

**Mesa Council Chambers Lower Level – 57 E 1<sup>st</sup> St**

**Date: June 1, 2022 Time: 4:30 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:**

Michelle Dahlke  
Cassidy Welch  
Kellie Rorex  
Lesley Davis  
Charlotte Bridges  
Jennifer Merrill  
Pam Williams

**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 June 1, 2022.**

**\*3-a Staff member Cassidy Welch presented case BOA21-00828 to the Board**

Good afternoon, Chair, members of the Board before you is BOA21-00828. This is a request for a Special Use Permit to allow for a Comprehensive Sign Plan for the Cannon Beach development. This is for a site located on the south side of Warner and on the east side of Power Road. The General Plan designation for this property is Mixed Use Activity District, which allows for large community and regional activity areas and unique shopping and entertainment experiences, as well as the Employment designation which allows for a wide range of employment in high-quality settings. The zoning of the site is currently General Commercial with a PAD overlay and Light Industrial with a PAD overlay. You can see an existing photo of the site, it is currently vacant. The proposed Comprehensive Sign Plan requests two modifications to the Sign Ordinance standards: one to allow detached signs within 39 feet of each other the current standard is within 75 feet of each other, and then to allow increase in detached sign height and areas. There will be no proposed changes to the

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attached sign criteria as outlined in the Mesa Zoning Ordinance and Sign Ordinance. Here you can see the proposed signs as included in that Comprehensive Sign Plan. Cannon Beach is a development for a surf park and associated restaurants and retail services. They have a very strong design theme. They have approved design guidelines and the proposed Comprehensive Sign Plan and the signage is consistent with that strong design theme. They are also proposing a pier that will connect the two restaurant buildings to each other. And so they've asked for some increases to the height and sign allowances to allow for that signed pier. In terms of the criteria for a Comprehensive Sign Plan the proposed development meets. There are unique and unusual physical conditions that would restrict normal sign visibility. There are unique characteristics of the land use, and the proposed signage incorporates special design features that are consistent with the building architecture and those approved design guidelines. The proposed Comprehensive Sign Plan also meets the criteria for a Special Use Permit. The proposed Comprehensive Sign Plan will advance the goals and objectives of the General Plan and the operating characteristics are consistent with the intent of the character area. That's the Mixed-Use Activity District and Employment. And the proposed development will not be injurious or detrimental to the surrounding development. In summary, we find that the proposed Comprehensive Sign Plan complies with the 2040 Mesa General Plan, as well as meets the criteria for a CSP and Special Use Permit. Staff is recommending approval with conditions and I'd be happy to answer any questions.

**\*3-b Staff member Jennifer Merrill presented case BOA21-01099 to the Board**

Thank you Chair and members of the Board. This is case BOA21-01099. It's a request for a Substantial Conformance Improvement Permit or a SCIP and is to allow deviations to development standards for conversion of offices into apartments. The location is at 733 East University Drive it is east of Mesa Drive, and it's west of Horne on the south side of University Drive. The General Plan Character Area is Neighborhood and the goal for that character area is for there to be safe places to live with a wide range of housing options. The existing zoning for the property is RM-4 and apartments are permitted in the RM-4 zoning district. Here's a photo of the site it's looking south at the existing buildings from University Drive. The site plan shows the two existing buildings on the west side of the property that are proposed to be connected. There is increased landscaping and a reduction to the overall lot coverage. So there's a reduction to the asphalt, there's quite a bit of asphalt on the property now. There is private and common open space provided. There's a large common open space area located northeast of the buildings, including a volleyball net, a barbecue and some seating areas. There are pedestrian connections that are throughout the site connecting each unit with the common open space area as well as with the parking area and the public right of way. There's covered parking one covered space for each unit, and there's bicycle parking. The SCIP requests some modifications to the standard code requirements. The standard code requirement for the RM-4 district is for a maximum of 70% lot coverage. That is for all impermeable surface. The current site is roughly 90% impermeable, and so they're bringing it down to 75%, which is still more than what the code allows. The required setback from the south property line is 20 feet. The existing buildings are only 16 feet from the south property line. So they're requesting to maintain that. They're also requesting a reduction to the required parking setback from the right of way along the north property line. The required setback is 50 feet and they're asking for 25. The landscape plan shows the new perimeter landscaping as well as new landscaping in the common open space areas and the parking lot. The request meets the approval criteria for Section 11-73-3 for SCIP's; significant alterations to the site would need to occur including demolition of buildings in order to bring the site into full compliance with code. Full compliance would discourage redevelopment of the site. No new non-conforming conditions are created with the remodel of the office building and their proposed request is compatible with and not detrimental to the adjacent properties or neighborhood. The request complies with the Mesa 2040 General Plan, and it meets

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the criteria outlined in chapter 73 for a SCIP, and staff recommendation is approval with conditions and I'm happy to answer your questions.

