

# Planning and Zoning Board

## *Meeting Minutes*

Held in the City of Mesa Council Chambers – Upper Level

Date: February 12, 2020 Time: 4:00 p.m.

**MEMBERS PRESENT:**

Chair Michelle Dahlke  
Vice Chair Dane Astle  
Jessica Sarkissian  
Shelly Allen  
Jeffrey Crockett  
Deanna Villanueva-Saucedo

**MEMBERS ABSENT:**

Tim Boyle

**STAFF PRESENT:**

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

**OTHERS PRESENT:**

Dallin Gherkins	Tim & Cheryl Carlin
Ernesto Henriquez	Bill Nichols
Lloyd Thompson	George Bock
Kim Fleming	Tracey Conklin
Tom Gibson	Geri Nichols
Hailee Frost	Pat Miktus
Chris Tucker	Ron Lucas
Garrett Hyde	Richard Turley
Max Lankey	Matt Fleming
Dirk Burr	Wyatt Frost
Brent Tibbetts	Raven Wright
Citizens who did not sign in	

Call Meeting to Order.

Chair Dahlke declared a quorum present and the meeting was called to order at 4:00 pm.

1. Take action on all consent agenda items.

**Items on the Consent Agenda**

2. **Approval of minutes:** Consider the minutes from the January 22, 2020 study session and regular hearing.
- \*2-a Vice Chair Astle motioned to approve the minutes from the January 8, 2020 study session and regular hearing. The motion was seconded by Boardmember Villanueva-Saucedo.

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

Upon tabulation of vote, it showed:

AYES – Dahlke, Astle, Sarkissian, Allen, Crockett and Villanueva-Saucedo

NAYS – None

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Zoning Case: ZON19-00844

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## MINUTES OF THE FEBRUARY 12, 2020 PLANNING & ZONING MEETING

- \*3-c ZON19-00844 District 2.** Within the 100 block of South 63<sup>rd</sup> Street (east side) and within the 100 block of South 64<sup>th</sup> Street (west side). Located south of Main Street and east of Recker Road. (4.5± acres). Site Plan Review. This request will allow for the development of a medical office and clinic. Marwan Tamimi, Architect, applicant; LMAD Development, LLC, owner. **Continued from January 22, 2020**

**Planner: Charlotte Bridges**

**Staff Recommendation: Approval with conditions**

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

Vice Chair Astle motioned to approve case ZON19-00844 with conditions of approval. The motion was seconded by Boardmember Villanueva-Saucedo.

**That: The Board recommends the approval of case ZON19-00844 conditioned upon:**

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

Vote: 6-0 Approval with conditions (Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

AYES – Dahlke, Astle, Sarkissian, Allen, Crockett and Villanueva-Saucedo

NAYS – None

\* \* \* \* \*

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## MINUTES OF THE FEBRUARY 12, 2020 PLANNING & ZONING MEETING

- \*4-a ZON19-00651 District 5.** Within the 1300 block of North 46th Street (west side). Located north of Brown Road and east of Greenfield Road. (4.85 acres). Rezone from RS-43 to RSL-2.5-PAD. This request will allow for the development of a single-residence subdivision. Adam Baugh, Withey & Morris, PLC, applicant; Spring Sun RE, LLC, owner. **(Companion case to preliminary plat "Parkside Villas", associated with items \*5-a).**

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

**Summary:** Staffmember Cassidy Welch presented case ZON19-00651 and preliminary plat "Parkside Villas" to the Board. Ms. Welch explained this request is to rezone the property to allow for development of a single residence subdivision. She informed the Board that the applicant conducted a citizen participation process which included three separate neighborhood meetings with a good attendance. Also, staff has received three letters of objection with two phone calls and five letters of support and one phone call. Some of the citizen concerns expressed included increased traffic, potential mandatory requirement for the surrounding residences to connect to sewer, capacity for schools and current drainage issues.

Adam Baugh, Withey & Morris, 2525 E. Biltmore, presented the project to the Board. Mr. Baugh stated the surrounding development was built in the County in the 1970's to the standards that existed then and not Mesa's standards which provide challenges today for infill development on the subject property. He explained the original proposal included more homes that backup to the existing park located west of the site, but those initial proposed homes have been removed from the plan. In addition, the new proposal includes a secondary access to the park enhances accessibility and also engages more with the community.

Mr. Baugh stated there were three neighborhood outreach meetings to discuss the project. The first meeting was conducted prior to the formal submittal of the project to the City. Organizing this meeting allowed the applicant to address concerns of the neighbors before the final project was submitted to the City. Mr. Baugh informed the Board that several of the concerns that came out of the neighborhood meetings included the quality of the elevations which were presented to the residents and found to be high in quality. Another concern was the potential increase of traffic that may result from the development. The applicant informed the Board that the developer conducted a traffic study and found the streets are designed for additional traffic and the addition of these homes are within the allowed level of service on the road. Mr. Baugh also informed the Board that there were concerns that the homeowners would be required to connect to the centralized sewer. Mr. Baugh explained to the Board that unless a resident is replacing their septic system, they are not required to connect to the centralized sewer.

