



Planning and Zoning Board

Study Session Minutes

Mesa City Council Chambers – Lower Level, 57 East 1st Street
Date: October 13, 2021 Time: 3:00 p.m.

MEMBERS PRESENT:

Chair Jessica Sarkissian
Vice Chair Deanna Villanueva-Saucedo
*Tim Boyle
Jeffrey Crockett
Ben Ayers
Troy Peterson

MEMBERS ABSENT:

Shelly Allen

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

STAFF PRESENT:

Rachel Prelog
Michelle Dahlke
Lesley Davis
Cassidy Welch
Charlotte Bridges
Kellie Rorex
Jennifer Gniffke
Charlotte McDermott
Sarah Staudinger
Rebecca Gorton

OTHERS PRESENT:

None

1. Call meeting to order.

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

2. Review items on the agenda for the October 13, 2021, regular Planning and Zoning Board Hearing.

Staff member Charlotte Bridges presented case ZON21-00132 to the Board. This project is located at the northeast corner of Broadway and Extension Roads and is currently undeveloped. The General Plan Designation for this property is Employment District. The Employment Character Area primarily is for employment land uses, but it does allow supporting secondary uses such as commercial and retail on the arterial corridors. This property is also located in the West Main Street Area Plan, which is specifically within the Industrial Corridor of the West Main Street Area Plan. The purpose of the Industrial Corridor is to maintain and encourage the employment uses in that area, encourage development of business parks, and preserve train service or the rail freight in the area. It does discourage additional new neighborhood and community-oriented freestanding retail.

The property is zoned Light Industrial (LI) and this is a request for Site Plan Review and a Special Use Permit to allow the development of a convenience market with an associated fuel station with seven pumps. The site plan shows the convenience store located on the north side of the property. The fuel canopy is centrally located on the site with drive aisles around it. Head-in parking space are located on the south side of the convenience market.

Two accesses are provided, one from Extension Road and the other from Broadway Road. The site plan also shows 27 parking spaces. The applicant has requested an Administrative Use Permit to exceed 125% of the minimum required number of parking spaces on the site. Under the Ordinance, 18 spaces are required, and the applicant is requesting 127 parking spaces. The applicant provided a parking study. The justification for the increased number of parking is based the limited number of similar facilities within the immediate vicinity of the project and because of an expanded line of grocery items, as well as some fast-food options.

The applicant completed a Citizen Participation Plan and notified property owners within 1,000 feet of the site, registered homeowners associations and neighborhood groups within the recommended distances of the site. In the Citizen Participation Report, there is a note regarding an email Planning staff and the applicant received from a concerned neighbor stating he did not receive the "exhibits" referred to in the Planning and Zoning public hearing notification letter. The applicant responded immediately and re-mailed the notification letter with the accompanying exhibits to all property owners within 1,000 feet of the site, the registered homeowners associations and neighborhood groups. The second mailing was sent the day of the notification deadline. Other than that, I received one other call from a property owner in the area who was in support of the project.

The Design Review Board reviewed this project last night and recommended a couple of changes. The Board wanted to ensure that the Nichiha Board used on the project looks like the stucco and is not shiny. The applicant responded that it is not a shiny product and is a matte finish. The Board also recommended that the brick pattern, which is also a Nichiha Board, be changed to a brick veneer or CMU veneer, similar to the material used on the columns of their gas canopy. Staff will work with the applicant to revise elevations per the recommendations of the Design Review Board.

In summary, staff finds that this project meets the requirements of the Mesa 2040 General Plan. It meets the review criteria for Site Plan Review in Section 11-69-5 of the Mesa Zoning Ordinance and the Additional Development Standards Section 11-31-25. It also meets the Special Use Permit requirements in Chapter 11-70-5 of the MZO. Staff is recommending approval.

Vice Chair Villanueva-Saucedo stated, I know this is an allowed use in this area, but I recall some of the meetings from the West Main Street Area Plan and there was a real emphasis on keeping industrial. If they are going to have a larger grocery store section, how does staff reconcile that. It does not seem to quite fit, even though it fits with the General Plan. Explain how you evaluated that, and the rationale compared to the West Main Street Area Plan. Ms. Bridges responded, Chair and Boardmember Villanueva-Saucedo, Planning staff reviewed the request as a supporting use. It is supporting the industrial businesses in the area, the workers at those business and industrial uses in the area. And you will also notice that about 600 feet to the south of this project, it the area transitions from an Employment Area to Residential. So, the other justification is the proposed use will be supporting the neighborhood residents as

well.

