Planning and Zoning Board

Meeting Minutes

Held by Virtual Platform
Date: April 28, 2021 Time: 4:00 p.m.

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

MEMBERS ABSENT:
None

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

STAFF PRESENT:
Nana Appiah
Tom Ellsworth
Lesley Davis
Kellie Rorex
Charlotte Bridges
Evan Balmer
Cassidy Welch
Chloe Durfee-Sherman
Charlotte McDermott
Rebecca Gorton

OTHERS PRESENT:
None

Call Meeting to Order.

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

1. Take action on all consent agenda items.

Items on the Consent Agenda

2. **Approval of minutes:** Consider the minutes from the April 14, 2021 study session and regular hearing.

***2-a** Vice Chair Sarkissian motioned to approve the minutes from the April 14, 2021 study session and regular hearing. 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

Vice Chair Sarkissian motioned to approve the consent agenda. The motion was seconded by Boardmember Allen.

Zoning Cases: ZON20-00782, ZON20-00820, ZON21-00133, ZON20-00786, ZON20-00872, ZON21-00050, ZON21-00089, and ZON21-00191; and Preliminary Plats "Power 42", Sossaman Heights" and "The Grove at Lehi"

Vote: 7-0 Approved
Upon tabulation of vote, it showed:
AYES – Astle, 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

***3-a** **ZON20-00782 District 4.** Within the 1000 block of East University Drive (south side) and within the 300 block of North Miller Street (east side). Located west of Stapley Drive on the south side of University Drive. (2.4± acres). Site Plan Review. The request will allow a multiple residence development. Kaelee Wilson, Berry Riddell LLC, applicant; Stalwart Acquisitions, 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.

Vice Chair Sarkissian motioned to approve case ZON20-00782 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON20-00782 conditioned upon:

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all requirements of the Board of Adjustment's approval for a Development Incentive Permit (Case No. BOA20-00779).
4. Compliance with all City development codes and regulations, except the modifications to the development standards approved by the Board of Adjustment in case no. BOA20-00779.

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***3-b** **ZON20-00820 District 4.** Within the 1500 block of East Main Street (north side) and within the 0 to 100 block of North Hunt Drive (west side). Located east of Stapley Drive on the north side of Main Street. (.8± acres). Site Plan Review. This request will allow for the redevelopment of a restaurant. Justin Pasternak, applicant; Casa Ramos, Inc., owner.

Planner: Charlotte Bridges
Staff Recommendation: Approval with conditions

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

Vice Chair Sarkissian motioned to approve case ZON20-00820 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON20-00820 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations, except the modifications to the development standards approved by the Board of Adjustment in case no. BOA20-00626.
3. Compliance with all requirements of the Board of Adjustment's approval for aSubstantial Conformance Improvement Permit (Case No. BOA20-00626).
4. Compliance with all requirements of Design Review.

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***3-c ZON21-00133 District 6.** Within the 8100 block of East Ray Road (south side). Located west of Hawes Road on the south side of Ray Road. (18.1± acres). Site Plan Review; and Special Use Permit. This request will allow for the development of an industrial building. Eric Zitny, Ware Malcomb, applicant; Marwest Enterprises, 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.

Vice Chair Sarkissian motioned to approve case ZON21-00133 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON21-00133 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all City development codes and regulations.
4. All off-site improvements and street frontage landscaping must be installed with the first phase of construction.
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 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 1 mile of Phoenix-Mesa Gateway Airport.

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***4-a ZON19-00832 District 3.** Within the 1800 block of West Main Street (north side) and within the 100 block of North Dobson Road (east side) and within the 0 to 200 blocks of North Sycamore (west side). Located east of Dobson Road and north of Main Street. (21± acres). Modification to the Sycamore Station Smart Growth Community Plan. This request will allow for a mixed-use transit-oriented development. Neil Calfee, Miravista Holdings, LLC, applicant; Dobson Station, LLC; City of Mesa; Pride Ventures, LLC, owners. **(Continued from April 14, 2021)**

Planner: Cassidy Welch
Staff Recommendation: Approval with conditions

Summary: Staffmember Cassidy Welch presented case ZON19-00832 to the Board. The site is approximately 20 acres located north of Main Street and east of Dobson Road. The General Plan designation for this site is Mixed Use Activity District. The zoning is a part of the Form Based Code Transect Zones which includes T4N, T4NF, T5N, T5MS & T5MSF. The request before you today is a modification to the Sycamore Stations Smart Growth Community Plan to allow for a Mixed-Use Transit-Oriented development. The Smart Growth Plan, as outlined in Chapter 63, requires certain standards to be included as a part of the plan including: pedestrian sheds, transect, zones, thoroughfare networks and civic spaces. Final development plans will be approved through an Administrative Zoning clearance process. The request also includes modifications to the approved preliminary development plan. Those modifications include changes to the building configurations, parking standards, pedestrian and vehicular thoroughfares and building form standards. Staff finds that the proposed modifications comply with the General Plan as well as the West Main Street Sub Area Plan and meet the criteria in Chapter 63 for Smart Growth Community Plans and we are recommending approval with conditions. Chair Astle clarified that there is a revised condition that staff wanted to address during this hearing today.

