

# Planning and Zoning Board

## *Meeting Minutes*

Held in the City of Mesa Council Chambers – Upper Level

Date: June 15, 2016 Time: 4:00 p.m.

### **MEMBERS PRESENT:**

Chair Suzanne Johnson  
Steve Ikeda  
Michelle Dahlke  
Dane Astle

### **MEMBERS ABSENT:**

Michael Clement  
Lisa Hudson

### **STAFF PRESENT:**

John Wesley  
Tom Ellsworth  
Wahid Alam  
Lesley Davis  
Kim Steadman  
Gordon Sheffield  
Kaelee Wilson  
Rebecca Gorton  
Charlotte McDermott  
Michael Gildenstern

### **OTHERS PRESENT:**

Richard Dyer  
Brent Hickey  
David Jarvis  
Susan Bawolek  
Others

Call Meeting to Order.

Chair Johnson declared a quorum present and the meeting was called to order at 4:00 p.m.

1. Take action on all consent agenda items.

### **Items on the Consent Agenda**

2. **Approval of minutes:** Consider the minutes from the May 17, and May 18, 2016 study sessions and regular hearing.

It was moved by Boardmember Ikeda to approve the Consent Agenda. The motion was seconded by Boardmember Astle.

**Vote: 4-0**

Zoning Cases: Z15-028, Z16-025, Z16-024, Z16-026, Z16-027, Preliminary Plat for "Spectrum Retirement Development", Amendments to Mesa City Code, Title 11, the Zoning Ordinance to add a new zoning district, entitled EO- Employment Opportunity District.

## MINUTES OF THE JUNE 15, 2016 PLANNING & ZONING MEETING

- \*3-a Z16-028 District 4.** 1131 South Stapley Drive Located north of Southern Avenue and east of Stapley Drive. (1.26 ± acres). Site Plan Review. This request will allow development of a drive-thru restaurant. Jeff Looker, Looker and Capello Architects Inc., applicant; Stapley and Southern Partners, LLC, owner. (PLN2016-00221).

**Staff Planner: Wahid Alam**

**Staff Recommendation: Approval with Conditions**

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Ikeda and seconded by Boardmember Astle to approve case Z16-028 with conditions:

**That: The Board recommends the approval of the case Z16-028 conditioned upon:**

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape plan and building elevations submitted.
2. Compliance with all City development codes and regulations.
3. Signs (detached and attached) need separate approval and permit for locations, size, and quantity.
4. Compliance with all conditions of Design Review (DR16-014) approval for architectural and landscaping design.
5. Provide stamped concrete or other enhanced material (striping on asphalt is not acceptable) in all pedestrian walks across parking lots and drive aisles.
6. Design of the screen wall and trash enclosure shall be compatible with the building architecture in material, color and texture.
7. Prior to building permit submittal, submit revised site plan, landscape plans and elevation exhibits for Planning Director review and acceptance to include:
  - a. A minimum 2-foot foundation base along exterior building adjacent to the drive-thru lane per Zoning Ordinance Section 11-31-18 B; and
  - b. At least 5-foot-wide landscape strip with temporary curbing along the edge of the driveway adjacent to undeveloped parcel to the east of the Taco Bell pad.

**Vote: 4-0**

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## MINUTES OF THE JUNE 15, 2016 PLANNING & ZONING MEETING

- \*3-b Z16-025 District 6.** 6400 to 6500 blocks of South Mountain Road. Located north of Pecos Road and west of Mountain Road. (3.49± acres). Site Plan Review. This request will allow development of a parking area and outside storage associated with the existing Fujifilm Electronic Materials facility at 6550 South Mountain Road. Brian Johns, Associated Architects, applicant; Fujifilm Electronic Materials, owner. (PLN2016-00264)

**Staff Planner: Wahid Alam**

**Staff Recommendation: Approval with Conditions**

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Ikeda and seconded by Boardmember Astle to approve Case Z16-025 with conditions:

**That: The Board recommends the approval of the case Z16-025 conditioned upon:**

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted (without guarantee of lot coverage).
2. Compliance with all City development codes and regulations.
3. **The three proposed barb and razor wire strands attached to the screen wall, along the northern boundary of the property, shall be placed a minimum of 7 feet above ground level and shall tilt toward the new parking lot at an angle sufficient to ensure the barb and razor wire strands are not visible from beyond the property line, as shown on the site plan (sheet A-3, detail 8).**
4. Retention basins shall be designed per Section 11-33-6 and parking lot illumination shall be designed per Section 11-30-5 of the zoning code.

**Vote: 4-0**

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***Discuss and make a recommendation to the City Council on the following zoning cases:***

- \*4-a Z16-024 District 6.** 5253 South Saranac. Located south of Ray Road and east of Power Road. (3.26 ± acres). Rezoning from LI and LC to LI-AF-BIZ overlay and site plan review. This request will allow for development of an office building. John C. Manross, Design Professionals, LLC, applicant; Granite Field Investments, LLC, owner. (PLN2016-00227).

