

CITY OF MESA

MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers
Date: January 20, 2005 Time: 4:00 p.m.

MEMBERS PRESENT

Mike Cowan, Chair
Barbara Carpenter, Vice-Chair
Rich Adams
Pat Esparza
Alex Finter
Frank Mizner
Bob Saemisch

MEMBERS ABSENT

None

OTHERS PRESENT

John Wesley
Dorothy Chimel
Tom Ellsworth
Ryan Heiland
Scott Langford
Liz Zeller
Maria Salaiz

Eric Faas
Dan Brock
Lewis Lenz
Cliff Strait
Jerry Nothman
Bill Burke
Cora McDowell

Christian Bowers
Derick Duncan
Lindsay Coleman
Others

Chairperson Cowan declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated January 20, 2005. Before adjournment at 5:46 p.m., action was taken on the following items:

It was moved by Boardmember Carpenter, seconded by Boardmember Mizner that the minutes of the December 16, 2004 meeting be approved as submitted. Vote: 6-0-1 (Adams abstaining).

Consent Agenda Items: All items identified with an asterisk (*) were approved with one Board motion.

It was moved by Boardmember Adams, seconded by Boardmember Esparza that the following item: Z05-04 be approved on consent for a continuance to the February 17, 2005 meeting. Vote: 6-0-1 (Finter abstaining due to conflict of interest).

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch that the consent items be approved. Vote 7-0.

Zoning Cases: *Z04-97, *Z04-105, Z04-106, *Z05-01, *Z05-02, *Z05-03, Z05-04, *Z05-05, *Z05-06, *Z05-07, *Z05-08, *Z05-09, *Z05-10, *Z05-11, *Z05-12, *Z05-13, Z05-14

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Item: **Z04-97 (District 5)** The 4200 Block of East Brown Road (north side). Located west of Greenfield Road and north of Brown Road (1.17± ac). Site Plan Modification. This request is to allow development of an office building. David Gillette, FCF UTAH, LLC, owner; Allen Willis, Amberwood Homes, applicant. Also consider the preliminary plat. **CONTINUED FROM THE OCTOBER 21 AND NOVEMBER 20, 2004 MEETINGS.**

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board withdraw zoning case Z04-97.

Reason for Recommendation: This item was withdrawn and will be resubmitted with the adjacent property to the east.

Vote: Passed 7-0.

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Item: **Z04-105 (District 6)** The 1600 block of South Signal Butte Road (west side). Located south of US 60 and west of Signal Butte Road (66.7 ac.). Requesting a Council Use Permit to allow the development of a Freeway Landmark Monument sign in conjunction with the construction of group commercial center. Bojer Land/Signal Butte, owner; Diversified Partners – Elizabeth Gaston, applicant. **CONTINUED FROM THE DECEMBER 16, 2004 MEETING.**

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board continue zoning case Z04-105 to the February 17, 2005 Meeting

Vote: Passed 7-0.

Reason for Recommendation: The Board felt a continuance was warranted.

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Item: **Z04-106 (District 5)** 2759 North Val Vista Drive. Located east of Val Vista Drive and south of McDowell Road (2.47 ac.). Rezone from R1-35 to O-S-PAD and Site Plan Review to allow for the development of office buildings. Saager Development, L.L.C., (Eric Faas) owner/applicant. Also consider the preliminary plat "Saager Office Complex." **CONTINUED FROM THE DECEMBER 16, 2004 MEETING.**

Comments: Eric Faas, the applicant in the case, provided a brief overview. He stated that this is in a special area of Mesa commonly known as the Citrus Sub Area and it was essential to gain a consensus of the Citrus Area Homeowners (CAH) and he had treated the plan accordingly. Mr. Faas gave specifics of the project and stated that they agreed to add the 6-foot wall because that was a significant item with the neighbors. He also stated that there was a concern with the perimeter trees being too small so they agreed to put in 36" box trees. Mr. Faas briefly went over their Citizen Participation efforts stating that they started their Plan in February 2004 and met with the neighborhood on September 30th and again on November 4th when they gave a presentation to the CAH meeting. He added that that was the first time they had received any opposition to the project.

Chairperson Cowan stated he received a letter from Ms. Caro McDowell, Partner owner of NW corner, 9010 E. Range Rider Trail and asked Mr. Ryan Heiland, Planner II, to read it into the record. Chairperson Cowan also stated the following citizens were in favor of the project but did not wish to speak.

Helen Williams	3057 North Redrock Drive
Cora Lenz	3717 East Pomegranate Street
Bill Burke	3450 East Menlo Street
Jerry Nothman	3436 East Mallory Circle

The citizens stated the following comments:

- Felt it's the best use of the land and the applicant has met all of the CAH requests.
- He is a member of the HOA of Hermosa Groves, adjacent to the area.

