

CITY OF MESA

MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers
Date August 18, 2005 Time 4:00 p.m.

MEMBERS PRESENT

Barbara Carpenter, Vice-Chair
Alex Finter
Bob Saemisch
Frank Mizner
Jared Langkilde

MEMBERS ABSENT

Rich Adams, Chair (excused)
Ken Salas (excused)

OTHERS PRESENT

John Wesley
Dorothy Chimel
Tom Ellsworth
Ryan Heiland
Jennifer Gniffke
Ryan Matthews
Maria Salaiz
Krissa Hargis

Wahid Alam
Jim Smith
Dorothy Shupe
Ralph Pew
Al Gardner
Rosanne Casterton
Others

Vice-Chairperson Carpenter declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated August 18, 2005. Before adjournment at 4:55 p.m., action was taken on the following items:

It was moved by Boardmember Saemisch, seconded by Boardmember Finter that the minutes for the General Plan Amendment GPMinor05-04 held on July 19, 2005 and July 21, 2005 meetings be approved as submitted. Vote: 5-0 with Boardmembers Adams and Salas absent.

It was moved by Boardmember Saemisch, seconded by Boardmember Finter that the minutes of the July 21, 2005 meeting be approved as submitted. Vote: 5-0 with Boardmembers Adams and Salas absent.

Consent Agenda Items: All items identified with an asterisk (*) were approved with one Board motion.

It was moved by Boardmember Finter, seconded by Boardmember Saemisch that the consent items be approved. Vote: 5-0 with Boardmembers Adams and Salas absent.

Code Amendment: Amending Sections 11-1-6 "Definitions" of the Zoning Ordinance pertaining to replacement of the term "infill site" with the term "by-passed properties".

Zoning Cases: *Z05-73, Z05-80, *Z05-81, *Z05-82, *Z05-83, Z05-84, *Z05-85, *Sunland Springs Village Unit 7 Pre-Plat, Zoning Hearing Officer.

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Item: Code Amendment: Amending Sections 11-1-6 "Definitions" of the Zoning Ordinance pertaining to replacement of the term "infill site" with the term "by-passed properties".

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Finter, seconded by Boardmember Saemisch

That: The Board continued this code amendment to the September 15, 2005 meeting.

Reason: Technical corrections to this section needed to be addressed.

Vote: Passed 5-0 with Boardmembers Adams and Salas absent.

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Item: **Z05-73 (District 5)** The 4600 to 4800 block of East McKellips Road (south side). Located south and east of McKellips Road and Greenfield Road (33± ac.). Council Use Permit and Site Plan Review. This request is to allow for the development of a Sam's Club anchored retail center. Marsha G. Greene, owner; Sean Lake, Pew & Lake PLC, applicant. Also consider the preliminary plat. **CONTINUED FROM THE JULY 21, 2005 MEETING.**

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Finter, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat and recommend to the City Council approval of zoning case Z05-73 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, except as noted below.
2. Compliance with all requirements of the Design Review Board.
3. All pad buildings to be architecturally compatible with the center.
4. Site Plan Review by the Planning and Zoning Board and City Council of future development plans for Parcels B, C, D and E.
5. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
6. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication whichever comes first.
7. All street improvements and street frontage landscaping to be installed in the first phase of construction.
8. Recordation of cross-access easements between all lots proposed in the subdivision plat.
9. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan and gas station.
10. Compliance with all requirements of the Subdivision Technical Review Committee.
11. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport, which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).

Vote: Passed 5-0 with Boardmembers Adams and Salas absent.

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MINUTES OF THE AUGUST 18, 2005 PLANNING AND ZONING MEETING

Item: **Z05-80 (District 6)** The 8800 block of East Germann Road (north side). Located north of Germann Road and west of Ellsworth Road (16.3 ac). Rezone from PEP and M-1 to O-S PAD, C-1 PAD and M-1 PAD and Site Plan Review. This request will allow for the development of a business park. Anson L. Call, owner; Randolph L. Carter, applicant. Also consider the preliminary plat for "South Gate Commerce Park."

