

Zoning Administrator Hearing **Minutes**



Mizner Conference Room
Mesa City Plaza Building, Suite 130
20 East Main Street
Mesa, Arizona, 85201

John S. Gendron
Hearing Officer

DATE February 27, 2007

TIME 1:30 P.M.

Staff Present

Jeff McVay
Lena Butterfield

Others Present

Lyle Richardson
Mike Scarbrough
Jeff Winter
Steve Rector
Michael Killeen
Eric Faas
Boyd Thacker
Jim Lang
Mindy Lang
Kevin Lang
Paul Murreh
Paul Picket
Kim Taylor
Kent Bro

CASES

Case No.: ZA07-013

Location: 2235 S Hawes Rd

Subject: Requesting a Special Use Permit for an Assisted Living Facility in the R-2 zoning district.

Decision: Approved with conditions

Summary: Mr. Thacker provided a description of the proposal and explained that the Assisted Living Facility will be self parked and separate from the neighboring church.
Ms. Butterfield explained that the proposal complies with of the General Plan, I an allowed use in the R-2 zoning district, and will be compatible with and not detrimental to surrounding properties.

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Further the proposal has received approval from the Planning and Zoning Board and City Council.

Finding of Fact:

- 1.1** The project includes 48 beds for people who need around the clock care from nursing staff and eight apartments for singles and couples that are more independent.
- 1.2** The project meets the intent of the General Plan and with the Special Use Permit will be in compliance with the requirements of the Zoning Code.
- 1.3** The Assisted Living Facility will be compatible with and not detrimental to the surrounding properties.
- 1.4** The project has received the approval of the Planning and Zoning Board and City Council.

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Case No.: ZA07-014

Location: 2319 West Pecos Avenue

Subject: Requesting a variance to allow a garage addition to encroach into the front yard in the R1-6 zoning district.

Decision: Approved with conditions

Summary: Ms. Lang explained that the home was built in the mid 70's in its current configuration. The garage is needed to accommodate an additional vehicle. The existing carport was not built large enough to fit an oversized vehicle.
Mr. McVay explained that staff has worked with the applicant to identify the location of the correct property line, which is about three feet behind the sidewalk. Additionally, due to of the pattern of development on this lot an other lots in the neighborhood, the owner would not be able to build a garage that is commensurate with the size of a typical garage built today.
Mr. Gendron approved the case with the following conditions:
1. *Compliance with site plan submitted.*
2. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Finding of Fact:

- 1.1 Request for a variance to add two feet onto an existing carport and enclose it to create a double garage.
- 1.2 The house was originally built in the mid-seventies, nearby homes were constructed, for the most part, with single or double car carports.
- 1.3 By today's construction standards, the average garage varies in length from twenty-four to twenty-five feet deep, which allows the resident the ability to park oversized vehicles within the garage.
- 1.4 The applicant will not receive any special privileges that are not available to other residents with the same needs that were to apply for a variance.
- 1.5 Allowing a garage of sufficient depth to park large but "normal" sized vehicles does not create an unusual condition. It brings the site up to parity with similar single residence units.

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Case No.: ZA07-015

Location: 243 North Power Road

Subject: Requesting a Special Use Permit to allow a car wash in the C-2 zoning district.

Decision: Approved with conditions

Summary: Mr. Scarbrough explained that they did not receive any concerns or complaints from the neighbors regarding noise. The hours of operation for the carwash will be from 7am - 7pm, the same hours of operation of their other valley locations.
Mr. McVay explained that the project has received approval through the Planning and Zoning Board, Design Review Board, and the City Council. The drying tunnel points away from residential properties to mitigate the noise. Additionally, the car wash will be compatible with and not detrimental to surrounding properties.
Mr. Gendron approved the case with the following conditions:
1. Compliance with the site plan and elevations submitted.
2. Compliance with all requirements of the Design Review Board.
3. Site Plan Review through the public hearing process of future development plans.
4. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.

Finding of Fact:

- 1.1** Request for a Special Use Permit to allow a car wash in the C-2 zoning district.
- 1.2** The 1.03-acre car wash site is laid out with a controlled circulation pattern to direct vehicles through the car wash tunnel and into the optional service area.
- 1.3** Parking for the site is fully within the controlled access gates. Thirteen of the 16 spaces also function as shaded vacuum stations.
- 1.4** P&Z and City Council have approved the proposed site plan and the Design Review Board has approved the building, canopies, and landscaping.
- 1.5** The applicant had a noise study conducted for this proposal

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(included in the case file), which concluded that the car wash noise would “contribute minimally, if at all, to existing noise levels (of Power Road traffic) at the proposed site.”

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Case No.: ZA07-016

Location: 7565 East Eagle Crest Drive

Subject: Requesting a variance to eliminate the screen wall requirement in the C-2- DMP zoning district.

Decision: Approved with conditions

Summary: Mr. Richardson explained that in working with the neighbors while going through the Planning and Zoning Board and the City Council the condition to allow a berm instead of a screen wall was added at the request of the neighbors.
Mr. Rector explained that the neighbors of the property requested a berm instead of the block wall in order to keep the character of the Las Sendas area.
Mr. McVay explained that the Berm will provide an appropriate screen of the Office use. Additionally, the Las Sendas area is a unique area with a great deal of elevation change, which also provides additional screening of the building from neighboring properties.
Mr. Gendron approved the case with the following conditions:
1. *Compliance with all requirements of City Council and Design Review Board approvals.*
2. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Finding of Fact:

- 1.1 The subject parcel has a significant elevation fall from east to west that provides essentially the same, if not better, screening from adjacent residential properties to the east as conventional development on level ground.
- 1.2 The proposed building design and height further decreases the need to screen the building from adjacent residential properties to the east.
- 1.3 The variance has been requested as a result of neighboring property owner concerns and was included in the reviews of the Planning and Zoning and Design Review Boards and the approval by the City Council.

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Case No.: ZA07-017

Location: 8742 East Guadalupe Road

Subject: Requesting a Special Use Permit to allow an auto service station and carwash in the C-2-PAD-DMP zoning district.

Decision: Approved with conditions

Summary: Mr. Winter explained that the auto service station and the convenience store will be open 24 hours a day 7 days a week. The gas pumps will be monitored off site through an electronic system. Mr. McVay explained that the other users on the site will screen the auto service station and carwash from the residential properties. Additionally, the site is significantly separated from the off ramp from the 202 freeway. He further explained that the site will be compatible with and not detrimental to the surrounding properties.

Finding of Fact:

- 1.1 The site plan for Santan Crossing, which included the subject automobile service station and carwash, has been reviewed and approved by the Planning and Zoning Board and does not require approval of City Council. Significant neighborhood input resulted in the proposed location.
- 1.2 The automobile service station and carwash will be visually and acoustically screened from neighboring properties by intervening commercial and office buildings. The use has also been screened from Guadalupe Road through the use of landscaping and a 3' 6" screen wall.
- 1.3 The carwash has an east/west orientation away from neighboring residential properties. With the exception of the entrance and exit points, the carwash equipment is fully enclosed within the building.
- 1.4 The automobile service station and carwash will be compatible with and not detrimental to the surrounding neighborhood.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 2:15 p.m.

The cases for this hearing were recorded on Zoning Administrator Flash Card 2, Track 34.

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Respectfully submitted,

John S. Gendron
Hearing Officer

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G:ZA/Minutes/ZAM