



Planning and Zoning Board

Meeting Minutes

Held in the City of Mesa Council Chambers – Upper Level

Date: September 16, 2015 Time: 4:00 p.m.

MEMBERS PRESENT:

Chair Suzanne Johnson
Vice-Chair Michael Clement
Lisa Hudson
Shelly Allen
Michelle Dahlke
Steve Ikeda
Dane Astle

MEMBERS ABSENT:

STAFF PRESENT:

John Wesley
Tom Ellsworth
Lesley Davis
Wahid Alam
Kaelee Wilson
Margaret Robertson
Charlotte McDermott
Kevin Myers
Rebecca Gorton

OTHERS PRESENT:

Richard Dyer
Thomas Barnhart
Kari Salvato
James Traskos
Joshua Bank
Cassandra Ayres
Jeff Brand
Sean Lake
Thomas Barnhart
Velora Barringer
Cecile Shobe
Jamie Cloud
Robert Justen
Others

Call Meeting to Order.

Chair Johnson declared a quorum present and the meeting was called to order at 4:05 p.m.

- 1 Take action on all consent agenda items.

Items on the Consent Agenda

- 2 **Approval of minutes:** Consider the minutes from the August 18 and August 19, 2015 study sessions and regular hearing.

*2-a It was moved by Boardmember Allen and seconded by Boardmember Astle

Vote: 7-0

Zoning Cases: Z15-027, Z15-029, Z15-030; and Preliminary Plat "Parkwood Ranch Marketplace"

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***3-a. Z15-027 District 6.** The 10900 block of East Pecos Road (north side). Located east of the Signal Butte Road alignment on the north side of Pecos Road (4.58± acres). Site Plan Modification and Special Use Permit for fueling pumps. This request will allow for the development of a commercial propane facility. Mike Hall, Michael A. Hall Architect, LLC, applicant; Martin Dawson, owner. (PLN2015-00238)
Continued from August 19, 2015

Staff Planner: Wahid Alam

Staff Recommendation: Continuance to October 21, 2015

Summary: This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Allen and seconded by Boardmember Astle

Board Decision: Continuance to October 21, 2015

Vote: 7-0

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

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- *3-b Z15-029 District 3.** 1955 West University Drive. Located on the southeast corner of Dobson Road and University Drive (1.25± acres). Site Plan Review and a Special Use Permit. This request will allow the development of a service station with fuel pumps. (PLN2015-00294)

Staff Planner: Wahid Alam

Staff Recommendation: Approval with Conditions with modification to stipulation #6 reading such that the last portion of the stip should read "or submit documentation demonstrating their attempt to reach out to the adjacent property owner to have the adjacent easement removed"

Summary: This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Allen and seconded by Boardmember Astle

That: The Board recommends approval of zoning case Z15-029 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape plan and building elevations submitted.
2. Compliance with all City development codes and regulations.
3. Signs (detached and attached) need separate approval and permit for locations, size, and quantity.
4. Compliance with all conditions of approval for case DR15-013 for architectural and landscaping design.
5. Compliance with all conditions of approval for case ZA15-007 for Development Incentive Permit (DIP).
6. Work with neighboring property owner to the east to eliminate the existing ingress/egress easement along the east property line to install permanent pedestrian walkway connecting store front with University Drive sidewalk prior to issuance of building permit or provide documentation that the applicant has contacted the adjacent property owner to attempt to have the easement removed and they have either not agreed to the removal or not responded to the contact.

Vote: 7-0

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- *4-a** **Z15-030 District 2.** 6350 East Main Street. Located east of Recker Road on the north side of Main Street (1± acres). Rezone from LC to ID-1 and site plan review. This request will facilitate infill development on East Main Street. (PLN2015-00249)

Staff Planner: Lisa Davis

Staff Recommendation: Continue to October 21, 2015

Summary: This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Allen and seconded by Boardmember Astle

Board Decision: Continuance to October 21, 2015

Vote: 7-0

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***3-c** **Z15-031 District 5.** 2665 North Power Road. Located south of McDowell Road on the east side of Power Road (2.2± acres). Site Plan Review. This request will allow the development of a retail building within an existing commercial center. (PLN2015-00305)

Staff Planner: Kaelee Wilson

Staff Recommendation: Approval with Conditions

Item *3-c, case Z15-031 was removed from the consent agenda prior to the Planning and Zoning hearing. Staff member Kaelee Wilson presented case Z15-031 to the Board. Ms. Wilson stated the request is for a Site Plan Review in an LC (Limited Commercial) zoning district for a retail building. The tenant of the building will be a Goodwill Store. The LC Zoning District allows for retail buildings and retail uses such as second hand stores. The LC zoning district was established in 1988.