Ms. Welch stated that is correct. We are proposing a minor modification to condition number 3 to include the language that is highlighted in blue. **With each phase of the development, the** Developer shall improve all streets and thoroughfares within and immediately adjacent to **that phase of the** development with paving, curb, gutter, sidewalk, curb ramps, driveways, streetlights, median islands, landscaping, and/or other incidentals. All improvements shall comply with all ADA accessibility standards.

Chair Astle asked if the Board understood in that regard to this adjustment. At this time I believe we have an applicant close by for discussion if need be. And I think also, we would like to open this up to the public and hear from the public regarding this case. Does the applicant have any comments that we would like to be aware of before we hear from the public?

Applicant Lindsay Schube stated Neil Calfee is also here. Thank you so much. We do not have a presentation and are available for questions or comments and agree with the changed condition of approval. Apologies to Cassidy and Nana in the Planning staff, we are looking for that clarity to ensure that that you know that it is attached to each phase as opposed to development as a whole. But we are interested to hear if Mr. Montague has a comment, and then I'm happy to answer any questions or comments. This really was a cleanup item. Many of you heard this case years ago, it has not changed in substance, we just needed to change a lot of the details so we could actually build what

we had always planned out there.

Chair Astle stated I appreciate that. Let's go ahead and turn the time over to this Public Hearing and hear from those who have comment cards. I believe at this point we have one comment card. And let's go ahead and hear from Mr. Montague.

Tyler Montague, 534 N. Orange stated I would disagree that this is the same project that was approved a few years ago, as I was part of the neighborhood meetings. I am speaking on behalf of Mesa Grande Community Alliance. The project included 87 townhomes that would be adjacent to the school and on the street that would be a for sale/ownership component. And that ownership component of the project was a significant piece of the project and was the main reason that the neighborhood agreed to this project, which of course involves some City land. We are concerned about only apartments, a large apartment project, you know, mostly apartments in our neighborhood that started out nice and 10 years later, they transitioned to mediocre and then at some point after that become struggling, properties such as Saddleridge and Parkside, Brookview, the list goes on and on. It is nearly all of them as they have aged. I have lived in this neighborhood for 49 years. The schools have not been part of the process. I think if we continue to build this way, we risk segregation economically. And so, we have submitted a letter and withdrew our support for the project once this ownership component was withdrawn. Those are our concerns, and we urge the City to put this back through a neighborhood review and to insist on the ownership component that was an initial part of the project. We understand there are some difficulties in doing that and we believe in the good faith of Mr. Calfee and Lindsay and we are not trying to disparage anybody, but that really is important to us. We really do not want apartments, we want the things that were promised such as a parking garage and ownership. So we are concerned and no longer support it and want to see those things addressed. Thank you.

Chair Astle stated I appreciate your time. Thank you very much for participating. Can we go ahead and hear from the applicant regarding what was just said and the differences between the initial project. I would be interested to hear about the neighborhood process and what Mr. Montague was referencing. Could we hear from the applicant first?

My name is Neil Calfee and I represent Miravista Holdings, the applicant. I appreciate Tyler's input on this. He was involved, as was many other members of the Community in this initial process, and it was originally to master plan the 20 acres of this entire site that included the 800 plus parking spaces that were the Valley Metro Park and Ride as well as the bus facility. Properties that are essentially on your map here a parcels B & A. And then all of that was under a Masterplan we put together under the Smart Growth Community Plan. And, as Tyler points out, we did include multifamily that we had originally back in 2016 and the parking garage as well as a component that is For Sale. What I would like to clarify is that the For Sale component is still in there from an entitlement perspective. It has not gone away and is not changing. The parking garage that he references was no longer necessary because of the amount of parking that was needed on site. And, so we originally were looking at 350 spaces, and it is down to 150 spaces. Per Valley Metro there was no need to build a garage now, but it was a matter of being able to maintain sufficient public parking for the Park and Ride. So that is still within the project.

The challenge we faced in terms of developing the single family For Sale component is that that property is not available for development in the foreseeable future, based on some ownership issues that involve the City and a private party. So, the challenges are that we cannot develop that component of it at this time. If it was available, we would certainly be looking at that if the market would certainly support it. But it is not available at this time. What we do have are the components that were originally entitled, on the private sector and are able to move forward now. And that is what is prompting many of these changes. I will state that we did involve the schools and had many discussions with them. Contrary to popular belief, the schools are actually in Mesa Public Schools, and Webster and the Principal of Webster Elementary, was excited to have more people here, which translates to more students for the school. The issue is not that the schools are going to be overloaded, it is that the schools may be underloaded. And I think many who study this issue understand that we are losing students and not overwhelming the schools. And so, the school district was happy to see additional density and additional bodies here that could mean more students for Webster school. This is the ability to move forward with development at this point pursuant to the plan and make the technical changes that will allow that development to occur without changing any of the remaining entitlements without changing any of the other uses that remain on the site. Hopefully we can move forward for development at the appropriate time.

Lindsay Schube added the only thing I would add is to Mr. Tyler. It is always great to hear from you and we welcome and appreciate your comments. It sounds like we are probably due to come back to Mesa Grande one day, hopefully now for all getting together back in person. Again, to confirm the For Sale component and the townhomes are absolutely, still there. As Neil explained some of the history of the property, but the For Sale product is still there. The first couple of phases of development that we had control over are the For Rent portions, but the For Sale is still there. We have not made those substantial changes. And Tyler, I commit to you I will reach out to Stephanie at Mesa Grande and we'll schedule time to go out and show you that all those elements of the plan are still there.

