Board of Adjustment

Minutes

City Council Chambers, Lower Level
January 8th, 2013

Board Members Present:
Danette Harris- Chair
Wade Swanson
Greg Hitchens
Trent Montague
Tyler Stradling

Board Members Absent:
Chanel Fitch-Kirkpatrick- unexcused
Cameron Jones- unexcused

Staff Present:
Gordon Sheffield
Angelica Guevara
Jeff McVay
Kaelee Wilson
Jason Sanks
Wahid Alam
Lesley Davis

Others Present:
Dennis D. Smith
Joann Vankirk
Cecil Libman
Michael Frost
Pat White
Brian Johns
Mike Demaio

The study session began at 4:30 p.m. The Public Hearing meeting began at 5:44 p.m. Before adjournment at 6:48 p.m., the following items were considered and recorded.

Study Session began at 4:30 p.m.

A. Zoning Administrator's Report:

i. Mr. Sheffield reported the status of the Sign Code update to the board. Mr. Sheffield stated there will be a Sign Code Update Advisory Committee meeting on January 24th, 2013 to discuss the update.

ii. Mr. Sheffield explained the "Future Discussion" items in the Board's packet. The materials are notes taken by Chair Harris at ULI's Boards and Commissions meeting. Mr. Sheiffield asked the Board to look the notes over and the Board will discuss them at a later meeting.

B. The items scheduled for the Board's Public Hearing were discussed.

Study Session was adjourned at 5:35p.m.

Public Hearing began at 5:44 p.m.

A. Consider Minutes from the December 11th, 2012 Meeting a motion was made to approve the minutes. Vote: Passed 5-0

B. Consent Agenda a motion to approve the consent agenda as read was made by Board member Swanson and seconded by Board member Stradling. Vote: Passed 5-0

Board of Adjustment Meeting
January 8th, 2013

Case No.: BA12-049

Location: 840 West Inglewood Street

Subject: Requesting a variance to allow an existing addition to encroach into the required side and rear yard in the RS-9 zoning district. (PLN2012-00398)

Decision: Approved with Conditions

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

Motion: It was moved by Board member Swanson and seconded by Board member Stradling to approve case BA12-049 with the following conditions:

1. *Compliance with the site plan and exhibits submitted.*
2. *Compliance with all requirements of the Development Services Division in the issuance of building permits.*

Vote: Passed 5-0

FINDINGS

1.1 The approved addition would result in a 16.5-foot encroachment into the required 25-foot rear yard in the RS-9 district.

1.2 The lot is 7,192 square feet in size and has been developed in a manner similar to surrounding properties.

1.3 The Board's justification for the detached building includes the desire to allow an existing addition to remain on the property that was created by a prior property owner.

1.4 There is a 12-foot wide alley adjacent to the north property line.

1.5 To the north of the alley is a private retention basin

1.6 There are no single-residences adjacent to the north property line.

1.7 Open patios are allowed to encroach 10-feet into the rear yard.

1.8 The patio is open and is 10-feet wide.

1.9 Livable areas are allowed to encroach into the required rear yard up to 10-feet for up to one-half the width of the widest dimension of the residence. The home is 55-feet wide. The livable addition is 22-feet wide.

1.10 Rear yards adjacent to 16-foot or wider alleys can be measured from the centerline of the alley. There is a 12-foot wide alley adjacent to the north property line.

1.11 The site has special conditions that apply to the land as it is not typical to have an alley adjacent to the rear yard that is adjacent to a large private retention basin. Typically homes that back-up to alleys have single-residences on the other side of the alleys.

1.12 Compounding the allowed encroachments into the rear yard with the measurement of the rear yard from the centerline of the alley allows the interpretation of a 6-foot encroachment into the rear yard.

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Case No.: BA12-052

Location: 3832 and 3838 East Alder Avenue

Subject: Requesting a Special Use Permit to allow a recreational vehicle (RV) to be used as a caretaker's unit in the RS-6 zoning district. (PLN2012-00399)

Decision: Denied

Summary: Applicant spoke with staff and expressed a desire to not move the case forward but refused to provide a written request to formally withdraw their request. The applicant did not attend the study session or the hearing. This case was on the consent agenda and was not discussed on an individual basis.

Motion: It was moved by Board member Swanson seconded by Board member Stradling to deny case BA12-052.

