

Planning and Zoning Board

Meeting Minates

Held in the City of Mesa Council Chambers – Upper Level Date: August 14, 2019 Time: 4:00 p.m.

MEMBERS PRESENT:

Chair Michelle Dahlke
Vice Chair Dane Astle
Tim Boyle
Shelly Allen*
Jeffrey Crockett
Deanna Villanueva-Saucedo

MEMBERS ABSENT:

Jessica Sarkissian

(*Boardmember Allen participated in the meeting through the use of telephonic equipment)

STAFF PRESENT:

Nana Appiah
Tom Ellsworth
Lesley Davis
Evan Balmer
Ryan McCann
Cassidy Welch
Charlotte McDermott
Rebecca Gorton

OTHERS PRESENT:

Brian Lynam
Scott Ebert
Rob Gaspard
William Petro
Tom Lewis
Nicole Lynam
Tom Lemon
Jon Green
Leslie Eastridge
Gene Stankowski
Lee Watson
Phyllis Keller

Citizen who did not sign in

Call Meeting to Order.

Chair Dahlke declared a quorum present and the meeting was called to order at 4:12 pm.

1. Take action on all consent agenda items.

Items on the Consent Agenda

- 2. <u>Approval of minutes:</u> Consider the minutes from the July 10, 2019 study session and regular hearing.
- *2-a Boardmember Crockett motioned to approve the Consent Agenda. The motion was seconded by Boardmember Villanueva-Saucedo.

Vote: 6-0 Approved (Boardmember Allen, telephonic vote: Boardmember Sarkissian, absent)

Upon tabulation of vote, it showed:

AYES - Dahlke, Astle, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS - None

Zoning Cases: ZON19-00308, ZON19-00345, ZON19-00406, ZON19-00304 and ZON19-00403

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*3-a ZON19-00308 District 4. Within the 200 through 300 blocks of South Extension Road (west side). Located east of Alma School Road and north of Broadway Road (5.3± acres) Site Plan Modification. This request will allow for the expansion of an existing industrial development. Greg Foutz, Addictive Desert Design, applicant; Hare Holdings LLC, owner.

<u>Planner:</u> Ryan McCann Staff Recommendation: Approval with conditions

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

Boardmember Crockett motioned to approve case ZON19-00308 with conditions of approval. The motion was seconded by Boardmember Villanueva-Saucedo.

That: The Board recommends the approval of case ZON19-00308 conditioned upon:

- 1. Compliance with 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 for 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 (Boardmember Allen, telephonic vote: Boardmember Sarkissian, absent)

Upon tabulation of vote, it showed:

AYES - Dahlke, Astle, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS - None

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*3-b ZON19-00345 District 6. Within the 7200 block of South Ellsworth Road (west side) and the 9100 block of East Pecos Road (south side). Located at the southwest corner of Pecos Road and Ellsworth Road. (2.4± acres). Site Plan Review; and Special Use Permit. This request will allow for the development of a convenience store with associated fuel station. Michael Buschbach, Hunter Engineering, applicant; Sunbelt Land Holdings, LP, owner.

Planner: Cassidy Welch

<u>Staff Recommendation:</u> Approval with conditions

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

Boardmember Crockett motioned to approve case ZON19-00345 with conditions of approval. The motion was seconded by Boardmember Villanueva-Saucedo.

That: The Board recommends the approval of case ZON19-00345 conditioned upon:

- 1. Compliance with the final site plan submitted.
- 2. Compliance with the plan of operation and good neighbor policy submitted.
- 3. Compliance with all City development codes and regulations.
- 4. Compliance with all requirements of Design Review.
- 5. Apply for and receive approval of an Administrative Use Permit to allow the number of parking spaces to exceed 125% of the maximum required parking spaces or comply with Zoning Ordinance requirements for parking.
- 6. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Any proposed permanent, or temporary, structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. An FAA determination notice of no hazard to air navigation shall be provided.
 - 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 buildings to achieve a noise level reduction to 45 db as specified in Section 11-19-5 of the Zoning Ordinance.
 - c. Written notice to be provided to future property owners that the project is within 1 mile of Phoenix-Mesa Gateway Airport.

