

Planning and Zoning Board

Meeting Minutes

Held by Virtual Platform
Date: March 10, 2021 Time: 4:00 p.m.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Chair Dane Astle

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

STAFF PRESENT:

Nana Appiah
Tom Ellsworth
Lesley Davis
Wahid Alam
Evan Balmer
Jennifer Gniffke
Kellie Rorex
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 4:00 pm.

1. Take action on all consent agenda items.

Items on the Consent Agenda

2. **Approval of minutes:** Consider the minutes from the February 24, 2021 study session and regular hearing.

- *2-a** Boardmember Allen motioned to approve the minutes from the February 24, 2021 study session and regular hearing. The motion was seconded by Boardmember Crockett.

Vote: 6-0 Approved (Chair Astle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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

Zoning Cases: ZON20-00706, ZON20-00824, ZON20-00210, ZON20-00846 and ZON20-00877; and Preliminary Plat "Los Nietos Residential Subdivision"

Vote: 6-0 Approved (Chair Astle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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Note: Audio recordings of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at www.mesaaz.gov

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- *3-a ZON20-00706 District 1.** Within the 1100 block of North Dobson Road (east side). Located south of the Red Mountain 202 Freeway on the east side of Dobson. (1± acres). Site Plan Review. This request will allow for the development of a restaurant with a drive-thru. Steven Albrecht, PM Design Group, Inc., applicant; Sachs Ranch CO LLC/Hurley Land CO LLC, owner.

Planner: Kellie Rorex

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 ZON20-00706 with conditions of approval. The motion was seconded by Boardmember Crockett.

That: The Board recommends the approval of case ZON20-00706 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: 6-0 Approval with conditions (Chair Astle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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- *3-b ZON20-00824 District 6.** Within the 10700 block of East Guadalupe Road (south side). Located west of Signal Butte Road on the south side of Guadalupe Road. (0.8± acres). Site Plan Review. This request will allow for the development of an automobile/vehicle service and repair facility. Hayley Bancroft, Greenberg Farrow, applicant; Tina Kelty, KEMF GB PAD 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 ZON20-00824 with conditions of approval. The motion was seconded by Boardmember Crockett.

That: The Board recommends the approval of case ZON20-00824 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. 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, 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 five miles of Phoenix-Mesa Gateway Airport.

Vote: 6-0 Approval with conditions (Chair Astle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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- *3-c ZON20-00838 District 4.** Within the 200 to 300 block of West Main Street (north side) and within the 0 to 100 block of North Morris (east side). Located east of Country Club Drive on the north side of Main Street. (3.49± acres). Site Plan Review; Special Use Permit. This request will allow for a multiple residence development. Brennan Ray, applicant; Vivo Apts Owner, LLC, owner.

Planner: Jennifer Gniffke

Staff Recommendation: Approval with conditions

Summary: Staffmember Jennifer Gniffke presented case ZON20-008388 to the Board. The existing site is developed with a restaurant and a vacant motel consisting of five buildings. The request is for Site Plan Review and a Special Use Permit for the redevelopment of the motel into apartment homes. The location is east of Country Club Drive on the north side of Main Street. The General Plan Land Use Designation is Downtown with a Transit Corridor Overlay of Station Area. The site is also located in the Downtown Transit Node Character Area of the Central Main Street Area Plan. Both plans encourage pedestrian oriented uses and design for this area, with buildings situated to engage the street. The zoning on the property is Downtown Core (DC) with a Downtown Events (DE) Overlay. Restaurants and multiple resident uses are permitted in the DC Zoning District.

Site photos show the view of buildings four and five from Morris and the view of building two and the porte-cochere from Main Street. Site photos show the southeast corner of building one and part of the existing porte-cochere and the last photo shows the hot tub area in the interior courtyard of the site. The purpose of this Site Plan Review is for approval to establish the residential density, building area and yard regulations on the property.

Several changes are proposed to the front of this site including the removal of one of the two existing driveways off of Main Street and conversion of the porte-cochere into a covered amenity area, as well as construction of a new overhead entry feature extending out towards Main Street. The slide shows an enlarged site plan of the front of the development. The amenity area includes seating and a dog park. New accent paving and a new walkway extend through this area and out to Main Street.