**\*3-c Case BOA21-01213 has been tabled.**

**\*3-d Staff member Kellie Rorex presented case BOA22-00236 to the Board.**

Good afternoon chair members of the board. This is case BOA22-00236. The subject site is located west of Greenfield Road and North McDowell Road within an existing Industrial Park. The request before you tonight is for a Substantial Conformance Improvement Permit to allow for an expansion at an existing industrial building. The General Plan Character Area is Employment, and the purpose of the area is to provide employment type land uses, typically with minimal connection to the surrounding area. The site's also within one mile of Falcon Field Airport, and it's within the Falcon Field Sub Area, and the goal of that sub area plan is to ensure that the area is an oasis for abundant high-quality employment uses. The existing building meets both the Character Area and the Falcon Field sub area goals. The zoning district is Light Industrial and indoor warehousing is permitted in the LI District. Here's a view of the existing building from the corner of Omaha and Palm Street and the addition will be where that screen wall is now. For the SCIP deviations, they're asking for a deviation to the landscape yard width for the North and South landscape yards. For interior parking lot landscape islands that do not meet the required size. And then the foundation base area which doesn't meet along the north and east side of the building as well as some of the standard parking space dimensions. With a Substantial Conformance Improvement Permit they will be providing an outdoor amenity area, increased foundation base, and a new parking lot screening wall and that will bring this site into further conformance. The request complies with section 11-73-3 which is the SCIP required findings, so no significant alterations to the site will be occurring, full compliance would discourage redevelopment of the site, no new non-conforming conditions will be created with the remodel of the building, and the proposed request is compatible with and not detrimental to adjacent properties or the surrounding area. With that, staff finds that the request complies with the 2040 Mesa General Plan, the Falcon Field Sub Area Plan and it meets the criteria outlined in chapter 73 of the Mesa Zoning Ordinance and Staff recommends approval with conditions.

**\*3-e Staff member Jennifer Merrill presented case BOA22-00273 to the Board.**

Thank you Chair members of the Board this is case BOA22-00273. The request is for a Substantial Conformance Improvement Permit or a SCIP and the purpose is to allow deviations to development standards for an outdoor seating area at the existing Salsitas restaurant. The location is 35 North Country Club Drive; it's north of Main Street on the east side of Country Club. The General Plan Character Area is Downtown with a Transit District Station Area overlay and the goals of this character area include creating a pedestrian oriented transit rich environment, buildings that are designed to engage the street, as well as options for housing, employment, shopping, entertainment, and events. The zoning designation is Downtown Core with a Downtown Events overlay. Restaurants are permitted in this zoning district. Outdoor seating is permitted through a Special Use Permit and a drive thru is a legal non-conforming use on this property. Here's a photo of the existing outdoor seating area. Here's the north elevation of the building and the south elevation. The site plan shows the new shade canopy and ground surface for the outdoor seating area. The current outdoor seating you can see the wheel stops that are in it currently. So they're proposing to

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resurface that with non-slip tiles. There's a new gate on the solid waste enclosure and there's a new pedestrian path leading directly from the outdoor eating area to the right of way. This slide shows the floor plan and the west elevation. They are proposing to remove the floodlights from the roof of the building and provide new outdoor furniture in more durable materials. The landscape plan shows that there's new landscape materials in the existing planters, including new trees at the southwest and the northwest corners of the property. Additional landscaping was discussed with the applicant, but there were concerns with visibility for traffic entering and exiting the property. The requested SCIP includes some modifications to the standard code requirements. The code in the Downtown Core zoning district requires a designated loading space to be provided. And there is not one on site. There is a requirement for 140-foot stacking distance for drive throughs in the code, and they're requesting a 65-foot stacking distance, which is what's existing there now. They're requesting a reduction to the number of required parking spaces; they're providing 19 and they are requesting a zero-foot parking setback from the right of way when 50 feet is typically required. The request meets the approval criteria for a SCIP. Significant alterations including building demolition would be required in order to bring the site into full compliance with the Zoning Ordinance. Full compliance would discourage redevelopment of the site. No new non-conforming conditions will be created. The proposal request is compatible with and not detrimental to adjacent properties or the neighborhood. In summary, the request complies with the Mesa 2040 General Plan, and it meets the criteria outlined in the Zoning Ordinance for the SCIP. And Staff recommends approval with conditions. Thank you.

