

Zoning Administrator Hearing



Minutes

John S. Gendron Zoning Administrator/Hearing Officer

April 24, 2012 – 1:30 p.m.

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

Staff Present

Angelica Guevara
Kaelee Wilson

Others Present

Adam Jaffe
Paul Masse
Dennis F. Keouh
Aaron Zeligman
Daniel Boyle
Jeremy Galloway

CASES:

Case No.: ZA12-001

Location: 1400 South Dobson Road

Subject: Requesting a Special Use Permit to modify an existing Comprehensive Sign Plan for the Banner Desert Hospital in the NC-PAD Zoning District.

Decision: Approved with the following conditions:

1. *Compliance with previous Comprehensive Sign Plans Case No.: BA11-050 and BA09-016; except as modified with the sign plan submitted and as modified by the conditions listed below.*
2. *Any additional signage not identified with this Sign Plan will require modification to this Special Use Permit.*
3. *Compliance with all requirements of the Development Services Division with regard to the issuance of sign permits.*

Summary: Jeremy Galloway, the applicant, presented the case and provided a summary of the sign details.

A brief discussion followed including questions from Mr. Gendron related to Banner's future plans of a campus master plan and sign visibility from major

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arterial streets. Mr. Gendron asked staff member Angelica Guevara if approving this sign will affect the future master plan.

Ms. Guevara provided the staff report and recommendation.

Mr. Gendron approved ZA12-001 with staff recommendations.

Finding of Fact:

- 1** The approved modification to the Comprehensive Sign Plan (CSP) would allow the replacement of an existing 46 s.f. attached sign with a 218 s.f. pan channel letter sign attached to the 4th floor fascia of the building.
- 2** The Banner Desert and Cardon Children's Medical Centers are located on a 68.6± acre campus with over 3,600 lineal feet of frontage on Southern Ave. and Dobson Rd. The building is mostly four stories in height with a new Children's Tower extending 7 stories in height and an overall building width of approximately 1,200 linear feet.
- 3** The approved 218 s.f. sign has been designed to be consistent with the quality, placement, scale, illumination, and materials as the other signs on the site. Staff is supportive of the requested sign area of 218 s.f. The massive 4- and 7-story building spanning 1,200' in width serves as the background for the sign. As shown on the photo-simulation provided by the applicant, the approved sign appears proportionate to the area.
- 4** The approved modification is consistent with the intent of the approved Comprehensive Sign Plan.

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Case No.: ZA12-002

Location: 950 West Main Street

Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow the expansion of a multi-residence development in the RM-4 zoning district.

Decision: Approved with the following conditions:

1. *Compliance with the site plan and elevations submitted, except as modified by the conditions listed below.*
2. *Tree and shrub quantities to be provided throughout the site as recommended by staff in Table 1.*
3. *Provide a pedestrian connection to the public sidewalk on Main Street.*
4. *Repaint, repair and/or replace existing fencing adjacent to the property lines as needed.*
5. *Compliance with all requirements of the Development Services Office with the issuance of building permits.*

Finding of Fact:

1. The applicant was approved for a Substantial Conformance Improvement Permit (SCIP) to allow the expansion and remodel of an existing 76 unit multi-family development that was originally constructed in 1995. The applicant's proposal includes the conversion of eight 2-bedroom units and ten 3-bedroom units into 4-bedroom units, and the addition of two 4-bedroom townhouses bringing the total unit count to 78. In addition, the improvements include extensive interior and exterior remodel of the existing buildings, clubhouse and landscape throughout the site. A summary of the applicant's proposal and staff recommendation for the site is provided in the table below.

| Table 1 | Code Requirement | Applicant Proposed | Staff Recommended |
|--|--|---------------------------|--------------------------|
| Setback (building/landscape) Main Street (4-lane arterial) | 20 feet | 25 feet | Complies with Code |
| North Property Line | 30 feet | 35 feet | Complies with Code |
| East Property Line | 30 feet | Varies | As proposed |
| West Property Line | 30 feet | 15 feet | As proposed |
| Maximum Density | 30 dwelling units/acre | 14.7 units/acre | Complies with Code |
| Minimum Lot Area per Dwelling Unit | 1,452 square feet | 229,996.8 s.f./ | Complies with Code |
| Maximum Building Height | 40 feet | 24 feet | Complies with Code |
| Open Space per Dwelling Unit/150 s.f. | 11,700 s.f. | 111,538 sq. ft. | Complies with Code |
| Maximum Roof Area Coverage | 55% | 49,148 sq. ft./21% | Complies with Code |
| Separation Between Buildings (min.) | 30 feet | Varies | As proposed |
| Parking (40) 2-bedroom units (14) 3-bedroom units (24) 4-bedroom units + 78 Total Dwelling Units | 2.1 spaces per dwelling unit (2.1 x 78 = 164) | 164 spaces | Complies with Code |