The applicant is requesting a Special Use Permit for a reduction to the number of required parking spaces. Because of the site's proximity to the Light Rail Station and other Transit Modes and its location in the downtown area with its public parking program, Staff is in support of this request.

The Design Review Board discussed this proposal yesterday evening and they had a number of comments. The Design Review Board was very supportive of the conceptual sign design and would like to see more vibrant colors continued throughout the development. The Board has concerns about the existing tile roof that is proposed to remain throughout most of the development. They suggested a condition of approval that would require the roof to be replaced with a more contemporary type whenever there is a need for such replacement.

A Citizen Participation process was completed by the applicant and provided notification

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of property owners within 1.000 feet, HOA's and registered neighborhoods. A neighborhood meeting was held on February 17, 2021 and staff has not received any feedback from the neighbors regarding the proposed Site Plan.

In summary, this request complies with the 2040 Mesa General Plan as well as with the Central Main Street Area Plan. It meets the review criteria for a Special Use Permit as well as for Site Plan Review. Staff recommends approval with conditions.

Brennan Ray, 1850 North Central spoke on behalf of the applicant, Vivo Living. This is a project that we have worked on for a long time. One of the things that I want to emphasize is that this is a textbook adaptive reuse of a vacant, dilapidated building that has been subject to all kinds of unmentionables. Over the course of the past year, this site has been closed, which never is a good condition, especially in the Downtown area, and especially with the goals that the City has for revitalizing downtown and making it a better place.

We have worked closely with a number of departments, hand in glove, multiple meetings, multiple Zoom meetings, even had an in-person meeting with everyone properly distanced, with Development Services Planning and the Downtown Transformation group for almost a year now. What we are talking about is how do we take this existing building, and adaptively reuse it so that it does comply and does start to achieve the goals of revitalizing Main Street and Downtown. We believe that the improvements that we are making do that and achieve the goals envision for the area and certainly brings additional people to the area to support the commercial in the area.

Mr. Ray emphasize the Downtown Area is under a microscope. Knowing that we have done a considerable amount of neighborhood outreach, even though it is not required as you are well aware. By just simply requesting Site Plan approval, we had a meeting with the Downtown Mesa Association, which is a very active group, in November. That same night, we met with the RAIL Group and had a good conversation with them where generally everybody was very excited about this development. The same plans that we are presenting to you tonight, were presented to them back then, and we received lots of compliments on the design and the things that we were doing to engage the street, engage Main Street, bring people in, recognizing that it is a building that we are not going to scrap and we cannot pick up and move.

We are nevertheless trying to bring that interaction and activity to the Main Street frontage. We did have a neighborhood meeting and again, people were generally very excited about what it is that we are proposing, and excited to see in what has become a bit of an eyesore, upgraded and again, reusing this building. We are certainly appreciative of staff's thorough report and they did a good job in their report explaining their support and justification for it and certainly, we are appreciative of their recommendation for approval in request.

Mr. Ray stated it is important to emphasize that when we look at adaptive reuse in the building, we are all very familiar with this. This site is zoned DC and the zoning allows multifamily by right and does comply with the zoning. We are coming in and revitalizing this site with new landscaping by updating the site, including redoing the parking lot, the addition of canopies, and parking islands. There is a lot of enhancements we are making to this site and we are really focusing on Main Street.

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The Design Review Board was very complimentary of a number of things that we were doing. In fact, they wanted us to do a little bit more with the colors to make it a little more vibrant, and make it stand out a little bit more, which we are more than happy to do. We will work with staff to figure out a way to put more colors, and of course the roof. When we are talking about adaptive reuse, and redoing an old building, things have to sometimes go in phases. This phase is very important, because it hopefully sets the framework for future redevelopment that we could expect with adaptive reuse as it continues up and down the Light Rail and Main Street.

