

Planning and Zoning Board

Meeting Minutes

Held in the City of Mesa Council Chambers – Upper Level

Date: October 17, 2018 Time: 4:00 p.m.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Chair Michelle Dahlke

STAFF PRESENT:

John Wesley
Tom Ellsworth
Lesley Davis
Lisa Davis
Cassidy Welch
Ryan McCann
Charlotte McDermott
Rebecca Gorton

OTHERS PRESENT:

Chris Luria
Kevin Harmon
Daniel Butters
Morgan Butters
Clint Gumm
Tara Phelps
Wendy Riddell
Nick Montague
Troy Glover
Tracy Glass
Andy Baron
Chris Texter
Paul Vecchia
Matt Drager
Daniel Gonzalez
Hudd Hassell
Other citizens who did not sign

Call Meeting to Order.

Vice Chair Astle declared a quorum present and the meeting was called to order at 4:16 pm.

1. Take action on all consent agenda items.

Items on the Consent Agenda

2. **Approval of minutes:** Consider the minutes from the September 18, 2018, and September 19, 2018 study sessions and regular hearing.

MINUTES OF THE OCTOBER 17, 2018 PLANNING & ZONING MEETING

***2-a** It was moved by Boardmember Allen to approve case ZON18-00592 on the Consent Agenda. The motion was seconded by Boardmember Villanueva-Saucedo.

Vote: 5-0 Approved (Chair Dahlke, absent; Boardmember Sarkissian, recused)

Upon tabulation of vote, it showed:

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

NAYS – None

RECUSED - Sarkissian

It was moved by Boardmember Allen to approve the Consent Agenda. The motion was seconded by Boardmember Crockett.

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

Upon tabulation of vote, it showed:

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

NAYS – None

Zoning Cases: ZON18-00286, ZON18-00454, ZON18-00580, ZON18-00590, ZON18-00595, ZON18-00597, ZON18-00361; and, Preliminary Plats: "Mesa Fiesta", and "Power Square".

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MINUTES OF THE OCTOBER 17, 2018 PLANNING & ZONING MEETING

- *3-a ZON18-00286 District 6.** The area generally bounded by Warner Road alignment on the north, Ellsworth Road on the west, Ray Road on the south, and Eastmark Parkway on the east. (620± acres). Requesting approval of a modification to Development Unit Plan 3/4 (DUP 3/4) by removing a portion (428± acres) and creating Development Unit Plan 3/4 North (DUP 3/4 N) for the Eastmark Community Plan. DMB Mesa Proving Grounds, LLC, applicant; DMB Mesa Proving Grounds, LLC, owner.

Planner: Tom Ellsworth

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 Allen and seconded by Boardmember Crockett to approve case ZON18-00286 with conditions:

That: The Board recommends the approval of case ZON18-00286 conditioned upon:

1. Compliance with the basic development as described in the Development Unit Plan submitted.
2. Compliance with:
 - a. The approved Eastmark Community Plan and the approved amendments to the Community Plan
 - b. All applicable City development codes and regulations (Engineering, Transportation, Solid Waste and Facilities, etc.).
 - c. All Community Plan Utility and Transportation Master Plans as approved by the City Engineer and Transportation Engineer.
 - d. All Development Unit Utility and Transportation Master Plans as approved by the City Engineer and Transportation Engineer.
3. Compliance with all requirements of the Development Services Division.
4. Correction by the Planning Director to grammatical, formatting, and other errors that do not affect or change the meaning of the substantive requirements or standards of the Development Unit Plan is authorized and directed with this approval.

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

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE OCTOBER 17, 2018 PLANNING & ZONING MEETING

- *3-b ZON18-00454 District 3.** The 1200 block of South Country Club Drive (west side). Located on the west side of Country Club Drive south of Southern Avenue. (1± acres). Site Plan Review. This request will allow for the development of a restaurant with a drive-thru. Trish Flower, Vertical Design Studios, applicant; 1250 Country Club Dr, LP, owner. **(Continued from September 19, 2018)**

Planner: Ryan McCann

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 Allen and seconded by Boardmember Crockett to approve case ZON18-00454 with conditions:

That: The Board recommends the approval of case ZON18-00454 conditioned upon:

1. Compliance with the basic development shown on the site plan, landscape plan, and preliminary elevations, except as modified below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review approval.

