

Citizen Participation Report

**Gallery Park Hotel Parcel
SEC Power Road and Ray Road
5051 S. Power Road
ZON21-01285**

Purpose:

The purpose of this Citizen Participation Report is to provide the City of Mesa staff with information regarding the efforts made by the applicant to inform citizens and property owners in the vicinity concerning the Applicant's request to the City of Mesa approval of a rezoning the approximately 5.1-acre site located at 5057 S. Power Road, which is part of a larger project known as Gallery Park at the northeast corner of Power Road and Ray Road. The purpose is to allow for a modification to the approved hotel on the site plan.

By providing opportunities for citizen participation, the Applicant has ensured that those affected by this application have had an adequate opportunity to learn about and comment on the proposed plan.

Contact Information:

Those coordinating the Citizen Participation activities are listed as follows:

Ralph Pew and DJ Stapley

Pew & Lake, PLC
1744 S. Val Vista Drive, Ste. 217
Mesa, Arizona 85204
Ph. (480) 461-4670
Ralph.Pew@pewandlake.com
djstapley@pewandlake.com

Jose Pombo

VIVO Development Partners
4650 E. Cotton Center Blvd, Suite 200
Phoenix, AZ 85040
Ph. (602) 393-9370
jpombo@vivopartners.com

Actions Taken:

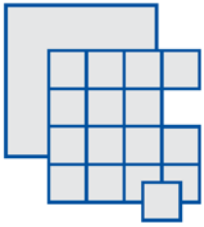
To provide effective citizen participation in conjunction with this application, the following actions were taken to provide opportunities to understand and address any real or perceived impacts that members of the community may have relating to the proposed development:

1. A contact list was developed for citizens and agencies in this area including:
 - a. Interested neighbors – focused on 1,000+ feet from parent parcel, but may include more; and

- b. Homeowners Associations within one-half mile of the project site and registered neighborhood associations within one mile of the project (City indicated none are within the required area).
- 2. A letter providing notification of the Major Site Plan Review submittal and a copy of the proposed Site Plan was sent to all property owners and associations on the required notification list on April 12, 2022. The notice letter included an explanation of the request, drawings, and the name and contact information for the applicant, which provided opportunities for neighbors to ask questions and provide comments about the application. A copy of the notification letter, notification map, and notification lists are included with this Citizen Participation Plan.
- 3. The applicant will listen to and consider any comments or questions provided to the applicant during the application process. It will factor them into its determination regarding the project design.
- 4. The applicant will record comments and feedback from the public that it receives concerning the Site Plan application. A description of the comments provided, any issues raised, and the applicant's responses that address those issues raised will be submitted to the City of Mesa.
- 5. A Citizen Participation Report and updates regarding any citizen comments received will be submitted to the City before the Planning & Zoning Board Public Meeting with a copy of the sent notification letter and associated notification materials.
- 6. All requirements for public hearing notice will be complied with. For public hearing notice, applicant posted a 4' x 4' sign on the property. The sign was placed on the property on or before the Wednesday two weeks prior to the Planning & Zoning Board meeting. A notarized document with attached photograph of the sign(s) will be submitted to the Planning Staff to be kept in the case file.

Attached Exhibits:

- 1) Neighborhood Outreach Materials
 - a. Copy of notice letter
 - b. Notification Map of surrounding property owners
 - c. List of property owners within 1000 ft. of the subject property and HOAs and registered neighborhood contacts



Pew & Lake, P.L.C.
Real Estate and Land Use Attorneys

W. Ralph Pew
Certified Real Estate Specialist
Sean B. Lake
Reese L. Anderson

April 12, 2022

Notice of Public Hearing

Dear Neighbor,

Pew & Lake, PLC, on behalf of our client, Vivo Development Partners, is pleased to send this notice of an application to the City of Mesa for a Major Site Plan Modification for the approximately 5.1 acres located at 5051 S. Power Road, which is part of a larger project known as Gallery Park at the northeast corner of Power Road and Ray Road. This proposal modifies the layout of an approved hotel and commercial pad on a portion of Gallery Park, a mixed-use development that the City approved in 2019. The design is compliant with the high-quality nature and guidelines approved for Gallery Park and will contribute to a positive addition to the area.

