

Planning and Zoning Board

Meeting Minutes

Held by Virtual Platform
Date: January 27, 2021 Time: 4:00 p.m.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

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

STAFF PRESENT:

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

OTHERS PRESENT:

None

Call Meeting to Order.

Chair Astle declared a quorum present and the meeting was called to order at 4:02 pm.

1. Take action on all consent agenda items.

Items on the Consent Agenda

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

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

Vote: 7-0 Approved

Upon tabulation of vote, it showed:

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

NAYS – None

MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

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

Zoning Cases: ZON20-00738, ZON20-00491, ZON20-00562, ZON20-00769, and ZON20-00815; and preliminary plat "E202"

Vote: 7-0 Approved

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

- *3-a ZON20-00738 District 6.** Within the 7100 block of East Seaver Avenue (north side). Located east of Power Road and north of Ray Road. (10± acres). Site Plan Review; and a Special Use Permit. This request will allow for an industrial development. Karen Ohmann, Deutsch Architecture Group, applicant; PHX-MESA Gateway Airport 193 LLC, owner.

Planner: Charlotte Bridges

Staff Recommendation: Approval with conditions

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

Boardmember Villanueva-Saucedo motioned to approve case ZON20-00738 with conditions of approval. The motion was seconded by Boardmember Crockett.

That: The Board recommends the approval of case ZON20-00738 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.
4. Prior to issuance of a building permit, an affidavit of change to the final plat to combine lots two, three, and four into one lot must be recorded with Maricopa County Recorder's Office.
5. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner shall execute and record the City's standard Avigation Easement and Release for Phoenix Mesa Gateway Airport prior to the issuance of a building permit.
 - b. 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.
 - c. 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.
 - d. Provide written notice to future property owners that the project is within one mile of Phoenix-Mesa Gateway Airport.

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

- *4-a ZON20-00491 District 6.** Within 5200 to 5300 blocks of South Ellsworth Road (east side), the 5300 through 6200 blocks of the South Crismon Road alignment (east and west sides), the 9800 to 10000 blocks of the East Williams Field Road alignment (north and south sides) and the 10000 to 10200 blocks of East Williams Field Road (north side). Located on the north side of the future State Route 24 freeway alignment between Ellsworth Road to approximately one-quarter mile east of the Crismon Road alignment. (465± acres). Major Amendment to the Pacific Proving Grounds North Community Plan, also known as the Cadence Community Plan. This request will modify the Land Use Budget for Development Unit 3 and corresponding modifications to various sections of the Cadence Community Plan. Susan Demmitt, Gammage and Burnham, PLC, applicant; PPGN-Williams, LLLP, 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 Villanueva-Saucedo motioned to approve case ZON20-00491 with conditions of approval. The motion was seconded by Boardmember Crockett.

That: The Board recommends the approval of case ZON20-00491 conditioned upon:

1. Compliance with all conditions of approval from zoning case Z12-028 (Ordinance #5115), except comply with the revisions to the Community Plan in Exhibit 3.4.

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

- *4-b ZON20-00562 District 6.** Within the 5300 block of South Power Road (east side). Located South of Ray Road and east of Power Road. (2.4± acres) Modification of an existing PAD; and Site Plan Review. This request will allow for the development of a hotel. Taylor Earl, Earl and Curley, applicant; Mesa Hotel Partners, 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 Villanueva-Saucedo motioned to approve case ZON20-00562 with conditions of approval. The motion was seconded by Boardmember Crockett.

That: The Board recommends the approval of case ZON20-00562 conditioned upon:

1. Compliance with all conditions of approval for case Z08-031, except as modified by this request.
2. Compliance with the final site plan submitted.
3. Compliance with all requirements of Design Review.
4. Compliance with all City development codes and regulations, except the maximum height is increased to 50'6" with this request.

