

## CITY OF MESA

### MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers

Date April 19, 2007 Time 4:00 p.m.

#### MEMBERS PRESENT

Rich Adams, Chair  
Alex Finter, Vice-Chair  
Frank Mizner  
Pat Esparza  
Randy Carter

#### MEMBERS ABSENT

Jared Langkilde, excused  
Ken Salas, excused

#### OTHERS PRESENT

John Wesley  
Dorothy Chimel  
Tom Ellsworth  
Jennifer Gniffke  
Joe Welliver  
Maria Salaiz  
Kelly Arredondo  
Jeff McVay

Mia Lozano-Helland  
Jim Passey  
Cory Whittaker  
Krissa Lucas  
Wahid Alam  
Hector Tapia  
Joy Spezeski  
Rob Dmohowski

Alan Sanderson  
Ralph Pew  
Fred Woods  
Reese Anderson  
Dorothy Shupe  
Others

Chairperson Adams declared a quorum present and the meeting was called to order at 4:00 p.m. He acknowledged and welcomed Randy Carter as the new Boardmember.

It was moved by Boardmember Mizner, seconded by Boardmember Esparza that the minutes of the March 22, 2007 regular meeting, and the study session minutes of March 20, 2007 and March 22, 2007 meeting be approved as submitted. Vote: 5-0 with Boardmembers Langkilde and Salas absent.

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

It was moved by Boardmember Esparza, seconded by Boardmember Mizner that the consent items be approved. Vote: 5-0 with Boardmembers Langkilde and Salas absent.

The meeting was recorded on tape and dated April 19, 2007. Before adjournment at 7:40 p.m., action was taken on the following items:

Zoning Cases: GPMInor07-03, GPMInor07-04, GPMInor07-05, \*Z06-97, Z07-15, \*Z07-27, Z07-28, \*Z07-29, Z07-30, \*Z07-31, \*Z07-32, Z07-33, Z07-34.

## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **GPMinor07-03 (District 3)** 1350 West Main Street. Located west of Alma School Road and north of Main Street (3.32± ac.). Minor General Plan Amendment to change the General Plan Land Use Map from Mixed-Use Residential 30 percent at 15+ dwelling units per acre (MUR 15+) to High Density Residential 15+ dwelling units per acre (HDR 15+). Dan Randal/Mulberry Business Park, LLC, owner; Fred Woods/Fred Woods Architecture, applicant. **COMPANION CASE Z07-28.**

Comments: Fred Woods, 1755 S. Val Vista, Mesa, AZ, applicant, stated that they are proposing a project consisting of 57 townhomes and 13 retail shops; adding that they are also proposing the abandonment of Standage Avenue, which runs through the middle of their project. He mentioned that they have support from the Engineering and Transportation Departments for the abandonment. He explained the process given by Engineering for the abandonment and added that the applicant would be responsible for reconfiguring the driveways to the two existing homes. He further explained that this project is in anticipation of the light rail and that this mixed-use development is exactly what West Main Street needs. Mr. Fred Woods stated that they are proposing parallel parking along Main Street and briefly described the access to the property and the three-story mixed used townhome development.

Tom Comer, 1418 W. Pepper Place, resident, stated he is not against development but objects to the closing of Standage Avenue.

The following individuals spoke in opposition:

Carson Coffelt	1425 W. Pepper Place
Joan Woods	1401 W. Pepper Place
David Stewart	1401 W. Pepper Place
Logan Roberts	1440 W. Main Street

Their concerns included:

- Object to the closing of Standage Avenue
- Lighting issues
- Density in area will increase
- Increased traffic and not enough parking
- Increased crime in the area
- Loss of privacy and safety
- Against putting in the cul-de-sac

The following individuals spoke in favor:

Gregory Woods	1426 W. Pepper Place
Ora Coleman	1353 W. Pepper Place
Dianne Woods	1426 W. Pepper Place
David Richens	567 W. 10 <sup>th</sup> Street

Comments included:

- Would be a good use of the light-rail
- Proposal would be an advantage to the neighborhood
- Supports staff's recommendation for continuance to work out concerns
- Need new development in the area
- Would eliminate undesirable foot-traffic
- Good infill development

## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Jeff McVay, Senior Planner, gave an overview stating that the Minor Amendment request is to accommodate the density proposed and address the mixed-use residential category; adding that staff is in support of this request; it complies with the goals for redevelopment of West Main Street and the growing vision of the West Main Street Area Plan. He stated that staff has concerns related to the townhomes, which include the landscape buffer between the townhomes and adjacent neighbors, the tunnel effect created by garages facing each other, potential conflicts between vehicles backing into drive aisles and entering the site, and landscape setbacks. He stated that staff is recommending continuance to address the issues. He mentioned that there are solutions available through revised site planning, screening and innovative designs of the buildings.

Mr. McVay stated that this project is along the light rail corridor and is intended to be a Transit Oriented Development (TOD) and noted, however, that the site plan creates an auto oriented development that does not tie the residential properties to Main Street, the commercial, or encourages pedestrian activity, which is staff's goal.

Mr. Fred Woods recognized the people who helped with this project and responded that the two-story townhomes behind the mixed used project is exactly what's needed to help buffer their project from the adjacent neighborhood. He explained the design of the project and urged the Board for support; adding that they are opposed to a continuance because the owner has financing in place and needs to sell houses before the light rail reaches Mesa.