Vote: Passed 5-0

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Case No.: BA12-053

Location: 146 West Baseline Road

Subject: Requesting a Variance to allow a reduction to the width of the required landscape yard in the LI-CUP zoning district. (PLN2012-00413)

Decision: Continued to the March 19th, 2013 hearing

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

Motion: It was moved by Board member Swanson seconded by Board member Stradling to continue case BA12-053 to the March 19th, 2013 hearing.

Vote: Passed 5-0

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Case No.: BA12-054

Location: 2136 East Baseline Road

Subject: Requesting a Special Use Permit to allow a wireless communication facility to exceed the maximum height allowed in the LC zoning district. (PLN2012-00386).

Decision: Continued to the February 12th, 2013 hearing.

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

Motion: It was moved by Board member Swanson and seconded by Board member Stradling to continue case BA12-049 to the February 12th, 2013 hearing.

Vote: Passed 5-0

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Case No.: BA13-001

Location: 445 West McKellips Road

Subject: Requesting a Substantial Conformance Improvement Permit to allow for an expansion of a building in the GC zoning district. (PLN2012-00496)

Decision: Approved with Conditions

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

Motion: It was moved by Board member Swanson seconded by Board member Stradling to approve case BA13-001 with the following conditions:

1. *Compliance with the site plan submitted, except as modified by the conditions listed below.*
2. *Provision of a five (5), five-foot (5') diameter irrigated pots between the front parking spaces and existing Building 1. Each pot shall be planted with one (1), five (5) gallon size shrub and three (3), three (3) gallon size accent plants.*
3. *No outdoor activities or outdoor storage shall be permitted. All repair activities must occur within an enclosed structure.*
4. *All existing and/or proposed roof mounted equipment shall be fully screened (four sides) from neighboring properties with the addition of parapet walls, or other permitted screening mechanism.*
5. *The use of barbed wire and razor wire on this site shall be in conformance with §8-6-3 (I) of the Mesa City Code.*
6. *Compliance with all requirements of an Administrative Design Review.*
7. *Compliance with all requirements of Development Services in the issuance of building permits.*

Vote: Passed 5-0

FINDINGS

1.1 This request would allow the expansion of an existing auto body use on a GC zoned property. The expansion includes a new 780 square foot service bay and 1,863 square feet of canopy. Improvements proposed by the applicant include: 1) the landscape area on the south end of the property will be re-landscaped, 2) planting pots will be added to the front of Building 1, 3) additional landscaping will be added to the landscape area adjacent to McKellips Road, and 4) a partial parapet wall will be added to Building 2 to screen roof mounted equipment..

1.2 Concerns relate to screening of existing and proposed roof mounted mechanical equipment, potential for outdoor activity, and barbed and razor wire. Each of these concerns was addressed with a condition of approval. Additionally, approval includes the provision of five, 50-foot diameter irrigated pots at the front of the parking spaces on the north side of Building 1.

1.3 Full compliance with current Code development standards would significantly reduce the amount of buildable area and may preclude the use of the site for this permitted use. A limited amount of area is available for improvement to the existing development site and to affect compliance with current development standards. Sufficient justification exists to review the requested SCIP. The applicant proposed site plan, including the recommended conditions of approval, provides substantial conformance with current development standards and demonstrates site improvements that will benefit the property owner and surrounding neighborhood.

Board of Adjustment Meeting
January 8th, 2013

Case No.: BA13-002

Location: 7444 East Balsam Circle

Subject: Requesting a variance to allow an encroachment into both front and side setbacks in the RS-6 PAD zoning district. (PLN2012-00478)

Decision: Approved with Conditions

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

Motion: It was moved by Board member Swanson seconded by Board member Stradling to approve case BA13-002 with the following conditions:

1. *Compliance with the site plan and exhibits submitted.*
2. *Compliance with case# BA02-001.*
3. *Compliance with all requirements of the Development Services Division in the issuance of building permits.*

Vote: Passed 5-0

FINDINGS

1.1 The approved request would also allow the addition of a new Arizona room and patio facing the 74th Street.

1.2 The overall addition roof area (3158 sq. ft.) will be approximately 45% of the area of the lot (7009 sq. ft.)

1.3 The existing trapezoid shape of the lot is pre-existing and was not created by the current property owner.

1.4 The west property line is only 76-feet, 24-feet shorter than typical lot depth of 100-feet.

1.5 The rear yard setback varies between approximately 20-feet 4-inches existing at the northeast corner and approximately 5' at the northwest corner adjacent to west property line.