He stated he knows that we are going to have to repair the roof, or redo it, and then we are going to need to bring it up to speed with everything else. That is something that we are okay with and we understand that is why there are phases in this. Mr. Ray showed slides of what they are hoping to do with the bright lights and with the metal beams with Standing Seam Metal Roof, focusing on the adaptive reuse. So, we are going to use the stones that are existing and adding similar lattice works. It is going to be a fenced in gated community except for one gate on the northwest corner because of where our property lines are, they do not allow a gate there.

One comment that was made during the study session was about interior improvements. I know that normally that is something that is not discussed, but I think it is important to emphasize everything that is going into this building. There are a number of common area interior renovations. This is building one the lobby when you walk in that we are revising from the current lobby. It is going to be a proposed game room and lounge area with a coffee station. It really coincides these interior improvements to this area with what we are doing under the porte-cochere and it will share with the dog park and the seating area out there. Within the same building is a proposed fitness center with glass so that people are able to see and work out. In the other building, where used to be an old sports bar with lots of Cubs memorabilia in it, is now being converted into a working area, a place where residents are able to come and plug in their laptops and sit and work and enjoy others company, to socialize and interact.

Mr. Ray stated they are really excited about all the things that we are doing. Because, again, as we have worked with a number of people, we have had a lot of compliments along the way for what we are doing. And people recognize and appreciate what we are talking about when we are dealing with adaptive reuse of this existing building.

He then addressed the request for a Special Use Permit. We believe that staff addressed this well and that justification to reduce the parking is warranted, especially when you look at everything that is going in the area. We would request your approval in accordance with staff's recommendation.

Boardmember Tim Boyle stated as we just saw with that sports complex project that had an extensive parking study, as its justification, does not see a real parking study that was done. How was the parking figured out and what are you comparing it to, or was it done with the real study or was it just estimated based on similar projects.

Brennan Ray responded that an official technical parking study was not submitted in connection with this application. Our client, Ellia Thompson has done a number of developments with this particular client and she can speak to it. But this is based on their

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experience in working in other places. And with these being all studio apartments, as was discussed during the study session, there is a lower demand on parking. If you were to look on page 4 of the Staff Report, they run through the criteria by which they judge reduction in parking. There were three findings to support the reduction. The other thing that I would tell you is that as we looked at it in an Urban Infill setting, we are in great proximity to a lot of public transit. We are less than 50 feet away from the Light Rail Station, about another 350 feet away from the Valley Metro, and within a number of designated bicycle routes are 200 feet away. We think there are opportunities for multi modal means of transportation getting to and from the site and we are not concerned based on other developments that the reduction in the parking is going to cause any problems for our residents, or for the adjacent property owners. One of the main things that when you look at it from the SUP criteria for parking demand going to have a detrimental impact on the supply of on street parking in the area.

Mr. Boyle responded part of his concern is that he has heard from people in the neighborhood of the project, El Rancho which is further down Main Street. Some of the neighbors and people that I know have found a huge amount of additional street parking in their neighborhood since that went up. I think it was given reduced parking and I think it might have even been Form Based Code. For me, as an Architect, I am working a lot in Downtown, the Form Based Code allows a significant reduction in parking. And I am concerned about it and it is not just criticism, this is me wondering if we are doing the right thing with the way we are looking at parking. The neighborhood around El Rancho has said they have a real challenge with parking now that all of the street parking that was not required, or all of the private parking was not required for that has now spilled out into the neighborhood. And so, I am concerned that maybe our numbers are off on that. This is where when there is not a parking study, and just kind of estimating this based on other things, that makes me nervous. That is the reason for my concerns on the parking element of this.

Mr. Boyle stated he appreciates the images of the inside and showing how you are planning to make this more of a kind of an upscale thing. The outside of the building concerns me because it is an older building and seems pretty tight. It does not seem like there is no private open space for each resident, no room for them to have a little balcony or something like that, that kind of just squished into these units there. I do feel better about it when I see that there is some public open space, at least for the public within the site. That makes me less nervous about it and I think that the finishes have a huge amount to do with it. If it ends up looking like those renderings that you showed, I think things could go well. There is also a kind of a cheap way of doing that where those won't be nearly as productive and as conducive to the downtown that we're hoping to get in this area and that for me and countless others in the neighborhood are spending a lot of time and effort. I'm bringing lots of developers down to this area trying to get new development in the area. If this project goes poorly, then it hurts our ability to bring other good stuff into downtown. I guess that is the basis of why I am nervous about the direction that this is going.

