

**City of Mesa
Zoning Administrator Minutes
June 5, 2007**

**John S. Gendron
Hearing Officer**

DATE June 5, 2007

TIME 1:30 P.M.

Staff Present

Jeffrey McVay
James Hash
Katrina Rogers

Others Present

CASES

Case No.: ZA07-044TC

Location: 33 West Broadway Road

Subject: Requesting Special Use Permits to allow: 1) outdoor storage; 2) vehicle sales, and 3) general auto repair; and variances to allow: 4) a building to encroach into the required side yard; 5) reductions to required landscape setbacks; 6) a fence to exceed the maximum height allowed; 7) deletion and/or reduction of foundation base requirements and 8) a reduction of the minimum number of total parking spaces required; all in conjunction with the development of a boat sales lot in the TCB-2 zoning district.

Decision: This case was continued to the June 12, 2007 hearing

Summary: N/A

Finding of Fact: N/A

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Case No.: ZA07-051

Location: 1504 West Main Street

Subject: Requesting a variance to allow a sign to encroach within the future width right-of-way in the C-3 zoning district.

Decision: Approved with the following conditions:
1. Compliance with the site and landscape plans submitted.
2. The property owner shall sign an encroachment agreement.
3. Compliance with all requirements of the Building Safety Division with regard to the issuance of sign permits.

Summary: James Paddison, sign company representative, presented the variance request, noting the new sign would be consistent with current Code requirements. Mr. Gendron confirmed with the applicant the proposed sign height and area. Mr. Gendron confirmed with staff that the encroachment agreement required by condition #2 was intended to be the same as a sign agreement.

Finding of Fact:

- The existing monument sign is a legal non-conforming use within the City of Mesa. The existing sign is 35 feet tall and 12 feet wide and contains three separate signs placed at various heights on a non-monument base.
- The requested variance would allow a new conforming monument sign to be relocated east of the current drive entrance that enters the site from Main Street.
- The proposed signage will provide three separate panels that will total approximately 40 SF in area and will be placed on a monument base that will raise the total height to 10 feet.
- Current building setbacks and width lines are pre-existing and prohibit strict compliance with the current Code requirements. The unique conditions that apply along the west Main Street corridor do not allow for setbacks consistent with current Code requirements. This condition is not self-imposed.
- Granting a variance to allow the relocation and renovation of the current monument sign will not grant special privileges inconsistent with the limitations upon other properties in the vicinity, and does not provide a special privilege. In fact, the requested variance will bring the site into compliance with current Sign Ordinance requirements applied to all new commercial development in the City.
- The proposed variance will allow a sign that is consistent with the purpose and intent of the current City of Mesa Sign Code and will not be detrimental to the surrounding properties.

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Case No.: ZA07-052

Location: 118 South 70th Street

Subject: Requesting a Special Use Permit for an assisted living facility in the R-4- PAD zoning district.

Decision: Approved with the following conditions.

1. *Compliance with the site and landscape plans submitted.*
2. *The Special Use Permit shall expire within two (2) years of approval, if not exercised.*
3. *Compliance with all requirements of an Administrative Site Plan Modification.*
4. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Summary: Tom Kerins, applicant, presented the SUP request, noting the proposed modifications to the site. Mr. Gendron had Mr. Kerins describe the new services that would be provided in comparison to the existing services. Mr. Gendron confirmed with staff that sufficient parking would exist with the addition. Mr. Kerins requested additional time to vest the SUP.

Finding of Fact:

- The requested Special Use Permit would allow for the addition of assisted living services to be incorporated into the currently operating Christian Care Center IV which provides low income HUD housing to seniors.
- The Special Use Permit is being requested in order to accommodate the increased needs of the surrounding communities.
- The proposed renovation will not increase the land use intensity of the site. A new addition to the facility will be used as a Dining room, kitchen, and recreation center for the current population of the number of residential dwelling units.
- The addition will not require mandatory review by Design Review Board. And will meet all current City of Mesa code requirements with regards to lot coverage, setbacks, retention, parking.
- The new additions to the complex will require a minor Site Plan Modification in addition to the issuance of the Special Use Permit.

