



# Zoning Administrator Hearing **Minutes**

Mizner Conference Room  
Mesa City Plaza Building, Suite 130  
20 East Main Street  
Mesa, Arizona, 85201

## Draft

**John S. Gendron**  
**Hearing Officer**

**DATE** December 18, 2007

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

**Staff Present**

Jeff McVay  
Brandice Elliott  
Constance Bachman  
Katrina Rogers

**Others Present**

Dan Roach  
Patrick Tennant  
Jerry Cook  
Conni McDonough  
Roger Haywood  
Heather Scantlebury  
Adam Price  
Mark Heywood

**CASES**

Case No.: ZA07-124TC

Location: 435 North Grand

Subject: Requesting: 1) a variance to allow an accessory building to encroach into the rear setback; 2) a variance to allow a fence to exceed the maximum height permitted; and 3) a Special Use Permit; both in conjunction with the development of a detached accessory living quarters in the R1-6 zoning district.

Decision: 1) Approved with conditions  
2) Denied  
3) Approved with conditions

Summary:

Findings:

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Case No.: ZA07-133

Location: 905 West Broadway Road

Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow redevelopment of a residence into an office and construction yard in the M-1 zoning district.

Decision: Continued to the January 8, 2008 hearing.

Summary: Staff recommends a continuance of case ZA07-133 to the January 8, 2008 hearing

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Case No.: ZA07-134

Location: 7165 East University Drive

Subject: Requesting a Special Use Permit (SUP) for a Comprehensive Sign Plan in the O-S-PAD zoning district.

Decision: **Approved with conditions**

Summary: Staff recommends **approval** of case ZA07-134, *conditioned upon the following:*

1. *Compliance with the sign plan submitted, except as modified by the conditions listed below.*
2. *Tenants shall be allowed a maximum of three (3) attached signs with a maximum aggregate sign area of thirty-two (32) square feet.*
3. *No attached signs shall be allowed on the west sides of Buildings 1-8.*
4. *Attached signs shall be non-illuminated or utilize halo illumination only.*
5. *Compliance with all requirements of the Building Safety Division with regard to the issuance of sign permits.*

Findings:

The applicant's request, Code requirements, and staff recommendations are shown in the table below.

Attached Signs

Building	Code Sign Area Maximums	Code Maximum Number of Signs	Proposed Maximum Sign Area	Proposed Maximum Number of Signs	Staff Recommendation
Entire site	1.0 s.f./ 5 lineal feet of street frontage (Max. 64 s.f. aggregate/per street frontage)	2 Signs (attached or detached)	Max. 32 s.f. per sign (attached or detached)	1 sign per elevation per tenant space	1 attached sign per tenant/per elevation, not to exceed 3 signs per tenant – Max 32 s.f. aggregate sign area per tenant space

Detached Signs

Street	Frontage	Code Aggregate Sign Area	Code Aggregate Sign Height	Proposed Sign Area	Proposed Sign Height	Staff Recommendation
University Drive 1 sign	540 feet	64 s.f./street frontage (attached or detached)	16 feet	Approx 40 s.f.	Approx. 5 feet	As proposed
Sunvalley Blvd 1 sign	1,160 feet	64 s.f./street frontage (attached or	16 feet	Approx 21.5 s.f.	Approx 6.5 feet	As proposed

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		detached)				
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- This professional office complex is zoned OS-PAD. Such zoning is intended as a transitional zoning district between less intense residential uses and more intense commercial or industrial uses. The subject development includes multiple (23), multi-tenant offices. This type of development is generally found in a C-1 or C-2 zoning district and is unique in the OS-PAD zoning district.
  
- The Sign Ordinance would allow a total of four signs and 128 square feet of sign area between all attached and detached signs, for the entire development. Even if the development only included one tenant per building, there would be 23 individual tenants that would need identification. The current Sign Ordinance maximums for developments in the OS district do not allow sufficient signage to identify this type of development with detached signs and individual tenant attached signage.
  
