

Planning and Zoning Board



Meeting Minutes

Held in the City of Mesa Council Chambers – Upper Level

Date: July 20, 2016 Time: 4:00 p.m.

MEMBERS PRESENT:

Chair Michael Clement
Steve Ikeda
Michelle Dahlke
Dane Astle
Jessica Sarkissian
Jennifer Duff
Tim Boyle

MEMBERS ABSENT:

STAFF PRESENT:

John Wesley
Andrew Spurgin
Wahid Alam
Kim Steadman
Kaelee Wilson
Angelica Guevara
Mary Grace McNear
Charlotte McDermott
Michael Gildenstern

OTHERS PRESENT:

Richard Dyer
Toby Rogers
Sandra Welty
Reese Anderson
Others

Call Meeting to Order.

Chair Clement 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 June 14, and June 15, 2016 study sessions and regular hearing.

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

Vote: 7-0

Zoning Cases: Z16-029, Z16-017, Z16-023, Z16-030, Z16-031, Z16-032, Z16-033, Preliminary Plats for "Sunland Springs Village Unit 10", "Sanctuary at Alta Mesa".

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- *3-a Z16-029 District 6.** 5329 South Power Road. Located south of Ray Road on the east side of Power Road. (1.2 ± acres). Site Plan Review. This request will allow development of a drive-thru restaurant. Cody Bowman, idstudio4, applicant; Amin Dhanani, HZ Props RE Ltd, owner. (PLN2016-00284).

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 Astle and seconded by Boardmember Ikeda to approve case Z16-029 with conditions:

That: The Board recommends the approval of the case Z16-029 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 yield, building count, lot coverage).
2. Compliance with all requirements of Design Review approval through DR16-016.
3. Compliance with all City development codes and regulations.
4. The full width of the common driveway that connects the property to Power Road, as shown on the site plan, shall be installed to City Standards with the development of the first building on the property and shall include:
 - a. Extending the driveway from Power Road to the eastern boundary of this property;
 - b. Adding curb and temporary landscaping along the entire southern portion of the common driveway.
5. Compliance with all requirements of case Z13-048, except as modified by this request.
6. Provide alternate paving material in the crosswalk areas between all pedestrian ramps.
7. Noise attenuation measures be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.
8. Recordation of a reciprocal access and driveway maintenance easement with individual owners of each lot.

Vote: 7-0

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

- 4-a** **Z16-017 District 2.** 5850 through 5959 East Still Circle. Located north of Baseline Road and west of South Recker Road. (11.44± acres). PAD Modification; Site Plan Review. This request will allow for development of an academic building and parking garage. Toby Rogers, Butler Design Group, applicant; Kirksville College of Osteopathic Medicine IN, owner. (PLN2015-00585)

Staff Planner: Andrew Spurgin

Staff Recommendation: Approval with Conditions

Summary: Staff member Andrew Spurgin explained the case to the Board. The applicant, Toby Rogers, of Butler Design Group, further explained the case to the Board.

Loretta Pace, 1925 S. Recker, chose not to speak but was in favor of the project with conditions.

Russell Kennedy, 1831 S. Recker Road, stated that he has appreciated the applicant and City Staff's efforts in creating a nice project. Mr. Kennedy stated his neighborhood adjacent to AT Still across Recker Road, is a long term community, and that he plans on residing in the community and passing the property on to his children. He stated that he is concerned that a large parking garage could affect the long-term viability of the neighborhood, with increased sound, crime, light/noise pollution, and traffic. Mr. Kennedy was also concerned that the current proposal featuring a landscape barrier along Recker Road may not be proactively maintained going forward. He closed by saying that he prefers the curtain wall for screening, as he is concerned about people looking down on properties from the elevated levels of the parking garage.

Brent Harbertson, chose not to speak, but was in favor of the project with conditions.

Charlie Henry, Alter Group, stated that he did not agree or disagree with any of the proposed designs, and stated that he understands the concerns about the view-blocking barrier wall. Mr. Henry informed the Board that he has held meetings to reconfigure the garage to a more linear design, pulling it off the property line, siting it further away from the adjacent neighborhood. He mentioned that he has met with police for CPTED direction, but reaffirmed that he maintains no design preference, and is open to constructing a garage that can be agreed upon by Police, neighbors, and Planning Staff.

