

Planning and Zoning Board

Meeting Minutes

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

Date: October 27, 2021 Time: 4:00 p.m.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

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

STAFF PRESENT:

Nana Appiah
Lesley Davis
Cassidy Welch
Kellie Rorex
Sean Pesek
Josh Grandlienard
Charlotte McDermott
Sarah Staudinger
Rebecca Gorton

OTHERS PRESENT:

None

Call Meeting to Order.

Chair Sarkissian declared a quorum present and the meeting was called to order at 4:08 p.m.

1. Take action on all consent agenda items.

Items on the Consent Agenda

2. **Approval of minutes:** Consider the minutes from the October 13, 2021, study session and regular hearing.

- *2-a** Boardmember Crockett motioned to approve the minutes from the October 13, 2021 study session and regular hearing. The motion was seconded by Boardmember Boyle.

Vote: 7-0 Approved

Upon tabulation of vote, it showed:

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

NAYS – None

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Boardmember Crockett motioned to approve the consent agenda. The motion was seconded by Boardmember Boyle.

Zoning Cases: ZON21-00566, ZON21-00730, ZON21-00892, ZON21-00878 and ZON20-00731; Preliminary Plats: "Villas at McDowell" and "Cannon Beach"

Vote: 7-0 Approved

Upon tabulation of vote, it showed:

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

NAYS – None

* * * * *

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

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

- *3-a ZON21-00129 District 1.** Within the 2200 to 2400 blocks of East McDowell Road (south side). Located east of Gilbert Road on the south side of McDowell Road. (9.0± acres). Rezone from Single Residence 43 (RS-43) and Single Residence 43 with Historic Landmark Overlay (RS-43-HL) to Multiple Residence 5 with a Planned Area Development Overlay (RM-5-PAD) and Site Plan Review; and Special Use Permit. This request will allow for a multiple residence development with associated commercial use. Ryan Nelson, Sweetwater Companies, applicant; Gunning Mark S/Ron Bailly Trust, owner.

Planner: Cassidy Welch

Staff Recommendation: Approval with conditions

Staffmember Cassidy Welch presented case ZON21-00129 to the Board. The subject site is located within the 2200 to 2400 blocks of East McDowell Road, southeast of McDowell Road and east of Gilbert Road, south of the 202 freeway. The General Plan designation for this property is Neighborhood Suburban. The primary goal for the Neighborhood Suburban Character Areas are predominantly Single Residence. However, multiple residence may be considered appropriate at major arterials and intersections.

The request before you today is to rezone the property from RS-43 and RS-43-HL to RM-5 with a Planned Area Development Overlay; Site Plan Review and Special Use Permit. This will allow for development of a multiple residence with an accessory commercial.

The existing zoning on the site is Single Residence 43 with Historic Landmark Overlay (RS-43-HL). The also includes a Historic Landmark Overlay for the Crismon Farm Homestead which was established in 2001 to recognize the Crismon Homestead established by Charles Crismon, Sr. In 2001, there were a few remaining structures on that property, however, those structures were subsequently removed. By 2007, the site was vacant. In June of 2021, the Historic Preservation Board voted to recommend removal of that Historic Landmark Overlay due to the fact that there were no longer any structures on the property to be preserved.

The proposed zoning on the site is Multiple Residence 5 with a Planned Area Development Overlay (RM-5-PAD) that allows for a variety of housing with Multiple Residence being the primary and permitted use. Limited-Service Restaurants are also permitted in the RM-5 zoning district with approval of a Special Use Permit. In order to receive approval of a Special Use Permit, that Limited-Service Restaurant must meet the following criteria: location at intersection of an arterial and collector; floor area does not exceed 1500 square feet; and, there are no drive-thru windows associated with a restaurant use.

As a part of this proposed request, it does include a Planned Area Development Overlay for deviations from development standards. Those deviations include an increase in the maximum fence height along McDowell Road; a reduction to the required parking ratio; a reduction to the covered parking ratio; a reduction to the required landscape yard on the south side of the site; a reduction to the foundation base; and a reduction in the required landscape island width between parking canopies. In exchange for the requested deviations, the proposed development has provided several key elements to support

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

their PAD request. Those include pedestrian connections to the adjacent canal trail, a retail component, high quality amenities, and superior elevations.

The proposed Site Plan consists of one multiple residence building at three stories in height with a total of 222 units which includes the 1,500 square foot commercial space. The site will be accessed off of McDowell Road and will include access to the adjacent canal.

The development went to the Design Review Board on October 12. The Design Review Board had some minor comments and staff will be working with the applicant to address those comments. There were four neighbors who attended that Design Review Work Session with concerns over the proposed development. Those concerns include concerns over the height, the exterior design and the landscaping along that canal trail.

The applicant did conduct a Citizen Participation process which included notification to property owners, HOA's and registered neighborhoods. The applicant did hold three neighborhood meetings, in addition to secondary meetings with individual property owners. Staff has received several emails, calls, a survey and a petition, which were included in the Planning and Zoning Board packet and provided to you today. Those concerns that were outlined to staff include concerns over the height, the density and compatibility with the surrounding adjacent neighborhoods and concerns with traffic on McDowell Road specifically with the proposed roundabout. We also received several letters of support from adjacent property owners in the subdivision to the south. Those property owners worked with the applicant to come up with a Good Neighbor Policy. They also worked with the applicant to request opaque balconies on the south side of that building and provided some additional conditions of approval which were included with the staff report before you today, which include limitations on the number of units and heights, criteria for quality elevations and landscaping and criteria for lighting to reduce the lighting impact to the adjacent development.

In summary, we find that the proposed development complies with the 2040 Mesa General Plan, meets the criteria for a Special Use Permit as well as the criteria for Planned Area Development Overlay and Site Plan Review. Staff is recommending approval with conditions, and I would be happy to answer any questions.

Applicant Adam Baugh, with Withey Morris, 2525 E. Biltmore Circle spoke. When I look at a property like this it reminds me of the many properties that I have driven by all across the valley that are still vacant, and everything is being built around it. In my experience, every one of these properties are left over and has a story behind them. It may not necessarily be apparent when you drive by, but until you really start to dive into the property, and all the things that go together and making a project feasible, do you really start to discover the challenges that affect an infill site like this. Sometimes it is a drainage issue, sometimes it is topography, the geometry and shape of the property, and sometimes it is the location of what it is next to. And just one of those things can kill a deal.

And in this case, it is all of those things. So, to solve all those problems, and to create meaningful development on an infill parcel, you have to be creative. And you have to find ways to make sure that the costs associated with solving those problems can still be borne throughout the development that is being proposed. And I think what I will be able

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

to tell you today is why this property has so many challenges and why it has been vacant for so long and how it is possible for it to be to be developed today.

It is approximately nine acres and has taken a long time to get to the nine acres. At some point it was owned by Arizona Department of Transportation (ADOT) and at some point it was partially owned by the City of Mesa. And looking at the elevations from the freeway, it is about 19 feet taller than other property on Lehi Road, about 27 feet tall. There starts to have really aggressive grade changes. There is a water line easement along the canal and an SRP easement along the canal. Then there is a question of how to get in and out of this property. Preferably, it would be nice for us to have a connection to Gilbert Road but that was not permitted by ADOT. We really had to spend a lot of time problem solving access issues alone, regardless of what we built here. So, all these things just take time, and many people would have given up by now. In this case, we have been diligent, trying to find a way to make this work. Let me walk you through a little bit, just the image of this property here and how deep it is relative to the surrounding streetscape. You can see a little bit of this because I think this helps guide some of your thought process.

The General Plan is Neighborhood with a Suburban Character. Within that General Plan designation, it recognizes that multifamily uses are appropriate near arterial streets and intersections. We believe for that reason why staff was able to support this case, because of its consistency with the General Plan. What we are proposing is modest in regards to the site. More importantly, reflective of all these engineering and problem solving hurdles we have had to overcome. We are proposing 220 units today although we initially started with an idea of 365 units. We then went to approximately 345 units and now we are at 220 units.

If I were to tell you all the effort that has gone into this project at this point, we wanted a 50 foot tall, 4 stories building and it was rather large relative to the neighborhood behind us. The residents that live on the hill there for a long time have enjoyed living in that space and to see a 50 foot tall building come right behind them was understandably concerning. It has taken a bit for my client to get to the point to recognize changes are needed to the development plan. Part of it is making sure you can make the whole deal with a reduction in units but through this effort today, we are bringing a proposal significantly different than where we started. More importantly, it also includes a commercial component that provides an opportunity for a little commercial and a chance to recognize the historical homestead provides. And thirdly, to enhance the canal scape which is utilized by runners and bikers. We think this is a chance to improve that aesthetic along there and work together with community partners like SRP and Mesa, hopefully, to improve some of these trail connections that are proposed in our plan.

When I look at a project, I have read a lot of the opposition on there. But I can tell you, I have done a lot of deals with different departments and developers across the valley, and there are very few that have the quality, design and reputation that Gary Todd has. This is a remarkable project the way it is designed in a craftsman manner with more of a modern craftsman style. With the different features, colors and recessed design, but I do want to highlight how cool this is to see this type of a project here.

There are certain things along the canal that we can't plant on because of these easements. But as soon as we can plant more planting trees and shrubs, and further on

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

a different site, I will show you where we hope to enhance some of our trailhead connections. The slide shows the view from the canal that can be looked down and see the basin area there. You can tell what the four story would have looked like if we had gone forward with that. There is now about 11 feet and one story less in height than what was originally planned.

And I think our fault was that maybe we were a little slow to embrace and come around here. But I appreciate some of the coordination and opportunity I have had to work with some of the neighbors on the hill, to sit in their living rooms to look out their back, look out that window to see what that view looks like and understand how important that is them. As we reviewed the proposed project, we thought of a lot of things like can we lower the building, can we excavate the ground and still keep a 50 foot tall building, can we terrace or step it down. And frankly, at the end of the day I think most important for us is to make sure that the tallest point of our building is below the lowest point of the bluff. Actually, it is even lower than that. Our tallest point anywhere is 39 feet six inches. This is still a proposal and is entirely conceptual and does not mean anything much except for the intent of what we are hoping to do.

We have been in contact with SRP, through some contacts in the City of Mesa to help find a way to improve this trailhead connection at McDowell Road. In fact, we have actually had an opportunity to purchase two more additional parcels, so that we can work together with them to improve that aesthetic there. Those are not required for development; they are not part of the proposal today and don't need to be rezoned. But it is one more way we are trying to add value to the community if we can improve this area.

I have had a change to review and see some of the feedback from the residents. And while there's different opinions, I think that I can boil it down to five or six key things. One has been building height, views, density, privacy, and traffic. And the phrase that I keep hearing about a transient population. I want to talk through how we have been able to address each of those items. First of all, with regard to building heights, I admit we were pretty tall, 50 feet with four stories, and it is taken a long time to get there. But now we are three stories and 39 feet six inches. And the key thing here is to recognize that we are below the height of the lowest point of the hill above us. As far as density, we went from 350 to 220 units and we believe that is the minimum necessary for us to make this practical and doable. The roundabout alone cost about \$1.5 million and it is just part of solving challenges and problems.

In regard to privacy, there's some things that are important here. Because we are so much lower than the hill above, there's no chance for us to look up into someone's backyard or windows or bedrooms. There's a 50 foot grade change just between the hill and our property. Also there's a significant distance of about 270 feet. So as a result, the tallest point of our building is still much lower than the adjacent next door.

Another concern I have heard somehow is that there's a negative impact that comes with the type of people that live in apartments. Many comments state this as transient population, which, to me that has a different meaning than the type of people who live in apartments. I think at some point, each of us have lived in an apartment complex, I never would have considered myself a transient person. I think I just considered myself a college student or a newlywed, or a young professional. It took a while until I could

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

achieve homeownership, but I needed a place to stay regardless.

On the design and quality, I started this and I think it is worth highlighting, again, what Gary Todd and Associates do is remarkable. And the feedback from the Design Review Committee was very positive and favorable. There's some things that we'll address that is normal in a DR process. The quality of design architecture in this project is awesome. And one feedback that we got from the neighbor meeting and that was highlighted in the DRB session was the balcony specifically, how do we make sure that the balconies don't have someone's laundry, or a Little Tyke toy out there that the neighbors don't want to see. And so instead of railing on an opaque balcony, to kind of screen out some of the things so we are constantly listening and making those changes as needed.

One of the last things that I have heard often is traffic that somehow this is going to create a traffic nightmare in that area. We are next to a freeway and there's a lot of traffic that comes off of Gilbert Road and McDowell Road. That traffic exists there regardless, but there has been a traffic study prepared that was needed, because ADOT had to tell us what points we could access and in what manner we could access. So that traffic study says to pare back when you're thinking of doing 350 units. The traffic study was prepared at a time when you had far more traffic than during the COVID days. And even then, when that traffic set is paired, it showed that we had no excessive queuing, no detrimental impacts, and no significant change in level of service that were anticipated by this product. Since then, we have gone from 350 units that was planned as part of that traffic study to 222 units and I believe that we will have a safe and adequate manner of maneuvering, access to this property in and out.

At the end of the day, I can't say that we could get here short of working together. And I as you can tell by the number of people in the room, I haven't been able to make everybody happy. But I can tell you that our effort started with some of the folks who live right behind us on the hill. That petition that was circulated in the very beginning was by an individual that I contacted when I was involved, and I haven't been involved except for August and on. But the moment I was hired, I said we need to go find out who was the person that created the petition and go talk to him. And so I sat in living rooms or probably had half a dozen meetings with him and listened to their concerns and proposed something different. But what we landed on was three stories, 222 units, thirty nine feet six inches, a cap on the finish floor of only more than a foot and a half above the existing grade, stipulations regarding landscaping, regarding lighting. Regarding design, regarding opaque balconies, the stipulations probably got to about 11 or 12.

And then we took it a step further. I have done a lot of zoning cases, and sometimes I do Good Neighbor Policies. But they've always been regarding commercial uses next to residential neighborhoods. I think we have done something unique. I don't know if this will be a trend moving forward but we have created a Good Neighbor Policy just for this product to coexist next door. Things more related to operations like how the balconies can be used and what are the management obligations going to be in responding to concerns. How are we going to address things like laundry hanging on the back porches, the kind of things that really don't belong in the zoning stipulations, but are an effort to recognize the concern, document them and create a policy and procedure to address them if those items come up.