Vote: 6-0 Approved (Boardmember Allen, telephonic vote: Boardmember Sarkissian, absent)

Upon tabulation of vote, it showed:

AYES - Dahlke, Astle, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS - None

*3-c ZON19-00406 District 1. Within the 2000 block of West Riverview Auto Drive (west side) and within the 2000 block of West Cubs Way (north side). Located south of the 202 Red Mountain Freeway and west of Dobson Road. (8.6± acres). Site Plan Review. This request will allow for the development of an office building and parking structure. Buck Yee, The Davis Experience, applicant; City of Mesa, owner.

Planner: Lesley Davis

Staff Recommendation: Approval with conditions

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

Boardmember Crockett motioned to approve case ZON19-00406 with conditions of approval. The motion was seconded by Boardmember Villanueva-Saucedo.

That: The Board recommends the approval of case ZON19-00406 conditioned upon:

- 1. Compliance with final site plan submitted.
- 2. Compliance with all conditions of approval for case no. Z11-026.
- 3. Compliance with all City development codes and regulations.
- 4. Compliance with all requirements of Design Review.

Vote: 6-0 Approved (Boardmember Allen, telephonic vote: Boardmember Sarkissian, absent)

Upon tabulation of vote, it showed:

AYES - Dahlke, Astle, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS - None

*4-a ZON19-00304 District 6. Within the 6000 through 6300 blocks of South Power Road. Located south of Williams Field Road between the northbound and southbound lanes of Power Road. (11± acres). Rezone from RM-4-BiZ and LC-BiZ-CUP to RM-4-PAD; and Site Plan Review. This request will allow for a multiple residence development. Sean Lake, Pew and Lake, PLC, applicant; Power Road Gateway, LLC, owner.

<u>Planner:</u> Cassidy Welch <u>Staff Recommendation:</u> Approval with conditions

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

Boardmember Crockett motioned to approve case ZON19-00304 with conditions of approval. The motion was seconded by Boardmember Villanueva-Saucedo.

That: The Board recommends the approval of case ZON19-00304 conditioned upon:

- 5. Compliance with final site plan submitted.
- 6. Compliance with all requirements of Design Review.
- 7. Compliance with all City development codes and regulations.
- 8. Compliance with all City development codes and regulations, except as modified in Table 1 of the staff report.
- Dedicate the right-of-way and easements 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.
- 10. Prior to subdivision of the property, provide cross access and reciprocal parking agreement(s) for any additional parcels created.
- 11. 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; whichever comes first.
 - b. Provide a 4-foot x 4-foot sign at the entrance to the leasing office for this development, with notice to all prospective tenants that the project is within an Overflight Area for Phoenix-Mesa Gateway Airport as specified in Section 11-19-5 of the City of Mesa Zoning Ordinance.
 - c. Any proposed permanent, or temporary structure, as required by the FAA, is subject to an FAA filing, for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
- 12. The exit driveway location identified on the site plan as a temporary exit (Keynote 28) will be reevaluated by the City at the time of Site Plan Review for the undeveloped area to the south.

Vote: 6-0 Approved (Boardmember Allen, telephonic vote; Boardmember Sarkissian, absent)

Upon tabulation of vote, it showed:

AYES - Dahlke, Astle, Boyle, Crockett and Villanueva-Saucedo

NAYS - None

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*4-b ZON19-00322 District 3. Within the 1600 through 1700 blocks of South Dobson Road (west side) and within the 2000 block of West Isabella Avenue (north side). Located west of Dobson Road and south of US 60. (10± acres). Rezone from LC-PAD to RM-4-PAD; and Site Plan Review. This request will allow for the development of a multiple residence development. Brennan Ray, Burch & Cracchiolo, PA, applicant; TIC Dobson Ranch, LLC Etal, owner.