Boardmember Ikeda expressed his gratitude for the work that AT Still and the design team has done with neighbors, and that he appreciates the contribution that AT Still has made to Mesa.

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Planning Director Wesley explained to Boardmember Dahlke that Staff will continue to look for ways to come to a compromise, and added that stipulations 8 and 9 in the Staff Report are written generally enough to screen the garage as well as leave it open enough for police, and he felt that the design issues could be worked out with the Design Review Board.

Boardmember Astle stated that he hasn't heard any issues regarding the scale of the garage, just the design.

Boardmember Sarkissian, confirmed that the neighbors were concerned about the lack of a wall on the garage, not the lack of an existing wall near the property line.

Mr. Kennedy restated that Alter has been great to work with, and that he had no problem with the lower level opening, but was more concerned with the lack of screening on the upper levels of the garage.

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It was moved by Boardmember Sarkissian and seconded by Boardmember Astle to approve Case Z16-017 with conditions:

That: The Board recommends the approval of the case Z16-017 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan.
2. Compliance with all Design Review requirements.
3. Compliance with all City development codes and regulations except as modified by the PAD.
4. Prior to approval of building permits for the parking garage, completion of a lot line adjustment between APN 141-53-889 and 141-53-890 and a lot combination for APN 141-53-890 and 141-53-891.
5. A minimum of 32 motorcycle/scooter parking spaces and 30 bicycle parking spaces shall be provided and designed in accordance with Chapter 32 of the Zoning Ordinance.
6. Pavers or decorative/stamped concrete shall be provided for pedestrian crosswalks across Still Circle.
7. The conceptual signage shown in the plans and described in the project narrative shall be subject to approval of an updated Comprehensive Sign Plan as required by the Zoning Ordinance.
8. The ground level of the parking garage shall use perforated metal, ironwork or similar open view barriers that meet impact vehicle barrier requirements, rather than use of a solid wall.
9. Applicant shall consult with Mesa Police regarding the final design for the parking garage during the building permit review and a final CPTED inspection by the Mesa Police Department shall be coordinated prior to issuance of the certificate of occupancy, or certificate of completion as applicable.
10. Foundation base landscaping along the east (Recker Road) facing elevation of the parking garage shall include planting and maintenance of a vertical garden ("green screen") anchored to the wall or the ground which consists of trellises with climbing plants or vines, planter boxes with overhanging plants such as cat's claw vine or similar vertical garden as approved by the Planning Director.
11. Any dead, dying or missing landscaping adjacent to Sunview Circle and Still Circle shall be replaced consistent with previously approved landscape plans.
12. Administrative site plan review to address final design of solid waste facilities and any landscape plan corrections to address possible utility conflicts.

Vote: 7-0

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- *4-b Z16-023 District 5.** 2400 to 2600 blocks of North Greenfield 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. (PLN2016-0017).

Staff Planner: Andrew Spurgin

Staff Recommendation: Table

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

It was moved by Boardmember Astle and seconded by Boardmember Ikeda to table case Z16-023.

Vote: 7-0

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- *4-c Z16-030 District 5.** 5500 block of East McKellips Road (south side). Located east of Higley Road and south of McKellips Road. (4.5± acres). Rezoning from RM-2-BIZ-PAD to RSL-2.5-PAD-PAD; Site Plan Review. This request will allow the development of a single-residential subdivision. Sandra Welty, SW Land Services, LLC, applicant; AMM Investments, owner. (PLN2016-00282)

Staff Planner: Tom Ellsworth

Staff Recommendation: Approval with Conditions

Summary: Staff member Ellsworth explained case Z16-030 to the Board.

Boardmember Boyle, confirmed with Staff member Ellsworth that the applicant will be planting 2 trees in the western lots, 2 24" box trees per property.

The applicant Darren Lane, Mint Homes, further explained the case to the Board.

Mr. Lane explained to Boardmember Dahlke that there would be challenges with building to a reduced 63' lot depth, with a 20' driveway, and a 15' setback in rear. He stated that these dimensions would leave a 13' kitchen section behind the garages, and with a 32' wide product, this would create hallways, and not livable space in the homes.