Comments: Boardmember Finter recused himself from this case stating he had a potential conflict of interest.

Vice-Chairperson Carpenter noted that Roseanne Casterton, 8745 E. Waterford Circle, was in favor of the proposed project.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat of "South Gate Commerce Park" and recommend to the City Council approval of zoning case Z05-80 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Compliance with all requirements of the Design Review Board.
8. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
9. Written notice be provided to future property owners, and acknowledgment received that the project is within one (1) mile of Williams Gateway Airport.

Vote: Passed 4-1, Boardmember Finter abstaining (Boardmembers Adams and Salas absent).

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MINUTES OF THE AUGUST 18, 2005 PLANNING AND ZONING MEETING

Item: **Z05-81 (District 6)** The 3200 – 3300 block of South Sossaman Road (east side). Located at the half-mile point between Guadalupe and Elliot Roads, at and just south of the power line easement on Sossaman Road (22.61 ac). Rezone from R1-6 and M-1 to AG and Site Plan Review. This request will allow for the construction of the Paloma Community Church and several accessory sports fields. Pastor Al Wilsey, Paloma Community Church, owner; Steve Anderson applicant.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Finter, seconded by Boardmember Saemisch

That: The Board approve and recommend to the City Council approval of zoning case Z05-81 conditioned upon:

1. Compliance with all City Development Codes and Regulations.
2. Compliance with all requirements of the Subdivision Regulations (§9-6).
3. Compliance with all requirements of the Design Review Board.
4. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
5. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted.
6. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
7. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication, whichever comes first.
8. All street improvements and perimeter landscaping to be installed in the first phase of construction.
9. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
10. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (prior to the issuance of a building permit). Specifically, the plat should indicate: "these properties, due to their proximity to Williams Gateway Airport, will experience aircraft overflights that generate noise levels which will be of concern to some individuals."

Vote: Passed 5-0 with Boardmembers Adams and Salas absent.

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Item: **Z05-82 (District 6)** The 9100 – 9200 block of East Guadalupe Rd (south side). Located at the southwest corner of Guadalupe Road and Ellsworth Road (1.6 ac). Site Plan Review. This request will allow for the development of a new convenience store and fuel canopy. Tim Holeman, owner; Justin Gubler, Architekton, applicant.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Finter, seconded by Boardmember Saemisch

That: The Board approve and recommend to the City Council approval of zoning case Z05-82 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted.
2. Compliance with all requirements of the Design Review Board, including the internalization of the roof ladder.
3. Approval of a Special Use Permit by the Board of Adjustment and compliance with all Board of Adjustment requirements associated with that approval.
4. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
5. Recordation of a cross-access easement prior to application for a building permit with the adjacent property to the south/west (future commercial development).
6. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
7. Compliance with all City development codes and regulations.
8. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.

Vote: Passed 5-0 with Boardmembers Adams and Salas absent.

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Item: **Z05-83 (District 6)** The 5600 – 6000 block of South Mountain Road (west side). Located South of Ray Road and east of Signal Butte Road (558± ac). Rezone from R1-6 DMP to R-2 PAD DMP, Modification to the Mountain Horizons Development Master Plan and Site Plan Review. This request will allow for the development of a cluster home project. Pulte Homes, Tim Loughrin, owner; Sean Lake, Pew & Lake, PLC, applicant. Also consider the preliminary plat.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Finter, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat and recommend to the City Council approval of zoning case Z05-83 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with the Residential Development Guidelines.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Written notice to be given to future residents that this subdivision is within two (2) miles of Williams Gateway Airport.
8. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
9. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.
10. Written notice to be given to future residents that this subdivision is within one (1) mile of General Motors Desert Proving Grounds.

Vote: Passed 5-0 with Boardmembers Adams and Salas absent.

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Item: **Z05-84 (District 5)** The 4200 block of East McDowell Road (south side). Located west of Greenfield Road and south of McDowell Road (19.28 ac). Site Plan Review. This request will allow for the development of a business park. Mike Wilson, owner; Michael Jorgensen, applicant. Also consider the preliminary plat for "Mesa Ridge."

