

## *Minutes*

City Council Chambers, Lower Level  
September 14, 2010

**Board Members Present:**

Garrett McCray, Chair  
Nicholas Labadie, Vice-Chair  
Greg Hitchens  
Dianne von Borstel  
Tyler Stradling  
Cameron Jones

**Others Present:**

Terry Benelli  
Glenn Blackmore  
Terri McCook  
Mark & Jenifer Lobdell  
Lily Neff  
Ron Ackollum  
Debbie Berge  
Chef Brian

**Staff Present:**

Angelica Guevara  
Mia Lozano-Helland  
Kim Steadman  
Wahid Alam  
John Wesley  
Gordon Sheffield  
Tom Ellsworth

The study session began at 4:40 p.m. The Public Hearing meeting began at 5:40 p.m. Before adjournment at 8:40 p.m., the following items were considered and recorded.

**Study Session 4:40 p.m.**

- A. An update was provided by Mr. Sheffield that included the Zoning Ordinance Update schedule, public notification and adoption process.
- B. The items scheduled for the Board's Public Hearing were discussed.

**Public Hearing 5:40 p.m.**

- A. Consider Minutes from the August 10, 2010 Meeting A motion was made to approve the minutes by Boardmember von Borstel and seconded by Boardmember Jones. Vote: Passed 6-0
- B. Consent Agenda A motion to approve the consent agenda as read was made by Boardmember von Borstel and seconded by Boardmember Stradling. Vote: Passed 6-0

**Board of Adjustment Meeting  
September 14, 2010**

**Case No.:** BA10-013

**Location:** 256 East Broadway Road (PLN2010-00058)

**Subject:** Requesting a Special Use Permit to allow auto repair and vehicle sales in the TCB-2 zoning district. **(Continued from the August 10, 2010 meeting)**

**Decision:** Approved

**Summary:** The applicant, Jose Gomez, stated that the poor economy has negatively affected his business and he wanted to try to improve his business by selling cars. Mr. Gomez explained that at times a customer is unable to pay for the repairs that have been completed and he is forced to accept the vehicle in lieu of payment. He then sells the vehicle to cover his costs. Staff member Tom Ellsworth provided the staff report and analysis. Discussion ensued regarding the display of vehicles. Mr. Gomez stated that he would prefer to display cars in the front. Chair McCray explained the code issues related to the display.

Staff member Angelica Guevara provided the staff report and recommendation.

Chair McCray asked for a clarification of the request.

Board member Jones commented that he drove by the site and observed that there are several like businesses on Broadway. He stated that he supports the request.

Board member Labadie stated that he would like to allow auto sales if the vehicles could be stored behind the fence.

Board member Hitchens asked about policy and ordinance. Staff responded that the issue was policy. He stated that he could support the request.

Board member Stradling commented that he support the request with rear area display of cars, but not in the front.

Board member von Borstel agreed with the previous comments.

**Motion:** It was moved by Boardmember Hitchens seconded by Boardmember Labadie to approve BA10-013 with conditions.

1. *Compliance with the site and landscape plans submitted, unless modified by the conditions below.*
2. *Replacement of the existing chain link fence and gate where it is visible from the right of way with a masonry wall or wrought iron gate to come into conformance with the current City of Mesa Design Guidelines.*
3. *Right of way landscaping to be installed along the Broadway Road frontage.*
4. *All display of sale vehicles to be behind a new block and wrought iron fence.*
5. *This Special Use Permit for auto sales is specific to the applicant of record for BA10-13.*

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6. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

**Vote:** Passed 6-0

**Findings:**

- 1.1 The Special Use Permit allows vehicle sales on an existing TCB-2 zoned parcel. This site has historically operated as an auto repair facility.
- 1.2 The site is surrounded by TCB-2 and M-1 zoning with existing land uses that do not include outdoor display or storage. The existing land uses surrounding the site include an auto body shop, tire shop, and auto repair shop. The addition of unscreened outdoor display for vehicle sales is not consistent with these uses.
- 1.3 The site is consistent with the intent of the Mesa 2025 General Plan. The General Plan designates this site as part of the Town Center Area. The Town Center Concept Plan designates this site for a business park and industrial uses.
- 1.4 The site meets the intent of the zoning ordinance with the conditions of approval bringing the signage, fencing, landscaping into conformance with the current zoning code requirements.
- 1.5 Broadway Road between Center Street and Mesa Drive transitions from more intense industrial development with outdoor storage and sale to less intense retail and service oriented uses.