Boardmember Carter asked if there was anything in the Code, which states that the live/work units could be used as "residential only" if the retail was not in place; he added that this is a wonderful project but needs to be "tweaked" and looked at by Design Review and Subdivision Technical Review. Mr. Fred Woods responded that their idea was that it would always be retail; adding that this product is so unique that there will be a high demand for these townhomes.

Mr. McVay also commented that the intent of the Code is that there will always be a commercial use. Discussion ensued regarding using the retail portion as residential, landscaping and redesigning the placement of the buildings.

Boardmember Esparza agreed with Boardmember Carter's comments about retaining the retail portion. She stated she is excited and supportive of this type of design but had concerns regarding parking and the garages when this proposal is supposed to be a TOD project. She commended the neighbors for their support.

Chairperson Adams asked what kind of businesses were envisioned and also mentioned that he had concerns with the parking adequacy and the "concrete canyon" effect. Mr. Fred Woods responded that they envisioned these units to be used by real estate personnel, artists, a sandwich shop, lawyers, architects, etc. He stated that besides the residential parking, they have double the required visitor parking. He stated that the parking along Main Street was vital to this project; adding that the HOA would enforce the parking issues.

Mr. McVay stated that in a Transit Oriented Development, the intent is to reduce the dependency on automobiles; he added that based on Code requirements there is excess guest parking for this type of development. There is also concern with parking for the retail along Main Street; adding that it's the intent of the Transportation Department to make West Main Street more like downtown Mesa, with parallel parking and shared parking lots.

## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Boardmember Mizner stated he wanted to support the project because West Main Street needs new development but noted that this project is not a TOD; adding that the light rail is a half mile away, there are no bus stops in the area and noted that people would not walk to them during the summer months. He stated he could not support this project because there are challenges with parking, the garages, the current design, and not enough buffer or protection for the residents to the north.

Boardmember Finter asked the applicant to explain his email regarding that "a continuance would kill this project" and the concerns raised for the abandonment of Standage Avenue. Mr. Fred Woods responded that the issues raised by staff have been addressed and reiterated that financing is in place and that the homes cannot be sold without the two-car garages. He stated that the project is ready to move forward and urged the Board for approval. He stated that the neighbors would not incur any costs for the abandonment of Standage Avenue or the improvements to the driveways and mentioned that a solution could be reached.

Chairperson Adams asked what staff hoped to accomplish with a continuance. Mr. McVay responded that staff's goal is to create a true TOD project; adding that throughout the process, staff has heard how this project would take advantage of the light rail and it's staff's intent to work towards that goal, if that is not a possibility, then it's staff intent to work toward addressing the rest of the site concerns.

Discussion ensued regarding whether or not this project meets the goals of a transit-oriented development and the redesigning of the project to meet those goals.

Dorothy ChimeI, Principal Planner, commented that this request is for a BIZ overlay, if the applicant wanted to make additional modifications, it could not happen at the Design Review Board or at Subdivision Technical Review but the purview of this Board.

Boardmember Mizner moved to approve the GPMInor 07-03 stating that it's consistent with the TOD requirements. Seconded by Boardmember Esparza.

The Board approves and recommends to the City Council approval of GPMInor07-03

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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**Note: Audiotapes 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.cityofmesa.org](http://www.cityofmesa.org)**

## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **GPMInor07-04 (District 6)** The 1300 to 1500 block of South Sossaman Road (west side). Located south of Southern Avenue and west of Sossaman Road (19.98± ac.). Minor General Plan Amendment to change the General Plan Land Use Map from Business Park (BP) to Community Commercial (CC). John D. Kothe, Vice President of T. Wall Properties Arizona L.L.C. manager of Superstition Springs Commerce Park, LLC, owner; Steven Ybarra, applicant. **COMPANION CASE Z07-30.**

Comments: Steven Ybarra, 600 Wilshire Blvd, Los Angeles, CA, applicant, introduced the members of his team and gave a brief overview of the project stating they are developing a 160,000 sq.ft. Costco.

Jennifer Gniffke, Planner II, gave an overview of the project stating that this proposal is for two different requests. The Minor General Plan Amendment, which will change the land use designation from Business Park to Community Commercial to allow for retail. The zoning request involves site plan details, which involves modifying the Superstition Springs DMP from Employment to Commercial. She mentioned the commercial portion is very conceptual at this time, which is for a five-acre future retail development that will require Site Plan Review. The 16-acre industrial on the west is for SPM because the layout of the site has changed from a previously approved site plan. Ms. Gniffke stated that there are several requested modifications involving landscaping and staff is in support of those requests. Staff is recommending approval subject to approval of the Minor General Plan Amendment.

Boardmember Mizner mentioned that there was some discussion regarding access to this site from Sossaman Road and concerns expressed by the Traffic Engineer that would require crossing an ADOT right-of-way.

Ms. Gniffke stated that the plan in the packet shows the driveway slightly north of Hopi and is the location supported by the Transportation Department. The exhibit provided during the study session showed a revised location, which is not supported by the City's Transportation Department.

Dell Huntington, 610 SW Alder, Portland, OR, stated they had preliminary conversations with Mr. Sanderson and he asked them to work with ADOT. He stated they provided ADOT a site plan with the driveway directly across from Hopi and mentioned that ADOT could support it if that was the direction of the City. Mr. Huntington stated that Mr. Sanderson prefers the driveway north of the ADOT right-of-way, adding that they do not have a concrete decision on the placement of the driveway.

