

# Planning and Zoning Board

## *Meeting Minutes*

Held by Virtual Platform  
Date: October 28, 2020 Time: 4:00 p.m.

### **MEMBERS PRESENT:**

\*Vice Chair Jessica Sarkissian  
\*Tim Boyle  
\*Shelly Allen  
\* Deanna Villanueva-Saucedo  
\* Ben Ayers

### **MEMBERS ABSENT:**

Chair Dane Astle  
Jeffrey Crockett

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

### **STAFF PRESENT:**

Nana Appiah  
Tom Ellsworth  
Lesley Davis  
\*Wahid Alam  
Evan Balmer  
Cassidy Welch  
Charlotte McDermott  
Rebecca Gorton

### **OTHERS PRESENT:**

None

Call Meeting to Order.

Vice Chair Sarkissian declared a quorum present and the meeting was called to order at 4:14 pm.

1. Take action on all consent agenda items.

### **Items on the Consent Agenda**

2. **Approval of minutes:** Consider the minutes from the October 14, 2020 study session and regular hearing.

- \*2-a** Boardmember Allen motioned to approve the minutes from the October 14, 2020 study session and regular hearing. The motion was seconded by Boardmember Boyle.

Vote: 5-0 Approved (Chair Astle and Boardmember Crockett, absent)  
Upon tabulation of vote, it showed:  
AYES – Sarkissian, Boyle, Allen, Villanueva-Saucedo and Ayers  
NAYS – None

## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

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

Zoning Cases: ZON20-00473, ZON20-00486, ZON20-00503, and ZON20-00576; and Preliminary Plat “Bella Encanta”

Vote: 5-0 Approved (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

Boardmember Allen motioned to approve the consent agenda. The motion was seconded by Boardmember Villanueva-Saucedo.

Zoning Case: ZON20-00398

Vote: 4-0 Approved (Chair Astle and Boardmember Crockett, absent; Boardmember Boyle, recused)

Upon tabulation of vote, it showed:

AYES – Sarkissian, Allen, Villanueva-Saucedo, Ayres

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- \*3-a ZON20-00473 District 6.** Within the 6400 to 6600 blocks of East Southern Avenue (south side). Located west of Power Road on the south side of Southern Avenue. (1.5 acres). Site Plan Review. This request will allow for the development of a retail and medical building. Marwan Tamimi, Tamimi Architects, applicant; Kadeeja, LLC, owner.

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

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

Boardmember Allen motioned to approve case ZON20-00473 with conditions of approval. The motion was seconded by Boardmember Boyle.

**That: The Board recommends the approval of case ZON20-00473 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review.

Vote: 5-0 Approval with conditions (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- \*3-b ZON20-00486 District 6.** Within the 4200 block of South Signal Butte Road (west side). Located north of Point Twenty-Two Boulevard on the west side of Signal Butte Road. (1.07± acres). Site Plan Review. This request will allow for the development of a retail store. Trish Flower, RA with Vertical Design Studios, applicant; Evergreen-Point 22 & Signal Butte LLC, owner.

**Planner: Wahid Alam**

**Staff Recommendation: Approval with conditions**

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

Boardmember Allen motioned to approve case ZON20-00486 with conditions of approval. The motion was seconded by Boardmember Boyle.

**That: The Board recommends the approval of case ZON20-00486 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.

Vote: 5-0 Approval with conditions (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- \*3-c ZON20-00503 District 1.** Within the 1900 block of East McKellips Road (north side). Located west of Gilbert Road on the north side of McKellips Road. (0.95± acres). Site Plan Review. This request will allow for the development of a restaurant with a drive-thru. Rod Jarvis, Earl & Curley, P.C., applicant; Ron B Wynn Living Trust/ETAL, owner.

**Planner:** Wahid Alam

**Staff Recommendation:** Approval with conditions

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

Staff received a comment card from Linda Huss, 1918 E. McKellips who wishes her comment be read into the record. Ms. Huss stated she is one of the existing business owners in the Orangetree Shopping Center Complex at the northwest corner of McKellips & Gilbert Roads. The other small business owners and I are concerned about the already crowded parking lot now that EoS Fitness has opened. Another concern is the huge following of Dutch Bros. coffee and their drive-thru line staggering through the parking lot or sometimes backed up out onto McKellips Road. The other business owners and I would love to see the current parking problem addressed before adding to it.

Boardmember Allen motioned to approve case ZON20-00503 with conditions of approval. The motion was seconded by Boardmember Boyle.

**That: The Board recommends the approval of case ZON20-00503 conditioned upon:**

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Prior to application for a building permit, receive approval through the Board of Adjustment for a Substantial Conformance Improvement Permit to allow modifications to certain development standards of the Mesa Zoning Ordinance or conform to the requirements of the Mesa Zoning Ordinance.
4. Compliance with all City development codes and regulations.
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 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 three mile(s) of Falcon Field Airport.
  - d. Any proposed permanent or temporary structure 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. An FAA determination notice of no hazard to air navigation shall accompany any building permit application for the property.

## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

Vote: 5-0 Approval with conditions (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- \*3-d ZON20-00576 District 3.** Within the 1300 block of South Gilbert Road (east side). Located south of Southern Avenue on the east side of Gilbert Road. (1.23± acres). Site Plan Review. This request will allow for the development of a restaurant with a drive-thru. Edin Coralic, Coralic Architecture, applicant; Global New Millennium Partners Ltd, owner.

**Planner:** Wahid Alam

**Staff Recommendation:** Approval with conditions

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

Boardmember Allen motioned to approve case ZON20-00576 with conditions of approval. The motion was seconded by Boardmember Boyle.

**That: The Board recommends the approval of case ZON20-00576 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.

Vote: 5-0 Approval with conditions (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- \*4-a ZON20-00398 District 1.** Within the 3400 block of East University Drive (north side). Located west of Val Vista Drive on the north side of University Drive. (2.3 acres). Rezone from RM-3 to RM-3-BIZ; and Site Plan Review. This request will allow the development of a multiple residence on the site. Tim Boyle, Tim Boyle Design, applicant; AM Properties & Investments, LLC, owner.

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

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

Boardmember Allen motioned to approve case ZON20-00398 with conditions of approval. The motion was seconded by Vice Chair Sarkissian.

**That: The Board recommends the approval of case ZON20-00398 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Development must include the common amenities shown on the final site plan submitted, including: a swimming pool, ramada, playground, dog park, and a community amenity building.
3. Compliance with the requirements of Design Review.
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. 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 five mile(s) of Falcon Field.
  - d. Any proposed permanent or temporary structure 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. An FAA determination notice of no hazard to air navigation shall accompany any building permit application for the property.
  - e. All final subdivision plats and leasing offices 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."
6. Prior to issuance of a building permit, record a cross access agreement with the property owner to the west.
7. All roof access ladders shall be installed within the interior structure of the buildings.

## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

8. Prior to submitting a building permit, the applicant shall submit for review and approval by the Planning Director:
  - a. Plans showing screening of all service entry section (SES) equipment in the development.
  - b. All SES equipment within the development facing a street or public parking areas and are not recessed and/or separated from the street by intervening building(s) shall be screened. The screening devices shall incorporate elements of the building design, such as color, texture, and materials.
  - c. Revised wall elevations for all proposed private yards within the development. The private yard walls shall be no more than six feet in height and include a minimum of 2 feet of view fencing on top of the fence walls.
9. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this BIZ and shown in the following table:

<b>MZO Development Standards</b>	<b>Approved</b>
<u>Minimum Setbacks - Section 11-5-5 and 11-33-3</u> (building/landscape) <i>4-lane arterial (University Drive)</i>	(building/landscape) <b>10'/10'</b>
<u>Minimum Setbacks - Section 11-5-5 and 11-33-3</u> (landscape) <i>Interior Side (West property line)</i>	(landscape) <b>5' Minimum, except the minimum setback is 0 feet on the section shown on the site plan as 0' (i.e. the section that is approximately 250 feet from the right-of-way on University Drive)</b>
<u>Building Separation – Section 11-5-5</u> <i>Minimum separation between buildings (2-story)</i>	<b>21' Minimum</b> <b>(as shown on the site plan)</b>
<u>Access, Circulation and Parking (attached garages)- Section 11-5-5</u> <i>Garage doors to be recessed from upper story living façade</i>	<b>No recess required</b>
<u>Required Open Space – Section 11-5-5</u> <i>Above ground private open space</i>	<b>60 SF minimum,</b> <b>Minimum depth is 3'</b>

Vote: 4-0 Approval with conditions (Chair Astle and Boardmember Crockett, absent; Boardmember Boyle, recused)  
 Upon tabulation of vote, it showed:  
 AYES –Sarkissian, Allen, Villanueva-Saucedo, and Ayers  
 NAYS

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- \*5-a “Bella Encanta” (ZON18-00067) District 6.** Within the 9500 through 9800 blocks of East Hampton Avenue (south side). Located north of the US-60 Superstition Freeway and west of Crismon Road. (33± acres). Preliminary Plat. Reese Anderson, Pew & Lake, PLC, applicant; Crismon BFC, LLC, owner.

**Planner: Evan Balmer**

**Staff Recommendation: Approval with conditions**

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

Boardmember Allen motioned to approve preliminary plat **“Bella Encanta”** with conditions of approval. The motion was seconded by Boardmember Boyle.