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| | | | |
|--|---|--|---|
| Perimeter Landscaping Main Street North Property Line East Property Line West Property Line | 12 trees/72 shrubs 3 trees/20 shrubs 15 trees/100 shrubs 15 trees/100 shrubs | 14/0 shrubs 8 trees/0 shrubs 0 trees/0 shrubs 25 trees/0 shrubs | 14 trees/ 72 shrubs 8 trees/ 20 shrubs 0 trees/ 50 shrubs 25 trees/ 100 shrubs |
| Parking Lot Landscaping Landscape Islands | 1 tree/3 shrubs in ea. island | Some trees and shrubs | 1 tree/3 shrubs in ea. island |
| Foundation Base adj. to exterior wall With a public entrance Without a public entrance adjacent to drive aisles Without a public entrance adjacent To parking stalls | 15 foot wide 5 foot wide 10 foot wide | Varies, see plan | As proposed |

2. As shown in the table above, the approved plan includes reduced setbacks from the east and west property lines. The approved site plan maintains the existing, nonconforming setbacks at the perimeter of the development adjacent to existing multi-residence and single-residence development within a commercial district. Unless some relief is granted through approval of the SCIP application, the changes proposed would require significant demolition of existing buildings in order for the older buildings to comply with setback requirements passed since the initial construction of this development.
3. The existing development is in disrepair and in need of improvements throughout the site. The applicant proposes to remodel and add to existing units in order to enlarge existing units to accommodate families within the development. The exterior of the existing buildings will be improved and repainted to match the new units.
4. The applicant provided a preliminary landscape plan showing the proposed trees. The site lacks landscape material throughout the site. The required landscape material quantities and the staff supported quantity deviations based on available yard width are identified in Table 1 above. To further address staff concerns related to the lack of existing and proposed landscape material, staff has added **Condition 2** requiring trees and shrubs be provided throughout the development as recommended by staff in Table 1.
5. As justification for the SCIP, the applicant has noted: 1) the property was originally developed in 1995; 2) existing encroachments into perimeter setbacks are necessary, otherwise, to comply with code required parking would need to be removed; 3) extensive interior and exterior remodel resulting in improvements to the buildings and the site are proposed; 4) the reinvestment in the site will revitalize the existing development and surrounding neighborhood.
6. In addition to the applicant's justification, staff further notes: 1) full compliance with current development standards would require significant demolition of the existing improvements, including elimination of required on-site parking; 2) the disruption of vehicular circulation; 3) removal of portions of the existing buildings; 4) significantly improves the overall appearance of the site; and 5) helps bring the site into substantial conformance with current standards.

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7. Those areas where the site does not comply with current requirements are due to original site layout. The improvements proposed represent an improvement over the existing conditions, and significantly upgrade the appearance of the overall development that provides a needed facelift. New landscape material is proposed throughout the site with an automatic underground watering system.
8. Staff has also added **Condition 3** requiring the provision of pedestrian sidewalks leading from the site to the public streets.
9. The fencing adjacent to the east property lines needs repair and paint or replacement. Staff has added **Condition 4** requiring the repair, repaint, or replacement of fencing as needed adjacent to the property lines.
10. The approved site improvements represent a large investment by the property owner and would not be financially feasible if the site was required to comply with current development requirements. The approved SCIP will allow the overall and significant improvements to the site.
11. The approved deviations allow the reinvestment in an existing site, resulting in improved buildings and landscaping. The approved site plan will also result in significant improvement in overall site compliance. Sufficient justification has been provided to review the requested SCIP and the applicant has proposed a site plan that provides substantial conformance with current development standards and will be compatible with and not detrimental to the surrounding neighborhood.
12. Part of the reason for the SCIP program is to recognize the degree of change proposed by an applicant, and recommend commensurate upgrades to the site to bring the project into compliance with current ordinance requirements in a manner that is proportionate to the proposal without causing wholesale demolition to take place. The proposal, in concert with the conditions recommended by staff, provides the balance intended by this policy.

Summary:

Paul Masse, the applicant, presented the case and provided a summary of proposed improvements.

A brief discussion followed including questions from Mr. Gendron related to the proposed increase in density and the amount of existing parking spaces.

Ms. Guevara provided the staff report and recommendation.

Mr. Gendron approved ZA12-002 with staff recommendations.

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 digitally recorded and are available upon request.

Respectfully submitted,

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Gordon Sheffield
Zoning Administrator/Hearing Officer

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