Mr. Astle stated that was very helpful. Thank you so much for the clarification from both the applicant. And thank you, Tyler for your comments. It really helped open up a little bit more discussion and provide a little bit more clarity. Members of the Board do we have questions for staff and/or the applicant?

Boardmember Boyle stated so first off, just to clarify the For Sale element of the project. Where is it and if it is still there, what is the original location of it and if it was not able to be purchased, what is the For Sale section at this point.

Staffmember Welch explained the For Sale product was intended to be developed on what you are seeing in the slide as Parcels B1 and B2. Mr. Boyle asked it is still intended to be that way. Ms. Welch stated it is still included on the preliminary development plan and included with the Smart Growth Community Plan. I think what the resident is referring to is that that property is owned by the City of Mesa and there a lease agreement on that property that has some time limitations before it can be developed. Mr. Boyle said what you're saying, if I understand, it is possible that this could all be developed as just the rental property and the For Sale product would never actually come to life if that is not resolved.

Ms. Schube explained we have got a property owner here and the City has a lease over the property. So, there were a bunch of different parts but it was important to us to get development on this property and still keep the entitlements. I think most important is if those entitlements are to ever change, they have to come back to you for approval. So right now, the City does control the property, but they do not own it. It is actually the City of Mesa who has a seat at this table in terms of being the controlling entity of the parcels to always be in the same place as a kind of buffer to the neighborhood. It is always what we thought of the height and the ownership made sense in that project. But with that, the property interest is a private property owner, so the City and the private property owner have to work that out. The entitlements are there. And so, if anyone wants to develop anything different than that they will have to come through this process.

Mr. Boyle stated, okay, it could just remain as it is and it wouldn't be possible to build the entire rental section on the property and the For Sale section never to be built, is that correct? Ms. Schube responded at this point we do not control that property. So the entitlements are on there and no one can build anything other than what is entitled to be on there. Unfortunately, in Miravista cannot control when that is going to happen.

Planning Director Nana Appiah stated this development could be developed in phases and is not much different from any other development where unless there is a Development Agreement that specifies the phasing and timing of the development.

Boardmember Boyle stated that it is an important element to this. We hear from developers, the schools are excited for them to come in. But then we look at the ratings on the schools and they continue to go down. We refer to the Mesa 2040 General Plan that says the design and maintenance of the neighborhood's 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 stable neighborhoods. So, I am concerned and I know when this was first pitched to my neighborhood, there was a For Sale element. And that is sort of what the neighborhood accepted and said, okay, if there's a For Sale element, we can see that there is a balance here. If it ends up being a largely transient thing, then by our own Mesa 2040 General Plan, we are negatively affecting the schools there. And I don't think that is the right thing to do. The other thing that concerns me about this is what happened with that Riverview development, when it had the neighborhood meeting originally, many, many years ago, it was pitched as a two-story development. And then with the negotiation within the City, it became a three-story development, which ended up ruining the views of all the neighbors of the Riverview area, it's going through there, and then they had the entitlements. They say, well, it is allowed to be there and like that, the neighborhood component was cut off. And I think we often talk about how important the Citizen Participation process is. If there's a Citizen Participation Report on this one that is two years old and the project has changed dramatically since then, then I think this project needs to be delayed. And there needs to be a conversation with the neighborhoods and the citizens need to be given input once again, on what happens in their neighborhoods.

Ms. Schube stated to Boardmember Boyle, specifically, these entitlements and these buildings have not changed. And what our hope is, by getting the property that now does have an active developer ready to go, to get a shovel in the ground, that that will entice the property owner to allow us to move forward, we still want to move forward on that

piece. That is why again, it's important we have the entitlements there. We want to move forward. And what we're really hoping for the nuance changes have to do with the Smart Growth Community Plan. Staff can answer that and can confirm that what I'm saying is correct. It does not change either the density or the form of what we had originally proposed. We are really hopeful that we can move forward because we want some action out there to entice the property owner to let us get going on there. There's still every intent to try to secure the balance of the property and to move forward on it.

Mr. Boyle stated I might say that lots of developers are really hopeful that things are going to happen. But if the hopeful part does not happen, then by our General Plan, there will be a negative effect on that score right there. And I do not believe that's the correct thing to do.

Boardmember Allen's question goes a little more towards Mr. Montague. My comment is to you, because you are representing the neighborhood at this point. I am leaning a little more towards Mr. Boyle, as far as a delay in this, because my question is, are you comfortable with what was said here today and the kind of directions that this is going or would you guys be more comfortable having a discussion, a presentation and then bringing it back to us with the full support of your group? Mr. Montague said we would like to do that at least, you know, we believe in the good faith of the developer here. We really wanted the ownership component. But also, the support of the neighborhood was really dependent on that happening. Now that it is not, there is a bait and switch here. Again, nobody is committing any kind of fraud here, or you know, pulling the wool over anyone's eyes, but it's just doesn't seem right without going back through the process of getting some buy in, and maybe presentation would be enough. And maybe if there is comfort level that the ownership component will happen in a reasonable amount of time, we know that there's some uncertainty there, but if we're talking 20 years down the road, then all we did is just built a big apartment complex. And I think I speak for the vast majority of those that were a part of this process, and certainly for our organization.