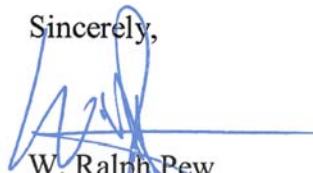
Enclosed for your review are a copy of the site plan, preliminary landscape plan, and elevations. This letter is being sent to all property owners within 1,000 feet of the Property at the request of the City of Mesa Planning Division. This request (Case No. ZON21-01285) is scheduled for consideration by the Mesa Planning and Zoning Board at its meeting on April 27, 2022 at 4:00 p.m.

The public can attend the meeting either in-person or electronically and telephonically. The live meeting may be watched on local cable **Mesa channel 11**, online at **[Mesa11.com/live](https://www.mesa11.com/live) or www.youtube.com/user/cityofmesa11/live**, or listened to by **calling 888-788-0099 or 877-853-5247 (toll free) using meeting ID 530 123 2921 and following the prompts.**

If you want to provide a written comment or speak telephonically at the meeting, please submit an **online comment card** at **<https://www.mesaaz.gov/government/advisory-boards-committees/planning-zoning-board/online-meeting-comment-card>** **at least 1 hour prior to the start of the meeting.** If you want to speak at the meeting, you will need to indicate on the comment card that you would like to speak during the meeting, and you will need to call **888-788-0099 or 877-853-5247 (toll free) using meeting ID 530 123 2921 and following the prompts, prior to the start of the meeting.** You will be able to listen to the meeting; and when the item you have indicated that you want to speak on is before the Board, your line will be taken off mute and you will be given an opportunity to speak. For help with the online comment card, or for any other technical difficulties, please call 480-644-2099.

If you have any questions regarding this proposal, please contact our office at 480-461-4670 or via email at ralph.pew@pewandlake.com. The City of Mesa has assigned this case to Kellie Rorex, a member of the Planning Division staff. She can be reached at 480-644-6711 or at Kellie.Rorex@MesaAZ.gov should you have any questions regarding the public hearing process. If you have sold this property in the interim, please forward this correspondence to the new owner.

