

MINUTES OF THE MAY 20, 2015 PLANNING & ZONING MEETING

- 6-a **Z15-012 (District 1)** 809 North Dobson Road. Located south of the Loop 202 on the east side of Dobson Road (2.44± acres). Site Plan Review and Special Use Permit. This request will allow the development of a convenience store with a gas canopy and a car wash facility. (PLN2015-00050)

Summary: Chair DiBella stated that case Z15-012 was discussed at the April, 2015 Planning and Zoning meeting. Chair DiBella read into record a comment card completed by Tanya Collins of the Mesa Grande Community Alliance in which the Alliance is in favor of the recommendation of staff to continue.

Mr. D. Montague of 553 N. Orange Street, is a member of the Steering Committee for Mesa Grande Community Alliance. Mr. Montague described his concern for the design of the Corner Store. He stated that the walkways need to be widened and the location of the car wash should not be next to the outdoor patio of a restaurant. He stated the property is across from the Riverview Park and needs to be the best design as possible for that area. Mr. Montague is in favor of continuance of the case.

Staff member Wahid Alam confirmed staff's recommendation for continuance. He stated staff is in agreement with the proposed use of the property. Mr. Wahid stated that staff is requesting the applicant to provide a different layout of the project to be more conducive to the area.

Mr. Jesse Macias of 1485 N. 1st Street., #100, Phoenix, AZ, 85004, is the applicant for case Z15-012. Mr. Macias presented an overview of the proposed project and described the changes that have been made to the design.

Chair DiBella inquired of Mr. Macias if he feels any value to continuing this case. Mr. Macias stated that continuance for another month delays the decision if staff is not willing to change their recommendation. He stated that the property owner does not feel a continuance would be satisfactory.

Boardmember Allen stated she would not approve the project from a design standpoint. Ms. Allen stated that she approves the use of the property, however this area is too prominent for the proposed design at this site.

Vice Chair Johnson stated that she visited the applicant's other site at Higley and Pecos and saw the canopies at the street. Ms. Johnson stated that she cannot support the design at Riverview and Dobson.

Boardmember Clement stated from a business standpoint he supports the applicant and supports staff from an aesthetic side. Mr. Clement agreed that it would be a good use of the property and the project will work with the adaptation of the design.

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Boardmember Dahlke asked for clarification as how the Special Use Permit would be addressed if the Board denies the application. Gordon Sheffield, Zoning Administration spoke and made recommendation if the Board decides to deny the application, the motion for denial be for the Site Plan include continuance of the Special Use Permit. If the applicant files an appeal, then the Special Use Permit would come back to the Planning and Zoning Board as a separate consideration item after the City Council decision on the appeal of the site plan.

Mr. Sheffield explained two options. The first is to approve the application with conditions. The second is to deny the motion for the site plan only and to continue the Special Use Permit to another hearing if the applicant appeals to the City Council.

Mr. Macias stated his understanding if the Board denies the application, the denial would be for the Site Plan and they may appeal the decision to the City Council. The Special Use Permit would be back to the Planning and Zoning Board after the City Council decision of the appeal.

Boardmember Allen asked the applicant if he would like the opportunity to continue to work with staff or if he would prefer a decision made at the meeting. Mr. Macias stated the owner will not be able to make any other changes to the site plan.

Vice Chair Johnson made a motion on case Z15-012 to deny the Site Plan and continue the Special Use Permit request to the July 15, 2015 hearing. The motion was seconded by Boardmember Allen.

Vote: 6-0-0 (Boardmember Hudson, absent)

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Note: Audio recordings of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at www.mesaaz.gov.