

# Planning and Zoning Board



## *Meeting Minutes*

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

Date: March 22, 2023 Time: 4:00 p.m.

### **MEMBERS PRESENT:**

Benjamin Ayers  
Shelly Allen\*  
Jessica Sarkissian  
Troy Peterson  
Jeff Pitcher  
Genessee Montes

### **MEMBERS ABSENT**

Jeff Crockett

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

### **STAFF PRESENT:**

Mary Kopaskie-Brown  
Rachel Nettles  
Evan Balmer  
Cassidy Welch  
Josh Grandlienard  
Charlotte McDermott  
Alexis Jacobs

### **OTHERS PRESENT:**

### **Call Meeting to Order.**

Chair Crockett declared a quorum present and the meeting was called to order at 4:09 p.m.

### **1 Take action on all consent agenda items.**

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

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

#### **\*2-a Minutes from the March 8, 2023 study session and regular meeting hearing.**

Boardmember Allen motioned to approve the minutes from the March 8, 2023 study session and regular meeting. The motion was seconded by Boardmember Pitcher.

#### **Vote: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

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

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

Zoning cases: ZON22-01174, ZON21-01072, ZON22-01015, ZON22-01157, ZON22-01214, and ZON22-01278 and Preliminary Plats: Elliot and Ellsworth Commercial Center, Cannon Beach, Higley 202 Industrial Commerce, and The Brickyards on Ellsworth.

**Vote: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*3-a ZON22-01174. “Elliot and Ellsworth Site Plan Modification” (District 6).** Within the 3400 to 3600 blocks of South Ellsworth Road (east side), within the 9200 to 9400 blocks of East Elliot Road (north side), and within the 9200 to 9400 blocks of East Peterson Avenue (south side). Located east of Ellsworth Road and north of Elliot Road. (17± acres). Site Plan Review; and Special Use Permit. This request will allow for a commercial development.

**Planner: Joshua Grandlienard**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Boardmember Peterson read public comment into the record:

Patrick Benedict, 4548 S Axis: “I oppose the development of this property, and personally believe the Citizen Participation outreach by the applicant was insufficient. The outreach area failed to include the primary target market of this development, residents of the Eastmark development. Beyond that, I don’t believe that the traffic impacts of a site with seven drive-thru outlets have been adequately contemplated. Lastly, I don’t believe this aligns with the City’s desire to limit the concentration of drive-thru restaurants.”

Micah Ramos, 9558 E Thornbush: “District 6 does not need more fast food and we definitely do not need nine fast food places at this one intersection. Please reject this until the proposed site plan that has more sit-down restaurants.”

Sam Delgadillo, no address provided: “Eastmark and our surrounding communities are tired of the city of Mesa flooding our corners with drive through eateries. Time and time again we have asked for sit down restaurants to take our business, yet we are still forced to drive to Queen Creek to spend money we should be able to spend in Mesa. Nine drive through eateries on Elliot and Ellsworth, or any corner, is absolutely ridiculous and goes against what we are asking for and telling you we will spend to eat in our own city. No reasonable person would support this development plan unless it’s appeal is monetary only.”

Lauren Tebbenoff, 10552 E Sebring Ave: “This community needs less drive thru fast-food type eateries. We need more family friendly restaurants and establishments in order for this part of Mesa to become more of a destination.”

Kathleen Segar, 4659 S Romano: “I am a 13-year resident of Bella via here in Mesa we have repeatedly asked not to have so much congestion in small spaces and especially just fast food drive-thru restaurants. My husband and I are in our mid-60s and do not enjoy this kind of food so we are forced to go to Gilbert, Chandler or Scottsdale for dinner or even a decent lunch. I don’t think that you have visited the corner of Signal Butte and Guadalupe to see the absolute nightmare of traffic and accidents that have occurred since this site opened up. It also has no aesthetic appeal.”

Boardmember Allen motioned to approve case ZON22-01174. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-01174 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Compliance with the Preliminary Plat submitted.
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 applicable City of Mesa Development Codes and Regulations.
6. Compliance with all requirements of the Design Review Board case DRB21-00126.
7. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent or temporary structure, as required by the FAA, is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
  - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
  - d. Provide written notice to future property owners that the project is within 3 miles of Phoenix-Mesa Gateway Airport
  - e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states 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: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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

- \*4-a ZON21-01072. “Villas on Baseline” (District 4).** Within the 1800 block of East Baseline Road (north side). Located north of Baseline Road and west of Gilbert Road. (2± acres) Rezone from Agricultural (AG) to Multiple Residence-4 with a Planned Area Development overlay (RM-4-PAD) and Site Plan Review. This request will allow for a townhouse development.

**Planner: Josh Grandlienard**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Boardmember Allen motioned to approve case ZON22-01072. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-01072 conditioned upon:**

1. Compliance with the final site plan, landscape plan, and elevations submitted.
2. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication, whichever comes first.
3. Prior to the issuance of a building permit, record with Maricopa County a cross-access easement with the adjacent property to the west.
4. 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
<u>Foundation Base along Exterior Walls –</u> <u>MZO Section 11-33-5(A)(2)(b)</u> -Exterior walls without a public entrance	3 feet along the building garage fronts; 4 feet along all other walls adjacent to a drive aisle
<u>Minimum Yards – MZO Table 11-5-5</u> - Interior Side and Rear: 3 or more units on a lot (east and west property lines) (north property line)	10 feet 15 feet
<u>Minimum Separation Between Buildings</u> <u>on Same Lot – MZO Table 11-5-5</u> -Two story buildings	20 feet
<u>Standards for Required Open Space</u> <u>– MZO Section 11-5-5(A)(3)(e)(i)(1)</u> -Private open space located at ground level	Shall have no dimensions less than 7 feet
<u>Foundation Base along Exterior Walls –</u> <u>MZO Section 11-33-5(A)(2)(b)</u> -Exterior walls without a public entrance	3 feet along the building garage fronts; 4 feet along all other walls adjacent to a drive aisle

**Vote: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*4-b ZON22-01008. “Gateway East” (District 6).** Within the 5300 to 6200 blocks of South Ellsworth Road (west side) and within the 8200 to 8800 blocks of East Ray Road. Located south of Ray Road and west of Ellsworth Road. (273± acres). Rezone from Light Industrial with a Planned Area Development Overlay (LI-PAD) to Light Industrial with a Planned Area Development Overlay (LI-PAD), Council Use Permit; and Special Use Permit. This request will allow for a commercial and industrial development.

**Planner: Cassidy Welch**

**Staff Recommendation: Continued to the April 12, 2023 Planning and Zoning Board meeting.**

**Summary:**

Boardmember Peterson motioned to continue ZON22-01008 to the April 12, 2023 Planning and Zoning Board meeting. The motion was seconded by Boardmember Allen.

