

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 October 5, 2006 Time 1:30 p.m.

HEARING OFFICER

William "Bill" Petrie

STAFF PRESENT

Tom Ellsworth
Jennifer Gniffke
Ryan Matthews
Cory Whittaker
Maria Salaiz

OTHERS PRESENT

Dave Wood
Dennis Newcarbl
Don Cramer
Gregg Sherwood

The Planning Hearing Officer (PHO) Bill Petrie welcomed everyone present and approved the minutes of the September 7, 2006, meeting as submitted.

Before adjournment at 2:00 p.m., action was taken on the following item(s):

Zoning Cases: Z06-70, Z06-71, Z06-72, Z06-73, Z06-74

Preliminary Plat(s): "Holmes Park"

The public hearing was recorded on Flash Card one and track titled PHO 10.05.06.

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Item: **Z06-70 (District 6)** 7932 East Broadway Road. Located east of Sossaman Road and north of Broadway Road (0.17± ac.). Rezone from Maricopa County R1-6 to City of Mesa R1-6. For the establishment of City of Mesa zoning on recently annexed property. Spencer Vanderpool, owner; City of Mesa, applicant.

Comments: Cory Whittaker, Planner I, gave an overview of the project and stated that this request is to establish R1-6 zoning on recently annexed property.

PHO Petrie asked if mobile homes would be allowed under the new City of Mesa zoning. Mr. Whittaker responded they would not be allowed unless they already existed.

The Planning Hearing Officer **approved** zoning case Z06-70 conditioned upon:

1. Compliance with all City development codes and regulations.
2. Future review of development per Zoning Ordinance requirements.

Reason for Recommendation: The Hearing Officer determined that the rezoning request would bring the property's zoning designation into conformance with the Mesa 2025 General Plan.

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

MINUTES OF THE OCTOBER 5, 2006 PLANNING HEARING OFFICER HEARING

Item: **Z06-71 (District 6)** The 8222-8230 block of East Broadway Road (north side). Located on Broadway Road west of Hawes Road (0.39± ac.). Rezone from Maricopa County R1-6 to City of Mesa R1-6. For the establishment of City of Mesa zoning on recently annexed property. Spencer Vanderpool and James Vanderpool, owners; City of Mesa, applicant.

Comments: Cory Whittaker, Planner I, stated that the difference between this case and Z06-70 is that there are existing buildings, which will be demolished and replaced with single-family residences.

The Planning Hearing Officer **approved** zoning case Z06-71 conditioned upon:

1. Compliance with all City development codes and regulations.
2. Future review of development per Zoning Ordinance requirements.

Reason for Recommendation: The Hearing Officer determined that the rezoning request would bring the property's zoning designation into conformance with the Mesa 2025 General Plan.

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Item: **Z06-72 (District 5)** The 2700 block of East Lehi Road (south side). Located west of Val Vista Drive south of Thomas Road (106.5± ac.). Rezone from Maricopa County Rural-43 to City of Mesa R1-43. For the establishment of City of Mesa zoning on recently annexed property. Robert Engel, owner; City of Mesa, applicant.

Comments: Cory Whittaker, Planner I, stated that in order to comply with Arizona State laws for annexation this request had to be done in two separate cases (with Z06-73) in order to accomplish those requirements.

The Planning Hearing Officer **approved** zoning case Z06-72 conditioned upon:

1. Compliance with all City development codes and regulations.
2. Future review of development per Zoning Ordinance requirements.

Reason for Recommendation: The Hearing Officer determined that the rezoning request would bring the property's zoning designation into conformance with the Mesa 2025 General Plan.

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MINUTES OF THE OCTOBER 5, 2006 PLANNING HEARING OFFICER HEARING

Item: **Z06-73 (District 5)** The 3400-3600 block of North Val Vista Drive and the 3000-3600 block of East Lehi Road. Located west of Val Vista Drive south of Thomas Road (202.18± ac.). Rezone from Maricopa County Rural-43 to City of Mesa R1-43. For the establishment of City of Mesa zoning on recently annexed property. Robert Engel, owner; City of Mesa, applicant.

Comments: PHO Petrie noted that this is the companion case to zoning case Z06-72. He asked if the citrus store on Val Vista would require a Special Use Permit to operate. Mr. Whittaker responded that it's considered a legal nonconforming use and should be able to operate.

Tom Ellsworth, Senior Planner added that the citrus store is an ancillary use to the agricultural zoning and mentioned that the citrus store is not anticipated to be there much longer due to the zoning change.

PHO Petrie asked staff to look if a Special Use Permit is needed and to inform the applicant.

The Planning Hearing Officer **approved** zoning case Z06-73 conditioned upon:

1. Compliance with all City development codes and regulations.
2. Future review of development per Zoning Ordinance requirements.

Reason for Recommendation: The Hearing Officer determined that the rezoning request would bring the property's zoning designation into conformance with the Mesa 2025 General Plan.

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MINUTES OF THE OCTOBER 5, 2006 PLANNING HEARING OFFICER HEARING

Item: **Z06-74 (District 6)** The 8200 block of East Germann Road (north side). Located west of Hawes Road and north of Germann Road (8.7± ac.). Site Plan Review. This case will allow the development of an RV/mini-storage facility. Gregg Sherwood, owner/applicant.

Comments: Greg Sherwood, 538 E. Rockwood Dr, Phoenix, applicant, gave an overview of the project stating that it is geared strictly for RV boat storage with mini storage and a small office.

PHO Petrie asked if this project had been to the Design Review Board. Mr. Sherwood responded that they went on October 4, 2006 and added that they would work with staff to add additional design.

Tom Ellsworth, Senior Planner, gave an overview and added that the applicant has been responsive to staff concerns with this site. He stated that the applicant is currently applying for a variance through the Board of Adjustment to allow the wall to be on the property line and they are also processing a lot split. He added that staff is recommending approval with conditions.

The Planning Hearing Officer **approved** zoning case Z06-74 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, except as noted below.
2. Recordation of a Lot split to match the area being rezoned to M-1.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
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 lot split, or at the time of the City's request for dedication whichever comes first.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Design Review Staff.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (prior to the issuance of a building permit).

Reason for Recommendation: The Hearing Officer determined that the rezoning request would bring the property's zoning designation into conformance with the Mesa 2025 General Plan.

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Item: 915 South Horne Street (east side) **(District 4)**. Located at the southeast corner of South Horne Street and East 9th Avenue (4.12± ac.). This request will allow for the development of a single-residential subdivision. Consider the preliminary plat for "Holmes Park." Greg Stine Arizona Trust, owner; David M Wood, applicant.

Comments: Dave Wood, 8455 E. San Caudido Dr, Scottsdale, applicant, stated that he is requesting approval of the preliminary plat.

PHO Petrie stated that he was happy to see this property finally developed, which has been a concern of the neighbors because of some of the uses going on in the area. He thanked the applicant for his efforts.

Discussion ensued regarding the time limit for the preliminary plat and establishing a Homeowners Association for 16 lots. Staff informed the applicant that the HOA issue would be discussed at the Subdivision Technical Review meeting.

The Planning Hearing Officer **approved** the preliminary plat of "Holmes Park" conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary plat submitted (without guarantee of lot yield, building count, or lot coverage).
2. Compliance with the Residential Development Guidelines.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. 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.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Retention basins to be 6:1 slopes maximum where adjacent to a street or sidewalk.

Reason for Recommendation: The Hearing Officer felt this proposal adhered to the goals of the General Plan and requirements of the Subdivision Regulations.

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Respectfully submitted,

John Wesley, Secretary
Planning Director

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