

ZONING MEMBERS PRESENT:

Linus Kafka, Zoning Examiner
John Beall, Planning & Development Services
Delma Sanchez, City Recording Clerk

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1 ZONING EXAMINER: Two Special Exception hearings this
2 evening, one of each kind. So I'm gonna do some preliminary
3 comments about the procedures in each one, and then we'll get to
4 the first case for the evening.

5 My name is Linus Kafka. I'm the Zoning Examiner for
6 the City of Tucson. I conduct Special Exception hearings and
7 rezoning hearings on behalf of the Mayor and Council, and I make
8 findings of fact.

9 For special exceptions, after I close the hearing, I'll
10 prepare a decision within five working days. If I do not close
11 the public hearing this evening, I'll continue it to a date not
12 more than 30 days from now. In my decision, I'll recommend
13 approval, approval with conditions, or denial of the application.

14 I'll mail the notice of the decision on an application
15 within three days after I render my decision. This will be
16 mailed to the Applicant and all persons who request notice. My
17 decision may be appealed by a party of record to the Mayor and
18 Council in accordance with the Unified Development Code 3.4.3.j
19 by submitting a Notice of Intent to appeal to the City Clerk
20 within 14 days from the date of the decision with a copy
21 delivered to the Planning & Development Services Department.

1 Completed appeal materials must be filed within 30 days of the
2 decision.

3 An Applicant may request a change in the condition of
4 approval of a special exception land use. The request shall be
5 reviewed by Staff for recommendation to me. The request shall
6 then considered at a public hearing in accordance with UDC 3.9.2.
7 Those are the procedures that apply to the, the Zoning Examiner
8 Special Exception, which is the cell tower one this evening.

9 The other special exception is a Mayor and Council
10 Special Exception. In that case, after I close the hearing, I'll
11 prepare a preliminary report within five working days. I'll
12 prepare a final report two weeks after the close of the public
13 hearing.

14 For those of you who wish to receive a copy of my
15 preliminary report, and you're not already a principal listed on
16 the case, we usually have orange cards for you to fill out. I
17 don't think everybody here tonight is listed on the case. If
18 not, let me know, and I can get a copy of the preliminary report
19 to you.

20 A copy of the final report will be available from the
21 Planning & Development Services Department. I'll send that
22 report along to the Mayor and Council. They may consider my
23 recommendation, along with other factors, and make a decision on
24 that.

1 At the start of the hearing, I'll have Staff give me a
2 presentation on each case, and after that, I'll have the
3 Applicant come up to present the case. After the Applicant
4 presents, I'll call on other people wishing to speak regarding
5 the case.

6 I cannot have any communications with parties involved
7 in the case, so now is the time to speak. If you're planning on
8 speaking tonight, when you come up, please fill in your name at
9 the sign-in sheet there. That's so we can properly associate
10 your name with the transcript.

11 A recording is being made of tonight's proceedings.
12 The Recording Clerk is sitting behind this wall, and a
13 transcription of those recordings will be made available as well.

14 At this time, I'd like to swear in any people wishing
15 to speak this evening. So if you are going to be presenting or
16 speaking on an issue this evening, if you could stand now and
17 raise your right hands. Somebody's gonna be speaking this
18 evening, right?

19 Okay. Gotta have some presenters. So if you'll stand
20 up, please raise your right hands. Do you swear or affirm to
21 tell the truth, the whole truth, and nothing but the truth?

22 (Affirmative.)

23 ZONING EXAMINER: All right. Thank you. Okay.

24 First case this evening was the case continued from

1 April 23rd, and that is Case No. SE-15-06 The Shops at Midvale,
2 Valencia Road. I'd like to get a little bit of background on
3 this.

4 MR. BEALL: Since the, the hearing last time that was
5 continued, we've have met with the Applicant, and had sent over
6 some advised conditions that we had in discussions with those.
7 And at the same time since then, the approval/protest as of to
8 date are still the same - four approvals and no protests.

9 ZONING EXAMINER: All right. Thank you. And would the
10 Applicant come forward, please. And if you could just sign in
11 right there.

12 MR. FAHKI (ph.): Sure. Good evening. My name is Ali
13 Fahki. I live 28028 North 110th Place, Scottsdale, Arizona,
14 85262.

15 I'm here tonight to answer any question you may have.
16 As Mr. Beall mentioned, we have a couple of stipulations from our
17 last hearing. We went back to the drawing board, item related to
18 our architectural elevation and site plan.

19 We met with Staff and we were able to get to more
20 understanding (inaudible) as is reflected currently with the
21 stipulation we have before you tonight. And I'm here to answer
22 any question you may have.

23 ZONING EXAMINER: The only question I have is the, the
24 latest copy of the preliminary conditions that I have. I'm not

1 gonna go through each and every one of them, but it's the latest
2 copy that you would have had in correspondence with either Mr.
3 Beall or Mr. Moyer. You're in agreement with all those
4 conditions?

5 MR. FAHKI: Yes.

6 ZONING EXAMINER: Okay. That's the only question I
7 have. Mr. Beall?

8 MR. BEALL: Also, besides the revised conditions, we
9 also revised Preliminary Development Plan as dated May 11th,
10 2015, as well as some revised building elevations, and revised
11 landscape plan. Just want to get those for the record.

12 ZONING EXAMINER: And those are already entered into
13 the record, right? Okay. Any issues with those?

14 MR. BEALL: No.

15 ZONING EXAMINER: All right. That's it. Thank you.

16 MR. FAHKI: Thank you very much.

17 ZONING EXAMINER: Anybody else wishing to speak on Case
18 No: SE-15-06. Seeing no one, Case No: SE-15-06 is hereby closed.
19 Thank you.

20 (Case No: SE-15-06 was closed.)

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the original tape recorded conversation in the case referenced on page 1 above.

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KATHLEEN R. KRASSOW - Owner
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