Sincerely,

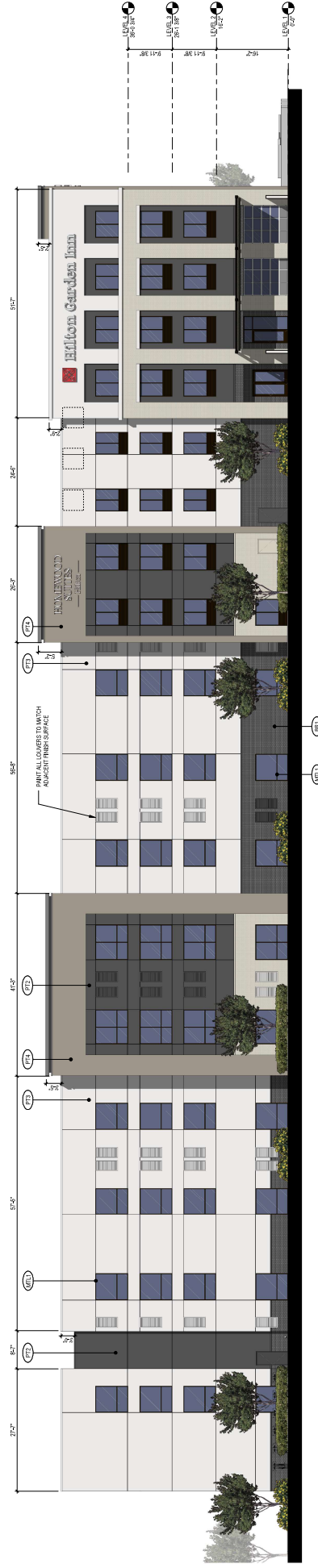


W. Ralph Pew
PEW & LAKE, PLC

Chinese Elm



EXTERIOR MATERIAL TAKEOFF (BUILTUP)		
AREA	MARK	DESCRIPTION
271.5F		
4,689.5F	P1	EPS INSULATION COLOR
2,244.75F	P2	EPS INSULATION COLOR
4,532.5F	P3	EPS INSULATION COLOR
5,941.5F	P4	EPS INSULATION COLOR
271.5F		#1 x 1/2" INSULATION COLOR CAU
4,689.5F		
SPECIAL MATERIAL		
1,050.5F	B1	SP-X SHEET
1,050.5F	B2	SP-X SHEET
1,050.5F	B3	SP-X SHEET
1,050.5F	B4	SP-X SHEET
2,662.5F	M1	ACQUA SPRUCE CLADDING
4,689.5F		
EXTERIOR MATERIAL TAKEOFF - WEST ELEVATION		
AREA	MARK	DESCRIPTION
2,244.75F	P1	EPS INSULATION COLOR
2,244.75F	P2	EPS INSULATION COLOR
2,244.75F	P3	EPS INSULATION COLOR
2,244.75F	P4	EPS INSULATION COLOR
271.5F		#1 x 1/2" INSULATION COLOR CAU
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2,662.5F	M1	ACQUA SPRUCE CLADDING
4,689.5F		
EXTERIOR MATERIAL TAKEOFF - NORTH ELEVATION		
AREA	MARK	DESCRIPTION
2,244.75F	P1	EPS INSULATION COLOR
2,244.75F	P2	EPS INSULATION COLOR
2,244.75F	P3	EPS INSULATION COLOR
2,244.75F	P4	EPS INSULATION COLOR
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1,050.5F	B4	SP-X SHEET
2,662.5F	M1	ACQUA SPRUCE CLADDING
4,689.5F		
EXTERIOR MATERIAL TAKEOFF - POOL AREA		
AREA	MARK	DESCRIPTION
2,244.75F	P1	EPS INSULATION COLOR
2,244.75F	P2	EPS INSULATION COLOR
2,244.75F	P3	EPS INSULATION COLOR
2,244.75F	P4	EPS INSULATION COLOR
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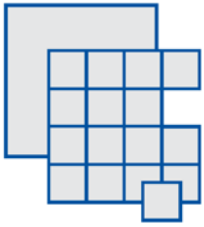


**5057 E. Power Road
North of NEC of Ray Rd. and Power Rd.**



**Property Owners, 1,000+ Feet
5057 S. Power Rd.**

Owner	Address	City	State	Zip
20TH ST & BELL MULTI-FAMILY LLC/P202-GP LOT 4 TIC LLC/VDP-GP LOT 4 TIC LLC	4650 E COTTON CENTER BLVD STE 200	PHOENIX	AZ	85040
6907 EAST RAY ROAD OWNER LP	870 7TH AVE FRNT 2	NEW YORK	NY	10019-4369
AEI ARIZONA OZ FUND LLC	11100 SANTA MONICA BLVD STE 260	LOS ANGELES	CA	90025-6695
AEI RAY DEVELOPMENT LLC	300 W CLARENDON AVE STE 240	PHOENIX	AZ	85013
ALI ADVISOR INC	2999 N 44TH ST NO 100	PHOENIX	AZ	85018
AMERICAN FURNITURE WARHOUSE CO	8820 AMERICAN WY	ENGLEWOOD	CO	80112
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CRP PDC MESA GATEWAY OWNER LLC	450 NEWPORT CENTER DR STE 405	NEWPORT BEACH	CA	92660
DICKERSON ZACHARY	32624 N RUGOSA RD	QUEEN CREEK	AZ	85142
FLOOD CONTROL DISTRICT OF MARICOPA COUNTY	2801 W DURANGO ST	PHOENIX	AZ	85009
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MESA 18 LP	720 3RD ST NO E	SASKATOON	SK	S7H1M3
MGW BUILDING LLC	4144 W SUNSET RD	LAS VEGAS	NV	89118
NORTHINGTON MESA INDUSTRIAL INVESTORS LLC	PO BOX 1368	CARLSBAD	CA	92018
PHOENIX-MESA GATEWAY AIRPORT AUTHORITY	600 S POWER RD BLDG 41	MESA	AZ	85206-5219
POWER 17 LLC	124 S 600 E	SALT LAKE CITY	UT	84102
POWER 202 MIXED-USE LLC	4650 E COTTON CENTER BLVD STE 200	PHOENIX	AZ	85040
POWER ROAD GP STV LLC	525 W 21ST ST	TEMPE	AZ	85282
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WF GCC INDUSTRIAL LLC	3104 E CAMELBACK RD UNIT 957	PHOENIX	AZ	85018