Lewis Lenz, 3717 East Pomegranate Street, a resident, stated he is in favor of the project and that the Citrus Area Homeowners did not want to see retail or service stations on these corners so the CAH prepared a Sub Area Plan, which allowed office buildings. Mr. Lenz congratulated the developer on his project and mentioned that this would be the second office project in the citrus area.

Cliff Strait, 2701 North Val Vista Drive, a resident, stated that for over 30 years Joanie Newth and Peggy Rubach had fought against any type of commercial development in this area and that this area was supposed to stay rural. He pointed out that when the Sub Area Plan was being devised he was not a part of that process because he was a strong opponent to any commercial development. He added that until recently there had not been any commercial development on McDowell from Country Club to Greenfield and on Val Vista from Adobe, north to the freeway; noting that the precedent has already been set on Southern Avenue (between 24th Street and Lindsay). He stated that as a property owner he would end up losing value and the only way he could recoup his value is to rezone to commercial. He reiterated that the Citrus Sub Area Plan was approved without his participation and noted that he was not approached by the developer about their intent and that the Sub Area Plan was approved via some variety of "scare tactics" and the way it was done, was that they were told that if they did not approve

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offices they would likely put a convenience store or gas stations.

Mr. Strait noted other concerns such as: loss of privacy, lighting issues and issues with ingress/egress, which was a major hazard. He pointed out that the zoning does not benefit the community and referenced his letter, which lists the conflict of interest the City of Mesa would have. Mr. Strait mentioned that this office complex does not add to the rural area and added that his home had been robbed four times in the past 30 days and to bring this variable of offices increases his exposure. He felt there was an issue with advertising because the staff report states the property was zoned R1-43 when it is actually zoned R1-35.

Mr. Faas addressed comments from the Board and citizens stating that the lighting issue would be addressed at the Design Review Board and they would comply with the standards required. He also stated they had made several attempts to contact Mr. Strait and provided photographs of Mr. Strait's property stating that there are no windows facing his home and that the home is elevated, which makes it even harder to look into. He added that Mr. Strait had not presented any options for compromises.

Boardmember Finter asked the applicant what the height of the trees would be when they mature. Mr. Dan Brock, 145 E. University Drive, architect, responded that the trees would vary in height from 7 feet to 9 feet.

Discussion ensued regarding the location of the buildings and where Mr. Strait's home was located relative to the buildings.

Boardmember Mizner asked the applicant the difference between net and gross area on this site and whether the site plan reflects the accurate parcel size. Mr. Brock responded that their lot coverage is based on the 2.47 acres.

Boardmember Carpenter asked staff to address the comments brought up about the double lines on McDowell Road and the median on Val Vista Drive. Mr. Wesley responded that the Transportation Division has had an opportunity to review the plans and have expressed no concerns about the driveway locations.

Boardmember Finter asked if Mr. Strait resides on the property. Mr. Strait responded that he lives/owns the property, but receives his mail at the P O Box.

Ryan Heiland, Planner II, gave a brief overview, stating that the applicant is requesting to rezone for the development of office buildings. He pointed out that the staff report did have a misprint showing the incorrect zoning and that it should read R1-35. He also noted that the public notice was advertised correctly. Mr. Heiland stated that the project is in conformance with all the City's Codes, Guidelines and the Citrus Sub Area Plan. He addressed concerns regarding the ingress/egress and noted that the Transportation Division had reviewed the site plan and they did not have any concerns with the median or driveways on Val Vista or McDowell. Mr. Heiland explained that after receiving Mr. Strait's email, he took the site plan to the Transportation Division and the Fire Department and they re-expressed that there were no concerns. He also stated that the City of Mesa does not have property taxes and that the development costs would be the same for residential as commercial. He mentioned that the project is required to go to the Design Review Board and that the landscaping and lighting issues would be addressed. Staff is recommending approval of the proposed development.

Chairperson Cowan asked Mr. Heiland how an individual could get in contact with the Design

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Review Board. Mr. Heiland responded that they can contact the Planning Division and get directed to the members.

Boardmember Saemisch also commented that there is a notification process that is required by the Design Review Board, so the neighbors would be notified.

Boardmember Mizner stated he was the Planning Director for the City of Mesa when the Citrus Area Plan was initiated and was heavily involved with staff and the Citrus Area Homeowners. He added that the residents were dogged in their pursuit of a plan that would represent the interest of the residents and property owners. He mentioned that many residents recall the commitments made by previous Councilmember Joan Newth and Mayor Peggy Rubach, but things change. He pointed out that the Citrus Sub Area Plan is a guideline for the Board and the City Council to consider land use requests and one of the recommendations in the Plan was to develop an option for property owners to pursue non-residential development with a project that would fit into the neighborhood.

