

Planning and Zoning Board

Meeting Minutes

Held in the City of Mesa Council Chambers – Upper Level

Date: January 22, 2020 Time: 4:00 p.m.

MEMBERS PRESENT:

Vice Chair Dane Astle
Jessica Sarkissian
Tim Boyle
Shelly Allen
Jeffrey Crockett
Deanna Villanueva-Saucedo

MEMBERS ABSENT:

Chair Michelle Dahlke

STAFF PRESENT:

Nana Appiah
Tom Ellsworth
Lesley Davis
Cassidy Welch
Evan Balmer
Rebecca Gorton

OTHERS PRESENT:

Teri Miller
Mike Findler
Sue Johnson
Jared Berry
John Wells
Raquel Wells
Citizens who did not sign in

Call Meeting to Order.

Vice Chair Astle declared a quorum present and the meeting was called to order at 4:00 pm.

1. Take action on all consent agenda items.

Items on the Consent Agenda

2. **Approval of minutes:** Consider the minutes from the January 8, 2020 study session and regular hearing.

- *2-a** Boardmember Sarkissian motioned to approve the minutes from the January 8, 2020 study session and regular hearing. The motion was seconded by Boardmember Allen.

Vote: 6-0 Approved (Chair Dahlke, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS – None

Zoning Cases: ZON19-00802, ZON19-00844, and ZON19-00710; Preliminary Plats:
“Desert Place at Morrison Ranch”, “Mercado Fiesta” and “Mercado Fiesta
Condominium”

MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

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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

MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

- *3-a ZON19-00802 District 3.** Within the 1300 and 1400 blocks of West Southern Avenue (south side) and within the 1200 block of South Longmore (east side). Located west of Alma School Road on the south side of Southern Avenue. (6.9 ± acres). Site Plan Modification. This request will allow for the redevelopment of a group commercial center. Kimley Horn, applicant; Bear Stearns Commercial Mortgage Securities, owner. **(Companion case to preliminary plats “Mercado Fiesta” and “Mercado Fiesta Condominium”, associated with items *5-b and *5-c).**

Planner: Cassidy Welch

Staff Recommendation: Approval with conditions

Summary: This case was on the consent agenda and therefore was not discussed as a separate individual item.

Boardmember Sarkissian motioned to approve case ZON19-00802 and associated preliminary plats “Mercado Fiesta” and “Mercado Fiesta Condominium with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON19-00802 and associated preliminary plats “Mercado Fiesta” and “Mercado Fiesta Condominium”, conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review.
4. Prior to application of a building permit, receive approval through the Board of Adjustment for a Substantial Conformance Improvement Permit to address existing non-conformities on the site, or bring all non-conformities on the site into compliance with current City development standards.

Vote: 6-0 Approved with conditions (Chair Dahlke, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS – None

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MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

- *3-b ZON19-00848 District 6.** Within the 9300 through 9500 blocks East Cadence Parkway (north and east side). Located east of Ellsworth Road and south of Ray Road. (17± acres). Site Plan Review. This request will allow a multi-residential development within the Cadence at Gateway Community. Susan Demmitt, Gammage and Burnham, PLC, applicant; PPGN-Ellsworth, LLLP, owner. **(Continued from January 8, 2020).**

Planner: Lesley Davis

Staff Recommendation: Approval with conditions

Summary: Staffmember Lesley Davis presented case ZON19-00848 to the Board. Ms. Davis explained this request is for a site plan review within the Cadence development and is for 195 single story multi-family for rent product. The development has several amenity areas for the use of their residents. Ms. Davis stated the request meets the Development Unit and Community Plan requirements and that it was brought before the Design Review Board who recommended some minor improvements to the elevations. There was also a community meeting last year which included discussion of the proposed development.