**That: The Board recommends to continue case ZON22-01008 to the April 12, 2023 Planning and Zoning Board meeting.**

**Vote: 5-0 (Chair Crockett, absent; Vice Chair Ayers, recuse)**

Upon tabulation of vote, it showed:

AYES – Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*4-c ZON22-01015. “Cannon Beach PAD Amendment” (District 6).** Within the 4400 to 4600 blocks of South Power Road (east side) and within the 6800 to 7100 blocks of East Warner Road (south side). Located east of Power Road and south of Warner Road. (44± total acres). Rezone 1.6± acres from Agricultural (AG) to General Commercial with a Planned Area Development overlay (GC-PAD); modification of an existing Planned Area Development on the entire 44± acres and Site Plan Modification. This request will allow for a commercial development.

**Planner: Sean Pesek**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Boardmember Allen motioned to approve case ZON22-01015. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-01015 conditioned upon:**

1. Compliance with the final site plan and landscape plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with the Cannon Beach Design Guidelines.
4. Compliance with the Preliminary Plat submitted.
5. Compliance with all requirements of Subdivision Regulations.
6. Future Site Plan review for the conceptual plan area identified as Area C.
7. 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.
8. Prior to the submittal of a building permit, recordation of a cross access and cross parking easements between all parcels on the site.
9. Prior to the submittal of a building permit, compliance with the final Traffic Impact Analysis as approved by the City's Transportation Engineer.
10. 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. 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 1 mile of 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.”



11. 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 tables:

**Area A:**

<b>Development Standard</b>	<b>Approved in the GC Zoning District</b>
Maximum Building Height	40' commercial pads 55' restaurants & gym 65' hotel & office 75' parking garage <i>(as shown on the site plan)</i>
Interior side and rear building setback adjacent to non-residential districts	10 feet total adjacent to the City of Mesa well site 14 feet total adjacent to the Roosevelt Water Conservation District Canal (RWCD) 20 feet at all other area
Interior perimeter landscape setback adjacent to non-single residence districts	10' 0 feet adjacent to the RWCD Canal only
Maximum Public open space	There is no maximum public open space requirement
Required Parking, Commercial Recreation	1 parking space per 671 square feet of outdoor recreation area including ancillary use
Foundation Base (900 SF additional entry plaza per 10,000 SF building)	No additional entry plaza requirements for buildings that are 10,000 SF or more
Pedestrian Connections to Right-Of-Way	Indirect connection to public sidewalk is permitted
Parking Lot Landscape Islands (For rows of more than 16 parking spaces, landscape islands shall be staggered)	No staggering is required for landscape islands for rows of 16 or more parking spaces. Landscape islands shall be parallel as shown on the site plan.
Minimum Building Separation – MZO Section 11-6-3 (Building height between 20 and 40 feet)	13.5 feet between buildings on Parcels 4, 5, 6, and 8

**Area B:**

<b>Development Standard</b>	<b>Approved in the LI Zoning District</b>
Maximum Building Height	55' for the industrial building (as shown on the site plan)
Pedestrian Connections to Right-Of-Way	Indirect connection to public sidewalk is permitted
Parking Lot Landscape Islands (For rows of more than 16 parking spaces, landscape islands shall be staggered)	No staggering is required for landscape islands for rows of 16 or more parking spaces. Landscape islands shall be parallel as shown on the site plan.

**Area C:**

<b>Development Standard</b>	<b>Approved in the Light Industrial Zoning District</b>
Maximum Building Height	Maximum Building Height 49'
Required Parking Ratio, Industrial Shell (75% at 1 space/500 SF plus 25% at 1 space/375 SF	Industrial shell parked at 85% at 1 space/900 SF plus 15% at 1 space/375 SF
Interior Perimeter Landscape Setback adjacent to non-single residence districts	5'
Foundation Base (1 entry plaza at each building entrance for buildings larger than 10,000 SF (min. of 900 SF area; required)	A minimum of 4 entry plazas are required for buildings larger than 10,000 SF. Each required entry plaza must be a minimum of 900 SF area

**Vote: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*4-d ZON22-01157. “Higley 202 Industrial Commerce” (District 5).** Within the 3800 block of North Higley Road (east side) and within the 3800 block of North 54th Street (west side). Located east of Higley Road and north of Thomas Road. (10± acres). Rezone from Light Industrial (LI) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development.

**Planner: Josh Grandlienard**

**Staff Recommendation: Continue to the April 12, 2023 Planning and Zoning Board meeting.**

**Summary: This case was on the consent agenda and was not discussed individually.**

Boardmember Allen motioned to continue case ZON22-01157. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to continue case ZON22-01157 to the April 12, 2023 Planning and Zoning Board meeting.**

**Vote: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

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- \*4-e ZON22-01214. “Chick-Fil-A” (District 3).** Within the 1200 to 1300 blocks of West Southern Avenue (north side); within the 1100 block of South Stewart (east side), and within the 1000 to 1100 blocks of South Alma School Road (west side). Located west of Alma School Road on the north side of Southern Avenue. (16± acre). Site Plan Review. This request will allow for a restaurant with a drive-thru.

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Boardmember Allen motioned to approve case ZON22-01214. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-01214 conditioned upon:**

1. Compliance with all requirements of Design Review Case No. DRB22-01208.
2. Compliance with all City development codes and regulations, except as modified by the PAD and conditions in Ordinance No. 5525.
3. Compliance with all conditions of approval of Ordinance No. 5525, except compliance with the final site plan for the property known as “Building A” submitted with this request.

**Vote: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*4-f ZON22-01271. "Power & Elliot Commercial" (District 6).** Within the 6800 to 6900 blocks of East Elliot Road (south side) and within the 3600 to 3700 blocks of South Power Road (east side). Located south of Elliot Road and east of Power Road. Rezone from Limited Commercial with a Planned Area Development overlay and Bonus Intensity Zone overlay (LC-PAD-BIZ) to Limited Commercial (LC), Site Plan Review; and Special Use Permit. (12± acres). This request will allow for a commercial development.

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

**Summary:**

Applicant Benjamin Tate made a presentation to the Board. See attached presentation.

Discussion ensued about reducing the building footprint from 42,000 square feet to 40,000 square feet and to modify the Special Use Permit with a parking ratio to 1 parking space per 125 square feet of building.

Boardmember Sarkissian motioned to approve ZON22-01271. The motion was seconded by Boardmember Allen.

**That: The Board recommends to approve ZON22-01271 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Compliance with the Plan of Operation outlined in the project narrative.
3. Compliance with the Good Neighbor Policy submitted.
4. Compliance with all requirements of Design Review case DRB22-01273.
5. Future Design Review approval for the development of Pads A-E.
6. 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.
7. All off-site improvements and street frontage landscaping must be installed in the first phase of construction.
8. Prior to the issuance of a building permit, obtain approval of and record with Maricopa County a final subdivision plat for the Proposed Project.
9. Prior to issuance of a building permit, obtain approval from the Transportation Department regarding the design of the access driveways on Power Road and Elliot Road.
10. Compliance with all City development codes and regulations.
11. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent or temporary structure, as required by the FAA, is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
  - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.