Ms. Allen said I agree with you because I know those participants are in your neighborhood. And I know how active they are in a lot of the community efforts. I am leaning more towards suggesting that we extend or postpone this or delay until the next meeting. That is where I am coming from.

Boardmember Ayers said I understand the delay of this, but without control of B1 and B2, which they do not have, I don't know where it would lead to if they don't have control to be able to guarantee ownership requirements will be part of the B1 and B2 sections of this. I am curious what could the applicant can do within this timeframe of delay to make the neighborhood group feel better about it. Because they cannot guarantee without control of that property.

Chair Astle stated this is also an entitled piece, which means, of course, as everyone understands, we would see something if it were to happen differently in the future and be able to help.

Charlotte McDermott, in the City Attorney's office stated there might be some private entitlements on the property. But from a zoning perspective, I do not know that there is any conditions that speak to ownership, nor do I think that we can do that through the Zoning process. So, I don't know if delaying that would have the effect that you're

looking for that there isn't currently anything that speaks to ownership as far as the Zoning case that is before you today. Now, again, there could be some private entitlements on the property. But as far as the Zoning case, that's before you there is no condition or nothing in the Smart Growth Plan that that I'm aware of that speaks to ownership, nor am I aware that you can even do that through Zoning.

Mr. Ayers stated Thank you, Charlotte. That was exactly the question I had that if we delay the case, we would be back in the exact same position we are today at that meeting, correct? Boardmember Allen responded I guess my only comment for suggesting a delay would be the comfort of the neighborhood just for Citizen Participation because they feel like this is a change whether it is or not that is up to the applicant to talk to them about it. That is the other reason I suggested as for a neighborhood participation point of view.

Vice Chair Sarkissian said, as this keeps going back and forth, the parcel in play as Lindsay and Neil mentioned is that it is owned by the City of Mesa. A lot of the time it also lands in their department of what is going to happen with their lease or however they're going to do that. But this project is meeting all the requirements that we were looking for like this in this kind of Urban Transit Area, and all the design requirements and development standards. And that's really where they're with this one. We are not allowed to legally zone according to ownership. If they decide later to do it, change other pieces of it to ownership or change something else that's not something we're even allowed to ask everyone, single family home builders come in you can't say are they owner occupied or leased because it has nothing to do with Zoning. And then I think it still meets the requirements of what we were looking for earlier with the different designs and Transit Oriented and all that. I think we are good and that they follow the requirements, as I understand in terms of public notification, because this is a Development Standards change, this isn't a complete change of zoning. The uses are staying the same with the Development Standards in the transacts. It's just a modification and right now this site is sitting vacant. And, with the Light Rail Station there they don't even need some of those parking stalls and we do not want to have unusable parking. I know Mesa has an issue with making sure places aren't over parked, so they are just trying to modify according to what has happened since they first came in. I think I understand the concerns of Boardmember Boyle and Allen, but I don't see that that's something that we can address. We cannot force anybody to do this, and the whole phasing part of projects, all kinds of projects come in phases. And we are not supposed to vote on what we feel the product will be in the end. Not on what if what if this doesn't happen with Phase 2.

Boardmember Villanueva-Saucedo stated I don't have any objections to the plan itself. And if the school has responded that it is not going to be an issue, I take that at good faith. My issue is that it has been so long since they have had any kind of neighborhood meeting. And given that this is such a high-profile property and given that it is such an active area of residence, I would be more comfortable delaying so that the developers can go back to have a full-fledged neighborhood meeting and have discussion. If in the end result is the same, that's fine. But I think the neighborhood group at least is owed that opportunity to have some sort of discussion. Last time that there was any substantial meeting is 2019. I just don't think that that's sufficient. Again, if the ownership issue is still at play, I'm okay with it. I don't have any major issues over the design. It's more of the principle that if we value citizen engagement, then we need to abide by

citizen engagement. And to me 2019 for such a high-profile site just isn't sufficient.

Chair Astle asked if the applicant have any comments regarding board member concerns.

Applicant Neil Calfee stated I will point out that we did meet with Mesa Grande in 2019, with this exact project, and this exact scenario. And so, when we went to them we explained what was happening, I explained that the B1 and B2 parcels were likely not going to be developed in the foreseeable future and explained how we needed to make these technical changes. I do not recall if Tyler Montague was part of that meeting, I don't believe Tim was there either. We did go through and felt like we had discussed this with neighborhoods, they were enthusiastic to see something happen out there. And so, in coming back today, none of those factual elements have changed. And so that is where we'd be happy to take it back and discuss with them but in terms of what we will be presenting the exact same presentation we made in 2019, the exact same group and we're very clear about what the phasing would look like and why we were making these changes. So, I would push back on the bait and switch comment because we certainly did not bait and switch. We've been open and we're happy to discuss whatever needs to be discussed with the neighbors, and anybody else interested. Miss Schube added it sounds like 2019 was a really long time ago when I hear that, but it has not changed. We sat down with Miss Wright there. Tyler, I believe your father was there, I can't remember. But we presented in person, pre-COVID and it is exactly what's there now. We just wanted to make sure that we when had final development plans that were in front of the Planning Director that all the standards matched. And that's it, though it hasn't changed. But you know, we will do whatever the Commission thinks is best.