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Perhaps we have gotten a little bit of a unique approach by thinking it was valuable, and it helped get us to a point we are able to get some of those people in support. At the end of the day, I think this is a good use. It activates an empty dirt lot and is the kind of thing you expect to see next to a freeway. It solves a lot of inherent site challenges and there's a reason why nobody else has done this. Because you can only tackle this with density to leverage those costs out. At the end, I think we have a superior design quality and I like the fact that we are consistent the General Plan and the Site Plan criteria. And for that reason, I think that is why staffs recommended approval. Of course, I'm happy to answer any questions that you may have or maybe respond any feedback from the community during the presentation today.

Vice Chair Villanueva-Saucedo read comments staff received through electronic means;

Kimberly Van Riper, 505 East Lehi is opposed to the project. Ms. Van Riper is concerned with the removal of the Historic Landmark Overlay and that this particular location poses many unique issues.

Alan Hamberlin, 2511 East Melrose is opposed to the project. Mr. Hamberlin is not sure why the Historic Landmark Overlay would be removed and is concerned with the development of apartments.

Amy Power, 2124 East Quince Street is opposed to the project. Ms. Power asked that her comment not be read.

Jessica Zawadzki, 2825 E. Meno is opposed to the project. Ms. Zawadzki asked that her comment not be read.

Susan Lawrence, 2509 East Hermosa Vista is opposed to the project. Ms. Lawrence asked that the apartments are no higher than two stories and concerned with the traffic and density.

David Beaty, 1048 East Norwood is opposed to the project. Mr. Beaty stated the Lehi area is one of the few remaining jewels with one acre zoning and concerned with the increased traffic.

Lisa Miller, 2525 North Mesa Drive is opposed to the project. Ms. Miller wrote Lehi is a unique and charming area with acreage on each lot with livestock. Adding an apartment complex in the area where horseback riding occurs would be devastating to the neighborhood.

Jim Babos, 2049 East Norwood is opposed to the project. Mr. Babos wrote the project will appear as an island with no attempt to connect to the surrounding areas.

Connie Osborn, 930 E. Norwood is opposed to the project. Ms. Osborn wrote having the zoning change to allow high density apartments would change the area and increase the traffic.

Stephen Wood, 533 E. Lehi Road is opposed to the project. Mr. Wood stated this is an area with horse and livestock. He asked the Board to stop reducing Lehi property with projects like this.

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Kim Warden, address not provided is in support of the project. Ms. Warden feels the roundabout would be great and easy for the residents of the apartments.

Barbara Fowler 2712 North Terrace Circle is opposed to the project. Ms. Fowler stated Mesa does not need another apartment complex, especially where you want to put it.

Conor Crosby 2560 North Horne is opposed to the project. Mr. Crosby favors maintaining the unique atmosphere and lifestyle the Lehi community provides its residence.

Brent Preece, 1102 East Lehi is opposed to the project. Mr. Preece wrote he feels the Lehi area in general is a little piece of what the American Dream used to look like and does not want the eyesore of looking at the monstrosity of a humungous apartment complex.

John and Sarah Aldridge, 2152 North Mesa Drive are opposed to the project. We live in Lehi and have a significant traffic problem in our neighborhood. Currently, the city is already adding the soccer field which will bring even more traffic. The City did this without being upfront with the neighborhood. Adding more traffic from high density housing is not what we want in the neighborhood. We want the City of Mesa to please listen to the residents of our community and respect our neighborhoods interests and concerns.

Robert Callahan, 2429 North Terrace Circle is opposed to the project. Mr. Callahan opposes the project because it does not fit into the R-43 environment.

Michel Ulrich, address not provided is opposed to the project. Mr. Ulrich is opposed because the area is congested already.

Mary Preece, address not provided and is opposed to the project. This is a congested area already, so adding additional residences in the area will only create more chaos and congestion. I also strongly oppose the addition of a roundabout as those do not help the flow of traffic.

Cindy Kincaid, 2609 North Brimhall is opposed to the project. I am not in favor of an apartment complex and the traffic is already horrible with more to come.

Christopher Porter, 2449 North Mesa Drive is opposed to the project. In short, it is an uneducated and unthought through idea to put a multi-residential development near an R-43.

Leo Archer, 3348 North Chestnut Street is opposed to the project. This proposed traffic change will be a disaster for those of us who live in the area and who frequently use McDowell Road to either access the freeway or commute east.

Helen Atkins Kurtz, 2622 N. Mesa Drive is opposed to the project. I think we need to remain more general in Lehi.

Jaime Gish Pierce, 2306 East Nora Street spoke in opposition. Mr. Pierce state I'm here

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

today to express my opposition to the proposed development and rezoning of the approximate nine acres located at southeast corner of Gilbert and McDowell Roads. I'm opposed to this development for a variety of reasons, first and foremost my objection is to the density of this project. 220 units located on a nine-acre property far exceeds the units per acre for other properties in the vicinity. There are a multitude of issues that will exist with a density of population of this magnitude. They would include impacts to the schools, traffic, emergency services, utility consumption, light pollution, noise, pollution and crime. The height of the building has also been a concern. The original plans were for a 50 foot tall building and this is extremely out of character for the surrounding neighborhoods. My final comments are in regard to this entire project, and I speak only for myself. I feel like Sweetwater has only recently made an attempt to work with the community since Mr. Baugh became involved in August. That is when the compromises began. And all honesty, I cannot find one tangible benefit to our neighborhood, or myself as a property owner. While I understand the need for progress and appreciate the property owners desire to develop their land, I firmly believe there may be better options that would benefit all parties.

Tom Stincic, 2121 E. Oasis Street did not state if he is opposed or in favor of the project. I don't believe that the appropriate hydrologic studies have been done the analysis which is supposed to be done on any parcel in a flood zone or flooded area. Because of the canal it is a disaster waiting to happen because it is in a flood zone. But there really is a real problem because of the water in the canal and what happens if that spills. Again, I don't think a lot of this has been thought through because it is in a floodplain or flood zone. I think the City should purchase this land and make it into a park.

Sarah Morgan Roberts, 2449 North Mesa Drive spoke in opposition. My family has been in the Lehi area since before my Great Aunt Edna was born in 1917. There are many issues with the area around McDowell and Gilbert becoming a multi-unit development and having a roundabout instead of a stoplight. First and foremost, it is impossible to get around a roundabout with large trailers without hitting a curb, and also going into multiple lanes of traffic. Secondly, it is detrimental to the surrounding communities to put a multi-unit development near an R-43 area due to the fact that the residents may be uneducated and unknowing of the agricultural, and community courtesies such as driving on roads, and pedestrians and equestrians. Due to the nature of the surrounding area this should not and cannot be a risk that anybody is willing to take with animals that depend on us and also the children in that area. Lastly, in this development, there is a severe missed view of how this affects the equestrian community. Many members of the surrounding communities take their horses in the country to spend time with their friends, their family, and to connect with their neighbors. This proposal would eliminate all save access for equestrians to continue along the canal. This takes away one of the very few trails left for horse lovers in the area. Thank you.

Marilyn Crosby, 2516 North Horne is opposed to the project. She said, if the developers started at 10,000 units and reduced to 5,000 units, the developers are still proposing to move over a quarter to half of the population of the surrounding neighborhood onto one lot. This was not consistent with the General Plan, which the staff indicated that it was. The General Plan recommends maintaining a sense of place of the surrounding neighborhoods. I also find it convenient that cyclists or runners were mentioned in their discussion but no references to horses or livestock since that is what's unique about our community. While not insulting individuals that live in apartments, which I have no

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

intention to do, but I would ask yourself, why do you not live next to an apartment complex for all of the Council Members that are present? I'm sure they have their own reasons and I have my own reasons which have to do with my animals. I'm also opposed to the roundabout, and I'm opposed to the traffic increase. This area has been so encroached upon being taken one piece at a time and never being added additional R-43 when others are taken. As you've heard from others that roundabouts specifically are not trailer or even emergency vehicle friendly. Research also indicates that roundabouts increase congestion by their intended following design. This area was a complex design when the two freeway is constructed. And I don't think that should be taken lightly. I think the designers tried to take all of these elements into consideration and they came up with a design that they felt was best for the area and that was there at the time that that construction occurred.

Michelle McCroskey, 3021 N. Chestnut Circle spoke in opposition. I'm opposed to this process for this development for a number of reasons. But most of the people have already brought up the transient nature of apartments but the biggest reason I'm concerned about it is the density issue. It gets back to this issue of safety. In order to move that traffic in and out of this complex of 222 units, about 400 cars, because most people have at least one car and in order and that is the only way that they can do that. Because again, there's one way in and one way out, they're not allowed to use Gilbert Road because Gilbert Road is already at capacity with 30,000 cars and McDowell is already to capacity with 11,000 cars. Those are the numbers that their Engineer gave me. And so to turn around, you add a roundabout, to even make it more complicated. This just does not make sense at all. A study was dated in November 2018. Lehi Cove is right up the street with 89 condo units and about 180 parking spaces. The Grove at Lehi has another 108 homes and about 220 vehicles. You've already heard some comments about roundabouts being really challenging for horse trailers. And let's be clear here, the owners knew when they bought that land that it would be a challenge to get the zoning changed.

Christine Vaughn Brucker-Snodgrass, 2320 East Nora Street spoke in opposition to the project. The motivation of the buyers, the developer and the applicant, is to basically maximize the investment and see a good return. But those of us living in that area, we are concerned with the quality of life rather than maximizing that investment. Let's take a look at this historic Mesa site. It is the 150 year old Crismon Farmstead. Whatever will be developed there should honor, reflect and protect the historic significance of the heritage of the Crismon family. Now we are posted this zoning change because the high density housing of the proposed Lehi Crossing apartment complex is excessive for the area. It will compromise our quality of life, our privacy and significantly increased noise levels. Anyone who has ever lived in an apartment complex with the common pool has experienced excessive noise levels of night revelers. It will restrict our wide-open views and increase traffic volume at the McDowell freeway on and off ramps significantly. The addition of at least 400 Plus vehicles coming and going from Lehi crossing will make that a common occurrence and the real problem. The more transient renter population of the apartment complex will also decrease our quality of life, our family-oriented community and increase crime, neighboring property values will also be adversely affected. We value our quality of life and we want to preserve it and also the safety of our family oriented community.

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Susan Jarvie, 2543 N. Acacia spoke in opposition to the project. Thank you for listening to what I have to say. Most of what I'm covering has been covered before which I agree with everyone who has spoken prior to this. My primary concern is the density. You are considering placing high density development between two low density and very mature neighborhoods. I talked with Cassidy yesterday and she mentioned that the consideration of the canal and the freeway are considered buffers between this property and our properties. I don't consider those buffers. I really have a problem with putting high density between these two low density properties. Our community is inclusive, we're not divided in the use of the canal pads for horseback riding, biking, walking and running. I'm also opposed to the height of the development. I cannot picture in my mind another three stories apartment community in a five mile radius of our neighborhood. So, something that hasn't been said is that the entrance ramps for the 202 Gilbert and McDowell for the freeway are the only entrance and exit ramps for a five mile stretch from Country Club. There is a lot of traffic right there and I can tell you, the traffic coming off of the Beeline coming south to get on the 202 to go east is quite long at the end of a business day. One thing I would like to add is that I am disappointed I wasn't included in any of the meetings or the notices. They effectively communicated with maybe two streets in our community and didn't go further on just three streets over and had no notice of this. We love our community. Had we known more about or had I known more about it, I would have been present a lot sooner. To conclude my comments, I oppose the project, and I feel it is not consistent or compatible with the surrounding communities. It is simply not a good fit. I thank you for listening to me and my concerns. And I do hope that you take my opinions into consideration before you cast your vote this evening. Thank you so much.

Kim Clark read the statement for John Groberg, 2216 E. Nora Street. Thank you to City Council members for your consideration on this matter before you. As a former real estate developer myself, I wanted to share just a few thoughts. In general, I'm a fan of development. I have been through the process multiple times and have some experience navigating the approval processes with cities and dealing with the impact of new development that it has on the surrounding neighbors. While it is somewhat common for neighbors to have the NIMBY attitude (not in my backyard), most people are reasonable and will not fight a development that is in character with the neighborhood. Unfortunately, this is not the case. In this instance, the zoning change requested by the developers of this project is so far beyond what is in character for this neighborhood that they should not be surprised at all by the resistance that they are facing from the neighbors regardless of whether it is a four story or a three story apartment project. While other developers are finding ways to profitably make single family homes or low-density condos work on pieces of land nearby, that also front the 202 freeway. This developer wants to build higher, not because that is the only use that can work here. But because that is the only kind of development this developer does. If the if the neighborhood does not already understand this, I hope they do now. The developers know this development is not at all what the neighbors want. Rather than finding other suitable parcels where high density housing is already approved and in character within the neighborhood developers are instead trying to convince the neighborhood that if this particular development isn't allowed to move forward, then some other developer will eventually develop it and into something even worse.

In case any of the neighbors have bought into this scare tactic, I would like to point out that this is not true. I will gladly choose the mystery behind door number two. Far from it

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

being worse, it will certainly be much more in character with the area and much less damaging to the neighborhood. The developers do not yet own the land, they have it optioned pending getting a zoning change from the city. But if that fails, due to the neighborhood resistance, the landowners will know that they will have to sell their land to a developer that is willing to do a development more in character with the neighborhood. And they won't want to waste their time again tying up their land with a developer who will face the same resistance. The other thing I want to bring attention to is the fallacy of sunk costs that hopefully will not become a factor here. It is human nature to not want to walk away from some costs, but hard as it can be. Sometimes I believe that that is exactly what is in the best interest of the city and the residents of this neighborhood. While it can feel like time and energy wasted for nothing, trying to put a high density project in the middle of a low density neighborhood, will have many far reaching costs on the neighborhood that will far outweigh any benefits in the form of tax revenues for the city. Thank you, and I hope you will deny the zoning change request. Thank you.