- d. Provide written notice to future property owners that the project is within 2 miles of Phoenix-Mesa Gateway Airport
- e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states 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: 5-1 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Pitcher, Montes

NAYS – Peterson

\* \* \* \* \*

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- \*4-g ZON22-01278. “The Brickyards on Ellsworth”. (District 6).** Within the 9200 to 9600 blocks of East Willis Road (south side). Located north of Germann Road and east of Ellsworth Road. (63± acres). Site Plan Review. This request will allow for an industrial park.

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Boardmember Allen motioned to approve case ZON22-01278. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-01278 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Compliance with the Preliminary Plat submitted.
3. Compliance with all requirements of Design Review Case No. DRB22-01277.
4. Compliance with all City development codes and regulations.
5. Compliance with all conditions of approval of Ordinance No. 5691, except compliance with the final site plan submitted with this request.
6. Compliance with the Subdivision Regulations.
7. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states 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: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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

- \*5-a Elliot and Ellsworth Commercial Center.** District 6. Within the 3400 to 3600 blocks of South Ellsworth Road (east side), within the 9200 to 9400 blocks of East Elliot Road (north side), and within the 9200 to 9400 blocks of East Peterson Avenue (south side). Located east of Ellsworth Road and north of Elliot Road. (17± acres). Site Plan Review; and Special Use Permit. This request will allow for commercial development. (Companion case to ZON22-01174, associate with item \*3-a)

**Planner: Josh Grandlienard**

**Staff Recommendation: Approval with conditions**

**Summary:** This case was discussed in conjunction with case ZON22-01174.

Boardmember Allen motioned to approve Preliminary Plat Elliot and Ellsworth Commercial Center. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve Preliminary Plat Elliot and Ellsworth Commercial Center conditioned upon:**

1. Compliance with the final site plan submitted.
2. Compliance with the Preliminary Plat submitted.
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 applicable City of Mesa Development Codes and Regulations.
6. Compliance with all requirements of the Design Review Board case DRB21-00126.
7. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent or temporary structure, as required by the FAA, is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
  - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
  - d. Provide written notice to future property owners that the project is within 3 miles of Phoenix-Mesa Gateway Airport
  - e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states 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: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*5-b Cannon Beach.** District 6. Within the 4400 to 4600 blocks of South Power Road (east side) and within the 6800 to 7100 blocks of East Warner Road (south side). Located east of Power Road and south of Warner Road. (44± total acres). Rezone 1.6± acres from Agricultural (AG) to General Commercial with a Planned Area Development overlay (GC-PAD); modification of an existing Planned Area Development on the entire 44± acres and Site Plan Modification. This request will allow for a commercial development. (Companion case to ZON22-01015, associated with item \*4-c)

**Planner: Sean Pesek**

**Staff Recommendation: Approval with conditions**

**Summary:** This case was discussed in conjunction with case ZON22-01015.

Boardmember Allen motioned to approve Preliminary Plat Cannon Beach. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve Preliminary Plat Cannon Beach conditioned upon:**

1. Compliance with the final site plan and landscape plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with the Cannon Beach Design Guidelines.
4. Compliance with the Preliminary Plat submitted.
5. Compliance with all requirements of Subdivision Regulations.
6. Future Site Plan review for the conceptual plan area identified as Area C.
7. 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.
8. Prior to the submittal of a building permit, recordation of a cross access and cross parking easements between all parcels on the site.
9. Prior to the submittal of a building permit, compliance with the final Traffic Impact Analysis as approved by the City's Transportation Engineer.
10. 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. 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 1 mile of 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.

11. 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 tables:

**Area A:**

<b>Development Standard</b>	<b>Approved in the GC Zoning District</b>
Maximum Building Height	40' commercial pads 55' restaurants & gym 65' hotel & office 75' parking garage <i>(as shown on the site plan)</i>
Interior side and rear building setback adjacent to non-residential districts	10 feet total adjacent to the City of Mesa well site 14 feet total adjacent to the Roosevelt Water Conservation District Canal (RWCD) 20 feet at all other area
Interior perimeter landscape setback adjacent to non-single residence districts	10' 0 feet adjacent to the RWCD Canal only
Maximum Public open space	There is no maximum public open space requirement
Required Parking, Commercial Recreation	1 parking space per 671 square feet of outdoor recreation area including ancillary use
Foundation Base (900 SF additional entry plaza per 10,000 SF building)	No additional entry plaza requirements for buildings that are 10,000 SF or more
Pedestrian Connections to Right-Of-Way	Indirect connection to public sidewalk is permitted
Parking Lot Landscape Islands (For rows of more than 16 parking spaces, landscape islands shall be staggered)	No staggering is required for landscape islands for rows of 16 or more parking spaces. Landscape islands shall be parallel as shown on the site plan.
Minimum Building Separation – MZO Section 11-6-3 (Building height between 20 and 40 feet)	13.5 feet between buildings on Parcels 4, 5, 6, and 8

**Area B:**

<b>Development Standard</b>	<b>Approved in the LI Zoning District</b>
Maximum Building Height	55' for the industrial building (as shown on the site plan)
Pedestrian Connections to Right-Of-Way	Indirect connection to public sidewalk is permitted
Parking Lot Landscape Islands (For rows of more than 16 parking spaces, landscape islands shall be staggered)	No staggering is required for landscape islands for rows of 16 or more parking spaces. Landscape islands shall be parallel as shown on the site plan.

**Area C:**

<b>Development Standard</b>	<b>Approved in the Light Industrial Zoning District</b>
Maximum Building Height	Maximum Building Height 49'
Required Parking Ratio, Industrial Shell (75% at 1 space/500 SF plus 25% at 1 space/375 SF	Industrial shell parked at 85% at 1 space/900 SF plus 15% at 1 space/375 SF
Interior Perimeter Landscape Setback adjacent to non-single residence districts	5'
Foundation Base (1 entry plaza at each building entrance for buildings larger than 10,000 SF (min. of 900 SF area; required)	A minimum of 4 entry plazas are required for buildings larger than 10,000 SF. Each required entry plaza must be a minimum of 900 SF area

**Vote: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

**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](http://www.mesaaz.gov)**

- \*5-c Higley 202 Industrial Commerce.** District 5. Within the 3800 block of North Higley Road (east side) and within the 3800 block of North 54th Street (west side). Located east of Higley Road and north of Thomas Road. (10± acres). Rezone from Light Industrial (LI) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. This request will allow for an industrial development. (Companion case to ZON22-01157, associated with item \*4-d)

**Planner: Josh Grandlienard**

**Staff Recommendation: Continue to the April 12, 2023 Planning and Zoning Board meeting.**

**Summary:** This case was discussed in conjunction with case ZON22-01157.

Boardmember Allen motioned to continue Preliminary Plat Higley 202 Industrial Commerce to the April 12, 2023 Planning and Zoning Board meeting. The motion was seconded by Boardmember Pitcher.

