Planning and Zoning Board

Study Session Minutes

Virtual Platform
Date: May 13, 2020 Time: 3:00 p.m.

MEMBERS PRESENT:
*Chair Michelle Dahlke
*Vice Chair Dane Astle
*Jessica Sarkissian
*Tim Boyle
*Shelly Allen
*Deanna Villanueva-Saucedo

MEMBERS ABSENT:
Jeffrey Crockett

(*Boardmembers and staff participated in the meeting through the use of audio conference equipment)

STAFF PRESENT:
Nana Appiah
Tom Ellsworth
Lesley Davis
Charlotte McDermott
Charlotte Bridges
*Evan Balmer
*Kellie Rorex
Rebecca Gorton

OTHERS PRESENT:
None

1. Call meeting to order.

   Chair Dahlke declared a quorum present and the meeting was called to order at 3:00 p.m.

2. Review items on the agenda for the May 13, 2020 Zoning Board Hearing.

   Staffmember Charlotte Bridges presented case ZON20-00037 to the Board. Ms. Bridges explained the request is for a Site Plan Review to allow for a commercial and multi-residential development. The property has a split zoning with the northern portion zoned LC (Limited Commercial) and the southern portion zoned RM-2 and the proposed use is allowed in the zoning districts.

   The site plan shows a two-story, 16,000 sq. ft building with offices on the north portion of the property and nine residential units located on the southern portion. The subject project was submitted prior to the adoption of the City's current Quality Design Standards which was adopted February, and therefore was reviewed under the previous Building Form and Design Criteria.

A request for a DIP (Development Incentive Permit) was approved by the Board of Adjustment Board on May 6, 2020 to allow for certain deviations from the City's current development standards for underutilized or by-pass properties. The DIP for the project included a reduction in the right-of- way, building and landscape setbacks along Broadway and Pioneer Road, and a reduction in parking spaces. On May 12, 2020, the Design Review Board (DRB) reviewed the project and recommended additional delineation between the building mass and materials. Staff is working with the applicant to ensure the recommendations and revisions by the DRB are met.

Boardmember Boyle stated his concerns with the use and the number of deviations approved by the Board of Adjustment. Mr. Boyle's concerns with the Development Incentive Permit include the location of the building off Pioneer Road and the reduction in parking. Planning Director Nana Appiah stated the DIP was under the jurisdiction of the Board of Adjustment and the decision has already been made to allow the requested deviations. Dr. Appiah stated the use is allowed under the zoning district and the Planning and Zoning board is reviewing the site plan utilizing the criteria for approval outlined in the Zoning Ordinance that should be used to make decision of approval or denial. City Attorney Charlotte McDermott stated the section for reviewing a site plan is 11-69-5 of the City of Mesa Zoning Ordinance and reiterated the use is allowed in the zoning district. Ms. McDermott stated the board is considering if the site plan satisfies the review criteria in the section of the zoning ordinance.

Boardmember Allen inquired if this project will be for temporary or permanent housing. Applicant Ralph Pew, 1744 S. Val Vista responded to Boardmember Allen's question stating the occupancy will be for housing for those that are transitioning out of foster care and will be residing at the property for up to one and a half years. Mr. Pew stated the majority of the neighborhood objections during the Board of Adjustment hearing was focused on the use of the property and height of the building. Both of which are allowed in the zoning code and meet the City's requirements.

Staffmember Kellie Rorex presented case ZON20-00086 to the Board. There was no discussion by the Board.

Staffmember Kellie Rorex presented case ZON20-00102 to the Board. There was no discussion by the Board.

Staffmember Evan Balmer presented case ZON20-00106 to the Board. There was no discussion by the Board.

3. Discuss and take action on Bylaws for the Planning and Zoning Board.

Principal Planner Tom Ellsworth reviewed the revisions requested by the board and provided a final version of the ByLaws. Mr. Ellsworth stated Boardmember Allen requested to include a section in the Bylaws regarding the process and ability to hold executive sessions during the Board's meeting. Mr. Ellsworth stated the language for the executive session will be added to the bylaws as section 215 and that any motion for the

approval of the bylaws should include the proposed section. The Board also discussed section 112, “Limitation of Authority” of the proposed bylaws that discourages a board member from speaking in a subsequent hearing on an item previously heard by the board and advising Boardmembers to refrain from such engagement to minimize issues of appearance of conflict of interest. Boardmember Boyle stated his opposition of to the section Mr. Boyle expressed his concern that a board member should have the ability to speak on an agenda item before other boards or the City Council even though the P&Z Board has already considered such item. City Attorney Charlotte McDermott stated if a board member declares a conflict of interest, the city attorney’s office advises that they don’t speak at any subsequent meeting and suggests the safest position is to refrain from speaking at any meeting to avoid even the appearance of any improprieties. Boardmember Villanueva-Saucedo stated she feels the perception of public trust for the all those represented on the Board must be upheld and even the perception of a conflict of interest needs to be maintained. Ms. Villanueva-Saucedo likes the section and would have preferred the language to even be stronger.

Boardmember Villanueva-Saucedo motioned to adopt the Bylaws for the Planning and Zoning Board with the addition of Section #215, Executive Session with the City Attorney to finalize the language. The motion was seconded by Boardmember Allen.

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

4. Planning Director's Updates.

   a. May 4, 2020 City Council's land use cases and decisions.

   Dr. Appiah informed the board the following three cases were considered by the City Council on May 4 and approved them. The first case was the dental office at Baseline and Superstition Springs Blvd. The other cases were PAD’s for two RS-35 subdivisions in the citrus sub area, KV Estates and DeRoche Estates. The PAD was approved to allow private streets within a subdivision.

5. Conduct a public hearing on the following General Plan Amendment:

   a. **ZON20-00129 District 6.** Within the 10600 to 11000 blocks of East Williams Field Road (south side); within the 6000 to 6200 blocks of South Signal Butte Road (west side); and within the 6000 to 6300 blocks of South Signal Butte Road (east side). Located south of Williams Field Road on the east and west sides of Signal Butte Road. (89 acres). Minor General Plan Amendment to change the Character Type from Neighborhoods to Mixed Use Activity District. This request will allow for a mixed-use development. Sean Lake, Pew & Lake, PLC, applicant; Signal Butte 24, LLC, owner.

   Planner: Cassidy
   Staff Recommendation: Continuance to May 27, 2020

Boardmember Villanueva-Saucedo motioned to continue case ZON20-00129 to the May 27, 2020 meeting. The motion was seconded by Boardmember Allen.

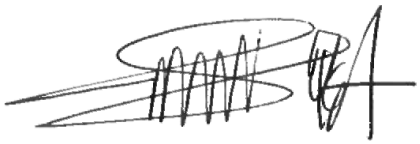
Vote: 6-0 (Boardmember Crockett, absent)
Upon tabulation of vote, it showed:
AYES – Dahlke, Astle, Sarkissian, Boyle, Allen and Villanueva-Saucedo
NAYS – None

6. Adjournment.

Boardmember Boyle motioned to adjourn the meeting at 3:58 pm. The motion was seconded by Boardmember Allen.

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

Respectfully submitted,



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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.***