Kim Clark, 3007 North Gilbert spoke and is opposed to the project. My family's lived in Lehi for 30 years. So now as you know, the land that the developer wants to build on is the old Crismon property which has historical significance. Charles Crismon was one of the four founding fathers of Mesa, and the Crismon homestead was built in the 1800s and it remained in the family for three generations. When the Red Mountain freeway was built, great efforts were made to preserve the homestead the freeway, the freeway was rerouted around the property through North Lehi, and the impact to the property owners was not insignificant, but the historical landmark designation was retained. Later, the City developed a canal trail that didn't include the Crismon homestead. So they sold the property to a private developer and approved demolition of the Historic structures. This negated the historic significance and consequently the historic Preservation Board recommended removal of the historic landmark overlay. The developer also is requesting removal of the overlay. If successful, the property could be viewed as just another piece of vacant land, ripe for infill, before a decision is made that will irreversibly transform this community. Lehi is a long established suburban ranch family community characterized by its historic acre plus lots enhanced work horse and livestock privileges, and equestrian trails. That proposed development may meet normal city standards, but it is not consistent with the character of the area. For a better understanding of the character of the area, I recommend the committee review the Lehi Sub Area Plan on record with the City of Mesa. The plan outlines objectives to meet the main goal of Lehi, which is to preserve the historic rural character of the area. In August, I conducted a poll on the proposed development to help clarify the position the neighborhood's position 59 of 61 respondents did not approve of the Development. At the request of my neighbors, I also circulated a petition this month. Previously, the petition opposes the proposed development based on concerns that were brought by area residents: too much density, increased traffic, a transient rental population. And I just want to say that that term transient by definition means temporary and is not intended to be derogatory to the potential for crime. 150 residents have signed in opposition to this development. Copies of the petition have been submitted to Ms. Welch for your review, and you have should have received those.

Mr. Baugh responded Lehi really is a special place, and it has a unique flair and character to it. And this probably isn't accurate, but what I have noticed is the 202 freeway has changed a lot of the things that has happened historically in that area. But I certainly appreciate the nature in the feel that area, and I think it serves a tremendous

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

purpose. The roundabout isn't our choice it is the condition that ADOT has imposed. But the one thing that we were able to work on was the design of the roundabout to accommodate a 60 foot long truck, such as fire trucks, semi-trucks and refuse. And if it can accommodate a 60 foot long truck, it can also accommodate other larger vehicles, possibly including a horse trailer. I understand the sentiments shared today. I live in a neighborhood where apartments were built next to my home as well. And many of these comments were shared are about crime, transients, property values, and traffic. What I can tell you in the six or seven years that the complex has been next to my home, my kids have new friends, I have new associations in my neighborhood at church, and they have a fantastic jacuzzi that we go and sneak into with our friends live in the neighborhood. It does not mean that will be the case for everybody. But I can tell you there's a way for apartments to operate compatibly and to co-exist with residential homes.

When I think about the traffic created by this, the traffic study speaks for itself. But the fact that we're next to a freeway onramp shows that the majority of traffic will go in and out to the freeway, because your typical workforce area is likely more in a central part of the valley. This is not in a floodplain. I'm sorry for not recognizing horse and other users. But yes, they can use a trail equally the same before and after, once our development is complete.

And I believe we have been sensitive to the types of plants that we would plant along that trail to make sure that they weren't toxic to horses for that matter. And in no way or circumstance do I believe that will be a negative impact. I think we have been thoughtful. I just think that is taken, unfortunately, on our side a mistake to take so long to get there. I wasn't involved in the case in the beginning but since I have become involved, we have been working to find solutions. And I think the proposal before you today are a result of that effort, and it does not mean I have been able to solve all the problems. But it is a tremendous improvement from where we started. And I think for that reason, a three-story apartment building is consistent and compatible with what you see all across Mesa.

Thank you for your time. And of course, I hope to answer any questions you may have.

Owner Darryl Truitt, 3764 East Juniper Circle spoke to the Board. Chair Sarkissian asked a follow up question to one of the comments made from the public which is if this property is in a flood plain. Mr. Truitt responded I do not know the Flood Zone designation and would have to look it up. But you know, to be in a flood zone, you have to understand if there is an outlet. If you look at the northwest portion of the property, it is a depressed freeway that is 30 feet below us, water that comes to our site is going to go to that depressed freeway. It is not going to stay on our site and pond up and drain on our site. There is an eight foot storm drain that runs right along our north boundary with open field grates to receive water off of our property. It does not stop on our property, but goes to the freeway.

Ms. Sarkissian said my other question is I know it is required by ADOT, but why the roundabout. Mr. Truitt responded you see it on the news all the time about wrong way drivers. We went to ADOT about intersecting with Gilbert Road and they were not interested in us intersecting at Gilbert Road. As one of the residents said today, there's about 30,000 vehicles a day on Gilbert Road and about 11 or 12,000 vehicles a day on McDowell Road. ADOT was much more interested in us intersecting McDowell Road

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

than they were Gilbert Road for those kinds of reasons. The roundabout is a different type of a geometric and a different type of perception. If we had a four-way intersection there, it is much more likely they would approve it, but in their minds more likely that somebody is going to go straight and go down the wrong ramp. Whereas if they're in a roundabout, there's that nice curve thing that gets you onto the right ramp. And to go onto the wrong ramp, it is really hard to do because you have to go kind of backwards. And so it was actually their choice of a solution is for the intersection that the roundabout be proposed. But roundabouts in general have lower traffic speeds and less serious accidents than you would have at a four-way intersection.

Also, I would like to say there were a lot of concerns about traffic. We did a traffic impact analysis and at the time we did it, there was about 12,000 vehicles a day on McDowell Road. McDowell Road is a 6 lane arterial which is about a 50,000 vehicle a day capacity roadway. Today in 2020 there are about 400 vehicles a day on it. Because of COVID, people are staying home and working from home and, and traffic volumes have actually decreased. But when we do a study, we actually have to put in factors for increased growth. We have already factored into the study the increased growth in the community.

Ms. Sarkissian said I understand why ADOT would request the roundabout. I have gone on that road to turn north, and I have actually seen at night two wrong way drivers enter right there. It is an issue because they're close. But, I can see the trailer issue on the trails. It is just a hard thing to do either way, and the roundabout will be much safer for the wrong way driver situation. Mr. Truitt said again, we do design it for what's called a WB62 vehicle, which is longer than the horse trailers, even the six horse trailers.

Boardmember Allen asked staffmember Cassidy Welch, I know this is considered a spot zoning and why is it that staff is recommending approval for a spot zoning. I assume because of the circumstances and the layout of the property, but I want to hear your opinion on that. Ms. Welch responded, that is correct. It really comes down to the circumstances around this property. The proximity to the freeway, the buffer of the canal, the access that it is off of a major arterial really precludes this site to more higher density residential, like a multiple residence development. I think if you were to develop that site for single residences it would create an unfortunate circumstance where those single residence lots would then be backing up against those arterials. So, for those reasons, we found the proposed development to be at an appropriate location.

Ms. Allen stated, then please answer my second question, if you would, please. I have pulled a trailer myself down that road many times going to my parents' house that live out in that area. Is that the only to have a roundabout there and have you listened to those discussions. Is there a different option to help with the livestock trailers. Ms. Welch stated, the applicant worked extensively with the City's Transportation Department and ADOT, trying to come to a resolution on the most appropriate access to this site as well as the safest. And that was the conclusion made by people who are much smarter than myself. There is a significant amount of engineering that was involved in the design of that roundabout and will be continued to be designed as the development proceeds with permitting. So, it was really a collaboration between the applicant, City of Mesa Transportation staff, and ADOT to come to this solution for the roundabout.

Boardmember Boyle asked a question about the PAD request. The development

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

standards seems to request a reduction in the required parking, less covered parking, less landscaped yard. Has there been any trade for additional landscaping, additional trees, additional shrubs, or anything. Or are they just requesting a reduction to the normal requirements? Ms. Welch responded, in exchange for the requested reductions as a part of the PAD Overlay, the applicant is proposing those high quality amenities, open space which exceeds the standards and they've got a high-quality, superior elevation design. All of those are supported to justify those requested deviations.

Planning Director Nana Appiah stated for clarification, I think when Boardmember Allen asked Cassidy if this project is spot zoning, I think in her response she didn't mean to say that is correct. I just want to make it clear that was not the intent of a response that we review this project. When we evaluated this project with the General Plan which it is Neighborhood, it actually allows such residential medium zoning at an arterial corner. So, we looked at that and also look at the neighborhood compatibility and as the applicant has said, and also as we have said or explained in our staff report, this project is set back a certain distance that is substantial from the property to the south. In addition, as this project was going through, there were several discussions about the height. One of the things that was critical was the height of the buildings and to the various discussions and iterations they reduced the height from the original proposal. Now the height is not higher than the base elevation of those properties to the south. Our recommendation is not out of place. I just want to ensure that this is addressed and that we are saying that our recommendation recognized that it was spot zoning. It was based on the criteria set forth in the General Plan.

Boardmember Boyle asked staff if they knew what the distance is from the next RM-5 area. Dr. Appiah responded I do not think we have that. We did look at the compatibility but we do not have that information.

Vice Chair Villanueva-Saucedo said she appreciate the thought that was given into the plan that was brought before us given how difficult that plot is. The location, the grading, the arterials to the freeways. But my biggest issue is the rural and agricultural nature of Lehi. And the Sub area Plan is crystal clear on this. I know that this property straddles that, but it could not be further from what that Sub Area Plan says. So, I just have some inherent difficulties with moving forward with any kind of density around this. And it may be compatible with other plans, may be compatible with the General Plan but for the City to engage residents in defining what is the character of their area and put together a plan what their areas should look like, what they want the look and feel to be in what they want to be respected out of their neighborhood for us to approve something that is completely different. I just have some fundamental issues. And that is a philosophical issue and no one needs to comment on.

Boardmember Boyle said I have a lot of those same concerns that Deanna has. I wrote down some pros and cons as I have been trying to weigh this one. And I do appreciate all the neighbors coming out and expressing your opinion. I think that is why we have these meetings. And I appreciate the design as well. The pros would be having some variety in the neighborhood, I know that it is harder and harder to buy a single family residence and if you want your children to live near you, it is nice to have options of diversity in price in rental prices and in the purchase prices of things. I think if anywhere in Lehi this is the one place that density makes some sense because it is straddled again like Deanna was saying, I think it will look pretty down there and the little angle

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

with trees. But I worry about the precedent that this will set in the Lehi area. It is not just dense; it is really dense. This is RM-5 and is super super dense. It will be a single building surrounded by parking. It is one of those dense products which always gives me concern even in other parts of Mesa. And the day may come when that does happen in Lehi but I don't think that we're at that point yet for Lehi to start transforming to a more urban area.

Boardmember Allen said I guess I have a kind of a mixed opinion and feelings about this one. This is the area that I grew up in and I'm very familiar with it. At first when I saw the project and saw the design of it, I thought they did a really nice job with that. But I do know that there are some apartments that buffer the Lehi area over on McKellips that encroaches some into the feel of the rural community. And even if this isn't considered a spot zoning, in my mind it is. It is just a different type of zoning. I understand that logic of wanting to develop it and it is a tough site to develop. But at this point, putting in a roundabout really has a huge effect. So, at this point, I couldn't support the project the way it is right now. There are a lot of things I like about it but I have concerns about it at this point. I wouldn't be able to support that project.

Boardmember Ayers said I echo this. I want to add that it comes down for me I am very similar to what everyone has said at this point. But it gets down to the Sub Area Plan. I have gone back and forth on the roundabout to be completely honest because I do believe a roundabout would be something that could help potentially with the traffic concerns and seeing people actually coming down off that hill and driving very quickly. However, I just have to come back to what we do within our scope, looking at the Planning and Zoning there was, as Deanna actually had brought up, a Sub Area Plan that was put together that is very specific. This is actually not meeting that in any way, shape or form. And therefore, I am also leaning towards not supporting the project the way it is right now.

Dr. Appiah said for your information I just want to make sure you have this information. The project is actually not in the Lehi Sub Area Plan. It is right next to the Sub Area Plan.

Chair Sarkissian said this one for me is kind of back and forth. Just like others have said, I do feel the higher density residential fits in that spot being it is so isolated. I think the applicant has tried to utilize the architecture and the historical area of it a little bit. It is obviously more noticeably dense than the surrounding area, they have kept it lower. It does seem high, the roundabout is concerning, but I'm not even sure that might be something that would just do on their own anyway. Unfortunately, they're just trying to get the developer to pay for it at this point. But I am kind of torn. Seeing all the comments, I think that they unfortunately have gotten to this point. So the likelihood that it is ever going to be built is just a matter of what is the good project to get to. There'll be more discussions, I guess but I did appreciate the architecture that went into it, the design, the thoughtfulness and the historic aspect they tried to do. For people who were wondering, I believe we had discussions earlier, Cassidy had mentioned that there was actually a fire, which is why those facilities were removed. So, it wasn't a complete demolition and haphazardly for historic preservation. I just wanted to let people know that. With that, since there's no more comments, I will open it up for a motion.

Boardmember Crockett motioned to approve case ZON21-00129 with conditions of approval. The motion was seconded by Boardmember Peterson.

