

Planning and Zoning Board

Meeting Minutes

Mesa City Council Chambers – Upper Level, 57 East 1st Street

Date: September 22, 2021 Time: 4:00 p.m.

MEMBERS PRESENT:

Chair Jessica Sarkissian
Vice Chair Deanna Villanueva-Saucedo
*Jeffrey Crockett
Ben Ayers
Troy Peterson

MEMBERS ABSENT:

Tim Boyle
Shelly Allen

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

STAFF PRESENT:

Nana Appiah
Michelle Dahlke
Rachel Prelog
Lesley Davis
Cassidy Welch
Jennifer Gniffke
Kellie Rorex
Charlotte McDermott
Sarah Staudinger
Rebecca Gorton

OTHERS PRESENT:

None

Call Meeting to Order.

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 September 8, 2021, study session and regular hearing.

- *2-a** Boardmember Crockett motioned to approve the minutes from the September 8, 2021 study session and regular hearing. The motion was seconded by Boardmember Ayers.

Vote: 5-0 Approved (Boardmember Boyle and Allen, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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

Zoning Cases: ZON21-00589, ZON21-00657, ZON21-00449 and ZON21-00543; and Preliminary Plat "Project Tailwinds"

Vote: 5-0 Approved (Boardmember Boyle and Allen, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE SEPTEMBER 22, 2021 PLANNING & ZONING MEETING

- *3-a ZON21-00589 District 6.** Within the 9300 to 9400 blocks of East Ray Road (north side), the 5000 to 5200 blocks of South Bradley Way (east side) and within the 9300 block of East Serenity Avenue (south side). Located East of Ellsworth Road and north of Ray Road. (9.12± acres). Site Plan Review. This request will allow for a multiple residence development within the Eastmark Community. Drew Olson, PCS Development, applicant; Premiere Multi-Family at Eastmark II LLC., owner.

Planner: Kellie Rorex

Staff Recommendation: Continue to October 13, 2021

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

Boardmember Crockett motioned to continue case ZON21-00589 to the October 13, 2021 meeting. The motion was seconded by Boardmember Ayers.

Vote: 5-0 Continue to October 13, 2021 (Boardmember Boyle and Allen, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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- *3-b ZON21-00657 District 6.** Within the 4900 to 5100 blocks of South Momentum (east side). Located East of Ellsworth Road and North of Ray Road. (10.49± acres). Site Plan Review. This request will allow for a multiple residence development within the Eastmark Community. Drew Olson, PCS Development, applicant; Premiere Multi-Family at Eastmark II 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 Crockett motioned to approve case ZON21-00657 with conditions of approval. The motion was seconded by Boardmember Ayers.

That: The Board recommends the approval of case ZON20-00657 conditioned upon:

1. Compliance with the final site plan submitted.
2. Final Eastmark Design Review approval is required prior to permitting.
3. Compliance with Ordinance number 4891 and the adopted Eastmark (Mesa Proving Grounds) Community Plan.
4. Compliance with the Eastmark Development Unit 3/4 North Development Unit Plan dated October 17, 2018.
5. Compliance with all City development codes and regulations.
6. Prior to the issuance of a building permit, record a new subdivision plat for the subject parcels.
7. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. 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.
 - b. Provide written notice to future property owners that the project is within 1 mile(s) of Phoenix-Mesa Gateway Airport.
 - c. 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.
 - d. 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 Phoenix- Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

Vote: 5-0 Approval with conditions (Boardmember Boyle and Allen, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

NAYS – None

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MINUTES OF THE SEPTEMBER 22, 2021 PLANNING & ZONING MEETING

- *4-a ZON20-00840 District 1.** Within the 1000 block of East McKellips Road (south side). Located west of Stapley Drive on the south side of McKellips Road. (4.5± acres). Rezone from Single Residence 9 (RS-9) and Multiple Residence 4 (RM-4) to Multiple Residence 2 (RM-2) with a Planned Area Development Overlay (PAD); and Site Plan Review. This request will allow for a multiple residence development. Victoria Snively, United Realty MTA, applicant; Thomas Adhoot, owner. **(Continued from September 8, 2021)**

Planner: Cassidy Welch

Staff Recommendation: Approval with conditions

Summary: Staffmember Cassidy Welch presented case ZON20-00840 to the Board. Ms. Welch stated the site is located west of Stapley Road on the south side of McKellips Road between two canals. The General Plan Designation for the property is Neighborhood Suburban. The site includes two canals and there is a significant grade on the property.

Ms. Welch explained that the request is for a Rezone from Single Residence 9 (RS-9) and Multiple Residence 4 (RM-4) to Multiple Residence 2 (RM-2) with a Planned Area Development Overlay (PAD); and Site Plan Review. This request will allow for a multiple residence development.