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

Upon tabulation of vote, it showed:

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

NAYS – None

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- *3-c ZON18-00580 District 5.** Within the 5100 block of East McKellips Road (south side). Located west of Higley Road on the south side of McKellips Road. (1± acres). Site Plan Review. This request will allow for the addition of a restaurant with drive thru. Yash Chaudhry, Arcore Group Inc., applicant; Montanile Properties-McKellips LLC, owner.

Planner: Ryan McCann

Continuance to November 14, 2018

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

It was moved by Boardmember Allen and seconded by Boardmember Crockett to continue case ZON18-00580 to the November 14, 2018 meeting.

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

Upon tabulation of vote, it showed:

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

NAYS – None

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- *3-d ZON18-00590 District 4.** Within the 1100 block of South Gilbert Road (west side). Located on the west side of Gilbert Road north of Southern Avenue. (1± acres). Site Plan Review. This request will allow for the development of a restaurant with drive thru. Danielle Torres, Vertical Design Studios, applicant; Simoncre Highlands IV, LLC, owner.

Planner: Ryan McCann

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 Allen and seconded by Boardmember Crockett to approve case ZON18-00590 with conditions:

That: The Board recommends the approval of case ZON18-00590 conditioned upon:

1. Compliance with the basic development shown on the site plan, landscape plan, and preliminary elevations, except as modified below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review approval.

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

Upon tabulation of vote, it showed:

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

NAYS – None

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- *3-e ZON18-00595 District 6.** Within the 1200 block of South Ellsworth Road (east side) and the 9200 block of East Southern Avenue (south side). Located at the southeast corner of Southern Avenue and Ellsworth Road. (2± acres). Site Plan Review; and Special Use Permit for reduction in parking. This request will allow for the development of a restaurant. Archicon, Architecture & Interiors, L.C., applicant; Frank Lam, owner.

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 Allen and seconded by Boardmember Crockett to approve case ZON18-00595 with conditions:

That: The Board recommends the approval of case ZON18-00595 conditioned upon:

1. Compliance with the basic development as described in the project narrative, and as shown on the site plan and landscape plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review DRB18-00593.
4. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. 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 or prior to the issuance of a building permit).
 - b. Written notice be provided to future property owners, and acknowledgment received that the project is within 5 mile(s) of Phoenix-Mesa Gateway Airport.
 - c. 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.
 - d. Documentation by a registered Professional Engineer or registered Professional Architect demonstrating compliance with noise level reductions required by Section 11-19-5 prior to issuance of a building permit.

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

Upon tabulation of vote, it showed:

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

NAYS – None

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- *3-f ZON18-00597 District 6.** Within the 2700 block of South Signal Butte Road (east side) and the 10800 block of East Guadalupe Road (north side). Located on the northeast corner of Signal Butte Road and Guadalupe Road. (7± acres). Site Plan Review. This request will allow for a commercial development and restaurants with drive-thrus. Level 4 Studio, LLC, applicant; Mesa Centerpoint Plaza, LLC, owner.

Planner: Lisa Davis

Staff Recommendation: Approval with conditions

Summary: Staffmember Lisa Davis presented case ZON18-00597 to the Board. Ms. Davis stated this request is for a site plan review commercial buildings and restaurants with drive-thru. The property was rezoned in 2004 to LC zoning which allows these uses. Ms. Davis stated staff has received emails and letters in opposition to the case and one in support. Ms. Davis stated there was also an on line petition opposing specifically the McDonalds and proposing a community garden on this location.

Ralph Pew, 1744 S. Val Vista, representing the applicant spoke about the request. Mr. Pew stated the land was zoned LC in 2004 and this request is an allowed use. Mr. Pew stated he has not seen the on line petition for a community garden, however, the community would need to own the land.

Resident Morgan Butters, 2565 S. Signal Butte, #34 is opposed and did not speak.

Resident Daniel Butters, 2565 S. Signal Butte #34 spoke in opposition. Mr. Butters feels with the congestion in the area there is no need for a McDonald's or grocery store here. Mr. Butters feels there is a greater need for a community garden instead of a commercial center and requests that the City rezone this property to AG. Mr. Butters stated there is an online petition that has over 800 signatures requesting a community garden on this property. Vice Chair Aslte inquired if Mr. Butters knew how many of the 800 signatures on the petition reside in the area, as Boardmembers noticed there were a significant amount that were out of state. Mr. Butters did not know the number. There was further discussion regarding how utilizing social media could be used to reach out to local residents about new projects in their area.