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

That: The Board recommends the approval of case ZON21-00129 conditioned upon:

1. Compliance with the final site plan submitted, including;
 - a. The total number of residential units within the development shall not exceed the number of units shown on the site plan.
 - b. The total number of 3-bedroom units shall not exceed 9 units or 4.8% of the total units within the development, whichever is less.
2. Compliance with Design Review Case Number DRB21-00135, including:
 - a. No building shall be taller than 3-stories and shall not exceed a height of 39'-6".
 - b. The maximum finished floor level of buildings shall not exceed 1,259'-6".
 - c. Building elevations shall be four-sided architecture as reviewed and recommended by the Design Review Board (DRB) and approved by the Planning Director.
 - d. In all instances, building materials for development of the property shall be of high-quality, durable, and visually appealing as shown with the proposed building elevations reviewed by the DRB and approved by the Planning Director.
 - e. Trees planted along the southern drive aisle as shown on the landscape plan shall be located outside the 24-foot-wide water line easement located along the southern boundary of the property.
 - f. Trees to be planted along the southern drive aisle, at minimum, shall consist of:
 1. 50-percent 2-inch caliper canopy drought-tolerant tree
 2. 50-percent 3-inch caliper larger canopy drought-tolerant tree.
 - g. No lit signage shall be installed on the south façade of the building.
 - h. On-site lighting shall not exceed 0-foot-candle at the development's property line.
3. Compliance with the Good Neighbor Policy dated October 12, 2021.
4. 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.
5. Prior to submittal of a building permit, submit documentation to the City's Historic Preservation Office for review and approval. The documents must show interpretation strategies that communicates the site's history to residents and visitors to the site, including, but not limited to, historical photos or a plaque memorializing the site.
6. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with the PAD overlay and shown in the following table:

MZO Development Standards	Approved
<u>Maximum Fence Height –</u>	

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

<u>MZO Section 11-30-4(B)(1)(a)</u> Fence or freestanding wall within or along the exterior boundary of the required front yard	6 feet
<u>Required Parking Spaces –</u> <u>MZO Section 11-32-3(A)</u> - Multiple Residence	1.8 spaces per unit (399 total spaces)
<u>Covered Parking Spaces –</u> <u>MZO Section 11-32-3(D)(2)</u> Multiple Residence	.98 spaces per unit (217 total spaces)
<u>Required Landscape Yard – MZO Section 11-33-3(B)(1)</u> Landscaping for non-single residence uses adjacent to single residence (south property line)	15 feet
<u>Required Foundation Base – MZO Section 11-33-5 (A)(1)</u> Exterior walls with public entrance	10 feet
<u>Required Landscape Islands – MZO Section 11-33-4 (B)(6)</u> Minimum landscape separation width between adjoining covered parking canopies structure	8 feet

Vote: 2-5 Denial

Upon tabulation of vote, it showed:

AYES – Crockett, Peterson

NAYS – Sarkissian, Villanueva-Saucedo, Boyle, Allen and Ayers,

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

* * * * *

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

- *3-b ZON21-00566 District 5.** Within the 6400 block of East McDowell Road (north side) and within the 2800 block of North Ramada (west side). Located west of Power Road on the north side of McDowell Road. (4.1± acres). Rezone from Office Commercial (OC) to Single Residence 9 with a Planned Area Development Overlay (RS-9-PAD). This request will allow for the development of a single residence subdivision. Grant Taylor, applicant; DeMichele Family, LLC, owner. **(Companion case to Preliminary Plat, “Villas at McDowell”, associated with item *4-a).**

Planner: Sean Pesek

Staff Recommendation: Approval with conditions

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

Boardmember Crockett motioned to approve case ZON21-00566 and associated Preliminary Plat “Villas at McDowell” with conditions of approval. The motion was seconded by Boardmember Boyle.

That: The Board recommends the approval of case ZON21-00566 conditioned upon:

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

1. Compliance with the Preliminary Plat as submitted.
2. Compliance with the submitted landscape plan.
3. Compliance with the Building Form Standards outlined in Chapter 5 of the Zoning Ordinance as well as the Residential Development Guidelines.
4. Compliance with all requirements of the Subdivision Regulations.
5. Prior to the issuance of a building permit, obtain approval of and record a final subdivision plat for the subject parcel.
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 buildings 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 5 mile(s) of Falcon Field Airport.
 - d. Due to the proximity to Falcon Field 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. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
 - e. All final subdivision plats shall include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which shall state in part: "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."
7. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD and shown in the following table:

MZO Development Standards	PAD Approved
Minimum Lot Width – <i>MZO Section 11-5-3</i> <i>-Interior Lot</i>	73 feet <i>(Lot 1 only)</i>
Building Setbacks – <i>MZO Section 11-5-3</i> - Front, livable area - Front, garage - Side, interior - Side, aggregate - Rear	10 feet 20 feet 5 feet 15 feet 20 feet <i>(Lots 4, 5, and 10 only)</i>

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Maximum Building Coverage – <i>MZO Section 11-5-3</i>	55% for Lots 4, 5, and 10; 50% for all other lots
Lot frontage on a dedicated public street – <i>MZO Section 11-30-6</i>	Each lot will have frontage on a private street

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

* * * * *

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

***3-c ZON21-00730 District 6.** Within the 10400 to 10600 blocks of East Pecos Road (north

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

side) and within the 6400 to 6800 blocks of South 222nd Street (west side). Located west of Signal Butte Road on the north side of Pecos Road. (71.3± acres). Rezone from Agriculture (AG) to Light Industrial (LI); Site Plan Review and Special Use Permits. This request will allow for industrial development. Josh Tracy, Ryan Companies, applicant; Tucker Properties, LTD., owner.

Planner: Josh Grandlienard

Staff Recommendation: Approval with conditions

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

Boardmember Crockett motioned to approve case ZON21-00730 with conditions of approval. The motion was seconded by Boardmember Boyle.

That: The Board recommends the approval of case ZON21-00730 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all City development codes and regulations.
4. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication whichever comes first.
5. 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 Phoenix-Mesa Gateway Airport prior to the issuance of a building permit.
 - 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. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
 - c. Provide written notice to future property owners that the project is within one mile of Phoenix-Mesa Gateway Airport.

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

* * * * *

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

***3-d ZON21-00892 District 6.** Within the 4400 to 4700 blocks of South Power Road (east

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

side) and within the 6800 to 7000 blocks of East Warner Road (south side). Located at the southeast corner of Power Road and Warner Road. (40± acres). Modification of the Planned Area Development Overlay (PAD) and Site Plan Modification. This request will allow for commercial development. Sean Lake, Pew & Lake, PLC, applicant; Power 40, LLC, owner. **(Companion case to Preliminary Plat, “Cannon Beach”, associated with item *4-b).**

Planner: Sean Pesek

Staff Recommendation: Approval with conditions

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

Boardmember Crockett motioned to approve case ZON21-00892 and associated Preliminary Plat “Cannon Beach” with conditions of approval. The motion was seconded by Boardmember Boyle.

That: The Board recommends the approval of case ZON20-00892 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with Ordinance No. 5587, except as modified by this request.
3. Compliance with all City development codes and regulations except modifications approved with Ordinance No. 5587, and those shown in the following table:

Development Standards - Areas A and B

Development Standard	Approved
Minimum Building Separation – <i>MZO Section 11-6-3</i> (Building height between 20 and 40 feet)	13.5 feet between buildings on Parcels 4, 5, 6, and 8

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

* * * * *

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

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

- *3-e ZON21-00878 District 5.** Within the 2800 to 3100 blocks of North Recker Road (west side) and within the 5900 block of East Longbow Parkway (south side). Located north of McDowell Road on the west side of Recker Road. (20± acres). Minor General Plan Amendment from Employment to Mixed-Use Activity District. This request will allow for a mixed use development. Reese Anderson, Pew & Lake, PLC, applicant; Dover Associates, LLC, owner.

Planner: Cassidy Welch

Staff Recommendation: Continue to December 15, 2021

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

Boardmember Crockett motioned to continue case ZON21-00878 to December 15, 2021. The motion was seconded by Boardmember Boyle.

Vote: 7-0 Continue to December 15, 2021

Upon tabulation of vote, it showed:

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

NAYS – None

* * * * *

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

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

- *3-f ZON21-00731 District 5.** Within the 2800 to 3100 blocks of North Recker Road (west side) and within the 5900 block of East Longbow Parkway (south side). Located north of McDowell Road on the west side of Recker Road. (20± acres). Modification of the Planned Area Development Overlay (PAD); Rezone from Light Industrial (LI) to Limited Commercial (LC), Council Use Permit (CUP) and Site Plan Review. This request will allow for a mixed use development. Reese Anderson, Pew & Lake, PLC, applicant; Dover Associates, LLC, owner.

Planner: Cassidy Welch

Staff Recommendation: Continue to December 15, 2021

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

Boardmember Crockett motioned to continue case ZON21-00731 to December 15, 2021. The motion was seconded by Boardmember Boyle.

Vote: 7-0 Continue to December 15, 2021

Upon tabulation of vote, it showed:

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

NAYS – None

* * * * *

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

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

- *4-a “Villas at McDowell” District 5.** Within the 6400 block of East McDowell Road (north side) and within the 2800 block of North Ramada (west side). Located west of Power Road on the north side of McDowell Road. (4.1± acres). Preliminary Plat. Grant Taylor, applicant; DeMichele Family, LLC, owner. **(Companion case to ZON21-00566, associated with item *3-b).**

Planner: Sean Pesek

Staff Recommendation: Approval with conditions

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

Boardmember Crockett motioned to approve Preliminary Plat “Villas at McDowell” and associated case ZON21-00689 with conditions of approval. The motion was seconded by Boardmember Boyle.

That: The Board recommends the approval of Preliminary Plat “Villas at McDowell” conditioned upon:

1. Compliance with the Preliminary Plat as submitted.
2. Compliance with the submitted landscape plan.
3. Compliance with the Building Form Standards outlined in Chapter 5 of the Zoning Ordinance as well as the Residential Development Guidelines.
4. Compliance with all requirements of the Subdivision Regulations.
5. Prior to the issuance of a building permit, obtain approval of and record a final subdivision plat for the subject parcel.
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 buildings 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 5 mile(s) of Falcon Field Airport.
 - d. Due to the proximity to Falcon Field 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. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
 - e. All final subdivision plats shall include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which shall state in part: “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.”
7. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD and shown in the following

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

table:

MZO Development Standards	PAD Approved
Minimum Lot Width – <i>MZO Section 11-5-3</i> <i>-Interior Lot</i>	73 feet <i>(Lot 1 only)</i>
Building Setbacks – <i>MZO Section 11-5-3</i> - Front, livable area - Front, garage - Side, interior - Side, aggregate - Rear	10 feet 20 feet 5 feet 15 feet 20 feet <i>(Lots 4, 5, and 10 only)</i>
Maximum Building Coverage – <i>MZO Section 11-5-3</i>	55% for Lots 4, 5, and 10; 50% for all other lots
Lot frontage on a dedicated public street – <i>MZO Section 11-30-6</i>	Each lot will have frontage on a private street

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

* * * * *

Note: Audio recordings of the Planning & Zoning Board Meetings are available in the

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at www.mesaaz.gov

- *4-b “Cannon Beach” District 6.** Within the 4400 to 4700 blocks of South Power Road (east side) and within the 6800 to 7000 blocks of East Warner Road (south side). Located at the southeast corner of Power Road and Warner Road. (40± acres). Preliminary Plat. Sean Lake, Pew & Lake, PLC, applicant; Power 40, LLC, owner. **(Companion case to ZON21-00892, associated with item *3-d)**

Planner: Sean Pesek

Staff Recommendation: Approval with conditions

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

Boardmember Crockett motioned to approve Preliminary Plat “Cannon Beach” and associated case ZON20-00840 with conditions of approval. The motion was seconded by Boardmember Boyle.

That: The Board recommends the approval of Preliminary Plat “Cannon Beach” conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with Ordinance No. 5587, except as modified by this request.
3. Compliance with all City development codes and regulations except modifications approved with Ordinance No. 5587, and those shown in the following table:

Development Standards - Areas A and B

Development Standard	Approved
Minimum Building Separation – <i>MZO Section 11-6-3</i> <i>(Building height between 20 and 40 feet)</i>	13.5 feet between buildings on Parcels 4, 5, 6, and 8

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

* * * * *

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

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

- 6-a ZON21-00278 District 5.** Within the 1300 to 1500 blocks of North Power Road (east side), within the 6800 block of East Hobart Street (south side), and within the 6800 block of East Halifax Drive (both sides). Located north of Brown Road on the east side of Power Road. (6.13± acres). Rezone from Office Commercial (OC) and Single Residence 35 (RS-35) to Neighborhood Commercial with a Planned Area Development overlay (NC-PAD) and Site Plan Review. This request will allow for a development that includes food trucks. Sean Lake, Pew and Lake, PLC, applicant; Power Road Park, LLC, owner. **(Continued from October 13, 2021)**

Planner: Lesley Davis

Staff Recommendation: Approval with conditions

Summary:

Senior Planner Lesley Davis presented case ZON21-00278 to the Board. The site is north of Brown Road on the east side of Power Road. To the north of the property on the west side of Power Road, there is church and to the east of the property is single family residential zoned RS-35. On the west side of the property there is also some single family on that side of the road. South of the property there is an RS-35 Parcel owned by the City of Mesa intended to be a future fire station site.

The General Plan for the site falls within the Neighborhood Suburban Character Area within the City. That Neighborhood Character Area does allow for nonresidential uses along arterial frontages, which this property falls within along Power Road. That designation also allows for schools, parks, places of worship and local serving businesses. The goal of that character area is to provide safe places for people to live and enjoy their surrounding community.

The history of the approvals on this site began when it was first annexed into Mesa in 1983. As part of a larger parcel that came in 1984. The RS-35 zoning was established on the overall property. In 2007 the City Council rezoned a 2.3 acre portion of the property, the portion south of Halifax and the smaller portion north of Halifax from RS-35 to Office Commercial (OC) and Site Plan review to allow an office development on the property that was not constructed. In 2015 staff received an application to rezone the property from OC to Infill District (ID-1) and that was for a request for a self-storage on the property. That case was tabled at the Planning and Zoning Board hearing in December of 2015.

We received a similar request for the same zoning request in 2018 from OC to ID-1 again for a self-storage facility. That request was again tabled at the Planning and Zoning Board meeting. There was neighborhood opposition for the use on both requests for the Self-Storage and no City Council action was taken for either of those cases in October of 2021.

On October 13, the Board of Adjustment upheld an interpretation of the Zoning Administrator that the current use of the property primarily for food trucks did not conform to the City's definition of Public Park and Recreation Facility. And that is what

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

brings us here today.

The applicant has requested to rezone the property from OC and RS-35. A portion of the property still remains RS-35 and they are requesting to rezone it to Neighborhood Commercial (NC) with a Planned Area Development Overlay (PAD) and Site Plan Review. The purpose would be to develop the Power Road Food Truck development on the overall site. The zoning designation of Neighborhood Commercial (NC) allows for locally oriented retail and services. Commercial uses that can go into that district include retail stores, restaurants, gas stations and convenience stores. Going back to the restaurants that includes limited service restaurants, which is what the Zoning Administrator has determined that a food truck use falls within in the Zoning Ordinance.

The Site Plan the applicant has submitted was designed to create some mitigation of the use to the neighborhood. When you have commercial next to residential, that is always something we have to take a look at. To the east of the property is adjacent to the neighborhood with the existing homes. The applicant has proposed an eight foot masonry wall along that east property line and along the south border of the proposed parking area that also happens to be on the east side south of Halifax. There is a condition of approval incorporated into the staff report that would create some construction timelines for that wall to make sure it happens as a first phase of the development to make sure that proper buffering is provided, since that was something the neighbors have been interested in.

