

# Planning and Zoning Board

## *Meeting Minutes*

Mesa City Council Chambers – Upper Level, 57 East 1<sup>st</sup> Street

Date: June 8, 2022 Time: 4:00 p.m.

**MEMBERS PRESENT:**

Vice Chair Deanna Villanueva- Saucedo  
Shelly Allen\*  
Jeffrey Crockett  
Benjamin Ayers  
Troy Peterson

**MEMBERS ABSENT:**

Chair Jessica Sarkissian  
Tim Boyle

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

**STAFF PRESENT:**

Rachel Prelog  
Michelle Dahlke  
Lesley Davis  
Cassidy Welch  
Charlotte Bridges  
Joshua Grandlienard  
Jennifer Merrill  
Sarah Staudinger  
Pamela Williams

**OTHERS PRESENT:**

Call Meeting to Order.

Vice Chair Villanueva-Saucedo declared a quorum present and the meeting was called to order at 4:17 p.m.

1. Take action on all consent agenda items.

**Items on the Consent Agenda**

\* \* \* \* \*

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**2. Approval of minutes from previous meetings.**

**Approval of minutes:** Consider the minutes from the May 25, 2022 study session and regular hearing.

Boardmember Ayers motioned to approve the minutes from the May 25, 2022 study session and regular meeting. The motion was seconded by Boardmember Peterson.

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

Boardmember Ayers motioned to approve the consent agenda. The motion was seconded by Boardmember Peterson.

Zoning cases: ZON22-00055, ZON21-00793, ZON22-00023, ZON22-00049, ZON22-00157, ZON22-00237, ZON22-00268, and ZON22-00293 Preliminary Plat “Merit Leacy Business Park”

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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**3 Take action on the following zoning cases:**

**\*3-a**

**ZON22-00055 District 1.** Within the 3300 to 3600 blocks of North Val Vista Drive (east side). Located south of Thomas Road on the east side of Val Vista Drive. (21± acres). Site Plan Review. This request will allow for a multiple residence development. Josh Hannon, EPS Group, applicant; Burden East Limited Partnership, LLP; Raymond T. and Deniece Burden Trust; Burden Family Trust, owner.

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

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

Boardmember Ayers motioned to approve the case ZON22-00055. The motion was seconded by Boardmember Peterson.

**That: The Board recommends the approval of case ZON22-00055 conditioned upon:**

1. Compliance with all conditions of approval for Case No. ZON21-00797 (Ordinance No. 5683).
2. Compliance with the final site plan, building elevations and landscape plan submitted.
3. Compliance with all requirements of Chapter 19 of the Mesa Zoning Ordinance including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Falcon Field Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to 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. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
  - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
  - d. Provide written notice to future property owners that the project is within 2 miles of Falcon Field Airport
4. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with Case No. ZON21-00797.

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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### 3-b

**ZON22-00257 District 6.** Within the 3900 to 4100 blocks of South Signal Butte Road (west side) and within the 3900 to 4100 blocks of the South Binary alignment (east side). Located south of Elliot Road on the west side of Signal Butte Road. (65.3± acres). Site Plan Review. This request will allow for an industrial development. Dustin Chisum, Deutsch Architecture Group, applicant; DMB Mesa Proving Grounds, LLC., owner.

**Planner: Lesley Davis**

**Staff Recommendation: Approval with conditions**

#### **Summary:**

Staffmember Lesley Davis presented case ZON22-00257: The request is for Site Plan Review to allow a light industrial development within the Eastmark Community. The location of the proposed project is south of Elliot Road on the west side of Signal Butte Road. On the immediate southwest corner of Elliot and Signal Butte is the existing Apple facility. These six buildings would be directly south of that facility. It is also located just south of the Elliot Road Technology Corridor and within the Eastmark Technology Enterprise Core, as identified in their community plan. This is a site photo looking at the property from Signal Butte, looking west from Signal Butte Road. The General Plan on the property is Mixed-Use Community. The focus for that is to develop a mixture of uses to create complete and identifiable communities. It includes the employment, industrial, office, and open space, recreational, and residential uses are all allowed. Within that it is also within the Gateway Strategic Development Plan, identified as Mixed-Use Community. The zoning on the property is PC, which is Planned Community. It is also in the Airport Overflight Area 3. It is also located within Development Unit Six, north of the Eastmark Community. The land use group that the applicant has selected for this property which identifies uses for the property is LUG C, which stands for regional center campus. Within that LUG, light industrial uses are allowed, including light manufacturing, warehouses, and accessory office space, which is what is identified for this project. They Eastmark framework, just to give a general guideline of how it is set up for processing. The Community Plan establishes the overall vision for the community, and establishes planning processes, what the allowable land uses are, and the development units gets established through that. It includes infrastructure master plans, and design guidelines, as well as some development standards. The development unit plan takes that a little bit further. It talks more about the context, and the conceptual land planning, allocates land use budgets, and the intensity for the uses, identifies permitted land use groups that can go into that development unit, design guidelines, and compatibility is also discussed in that. Then it breaks down further to site plans and subdivision plats. And it is identifying the land use group that they take from what is allowed in there and establish what their actual land use group is going to be. So, they are actual use to the property is establish, and that has to be identified on their site plan, which it is as the "LUG C." So, the site plan that is proposed, is located on a parcel within a recorded subdivision plat that established this industrial lot. They are proposing six buildings which total over 900,000 square feet of light industrial space. It has access from Signal Butte Road to the east, which is our primary access. There is secondary access to Binary, which is a future street to the west that will be required as part of the development or the development west, which is recently been approved. If they go first, they would be the ones that get that street installed, so that this development would then have access to that as well. They have provided