Principal Planner Rachel Prelog asked Charlotte to touch on a bit on the other Circle K on that intersection. Ms. Bridges explained the applicant has indicated that their existing facility at the southeast corner of Extension and Broadway will be closed once this facility is up and running. Boardmember Crockett asked do we know you have any information on what that what will happen with that closed facility. Ms. Bridges responded not at this time.

Staffmember Kellie Rorex presented case ZON21-00589 to the Board. The subject site is located north of Ray Road on the east side of Ellsworth Road, and it is within the Eastmark Planned Community. The General Plan Character Area designation is Mixed Use Community, and the focus of that character area is to create a live, work, play community, which includes a variety of land uses including low- to high-density residential, commercial, and employment uses. The zoning district is Planned Community and the site, within Eastmark, is within Development Unit 3/4 North and the applicant has determined that the land use group is Urban Core.

The applicant is requesting Site Plan Review for the purpose of allowing a multiple residence development. Currently the site is vacant. The proposed site plan shows 15 buildings including 208 residential units and multiple open space amenities for residents including a clubhouse, a tot lot, and a cornhole area.

The applicant completed the citizen participation process and mailed letters to property owners within 500 feet of the site, HOAs and registered neighborhoods within half a mile. Neither staff nor the applicant have received any neighborhood feedback at this point. The elevations will be approved by the Eastmark Design Review Committee.

Overall, the request complies with the 2040 Mesa General Plan. It complies with the Eastmark Community Plan, the Development Unit Plan for DU 3/4 N and meets the review criteria for Site Plan Review, which is outlined in Section 6.1 of the Eastmark Community Plan. Staff recommends approval with conditions.

There were no questions or discussion by the Board.

Senior Planner Lesley Davis presented case ZON21-00653 to the Board. This is a property located south of the Williams Field Road alignment and west of the Crismon Road Alignment. It is at the southwest edge of the Cadence Development. The roadways are not developed yet, so you cannot really get out there to see it.

The General Plan is Mixed Use Community and that establishes large land areas or a mixture of uses. This is within the Cadence Community Plan for Development Unit 3. The Community Plan was established years ago, which had the different areas 1, 2 and 3. The plan had DU which has become Avalon Crossing. The Development Unit 3 is what is before you tonight as they are required to come through and get this approved before they can submit any site plans, per the Community Plan, for single residences, multiple residences, commercial or mixed use development. The Community Plan established land use groups for the different development units. The Development Unit Plan establishes design guidelines for residential and non-residential, open space guidelines, landscape guidelines, and it is consistent with the Cadence Community Plan.

The applicant did complete a Citizen Participation process. The Community Plan does establish a process which is a bit different than what we have for other properties within Mesa. Their notification area is 750 feet. They did complete that and there were no comments received by staff or the applicant. Staff found the request complies with the criteria in Chapter 11 of the Mesa Zoning Ordinance for the DUP and the Cadence Community Plan. Staff is recommending approval with conditions.

Boardmember Crockett inquired when the Board is approving the Development Units, there is flexibility for the developer to establish the uses. As I read the DUP, it looks like it could be all residential or all commercial on the site. Do we know anything about the mix that we anticipate there or is that totally up to the discretion of the developer? Ms. Davis responded, there is some flexibility there for the developer and most of their commercial is located up at Ellsworth and south of Ray Road. This area has always had a commercial component to it. I know they have been taking a look at it and access to the freeway and such so they have been reconsidering what they can do here. I do not know what they are going to come in with as a site plan in the future, but it does give them the flexibility to be able to have the multi-family in that location.

Staff member Charlotte Bridges presented case ZON21-00689 to the Board. This project is located at the northwest corner of Elliott Road and 94th Place. The General Plan designation for this property is the Employment Character Area. Once again, that is primarily for employment land use types, but it does support secondary uses such as commercial and retail. It is also located in the Mesa Gateway Strategic Development Plan, specifically the Elliott Road Technology Corridor. The recommendation for that corridor is employment center that maximizes the value of the Phoenix Mesa Gateway Airport. It looks for intense and high-quality employment uses; it has a pedestrian-oriented component to make sure pedestrian connections are maintained through the sites. It establishes the Elliott Road Technology Corridor Design Guidelines to ensure unique attractive public spaces, buildings and site design.