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Real Estate and Land Use Attorneys

W. Ralph Pew
Certified Real Estate Specialist
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April 12, 2022

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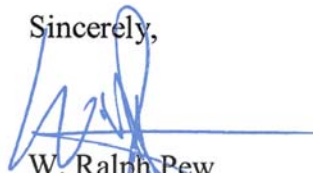
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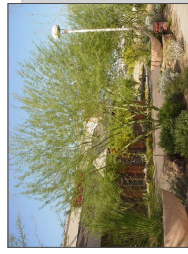
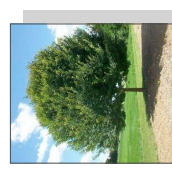
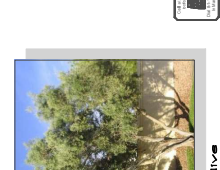
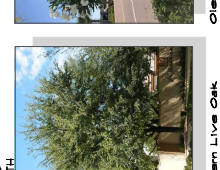
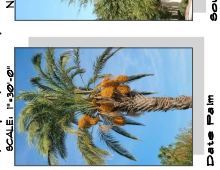
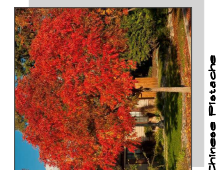
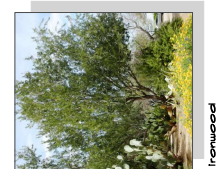
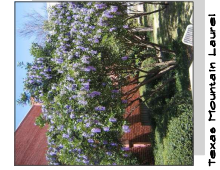
Sincerely,



W. Ralph Pew
PEW & LAKE, PLC

PLANT LEGEND

BOTANICAL NAME	COMMON NAME	PLANTING SIZE	CONTENTS
<i>Banksia purpurea</i>	Purple Orchid Tree	24" Box	Standing Trunk, Dense Canopy
<i>Eucalyptus pauciflora</i>	Ghost Gum Eucalyptus	36" Box	Standing Trunk, Dense Canopy
<i>Persea indica</i>	Desert Mahoe	36" Box	Multi-Trunk, Dense Canopy
<i>Quercus agrifolia</i>	Chinese Elm	36" Box	Multi-Trunk, Dense Canopy
<i>Ficus velutina</i>	Fan Tree	24" Box	Standing Trunk, Dense Canopy
<i>Phoenix dactylifera</i>	Date Palm	18" CTH	Standing Trunk, Dense Canopy
<i>Nerium oleander</i>	Oleander Tree	24" Box	Standing Trunk, Dense Canopy
<i>Olea europaea</i>	Fruitless Olive	36" Box	Standing Trunk, Dense Canopy
<i>Sophora secundiflora</i>	Texas Mountain Laurel	24" Box	Standing Trunk, Dense Canopy
<i>Omega laetia</i>	Ironwood	24" Box	Standing Trunk, Dense Canopy
<i>Rhus typhina</i>	Indian Laurel Cane	18" Gal.	Standing Trunk, Dense Canopy
<i>Thunbergia peruviana</i>	Thunbergia	24" Box	Standing Trunk, Dense Canopy
<i>Quercus virginiana</i>	Southern Live Oak	36" Box	Standing Trunk, Dense Canopy