some additional common open space for employees on the property throughout to enhance that experience for those. These industrial projects can be intense, and it is important to have a place to escape for a little bit during the day a little, respite. So, they have provided quite a number of those.

Design Review, the building design has been approved by the Design Review Committee for Eastmark. They are not required to go through the City of Mesa process for that. The Community Plan establishes that processes, their own separate design review committee. The citizen participation on this- a letter was mailed to property owners within 1000 feet, and HOAs, and registered neighborhoods within one mile. It was 458 neighbors that were notified. They had a Zoom meeting on May 3, and there were 11 neighbors that were in attendance. Some of the concerns that were listed were property values, duration of construction, dust control, traffic patterns, ingress, egress, hours of operation, and noise generation. I was able to attend that meeting and listen to the conversation, and the applicant was going to follow up with some of the residents that had some of those concerns, on some of their questions. They did answer a lot of questions in that meeting, and then did some follow up. They provided that they had not received anything after that. I did not receive any calls, or concerns, or letters, or emails, anything like that, regarding this case. So, with that, the proposed project complies with the 2040 Mesa General Plan with the Eastmark Community Plan, complies with Developing Unit Plan for DU6 North. It meets the review criteria for Site Plan Review, as outlined in the Eastmark Community Plan, and staff is recommending approval with conditions.

Vice Chair Villanueva-Saucedo invited Ray Walter to speak.

Ray Walter, 10927 East Rembrandt Avenue Mesa, Arizona 85212 spoke: I am neighbor, citizen residing 500 feet from the subject property. And I did attend a Zoom meeting and did make some concerns known, although there wasn't follow up that I'm aware of. I understand the mix of residential and employment opportunities in the Eastmark Master Plan. And my concern is to preserve the residential aspects because we are right across the street. So those include the noise, traffic, dust and dirt and of course the property values. The Planning Division staff reports recommends approval with conditions, simply as my comment card suggests, ask for these additional conditions and number one is to have the normal residential quiet times from 10 pm until 7am applied to this property and agreed to, for any businesses and occupants of the subject property under from construction through full occupancy. Number two, to ensure that for the Mesa Transportation reviews the roadways and driveways must align the centerline to centerline, specifically at Ruben Avenue, and the northern most entrance to this property that is proposed. And three, to conduct a traffic study of the corner itself, Signal Butte and East Reuben. And because that's a very busy intersection, it's going to get more busy with trucks and other vehicles in and out of the subject property. They determine if any track control measures are needed. As far as dust and dirt, I think that the City does have requirements with respect to mitigating any of the deleterious effects of the those, I would just ask that we continue and keep those in mind. And the hours of operation have not been discussed at all. But I would say that because of the residential neighborhood right across the street, my hope is that there will not be traffic in and out and construction and no work being done during normal quiet times. So again, my purpose is not to stop this property from moving forward. It's simply to have us address those, the noise, especially the traffic, and dust and dirt, and

whatever happens property values. No one knows, no one can tell. So again, I don't oppose the project. But I would like the additional conditions to be noted as discussed.

Vice Chair Villanueva Saucedo invited the applicant to respond:

