

Zoning Administrator Hearing



Minutes

John Gendron Zoning Administrator/Hearing Officer

November 22, 2011 – 1:30 p.m.

Sagebrush Conference Room, 2nd Floor
55 North Center Street
Mesa, Arizona, 85201

Staff Present

Gordon Sheffield
Mia Lozano-Helland
Angelica Guevara

Others Present

Mark Millett
John Elmajian
Jeff Geyser
Mike Perry
Christine Naiman

CASES:

- Case No.:** ZA11-006
- Location:** 1422 East Main Street
- Subject:** Requesting Substantial Conformance Improvement Permit (SCIP) to allow an existing commercial retail building to be redeveloped into a reception hall in the LC zoning district. (PLN2011-00304)
- Decision:** Approved with the following conditions:
- 1. Compliance with the site plan submitted, except as modified by the conditions below.*
 - 2. Compliance with all requirements of the Development Services Division with regard to the issuance of a building permit for the proposed improvements.*
 - 3. Review and approval by Planning division staff of a revised landscape plan for the added foundation prior to issuance of any building permits.*
- Summary:** Mr. Boyd Thacker provided a summary of the project and responded to questions regarding hours of operation, parking and signage.

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Mark Millett, 65 S. Mesa Dr., voiced concerns regarding lighting, trash and parking. A brief discussion ensued regarding those issues.

Staff member Gordon Sheffield provided the staff report and recommendation. Mr. Gendron approved case ZA11-006 with staff's recommended conditions.

Finding of Fact:

- 1.1** The demolition or reconstruction of existing buildings and improvements on the site would have been necessary in order for the site to be brought into full conformance with current code, particularly along the north and west sides; therefore, the site qualified for a SCIP. Given the design of the improvements, specifically the improvement to the parking lot circulation, the provision of landscape at the front foundation base and at the Main Street frontage appear proportional to the degree of change taking place to the site.
- 1.2** An analysis of the surrounding developments adjacent to the site indicated that existing developments provide fewer improvements than the ones approved with this project.
- 1.3** The upgrades to the site bring the project into a greater degree of compliance with current ordinance requirements in a manner that is proportionate to the approved request without causing wholesale demolition to take place. At this time, the project provides a good balance between the improvements and the approved deviations.

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Case No.: ZA11-007

Location: 2110 and 2120 West Southern Avenue

Subject: Requesting Substantial Conformance Improvement Permit (SCIP) to allow the redevelopment an existing commercial retail center to be redeveloped in the LC zoning district. (PLN2011-00291)

Decision: Approved with the following conditions:

1. *Compliance with the site plan submitted, except as modified by the conditions below.*
2. *Provide a 6-inch vertical concrete curb at the east property line between the edge of the pavement and the landscape area.*
3. *Provide end-cap landscape islands in the parking spaces at the west property line to replace the painted stripes.*
4. *Remove the three non-conforming pole signs and replace with a conforming monument style sign.*
5. *Provide plant material within the Foundation Base to comply with Sec. 11-33-5-B.*
6. *Provide a screen wall and solid gates to screen the refuse container.*
7. *Compliance with Administrative Design Review.*
8. *Compliance with all requirements of the Development Services Division with regard to the issuance of a building permit for the proposed improvements.*

Summary: Mike Perry with Whitneybell Perry Inc. represented the case and provided a summary of the project. Mr. Perry had questions related to the existing signage and phasing the project. He stated that the desire was to focus on the building improvements prior to completing the site improvements.

Mr. Gendron asked questions regarding the site and what the timeframe for completion of the site improvements would be.

Mr. Perry cited future roadway improvements of Southern Ave related to the Fiesta District improvement plan. He asked that the project site improvements and signage be delayed until the City completes the Fiesta District work.

Mr. Gendron asked if staff knew what the schedule was for the Fiesta District work. Mr. Sheffield responded that it would be approximately 2 years for most of the work to be completed. Mr. Gendron also asked about the right-of-way width. Ms. Guevara responded that as a part of the City's improvements Southern Ave would be reduced to 2 lanes from 3 lanes in each direction.

Debra Shwiker, the owner of Cage World at 2110 West Southern and one of the tenants, spoke in favor of the project and improvements.

Staff member Angelica Guevara provided the staff report and recommendation.

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Mr. Gendron approved case ZA11-007 with conditions of approval no.1 and no.8 in the first phase and conditions of approval no.2 – no.7 to be delayed and completed in conjunction with the City's Fiesta District improvements.

Finding of Fact:

- 1.1** The property owner had recently purchased the property and planned for various improvements to the site. The demolition of existing buildings and parking would have been necessary for the site to be in full conformance with the zoning code.
- 1.2** An analysis of the surrounding developments adjacent to the site indicated that existing developments provide fewer improvements than the ones approved with this project.
- 1.3** Given the design of the proposed improvements, specifically the improvement to the exterior of the buildings and the provision of landscape throughout the site, the Board was supportive of the modifications to the zoning standards. The improvements reflect the greatest possible degree of compliance with the zoning code.

There being no further business to come before the Zoning Administrator, the hearing adjourned at 1:55 p.m.

The cases for this hearing were digitally recorded and are available upon request.

Respectfully submitted,

Gordon Sheffield
Zoning Administrator/Hearing Officer

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