Mr. Baugh also discussed other concerns that had been expressed on potential effect of the development are lowering property values, additional impact of the development on local schools and drainage. Mr. Baugh stated

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the home values of the proposed development will range from \$290,000.00 to \$390,000.00 which will not affect the existing home values. And the schools to serve the development is currently at 68% occupancy and there is room for additional students. He also informed the Board that the new development will help improve drainage issues as there will be requirements for onsite retention as part of the development of the property.

The following citizens are in favor of the item and did not wish to speak:

Dallin Gherkins, 8637 E. Fairbrook Street  
J. Ernesto Henriquez, 4629 E. Princess Drive  
Lloyd Thompson "Skip", 4610 E. Princess Drive  
Kim Fleming, 1530 N. Balboa  
Tom Gibson, 4561 E. Encanto  
Hailee Frost, 4707 E. Gary Street  
Chris Tucker, 4652 E. Hannibal Street

The following citizens are opposed to the item and did not wish to speak:

Tim and Cheryl Carlin, 4519 E. Halifax  
Bill Nichols, 4608 E. Greenway  
Raven Wright, 1236 N. 46<sup>th</sup> Street  
George Bock, 4609 E. Princess Drive

Tracey Conklin, 4648 E. Glencove Street, spoke in opposition. Ms. Conklin stated she was not notified of the first meeting and she reached out to staff to voice her concerns about not being notified and her opposition to the request. She also never received any response back from the applicant after she made efforts to contact them. She informed the Board that currently there is street racing in the area and with the influx of new residents, traffic will increase and add more safety concerns. She suggested the removal of the homes on the back of the proposed subdivision plan, which, according to her, will provide views for the new homes and also increase the lot sizes to match the existing home lots.

Geri Nichols, 4608 E. Greenway, spoke in opposition. Ms. Nichols feels the surrounding lots and density does not match the existing neighborhood and feels a gated community is inappropriate for the area with the close proximity to a public park. She informed the Board she is concerned with existing speeders on 46<sup>th</sup> Street and there have been incidents where some residents were almost killed. Ms. Nichols inquired if the citizens that are in favor of the development live in the neighborhood.

Pat Miktus, 4755 E. Halifax, spoke in opposition. Ms. Miktus feels the density is over the top and stated there are too many new subdivision developments in the area. She stated the new homes will lead to increase in taxes for police, fire and emergency services in every respect. She stated she did not receive any notification regarding the development.

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Ron Lucas, 4755 E. Halifax, spoke in opposition. Mr. Lucas feels the density is off the charts and takes offense to the comment from the applicant which describes their neighborhood as leftovers from the county. He guarantees if the developer builds larger lots, they will make the same amount of money and feels this is only about greed. Mr. Lucas stated the infrastructure is being stretched to the max and no one will listen until something drastic happens, such as a fatal accident.

Garrett Hyde, 1236 N. 46<sup>th</sup> Street, spoke in opposition. Mr. Hyde stated he has over 1¼ acres and intends to have livestock and because of this, he is requesting the denial of the rezoning. He is opposed also because of the density and feels the zoning should be R-43. Mr. Hyde stated he has a wall on the north side of his property and the developer should not be allowed to attach to his existing wall. He is requesting the developer build a wall on the south side of the proposed development to protect his property. He thought there were more than 12 people at the first community meeting and the reason there were so many residents at the second meeting was because he went door to door and put fliers on the neighborhood homes to inform them to show up to the meeting.

Richard Turley, 4651 E. Halifax, spoke in favor of the project. Mr. Turley informed the Board that he was raised in the area and did receive a flier about the meetings. He feels it would be a disservice to the area if a multi-residential development was built there. He is looking forward to the increase of new residents in the area with the proposed development.

Max Ganley, 3712 E. Halifax, spoke in favor of the project. Mr. Ganley stated he was raised in the area and still lives there. He stated he likes to see new development as it encourages young people to live in the area. Mr. Ganley stated he was able to drive through the other developments that this builder has built and feels they look amazing and will be a good addition to the area.

Matt Fleming, 1520 N. Balboa, spoke in favor of the project. Mr. Fleming stated he has a young family and likes to go to the local park and as a result he wants to see new homes built in the area that will also bring young families with children to the area.

Dirk Burr, 4660 E. Hobart, spoke in favor of the project. He informed the Board that he had the opportunity to drive through the other developments and found it to be a beautiful project and feels it will be good for the area. He would be opposed to a multi-family development and supports this single residence project.

Wyatt Frost, 4707 E. Gary Street, spoke in favor of the project. Mr. Frost feels it will be a beautiful development that could increase the property values in the surrounding development. She also stated the homes could be built closer together and feels the increase of infrastructure with the addition of streetlights and sidewalks will provide a safer environment.

