

Planning and Zoning Board



Study Session Minutes

Virtual Platform

Date: February 24, 2021 Time: 3:00 p.m.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

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

STAFF PRESENT:

Nana Appiah
Tom Ellsworth
Lesley Davis
Ryan McCann
Jennifer Gniffke
Charlotte McDermott
Rebecca Gorton

OTHERS PRESENT:

None

1. Call meeting to order.

Chair Astle declared a quorum present and the meeting was called to order at 3:00 p.m.

2. Review items on the agenda for the February 24, 2021 Zoning Board Hearing.

Planning Director Nana Appiah informed the Board that case ZON20-00210 will be continued to the March 10, 2021 meeting.

Staffmember Ryan McCann presented case ZON20-00538 to the Board. Mr. McCann stated the request before the Board is a Modification to the existing Planned Area Development Overlay (PAD) and Site Plan Review. This request will allow for a new office building and parking garage within an existing office development. This subject site is located west of Alma School Road on the south side of Bass Pro Drive.

The General Plan designation on the property is Mixed Use Activity District. In this area, we are looking for significant retail and commercial uses that can attract people from a large radius to the site. It is also located within the Regional Scale Subtype, which is intended for businesses to attract people to Mesa from the larger region. The existing zoning is Planned Employment Park (PEP) with a PAD. As part of the request for a PAD and Site Plan Review, staff looks at the criteria for review from the Mesa Zoning Ordinance (MZO) to ensure the project creates an innovative and high-

quality design developed as a cohesive unit. We also evaluate if the request is consistent with the City's General Plan, Zoning, and Design Standards to determine if the scale and massing will enhance the appearance of the site and consistent with the City's Development Standards.

Mr. McCann presented a photo of the street view looking southwest from the intersection of Alma School Road and Bass Pro Drive, showing the entry into the existing two-office development. He presented the site plan showing the location of the proposed parking garage and building and stated this request will include a three-story office building as well as a four-level parking garage. There are four existing office buildings on the site along Alma School Road and along Bass Pro Drive that are two stories in height. The building along the canal in the southwest corner of the site is an existing three-story building.

Mr. McCann presented an image of a Council approved Site Plan from 2008 which included six, two-story buildings. In 2014, an Administrative Site Plan Modification was approved reducing the number of buildings on the site to four. Three of these buildings were approved for two-stories with the fourth being a three-story building. As a result, the overall building square footage for the center was reduced by approximately 11,000 square feet from what was originally approved in 2008. The administrative approval included two site plan options for parking on the site. One option showed at-grade parking, and the second showed a 2-level parking garage.

The project was reviewed by the Design Review Board in October and again in February. The Design Review Board had no major concerns with the design of the office building but did have specific recommendations for the design of the parking structure.

The Board's recommendations included incorporating screening elements in the parking space to mitigate vehicular lights shining from the parking garage onto the neighboring properties, increased size of landscaping along the canal, as well as articulation of the building elevations for the parking garage. As a result of the recommendations, the applicant modified the proposed landscape plan to show a landscape area along the southern property line, adjacent to the canal, that exceeds the minimum requirements from the zoning ordinance. In order to provide a more mature canopy at the time of development, the applicant is proposing to plant 48 inch box trees while the code requirement is 24 inch box trees, with 25% being 36 inch box trees. The applicant is still working on completing final revisions from the Design Review Board. Staff will continue to work with the applicant to address those comments. Mr. McCann presented a couple of renderings illustrating the proposed landscape buffer and additional plantings.

From the renderings, you are able to see how the garage steps up in elevation from the canal. The renderings show the sight line which shows the transition in height from the neighboring properties. The applicant has stepped down the southern section of the garage and increases in height as it moves towards the main building.

The applicant did complete a Citizen Participation process which notified property owners within 1000 feet, HOA and registered neighborhoods. The applicant held two virtual neighborhood meetings, the first one in October, and the second one was in November of 2020. Some of the neighborhood concerns included the proposed width for the landscaping on the site, lighting, the height of the parking garage, the potential glare from rooftop solar panels, as well as the location of refuse enclosures. The applicant has made modifications to the Site Plan to address these concerns. The changes include removing rooftop solar on the rooftops of the proposed parking garage and solid waste enclosures have moved from the south side of the parking garage to the east and west sides.