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

- *4-c ZON20-00609 District 1.** 731 North Alma School Road. Located north of University Drive on the east side of Alma School Road. (1.2± acres) Rezone from OC to RS-6. This request will allow for a single residence use. Randal L. Courtney, applicant; Randal L. Courtney, owner. **(Continued from January 13, 2021)**

Planner: Charlotte Bridges

Staff Recommendation: Approval with conditions

Summary: Staffmember Charlotte Bridges presented case ZON20-00609 to the Board. Ms. Bridges stated this is a request to rezone a property from Office Commercial (OC) residential single family (RS-6). The purpose is to bring the existing single-family use into conformance with the zoning ordinance. The General Plan designation for the subject property is Neighborhood with a Suburban Subtype. The primary use within the Neighborhood Suburban Character Area is single family residence, but it also allows for multifamily and commercial uses in support of the neighborhood. The existing detached single-family residence is consistent with the purposes and goals of the General Plan.

Ms. Bridges explained the proposed zoning district is RS-6, and there is an existing single-family home on the property. A detached accessory building and an accessory dwelling unit are permitted accessory uses in single residence districts. The proposed additions, including an accessory dwelling unit, shown on the proposed site plan are built in compliance with the Mesa Zoning Ordinance development standards.

A site plan was submitted by the applicant and shows the existing residence and includes the proposed garage and an accessory dwelling unit addition. She explained that Site Plan Review is not required for a single-family residence in the City of Mesa. Any modifications to the site are required to meet the Mesa Zoning Ordinance development standards and obtain a building permits to be constructed.

The applicant did complete a Citizen Participation Plan and held two public meetings, one at the subject site and one virtual meeting. Staff has received several comments and emails from property owners in the area that indicated that they are in support of this request. Those emails were included within the Citizen Participation Report that was included in the packet.

Staff did receive a call on Tuesday from Tonya Collins who is a Co-Chair of the Mesa Grande Community Alliance. Ms. Collins stated she wanted to confirm the purpose of the request. Ms. Bridges explained Ms. Collins informed her that the neighborhood group would be meeting on Thursday to discuss the request. Depending on the outcome of the discussion, the Alliance may submit a letter to the City Council as a part of the final review of the project. At the time, Ms. Collins did not have any concerns or comments about the project.

In summary, the existing use is permitted in the RS-6 district. The proposed request complies with the 2014 Mesa General Plan and the Mesa Zoning Ordinance. Staff is recommending approval with conditions.

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Boardmember Boyle stated he has a concern that stems from a previous owner's request in 2019, to turn the property into a group home. The request was denied because there is another group home within 500 feet of this one. He continued, that in West Mesa, there are quite a few unregistered group homes. As far as he understands, it is because some group homes do not have the same separation requirements as others. He explained the neighborhood is concerned when something that was proposed as a group home and is now requesting zoning district that would allow an unregistered group home. The current commercial zoning would not permit a group home. He stated his question is to verify that this applicant is a different owner, and that it is not the applicant's intent to open a group home at the subject site. Also, Boardmember Boyle asked staff if a condition of approval could be added stipulating that the subject site never be used as an unregistered group home.

Planning Director Nana Appiah responded to Mr. Boyle's questions. Dr. Appiah stated the applicant may be available online to address his questions about ownership and concerns operating a group home at the subject site. As far as the question regarding a condition of approval, Dr. Appiah explained we cannot add a condition of approval to prevent the subject site from becoming a group home. The Mesa Zoning Ordinance only allows for restrictions of uses through a Development Agreement.

Mr. Boyle inquired about the time frame and process for a development agreement if it were added as a condition of approval. He also stated he would be satisfied if the owner stated in good faith that it is not his intent to operate a group home at the subject site. He stated his concern is the use of the property could change in the future once it is rezoned.

Dr. Appiah responded that a Development Agreement is reviewed and approved by the City Council. It requires a mutual agreement between the property owner and the City Council. So, at this point, there has not been any discussion between City staff and the property owner about a Development Agreement. It is up to the Board to make a recommendation to restrict specific uses. He stated, if the Board decides to make a recommendation to restrict specific uses, it will require a Development Agreement.

Mr. Boyle stated he would like property owner to verify the purpose of the rezoning request clarify whether or not he is the same owner that sought to make this property a group home in 2019. Randall Courtney, property owner, spoke to the Board. Mr. Courtney stated he is not the owner from 2019 and only want to have his parents, who are in their 80's, come and join them as a family. He stated there no intent to turn the property into a group home of any kind.