**Chair Wagner:** Thank you so much. Are there any questions from the board?

**Boardmember Hoffman:** Can you tell us how many parking spots would be available less than the 19 without the 19 that they're asking.

**Staff member Jennifer Merrill:** Yes, thank you Chair, Boardmember Hoffman. The total required per code would be 31 spaces. The code requires one space per 100 square feet for indoor areas in the restaurant and one space per 200 square feet for outdoor area so that calculates out at 31 spaces. So they're asking for about a third reduction to that.

**Boardmember Hoffman:** What percentage of their business they expect to the drive thru as opposed to be on site. Thank you.

**Staff member Jennifer Merrill:** Thank you. Chair, Boardmember Hoffman the business is existing now and the number of parking spaces are existing right now. I'm not sure what percentage is expected to be drive through as it continues there, I know the architect is here but I'm not sure if he has additional information.

**Boardmember Hoffman:** So my concern is if we're expanding the outdoor seating and we're not adding any parking spaces how is the business providing for that?

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**Applicant Ali Gharai:** Well normally all the requirement for the parking comes from the square footage of build out and this old building majority of it is the kitchen of it and it's not usable. So, but towards the calculation of the parking they have used the entire under the structure which is like about 1800 square feet of you know they have a storages, they have kitchen, walk-in refrigerator freezer that these are not supposed to be really consuming any parking out there. So if we consider only the seating area. We should be sufficient with that. But if you want to consider the whole entire building including where they keep the trash and you know the storage and this no we're not.

**Boardmember Hoffman:** So does the business expect that there would be because of the location quite a bit of foot traffic then?

**Applicant Ali Gharai:** The whole thing triggered with COVID-19 that nobody wants to go to restaurant, if they want to go to restaurant, they want to go outside of it and they didn't have outside. That's why they put up this canopy over there, which I have recommended that they have to take it down. And to start over again. And we have to walk through the path getting proper approval, proper structure, all proper everything. And that's what we're doing right now we're trying to legitimize every effort that they did, because of you know, they immediately wanted it to open to the public in order to survive their business. So it's still the kitchen has stayed the same. The biggest thing of this huge building is the kitchen and all these storages they have about 1000 square feet up front, inside and we are adding about 1000 outside so as far as the inside goes, based on 100 Square feet per parking, we need 10 it for inside and it's 200 per outside the base on the outside we have we need to have about maybe five or six are total, we are required to have if you don't consider all those in area we should be even over what is required.

**Boardmember Hoffman:** Thank you very much that answers my question.

**Vice Chair Lynam:** Have there been that we know of any problems in the past with the drive thru length or the amount of parking? And because yeah, adding on the covered seating it sounds like they've already kind of been doing that with COVID. So has there been any issues with too much traffic coming to this site that we know of or not?

**Applicant Ali Gharai:** Not that I know of. You know, because this business to me is very, you know, down on that property and just trying to enhance it by putting some you know, landscaping, making something new revitalize it try to really bring some you know activity to it, if not no

**\*3-f Staff member Charlotte Bridges presented case BOA22-00295 to the Board.**

Chair, Boardmembers, this is case BOA22-00295. And this is a request for variances from the form base code to allow a mixed-use development. In this particular project we're talking about ground floor commercial with five stories of residential above, there are 18 dwelling units on each of the five floors for a total of 90 dwelling units in the project. This project is located on Main Street at 29 West Main Street not too far away from us. It's west of Center and on the south side of Main Street. The General Plan designation for this area is Downtown, which is focused on pedestrian-oriented development, a variety of housing, entertainment, commercial development, and then it is also a