Tara Phelps, 10544 E. Lomita spoke in favor of the proposal. Ms. Phelps feels there are thousands of residents with one drive-thru and one grocery store and they are very busy. In terms of a new grocery and drive-thru is needed in the area.

Wendy Riddell, 6750 E. Cambelback Road, representing Aldi, spoke in favor of the project. Ms. Riddell did not have the number of employees that will be on staff and explained the are a sister company of Trader's Joes.

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Boardmember Crockett stated comments from the petitioners appear to be focused on wanting a community garden and not a fast food restaurant at that location. Mr. Crockett feels there is a need for another grocery and restaurant in the area and this Board is not here to decide what type of restaurant but for a decision on the site plan. Mr. Crockett stated based on the zoning, the use is appropriate.

Boardmember Sarkissian stated this Board cannot regulate a specific business if it is an allowable use. Ms. Sarkissian feels the petition was well intended, but was misleading.

Boardmember Allen agreed utilizing on line petitions are a good idea but they need to be sent to those directly affected by a project. Ms. Allen stated this Board does not look at a specific business going on to a site, but the use.

Boardmember Villanueva-Saucedo stated anyone can go onto an on line petition and proclaim an opinion. Ms. Villanueva-Saucedo stated it is the directly effected by a project which hold more merit and more importantly, those that attend a meeting and feels the citizen participation report carries more weight.

Boardmember Boyle inquired if staff has had any discussions about using social media for means of providing information to surrounding residents. Mr. Wesley responded to his knowledge no one has used social media to notify residents, but utilizing traditional letters continues to be the best way of informing the surrounding neighbors.

It was moved by Boardmember Allen and seconded by Boardmember Villanueva-Saucedo to approve case ZON18-00597 with modified conditions of approval presented at the study session:

That: The Board recommends the approval of case ZON18-00597 conditioned upon:

1. Compliance with the basic development as described in the site plan and landscape plan except as modified below:
2. Compliance with all conditions of approval for Z08-063.
3. Compliance with all requirements of Design Review.
4. Compliance with all City development codes and regulations.
5. Install a 5' landscape perimeter adjacent to all undeveloped parcels per MZO Section 11-33-2.L.
6. All limits of construction must have temporary landscaping, extruded curbs, and screen walls where parking and loading or service areas are visible from the right-of-way and public view.
7. Prior to the submittal of a building permit, record with Maricopa County, a cross access and reciprocal parking agreement between the group commercial center properties.
8. Obtain approval of an Administrative Use Permit to exceed the maximum number of allowed parking spaces by more than 125% or reduce the number of parking spaces to comply with MZO section 11.32.3.C.

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9. Prior to Design Review approval, submit a revised site plan for review and acceptance by the Planning Director that includes the following items:
 - a. A fully covered canopy over each of the drive through windows for Pad-A and Major B. The canopy must be integrated into the architecture of the building and the surrounding landscape.
 - b. Increase the width of the landscape median north of Major B to a minimum of 5' and increase the length of the median to create a . physical barrier between the drive thru and the traffic lane.
10. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. 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 or prior to the issuance of a building permit).
 - b. Written notice be provided to future property owners, and acknowledgment received that the project is within 5 mile(s) of Phoenix-Mesa Gateway Airport.
 - c. 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.
 - d. Documentation by a registered Professional Engineer or registered Professional Architect demonstrating compliance with noise level reductions required by Section 11-19-5 prior to issuance of a building permit.

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

Upon tabulation of vote, it showed:

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

NAYS – None

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- *4-a ZON18-00592 District 6.** Within the 10200 and 10300 blocks of East Hampton Avenue (south side). Located north of US 60 east of Crismon Road. (20± acres). Rezoning from LI and LI-BIZ to LC-PAD; Site Plan Review; Special Use Permits for reduction in parking and for assisted living; and Council Use Permit for multi-residence use in the LC zoning district. This request will allow for the development of a medical, commercial and residential mixed-use campus. Kevin Howard, Kevin B. Howard Architects, Inc., applicant; Ski Properties, LLC, VJ Crismon, LLC, Sterling Hospitality, LLC and Legacy Hospital, LLC, owner.