Peter Clement, Costco's representative, 500 S. State College, Los Angeles, CA, stated that they prefer the design exhibit submitted during the study session. He stated the exhibit in the packet causes a lot of illegal traffic movement and not an easy problem to solve. He mentioned they want to make it easier for their trucks to leave and by moving the driveway north, prevents them from making a smooth movement. He stated they are meeting with Mr. Sanderson to work out a design.

Alan Sanderson, City Traffic Engineer, mentioned that he met with Costco's engineer and was not comfortable with the island design presented. He stated there are a number of options to address and suggested that it be left up to them to work out the issues and is confident that a solution could be reached.

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Boardmember Carter stated he had concerns regarding the parking configuration and asked if any thought had been given to elevate the dense point on the corner where everyone enters.

Mr. Huntington explained that one advantage to this property is that there is good access to the north at Hampton for inbound traffic. He also explained that they have analyzed the traffic and have designed a dual left turn traffic signal; adding that they have been working with the architect to make sure they have enough stacking distance for vehicles.

Boardmember Carter asked that the Design Review Board look at this particular area of concern.

Boardmember Finter asked Mr. Clement to give a brief overview of Costco's future plans for Mesa and the timeline for relocating. Mr. Clement responded they love and want to stay in Mesa and noted that they are being held back from doing a higher volume project because of constraints that the site demands and by moving they can serve the community better. He mentioned that relocating will be done overnight.

Boardmember Mizner moved to approve GPMInor07-04 noting that the proposed changes are compatible with the area and will facilitate the economic development of this portion of Mesa. Seconded by Boardmember Esparza.

The Board approve and recommends to the City Council approval of GPMInor07-04

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **GPMInor07-05 (District 6)** The 1200 block of South Sossaman Road (west side). Located southwest of Southern Avenue and Sossaman Road (5± ac.). Minor General Plan Amendment to change the General Plan Land Use Map from Business Park (BP) to Neighborhood Commercial (NC). Michael A. DeBell, Executive Vice President of Superstition Springs Investors LP, owner; Shelly McTee, applicant. **COMPANION CASE Z07-34.**

Comments: Shelly McTee, applicant, asked to have both cases heard together. She stated that they are requesting a minor General Plan Amendment and rezoning to allow for the proposal of two buildings, a "Fresh and Easy" grocery store and retail uses. She noted they are moving forward with the Design Review Board and have been asked move the trash enclosures, which they are doing. She pointed out concerns by neighbors and the Traffic Engineer regarding the access to Southern Avenue, which will be restricted to a "right in/right out" turn only. She added that this is an appropriate project for this area, which will provide convenient shopping and sales taxes for the City. Ms. McTee explained their citizen participation efforts and noted that the neighbors are in support; adding that they are in agreement with the conditions of approval.

Jennifer Gniffke, Planner II, gave a brief overview stating that these are two companion cases and noted the two changes mentioned by the applicant, which is to move the trash enclosures and provide a "right in/right out" only driveway; adding that staff is recommending approval with conditions.

Boardmember Carter noted Condition #2 regarding the vehicular cross access easement and asked staff if both driveways would be in existence. Ms. Gniffke explained that the cross access easement was requested for both the northwest and southwest corners to provide more vehicular movement throughout the area and the easement requested will be on this subject site to allow for cross access with the sites to the west.

Ms. McTee also responded that both driveways would stay; adding that they will put the easement on their property and that it is not their intention to delete neither of the driveways.

Dorothy Chimel, Principal Planner, added that it is not the intention of staff to delete either of the driveways. Should the adjoining parcels be agreeable to providing cross access, this site would already have that condition embedded.

It was moved by Boardmember Carter, seconded by Boardmember Finter

That: The Board approve and recommend to the City Council approval of GPMInor07-05

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z06-97 (District 6)** The 11000 to 11300 block of East Pecos Road (north side) and the 6700 to 6800 block of South Mountain Road (east side). Located at the northeast corner of Pecos and Mountain Roads (12.70± ac.). Rezone from AG to M-1-PAD and Site Plan Review. This request will allow for the development of industrial offices/warehouses. Jason Dupuy, owner; Randolph Carter, Dream Catchers Planning and Design, LLC, applicant. Also consider the preliminary plat of "Dupuy Construction Office". **CONTINUED FROM THE DECEMBER 21, 2006, JANUARY 18, 2007, FEBRUARY 15, 2007 AND MARCH 22, 2007 MEETINGS.**

Comments: A second consent agenda was held due to a potential conflict of interest by Boardmember Carter.

Boardmember Mizner commented that this case had already been continued four times and that the Board will hear it on May 17, 2007.

It was moved by Boardmember Esparza, seconded by Boardmember Mizner

That: The Board continue zoning case Z06-97 to the May 17, 2007 meeting.

Vote: Passed 4-0-1 with Boardmember Carter abstaining and Boardmembers Langkilde and Salas absent.

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MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z07-15 (District 6)** 8743 East Pecos Road. Located west of Ellsworth Road on the south side of Pecos Road (10.5± ac.). Rezone from AG to M-1 PAD and O-S and Site Plan Review. This request will allow the development of a new office/warehouse development. Allen Marsh, Pecos Gateway, LLC, owner; Michael P. Monroe, Archicon, L.C., applicant. **CONTINUED FROM THE FEBRUARY 15, 2007 AND MARCH 22, 2007 MEETINGS.**

Comments: Boardmember Carter declared that he has had conversations with individuals regarding this case and does not have any financial dealings with the applicants or neighbors and would be participating in discussions.