When the initial property was zoned LI-PAD the perimeter landscaping along Elliott Road was installed. The zoning on the property is Light Industrial (LI), and it does have a Planned Area Development Overlay (PAD). This is a request for Site Plan Review for two large industrial buildings. The dock areas are facing each other and are screened by eight-foot screen walls as well as opaque gates.

The applicant completed a Citizen Participation Plan, notifying property owners within 1,000 feet, HOAs within a half mile, and registered neighborhoods within a mile. There was no attendance at the virtual neighborhood meeting which was conducted through Zoom. Staff was contacted by the property owner to the west inquiring if the dock areas were screened.

The project was reviewed by the Design Review Board at last night meeting. The Design Review Board made one minor recommendation to the elevations. The Board asked that the lighter gray center panels have a return or that the parapet of that center panel be thickened. Staff will work with the applicant to revise the elevations per the recommendation of the Design Review Board.

In summary, staff finds that this complies with the original zoning Z07-114 and the Mesa 2040 General Plan. It also meets the review criteria for Site Plan Review in Section 11-69-5 of the Mesa Zoning Ordinance. Staff is recommending approval with conditions.

There were no questions or further discussion by the Board.

Staff member Cassidy Welch presented case ZON20-00840 to the Board. This case was presented at the last Planning and Zoning hearing on September 22 and the site is located west of Stapley Drive and the south side of McKellips Road between two canals. The General Plan designation for the property is Neighborhood Suburban. Here you can see some existing photos of the site looking south towards the site and I have included some additional photos that were also included with a follow-up memo that was provided to the Board regarding questions from the previous meeting.

In regards to the sight distance analysis that was provided by the applicant, specifically the electrical equipment and shrub that are located within the sight visibility triangle. Here is a photo looking from the approximate location of the proposed drive and if you notice that shrub that looks like a creosote plant that was out there did obstruct visibility looking west towards Horne. That shrub is in the right-of-way and was not placed as a part of right-of-way landscaping and appears that it just grew up without planting. It could be easily removed by the applicant and once that plant is removed, there will be clear visibility all the way to Horne looking westbound. The electrical equipment is below the height of two and a half feet per the Engineering and Design Standards for the City of Mesa, meaning that it wouldn't obstruct visibility when you're looking from a vehicle.

The request is a rezone from RS-9 and RM-4 to RM-2-PAD and Site Plan Review to allow for multiple residence. As a part of the PAD Overlay it does include deviations which include a reduction in the minimum building separation, increase in the maximum garage doors adjacent to each other and an encroachment for three parking spaces into the east landscape setback. The proposed site plan includes 30 units and four buildings that range from 2 – 3 stories.

The case was heard by the Design Review Board on September 14, and there were only some minor changes recommended. The applicant is working with staff to address those comments.

The applicant did conduct a citizen participation process which included the required notification letters, as well as two virtual meetings. The concerns brought by the neighbors were traffic and visibility.

In summary, we find that the proposed development complies to the 2040 Mesa General Plan, meets the criteria for a PAD Overlay outlined in Chapter 22 as well as the criteria for Site Plan Review outlined in Chapter 69. Staff is recommending approval with conditions. We also have a representative from Transportation here in case you have any other specific questions.

Boardmember Crockett stated, I want to also express to staff my appreciation for going out and taking a look at that and to the Transportation Department. That memo was really helpful and again, appreciate the follow up on that.

Staff member Cassidy Welch presented case ZON21-00540 to the Board. This site is located on the north side of Elliott Road and the west side of Signal Butte Road. The General Plan designation for this property is Employment. The intention behind that Employment Character Area Designation is to provide for a wide range of high-quality employment with some supportive commercial.

The request before you today is a Rezone from Agricultural (AG) to Light Industrial (LI) with a PAD Overlay and Site Plan Review and Special Use Permit to allow for an industrial and commercial development. The property is currently vacant. The proposed zoning on the site is for Light Industrial and intention behind the LI Zoning district is to provide areas that serve the surrounding residential trade area. Both industrial uses and commercial uses are permitted in the LI Zoning District. As a part of this proposed request, it does include a development agreement (DA) and we have Veronica Gonzalez here to discuss the DA.

This request also does include a PAD Overlay. The deviations for that PAD Overlay includes an increase in the maximum building height to 45 feet to accommodate planned industrial operations and a modification to the required parking ratio. That parking ratio is consistent with warehousing and the primary use that is anticipated for the development and is consistent with other industrial parks that are being developed within the city. There is also a reduction in the required perimeter landscape yard on the west side due to a shared driveway on that west property line.

