

Minutes

City Council Chambers, Lower Level November 4, 2015

Board Members Present:

Mark Freeman – Chair
Trent Montague - Vice Chair
Tony Siebers
Ken Rembold
Steve Curran

Board Members Absent:

Wade Swanson
Jessica Sarkissian

Staff Present:

Gordon Sheffield
Lisa Davis
Kaelee Wilson
Mike Gildenstern

Others Present:

Zachary Booth
Scott Hudson
Ryan Rodriguez
Richard Dwyer

The study session began at 4:35 p.m. and concluded at 5:08 p.m. The Public Hearing began at 5:30 p.m. Before adjournment at 6:15 p.m., the following items were considered and recorded.

Study Session began at 4:35 p.m.

- A. Discussion of items listed on the Public Hearing Agenda

Study Session adjourned at 5:08 p.m.

Public Hearing began at 5:30 p.m.

- A. Consider Minutes from the October 7, 2015 Meeting -A motion was made by Boardmember Rembold and seconded by Boardmember Montague to approve the minutes.
Vote: Passed 4-0-1 (Boardmember Siebers Abstained due to Excused Absence at October 7, 2015 Meeting)
- B. Consent Agenda -A motion to approve the consent agenda as read was made by Boardmember Siebers and seconded by Boardmember Rembold. Vote: Passed 5-0

Public Hearing adjourned at 6:15 p.m.

Case No.: BA15-047 **CONTINUED**

Location: 556 West Kiva Avenue

Subject: 556 West Kiva Avenue (District 3) – Requesting Variances to: 1) reduce the number of required covered parking spaces below the minimum required; and 2) allow required parking spaces to encroach into a required front yard. Both variances relate to an existing single residence in the RS-6 zoning district. (PLN2015-00393)

Decision: Continued to the December 2, 2015 Meeting

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

Motion: It was moved by Boardmember Siebers seconded by Boardmember Rembold to continue Case BA15-047 to the December 2, 2015 Meeting

Vote: Passed (5-0)

Case No.: BA15-048 **APPROVED WITH CONDITIONS**

Location: 2111 East Main Street

Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to facilitate the redevelopment of a commercial building into an automobile sales lot, including consideration of the following: 1) reduction in the minimum required number of parking spaces; 2) allowance of existing landscape areas and screening requirements that are dimensionally less than the minimum required; and 3) foundation bases that less than the minimum depth required; all in the GC zoning district. (PLN2015-00374)

Decision: Approved with Conditions

Summary: Mr. Zachary Booth at 2111 East Main Street, explained the case to the Board.

Mr. Ryan Rodriguez at 2282 East Alpine expressed concern over the use of the site as a used car lot and the perceived negative impact on his property value. He was also concerned about the functionality of the site plan. Additionally, Mr. Rodriguez indicated where his home is located in relation to the site in question for the Board. The Board reminded Mr. Rodriguez that they have little control over the business allowed on the site, but that the landscaping and configuration of the merchandise on the property will be governed by Code Compliance Officers to help maintain and uphold the physical appearance of the business.

Mr. Booth went in to further detail explaining his business and his aspirations for the property.

Staffmember Lisa Davis explained to the Board that the driveway along Main St. cannot be blocked, which will only allow 3 vehicles to be displayed on the frontage. Mrs. Davis added that the parking and circulation area will be resurfaced, and that at least a 10' deep landscape area will be constructed along Main Street. Mrs. Davis also stated that a landscape strip will be added to the east side of the building, and that all existing landscaping will be updated and rejuvenated. Staffmember Davis added that once the East Main Street Light Rail Line is extended to Gilbert Road, all future development in the area will be more compliant with Transit Corridor requirements. She closed by confirming for Boardmember Rembold that all improvements are required to be made before the business is allowed to operate.

Motion: It was moved by Boardmember Rembold seconded by Boardmember Montague to approve case BA15-048 with the following conditions:

1. *Compliance with the site and landscape plans submitted, except as modified by the conditions below.*
2. *The driveway access adjacent to Main Street shall remain open for direct access to the site. No cars shall be parked to block the driveway.*
3. *Additional vegetative ground cover as indicated in the table of this report shall be required. With the exception of reduced landscape areas identified in this report, all other requirements of Mesa Zoning Ordinance Chapter 33 shall be required.*
4. *Resurfacing of the existing parking and circulation areas.*
5. *All landscape materials shall comply with requirements for sight visibility triangle.*
6. *All illegal and unauthorized signs shall be removed.*
7. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*

Vote: Passed (5-0)

