

Planning and Zoning Board



Study Session Minutes

Mesa City Council Chambers – Lower Level, 57 East 1st Street
Date: March 9, Time: 3:00 p.m.

MEMBERS PRESENT:

Chair Jessica Sarkissian
Vice Chair Deanna Villanueva-Saucedo
Tim Boyle*
Shelly Allen*
Jeffrey Crockett
Troy Peterson

MEMBERS ABSENT:

Benjamin Ayers

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

STAFF PRESENT:

Michelle Dahlke
Lesley Davis
Chloe Durfee- Sherman
Lesley Davis
Sean Pesek
Cassidy Welch
Sarah Staudinger
Pamela Williams

OTHERS PRESENT:

None

Call meeting to order.

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

Review items on the agenda for the March 9, 2022, regular Planning and Zoning Board Hearing.

Principal Planner Michelle Dahlke stated to the board that staff is recommending a continuance of case ZON21-01237 to the March 23, 2022, Planning and Zoning Board meeting.

The board acknowledged the change.

Staffmember Charlotte Bridges presented case ZON21-01291: This is a request for initial site plan review. The purpose is to construct two industrial buildings. The location of the property is east of Ellsworth Road and north of Elliot Road, between 94th Place and 96th Street. It's on the north side of Elliot. The General Plan designation for this property is Employment and the primary purpose of the

Employment District is to provide jobs. It allows secondary land uses to support those jobs like commercial land uses, but in this case, they're requesting industrial buildings. It's also within the Gateway Strategic Development Plan in the Elliot Tech Corridor. Although they are not opting into the Elliott Tech Corridor, they are developing under their existing zoning allowances. In the Gateway Strategic Development Plan, the primary purpose of that area is to develop with users, to support the airport to create high intensity, industrial developments and create jobs. There is a recommendation for pedestrian connectivity between uses, which this site provides as well as providing unique and attractive design on their property. The zoning district for this property is Light Industrial, and it does have a Planned Area Development that goes back (I believe) to the 2007 initial Master Plan of this industrial subdivision. And so, they're developing under that PID. There is some of the existing landscaping that exists along Elliot Road; the site plan shows the construction of two 25,000 plus square foot buildings, and a 40,000 plus square foot building. Vehicle access is provided from Elliot Road, 96th Street, and 94th Street. Parking is provided around the site. There are employee- visitor areas located on either end of the loading area dock area, and that loading area and dock area face each other in our interior to the site.

The applicant did complete a citizen participation plan. They did a mailing to notify the surrounding property owners of the upcoming project; staff did not receive any comments, but I believe we have one comment that was submitted through the website.

Chair Sarkissian confirmed that one comment was received, noting it was in opposition, but there was no documentation indicating if they wish to speak, and asked if staff had any additional information.

Staffmember Charlotte Bridges continued: No, we have no information, nor have I heard from them. The project was reviewed by the Design Review Board on February 8. The Board really did not have any comments about this project except one, and that was just to make sure that the downspouts located on that internal loading dock area, are integrated into the building design. In summary, staff finds that this project complies with the original zoning cases ZO7-114. It complies with the 2040 General Plan, and then the Site Plan review criteria in Chapter 69 of the Zoning Ordinance. Staff is recommending approval with conditions.

Staffmember Jennifer Merrill presented case ZON21-00356: The request is to rezone from LI-PAD to LI-PAD- BIZ and site plan review. The purpose is for a new industrial building. The location is east of Power Road, on the north side of Ray Road. So, the BIZ request is to allow a reduction in the landscape setback. That reduction would be adjacent to a triangular parcel. There's a triangular parcel located adjacent to the site and it kind of cuts in at the southern edge of the site. That triangular parcel is owned by the airport. And it's a remnant parcel that was left over when Ray Road went through. Staff has been working with the applicant and with the airport, and unfortunately, the triangular parcel isn't something that can be sold to the applicant. So, they were not able to incorporate it into their site. As a result, and in the interest of making the best and greatest use out of their site, they are requesting that BIZ overlay to allow the landscape with reduction. The landscape width is reduced to zero right at the corner of that corner parcel, or otherwise, it is two feet adjacent to the south facing parking spaces on the southeast corner of the site. So, the BIZ request requires that there is some justification for that modification to code. And in this case, they are providing secure bike lockers, alternative fuel, carpool parking areas, and covered parking with conduit that's already in place for future electric chargers on the site. So going back to the site plan, the building is 28,178 proposed square feet, and it's proposed to be 32 feet in height. The vehicular access is from 71st Street, along the east side of the property. There are parking spaces on site to the east, south, and west side of the building. There is an outdoor seating area at the south elevation. The Design Review Board discussed the architecture and the landscaping at their December 13 work session. They recommended some minor changes to the building and to the landscape design. The elevations are up to date as a result of those comments. A

citizen participation process was completed, and there were letters mailed to property owners within 1000 feet, and HOAs and registered neighborhoods within one mile. And staff has received no inquiries from neighbors, and I believe the applicant has not received any inquiries from neighbors either. In summary, the request complies with the Mesa 2040 General Plan; it meets the purpose and intent of the BIZ overlay outlined in Section 1121-1 of the Mesa Zoning Ordinance, and it meets the criteria in Chapter 69 for Site Plan review, and we're recommending approval with conditions.