**That: The Board recommends the approval of preliminary plat “Bella Encanta” conditioned upon:**

Vote: 5-0 Approval with conditions (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- 6-a** Proposed Amendments to Chapters 67, 76, and 87 of Title 11, Zoning Ordinance, of the Mesa City Code, relating to site plan reviews, approved plans and amendments to zoning maps. The amendments include, but are not limited to, adding public notice for administrative site plan reviews, clarifying major and minor modifications to approved plans, and adding definitions. **(Citywide)**

**Planner: Rachel Prelog**

**Staff Recommendation: Adoption**

Planning Director Nana Appiah stated staff is requesting amendments to Chapters 67, 76, and 87 of Title 11, Zoning Ordinance, of the Mesa City Code, relating to site plan reviews, approved plans and amendments to zoning maps. There was no discussion by the Board.

Boardmember Villanueva-Saucedo motioned to adopt the proposed amendments to Chapters 67, 76 and 87 of the Title 11, Zoning Ordinance of the Mesa City Code, relating to site plan reviews, approved plans and amendments to zoning maps. The motion was seconded by Boardmember Ayers.

Vote: 5-0 Adopted (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- 6-b** Repeal and replace in its entirety, Chapter 69: Site Plan Review of Title 11, Zoning Ordinance, of the Mesa City Code. **(Citywide)**

**Planner: Rachel Prelog**

**Staff Recommendation: Adoption**

Planning Director Nana Appiah stated staff is requesting to repeal and replace in its entirety, Chapter 69: Site Plan Review of Title 11, Zoning Ordinance, of the Mesa City Code. There was no discussion by the Board.

Boardmember Villanueva-Saucedo motioned approval to repeal and replace in its entirety, Chapter 69: Site Plan Review of Title 11, Zoning Ordinance, of the Mesa City Code. The motion was seconded by Boardmember Ayers.

Vote: 5-0 Adopted (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- 6-c** Proposed amendments to Chapters 2, 5, 6, 8, 31 and 86 of Title 11, the Zoning Ordinance of the Mesa City Code related to assisted living and nursing and convalescent homes. The amendments include, but are not limited to, amending land use requirements and development standards, adding measuring distance from an intersection, modifying the definition of assisted living facility and adding definitions including assisted living home and assisted living center. **(Citywide)**

**Planner: Rachel Prelog**

**Staff Recommendation: Adoption**

Planning Director Nana Appiah stated staff is requesting amendments to Chapters 2, 5, 6, 8, 31 and 86 of Title 11, the Zoning Ordinance of the Mesa City Code related to assisted living and nursing and convalescent homes. There was no discussion by the Board.

Boardmember Allen motioned to adopt the proposed amendments to Chapters 2, 5, 6, 8, 31 and 86 of Title 11, the Zoning Ordinance of the Mesa City Code related to assisted living and nursing and convalescent homes. The motion was seconded by Boardmember Boyle.

Vote: 5-0 Adopted (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

- 6-d** Amendments to Chapters 2, 5, 6, 7, 31, 33, 50, and 86 of Title 11, Zoning Ordinance, of the Mesa City Code. Amendments include but are not limited to modifying residential, commercial and employment land use tables, modifying residential and commercial development standards, modifying residential uses in commercial districts requirements, adding portable storage container and boat and RV storage provisions, adding and modifying definitions, removing provisions that no longer apply such as vehicular access to side yards, minor clarification to existing provisions, and minor revisions to wording and formatting. **(Citywide)**

**Planner: Rachel Prelog**

**Staff Recommendation: Adoption**

Planning Director Nana Appiah stated staff is requesting amendments to Chapters 2, 5, 6, 7, 31, 33, 50, and 86 of Title 11, Zoning Ordinance, of the Mesa City Code. Amendments include but are not limited to modifying residential, commercial and employment land use tables, modifying residential and commercial development standards, modifying residential uses in commercial districts requirements, adding portable storage container and boat and RV storage provisions, adding and modifying definitions, removing provisions that no longer apply such as vehicular access to side yards, minor clarification to existing provisions, and minor revisions to wording and formatting There was no discussion by the Board.

Boardmember Allen motioned to adopt amendments to Chapters 2, 5, 6, 7, 31, 33, 50, and 86 of Title 11, Zoning Ordinance, of the Mesa City Code. The motion was seconded by Boardmember Ayers.

Vote: 5-0 Adopted (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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## MINUTES OF THE OCTOBER 28, 2020 PLANNING & ZONING MEETING

### 7. **Adjournment.**

Boardmember Ayers motioned to adjourn the meeting at 4:26 pm. The motion was seconded by Boardmember Allen.

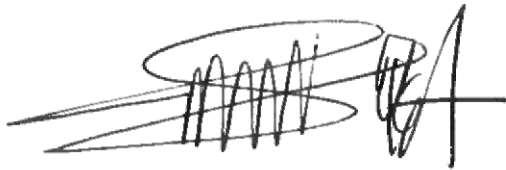
Vote: 5-0 Approved (Chair Astle and Boardmember Crockett, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Nana K. Appiah", written over a horizontal line.

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Nana K. Appiah, AICP, Secretary  
Planning Director