In addition to that, there is a 25 foot setback and landscape buffer that is being provided adjacent to that wall. And again, that follows that entire property line on the east and south side along parking. Some of the other buffers that are provided include what they call their great lawn. They have an amenity that is currently shown as a splash pad and could be a tot lot or something like that. They have a restroom facility that will also have some Administrative Offices. The tan areas that are identified on the Landscape Plan are identified as alternative surface and that is for parking for the site and includes parking south of Halifax. But primarily, the parking is provided south of Hobart, which is the northern boundary of the site and identified as alternative surface to provide some additional flexibility.

During the week when there is a lower number of food trucks, they could use this additional open space if somebody wants to kick a ball around when the parking requirement is not needed as much. That alternative surface is something that has to be approved by the Zoning Administrator. The City Engineer weighs in on that as well. The surface for that has not been determined yet for the alternative parking and will have to be worked out. The surface will be dustproof and something that is usable to create open space for the site. Beyond that open space within the Great Lawn there is a large area along Hobart for some outdoor seating area. Surrounding that there is some decorative pavement that will provide pedestrian walkways and access into the site for the food trucks.

The food trucks will circle into that area and then loop down along Power Road, which is where they will be parked. The outdoor seating areas will provide space for people to gather and enjoy the food and will create a distance from the residential properties a little bit to enjoy the open space as well. This will provide a bit of a uniqueness to the property, which goes towards the Planned Area Development (PAD) request that will

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

provide that additional open space. The limited service restaurant area creates some unique features. As mentioned, the food truck area has been defined on the site plan as that area that bounds the four covered blue squares on the plan, that are covered space and will provide shade for those seating areas. There is also landscaping there adjacent to the food truck areas close to Power Road.

The wall location plan describes what's happening along Power Road and it shows it a little bit better. It is a combination of a view fence and screen wall that'll be around the site and will create some additional security around the property. If somebody is waiting in line at one of the food trucks, their child's not going to run off and get away from them with the busy street. It will also provide a function to screen headlights and such going on to Power Road, but still provide visibility and security.

The applicant has requested a PAD for the site. The first item listed here relates to not having permanent markings for the spaces on the alternative surface parking area and is a difficult thing to provide on a porous surface. They will be working with the City to determine what that surface is going to be and what's appropriate there. But they have asked not to delineate those parking spaces and will have a traffic management plan which we're working with them on. This will be a part of the Development Agreement that will have somebody that will be out there that can take on making sure that they are efficiently parking that space and not having people haphazardly parking.

As a limited service restaurant, there are conditions of approval for the food truck area, and conditions that relate to the parking. Based on the fact that the property itself is being looked at as a limited service restaurant, we calculated the parking based on that. So we have taken the 1 space per 200 square feet of area for the seating to be considered for the parking as well as taking a look at the indoor space, which was considered with two spaces for food truck. That lines up with the calculation we would use for a restaurant indoor area for a restaurant because with our restaurant calculation, we do consider the entire indoor with the kitchen, whether there's patrons inside the building or not. This lines up with what is required for a limited service restaurant.

There is a condition of approval that the food trucks need to be located in that area that is been defined on the Site Plan. They will not be located anywhere else on the site or in those parking areas. The PAD request also requests an alternative parking area, not to have landscape islands in that area. This allows them to have flexibility of that space, being able to utilize it for people to go out there and kick a ball around or something when it's not being utilized for parking in their off peak hours. The third request for the deviation to code was to have a six foot fence within the street side setback along Power Road. And again, they are still creating that feeling of the three and a half foot wall that is allowed within that setback with the view fence above and will allow them to provide landscaping on both sides of that wall.

Another condition of approval will be that it has to go to the Design Review Board. Ultimately the Design Review Board will comment on the elevations. The applicant is proposing something a little more modern, a little playful with some upgraded materials but they will need to comply with all of our building form standards. We will be looking for that final approval to make sure that we're getting that quality for the PAD that these things are going to remain consistent. We don't have an application for that yet. Also, they will look at what some of those wall details could look like. Again, the Design Review Board will have a final view of those to make recommendations for approval

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

through the Planning Director on the elevations.

The applicant did complete their citizen outreach. They did meet the required notifications and held a neighborhood meeting on the subject site on April 20 of this year. They had approximately 50 people in attendance and staff was able to attend as well. Some of the concerns that were brought up related to the land use, the fencing, lighting, noise, traffic and parking. These concerns are also included in the materials that were submitted for this case. We also included letters and communication that staff has received from the neighborhood with opposition.

As far as what the concerns are, you have many people who want to speak tonight as well as a petition from that neighborhood that was included in your packet materials. Regarding the concerns of land use, that is one of the reasons that we're here tonight. There is a condition of approval which requires the construction timing for the fences to be constructed. The lighting is something that will be addressed with Design Review, but also City Code requires them to comply with our ordinance and our dark sky ordinance and making sure that we don't have lights that are projecting onto the residential properties from this site.

They are also including a Good Neighbor Policy. As this project moves forward to City Council, it's our understanding that noise will be a part of that discussion. As far as traffic goes, Transportation Department has taken a look at it and the roadways are adequate to support the additional traffic. This is something that they will be working out with the neighbors as far as some additional things that could be included in that will that be hours of operation, who they contact, if there is problems. Similar to what you just heard about on the previous case.

A Development Agreement is required to have City Council approval. Some of the things that will be included in the DA will address the wall locations, food truck location, lighting, construction timing, landscape and building design and parking requirements.

Staff's findings in reviewing this site against the General Plan is that it is in conformance with the General Plan and complies with the criteria in Chapter 22 for a PAD and the criteria in Chapter 69 for Site Plan Review. Staff has recommended approval with conditions and I'm happy to answer any questions that you have.

Chair Sarkissian has a couple of questions on the Site Plan with the access points on Hobart Street. I see that one of the access points on the pedestrian and food truck portion are gated. Are they going to be gated or will they have slide gates for access. Ms. Davis responded I believe there will be gated on all of the driveways, The intent is for most of the parking to happen off of Hobart to reduce the impact on Halifax, which is currently where people are parking at the site. There are gates at all of those areas so that it can be controlled. That way they can make sure that they're filling the parking lot on Hobart before they move to the Halifax site property.

Ms. Sarkissian asked as part of the Development Agreement, some of the stipulations show things in there regarding the timing of the impact of the neighbors. Since it is currently an ongoing thing right now, how will the wall and the lighting that are that are the most impactful right now, what are the conditions that staff is discussing about this right now. Ms. Davis responded. Those items that we're discussing will go along with

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

this project as they're moving forward with their phasing and Ms. Sarkissian confirmed as far as getting these issues resolved and if this is improved, what would the timing be of resolving the conflicts. Ms. Davis responded those are being worked out, and there are some timelines that are established in the stipulations of approval. And through the Development Agreement, we'll be working out those details. That's why we are trying to move things along quickly, but still understanding that there are constraints that the applicant has to deal with such as availability of labor and materials.

Planning Director Nana Appiah added, there is a specific condition that addresses the wall, condition #12 and #13. Condition #13 specifically talks about when construction will commence. Also, condition #12 discusses when the applicant has to submit the permit for review. After it's approved, when they have to start construction. Typically, when you review projects, we really don't get into timing of when they have to submit plans and when they have to start construction. But in this case, we believe that is critical for them to do that. It is really a number of conditions of approval that lays out this timeline and it will also be carried into the Development Agreement. We want to make sure all these measures are put in place at specific times and not just left open.

Boardmember Boyle stated food trucks are somewhat of a newer fad, at least becoming popular again. Typically, if I'm driving around and I see a food truck in the City, is it most likely operating illegally. When I see them I wonder if anyone is getting the permits or approval to set up the food truck. Ms. Davis responded there are certain regulations and places they can be located. And they are expected to follow that criteria. Mr. Boyle stated there are some very strict ordinance and rules about where food trucks can and can't be located.

Dr. Appiah responded based on the interpretation that food trucks fall under are limited restaurants. We have a Zoning District where limited restaurants are allowed and it is no different for any of them and where they are allowed in the zoning district. However, we also have public right of ways so most of the trucks you see within the public right of way falls outside the zoning district and where they go. So, if you see a food truck in a public right of way, that's not something that we really regulate.

City Attorney Sarah Staudinger added a further point of clarification for the Board. In May of this year, City Council adopted an ordinance regulating food trucks and that regulates the licensing and location and public right of ways. That would be the type of operation that has to get a license and operate within certain constraints. So that would be outside of what Dr. Appiah is talking about

Mr. Boyle had a second question about the alternative parking material. What are some examples of what the applicant is thinking of putting there. Ms. Davis responded you will see on the landscape plan it shows decomposed granite, but they also have the option of doing a turf on that area. One of the examples that they've utilized is how the parking is run for the Cubs and for the A's and to be able to allow that turf parking area which creates a softer environment, but also allows the parking on it. Mr. Boyle said I thought it was granite, but when there was discussion about kicking a ball around on it, I was confused by what material may be there.

Vice Chair Villanueva-Saucedo said, I just want to make sure I'm reading the staff report correctly. Prior to the Zoning Administrator's designation that these are limited service restaurants, we had no classification for food trucks anywhere in our Zoning Ordinance.

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Is that correct?

Dr. Appiah responded that is correct. We currently do not have a specific use listed as food trucks. However, the Zoning Ordinance allows as one of the requirements the function of the Zoning Administrator to look at the use and see what similar uses are comparable and make a determination as to what the use falls under. As of now, it was a Board of Adjustment, the information of my interpretation that are found that the food trucks are limited restaurant uses.

Applicant Sean Lake, 1744 S. Val Vista presented on behalf of the property owners, Ray Johnson and David Darlene. I'm going to clarify a couple of things and then I'm going to get into our presentation and what I want to talk about. First, working with Lesley and Nana in the Planning Department has been a pleasure to try to come to some compromise. Your agreement to allow this as something that could work but still addresses a lot of neighbors concerned. The property owner still believes that this existing operation is in conformance with State Law. I just want to put that on the record that the operation is consistent with State Law.

Having said that, you may recall that this project was on the October 13th Planning Commission meeting and was continued from that meeting. Since that time, we've spent extensive time working with the City to try to come up with a plan, not only a site plan and making changes to the site plan, but a list of conditions that address the issues that have been addressed. When I started looking through the conditions of approval, we're used to seeing the standard form conditions with projects that go through. This one for example, addresses a specific issue to tie the site plan and exactly what is going to be built so it's not a bait and switch situation. Condition 2 talks about the wall plan, again, addressing the wall, which was a big issue. There is a condition that addressed the Good Neighbor Policy and trying to work with the property owners going forward.

We know there's been some animosity in the past, but we want to put that behind us and try to work together cooperatively and in doing that we came up with a Good Neighbor policy. Number six deals with parking specific parking, there is no requirement for food trucks and we had to come up with a new one. So, we worked with staff and prepared a parking study which condition six deals with that.

Again, to try to address a lot of those buffer things. And so, in that two week period, we've worked extensively with staff to try to come up with conditions of approval that address the buffering to address compatibility with this community. We are coming before you this evening with a recommendation for approval from the Planning Staff, so that this Board would have something that they feel comfortable recommending approval.

And so that's where we have come to now and what we've tried to do. I've also met with Mr. Sloan a couple of times, he invited me into his home, and he came into my office again today. We've had some email exchanges, but that will be an ongoing discussion and we will continue to work with Mr. Sloan and we will commit to have those ongoing discussions with those neighbors today.

For many of us, that have been out in Mesa for a long time, I look at Power Road as old

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Bush Highway. When the City annexed a lot of the property up there, it became Power Road. And then as you go farther north it became Bush Highway, but Power Road is a major north south arterial, I think it's probably the busiest north south arterial in the City, if not the first or second busiest street in the City of Mesa, excluding US 60. Of course, it is a busy road full of a lot of different uses, a lot of commercial and retail. Power Road has a lot of different uses on it and is a very busy road. And it has become more and more busy as the City has grown all the way up to the northern boundaries of the property.

This property itself has a long history. Going back as staff pointed out of a lot of different uses that have been proposed. There were some uses that we proposed to put on this site in addition to the mini storage that was pointed out. We also looked at doing multifamily on this site. In working with Planning staff to try to come up with a land use on this property, to try to work to make something happen here. And so that's one of the additional things that we've tried on this site, we think we've come up with a good use to utilize this property.

For a commercial venture, it's a park that will allow food trucks on it that are tailored down and have a lot of conditions that regulate what happens on that. We think that's a good proposal. We believe the proposal is consistent with the General Plan. So I won't spend a whole lot of time of what we're proposing to go from Office Commercial and RS-35 to Neighborhood Commercial. We think this is a good proposal that does address a lot of the concerns and provides good adequate buffer. And we think after working extensively with staff it is finally ready to come to the Planning Commission and addresses those things with the conditions of approval.

So that's why we're here today. Let me identify some of the things in working with staff over the many, many months of working on this, that are identified on the site plan that's presented. Condition number one is compliance with the site plan. And so what we incorporated was the walls that sets forth the timeframe in which that eight foot wall will be built adjacent to the residential homes on the east and south sides. It is very specific on when the permits have to be submitted, when we have to start and when we have to finish. We have submitted a lighting plan where lights will go if this project is approved, we will remove the existing lighting for those that have been out to the site and install more permanent, attractive, more compatible lighting plan. When I met with Mr. Sloan today and said we'll work with you to make sure that there's not glare onto the property. Again, there's a condition of approval dealing with lighting and how that works and how that will be reviewed by the City.

Mr. Lake continued, as this operation started, parking was a significant issue. We didn't have the larger property up to the north of the site. And so, in working with the City, we tried to identify what is a solution and the land to the north was available. The property owners acquired that property so that they could provide or come forward with a plan that does address parking and has sufficient parking on site so that there isn't a parking problem. And that's the plan that's presented before you today. As far as coming up with those numbers, there's a lot of studies out there about food trucks, but there are other cities and other operations that have them. We think given our operation, that there is sufficient parking on site to address the parking issue so that you won't have people parking up and down those public roads. I can't stop people from parking on a public road unless the city wants to do that. But we think we have a sufficient onsite parking.