Applicant Cassandra Aires, 6750 East Camelback Road on behalf of the applicant Dolphin Industrial: So, I think this might be my first time appearing before you. My last name is Aires, just clear up no relation to board member Ayers. It is spelled differently. Just want to make sure that I brought that up first. So, I will try not to reiterate everything that Leslie outlined for you folks, but I'll go through this very quickly. By the way, I forgot to mention our client representatives are here, if there any specific questions that come up today. And it is our pleasure to be here with you this afternoon, to present the site plan for Dolphin Industrial. So as Leslie said, we are in LUG C of the Regional Center Campus, and she showed you where the site was there. LUG C Regional Center Campus does allow for warehouse uses. Our request is for site plan review only, and the site is already entitled for use. This is not a rezoning case. 63 acres, six buildings with approximately 962,000 square feet of development. Here you can see the layout for the buildings, there are six of them. The buildings with lower height are oriented towards Signal Butte and get progressively higher up to a maximum height of approximately 52 feet, which allows for some architectural embellishments and screening as you get farther into the property. Here is just a closer up version of that site plan. So, you can see how it aligns with the, as Leslie mentioned the recently approved industrial project on the other side. As you can see, we also have substantial setbacks here. For this project, we have approximately 100 feet of landscaping adjacent to Signal Butte. We have 165 feet of landscaping adjacent to Mesquite. And as I hope you can see; we also have some very generous separations between our project and the nearest residential neighbors. Over here, in the southwest corner of the site, we have I think the disc golf, that will be in there and that's approximately 350 feet away from the nearest residential neighbor. And then we have as much as 1400 feet to the south, to the next property. Let's just go to some of the elevations for the project. You can see the various architectural embellishments and elements to break up some of that massing. It's an example of what a corner would look like with the signage. We did, as Leslie mentioned, send mailers to residents within 1000 feet for both letters, both a neighborhood meeting as well as the Hearing Notification, the same list for both. The neighborhood meeting was held virtually on May 3, and 11 people attended. We received and responded to several emails from neighborhood neighbors following that meeting. And until this afternoon, staff had not received any opposition. So, when we sent in this PowerPoint staff had not received any opposition. And I believe, let me just make sure that I address the specific elements that Mr. Banker raised. I can address those right now. With regard to the residential quiet times, of course our clients will comply with whatever noise ordinance and hours of operation for construction are required. Not a problem. Ensure that Mesa, per Transportation Review, the roadways or driveways must align, if I may go back to the site plan. You can see that our northern driveway does align with the road across the street to the east, and then our driveway to the south also on Signal Butte. There is no road with which to align by, for that northern driveway, we certainly do. And then the last comment was conducted traffic study at the corner of Signal Butte Road and Reuben Avenue to determine if traffic control measures are needed. The Eastmark transportation study was recently updated. And we don't believe that any traffic mitigation measures were recommended for this particular intersection. But these uses were taken into account when that traffic study was updated. So,

and I think you brought up a dust control as well, of course will comply with Maricopa County Dust Control measures during construction. I will go to my "thank you slide." Just to wrap it up if you have any questions.

Vice Chair Villanueva- Saucedo responded: Great, thank you for addressing each of those resident concerns. I appreciate it. Are there any additional questions or comments from the board?

Boardmember Crockett inquired: I do have a question for staff. Leslie, with regard to the noise issue, is the noise ordinance separate and apart from the zoning requirements? I mean, do you typically include as a condition that the applicant comply with the applicable noise ordinance? Or is that simply part of all of the things the applicant has to comply with, that are applicable within the City of Mesa,

Staffmember Leslie Davis responded: Madam Chair, Boardmember Crockett, there is a stipulation that they comply with all development codes, or all City codes and regulations, which would include that. It is not part of the zoning ordinance.

Boardmember Crockett inquired further: Okay, and do you know how the request from Mr. Walters syncs up with the noise ordinance, in terms of construction activities? I think he was looking for quiet time from 10pm to 7am. Do you do you know?

Staffmember Leslie Davis responded: I do not know the hours that are set for that. But we do hold all of our construction to that standard? So, there's a lot going on out in that area, it's been pretty common.

Boardmember Allen added: If I could add to that, I think that construction times, the starting time is like 5 in the morning during summertime, and like 6 in the morning during the wintertime, if I remember correctly. So that doesn't quite sync up with the 7 in the morning, till you know 10 at night. But it is an hour or two off depending on the summer or the winter.

Boardmember Allen motioned to approve case ZON22-00257. The motion was seconded by Boardmember Crockett.

**That: The Board recommends the approval of case ZON22-00257 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Final Eastmark Design Review approval is required prior to the issuance of any building permit.
3. Compliance with Ordinance Number 4893 and the adopted Eastmark (Mesa Proving Grounds) Community Plan.
4. Compliance with the Eastmark Development Unit Plan for DU 6N approved April 28, 2011.
5. Compliance with all City development codes and regulations.
6. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent or temporary structure, as required by the FAA, is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to

navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.

- b. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
- c. Provide written notice to future property owners that the project is within 1 mile of Phoenix, Mesa Gateway Airport
- d. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which must state in part: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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**Discuss and make a recommendation to the City Council on the following zoning cases:**

**\*4-a**

**ZON21-00793 District 4.** Within the 450 blocks of West Holmes Avenue (south side). Located west of Country Club Drive and north of the US 60 Superstition Freeway. (0.8± acres). Rezone from Limited Commercial (LC) to Multiple Residence 4 with a Planned Area Development overlay (RM-4-PAD) and Site Plan Review. This request will allow for a multiple residence development. Brian Fracasse, Fracasse Architecture, LLC, applicant; RWI Properties LLC, owner.

**Planner: Sean Pesek**

**Staff Recommendation: Approval with conditions**

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

Boardmember Ayers motioned to approve the case ZON21-00793. The motion was seconded by Boardmember Peterson.