1.6 The interior side yard along east property line is approximately 9-feet and 10-inch (5 feet required), whereas setback along 74th Street is 16-feet (10 feet required). The front setback is 19 feet (20 feet required).

1.7 The strict application of the Zoning Ordinance will deprive the property owner of privileges enjoyed by other properties of the same classification in the same zoning district as the shape of the lot is limiting the property owner's ability to replace the 30 year old unit with a new upgraded one without encroaching into the required 20-foot wide rear yard.

1.8 The new manufactured home unit would encroach maximum approximately 14-feet and 6-inch into the required 20-foot rear yard only at the northwest corner of the home.

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Case No.: BA13-003

Location: 51 South Extension Road

Subject: Requesting a Special Use Permit for a wireless communication facility to exceed the maximum height allowed in the GC zoning district. (PLN2012-00480)

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 Board member Swanson seconded by Board member Stradling to approve case BA13-003 with the following conditions:

1. *Compliance with the site plan submitted except as modified by the following conditions below.*
2. *The commercial communication towers shall utilize a mono-palm design with a maximum height of sixty-five (65') to the top of the palm canopy and sixty-two feet (62') to the top of antennas.*
3. *The commercial communication tower shall utilize a Faux Date Palm design with a minimum of 65 palm fronds. Ten palm fronds shall be a minimum of 10-feet in length with the remaining palm fronds no less than 7 feet in length.*
4. *The antenna arrays stand-off shall not exceed twenty-four inches (24") from the pole.*
5. *The antenna array for each sector shall not exceed an overall width of four feet (4').*
6. *The antennas shall not exceed 96" long x 11.8" wide x 6" deep.*
7. *All antennas, mounting hardware, and other equipment near the antennas shall be painted to match the color of the faux palm fronds.*
8. *The operator of the mono-palm shall respond to and complete all identified maintenance and repair of the facility within 30-days of receiving written notice of the problem.*
9. *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.*
10. *The twelve-foot (12') wide ingress/egress drive and technician parking area shall consist of a dust proof surface enclosed by curbing or other similar material. Dust proof surface shall be defined as decomposed granite or similar material to a minimum depth of three inches (3").*
11. *Maintenance of the facility shall conform to the requirements of Zoning Ordinance Section 11-35-5-I.*
12. *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.*
13. *Future co-location of one additional carrier may be allowed through a separate zoning approval, provided appropriate methods are used to camouflage the additional antennas and equipment.*
14. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*

Vote: Passed 5-0

FINDINGS

1.1 The approved 65-foot high CCT would be placed at the northeast corner of the existing warehouse building. The subject property is zoned GC, which permits CCTs subject to the approval of a Special Use Permit (SUP). Approval of a SUP requires finding the CCT is compatible with and not detrimental to surrounding properties and is consistent with the General Plan and other recognized plans and City Council policies, including the Commercial Communication Tower Guidelines, adopted in 1997.

1.2 The approved monopalm would be 65-feet high and will resemble a date palm. The array of the monopalm will consist of three sectors, each with three antennas, for a total of nine antennas. The antennas will measure 96" L x 11.8" W x 6" D, and will be adequately screened by 65 fronds.

1.3 Based on the submitted plans, identified as X189-GG and dated July 19, 2012, the approved CCT and the associated ground mounted equipment will be located within 10 feet high CMU enclosed service yard to the east of the warehouse building.

1.4 The mono-palm will be located within 10'x10' lease area and associated ground mounted equipment would be located further north within 10'x30' lease area and enclosed with a six-foot high chain link fence and covered with shade structure 9 feet tall.

1.5 The lease area would be within the service yard enclosed by an existing ten foot tall CMU block screen wall out of public view.

1.6 In 2008, city has approved a mono-palm at this location (ZA08-058TC) which was not build.

1.7 The approved monopalm complies with the Commercial Communications Towers Guidelines in that it will be 389-feet from the right-of-way, where only 65-feet would be required. In addition, the approved monopalm will be a minimum of 352-feet from adjacent residences, where only 130-feet would be required.