Mr. Boyle stated he is satisfied since it is a different owner, and he is not planning on operating a group home at the property. He has no further issues with the request.

Boardmember Allen motioned to approve case ZON20-00609 with conditions of approval. The motion was seconded by Boardmember Villanueva-Saucedo.

That: The Board recommends the approval of case ZON20-00609 conditioned upon:

1. Compliance with all City development codes and regulations.

MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

- *4-d ZON20-00769 District 6.** Within the 8400 to 8800 blocks of East Elliot Road (north side) and within the 3400 to 3600 blocks of South Hawes Road (east side). Located east of Hawes Road and north of Elliot Road. (77± acres). Rezone from LI-PAD to LI-PAD; and Site Plan Review. This request will allow for an industrial development. Eric Zitny, Ware Malcomb, applicant; Loop 202 & Elliot Road Parcel #2 LLC, owner. **(Companion case to Preliminary Plat “E202”, associated with item *5-a).**

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 Villanueva-Saucedo motioned to approve case ZON20-00769 with conditions of approval. The motion was seconded by Boardmember Crockett.

That: The Board recommends the approval of case ZON20-00769 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all requirements of the Subdivision Regulations.
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 aviation easement and release for Phoenix-Mesa Gateway 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 2 miles of the Phoenix-Mesa Gateway 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.
 - e. All final subdivision plats and sales 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 Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

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6. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD and shown in the following table:

Development Standard	Approved
Maximum Building Height – <i>MZO Section 11-7-3</i>	60' for proposed buildings, 150' for ancillary facilities
Parking Ratio – <i>MZO Section 11-32-3</i> Warehousing & Storage	1 space per 1,350 SF
Outdoor Storage – <i>MZO Section 11-30-7</i>	Permitted in the street-facing side yard along Elliot Road
Truck Docks, Loading and Service Areas – <i>MZO Section 11-30-13</i>	Permitted to face the street along Elliot Road

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

- *4-e ZON20-00815 District 3.** Within the 100 block of South Dobson Road (west side). Located south of Main Street on the west side of Dobson Road. (2.5± acres). Rezone from GC to GC-BIZ; and Site Plan Review. This request will allow for a commercial development. Rick Daughtery, 3rd Story Architecture, applicant; WJC, 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 Villanueva-Saucedo motioned to approve case ZON20-00815 with conditions of approval. The motion was seconded by Boardmember Crockett.

That: The Board recommends the approval of case ZON20-00815 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Dedicate the right-of-way and easements 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.
4. Prior to issuance of a building permit, record a cross access agreement with the property owner to the north.
5. 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:

Development Standard	Approved
<u>Minimum Yard Setbacks</u> – <i>MZO Section 11-6-3 & 11-33-3</i> <i>-Interior Side adj. to Non-Residential</i>	(building/landscape) 5'/5'

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

- *4-f ZON20-00861 District 6.** The 3600 to 4400 blocks of South Ellsworth Road (east side), the 3600 to 4200 blocks of South Eastmark Parkway (west side), the 9200 to 9600 blocks of East Elliot Road (south side), and the 9200 to 9800 blocks of East Warner Road (north side). Located south of Elliot Road and north of Warner Road between Ellsworth Road and Signal Butte Road (325± acres). Major Amendment to the Eastmark Community Plan. This request will modify the character descriptions for Development Units 1 and 2 of the Eastmark Community Plan. Jill Hegardt, DMB Associated, Inc., applicant; DMB Mesa Proving Grounds LLC, owner.

Planner: Tom Ellsworth

Staff Recommendation: Approval with conditions

Summary: Principal Planner Tom Ellsworth presented case ZON20-00861 to the Board. Mr. Ellsworth explained this is a request for a Major Amendment to the Eastmark Community Plan and the purpose of this request is to modify the character descriptions for Development Units 1 and 2 specifically. Eastmark is located in the southeastern corner of Mesa between Ellsworth and Signal Butte Roads, from Elliott Road down to approximately Williams Field Road and the new 24 Freeway alignment. Development Units 1 and 2 are specifically located at the southeast corner of Ellsworth and Elliott Roads to Warner Road on the south and east to what will be Eastmark Parkway.