**That: The Board recommends the approval of case ZON21-00793 conditioned upon:**

1. Compliance with the final site plan and landscape plan submitted.
2. Compliance with all requirements of Design Review case DRB22-00288.
3. 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:

<b>Development Standards</b>	<b>PAD Approved</b>
<u>Minimum Yards</u> – <i>MZO Section 11-5-5</i>  - Interior side yard (east)  - Rear yard (south)	  Multiple Story: 8 feet per story (16 feet total)  Multiple Story: 10 feet per story (20 feet total)
<u>Required Landscape Yards</u> – <i>MZO Section 11-5-5</i> -Front and street-facing sides (north)  <i>MZO Section 11-33-3</i> -Non-single residence uses adjacent to other non-single residence (west)	  10 feet    4 feet
<u>Parking Spaces Required</u> – <i>MZO Section 11-32-3(A)</i>	1.29 spaces per dwelling unit
<u>Minimum Lot Area per Dwelling Unit</u> – <i>MZO Section 11-5-5</i>	1,400 square feet per unit

<u>Private Open Space</u> – MZO Section 11-5-5(A)(3)	Private open space required for 12 out of 24 units
<u>Private Open Space Minimum Dimensions</u> – MZO Section 11-5-5(A)(3)	Private open space located at the ground level (e.g., yards, decks, patios) shall have no dimension less than eight (8) feet for width and six (6) feet for depth
<u>Location of Parking Areas</u> – MZO Section 11-5-5(B)(4)(c)	The total frontage of parking areas visible from the street, shall not exceed 56% of lot frontage

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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**\*4-b**

**ZON22-00023 District 6.** Within the 10100 to 10600 blocks of East Williams Field Road (south side) and within the 6100 to 6400 blocks of South 222nd Street (west side). (1.5+ acres) Located east of Crismon Road, south of Williams Field Road, and on the north side of the East 24 Gateway Freeway alignment. Major Modification to the Avalon Crossing Planned Community District Community Plan. This request will allow for a single residence development. CVL Consultants, applicant; Pacific Proving LLC, owner.

**Planner:** Joshua Grandlienard

**Staff Recommendation:** Continue to the June 22, 2022 Planning and Zoning Board Meeting

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

Boardmember Ayers motioned to continue case ZON22-00023 to the June 22, 2022 Planning and Zoning Board meeting. The motion was seconded by Boardmember Peterson.

**That: The Board recommends to continue case ZON22-00023 to the June 22, 2022 Planning and Zoning Board meeting:**

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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**\*4-c**

**ZON22-00049 District 6.** Within the 6800 to 7200 blocks of South Crismon Road (east side) and within the 10000 to 10400 blocks of East Pecos Road (south side). Located south of Pecos Road on the east side of Crismon Road. (38± acres). Site Plan Review; and Special Use Permit. This request will allow for an industrial development. Adam Baugh, Withey Morris, PLC, applicant; The Cubes at Mesa Gateway, LLC, owner.

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

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

Boardmember Ayers motioned to approve case ZON22-00049. The motion was seconded by Boardmember Peterson.

**That: The Board recommends to approve case ZON22-00049 conditioned upon:**

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all City development codes and regulations.
4. Compliance with all conditions of approval of Case No. Z96-67 (Ordinance No. 3245).
5. All off-site improvements and street frontage landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of Chapter 19 of the Zoning Ordinance, including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent or temporary structure, as required by the FAA, is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
  - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
  - d. Provide written notice to future property owners that the project is within 2 miles of Phoenix-Mesa Gateway Airport.
7. Prior to submitting an application for any building permit, provide written authorization from Salt River Project (SRP) authorizing the proposed development within the existing SRP easement.

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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**\*4-d**

**ZON22-00157 District 5.** Within the 4400 to 5200 blocks of East McKellips Road (north side); within the 2000 to 2800 blocks of North Greenfield Road (east side); within the 4400 to 5200 blocks of East McDowell Road (south side); and within the 2000 to 2800 blocks of North Higley Road (west side). Located north of McKellips Road and east of Greenfield Road. (575.5± acres). Falcon Field Design Guidelines Update. This request will modify the existing Design Guidelines to guide future development at Falcon Field Airport. City of Mesa, applicant; City of Mesa, owner.

**Planner: Joshua Grandlienard**

**Staff Recommendation: Approval with conditions**

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

Boardmember Ayers motioned to approve the case ZON22-00157. The motion was seconded by Boardmember Peterson.

**That: The Board recommends to approve case ZON22-00157 conditioned upon:**

1. The 2021 City of Mesa-Falcon Field Airport Planned Area Development Design Standards ("Finalized Revised PAD Document," Exhibit 3.4) is hereby approved.
2. Compliance with all conditions of approval of Zoning Case No. Z11-14 (Ordinance No. 5040), except compliance with the 2021 City of Mesa-Falcon Field Airport Planned Area Development Design Standards approved with this request ("Finalized Revised PAD Document," Exhibit 3.4), instead of the Design Standards approved with Zoning Case No. Z11-14.
3. Compliance with all City development codes and regulations, except as modified by the 2021 City of Mesa-Falcon Field Airport Planned Area Development Design Standards ("Finalized Revised PAD Document," Exhibit 3.4).

