

# Zoning Administrator Hearing **Minutes**



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

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

**DATE** February 20, 2007

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

**Staff Present**

Jeff McVay  
Jim Hash  
Lena Butterfield

**Others Present**

Leo Marin  
Reese Anderson  
D.J. Stapley  
Andrew Taylor  
Shawna Taylor  
Michel K Maynard  
Barbara Csaki

**CASES**

Case No.: ZA07-009

Location: 809 North Dobson Road

Subject: Requesting a Special Use Permit for an Auto Service Station and carwash in the C-2 zoning district.

Decision: Approved with conditions

Summary: Mr. Marin explained that the site will be a carwash, gas station, and convenience store. The carwash will operate from sun-up to sun-down and the gas station and convenience store will be in operation 24 hours. Additionally, Danny's Family Carwash has nine other valley locations and has operated without any major issues. He further explained that there will be two access points to Dobson Road.  
Mr. McVay explained that the signage is compatible with the Riverview Comprehensive sign Plan.  
Mr. Hash explained the service station and carwash has been reviewed and approved by the Planning and Zoning Board, City Council, and design Review Board. Additionally, that the stacking area will provide unhindered access to the site the uses are

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compatible with and not detrimental to the surrounding area and recommended approval of the Special Use Permit.

Mr. Gendron approved the case with the following conditions:

- 1. Compliance with all requirements of the Design Review Board.*
- 2. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Finding of Fact:

- 1.1** The facility will feature oil, lube and detailing service bays, as well as a vacuum canopy for 12 cars and allowance of 8 more cars in the stacking area.
- 1.2** The carwash includes a 100-foot long automated tunnel and 24-car drying canopy with 2 additional rows of vehicles stacked at the entry. The site will also include a 24-hour convenience store with 8 double-sided gas pumps under a fuel canopy.
- 1.3** The carwash, fuel sales and convenience store are permitted uses in the C-2 zoning district, subject to a SUP.
- 1.4** The location of the proposed facility is encircled by activities that are attuned with the proposed use and will not be a detriment to the surrounding properties.
- 1.6** The stacking area for the carwash facility is located on the east side of the convenience store and will provide for unhindered access to parking and pedestrian movement throughout the remainder of the site.
- 1.7** Staff supports the use of the proposed site and feels that it will provide a positive amenity for the adjacent neighborhoods, as well as for passing travelers on State Route 202.

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Case No.: ZA07-010

Location: 1518 North 67<sup>th</sup> Street

Subject: Requesting a Special Use Permit to for a detached accessory living quarters in the R1-9 zoning district.

Decision: Approved with conditions

Summary: Ms. Csaki explained that it will not be structurally possible to attach the accessory living quarters to the home.  
Mr. And Mrs. Taylor stated that they are aware that the Accessory Living Quarters cannot be used as a rental.  
Mr. Maynard, 1530 N 67<sup>th</sup> St, explained that he fully supports the Accessory Living Quarters.  
Mr. McVay explained that the Accessory Living Quarters will be compatible with and not detrimental to the surrounding properties.  
Mr. Gendron approved the case with the following conditions:  
*1. Compliance with the site plan submitted.*  
*2. The Accessory Living Quarters shall not be rented or leased.*  
*3. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Finding of Fact:

- 1.1 The subject parcel is approximately 36,400 s.f. and is zoned R1-9. The proposed accessory building approximates 1,650 s.f. and includes a detached garage and ALQ. Because the ALQ is not directly accessible from the primary residence, a Special Use Permit is required to allow construction.
- 1.2 The proposed detached garage and ALQ comply with Zoning Ordinance requirements related to setbacks, height, size, and lot coverage.
- 1.3 The proposed ALQ will be the only one located on the parcel; will be architecturally compatible with the primary dwelling; will not be served by separate utilities; will not have an entrance visible from the public right-of-way; will have a roof area less than 50 percent of the primary residence, and will not be leased or rented.
- 1.4 The proposed ALQ meets the intent of the Zoning Ordinance requirements and will be compatible with and not detrimental to the surrounding neighborhood.

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Case No.: ZA07-011

Location: 2925 North Sericin

Subject: Requesting a minor Modification of a Planned Area Development (PAD) to allow a retaining wall to exceed 25% of a retention basin perimeter in the R-2-PAD zoning district.

Decision: Approved with conditions

Summary: Mr. Anderson explained that the retention wall will have eighteen inches (18”) of block with wrought iron on top of that. Additionally, the site is currently going through an administrative site plan approval.  
Mr. McVay explained that the Code limits retaining walls to 25% of a retention basin in order to create more of a natural look and avoid steep drops into the basin.  
Ms. Gonzales explained that staff is recommending approval of the variance.  
Mr. Gendron approved the case with the following conditions:  
*1. Compliance with all requirements of the Site Plan submitted.*  
*2. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Finding of Fact:

- 1.1 After the approval of the current zoning case, site plan, and PAD, project engineers have incurred problems concerning the current joint use retention basin between the proposed town homes and the shopping center.
- 1.2 In order to achieve full storm water retention the applicant is requesting that the PAD be modified to allow the retaining wall to exceed the current City of Mesa Code maximum of 25% of the basin perimeter.
- 1.3 The retaining wall will be constructed no more than 18” and will be separated from public view by a 3’-6” high wrought iron fence.
- 1.4 As well as the screening the retaining wall from public view the site plan is also being modified with regard to the orientation of the town homes on the property. The front views of the residences have better mountain views.

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- 1.5 Other than the adjustment to the building fronts, all other elements of the site plan will remain unchanged.

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Case No.: ZA07-012

Location: 4400 to 4500 block of South Mountain Road, east side, south of Warner Road

Subject: Requesting a minor Modification to a Planned Area Development (PAD) to allow individual residences to exceed the maximum lot coverage allowed in the R1-6-PAD zoning district.

Decision: Approved with conditions

Summary: Mr. Anderson explained that the request for an increase to the maximum allowed lot coverage would accommodate future expansion on the lots such as covered patios or storage sheds. The largest floor plan in the subdivision will cover 42% of the lot. Ms. Lucas explained that both the Planning and Zoning Board and the City Council have approved the PAD overlay. Additionally, staff is recommending approval of the modification. Mr. Gendron approved the case with the following conditions:  
*1. Compliance with all requirements of the site plan submitted*  
*2. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.*

Finding of Fact:

- 1.1 "The Vintage" is located south of the SEC of Warner Mountain Roads, within the southern portions of parcels; 304-33-108-P, 987 & 988.
- 1.2 The Vintage is a 31-unit, single residence gated community located on approximately 6.14 acres.
- 1.3 The PAD overlay approved for this subdivision allowed lots sizes below the minimum allowed by current Code (5,500 s.f. vs. 6,000 s.f.).
- 1.4 The current largest floor plan would deviate from ordinance standards to 43%. Increase the amount of deviation to 45% would allow residents flexibility to construct a covered porch or outdoor storage shed at a later time without the need for a variance or PAD modification.
- 1.5 Staff finds the requested minor modification to the PAD overlay approved by Z06-75 to be consistent with the intent of the original approval.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 2:05 p.m.

The cases for this hearing were recorded on Zoning Administrator Flash Card 2, Track 24.

Respectfully submitted,

John S. Gendron  
Hearing Officer

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G:ZA/Minutes/ZAM