Planner: Evan Balmer

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 Allen and seconded by Boardmember Crockett to approve case ZON18-00592 with conditions:

That: The Board recommends the approval of case ZON18-00592 conditioned upon:

1. Compliance with the basic development as shown on the site plan and preliminary landscape plans and described in the good neighbor policy and architectural guidelines.
2. Compliance with all requirements of Design Review.
3. Compliance with all City development codes and regulations, except as modified in Table 1 and Table 2 of the staff report.
4. Prior to submittal of a building permit for the first phase of development, a modified site plan shall be submitted for review and acceptance by the Planning Director that includes two fire access roads to each building on the site.
5. All off-site improvements and street frontage landscaping to be installed in the first phase of construction.
6. Prior to the submittal of a building permit, recordation of cross-access and reciprocal parking easement among all parcels located within the 20-acre development area identified in the site plan.

Vote: 5-0 Approved (Chair Dahlke, absent; Boardmember Sarkissian, recused)

Upon tabulation of vote, it showed:

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

NAYS – None

RECUSED - Sarkissian

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- *5-a “Power Square” District 6.** 2055 South Power Road (east side). Located south of Baseline Road on the east side of Power Road. (16.51± acres). Preliminary Plat. Michael Mosharrafa, Mutual Development Company, applicant; Infinity Mesa, LLC, owner. (ZON18-00705)

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 Allen and seconded by Boardmember Crockett to approve preliminary plat “Power Square” with conditions:

That: The Board recommends the approval of preliminary plat “Power Square” conditioned upon:

1. Compliance with the basic development as shown on the preliminary plat submitted (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Subdivision Regulations.

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

Upon tabulation of vote, it showed:

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

NAYS – None

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- 6-a ZON18-00361 District 4.** 244 North Extension Road. Located east of Alma School Road south of University Drive. (3± acres). Council Use Permit for social service facility; and Special Use Permit for a parking reduction for a substance abuse social service facility. This request will allow an in-patient substance abuse treatment facility. Lindsay C. Schube, Gammage & Burnham, applicant; Crossroads, Inc., owner. **(Continued from September 19, 2018).**

Planner: Ryan McCann

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 Allen and seconded by Boardmember Crockett to approve case ZON18-00361 with conditions:

That: The Board recommends the approval of case ZON18-00361 conditioned upon:

1. Compliance with the basic development as described in the Council Use Permit project narrative, dated July 30, 2018, which includes the plan of operation and good neighbor policy.
2. Conformance with the site plan, landscape plan and elevations approved in case Z96-073.

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

Upon tabulation of vote, it showed:

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

NAYS – None

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- 6-b ZON18-00576 District 2.** Within the 6700 block of East Albany Street (south side), the 6700 block of East Akron Street (north side) and the 100 block of North Power Road (west side). Located on the west side of Power Road north of Main Street. (1.22± acres). Site Plan Review; and Special Use Permit to allow an assisted living facility and a Special Use Permit for reduction in parking for an assisted living facility. This request will allow for the development of an assisted living facility. Joseph Jurkiewicz, applicant; Olivia Jurkiewicz, owner.

Planner: Veronica Gonzalez

Staff Recommendation: Approval with conditions

Summary: Staffmember Veronica Gonzalez presented case ZON18-00576 to the Board. Ms. Gonzalez stated this request is for a site plan review for an assisted living facility with 39 units. Ms. Gonzalez explained a Special use Permit is required for this type of use within the OC zoning district, and included in the request is a Special Use Permit to allow a 45% reduction of the parking requirement.

Applicant Joshua Oehler, 1427 N. 3rd Street, Phoenix, spoke about the project. Mr. Oehler explained this facility provides personal care such as hygiene, meals, transportation and medication for residents that are fully able to function and independent but need personal assistance. He stated the facility will have 19 parking spots for employees and visitors and the tenants will not have cars. Mr. Oehler stated they have been working with surrounding commercial owners to allow shared parking for special occasions. The business directly to the south does not want to allow us shared use and the owners have been looking at other ways to alleviate the overflow parking. One way is to shuttle visitors during high use times such as holidays. The only access into the parking lot will be to come off of Power Road which restricts the parking spaces in front. Mr. Oehler stated in order to make the project work, they reduced the amount of units from 44 to 39.