Mr. Ray stated he completely understands and has had lots of conversation about quality with Mr. Boyle. Not only in the downtown area, but just generally throughout Mesa. And understands it is not the sole purpose to ensure and hopefully, that it is your sole purpose to ensure that the quality of the developments that come into Mesa meet a higher standard of higher quality. There have been a number of conversations that I

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have not only had with staff but with elected officials as well about what can do to ensure that the quality of this to be better. No one told them to meet with the DMA, or RAIL or have a neighborhood meeting. But because of the importance of the location at Country Club and Main Street and the potential of what the future might look like, we worked closely with staff and to staff's credit, they pushed us and we stepped up to the task in terms of ways of what we are doing to engage on Main Street and make it more exciting and more vibrant. And as I mentioned, with adaptive reuse, the improvements to buildings come in phases and so, we had a lot of people look at it and a lot people have been complimentary. In fact, I have not heard anything other than a comment at the Design Review Board hearing last night that the Vivo sign looked like something from Kmart. I think that is the only negative comment I have heard since we reached out to a very large group.

Ellia Thompson, located in Los Angeles, stated she has worked with the ownership on numerous projects over the last several years. And just to be clear, Vivo is Latin for basically "in the living" and in it, there is almost a connotation of like in a living community. And that is what they are trying to strive for. The reason they picked that name is because they try to have a holistic view of this, and Boardmember Boyle is right, the individual units are small. We try and create a work area, where people can go and have WiFi and all the technology that they need with tables, desks, printers, everything that they need for almost their own little communal work situation. This facility will be included as part of the monthly rental that they pay. There will also be a nice brand new gym that is almost completed. We always put a really nice state of the art fitness center and gym. There will eventually be some individual storage units for the tenants of the building. They will not have individual balconies, as it is not really anything feasible. But a lot of times, balconies and patios become storage areas where people stick their extra stuff and it becomes kind of cluttered. So, we try and actually find places in the spaces where we can create storage bins and other things.

So that, again, everything that we need is on site. We will have a community room with a whole entire coffee bar, so every morning anytime they want, they can go and get coffees and so forth. There are places where they can share, they can co-mingle, they can have open space, and when we put a little public park in the front, there's other landscaped areas throughout. We are cognizant of exactly what you said, and we do recognize that people are living here 24-7, this isn't just a week-long holiday. They are actually living here. We create an entire living community for our residents. My clients have done numerous projects like this in throughout Utah, California, Arizona and now we're doing several in North Carolina. They are all really successful and they tend to be people that want to find a community, but yet at the same time still have their own personal space.

Boardmember Boyle stated typically in a situation like this, if there are 150 Studio units, how many of them would have vehicles for this sort of scenario. Because you have done this for clients in other areas, and from some of their research. For example, if there could be 100 units, what is the number of people that actually have automobiles that need parking spaces.

Ms. Thompson responded that is driven based on how closely we are to public transportation. So, for instance, in Southern California, primarily in Los Angeles, we have finally come to where the rest of the world has been for several years. We are lagging

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sorely behind the rest of the world and a lot of things but certainly in public transportation. In areas where there is a rapid bus line, they do not require any parking on site. We are seeing probably as much as a 50% reduction. If you can be within two blocks and in Los Angeles, Southern California, Orange County and so forth, we are looking at roughly two to three blocks is the circumference under which you can probably get anywhere between a 35 and a 55% reduction in the number of cars that people will have. We are also seeing a lot more people utilizing bikes, scooters, other methods like that. So, we are seeing in general, anywhere between a third to half of the parking reduction, because again, a lot of these people are young professionals, and they are not fully as into stuff, and they are streamlined and they do take public transportation, they do live that lifestyle.

Mr. Ray stated the only other thing that I would add on to that is that, and believes Boardmember Ayres brought this up, that within this development, there are a total of 130 units. We are providing 159 spaces. So even if you were to presume that everyone, all 130 people had an automobile, there would still be an additional 29 spaces left over.