Mr. Lane confirmed for Boardmember Ikeda, that the original plan called for 37 lots but the final site plan shows 31.

Norah Chidester, 5445 E. McKellips Rd, Unit 50, did not speak, but was in favor of the project with conditions.

Todd and Maria Garber, did not wish to speak, but were in favor of the project with conditions.

Jack Broughman, 5445 E. McKellips Rd., #26, did not wish to speak, but was in favor of the project with conditions.

Ann Beljan, general manager of Alta Mesa Golf Club, spoke in favor of the project. Ms. Beljan wanted to publicly recognize that there is a well on the easement on Northwest corner of the property, which may create a possible noise pollution situation from the pumps that run at night. She added that Lots 18 and 19 could be most significantly affected, and that the pumps are accessed from the public street, and are inspected roughly 2 times daily.

Bill Kaiser, 5445 E. McKellips, immediately adjacent to the west, spoke on behalf of himself and a few other Board members from the community. He explained the hand-drawn revised site plan that he had intended to submit to the Board a few hours before the Meeting. Mr. Kaiser stated that the main issue is with the setback and the positioning of the road along the western side of the new development. Mr. Kaiser was appreciative of Mint Homes agreeing to move the setback back 8',

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agreeing to raise the western common wall, agreeing to planting of trees in the backyards of the lots immediately adjacent to the existing community. Mr. Kaiser explained to the Board that he was hoping to move the street adjacent to wall, adding an additional 35' of buffer space. He explained that with 27' tall homes, that are positioned 21' off of the back yard, he would prefer more of a buffer. He added that in the plan, two of the lots would be only 70' deep instead of 75', and suggested a potentially smaller product, as product seen in other Mint homes subdivisions measure 1800 sq. ft. instead of the roughly 2100 sq. ft., product shown here. Mr. Kaiser also proposed to split the planned park amenity on the south side of the subdivision and reposition it closer to the western side to create an additional buffer. Mr. Kaiser closed in saying that he is not against the development, just the proximity of the houses along the western border of the property.

Jarom Homer, 3514 N. Power Road, Suite 107, spoke in support of project.

The applicant, Mr. Lane, explained that he appreciated the neighbors' concerns and has done many of the things that they have asked for to foster an equally beneficial transition. He explained that one of the plans submitted proposed to split the park amenity in half, but Staff suggested the combination to create a more impactful amenity. Mr. Lane explained that there would be an economic impact on 5 lots if the lot depth were to be reduced, and stated that the projected started with 37 lots and then were reduced to 31, but gained value, overall. The applicant confirmed for Mr. Ikeda that there is on street parking, but a "no-parking" zone on the north side of the furthest north road. Mr. Lane closed in saying that with the usable driveways planned in the development, there will be less of a demand for on-street parking.

Mr. Lane confirmed for Boardmember Boyle that the houses in the community to the west, have 10' setback to the patio, 20' setback to the livable, and that the new development is showing 16' setback to patio and 21' setback to livable. Mr. Lane added that with the backyards next to each other, the back wall will be 41' at a minimum, but closer to 50' wall to wall, and the neighborhood-suggested alternative plan maybe allow maybe 10' to 20' more in setback distance.

The applicant confirmed for Board Member Duff that the wall along the western property line measures from 4'8"-5' 2", in height, but a course of block will be added to raise the wall to 5'10"-6' for privacy.

Boardmember Sarkissian, stated that she understands the neighbor-submitted alternative plan, but said that she could see lots of people parking along a wall, raising a security issue, so she is in favor of the current plan.

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It was moved by Boardmember Ikeda and seconded by Boardmember Sarkissian to approve case Z16-030 (with revised plan) with conditions:

That: The Board recommends the approval of the case Z16-030 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary plat submitted (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of the Subdivision Technical Review Committee.
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. Compliance with all City of Mesa Code requirements and regulations.
5. Owner shall grant an Avigation Easement and Release to the City, pertaining to Falcon Field 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. Written notice be provided to future residents, and acknowledgment received that the project is within a mile of Falcon Field Airport.
7. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction as required by Code.
8. **Building product must include a variety of building materials and finishes on the exterior of the homes (i.e., wood, stone, metal, etc.). Side and rear elevations must be enhanced with appropriate transitions of wainscoting, window detailing and enhanced covered patios as shown in the elevations submitted.**