Reese Anderson, 1930 E. Brown Rd, Mesa, AZ, applicant, stated that this case was discussed in detail in February; adding that they have worked hard and diligently with the neighborhood to come up with a good compromise. He briefly explained the revised site plan and mentioned that the neighbors are reviewing the deed restrictions. He urged the Board for support to the Zoning Administrator for a variance regarding the wall.

Doug Chapman, 8715 E. Woodland Avenue, representing Queens Park subdivision, thanked the Board and staff for allowing the continuance to work out a compromise. He concurred with staff's recommendation of support.

Chairperson Adams commented that it is rewarding to see that a compromise was reached.

Jennifer Gniffke gave a brief overview stating that the southernmost portion of the site was changed to accommodate more of a buffer zone between the industrial uses and the neighbors. She stated staff is in support of the proposal and recommending approval with conditions.

It was moved by Boardmember Mizner, seconded by Boardmember Esparza

That: The Board approve and recommend to the City Council approval of zoning case Z07-15 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan dated April 9<sup>th</sup>, 2007, and elevations submitted (without guarantee of lot yield, building count, or lot coverage).
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all City development codes and regulations.
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. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. 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).
7. Written notice be provided to future tenants, and acknowledgment received that the project is within one mile of Williams Gateway Airport.

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z07-27 (District 5)** The 3800 block of North Higley Road (east side). Located north of Thomas Road and east of Higley Road (9.84± ac.). Rezone from R1-90 (conceptual M-1) to M-1 and Site Plan Review. This request will allow the development of an industrial subdivision. Inez M. Boyle, Boyle Family Investments, LLC, owner; Jeff Welker, applicant. Also consider the preliminary plat for "Higley and Thomas" commercial subdivision.

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

It was moved by Boardmember Esparza, seconded by Boardmember Mizner

That: The Board approve the preliminary plat of "Higley and Thomas" and recommend to the City Council approval of zoning case Z07-27 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot yield, building count, or lot coverage).
2. Site Plan Review through the public hearing process of future development plans.
3. Compliance with all requirements of the Subdivision Technical Review Committee.
4. Compliance with all City development codes and regulations.
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. The owner shall grant an Avigation Easement and Release to the City, pertaining to Falcon Field Airport, which will be prepared and recorded by the City.
7. Written notice be provided to future tenants, and acknowledgement received, that the project is within 5 miles of Falcon Field Airport, and will be subject to noise that may be objectionable.

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z07-28 (District 3)** 1350 West Main Street. Located west of Alma School Road and north of Main Street (3.32± ac.). Rezone from C-3 to C-1 BIZ CUP and R-4-BIZ and Site Plan Review. This request will allow the development of a mixed-use office/retail and townhouse development. Dan Randal/Mulberry Business Park, LLC, owner; Fred Woods/Fred Woods Architecture, applicant. Also consider the preliminary plat for "West Main Station Village". **COMPANION CASE GPMInor07-03.**

Comments: Fred Woods, 1755 S. Val Vista, Mesa, AZ, applicant, stated that they are proposing a project consisting of 57 townhomes and 13 retail shops; adding that they are also proposing the abandonment of Standage Avenue, which runs through the middle of their project. He mentioned that they have support from the Engineering and Transportation Departments for the abandonment. He explained the process given by Engineering for the abandonment and added that the applicant would be responsible for reconfiguring the driveways to the two existing homes. He further explained that this project is in anticipation of the light rail and that this mixed-use development is exactly what West Main Street needs. Mr. Fred Woods stated that they are proposing parallel parking along Main Street and briefly described the access to the property and the three-story mixed used townhome development.

Tom Comer, 1418 W. Pepper Place, resident, stated he is not against development but objects to the closing of Standage Avenue.

The following individuals spoke in opposition:

Carson Coffelt	1425 W. Pepper Place
Joan Woods	1401 W. Pepper Place
David Stewart	1401 W. Pepper Place
Logan Roberts	1440 W. Main Street

Their concerns included:

- Object to the closing of Standage Avenue
- Lighting issues
- Density in area will increase
- Increased traffic and not enough parking
- Increased crime in the area
- Loss of privacy and safety
- Against putting in the cul-de-sac

The following individuals spoke in favor:

Gregory Woods	1426 W. Pepper Place
Ora Coleman	1353 W. Pepper Place
Dianne Woods	1426 W. Pepper Place
David Richens	567 W. 10 <sup>th</sup> Street

Comments included:

- Would be a good use of the light-rail
- Proposal would be an advantage to the neighborhood
- Supports staff's recommendation for continuance to work out concerns
- Need new development in the area
- Would eliminate undesirable foot-traffic
- Good infill development

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Jeff McVay, Senior Planner, gave an overview stating that the Minor Amendment request is to accommodate the density proposed and address the mixed-use residential category; adding that staff is in support of this request; it complies with the goals for redevelopment of West Main Street and the growing vision of the West Main Street Area Plan. He stated that staff has concerns related to the townhomes, which include the landscape buffer between the townhomes and adjacent neighbors, the tunnel effect created by garages facing each other, potential conflicts between vehicles backing into drive aisles and entering the site, and landscape setbacks. He stated that staff is recommending continuance to address the issues. He mentioned that there are solutions available through revised site planning, screening and innovative designs of the buildings.

