



Zoning Administrator Hearing **Minutes**

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

Draft

John Gendron
Hearing Officer

DATE April 8, 2008

TIME 1:30 P.M.

Staff Present

Jeff McVay
Brandice Elliott
Constance Bachman

Others Present

Gary King
Nathan Babbitt
Jennifer Babbitt
Josh Goins
Ranae Price

CASES

Case No.: ZA08-031

Location: 2020 N. Mesa Drive

Subject: Requesting a Development Incentive Permit (DIP) to allow development of an automobile service facility in the C-2 zoning district.

Decision: Approved with conditions.

Summary: Case ZA08-031 was approved with the following conditions:

1. Compliance with the site and landscape plans submitted, unless modified by the conditions below.
2. Provision of a minimum of nine (9) minimum twenty-four inch (24") size box trees and thirty-six (36) shrubs within the setback from the north property line.
3. Provision of a minimum of eight (8) minimum twenty-four inch (24") size box trees and thirty-one (31) shrubs within the setback from the west property line.
4. Provision of a minimum of seven (7) minimum twenty-four inch (24") size box trees and twenty-six (26) shrubs within the setback from the south property line.
5. Compliance with all requirements of the Design Review Board.
6. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.

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Findings:

	Code Requirement	Applicant Proposed	Staff Recommended
Landscape Setback			
North Property Line	20'	11'-8"	As proposed
South Property Line	15'	10'	As proposed
East Property Line	15'	20'	As proposed
West Property Line	15'	10'	As proposed
Mesa Drive	20'	0'	As proposed
McKellips Road	30'	> 50'	As proposed

- The requested DIP would allow development of an automobile service facility on a L-shaped parcel of less than one acre in size. As shown in the above table, the requested (DIP) would allow the reduction in landscape setbacks from adjacent property lines and Mesa Drive and reduction in the associated landscaping. The site complies with all other development standards.
- As justification for the request, the applicant has noted the unique shape of the property, the goal of placing the building away from adjacent residential properties, and existing construction associated with a neighboring property that had occurred 20'-6" onto the subject property.
- The subject property is consistent with the definition of a bypassed parcel, the incentives proposed are necessary to accommodate the proposed development, the incentives approved will allow development commensurate with surrounding existing development, and the incentives will result in a development compatible with, and not detrimental to, adjacent properties or neighborhoods
- Development Incentive Permits are required for bypass parcels that are unable to meet development standards. In addition to the unique shape of the parcel, a dedication of nearly 24 feet will be required for Mesa Drive, which limits the setback from Mesa Drive while still accommodating the use and a drive aisle. The depth of the parcel was further reduced due to buildings related to the adjacent parcel to the north located 20'-6" within the subject parcel. That land was deeded to the neighboring property, but has resulted in less opportunity for increased landscape setbacks.
- The site plan proposed represents substantial conformance with current Code requirements, while permitting the development of the site with a use permitted in the C-2 zoning district. The proposed site plan provides parking, parking lot landscape islands, McKellips Road setback, and foundation base widths consistent with or in excess of minimum Code requirements.
- With the exception of the south property line, the proposed landscape plan has identified landscape quantities consistent with current Code minimums. Within the reduced setbacks from the west and north property lines this results in an overcrowding of landscaping that can be a detriment to the survival of the plantings. To address this concern, conditions of approval have been recommended that would allow a reduction in the number of trees and shrubs in the landscape setbacks from the north and west property lines. The proposed landscape plan does not identify landscape within the setback from the south property line. A condition of approval has been recommended to include landscaping consistent with the reduced setback. No changes have been recommended to landscaping adjacent to McKellips Road or Mesa Drive.

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- The proposed plan has been reviewed by the Design Review Board through a work session. During that work session, the DRB noted concerns with the building architecture and relationship of overhead doors to residential properties to the north. The building architecture will be addressed through the DRB process. The site itself significantly limits options in the orientation of the building. While flipping the building would eliminate overhead doors facing residential property, it would have the effect of facing overhead doors toward the public street, which has screening challenges.

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Case No.: ZA08-033

Location: 1024 West Mountain View Drive

Subject: Requesting a Special Use Permit (SUP) to allow a detached accessory living quarters in the R1-9 zoning district.

Decision: Withdrawn

Summary: Applicant has withdrawn request.

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CASES

Case No.: ZA08-034

Location: 3622 East Southern Avenue

Subject: Requesting modification of a Special Use Permit for a Comprehensive Sign Plan in the C-2 zoning district.

Decision: Approved with conditions

Summary: Case ZA08-034 was 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 Building Safety Division with regard to the issuance of building permits

Findings:

- The applicant is requesting to modify an existing comprehensive sign plan to allow additional attached signage for a Safeway grocery store. The previous comprehensive sign plan (reference BA00-060), permitted an aggregate sign area of 160 square feet for all attached signs. The applicant is proposing to increase the aggregate area to 228 square feet. No modifications are proposed for the existing detached signs, which comply with current Code requirements.
- All proposed attached signs would be located on the south building elevation, and would not pose a negative visual impact to residential areas located both north and east of the development.
- The following table summarizes the proposed attached signage:

Attached Signs

	Code Maximums	Proposed	Staff Recommendation
Signs "A1" & "A2"	--	129 s.f.	As proposed
Sign "B"	--	36 s.f.	As proposed
Sign "C"	--	27 s.f.	As proposed
Sign "E"	--	9 s.f.	As proposed
Sign "F"	--	20 s.f.	As proposed
Sign "G"	--	7 s.f.	As proposed
Total	3 signs – aggregate 160 s.f. sign area	6 signs – aggregate 228 s.f. sign area	As proposed

- The applicant's request includes a total of seven attached signs with an aggregate area of 230 square feet. However, in applying the definition of sign area, there are actually six signs with an aggregate area of 228 square feet. Signs "A1" and "A2" should be calculated as one sign, to include the negative

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space between the letters and logo. As a result, the area of this sign is larger than calculated by the applicant. This same logic can be applied to sign "B". Further, the sign area for signs "F" and "G" may be calculated using the geometric formula for a circle rather than a square, resulting in a reduced sign area when compared to the applicant's calculation.

- As justification for the increased signage, the applicant notes that: 1) the increased setback of approximately 369-feet from Southern Avenue compromises visibility from the right-of-way; 2) the number of services offered within the store exceed the number of signs permitted for the tenant based on current Code; and 3) three of the proposed attached signs, representing 43 square feet, would be placed on the building 8-feet from grade and are intended to advertise services from within the site, and are not legible from the right-of-way.
- The proposed aggregate sign area is consistent with attached signage permitted for other grocery store anchors and is in scale with the larger building. In addition, the visual impact to adjacent residential development is minimized, as it is not facing those properties. As a result, the proposed increase in attached signage is compatible with and not detrimental to surrounding development.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 2:17 p.m.

The cases for this hearing were recorded on Zoning Administrator Flash Card, then burned to CD.

Respectfully submitted,

John Gendron
Hearing Officer

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