Vote: 7-0

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- *4-d Z16-031 District 3.** 1919 West Main Street. Located at the southeast corner of Main Street and Dobson Road. (5.65 ± acres). Council Use Permit to allow Large Format Retail within the LI district. David Kim, Corbel Architects, Inc., applicant; Ilyeon Kwon, owner. (PLN2016-00395)

Staff Planner: Lisa 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 Astle and seconded by Boardmember Ikeda to approve case Z16-031 with conditions:

That: The Board recommends the approval of the case Z16-031 conditioned upon:

1. Compliance with the basic development as described in the project narrative, and as shown on the site plan.
2. Compliance with all City development codes and regulations.
3. All dead, dying or missing landscape material adjacent to the store, along the street frontage and within the parking area of the site must be replaced at a minimum to the numbers and sizes as was approved in the construction documents associated with case SPR88-022.
4. Administrative Design Review approval by the Planning Director shall be required for the landscape plan and the exterior building paint color changes prior to issuance of Certificate of Occupancy.

Vote: 7-0

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- *4-e Z16-032 District 5.** 9700 block of East Brown Road (south side) and 1100 block of North 98th Street (west side). Located east of Ellsworth Road on the south side of Brown Road. (2.03± acres). Rezone from Maricopa County Rural-43 to City of Mesa RS-43. This request will establish City of Mesa zoning on recently annexed property. City of Mesa, applicant; Cole Builders, Inc., owner. (PLN2013-00289)

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 Astle and seconded by Boardmember Ikeda to approve case Z16-032 with conditions:

That: The Board recommends the approval of the case Z16-032 conditioned upon:

1. Compliance with the Zoning Ordinance and all applicable City development codes
2. Compliance with all residential permitting requirements.

Vote: 7-0

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- *4-f Z16-033 District 1.** 406 North Val Vista Drive. Located at the northwest corner of Val Vista Drive and University Drive. (2.21± acres). Rezoning from RS-9 to NC, and Site Plan Review. This request will allow for development for a retail commercial center with outdoor dining. Reese Anderson, Pew & Lake; applicant; David A. Johnson, owner. (PLN2016-00550)

Staff Planner: Kim Steadman

Staff Recommendation: Approval with Conditions

Summary: Staff member Kim Steadman explained case Z16-033 to the Board.

Reese Anderson, Pew & Lake, 1744 S. Val Vista #217 explained for Boardmember Dahlke that there are no currently proposed tenants for the two planned office suites to the west, but they are currently searching for users.

Boardmember Steadman confirmed that the project will be phased, with the development of the bakery first, and then each building would be developed through its own phase.

The applicant confirmed for Boardmember Duff that if the two planned buildings to the west are to be 2 stories, there would be parking challenges, but if they were potentially combined together, parking would be more feasible. Mr. Anderson went on to explain that the site plan is tentative and flexible as to not create limitations in the future.

Michael Badgett, 3533 E. Caballero St., who was in favor with conditions, spoke on the case. Mr. Badgett stated that the current site plan is palatable, and that the applicant has been easy to work with, but he didn't support allowing the changes to the required setback to make the lot more commercially viable. Mr. Badgett explained that he felt that the current block wall height and proposed trees will not sufficiently screen the proposed retail development and he preferred the normal setback.

Reese Anderson stated that dumpsters have been moved to south side of the drive aisle, 50' from the property line. He went on to explain that the wall that divides the commercial property from the residential property appears around 8 ft. in height on the southern side (commercial side). Mr. Anderson voiced his concern that if he provides a raised engineered barrier wall, it would be a challenge gaining all the neighbor' approval, and mitigating landscape planters on the residential side. He went on to explain that if standard development standards were required, the northern parking row would could not be accommodated and the second building would have to be eliminated. The applicant concluded that the proposed setback configuration is an improvement because the buildings are 75' away rather than 20' away from the residential property line.

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Boardmember Ikeda commended the development and appreciates the design.

Boardmember Boyle confirmed that the trees on the northern landscape buffers will help screen the development and buffer the noise.