In summary, the request complies with the 2040 Mesa General Plan and meets the review criteria for Site Plan Review. Staff is recommending approval with conditions.

Boardmember Boyle stated he will recuse himself from this case as he is involved in a project that is across the street from this site and has a conflict of interest.

Boardmember Allen inquired that she read in the staff report about a 23-foot variation elevation between Mountain View Drive and the site's elevation and asked if Mr. McCann could confirm this. Principal Planner Tom Ellsworth confirmed the staff report referred to the elevation between Mountain View Drive and the site's elevation.

Boardmember Crockett inquired if the neighbors in that area have stated in their responses that the original project had a representations that the building heights would be limited to 2-stories. He asked if the change in the existing building to a three-story building was done through an Administrative Review process and was there not a height limitation that applied from the earlier zoning case. Mr. McCann clarified the PEP zoning district has a height standard that is plan specific and is determined at the time of Site Plan Review and approval. The building in which you are referencing was reviewed through an Administrative Reviews in 2014. When the current Planning Director looked at the overall square footage of the project, which was in fact reduced, that probably contributed to the height change at that time and process required at the time. Boardmember Crockett confirmed if the neighbors are informed that there would be an Administrative Review application. Mr. McCann confirmed they would not have been required to be notified through this process.

Mr. Crockett stated with regard to the parking garage, he has seen a concern that there may be too much parking for this project and asked if staff has a response to this. Mr. McCann stated, yes, as we looked at the parking you are correct the parking provided versus what is required does exceed that. However, the Zoning Ordinance allows such excess parking to be contained in an enclosed building. As we look at the Zoning Ordinance, there are certain exceptions where the parking is allowed to exceed the minimum required greater than the 125% that is allowed straight up per code. One of those exceptions is if the parking spaces are contained within a building. In this instance, it would be referred to as the parking garage. As we also look at the history of the site dating back to when it originally was submitted in 2007-2008, the parking far exceeded the required amount at that time as well. So, it is consistent with how the project has progressed over the years.

Mr. Crockett confirmed, in regard to the solar panels that were originally planned for the top of the garage, it is his understanding the applicant has now removed those from the top of the parking garage. Mr. McCann confirmed that to be correct. And that is partly in response to height concerns as well as potential glare from the solar panels brought up by the residents. So yes, those are no longer a part of the proposal. Mr. Crockett inquired if those panels come back in the future, and if so, would that be through an Administrative Review process or would that have to come back before the Planning and Zoning Board. Mr. McCann responded that could come back through as an Administrative Review. Mr. Crockett inquired if the Board could include a stipulation that the addition of solar panels be reviewed through the public hearing and Board review process and not an Administrative Review.

Dr. Appiah added to the discussion. He stated he is looking in the code to ensure it is not a use category in the Zoning Ordinance. Because if it is a use category in the Zoning Ordinance, then we can only do that through a Development Agreement to prohibit or restrict the use.

Mr. Crockett stated in the past we have had applicants come in with a Good Neighbor Policy or agreements and asked if this would be appropriate. He stated the neighbors here have raised some concerns about landscaping, for example, and whether that would continue to be maintained down the road, as well as lights that remain on in the buildings during non-working hours that contribute to lighting up the area. As well as the emptying of dumpsters early in the morning and having that noise associated with that. Mr. Crockett is wondering, when would it be appropriate to have a Good Neighbor agreement that might lay out some kind of Code of Conduct, perhaps that might give the neighbors a little more comfort with regard to this project.

Mr. McCann stated the typical uses where we see a Good Neighbor Policy and Plan of Operations would be for car washes, as well as gas stations. With the gas stations and the carwashes there is increased traffic and noise levels where we would see kind of a Good Neighbor Policy and Plan of Operation in place.

Dr. Appiah stated, typically the Good Neighbor Policy is required for a Council Use Permit. But if the Board deems necessary that they want to list specific things that would need to be included in a Good Neighbor Policy, that can be added as a condition of approval. He stated the Board can actually consider that as well. So, for example landscaping, trash, enclosure maintenance, could actually be included and would be a condition that goes before City Council.

Vice Chair Sarkissian inquired what the distance is from the step down on the parking garage to where the second story of the parking garage starts and the third story starts to go up. Mr. McCann confirmed it is 60 feet within the parking garage.