Mr. McVay stated that this project is along the light rail corridor and is intended to be a Transit Oriented Development (TOD) and noted, however, that the site plan creates an auto oriented development that does not tie the residential properties to Main Street, the commercial, or encourages pedestrian activity, which is staff's goal.

Mr. Fred Woods recognized the people who helped with this project and responded that the two-story townhomes behind the mixed used project is exactly what's needed to help buffer their project from the adjacent neighborhood. He explained the design of the project and urged the Board for support; adding that they are opposed to a continuance because the owner has financing in place and needs to sell houses before the light rail reaches Mesa.

Boardmember Carter asked if there was anything in the Code, which states that the live/work units could be used as "residential only" if the retail was not in place; he added that this is a wonderful project but needs to be "tweaked" and looked at by Design Review and Subdivision Technical Review. Mr. Fred Woods responded that their idea was that it would always be retail; adding that this product is so unique that there will be a high demand for these townhomes.

Mr. McVay also commented that the intent of the Code is that there will always be a commercial use. Discussion ensued regarding using the retail portion as residential, landscaping and redesigning the placement of the buildings.

Boardmember Esparza agreed with Boardmember Carter's comments about retaining the retail portion. She stated she is excited and supportive of this type of design but had concerns regarding parking and the garages when this proposal is supposed to be a TOD project. She commended the neighbors for their support.

Chairperson Adams asked what kind of businesses were envisioned and also mentioned that he had concerns with the parking adequacy and the "concrete canyon" effect. Mr. Fred Woods responded that they envisioned these units to be used by real estate personnel, artists, a sandwich shop, lawyers, architects, etc. He stated that besides the residential parking, they have double the required visitor parking. He stated that the parking along Main Street was vital to this project; adding that the HOA would enforce the parking issues.

Mr. McVay stated that in a Transit Oriented Development, the intent is to reduce the dependency on automobiles; he added that based on Code requirements there is excess guest parking for this type of development. There is also concern with parking for the retail along Main Street; adding that it's the intent of the Transportation Department to make West Main Street more like downtown Mesa, with parallel parking and shared parking lots.

Boardmember Mizner stated he wanted to support the project because West Main Street needs new development but noted that this project is not a TOD; adding that the light rail is a half mile

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away, there are no bus stops in the area and noted that people would not walk to them during the summer months. He stated he could not support this project because there are challenges with parking, the garages, the current design, and not enough buffer or protection for the residents to the north.

Boardmember Finter asked the applicant to explain his email regarding that “a continuance would kill this project” and the concerns raised for the abandonment of Standage Avenue. Mr. Fred Woods responded that the issues raised by staff have been addressed and reiterated that financing is in place and that the homes cannot be sold without the two-car garages. He stated that the project is ready to move forward and urged the Board for approval. He stated that the neighbors would not incur any costs for the abandonment of Standage Avenue or the improvements to the driveways and mentioned that a solution could be reached.

Chairperson Adams asked what staff hoped to accomplish with a continuance. Mr. McVay responded that staff’s goal is to create a true TOD project; adding that throughout the process, staff has heard how this project would take advantage of the light rail and it’s staff’s intent to work towards that goal, if that is not a possibility, then it’s staff intent to work toward addressing the rest of the site concerns.

Discussion ensued regarding whether or not this project meets the goals of a transit-oriented development and the redesigning of the project to meet those goals.

Dorothy Chimel, Principal Planner, commented that this request is for a BIZ overlay, if the applicant wanted to make additional modifications, it could not happen at the Design Review Board or at Subdivision Technical Review but the purview of this Board.

It was moved by Boardmember Mizner to deny zoning case Z07-28, noting that this project does not meet the goals for TOD, there are too many exceptions to current Code requirements and there is not enough buffering for the residents to the north. Seconded by Boardmember Adams.

The Board recommends denial to City Council of zoning case Z07-28.

Vote: 3-2 with Boardmembers Finter and Carter nay, Langkilde and Salas absent.

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MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z07-29 (District 6)** 7530 East Hampton Avenue (north side). Located south of Southern Avenue and west of Sossaman Road (3.7± ac.). Site Plan Modification. This request will allow the development of an auto body repair shop and future office warehouse buildings. Eric B. Muilenberg, owner; Michael Jorgensen, Cawley Architects, applicant. Also consider the preliminary plat for "Superstition Springs Collision".

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

It was moved by Boardmember Esparza, seconded by Boardmember Mizner

That: The Board approve the preliminary plat of "Superstition Springs Collision" and zoning case Z07-29 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, or lot coverage).
2. Site Plan Review through the public hearing process of future development plans.
3. Additional architectural detail to be provided on the east building elevation, and review and approval by Design Review Staff of the east building elevation prior to submittal of construction plans.
4. Provide parking lot landscape islands at each end of a row of public parking spaces and in between for a maximum eight (8) contiguous public parking spaces.
5. Compliance with all City development codes and regulations.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Recordation of a cross-access easement at the southeast side of Lot 3, to allow vehicular cross-access between Lot 3 and the adjoining development to the east.
8. 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).
9. Written notice be provided to future owners, and acknowledgment received that the project is within five miles of Williams Gateway Airport.