Boardmember Dahlke, confirmed with Staff that the concerned neighbor would be able to voice his concern regarding required setbacks when the project is heard at the Board of Adjustment Meeting, but Planning Director Wesley reminded her that any concern or support that the Board has for the project should be voiced in this hearing as the Board of Adjustment takes guidance from the Planning & Zoning Board.

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It was moved by Boardmember Dahlke and seconded by Boardmember Astle to approve case Z16-033 with conditions:

That: The Board recommends the approval of the case Z16-033 conditioned upon:

1. Compliance with the 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 Design Review Board.
3. Compliance with all City development codes and regulations except those modifications specifically modified by the Board of Adjustment through a Development Incentive Permit.
4. Outdoor dining in the NC zoning district requires the Board of Adjustment to approve a Special Use Permit. Without this approval, outdoor dining is not permitted on the property.
5. Provide landscape islands every 8 spaces, as required by Code. Also, provide a tree diamond at the midpoint of each 8-space group of parking spaces.
6. All limits of phased construction shall have temporary landscaping and extruded curbs around edges.
7. Dedicate ten feet of right-of-way on Val Vista Drive (for a total of 65 feet of right-of-way) at the time of application for a building permit, at the time of recordation of the plat, or at the time of the City's request for dedication, whichever comes first.
8. Grant an easement for an expanded bus shelter on University Drive at the time of application for a building permit, at the time of recordation of the plat, or at the time of the City's request for dedication, whichever comes first. Once the new easement is approved, the City agrees to abandon and relinquish the existing bus shelter easement.
9. Grant to the City a ten-foot wide public utility and facilities easement (PUFE) along University Drive at the time of application for a building permit, at the time of recordation of the plat, or at the time of the City's request for dedication, whichever comes first.
10. Execution of a development agreement regarding off-site improvements.

Vote: 7-0

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Discuss and take action on the following preliminary plats:

- *5-a "Sunland Springs Village Unit 10". District 6.** The 11400 through 11500 blocks of East Ocaso Ave (south side). Jeff Giles, applicant; Springs Nine Development, owner. (PLN2016-00366).

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 Astle and seconded by Boardmember Ikeda to approve the Preliminary Plat for "Sunland Springs Village Unit 10" with conditions:

That: The Board recommends the approval of the preliminary plat "Sunland Springs Village Unit 10" conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the preliminary plat submitted (without guarantee of lot yield).
2. Compliance with all City development codes and regulations (Engineering, Transportation, Solid Waste and Facilities, etc.).
3. Compliance with all requirements of the Development Services Department.
4. 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.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. 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) as well as all required notifications and disclosures as specified in Section 11-19-5 of the Zoning Ordinance.
7. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.

Vote: 7-0

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- 5-b "Sanctuary at Alta Mesa". District 5.** 5500 block of East McKellips Road (south side). Located east of Higley Road and south of McKellips Road. Sandra Welty, SW Land Services, applicant; AMM Investments, owner. (PLN2016-00282). **Companion Case to Z16-030.**

Staff Planner: Tom Ellsworth

Staff Recommendation: Approval with Conditions

It was moved by Boardmember Ikeda and seconded by Boardmember Sarkissian to approve the Preliminary Plat for "Sanctuary at Alta Mesa" with conditions:

That: The Board recommends the approval of the preliminary plat "Sanctuary at Alta Mesa" conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary plat submitted (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of the Subdivision Technical Review Committee.
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. Compliance with all City of Mesa Code requirements and regulations.
5. Owner shall grant an Avigation Easement and Release to the City, pertaining to Falcon Field 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. Written notice be provided to future residents, and acknowledgment received that the project is within a mile of Falcon Field Airport.
7. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction as required by Code.
8. Building product must include a variety of building materials and finishes on the exterior of the homes (i.e., wood, stone, metal, etc.). Side and rear elevations must be enhanced with appropriate transitions of wainscoting, window detailing and enhanced covered patios as shown in the elevations submitted.

Vote: 7-0

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Other Business:

None.

Adjournment

Boardmember Ikdea made a motion to adjourn the meeting at 5:39 pm. The motion was seconded by Boardmember Dalhlke.

Vote: 7-0

Respectfully submitted,



John D. Wesley AICP, Secretary
Planning Director