Vice Chair added to Mr. Crockett's comments about the Good Neighbor Policy. She stated she would be hesitant about some of the comments, such as the lighting internal, you know, because it would impact operations and when people can work. However, she would be interested in the landscaping, the refuse, and if they would have some kind of security because the amount of landscaping along the canal, while it's great, can also attract a little bit of nuisance back there sometimes. Just making sure that that area is maintained and controlled in case nothing filters over into the neighborhood area along the canal. This would be something as she has seen it happen in other developments.

Boardmember Villanueva-Saucedo stated she would question whether we can actually require staffing of a site. She understands the intent of a Good Neighbor Policy and, of course, we want all of our developments to be good neighbors to residents. She stated she feels we need to be careful that we are not on a slippery slope dictating conditions that we would not want for any other typical Development. Council Use Permits are certainly different with the types of uses that are required, but if we are going to start making all of our developments have Good Neighbor Policies, she worries that we are overstepping our bounds, particularly when it comes to staffing issues or operational issues. She would want us to be careful of that since we have had other developments before where neighbors have not

liked particular qualities or conditions and be encouraged directly working with the neighbors. But we have not instituted any of those policies before and would just caution us to stay in our lane.

Dr. Appiah stated his recommendation is to draft additional conditions of approval. He would also like to clarify what Boardmember Crockett questioned earlier about the modification to the site plan. One of the things we can do is have a condition that any alteration or modification to the building elevation and the building, which will include solar panels require Planning and Zoning Board and City Council review. So, it will go through the public hearing process.

Staffmember Ryan McCann presented case ZON20-00628 to the Board. Mr. McCann stated this is a request to rezone from Agriculture (AG) to two single-residence subdivisions with a Planned Area Development Overlay (RS-35-PAD). This request will allow for the development of two single residence subdivisions. The site is located north of Brown Road and east of Val Vista Drive. The General Plan designation for the area is Neighborhood with a Citrus sub-type and located within the City Citrus Sub-Area Plan. In this area, the plan looks to see large, single residence homes surrounded by citrus trees. In this sub area plan new development should be compatible with existing custom built homes as well as maintaining the citrus style landscaping. Something to note is that the existing residence will be preserved as part of this development.

The request also includes two preliminary plats. The first one is for Heritage Grove which will be a six lot subdivision, lot five is maintaining the existing residence on the property. The second preliminary plat is directly east of this site and will be a two-lot subdivision called Mariposa Estates Unit Two.

As part of the PAD request, the applicant is asking for two deviations within the Heritage Grove subdivision. The code requires a minimum interior lot width of 130 feet and the applicant is requesting a reduction to 128 feet, specifically just for lots three and four of Heritage Grove. This is due to the curve of the lot at the end of the cul-de-sac. All the lots exceed the minimum square footage and meet the required setbacks. The request for lot width reduction will just be for lot three and four of Heritage Grove.

In addition, the code requires that every lot front onto a dedicated public street. The applicant is proposing to construct private drives within each of the developments. Heritage Grove as well as Mariposa estates Unit Two would both have private drives.

In terms of citizen participation, property owners were notified within 1000 feet and HOA's and registered neighborhoods. The applicant had a virtual meeting on October 6, with a few people in attendance. There were no major concerns, just questions about when they were going to sell lots.

In summary, that project complies with the 2040 Mesa General Plan, complies with the Citrus Sub-area Plan and meets the review criteria for Planned Area Developments. With that staff is recommending approval with conditions. There were no questions or

discussion by the Board.

Staffmember Jennifer Gniffke presented case ZON20-00841 to the Board. Ms. Gniffke stated this it is located south of the 202 Red Mountain Freeway, east of Gilbert Road, and is along the north side of Val Vista Drive. The General Plan Land Use Designation is Neighborhood Suburban. Neighborhood Suburban areas are safe places to live with primarily single residences, as well as parks, schools and churches. Contrary to the previous case, this case has a lot of citrus on the property, but this is not actually within the Citrus Sub-Area.

The eastern portion of this site is currently zoned single-residence 15 (RS-15) and the western portion is single-residence 35 (RS-35). The purpose of the single residence districts is to provide areas for detached single residence housing. The request is to rezone 1.1 acres from RS-35 to RS-15 and to replat lot three and four of the Groves at Hermosa Vista to become the plat for Menlo Circle and to create two larger lots.