- The development has one, existing detached sign with an overall height of eight feet and sign area of approximately 40 square feet along University Drive and one, existing detached sign with an overall height of eight feet and sign area of approximately 21.5 square feet along Sunvalley Boulevard. Tenants would be allowed a maximum of one attached sign per elevation with a maximum aggregate sign area of 32 square feet per tenant. Attached signs would be internally illuminated or non-illuminated.
  
- Staff recommends that no tenant be allowed greater than three attached signs with an aggregate sign area 32 square. Additionally, to ensure compatibility with neighboring properties, no attached signs should be allowed on the west walls of Buildings 1-8. Staff further recommends attached sign be non-illuminated or limited to halo illumination only.

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Case No.: ZA07-135

Location: 4766 East Falcon Drive

Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow redevelopment of an existing aircraft hanger and development of an aircraft hanger in the M-1 zoning district.

Decision: **Approved with conditions**

Summary: Staff recommends **approval** of case ZA07-135, *conditioned upon the following:*

1. *Compliance with the site plan submitted except as modified by the conditions below.*
2. *Replacement of all dead, dying and removed landscaping.*
3. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits*

Findings:

- The subject site consists of an existing office building used for Falcon Aviations operations. The applicant is requesting a Substantial Conformance Improvement Permit (SCIP) for the development of a 14,400sf hangar.
- The requested SCIP would allow deviation from the current Code related to the setbacks adjacent to the south property line, parking lot landscape islands, on-site parking, and foundation base. With the exception of foundation base landscaping, the applicant has shown full compliance with current Code development standards in regards to the development of the new hangar, which meets setback and foundation base width requirements.
- As justification for the request, the applicant has noted that applying current Code to the existing development would result in the demolition of existing parking and landscape areas as well as the loss of on-site parking spaces, which would create new nonconformities within the site.
- The Federal Aviation Administration does not support the planting of any type of vegetation in or around an active runway, taxiway, taxi lane, or aircraft-parking apron due to the likelihood of potential bird strikes.
- Although this development lacks sufficient parking as required by Code, the Falcon Field Airport Design Guidelines suggest a parking ratio of 1 space/2000sf GFA for hangars. These guidelines, while not formally adopted, would reduce the number of required parking spaces by 9, which would provide some relief from current Code requirements. In addition, there is adjacent overflow parking adjacent to the development,

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which creates a situation similar to group commercial centers where shared parking is typical.

- A summary of Code requirements, the applicant's proposal, and staff recommendation is shown in the table below in regards to the existing building. The proposed hangar complies with Code requirements.

	<b>Code Requirement</b>	<b>Applicant Proposed</b>	<b>Staff Recommended</b>
Foundation Base			
Walls w/public entrance	15'	0'	As proposed
Adjacent to parking (no public entrance)	10'	0'	As proposed
Adjacent to drive aisles (no public entrance)	5'	0'	As proposed
Building Setbacks			
Falcon Dr.	20'	0'	As proposed
North	10'	20'	As proposed
East	10'	0'	As proposed
West	10'	20'	As proposed
Parking			
Office	43 spaces	39 spaces	As proposed
Hangar	16 spaces	7 spaces	As proposed
Parking islands	6 islands	0 islands	As proposed

- Full compliance with current Code requirements would result in the removal of required on-site parking. The increased setback adjacent to Falcon Dr. would eliminate parking spaces adjacent to the street, and a foundation base would eradicate the row of parking spaces adjacent to the structure. Parking islands would further reduce the availability of on-site parking for the development.
- As increasing landscape within the development would create additional non-conformities, it is recommended that all dead, dying, and removed landscaping be replaced in order to offset the lack of landscape elsewhere on the site.
- The site plan submitted, including staff recommended conditions of approval, provides substantial conformance with current Code requirements that justify the requested SCIP. Additionally, the proposed use and improvements will be compatible with, and not detrimental to, adjacent properties in the area.