Boardmember Crockett inquired: These questions are either for staff or for the applicant. I'm curious about the BIZ overlay and what the applicant is doing. The applicant is going to provide six spaces for alternative fuel vehicles. Now, I'm not sure if that necessarily means electric vehicles; is the applicant going to be providing electric charging stations there? And if not, what is unique about a parking space for an alternative fuel vehicle, other than it's close to the entrance of the building?

Staffmember Jennifer Merrill clarified: The alternative fuel vehicles would have covered parking at the south edge of the site. So, it's more of an incentive for driving the alternative fuel vehicles. It is my understanding that, in the future, they would have electric charging stations there. I don't know if the applicant is here, if they have additional information.

Applicant Brian Moore with BCMA architecture spoke. So, the zoning code actually says that to do BIZ zoning you need to do one of these things, and one of them is provide alternate fuel parking spaces. So, we did that. My vision of alternate fuel parking space is something for electric vehicles, because right now they are all the craze and people are using them left, right, and center. We don't have a tenant for the building. So, we're providing conduit out to these parking spaces under the asphalt so that someone can bring electric out there, because we don't know what type of car, what type of charger, all that sort of stuff. We imagine, given how many electric vehicles are out there, that these are probably going to be electric vehicles. But, I believe the definition of alternate fuel would include propane or something like that.

Boardmember Crockett inquired: Are there two locations where you're providing conduit for electric charging stations?

Applicant Brian Moore responded: There's only one on the south end where there's covered parking for alternate fuel vehicles, and some chargers there.

Boardmember Crockett inquired:

And would the conduit enable you to put in a charging for all six spots? Also, I was curious about this secured bicycle parking please describe that a little more.

Applicant Brian Moore responded: They are boxes, for bicycles. So, they're lockable boxes. Lockers basically, that you stick your bicycle in.

Boardmember Crockett inquired: Would that require a person to use their own lock to lock the box, or does the box have a locking mechanism?

Applicant Brian Moore responded: You would use your own lock, but I might be wrong. So, it's a standard; you buy them off the shelf type thing.

Boardmember Peterson inquired: The triangle piece that the airport owns, is the narrow rectangle [referring to the provided plans] a sign or is it all just landscaping?

Conversation ensued and Applicant Brian Moore clarified it was a decorative wall, additionally landscaping would be added:

Applicant Brian Moore continued: And you'll notice the triangle, and there's a smaller triangle. Right now, there's a chain link fence and the airport is only landscaped inside that chain link fence. So, there's about 15 feet outside of there. That is their property that they have not landscaped. Part of our application is we're re landscaping that, so it looks like all one contiguous piece of land, otherwise, you know it, it sort of looks really odd. So, we're taking out the chain link fence and basically landscaping 15 feet, or 18 feet, or something of the airports property with what we're doing. I would imagine between the airport and us, we'll have to figure that out who is going to maintain that.

Boardmember Peterson added:

So even though the compromise is to go zero landscaping, the reality is, where the lines are you are having a lot more landscaping correct?

The applicant confirmed.

Staffmember Chloe Durfee Daniel presented case ZON21-01113: This is a site plan review request to allow the development of a building to use as a medical office. The location is within the 2300 block of East Brown Road on the north side, located east of Gilbert Road. This is located within that Neighborhood character area; its goal is to provide safe places for people to live where they can feel secure and enjoy the surrounding community. These zoning is Office Commercial, which does allow medical offices and both sides to the subject property are also medical. Currently the site is vacant. The project is proposing a 5920 square foot building, with a 416 square foot covered patio. They are proposing new pedestrian connections from the medical office to Brown Road, and access to the site is through both neighboring properties to the east and west. They did go to the Board of Adjustment, which approved a Development Incentive permit request at the March 2 public hearing. They requested reductions to the landscape yard setback, required parking, and foundation-based requirements. The Design Review Board saw this case last night and had very minor comments, and overall and were very supportive. They conducted a citizen participation notification, which included property owners within 1000 feet, HOAs and registered neighborhoods. Staff did receive two public comments, mainly trying to understand what type of medical office was being proposed. And once they understood what kind of medical office was proposed, they were okay with what was going in. The second one was trying to better understand what the Development Incentive permit request was allowing, and once they understood that it was matching up to the properties next door, which were approved. The property to the West was approved in 2004 and would match up fairly well with the landscaping plan. With that, they were also okay with the request. Overall, the request does comply with the 2040 Mesa General Plan and meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the Mesa Zoning Ordinance. Staff does recommend approval with conditions.