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

- A. This request is for a SCIP to accommodate the re-use of an existing retail site to be utilized as an auto sales site in the GC zoning district
- B. The existing site is under 10,000 SF in size with an existing 2,500 SF building with limited visibility.
- C. The proposed re-use of the site invokes conformance with current development standards.
- D. The site is located in the Community Commercial Character area and the Transit Corridor as defined in the general plan. The request is consistent with the General Plan policies.
- E. There is no existing landscape setback adjacent to the south property line.
- F. There is an existing 3' wide landscape setback adjacent to the west property line.
- G. The proposed Foundation Base areas approach compliance to the greatest degree practicable.
- H. The proposed development will be in substantial conformance with current code.
- I. Full compliance with current Code development standards would require significant demolition of existing improvements.
- J. The deviations requested are consistent with the degree of change requested and improve the site.
- K. The proposed improvements with the recommended conditions of approval help bring the site into a closer degree of conformance with current standards.
- L. The proposed improvements will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.

Case No.: BA15-049 **APPROVED WITH CONDITIONS**

Location: 254 West Broadway Road

Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to facilitate redevelopment of a commercial building in the DB-2 zoning district. (PLN2015-00410)

Decision: Approved with Conditions

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

Motion: It was moved by Boardmember Siebers seconded by Boardmember Rembold to approve Case BA15-049 with the following conditions:

1. *Compliance with the narrative and site plan submitted, except as may be modified by the conditions listed below;*
2. *Review and approval of an Administrative Design Review application for the materials and colors used in the remodeling of the building.*
3. *Review and approval of a Special Use Permit for a Comprehensive Sign Plan to allow the historic Sunkist Growers attached sign to remain.*
4. *Review, approval of a building permit application, and compliance with all requirements and conditions related to the issuance of that building permit*

Vote: Passed (5-0)

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

- A. The existing building and development date back to at least the 1930s, and possibly earlier, based on historic aerial photography from Maricopa County. It was used as a cooperative fruit packing plant for citrus growers in this region. The facility has been vacant for the last several years.
- B. The applicant is redeveloping the site with the idea of keeping the historic packing plan building intact, and upgrading the building structurally and technologically. Dead landscaping is being replaced, screening is being updated to focus on only the screening that is needed or required, and access and parking needs are being modernized.
- C. The principal deviations from required development standards relate to the location of the existing building relative to the street, and reduced setbacks for landscaped area adjacent to Broadway Rd. Additional deviations relate to the depth of the foundations base requirements. As proposed, the degree of compliance proposed is proportional to the degree of change taking place on the site.

- D. Although the building is not specifically listed on the Mesa Register of Historic Places, it does have significant historic value related to the economic development of Mesa as a farming community, and facilities used to ship principal crops to market. The applicant's intents of redeveloping the site in line with conserving the building shell and maintaining the historic sign are in line with goals expressed by the Mesa Historic Plan.
- E. SCIP applications are limited to addressing questions related to the site development, and are not permitted to address issues related to signs. A separate request is needed to permit the historic sign to remain. The staff recommendation addresses this issue in condition 3, which requires the review and approval of a comprehensive plan to allow the historic sign remain.

Case No.: BA15-050 **APPROVED WITH CONDITIONS**

Location: 1010 South Crismon Road

Subject: Requesting a Special Use Permit for a Comprehensive Sign Plan in the OC-BIZ zoning district. (PLN2015-00426)

Decision: Approved with Conditions

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

Motion: It was moved by Boardmember Siebers seconded by Boardmember Rembold to approve case BA15-050 with the following conditions:

1. *Compliance with the site plan, sign plan and narrative submitted except as modified by the conditions below.*
2. *Compliance with the proposed sign area maximums listed in the table in the body of the staff report.*
3. *Attached signs shall be individual letters and illumination shall be limited to white halo illumination.*
4. *The detached sign shall not exceed 8-feet in height, with the starting point of the measurement ("0" point) being the height of the adjacent street curb.*
5. *Compliance with all requirements of the Development Services with regard to the issuance of building permits.*

Vote: Passed (5-0)

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

- A. The requested Comprehensive Sign Plan (CSP) establishes a CSP for an office complex that is zoned OC-BIZ
- B. The requested CSP would allow for four (4) attached signs and one (1) detached sign
- C. The total amount of proposed attached sign area is 77 s.f. and the allowable sign area for the detached sign is 31.49 s.f.
- D. The illumination of attached signs, with the recommended conditions, would be compatible with and not detrimental to the surrounding neighborhood.
- E. The building orientation is unique in that the tenant suites face the parking lot, and are perpendicular, not parallel to the street; thus creating minimal sign visibility from the road without a detached sign.