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transit corridor and station area because of the location along the light rail, which is focused on pedestrian-oriented activities. It's also in the Central Main Street area. The goals and policies of the Central Main Street area reflect those of the general plan for the Downtown Character Area. So it's oriented toward mid to high rise development, pedestrian oriented mixed use. It is also located in the West Mesa Economic Activity Downtown Economic Area. So this project is opting in to the form base code. It's currently zoned Downtown Commercial with Downtown Events overlay but they're going to opt into the Transit Six Main Street Form Based Code and what that allows is higher intensity mixed use development. It allows for ground floor commercial and allows for upper floor residential and then the parking standards are definitely different from our Zoning Ordinance. There's low or no parking requirements, because it's promoting walkability. And this is a photo of the site looking south, just on the south side of Main Street of the existing building. The existing building will be demolished to make way for the proposed development. And then this is the rear of the building. And once again, all the structures that you see in this picture are going to be demolished. And this is kind of looking to the northeast, from the intersection of the Drew Street and the Main Street alley, just to show you another view of the property. So the site plan once again shows a six story mixed use development, ground floor commercial, at this time there is basement commercial, I'm not sure if that's still going to stay, they've come into some structural issues. So tentatively anticipate the basement commercial may not be part of the project. But the five floors above are definitely multiple residents once again, 18 dwelling units, a total of 90 dwelling units. And then there are 26 parking spaces provided, there's two parking spaces that they're allowed to have out front along Main Street. And then the rest of the parking spaces are under the podium or on the ground floor with some of those spaces located along the Drew Street alley, and then accessing the other parking spaces from Drew Street alley to the parking spaces underneath the first-floor podium.

So now we're going to get into the variance, there's lots of variances, so hopefully, they'll make sense. So the first variance we're talking about is where I've got that Indicator A and it's the build to distance from the property line. So the form based code has a maximum of zero, right, so it's supposed to be at zero. In this particular case, this building is proposing to be set four feet, five inches away from that build to line, which is their property line. Let's see, variance B is the build to line for the front of the building. So in this case, 100% of the front of the building by code is required to be along the build to line in this case, the project is only 87% along that front build to line, basically because Drew Street is on the west, they can't build in the Drew easement. Okay, let's go the next slide. Upper floors, okay, so this has to do with the ceiling heights for floors two through six. And what the code requires is a minimum of nine feet clear. And what they're proposing is seven feet eight inches. And that's for the bathrooms and the interior walkways. And then eight feet six inches for the main areas of the of the dwelling units. But they're going to have some automated furniture amenities in those facilities. So they're just asking for a general exception for those furniture and built in amenities. Okay, and then let's go to the next one, D, this is footprint of the building. So what the code requires is that the footprint of the building have a depth of 50 feet minimum. And you can see by the by the floorplan there's some variation in that footprint. So at that location where the D is that depth is only 12 foot eight inches, and that's where it terminates at the head and parking spaces along Drew alley. Okay, so let's go to E. So this is distance for parking.