Boardmember Boyle stated I was at those meetings, the major concern that the neighborhood had was that this just not be a rental property, and that there'd be a large For Sale component, and we were told It's not going to be just rentals. And that's what made the neighborhood feel comfortable with this whole project. If that's now up in the air, then there has been a very dramatic change. And this neighborhood is very concerned with the schools. And that's why we take the 2040 Mesa General Plan comment very seriously, as these are the schools that get hurt the hardest. And as Tyler talked about Sandalwood, and these other apartment complexes that have had a negative effect on the schools over the years and have a net effect on crime and other things like that. That's the worry. So, we hope for these things to happen. I want this project to happen as much as anyone. I think I asked to make it bigger and more beautiful and more fantastic at the time. But if it ends up being kind of like this, and then the For Sale portion never happens, then we're hurting West Mesa. And then it's surprising how things happen and often works out in East Mesa. And then surprisingly, it never quite works out in less than a second. And I think if you look carefully at the grades that the different schools have, I think we see that very clearly. And that's something that we as Zoning Boardmembers are responsible for.

Chair Astle says, Boardmember Boyle, if nothing has changed since that meeting, and you're saying it's now up in the air. I mean, realistically, it was the same ownership situation, same proposal, and same general plan. Boardmember Boyle responded the meetings that I would tend to be For Sale component, as I recall, was part of Phase 1 and would happen before the other elements. And it was pitched as this is the first thing we're going to do, don’t worry about this. So, the order of these things is changing and is

a big change. And the certainty of that component is definitely changed.

Boardmember Crockett stated I just wanted to say that I do share some of these same concerns about whether the local residents have had an opportunity to understand the plan, the way it's moving forward. Again, I don't have a problem with the project. But I do feel that what's been communicated through Mr. Montague is that there is a lack of information for the neighborhood. And I'd like to see the neighbors have a little more complete information before we move forward. That's my opinion here.

Chair Astle asked one, one more question to the applicant, considering what you're hearing from the Board how would you like us to address this. We could go to a vote, or we could go to a vote to allow you to continue communication to the neighborhood. I just wanted to open that up, as you have heard the concerns and have a moment to think through how you would like to address this as the applicant prior to us closing out this case today.

Lindsay Schube stated thank you very much for giving us that opportunity. Obviously, we would like to move forward. We've got some final development plans that we're really excited to move forward with. That said, if Commissioner Boyle and Mr. Montague still have concerns, we want to make sure you know before anyone said continuance. Tyler, we need to go to Mesa Grande because it sounds like you guys need more information. I would like to suggest that we have a meeting with Mesa Grande in between Planning Commission and Council. I do know that all the members of Mesa Grande also have a direct line up for our City Council members. And absolutely commit to you that we'll find a date in the next couple of weeks to get in front of you. And, hopefully, at least we have made a great effort of being out there pre COVID. If that satisfies Commissioner Boyle and Mr. Montague, then that would be my suggestion. If they would still like us to continue at the Planning Commission stage, it adds more time to the process, but we commit to meeting so if they're willing, we'll commit to meeting before Council and bring out our whole plan. But if it behooves Commissioner Boyle and Mr. Montague, we can continue. We want to be good stewards of the Community, we look forward to being good neighbors.

Dr. Appiah stated I would like to just add my comment before you continue as you make your decision here. Typically, the issue with allowing the project to move forward to City Council is once we introduce the project to City Council, we will not be able to make changes without re-introducing the case again at Council. If they meet with a neighborhood and likely have small minor changes, most of the time City Council prefers to get a full recommendation from the Planning and Zoning Board. Because without you knowing what may transpire at the neighborhood meeting and any changes that may happen, your recommendation may not include those changes. And Council typically wants to know what P&Z thinks about certain changes of the full project.

Mr. Astle said thank you very much. I think that's actually very, very good counsel. This is always difficult for me. I'm so interested in all of my fellow board members concerns and questions as well as public and staff and the applicant, we've got so much to think about here. This is one of the first times where I feel like the outcome might probably not change necessarily based on the entitlements that are in place. But I don't think it's a bad idea. Mostly because I believe we as a Board and the neighbors could all be unanimous in our thinking if that conversation could occur. Any other comments from

board members prior to me requesting a motion board member.

Boardmember Allen, I just have a question basically to Nana. If we do suggest or recommend an extension of this to the next meeting, is it too late to extend it to the May 12 meeting or do we need to go later than that. Dr. Appiah responded it can be set to continue to the May 12 meeting.

Ms. Schube stated thank you Chair, Commissioner we will gladly take the continuing to the next meeting. Dr. Appiah raised a great point that if there are any changes, and then we can address them then. So, we will get going and reach out to everyone at Mesa Grande and get a meeting on the books. We agree to a continuance.

Boardmember Allen motioned to continue case ZON19-00832 to the May 12, 2021 meeting. The motion was seconded by Boardmember Boyle.

Vote: 7-0 to Continue case ZON19-00832 to the May 12, 2021 meeting
Upon tabulation of vote, it showed:
AYES – Astle, 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

***4-b** **ZON20-00786 District 6.** Within the 9700 block of East Southern Avenue (south side). Located west of Crismon Road on the south side of Southern Avenue. (8.1± acres). Rezone from Planned Employment Park (PEP) to Multiple Residence 5 (RM-5) with a Planned Area development Overlay (PAD); and Site Plan Review.. This request will allow for a multiple residence development. Sean Lake, Pew and Lake, PLC, applicant; Sunny Acres/Montgomery 320 LLC, owner. **(Continued from April 14, 2021)**

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.