Case No.: BA15-051 **APPROVED WITH CONDITIONS**

Location: 1902 West Main Street

Subject: Requesting a Special Use Permit to modify a Comprehensive Sign Plan in the GC zoning district. (PLN2015-00434)

Decision: Approval with Conditions

Summary: Mr. Scott Hudson with Arizona Commercial Signs at 4018 E. Winslow Ave, Phoenix, AZ presented the case to the Board.

Chair Freeman clarified with the applicant that he is requesting 4'10" on the Main Street-facing sign, and 4' 6" on the parking lot-facing sign.

The applicant confirmed for Boardmember Siebers that the size-increase request for the sign is not based on precedent found at the site, but for commercial branding of the business.

The applicant confirmed for Vice-Chair Montague that the business' signs have varied based on location.

The applicant confirmed for Boardmember Rembold that the Tru-West Credit Union sign on the pad building measures 36" in height.

The applicant confirmed for Chair Freeman that the urgent care that was previously located in the building was approved for a Main Street-facing sign at 4' 10", and a parking lot-facing sign measuring 4' 6"; and that it was his intention to duplicate what was there before.

The applicant explained to Boardmember Siebers that to better guide the public to available health care at the clinic, a larger sign would be necessary using 21.34" letters on the small sign facing the parking lot, and 22"-23" letters on the larger sign facing Main Street.

Staffmember Davis explained to the Board that the initial Comprehensive Sign Plan at the site allowed for only 2' in sign height on the pad building, which Tru-West exceeds, but the larger sign works proportionally well with the building. She went on to say that the major tenant at the site (Safeway) is limited to signage 4' in height, so to be consistent with the Comprehensive Sign Plan, staff recommends a maximum 4' in height for signage on the pad building at 1982 W. Main Street.

Staffmember Sheffield explained to the Board that the maximum allowed signage was evaluated based on the context of the building. Staff considered the fascia on the side, in which the detail area is limited to 6', and regulated the signage to be proportional to the way the trim is structured, so it doesn't push away from the detailing.

Mr. Sheffield went on to say that a 5' letter on a sign viewed at 10' from the sidewalk is overwhelming, and a pedestrian would need to step back to take it all in. He told the Board that in the review, Staff focused on keeping the signage proportional to the fascia, kept the signage consistent to other signs at the site, and kept it within the context of the review. He concluded that no one was forcing the applicant to use a 5' logo, and maintained that the applicant could modify the sign to fit the 4' maximum envelope.

Boardmember Siebers expressed that he felt that allowing an increase in signage height would grant this particular tenant an unfair advantage over other tenants in the plaza.

Boardmember Montague explained that since the major tenant (Safeway) is allowed a maximum 4' of height, then the pad signage should not exceed that measurement.

Staffmember Sheffield closed in explaining to the Board that there are many varying allowed signage dimensions found in Comprehensive Sign Plans throughout the City, but those maximum dimension requirements are determined by the context of the site. Mr. Sheffield went on to say that in this particular scenario, since the building is sited close to the street and the limited fascia provides a somewhat-confining surface, the maximum allowed signage height has been tailored to respond to the conditions found at the site.

Motion: It was moved by Boardmember Siebers seconded by Boardmember Curran to approve case BA15-051 with the following conditions:

1. *Compliance with the Tri-City Pavilions CSP, BA00-034, except as modified by this submittal and by the following conditions.*
2. *Compliance with all requirements of Development Services in the issuance of sign permits.*
3. *The maximum height of the attached sign for the tower elements of the pad building at 1982 W. Main Street shall be 4'.*

Vote: Passed (5-0)

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

- A. The proposed modification to the CSP applies only to the 7,000 SF pad building located at 1982 W. Main Street.
- B. The Tri-City Pavilions CSP was approved for the overall group commercial center, total of 36 acres.
- C. The CSP approved in 2000, BA00-034 allowed for a maximum of 2' in height for all attached signs at the building.
- D. The Existing attached Tru-West Credit Union signs were approved at 38.5" in height.
- E. The taller signs, maximum height of 4' would only be allowed on the tower elements of the pad building as identified on the site plan.

- F. The proposed modifications to the CSP, with staff recommended conditions of approval, are in compliance with Mesa Sign Code Ordinance and will not be detrimental to surrounding properties and will enhance the overall character of the area.