Comments: Ralph Pew, 10 West Main Street, applicant stated that the property is zoned M-1 and they concur with the conditions outlined. He added that the design of the mixed used project is consistent with the zoning district and the design criteria. He mentioned that the letter from the adjoining property owner raised three issues. Mr. Pew addressed those issues stating that the property owner is requesting additional buffering on the western side of the property. He mentioned that when this property was zoned in 1982, a condition was put on the property that required that they retain two rows of citrus trees, which the applicant is providing. The letter also indicated that the property owner is involved in litigation with the current property owner regarding where those two rows of citrus trees should be placed. Mr. Pew noted that this is a private matter and does not affect the site plan. He reiterated that they would keep the two rows of citrus trees and provide whatever irrigation ditches necessary for the adjoining owner.

Mr. Pew stated that the other two issues are design issues. One involves the roll up doors that serve the industrial component of this project. He stated that the design criteria set forth in Chapters 14 and 15 already require that roll up doors be oriented to the interior, which they have complied with that design requirement. The other issue is the location of the garbage dumpsters. As designed, the location meets the Code requirements and separates them from the neighbors. He also stated that this is a simply site plan request and the objection from the neighbor is because the adjoining property owner has a nice piece of property that is zoned for residential purposes. Even though it is zoned that way, it is inconsistent with the City's General Plan. The General Plan calls for employment uses. He mentioned that the owner has every right to develop his property as residential but his complaints and concerns should be dismissed because they have met the design criteria and their zoning is consistent with the General Plan. He urged the Board's support.

Al Gardner, 3805 E. McLellan Road, owner of the property to the west, stated that he was the one who wrote the letter. He also mentioned that he was the person who requested industrial zoning for this area and who also asked to be annexed into the City of Mesa. He noted that some of his concerns had been addressed but he had not been presented with any information. He also stated he plans to develop his 20 acres into residential lots and was aware that the City would like to see industrial/employment type uses. Mr. Gardner stated that he was kept from trying to rezone to M-1 in the past and was still unable to do so because of the owner to the west. He also stated he was trying to prevent what happened at The Commons from happening here and that the ideal situation was to have office border the residential property. Mr. Gardner stated that the reason this project had gone forward was because the previous owner had caused an irrigation easement to be ignored and the present developer has bought the property minus the easement area.

Mr. Pew stated that the property was purchased in two separate parcels, one parcel was the easement area, which is under litigation and the other was the balance of the parcel. The disposition of that is not an issue of ownership but use. Mr. Pew stated that it would be difficult to design the entire site with office on the western perimeter and that was not the intent of the M-1 zoning. This project has met the design criteria to be sensitive to the neighbors and Mr. Gardner can develop his 20 acres for residential purposes without it being an adverse impact to him. Mr. Pew again urged the Board for their support.

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Tom Ellsworth, Senior Planner, stated that this proposal is a site plan review and complies with all the development standards set forth both in the previous zoning case as it pertains to the double rows of citrus along the western side, as well as standards which apply to M-1 zoning adjacent to residentially zoned areas. He stated that there are two pieces of land that are currently vacant or consist of citrus, along with The Commons to the north, which had been an issue in the past. He stated staff would look at any proposed residential uses along the western boundary and any mitigation that could happen as they come forward. He stated that staff had reviewed the plan and are recommending approval with conditions.

Boardmember Finter noted that they are aware of what happened at The Commons and the ongoing problems the City will experience for years. He also stated he sympathized with Mr. Gardner on this situation. He asked Mr. Gardner if there would be an opportunity to design his residential project with the retention or common areas to be on the west side and still benefit from the buffer. He also asked about the roll-up doors being oriented to the interior.

Mr. Gardner responded that it would be a good idea except that the water flows from east to west and that the other property owner has a flood plain issue so this would be the best place for retention. He added that the two rows of citrus would help a whole bunch. He mentioned that the plans for The Commons were made to have office buildings all along that area and then the citrus disappeared. He also noted that the trees would take about 20 years to develop to provide a buffer and if the requirements are that loose then you don't gain anything by retaining the citrus. Mr. Gardner stated that he had not seen or comment on the roll-up doors.