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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4-e

**ZON22-00162 District 5.** Within the 9900 to 10000 blocks of East Brown Road (south side) and within the 1000 to 1200 blocks of North Crismon Road (west side). Located south of Brown Road and on the west side of Crismon Road. (8± acres) Rezone from Agricultural (AG) to Single Residence 15 with a Planned Area Development overlay (RS-15-PAD) and Site Plan Review. This request will allow for a single residence development. Jon Gillespie, Pew and Lake, applicant; Brighton Homes, owner. **(Companion case to Preliminary Plat “Geneva Villas,” associated with item \*5-a)**

**Planner: Joshua Grandlienard**

**Staff Recommendation: Approval with conditions**

**Summary:**

Staffmember Joshua Grandlienard presented case ZON22-00162: This is for Geneva Villas. It is a Site Plan Review, as well as an associated annexation case and rezone. It is for the development of a single residence community. The subject site is located west of Crismon Road, on the south side of East Brown. As I previously mentioned with the annexation, this is currently under a Maricopa County jurisdiction. Here is the view of the site looking west from Crismon. As you can see on the west side of this photo, is on the south side of the site, you can see some major power lines, which do incumber the site. Currently it is zoned RU-43, as well as C-3 within Maricopa County. With annexation case 22-00161, the associated annexation case would get a comparable zoning to AG, and then the proposed rezone is from AG to RS-15, with a Planned Area Development Overlay. Per of the General Plan designation is a Neighborhood designation, which is to provide a safe place for people to live which includes a variety of housing that includes single residents. Per the site plan, a total of 27 lots have been provided on this eight-acre site. And they have provided amenities that included barbecue pavilion, dog run, as well as an expanded natural open space desert that is meant to preserve the existing desert space out there (and that is about 47% of the site). So, per the PAD is more of the open space than is typically required for that area and for a project of this density. Per the PAD request, in order to meet those open space requirements, they had to reduce the lot area, as well as to address the SRP easement. Within that they have reduced the lot area, as well as the lot width and depth, as well as associated setbacks, in order to meet that the building envelope as required for the Desert Upland standards. Because of the way that their product is designed, they also asked for a deviation for the garage front distance from the primary building front, just because of the way our code reads for how we measure the front setback. They can only provide one foot, rather than the required three. Here is the associated landscape plan. As part of it, they have tried to retain about 47 different plants on site. They have tried to incorporate the existing ocotillos, as well as saguaros on site in order to maintain that natural desert look. They have been planted within that vegetative area along the SRP easement, as well as within the open spaces throughout site.

Overall, the citizen participation letters were mailed out to property owners within 1000 feet, and HOAs, and registered neighborhoods within a mile. There was a neighborhood meeting held on January 4, three households for a total of five persons attended. They had general concerns about development. Typically, with these annexation cases, there is an overall concern about neighboring properties being annexed as part of that as well. I will say, this only

affects the subject property, and will only annex that portion. And you know, further discussions for future annexations will have to come through at a later time. Since I made this PowerPoint, I've had about three phone calls from concerned citizens in the area. One was the neighbor on the southwest side of the site. He has some concerns currently within the SRP easement. There is some illegal dumping taking place. So, they wanted some way to prevent that from occurring. As we are speaking with the applicant, they are looking to boulders that meet the intent of that natural open space, as well as helping to prevent that from occurring going forward. As far as the neighbors directly the south, they just had some general interest in future annexations in which I explained to them the process. But again, that would be through a future case, not through this case itself. As well, I had a phone call with David Laureanti earlier today about some general concerns, general comments about what is occurring on site like density, lot sizing, things of that nature. So based off that staff finds that the overall project complies with the 2040 General Plan criteria for Chapter 69 for Site Plan Review, Chapter 22 for Planned Area Development overlay, as well as criteria within Chapter 6, Section 5, Title 9 for Desert Uplands Development. Based off that, staff is recommending approval with conditions.

Vice Chair Villanueva-Saucedo invited David Laureanti to speak.

David Laureanti, 1218 North 101st Place Mesa, Arizona 85207 spoke: I am within that 1000 feet of the proposed plan building plan. Thank you, forgive me for my ignorance, but we received one mailing on this. And well, I spoke with Josh earlier today as he, as he stated earlier. A question about the zoning. And I saw the proposed planning. I see that the lot sizes are around 6000 square feet but, the zoning was for an RS-15. So, I don't understand that at all. But that's neither the case. My other concern was also about the traffic and the road conditions that are there. Are lanes going to be added, single lane both ways surrounding that property, both north/south and east/west on it? Just the congestion alone of such a use of land right there. I understand development. We were out here for many, many years. Mesa is going to grow. Understand that. That seems like a lot to put into such a small area. I understand they're going to be developing, or not developing the southern section due to the electrical and SRP easements there. But just wondering how this is all going to look and play out. Again, I'm not opposed to a development in there. I just think it's a little but awkward right now.