Mr. Mizner stated that the applicant has met the terms of that Plan and Guidelines and noted that it was unusual for a resident to appear before the Board and oppose a plan that was developed by the residents. He also mentioned that the difference between these residents and the ones on Southern (between 24th St. and Lindsay) is that they never came together with a plan for their area. A plan is in place for this area that calls for the retention of a residential character. The applicant should be commended for their efforts to meet with the neighborhood and added that he is in support of the request.

Boardmember Carpenter thanked Mr. Strait for coming forward and wished he would have come forward earlier because he had raised some interesting questions. She also expressed her concerns for the other three corners and mentioned that upcoming cases in the area would receive a lot of scrutiny.

Boardmember Adams stated that they all knew these corners were going to be difficult and no one ever thought that there would be a freeway in this area and it made great sense for people to build residential, but now the roads are wider, the freeway is in and traffic is increasing; adding that he now has a hard time seeing these corners suitable for residential. He mentioned that the design presented looked similar to large custom homes and they did not look like the standard commercial buildings, they appear to be rather attractive and fit the area nicely. He sympathized with the plight of those who might be affected but stated he would be supporting the case.

Chairperson Cowan commended the applicant in trying to address the need of the larger community. He also thanked and commended Mr. Lenz for being an advocate for his community and mentioned that this is the first time that the Citrus Homeowners Association was pleased with a development. Mr. Cowan stated that he appreciated Mr. Strait for his comments and encouraged him to express his concerns to the Design Review Board and to the City Council. He also recommended that consideration of the screening materials between Mr. Strait's property and this facility be looked at, as well as, looking into hours of operation and lighting. He agreed with the Board that is an appropriate use for this area and also felt that it would be a difficult location for homeowner to build. He stated he was also in favor of the project.

It was moved by Boardmember Finter, seconded by Boardmember Mizner

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That: The Board approve the preliminary plat of "Saager Office Complex" and recommend to the City Council approval of zoning case Z04-106 conditioned upon:

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1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way 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 the Design Review Board.
6. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
7. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: Passed 7-0.

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Item: **Z05-01 (District 6)** 1825 South Val Vista Drive and Inverness Avenue. Located north and east of Baseline Road and Val Vista Drive (2.47 ac.). Site Plan Modification. This request is for the development of a bank. State Farm Mutual; Steven Kalaskie (Director), owner; Jeremy Jones, DWL Architects, applicant. Also consider the preliminary plat "Comerica Bank".

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat of "Comerica Bank" and recommend to the City Council approval of zoning case Z05-01 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Dedicate the right-of-way 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. All street improvements and perimeter landscaping to be installed in the first phase of construction.
7. Compliance with all requirements of the Subdivision Technical Review Committee.
8. Compliance with all requirements of the Design Review Board.
9. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: Passed 7-0.

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Item: **Z05-02 (District 5)** 2830 North Norwalk. Located north and west of McDowell Road and Greenfield Road (5.13 ac.). Site Plan Modification. This request is for the development of industrial buildings. Viewpoint Resort (Dan Reeb), owner; Gregory Hitchens, applicant. Also consider the preliminary plat "Commerce Court II at The Commons".

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat of "Commerce Court II at The Commons" and recommend to the City Council approval of zoning case Z05-02 conditioned upon:

1. Compliance with the conditions of Ordinance #3748 (Z99-99) and the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. Dedicate the right-of-way 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 requirements of the Subdivision Technical Review Committee.
5. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
6. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
7. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: Passed 7-0.

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Item: **Z05-03 (District 1)** The 1300 block of East McKellips Road (south side). Located south and east of McKellips Road and Stapley Drive (8.7 ac.). Rezone from O-S to C-1 PAD and site plan review. This request is for the development of a medical office building and a restaurant. Nupetco Association (Albert Petty), owner; Paul Devers, Jr. – Cawley Architects, applicant. Also consider the preliminary plat “Mesa Family Medical Center” and “McKellips Restaurant”.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board continue zoning case Z05-03 to the February 17, 2005 Meeting.

Vote: Passed 7-0.

Reason for Recommendation: The Board felt a continuance was warranted.

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Item: **Z05-04 (District 5)** 5702 East Main Street. Located south and west of Main Street and Recker Road (8.3 ac.). Rezone from C-2 to R-2 PAD and site plan review. This request is for the development of a town home development. Dan Mikalacki, owner/applicant. Also consider the preliminary plat "Main Street Casitas".

