

- \*3-c ZON24-00708 "Park North Multi-Family,"** 5± acres located approximately 275 feet east of the northeast corner of South Power Road and East Guadalupe Road. Rezone from Limited Commercial with Planned Area Development Overlay (LC-PAD) to Limited Commercial with a new Planned Area Development Overlay (LC-PAD), Council Use Permit, and Site Plan Review for a 120-unit multiple residence development. P & G Land Development LLC, Owner; Chris Webb, Rose Law Group, Applicant. **(District 6)**

**Planner: Charlotte Bridges**

**Staff Recommendation: Approval with conditions**

**Summary:**

**Staff Planner Charlotte Bridges presented case ZON24-00756. See attached presentation.**

**Applicant Jon Gillespie presented case ZON24-00756. See attached presentation.**

The following citizens offered a series of comments in opposition to ZON24-00708.

- Bonnie Hickman, a Mesa resident
- Andrew Clayden, a Mesa resident
- April Leshner, a Mesa resident
- Erin Clayden, a Mesa resident
- Stacy Shepard, a Mesa resident
- Cheryl Kirby, a Mesa resident
- Angel LaVine, a Mesa resident

The following citizens submitted comment cards in opposition to ZON24-00708.

- Alishia Kukkola, a Mesa resident
- Jeff LaVine, a Mesa resident
- Jessica Radcliffe, a Mesa resident
- Tim Leshner, a Mesa resident
- Delbert Brummett, a Mesa resident
- Tina Hostetter, a Mesa resident
- Kayla Bluth, a Mesa resident
- Sarah VanCleave, a Mesa resident
- Matt VanCleave, a Mesa resident
- Kevin Thompson, a Mesa resident
- Roby Eishcen, a Mesa resident
- Michelle Randall, a Mesa resident
- Donna Thompson, a Mesa resident
- Elizabeth Pratt, a Mesa resident
- Debra Brown, a Mesa resident

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Mr. Gillespie thanked the neighbors who took the time to engage with this application and explained the traffic analysis shows that the peak traffic times for this project do not overlap with school drop-off and pickup times, minimizing any impact. We've invested in high design standards, including a wall and view fence between our project and the park, and the requested technical deviations will not negatively affect surrounding properties.

Boardmember Blakeman expressed the opinion that the roadways in the area have the capacity to accommodate the proposed project, and that residential development will generate fewer trips than retail. She requested to hear more about the safety, traffic, and school operations in the area and whether the City can provide additional insights on these issues.

Applicant Paul Basha addressed Boardmember Blakeman's question about safety by reviewing Arizona Department of Transportation collision data for the area. He noted that the Power and Guadalupe intersection had 26 collisions in 2023, which is in the middle range of collisions compared to other nearby intersections. He acknowledged that while collisions are unfortunate, they are a part of life, and collisions at this intersection are not unusual for the area.

City Traffic Engineer Ryan Hudson explained that the City of Mesa is working on a comprehensive Safety Action Plan aimed at reducing serious injuries and fatal crashes, which includes detailed crash analysis and ongoing safety improvements at intersections like Power and Guadalupe. He clarified that Highland Junior High, in particular, generates a large volume of traffic during these times. The school's primary driveway, located to the east of the proposed development, serves as the entrance for parent pick-up. This driveway circulates traffic through the school site and exits through a traffic signal, which allows safe student crossings. Therefore, from a traffic safety perspective, there are no concerns regarding the proposed development's impact on school operations.

Ms. Kopaskie-Brown addressed the Board's question about the notices by clarifying that the applicant is responsible for mailing the community participation notices, while the city handles the legal notices for public hearings. She also noted that the applicant held two citizen participation meetings, although the citizen participation plan only requires one. Furthermore, she stated that staff was not previously made aware of the timing issue with the notice and that this is the first time they are hearing about it.

Board discussion ensued.

It was moved by Boardmember Carpenter, seconded by Boardmember Blakeman, that ZON24-00708 be approved.

### **The Board recommends to approve case ZON24-00708 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 requirements of Design Review Case No. DRB24-00707.
4. Execute and comply with the Development Agreement (DA24-00052), and all future amendments to it.

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5. Compliance with all City development codes and regulations.
6. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to Phoenix-Mesa Gateway Airport, 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. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
  - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
  - d. Provide written notice to future property owners that the project is within three miles of Phoenix-Mesa Gateway Airport
  - e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which must state in part: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."
7. All off-site improvements and street frontage landscaping must be installed in the first phase of construction.
8. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD overlay as shown in the following table:

Development Standards	Approved
<u>Maximum Building Height</u> – MZO Table 11-6-3.A	38 feet
<u>Minimum Setback along Property Lines to Building and Parking Areas</u> – MZO Table 11-6-3.A	
-Front and Street-Facing Side: 6-lane arterial street (Guadalupe Road)	0 feet
-Interior Side and Rear Adjacent to RS District: 3-story building (North property line)	5 feet
(East property line)	15 feet
-Interior Side and Rear Adjacent to Non-residential District: (West property line)	15 feet total

<u>Minimum Separation between Buildings on Same Lot</u> – MZO Table 11-6-3.A -Building height between 20 and 40 feet	25 feet
<u>Fences and Freestanding Walls Maximum Height</u> – MZO Section 11-30-4(B)(1)(a) - Front Yards and Required Side Yards (Guadalupe Road)	6 feet
<u>Fence Materials in Commercial and Employment Districts</u> – MZO Section 11-30-4(B)(2)(i) -Fence Materials in Commercial and Employment Districts	Existing chain link fence may remain along the south property line
<u>Screening – Parking Areas</u> – MZO Section 11-30-9(H)	Parking areas and drive aisles will not be screened
<u>Required Landscape Yards</u> – MZO Section 11-33-3(B)(1)(a)(ii) -Landscaping for Non-Single Residence Uses adjacent to Single Residence Uses or Districts: Sites five acres or more adjacent to an RS or RSL district (North property line)  (East property line)	5 feet   15 feet
<u>Perimeter Landscape Required Plant Material</u> – MZO Table 11-33-3.A.4 and Section 11-33-3(B)(1)(c)(ii): - Arterial Streets (Guadalupe Road)  (North property line)	0 trees, 0 shrubs   0 trees and 194 shrubs
<u>Foundation Base, Exterior Walls with Public Entrances</u> – MZO Section 11-33-59(A)(1)(a)(i) - Buildings larger than 10,000 square feet with parking spaces that abut the foundation base	A plaza area shall not be required adjacent to the east elevation of the Building 3 or the west elevation of Building 4

**Vote (4-0; Vice Chair Pitcher, Boardmember Montes and Boardmember Farnsworth, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Pitcher, Peterson, Montes, Blakeman, Carpenter, Farnsworth

NAYS – None

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**Note:** Audio recordings of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at [www.mesaaz.gov](http://www.mesaaz.gov)