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Brent Tibbetts, 4639 E. Grandview, spoke in opposition. Mr. Tibbetts is opposed to the development because it is common when a new development is built that the existing homes will be forced to tie into centralized sewer system. He feels the cost to tie into such a system is prohibitive to the residents that currently live there.

Raven Wright, 1236 N. 46<sup>th</sup> Street, spoke in opposition. Ms. Wright feels the residents in gated communities may not get out into the neighborhood and gates and walls keep people separate. She is also concerned about the amount of homes proposed to abut their property that are surrounded by residents with livestock. She stated even if the new residents move in knowingly there are livestock next to them, as the homes are resold, it could become a problem in the future.

Applicant Adam Baugh responded to the comments. He stated there seems to be a misunderstanding regarding the potential traffic generated from the development. He informed the Board that the request is for a low-medium density project. Mr. Baugh stated the traffic study showed it will not impact traffic and the schools are under capacity. He stated he appreciates comments from the resident expressing that the new development will revitalize the area and community. The project was reviewed by professional staff, police and fire that found this to be an acceptable project.

Boardmember Villanueva-Saucedo stated she appreciates this is a high-quality infill project and the proposed elevations has character and the fact that it offers a variety of housing types it's a plus. Boardmember Villanueva-Saucedo motioned to approve case ZON19-00651 and associated preliminary plat "Parkside Villas" with conditions of approval. The motion was seconded by Boardmember Sarkissian.

**That: The Board recommends the approval of case ZON19-00651 conditioned upon:**

1. Compliance with the City of Mesa Zoning Ordinance, except the development standards modified in Table 1 of the staff report.
2. Compliance with the floor plans and elevations submitted.
3. Compliance with all requirements of the Subdivision Regulations.
4. Compliance with all City development codes and regulations.
5. 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 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 the issuance of a building permit.
  - 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 homes to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Mesa Zoning Ordinance.
  - c. Provide written notice to future property owners that the project is within 3 miles of Falcon Field Airport.
  - d. Provide a 4-foot x 4-foot sign at the entrance to the sales office for this development, with notice to all prospective buyers that the project is within an

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Overflight Area for Falcon Field Airport as specified in Section 11-19-5 of the Zoning Ordinance.

- e. Provide a note on the final subdivision plat that states: "This property, due to its proximity to Falcon Field Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

Vote: 6-0 Approval with conditions (Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

AYES – Dahlke, Astle, Sarkissian, Allen, Crockett and Villanueva-Saucedo

NAYS – None

\* \* \* \* \*

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## MINUTES OF THE FEBRUARY 12, 2020 PLANNING & ZONING MEETING

- \*5-a “Parkside Villas” District 5.** Within the 1300 block of North 46th Street (west side). Located north of Brown Road and east of Greenfield Road. (4.85 acres) Preliminary Plat. Adam Baugh, Withey & Morris, PLC, applicant; Spring Sun RE, LLC, owner. **(Companion case to ZON19-00651, associated with items \*4-a).**

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

**Summary:** This case was discussed with ZON19-00651 and therefore was not discussed as a separate individual item.

Boardmember Villanueva-Saucedo motioned to approve preliminary plat “Parkside Villas” and associated case ZON19-00651 with conditions of approval. The motion was seconded by Boardmember Sarkissian.

**That: The Board recommends the approval of preliminary plat “Parkside Villas” conditioned upon:**

1. Compliance with the City of Mesa Zoning Ordinance, except the development standards modified in Table 1 of the staff report.
2. Compliance with the floor plans and elevations submitted.
3. Compliance with all requirements of the Subdivision Regulations.
4. Compliance with all City development codes and regulations.
5. 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 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 the issuance of a building permit.
  - 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 homes to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Mesa Zoning Ordinance.
  - c. Provide written notice to future property owners that the project is within 3 miles of Falcon Field Airport.
  - d. Provide a 4-foot x 4-foot sign at the entrance to the sales office for this development, with notice to all prospective buyers that the project is within an Overflight Area for Falcon Field Airport as specified in Section 11-19-5 of the Zoning Ordinance.
  - e. Provide a note on the final subdivision plat that states: “This property, due to its proximity to Falcon Field Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals.”

Vote: 6-0 Approval with conditions (Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

AYES – Dahlke, Astle, Sarkissian, Allen, Crockett and Villanueva-Saucedo

NAYS – None

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### 6. **Adjournment.**

Boardmember Villanueva-Saucedo motioned to adjourn the meeting at 4:58 pm. The motion was seconded by Boardmember Crockett.

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

Upon tabulation of vote, it showed:

AYES – Dahlke, Astle, Sarkissian, Allen, Crockett and Villanueva-Saucedo

NAYS – None

Respectfully submitted,



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Nana K. Appiah, AICP, Secretary  
Planning Director