The General Plan character designation for the area is Mixed Use Community which allows for a mixture of uses to create a complete community. This designation allows for the property to be zoned as a Planned Community District. The subject property is zoned as a Planned Community District with an approved Community Plan for the Eastmark development. The Eastmark Community Plan sets forth the overall vision for the community, sets the Land Use Budget that shows land use allocations, and includes the character descriptions for each of the Development Units within the plan.

Mr. Ellsworth showed Exhibit 3.3 from the Community Plan which illustrates the overall vision of a complete connected community. Specifically, the exhibit shows a connected community of Neighborhood Villages, Activity Areas, and a Technology Enterprise Corridor. The plan also shows the connectivity of these areas through the use of open space. The open space areas within the Community Plan primarily consist of the Great Park and the linear park that acts as a buffer between the neighborhood and the employment area.

As a reminder, the focus of this request is on Development Units 1 and 2 (DU1 and 2) and are currently described as the Northeast Activity Area for Development Unit 1 (DU1) and, Development Unit Two (DU2) is discussed as a Transition Area. Specifically, this request is to modify the character descriptions in Section 8.4 of the Community Plan for DU1 and DU2. These character descriptions describe the overall design theme of what could develop in these DUs. These character descriptions, along with the Land Use Budget, are considered at the next stage of entitlement for the creation of specific Development Unit Plans. Each Development Unit Plan includes a Development Unit Land Use Plan that describes in more detail how the specific Land Use Groups are allocated within the DU.

MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

This request will allow flexibility and options within each Development Unit (i.e DU 1&2) to develop with either a mixture of uses at varying intensities or to allow the ability for large employment campus type uses. The proposed request is compatible with the adjacent Elliott Tech Corridor and planned employment areas across Ellsworth Road. The request will allow the flexibility for this property to respond to market demands for either a large employment campus use or a mixture of uses.

Mr. Ellsworth stated the applicant conducted a Citizen Participation Plan which included outreach to property owners within 750 feet of the site. The outreach efforts also included a community meeting held on January 12 with quite a bit of participants in attendance. In fact, the number of participants at the virtual meeting maxed out the capacity allowed on the platform. A summary of what was discussed at that meeting is contained in the Citizen Participation Report that was included in the packet.

He concluded that the request before the Board today for Development Unit 1 and 2 (DU1 and 2) comply with the Mesa 2040 General Plan, is consistent with the Mesa Gateway Strategic Plan, compatible with the purpose of a Planned Community District in the Mesa Zoning Ordinance and meets the required elements for the Community Plan. Staff is recommending approval with conditions.

Boardmember Crockett stated how this request conforms with the goals of the employment opportunities in the area. He stated he understands the City has had a pretty good string of successes in terms of attracting employers to this part of Mesa. He feels there is quite a bit of demand for some large assemblages of property in this area and asking if this amendment will make it easier to attract an employer that may want to locate a large piece of property, or will the amendment make it more difficult.

Mr. Ellsworth responded this is exactly the flexibility that the request is asking for. He discussed the opportunities along the Elliot Tech Corridor with several existing companies in the area such as Apple and Google. This request allows the option to be assembled for a large employment use. It is not removing the flexibility of a mixed-use development but is allowing the option to assemble a large tract of land. Planning Director, Nana Appiah, stated this will provide the opportunity for large industrial users to come in and may attract other users that want to be located close to other larger industrial developments.

Mr. Crockett asked if staff about the position of the City's Economic Development Office. Dr. Appiah responded staff has definitely had extensive discussions with the Economic Development Department and they are strongly in support of this request.

Boardmember Allen asked, for marketing purposes, will this be the largest piece of property in the Elliot Tech Corridor and will it be one of a kind. Mr. Ellsworth responded currently there are other large tracts of land along the Elliott Tech Corridor that are available. This area is developing constantly, for example, there was another request before the Board today for a site plan within the Elliot Tech Corridor. This request makes this property compatible and competitive with those other properties in the area.