Boardmember Crockett asked if the residents would be prohibited to have an automobile in their contract or is it due to the age of the residents and lack of mobility. Mr. Oehler responded the age of the tenants and due to their age and abilities they would not own a car. Owner Joseph Jurkiewicz, 9310 E. Main Street, confirmed the age of the resident typically restricts them from driving.

There was discussion among the Boardmembers possible options to prevent any parking in the surrounding residential neighborhood. Boardmember Allen inquired if they have a plan in place to shuttle the employees from another parking location due to safety and Mr. Oehler responded they are working with staff to create a policy that will be passed out to the neighboring residents which will provide information on how to

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contact either the General Manager or on site staff if they see staff parking in the neighborhood as well as a policy on how to respond to any complaints. Boardmember Crockett requested they be sensitive to these issues.

Boardmember Sarkissian inquired how the reduction in parking would be handled if another user goes into this facility. Staffmember Veronica Gonzalez responded the parking reduction in this case is for this type of use on this specific property. If there would be another user, the parking reduction would not be automatic and they would be required to come back for approval.

Boardmember Boyle inquired if there could have a stipulation requiring a sign be posted providing contact information. Staffmember Gonzalez stated they do not have a specific condition of approval to require signage. Mr. Wesley stated staff is still finalizing a Good Neighbor Policy and staff will not accept final approval if the applicant does not stipulate that contact information would be clearly visible.

It was moved by Boardmember Sarkissian and seconded by Boardmember Crockett to approve case ZON18-00576 with conditions:

That: The Board recommends the approval of case ZON18-00576 conditioned upon:

1. Compliance with the basic development as described on the preliminary elevations, preliminary landscape plans and as shown on the site plan (without guarantee of lot coverage).
2. Prior to submittal for a building permit, submit for review and acceptance by the Planning Director a revised site plan that has relocated the proposed light standards out of parking lot landscape islands.
3. Compliance with all requirements of Design Review.
4. Approval of a Development Incentive Permit (DIP) by the Board of Adjustment.
5. Compliance with all City development codes and regulations.
6. Approval of the Special Use Permit for reduced parking is conditioned upon the following:
 - a. Compliance with the operation plan as outlined in the parking demand report.
 - b. Prior to submittal of a building permit, submit a good neighbor policy for review and acceptance by the Planning Director that includes the following items:
 - i. The name and telephone number of the manager or person responsible for the operation of the facility.
 - ii. Parking complaint response procedures that include remedial action and follow up.

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

Upon tabulation of vote, it showed:

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

NAYS – None

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- 7-a ZON18-00181 District 6.** The 9500 to 9800 blocks of East Hampton Avenue (south side). Located north of the US-60 Superstition Freeway and west of Crismon Road. (33± acres). Minor General Plan amendment to change the Character Type from Employment to Neighborhood. This request will allow for a small-lot single-residence subdivision and multi-residence development. Pew & Lake, PLC, applicant; Crismon BFC, LLC, owner. **(Companion Case to ZON18-00067 and preliminary plat “Bella Encanta”, associated with items 7-b and 8-a). (Continued from August 15, 2018).**

Planner: Lisa Davis

Staff Recommendation: Denial

Summary: Staffmember Lisa Davis presented Minor General Plan amendment case ZON18-00181, associated zoning case ZON18-00067 and preliminary Plat “Bella Encanta” to the Board.

Ms. Davis explained the request for the General Plan amendment does not meet the intent of the General Plan. She stated it is not consistent with supporting job growth in the City, Economic goals, and the principles of growth of the City. Ms. Davis stated the east portion of the City does not have a lot of employment. She clarified the applicants narrative states Class A offices are not feasible in this area and staff feels other types of employment uses could be brought in such as a Business Park.

Staffmember Davis stated there is limited buffering to the project adjacent to the freeway, and the ADOT channel on the south side would be highly visible. Ms. Davis stated if the Board did move forward to amending the General Plan to a neighborhood type, the site plan does not meet the intent as there is no connectivity to the surrounding uses and is not sensitive to the location to the US 60 freeway.