1.8 The applicant has noted: 1) this site is necessary to provide coverage to the residents and businesses in the area, 2) the stealth application, 3) the distance of the stealth facility from property lines, and 4) the screening of equipment as justification for the request. In addition to the applicant's justification.

1.9 The Commercial Communication Tower Guidelines recommend the use of alternative design to conceal CCTs, setbacks from streets, and setbacks from residential properties in an effort to mitigate the visual impact of CCTs. The proposed CCT with the selection of mono-palm and location within an existing service yard screened by existing 10-feet tall CMU wall utilizes an effective design that will minimize visual impact.

1.10 The CCT will exceed the setback recommendations from Extension and from the residential properties to the south.

1.11 The CCTs are an allowed use in GC Zoning District subject to granting of a Special Use Permit. The location of the proposed CCT exceeds the Commercial Communication Tower Guidelines recommended setback from adjacent street and from residential properties to the south. Given the stealth design, with the location within an existing service yard enclosed with 10 feet high screen wall and the context of the site, the proposed CCT would be compatible with and not detrimental to surrounding properties.

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Board of Adjustment Meeting
January 8th, 2013

Case No.: BA13-004

Location: 606 West Kiowa Avenue

Subject: Requesting a variance to allow a garage to align with the primary front of the dwelling in the RS-6 zoning district. (PLN2012-00485)

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 Board member Swanson seconded by Board member Stradling to approve case BA13-004 with the following conditions:

1. *Compliance with the site plan and exhibits submitted.*
2. *Compliance with all requirements of the Development Services Division in the issuance of building permits.*

Vote: Passed 5-0

FINDINGS

1.1 The approved variance is being requested to allow the re-construction of a home that was destroyed by a fire last spring. The only portion of the old home that will remain is the west wall.

1.2 The subject site is Lot 119 of the American Village Unit 1 subdivision and is located west of Country Club Drive and south of Baseline Road. This property is zoned RS-6. The deviation that was requested is a new ordinance requirement. The ordinance now requires that where garage doors are oriented parallel or within 10 degrees of parallel to the front property line of the lot, they shall be located at least 3-feet behind the primary wall facing the street, and never less than the required garage setback. The applicant was approved for a footprint where the garage is closer to the street than the livable area.

1.3 The applicant has provided a Justification and Compatibility Statement for this request indicating the following: 1) The existing home was destroyed by a fire; 2) The existing homes were built in the 70's prior to the current requirement; 3) The site plan with the garage forward is consistent with the existing homes in the neighborhood; and 4) The majority of the homes in the subdivision are garage forward homes.

1.4 The Board of Adjustment must find the following items are present to approve a variance:

a) *There are special conditions that apply to the land or building.*
b) *The special condition was pre-existing and not created by the property owner.*
c) *That strict compliance with the Code would deprive the property of privileges enjoyed by other properties in the same zoning district.*
d) *The variance would not constitute a special privilege unavailable to other properties in the vicinity and zoning district of the subject property.*

1.5 The Board would not support this request if it was in a newer development, however this subdivision was developed in the late 1970's. The home is to replace a home destroyed by fire in an established neighborhood where it is common to have the garage project in front of the home. Staff does not feel that the allowance of this home to be constructed with the garage face further forward will be a detriment to this neighborhood.

1.6 The new ordinance requirement was established upon adoption of the revised Zoning Ordinance in September of 2011. The intent of the ordinance requirement is to mitigate the visual appearance of garages and bring the livable area closer to the street to create more active and inviting neighborhoods.

Case No.: BA13-005

Location: 1305 West Main Street

Subject: Requesting a Special Use Permit to allow a caretaker's quarters in the LC zoning district. (PLN2012-00493)

Decision: Continued to the February 12th, 2013 hearing.

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

Motion: It was moved by Board member Swanson seconded by Board member Stradling to continue case BA13-005.

Vote: Passed 5-0

Case No.: BA13-006

Location: 6454 East Main Street

Subject: Requesting a Substantial Conformance Improvement Permit to allow an expansion of a building in the LC zoning district. (PLN2012-00495)

Decision: Continued to the February 12th, 2013 hearing.