**Vote: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

**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](http://www.mesaaz.gov)**

- \*5-d The Brickyards on Ellsworth.** District 6. Within the 9200 to 9600 blocks of East Willis Road (south side). Located north of Germann Road and east of Ellsworth Road. (63± acres). Site Plan Review. This request will allow for an industrial park. (Companion case to ZON22-01278, associated with item \*4-g)

**Planner: Cassidy Welch**

**Staff Recommendation: Approval with conditions**

**Summary:** This case was discussed in conjunction with case ZON22-01278.

Boardmember Allen motioned to approve Preliminary Plat The Brickyards on Ellsworth. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve Preliminary Plat Elliot and Ellsworth Commercial Center conditioned upon:**

1. Compliance with the final site plan submitted.
2. Compliance with the Preliminary Plat submitted.
3. Compliance with all requirements of Design Review Case No. DRB22-01277.
4. Compliance with all City development codes and regulations.
5. Compliance with all conditions of approval of Ordinance No. 5691, except compliance with the final site plan submitted with this request.
6. Compliance with the Subdivision Regulations.
7. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states 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: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

**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](http://www.mesaaz.gov)**

## 6 Adjournment.

Boardmember Allen motioned to adjourn the meeting. The motion was seconded by Boardmember Sarkissian.

**Vote: 6-0 (Chair Crockett, absent)**

Upon tabulation of vote, it showed:

AYES – Ayers, Sarkissian, Allen, Peterson, Pitcher, Montes

NAYS – None

The public hearing was adjourned at 4:31 pm.

**The City of Mesa is committed to making its public meetings accessible to persons with disabilities. For special accommodations, please contact the City Manager's Office at (480) 644-3333 or AzRelay 7-1-1 at least 48 hours in advance of the meeting. Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al (480) 644-2767.**

Respectfully submitted,

---

Michelle Dahlke  
Principal Planner

\* \* \* \* \*

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# Power & Elliot Commercial

SEC Power Road & Elliot Road

ZON22-01271





Elliot Road

Power Road

304-05-0120

304-05-0110

304-17-081

304-17-001B

304-17-218

304-17-219

304-17-211

304-17-211

304-17-212

304-17-216

304-17-216

304-17-216

304-17-213

304-17-216

304-17-215

304-17-214

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304-17-0085

304-17-0085

304-17-770

304-17-771



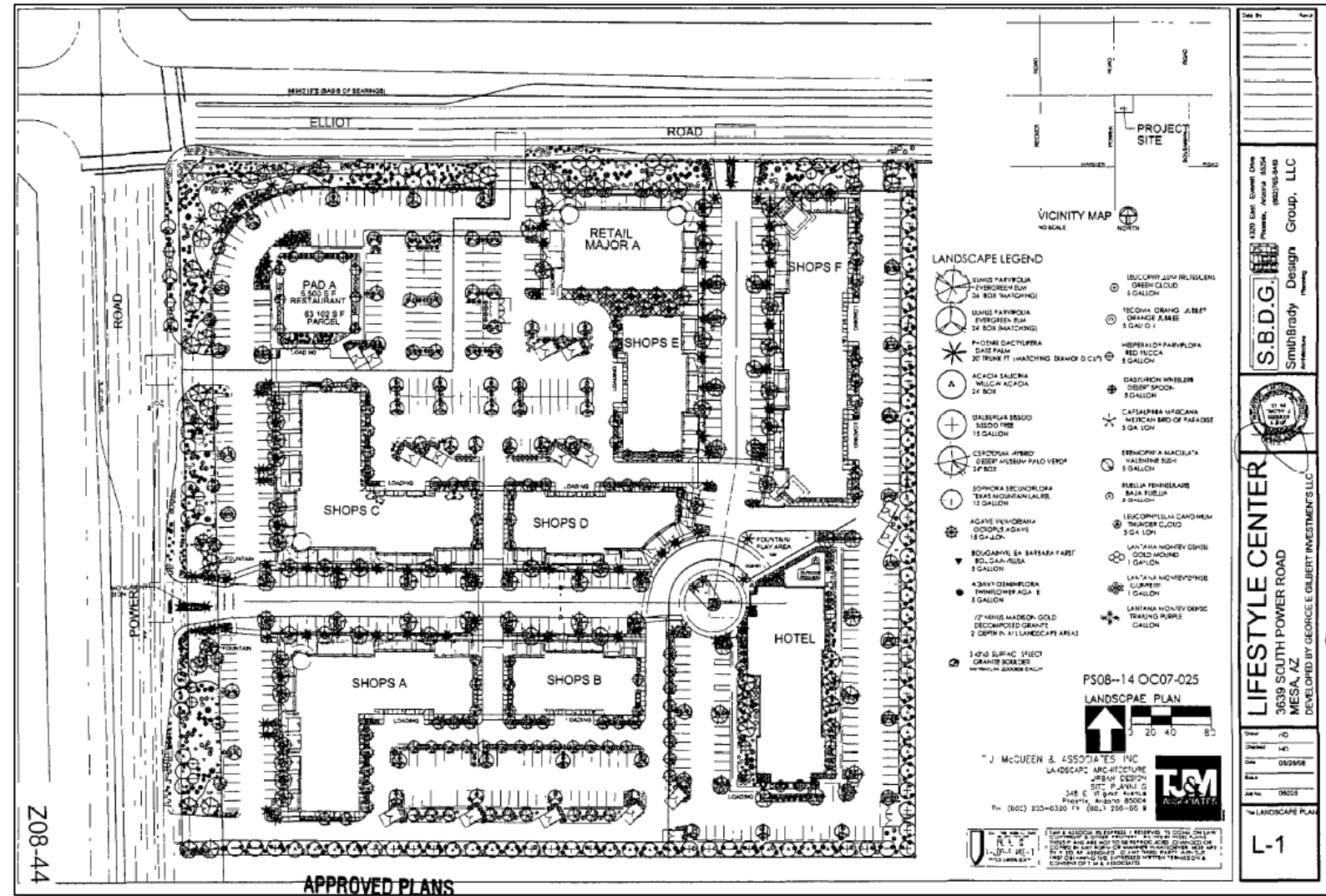
# ABOUT THE SITE

- 14.46-acre site at the southeast corner of Power Road and Elliot Road
- Currently zoned LC with PAD and BIZ overlays.
- General Plan: Neighborhood Activity Center.
- Surrounding Land Uses:
  - East: Roosevelt Water Conservation District HQ (LC)
  - South: Leman Academy of Excellence and EVO Swim School (LI/LC)
  - West: Vacant Land (LI – Gilbert)
  - North: Vacant Land/Future Commercial (LC)



