

Zoning Administrator Hearing

Minutes



John S. Gendron Hearing Officer

September 28, 2010 – 1:30 p.m.

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

Staff Present

Angelica Guevara
Wahid Alam

Others Present

Kelly Ferguson
Andy McMillan
Steve Nevala

CASES:

- Case No.: ZA10-034
- Location: 3156 East Baseline Road
- Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow a drive-thru addition in the C-2-PAD zoning district. (PLN2010-00252)
(Continued from the September 21, 2010 hearing)
- Decision: Approved with the following conditions:
1. *Compliance with the site and landscape plan submitted except as modified by the conditions below.*
 2. *Provide enhanced materials in the pedestrian crossing in the proposed drive-thru lane.*
 3. *Match the color of the shade structure with the bank building. Use the same two- tone color from the building.*
 4. *The proposed refuse enclosure shall match the existing material and color of the screen wall along 32nd Street.*
 5. *Final placement, quantity, and design of all signage (wall, monument, and window) shall comply with all requirements of the Development Services Division with regard to the issuance of sign permits.*
 6. *All dead or missing landscape material adjacent to Baseline and 32nd Street to be replaced.*
 7. *Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*

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Summary: Kelly Ferguson represented the case and stated that he had no further comments, but would like to discuss the Conditions of Approval. Mr. Gendron agreed to hear his concerns after the presentation of the case. He further asked when the bank building was constructed. Mr. Ferguson stated that it was in 2003. Discussion ensued regarding the original approvals of the site and the timing of the adoption of a previous Zoning Code Update. Mr. Ferguson questioned if Condition 2 related to pavers in the drive-thru lane could be removed as he would like to use asphalt in this area. Staff member Wahid Alam clarified Condition 2. After discussion it was agreed to use enhanced materials in the pedestrian walkway only. Mr. Gendron approved ZA10-034 with the modification of Condition 2.

Finding of Fact:

- 1.1** This Substantial Conformance Improvement Permit (SCIP) allows the existing Commerce Bank to add a single lane drive-thru facility to the north side of the building. The building is in the Shops at Danna Landing complex. The site is approximately 1.08± acres and the building is approximately 6,087 square feet.
- 1.2** Variances were approved for a reduction in the required building and landscape setbacks on Baseline and 32nd Street from 30' and 20' to current 18'. The required parking space for the complex is 252 and the current spaces provided are 456 was approved in 2007 with case Z01-054. The drive-thru addition reduces the parking for the complex by 14 spaces.
- 1.3** The development qualified for a Substantial Conformance Improvement Permit, as demolition of the existing buildings and site improvements would have to occur to bring the site into full compliance with current site development standards.

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Case No.: ZA10-035

Location: 612 West Baseline Road

Subject: Requesting a Requesting a Development Incentive Permit (DIP) to allow the development of a medical office building in the M-1 zoning district. (PLN2010-00266) **(Continued from the September 21, 2010 hearing)**

Decision: Approved with the following conditions:

- 1. Compliance with the site plan submitted except as modified herein by these conditions.*
- 2. Compliance with Landscaping Standards of Chapter 15 of the Zoning Ordinance.*
- 3. Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.*

Summary: Steve Nevala represented the case and stated he had nothing further to add. Mr. Gendron asked if he agreed with the stipulations, Mr. Nevala stated that he did. Mr. Gendron asked for clarification of dimensions related to landscape setbacks. Mr. Nevala explained the measurements.

Staff member Kim Steadman provided the staff report and recommendation. Mr. Gendron approved ZA10-035 with staff conditions of approval.

Finding of Fact:

- 1.1** This Development Incentive Permit (DIP) allows the development of a medical office building on a .918 acre lot zoned M-1. The applicant was approved a DIP to allow deviation from certain setback requirements of the Zoning Ordinance. The parcel is on the northwest corner of Baseline Rd. and Vineyard, surrounded on the north and west by the headquarters of Southwest Ambulance.
- 1.2** The reductions in setback requirements do not affect the number of plants and trees required. The narrative stated the intent to meet the Landscaping Standards of Chapter 15 of the Zoning Ordinance in the reduced landscape yards. Staff added a condition of approval noting this.
- 1.3** The site is consistent with the definition of a “by-passed” parcel and was eligible for review of a DIP. The development is consistent with the General Plan designation and is an allowed use in the M-1 zoning district. The deviations were necessary to accommodate the development of a medical office building on this lot that has remained vacant while the surrounding area has developed. The architecture and site design are consistent with the intent of the Design Guidelines.
- 1.4** The reduction in property line setbacks is adjacent to open parking uses on the adjacent site and has minimal effect on the development. The minimal foundation base reductions are offset by an increased entry plaza. The loss of the landscaping radius on the corner is softened by a

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stepping back of the building footprint at that corner. Sufficient justification existed to permit the reductions as shown on the site plan.

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,

John S. Gendron
Hearing Officer

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