

CITY OF MESA

MINUTES OF THE PLANNING HEARING OFFICER

Held in the City of Mesa Planning Division Conference Room
20 East Main Street, Suite 130
Date August 14, 2008 Time 1:30 p.m.

HEARING OFFICER

William "Bill" Petrie

STAFF PRESENT

Dorothy Chimel
Tom Ellsworth
Krissa Lucas
Amy Shackelford
Maria Salaiz

OTHERS PRESENT

Dan Cable
Patrick Tachoir
Bill Allison
Randy Carter
Randy Lamb
John Helms
Others

The Planning Hearing Officer (PHO) Bill Petrie welcomed everyone present and approved the minutes of the July 3, 2008, hearing as submitted.

Before adjournment at 1:50 p.m., action was taken on the following items:

Zoning Cases: Z08-48, Z08-50, Z08-51, Z08-52.

The public hearing was recorded on Flash Card one and track titled PHO 8.14.08.

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Item: **Z08-48 (District 4)** The 1600 and 1700 blocks of South Country Club (east side). Located southeast of US 60 and Country Club Drive. (44± acres) Establish M-2 and C-3 zoning. This case will establish city zoning. Patrick Cusack, Horner Clyde/Cowley Duke/Cusack Pat Tr and John Helms, Empire Southwest LLC., owners; City of Mesa, applicant.

Comments: Dorothy Chimel, Principal Planner, stated this request is to establish comparable zoning on land that is to be annexed by the City of Mesa and she briefly explained the request. She stated that staff is recommending approval and added that there is a separate case, which will have a PAD overlay to ensure that the entire campus is brought into conformance that will be heard by the Planning & Zoning Board.

Bill Allison, Gallagher & Kennedy, 2575 East Camelback Road, Phoenix, AZ, representing Empire Southwest, stated they are excited about coming into the City and they have reviewed and are in support of staff's recommendation and conditions.

PHO Petrie stated he was glad to see this property finally come into the City of Mesa and noted that State Statute requires that the City approve comparable zoning to the County.

The Planning Hearing Officer **approved** zoning case Z08-48 conditioned upon:

1. Compliance with the Zoning Ordinance and all City development codes and regulations for the existing development.

Reason for Recommendation: The Hearing Officer noted that this proposal adhered to the goals of the General Plan.

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Note: CD's of the Planning Hearing Officer Hearings are available in the Planning Division Office for review.

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Item: **Z08-50 (District 6)** 221 South Power Road (east side). Located south and east of Main Street and Power Road. (1.41± acres). Site Plan Modification. This request will allow for the development of a medical office building. Joseph Chatham, owner; Michael Jorgensen, Cawley Architects, applicant; Travis Randolph, JMA Engineering Corporation, engineer.

Comments: Krissa Lucas, Planner II, stated that this request is for a Site Plan Modification to allow for the development of a medical office building, which will be divided into two suites and that the development is part of an existing private street subdivision. She stated staff is recommending approval with conditions.

Michael Jorgensen, 730 North 52nd Street, Suite 203, Phoenix, AZ, applicant, stated he is asking for approval of this request.

The Planning Hearing Officer **approved** zoning case Z08-50 conditioned upon:

1. Compliance with the basic development as described in the project narrative, and as shown on the site plan submitted, and preliminary elevations as approved by the Design Review Board, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all City development codes and regulations.
4. All limits of construction shall have temporary landscaping, extruded curbs, and screen walls where parking and loading/service areas are visible from Rights of Way and public areas.

Reason for Recommendation: The Hearing Officer stated that the project is well designed and adhered to the goals of the General Plan.

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Item: **Z08-51 (District 6)** 6747 East Broadway Road (south side). Located west and south of Broadway Road and Power Road. (1.34± acres). Rezone from C-2 to AG and Site Plan Review. This request will allow for the expansion of an existing cemetery. Kevin Doherty, Managing Director, SCI Arizona Funeral Services Inc., owner; Daniel Cable, EDA Land Planning PC, applicant.

Comments: Amy Shackelford, Senior Zoning Plans Examiner, stated that this request is to rezone an existing portion of the Mariposa Garden Cemetery to expand the cemetery, which requires AG zoning. She noted that there will be no buildings or structures constructed and would just be used for additional cemetery plots.

PHO Petrie asked if there would be any changes along Broadway Road in terms of the landscaping and wall improvements.

Dan Cable, 772 East 3300 S., Salt Lake City, UT, applicant, agreed with the conditions of approval and responded that are going to continue the rod iron fencing along the wall.

The Planning Hearing Officer **approved** zoning case Z08-51 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and landscape plan submitted, (without guarantee of lot yield, building count, lot coverage).
2. Review and approval of a Special Use Permit by the Board of Adjustment or Zoning Administration Hearing Officer for the expansion of a cemetery within AG zoning district.
3. Compliance with all City development codes and regulations.
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication whichever comes first.

Reason for Recommendation: The Hearing Officer stated this proposal is in keeping with the existing land uses in the area, and adhered to the goals of the General Plan.

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Item: **Z08-52 (District 6)** 11318 East Pecos Road (north side). Located east and north of Pecos Road and Mountain Road. (5± acres). Rezone from M-1 PAD to M-2 PAD. This case will rezone to allow for M-2 uses utilizing the approved site plan. Justin Dupuy, Braided Cord Enterprises, owner; Randolph Carter, Dream Catchers Planning and Design, LLC, applicant. Wade E. Cooke, Landcor Consulting, P.C., engineer. Also consider the preliminary plat.

Comments: Tom Ellsworth, Senior Planner, stated that this request is to rezone from M-1 PAD to M-2 PAD to accommodate M-2 uses on this site; adding that a site plan was approved on this site last year and this request is to market the property at an M-2 level. He noted that staff has no concern with the change and is recommending approval with conditions. He stated that Condition #4, which referenced: "... site labeled "future – not a part of this project"..." does not apply to this case and requested that it be deleted.

PHO Petrie asked what uses they were looking for that is not permitted under the existing M-1 zoning and where the storage would be located.

Randall Carter, Dream Catchers Planning and Design, 2454 East Southern Avenue, Suite 110, Mesa, applicant, stated that M-2 zoning would allow for more outdoor storage and heavy equipment storage, which they are looking for. Discussion ensued regarding the site plan, the storage area and the retention.

PHO Petrie eliminated Condition #4 as requested by staff.

The Planning Hearing Officer **approved** zoning case Z08-52 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and preliminary elevations submitted, (without guarantee of lot yield, building count, or lot coverage).
2. Each building shall have at least one landscape island with a drop-off sidewalk and at least one tree.
3. Crosswalks shall be differentiated from driving surfaces through the use of a different surface treatment to comply with §11-15-5-A-4.
4. Site Plan Modification through the public hearing process for significant changes to the approved site plan.
5. Compliance with all requirements of the Design Review Board.
6. Full compliance with all current Code requirements, unless modified through approval of the PAD overlay, as outlined in the staff report.
7. Compliance with city standards of development.
8. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
9. Compliance with all requirements of the Subdivision Technical Review Committee.
10. Recordation of cross-access and reciprocal parking easements across the entire site.
11. Owner shall grant an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
12. Written notice be provided to future owners, and acknowledgment received, that the project is within Phoenix-Mesa Gateway Airport Noise Overflight Area.

Reason for Recommendation: The Hearing Officer stated that this proposal adhered to the goals of the General Plan and is a well-designed project.

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Respectfully submitted,

John Wesley, Secretary
Planning Director

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