

**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 April 3, 2008 Time 1:30 p.m.

HEARING OFFICER

William "Bill" Petrie

STAFF PRESENT

Jeff Conkle  
Josh Mike  
Kelly Arredondo

OTHERS PRESENT

Vince DiBella  
Holly Forden  
Dean Pisciotta  
Jim Gleeson  
Bonni Canary

The Planning Hearing Officer (PHO) Bill Petrie welcomed everyone present and approved the minutes of the March 6, 2008, meeting as submitted.

Before adjournment at 2:10 p.m., action was taken on the following item(s):

Zoning Cases: Z08-16, Z08-17

The public hearing was recorded on Flash Card one and track titled PHO 04.03.08.

## MINUTES OF THE APRIL 3, 2008 PLANNING HEARING OFFICER HEARING

Item: **Z08-16 (District 6)** 1106 South Signal Butte Road. Located north of Southern Avenue on the west side of Signal Butte Road (0.58± ac.). Site Plan Modification. This request will allow for development of an automobile service center. Chris Byrd, Weingarten/Investments, Inc., owner; Gabe Krell, Kimley-Horn & Associates, applicant; Mark W. Beck, engineer.

Comments: Jeff Conkle, Planner I, gave a brief overview of the project stating that the request is to modify the previously approved site plan to allow a Brakes Plus automobile service center within the Shoppes at Parkwood Ranch Development. He further explained that the building's orientation was changed to orient the bay doors away from the residential neighborhood; and that staff is recommending approval with conditions.

Dean Pisciotta, Vice President of Brakes Plus, 6911 S Yosemite St., Centennial, CO, stated that they have done their best to keep the bay doors away from the street and the neighborhood.

Bill Petrie, Hearing Officer, asked Mr. Conkle if the center's primary drive aisles would remain the same and what the original orientation of the building was. Mr. Conkle responded that the drive aisles are not affected by this modification and that originally the bay doors were facing north, which may have impacted the residential area.

Hearing Officer Petrie asked Mr. Pisciotta if there were any air compressors associated with this business. Mr. Pisciotta responded that there are and that they are located in a room within the building so they are not heard with the bay doors open.

Mr. Conkle mentioned that the applicant has included a six-foot screen wall on both the north and west sides of the bay doors to further lessen the impact of the service area to both the residents and the shopping center.

The Planning Hearing Officer **approved** zoning case Z08-16 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary elevations submitted as approved by the Design Review Board, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all City development codes and regulations.

Reason for Recommendation: The Hearing Officer felt this project is well designed, is in keeping with the General Plan and the modifications made will help elevate concerns of automotive service centers adjacent to residential uses.

\* \* \* \* \*

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

## MINUTES OF THE APRIL 3, 2008 PLANNING HEARING OFFICER HEARING

Item: **Z08-17 (District 4)** 54, 62, 104, and 110 South Allen Road. Located south of Main Street and east of Stapley Drive (0.96± ac.). Rezone from R-2 to R-3. This request will allow for the correct residential density for an existing multi-residential complex. Bonni Canary, Bonni Cherrick Canary Trust, owner; David K. Udall, Udall Shumway and Lyons, applicant.

Comments: Josh Mike, Planner I, stated that the applicant is requesting to split two parcels in half, creating four parcels, each containing a single, four-unit, multi-residential building, adding that splitting the lots would create a density, which would comply with current code. Due to the existing conditions of the buildings, the applicant has submitted an application for a Substantial Conformance Improvement Permit (SCIP) to allow for deviation of the Code without requiring redevelopment or reconstruction of the site. He stated that the modifications being requested would be addressed through the SCIP process and staff is recommending approval with conditions.

Vince DiBella, Saemisch DiBella Architects, stated he agrees with the staff overview and added that they have started improvements to the site. He mentioned that the primary objective of the owner is to allow potential individual sale of the properties.

Jim Gleeson, 61 South Stapley Drive, asked if the applicant was going to put a wall around the site or leave the existing fence and asked how he could protest a decision to keep the existing fence. Mr. DiBella responded that the existing fence would remain.

Mr. Mike stated that the applicant is required to put a wall, which is a standard condition and noted that the applicant is applying to modify some Code requirements through the SCIP process. He added that Mr. Gleeson could attend the Board of Adjustment or Zoning Administrator Hearings and request that the fence be addressed. Discussion ensued regarding the fence.

Bill Petrie, Planning Hearing Officer noted his concerns regarding the required parking. Mr. Mike responded that the applicant didn't submit a landscape plan and he has been working with the Zoning Administrator staff on that issue; adding that staff suggests that there be parallel spaces along the back drive aisle, so they could meet their required parking. Discussion ensued regarding the required parking, maneuvering in and out of the site, and maintenance of the common areas.

Mr. Petrie asked if there was any intent to do a condominium of these individual fourplexes and if the applicant has read and agrees with the conditions of approval. Mr. Mike responded that the owner hasn't expressed anything regarding a condominium.

Bonni Canary, 286 SW Forest Cove Road, West Linn, OR, owner, also responded that they have discussed the conditions of approval, adding that the SCIP process has not yet been approved.

Mr. Petrie stated that Mr. Gleeson has requested that a masonry wall be put up along the west property line. Ms. Canary asked why it would be needed.

Mr. Petrie stated that as part of the rezoning request, Code requires that the property be brought to current Code conformance. He noted that Mr. Gleeson's concern is that with four different owners, maintenance might be an issue and that's why he is requesting that there be better separation.

## MINUTES OF THE APRIL 3, 2008 PLANNING HEARING OFFICER HEARING

Ms. Canary mentioned that this property was a major problem before she bought it and stated she has replaced the management, kicked out the drug dealer and has done a lot to clean it up. She requested that the wall be waived.

Mr. Petrie stated that this is a rezoning request and reiterated that Code requires a 6' masonry wall be placed along the west property line, which could be addressed through the SCIP process. He briefly explained the allowed densities in the R-2, R-3 and R-4 districts and changes to the Zoning Ordinance. He also noted his concerns with the maintenance of the site.

Mr. Petrie recommended approval of the project subject to the conditions of approval in the staff report and added that the masonry wall be installed and that there not be a variance to that wall. He requested that his comments be forwarded to the Board of Adjustment or the Zoning Administrator.

Mr. Petrie also stated that the three parking spaces backing out onto Allen do not meet Code and in order to access those parking spaces, one would have to hop a vertical curb, which is illegal. He asked that the applicant look at some other way to provide parking. Discussion ensued regarding the parking.

The Planning Hearing Officer recommends to the City Council **approval** of zoning case Z08-17 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all City development codes and regulations.
3. Subject to the approval of a Substantial Conformance Improvement Permit through the Board of Adjustment or Zoning Administrator Hearing Officer.
4. 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.
5. Recordation of cross-access and reciprocal parking easements for the drive aisle parking spaces located on the property lines.

Reason for Recommendation: The Hearing Officer recommended approval with a notation that his concerns regarding the wall and parking be addressed through the SCIP process.

\* \* \* \* \*

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

MINUTES OF THE APRIL 3, 2008 PLANNING HEARING OFFICER HEARING

Respectfully submitted,

---

John Wesley, Secretary  
Planning Director

KA:  
*I:\PHO\PHO 08\minutes\04-03-08.doc*