Mr. Boyle stated this is why I think it is going in the right direction. And this is where we are creating future parking plans for the City. This is the sort of information we need to know what actually happens here, because with the Form Based Code you can have less parking spaces than units. So, if that is a concern, that is something that needs to be on our radar.

Boardmember Crockett thanked Mr. Ray for the presentation, that was very helpful to see some images of what this will look like. My question has to do with the roof and the eventual replacement of the roof. He mentioned the applicant stated there are phases of construction and has the developer put any timing to those phases such that we know when the roof may be replaced. For example, do you know how old the roof is now and when would the developer expect that it might be replaced.

Mr. Brennan Ray stated he does not know a definitive timeline as to when that might take place. Obviously, with most things, there has been a considerable amount of money that has been expended up to this point in acquiring the land. And there are a lot of these interior modifications that we have talked about are already underway. Because obviously, there are certain zoning rights associated and we have been able to move forward and do that. So, a lot of the units have been converted and a lot of internal things taking place. We still have to take the time to make these exterior improvements that we are talking about and then some people living in here, some income coming in on the property. Once we can get that kind stabilized, then it gives the owner the ability to look at what upgrades can they do, updates to the façade and what can be done to the roof. That may be looked at in Phase Two. But it is certainly on the list of items that, as things stabilize, we will be able to address in the near future.

Boardmember Crockett asked if the owner would have an objection to putting an outside time limit on getting that done, for example in five years. Vice Chair Sarkissian stated this is something that is addressed with the DRB and this Board does not have purview to create stipulations like that. It was in the meeting minutes, so we will be able to follow up and is sure that the Planning Director will be watching this. Mr. Crockett stated this is just a concern that without having something more definitive, it literally could be 20 years

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before that happens. It is not that I believe that that's the developer's intent, but feels the roof renovation is going to be an important piece of this. So, just wanted some comfort that it is going to get done on a timely basis.

Planning Director Nana Appiah stated this is a good discussion, but with a roof, it also has to comply with building safety. So, if it meets building safety standards, we will not be able to put a condition for the roof to be removed. However, that was a major concern by the Design Review Board and with my final approval and to include a condition of approval to require the roof to be replaced with a contemporary type if ever replaced. Also, to add this to the record, the goal of the Planning Division is not only about quality, it is all about Land Use and making sure that our City development, urban forms is well designed and structured. Quality of development is just one aspect of that goal of city planning and not the sole purpose.

Boardmember Allen wanted to say thank you to Brennan Ray for the work that he is doing right now and she thinks he really reached out to a lot of folks that he did not have to and went above and beyond. The only comment that she wanted to make is her concern about the reduction in parking. She is not so concerned about what they are doing on the site, but the spillover of parking that may affect the surrounding neighborhood. She wanted to stress that if they could maybe reach out to the surrounding property owners and also have some kind of a Good Neighbor Policy in place that if the parking does spill over into those areas and it affects those businesses, will have a plan of action. So, I just wanted to make that known, I guess, on public record that. I don't have any concerns about the on-site parking for the business itself just if it spills over into those neighbors and affects those businesses on Main Street to the east.

Dr. Appiah stated one of the things we can recommend to the applicant is to include in their contract with the residents the parking locations for their visitors or overflow, if there is ever a need.

Mr. Boyle stated that is a good question. Let's say for some reason, people double up in this apartment, or in this complex, where is the parking spillover, where would people even end up parking because of its location. Mr. Ray responded that what he feels Dr. Appiah was saying is in terms of making sure that we have a provision in the lease that notifies residents of where they can and cannot park. He does not believe that would be a problem to have something like that in the lease. Certainly, we have talked about it, and it's something that we will do, because we understand the concern.