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So the code requires that the distance from the property line to the parking from the front setback be 50 feet, in this case that first parking spaces only 12 feet eight inches from the front property line. And then F the parking access drive. This is concerning with the access drew alley access. It's required to have a maximum width of 20 feet and in this case, Drew alleys 22 feet wide, so they're not going to be changing that. And G once again has to do with the parking locations and Drew alley. So the standard parking space and alley dimensions for 90 degree parking and with a two way alley width is 24 feet, but in this case they're not going to be changing Drew alley again. So it is 22 feet wide. Okay, let's go to the next one, H. So this is once again an access with into those interior parking spaces. The form base code says that it's a maximum of 20 feet wide. And in this case, it's 24. And there's kind of a little conflict there. Our regular Zoning Ordinance allows requires for two way traffic to be 24 feet. So in this case, it's designed to that standard with the 24 foot wide drive with the drive aisle. Okay, the next one I this is the footprint depth for the floors. And for floors one through two, the maximum footprint depth is 150 feet. But in this case, on floor two, we have a footprint depth of 174 feet. And that's going to allow for balconies to overhang into the Main Street right of way, and also to allow balconies to overhang into the Main Street alleyway so that increased depth is to allow those encroachments into the right of way and into the alley. Okay, and then it's similar on all five floors have those balconies that are going to be encroaching into the Main Street right of way, and then also balconies that are going to be encroaching into the alley, to the south. Okay, the floor plate. So the code requires the floor plate and any floor may not be larger than the floor plate above. So in this case, when the basement was part of the project, obviously, the ground floor is larger than the basement. And then the upper-level floor are also larger north to south, then that first floor level. And essentially, that's because of the balconies that are protruding from the north and south ends of the project. On the north and on the south, you can see kind of those little extensions of the balconies into those areas. So this next variance has to do with the frontage type. And that's the way the building addresses or is engaging the street. So in this case, the applicants are requesting the use of that arcade, which essentially is the colonnade where you have pedestrian spaces underneath, but you have living space or the units above. And so in this case that's the type of frontage that they're requesting. And in this case, the frontage is actually allowed in the T6MS building standards, but it's not allowed in the mid to high rise building type. So that's the reason they're requesting the arcade. The next request has to do with the projects compatibility with its neighbors. So in this case, when a project is in the T6MS transect. The side and rear setback abutting the T5 transect which would be floors one through five along the alley, are limited to zero feet and for floors six through eight. They have a 10 foot minimum. But in this case they're asking for an exception for the balconies from those setback requirements and a 10 foot minimum setback for floor six. The next request is for the arcade along the front. The ordinance wanted the arcade to have a consistent depth along the front of the building. And in this case, because of the little elevator that kind of protrudes at the northeast corner of the building. They're requesting a variance from that constant depth along the frontage. The next request has to do with the arcades, as well. It says that arcades with more than two floors of habitable space above, the colonnade may not encroach into the public right of way and must be located so it abuts the public right away. In this case, the applicant is going to be requesting an encroachment agreement through our engineering department to allow a a few feet of the habitable space as well as the balcony space as well to encroach into the public right away over the arcade area. I in regards to the approval

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criteria, for the variance there are special circumstances that apply this site do to the size, the property is just under a half an acre in size. And in context with that, with the developed urban area around it, adherence to the form base code would make it extremely difficult to develop without the granting of variances. Special circumstances are preexisting. The subject site has been in its current configuration for many decades. It preexisted the adoption of the form based code, the situation was not created by the property owners. And the request for the variances are due to special circumstances associated with the existing lot. Its location and context within the area. Strict application of the form base code deprives the property of privileges. In this case, strict application of the code would make it very difficult to redevelop the subject site with a viable project. And in order to provide a mixed use development that meets our current code, current needs and fits into the context of the surrounding area, staff finds that the requested variance for the form base code is appropriate. And then the last criteria, approval of the variance will not grant special privileges to redevelopment of the site that are inconsistent with other or similar projects in the area. So we know, as some other formed based code projects have come through, they have requested similar types of variance. So in summary, staff finds the project complies with the 2040 Mesa General Plan. It complies with the West Mesa Economic Activity Area and the Central Main Street area plan. And it meets the review criteria of Chapter 80 of the Mesa Zoning Ordinance for variances and staff is recommending approval with conditions. If you have any questions, I'd be happy to answer them.

**Chair Wagner:** Thank you so much. Do we have any questions from the board?

**Boardmember Gunderson:** So a lot of the variances that are being requested here look like they have to do with the small, compressed lot size. But the one that I'm not sure I understood what you were explaining is the height of the floors, reducing the height of the floors, and there was an exception for furniture and built ins. And I didn't quite understand what we were even referring to. Could you explain a little bit about one why there's a need for a variance for the height of the floors, and then what you meant for the exception for the furniture and built ins.

**Staff member Charlotte Bridges:** Chair and Boardmember Gunderson. And this was probably explained better in your narrative than in my staff report. But these individual dwelling units are manufactured off site and transported to this location. So because they're being transported across roadways they're limited in height. Their construction is limited in height. And so that's the reason why their height is requested at eight foot six inches, right, that's the majority of the individual units. And then once again, for the corridors, bathroom areas where there may be the utilities are running and things like that, hey're going to have to drop the ceilings a little bit to accommodate that infrastructure, I'll call it. So that's another reason for the height exception. And then I don't know a whole lot about the amenities that they're providing. But the various units are described as being high tech, where some of the furniture is folding away, I would imagine, like a Murphy bed, right or something like that that's folding up into an area or raising up into an area to clear floor space. So because of these amenities that will add drop the height of the ceiling to a certain extent, so that's the exception for furniture's and built-ins. That's the way I understand. I think if you need more detailed information about that, I would ask the applicant about some of those amenities that they're offering within the individual units.



