that typically serve the population within a 4-mile radius. The existing building, located within a large commercial center adds to a mixture of uses, which conforms with the character area designation.

The zoning on the site is limited commercial and a funeral home is a permitted use in the LC district. An accessory crematory, however, requires the approval of a special use permit. The applicant is requesting a Special Use Permit (SUP) to allow for an accessory crematory use at an existing funeral home in the LC zoning district.

The site was previously occupied by a restaurant and was purchased in 2020 by Horizon Funeral Care. The site is currently undergoing tenant improvements for the funeral home. The existing building is 5,228 square feet and the accessory crematory will be a 380-square foot addition. The applicant will be adding a 5-foot landscape strip along the north and east side of the addition to comply with foundation base area requirements of the mesa zoning ordinance. additionally, no smoke or odor will come from the proposed accessory use.

There are no specific development standards for the crematorium, which is a permitted accessory use to a funeral home with the approval of a SUP. The request complies with the required findings for a special use permit, the use will help further the goals of the general plan, the use is consistent with the LC district, the crematorium will not be detrimental or injurious to the surrounding community and there is adequate and existing infrastructure to serve the project.

Based upon the application received and preceding analysis, Staff finds the request for a SUP for an accessory crematory at an existing funeral home in the LC zoning district meets the approval criteria of Section 11-70-5(E), and therefore recommends approval with conditions.

3-e Staffmember Jennifer Gniffke presented case BOA21-00158 to the Board.

This is case BOA21-00158. It is located at 3861 North Hawes Road, north of Thomas Road on the east side of Hawes Road. The General Plan Land Use Designation is Neighborhood, which is intended to provide safe places to live with a variety of housing types. The existing zoning district is Residential Single Dwelling 90, and single-residences with accessory buildings are permitted uses in the RS-90 district.

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The request is for a Variance to allow a detached accessory building in the area between the front of the principal dwelling and the front property line. The property has a significant slope. The front of the property is at least 70 feet lower than the back. The property owners wish to locate the detached accessory buildings as shown to preserve the natural grade of the property and avoid building in steep areas or in natural drainage areas.

Site photos show the view of the front of site, and the view looking west along the north property line.

The site plan shows the principal dwelling in gold, and the pool house in green and gazebo in blue. It is important to note that even though the request is for the detached accessory buildings to be located in front of the principal dwelling, they are not within the required front and side setbacks of the RS-90 district.

The Mesa Zoning Ordinance requires that detached accessory buildings not be located in the area between the front of the principal dwelling and the front property line.

Nearby examples of approved variances for similar requests are shown on this slide. The aerial photo on the left shows the property across the street and the aerial on the right shows a property located south of the subject site.

In summary, the request meets the required findings for a Variance and staff recommends approval with conditions.

3-f Staffmember Jennifer Gniffke presented case BOA21-00159 to the Board.

This is case BOA21-00159. It is located at 3845 North Hawes Road, north of Thomas Road on the east side of Hawes Road. The General Plan Land Use Designation is Neighborhood, which is intended to provide safe places to live with a variety of housing types. The existing zoning district is Residential Single Dwelling 90, and single-residences with accessory buildings are permitted uses in the RS-90 district.

The request is for a Variance to allow a detached accessory building in the area between the front of the principal dwelling and the front property line. The property has a significant slope. The front of the property is at least 70 feet lower than the back. The property owners wish to locate the detached accessory buildings as shown to preserve the natural grade of the property and avoid building in steep areas or in natural drainage areas. They owners also wish for parents to live in the pool house someday and it want to provide ease of access to this accessory dwelling unit.

Site photos show the view of the front of site, and the view looking west along the north property line.

The site plan shows the principal dwelling in gold, and the pool house in green and garage in blue. It is important to note that even though the request is for the detached accessory buildings to be located in front of the principal dwelling, they are not within the required front and side setbacks of the RS-90 district.

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4 Adjournment.

Boardmember Curran moved to adjourn the Study Session and was seconded by Vice Chair Rembold. Without objection, the Study Session was adjourned at 5:43 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rachel Prelog".

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