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

Motion: It was moved by Board member Swanson seconded by Board member Hitchens to approve case BA13-006 with the following conditions:

1. *Compliance with the site plan and landscape plan submitted, except as modified by the conditions listed below.*
2. *Compliance with all requirements of the Design Review DR13-02.*
3. *Provide screen walls along Main Street, 65th Street and alley (north property line) incorporating building materials, color and texture.*
4. *Expand the new asphalt in the alley further west aligned with the proposed side walk.*
5. *Provide continuous poured-in concrete curb in the 45 degree angel parking lot with raised landscape area and at least 5 foot separation between the parking space and the alley.*
6. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*

Vote: Passed 5-0

FINDINGS

1.1 The case site is a non-conforming parcel that qualifies for a SCIP. The approved site plan makes a good start, but it believed that addition reasonable revisions could be incorporated into the plan that would further it towards a goal of greatest degree of compliance with the current site development requirements.

1.2 The case site is a long, narrow corner lot that fronts onto a frontage road parallel to arterial street. The applicant has purchased adjacent two parcel to the east along 65th Street to have better access and more ground for expansion.

1.3 The approved site plan is a significant improvement of both building design and site improvement including landscaping along 65th Street and frontage road.

1.4 The applicant is expanding with almost as the same size as of existing facility with enhanced architectural features, landscape, which will substantially improve this street corner.

1.5 All these approved improvements will not be possible without the approval of this substantial conformance improvement permit (SCIP).

Case No.: BA13-007

Location: 1626 North Country Club Drive

Subject: Requesting a Substantial Conformance Improvement Permit to allow the redevelopment of an existing site in the LC zoning district. (PLN2012-00498)

Decision: Continued to the February 12th, 2013 hearing.

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

Motion: It was moved by Board member Swanson seconded by Board member Hitchens to continue case BA13-007.

Vote: Passed 5-0

Board of Adjustment Meeting
January 8th, 2013

Case No.: BA13-008

Location: 2256 North Mesa Drive

Subject: Requesting variances to allow: 1) An existing structure to encroach into front and side setbacks; 2) to allow the roof height of a detached accessory structure to exceed the maximum height allowed; and 3) to allow a detached accessory structure to be greater than 50% of the roof area of the primary dwelling unit in the RS-35 zoning district. (PLN2012-00501)

Decision: Continued to the February 12th, 2013 hearing.

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

Motion: It was moved by Board member Swanson seconded by Board member Hitchens to continue case BA13-008.

Vote: Passed 5-0

Board of Adjustment Meeting
January 8th, 2013

Case No.: BA13-009

Location: 830 East Second Avenue

Subject: Requesting a variance to allow a fence to exceed the height allowed within the front setback in the RS-6 zoning district (PLN2012-00500)

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 Board member Swanson seconded by Board member Stradling to approve case BA13-009 with the following conditions:

1. *Compliance with the site and landscape plans as submitted, except as modified by the conditions listed below.*
2. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*

Vote: Passed 5-0

FINDINGS

1.1 The approved variance is being requested to allow a 6' tall chain link fence within the 20' front yard setback. The maximum height allowed for a transparent fence is 4'6" without a variance approval to go higher. The existing park facility is characterized by two open fields and two softball fields and chain link fencing is used all over the site as typical with ball field fencing. The intent of the proposed fence is to provide greater security to the area and protect site amenities from vandalism. The concern expressed by the applicant is that a 4'6" fence can be climbed over and would not provide the level of protection desired.

1.2 The reason the fencing is not proposed at the 20' setback line is because there are existing site amenities and trees that would be separated from the ball field by the fence. These amenities are enjoyed by families and attendees of events at the ball field and therefore should not be separated from the field area by a fence.

1.3 Initially, staff desired to see a more attractive fence proposed than chain link. However, after visiting the site and understanding the context of the area and the primary use of the facility as ball fields, the chain link proposal is appropriate. The site already has extensive chain link fencing and the Junior High School across the street is completely encased in chain link fencing at the same setback as proposed by the park. Therefore, the proposed chain link fence is consistent and harmonious with fences in the immediate area.

1.4 As approved, the 6' chain link fence located within the 20' front yard setback requires the granting of a variance. The Board of Adjustment must find the following items are present to approve a variance:

a) There are special conditions that apply to the land or building.
b) The special condition was pre-existing and not created by the property owner.
c) That strict compliance with the Code would deprive the property of privileges

enjoyed by other properties in the same zoning district.

d) The variance would not constitute a special privilege unavailable to other properties in the vicinity and zoning district of the subject property.