- Case No.:** BA15-052 APPROVED WITH CONDITIONS
- Location:** 11041 East Medina Avenue
- Subject:** Requesting a Special Use Permit to allow the construction of a wireless communications facility in the RS-6 PAD zoning district. (PLN2015-00436)
- Decision:** Approval with Conditions
- Summary:** This item was on the consent agenda and was not discussed on an individual basis.
- Motion:** It was moved by Boardmember Siebers seconded by Boardmember Rembold to approve case BA15-052 with the following conditions:
1. *Compliance with the site plans and elevations submitted September 28, 2015 and dated August 26, 2015, except as modified by the following conditions:*
 2. *The wireless communication facility shall utilize a Mono-elm design with a maximum height of seventy feet (70') to the top of the branch/leaf canopy and 56' fifty-six feet to the RAD center of the antenna array.*
 3. *The stealth design of the wireless communication facility shall conform to these standards:*
 - a. *Provide (3) branches per linear foot of tree height.*
 - b. *Provide curved antenna branches to better conceal antenna panels.*
 - c. *Paint all mounting hardware and other equipment to blend with the leaves / branches.*
 - d. *Provide bark color and texture along the entire length of the pole(s) to match the bark of a natural elm tree. This shall include multiple colors to better simulate bark of a tree.*
 - e. *Antenna socks with leaves and branches to match the broadleaf tree foliage.*
 - f. *The faux elm branches shall start at 15' from the ground level. (This height may be adjusted depending on the overall tree height to ensure it is proportional.)*
 - g. *The faux elm branch density shall not be reduced near the antenna arrays.*
 - h. *The faux branches shall extend past the antennas a minimum of 12". The form of the tree canopy shall be widened to a more natural form as evidenced in the photos of Appendix "B".*
 4. *The antenna array shall conform to the dimensions and configuration established in details 2/Z-2 and 4/Z-2*
 5. ***Provide screening for the ground-mounted equipment as follows:***
 - a. ***Construct a masonry wall to enclose the lease area to a height equal to the height of the equipment being screened, with a solid metal gate. Masonry wall and gate are to be painted to blend with adjacent walls and architecture.***
 - b. ***Construct a building to enclose the equipment. The building shall meet City of Mesa Design Guidelines and shall be compatible with the surrounding development.***
 6. *Provide and maintain two natural living trees, both of which are to be of a broad leaf variety (minimum 36" box) - within the landscape area of the site surrounding the equipment enclosure to help camouflage the proposed wireless communication facility.*

7. *The operator of the Mono-elm shall respond to and complete all identified maintenance and repair of the facility within 30-days of receiving written notice of the problem.*
8. *Provide a permanent, weather-proof identification sign, approximately 16-inches by 32-inches in size on the gate of the fence identifying the facility operator(s), operator's address, and 24-hour telephone number for reaching the operator or an agent authorized to provide 24/7 response to emergency situations.*
9. *Maintenance of the facility shall conform to the requirements of Zoning Ordinance Section 11-35-5.I.*
10. *No later than 90 days from the date the use is discontinued or the cessation of operations, the owner of the abandoned tower or the owner of the property on which the facilities are sited shall remove all equipment and improvements associated with the use and shall restore the site to its original condition as shown on the plans submitted with the original approved application. The owner or his agent shall provide written verification of the removal of the wireless communications facility within 30 days of the date the removal is completed.*
11. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*

Vote: Passed (5-0)

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

- A. Evaluation of existing facilities has determined that there are no structures that can be used to enhance the strength of this carrier's wireless signal in this vicinity.
- B. The faux tree design of this WCF meets Ordinance §11-35-5 design preference #6 for stealth design.
- C. The WCF is 70 feet tall. The required separation from residential uses is height + one foot. The actual separation is 130 feet.
- D. This new facility will advance the goals and objectives of the City of Mesa.
- E. The location, size, design, and operating characteristics of this WCF are consistent with the purposes of the RS-6 PAD district.
- F. The proposed WCF will not be injurious or detrimental to the adjacent or surrounding properties.
- G. Adequate public services, facilities and infrastructure are available to serve this project.

Case No.: BA15-053 **CONTINUED**

Location: 1420 West Southern Avenue

Subject: Requesting a Special Use Permit to modify a Comprehensive Sign Plan in the in the LC zoning district. (PLN2015-00438)

Decision: Continued to the December 2, 2015 Meeting

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

Motion: It was moved by Boardmember Siebers seconded by Boardmember Rembold to continue case BA15-053 to the December 2, 2015 Meeting.

Vote: Passed (5-0)

OTHER BUSINESS:

None

ITEMS FROM CITIZENS PRESENT

None

Respectfully submitted,

Gordon Sheffield, AICP CNU-a
Zoning Administrator