The proposed site plan includes three large-scale industrial buildings totaling over 254,000 square feet, as well as four commercial pads and a service station. The site will be accessed through three entrances on Elliott Road and two on Signal Butte Road.

The case did go to Design Review at the September 14 session and the Board just had some minor comments. Staff will be working with the applicant to address those comments.

The applicant did conduct a citizen participation process which included the required notification letters. They also conducted a neighborhood meeting in which no surrounding property owners attended. Neither the staff nor the applicants have received any response regarding this proposed development.

In summary, we find that the proposed development complies with the 2040 Mesa General Plan, the Gateway Strategic Development Plan, and the criteria for a PAD Overlay and Site Plan Review outlined in Chapter 22 and 69 of the Mesa Zoning Ordinance. Staff is recommending approval with conditions.

Veronica Gonzalez, Project Manager, explained staff has been working with the applicant on a development agreement for this property. The main purpose of the DA is to prohibit, and limit uses on the property. The site is located within the Elliott Road Technology Corridor. However, the applicant has opted not to opt-in to the Tech Corridor. As you are aware properties that do opt-in will typically need to execute a DA with the City that includes a list of prohibited uses. The reason for the Elliott Road Technology Corridor is it was a mechanism the City had established to incentivize technology driven manufacturing, high-wage, high-quality jobs. Even though the development is not opting-in to the Tech Corridor, we still want to maintain the intent of the Tech Corridor. Staff and the applicant are currently working on that DA. We are still negotiating that DA and have not finalized it. So, I bring this to your attention because we are recommending approval with conditions on this case but want to let you know that if the Board would like the case to be continued to allow us to finalize those prohibited uses we want to make you aware of that.

Chair Sarkissian confirmed those the development agreement does go forward to the City Council for approval. Ms. Gonzalez stated yes, it does go before the City Council. It is heard

on the same agenda by Council with the Zoning Case and this Board does not hear the DA.

Ms. Sarkissian confirmed this Board does not have any purview in these uses. So, continuing it for that DA does not change anything in our purview.

Boardmember Crockett asked to consider this to come off consent so we can have a little bit more discussion on the DA in the public hearing.

Staff member Jennifer Gniffke presented case ZON21-00620 to the Board. The request is to Rezone from AG to GI-PAD and Site Plan Review for the purpose of constructing four industrial buildings. The site is located on the east side of Sossaman Road on the north side of Pecos Road. The General Plan land use designation is Employment, which is for large scale employment uses typically over 20 acres in size. The uses include manufacturing and warehousing.

The existing zoning for the property is Agricultural and the request is to rezone to General Industrial with a Planned Area Development Overlay. The site plan shows four very large buildings as part of this development. The two northern buildings, buildings A and B have the same footprint and elevations. The two southern buildings, building C and D are similar to each other with the same footprint and same elevations. The truck docks have a cross-dock design on the long sides of all four of those buildings. The truck traffic is almost completely separate from the regular traffic on the site and have different driveways for the different users of the site.

This case was considered and discussed at yesterday evening's Design Review Board meeting, and they did have a few comments. Staff is working with the applicant to address those comments.

The PAD request is to allow for modifications to our standard code. The first one is that the GI zoning district allows buildings up to a height of 50 feet. This request is for 60-foot-tall buildings. Based on the shell industrial building calculation for parking 75% of the gross floor area of the buildings needs to be parked at one space per 500 square feet and 25% needs to be parked at one space per 375. The request is for one space per 1,350 square feet overall. There's also a requested reduction to the required bicycle parking for the site. There's also a requested reduction to the foundation base width and the request is to reduce that width from 15 feet for walls that have public entrances to 12 feet and the reason for that is to accommodate the fire truck proximity to the face of the building.

The applicant did complete a citizen participation process and notified all property owners within 1,000 feet. There are no HOAs or registered neighborhoods in the vicinity. No concerns were communicated to staff from the neighboring property owners. However, we did receive two letters from surrounding business owners; one is from CMC Steel and the other is from Union Pacific Railroad. Those letters were forwarded to you or provided to you today. This site overlaps the anticipated path of the PIRATE Rail Line and we have representatives here from Economic Development, as well as from CMC Steel and Union Pacific to speak.

