

**Virtual Platform**

**Date: May 5, 2021 Time: 5:30 p.m.**

**MEMBERS PRESENT:**

\*Chair Adam Gunderson  
\*Vice Chair Ken Rembold  
\*Boardmember Steve Curran  
\*Boardmember Alexis Wagner  
\*Boardmember Nicole Lynam  
\*Boardmember Heath Reed

**MEMBERS ABSENT:**

\*Boardmember Chris Jones

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

**STAFF PRESENT:**

Rachel Prelog  
Charlotte Bridges  
Evan Balmer  
Wahid Alam  
Jennifer Gniffke  
Chloe Durfee-Sherman  
Alexis Jacobs

**OTHERS PRESENT:**

None

**1 Call meeting to order.**

Chair Gunderson declared a quorum present and the Public Hearing was called to order at 5:30 p.m.

**2 Take action on Items Not on the Consent Agenda.**

**Items Not on the Consent Agenda**

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

**\*3-a Minutes from April 7, 2021 Study Session and Public Hearing.**

Vote: 6-0

Upon tabulation of vote, it showed:

AYES – Gunderson-Rembold-Curran-Wagner- Lynam-Reed

NAYS – None

ABSENT – Jones

ABSTAINED – None

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

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

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

**\*5-a Case No.: BOA20-00808 (Continue to the June 2, 2021 Public Hearing)**

Location: District 4. 1002 E. Main Street  
Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow deviations from certain development standards for a restaurant building in the Limited Commercial (LC) District.  
Decision: Continue to the June 2, 2021 Public Hearing  
Summary: This item was on the consent agenda and not discussed on an individual basis.

A motion to continue case BOA20-00808 to the June 2, 2021 Public Hearing was made by Boardmember Lynam as read by Vice Chair Rembold and seconded by Boardmember Wagner.

**\*5-b Case No.: BOA21-00117 (Approved with Conditions)**

Location: District 2. 6550 E. Broadway Road and 6553 E. Baywood Avenue  
Subject: Requesting a Special Use Permit (SUP) to update an existing Comprehensive Sign Plan (CSP) in the Multiple Residence-4 (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 BOA21-00117 was made by Boardmember Lynam as read by Vice Chair Rembold, with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Wagner to approve the following conditions:

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

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

- A. The Baywood Health Center Development is made up of two parcels, totaling over 6 acres in size, and is zoned RM-4.
- B. The medical campus contains a 36,127 square foot and 25,277 square foot office building that are situated between Broadway Road and Baywood Avenue.
- C. The subject site has over 370 liner feet of street frontage on Broadway Road and over 540 liner feet of street frontage on Baywood Avenue.

- D. The applicants are proposing to modify their existing Comprehensive Sign Plan to increase the maximum sign allowance for center identification signs to 70 sq. ft. and tenant signs to 55 sq. ft.
- E. The existing use of the site as a medical office development conforms with the Specialty Medical Campus character and to the goals of the Mesa 2040 General Plan.
- F. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

**\*5-c Case No.: BOA21-00245 (Approved with Conditions)**

Location: District 4. 732 E. Second Street  
Subject: Requesting a Variance from the minimum required lot width and area to allow the creation of two lots in the Single Residence-6 (RS-6) 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 BOA21-00245 was made by Boardmember Lynam as read by Vice Chair Rembold with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Wagner to approve the following conditions:

1. Compliance with all City Development Codes and regulations except as specified in this variance request.
2. Compliance with the lot line adjustment exhibit submitted with this request.

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

- A. The recorded subdivision was created in 1946 prior to annexation into the City and prior to development of a modern Zoning Ordinance. Most of the lots in the subdivision have been further divided into lots similar in size to the ones proposed with this application.
- B. The special circumstance is pre-existing and not created by the property owner.
- C. On May 19, 1998 the Zoning Administrator approved a variance to allow a 4,650 square foot lot located west of the subject site at 640 East Park Place. On March 13, 2001, the Board of Adjustment granted a similar variance to allow a 50-foot wide lot located west of the subject site at 669 E 2nd Street. Multiple other lots within the Easton Place subdivision have been split into lots similar in size and width to the proposed lots. 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.
- D. Based on previous approvals of similar variances within the neighborhood and within the RS-6 District, approval of this variance request to allow 50-foot-wide lots with 4,500 square feet of area does not grant special privileges inconsistent with the limitation upon other properties in the area or in the RS-6 District.