CONCEPTUAL LANDSCAPE PLAN

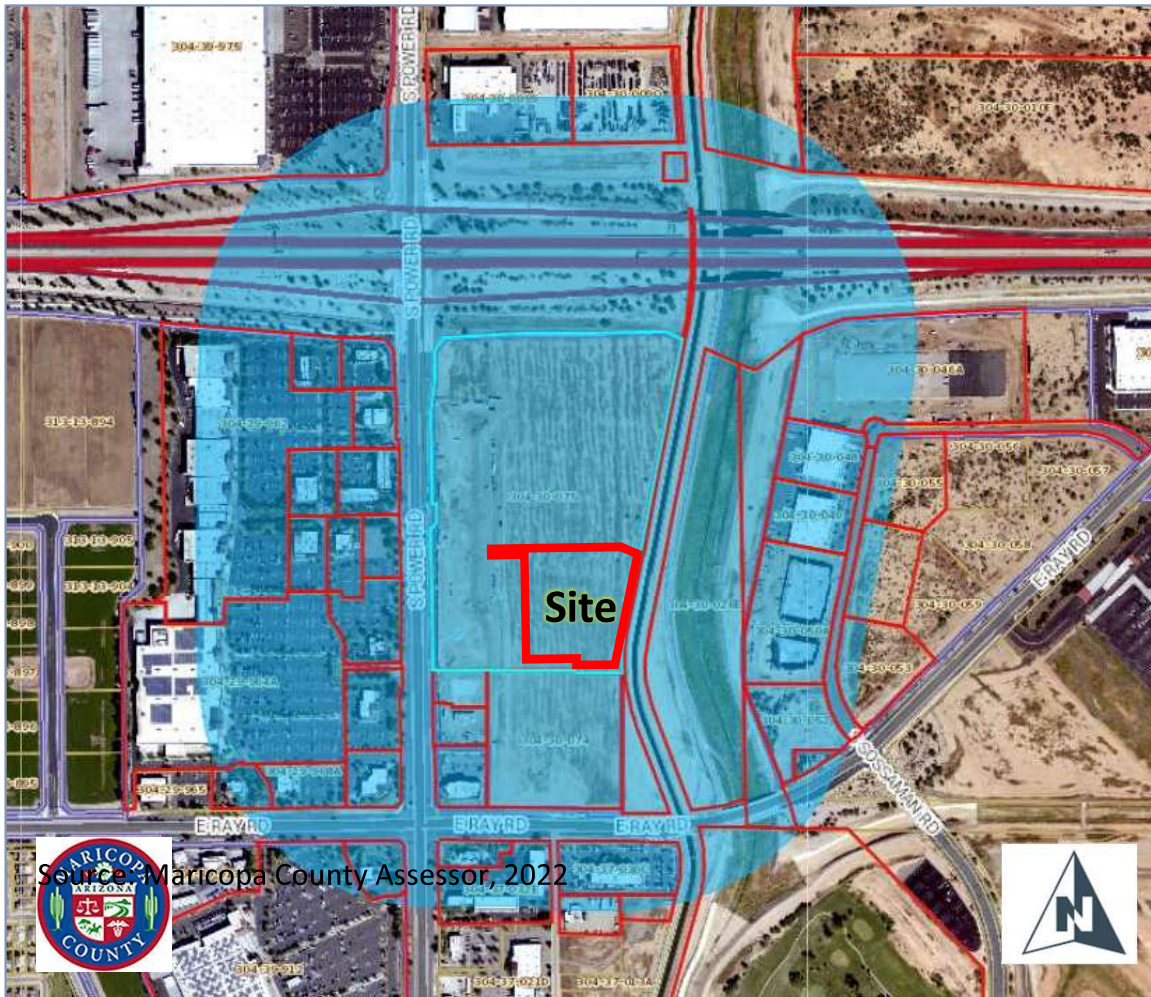
[illegible]

1 NORTH ELEVATION
3/32" = 1'-0"

Property Owners, 1,000+ Ft.

5057 E. Power Road

North of NEC of Ray Rd. and Power Rd.



Source: Maricopa County Assessor, 2022

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WF GCC INDUSTRIAL LLC	3104 E CAMELBACK RD UNIT 957	PHOENIX	AZ	85018

City of Mesa Planning Division

AFFIDAVIT OF PUBLIC POSTING

Date: 04/12/22

I, Meghan Liggett, being the owner or authorized agent for the zoning case below, do hereby affirm that I have posted the property related to case # ZON21-01285, on NEC Power Rd & Ray rd. The posting was in one place with one notice for each quarter mile of frontage along perimeter right-of-way so that the notices were visible from the nearest public right-of-way.

