



# 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 15, 2008

**TIME** 1:30 P.M.

**Staff Present**

Jeff McVay  
Brandice Elliott  
Constance Bachman  
Kelly Arredondo

**Others Present**

Boyd Thacker  
Brian Campbell  
Rod Crotty

### **CASES**

Case No.: ZA08-035

Location: 3811 North Val Vista Drive

Subject: Requesting a Special Use Permit (SUP) to allow a commercial boarding stable in the AG zoning district.

Decision: Approved with conditions.

Summary: Case ZA08-035 was approved with the following condition:

1. Compliance with all requirements of the Building Safety Division with regard to the issuance of any necessary building permits.

Findings:

- The requested SUP would allow an existing commercial boarding stable on approximately 35 acres of AG zoned land located at the northeast corner of the intersection of Val Vista Drive and the Loop 202 Red Mountain Freeway. Such use is permitted subject to the granting of a SUP for AG zoned properties of at least 10 acres in size.
- The subject site has utilized for commercial boarding of horses for greater than 20 years and prior to annexation to the City of Mesa in March 1981. At the time of annexation a SUP was not required for such use. With adoption of the 1988 Zoning Ordinance a SUP requirement was added (Ord. 2658, 2958), rendering any existing sites legal, but non-conforming. A proposal to add an additional barn to the site requires the site be brought into conformance with current requirements, resulting in the need for a SUP.

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- The applicant has provided a series of aerial photographs depicting the property boundaries, the location of boarding operations, riding areas, and pastures. As noted in the applicant's justification, the site is well suited for a boarding stable. The site is bordered on the south by a freeway and beyond that additional agricultural or vacant land, on the north by the Salt River Pima-Maricopa Indian Community, and on the east and west by vacant land. The site has no adjacent residential uses, the nearest existing residential use is approximately 3,000 feet to the south, and the nearest proposed residential use is approximately 2,300 feet to the southwest. Further, the adopted General Plan does not recommend additional residential use in the vicinity of this site beyond those noted above.
- The applicant has provided a Plan of Operation, which includes measures taken to manage manure, odors, insects, and dust. In addition to the location of the facility, such measures provide additional evidence of compatibility of the use with neighboring properties. Consequently, the proposed commercial boarding stable is ideally located within the City and would be compatible with and not detrimental to surrounding properties.

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Case No.: ZA08-036

Location: 540 West Iron Avenue, Suite 125

Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow the conversion of an industrial building into a church in the M-1 zoning district.

Decision: Approved with conditions

Summary: Case ZA08-036 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 and change of occupancy requirements.

Findings:

- The applicant is requesting a Substantial Conformance Improvement Permit (SCIP) to allow a church to occupy a building that was previously used as an office and warehouse. A SCIP would allow deviations from current Code related to foundation base adjacent to 'Building 4.'
- The applicant has also noted deviations from current Code for the overall site related to landscape setbacks, perimeter landscape, parking lot landscape islands, foundation base landscape, screening of parking areas, and design of retention basins.
- Although the applicant has not proposed to modify the site to accommodate the new tenant, a SCIP is required because the Change of Occupancy is significant enough to require full compliance with current Code.
- The property owners recently recorded a subdivision plat for the overall development, which allowed the conversion of existing offices from one ownership parcel to multiple condominium parcels. The recorded subdivision plat, "Eastgate Mesa North, A Condominium," allows for individual ownership of units. In order to complete this process, the property owners were required to install additional perimeter landscape and replace dead and dying landscape. As a result, the site has been updated since its original site plan approval in 1980 (reference Z80-078).
- A summary of Code requirements, the applicant's proposal, and staff recommendation is shown in the tables below in regards to both 'Building 4'

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(proposed church) and the overall development.

**‘Building 4’ (Proposed Church)**

	<b>Code Requirement</b>	<b>Applicant Proposed</b>	<b>Staff Recommended</b>
Foundation Base			
North building elevation	10’	5’	As proposed
South building elevation	10’	8’	As proposed
East building elevation	15’	20’	As proposed
West building elevation	10’	0’	As proposed

**Overall Development**

	<b>Code Requirement</b>	<b>Applicant Proposed</b>	<b>Staff Recommended</b>
Landscape Setbacks			
Iron Avenue	20’	10’	As proposed
North property line	15’	5’	As proposed
East property line	15’	7’	As proposed
West property line	15’	5’	As proposed
Perimeter Landscape			
Iron Avenue	12 trees/48 shrubs	Not provided	As existing
North property line	16 trees/64 shrubs	Not provided	As existing
East property line	16 trees/65 shrubs	7 trees/2 shrubs	As existing
West property line	13 trees/52 shrubs	Not provided	As existing
Parking Lot Landscape Islands	20 islands	14 existing islands (end of stalls) 2 proposed islands (Building B)	As proposed

- The existing perimeter landscape quantities could not be determined, as the applicant has not provided a landscape plan for the overall development.
- The development consists of a total of 182 parking spaces, which is sufficient parking to accommodate the proposed occupancy. Including the proposed assembly use, the development would require 102 parking spaces, which results in a surplus of 80 parking spaces.
- The applicant has proposed to install two parking lot landscape islands adjacent to ‘Building 4’ to bring the site closer to compliance with current Code. Given that there are several buildings and ownerships within the site, there are few opportunities for the future tenant of ‘Building 4’ to improve the overall development. Since the impact of the church will be felt on the west side of the development, adjacent to ‘Building 4,’ it is appropriate that this building benefits from the landscape offered by the islands.
- Full compliance with current Code requirements would result in the elimination of parking spaces adjacent to each property line and some building elevations, while parking lot landscape islands would further reduce the number of parking spaces. This significant reduction in parking spaces would create additional non-conformities within the development.
- The site plan submitted, including staff recommended conditions of approval,

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provides substantial conformance with current Code requirements that justify the requested SCIP. Further, the proposed use and improvements will be compatible with, and not detrimental to, adjacent properties in the area.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 1:47 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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