

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 September 7, 2006 Time 1:30 p.m.

HEARING OFFICER

William "Bill" Petrie

STAFF PRESENT

Dorothy Chimel
Jennifer Gniffke
Rich McAllister
Kelly Arredondo

OTHERS PRESENT

Reese Anderson
Randy Carter
Dorothy Shupe
Reed Whipple
Andy Ingles

The Planning Hearing Officer (PHO) Bill Petrie welcomed everyone present and approved the minutes of the August 3, 2006, meeting as submitted.

Before adjournment at 2:00 p.m., action was taken on the following item(s):

Zoning Case: Z06-64

Preliminary Plat(s): "Fairway Terrace", "RWI Office Warehouse"

The public hearing was recorded on Flash Card one and track titled PHO 9.7.06.

MINUTES OF THE SEPTEMBER 7, 2006 PLANNING HEARING OFFICER HEARING

Item: **Z06-64 (District 6)** The 7000-7200 block of East Baseline Road (south side). Located south and east of Baseline Road and Power Road. (10± ac.). Rezone from AG, C-2 and C-2 PAD to C-2 PAD, Site Plan Review and Site Plan Modification. This request will allow for the development of two new retail/office buildings and will also allow for the integration of three commercial projects into a group commercial development. Ray McMahon, 7115 E. Baseline LLC, Grant A. Jayrien, GSS Partners, owner; Randolph L. Carter, Dream Catchers Planning and Design LLC, applicant.

Comments: Reese Anderson, 1930 East Brown Road, Suite 101, Mesa, representative of the owners, gave a brief overview of the project and stated that they are combining three projects to make one cohesive project.

Jennifer Gniffke, Planner I, gave an overview of the modifications requested and stated that staff is in support of these modifications and recommending approval with conditions.

PHO Petrie asked the applicant if the dumpster had been moved. Randy Carter, applicant, responded that this was the only logical location due to the Solid Waste Division requirements. He noted that it does sit in the landscape setback

PHO Petrie asked if staff would recommend approval of the encroachment and modification of the staff report to reflect the encroachment.

Mr. Anderson responded that they would support a stipulation of no more than a 6-foot encroachment or maintain 19 feet from the property line.

Discussion ensued as to the minimum depth of dumpster enclosures.

PHO Petrie asked the applicant and representative if they were familiar with the conditions of approval. Mr. Anderson stated that they are in full agreement of them and are in support of adding a stipulation pertaining to the dumpsters.

PHO Petrie stated that he is changing the verbiage of Condition #1 and adding Condition #8 relating to the landscape setback and dumpster enclosures.

The Planning Hearing Officer **approved** and recommends to the City Council approval of zoning case Z06-64 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted and elevations as approved by the Design Review Board.
2. Site Plan Review through the public hearing process of future development plans.
3. Compliance with all requirements of the Design Review Board.
4. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modification(s) outlined in the staff report.
5. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
6. 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.
7. Owner granting 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).
8. Regarding dumpster enclosure adjacent to Superstition Springs Boulevard, provide at least

MINUTES OF THE SEPTEMBER 7, 2006 PLANNING HEARING OFFICER HEARING

a 19 foot clear separation from the south property line, subject to staff review and approval.
Reason for Recommendation: The Hearing Officer determined that the proposal was compatible with the surrounding area.

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

MINUTES OF THE SEPTEMBER 7, 2006 PLANNING HEARING OFFICER HEARING

Item: 524 West Fairway Drive (**District 1**) Located north of Brown Road and west of Country Club Drive. (1.05 ac.). Consider the preliminary plat for "Fairway Terrace" to allow for the conversion from apartments to condominiums. Gwen Ingles, Fairway Terrace Investments, LLC, owner; Chad Ahrens, Fairway Terrace Investments, LLC, applicant.

Comments: Andy Ingles, owner, explained that they will be selling the condominium units with no modifications to them or the complex.

PHO Petrie mentioned that the project narrative and plat reflect different square footage for the units and asked if this was a proposal to reduce the units. He also asked how the common areas are being used and if the current residents will purchase the units.

Mr. Ingles responded that he will update the project narrative to reflect the correct square footage, that the residents use the common areas and that there will be an HOA to maintain these areas and that about 60% of the residents have expressed interest of purchasing their units.

The Planning Hearing Officer **approved** the preliminary plat of "Fairway Terrace" conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, and preliminary plat submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Subdivision Technical Review Committee.

Reason for Recommendation: The Hearing Officer felt this proposal adhered to the goals of the General Plan and requirements of the Subdivision Regulations.

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MINUTES OF THE SEPTEMBER 7, 2006 PLANNING HEARING OFFICER HEARING

Item: 3041 North Norfolk (**District 5**) Located within the Commons Industrial Park, north of McDowell Road and west of Greenfield Road. (32,001 s.f.). Consider the preliminary plat for "RWI Office Warehouse" to allow for individual ownership of condominium units within an approved industrial structure. Reed Whipple, owner/applicant.

Comments: Dorothy Chimel, Principal Planner, stated that this site has already received approval through the permitting process and the design review requirements have been addressed. She explained that the project was not large enough to go through the Design Review Board, however, the Design Review Board Senior Planner has reviewed the site. This site is currently under construction and complies with the requirement of The Commons as well as the Zoning Ordinance. She stated that staff is recommending approval.

PHO Petrie asked if this lot was stipulated to any restrictive types of uses in The Commons Ordinance. Ms. Chimel responded that The Commons case looked at restriction of uses, hours of operation and noise along the western most property line. She stated that she did review The Commons case to be sure that there was nothing outstanding that would apply to this site.

Reed Whipple, 3041 N. Norfolk, applicant, stated that had nothing to add.

PHO Petrie asked if the applicant has read the conditions of approval. Mr. Whipple stated that he believed that all the conditions have already been met and approved by the current building permit. He stated that there were no changes in construction or modifications to this site.

Discussion ensued concerning unit 105 and the storage area located at the east end of the site.

The Planning Hearing Officer **approved** the preliminary plat of "RWI Office Warehouse" conditioned upon:

1. Compliance with all City development codes and regulations.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. Compliance with all requirements of the Subdivision Regulations.
4. Address area east of proposed unit 105 regarding appropriate form of ownership.

Reason for Recommendation: The Hearing Officer felt this proposal adhered to the goals of the General Plan and requirements of the Subdivision Regulations.

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MINUTES OF THE SEPTEMBER 7, 2006 PLANNING HEARING OFFICER HEARING

Respectfully submitted,

John Wesley, Secretary
Planning Director

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