Vice Chair Sarkissian motioned to approve case ZON20-00786 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON20-00786 conditioned upon:

1. Compliance with the final site plan submitted.
2. Development of the site must include, at a minimum, all of the common amenities shown on the final site plan (i.e., a swimming pool, the 2 story cowork space and area, a fitness area, seating plazas and grilling areas).
3. Compliance with the 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. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD overlay and shown in the following table:

MZO Development Standards	Proposed
Minimum Yard Setbacks – *MZO Sections 11-5-5 & 11-33-3* *-Interior Side (east & west property lines)* *-Rear (south property line)*	(building/landscape) **10'/8'** **10'/8'**
Minimum Canopy Separation – *MZO Section 11-33-4*	**No landscape island required between parking canopies**
Minimum Private Open Space Standards – *MZO Section 11-5-5*	Studio & 1 bedroom: 42 SF
	2 bedrooms: 42 SF
	Minimum dimensions: 3.5' x 12'
	Access: Private open space may be accessed by multiple units

Minimum Parking Requirements – *MZO Section 11-32-3*	**1.38 spaces/per unit**
Minimum Covered Parking – *MZO Section 11-32-3*	Total covered parking spaces: **220 spaces**

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***4-c** **ZON20-00872 District 6.** Within the 3800 to 4000 blocks of South Power Road (east side). Located south of Elliot Road on the east side of Power Road. (overall 41.85± acres). Modification to an approved Planned Area Development Overlay (PAD) on a 41.85± acre property; rezone 10.8± acres of the 41.85± acre property from General Industrial (GI) PAD to Light Industrial (LI) PAD; and Site Plan Review on 39.5± acres of the 41.85± acre property. Jack Gilmore, Gilmore Planning and Landscape Architecture, applicant; Power Lender Partners LLC & Rockall Power LLC, owner. **(Companion case to Preliminary Plat "Power 42", associated with item *5-a).**

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.

Vice Chair Sarkissian motioned to approve case ZON20-00872 and associated preliminary plat "Power 42" with changes to condition of approval #7 as discussed at the study session. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON20-00872 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all requirements of the Subdivision Regulations.
4. Prior to the development of "Site 5" (as identified on the final site plan), a specific site plan must be submitted for review and approval.
5. 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.
6. Prior to the submittal of a building permit, record in the Official Records of Maricopa County a reciprocal cross access and cross parking easement between all parcels on the site.
7. **All off-site improvement and street frontage landscaping for this specific site plans as approved must be installed with the first phase of construction.**
8. 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. Provide written notice to future property owners that the project is within 1 mile 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 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."

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

Development Standard	**Approved**
Maximum Building Height - *MZO Section 11-7-3*	**52' for Building No. 2 & 4 (as identified on the final site plan) and 40' for all other buildings.**
Required Parking - *MZO Section 11-32-3*	**1 space per 1,010 SF for warehousing and storage.**
Foundation Base - *MZO Section 11-33-5.A1.a 900 SF additional entry plaza per 10,000 SF Building*	**No entry plazas required. Foundation base as shown on the final site plan.**
Required Landscape Yard - non-single residence uses adjacent to non-residential districts per *MZO Section 11-33-3*	**5' along the east property line of "Site 5" (as identified on the final site plan).**

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***4-d** **ZON21-00050 District 6.** Within the 1800 to 2000 blocks of South Sossaman Road (west side). Located north of Baseline Road on the west side of Sossaman Road. (1.2± acres) Rezone from Single Residence 6 with a Planned Area Development overlay (RS-6-PAD), Office Commercial (OC), and Neighborhood Commercial (NC) to Multiple Residence 4 with a Planned Area Development (RM-4-PAD); and Site Plan Review. This request will allow for the development of a multiple residence development. Brian Sandstrom, ARCHISTRUCT, applicant; Superstition & Sossaman Road and Sossaman & Baseline Rd LTD Partnership, owners. (**Companion case to Preliminary Plat "Sossaman Heights", associated with item *5-b).**

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.

Vice Chair Sarkissian motioned to approve case ZON21-00050 and associated preliminary plat "Sossaman Heights" with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON21-00050 conditioned upon:

1. Compliance with the final site plan submitted.
2. Development of the site must, at a minimum, include all the common amenities shown on the final site plan including: a swimming pool, a clubhouse, and pet park.
3. Compliance with the 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. 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 five mile(s) of Phoenix-Mesa Gateway.
    d. 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. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
    e. 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."

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

MZO Development Standards	Proposed
Minimum Yard Setbacks – *MZO Sections 11-5-5 & 11-33-3*	(building/landscape)
- Front (east property line)	**0'/0'**
- Interior Side (north property line)	30'/**0' except as shown on the site plan**
- Rear (west property line)	**15'/0' except as shown on the site plan**
Minimum Parking Requirements – *MZO Section 11-32-3 & 11-32-4*	
- Required Ratio	**1.86 spaces/unit**
- Setback of Cross Drive Aisles	**37'**
- Covered Parking	**26 spaces**
Minimum Private Open Space – *MZO Sections 11-5-5*	
- Studio & 1-bedrooms	**53 SF**
- 2-bedrooms	**61 SF**
- 3-bedrooms	**83 SF**

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***4-e** **ZON21-00089 District 1.** Within the 2600 to 2800 blocks of East Lehi Road (west side). Located north of McDowell Road and east of the 202 Red Mountain Freeway. (41.8± acres). Rezone from Single Residence 43 (RS-43) to Single Residence 15 (RS-15) with a Planned Area Development Overlay (PAD). This request will allow the development of a single-residence subdivision. Sean Lake, Pew and Lake, PLC, applicant; Cemex USA Construction Materials, Inc., owner. **(Companion case to Preliminary Plat "The Grove at Lehi", associated with item *5-c)**

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.