<u>Planner:</u> Evan Balmer <u>Staff Recommendation:</u> Approval with conditions

Summary: Staffmember Evan Balmer presented case ZON19-00322 to the Board. Mr. Balmer explained the request is a rezoning to allow the development of a multiple residence. Mr. Balmer stated the request includes an increase in maximum height, decrease in parking requirements and other deviations from the City of Mesa code.

Brennan Ray, the applicant, 702 E. Osborn, presented the request to the Board. Mr. Ray stated there may be concerns from the surrounding residents regarding the possibility of the apartment residents using the Dobson Ranch amenities. He also stated some of the residents may also have concerns about the request for reduction in the number of required parking spaces. Mr. Ray explained the amenities proposed in development are designed to be adequate for the apartment residents which will also discourage them from going to use the Dobson Ranch facilities. He explained car ownership has been declining over the years which allows for a decrease of parking requirements. Mr. Ray informed the Board that 60% of the units are studio and 1 bedroom which reduces the number of automobiles per unit.

Mr. Ray also informed the Board that he has worked very hard with staff to meet the Cities new push for more quality development in Mesa, and although is a bit of a change he is working with his clients to meet the quality standards being required.

Boardmember Boyle inquired if the developer generally maintains ownership of their developments. Mr. Ray responded this is the 16th project for the developer, Alliance, since 2010. They have over 1,500 developments in the Nation and intends to maintain ownership of the subject development.

Gene Stankowski spoke as the President of the Dobson Ranch HOA. Mr. Stankowski stated he is in favor of a new development at the location, as the current hotel is in need for updating. However, he has concerns with the 4 story buildings and the potential increase in traffic in the area.

Phyllis Keller, 2117 W. Isthmus Loop, spoke in opposition. Ms. Keller expressed concerns with the increase in traffic and height of the buildings. She stated the surrounding schools were not notified of the additional student needs and traffic studies for the project were performed when school was out of session.

JoAnn Precup, 2360 W. Impala feels that with the increase of the number of residents, there will not be adequate parking provided. She feels the proposed dog park in the development is not large enough and dog owners would begin to use the amenities in Dobson Ranch. Ms. Precup stated she does not like the height of the buildings.

Lee Watson, 2146 W. Isabella, stated he wants to see the development but is opposed to the 4 story buildings.

Ronald Ricci, 2135 W. Isthmus Loop stated he has concerns about the height of the 4 story buildings and the potential increase of traffic.

Staffmember Balmer explained that not all the buildings are 4 story in height and that those are proposed to be closer to Dobson Road.

Applicant Brennan Ray responded to the concerns of the residents. Mr. Ray explained the site plan has a variety of building heights throughout the development with landscape buffers surrounding the area. He stated the development is intentionally designed to mostly attract people with no children and anticipate approximately 10 school aged children to reside there. He stated they had met with the school district to discuss the impact the development will have on the surrounding schools. Mr. Ray stated the school has no concerns that the development will have on the schools.

Brennan Ray addressed the concerns of increase in traffic in the area. He stated they have worked with the City about the traffic concerns and conducted a traffic study as well. The response of the City is that the roadways are not at capacity and can handle the additional traffic.

Boardmember Crockett inquired if the signal could be calibrated to manage the additional traffic in the area. Dawn Cartier, 10650 N. Hayden conducted a survey and report for the developer. Ms. Cartier stated the timing of the signal could change slightly, but until the development is complete, an accurate count cannot be confirmed.

Chair Dahlke inquired if there are concerns with some of the units being used as short term rentals. City Attorney Charlotte McDermott explained State Statute prohibits cities from prohibiting short term rentals. However, there is recent legislation that allows some regulations on them. Applicant Brennan Ray stated the developer desires prohibiting short term and sublet on the leases.

Boardmember Crockett motioned to approve case ZON19-00322 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON19-00322 conditioned upon:

- 1. Compliance with final site plan submitted.
- 2. Compliance with all requirements of Design Review.