Susan Demmitt with Gammage & Burnham, 2 N. Central Avenue presented the request to the Board. Ms. Demmitt stated the request is for a Site Plan approval for a component of the Cadence at Gateway development, established in the original zoning case in 2012. She said the proposed site plan is significantly less dense than what can be allowed on the parcel and the site plan for the commercial portion of the development will be presented to the board in the next few months. She also informed the Board that the overall Land Uses for the Development Unit have been established and requires the development of a minimum of 300 and maximum of 700 residential units. In DU1 there is a proposed 195 unit with the project and there will be a separate townhome project coming forward that will complete the requirement of 300 units. The density for the residential development is lower than what is required.

The Planning and Landscape Architect, Mark Reddie with RVI, 120 South Ash Avenue, Tempe, discussed the design concepts for the development. Mr. Reddie explained this is a unique multi-family project which is a rental community that lives like a single-family residence. And the development is clustered in groups of four to eight with individual courtyards and each unit has a front porch and private back yard. He also informed the Board that the development will be gated and has been designed for each resident to have shaded parking or garage space and enough parking nearby for each unit. Overall, the project has a total of 4.5 acres of common open space which is about 27% of the entire project. Along with the private backyards, the development provides a variety of open spaces with a resort style pool and spa, community room, two dog parks and a central park.

MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

Teri Miller, 5564 S. Warren spoke in opposition to the project. Ms. Miller expressed her concern that residents from the rental development will use the amenities in their development that she and others support through their HOA fees. She stated the new development will be gated and those outside of that project will not be able to utilize the rental amenities, but they can use those in the nearby single-family residence. She also expressed concerns about potential overcrowding of the local schools as well.

DeShane Kyles, 9740 E. Torino Avenue is in opposition to the project and did not wish to speak.

Michael Findler, 5564 S. Warren spoke in opposition to the project. Mr. Findler stated his concerns is that he has spent a great deal of money for the home and feels the addition of transient apartments would bring the value of his home down. When he purchased his home, he was told there would be a small grocery store and fueling station. He stated he pays taxes to maintain the roads and parks and feels this is unfair because the residents that rent have access to all such amenities, but do not have to pay those fees. Mr. Findler also feels the schools are quickly becoming overcrowded and the addition of this development will have a negative impact.

Ms. Demmitt responded to the concerns of the citizens. She stated the amenities designed for the development are superior and are intended to serve the needs of the residents expected to live in the community. And there should not be a need for the residents to go outside of the development to use the amenities in other areas.

She responded to the comment regarding the devaluation of property. Ms. Demmitt explained the tax is a Community Facilities District tax which is paid throughout the community and this development will also be required to pay their fair share to maintain the roads, landscaping and other common areas in the development.

Ms. Demmitt responded to the concern over the density of the development. She stated when Cadence is built out, there will be an estimated 1,900 to 2,000 units. Which is substantially lower than Cadence was originally planned to have.

Boardmember Boyle clarified if anyone could access the Cadence amenities. Ms. Demmitt stated the Cadence community has public streets and public amenities which are like any other community where the parks can be accessed by non-residents. The pool, activity center and work out area are secured and available only to the residents of the community.

Boardmember Crockett clarified if the schools were notified of the addition of homes. Staffmember Davis responded when the community was being planned in 2012, the school was involved in the development and was aware of the projected population. As said, stated by the applicant, the density has decreased from the original planned development. Staff also notifies the school district for review of such applications separately and the applicant's

MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

citizen outreach include notification to the school informing that of the proposed development. Boardmember Sarkissian inquired if another school is planned in the area and Ms. Davis responded the elementary school opened last year and that she is unaware if there is land set aside for another school at this time.

Boardmember Allen feels this is a site plan review process and the way this project is designed it is a good transition. She stated they could have had more units and the developer has been strategic in making this a buffer from single family and higher density development.

Boardmember Villanueva-Saucedo motioned to approve case ZON19-00848 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON19-00848 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with Ordinance number 5115 and the adopted Pacific Proving Grounds North Community Plan.
3. Compliance with the Cadence at Gateway Development Unit 1 – Phase 1 Development Unit Plan dated June 4, 2019.
4. Prior to application for a building permit, apply for and receive Administrative approval from the Planning Director to:
 - a. Allow a 10-foot separation between buildings or comply with Community Plan requirements for building separation.
 - b. Allow a 5-foot building setback along Cadence Parkway or comply with the Community Plan requirements for building setbacks.
5. Compliance with all City development codes and regulations.
6. Compliance with all requirements of Design Review.