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**Boardmember Gunderson:** So the special circumstances for this lot that require the reduced height is the fact that we can't build on this lot. We need to truck in pre-built rooms. I guess I'm not I'm not sure I understand.

**Staff member Charlotte Bridges:** Well, Chair and Boardmember Gunderson this special circumstance, yes, that's the lot size, but also we're talking about accommodating a unique development, right? Where yes, they are choosing these types of units and bringing them to the site. But because of that added restriction that they have on the units it's just contributing to the need for a variance from the form base code standards.

**Boardmember Hoffman:** Charlotte. How was the property utilized before? I'm assuming the building's vacant now since it's being torn down. What type of business was there before? And how long ago was it in use? Do you know?

**Staff member Charlotte Bridges:** Boardmember Hoffman and Chair I don't know the specifics about how long it's been vacant? I believe the previous use was a bank. But once again, the applicant may know how long it's been vacant.

**Boardmember Jones:** Forgive me, because I'm not as familiar with the transect T6 S Zoning. And specifically, as it relates to lower or no parking requirements to promote walkability. And so if I'm understanding this, right, there's 26 parking spaces that are there. And I know, just south of that building, you have a charter school. And then across the street, you have some parking that's there, but maybe give me a little understanding maybe of the T6MS. zoning, as well as how that's maintained and regulated. And I guess where I'm going with this is we had a discussion earlier about a restaurant, and with parking, but to me, we're talking significantly more residents and so I just want to make sure I understand that.

**Staff member Charlotte Bridges:** Boardmember Jones and Chair, the parking standards for the form base code are completely different than the zoning ordinance. And in this particular situation, the form base code actually says that you don't have to provide parking for the first 2000 square feet of dwelling unit floorspace, or something along that line. And then the parking standards for additional units, I believe is one space per 1000 square feet. So in total, I believe this particular project is only required to provide 23 parking spaces, and they're actually providing 26. So the project that's being presented to you tonight is in compliance with the form based code parking requirements

**Boardmember Jones:** How is that regulated? Whether it spill over into some of those other, you know, properties? How is that overseen and it may not be here, but I'm just curious.

**Staff member Charlotte Bridges:** So I think that's better question for the applicant as they have been having this conversation with our downtown office on how some of that overflow parking can

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take place. So I think that's a better question to ask the applicant as far as what they've been advised as far as that overflow parking.

**Boardmember Jones:** I don't think it's bad to ask right. I think it'd be worth hearing right now. Thank you.

**Applicant Trevor Barger:** Thank you for having us this evening. We're doing manufactured housing for all over Arizona were short 160,000 units per the last report. What's unique with ours is they stack into multifamily configurations. As you can imagine, when you try to decide where to start with your first multifamily stack, these are something that's approved, the buildings actually approved by the state. And so we needed to find someplace that had people who know how to work with innovative ideas. And so we came first to Mesa, that's where our test units are just behind Cider Corps. And then this mid rise building. Miss Bridges has been kind enough to take us through the review process on both of those. And so we apologize for the long list of the variances you'll notice they're all small setting pieces for that for that reason. But with Jeff and Angelica and Charlotte, you know, we've been guided through the process incredibly well, to answer the question on parking. So in downtown, it's the unusual condition of you actually have maximum parkings in the downtown zoning for maximum allowances that we're allowed to hit because downtown is trying so hard to encourage walkability and other uses. We do understand entirely there's a charter school behind us. The neighbors have all pointed that out to us. We had an open house with all the downtown business operators, because we were just having this conversation and total about how is this all going to work. We've also met with the entire DMA staff, the Downtown Merchants Association, and manages all the operations downtown for that same reason. We've met with three of the landowners and downtown separately individually on this topic and how we develop as you can imagine the timeline for construction, what's going to happen during construction in active downtown. And then how does it work long time are those conversation pieces. It depends a little bit on who you ask. According to our neighbors, we have rights to 14 spots in the open parking lot in the back as well as the parking we're providing on site. We're not currently considering those in our parking calculations or anything else like that. We consider that as it has been an open lot managed by DMA for use by the general public. We know that the City of Mesa is looking to acquire more parking in the downtown overall, looking at acquiring additional parking structures. This is the same unfortunately painful 40 years that Tempe has been going through where you figure out how do we get the right amount of parking. As you understand in a suburban setting, it's much easier, the restaurant must provide all of its own parking, the house must provide all of its own parking, the employment must provide all of its own parking. And now that you're coming downstairs from the building and going over to Tacos Chiwas to have dinner, well Tacos Chiwas doesn't need to provide the parking space as well as its building provide the parking space. We change modes in there, we don't believe that we will get away with no parking. We don't think that we're to that level yet. And so we think that people will manage it in downtown we're anticipating in our own proforma that we will take a hit on the lease rate, because we will not be guaranteeing people a parking space with their lease payment. And we know that parking is restricted and now after COVID heavily enforced in downtown. DMA assures us that unless someone comes as a business owner to get a special permit for a longer stay, it's currently three hours in the lot in the

