



# Zoning Administrator Hearing **Minutes**

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

## Draft

**John Gendron**  
**Hearing Officer**

**DATE** April 29 2008

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

**Staff Present**

Jeff McVay  
Brandice Elliott  
Constance Bachman  
Kelly Arredondo  
Joy Spezeski

**Others Present**

Bill Cleveland  
Brent Hilton

### **CASES**

Case No.: ZA08-038

Location: 4227 East Main Street

Subject: Requesting a Variance to allow a reduced landscape setback from Main Street in conjunction with the development of a retail building in the C-2 zoning district.

Decision: Approved with conditions.

Summary: Case ZA08-038 was approved with the following condition:

1. Compliance with the site plan submitted except as modified by the conditions below.
2. Compliance with requirements of the Design Review Board.
3. Compliance with all requirements of the Building Safety Division with regard to the issuance of building permits.

Findings:

- The proposed development consists of a 36,300 square foot facility that would be used for the sale and installation of mobile home and trailer components. The development is currently being reviewed by staff for compliance with Design Review requirements, and will be sent to a Design Review Board public hearing.

**City of Mesa**  
**Zoning Administrator Minutes**  
**April 29, 2008**

- The applicant is requesting to deviate from current Code requirements related to the landscape setback adjacent to Main Street. The existing developments located both east and west of the proposed development were constructed prior to the adoption of the revised design guidelines and site development standards in 2002. While it appears that the Auto Zone store received final approval in 1994, the Big O Tires development lacks both case and permit history, suggesting that it was developed prior to 1984. As a result, both developments have reduced landscape setbacks adjacent to Main Street. The applicant is requesting to follow the existing pattern of development by having a reduced landscape setback of 14-feet along Main Street, where 30-feet is required by current Code.
- The applicant notes there is a reciprocal access easement located on the east side of the property that was negotiated between previous property owners. An increased landscape setback would not allow for the driveway to connect to adjacent properties in a straight alignment, which can be difficult for customers, employees, delivery, and emergency service vehicles to navigate.
- Although the applicant has proposed a decreased landscape setback adjacent to Main Street, the proposed landscape complies with current Code in regards to quantity and size.
- The plans indicate that the area of the new building will be 33,500 square feet, with mezzanines amounting to an additional 2800 square feet. The proposed area would require a total of 97 parking spaces, where only 95 have been provided. As the applicant has not requested deviation from code in regards to parking spaces, the development shall comply with current Code requirements.
- The location of the reciprocal access easement represents a unique condition on the site that leaves few options for aligning the driveways for ease of cross-access between developments. Further, an increased landscape setback would reduce the number of on-site parking spaces, which would create additional non-conformities within the development. Additionally, the proposed deviation is compatible with, and not detrimental to, adjacent properties in the area.

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**City of Mesa  
Zoning Administrator Minutes  
April 29, 2008**

Case No.: ZA08-039

Location: 150 North Sulleys Drive

Subject: Requesting a Substantial Conformance Improvement Permit to allow the expansion of a church in the R1-6 zoning district.

Decision: Approved with conditions

Summary: Case ZA08-039 was approved with the following conditions:

1. Compliance with the site and landscape plans submitted.
2. 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 936 square foot addition to an existing church. The applicant has requested a SCIP to allow the expansion of an existing nonconforming site without bringing the entire site into conformance with current development standards. The proposed addition will include a new restroom facilities, kitchen and entry foyer. No additional parking requirements will be required as part of the expansion.
- A summary of Code requirements, the applicant’s proposal, and staff recommendation are shown in the table below. As shown in the table, the site general meets or exceeds setback requirements, with the exception of the setback from Maple. Not shown in the table, the applicant has requested reduction in the frequency of parking lot landscape islands. Current Code requires landscape islands at the ends of parking rows and within at an interval of eight spaces. The applicant has requested the elimination of the landscape islands within the parking rows. The applicant has further proposed the provision of a significant number of trees and shrubs as part of a new landscape design.

	<b>Code Requirement</b>	<b>Applicant Proposed</b>	<b>Staff Recommended</b>
Landscape Setback			
Sullys Drive	20'	20'	As proposed
Maple	20'	15'	As proposed
North Property Line	10'	10'	As proposed
West Property Line	20'	27'	As proposed
South Property Line	5'	>30'	As proposed

- As justification for the request, the applicant has noted: 1) the appearance of the property will be improved with the removal of turf areas and the addition of low-water use shrubs and trees; 2) the addition

**City of Mesa**  
**Zoning Administrator Minutes**  
**April 29, 2008**

of parking lot landscape islands will reduce parking and add substantial costs; 3) the church is at the end of a cul-de-sac with little passing foot or vehicular traffic; and 4) additional requirements would create a financial burden given the small size of the congregation.

- Compliance with current Code development standards, in relation to parking lot landscape islands would result in the elimination of approximately 6 parking spaces. As proposed, the church would require 34 parking spaces were 65 spaces exist. The existing amount of landscaping is below current Code requirements. The applicant is proposing the addition of 22, 24-inch size box trees and approximately 50 shrubs of various size throughout the property.
- The proposed improvements to the landscape plan represent a significant improvement to the site and the site conformance with current development standards in relation to on-site landscaping. Given the addition proposed is fairly limited in size and does not increase the intensity of the use, as determined through number of attendees or parking requirements, the significant landscape improvements are reasonable improvement to the site to justify the request. Consequently, the site plan proposed by the applicant represents substantial conformance with current development standards. Further, the proposed addition would be compatible with and not detrimental to surrounding properties.

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There being no further business to come before the Zoning Administrator, the hearing adjourned at 1:55 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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