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Adams, seconded by Boardmember Esparza

That: The Board continue zoning case Z05-04 to the February 17, 2005 Meeting.

Vote: Passed 6-0-1 (Finter abstaining due to a conflict of interest).

Reason for Recommendation: The Board felt a continuance was warranted.

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Item: **Z05-05 (District 6)** The 9000 block of East Guadalupe Road (south side). Located south and west of Guadalupe Road and Ellsworth Road (8.2 ac.). Rezone from R-2 DMP to R-2 BIZ-PAD-DMP and site plan review. This request is to allow for the development of a town home development. Donald J. Zeleznail, owner; Jason P. Allen, applicant. Also consider the preliminary plat "The Village at San Tan".

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat of "The Village at San Tan" and recommend to the City Council approval of zoning case Z05-05 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with the Residential Development Guidelines.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way 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 the Subdivision Technical Review Committee.
6. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
8. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.
9. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
10. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: Passed 7-0.

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Item: **Z05-06 (District 6)** 6225 East Test Drive. Located south and west of US 60 and Superstition Springs Boulevard (3.18 ac.). Rezone from M-1 PAD to M-1 PAD BIZ and site plan review. This request is to allow auto dealer facility to exceed the maximum number of permitted stories. John Stalupi Jr., owner; Barry Barcus, applicant.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board recommend to the City Council approval of zoning case Z05-06 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, except as noted below.
2. Compliance with all requirements of the Design Review Staff.
3. Compliance with all Superstition Springs Auto Park Development Guidelines (Parcel 7).
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).

Vote: Passed 7-0.

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Item: **Z05-07 (District 4)** The 800 block of West Broadway Road (south side). Located on the southwest corner of Broadway and Extension Roads (0.87 ac.). Rezone from M-1 to M-1 PAD and site plan review. This request is to facilitate individual building ownership in an existing industrial commercial development. R. Cutler, owner; Gary D. Wenger, applicant. Also consider the preliminary plat.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat and recommend to the City Council approval of zoning case Z05-07 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, except as noted below.
2. Compliance with all requirements of the Subdivision Technical Review Committee.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Approval and Compliance with all requirements of a Substantial Conformance Improvement Permit (SCIP).

Vote: Passed 7-0.

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Item: **Z05-08 (District 5)** 6116 East Arbor Avenue. Located south and east of Main Street and Recker Road (4.59 ac.). Rezone from C-2 to C-2 PAD and site plan review. This request is to allow for medical office condominiums. Michael Hamberlin, owner; Steven Nevala, applicant. Also consider the preliminary plat "Baywood Professional Plaza".

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat of "Baywood Professional Plaza" and recommend to the City Council approval of zoning case Z05-08 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary plat submitted except as noted below.
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Subdivision Technical Review Committee.
5. All street improvements and landscaping to be installed in the first phase of construction.
6. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: Passed 7-0.

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Item: **Z05-09 (District 6)** 10646 East Pecos Road. Located north and west of Pecos Road and the alignment of Signal Butte Road (2.9 ac.). Site Plan Review. This request is to allow for a general contractors yard and associated office. Dave Jarvis, owner; Laurel Hodges, applicant.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mziner, seconded by Boardmember Saemisch

That: The Board recommend to the City Council approval of zoning case Z05-09 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary plat submitted except as noted below.
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. All street improvements and landscaping to be installed in the first phase of construction.
5. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (prior to the issuance of a building permit).
6. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: Passed 7-0.

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Item: **Z05-10 (District 5)** 6740 East University Drive. Located north and west of University Drive and Power Road (1.08 ac.). Site Plan Modification. This request is to allow for the development of an inline general commercial center. Dan Mikalacki, owner/applicant.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board recommend to the City Council approval of zoning case Z05-10 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, except as noted below.
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication whichever comes first.
5. All street improvements and street frontage landscaping to be installed in the first phase of construction.
6. Recordation of cross-access easements between all lots shown to have cross access.

Vote: Passed 7-0.

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Item: **Z05-11 (District 6)** The 5200 to 5300 Block of East Southern Avenue (south side). Located south of Southern Avenue and east of Higley Road (1.38 ac.). Site Plan Modification. This request is to allow for the development of a retail pad for a car wash. Rick Stertz, Strategic Asset Acquisition, LLC, owner; Rick Huch, Seaver Franks Architect Inc., applicant.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board recommend to the City Council approval of zoning case Z05-11 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations as submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Design Review Board.
5. Review and approval of a Special Use Permit by the Board of Adjustment for the car wash.

Vote: Passed 7-0.