In summary, this proposal complies with the 2040 Mesa General Plan, and it meets the review criteria for preliminary plat as outlined in the Mesa Subdivision regulations. Staff recommendation is for approval with conditions. Boardmember Boyle stated he will be recusing himself from this request as he has a conflict of interest. There were no questions or discussion by the Board.

Staffmember Ryan McCann presented case ZON20-00842 to the Board. This was request is for a modification to the existing Bonus Intensity Zone Overlay (BIZ) and Site Plan Review. This request will allow for the development of new industrial buildings within an existing industrial development. The site is located west of the Meridian Road alignment south of Pecos Road and on the north side of Germann Road.

The General Plan in the area is designated as Employment. In the Employment District we are looking to provide for a wide range of employment opportunities. The site is also located within the Gateway Strategic Development Plan, specifically within the logistics and commerce district. The desired uses include manufacturing facilities, large warehouses, distribution facilities and similar uses. An expansion to the existing industrial facility will be in conformance with the property. The Zoning on the property is General Industrial (GI). There is an existing Council Use Permit to allow a steel mill on the property, as well as the existing BIZ.

Mr. McCann stated, if you're familiar with the site, it is the site of the CMC Steel operation. On the site plan submitted, you can see in the hatched area they are proposing a substantial expansion to their existing mill operation, mainly along the west side of the property. Along the west side of the property there is the rail expansion where they will be able to send and receive materials as well as finished products. In the northeast corner of the site, they are proposing a future solar panel area which is not proposed with this site plan.

As part of the modification of the BIZ Overlay request, the applicant is requesting deviations to height as well as the number of required parking spaces. The current BIZ allows for 120 foot that is for their tower stack and they are proposing with the new operations to increase to a 165 foot tower stack. The Code does require 1406 parking spaces based on existing operations and they are requesting to reduce that down to 386 with what they anticipate for the future. As you look at the site, if an issue arose, there is plenty of room to provide those additional parking spaces.

The project did go before the Design Review Board in February. The Design Review Board did not have any comments other than just a couple minor comments on the kind of shrubbery that was chosen in the parking islands. The applicant is switching from a type of shrub that had a little bit of thorns to one that does not.

The applicant did complete a Citizen Participation Plan and they notified property owners within 1000 feet. There were no HOA or Registered Neighborhoods within the required distance. The applicant was contacted by a couple residents in the area. There were comments about the landscaping along Pecos as well as Meridian. The property owner and the City of Mesa have a Development Agreement in place which was renewed in 2018 regarding the landscaping and improvements along Pecos Road and Meridian Road. The applicant did reach out to the Phoenix-Mesa Gateway Airport because they are proposing to increase the height of the tower and in speaking with the airport staff, they did not have any concerns aside from just the standard conditions of approval and making sure they follow the appropriate FAA forms. The project complies with the 2040 Mesa General Plan, the Mesa Gateway Strategic Development Plan criteria for BIZ as well as for site plan review. With that staff is recommending approval with conditions. There were no questions or discussion by the Board.

Dr. Appiah stated the next case is ZON20-00877 and staff is recommending continuance to the March 10, 2021 meeting.

3. Planning Director's Updates.

- Decisions of the City Council's February 8 and February 22, 2021 land use hearings.

Dr. Appiah updated the Board with several projects that were introduced by Council on Monday February 22nd. Because they did not take any action, those items are scheduled on March 1 for action. He will update the Board on the decisions in our next meeting on March 10.

At the City Council study session tomorrow, staff will be updating the Council on Planning strategies, priorities and goals for the coming year including the next two or three years. After Council, we will include that on the study session on March 10 as well for your feedback.

4. Adjournment.

Boardmember Villanueva-Saucedo motioned to adjourn the meeting at 3:45 pm. The motion was seconded by Boardmember Allen.

Vote: 7-0 Approved

Upon tabulation of vote, it showed:

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

NAYS – None

Respectfully submitted,

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

Nana K. Appiah, AICP, Secretary
Planning Director

Note: Audio recordings of the Planning & Zoning Board study sessions are available in the Planning Division Office for review. The regular Planning & Zoning Board meeting is “live broadcasted” through the City of Mesa’s website at www.mesaaz.gov.