Joel Kaplan, 9852 East Elmwood Street spoke: I'll make this even shorter than three minutes. I do have the same traffic concerns that the other gentleman had. This neighborhood, in this one square block from 96th Street to Crismon, and one long block south to Elmwood to Brown is all single-family dwellings at least 1.5 acres. And that development would probably not fit. Second of all, the City has already tried an annexation one time with this whole group here, and they were turned down so that's never going to happen. Third of all, the annexation, the amount of revenue it's going to take from the City will never be recouped, in 50 years from that one little development by itself. And most of all, interestingly enough, I don't see that they have ever done an electromagnetic survey for the overhead power lines. I am very familiar with that. And I don't want to expand, because I'll be on the phone for an hour. But that is pretty important. And if you don't do that, you might have some electromagnetic problems. Normally what happens is, you have to pay to have those lines buried under the ground instead of having them remain overhead. So that should be a serious concern to anybody who decides to purchase a home there, if this should be included. And so, the main thing really is non-

annexations, never going to happen. And the City is going to lose money. And the traffic is going to be ridiculous. And it really ruins the integrity of this whole square block. And with that, I will thank you for listening to me.

Vice Chair Villanueva-Saucedo thank the speakers and invited the applicant to respond, and stated annexation is not within the purview of this board (planning and zoning board).

Applicant Sean Lake, 1744 South Val Vista responded: Here on behalf of Brighton Homes, Jaron Sweeney, who is here with me this evening. They are a local family home builder in the City of Mesa. They've been here building homes in Mesa for quite a few years. We welcome them and are glad to keep them in the community. They have done several projects here in Mesa, as well. Let me jump straight to the points. First off, this rezoning as Josh had pointed out is to rezone from C-3 Maricopa County C-3, downzoning to a residential category. And so as far as traffic goes, for the development, what is currently zoned here today versus what we're proposing would generate significantly less traffic than a C-3 development would. C-3 would be things like a fast-food restaurant, or auto sales, or a storage facility, or various different type of commercial operations. But we don't think that is viable here at this location. We think this is more of a residential area, as the neighbors pointed out. And so that is why we think the zoning is appropriate here. We will be doing offsite improvements associated with this development to both Brown and Crismon Road. And we'll be working with the City's Traffic Transportation Department to make sure those roadway improvements are done. This site has access to Brown, which is an arterial road in the City of Mesa, and also Crismon, which is an arterial road in the City of Mesa. So, from a traffic standpoint, we will not generate a substantial amount of traffic in comparison to the capacity of both of those arterial roadways. And so, we think we have excellent opportunity to disperse traffic into an arterial and that will then go into areas. We have also had the plan circulated to the Transportation Department at the City of Mesa, and they've determined there is not an issue with that. The EMC study, we have not done an EMC study. These are the large power lines that run across the City. A lot of us have lived behind them in the past. I have spoken with SRP in the past about that issue. I will say, there are different opinions on that. And I think I'll leave it at that, as far as the EMC study. But you will notice, as far as the zoning, that almost 40% of this site is going to remain vacant on that South Side. And so, we have consolidated the homes up to the north up along Brown Road, and that is where the homes will be. And then the south half of the site will remain natural desert and that is where Josh brought up the rock idea. Because we did speak with some neighbors and work with the neighbors. There is a big dumping problem on this site; we recognize that. We don't want to have our HOA have endless problems with dumping in that natural open space. And so, we're working to kind of try to close that off to address some of those neighbor's concerns. The idea that we are talking about is boulders; it fits in, but it also blocks cars. It's easier to work with SRP to do that in their easement area, because they're not the easiest jurisdiction to deal with. So, we are hoping to address everybody's comments. We've tried to address as many as we could. We think this is going to be an outstanding development. We're glad to have a local home builder here doing these single family detached homes for sale, for people that want to live in the City of Mesa. So, we welcome that. Thank you.

Boardmember Crockett inquired: With regard to the dumping issue, is that on land that is owned by your client, or is that within the SRP easement or both?



Applicant Sean Lake responded: It is on land that my client, Brighton Homes, is purchasing from the existing property owner. There is an SRP easement and the vacant land that is been dumped on, quite frankly.

Boardmember Crockett added: And with regard to the SRP easement, isn't SRP responsible for keeping that clean or who is responsible for cleaning up the SRP easement area?

Applicant Sean Lake responded: I think, largely. "If it is to be, it's up to me," the property owner, and I'm going to stick with that.

Boardmember Crockett inquired: And just last question, with this new development do you expect that that would just naturally help the issue of dumping, because now there is going to be homes right there and people watching and paying attention?

Applicant Sean Lake responded: Absolutely, you will have a homeowner's association that will be directly to the north that will have eyes on that area. We will also have installed some type of barrier to stop that. And so, if perchance something happens, because there are all kinds of creative people out there, the HOA will have eyes on the street, and then the HOA will have a responsibility to help. Again, "if it has is to be, it's to me," they'll clean it up.

Sarah Staudinger added: Just a reminder that whoever makes that motion that there's both a revised site plan and a revised condition of approval.