1.5 The justification provided by the applicant related to this request notes that this recreational facility has been in place for over 50 years. The ball fields and amenities were established decades ago and the location of the proposed 6' fence has been predetermined based on the existing site layout and mature landscaping. Due to the age of this facility and the historical layout of the ball fields and amenities, there are special conditions that apply to the land that are pre-existing and pre-date current and former zoning ordinance requirements as related to allowable fence heights.

1.6 Other properties in the area, including the Junior High School, enjoy the privilege of having their ball field and recreational areas protected by fences that range in height from 3' to 10'. The strict application of the Code would deprive the LDS Church of the privilege afforded the Junior High School. In the same way, an approval of this variance would not constitute a special privilege to the LDS Church since nearby properties already enjoy this same privilege.

Case No.: BA13-010

Location: 3600 through 5200 blocks of South Ellsworth Road, east side between Elliot Road and Williams Field Road, and 3600 through 6000 blocks of South Signal Butte Road, west side.

Subject: Requesting a Special Use Permit to establish a Comprehensive Sign Plan for the Eastmark Planned Community in the PC zoning district. (PLN2012-00507)

Decision: Approved with Conditions

Summary: Jill Hegardt and Trevor Barger presented the case to the Board. Ms. Hegardt gave a brief overview presentation of Eastmark as a planned community. She then explained how crucial it is for Eastmark's wellbeing to establish a connection between marketing and place. Trevor Barger then described the form of place making that will take place at Eastmark. Mr. Barger briefly described each type of signage that was proposed as part of the Comprehensive Sign Plan (CSP). Mr. Barger explained to the Board that Eastmark needs the marketing signs in place by March of 2013 to meet marketing demands.

Zoning Administrator, Gordon Sheffield, gave a summary of his staff report and recommendation.

Board member Hitchens had a question concerning how the City will monitor the percent completion of Eastmark. Mr. Sheffield responded that DMB must provide the City with an update.

Motion: It was moved by Board member Hitchens seconded by Board member Swanson to approve case BA13-010 with the following conditions:

1. Compliance with the Eastmark Master Comprehensive Sign Plan (EMCSP), dated December 28, 2012, as submitted, except as may be modified by the conditions listed below;
2. Placement of any sign, except Streetscape Banners (Exhibit 2.22 of the EMCSP), within a Public Utility and Facility Easement (PUFE) requires review and approval of an encroachment permit into the PUFE by the City Engineer before the sign is erected or placed;
3. All signs in excess of 6-square feet, except Streetscape Banners, shall require review and issuance of a sign permit before the sign is erected or placed;
4. Streetscape Banners may not be displayed on street light poles or other devices that are adjacent to or within 150-feet of the following arterial streets: Elliot Road, Ellsworth Road, Ray Road (limited to those portions of Ray Road where the Eastmark development site exists on only one side of this street), Crismon Road (limited to those portions of Crismon Road where the Eastmark development site exists on only one side of this street), and Williams Field Road;
5. A single Major Community Entry Monument (one chosen from either Exhibits 2.3 or 2.4 of the EMCSP) may only be placed at the locations listed as "A" on Exhibit 2.2 (page 13 of EMCSP), and only where the "A" location also coincides with the intersection of two arterial streets, such as Ellsworth and Warner Roads, or Elliot and Signal Butte Roads. Arterial street intersections without the "A" demarcation shall not be allowed as a location of a Community Entry Monument (major or minor);
6. A single Minor Community Entry Monument (Exhibit 2.5 of the EMCSP) may be used at any site labeled "A" on exhibit 2.2 of the EMCSP. When placed at an arterial street intersection, the Minor

Community Entry Monument shall be substituted in place of a Major Community Entry Monument;

7. A maximum of twenty (20) Urban Directional Marketing Signs (Exhibits 2.8 through 2.11, inclusive, of the EMCSP) may be placed at "Major "B" locations as depicted on Exhibit 2.2 of the EMCSP, of which no more than three (3) Urban Marketing Directional Signs may be used as a cluster (that is, the signs are relatively close to one another and the long horizontal axis of each sign appears to be on the same alignment) at a single location;
8. Urban Marketing Directional signs greater than 16-feet in height shall only be placed at locations depicted as major "B" locations on exhibit 2.2 of the EMCSP. No more than four (4) Urban Marketing Directional signs greater than 16-ft high may utilized, and no more than one such sign greater than sixteen (16) feet high may be placed per such a location;
9. Minor "B" locations as depicted on Exhibit 2.2 of the EMCSP are limited to one Urban Marketing Directional Sign per location, and a maximum sign height of 12-feet;
10. All signs listed as "temporary" under column 2 of Table 1, included with this staff report, shall submit for review and approval of an Administrative Use Permit prior to being erected or placed. The initial issuance of the Use Permit shall be valid for 5-years, expiring on December 31. The Use Permit may be renewed after the initial issuance for periods of two-years at a time. Condition 10 does not apply to Streetscape Banners. Fees for the Administrative Use Permit shall be based on the adopted fee schedule in place at the time of issuance of the permit;
11. Administrative Use Permits for Urban Marketing Directional Signs or Builder Directional Signs shall not be renewed under Condition 10 (above) when 75% of the available land area for Eastmark (measured in acres) has been developed, or when 90% of the number of residential units designated as detached single residences have been issued building permits, whichever occurs first;
12. All elevations and proposed placement of permanent signs used to identify parks, civic spaces, or civic buildings and facilities shall be reviewed and approved by the Planning Director prior to submitting an application for a sign permit. Sections 2.7 and 2.8 of the EMCSP (pages 32 through 38, inclusive) are considered appropriate designs and shall be used to evaluate the size, elevation and design of each sign. Context and proximity to residential areas shall also be used in the evaluation, where small scale signs are typical for areas in the immediate proximity of single residence detached homes, and larger or more iconic monuments typically reserved for areas with civic or commercial character; and suitable transitional sizes between small and large for neighborhood sites with transitional or mixed-use characters;
13. The material used for Construction Screening (Exhibit 2.23 of the EMCSP), based on a submitted sample, shall be reviewed and approved by the Planning Director before installation. The material shall be reviewed with the intent that the screening material should be as opaque as is feasible for a fabric material;
14. Construction Screening (Exhibit 2.23 of the EMCSP) shall be maintained in good repair. Any rips, tears or other evidence of excessive wear, including excessive fading of the graphics, shall be repaired or replaced within 30-days of written notice being given by City of Mesa staff; and
15. The EMCSP shall be used as the governing document for all requests for temporary signs related to the Eastmark Planned Community. No other temporary signs other than those authorized by the EMCSP shall be allowed.

Vote: Passed 4-0 (Board member Stradling declared a conflict of interest)

FINDINGS

1.1 The Eastmark Planned Community is largest master planned development in Mesa, consisting of approximately 3200 acres +/-.

1.2 The Eastmark Master Comprehensive Sign Plan (EMCSP) largely conforms with purpose and intent

of Section 16 of the Mesa Proving Grounds (now referred to as Eastmark) Community Plan (ECP).

1.3 The ECP authorizes some sign types that would otherwise be prohibited under standard Sign Ordinance allowances. The ECP may do so based on Section 11-11-2.C of the Zoning Ordinance.

1.4 The initial development of Eastmark, based on existing approvals and Development Unit Plans under review, is focused on detached single residence subdivisions, and will take on a project site that largely open and vacant.

1.4 Because of the relatively large scale of this site, and a large number of subdivision that may result from the development of a large site, a very large number of temporary signs could be allowed. The EMCSP proposes to consolidate several of these signs conveying directions to several places on a single sign. This will result in significant reduction of sign clutter. However, the reduction in number and frequency may be offset by signs of a slightly larger scale.

1.5 The overall design and materials specified by the EMCSP for temporary signs generally exceed the quality typically required for signs as authorized by the Sign Ordinance.

1.7 With the recommended conditions of approval, signs authorized by the EMCSP should further goals regarding the use of signs as established in Section 16 of the ECP, and of the goals of the Mesa Sign Ordinance.

Case No.: BA13-011

Location: 922 North Gilbert Road

Subject: Requesting a Special Use Permit to allow the number of special events to exceed the maximum allowed in the OC zoning district. (PLN2012-00503)

Decision: Continued to the February 12th, 2013 hearing.

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

Motion: It was moved by Board member Swanson seconded by Board member Hitchens to continue case BA13-011

Vote: Passed 5-0

2 Other Business:

None

Respectfully submitted,

Gordon Sheffield, AICP CNU-a
Zoning Administrator

Minutes written by Kaelee Wilson, Planning Assistant