# ZONING HISTORY

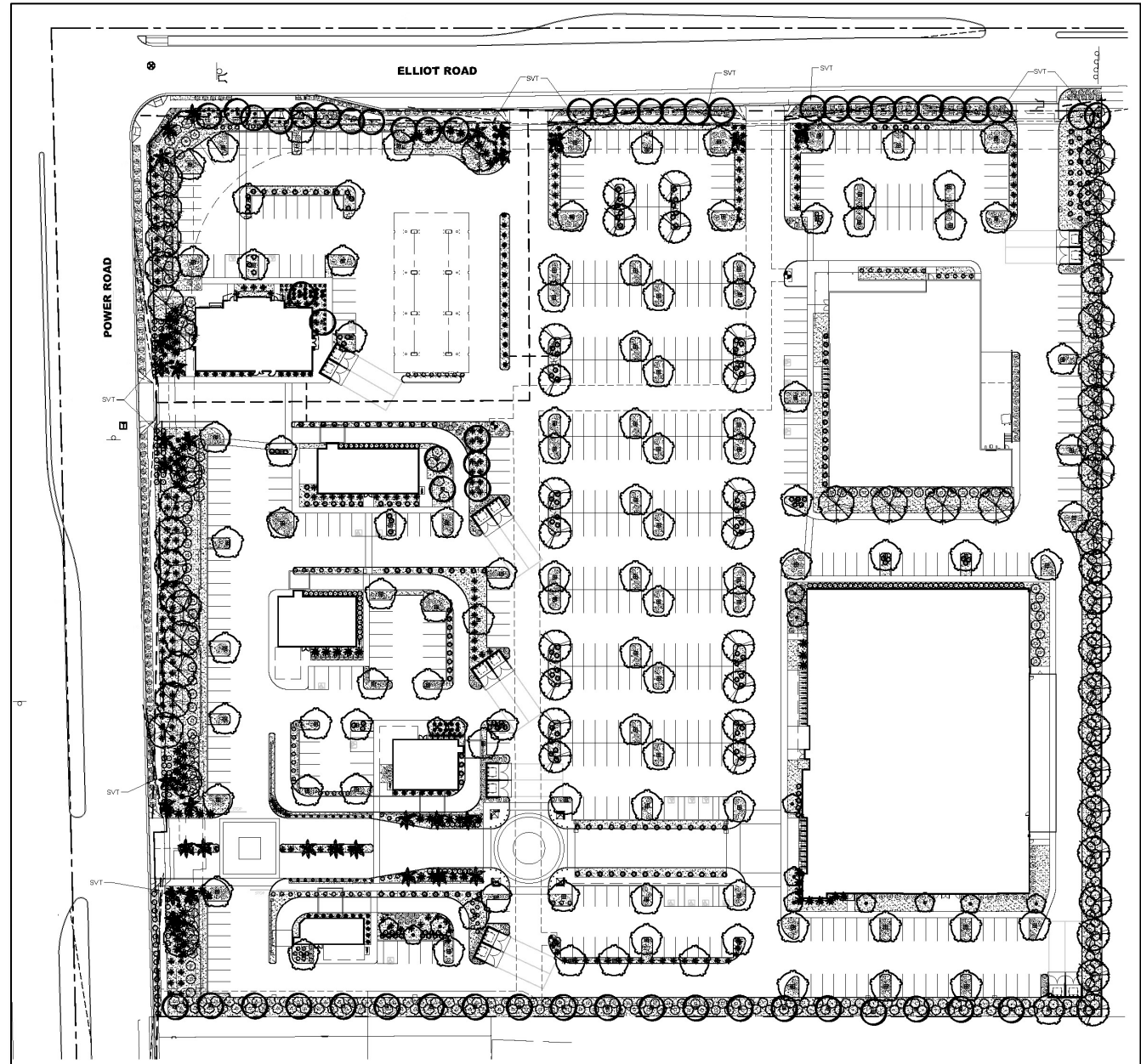
- Originally zoned LC in 1999 in Case No. Z99-016.
- Rezoned to LC with PAD and BIZ (Business Intensity Zone) overlays in August 2008 in Case No. Z08-044 for development of "The Commons"
- 151,000 SF of retail, office, and hospitality-related uses.
- Site has remained undeveloped for 24 years since originally receiving commercial zoning in 1999.





# REQUEST

- Rezone site to LC for the development of a 75,000+ square foot commercial and retail center.
  - SUPs for Service Station and Fitness Center Parking Reduction
- Anchored by a 19,500 SF grocer (Aldi) and a 42,000 SF fitness center (EoS Fitness).
- Four restaurant pads with drive-thru service ranging from 1,000 SF to 3,000 SF.
- Service station with 5,000 SF convenience store at hard corner of Power & Elliot.
- Two driveways on Power Road and three on Elliot Road.



# PROJECT DIRECTORY

ARCHITECT:  
RKA ARCHITECTS, INC.  
2233 EAST THOMAS ROAD  
PHOENIX, ARIZONA 85016  
CONTACT: NEIL FEASER  
PHONE: (602) 955-3900  
FAX: (602) 955-0496  
E-MAIL: nfeaser@rkaa.com

## SITE DATA

PARCEL NUMBER: 304-17-211 THRU 304-17-219  
EXISTING ZONING: LC-PAD-BIZ  
NET SITE AREA: 12.04 ACRES (524,473 S.F.)  
GROSS SITE AREA: 14.46 ACRES (630,003 S.F.)  
MAX. LOT COVERAGE PER CODE: 80%  
LOT COVERAGE PROPOSED: 79.1%  
MAX. HEIGHT PER CODE: 30'-0"  
PUBLIC SPACE REQUIRED: 5 SF / 1000 SF OF BUILD. AREA  
5 X 76,700 SF / 1000 : 383.5 S.F.  
PUBLIC SPACE PROVIDED PER MZO 11-6-2.b.1: 400 S.F.

PROPOSED USE: RETAIL/RESTAURANT/FITNESS/GAS STATION

BUILDING AREA:  
PAD A: GAS STATION-CSTORE 5,000 S.F.  
PAD B: RESTAURANT - DT 3,000 S.F.  
PAD C: RESTAURANT - DT 2,500 S.F.  
PAD D: RESTAURANT - DT 2,100 S.F.  
PAD E: RESTAURANT - DT 1,000 S.F.  
ALDI: RETAIL 19,500 S.F.  
EOS FITNESS 42,000 S.F.  
TOTAL BUILDING AREA: 75,100 S.F.