**Staff Planner:** Lesley Davis

**Staff Recommendation:** Approval with Conditions

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Ikeda and seconded by Boardmember Astle to approve case Z16-024 with conditions:

**That: The Board recommends the approval of the case Z16-024 conditioned upon:**

1. Compliance with the development as described in the project narrative and as shown on the site plan, elevations and landscape plan.
2. Compliance with all City development codes and regulations.
3. Compliance with all conditions of Design Review approval for architectural and landscaping design, which shall include the BIZ requirements.
4. Signs (detached and attached) require separate approval and permit for locations, size, and quantity.
5. Owner granting an Avigation Easement and Release to the City, pertaining to 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).
6. Noise attenuation measures be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.
7. **Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77.9, (form 7460), to determine any effect to navigable airspace, air navigation facilities. A completed form with response by the FAA must accompany building permit application for structures on this property.**
8. Recordation of a cross-access easement for the shared emergency access point with the hotel along the north property line.
9. Compliance with the requirements established in Chapter 21 of the City of Mesa Zoning Ordinance for the use of a Bonus Intensity Zone Overlay District.

**Vote:** 4-0

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- \*4-b Z16-026 District 6.** 6400 to 6500 blocks of South Mountain Road. Located north of Pecos Road and west of Mountain Road. (5.82± acres). Rezoning from GI-AF-CUP to HI-AF. This request will allow hazardous material usage on this portion of the property associated with the existing Fujifilm Electronic Materials facility at 6550 South Mountain Road site. Brian Johns, Associated Architects, applicant; Fujifilm Electronic Materials, owner. (PLN2016-00225)

**Staff Planner:** Wahid Alam

**Staff Recommendation:** Approval with Conditions

**Summary:** Staff Member Alam explained case Z16-026 to the Board. In response to a question from the Board, the applicant, Reese Anderson, 1744 S. Val Vista, #217, explained that the Arizona Department of Transportation had been contacted and the proposed isotainer storage lot does not encroach into the future Right of Way for Arizona State Route 24.

Brent Hickey, 1256 W. Chandler Blvd, Chandler proposed to the Board that the case be continued, to provide for more public notice before the case moves forward. Mr. Hickey was concerned that the isotainer parking lot is a dangerous chemical stockpile, and he was concerned that the storage area is located directly adjacent to the future freeway. Mr. Hickey proposed that the isotainer lot be located in a safer location on the site such as the southern parking lot, away from the freeway.

David Jarvis, 2251 N. 32<sup>nd</sup> St #30, Mesa, expressed to the Board that he is concerned that the 60-70 acres that he has assembled in the area for development are potentially in jeopardy of not being compatible with what Fuji is proposing currently, and when it comes time to develop his property, his entitlements may be hindered.

Susan Bawolek, 2200 W. Sagebrush Ct, Chandler, explained to the Board that she owns land in the area that is planned to be acquired by ADOT for the future Arizona State Route 24, and she expressed concern that if the isotainers are placed on the property, ADOT would need to reevaluate the future freeway alignment. Ms. Bawolek also added that the isotainers may place homes in the area at risk.

Staff confirmed for the Board that the neighborhoods and HOAs in the area were properly notified, and that the necessary neighborhood meetings were held.

The applicant, Reese Anderson, reaffirmed for the Board that all the proper protocols were followed to correctly notice the case. He explained to the Board that Fuji owns the 19 acres to the north, and they are currently developing 5.2 acres with this case. Mr. Anderson informed the Board that the existing property is already zoned General Industrial (GI) with a Council Use Permit, so the zoning entitlement is essentially Heavy Industrial (HI), so the character of the area will not change. Mr. Anderson went on to explain that the zoning around the property is General Industrial (GI) and Light Industrial (LI), and the area zoned AG in the vicinity calls for Industrial Uses in the General Plan. He added that ADOT

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has reviewed the site plan, and has determined that the proposed isotainer lot will not affect the future Right of Way.

Mr. Anderson went on to explain that the chemical being stored is Cyclohexanone, which is commonly used in the creation of nylon, but in this case the chemical is being used for the semiconductor industry. He added that the isotainers proposed to be used on the site are even more sturdy than the ones being used now, and that Fuji is planning to take shipment of the containers on September 21<sup>st</sup>, so starting construction as soon as possible is critical.

Reese Anderson explained to the Board that Fuji is not planning to enclose the container storage area, citing it as a huge expense and an unnecessary measure to safely store the materials on site. He went on to explain that the chemical is safe, and that the flashpoint/auto ignition temperature of cyclohexanone is considerably higher than gasoline, and the chemical is not known to cause any carcinogens to humans.

