

Planning and Zoning Board

Study Session Minutes

Mesa City Council Chambers – Lower Level, 57 East 1st Street

Date: September 11, 2019 Time: 3:00 p.m.

MEMBERS PRESENT:

Chair Michelle Dahlke
Vice Chair Dane Astle
Tim Boyle
Shelly Allen
Jeffrey Crockett
Deanna Villanueva-Saucedo – arrived at 3:32 pm

MEMBERS ABSENT:

Jessica Sarkissian

STAFF PRESENT:

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

OTHERS PRESENT:

citizens who did not sign in

1. Call meeting to order.

Chair Dahlke declared a quorum present and the meeting was called to order at 3:04 p.m.

2. Review items on the agenda for the September 11, 2019 regular Planning & Zoning Hearing.

Boardmember Allen requested revisions to the August 28, 2019 study session meeting minutes. Ms. Allen asked that the following discussion be included in the minutes:

Boardmember Allen inquired if staff will be considering reviewing the location and separation distances between certain uses as part of the planned discussion on land use suitability and designations. Ms. Allen stated Mesa tends to have an abundance of business such as pawn shops, check cashing businesses and medical marijuana more so than the surrounding communities. Nana Appiah responded that some Councilmembers have asked staff to review and possibly propose amendments to the City's Zoning Ordinance to minimize the overconcentration of such uses. Dr. Appiah stated staff is considering and working on certain minor amendments to the General Plan that are more specific to land use allocations, and not separation of uses but will consider the issues with separation of uses in the near future.

Staffmember Cassidy Welch presented case ZON19-00365 to the Board. Ms. Welch stated there has been an update to condition #6 and presented the modified condition to the Board.

Boardmember Crockett asked for clarification to the condition of approval. He stated the revised condition could mean the elimination of the pool and sport court and Ms. Welch responded staff wants to ensure there is some type of active open space in the area, not necessarily a sport court. Dr. Appiah clarified the language for the condition and explained that the condition will require construction of the swimming pool and amenities and can also be modified through a public hearing process if the request is approved by the City Council. Staff and the Board discussed and requested staff to discuss the condition with the applicant and refine the language for more clarity.

Applicant, Brennan Ray, clarified that a sports court was never identified or proposed on the submitted site plan. Mr. Ray stated the first time he has been made aware of the condition was when he reviewed the staff report. He informed the Board that the proposed amenity is not typically seen in this type of development. He stated they are open to discuss other types of active open space to construct in the development but does have concerns about the specific requirement for a specific sport court. He proposed that the condition be modified to provide other alternatives and not limit it to a sport court.

Boardmember Crockett confirmed the swimming pool will remain which was verified by the applicant. Mr. Ray stated the open space area to the west will have some type of amenity for the residents but doesn't want to limit it to a sports court. Applicant, Mr. Ray, also stated the proposed site plan shows 53 residential units with some type of amenity on the open space areas to the east and will not be changed. Dr. Appiah said it is his understanding the owner of this project is also the owner of the development to the west side and has submitted a request for the removal of two garages to build a gym. He stated staff believes there needs to be basic amenities provided in the development and a swimming pool alone is not adequate. Dr. Appiah stated staff has revised the condition to state "Prior to issuance of a building permit, the amenity package commensurate with what is shown on the site plan must be reviewed and approved by the Planning Director. The amenities shall include, at a minimum, a swimming pool and either a sport court, or alternative active recreational use of the areas shown as an amenity area on the site plan".

Boardmember Allen stated the applicant has requested deviations from several standard requirements and in order to make those allocations, she feels the amenities need to be above and beyond, as a give and take concession.

Boardmember Boyle suggested this area would be a good example to review and study when the City looks at the balance between jobs and residential. Mr. Boyle stated there have been more residential development coming before the Board in the area. Dr. Appiah responded he believes as a City we need to preserve areas for both residential and nonresidential and ensure there is a fair balance between employment areas and residential. As well as not allowing large areas to transform that is inconsistent with the vision of the City. He explained staff and the board need to look at development and land use changes critically when reviewing applications.

Principal Planner Tom Ellsworth presented case ZON19-00440 to the Board. Mr. Ellsworth stated this request is to rezone a portion of an existing commercial center and includes a Council Use Permit (CUP) for a pawn shop. He explained staff has received two letters of opposition to the pawn shop.

Boardmember Boyle inquired when the board receives letters of opposition from neighboring business owners that state they will relocate if the request is approved, who does this effect the most. Mr. Boyle asked if the board should be looking at the request and its effect on economic development or only if it meets the zoning requirements. Boardmember Allen responded that the board has some level of discretion in recommending approval for a rezoning. To her, the two businesses in opposition carry a lot of weight in the city and would be a detriment if either business relocates. Ms. Allen feels there are an overabundance of pawn shops, check cashing, title loans business and as the City talks about quality, it is the opportunity to say enough is enough of these types of businesses.

Boardmember Villanueva-Saucedo stated she has similar concerns and similar view of how we look at the issues before them. There are things within their legal perview because of the advisory board they sit on and should review things and consider its effects on the overall quality of life in Mesa.

City Attorney, Charlotte McDermott explained in this case, the applicant is not only asking for the Council Use Permit, but the request includes a rezoning. Ms. McDermott stated this is a legislative act and the board has a lot of discretion when it comes to a legislative act. As long as it is a proper reason, the board can recommend approval or denial of the request.

Staffmember Ryan McCann presented case ZON19-00444 and associated preliminary plat "Baywood Square" to the Board. There was no discussion by the Board.

Staffmember Cassidy Welch presented preliminary plat "Eastmark DU-7 Parcel 53" to the Board. There was no discussion by the Board.

3. Planning Director's Updates.

(The items in the Planning Director's Updates are not for Board discussion and no Board action will be taken on the updated items.)

Dr. Appiah stated he has the finalized condition of approval for case ZON19-00440 and will discuss at the public hearing.

Dr. Appiah informed the board that the City Council approved 3 projects on August 26 which this board reviewed: 1) Avalon Crossing which is south of Williams Field Road; 2) Fiesta Village which was before this board June of 2018; and, 3) Lehi Cove project. This project was delayed due to the air quality study.

Dr. Appiah informed the board that they will receive a presentation at the next study session on the Quality Design Standards. Boardmember Boyle stated the Vulcan area would be another area to include when reviewing what happens when a residential development is proposed next to a business.

4. Adjournment.

Boardmember Villanueva-Saucedo motioned to adjourn the meeting at 3:49 pm. The motion was seconded by Boardmember Allen.

Vote: 6-0 Approved (Boardmember Sarkissian, absent)
Upon tabulation of vote, it showed:
AYES – Dahlke, Astle, Boyle, Allen, Crockett and Villanueva-Saucedo
NAYS – None

Respectfully submitted,

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

Nana K. Appiah, AICP, Secretary
Planning Director

Note: Audio recordings of the Planning & Zoning Board study sessions are available in the Planning Division Office for review. The regular Planning & Zoning Board meeting is “live broadcasted” through the City of Mesa’s website at www.mesaaz.gov.