M. Welch states that as part of the PAD Overlay, there are several deviations that are being requested. Those deviations include a reduction to the minimum building separation from 35' to 30' to accommodate the uneven on-site grading and to support a unique building design. The next deviation is an increase to the maximum garage doors adjacent to each other from 3 to 4 doors which also supports the unique building design. Ms. Welch explained that the garages will be recessed below the balconies and include landscaping between the doors. The final deviation is for the landscape setback on the east side is to allow three parking spaces to encroach into the landscape setback on the east side of the property. The site plan consists of 30 multi-residential units in 4 buildings with buildings ranging from 2 to 3 stories. Ms. Welch stated that the applicant attended the Design Review Board meeting on September 14, where minor changes were recommended.

Ms. Welsch stated that the applicant conducted a Citizen Participation process which included mailing notification letters to the surrounding residents and the applicant held two virtual neighborhood meetings in October 2020 and April 2021. The concerns that were brought by residents were the increased traffic on McKellips Road and visibility and privacy concerns due to the height of the proposed development.

Ms. Welch stated that staff finds the proposed development meets the criteria for a PAD overlay outlined in Chapter 22; the criteria for Site Plan Review in Chapter 69 and complies with the intent of the 2040 Mesa General Plan and that staff recommends approval with conditions.

Applicant Victoria Snively, architect with United Realty MTA, 644 E. Lehi Road spoke. Ms. Snively stated she was aware that there have been questions about the traffic on McKellips Road since they started looking at this project. She explained that one of the comments that they took early on was to move the entry to the west as far as they could.

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She explained that they conducted a traffic study and have looked at the visibility with the sight triangles for landscape. She stated that if there is more information that is requested, to let her know specifically what that is, and she will follow up.

Boardmember Crockett stated after he reviewed the visibility study dated April 15, 2021 if asked if Ms. Welch knew if the study was submitted to the City Traffic Engineer. He also inquired if she knew whether the City Transportation Department City had conducted an onsite visit at this location, or did they simply look at the report that was submitted. Ms. Welch responded that she did not know specifically if the Transportation Engineer had gone out on site. She stated she does know that they do have familiarity with this area, but they are mostly relying on the analysis that was provided by the applicants and then their own internal analysis.

Mr. Crockett asked Ms. Welch if she had contact with the Transportation Department on this project directly. Ms. Welch stated that the Transportation Department did review the request and that request for the site visibility study was provided as a part of the first review of the application. Once that was provided the comment from the Transportation Department was then removed, indicating that they did not have any further concerns.

Boardmember Crockett stated looking at the visibility report, there is a paragraph on page three that says, "based on the existing conditions observed during a field visit in April 2021 an existing roadway luminaire pole, a roadway lighting voltage meter and associated electrical equipment, and a large shrub immediately adjacent to the luminaire pole are expected to limit sight distance for northbound vehicles exiting the site. To provide adequate sight distance at the proposed intersection of Westmount access McKellips Road, these obstructions located approximately 100 feet west of the proposed access driveway should be removed or relocated." Boardmember Crockett stated that he thinks that is different than the landscaping that the applicant intends to put in at the entry/exit point and wondered if there should be a stipulation or picked up in an existing stipulation in the staff report. He stated that he also wondered if that should not be included, both to address the paragraph in the report and also address the issue of the landscaping at the entry point for the subdivision.

Planning Director Nana Appiah stated that that was a good question and that he was not clear if the item that is 100 feet listed is within the property, because if it is under different ownership, that would be a different conversation. Dr. Appiah stated that the applicant was at the meeting and could clearly answer that question and based on their response, that will determine what staff can do. Dr. Appiah stated that we could include a new condition of approval, or the case could be continued for staff to talk to Transportation and resolve the issue before it is put back on the agenda. Dr. Appiah asked the applicant to provide that information since they are familiar with the site. The applicant, Ms. Snively stated from what she knows of that comment, that pole is not on the subject site and is not something that they can move.

Dr. Appiah stated that at this point because it seems to be an issue that needs to be resolved, his recommendation is to continue the case to the next Planning and Zoning hearing. He stated that staff will go back and have a discussion with Transportation and have an answer before staff asks this Board for a recommendation to City Council.

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Chair Sarkissian asked the Boardmembers if there were any concerns or comments regarding continuing the case to the next meeting. Boardmember Crockett said he felt a continuance was a good outcome. He stated that he is reluctant to support the case now because he worries about what he perceives to be a safety issue there and would like to get that nailed down before the Board votes on the case. He said he would support continuing the case.