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

We've also had discussions with a church directly adjacent to provide some overflow parking and hope that a good relationship with the church can continue to provide parking there.

We've tried to address the walls, the landscaping, the buffers, lighting, parking, and one of the other things was permanent power. There are generators out there right now and with this approval, we'll be able to bring permanent power and get rid of the generators. And so that will help address some of the noise issues and concerns. In addressing the noise issue and bathrooms, we will build bathrooms on the site which are on the site plan and will be able to remove the portable facilities.

And then last on that is the food truck area. These property owners have identified an area on the plan adjacent and along Power Road, which is the busiest area again, the one of the busiest arterials in the City of Mesa. This is where they will stack all the food trucks down to that area along Power Road. And that's contained on the site plan and regulated by condition number one of compliance with the site plan which labels food truck area.

We have tried to do everything we can. I want to focus a lot on the buffers and what we've done. There will be a lot of amenities associated with this park, you'll be able to come and have a fire pit, cook s'mores with your kids and sit and just gather. We think it's a great wholesome environment for people to come. For those that have been to it, it's hugely successful in the City of Mesa, right now. It's operating and people love it. This is something that's unique and attractive along Power Road and we think the successfulness that we've had so far says, this is something we want to have, we want to try to encourage to promote the small businesses and have a place for the people to go. But we think it will be even better with this plan, because this plan can address a lot of the concerns that are currently existing on the property today.

We feel the elevations are very creative and unique. It's just not the standard beige stucco box with a tile roof and we think along Power Road is a good place to do that. Again, it will go to the Design Review Board. Should this move forward, again with the other areas. And this was done before we reached an agreement. But we now are in agreement with the Planning Director and the staff report on all of the conditions of approval. We think all the conditions represent a good method to address a lot of the concerns to provide the appropriate buffer and create a plan that is consistent and compatible with the neighborhood.

With that we would request that you recommend approval to the City Council so that we can move forward and try to reach a compromise to make this very nice, popular place even better. And address a lot of these issues with the improvements that will be done as part of this approval. With that we'd request your approval and would be happy to answer any questions.

Boardmember Crockett asked how extensive the restroom facilities are going to be. Mr. Lake responded they are working with the architect on the number of depositories and fixtures. They currently have temporary facilities and have a good idea of how many they will need to install permanently. They do not anticipate a lot more traffic with this new plan and there's more amenities and seating area. So we think we have a feel but we'll work with our architect to make sure that there are enough fixtures.

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Boardmember Peterson said this is obviously an evolution from what it started to where it is now and has been evolving and it will likely continue. It is a new concept and some new territory here. Up to this point, it's been seasonal, and weekend dominated and if these improvements go in what is the anticipated amount of use moving forward. Mr. Lake responded; this is a seasonal thing. There's not a lot of people that like to go out in 120-degree weather to go get a waffle crush or a proof bakery loaf of bread. We find as the weather cools off right now, it's starting to pick up and the popularity increases. The weekends are obviously more popular than the weekdays. They are open Monday through Saturday right now and they find that the more traffic occurs on the Friday and Saturday than they do on the Monday through Thursday. They're also extremely popular with groups that want to come out and hold a birthday party, or they've got three high school reunions of people that want to come. People can come onto the site. But if they choose to go purchase anything from the food trucks, they're more than welcome to and then take them back to the picnic areas and eat them there or sit around the fire pit and enjoy that.

Vice Chair Villanueva-Saucedo read into the record comment cards staff received.

Karen Jenkins, 1634 East Halifax Drive opposes the project and did not wish to speak.

Marilyn Bernsen, 6908 East Hobart Street opposes the project and did not wish to speak. She is opposed to the excessive traffic, bright lights and blocks for you to enter on Power.

Philip Rodriguez, 7035 East Hobart Street opposes the project and did not wish to speak.

Jeff Ruiz, 6931 East Indigo Street opposes the project and did not wish to speak. He wonders how they can do business when none of this has been approved.

Jay Wickstrom, on Hobart Street opposes the project and did not wish to speak.

Edward Bisbee, 1635 East Halifax Drive opposes the project and did not wish to speak. The food park has an apparent inability to follow through with what they say. Traffic is the biggest problem.

Ray Leo, 6951 East Hobart Street opposed to this item.

Kylie Reynolds, 6821 East Halifax Drive is opposed to this item.

James Schaller, 6821 East Halifax Drive opposed to this item.

Laura Enosara, 6951 East Hobart Street is opposed to this item. Ms. Enosara wrote: Dear Lesley Davis, I would like to voice my opposition to ZON21-00278. I would like to say that many in our neighborhood are not unreasonable people. Our concerns over the Power Food Park are because the owners of the properties have no regard with obtaining proper permits and have proceeded with their plan without approval our neighborhood has suffered because we have not been allowed to have a say we urge you to reconsider and give this neighborhood a chance. We would welcome constructive

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

and meaningful conversations regarding the impact of our streets and neighborhood. Thank you.

Stephanie Elliott, 6965 East Hobart Street is opposed to this item. She said, we are opposing this change due to the high traffic and reckless driving taking place in our private neighborhood. Our family does not feel this is the right area for this type of venue.

Dale Thorson, 7004 East Hobart Street opposes this item. Please DENY – I am a 33-year resident of this quiet and peaceful, safe upper middle class single family neighborhood. This is no place for a food beach park or apartments or other similar commercial operation. It is an introduction of unwanted elements of society leading to drugs, injury and robbery.

Tom Bade, 7030 East Halifax Drive is opposed to this project. I'm writing you to ask you to recommend to not approve the zoning changes for the subject property for the following reasons. It does not fit with the existing neighborhood and is not more than 250 feet from residential homes. The applicant for over a year has had a total disrespect for the city and existing City zoning.

Richard Allen, 6945 East Halifax Drive opposes and did not wish his comment to be read.

Karen and David Paynter, 6701 East Princess Drive opposes this food truck operation. It has been devastating to our neighborhood after working all day we want to come home to relax and enjoy our family and yard. If this rezoning goes through instead, we come home to noise from crowds of people, excessive lighting traffic and garbage then comes the homeless and crime we do not want to live in this environment. When the Board of Adjustment votes 6-0 stating this food truck operation currently is illegal. Why hasn't the City shut him down? Do laws only apply to certain people. Who is the City protecting and why? We need answers.

Russell and Marilee Bernsen, 6908 East Hobart Street are opposed to the project. I oppose the rezoning of the properties on Power Road between Hobart and Halifax Streets. I live across the street from this property, so I see firsthand six nights a week all of the safety and code violations. Please do not allow this to continue by approving the rezoning of this property. Please support shutting down this food park under its current unsafe and unsanitary conditions. Thank you.

Thomas Bade, 7030 East Halifax Drive is opposed to the project. Contrary to the applicant's narrative, the incompatible project has not been well received by the neighborhood. The narrative also states that the existing subject property is an allowed use, using residential zoning property for commercial parking is not an allowed use. If the so-called Park is allowed there would be no need for changing zoning. If this application is approved, the following should be included in conditions of approval. Parking should not be an alternate material and should be marked pavement with access for the handicapped, don't lock out the handicap.

Ryan Wozniak, 1301 West Ninth Street is in support. I'm in support of the Power Road food truck. The proposal is a creative placemaking concept for enhancing

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

entrepreneurial opportunities for small business ventures and so wish them to succeed. As an appointed Transportation Advisor, for me so the residents voiced concern to TAB about the traffic this proposal generates. I expect signs placed in the middle of Hobart Street and Halifax Drive discouraging cut through traffic would be adequate for residential impact. I would advise deregulating arbitrary parking requirements.

Lana Braunstein, 6915 East Halifax Drive is in opposition and did not wish comments read.

John Morgan, 7027 East Halifax Drive is in opposition.

Calvin King, 6919 East Hobart Street is in opposition. Safety, security, noise, unsafe traffic are all concerns. This is not wanted in our neighborhood. Permits are not required in the City of Mesa apparently.

Anne and Doug Gerber, 1435 North 71st Street are in opposition. Our once quiet and clean neighborhood has now been overrun with loud music every night, hundreds of cars driving through our neighborhood every night. Our roads do not have sidewalks and no city lights and is extremely dark in the evenings. With so many vacant office building parking lots and so many large public parks in our City, it makes sense that the food trucks would be more suited to an area that can better accommodate the car and foot traffic that this park brings with it.

Dwight Bare, 1342 North Power Road is in opposition. Commercial zoning and businesses will depreciate the property values in our neighborhood. The traffic when the food truck operates is inconvenient and disturbing to those of us who live adjacent to the park. The lights from the food park as well as the cars pulling in and out shine directly into the window of my house for the whole evening when the food park is open. This is an annoying disturbance. Thank you for listening to our concerns.

Patricia McEwen, 6928 E. Hobart Street is in opposition. Hobart, Halifax and 71st Street are residential streets with no outlet other than Power Road. There is no infrastructure that exists to support business traffic. Only two lanes are available for access and other businesses along Power are not accessed via neighborhoods. If this park is approved, it needs to include the requirement for infrastructure to support direct access from Power. Only the neighborhood requires easy access to and from homes. The venue produces noise, trash, blinding lights and the smell of old cooking oil. The current fence blocks the view of traffic northbound on Power from Hobart. Please vote no. Thank you.

Shannon Martinsen, 1643 East Halifax Drive is opposed to the project. The food trucks have brought a new usual and dangerous traffic patterns to my neighborhood. The crowds have been difficult to navigate. There's an increase in trash and I can't come and go from my own home. Without serious delays and hazards I am so frustrated it is damaging my property values. There is no escape because it's at my doorstep, please protect my neighborhood by not allowing the rezoning to pass. If we have no choice but to accept the business plan steamrolling our way of life, please make allowances to leaving the streets clear for residents and trash removal by the businesses. And those are all the comments submitted into the record.

David Sloan, 6822 East Halifax Drive spoke in opposition. I am right in the armpit of the

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

new proposed park. I share a property line on two sides with the Food Park and we also share history that I'll mostly leave out in the interest of building bridges. However, suffice it to say it has been contentious and generally unproductive. There are two sides to every story, I've got to say I don't think it's unreasonable for me to want to live in my house and raise my family on my quiet street without being subjected to a rock and roll block party next door six nights a week. I've actually talked to the owners several times, and I've told them on multiple occasions that I'm actually a big fan of food trucks. My wife doesn't agree. She's not happy about that for me, that I could even be supportive. However, I've also told him in the same breath, it needs to be in compliance with the law. And it needs to be operated in a manner that does not overly impact the neighbors. That's considered of all everybody's property rights. The impact of the food park for my life. the impact on my life over the last year can't be overstated. You've seen the dozens of letters that we've sent in that pretty well nail it down. Hopefully you've seen the photograph that I've taken out of my window and from the window of my son's bedroom right into the park. Granted, there can be a wall but that doesn't solve everything. You can't see as easily as the number of times that I've gone to Ray and Dave, and I've asked him to move a generator away from my child's bedroom and ask them to turn the music down or ask them to address the street parking. Put some effort into it and be greeted by shoulder shrug. You can't see the impact of a father trying to read a six year old son to sleep at night. On a weeknight over the sound of people partying, driving in and out, air horns blowing, car alarms chirping. I like people having a great time, too. But when people are having a great time living next door to you, every single night, it's different. You can't see the frustration when I asked for simple remedies to these things. And I'm told, okay, Dave, what are you complaining about now? Well, your problem is you live next to a commercial property. And then as though that just absolves them of any obligation to be a good neighbor, they knew full well that they were buying a commercial property in the midst of a sea of residential. And the portion to the north that's currently zoned as residential only very recently came onto the market. And so, as a point of clarity, there's not a ton of things that have been tried there. And most recently, that property was acquired by somebody who did want to build six single family homes. And he was actually told that the usage was probably too intense for the neighborhood. I'm not sure how this is less intense than that. So, although I am frustrated with the last year of the operation and our previous interactions, I believe it is possible for the operation to potentially coexist with a neighborhood, but it will require the cooperation and the effort on behalf of the owners. To that end, I have hired an attorney specifically to help negotiate a reasonable solution that can work for everyone. Obviously, personalities get involved and things get heated. That becomes a challenge.

There is a condition for a Good Neighbor Policy in the staff report, however, that remains undefined. It's vaporware at this time, instructed to be written by the property owners themselves. And at this point, it's completely unenforceable. This is a key item. How can we demonstrate compatibility with a neighborhood without that I don't see how we can support this project without actually seeing that piece of paper. To have it as a condition is a great start. But it's meaningless unless everybody gets to know what it actually says. And the way the condition is written, currently it leaves it entirely up to the food park to determine for themselves, what being a good neighbor consists of. This meeting was continued for two weeks primarily to allow for this exact type of discussions. However, due to misunderstandings and availability, we've only been able to have our first actual meeting just this morning. I believe that both sides are actively engaged in good faith to work out terms, but there's significant ground that still needs to be covered. And we just

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

need more time to see where that goes. This is an unknown and extremely intense retail use on a midblock parcel surrounded completely by long standing residential area, 50% of which everything to the east of Power is all large lots. And if this operation can't be run, without spilling over into the surrounding neighborhood, and having an unreasonable impact, then it's either being managed badly, or it's just the wrong place. And those are key issues I think that are relevant to the Board here today. So based on all of these events, I ask you not to support this proposal in its current state, there are too many critical things that are still undefined or unresolved right now. And without the time to see where they go, it would be irresponsible to vote for approval. Having said that, we have had a productive meeting today. I think that with much more work, we may find the common ground that we're looking for. But the engagement must be strong and continuous. Thank you.

Boardmember Crockett asked Mr. Sloan what he feels the applicant's explanation of what they've done to try to accommodate the concerns of the neighbors. It like you haven't seen everything quite yet that you'd like to see or is it more an issue of getting something in a kind of an enforceable format. Are there pieces that are still missing?

Mr. Sloan responded, yes. And so certainly something that's not enforceable. It strikes to the heart of the matter. If something's not an enforceable agreement, then I'm left to just assume everything's going to be fine. And clearly the details matter. And one thing that I would point out too is its sort of being posed as a false choice between where you can either have generators running and no fence, or you can approve this project and get all of the enhancements.

Roger Jenkins, 6834 E. Halifax Drive spoke in opposition. Mr. Jenkins stated there is noise every night from the generators and there is total lack of concern for the neighborhood.