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z07-30 (District 6)** The 1300 to 1500 block of South Sossaman Road (west side). Located south of Southern Avenue and west of Sossaman Road (34.5± ac.). Site Plan Modification, Modification of the Superstition Springs Development Master Plan, and rezone the eastern portion of the site from M-1-PAD-DMP to C-2-PAD-DMP. This request will allow for the development of a Costco, an industrial park and a future retail development. John D. Kothe, Vice President of T. Wall Properties Arizona L.L.C. manager of Superstition Springs Commerce Park, LLC, owner; Steven Ybarra, applicant. Also consider of the preliminary plat "Costco Wholesale and Superstition Commerce Park". **COMPANION CASE GMinor07-04.**

Comments: Steven Ybarra, 600 Wilshire Blvd, Los Angeles, CA, applicant, introduced the members of his team and gave a brief overview of the project stating they are developing a 160,000 sq.ft. Costco.

Jennifer Gniffke, Planner II, gave an overview of the project stating that this proposal is for two different requests. The Minor General Plan Amendment, which will change the land use designation from Business Park to Community Commercial to allow for retail. The zoning request involves site plan details, which involves modifying the Superstition Springs DMP from Employment to Commercial. She mentioned the commercial portion is very conceptual at this time, which is for a five-acre future retail development that will require Site Plan Review. The 16-acre industrial on the west is for SPM because the layout of the site has changed from a previously approved site plan. Ms. Gniffke stated that there are several requested modifications involving landscaping and staff is in support of those requests. Staff is recommending approval subject to approval of the Minor General Plan Amendment.

Boardmember Mizner mentioned that there was some discussion regarding access to this site from Sossaman Road and concerns expressed by the Traffic Engineer that would require crossing an ADOT right-of-way.

Ms. Gniffke stated that the plan in the packet shows the driveway slightly north of Hopi and is the location supported by the Transportation Department. The exhibit provided during the study session showed a revised location, which is not supported by the City's Transportation Department.

Dell Huntington, 610 SW Alder, Portland, OR, stated they had preliminary conversations with Mr. Sanderson and he asked them to work with ADOT. He stated they provided ADOT a site plan with the driveway directly across from Hopi and mentioned that ADOT could support it if that was the direction of the City. Mr. Huntington stated that Mr. Sanderson prefers the driveway north of the ADOT right-of-way, adding that they do not have a concrete decision on the placement of the driveway.

Peter Clement, Costco's representative, 500 S. State College, Los Angeles, CA, stated that they prefer the design exhibit submitted during the study session. He stated the exhibit in the packet causes a lot of illegal traffic movement and not an easy problem to solve. He mentioned they want to make it easier for their trucks to leave and by moving the driveway north, prevents them from making a smooth movement. He stated they are meeting with Mr. Sanderson to work out a design.

Alan Sanderson, City Traffic Engineer, mentioned that he met with Costco's engineer and was not comfortable with the island design presented. He stated there are a number of options to address and suggested that it be left up to them to work out the issues and is confident that a solution could be reached.

## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Boardmember Carter stated he had concerns regarding the parking configuration and asked if any thought had been given to elevate the dense point on the corner where everyone enters into Costco.

Mr. Huntington explained that one advantage to this property is that there is good access to the north at Hampton for inbound traffic. He also explained that they have analyzed the traffic and have designed a dual left turn traffic signal; adding that they have been working with the architect to make sure they have enough stacking distance for vehicles.

Boardmember Carter asked that the Design Review Board look at this particular area of concern.

Boardmember Finter asked Mr. Clement to give a brief overview of Costco's future plans for Mesa and the timeline for relocating. Mr. Clement responded they love and want to stay in Mesa and noted that they are being held back from doing a higher volume project because of constraints that the site demands and by moving they can serve the community better. He mentioned that relocating will be done overnight.

Boardmember Mizner moved to approve Z07-30 noting that the proposed changes are compatible with the area and will facilitate the economic development of this portion of Mesa. Seconded by Boardmember Esparza.

It was moved by Boardmember Finter, seconded by Boardmember Carter

That: The Board approve the preliminary plat of "Costco Wholesale and Superstition Commerce Park" and recommend to the City Council approval of zoning case Z07-30 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, or lot coverage).
2. Site Plan Review through the public hearing process of future development plans.
3. Compliance with all requirements of the Design Review Board.
4. Provide 8'-wide landscape islands as close as possible to the loading area of the Costco building, to allow no more than 36' of surplus parking east of the painted islands.
5. Between Buildings 1 and 2 of the industrial portion of the development, provide landscape planters along the west sides of the walkway at the center four rows of parking.
6. Full compliance with all current Code requirements and regulations, except as amended through the PAD overlay.
7. 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.
8. Compliance with all requirements of the Subdivision Technical Review Committee.
9. Review and approval of a Special Use Permit by the Board of Adjustment for fuel pumps.
10. 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).
11. Written notice be provided to future owners/tenants, and acknowledgment received that the project is within five mile of Williams Gateway Airport.

Vote: Passed 5-0 with Boardmember Langkilde and Salas absent.

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MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z07-31 (District 4)** 337 South Nina Drive (east side). Located east of Alma School Road and north of Broadway Road (0.22± ac.). Rezone from R-4 to M-1 and Site Plan Review. This request will bring the existing use into conformance with the Zoning Ordinance and with the General Plan. Edith Mosley, owner; Devin Tietjen, applicant

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

It was moved by Boardmember Esparza, seconded by Boardmember Mizner

That: The Board approve and recommend to the City Council approval of zoning case Z07-31 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and conceptual landscape plan submitted (without guarantee of lot coverage).
2. Approval of a Substantial Conformance Improvement Permit by the Board of Adjustment or Zoning Administrator for all requested code modifications and compliance with all Board of Adjustment or Zoning Administrator requirements associated with that approval.