Vice Chair Sarkissian motioned to approve case ZON21-00089 and associated preliminary plat "The Grove at Lehi" with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON21-00089 conditioned upon:

1. Compliance with all requirements of the Subdivision Regulations.
2. Compliance with the final building product types submitted with application, including elevations and materials.
3. 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.
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 RS-15-PAD
Minimum Lot Area (sq. ft.) *MZO Section 11-5-3(A)(1)*	**9,100 sf**
Minimum lot width – interior lot (ft.) *MZO Section 11-5-3(A)(1)*	**65'**
Minimum lot depth – interior depth *MZO Section 11-5-3(A)(1)*	**140'**
Minimum yard – front garage (ft.) *MZO Section 11-5-3(A)(1)*	**20' (front facing)** **15' (side facing)**
Minimum yard – front (enclosed livable areas. porches and porte cocheres) (ft.) *MZO Section 11-5-3(A)(1)*	**15'**
Minimum yard – interior side, aggregate of two sides (ft.) *MZO Section 11-5-3(A)(1)*	**15'**
Minimum yard – interior side, street side (ft.) *MZO Section 11-5-3(A)(1)*	**7'**

Minimum yard – rear (ft.) *MZO Section 11-5-3(A)(1)*	**25'**
Maximum building coverage (% of lot) *MZO Section 11-5-3(A)(1)*	**50% for lots with floorplan numbers 2568 and 3177 and 40% for lots with other floorplans.**
Garage frontage and location *MZO Section 11-5-3(B)(4)(b)*	**Garages with three (3) or more doors, or designed to accommodate three (3) or more non-tandem parked cars, are permitted only on lots 65 feet wide or greater**
Maximum wall height in the RS district *MZO Section 11-30-4(A)(1)(b)*	**No fence or freestanding wall within or along the exterior boundary of the required side or rear yards shall exceed a height of 8'.**
Lots and subdivision (street frontage) *MZO Section 11-30-6(H)*	**Every lot must have frontage along a private street.**
Minimum dimensions for residential enclosed garages *MZO Section 11-32-4(2)*	**The minimum dimensions for a double-car garage on lots with floorplan numbers 2342, 2568 and 3177 is 20' wide and 19' long. All other double-car garages must be at least 20' wide and 22' long.**

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***4-f** **ZON21-00191 District 1.** Within the 2200 block of North Center Street (west side). Located north of McKellips Road and east of Country Club Drive. (24.42± acres) Rezone from Agricultural (AG) and Light Industrial (LI) to Public/Semi Public (PS). This request will allow for development of a public facility. Valerie Ahyong - Engineering Department, City of Mesa, applicant; City of Mesa, owner.

Planner: Chloe Durfee-Sherman
Staff Recommendation: Approval with conditions

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

Vice Chair Sarkissian motioned to approve case ZON21-00191 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON21-00191 conditioned upon:

1. Compliance with all City development codes and regulations.

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***5-a** **"Power 42" District 6.** Within the 3800 to 4000 blocks of South Power Road (east side). Located south of Elliot Road on the east side of Power Road. (overall 41.85± acres). Preliminary Plat. Jack Gilmore, Gilmore Planning and Landscape Architecture, applicant; Power Lender Partners LLC & Rockall Power LLC, owner. **(Companion case to ZON20-00872 associated with item *4-c)**

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.

Vice Chair Sarkissian motioned to approve preliminary plat "Power 42" and associated case, ZON20-00872 with changes to condition of approval #7 as discussed at the study session. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of preliminary plat "Power 42" conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all requirements of the Subdivision Regulations.
4. Prior to the development of "Site 5" (as identified on the final site plan), a specific site plan must be submitted for review and approval.
5. 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.
6. Prior to the submittal of a building permit, record in the Official Records of Maricopa County a reciprocal cross access and cross parking easement between all parcels on the site.
7. **All off-site improvement and street frontage landscaping for this specific site plans as approved must be installed with the first phase of construction.**
8. 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. Provide written notice to future property owners that the project is within 1 mile 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 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."