- 3. Compliance with all City development codes and regulations, except as modified in Table 1 in the staff report.
- 4. Buildings labeled Type 2 on the site plan shall comply with the following:
 - a. The maximum height allowed is 52 feet.
 - b. At least two sides of each building shall have Hardie Plank siding, similar in material and design as Building Type 1, that covers a minimum of two floors.
- 5. Windows with pop-out trim shall be flush with the wall plane or recessed from the wall plane.
- 6. The railing on each balcony shall incorporate a view fence material as shown on Building Type 1. The maximum height of stucco finishes on balconies shall be 2 feet 6 inches.
- 7. The color palette for all buildings shall consist of two principal colors and one accent color.

Vote: 5-1 Approved (Boardmember Allen, telephonic vote; Boardmember Sarkissian, absent)
Upon tabulation of vote, it showed:
AYES – Dahlke, Astle, Allen, Crockett and Villanueva-Saucedo

NAYS - Boyle

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*4-c ZON19-00357 District 5. Within the 8000 through 8100 blocks of East McKellips Road (south side). Located west of Hawes Road on the south side of McKellips Road. (40± acres). Rezone from RS-35 to RS-15-PAD; and Site Plan Review. This request will allow for the development of a single-residence subdivision. Alex Caraveo, Coe & Van Loo Consultants, applicant; Desert Vista 100, LLC, owner. (Companion case to Preliminary Plat "Monteluna", associated with item *5-a).

<u>Planner:</u> Ryan McCann <u>Staff Recommendation:</u> Approval with conditions

Summary: Staffmember McCann presented case ZON19-00357 and associated preliminary plat "Monteluna" to the Board. Mr. McCann stated this is a request to develop a single-residence subdivision within the Desert Uplands.

The applicant, Andy Baron, 50 N. McClintock asked the board to hear from the residents prior to his presentation so that he can respond to any concerns.

Bill Dauhsher, 8120 E. Kramer Street spoke about his concerns with the project. Mr. Dauhsher stated he would like the development to consider larger lots and feels the increased density takes away from the character of the community. He is concerned the entrance to the development is directly across from an existing development, Desert Shadows.

William Petro, 10985 N. 157th Street stated he owns a lot near by and has concerns regarding the development. Mr. Petro feels the high-density project is not a good fit in the area and it will impact the view from his property.

Applicant Any Baron responded to the comments from the residents. Mr. Baron explained the location of the entrance to the development is a requirement by the City and he stated they are required to improve McKellips Road.

Boardmember Villanueva-Saucedo expressed concerns of the density and lot size. She stated the proposed development doesn't fit the character of the area with large lots and preservation of desert upland open space areas.

Boardmember Allen motioned to approve case ZON19-00357 and associated preliminary plat "Monteluna" to include the addition of condition #4 as discussed at the study session. The motion was seconded by Vice Chair Astle.

That: The Board recommends the approval of case ZON19-00357 conditioned upon:

- 1. Compliance with final site plan submitted.
- 2. Compliance with all requirements of the Subdivision Regulations.
- 3. Compliance with all City development codes and regulations, except as modified in Table 1 in the staff report.
- 4. Lots 9, 10, 24, 25, 35-37, 42-45 inclusive as shown on the Site Plan dated 7.8.19 shall be limited to single story only.

- Dedicate the right-of-way and easements 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.
- Compliance with the City of Mesa's Native Plant Preservation Ordinance (Ord #3693) that requires submittal of a Native Plant Preservation Plan. The Native Plant Preservation Plan shall be reviewed and approved by the Development Services Department prior to removal of any plants.

Vote: 5-1 Approved (Boardmember Allen, telephonic vote; Boardmember Sarkissian, absent)

Upon tabulation of vote, it showed:

AYES - Dahlke, Astle, Boyle, Allen and Crockett

NAYS - Villanueva-Saucedo

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*4-d ZON19-00403 District 5. Within the 5600 block of East Longbow Parkway (south side). Located north of McDowell Road and west of Recker Road. (3.2± acres). A Council Use Permit (CUP) to allow a hotel use in the Airport Overflight Area-2 (AOA-2); a Bonus Intensity Zone Overlay (BIZ) to allow modifications to the Light Industrial (LI) development standards; and Site Plan Review. Matthew Kosednar, Allen + Philp Partners, applicant; Longbow Hotel Associates I, LLC, owner.