Vote: 6-0 Approved with conditions (Chair Dahlke, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Allen, Crockett and

NAYS – None

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MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

- *3-c ZON19-00844 District 2.** Within the 100 block of South 63rd Street (east side) and within the 100 block of South 64th Street (west side). Located south of Main Street and east of Recker Road. (4.5± acres). Site Plan Review. This request will allow for the development of a medical office and clinic. Marwan Tamimi, Architect, applicant; LMAD Development, LLC, owner.

Planner: Charlotte Bridges

Staff Recommendation: Continue to February 12, 2020

Summary: This case was on the consent agenda and therefore was not discussed as a separate individual item.

Boardmember Sarkissian motioned to continue case ZON19-00844 to February 12, 2020. The motion was seconded by Boardmember Allen.

Vote: 6-0 Continue to February 12, 2020 (Chair Dahlke, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS – None

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MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

- *4-a ZON19-00710 District 6.** Within the 7000 to 7600 blocks of East Guadalupe Road (south side) and within the 2800 through 3100 blocks of South Sossaman Road (west side). Located south of Guadalupe Road and west of Sossaman Road. Rezone from NC-PAD to RS-6-PAD (6.7± acres); and modification of an existing PAD (213.7± acres). This request will allow for the development of a single-residence subdivision. Sean B. Lake, Pew & Lake, PLC, applicant; B & K Land & Investment Co., owner. **(Companion case to preliminary plat "Desert Place at Morrison Ranch", associated with item *5-a). Continued from January 8, 2020.**

Planner: Evan Balmer

Staff Recommendation: Approval with conditions

Summary: This case was on the consent agenda and therefore was not discussed as a separate individual item.

Boardmember Sarkissian motioned to approve case ZON19-00710 and associated preliminary plat "Desert Place at Morrison Ranch" with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON19-00710 conditioned upon:

1. Compliance with the City of Mesa Zoning Ordinance, except as modified in Table 1 of the staff report.
2. Compliance with all requirements of the Subdivision Regulations.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner shall execute and record the City's standard Avigation Easement and Release for Phoenix Mesa Gateway Airport prior to the issuance of a building permit.
 - b. Prior to the issuance of a building permit, provide documentation that a registered professional engineer or registered professional architect has certified that noise attenuation measures have been incorporated into the design and construction of the homes to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Mesa Zoning Ordinance.
 - c. Provide written notice to future property owners that the project is within 3 miles of Phoenix-Mesa Gateway Airport.
 - d. Provide a 4-foot x 4-foot sign at the entrance to the sales office for this development, with notice to all prospective buyers that the project is within an Overflight Area for Phoenix-Mesa Gateway Airport as specified in Section 11-19-5 of the Zoning Ordinance.
 - e. Provide a note on the final subdivision plat that states: "This property, due to its proximity to Phoenix- Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

Vote: 6-0 Approval with conditions (Chair Dahlke, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS – None

MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

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MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

- *5-a “Desert Place at Morrison Ranch” District 6.** Within the 7000 to 7600 blocks of East Guadalupe Road (south side) and within the 2800 through 3100 blocks of South Sossaman Road (west side). Located south of Guadalupe Road and west of Sossaman Road. Preliminary Plat. (6.7± acres). Sean B. Lake, Pew & Lake, PLC, applicant; B & K Land & Investment Co., owner. **(Companion case to ZON19-00710, associated with item *4-b). (Continued from December 11, 2019)**

Planner: Evan Balmer

Staff Recommendation:

Summary: This case was on the consent agenda and therefore was not discussed as a separate individual item.