Patricia Venisnik, 6903 E. Hobart Street is opposed to the project. I strongly oppose a rezoning of all the properties being discussed in this case. Now that the owners of these properties have further chosen to disregard the City of Mesa Zoning standards and expand their operation onto the residential property next to me. I am now having to live with Unwanted music, noise, cars slamming doors, a mix of cooking odors, very bright, light shining, into my bedroom windows. These property owners and anyone representing them have shown absolutely no regard or concern for anyone living in this neighborhood. I believe these four parcels should all be rezoned back to residential as they had been. Let someone who was interested in building homes on this property and add to our neighborhood and in a positive way put an end to this mess. And it is a mess. Thank you.

Alan Thom, 116 N. Sunrise Street is opposed to the project. Mr. Tom stated his family were one of the oldest Chinese families in Mesa. My point is the residents here on Hobart and Halifax, they did nothing wrong and they're being punished with this food park on Power Road. I spoke with the CEO of the Arizona Restaurant Association and was told last year the annual gross sales of brick-and-mortar restaurants has decreased and having a food truck park will dimension their sales even greater. I'm pleading with the City of Mesa not to destroy the brick-and-mortar operations and please deny this request.

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Ted Sparks, 7010 East Halifax Drive is opposed to the project. I'm not here to complain about the food trucks but want to give you a better insight as to what our neighborhood is. We have a really unique neighborhood here with two streets coming off of power Halifax and Hobart and they connect to 71st Street at the bottom. We generally have little or no automobile traffic on here, at least until the food truck came in. It's a nice quiet neighborhood. Now we have hundreds of cars driving up and down the street. There's got to be some way that you could allow them to operate in there on the frontage and save the zoning. Thanks very much for this.

Russell Beruzrm, 6908 E. Hobart Street spoke in opposition to the project. I live across the street from the operation north and east of the current for food park operation. I ask that you do not recommend this zoning change request. There are just too many questions that still need to be answered. And these are from the owners own comments tonight. There is still a lot to work out. As you know, the City of Mesa has determined two times that this is not the proper use for this land. However, the food park continues to operate today. And you've heard already from a bunch of people under unhealthy and unsafe conditions.

Linda Vossler, 1451 North 71st Street is opposed to the project. Thank you for allowing us to join the meeting and to share our thoughts and concerns regarding these properties. While I would love to rehash all the years of listening to these individuals promises I will not waste my breath or your time as that has been outlined in many emails and many other things that have been given to you already and you're in for the board to review. If you have not visited the area, I encourage you to do so prior to making this decision. What is being proposed does not fit into the interests of our neighborhood. Our homes are on large residential lots as you've already heard and many of us purchased in this neighborhood for that specific reason. These owners have done nothing to demonstrate that they have any concern for the neighborhood. The City of Mesa should provide some assurance to the neighborhood, a neighborhood agreement is zero protection. Lastly, I want you to know that our neighborhood is not against business growth, or even food trucks as we have been portrayed. We cannot sit outside and enjoy our own land and our own neighborhood. Without the noise, the lights, the food smells and unsafe traffic coming through our neighborhood. Please consider this. And please do not approve this. Thank you.

Craig Vossler of 1451 N.71st Street stated: We've been there just about 20 years. In my opinion, we're here today under false pretenses. But first we need to go back to May of 2019, when the applicants had proposed the Power Beach Park, which has not been discussed tonight. This was ADM19-00541 and PMT19-17732. This was on the original two acres which, I was in favor of rezoning from RS-35 to Office Commercial because we thought we were going to get 4 office buildings. And we're okay with that. This project was still opened with the Planning Department in 2020, and then COVID-19 hit and by the way, the staff forgot to include this as part of the history of the properties. So, In August of 2020, the applicants clear the existing OC properties, the 2 that they bought in back in '07 and lay down rocks and put up a temporary fence. So the neighbors started watching wondering what was going on. As things progressed, I started calling and contacting Marisol Vasquez in Planning and was told the Beach Park was all she had knowledge of, for these 2 acres. The Planning staff was made aware of the food truck idea on November the 11th, and pictures of such were sent on November 23. The City of Mesa had time to shut this down before it ever opened. They opened, I think, December

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

11 and 12th, which was a Saturday and Sunday.-The property owners clearly had different plans. The question remains, who in the City knew of this change and who gave them the green light to proceed with a food truck park, because there is no mention of food trucks in this plan? There's a process for new businesses to follow and it wasn't followed here. If you look at the site plan, there was no provisions for the food trucks and in fact, the Power Beach Park only had 18 parking spaces. Get that? 18. Do you think that was going to fly? Probably not. In May of 2021, resident Dave Sloane, who lives immediately next door, requested through his attorney a zoning interpretation to which Dr. Appiah ruled on June 16 of 2021, that the food truck park does not conform to the requirements of the definition of public parks and recreational facilities. A ruling, the Board of Adjustment just upheld two weeks ago today. So back to the current rezoning case. In May of 2021, the applicants purchased another 4 acres to the north for \$900,000, with no contingency on the purchase agreement to expand this operation. Even going so far as to request rezoning before closing escrow. Pretty confident right? And now the Planning staff is asking you to approve this rezoning on 6 acres of OC and RS-35, to Neighborhood Commercial for an operation that should never have been allowed in the first place and has been forced on this well-established large lot residential neighborhood. But what about the residents? Don't we count? We haven't done anything wrong. We're just trying to enjoy our way of life, like we did just a year ago. When do the little guys win one here?-I didn't even get into the Red Mountain Farmers Market business. Please don't allow this rezoning case to be approved. Save our zoning and protect our homes from noise, lights, food smells, and unsafe traffic. It's not the right fit. Vote no. Thank you.

Kevin Venisnik, 6903 East Hobart Street is opposed to the project. This request should be rejected until the applicant actually put some effort into working with the neighbors. I think you can see based on all the comments, emails and everything that have been submitted that the applicant is not actively doing that. When listening to the previous applicant, and his representative talk about how many interfaces and interactions he had with the neighbors, I kind of felt a little envious because they were actually trying to do something versus in this case where he just has not indicated not given any indication he's willing to work with or be reasonable with the neighbors. Again, I think this should be rejected, till such a point that the applicant starts to actually work with the neighbors. They talk about that the process is ongoing. Well, the reality is the process really just started with the meeting yesterday. And that process needs to be worked through quite a bit more before this should be approved. Thank you.

James Connelly, owns 6910 East Halifax Drive with his mother and is opposed to the project. My mother has been in that home since 1977, before the City of Mesa annexed that area. I have a question for you folks. Do you expect us on that street to have to go through traffic control on Halifax six nights a week in perpetuity. Because that's what is there right now. Why on all of these plans, there not access from Power Road and why is there no turnout. It's quite dangerous on either one of those streets to have to pull in.

Scott Bodrero, 6952 E. Hobart Street spoke in opposition. I lived there 25 years and I guess I don't want to reiterate too many of the prior comments. But a couple things I observed. I was excited when we heard those parcels were bought. We thought that would make a nice little 15 home subdivision that would of complement our larger lots. I thought the food truck was temporary. So certainly, I was disappointed when I heard it was expanding to the other four acres. Who doesn't love food and eating out at food

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

trucks. Well, the people that live right next to it. I respectfully ask that you deny this request and for the rezoning and, maybe give it a little extra thought. Thank you for our time.

Applicant Sean Lake responded. I'm not going to go into and address some of the comments that were made personally about us but we do disagree with a lot of the comments. Let me highlight some of the things that were touched on. The first one is traffic, we have worked with the City Traffic Engineer, and the Traffic Engineer has evaluated the street system and the street system does have capacity to accommodate this type of use. Hobart and Halifax are public streets, and a lot was brought up about people using those public streets or parking on those public streets. We can have a Good Neighbor Policy and we can direct our parking people to direct people out to Power Road. But I can't force someone's car and prohibit them from driving on a public street or parking on a public street. We are going to try to work with the neighbors and put in a Good Neighbor Policy as far as direction and addressing parking. Certainly, when the entrance is moved from Halifax up to Hobart, which is directly across from the church, the impact will move further north and west.

There was talk about brick-and-mortar stores and brick and mortar restaurants. But the reality is 1,000s of brick-and-mortar restaurants started as a food truck. These are mom and pop operators that come here to have an opportunity in this very nice environment to provide an income for their family. This is a small business opportunity for people to come to this park and talk to the operators, and how they're providing for their family, especially during COVID.

We are working with Maricopa County Health Department, the Maricopa County Dust Control, the City of Mesa, and we do not have any violations. So, it's been mentioned we did not get any permits. The reality is, we don't have any outstanding violations that we haven't addressed. These are good operators. But most importantly, we think with this new plan it is a good plan.

We feel we have worked extensively to create an extensive list of conditions of approval to help address a lot of these concerns. We're not going to make everybody happy. We've tried and to imply that I won't work with the neighbors is frustrating. A few months ago, I met with neighbors, not only on the site, but in their homes and we are willing to continue those discussions. But we're to the point now where we need to just move forward and move forward with this project. We would urge you to recommend approval to this to the City Council. I give you my commitment I will continue to work with the neighbors going forward between now and Council and even after.

Chair Sarkissian had a quick question for the applicant. I believe it's mentioned about overflow parking or utilizing the nearby church. How are you going to direct people to the church and not through the neighborhood as some of the neighbors are mentioning. Is there going to be signage and how would that work. How does that work?

Mr. Lake responded the main parking on this plan will be off of Hobart which is on the north side of the site. Our main parking area is directly aligned with the church entrance parking lot. So as that parking lot fills up, people could drive across the street directly across Hobart and not have to circle around since it is directly north and that can be overflow parking in there. The smaller parking area on the south side of Halifax is

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

adjacent to the City of Mesa future fire station. There are many spaces there that can accommodate excess parking.

Boardmember Boyle said when you said there are no violations you mean there have never been any. Or have they been corrected when there has been a violation issued. Mr. Lake responded we got a code complaint that we had shovels and rakes outside, and they needed to be in an enclosed area. So, we moved the shovels and rakes into a trailer and we got a violation that we had grass growing around a utility pole that exceeded the weed height limitation for the City. We address that issue and the City came out to the site and told us that we needed to put more DG down on the parking lot on the south side. As things have come up, we've tried to address them. I'm not going to stand here and tell you there hasn't been animosity on both sides. But as I committed to David this morning, in our meeting, we're trying to put that behind us and move forward instead of looking backwards in the past and to work with the neighbors. And that's the commitment that a Good Neighbor Policy will help with. It will deal with direction of traffic, having people on site, to direct traffic to the proper locations, putting signage of where to go and where the parking and the excess parking is going to be, handling of any noise issues. But we want to go beyond that in working with the neighbors as well.

Mr. Boyle asked is there a timeframe on that Good Neighbor Policy? Mr. Lake responded it's an ongoing operational issue. We will be working between now and Council on that, and then after Council, and as it gets developed, and as things come up in operational issues, we will try to work with the neighbors. But some things are doable, and some things are not.

Chair Sarkissian asked how those Good Neighbor Policies work with the neighbors that say they have had issues in the past. If they have a concern and things keep happening, is there a point with this where they can complain. Is there any recourse for it if it gets out of hand. Planning Director Nana Appiah responded. As we have seen there is a condition of approval. Typically, before the case goes to City Council, we do get the final Good Neighbor Policy for us to know what is going to be in the policy. So, we have at least the final policy to show to City Council however, because of the ongoing discussion, we cannot have a final agreement between the neighbors. But at least our hope is to get a final draft form of the policy for City Council to review. The main question is how do we enforce the neighborhood policy? It will depend on what makes it into the content of the policy. In addition, there is going to be a Development Agreement to go with this case. The rezoning case is limited in a certain way and with a Development Agreement, if there is a violation, then it becomes enforceable to the Development Agreement. We are still working on finalizing the DA and may be able to extract or incorporate some of this into the agreement.

Boardmember Crockett asked if I could just follow up on that point. The Good Neighbor Policy is one of the conditions of approval today. Does that mean that before this would be placed on a Council agenda, the Good Neighbor Policy would need to be completed? Or would Council hear this case without having the policy completed?

Dr. Appiah stated our goal and wishes are to have at least the draft policy before City Council because their condition is for them to comply with the Good Neighbor Policy. And one of the conditions could be to require the applicant to continuously work with neighbors as issues come up. We will want to see certain things being addressed in the

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

draft policy for Council to approve and not just a blanket neighborhood policy. For example, how do they address the complaints and what they will be doing for the parking directions. So, updates to the neighborhood policy as those come up, so we definitely want to see there is some open way of addressing those issues as well. But we definitely want to see some drafts as we present the case before City Council.

Boardmember Crockett asked, then do you know what the neighbors think of the neighborhood policy, and would you get feedback directly from the neighbors if they are supportive? How do you know that the neighborhood have seen the policy and are supportive with this policy?

Dr. Appiah responded that the applicant has been communicating with the neighbors as well. And what I've heard from the neighbors is they are open to discuss certain content, but they haven't come to a resolution. So, we will hear back from them. And sometimes what happens in situations like this where the neighbors have come up with certain things that they want to be addressed, the applicant or the developer is at a point where some of the items will not be agreed upon. And there are a substantial number of them that they will agree to that we will take and include in the policy and present that to City Council. At that point, we'll make a decision whether that's adequate, or can refer back again to the applicant. There are times where we've gone back and forth on a few projects where it's been continued because the neighborhood policy has not been finalized.

Mr. Crockett stated I think that the neighbors may have expressed a concern about the enforceability of a Good Neighbor Policy. And I thought you said that there may be some of that that could be incorporated into a Development Agreement. Dr. Appiah responded, it does. There are a few reasons why sometimes it is not really a straight condition of approval because some of them are really discussions. For example, if there is complaint, you will call the property owner or the property manager. And the property manager will listen and find solutions to the complaint. It then becomes difficult to really operationalize it or put it in a specific condition because if the call is not answered, it could become a violation. The intent of the Good Neighbor Policy is really to create a forum and opportunity for some of these discussions and places where we feel and believe that this should be absolute stipulation or requirements.