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**Board of Adjustment Meeting  
September 14, 2010**

**Case No.:** BA10-050

**Location:** 1 – 270 West Main Street (PLN2010-00204)

**Subject:** Requesting a Special Use Permit to allow a Special Event to exceed the number of events allowed in a calendar year in the TCC zoning district. **(Continued from the August 10, 2010 meeting)**

**Decision:** Approved with conditions

**Summary:** Jon Richards represented the case and explained his request for a Special Use permit and the desire to improve the downtown economy.

Chair McCray asked Mr. Richards to address the comments and concerns by the Main Street property owners. Mr. Richards clarified that many of the complaints heard were for the 4<sup>th</sup> of July event that he did not put on. He had a concern with the three-month limit. He also stated that his events are much smaller, approximately 3,000 attendees, than the 4<sup>th</sup> of July event; which attracted approximately 12,000 to 15,000 people.

The names and addresses listed below are citizens who were in favor of the item and made these collective comments:

Marima Radman, 27 S. Robson	Ron Ackerman 218 W. Main St
Jennifer Lobdell, 142 W. Main St.	Mark Lobdell, 142 W. Main St.
Nick Huntington, 1549 E. Hale St.	Matt Tolman, 58 S. Mesa Dr.
Laurent Teichman, 47 W. Main St.	Terri McCook, 216 W. Main St.
Jim Gleason, 117 W. Main St.	Preston John, 44 S. Greenfield Rd.
Gannon Nikolich, 141 N. Pasadena	Bob Leeper, 127 W. Main St.
Debbie Leeper, 127 W. Main St.	Shelley Nikolich, 125 W. Main St.
Elizabeth Freeman, 48 N. Robson St.	Doug Wimmer, 136 W. Main St.
D'Ann Davis, 144 W. Main St.	Mike Pierson, 50 W. Main St.
Erica Wise, 210 W. Main St.	Jenna Villalobos, 37 W. Main St.
Petar Nikolich, 125 W. Main St.	George Notarpole, 129 W. Main St.
Art Froehlich, 124 W. Main St.	Alice Veralz, 33 W. Southern Ave
Sam Shaw, 212 W. Main St.	Kristin Alber, 166 W. Main St.
Kathy Hay, 250 W. Main St	Michelle Skaarup, 54 W. Main St.
Greg Farr, 114 W. Main St.	Matt Muralt, 130 W. Main St.
Jennifer Wyatt, 123 W. Main St.	Jeff Naylor, 41 W. Main St.
Nina Hartnett, 15 W. Main St.	Jake Phelps, 149 W. Main St.
Sue Norris, 161 W. Main St.	Del Lamoreaux, 154 W. Main St.
Kirk Hofman, 260 W. Main St.	

- 'Support the downtown events and would like to see more'
- 'In favor of the conditions of approval and would like to see the event promoter create a master site plan that is sensitive to the established businesses'
- 'The events benefit all, would like to see all Main Street get on board'
- 'In favor of any events that will bring people downtown'
- 'In favor if guidelines are implemented and issues are resolved'

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- 'Event planner needs to respect the downtown merchants'
- 'Appreciated Mr. Sheffield meeting with concerned merchants'
- 'In favor of the events with better signage and parking control'
- 'In favor, please include Main St. all the way to Morris'
- 'Not opposed to events, but there needs to be better communication'
- 'There needs to be community meetings to discuss event plans'
- 'Business increases during events, helps support downtown growth'

The names and addresses listed below are citizens who were opposed to this item and made these collective comments:

Crystal Russell, 237 W. Main St.  
Lily Neff, 240 W. Main St.

Glen Blackmore, 220 W. Main St.  
Kristin R. Welch, 450 S. Acacia

- 'Concerned with the lack of notification and inadequate signage'
- 'Has experienced damage to property by event goers'
- 'Businesses in the Robson to Morris block do not benefit because their block is not included'
- 'Concerns that the event planner is not listening to merchant issues'
- 'Questions summer time events due to the heat'
- 'Could support the events with the appropriate conditions'

Mr. Richards denied ignoring the issues from the downtown merchants and again commented on the confusion related to the 4<sup>th</sup> of July event that was not promoted by his group.