Boardmember Finter stated that he would be supportive of this proposal with Mr. Gardner having an opportunity to see the design and to address his concerns. He stated there should be plenty of time before this goes to Council to work out some of those issues.

Boardmember Saemisch thanked Mr. Gardner for his participation and wished Mr. Wilson well on his project. He mentioned that this is a light industrial area that is intended to be friendly with neighbors and saw no other choice than to approve it because it fits all the standards that the City has made.

Boardmember Mizner stated that he would like to recommend to the City Council that staff be directed to initiate the rezoning of Mr. Gardner's property. He stated that over the last year, they had seen a series of rezoning cases in the Williams Gateway area initiated by City Council to bring them into conformance with the Mesa General Plan. There were large areas of R1-35 and R1-43 around Williams Gateway Airport that could have developed as residential. Council was concerned about this because of overflight noise, as well as the desire to maintain that land for employment generating land uses. He stated this is exactly the same situation. We have a piece of land that is zoned R1-35, which allows for residential development and is in conflict with the General Plan. It will have significant overflights from Falcon Field and it's also the only area of residentially zoned land east of the RWCA canal. He added that the canal serves as a physical buffer between designated employment land uses and residential land use. He thought it would be long-term mistake if Mr. Gardner's property were developed for residential purposes.

Mr. Gardner stated he disagreed with Mr. Mizner's statement because residential is more valuable today than industrial. He also stated that if the City pushed the rezoning upon him it would be his intent to get plans for residential use before the Board. He also commented that the two rows of citrus should be retained.

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It was moved by Boardmember Saemisch, seconded by Boardmember Mizner

That: The Board approve the preliminary plat of "Mesa Ridge" and recommend to the City Council approval of zoning case Z05-84 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage).
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans for Lots 3, 4, & 5 as shown on the approved site plan.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
6. All street improvements and perimeter landscaping to be installed in the first phase of construction.
7. Compliance with all requirements of the Subdivision Technical Review Committee.
8. Compliance with all requirements of the Design Review Board.
9. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
10. Written notice be provided to future property owners, and acknowledgment received that the project is within one (1) mile of Falcon Field Airport.

Vote: Passed 5-0 with Boardmembers Adams and Salas absent.

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MINUTES OF THE AUGUST 18, 2005 PLANNING AND ZONING MEETING

Item: **Z05-85 (District 6)** The 2400 – 2500 block of South Signal Butte Road (east side). Located south of Baseline Road and east of Signal Butte Road (19 ± ac.). Rezone from AG to R1-6 PAD-DMP; Site Plan Review and Modification of the Sunland Springs Village Development Master Plan. This request will allow for the development of a townhome project as part of the Sunland Springs Village Development Master Plan. Craig Ahlstrom, Farnsworth Development, owner; Jeff Giles, applicant. Also consider the preliminary plat “The Townhomes at Sunland Springs Village Phase Two.”

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Finter, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat of “The Townhomes at Sunland Springs Village Phase Two” and recommend to the City Council approval of zoning case Z05-85 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with the Residential Development Guidelines.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
8. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 20 db.
9. Written notice be provided to future residents, and acknowledgment received that the project is within four (4) miles of Williams Gateway Airport.

Vote: Passed 5-0 with Boardmembers Adams and Salas absent.

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Item: 10800 Block of East Guadalupe Road (south side) **(District 6)**. West of Meridian Road and south of Guadalupe Road. This request is to allow for the development of Unit 7 in the Sunland Springs Village Development Master Plan. Craig Ahlstrom owner/applicant. Consider the preliminary plat of "Sunland Springs Village Unit 7."

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Finter, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat of "Sunland Springs Village Unit 7" conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the preliminary plat.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Subdivision Technical Review Committee.
5. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
6. Written notice be provided to future residents, and acknowledgment received that the project is within five (5) miles of Williams Gateway Airport.