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back and one hour on Main Street. And the neighbors which we support have asked for changing to a one hour regulation in a lot in the back because they're having a difficult time with the charter school. But again, we support that use and saying we are truly building an urban setting here. These are not large units. And so this is designed for people who want to live in the urban fabric. This is not the place for you to host a big house party. You would rent out the patio at 12 West, like we did for our open house, and have your party there.

**Chair Wagner:** Are there any further questions from the board?

**Boardmember Reed:** What was the reasoning for arcade setback? I was trying to look for that in the staff report and figure out the need for that

**Applicant Trevor Barger:** Boardmember Reed, so the downtown code has a few pieces that are anomalies in it. And one of them is that the T6 transect. The kind of basic zoning allows for an arcade, which is a covered walkway with residential units above. The mid rise building type does not have arcade listed on it. It has all the other allowed uses and T6 listed on it, it doesn't have arcade. And so you could suggest that it suggests you need to have a high rise to have arcade. But nobody thinks it intends that. And so we're asking for a variance to allow arcade as allowed in the zoning in the building.

**Boardmember Reed:** Isn't that allowed under the T6 zone. But T6 doesn't allow it because you're wanting to push things to the build to line and get more vertical?

**Applicant Trevor Barger:** It actually allows us to push 14 feet into the right of way by code. It requires us to keep this back. It just doesn't suggest how one resolves that. Okay. And so that's the weird part which says well, you can have a storefront and you can have the encroachment. And then it just doesn't list Arcade is one of the uses accepting the zoning and saying like, well, if you do both of those, you end up with an arcade. And so to be safe, we just asked for a variance for it.

**Boardmember Reed:** Okay. Another question if you guys don't mind. A building's been there for a while. Is there any historic significance to that building? I know it's been a target for future development or proposed development over the years. But there's a lot of historic buildings along Main Street, we do have historic districts. Is there any significance that's going to delay this or cause any worry? For those who are stored preservation? enthusiast?

**Staff member Charlotte Bridges:** Boardmember Reed and Chair no, we haven't identified it as a historically significant structure.

**Applicant Trevor Barger:** The buildings next to us, however, are and part of the conversation you heard her with a basement no basement is we're trying to figure out how to construct the building next to a 1920 building. And so some of it is changing because of working with our neighbors to figure out how to best build this in an urban setting.

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**Chair Wagner:** I have a question about the setback variance. With it being so far back and the patio expansions on the upper floors. How close will that put you to that school?

**Applicant Trevor Barger:** Chair Wagner there's a 20 foot alley currently between this building and the school's property, then there's a landscape fence setting and tree canopy than a parking lot. And there are actually no buildings to the south of us the building is further east of us. And so our balconies hang four and a half feet to make the ADA accessible balconies off of the five and half feet off the building four and a half feet past our property line over the 20 foot wide alley. So if you measure the setback from a property line like you would if the properties were touching, we are set back far enough per code. But by interpretation, we typically in the city have not included the alley and measuring setbacks. And so we're asking for a variance to basically treat the alley as if it was part of the measurement for the setback. All right, thank you.

**Vice Chair Lynam:** I have a question about the accessible parking. I know it says we have 26 parking spaces. And usually when you get more than 25, you need a second ADA parking space. It looks like we only have one I'm assuming that's because the two are off the property and on the front street or was there an allowance to have reduced accessible parking on this.