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 Crockett motioned to approve case ZON19-00403 with conditions of approval. The motion was seconded by Boardmember Villanueva-Saucedo.

That: The Board recommends the approval of case ZON19-00403 conditioned upon:

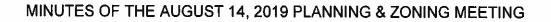
- 1. Compliance with final site plan submitted.
- 2. Compliance with all requirements of Design Review.
- 3. Compliance with all City development codes and regulations, except as modified in Table 1 in the staff report.
- 4. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner shall execute and record the City's standard Avigation Easement and Release for Falcon Field Airport prior to or concurrently with the issuance of a building permit.
 - Written notice shall be provided to future property owners, and acknowledgement received that the project is within 1 mile(s) of Falcon Field Airport.
 - c. Any proposed permanent, or temporary structure, as required by the FAA, is subject to an FAA filing, for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
 - d. Prior to the issuance of a building permit, provide documentation by a registered Profession Engineer or registered Profession Architect demonstrating compliance with noise level reductions as required by Section 11-19-5 of the Zoning Ordinance.
- 5. Compliance with all conditions of approval for case Z08-063.
- 6. Prior to the issuance of a building permit, provide a cross access agreement with the adjacent property to the east.

Vote: 6-0 Approved (Boardmember Allen, telephonic vote; Boardmember Sarkissian, absent)

Upon tabulation of vote, it showed:

AYES - Dahlke, Astle, Boyle, Crockett and Villanueva-Saucedo

NAYS - None



*5-a "Monteluna" District 5. Within the 8000 through 8100 blocks of East McKellips Road (south side). Located west of Hawes Road on the south side of McKellips Road. (40± acres). Preliminary Plat. (Companion case to ZON19-00357, associated with associated with item *4-c).

Planner: Ryan McCann

Staff Recommendation: Approval with conditions

Summary: This case was discussed with ZON19-00357 and therefore was not discussed as a separate individual item.

Boardmember Allen motioned to approve preliminary plat "Monteluna" with associated zoning case ZON19-00403 to include the addition of condition #4 as discussed at the study session. The motion was seconded by Vice Chair Astle.

That: The Board recommends the approval of preliminary plat "Monteluna" conditioned upon:

- 1. Compliance with final site plan submitted.
- 2. Compliance with all requirements of the Subdivision Regulations.
- 3. Compliance with all City development codes and regulations, except as modified in Table 1 in the staff report.
- 4. Lots 9, 10, 24, 25, 35-37, 42-45 inclusive as shown on the Site Plan dated 7.8.19 shall be limited to single story only.
- Dedicate the right-of-way and easements 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.
- 6. Compliance with the City of Mesa's Native Plant Preservation Ordinance (Ord #3693) that requires submittal of a Native Plant Preservation Plan. The Native Plant Preservation Plan shall be reviewed and approved by the Development Services Department prior to removal of any plants.

Vote: 5-1 Approved (Boardmember Allen, telephonic vote; Boardmember Sarkissian, absent)

Upon tabulation of vote, it showed:

AYES - Dahlke, Astle, Boyle, Allen and Crockett

NAYS - Villanueva-Saucedo

City of Mesa's website at www.mesaaz.gov

6 Other Business.

None.

7 Adjournment.

Boardmember Villanueva-Saucedo motioned to adjourn the meeting at 5:44 pm. The motion was seconded by Vice Chair Astle.

Vote: 6-0 Approved (Boardmember Allen, telephonic vote; Boardmember Sarkissian, absent)

Upon tabulation of vote, it showed:

AYES - Dahlke, Astle, Boyle, Allen, Crockett and Villanueva-Saucedo

NAYS - None

Respectfully submitted,

Nana K. Appiah, AICP, Secretary

Planning Director