Boardmember Villanueva-Saucedo asked Mr. Ellsworth to clarify if the intent of the red line paragraph in Section B of the attached amendment to the community plan describing residential uses be a significant change in what is being currently allowed.

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She explained she is always a little bit leery of allowing predominantly residential in an area that is supposed to be mixed-use. Mr. Ellsworth stated the language in the Development Unit description includes three options. It is the third option that uses the term “predominantly residential uses.” He further explained that this language captures what is approved today through the Development Unit Plan that was approved by this Board back in January of last year which was predominantly residential and showed a mixture of land uses that concentrates the non-residential uses at the arterial intersections.

Applicant Jill Hegardt with DMB Associated and Karrin Taylor Robson spoke to the Board. Ms. Hegardt stated they do not have anything more to add to the presentation. She stated staff has done a great job of explaining the request.

Chair Astle confirmed there were no comments or requests to speak by the public on this agenda item.

Boardmember Crockett motioned to approve case ZON20-00861 with conditions of approval. The motion was seconded by Boardmember Boyle.

That: The Board recommends the approval of case ZON20-00861 conditioned upon:

1. Compliance with the Eastmark Community Plan with the modifications to Section 8.4 as shown in attached Exhibit 3.2.
2. The Planning Director is authorized and directed to correct the Community Plan for grammatical, formatting, and other errors that do not affect or change the meaning of the CP’s substantive requirements or standards.
3. Compliance with the Infrastructure Master Plans as approved by the City Engineer and City Traffic Engineer.
4. The appeal of decisions made in the approval of, or amendment to, a Community Plan, Development Unit Plan, or a Site Plan will be per the requirements set forth in the City of Mesa Zoning Ordinance.

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

- *5-a “E202” District 6.** Within the 8400 to 8800 blocks of East Elliot Road (north side) and within the 3400 to 3600 blocks of South Hawes Road (east side). Located east of Hawes Road and north of Elliot Road. (77± acres). Preliminary Plat. Eric Zitny, Ware Malcomb, applicant; Loop 202 & Elliot Road Parcel #2 LLC, owner. **(Companion case to ZON20-00769, associated with item *4-d).**

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 Villanueva-Saucedo motioned to approve preliminary plat “E202” with conditions of approval. The motion was seconded by Boardmember Crockett.

That: The Board recommends the approval of preliminary plat “E202” conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all requirements of the Subdivision Regulations.
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 aviation easement and release for Phoenix-Mesa Gateway 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 2 miles of the Phoenix-Mesa Gateway 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.
 - e. All final subdivision plats and sales 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 Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals.”

MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

6. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD and shown in the following table:

Development Standard	Approved
Maximum Building Height – <i>MZO Section 11-7-3</i>	60' for proposed buildings, 150' for ancillary facilities
Parking Ratio – <i>MZO Section 11-32-3</i> Warehousing & Storage	1 space per 1,350 SF
Outdoor Storage – <i>MZO Section 11-30-7</i>	Permitted in the street-facing side yard along Elliot Road
Truck Docks, Loading and Service Areas – <i>MZO Section 11-30-13</i>	Permitted to face the street along Elliot Road

Vote: 7-0 Approval with conditions

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE JANUARY 27, 2021 PLANNING & ZONING MEETING

5. **Adjournment.**

Boardmember Villanueva-Saucedo motioned to adjourn the meeting at 4:34 pm. The motion was seconded by Boardmember Allen.

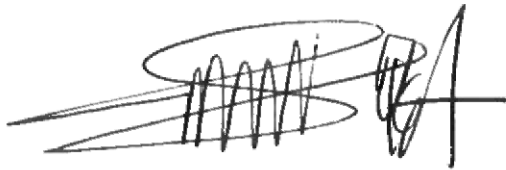
Vote: 7-0 Approved

Upon tabulation of vote, it showed:

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

NAYS – None

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nana K. Appiah', with a stylized flourish extending to the right.

Nana K. Appiah, AICP, Secretary
Planning Director