In summary, the request complies with the Mesa 2040 General Plan. It meets the review criteria for a Planned Area Development Overlay outlined in Section 11-22 of the MZO and it meets the review criteria for Site Plan Review outlined in Section 11-69-5. Staff recommendation is approval with conditions and I'm happy to answer any questions.

Chair Sarkissian stated we have received comment cards for this case so we will pull this item off of consent.

Boardmember Crockett stated, I do have a couple of questions on the staff report. On page 6 of the staff report, the last sentence on the first paragraph of text on that page says compatibility and surrounding land uses. It says the site is also included in the future Rail Spur PIRATE Alignment, and development of the rail line may require modification to the configuration of the site. What is the effect of that language in the staff report, does that language have any legal effect, or is it just language to note that there is this rail spur that the parties are trying to locate in that area? And the second question relates to that down in the third paragraph on that page. It says in the last sentence of that paragraph, the applicant has been made aware of the future rail alignment. And again, my question is, does that create any kind of obligation there and I am just wondering what the legal effect of that language is in this item that we're being asked to approve today.

City Attorney Charlotte McDermott responded, Chair, Boardmember Crockett, that language in the staff report does not have any legal effect that is just providing notice that there is a future rail line that might go through that property, but there is no legal effect to that language that is in the staff report. Mr. Crockett confirmed if this gets approved the applicant does not have any obligation to modify their site plan in any way to accommodate that rail spur. Ms. McDermott responded, the conditions of approval say that they have to comply with the site plan. If the rail line goes through the property and that affects that site plan that has been approved, then staff would have to determine if it is a major or minor modification. If it's a major modification it would have to go back through the Rezoning process to modify that site plan.

Boardmember Peterson asked Ms. Gniffke to discuss if staff was aware of this potential rail alignment in your review and your processing. And, as you gathered information from other departments, maybe talk through how staff came to the conclusion for recommendation of approval knowing that information.

Ms. Gniffke stated yes, staff did do a complete review of the site planned and of the zoning request. Based on the zoning ordinance as part of that review, the application is routed to other various departments and reviewers, not just in development services and beyond. Economic Development did provide comments and their staff are here today to answer additional questions if needed. They provided that comment that is in the Economic Development comment section, so we did include that comment in the report.

Principal Planner Rachel Prelog stated, staff is aware of the proposed rail line, but as at this moment, it is not actual right-of-way. So, the applicant is not obligated in any sort of way to provide for that rail line in their site plan. But we do want to make you aware that it is something that is being considered and worked on and could impact this project. Mr. Peterson responded that was my question, is having this information and then reviewing from a land use code compliance perspective, the planning staff recommends approval.

Boardmember Crockett asked to follow up on that point, providing that information to the Board, is it in connection with our consideration of this matter and vote on this matter. The Board could take that into account and in making a determination on this application, because you believed it was relevant information for the Board. Ms. Prelog stated it is. City Attorney

Sarah Staudinger added that this is a Rezone request, so you do have a broad discretion of whether or not you wish to approve a rezone or not, since it's a legislative act. Chair Sarkissian added this is a PAD, so it is tied to the site plan which includes the use. It would include the PAD as mentioned if the rail line does go in.

Boardmember Peterson inquired, with railroad right-of-way, how do those differ from public street right-of-way, as far as the City and or other agencies, right of condemnation or right to acquire? Ms. Prelog stated, I am not sure if I can quite answer that specifically, maybe when we are in the public hearing. I know that some people want to speak on this matter. But I do believe it's kind of a similar process of either acquiring the land with cooperation with the landowner, or there could be some, not condemnation, but eminent domain for that. Ms. Sarkissian confirmed because this is railroad, the City is not responsible for the right-of-way is that correct. Ms. McDermott stated, I can't speak to if their rail line decides to purchase this property, eminent domain or condemned the property, I can't speak to what that property, how they will treat that property, but it would not be a City right-of-way to the best of my knowledge.

5. Planning Director's Update:

Decision of the City Council's October 4, 2021 land use hearings.

Principal Planner Rachel Prelog stated I do not have any updates for you today. Nana will be back this afternoon but will have an update for you at the next hearing.

4. Adjournment.

Boardmember Crockett motioned to adjourn the meeting at 3:47 p.m. The motion was seconded by Vice Chair Villanueva-Saucedo.


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

Upon tabulation of vote, it showed:

AYES – Sarkissian, Villanueva-Saucedo, Boyle, Crockett, Ayers and Peterson

NAYS – None

Respectfully submitted,



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.