Ms. Davis stated staff is recommending denial of the General Plan amendment, the rezoning and site plan and preliminary plat. Ms. Davis stated staff does not feel the quality has been met for the PAD overlay. She stated if the Board recommends approval of the Minor General Plan amendment, Ms. Davis requests the Board continue the rezoning, site plan and preliminary plat in order to work with the applicant on the site plan.

Boardmember Allen confirmed the setback is 30' total between the buildings at the rear. Ms. Davis confirmed the setback between the buildings is 15' on each side, with a total of 30' between the two buildings.

Applicant Reese Anderson, 1744 S. Val Vista, spoke to the Board about the request for the Minor General Plan Amendment. Mr. Anderson explained this property has been classified as employment for over 30 years and has not had any viable projects for employment on this site and the existing land use does not make it a marketable project. Mr. Anderson stated to the Board the General Plan is a guiding document and not meant to be rigid. Mr. Anderson stated this area is in need of viable residential option.

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Mr. Anderson supplemented his presentation by asking the following people to speak in support of the project:

- Nick Montague, Quyp Development, 7600 N. 15th Street, Phoenix
- Troy Glover, Glover Valuation Group, 2444 E. Southern Avenue, #110, Mesa
- Tracy Glass, Merestone Group, 6345 E. Wilshire Drive, Scottsdale
- Andy Baron, Anderson Baron, 50 N. McClintock, Chandler
- Matt Drager, Collaborative V Design Studio, 633 E. Saratoga Street, Gilbert

Resident Clint Gumm, 1250 S. Rialti, #34, Mesa spoke in support of the project. Mr. Gumm has resided in Muirfield for over 10 years and is the HOA President. He explained this property has been vacant since he purchased his home and has become a junk yard. The homeowners have contacted the City Compliance Office and the Police Department. He stated the Muirfield homeowners are in support of the rezoning of this property to a residential use.

Mr. Anderson proceeded to discuss the rezoning and site plan request. He explained this property does not have sewer connection nearby and must go to Ellsworth and through the ADOT retention basin to connect. He feels no one will build on this site if there is not a sewer connection closer. He explained the parcel has 33 acres and their total density is 7.7. Mr. Anderson stated this is a high quality, ownership based development and a lot of thought has been given to the design, open space, and landscape plan. He described the design elements and how they have exceeded the requirements.

Mr. Anderson asked the following people to speak about the site plan:

- Chris Texter, 17911 Von Karmon, Irvine, CA
- Andy Baron, Anderson Baron, 50 N. McClintock, Chandler
- Paul Vecchta, Collaborative V Design Studio, 7116 E. 1st Avenue, Scottsdale

The following were available and did not speak:

- Hudd Hassell, Bela Flor Management, Inc., 1635 N. Greenfield, Mesa
- Daniel Gonzalez, Matrix Design Group, 2020 N. Central, Phoenix

Mr. Anderson provided the Board with proposed Conditions of Approval written by the applicant.

Planning Director John Wesley responded to Mr. Anderson's comments comparing this project to allowing the Eastmark project to be able to wait 7 years to construct commercial before they will be allowed to construct residential development. Mr. Wesley stated the sites and concepts are completely different and cannot be compared and the Eastmark area has employment development surrounding this location.

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Christine Zielonka, Development Services Director, stated she is directly involved in the Eastmark development. The two corners preserved are commercial corners along Ellsworth Road and it is not a sunset, but an agreement there would be no residential in at this corner for at least 7 years, and there will be further discussions depending on the market conditions at that time.

Vice Chair Aslte stated there has been a lot of history in this area, with the rezoning of the parcel north of this project last year. Mr. Astle stated he wants to respect and consider the remaining employment we have in the City and is leaning toward approving the Minor General Plan amendment. He feels the proposal to develop the property as residential will benefit the adjacent commercial area.

Boardmember Villanueva-Saucedo stated she is reluctant to let go of any employment area in the City. Ms. Villanueva-Saucedo stated because the property has been vacant is not a good rationale for changing the General Plan. She feels bad there are existing code violation issues with the property, but that should be dealt through other means.

Boardmember Sarkissian stated she has worked on several of the commercial projects surrounding this property and seen many of those projects not be developed. Ms. Sarkissian feels there are other areas in Mesa that is focusing on bringing in commercial projects and feels this is a good use for the area and does not want to hold site up waiting for offices use.