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z07-32 (District 5)** 5747 East McKellips Road. Located west of Recker Road on the south side of McKellips Road (14± acres). Site Plan Review. This request will allow the development of a retail center. Western States Lodging, Gary K. Griffiths, Manager, owner; Dennis Price, applicant.

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

It was moved by Boardmember Esparza, seconded by Boardmember Mizner

That: The Board approve and recommend to the City Council approval of zoning case Z07-32 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted.
2. Site Plan Review through the public hearing process of future development plans.
3. Compliance with all requirements of the Design Review Board.
4. Compliance with all City development codes and regulations.
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. 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. Written notice be provided to future residents, and acknowledgment received that the project is within one mile of Falcon Field Airport.
8. Retention basins to be 6:1 slopes maximum where adjacent to right of way and sidewalks.

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z07-33 (District 6)** The 8400 to 8800 block of East Elliot Road (north side) and the 3200 to 3600 block of South Hawes Road (east side). Located at the northeast corner of Elliot Road and Hawes Road (170± ac.). Establishment of a Development Master Plan (±170 ac.) for a Regional Shopping and Mixed-Use Employment Center. Rezone the northern portion (±85 ac.) of the site from AG to AG DMP (Conceptual C-2) and rezone the southern portion (±85 ac.) of the site from AG to C-2 DMP. This request will facilitate the development of a Regional Shopping and Mixed-Use Employment Center. Nelson K. Stewart, NKS Group III, LP, owner; W. Ralph Pew, Pew & Lake, PLC, applicant

Comments: Ralph Pew, 1930 E. Brown Rd, Mesa, AZ, applicant, gave an overview of the proposal stating they are requesting to designate the southern half for commercial zoning and establish a Development Master Plan (DMP) for the entire site with a conceptual zoning on the north half. He mentioned that they are committed to deliver uses that are not currently found in the Mesa market, which include high-end luxury department stores, a three star or above hotel/convention center and Class-A office facilities. He stated that they are planning this property for future development and that this is an important parcel to the development of southeast Mesa.

Mr. Pew mentioned that the schematic drawing is not a specific site plan, but layouts the nature and types of uses they expect to see on this site; adding that they are binding their commitments through a development agreement with the City. The development agreement states that if, within a certain time period they don't deliver as planned the northern half of the land reverts back to the AG zoning and the DMP will be removed from the entire site. He explained that the proposal would be a major employment "hub" for the community and that the hotel is an amenity to the site and not the main attraction. The main attractions are the offices and the up-scale uses. He mentioned that the neighbors are concerned with the hotel and the saturation of commercial uses in the area and addressed those issues. He added that they are bringing different and better commercial uses and urged the Board for their support.

Jim Boyle, 19645 E. Elliot Road, resident, spoke in favor of the proposal, but added that he is not supportive of the height or location of the hotel.

The following individuals spoke in opposition:

Merie Kammerer	8756 E. Peralta Avenue
Christin Fox	8743 E. Portabello Avenue
Madelyn Kvidahl	8451 E. Peralta Avenue
Tom Pielack	8529 E. Portabello Avenue
C. McReynolds	3008 S. Joslyn
Casey Stechnij	3400 S. Hawes Road
Jeanne Fulcher	2954 S. Eugene
Kevin Fox	8743 E. Portabello Avenue
Amy Frei	8537 E. Onza Avenue
Kurt Kammerer	8756 E. Peralta Avenue
Eric Goldman	9709 E. Natal Avenue

Their concerns included:

- Loss of mountain views and desert land
- Traffic, noise and crime concerns
- Not an appropriate use of land
- Buildings are too close to homes
- Lighting and safety issues
- Saturated with too many commercial/retail uses in the area

## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

- Late notice received for the public meeting, requested a continuance
- Loss of natural desert open space
- Not in conformance with the Urban Land Institute Study
- Violation of the Mesa General Plan
- Opposed to high-end development and the hotel
- Emergency services will be reduced

The following individuals submitted "blue slips" in opposition and did not wish to speak:

Sherry Widmer	8748 E. Portabello Avenue
Justin Griffin	8746 E. Portabello Avenue
Carol Modesti	3145 S. Eugene Street
Nathan Widmer	8748 E. Portabello Avenue
Travis Widmer	8748 E. Portabello Avenue
Casey Atchley	8743 E. Portabello Avenue
Duane Widmer	8748 E. Portabello Avenue
Janet Baker	8457 E. Peralta Avenue
Randy Baker	8457 E. Peralta Avenue

Joe Welliver, Planner I, gave a brief overview stating that the applicant is proposing to establish a DMP and to rezone the property; adding that staff shares many of the concerns expressed by the neighbors for the placement of the hotel and convention center. He stated that staff is in support of the request adding that there is not a conventional site plan and as mentioned by Mr. Pew if the proposal does not go forward as planned, the land reverts back to AG zoning. He stated that the Board is being asked to approve the conceptual design.

Boardmember Mizner mentioned that before the project gets approved, several more public hearings will be held for specific zoning, site plans, request for height waivers and reviewed by the Design Review Board.

John Wesley, Planning Director, concurred with Mr. Mizner's comments adding that this is a conceptual layout with some expectation that they will see some sort of hotel/convention center in that general location with that size and height.