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Case No.: ZA07-053

Location: 1356 East Baseline Road

Subject: Requesting a Substantial Conformance Improvement Permit (SCIP) to allow the expansion of a mini storage development in the M-1 and M-1-CUP zoning district.

Decision: Approved with the following conditions:

1. *Compliance with the site and landscape plans submitted.*
2. *Compliance with all requirements of a Site Plan Modification.*
3. *Provision of an eight-foot (8') wrought iron fence along the north and west property lines of the expansion area.*
4. *Roof mounted equipment shall be screened as a single unit with a height that shall be equal to or exceed the height of the roof mounted equipment.*
5. *Compliance with all requirements of the Design Review Board.*
6. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Summary: Tarik Williams, applicant, presented the requested SCIP, noting the options to ground-mount equipment instead of placing them on the roofs. Mr. Gendron discussed the frontage landscaping and the proposal to place perimeter landscaping within the setback from Baseline Road. Mr. Gendron confirmed there were no nonconforming detached signs on the site.

Finding of Fact:

- The applicant is requesting a Substantial Conformance Improvement Permit to allow deviation from the required building setbacks and the elimination of the Landscape requirement in order to allow the expansion of an existing mini-storage facility.
- Application of current Code development standards would require the demolition or significant alteration of the existing conforming use.
- The applicant is providing a 15-foot landscape setback along the west and majority of the north and east borders of the property of the new expanded site. This landscape area will contain a reduced number of plantings that have been applied to the landscape area along Baseline Road.
- As Stated in §11-15-4(B) "Roof-mounted equipment screening shall be constructed as an encompassing monolithic unit, rather than as several individual screens (i.e., multiple equipment screens, or "hats," surrounding individual elements shall not be permitted). The height of the screening element shall equal or exceed the height of the structure's tallest piece of installed equipment".
- Staff is recommending the use of an 8-foot "wrought iron" fence along the north and west property line to better utilize the landscaping between the group commercial center to the west and the proposed site as well. This permits passive surveillance to both sites.
- The proposed site plan, including staff recommended conditions of approval, would allow

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expansion of an existing non-conforming site, while providing substantial conformance with current Code development standards.

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Case No.: ZA07-054

Location: 1330 South Sossaman Road

Subject: Requesting a Special Use Permit (SUP) to allow an automobile service station in the C-2-PAD-DMP zoning district.

Decision: Approved with the following conditions:

1. *Compliance with the site and landscape plans submitted as they specifically apply to the automobile service station, except as modified by the conditions below.*
2. *Compliance with all requirements of the rezone and site plan review approved through case Z07-30.*
3. *Compliance with all requirements of the Design Review Board.*
4. *The Special Use Permit shall expire if not exercised, or if a building permit has not been issued within one (1) year of official action.*
5. *Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Summary: Steven Ybarra, applicant, presented the requested SUP, giving a summary of the proposed. Mr. Gendron discussed the hours of operation and safety measures that would be in place to prevent accidents. Mr. Gendron confirmed the location of the fueling station in relationship to the overall site.

Finding of Fact:

- The proposed automobile service station would be developed as part of a larger group commercial and industrial development that has received General Plan Minor Amendment, Rezone, and Site Plan approval from the Planning and Zoning Board and City Council. The Design Review Board decision is expected on June 6, 2007.
- The proposed automobile service station is an allowed use in the C-2 zoning district subject to a SUP and is consistent with the General Plan designation of Community Commercial.
- The proposed automobile service station will be designed and constructed consistent with the overall Costco site and future adjacent retail and industrial developments. The use of this site for a automobile service station would not be detrimental to surrounding uses.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at p.m.

The cases for this hearing were recorded and are available upon request.

Respectfully submitted,

John S. Gendron
Hearing Officer

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