

**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 August 2, 2007 Time 1:30 p.m.

HEARING OFFICER

William "Bill" Petrie

STAFF PRESENT

Jennifer Gniffke  
Joshua Mike  
Maria Salaiz  
Kelly Arredondo

OTHERS PRESENT

John Skidmore  
Lina Skidmore  
Amber Skidmore  
Clark Clifford  
Kristey Clifford  
Tom Bottomley  
Susan Stewart  
Mark Tomecak  
Ethan Frey  
Bob Parmley

The Planning Hearing Officer (PHO) Bill Petrie welcomed everyone present and approved the minutes of the July 5, 2007, meeting as submitted.

Before adjournment at 1:45 p.m., action was taken on the following item(s):

Zoning Cases: Z07-82 and Z07-83

The public hearing was recorded on Flash Card one and track titled PHO 8.2.2007.

## MINUTES OF THE AUGUST 2, 2007 PLANNING HEARING OFFICER HEARING

Item: **Z07-82 (District 2)** 2434 E Southern Avenue. Located on the north side of Southern Avenue west of Lindsay Road (1.34+/- acres). Rezone from R1-43 to O-S. This request will allow for a commercial childcare facility. John and Lina Skidmore, owner; Thomas Bottomley, Dreamcatchers Planning & Design, applicant.

Comments: Josh Mike, Planner I, gave a brief overview stating that this is an existing residential home that will be converted to a commercial childcare facility and be allowed the commercial status by the State of Arizona. He stated that staff has concerns with the western side landscape setback and will be required to go through a SCIP process in order to rectify deviations from Code. He mentioned that staff is recommending approval with conditions.

Tom Bottomley, 2454 E. Southern Avenue, applicant stated they are pleased with the outcome, adding that they are in agreement with the Barker's request for closing off the gate to the west to resolve safety concerns and to add additional landscaping for screening and noise impact.

Discussion ensued regarding the status of the gates and the existing landscaping.

Mr. Bottomley asked for clarification regarding the zoning request on the agenda, which showed C-1. Mr. Mike stated that there was an error in the advertisement but due to the less restrictive zoning of O-S, a correction to the public notice would be done for the City Council hearing to show the O-S zoning.

PHO Petrie added that since it was a less restrictive zone, the City Attorney felt it would be appropriate to re-advertise for the City Council hearing.

The Planning Hearing Officer recommends to the City Council approval of zoning case Z07-82 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted.
2. Compliance with all City development codes and regulations, except as modified through the Substantial Conformance Improvement Permit.
3. 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.
4. Compliance with all requirements of the Substantial Conformance Improvement Permit.
5. Remove all walls from the future right-of-way.

Reason for Recommendation: The Hearing Officer felt this project was in keeping with the zoning pattern in the area and a daycare center is an appropriate use in the O-S zoning district.

\* \* \* \* \*

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

## MINUTES OF THE AUGUST 2, 2007 PLANNING HEARING OFFICER HEARING

Item: **Z07-83 (District 2)** 4225 E University Drive. Located on the southwest corner of University Drive and Greenfield Road (24.9+/- acres). Rezone from R-4 to R-4 PAD and Site Plan Review. This request will allow for the conversion of apartments to townhomes for sale. D. Gregory Hales, Carlsbad Development Inc., LLC, owner; Mark Tomecak, applicant. Also consider the preliminary plat for "Falcon Glenn Townhomes".

Comments: Josh Mike, Planner I, gave a brief overview stating that staff recommends approval with conditions to the PAD deviations as noted in the table.

Mark Tomecak, applicant, stated that he has been working with staff and would like to see this case move forward.

PHO Petrie asked the applicant to explain the upgrades they would be doing to the project. Mr. Tomecak responded that they plan to replace the wood siding, paint the entire site, repair the irrigation system and sidewalks, replace landscaping where needed, redo the asphalt and pools and make the site presentable for the neighborhood.

The Planning Hearing Officer **approved** the preliminary plat of "Falcon Glenn Townhomes" and recommends to the City Council **approval** of zoning case Z07-83 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, or lot coverage).
2. Compliance with all City development codes and regulations, except for modifications as part of the PAD request.
3. Compliance with all requirements of the Subdivision Technical Review Committee.
4. Non-conforming and/or prohibited signs shall be brought into conformance prior to the issuance of a building permit.
5. 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).
6. Written notice be provided to future residents, and acknowledgment received that the project is within two miles of Falcon Field Airport.

Reason for Recommendation: The Hearing Officer felt this proposal adhered to the goals of the General Plan and requirements of the Subdivision Regulations.

\* \* \* \* \*

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

MINUTES OF THE AUGUST 2, 2007 PLANNING HEARING OFFICER HEARING

Respectfully submitted,

---

John Wesley, Secretary  
Planning Director

MS:  
*I:\PHO\PHO 07\minutes\08-02-07.doc*