Board member Stradling asked about the signage issues and concern that the Robson to Morris block is being excluded from the events. Mr. Richards responded that that section can hold their own event in conjunction with his event. They would be required to provide insurance. He stated that there are no funds to have signs made. He suggested that the merchants put up signs for private parking lots and that the City provide signs to the public parking lots.

Board member Hitchens commented on the complaints and the handling of problems. He also asked how the events are advertised. Mr. Richards stated that Chester's Motorcycles advertises and there are sometimes articles in the newspaper.

Chair McCray asked about the request from merchants to include the Robson to Morris block of Main St. Mr. Richards explained that the events, so far, have not had the density to include all of Main St. from 0 to the 270 block. He also asked Mr. Richards if there was a website for the events, Mr. Richards stated that one is planned in the future.

Board member Labadie asked about previous issues and parking concerns. He noted that better communication is necessary and also an event, transportation and parking plan. He suggested the use of volunteers to direct traffic and to provide event information.

Board member Jones agreed with Board member Labadie and supported an event plan to inform attendees of the activities and parking locations.

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Mr. Sheffield summarized the staff report and commented on the lack of communication that seems to be occurring. He further reviewed the conditions of approval and fielded questions.

Board member von Borstel commented on the hotline and the review of the permit.

Board member Hitchens asked how the hotline would function, Mr. Sheffield provided a brief explanation. Board member Hitchens further commented that he felt that the event would go smoothly and motioned to approve BA10-050.

**Motion:** It was moved by Boardmember Hitchens, seconded by Boardmember Jones to approve BA10-050 with the following conditions.

1. *Compliance with all health, building, fire safety, and tax and licensing regulations of the City of Mesa.*
2. *Compliance with the site plan and narrative, which delineates the operational locations of the "Rats, Rods and Roadsters" event.*
3. *The City shall reserve the right to make necessary adjustments to the Special Use Permit or the site plan to ensure pedestrian safety and that the landscaping is properly maintained.*
4. *The "Rats, Rods and Roadsters" event shall follow the Good Neighbor Policy aspects of the MAC fest event including:*
  - a. *Parking --- Patrons of the event and customers of the downtown businesses will be directed to the public parking lots located north and south of Main Street.*
  - b. *Circulation --- All activities will meet the American with Disabilities Act requirements.*
  - c. *Safety --- Fire extinguishers will be at every table where food is prepared.*
  - d. *Coordination with the Downtown Businesses --- The applicant will work with the Planning Division, and business owners to coordinate the event.*
  - e. *Solid Waste Management Plan --- Downtown Events will monitor themselves and will provide waste management as needed.*
  - f. *Set-up may begin at 4:30 p.m. Vendor breakdown will begin immediately after the event ends at 10:00 pm. Vendors will be allowed one and a half (1½) hours for breakdown and cleanup.*
5. *The event operator shall assign a member of the event staff to be available to merchants and others affected by the event activities. This "hotline" person may be contacted by telephone or by e-mail, the phone number and e-mail address of which shall be distributed to downtown tenants and merchants within the Pedestrian Overlay District (Centennial to Country Club, 1<sup>st</sup> Street to 1<sup>st</sup> Avenue) and other interested parties before the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 6<sup>th</sup> and 9<sup>th</sup> month.*
6. *The event operator shall maintain a complaint log, which shall document each complaint or concern sent to the "hotline" person, as described in Condition 5, and shall also document any steps taken to resolve the complaint or concern. The complaint log shall be presented to the Board of Adjustment at a study session during the months of December, March, July and September at the staff's discretion. In the event the Board is dissatisfied with the responses to concerns or complaints as documented on the complaint log, the Board may, at their option, direct staff to advertise the case for the next Board meeting for the purposes of possibly revoking the Special Use Permit, pursuant to Section 11-18-6(D) of the Mesa Zoning Ordinance.*
7. *Any temporary vendors used during the event shall maintain a distance of 150-feet from permanent tenants or merchants that provide reasonably similar services or goods.*

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*Permanent for the purpose of this condition is defined as tenants or merchants occupying a structure that has received a Certificate of Occupancy from the Building Safety Division.*

8. *The Special Use Permit shall expire on September 30, 2011 unless extended by separate action of the Board of Adjustment.*