TOTAL PATIO AREA 1,600 S.F.  
TOTAL GROSS AREA: 76,700 S.F.  
SITE COVERAGE: 14.62 %

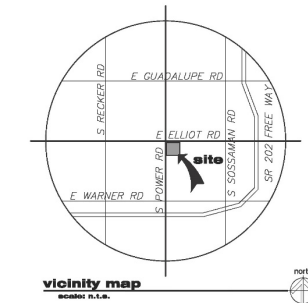
PUBLIC SPACE REQUIRED: 384 S.F.  
PUBLIC SPACE PROVIDED: 400 S.F.

PARKING REQUIRED  
GAS STATION-CSTORE-5000 SF : 1 PER 375 14 SPACES  
RESTAURANT-8600 SF - DT : 1 PER 100 86 SPACES  
PATIO SEATING: 1 PER 200 08 SPACES  
ALDI - RETAIL : 1 PER 375 52 SPACES  
EOS FITNESS : 1 PER 100 420 SPACES

TOTAL PARKING REQUIRED: 580 SPACES  
TOTAL PARKING PROVIDED: 526 SPACES  
(VARIANCE / PARKING REDUCTION APPROVAL REQUIRED)

ACCESSIBLE SPACES REQUIRED: 20 SPACES  
ACCESSIBLE SPACES PROVIDED: 20 SPACES

BICYCLE SPACE REQUIRED 58 SPACES  
BICYCLE SPACES PROVIDED: 64 SPACES



THIS SITE PLAN HAS BEEN PREPARED WITHOUT THE AID OF A SURVEY. ALL PROPERTY BOUNDARIES ARE ROUGH APPROXIMATIONS. THIS DRAWING IS TO BE USED FOR CONCEPTUAL PURPOSES ONLY AND IT IS NOT TO BE THE BASIS FOR ANY LEGALLY BINDING DOCUMENTATION.

## POWER & ELLIOT RETAIL

3663 E POWER ROAD MESA ARIZONA 85212  
SEC OF S POWER ROAD AND E ELLIOT ROAD  
DATE: 03-15-2023 (PRELIMINARY)



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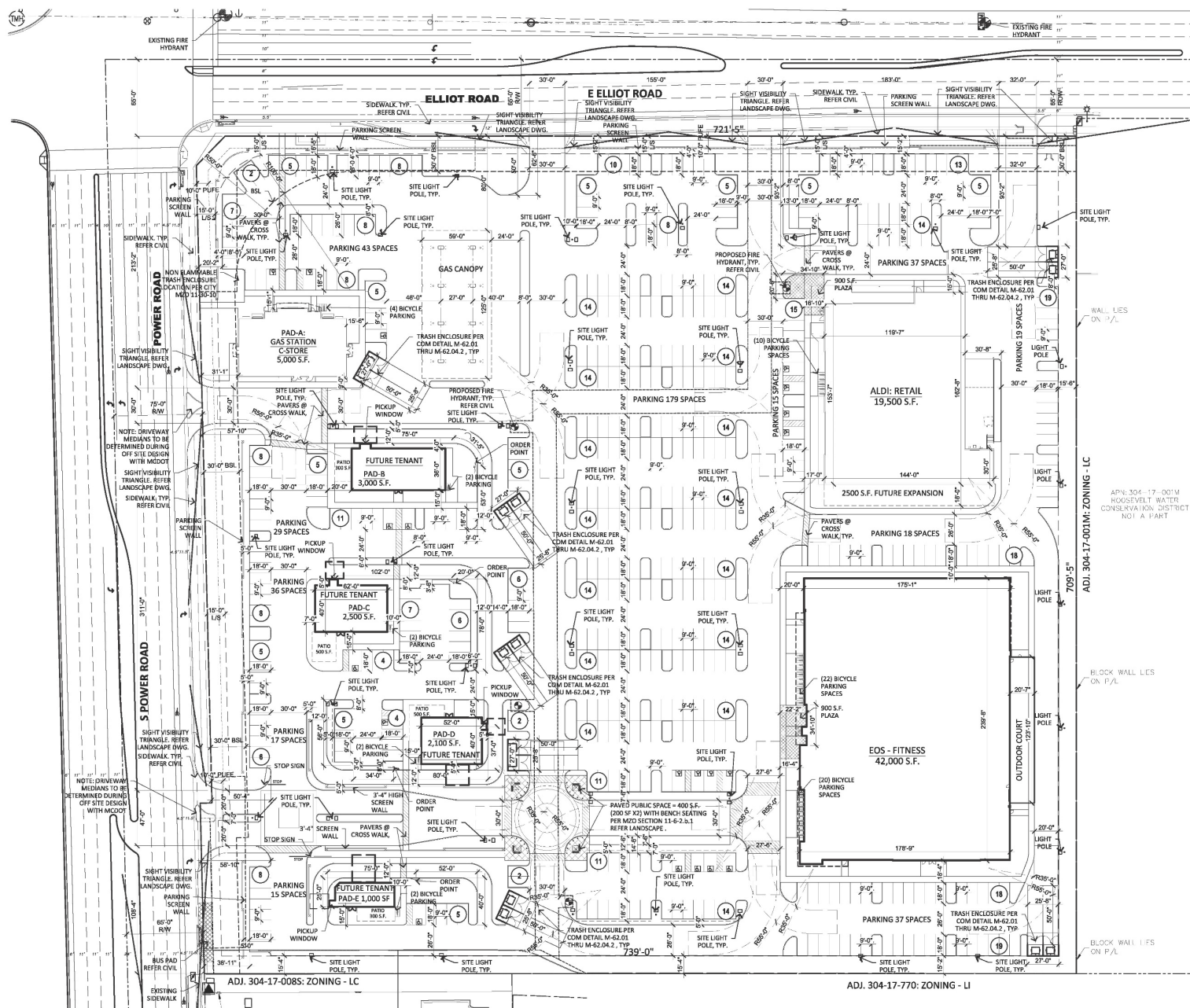
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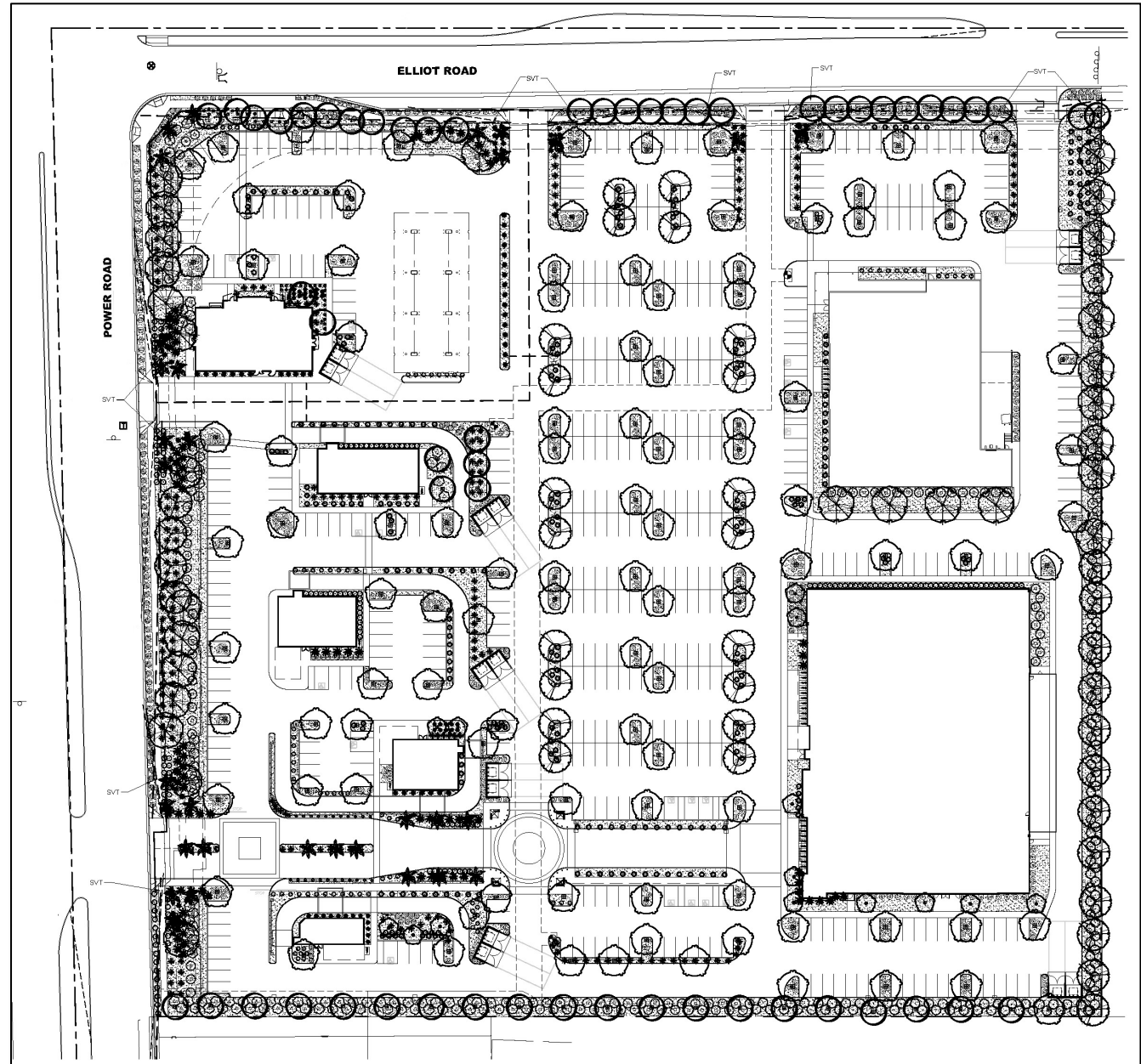
## SITE PLAN