Boardmember Peterson confirmed with staff that the current situation is legal. Dr. Appiah responded this is not the issue we are discussing at this meeting. The case before you is the rezoning from OC and Residential to Neighborhood Commercial. So, the discussion at the Board of Adjustment was a determination of the definition of public park and recreation facilities. Mr. Peterson responded, that is what I am trying to wrap my heard around. A lot of neighbors have concerns over the existing operation. As the P&Z Board, what are we are focused on and what we do not have purview over. Because it's rare that you have a case that's already halfway into the use. If this application didn't happen or didn't get approved, can the existing use of the facility continue like it is right now?

Dr. Appiah stated, so just to answer your question, the case before you is a rezoning case. That is a decision for the Planning and Zoning Board to recommend to the City Council. It is whether the proposal before you meets the zoning, and criteria for rezoning or not. Any activities that have been happening on the site, and whether the

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

intended use has also been mitigated enough. What are the measures, whether you believe that is going to be compatible because what they are considering here is an intent of what they want to use a property for.

Chair Sarkissian stated, I believe what you're asking is more of what was stated earlier is that the owners believe it is a legal use. But that's still up for a different body to determine. This one is just for this rezone.

Boardmember Crockett said Mr. Lake, back to you. Did I hear you say earlier this evening that you had delayed this a couple of weeks to give you time to work with the homeowners in the area. This case was on the last agenda, but it was continued. Mr. Lake stated, yes, and in that time, we delayed it so that we can continue to work with staff and to talk with the neighbors as well. There was extensive work with the staff to try to develop conditions of approval that addressed mitigation measures. Mr. Crockett said as I've listened to the comments tonight, it sounds like there's a place that you could get to with the neighbors where they would be in agreement with you. And I just wonder if there has been enough time for that to happen. Given that you had a meeting this morning, I'm just wondering if you think there would be a benefit to a little bit more time to see if you could continue the meetings with the neighbors and try to get to a place where they were supportive of the current plan.

Mr. Lake responded, I don't believe so. I met with one of the neighbors in their home months ago where we presented a plan very similar to what is before you, not as detailed, but very similar to what is before you and we put forth the effort to try to reach a compromise. Now, up until just a few days ago, we haven't seen and quite honestly some of the people saying, we can try to work something out, we think we can agree on something. That is something very new. And so, I think there's been a lot of animosity and giving us two weeks or four weeks to try to reach an agreement with the neighbors. Now, I think there is an opportunity to come up with some policies on how we're going to operate this facility and how they will continue to operate this facility and ongoing to create a Good Neighbor Policy. But I don't know that there's a special condition that we can add or change with a site plan, any different than what we already have that would make it so we're all in agreement.

Mr. Boyle had another comment. I think Mr. Connolly had this comment about accessing off of Power rather than going down Halifax or Hobart. Was that ever looked at as an idea to have a turn off lane or something like. And this is just in the concept of, if something that could be a nuisance is coming into a neighborhood, you want to avoid interrupting that as much as possible. So has that been looked into as a possibility as well? Mr. Lake responded we did look into that issue. Currently, as you travel south on Power Road from McKellips, there is a left turn median with stacking at Hobart. There's a left turn break at Halifax. And I think if we tried to put one between those two roads there would be too many curb cuts. The main entrance, which is directly across from the existing church and our driveway into our parking lot would be a directly across from the church parking lot driveway. So that's what we felt was the best solution for that.

Boardmember Peterson said, we're looking forward and trying to separate past actions and looking forward, which is our purview here. We look at the site, and it was annexed 40 years ago and for numerous reasons it hasn't been developed yet. And, if zoning you try to plan ahead with a lot of those zoning tools, General Plans and other things. And

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

sometimes zoning is market driven. Looking at the Neighborhood Commercial use for zoning here and Neighborhood Commercial on an arterial street it occurs there's a lot of it there. If it is Neighborhood Commercial, then there's setback buffers between the eight foot wall, the landscape buffer and other things that are common practice. And the question in my head is, is this is approval of this project better than the status quo. From us as the Planning and Zoning Board, is approving this better than denying it.

Vice Chair Villanueva-Saucedo said I think it's a little frustrating that we're being presented with, what I consider a false dichotomy, having to choose between what we are hearing from residents who have come with their testimony. We have to take that into consideration, a bad status quo, versus changing the zoning to allow for something better. But what confidence do we have based on actions today that that will occur? That's just a really hard false dichotomy. It's one thing to say that there's commercial on Power, which I totally agree with that. But to borrow a phrase from my colleague here, this is a unique animal, this is something different and we are specifically looking at development of a food truck park and is that compatible with large lot single family homes that have been there for a while. So, I think we do have to consider the case in its totality. There's one thing about commercial and there's another thing about this new unique animal, abutting residential properties. If it were a different location, I'd say it's a cool site plan. I think there are lots of mitigating factors. I love the wall location, love the stacking, don't love the location for this site, given the limited residential access and given the large lot configuration. To have that abutting again, this new crazy animal that we have to consider what we do with in the City of Mesa, against this residential property. For me doesn't feel like a good decision. So, I won't be in supportive of this just because one can, and obviously has been allowed to today doesn't mean one should. And that's my opinion on this case.

Boardmember Allen said I understand where Vice Chair Villanueva-Saucedo is coming from. But I also understand that along Power Road, that's where commercial goes on any kind of an arterial street like that. But yeah, I live near Greenfield Road. That is what is out there on Greenfield. It is all retail out there. It's all commercial property and this is how they lay out the subdivisions these days. I am leaning a little differently towards this project. With Sean Lake being involved, hopefully we find we can find some way to incorporate this Good Neighbor Policy into the Development Agreements so that the City has some teeth to use to make sure that they are going to do what they say they're going to do. And the neighbors have something also so they're comfortable that they feel like they have something that's a little more substantial. I am leaning towards supporting this project.

Boardmember Ayers said, I'm curious as far as the traffic and the parking control on Hobart, 71st Street and Halifax. The submittal, they do not control that, but does the neighborhood have the ability to control the parking? And, can they look at ways to control both public parking along those streets as well as traffic calming or traffic control?

Dr. Appiah responded, sure. One of the things that Transportation Department did earlier on when they started was to work with the neighborhood to put some signs up in the neighborhood. But that had to be agreed upon by the majority of the neighbors and there was not a consensus to do this. But as part of the neighborhood agreement, which I know the property owner does, it is my understanding they do have off duty police officers directing traffic and I think the applicant can speak to it. But it could be

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

something that could be incorporated into the Good Neighbor Policy because they will be visible when the person is standing there and directing traffic. And if there needs to be traffic calming devices, that's something we need to talk to the Transportation Department for them to assess the site. One of the things that we looked at, is stacking, stacking distance between the entry to the property actually to the parking area.

Mr. Ayers said I understand that. The question was, is that if this were to be approved, that the neighborhood does have some options to be able to look at control, calming the traffic, as far as parking control along those streets, which is I think one of the larger issues at hand, in my opinion. So I was just curious if that is another potential opportunity for the neighborhood. With what we've seen tonight if there is consensus if it is a path that they can take, as far as with those specific issues.

Boardmember Peterson, does passage of this case, give the City and Planning staff down the road, better capabilities than you have right now to resolve the existing issues? I understand they are adding parking. There's a lot of things that this works to get closer to resolve. And I assume it is, yes, because otherwise you wouldn't have processed the case and gotten to this point. Is approving this zoning case better than the status quo?

Dr. Appiah responded, If Council decides to approve it, number one parking, there has been no approved parking surface parking standards for this use. Secondly, there has not been any approved wall to basically buffer the use from adjacent neighborhoods where the food trucks are going to be parked. There's not been any approval for that. And so, to answer your question, yes, approval of this will basically approve a site plan that is enforceable. As of now there's not been an approved site plan. So, this will ensure the development policies and also there is an approved plan that the developer needs to develop according to that approved plan.

Boardmember Boyle stated I teach a Graphic Arts class at ASU and I often tell my students, if you're going to invent something new, you have to nail it the first time. If you can't, you can't do something halfway because someone will not understand what you're doing. I think the site plan is good and moving in a good direction. I feel like the work with the neighborhood is significantly lacking. And so, I feel the same with Boardmember Crocket that may be a delay in approving the project with the Good Neighbor Policy finalized is very critical here given the animosity that's happened. I feel this should probably have some more time to finalize the policy and give some more time for communication between the developer in the neighborhood.

Chair Sarkissian stated my comments are I don't think the delay will do anything. I think we've delayed and continued and continued and continued. I think the fastest way to get a resolution is have a timeframe on the City Council agenda, so that they have to finish it and work toward something. I'm really frustrated with this case, honestly. I go by this site all the time. And I want to say when I first saw it, I thought awesome, this is so cool for the holidays. And then it is still there and operating.

So, my frustration is they didn't follow the process. Everyone knows you go in to talk to staff, you do a Pre-Submittal and follow the procedure. And that's the problem, you follow the process. And so that's what really bothers me. It really bothers me, and I feel that they were not doing what they're supposed to, not following the process. As an applicant, I don't believe that they've done everything on the up and up, and I don't

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

believe the neighbors are being truthful of everything. However, I see the site plan, the issues with the wall, the lighting, landscaping, where they're trying to fix things are compatible with what they should be following what they should be to match the neighborhood with the Good Neighbor Policy.

And for that reason, I can't vote on who the applicant is or who the owner is and what I believe they will or will not make good on. But I feel that based on the site plan, if somebody else had come in and they had come to the neighbors right up front and hadn't started to build, it might be a different discussion. But it is not what happened, they were not upfront. And the frustrating part is that they continued to operate. I've driven down the street, I've seen the obscene parking lights that have no reason to be shining into houses down on these large lots is absurd.

City Council can vote the way they are going to do too, but I don't feel based on what I have in front of me, I feel like it fits was what, on that corner along power. And they've done only improvements. And I want to see the improvements done like tomorrow to just fix this instead of dragging it out. I would hate to see all these people go through the holidays and all that stuff and having this thing going on. It frustrates me and I really do feel upset about what the neighbors are going through. And if a commercial site or office had the landscaping setbacks, trees, and the walls, it would be very similar except for the traffic.

Boardmember Allen motioned to approve case ZON21-00278 with conditions of approval to include the modified condition #9 that was read in at the study session. The motion was seconded by Boardmember Peterson.

That: The Board recommends the approval of case ZON20-00278 conditioned upon:

4. Compliance with the final site plan.
5. Compliance with the final wall location plan.
6. Compliance with all requirements of Design Review.
7. Property owner shall create a Good Neighbor Policy to address the concerns of the neighbors.
8. The subject site shall have a minimum of 30,000 square feet of outdoor seating area.
9. In addition to the "food truck area" restrictions in Condition of Approval No. 8, as mobile food units arrive on the subject site, mobile food units will generally locate in the northern portion of the "food truck area" and thereafter generally proceed to locate in a manner moving south in the "food truck area"; provided however, mobile food units that are part of a private or special occasion on the subject site may locate in any order and location in the "food truck area".
10. Of the minimum required parking spaces required by Condition of Approval No. 6, at least 170 parking spaces shall be located on the subject site (the subject site is only the property depicted on the final site plan).
11. Mobile food units on the subject site shall operate only in the area identified on the final site plan as the "food truck area" so that mobile food units operating within 250 feet of any lot or parcel that is zoned for residential use in a residential zoning district (Mesa Zoning Ordinance, Title 11, Article 2, Chapter 5) are restricted to operating only in the area identified on the final site plan as the "food truck area". The distance from the mobile food unit to the residential lot or parcel will be measured in a straight line

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

from all points along the property line of the subject lot or parcel to the nearest point of the mobile food unit.

12. In addition to the “food truck area” restrictions in Condition of Approval No. 8, as mobile food units arrive on the subject site, mobile food units will generally locate in the northern portion of the “food truck area” and thereafter generally proceed to locate in a manner moving south in the “food truck area”; provided however, mobile food units that are part of a private or special occasion on the subject site may locate in any order and location in the “food truck area”.
13. Submit a photometric plan to the City that complies with all City development standards.
14. Construct an 8-foot tall CMU perimeter wall along the following perimeters of the subject site (as shown on the final site plan):
 - a. Eastern perimeter of Assessor Parcel Number 218-04-003A;
 - b. Southern perimeter of Assessor Parcel Number 218-04-003A;
 - c. Eastern perimeter of Assessor Parcel Number 218-04-005F; and
 - d. Eastern perimeter of Assessor Parcel Number 218-04-007C.
15. Apply for all required permits, including building permits, to construct the 8-foot tall CMU perimeter wall described in Condition of Approval No. 11 within five days of the date this ordinance is adopted by the Mesa City Council.
16. Commence construction of the 8-foot tall CMU perimeter wall described in Condition of Approval No. 11 within 30 days of issuance of the required permits.
17. Complete construction of the 8-foot tall CMU perimeter wall described in Condition of Approval No. 11 within 45 days of issuance of the required permits.
18. Execute and comply with the Development Agreement. The deadlines contained in Conditions of Approval Nos. 12 through 14 may be modified by the Development Agreement.
19. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication, whichever comes first.
20. Compliance with all City codes and regulations, except the modifications to the development standards in the Mesa Zoning Ordinance approved with the PAD overlay and shown in the following table:

MZO Development Standards	Approved
<u>On-site parking, loading and circulation standards</u> MZO Section 11-32-3	The parking spaces in the parking areas identified as alternative surface material on the final site plan are not required to be permanently marked.
<u>Interior parking lot landscaping</u> MZO Section 11-33-4	The parking areas identified as alternative surface material on the final site plan are not required to have

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

<u>Maximum Fence Height –</u> <i>MZO Section 11-30-4(B)(1)(a)</i>	landscape islands. A six-foot (6') tall fence shall be installed the entire length of the front yard of the subject site along Power Road.
--	---

Vote: 4-3 Approval with conditions

Upon tabulation of vote, it showed:

AYES – Sarkissian, Allen, Crockett and Peterson

NAYS – Ayers, Villanueva-Saucedo, Boyle

* * * * *

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

5. Adjournment.

Vice Chair Villanueva-Saucedo motioned to adjourn the meeting at 8:18 p.m. The motion was seconded by Boardmember Boyle.

Vote: 7-0 Approved

Upon tabulation of vote, it showed:

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

NAYS – None

Respectfully submitted,

MINUTES OF THE OCTOBER 27, 2021 PLANNING & ZONING MEETING

Nana K. Appiah, AICP, Secretary
Planning Director