Vice Chair Villanueva- Saucedo acknowledged the reminder.

Boardmember Allen motioned to approve the case ZON22-00162 with revised site plan and revised conditions of approval as discussed in the Study Session. The motion was seconded by Boardmember Peterson.

**That: The Board recommends to approve case ZON22-00162 conditioned upon:**

1. Compliance with all requirements of the Subdivision Regulations.
2. Compliance with the final building product types submitted with application, including elevations and materials.
3. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for any 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.
4. Compliance with the preliminary plat submitted.
5. Compliance with the Final Site Plan submitted.
6. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent, or temporary structure, as required by the FAA, is subject to an FAA filing, for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by

the FAA must accompany any building permit application for structure(s) on the property.

- c. Provide written notice to future property owners that the project is within one mile of Phoenix-Mesa Gateway Airport

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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**\*4-f**

**ZON22-00237 District 1.** Within the 0 to 200 blocks of North Val Vista Drive (west side). Located north of Main Street on the west side of Val Vista Drive. (4± acres) Council Use Permit (CUP) and Site Plan Review. This request will allow for the development of a mini-storage facility with RV and boat storage. Nathan Palmer, applicant; Intelliguard Group, LLC, owner.

**Planner: Charlotte Bridges**

**Staff Recommendation: Approval with conditions**

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

Boardmember Ayers motioned to approve the case ZON22-00237. The motion was seconded by Boardmember Peterson.

**That: The Board recommends to approve case ZON22-00237 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review case number DRB22-00158.
3. 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) 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.
  - c) Provide written notice to future property owners that the project is within AOA3 District of Falcon Field Airport.
4. Removal of the billboard along the Val Vista Drive frontage of the site prior to the issuance of a building permit.

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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**\*4-g**

**ZON22-00268 District 6.** Within the 9200 to 9600 blocks of East Pecos Road (north side) and the 6400 to 6800 blocks of South Ellsworth Road (east side). Located north of Pecos Road and east of Ellsworth Road. (87± acres) Rezone from Agricultural (AG) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development. Gammage and Burnham, PLC, applicant; Pacific Proving LLC, owner. (Companion case to Preliminary Plat “Merit Legacy Business Park”, associated with item \*5-b)

**Planner: Joshua Grandlienard**

**Staff Recommendation: Approval with conditions**

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

Boardmember Ayers motioned to approve the case ZON22-00268. The motion was seconded by Boardmember Peterson.

**That: The Board recommends to approve case ZON22-00268 conditioned upon:**

1. Compliance with all requirements of the Subdivision Regulations.
2. Compliance with the Preliminary Plat submitted.
3. Compliance with the final site plan submitted.
4. Compliance with all requirements of DRB22-00336.
5. Future development on Phase 2 of the property requires site plan review and approval as set forth in the Mesa Zoning Ordinance.
6. Compliance with the Landscape Plan submitted.
7. 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.
8. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent, or temporary structure, as required by the FAA, is subject to an FAA filing, for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property. Provide written notice to future property owners that the project is within two miles of Phoenix-Mesa Gateway Airport.
9. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD as shown in the following table:

Development Standards	Approved
<u>Maximum Building Height</u> – <i>MZO Section 11-7-3</i>	60 feet

<u>Parking Lot Screening –</u> <i>MZO Section 11-30-9(H)(6)</i>	15 feet
<u>Required Parking Spaces by Use –</u> <i>MZO Table 11-32-3.A</i> <i>- Industrial</i>	Office: 1 space per 375 square feet of gross floor area Industrial/warehouse: 1 space per 1,500 square feet of gross floor area
<u>Interior Parking Lot Landscaping –</u> <i>MZO Section 11-33-4(A)</i>	The interior parking lot landscaping standards of this section apply to all off-street parking lots containing 10 or more parking spaces. They do not apply to vehicle /equipment storage lots or vehicle and equipment sales lots or truck/semi-truck parking area within the storage or docking areas.
<u>Foundation Base Along Exterior Walls –</u> <i>MZO Section 11-33-5(A)(1)(a)(i)</i>  <i>-Exterior walls with public entrances for buildings larger than 10,000 square feet</i>	Additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area may have a minimum depth of 12 feet, only when necessary to comply with the Mesa Fire Code.
<u>Trash and Refuse Collection Areas –</u> <i>MZO Section 11-30-12</i>	General Applicability Requirements. Solid waste and recycling container enclosures are not required when the solid waste container or recycling container is located within a truck/semi-truck loading and trailer parking court

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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**\*4-h**

**ZON22-00293 District 6.** Within the 10100 to 10600 blocks of East Williams Field Road (south side) and within the 6100 to 6400 blocks of South 222nd Street (west side). (1.5+ acres) Located east of Crismon Road, south of Williams Field Road, and on the north side of the East 24 Gateway Freeway alignment. Major Modification to Development Unit Plan 2 of Avalon Crossing Planned Community District. This request will allow for a single residence development. Susan Demmitt, Gammage and Burnham, PLC, applicant; Pacific Proving LLC, owner.