Boardmember Crockett inquired: I was kind of struggling, I guess like the neighbors, to figure out what this building is. I see it's got a yoga room and a community kitchen. So, what information do you have on what the use is going to be?

Staffmember Chloe Durfee Daniel clarified: It is a combination of a medical office, that also provides therapy and coaching. And so, there is a couple of different things that they are providing, from art opportunities to therapy. I think there is a coffee bar that people can come in and grab coffee. And so, it's kind of just a slightly mixed medical office from but I do understand.

Staffmember Charlotte Bridges presented case ZON21-01116: This request to rezone from NC, Neighborhood Commercial- Bonus Intensity Zone, to just straight NC District. It includes a site plan modification and a special use permit. The purpose is to remove the BIZ overlay, and just develop under the NC zoning district to allow for the development of a daycare facility with outdoor activity area. The location of the project is to the west of Power Road on the southwest corner of McKellips Road and 66th Street. The General Plan designation for this area is Neighborhood, and suburban is the subtype, and the purpose is to provide safe places for people to live where they can enjoy their surrounding community. Supporting commercial uses are often provided in neighborhoods, especially along arterial streets. The property is currently zoned NC, again with the Bonus Intensity Zone, and you may recall that rezoning of this property took place in 2018. It was initially zoned Single Family Residential District 9. It was rezoned to the Neighborhood Commercial with that Bonus Intensity Zone to facilitate the development of a medical office complex. That medical office complex was never constructed. So, the rezoning request is to remove that BIZ zone and allow the applicant to just develop it under the NC zoning district once again, to allow the daycare with outdoor activities. It's a rectangular shape property, longer east to west than it is north to south, but there are residential uses in the background. There is a RM to development on the west side of the project. Also note, there are power lines on McKellips Road. The site plan shows the development of a 10,000 plus square foot building specifically pushed to the corner of the site. That was in response to the zoning case back in 2018, where the applicants really worked with the Alta Mesa neighborhood to provide a site that would not facilitate traffic using 66th, that local street, to access the property. So parking is provided on site, it's all on the west side of the project. In this case, they are requesting an AUP to allow 137% increase in the amount of provided parking. They want to exceed the required parking by 137%. So, 27 spaces are required; they are providing 37 parking spaces, and the purpose of those parking spaces is to provide for their clients in the morning and afternoons when they're dropping and picking up kids to park and actually walk in and pick up and drop off kids. And that's a requirement of the facility, that the children be escorted in and out of the facility. So, the additional parking is to accommodate that. The outdoor activity is areas located on the south side of the building. And you can see there is still a buffer. There will still be a 25-foot landscape buffer between that outdoor activity area and the adjacent residential uses to the south.

The applicant did complete a citizen participation process, they did a mailing. As a part of that mailing, we did have a couple of responses. One was just a person who wanted to know when the meeting was going to be held. And we just replied that they're just doing a general notice to let everybody know about the project. And then public notices would be sent later if they wanted to attend the Design Review Board or the Planning and Zoning Board meeting to make comments. The second one was an email that staff received, and this was from a neighbor across the way on 66th Street, who was concerned about parking on 66th Street for the project. In reply, to that we just reformed the resident that there is no direct access to this project from 66th Street. So, we really doubt there'll be anybody parking on 66th Street to come to this facility. I know that the applicant also reached out to Alta Mesa Homeowners Association and met with them. I believe the discussion that they had is summarized in your citizen participation report. Other than that, we really didn't have any we didn't have any other contact. This project did go to the Design Review Board meeting on February 8. The board had minor comments, mainly due to the fencing and making sure that the area between the activity area and the fence to the south did not come become a potential crime or nuisance area. To make sure that it was designed in a safe way to prevent trespassing onto the property. This application also includes a request for a Special Use Permit, that's for the outdoor activity area. There are no specific requirements in the zoning ordinance for an outdoor activity area; it's just compliance with the Special Use Permit requirements. So, in general, it meets the criteria for the General Plan as far as the use. It's in conformance with the Zoning Ordinance. It is not going to be detrimental to the neighborhood, and the site is served by utility. In general, the site meets the review criteria for a Special Use Permit, and also meets the Site Plan Review criteria found in Chapter 69 of the Mesa Zoning Ordinance. It is in compliance with the Mesa 2040 General Plan. Staff is recommending approval with conditions.