Ms. Thompson stated she also wanted to throw in something that was previously asked. In terms of experience with other similar projects, both with this client as well as other clients. We do not see an issue in projects that are primarily made up of studio units, like we do in one, two, and three bedroom unit projects in terms of additional roommates that are not named on the lease. Suddenly you do a minor repair and you realize there are six people living in a three bedroom apartment where there was only supposed to be three. In the studio units, we do not see that there because there just is not the space, there is not the ability to share that space. So sure, there could occasionally be a gathering, in which case I agree with Mr. Ray, I do not think our client would have any problem whatsoever adding restriction language in the leases. But in general, people do not double up in studios, they just do not have that kind of space. You do not find

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additional roommates that were never mentioned in the lease that management does not know who they are. You know who your people are in projects that primarily have studio units.

Vice Chair Sarkissian stated if anyone has lived in an apartment, especially if parking is covered, you have assigned spaces. And a lot of the studios are good about letting you know when you get a parking violation, or a telling you are not parking in the correct space. As I mentioned in the study session, based on the discussion by the applicant and the proximity to the Light Rail, I don't feel you are going to have a lot more people, as opposed to when it was a hotel, that will need a parking space. With the public transportation so close, they either will not need a car or have a car to begin with. People in my family, if they live next to something with public transportation, they have sold their car, especially with gas prices going up. It's not convenient enough for them to have a car. So. I am not concerned with the situation with the parking, and I think that they are going to be able to solve it. I am not asking them to solve adjacent spillage over from other properties. Boardmember Allen had mentioned maybe they can add a condition about parking, but they are going to have an office and if there are problems with the neighbors, they can directly contact the office to address this. And I'm sure the towing companies in the area would be very happy to oblige. I do believe this proposal is a nice project that is very comprehensive and what they're trying to do to upgrade the area. And hopefully spur on some more development.

Boardmember Boyle stated his final comment is that this is Country Club and Main, the start of downtown. If you are trying to put your best foot forward, I hope if this is going to go through a renovation to the roof or something. They really need to think about making it look really modern and new because this location is saying, you are now in Mesa. And it's not amazing, like when you're in Scottsdale or when you're in Tempe or other places. It's very lackluster and where Mesa is at, this is a problem Mesa has in general with all of its entrances off the freeways. Our good stuff is not put out front, but it is tucked away in back. And I think that is something that we need to strongly reconsider the way we are going with that.

Vice Chair requested if there were any comment cards staff has received. Staffmember Rebecca Gorton stated she has not received any comment cards for this case.

Boardmember Boyle stated he was notified that a comment card had been submitted.

Dr. Appiah requested that Ms. Gorton read the name of the person that did submit without a specific case. Ms. Gorton stated the name on the comment card is Tove White and did not submit any comments.

Dr. Appiah requested Vice Chair to ask if the resident was on line and wished to speak.

Derek Brosemann of 639 West Contessa was on the phone and spoke. Mr. Brosemann stated the developer says that they met with a number of neighborhood organizations, but they did not meet with the one I represent. There is a number of us here in the Mesa Grande Group, which is the oldest organization here in West Mesa. Many of us are opposed to this development for a number of reasons. We are concerned about the living space, the tiny living spaces and maybe the poor quality of the construction. The roof is a significant concern. I think that once the City puts their stamp on this, there is

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going to be no way for the City to enforce any kind of repairs, remodels that do not fit with this. They are not necessarily endangering people. I'm concerned also with the parking. There is no doubt in my mind, there is going to be significant spillover in the neighborhoods. Lastly, I'd like to end my comment with the beginning of this. You mentioned that the General Plan supports this, I'd like to say that it doesn't, and I'll be specific. To be specific as to where it says this may not fit, on page 4.1 of the 2040 General Plan it states; "neighborhood schools are often a key component of a strong neighborhood. Schools can provide a significant focus for families within a neighborhood". It further goes on to state that the design and maintenance of the neighborhoods surrounding schools can affect the quality of the schools, and the role they play in the neighborhood. When the neighborhood population is largely transient, it is difficult for schools to provide the same level of service compared to more balanced and stable neighborhoods. On the next page, bullet point two, it says that; "developments, multi-residents developments working with the local school district to evaluate the impacts of multi-residents development on the schools that would serve this development". It does not sound like this was ever accomplished. I would like the Board and members of the Board to do what is ever within your power to stop this now. Let us re-focus on a study for parking and not just rely on the experience of the developer. And, also rely on a study on the impact of the neighborhood schools and how this will affect them. Thank you.