Mr. Scott Clam, the Site Director at Fuji since 1996, confirmed that there have been no OSHA violations in that time period.

Wahid Alam explained that the Development Services Engineering Department has reviewed the project and it has met all safety requirements, and that ADOT has signed off on the project.

Planning Director, John Wesley, added that the project is undergoing the building permit process, and that it is being assessed by plan reviewers, and fire safety, and neither department has brought up any safety concerns.

It was moved by Boardmember Ikeda and seconded by Boardmember Astle to approve case Z16-026 with conditions:

**That: The Board recommends the approval of the case Z16-026 conditioned upon:**

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted (without guarantee of lot coverage).
2. Compliance with all City development codes and regulations.
3. **The 3.49 acres of property identified in case Z16-025 as the "Area of Development" shall comply with all conditions of case Z16-025.**
4. **Before development can occur on the 2.33 acres of property identified in case Z16-025 as the "Area of Future of Development," the property shall go through the site plan review process.**
5. **Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City (prior to the issuance of a building permit)**
6. **Due to the proximity to Phoenix- Mesa Gateway Airport, any proposed structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77.9, (form 7460), to determine any effect to navigable airspace, air navigation facilities. A completed form with response by the FAA must accompany building permit application for structures on this property.**

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**Vote: 4-0**

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- \*4-c Z16-027 District 5.** 9000 block of East Brown Road (north side). Located west of Ellsworth Road on the north side of Brown Road. (9.5± acres). Rezoning from LC (6± acres) and RS-43 (3.5± acres) to RM-2-PAD, Site Plan Review, and a Special Use Permit. This request will allow development of a transitional senior living facility. Wendy Riddell, Esq., Berry Riddell LLC, applicant; Ben Fatto, LLC, owner. (PLN2016-00229).

**Staff Planner:** Kim Steadman

**Staff Recommendation:** Approval with Conditions

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Ikeda and seconded by Boardmember Astle to approve case Z16-027 with conditions:

**That: The Board recommends the approval of the case Z16-027 conditioned upon:**

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape plan, and building elevations except as otherwise conditioned;
2. Compliance with all requirements of the Subdivision Technical Review Committee;
3. Recordation of cross-access easements between this site and the pharmacy to the east;
4. All street improvements to be installed with the first phase of development;
5. Compliance with all City development codes and regulations;
6. Compliance with all requirements of Design Review approval (DR16-013);
7. Execution of a Development Agreement limiting the uses on the property.

**Vote:** 4-0

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## MINUTES OF THE JUNE 15, 2016 PLANNING & ZONING MEETING

### ***Discuss and take action on the following preliminary plats:***

- \*5-a** 9000 block of East Brown Road (north side). Located west of Ellsworth Road on the north side of Brown Road. (9.5± acres). Preliminary Plat. Wendy Riddell, Esq., Berry Riddell LLC, applicant; Ben Fatto, LLC, owner. (PLN2016-00229). Companion case to Z16-027.

**Staff Planner:** Kim Steadman

**Staff Recommendation:** Approval with Conditions

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Ikeda and seconded by Boardmember Astle to approve the Preliminary Plat for "Spectrum Retirement Development" with conditions:

**That: The Board recommends the approval of the preliminary plat "Spectrum Retirement Development" conditioned upon:**

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape plan, and building elevations except as otherwise conditioned;
2. Compliance with all requirements of the Subdivision Technical Review Committee;
3. Recordation of cross-access easements between this site and the pharmacy to the east;
4. All street improvements to be installed with the first phase of development;
5. Compliance with all City development codes and regulations;
6. Compliance with all requirements of Design Review approval (DR16-013);
7. Execution of a Development Agreement limiting the uses on the property.

**Vote:** 4-0

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- \*6-a** Amendments to Mesa City Code, Title 11, the Zoning Ordinance to add a new zoning district, entitled EO - Employment Opportunity District, and amend sections of the Mesa Zoning Ordinance related to enabling the use and administration of the EO zoning district.

**Staff Planner:** Lisa Davis

**Staff Recommendation:** Approval

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Ikeda and seconded by Boardmember Astle to approve the amendment of the EO-Employment Opportunity District to the Mesa Zoning Ordinance.

**Vote:** 4-0

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### **Other Business:**

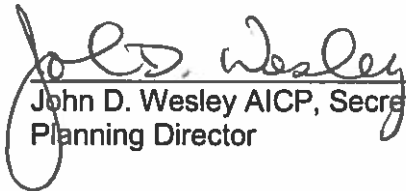
None.

### **Adjournment**

Boardmember Astle made a motion to adjourn the meeting at 4:47 pm. The motion was seconded by Boardmember Ikeda.

**Vote: 4-0**

Respectfully submitted,



John D. Wesley AICP, Secretary  
Planning Director