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Item: **Z05-12 (District 6)** The 4600 to 5600 blocks of South Mountain Road (west side) and the 10800-11200 blocks of East Galveston Street (north side). Located east of the Signal Butte Road alignment, north and south of Ray Road. (572.71 ac.). Rezone from Maricopa County Rural-43 to City of Mesa R1-43. This case involves the establishment of City zoning on recently annexed property. Pulte Homes (Andrew E. Moore with Earl, Curley & Lagarde, P.C.), owner; City of Mesa, applicant.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board recommend to the City Council approval of zoning case Z05-12 conditioned upon:

1. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
2. Compliance with all City development codes and regulations.

Vote: Passed 7-0.

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Item: **Z05-13 (District 6)** 4566 East Inverness Avenue. Located north of Baseline Road and east of Greenfield Road. (2.24 ac.). Modification to the PAD overlay. This request is to allow the subdivision of an existing office building. East Valley Medical Office Building, LLC, owner; Mark Mullen, applicant. Also consider the preliminary plat.

Comments: This item was on the consent agenda, therefore, it was not discussed individually.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board approve the preliminary plat and recommend to the City Council approval of zoning case Z05-13 conditioned upon:

1. Compliance with the preliminary plat and basic development as described in the project narrative and as shown on the site plan submitted, except as noted below.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. Compliance with all requirements of the Subdivision Technical Review Committee.

Vote: Passed 7-0.

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MINUTES OF THE JANUARY 20, 2005 PLANNING AND ZONING MEETING

Item: **Z05-14 (District 2)** 1905 South Lindsay Road. Located north of Baseline Road and east of Lindsay Road. (0.87 ac.). Rezone from R1-9 to O-S and Site Plan Review. This request is to allow for the development of offices. Kenneth D. Russell, owner; Christian Bowers, Piping Systems, applicant.

Comments: Christian Bowers, applicant, stated they are requesting a rezoning for an office building and future expansion. He stated they are converting the front into a professional office and building an office on the east side. He mentioned they have met with the Planning staff and had received input, which they have incorporated into the plan adding that they are also required to get a Substantial Conformance Improvement Permit (SCIP). Mr. Bowers stated they have met with the neighborhood and their concerns were the look of the building, lighting, the wall and traffic in the area. He noted that these issues would be addressed with the Design Review Board and that there would be little traffic in the area.

Eric Duncan, 2858 E. Javelina Avenue, resident, stated he had concerns with the property being rezoned to business because it would not benefit or add value to the community. He added that he would like to see this area kept residential and that there is plenty of opportunity for a business to go elsewhere.

Liz Zeller, Planner I, gave an overview of the proposed office project stating that the site is disjointed from the surrounding neighborhood because it fronts Lindsay Road and all traffic would access off of Lindsay Road making it hard for a resident to locate in this area. She stated staff is recommending approval.

Boardmember Adams asked Ms. Zeller if the parking requirement were adequate for this project. Ms. Zeller responded that parking is adequate and as the applicant has stated there is going to be very few employees on site, so staff feel it is sufficient for the employees and customers.

Lindsay Coleman, 2812 East Javelina Avenue, resident, asked if the property does not get rezoned does it stay as single family or can someone put three houses on the lot. She also mentioned that the residence had been vacant for about four years causing many problems. She stated she is in favor of putting in offices as long as the foot and car traffic were not too heavy. She also added that putting a 6-foot fence and lighting would help.

Ms. Zeller responded that the zoning is R1-9, so they would have to maintain the lot size and frontage for this zoning district and would have to have access from a public right-of-way.

Discussion ensued between Boardmember Saemisch and Ms. Zeller regarding the driveways. It was mentioned that there was not an access to the rear portion of the property and that there would be a gate just for fire access.

Boardmember Saemisch asked the applicant if he would stipulate to not using Fontana as an entrance in the future. Mr. Bowers responded Yes.

Boardmember Adams asked the applicant if the site plan showed an elevated median. Mr. Bower responded that there is not a median it is just striped and the Transportation Division had asked them to show the median on the site plan.

Boardmember Carpenter asked what happens to the zoning on the retention basin. Ms. Zeller

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responded that it is typically considered part of the housing development and takes on that zoning.

It was moved by Boardmember Mizner, seconded by Boardmember Saemisch

That: The Board recommend to the City Council approval of zoning case Z05-14 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations as submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Design Review Board.
5. Compliance with all requirements of a Substantial Conformance Improvement Permit.
6. No pedestrian or vehicular access to Fontana Street.

Vote: Passed 7-0.

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Respectfully submitted,

John Wesley, Secretary
Planning Director

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