SCALE: 1" = 40'-0"



# SUMMARY

- Utilizing and simplifying underlying LC zoning for the development of a 14-acre retail and commercial center.
  - No PAD or BIZ overlays.
- Special Use Permits to allow Service Station and Parking Reduction for EoS Fitness.
  - Proposed parking ratio consistent with other approvals by City of Mesa.
- Developing a long-vacant site with in-demand commercial and retail uses in an area lacking convenient services.
- Access and circulation coordinated with adjacent jurisdictions.



# QUESTIONS

---



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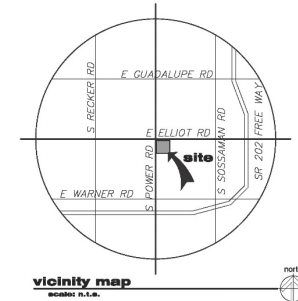
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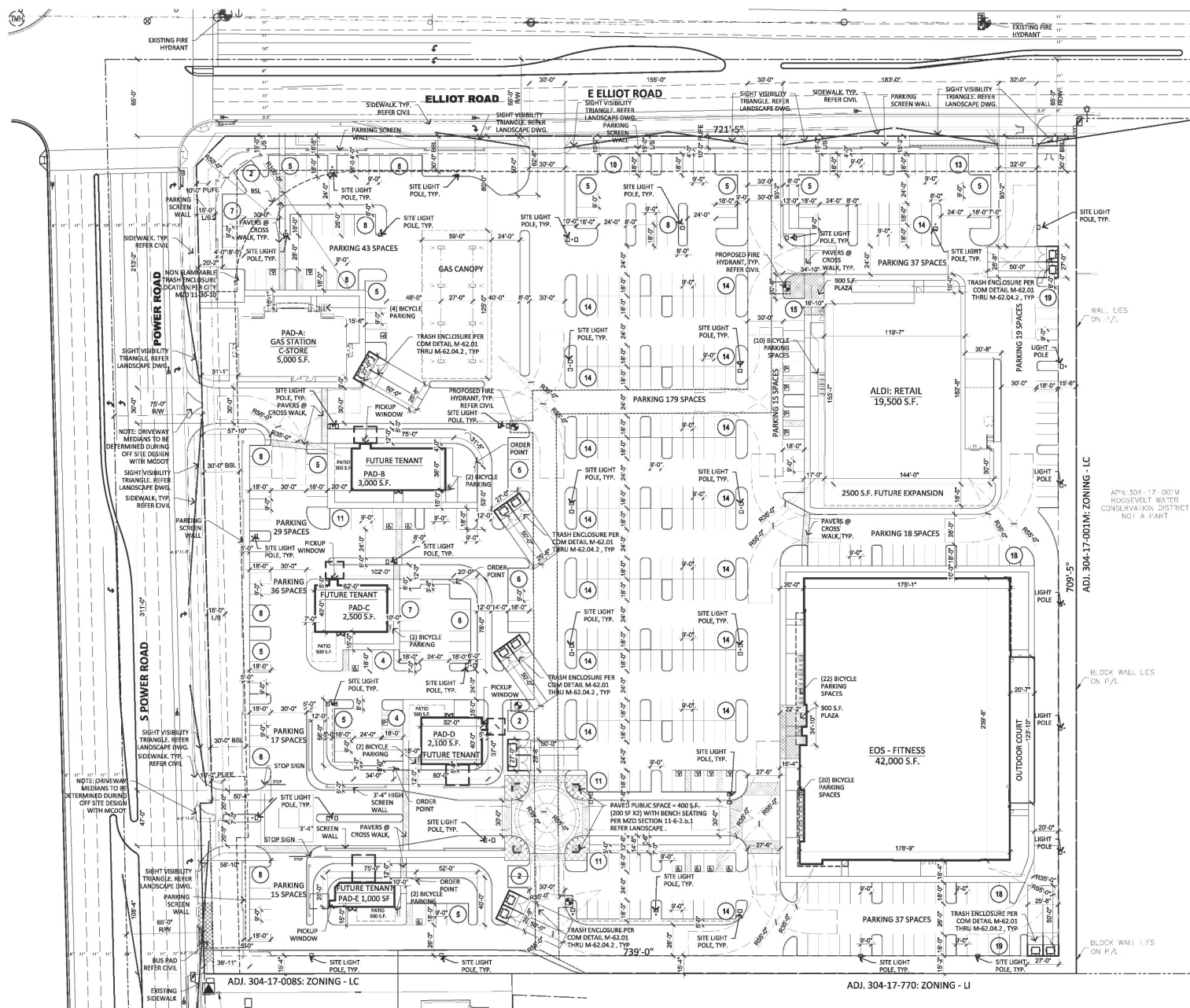
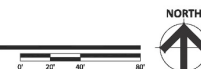
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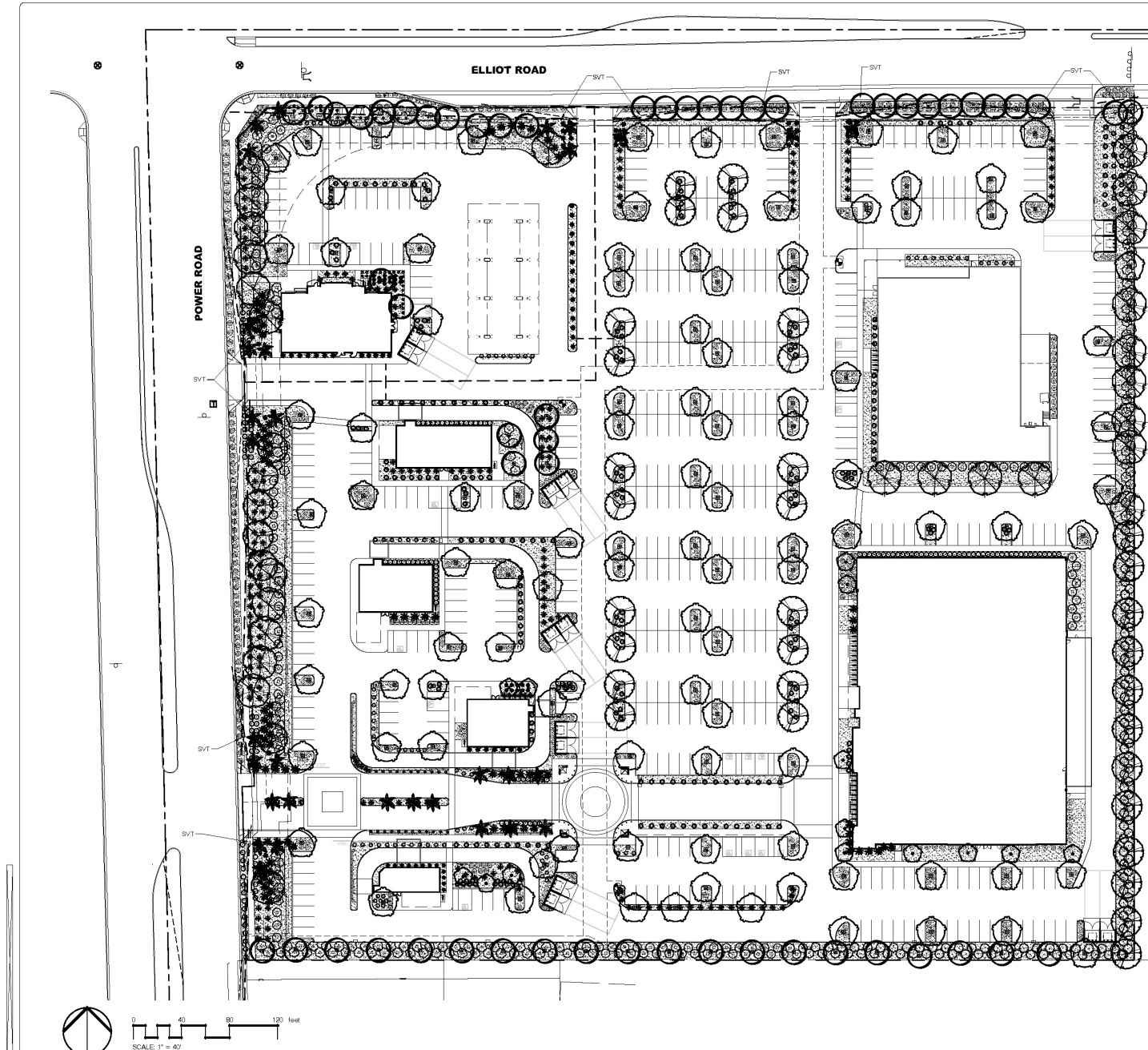
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## SITE PLAN

SCALE: 1" = 40'-0"





PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	SIZE	QTY
	Ebenopsis ebano Texas Ebony	24" Box	5
	Olea europaea 'Fruitless' Fruitless Olive	36" Box	38
	Parkinsonia x 'Desert Museum' Desert Museum Palo Verde	24" box	27