**Vote:** Passed 6-0

**Findings:**

- 1.1** The applicant has been approved for a Special Use Permit to allow more than four Special Events within a calendar at the same location. "Rats, Rods and Roadsters" promotes and brings awareness to the downtown community of Mesa, making it a destination. The event encourages patronage to downtown restaurants and shops, and allows individuals to showcase their vehicles in a designated area.
- 1.2** Downtown Events, the applicant, is a non-profit organization whose mission is to create, manage and sponsor events in Mesa's Downtown community. The organization has brought awareness to downtown by sponsoring other regularly occurring events, including "Motorcycles on Main" and it is anticipated that "Rats, Rods and Roadsters" would have similar success.
- 1.3** The event is located on Main Street between Center Street and Robson and occurs between the hours of 6:00 pm and 10:00 pm on the third Friday of each month. Main Street will be closed to thru traffic during the hours of the event between Center Street and Robson. The applicant provided a traffic control plan that indicates how the closure will be identified and how traffic will be redirected.
- 1.4** Downtown Events indicated that there will be three components to the "Rats, Rods and Roadsters" event, which include cars, food and live music. The event is designed for car enthusiasts to show their vehicles, and are the only vehicles on Main Street during the event. In addition, four bands, seven local restaurants and two outside food vendors will form clusters of activity within the two-block area. The use of food vendors outside of the downtown area is limited in order to encourage business to restaurants located downtown.
- 1.5** Vendors also play a role in the event, including food vendors, non-food vendors and non-profit organizations. Only two meal food vendors are utilized so that downtown restaurants remain a feature of "Rats, Rods and Roadsters"; however, snack vendors are not limited. Other vendors include car dealers, insurance companies, auto parts, tire dealers, apparel, jewelry, artists and RV rentals. Non-profit groups are also participating in the event for the purpose of fundraising, raising awareness and to increase membership.
- 1.6** The "Rats, Rods and Roadsters" event is similar to others that occur regularly on Main Street and will go a long way to promote business and interest in the Mesa downtown area. Events that interest various groups bring new types of patrons to the downtown area and enlighten them to the positive changes that the downtown area has experienced and anticipates in the future. In addition, the event will comply with the "Good Neighbor Policy" of the MAC fest event, that considers the public interest, health, safety, and general welfare of the attendees and its influence on adjacent property owners and tenants. To ensure that the event is a positive impact in the downtown community, the Special Use Permit will be reevaluated after one year. Therefore, the Special Use Permit is compatible with, and not detrimental to, adjacent properties in the area

**Board of Adjustment Meeting  
September 14, 2010**

**Case No.:** BA10-056

**Location:** 1028 South Bellview Circle

**Subject:** Requesting a Variance to allow an addition to encroach into the required side yard in the R1-6 zoning district. (PLN2010-00228) **Continued from the August 10, 2010 meeting**

**Decision:** Continuance to the October 12, 2010 meeting.

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

**Motion:** It was moved by Boardmember von Borstel seconded by Boardmember Stradling to continue BA10-056 to the October 12, 2010 meeting.

**Vote:** 6-0

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## Board of Adjustment Meeting September 14, 2010

**Case No.:** BA10-058

**Location:** 2415 South Date

**Subject:** Requesting a variance for a detached structure to encroach into the side yard setback in the R1-7-DMP zoning district. (PLN2010-00265)

**Decision:** Denied

**Summary:** Fred Woods summarized the case and commented on issues related to the process. Chair McCray asked Mr. Woods if he would like to continue the case to the October meeting, Mr. Woods stated no. He proceeded to explain to the Board the reasons and justifications he and his clients felt were applicable to the property.

Howard Skinner, 2423 S. Date spoke in opposition to the variance with these concerns:

- The structure is too large and too tall, it would be 12' above the fence line. It is out of character for the Rancho del Mar community.
- Felt that is too close to the property line and had concerns that the eaves would be overhanging the property line. He was also concerned that there would be an AC unit on the roof or on a wall in the setbacks.
- Concerns with the type of use the structure would be utilized for.
- Concerned that the close proximity and large size of the structure that could adversely affect his property.

David Schuler, 2414 S. Orange spoke in opposition to the variance and agreed with Mr. Skinner's concerns and stated that the structure is too high and also questions the use. Mr. Schuler stated that he has an accessory living structure on his property, but it meets all setbacks. He would like the applicant to do the same.

Mr. Woods clarified that there would be no air conditioner unit on the roof or in the 5' setback side. He stated that the structure would be utilized as an RV and storage garage. The property owners stated that they would be willing to raise the block wall and provide additional trees to block the view of the garage from Mr. Skinner's property.