Vote: Passed 5-0 with Boardmembers Adams and Salas absent.

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Item: Zoning Hearing Officer.

John Wesley, Planning Director, stated that this is a general discussion about the Zoning Hearing Officer, which the Board would see on the September agenda. He noted that staff had recently received direction from Council to bring this forward for actual consideration. He stated that the Zoning Hearing Officer would hear land use cases, hold public hearings like the Planning & Zoning Board does and make recommendations to the City Council. He mentioned that the City's Board of Adjustment uses a Zoning Administration Hearing Officer, which has been in place for many years. It frees the Board of Adjustment from hearing small routine cases and lets them focus on bigger items. The Zoning Hearing Officer would function much the same way, they would hear minor cases such as comparable zoning, PAD overlay for ownership and staff would continue to define what those cases might be. He noted that Phoenix and Tucson use a Zoning Hearing Officer and that a variety of other cities around the Country use this approach to help streamline the process. The Zoning Hearing Officer would meet the same citizen participation requirements and notification process as the Planning and Zoning Board.

Discussion ensued regarding the role of the Zoning Hearing Officer.

Boardmember Saemisch stated he would like to see an annual report from a Hearing Officer so that the Board would have a chance to give guidance as well as receive guidance from that individual.

Boardmember Mizner stated this is a great concept, which had been talked about for sometime and as Mr. Wesley had pointed out, it's a concept that used in a variety of Arizona cities to provide some flexibility to the development community. The important thing to realize is that it would not short cut the public hearing process. He also mentioned that neighborhoods, neighborhood organizations and adjacent property owners would be notified, the property would be posted and there would be a legal notice in the paper. Mr. Mizner mentioned that an annual report was a good idea and he also suggested a written monthly summary, which outlines Council's outcome and on an annual basis have the Zoning Hearing Officer come talk to the Planning & Zoning Board. He stated that there is interest in having smaller rezoning cases go to the Zoning Hearing Officer and asked if a five-acre threshold would be appropriate.

Mr. Wesley stated Yes, that a five-acre threshold is what they were generally talking about. He also stated that staff had been keeping track over the last year on agenda items that could go to the Zoning Hearing Officer. There is a wide range of items that could go to the Zoning Hearing Officer, so classifying it to less than five acres may work. Staff is still working with it, so it may be more.

Boardmember Mizner stated they would need to be flexible in the size criteria and noted that on the agenda there was a 550-acre case that was approved on consent, but also had Use Permits for sites of 8,000 sq.ft. that generated a great deal of controversy. Staff would have to exercise judgment in terms of controversy and neighborhood involvement. Mr. Wesley responded that would be the biggest point to discuss.

Boardmember Saemisch stated that it would be good to eliminate cases that require a Council Use Permit.

Boardmember Langkilde stated that this was great idea that's long over due and which would help speed up the entire process. He noted his concern that all cases could go to the Zoning Hearing Officer and stated he would be looking closely at the criteria established. He thought

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there was a tremendous amount of value when an applicant presented their case and had it judged by people who live in the neighborhood rather than a staff member that may or may not have an agenda. He looked forward to the change and also looked forward to a rigorous test on the criteria used.

Boardmember Finter stated he was in support of the Zoning Hearing Officer and having served on an ADHOC/Redevelopment Revitalization Committee, one of the desires from the development community was to see the process streamlined. He shared the concerns that they did not want to streamline it too much that they take the peer review out of the process.

Vice-Chairperson Carpenter stated she was reluctant when this was first presented. Now that they have had some time implementing the Citizen Participation ordinance and finding how powerful an instrument that can be, it allows the public to have full participation at an early level. She also stated that quality is not always determined by size and because of all these protections she was feeling better about this proposal. She asked that a database be maintained so that they could look at what the trends were, how many cases the Zoning Hearing Officer handled and what kinds of cases they were.

Vice-Chairperson Carpenter concluded that this was a discussion only item.

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Respectfully submitted,

John Wesley, Secretary
Planning Director

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