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

Development Standard	**Approved**
Maximum Building Height - *MZO Section 11-7-3*	**52' for Building No. 2 & 4 (as identified on the final site plan) and 40' for all other buildings.**
Required Parking - *MZO Section 11-32-3*	**1 space per 1,010 SF for warehousing and storage.**
Foundation Base - *MZO Section 11-33-5.A1.a 900 SF additional entry plaza per 10,000 SF Building*	**No entry plazas required. Foundation base as shown on the final site plan.**
Required Landscape Yard - non-single residence uses adjacent to non-residential districts per *MZO Section 11-33-3*	**5' along the east property line of "Site 5" (as identified on the final site plan).**

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***5-b** **"Sossaman Heights" District 6.** Within the 1800 to 2000 blocks of South Sossaman Road (west side). Located north of Baseline Road on the west side of Sossaman Road. (1.2± acres) Preliminary Plat. Brian Sandstrom, ARCHISTRUCT, applicant; Superstition & Sossaman Road and Sossaman & Baseline Rd LTD Partnership, owners. **(Companion case to ZON21-00050, associated with item *4-d)**

Planner: Cassidy Welch
Staff Recommendation: Approval with conditions

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

Vice Chair Sarkissian motioned to preliminary plat "Sossaman Heights" and associated case, ZON21-00050 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of preliminary plat "Sossaman Heights" conditioned upon:

1. Compliance with the final site plan submitted.
2. Development of the site must, at a minimum, include all the common amenities shown on the final site plan including: a swimming pool, a clubhouse, and pet park.
3. Compliance with the 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. 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 five mile(s) of Phoenix-Mesa Gateway.
    d. 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. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
    e. 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."
6. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD overlay and shown in the following table:

MZO Development Standards	Proposed
<u>Minimum Yard Setbacks –</u> *MZO Sections 11-5-5 & 11-33-3*	(building/landscape)
- Front (east property line)	**0'/0'**
- Interior Side (north property line)	30'/**0' except as shown on the site plan**
- Rear (west property line)	**15'/0' except as shown on the site plan**
<u>Minimum Parking Requirements –</u> *MZO Section 11-32-3 & 11-32-4*	
- Required Ratio	**1.86 spaces/unit**
- Setback of Cross Drive Aisles	**37'**
- Covered Parking	**26 spaces**
<u>Minimum Private Open Space –</u> *MZO Sections 11-5-5*	
- Studio & 1-bedrooms	**53 SF**
- 2-bedrooms	**61 SF**
- 3-bedrooms	**83 SF**

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

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***5-c** **"The Grove at Lehi", District 1.** Within the 2600 to 2800 blocks of East Lehi Road (west side). Located north of McDowell Road and east of the 202 Red Mountain Freeway. (41.8± acres) Preliminary Plat. Sean Lake, Pew and Lake, PLC, applicant; Cemex USA Construction Materials, Inc., owner. **(Companion case to ZON21-00089, associated with item *4-e).**

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.

Vice Chair Sarkissian motioned to preliminary plat "The Grove at Lehi" and associated case, ZON21-00089 with conditions of approval. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of preliminary plat "The Grove at Lehi" conditioned upon:

1. Compliance with all requirements of the Subdivision Regulations.
2. Compliance with the final building product types submitted with application, including elevations and materials.
3. 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.
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 RS-15-PAD
Minimum Lot Area (sq. ft.) *MZO Section 11-5-3(A)(1)*	**9,100 sf**
Minimum lot width – interior lot (ft.) *MZO Section 11-5-3(A)(1)*	**65'**
Minimum lot depth – interior depth *MZO Section 11-5-3(A)(1)*	**140'**
Minimum yard – front garage (ft.) *MZO Section 11-5-3(A)(1)*	**20' (front facing) 15' (side facing)**
Minimum yard – front (enclosed livable areas. porches and porte cocheres) (ft.) *MZO Section 11-5-3(A)(1)*	**15'**
Minimum yard – interior side, aggregate of two sides (ft.) *MZO Section 11-5-3(A)(1)*	**15'**
Minimum yard – interior side, street side (ft.) *MZO Section 11-5-3(A)(1)*	**7'**
Minimum yard – rear (ft.) *MZO Section 11-5-3(A)(1)*	**25'**

Maximum building coverage (% of lot) *MZO Section 11-5-3(A)(1)*	**50% for lots with floorplan numbers 2568 and 3177 and 40% for lots with other floorplans.**
Garage frontage and location *MZO Section 11-5-3(B)(4)(b)*	**Garages with three (3) or more doors, or designed to accommodate three (3) or more non-tandem parked cars, are permitted only on lots 65 feet wide or greater**
Maximum wall height in the RS district *MZO Section 11-30-4(A)(1)(b)*	**No fence or freestanding wall within or along the exterior boundary of the required side or rear yards shall exceed a height of 8'.**
Lots and subdivision (street frontage) *MZO Section 11-30-6(H)*	**Every lot must have frontage along a private street.**
Minimum dimensions for residential enclosed garages *MZO Section 11-32-4(2)*	**The minimum dimensions for a double-car garage on lots with floorplan numbers 2342, 2568 and 3177 is 20' wide and 19' long. All other double-car garages must be at least 20' wide and 22' long.**

Vote: 7-0 Approval with conditions
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

* * * * *

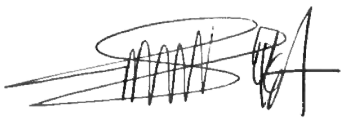
Note: Audio recordings of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at www.mesaaz.gov

6. Adjournment.

Boardmember Villanueva-Saucedo motioned to adjourn the meeting at 4:54 pm. The motion was seconded by Boardmember Crockett.

Vote: 7-0 Approved
Upon tabulation of vote, it showed:
AYES – Astle, Sarkissian, Boyle, Allen, Crockett, Villanueva-Saucedo and Ayers
NAYS – None

Respectfully submitted,



Nana K. Appiah, AICP, Secretary
Planning Director