Boardmember Allen stated she is hard pressed to approve this rezone from employment to residential housing. Ms. Allen stated she believes strongly the City needs to maintain our employment areas and should be looking forward to what we want the City to be, not what is in the surrounding area now.

Boardmember Boyle stated he has been concerned about the amount rezoning from employment areas to residential since he has been on the Board. Mr. Boyle stated he is in favor of staff recommendation for denial.

It was moved by Boardmember Allen and seconded by Boardmember Villanueva-Saucedo to deny case ZON18-00181.

Vote: 3-2; Denied (Chair Dahlke, absent; Boardmember Crockett, recused)

Upon tabulation of vote, it showed:

AYES – Allen, Boyle, Villanueva-Saucedo

NAYS – Astle, Sarkissian

RECUSED - Crockett

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- 7-b ZON18-00067 District 6.** The 9500 to 9800 blocks of East Hampton Avenue (south side). Located north of the US-60 Superstition Freeway and west of Crismon Road. (33± acres). Rezoning from NC-BIZ, NC-PAD and PEP-PAD-CUP to RSL-2.5-PAD and RM-3-PAD; and Site Plan Review. This request will allow for a small-lot single-residence subdivision and multi-residence development. Pew & Lake, PLC, applicant; Crismon BFC, LLC, owner. **(Companion Case to ZON18-00181 and preliminary plat "Bella Encanta", associated with items 7-a and 8-a). (Continued from August 15, 2018).**

Planner: Lisa Davis

Staff Recommendation: Denial

Summary: Staffmember Lisa Davis discussed the zoning case ZON18-00067 and preliminary plat "Bella Encanta during the presentation of the Minor General Plan amendment case, ZON18-00181. There was no Board discussion.

It was moved by Boardmember Allen and seconded by Boardmember Villanueva-Saucedo to deny case ZON18-00067 and associated preliminary plat "Bella Encanta".

Vote: 3-2; Denied (Chair Dahlke, absent; Boardmember Crockett, recused)

Upon tabulation of vote, it showed:

AYES – Allen, Boyle, Villanueva-Saucedo

NAYS – Astle, Sarkissian

RECUSED - Crockett

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- *5-e “Bella Encanta” District 6.** The 9500 to 9800 blocks of East Hampton Avenue (south side). Located north of the US-60 Superstition Freeway and west of Crismon Road. (33± acres). Preliminary Plat. Pew & Lake, PLC, applicant; Crismon BFC, LLC, owner. (Companion Case to ZON18-00181 and ZON18-00067, associated with items 7-a and 7-b). (Continued from August 15, 2018).

Planner: Lisa Davis

Staff Recommendation: Denial

Summary: Staffmember Lisa Davis discussed the preliminary plat “Bella Encanta” and zoning case ZON18-00067 during the presentation of the Minor General Plan amendment case, ZON18-00181. There was no Board discussion.

It was moved by Boardmember Allen and seconded by Boardmember Villanueva-Saucedo to deny preliminary plat “Bella Encanta” and associated case ZON18-00067.

Vote: 3-2; Denied (Chair Dahlke, absent; Boardmember Crockett, recused)

Upon tabulation of vote, it showed:

AYES – Allen, Boyle, Villanueva-Saucedo

NAYS – Astle, Sarkissian

RECUSED - Crockett

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- 8-a “Mesa Fiesta” District 3.** 1337 through 1361 South Alma School Road (east side). Located south of Southern Avenue on the east side of Alma School Road (16.51± acres). Preliminary Plat. Nick Johnson, Sunrise Engineering, applicant; HV & Canal, LLC, owner. (ZON18-00604). (Continued from September 19, 2018).

Planner: Cassidy Welch

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 Vice Chair Astle and seconded by Boardmember Boyle to approve preliminary plat “Mesa Fiesta” with conditions:

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

Vote: 6-0 Approved (Absent: Boardmember Allen)

Upon tabulation of vote, it showed:

AYES – Dahlke, Astle, Sarkissian, Boyle, Crockett, Villanueva-Saucedo

NAYS – None

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9. Other Business.

None.

10. Adjournment.

Boardmember Villanueva-Saucedo made a motion to adjourn the meeting at 7:29 pm.
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, Villanueva-Saucedo

NAYS – None

Respectfully submitted,



John D. Wesley AICP, Secretary
Planning Director