

MINUTES OF THE SEPTEMBER 16, 2015 PLANNING & ZONING MEETING

- 6-a Z15-026 District 5.** The 7400 through 7600 blocks of East Southern Avenue (north side). Located at the northwest corner of Sossaman and Southern Avenues (11.57± acres). District 5. Rezone from LC-PAD-PAD to RSL-2.5-PAD-PAD and Site Plan Review. This request will allow for the development of a single residence subdivision. Sean B. Lake, Pew & Lake, PLC, applicant; Terrence R. Wall, The Arizona Real Estate Fund II, LLC, owner. (PLN2015-00244) **Continued from August 19, 2015**

Staff Planner: Lesley Davis

Staff Recommendation: Denial

Summary: Staff member Lesley Davis presented case Z15-026 to the Board. Ms. Davis stated the property falls under the Mesa 2040 General Plan as a Mixed Use Activity District character type. Staff member Davis described the area to the south as an existing commercial and employment development and the adjacent to the north property as an existing residential neighborhood. Staff member Davis stated an appropriate use of the property would be a more dense residential use such as townhomes or condominiums. Due to these factors, Ms. Davis stated that staff recommends denial.

Chair Johnson inquired what the density of the proposed project is. Staff member Davis clarified the project density as 7 units per acre. Ms. Johnson confirmed that the density of condominiums and townhouses would be greater and Ms. Davis confirmed that. Ms. Davis also stated that staff does not feel that apartments would be a better use of the property. She stated that the Economic Development Department had provided their recommendation that also suggest condominiums or townhomes. Staff has provided the Board with Conditions of Approval in the event Board recommends approval.

Applicant Sean Lake of Pew and Lake, PLC, at 1744 South Val Vista Drive, #217 presented an overview of the project. Mr. Lake discussed the project in the early stage with Mr. Jabjiniak, Economic Development Director, in which Mr. Jabjiniak agreed that retail would not work at this location. Mr. Lake detailed the support given from the surrounding neighbors for the development. He then presented the Board with the specific changes which were made to the site after discussing staff's concerns. The changes include the addition of more parking spaces, street design and reorienting the position of the pool.

Thomas Barnhart, 7315 East Forge Avenue, addressed the Board stated he is opposed to building houses at that location.

Velora Barringer, 7311 East Flower, supports the project and is against an apartment complex.

Cecile Shobe, 7335 East Flower, is opposed to an apartment project or industrial buildings and supports the single family homes.

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Jamie Cloud, 7413 East Florian, supports the project and is against an apartment complex.

Robert Justen, 1010 South Terripin, is a member of the Association Board and is in support of the single family homes. He stated he would prefer that there be fewer homes.

Boardmember Astle requested clarification of a letter that was sent by the City to the neighbors. Applicant Sean Lake clarified that the letter mentioned was a letter the applicant received from Economic Development that they provided to the neighbors at the Neighborhood meetings. The letter indicated that the City would prefer to have a multi-family project.

Vice Chair Clement asked Mr. Lake if they reached out to other multi-family developers about this property. Mr. Lake stated that they did discuss the project with other brokers and the response was of disinterest.

It was moved by Boardmember Ikeda to approve case Z15-026 with the stipulations as presented by staff with the exception of amending Condition #20 to remove the word "approximately" and to add Condition #22 as presented by the applicant. The motion was seconded by Boardmember Dahlke.

That: The Board recommends approval of zoning case Z15-026 conditioned upon:

1. Compliance with the basic development as described in the project narrative, Preliminary Plat, and landscape plans provided without guarantee of lot yield.
2. Full compliance with all City development codes and regulations.
3. 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.
4. All offsite street improvements and street frontage landscaping to be installed in the first phase of construction unless otherwise approved by the City of Mesa.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. **Compliance with all requirements of the City of Mesa Terms and Conditions for the Sale of Utilities as administered by the Water Resources Department as well as City of Mesa Standard Detail M-53.**
7. Compliance with all requirements of the Fire Department.
8. Compliance with the Residential Development Guidelines as well as the building form standards established in the City of Mesa Zoning Ordinance.
9. No two identical elevations are permitted on adjacent lots or on lots across from each other, and no more than two identical elevations with different exterior colors are permitted within a cluster of lots adjacent within each courtyard.
10. **Patios have been included in the open space calculation for the private yards and therefore they may not be enclosed.**
11. View fences shall comply with the City of Mesa pool fence barrier regulations.

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12. Owner granting an Avigation Easement and Release to the City, pertaining to the Phoenix-Mesa Gateway Airport, which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
13. Written notice be provided to future residents, and acknowledgment received that the project is within five (5) miles of the Phoenix-Mesa Gateway Airport.
14. Noise attenuation measures are to be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.
15. **Designated Solid Waste barrel pick-up locations for cluster lots shall be as shown on the Parking and Refuse Exhibit, unless modified by the City of Mesa Staff. Each individual barrel location shall be marked on the concrete identifying it as a solid waste barrel location per M-62.06 of the City of Mesa Standard Details.**
16. **The sum of the walls for the homes within 10-feet of the rear property line shall not exceed 55% of the outside length of the pod/cluster.**
17. **Provide dusk to dawn garage lights and porch lights within each cluster.**
18. **Provide safe, attractive and comfortable shaded seating within all of the open space areas for this development. Details to be approved by the Planning Director prior to issuance of a building permit for the subdivision improvements.**
19. **Lots 10, 11 and 12 will have a minimum 15-foot setback along the north side of the development. The balance of the homes along the north property line will have a minimum setback of 10-feet for single story and 15-feet for two story, this includes lots 14, 15, 18, 19, 22, 23, 26, 27 and 29 as identified on the Preliminary Plat, dated July 20, 2015.**
20. **Provide a parking ratio of three (3) parking spaces per dwelling unit.**
21. **Provide at least 3 exclusive, unassigned parking spaces within 150 of each cluster as measured from curblane at the intersection with the public street and termination of the shared drive.**
22. **The Home Owner's Association shall maintain all 90 degree parking spaces.**

Vote: 7-0

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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