Staffmember Robert Mansolillo presented case ZON21-01219: The request is a rezone from LC to LC-BIZ and Site Plan Review, and the purpose is to allow for development of a restaurant with drive- thru. The zoning is Limited Commercial, and some uses that are approved in this district are retail, commercial, and service. In the General Plan, it is designated as Neighborhood, and one of the goals is safe places to live, mixture of housing types, and commercial should be located on arterials or intersections. It is currently a gas station with auto service. The site plan is showing a new almost 3000 square foot building. Vehicle access is off McKellips Road and Country Club Road; and parking spaces are provided on site. The landscape plan is showing landscape yards along Country Club Road and McKellips Road, and parking lot landscape islands are provided. The rezone is to a Bonus Intensity Zone, and this is to modify some of the requirements of the zoning ordinance. Some of those are the parking spaces in the zoning ordinance. Parking spaces should be located behind the building, this building is pushed along the east property line and the parking spaces will be in front of the building, along Country Club Road. Another one is the required landscaped yards. There is a 15-foot requirement for the east and south property lines. And the applicant is requesting a zero foot along the eastern property lines, and two feet along the southern property line. As well as the foundation base, 15 foot is required, and the applicant is requesting 10 feet. And the justification for this the applicant has stated that the site is fairly small for the use and in order to meet the parking requirement, they have requested these modifications. This was presented to the Design Review Board last night at their work session, March 8. Staff is working with the applicant to address very minor comments. Citizen participation- property owners within 1000 feet were notified and staff has not received any concerns or information requests. And findings- this does comply with the 2040 General Plan. It meets the criteria of Site Plan Review outlined in Chapter 69. And it also meets the review criteria for a BIZ overlay outlined in Section 1121- 5 of the Zoning Ordinance. Staff is recommending approval with conditions.

Chair Sarkissian invited Principal Planner Michelle Dahlke to share any Planning Director updates:

Principal Planner Michelle Dahlke stated: I did have one update. Regarding the case that we discussed earlier (ZON21-01237) and our recommendation to continue. I did receive an email from the applicant, that they are coming to the hearing, and they would like to have a chance to speak. They do not want the case to be continued and I just wanted to provide you with that information.

Chair Sarkissian clarified: Item 3-a?

Principal Planner Michelle Dahlke confirmed the case number and added: I apologize, (Development Service Director) Dr. Nana Appiah brought up a very important thing that I should also inform you of. We did inform neighbors that we were recommending continuance, so I believe that is the information some of them had.

Conversation ensued regarding how the board with proceed with case ZON21-01237.

Vice Chair Villanueva- Saucedo inquired:

Are we under any obligation to actually hear the case if we ought to continue? I have grave concerns that residents were told this was going to be continued, and all of a sudden is on the agenda. So, what is within our purview? Are we obligated to hear it? Or could we just say it will be continued?

Sarah Staudinger clarified: If you decide to continue it, you are not obligated to hear it. You can continue it, and then you can hear the case at the next meeting.

Conversation ensued:

Development Services Director, Dr. Nana Appiah clarified:

That decision was made later in the day, because of last minute changes that unfortunately, the applicant was asked to make that has been the point of contention. There were some concerns from the neighbors. We reached out to the community and informed them that this case is going to be continued. So, my recommendation is to continue the case. It's very likely there was several people that probably would have attended this meeting, and because were informed that the case is going to be continued, decided to stay at home. So, my recommendation is to continue. I will talk to the applicant.

Vice Chair Villanueva- Saucedo inquired: From a process point of view, though, just so that we know what to do upstairs, since there was the recommendation made at the beginning of the study session to continue the case. It's really our call whether to leave it on the consent agenda as continuance, and we don't have to hear the presentation.

Conversation ensued among boardmembers.

Development Service Director Dr. Nana Appiah clarified:

My understanding, from staff, was the applicant was asked two days ago to change the road alignment- to basically move the location of access in and out of the site. And that was a last-minute change that the applicant agreed to make the make. But that is not the site plan that went out last Thursday, that has been extensively reviewed by the community. So, most of them are not even aware of this change. So, with that being said, I would like the community to have the opportunity to look at the site plan and review the site plan.

The applicant called in over the telephone and requested to speak.

The board declined.

Chair Sarkissian explained: We're going to move forward; we're going to keep it on consent with the continuance, due to the fact that City staff has not had time to review the updated site plan. We have an extensive list of people who want to speak, who were told that the case was going to be continued. So just in good faith, with the neighbors, we're going to continue that to the next hearing, which is going to be March 23. I know we've had a very vocal group; we don't want to have any conflicts later on. But, thank you so much for being online.

Vice Chair Villanueva-Saucedo motioned to adjourn the meeting. The motion was seconded by Boardmember Peterson.

The Study Session was adjourned.