Chair Sarkissian said she agreed, especially since the issues were called out in the report. She stated that, however, the pole is off site so if it is an issue, the applicant obviously does not have control of another property. She said that if the Board can get some resolution from the adjacent property owners, because the report stated that is already a direct conflict, that would be better.

Vice Chair Villanueva-Saucedo motioned to continue case ZON20-00840 to the October 13, 2021 meeting. The motion was seconded by Boardmember Ayers.

Vote: 5-0 Continue to October 13, 2021 (Boardmember Boyle and Allen, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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- *4-b ZON21-00449 District 6.** Within the 5400 block of South Power Road (east side). Located south of Ray Road on the east side of Power Road. (2.4± acres). Site Plan Review. This request will allow for the development of a restaurant with a drive-thru. Kevin Zenk, Sustainability Engineering Group, LLC, applicant; GS TRUST/5427 S POWER LLC, owner.

Planner: Jennifer Gniffke

Staff Recommendation: Approval with conditions

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

Boardmember Crockett motioned to approve case ZON21-00449 with conditions of approval. The motion was seconded by Boardmember Ayers.

That: The Board recommends the approval of case ZON21-00449 conditioned upon:

1. Compliance with final site plan submitted.
2. Compliance with all requirements of DRB21-00447.
3. Prior to issuance of a building permit, record a cross-access easement with the adjacent property to the north and/or the adjacent property to the south;
 - a. If a cross-access easement is not recorded to the north, then the required perimeter landscape setback(s) shall be a minimum of 15-feet along the northern perimeter.
 - b. If a cross-access easement is not recorded to the south, then the required perimeter landscape setback(s) shall be a minimum of 15-feet along the southern perimeter.
4. Compliance with all City development codes and regulations.

Vote: 5-0 Approval with conditions (Boardmember Boyle and Allen, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

NAYS – None

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- *4-c ZON21-00543 District 6.** Within the 7300 to 7600 blocks of the East Warner Road alignment (south side) and within the 4400 to 4800 blocks of the South Sossaman Road alignment (west side). Located west of the Sossaman Road alignment and south of the Warner Road alignment. (112± acres). Rezone from LI and AG to LI-PAD; and Site Plan Review. This request will allow for the development of an industrial business park. Reese Anderson, Pew & Lake, PLC, applicant; Structures Investment 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 Crockett motioned to approve case ZON21-00543 with conditions of approval. The motion was seconded by Boardmember Ayers.

That: The Board recommends the approval of case ZON21-00543 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review.
3. All off-site improvements and street frontage landscaping to be installed with the first phase of construction.
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 Phoenix-Mesa Gateway Airport prior to the issuance of a building permit.
 - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent, or temporary structure, as required by the FAA, is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine an effect to navigable airspace and air navigation shall be provided prior to building permit issuance.
 - c. Provide written notice to future property owners that the project is within 1 mile of Phoenix-Mesa Gateway Airport.
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:

MZO Development Standards	PAD Approved
Maximum Building Height – <i>MZO Section 11-7-3</i>	50 feet

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Required Parking – <i>MZO Section 11-32-3</i> <i>- Group Industrial</i> <i>Shell Buildings (no</i> <i>specified use)</i>	1 parking space per 900 square feet of gross floor area
Required Bicycle Parking – <i>MZO Section 11-32-</i> <i>8(A)(1)</i> <i>- Spaces Required</i>	10 bicycle spaces per building

Vote: 5-0 Approval with conditions (Boardmember Boyle and Allen, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

NAYS – None

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MINUTES OF THE SEPTEMBER 22, 2021 PLANNING & ZONING MEETING

- *5-a “Project Tailwinds” District 6. (ZON21-00408)** Within the 8000 to 8100 blocks of East Pecos Road (south side) and within the 7200 to 7300 blocks of South 80th Street (east side). Located east of Sossaman Road on the south side of Pecos Road. (15.9± acres). Preliminary Plat. Larry Talbott, Hunter Engineering, Inc., applicant; Tailwind Gateway Development, 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 Crockett motioned to approve preliminary plat “Project Tailwinds” with conditions of approval. The motion was seconded by Boardmember Ayers.

That: The Board recommends the approval of preliminary case “Project Tailwinds” conditioned upon:

1. Compliance with the Preliminary Plat submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Subdivision Regulations.

Vote: 5-0 Approval with conditions (Boardmember Boyle and Allen, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

NAYS – None

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6. **Adjournment.**

Vice Chair Villanueva-Saucedo motioned to adjourn the meeting at 4:15 pm. The motion was seconded by Boardmember Ayers.

Vote: 5-0 Approved (Boardmember Boyle and Allen, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

NAYS – None

Respectfully submitted,

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

Nana K. Appiah, AICP, Secretary
Planning Director