Mr. Pew stated that this is private property and while the concerns from the neighbors are genuine, it is the owner's property and not for public use. He mentioned that the land south of their homes is vacant because Mesa has consistently declared the land south of the transmission lines to be an area of economic development and not one of residential growth, which is what they are trying to implement. He pointed out that Condition #8 states that they notify future residents that the project is within one mile of the Williams Gateway airport; noting that there will not be any residential in this project. Mr. Pew added that this facility would utilize the freeway corridors, arterial streets and bring shoppers from the southeast valley.

Chairperson Adams asked the applicant if their plan complies and is consistent with the General Plan and also asked him to address the lighting issues. Mr. Pew explained that this proposal complies and is consistent with the General Plan. He added that the lighting issues would meet the City's lighting standards.

Boardmember Mizner stated that change is inevitable and there is going to be dramatic changes in this area, the plan presented is in conformance with the General Plan and he would be supporting the request. He noted that there will be other public hearings and encouraged the neighbors to stay involved.

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Boardmember Finter thanked the neighbors for attending and mentioned that this community has struggled to get high-end development into the City. He encouraged the neighbors to get organized and work with the applicant on future cases and stated he would support this request.

Boardmember Carter asked the applicant to explain the two exits off the freeway as indicated on the schematic drawing. He concurred with other Boardmembers that change is inevitable and encouraged neighborhood involvement as the project moves forward.

Mr. Pew responded that they are working with ADOT on a dedicated frontage road and showed it on the schematic drawing, just in case ADOT approves it; adding that it would be a great traffic reliever off the freeway.

Boardmember Esparza thanked the neighbors and also reiterated comments by other Boardmembers to stay involve. She moved to approve zoning case Z07-33 with conditions, seconded by Boardmember Mizner with a notation that Condition #8 be revised as recommended by staff.

Chairperson Adams thanked the neighbors and also mentioned that growth was inevitable. He reiterated that there would be more hearings as this project moves forward and also encouraged the neighbors to stay involved. He stated he would be supporting the request.

The Board approves and recommends to the City Council approval of zoning case Z07-33 conditioned upon:

1. Compliance with the basic development as described in the DMP project narrative.
2. Site Plan Review through Design Review Board, P & Z Board and City Council of future development plans.
3. Review and approval of DMP design guidelines prior to, or in conjunction with any site plan review.
4. Compliance with all requirements of the Design Review Board.
5. Compliance with all City development codes and regulations.
6. 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.
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. Written notice be provided to future property owners/tenants, and acknowledgment received that the project is within one mile of Williams Gateway Airport.

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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## MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

Item: **Z07-34 (District 6)** The 1200 block of South Sossaman Road (west side). Located southwest of Southern Avenue and Sossaman Road (5± ac.). Rezone from AG (Conceptual PEP) DMP to C-2 DMP, Site Plan Review and Modification of the Superstition Springs Development Master Plan. This request will allow the development of new retail buildings. Michael A. DeBell, Executive Vice President of Superstition Springs Investors LP, owner; Shelly McTeem, Buchalter Nemer, applicants. Also consider the preliminary plat for "Fresh and Easy Grocery". **COMPANION CASE GPMInor07-05.**

Comments: Shelly McTee, applicant, asked to have both cases heard together. She stated that they are requesting a minor General Plan Amendment and rezoning to allow for the proposal of two buildings, a "Fresh and Easy" grocery store and retail uses. She noted they are moving forward with the Design Review Board and have been asked move the trash enclosures, which they are doing. She pointed out concerns by neighbors and the Traffic Engineer regarding the access to Southern Avenue, which will be restricted to a "right in/right out" turn only. She added that this is an appropriate project for this area, which will provide convenient shopping and sales taxes for the City. Ms. McTee explained their citizen participation efforts and noted that the neighbors are in support; adding that they are in agreement with the conditions of approval.

Jennifer Gniffke, Planner II, gave a brief overview stating that these are two companion cases and noted the two changes mentioned by the applicant, which is to move the trash enclosures and provide a "right in/right out" only driveway; adding that staff is recommending approval with conditions.

Boardmember Carter noted Condition #2 regarding the vehicular cross access easement and asked staff if both driveways would be in existence. Ms. Gniffke explained that the cross access easement was requested for both the northwest and southwest corners to provide more vehicular movement throughout the area and the easement requested will be on this subject site to allow for cross access with the sites to the west.

Ms. McTee also responded that both driveways would stay; adding that they will put the easement on their property and that it is not their intention to delete neither of the driveways.

Dorothy Chimel, Principal Planner, added that it is not the intention of staff to delete either of the driveways. Should the adjoining parcels be agreeable to providing cross access, this site would already have that condition embedded.

It was moved by Boardmember Esparza, seconded by Boardmember Mizner

That: The Board approve the preliminary plat of "Fresh and Easy Grocery" and recommend to the City Council approval of zoning case Z07-34 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, or lot coverage).
2. Recordation of vehicular cross-access easements with both of the developments to the west.
3. Compliance with all requirements of the Design Review Board.
4. Compliance with all City development codes and regulations.
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

MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

request for dedication whichever comes first.

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6. All perimeter street improvements and street frontage landscaping to be installed in the first phase of construction.
7. Compliance with all requirements of the Subdivision Technical Review Committee.
8. 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).
9. Written notice be provided to future residents, and acknowledgment received that the project is within five miles of Williams Gateway Airport.

Vote: Passed 5-0 with Boardmembers Langkilde and Salas absent.

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MINUTES OF THE APRIL 19, 2007 PLANNING AND ZONING MEETING

*Respectfully submitted,*

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John Wesley, Secretary  
Planning Director

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