**Applicant Trevor Barger:** Vice Chair Lynam and Chair we are not asking for any exceptions for parking other than the distance from the front to be able to have more. The ADA is handled on site, we just happened to get the count in the legal zoning categories, the two that are provided on Main Street. And so we're providing ADA accessible parking for all onsite parking that we're providing. In the building. We're trying to get as much as possible in the ground, keep as much as possible on the ground floor, really keeping it where it is already.

**Vice Chair Lynam:** Okay. Thank you.

**\*3-g Case BOA22-00320 has been withdrawn.**

**\*3-h Staff member Lesley Davis presented case BOA22-00323 to the Board**

Good evening Chair, members of the Board. This is BOA22-00323 the request is much simpler than the last one. It's for a Special Use Permit for a Comprehensive Sign Plan at Alma School and Southern, probably many of you are familiar with the Fiesta Village Development on the northwest corner of Alma School and Southern Avenue. It is currently under construction with some apartments. And you can see here, the request is for the RM-5 portion that I'm identifying here. The General Plan on the project around the property is Mixed Use Activity District, which is the goals of that is to look for strong viable centers of commercial activity and shopping and entertainment experiences. It includes retail, entertainment, office and residential. And it's also in a transit corridor which is to encourage and pedestrian oriented urban environment. Some of the unique characteristics of this we've got the multiple family that's in the back here, there is commercial approved all along the frontage. This was all approved as one overlay planned development overlay that included the commercial along the street front edges with the multiple family in the back. And so the zoning on the property is RM-5 PAD and you can see here, they've got frontage on Alma School, and then on Stuart, but their actual primary entrance is coming in here off of Southern Avenue. So that's where we get to the request for the Comprehensive Sign Plan. Here you can see the apartments are under construction. And back in the back here you can see across the drive aisle,

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they've got an entry feature into the apartment development, that's where they're proposing a monument sign, or they're the only sign that they're proposing on the property and you can see it better here. So what they're requesting is to have one sign on this property that's 146 and a half square feet, it would be located on the I-beam that I just identified, that's at that entrance to the neighborhood or to the apartment project. So that's a 17 foot high, I-beam and it's set way back there here at the entrance. So it's set back to 255 feet from Southern Avenue. So which is again, their primary entrance into the development, then, so then it's a five foot high, five foot high letters, Pan channel letters, that will be illuminated, set back in that location so that somebody knows that that's the entrance into the development once they've entered in. And normally in the RM-5, the multiple family districts, you're allowed to have two signs, maximum of 32 square feet and eight foot high. This property is unique in that their primary entrance is actually coming in through commercial development. It's not developed yet, but there will be these two pads sites that are located in the front will have commercial development on them. So they wanted to have a larger sign that was visible to kind of create that, you know, you have arrived at the entrance to the actual apartment project. So here's some elevations of what that would look like daytime and night. And then they've done a mock up of what that would look like on the sign. So the design inspiration for this is really based on the Fiesta District. Also, I'm sure many of you are familiar with the I probably should have provided it what that sign looks like at the corner of Alma School and Southern with the various colors so they pulled in the blue. So as far as the approval criteria, um, this is a unique site in that the physical conditions are a little bit different in that they've got that setback, as I mentioned with the apartments back and behind the commercial. So in order to get visibility of their sign, they kind of need to have something that's a little larger, a little raised up so that they can be seen. And so it's complying with the criteria for the Comprehensive Sign Plan. And then with the Special Use Permit criteria, it is actually also complying with that one of the characteristics of this that complies with the general plan is to get that walkability This provides residences who can promote that commercial in the area and they can walk to it they can keep the design of the overall site plan includes a lot of pedestrian connections shade. There's places to stop that have you know got shade canopies and so on throughout the development, both the commercial and the multiple family. So it's not going to be detrimental to anything in the area. And so it's complying with all of the Special Use Permit Criteria as well. So it is in conformance with the general plan, the CSP criteria and the SUP findings of the mesa zoning ordinance, and we're recommending approval with conditions.

**\*3-i Case BOA22-00401 continued to July 6, 2022.**

**4 Adjournment.**

Vice Chair Lynam moved to adjourn the Study Session and was seconded by Boardmember Hoffman. Without objection, the Study Session was adjourned at 5:35 p.m.

Respectfully submitted,

*Michelle Dahlke*

Michelle Dahlke,  
On behalf of Zoning Administrator (Dr. Nana Appiah)