Staff member Kim Steadman the staff report and analysis. Zoning Administrator Gordon Sheffield provided an additional analysis of the request and the applicant's desire to switch the setbacks for their particular use. He further stated that when the home was originally constructed it was built to the appropriate setbacks. There is a concern that precedence could be set allowing property owners to change their setbacks to satisfy their current circumstance.

Board member Labadie asked how setbacks are determined. Staff replied that the setbacks are set at the time of construction.

Board member Jones felt that the structure should be scaled back to meet the setbacks.

Board member von Borstel supported continuing the case to allow the applicant to reduce the size of the garage.

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Chair McCray asked if the owner's would be willing to reduce the size of the garage. Mr. Woods responded that the owners would like to build the garage at the size submitted and did not want a continuance of the request to the next Board meeting.

**Motion:** It was moved by Boardmember von Borstel, seconded by Boardmember Labadie to deny BA10-058.

**Vote:** 5-0 (Stradling - abstain)

### **Findings:**

- 1.1** The R1-7 zoning district requires a total of 15' of width for the two side yard setbacks, with a minimum of 5' on one of the sides. Separate from these minimums, the code also requires a minimum side yard setback of 10' (on one of the sides) for vehicular access to the rear yard. The existing minimum setback on this property (on the living room side of the yard) measures 8.4'. The opposite side of the yard has a much larger setback, and meets the 10' width requirement for vehicular access. In addition to side yard setbacks, the new garage must also maintain a 6' separation from the existing house if it is to be considered a detached accessory structure. The applicant requested a 5' encroachment on the 10' side yard, vehicular access setback to accomplish this. The encroachment, beginning 3' from the rear property line, would run the 42' length of the garage.
- 1.2** The Zoning Ordinance allows properties with access to an alley some latitude in site design by setting a minimum 5' width, plus a total 15' required width. This property does not have alley access, so the minimum requirements are 5' on one side and 10' on the other. The original site design created setbacks that are more generous than the minimum requirement. The addition of a structure to the site, however, does not cast the existing structure into nonconformance with the standards to which it was built, requiring a variance at this point.
- 1.3** Staff framed the request as a variance to allow an accessory structure to encroach on the side yard setback, while also encroaching on the rear yard setback of a residential lot. The structure in question measures 15' tall, to the middle of the roof rise. The Zoning ordinance allows an accessory structure of this height to encroach only on the rear yard setback. (See §11-13-2 (B) 2.)
- 1.4** The Ordinance provides for a separate scenario to allow an accessory structure "in the required side and rear yards provided it is within the rear one quarter (¼) of the lot and does not exceed ten feet (10') in height." (See §11-13-2 (B) 1.) The rear ¼ of this side of the property measures 30.64'. The proposed garage would extend 47' from the rear property line, 16.36' feet beyond the rear ¼ of the lot, and would be 5' too tall to meet the conditions of the Ordinance.
- 1.5** In reviewing the request for a variance, it was determined that there was not adequate justification to recommend its approval. The property is of similar size, shape and orientation as other properties in the neighborhood. There are other options for constructing a garage on the property that would not require a variance, such as reducing its size to locate it in the buildable area or attaching it to the primary dwelling. As a result, there were no unique circumstances that apply to the land that justified the need for a variance.

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**Board of Adjustment Meeting  
September 14, 2010**

**Case No.:** BA10-059

**Location:** 629 South San Jose

**Subject:** Requesting a variance for a fence to exceed the maximum height allowed in the R1-6 zoning district. (PLN2010-00264)

**Decision:** Approved

**Summary:** Mr. Nichols, the property owner, represented the case and stated his justifications for the variance that included; security from trespassers and theft/damage to his vehicles and property.

Staff member Angelica Guevara provided the staff report and recommendation.

Board member Labadie asked about the wrought iron fencing that is across the drainage easement channel. Mr. Nichols stated that he had it installed to prevent trespassers from using it to gain access to and from the condo complex to the east of his property.

Board member Jones asked the applicant about the ability for someone to walk around the proposed fence since it is only on the south side of his property leaving the front open. He also asked staff where the height measurement is taken from. Staff responded that the height is measured from the top of the drainage channel.

Board member Hitchens asked if the house was positioned on the front setback and also asked about the view from the lot. Staff replied that it appeared to be.

Board members Labadie and Jones stated that they could support a lower height fence.

Board member Stradling stated the he didn't feel that the fence would make that great of a difference in security, but supported the homeowner's desire to put up the fence.