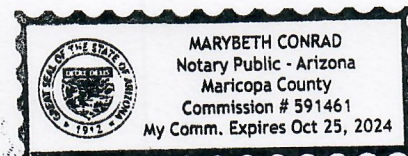
SUBMIT PHOTOGRAPHS OF THE POSTINGS MOUNTED ON AN 8.5" BY 11" SHEET OF PAPER WITH THIS AFFIDAVIT.

Applicant's/Representative's signature:

Meghan Liggett

SUBSCRIBED AND SWORN before me on 04/12/22

Mary Beth Conrad
Notary Public



CITY OF MESA
PUBLIC NOTICE
ZONING HEARING

PLANNING & ZONING BOARD
57 EAST FIRST STREET
MESA, ARIZONA

TIME: 4:00 PM DATE: April 27, 2022

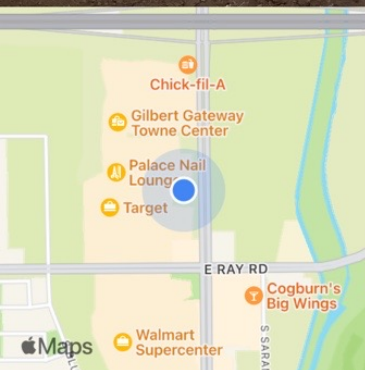
CASE: ZON21-01285

REQUEST: Site Plan Modification.
This request will allow for the
development of a hotel.

APPLICANT: Vivo
PHONE: 480-461-4670

Planning Division 480-644-2385

Posting date: 4/12/2022



S Power Rd
Mesa AZ 85212

+33.324179,-111.686827

Tuesday, April 12, 2022 at 6:39:41 AM

CONSENT TO CONDITIONS & WAIVER OF LAND USE LAW CLAIMS
("Consent & Waiver")

The undersigned is the owner(s) ("Owner") of the parcel of land described in Exhibit 1 hereto (the "Property"). Owner has applied for and seeks the City's approval for a Site Plan Modification. This request will allow for the development of a hotel in case No. #ZON21-01285 (the "Land Use Application").

Owner agrees and consents to all the conditions and stipulations approved as part of or in connection with the Land Use Application. Owner waives any claim under Arizona Revised Statutes § 12-1134, including any right to compensation for reduction to the fair market value of the Property, that may now or in the future exist as a result of, or that arises out of, the approval or application of the Land Use Application or any stipulations and/or conditions of approval to the Land Use Application.

Owner represents and warrants to being the owner of fee title to the Property or to being a person who has legal authority to bind all fee title owners of the Property to this Consent & Waiver. The terms of this Consent & Waiver shall run with the land and shall be binding upon all subsequent landowners. Owner consents to the recordation of this Consent & Waiver.

If Owner withdraws the application for the Land Use Application prior to final action by the City, Owner is released from this Consent and Waiver.

Dated this 5th day of April, 2022.

OWNER:

Power 202 Mixed Use, LLC

4650 E. Cotton Center Blvd. Suite 200

Phoenix, AZ 85040

Robert Kerwin

Print Name

[Signature]

Sign Name

STATE OF ARIZONA)
) ss.
County of Maricopa)

On this 5th day of April, 2022, before me, the undersigned Notary Public, personally appeared Robert Kerwin, who acknowledged that this document was executed for the purposes therein contained.

My Commission Expires:

Deborah A Cox
Notary Public

11/21/2024

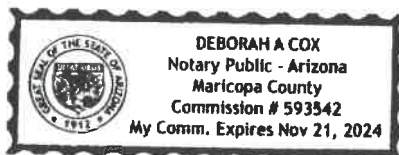


EXHIBIT 1

LEGAL DESCRIPTION

A PORTION OF FINAL PLAT GALLERY PARK REPLAT 2 AS RECORDED IN BOOK 1615, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA. LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 7 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA