

CITY OF MESA

MINUTES OF THE PLANNING HEARING OFFICER

Held in the City of Mesa Planning Division Conference Room
20 East Main Street, Suite 130
Date May 1, 2008 Time 1:30 p.m.

HEARING OFFICER

William "Bill" Petrie

STAFF PRESENT

Dorothy Chimel
Tom Ellsworth
Maria Salaiz

OTHERS PRESENT

Amy Morales
Glenn Shearer
Frank Richards
Gary Finlinson
Larry Pieratt
Rick Brandt

The Planning Hearing Officer (PHO) Bill Petrie welcomed everyone present and approved the minutes of the April 3, 2008, and April 7, 2008 hearings as submitted.

Before adjournment at 1:56 p.m., action was taken on the following item:

Zoning Case: Z08-29

The public hearing was recorded on Flash Card one and track titled PHO 05.01.08.

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Item: **Z08-29 (District 6)** 6859 East Rembrandt Avenue. Located north of Warner Road and east of Power Road (14,100± sf). Council Use Permit. This request will allow a charter school within an industrial zoned area. Lance Richards; Pierpont Santan Two, LLC, owner; Larry Pieratt, applicant.

Comments: Tom Ellsworth, Senior Planner, stated that this request is for a Council Use Permit (CUP) to allow a charter school in an M-1 zoning district; adding that the University Public School Initiative is an affiliation of Arizona State University for K-6 grades and will have 234 students. He explained that there were initial concerns from the Economic Development Department and the Airport with this type of use in close proximity to the Airport but those concerns have been alleviated due to the temporary nature of this request. He added that there are Conditions, which state that this permit will expire on December 30, 2009, and limits the CUP to the University Public School Initiative.

Mr. Ellsworth continued that the Transportation Department has concerns with the student "drop-off" area and would allow parking on the south side of Rembrandt Avenue, with no parking on the north side. He stated that the Transportation Department also has concerns with vehicle queuing in the afternoon and if people park on the north side of Rembrandt citations will be issued. He stated that staff recommends Condition #2 be amended to include comments from the Transportation Department; adding that staff is recommending approval with conditions.

Larry Pieratt, 7004 E. Union Avenue, Mesa, applicant gave a brief history of the school and stated that they will be building a permanent facility on the Polytechnic Campus, which opens in the Fall of 2009. He stated they want to use this facility on a temporary basis to hold classes. He stated they've completed their citizen participation requirements and were well received.

Amy Morales, Mesa Gateway Area, stated they support this application and agrees with staff recommendations. She also noted their concerns with the "drop-off" area and asked that the outdoor activity areas be secured and that the applicant work closely with the Airport to ensure that all FAA Regulations are met. Mr. Pieratt briefly explained the layout of the playground area.

Frank Richards, Pierpont Commerce Group, 6502 E. Redfield Road, Scottsdale, voiced his support and added that all their concerns have been addressed and feel this project will be a good asset to the community.

Bill Petrie, Planning Hearing Officer, stated he also supports this project, which will be a great asset to the community. He clarified that the Transportation Department approved parking and "pick-up" and "drop-off" along the south side; adding that he thought it should only be "pick-up" and "drop-off", with no parking allowed on the south side. Transportation will require that the north side of Rembrandt be designated "No Parking".

He also asked if there had been any consideration on getting temporary access through the subdivision to the south out to Warner Road.

Gary Finlinson, 4852 East Baseline Rod, #105, Mesa, stated that there is no connection through the subdivision due to elevation and landscaping issues. Discussion ensued regarding parking, traffic and bonding for the project.

Mr. Petrie noted his concern with making a left hand turn onto Power Road, going south. Mr. Richards responded that they just received a permit from Maricopa County to install a left turn lane, which will be completed prior to the opening of the school. Discussion ensued regarding the traffic around the "pick-up" and "drop-off" areas, queuing spaces and parking on Rembrandt Avenue.

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The Planning Hearing Officer recommends to the City Council **approval** of zoning case Z08-29 conditioned upon:

1. Compliance with the basic development of the Charter School as described in the project narrative.
2. Compliance with all City development codes and regulations, including comments from the Transportation Division.
3. This Council Use Permit shall expire on December 30, 2009.
4. The approval of this Council Use Permit is limited to the University Public School Initiative.

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Note: CD's of the Planning Hearing Officer Hearings are available in the Planning Division Office for review.

Respectfully submitted,

John Wesley, Secretary
Planning Director

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