**Motion:** It was moved by Boardmember Stradling, seconded by Boardmember Hitchens to approve BA10-059 with the following conditions:

1. *Compliance with the site plan submitted.*
2. *Compliance with all requirements of the Building Safety Division in the issuance of building permits.*

**Vote:** Passed 4-2 (von Borstel and Labadie nay)

**Findings:**

- 1.1 This variance permits a wrought iron fence that exceeds 3-foot, 6-inches in height to be constructed within the required front setback. The owner has a 7-foot wide drainage easement on the south side of their property. There is an existing 6-foot masonry wall along the east edge of the drainage easement that serves as a barrier to the adjacent multi-family development.

**Board of Adjustment Meeting  
September 14, 2010**

**Case No.:** BA10-060

**Location:** 744 East Broadway Road

**Subject:** Requesting a Special Use Permit to allow a commercial communication tower to exceed the maximum height allowed in the C-2 zoning district. (PLN2010-00209)

**Decision:** Approved

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

**Motion:** It was moved by Boardmember von Borstel, seconded by Boardmember Stradling to approve BA10-060 with the following conditions:

1. *Compliance with the site plan submitted except as modified by the conditions below.*
2. *The commercial communication tower shall utilize a Faux Date Palm design with a minimum of 55 palm fronds, bark cladding to resemble the bark of a natural palm tree, and all antennas, radio heads, and other equipments near antennas shall be painted to match the color of the palm fronds.*
3. *The commercial communication tower shall have a maximum height of seventy feet (70') at the top of the palm canopy (65' at the top of antennas).*
4. *The antennas shall not exceed 4'2" in length, 1'-1" in width, and 4" in depth.*
5. *The 10'x10' lease area is located at the rear of the building screened by 6' high existing CMU wall shall also screen the ground mounted equipment and the base of the tower.*
6. *The operator of the monopalm shall respond and complete all identified maintenance and repair of the facility within 30-days of receiving written notice of the problem.*
7. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

**Vote:** Passed 6-0

**Findings:**

- 1.1 The 70-foot high commercial communication tower by Clearwire is located towards the rear northwest portion of the parcel behind the existing Mesa Food and Deli store site within a 10'x 10' lease area screened by an existing 6 foot high CMU wall.
- 1.2 The property is zoned C-2, and allows commercial communication towers. This approval of a Special Use Permit (SUP) was required for a commercial communication tower in C-2 zoning district.
- 1.3 This approval required finding that the commercial communication tower was compatible with and not detrimental to surrounding properties and was consistent with the General Plan and other recognized plans and City Council policies, including the Commercial Communication Tower Guidelines, adopted in 1997.

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- 1.4** Based on the plans, identified as site # AZ-PHX0821B (Mesa Food Monopalm) and dated June 14, 2010, the commercial communication tower and associated ground mounted equipment are located within a designated lease area. The lease area (10'x10') is surrounded by an existing six-foot tall CMU screen wall. The array on the monopole consists of three sectors, each with one antenna and a microwave dish. The antennas each measure 4'2" L x 1'-1" W x 4" D. The microwave dishes are 2'-2" in diameter.
- 1.5** The applicant noted this site is necessary to enhance its coverage and to provide better service clear above the existing building to the surrounding homes.
- 1.6** The location of the commercial communication tower complies with the Commercial Communications Towers Guidelines it is approximately 135-feet from the Broadway Road, where 70-feet would be required. In addition, the commercial communication tower is a minimum of 20-feet from the nearest residential parcels to the north zoned R-4, where 140-feet would be required.
- 1.7** Staff was concerned that the location is approximately 20 feet from the existing multifamily facility to the north zoned R-4. Staff encouraged the applicant to explore potential co-location nearby at the Mesa Junior High ball field or other locations to meet the Mesa guidelines.
- 1.8** A commercial communication tower is an allowed use in C-2- zoning district subject to granting of a Special Use Permit. Consistent with the Commercial Communication Tower Guidelines adopted by the City Council May 19, 1997, the location of the commercial communication tower exceeds the recommended setback from Broadway Road; however falls short from adjacent residential facility "The Palm" zoned R-4 to the north. Given the distance from street, the context of the site, and the use of a stealth design, the commercial communication tower is compatible with and not detrimental to surrounding properties.

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A. Other Business:

None

Respectfully submitted,

Gordon Sheffield, AICP  
Zoning Administrator

Minutes written by Mia Lozano, Planning Assistant

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