**Planner: Joshua Grandlienard**

**Staff Recommendation: Continue to the June 22, 2022 Planning and Zoning Board meeting**

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

Boardmember Ayers motioned to continue case ZON22-00293 to the June 22, 2022 Planning and Zoning Board meeting. The motion was seconded by Boardmember Peterson.

**That: The Board recommends to continue case ZON22-00293 to the June 22, 2022 Planning and Zoning Board meeting.**

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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**Discuss and take action on the following preliminary plats:**

**5-a**

**“Geneva Villas”** Within the 9900 to 10000 blocks of East Brown Road (south side) and within the 1000 to 1200 blocks of North Crismon Road (west side). Located south of Brown Road and on the west side of Crismon Road. (8± acres). Preliminary Plat. This request will allow for a single residence development. Jon Gillespie, Pew and Lake, applicant; Brighton Homes, owner. (Companion case to ZON22-00162, associated with item \*4-e)

**Planner: Joshua Grandlienard**

**Staff Recommendation: Approval with conditions**

**Summary:**

Boardmember Allen motioned to approve the preliminary plat “Geneva Villas.” The motion was seconded by Boardmember Peterson.

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

1. Compliance with all requirements of the Subdivision Regulations.
2. Compliance with the final building product types submitted with application, including elevations and materials.
3. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for any 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.
4. Compliance with the preliminary plat submitted.
5. Compliance with the Final Site Plan submitted.
6. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent, or temporary structure, as required by the FAA, is subject to an FAA filing, for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
  - c. Provide written notice to future property owners that the project is within one mile of Phoenix-Mesa Gateway Airport

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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**\*5-b**

**“Merit Legacy Business Park”** Within the 9200 to 9600 blocks of East Pecos Road (north side) and the 6400 to 6800 blocks of South Ellsworth Road (east side). Located north of Pecos Road and east of Ellsworth Road. (87± acres) Preliminary Plat. This request will allow for an industrial development. Gammage and Burnham, PLC, applicant; Pacific Proving LLC, owner. **(Companion case to ZON22-00268, associated with item \*4-g)**

**Planner:** Joshua Grandlienard

**Staff Recommendation:** Approval with conditions

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

Boardmember Ayers motioned to approve the preliminary plat “Merit Legacy Business Park.” The motion was seconded by Boardmember Peterson.

**That: The Board recommends to approve preliminary plat “Merit Legacy Business Park” conditioned upon:**

1. Compliance with all requirements of the Subdivision Regulations.
2. Compliance with the Preliminary Plat submitted.
3. Compliance with the final site plan submitted.
4. Compliance with all requirements of DRB22-00336.
5. Future development on Phase 2 of the property requires site plan review and approval as set forth in the Mesa Zoning Ordinance.
6. Compliance with the Landscape Plan submitted.
7. 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.
8. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent, or temporary structure, as required by the FAA, is subject to an FAA filing, for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property. Provide written notice to future property owners that the project is within two miles of Phoenix-Mesa Gateway Airport.
9. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD as shown in the following table:

Development Standards	Approved
<u>Maximum Building Height</u> – <i>MZO Section 11-7-3</i>	60 feet



<u>Parking Lot Screening –</u> <i>MZO Section 11-30-9(H)(6)</i>	15 feet
<u>Required Parking Spaces by Use –</u> <i>MZO Table 11-32-3.A</i> <i>- Industrial</i>	Office: 1 space per 375 square feet of gross floor area Industrial/warehouse: 1 space per 1,500 square feet of gross floor area
<u>Interior Parking Lot Landscaping –</u> <i>MZO Section 11-33-4(A)</i>	The interior parking lot landscaping standards of this section apply to all off-street parking lots containing 10 or more parking spaces. They do not apply to vehicle /equipment storage lots or vehicle and equipment sales lots or truck/semi-truck parking area within the storage or docking areas.
<u>Foundation Base Along Exterior Walls –</u> <i>MZO Section 11-33-5(A)(1)(a)(i)</i>  <i>-Exterior walls with public entrances for buildings larger than 10,000 square feet</i>	Additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area may have a minimum depth of 12 feet, only when necessary to comply with the Mesa Fire Code.
<u>Trash and Refuse Collection Areas –</u> <i>MZO Section 11-30-12</i>	General Applicability Requirements. Solid waste and recycling container enclosures are not required when the solid waste container or recycling container is located within a truck/semi-truck loading and trailer parking court

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

\* \* \* \* \*

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## **6 Adjournment.**

Boardmember Ayerss motioned to adjourn the meeting. The motion was seconded by Boardmember Crockett.

Vote: 5-0 (Chair Sarkissian and Boardmember Boyle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

**The City of Mesa is committed to making its public meetings accessible to persons with disabilities. For special accommodations, please contact the City Manager's Office at (480) 644-3333 or AzRelay 7-1-1 at least 48 hours in advance of the meeting.**

**Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al (480) 644-2767.**

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