**\*5-d Case No.: BOA21-00248 (Approved with Conditions)**

Location: District 5. 840 N. 90th Place  
Subject: Requesting a Variance from the minimum required lot width to allow the creation of two lots in the Single Residence-43 (RS-43) 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 BOA21-00248 was made by Boardmember Lynam as read by Vice Chair Rembold with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Wagner to approve the following conditions:

1. Compliance with all City Development Codes and regulations except as specified in this variance request.
2. Compliance with the lot line adjustment exhibit submitted with this request.

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

- A. The subject site consists of a 1.0± parcel and a 5.6± acre parcel. The 5.6± parcel does not have frontage on a public street and is further encumbered by a 270-foot transmission line along the northern portion of the site.
- B. The special circumstances that resulted in a land locked parcel are pre-existing and not created by the property owner.
- C. Because the larger 5.6± acre parcel does not have frontage on a public street, the property is unbuildable. 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.
- D. Approval of this variance request to allow a reduction to the minimum lot width in the RS-43 district does not grant special privileges inconsistent with the limitation upon other properties in the area or in the RS-43 district.

**\*5-e Case No.: BOA21-00249 (Approved with Conditions)**

Location: District 4. 615 S. Williams  
Subject: Requesting a Special Use Permit (SUP) to allow the installation of carports within an existing nonconforming yard in the Multiple Residence-4 (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 BOA21-00249 was made by Boardmember Lynam as read by Vice Chair Rembold with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Wagner to approve the following conditions:

1. Compliance with the final site plan and project narrative as submitted.
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.

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

- A. The subject site located in RM-4 district which allows for multiple residences.
- B. The subject site was developed in the 1990s under previous development standards. Therefore, the site is considered legal nonconforming with building setbacks, landscape yards, and parking that do not meet current regulations.
- C. Alterations that extend into a nonconforming yard are allowed with the approval of a SUP.
- D. The proposed carports will not further reduce the nonconforming yards or increase the lot coverage.
- E. The maximum height of the carports will not exceed ten feet six inches.
- F. The installation of the proposed carports will not trigger any additional code requirements.
- G. The request conforms with the criteria for the granting of a SUP as outlined in Section 11-70-5(E) of the Mesa Zoning Ordinance.

**\*5-f Case No.: BOA21-00251 (Approved with Conditions)**

Location: District 5. 6663 E. McDowell Rd.  
Subject: Requesting a Special Use Permit (SUP) to exceed four special events on the same premises during the calendar year in the Limited Commercial (LC) 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 BOA21-00251 was made by Boardmember Lynam as read by Vice Chair Rembold with the acceptance of Findings of Fact and Conditions of Approval, and seconded by Boardmember Wagner to approve the following conditions:

1. Compliance with the submitted narrative and site plan.
2. Compliance with all requirements of the Development Services Department.
3. Prior to operations, the applicant must obtain a Special Event License for each event through the City of Mesa License Department.
4. The Special Use Permit shall automatically expire on May 31, 2024 and be of no further force and effect.
5. Events shall operate, per the applicant's Operation Plan, between the hours of 7:00 a.m. and 10:00 a.m.
6. The Special Use Permit allows a maximum of one special event per month up to 12 events per year in which the SUP is in effect.

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

- A. The SUP request would allow one special event per month, for a maximum of 12 special events per year, for Mesa Cars & Coffee at 6663 East McDowell Road.
- B. The special event will be held 7:00 a.m. to 10:00 a.m. on the third Saturday of each month.
- C. The proposed special event is consistent with the location, design and operating characteristics of LC District and conforms with Mesa 2040 General Plan.
- D. Staff research indicates no complaints were received for any of the Mesa Cars & Coffee events that have been held at the site since 2019. In addition, there have been no calls for police service during any of the Mesa Cars & Coffee events. Therefore, the proposed special event will not be injurious or detrimental to the surrounding properties.
- E. Based on the operational history, staff is recommending that the Special Use Permit be valid for three years and expire on May 31, 2024.
- F. City of Mesa utilities and public infrastructure are available to serve the special event.

**Consent Agenda Approved**

Vote: 6-0

Upon tabulation of vote, it showed:

AYES – Gunderson-Rembold-Curran-Wagner- Lynam-Reed

NAYS – None

ABSENT – Jones

ABSTAINED – None

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

**7 Adjournment.**

Boardmember Curran moved to adjourn the Public Hearing and was seconded by Vice Chair Rembold. Without objection, the Public Hearing was adjourned at 5:35 p.m.

Respectfully submitted,



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