	Parkinsonia x 'Desert Museum' Desert Museum Palo Verde	36" Box	29
	Phoenix dactylifera Date Palm	15' Ht.	32
	Pistacia x 'Red Push' Pistache	24" box	26
	x Chitalpa tashkentensis 'Pink Dawn' Pink Dawn Chitalpa	36" Box	105
SHRUBS	BOTANICAL / COMMON NAME	SIZE	QTY
	Agave desmettiana Dwarf Century Plant	5 gal.	84
	Agave geminiflora Century Plant	5 gal.	75
	Aloe barbadensis Barbados Aloe	5 gal.	38
	Bougainvillea x 'Barbara Karst' Barbara Karst Bougainvillea	5 gal.	153
	Caesalpinia pulcherrima Red Bird Of Paradise	5 gal.	117
	Carissa macrocarpa 'Boxwood Beauty' Beauty Natal Plum	5 gal.	169
	Dazylion longissimum Toothless Desert Spoon	5 gal.	85
	Dodonaea viscosa 'Green' Green Hopseed Bush	5 gal.	98
	Hesperaloe parviflora 'Perpa' TM Brakelights Red Yucca	5 gal.	199
	Lantana x 'New Gold' New Gold Lantana	1 gal.	157
	Muhlenbergia capillaris 'Regal Mist' TM Regal Mist Pink Muhly Grass	5 gal.	264
	Rosmarinus officinalis 'Huntington Carpet' Huntington Carpet Rosemary	1 gal.	108
	Ruellia penninsularis Wild Petunia	5 gal.	414
	Russelia equisetiformis Firecracker Plant	5 gal.	94

BFH  
3707 EAST SOUTHERN AVENUE  
MESA, ARIZONA 85206  
PHONE: 480.734.1446

REVISIONS


PROJECT: POWER & ELLIOT RETAIL  
3683 E. POWER ROAD MESA, ARIZONA 85212