Boardmember Sarkissian motioned to approve preliminary plat “Desert Place at Morrison Ranch” and associated case ZON19-00710 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of preliminary plat “Desert Place at Morrison Ranch” conditioned upon:

1. Compliance with the City of Mesa Zoning Ordinance, except as modified in Table 1 of the staff report.
2. Compliance with all requirements of the Subdivision Regulations.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner shall execute and record the City’s standard Avigation Easement and Release for Phoenix Mesa Gateway Airport prior to the issuance of a building permit.
 - b. Prior to the issuance of a building permit, provide documentation that a registered professional engineer or registered professional architect has certified that noise attenuation measures have been incorporated into the design and construction of the homes to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Mesa Zoning Ordinance.
 - c. Provide written notice to future property owners that the project is within 3 miles of Phoenix-Mesa Gateway Airport.
 - d. Provide a 4-foot x 4-foot sign at the entrance to the sales office for this development, with notice to all prospective buyers that the project is within an Overflight Area for Phoenix-Mesa Gateway Airport as specified in Section 11-19-5 of the Zoning Ordinance.
 - e. Provide a note on the final subdivision plat that states: “This property, due to its proximity to Phoenix- Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals.”

Vote: 6-0 Approval with conditions (Chair Dahlke, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS – None

MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

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MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

- *5-b “Mercado Fiesta” District 3.** Within the 1300 and 1400 blocks of West Southern Avenue (south side) and within the 1200 block of South Longmore (east side). Located west of Alma School Road on the south side of Southern Avenue. (6.9 ± acres). Preliminary Plat. Kimley Horn, applicant; Bear Stearns Commercial Mortgage Securities, owner. **(Companion case ZON19-00802 and preliminary plat “Mercado Fiesta Condominium”, associated with items *3-a and *5-c).**

Planner: Cassidy Welch

Staff Recommendation: Approval with conditions

Summary: This case was on the consent agenda and therefore was not discussed as a separate individual item.

Boardmember Sarkissian motioned to approve preliminary plat “Mercado Fiesta” with associated preliminary plat “Mercado Fiesta Condominium” and case ZON19-00802. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of preliminary plat “Mercado Fiesta” conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review.
4. Prior to application of a building permit, receive approval through the Board of Adjustment for a Substantial Conformance Improvement Permit to address existing non-conformities on the site, or bring all non-conformities on the site into compliance with current City development standards.

Vote: 6-0 Approved with conditions (Chair Dahlke, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS – None

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MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

- *5-c “Mercado Fiesta Condominium” District 3.** Within the 1300 and 1400 blocks of West Southern Avenue (south side) and within the 1200 block of South Longmore (east side). Located west of Alma School Road on the south side of Southern Avenue. (6.9 ± acres). Preliminary Plat. Kimley Horn, applicant; Bear Stearns Commercial Mortgage Securities, owner. **(Companion case ZON19-00802 and preliminary plat “Mercado Fiesta”, associated with items *3-a and *5-b).**

Planner: Cassidy Welch

Staff Recommendation: Approval with conditions

Summary: This case was on the consent agenda and therefore was not discussed as a separate individual item.

Boardmember Sarkissian motioned to approve preliminary plat “Mercado Fiesta Condominium” with associated preliminary plat “Mercado Fiesta” and case ZON19-00802. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of preliminary plat “Mercado Fiesta Condominium” conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review.
4. Prior to application of a building permit, receive approval through the Board of Adjustment for a Substantial Conformance Improvement Permit to address existing non-conformities on the site, or bring all non-conformities on the site into compliance with current City development standards.

Vote: 6-0 Approved with conditions (Chair Dahlke, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS – None

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MINUTES OF THE JANUARY 22, 2020 PLANNING & ZONING MEETING

6. **Adjournment.**

Boardmember Villanueva-Saucedo motioned to adjourn the meeting at 4:49 pm. The motion was seconded by Boardmember Allen.

Vote: 6-0 Approved with conditions (Chair Dahlke, absent)

Upon tabulation of vote, it showed:

AYES – Astle, Sarkissian, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS – None

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Nana K. Appiah', is written over a horizontal line.

Nana K. Appiah, AICP, Secretary
Planning Director