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Case No.: ZA07-136

Location: 7554 East Main Street

Subject: Requesting: 1) a Substantial Conformance Improvement Permit (SCIP) to allow development of a retail building; and 2) a Special Use Permit (SUP) to allow modification of a Comprehensive Sign Plan in the C-2 zoning district.

Decision: **Approved with conditions**

Summary: Staff recommends **approval** of case ZA07-136, *conditioned upon the following:*

1. *Compliance with the site plan and landscape plan submitted, except as modified by the conditions below.*
2. *All attached signage shall comply with current Code requirements.*
3. *Any sign permit for a new detached sign shall specify and require that any existing non-conforming sign shall be modified or removed to comply with Sec 11-19-2(D) of the Zoning Ordinance.*
4. *Compliance with all requirements of the Design Review Board.*
5. *Compliance with the landscape plan submitted including replacement of all dead, dying, or removed landscaping.*
6. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Findings:

- The requested Substantial Conformance Improvement Permit (SCIP) would allow the development of a 7,500sf commercial building on a vacant corner parcel within a group commercial shopping center. When Sun Valley Shopping Center was platted in 1985, the parcel was dimensioned to a size that makes development very difficult under the standards of the current Zoning Ordinance. In order to develop a commercial building of usable size, the applicant has requested a SCIP to allow relief from building setbacks as required by the Zoning Ordinance.
- The requested SCIP would allow deviation from current Zoning Ordinance requirements related to building and landscape setbacks adjacent to Main Street and intersection of Main Street and Sossaman Road. Code requires a 30' building and landscape setback and a 100' radius at the corner where adjacent to a six lane arterial. The applicant has proposed to build a 7,500sf building with a 15' building and landscape setback along Main Street and a 29' radius at the street corner.
- As justification for the request, the applicant has stated that compliance with current Code would prevent a commercial building of reasonable size from being built. Additionally, compliance with current Code would render the lot as unusable.
- With the exception of the building and landscape setbacks and the 100-foot corner radius setback, the site meets all current Code requirements. Foundation base and landscaping meet or exceed minimum Code requirements. The landscape plan includes several trees and shrubs

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along the street frontages that help buffer the building from the street. In addition the existing right-of-way includes nearly 20' of landscaping area that will provide an additional buffer between the building and Main Street.

- The existing parking lot for the entire shopping center does not comply with current Code in regards to the amount of contiguous parking spaces. The Zoning Ordinance requires landscape islands at each end of a row of stalls and in between for a maximum of eight (8) contiguous spaces. The applicant is not proposing to modify the parking, but will install landscaping in the existing islands to meet current Code requirements.
- The proposed site plan provides substantial conformance with current Code requirements and provides reasonable justification for a SCIP. The planned use is compatible with, and not detrimental to surrounding properties. The architectural style and site design complies with the intent of the Design Guidelines and will most likely increase the aesthetic quality of the shopping center and surrounding area.
- The requested Special Use Permit (SUP) would allow modifications to the existing Comprehensive Sign Plan approved for Sun Valley Plaza through case BA86-10.
- The proposed modification would allow a maximum of two (2) attached signs with an aggregate sign area of up to 250sf. Corner buildings with multiple elevations would allow a maximum of three (3) signs with an aggregate area up to 250sf. Current Code maximums would allow three attached signs with an aggregate sign area of 160sf.
- The proposed building and site plan does not provide any unique circumstances to justify a maximum sign area of 250'. Staff recommends that the sign area be limited to 160sf as permitted by the Zoning Ordinance.
- Detached signage has not been requested as part of this request. In accordance to Section 11-19-2(D) of the Zoning Ordinance, any sign permit for a detached sign within the boundaries of a group C-O-I Development shall specify and require that any nonconforming detached sign within the boundaries of said development shall be modified or removed to conform with the provisions of this Ordinance.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 02:35 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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