Vice Chair Sarkissian asked if the applicant would like to respond the comments made by the resident. Mr. Brennan Ray stated staff has done a thorough job reviewing this. And as I mentioned, we had discussions with lots of groups along the way. Groups, DMA, and the RAIL. I'm not familiar with the Mesa Grande Group. I believe the gentleman stated they were in West Mesa and I don't know if we are talking about is West Mesa and the where the line ends. But this plan is consistent with the vision and goals for the area in terms of what we're doing of creating a vibrant, pedestrian friendly environment. With respect to the comment about the schools. These are studio apartments consisting of 130 studio apartments. This is not a typical multi-family development with multiple bedrooms with 123-bedroom units where you might see families and people with kids. These are studio apartments. And not to say that someone could not come in with a kid but that is pretty rare. And we do not see this development having any impact at all positive or negative. And in fact, it is going to be a positive because we are taking a dilapidated, rundown building that has been subject to numerous break ins, vagrancy and other less than desirable activities, and putting life back into it. So, with that, again, we are grateful for staff support and request this body's approval.

Vice Chair Sarkissian asked staff if they could follow up on the notification from the school. Planning Director Nana Appiah stated that on page 6 of the staff report, we have included the analysis from the school. We did send the application to the Mesa Public Schools and they determined there is adequate capacity to serve the development if there is going to be any school generating children.

Boardmember Boyle asked that since we have the lawyer on line if they have a number of how many kids typically are in these units per 100 units based on their other developments.

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Ms. Thomason stated she would echo what Mr. Ray said. In general, we do not see very many families, it honestly sometimes none at all, in projects that are primarily studios. Sometimes one bedroom certainly and obviously two and three bedrooms. That's where the families go, but even when you have single parents on a fixed budget, they're trying to find a one bedroom so that there can be at least some space for their children. We very rarely see families in studio units.

Boardmember Crockett asked one follow-up question in that regard. He asked Brennan Ray if he knows whether the leases are going to limit the number of people that can occupy one of these studios. Mr. Ray responded that is a great question that I don't have an answer for and did not want to speculate or guess and that I think that was we look at housing and stuff like that. I think there is sometimes Federal criteria comes into play and the definition of what a family is and stuff like that, that kind of dictates that better than better than I would know. Ms. Thompson stated there are Federal Laws that dictate this and does not know what Arizona laws are but certainly California has very robust laws, but there are laws in place that we have no right to define a family. And keep in mind, a landlord has the right to say no. So if a tenant comes in and says, Hey, me, and my three roommates want to come in and rent one of these studio units, you could say no, that's just that's too much wear and tear. And it's certainly if it's, you know, a familial relationship. We don't have any right to decide any of that in regards to housing laws,

Charlotte McDermott from the City Attorney's Office wanted to remind the Board that this is a Site Plan Review case. And so, in looking at Site Plan Review, we are not looking at the occupancy of the units.

Boardmember Villanueva-Saucedo stated her appreciation of what this brings to the Downtown in terms of density. She is not concerned with the parking to echo some of my other peers on the Board. I think maintenance and long-term sustainability is always a question. It certainly comes up repeatedly not just something with this issue, but given all that, I am pleased with what I see and I would recommend approval of item ZON20-00838. District 4 Within the 200 to 300 block of West Main Street (north side) and within the 0 to 100 block of North Morris (east side). Located east of Country Club Drive on the north side of Main Street. (3.49± acres). Site Plan Review; Special Use Permit. This request will allow for a multiple residence development. This request will allow for multi residents development staff recommendation approval with conditions. This motion was seconded by Boardmember Allen.

Boardmember Villanueva-Saucedo motioned to approve case ZON20-00838 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON20-00838 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.

Vote: 5-1 Approval with conditions (Chair Astle, absent)

Upon tabulation of vote, it showed:

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

NAYS – Boyle

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- *4-a ZON20-00210 District 5.** Within the 6800 to 7000 blocks of East University Drive (south side). Located east of Power Road on the south side of University Drive. (1.6± acres). Rezone from LC to LC-BIZ Overlay; and Site Plan Review. This request will allow for the development of a commercial center. John Reddell, Reddell Architects, applicant; ETR Enterprises LLC and United States Department of Interior Bureau of Land Management, owner. **(Continued from February 24, 2021)**

Planner: Charlotte Bridges

Staff Recommendation: Continue to March 24, 2021

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

Boardmember Allen motioned to continue case ZON20-00210 to March 24, 2021. The motion was seconded by Boardmember Crockett.

Vote: 6-0 Continuance to March 24, 2021 (Chair Astle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE MARCH 10, 2021 PLANNING & ZONING MEETING

- *4-b ZON20-00846 District 6.** Within the 6000 to 6600 block of South Ellsworth Road (east side), within the 9200 to 9800 blocks of East Williams Field Road alignment (south side) and within the 6200 to 6600 blocks of South Crismon Road alignment (west side). Located east of Ellsworth Road and north of Pecos Road. (overall 337.0± acres). Rezone 41.7± acres of the 337.0± acres of the property from AG to LR; Special Use Permits; and Site Plan Review on the property. This request will allow for the development of a recreation facility. Paul Gilbert, Beus Gilbert McGroder, applicant; Pacific Proving, 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 case ZON20-00846 with conditions of approval. The motion was seconded by Boardmember Crockett.

That: The Board recommends the approval of case ZON20-00846 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. 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. All public infrastructure improvements as described and depicted in the pre-annexation development agreement shall be installed in the first phase of construction.
6. Execute and comply with the pre-annexation development agreement.
7. 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 500 feet of Phoenix-Mesa Gateway Airport.

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Vote: 6-0 Approval with conditions (Chair Astle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE MARCH 10, 2021 PLANNING & ZONING MEETING

- *4-c ZON20-00877 District 1.** Within the 2400 block of North Old Gilbert Road (east side) and within the 2000 block of East Hermosa Vista Drive (north side). Located south of the 202 Red Mountain Freeway and east of Gilbert Road. (4.55± acres). Rezoning from RS-35 to RS-15-BIZ. This request will allow for the development of a single residence subdivision. Jared Cox, Vist Design Group, LLC, applicant; Brent /Deborah Berge, owner. **(Companion case to Preliminary Plat “Los Nietos Residential Subdivision”, associated with item *5-a) Continued from February 24, 2021**

Planner: Jennifer Gniffke

Staff Recommendation: Continue to March 24, 2021

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

Boardmember Allen motioned to continue case ZON20-00877 and preliminary plat “Los Nietos Residential Subdivision” to March 24, 2021. The motion was seconded by Boardmember Crockett.

Vote: 6-0 Continuance to March 24, 2021 (Chair Astle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE MARCH 10, 2021 PLANNING & ZONING MEETING

- *5-a “Los Nietos Residential Subdivision” District 1.** Within the 2400 block of North Old Gilbert Road (east side) and within the 2000 block of East Hermosa Vista Drive (north side). Located south of the 202 Red Mountain Freeway and east of Gilbert Road. (4.55± acres). Preliminary Plat. Jared Cox, Vist Design Group, LLC, applicant; Brent /Deborah Berge, owner. **(Companion case to ZON20-00877, associated with item *4-c).**
Continued from February 24, 2021.

Planner: Jennifer Gniffke

Staff Recommendation: Continue to March 24, 2021

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

Boardmember Allen motioned to continue preliminary plat “Los Nietos Residential Subdivision” and associated case ZON20-00877 to March 24, 2021. The motion was seconded by Boardmember Crockett.

Vote: 6-0 Continuance to March 24, 2021 (Chair Astle, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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6. **Adjournment.**

Boardmember Villanueva-Saucedo motioned to adjourn the meeting at 5:00 pm. The motion was seconded by Boardmember Allen.

Vote: 6-0 Approved (Chair Astle, absent)

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 be 'Nana K. Appiah', with a large, stylized initial 'A' at the end.

Nana K. Appiah, AICP, Secretary
Planning Director