Brad Fawcett, 8442 E. Kael Street, spoke in opposition of the retail business, Goodwill, going in that area. Mr. Fawcett is concerned that this business does not generate tax revenue and the location is near expensive real estate. Mr. Fawcett stated a Goodwill in that location will have a negative impact on home values in that area.

Planning Director, John Wesley, reiterated that the question before the Board is to review the Site Plan and not the type of business.

Kari Salvato, 4335 N. Morning Dove, spoke in opposition of the business going in at that location and questioned the process available to appeal the business type.

James Traskos, 2248 N. Power Road, spoke in opposition of the type of business going into that location.

Cassandra Ayres, 701 N. 44th Street, Phoenix, spoke in support on behalf of the developer, CC Acquisitions of Los Angeles. Ms. Ayres stated this is an allowed use within the zoning district and conforms with the General Plan.

Joshua Bank, 5670 Wilshire Blvd., Suite 1250, Los Angeles, of CC Acquisitions, stated that Goodwill has approximately 30 shopping centers in Arizona. Mr. Bank stated the tenants approach the company to open new stores.

Boardmember Clement stated that if any homeowner's would like to voice their opinion they would need to go directly to the applicant. Mr. Clement reiterated that there is no recourse for the residents to halt this project at the City level. Discussion ensued that led Mr. Clement to state the only place for them to go is to the applicant.

Staff member Wilson explained the appeal process in which a written notice needs to be filed within 15 days of the hearing with the Planning Department. The appeal would be heard by City Council.

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Boardmember Allen made a motion to approve Case Z15-031 with Conditions of Approval. The motion was seconded by Boardmember Ikeda.

That: The Board recommends approval of zoning case Z15-031 conditioned upon:

1. Compliance with the development as described in the project narrative and as shown on the site plan, and landscape plan.
2. Compliance with all conditions of Design Review approval: DR15-032.
3. Compliance with all City development codes and regulations
4. All landscape islands shall be a minimum of 8 feet wide.
5. Four irrigated potted plants or landscape material shall be added to the entry plaza to reduce the amount of hardscape. This shall be reviewed and approved with the Design Review for the site.
6. Bollard lighting shall be added to the outdoor amenity area.
7. The pedestrian connections that cross drive aisles shall be comprised of an upgraded material and be a minimum of 5 feet wide.
8. The refuse area shall comply with engineering standard M62.02.
9. The screen wall to the south shall be designed to accommodate future pedestrian gates at the wall openings for the pedestrian access.
10. At the time the residential property to the south develops, the residential developer will be allowed to maintain the openings, install gates in the pedestrian openings (which could include gate codes for the residents), or close off the openings by completing the wall as designed if the residential developer does not want the access to the commercial center. In order for the gates to be installed, the residential property owner will need to enter into a maintenance agreement with the commercial property owner to maintain the gates.
11. A Native Plant Preservation Plan shall be submitted and approved by the Planning Director prior to building permit submittal.

VOTE: 7-0

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- 6-a Z15-026 District 5.** The 7400 through 7600 blocks of East Southern Avenue (north side). Located at the northwest corner of Sossaman and Southern Avenues (11.57± acres). District 5. Rezone from LC-PAD-PAD to RSL-2.5-PAD-PAD and Site Plan Review. This request will allow for the development of a single residence subdivision. Sean B. Lake, Pew & Lake, PLC, applicant; Terrence R. Wall, The Arizona Real Estate Fund II, LLC, owner. (PLN2015-00244) **Continued from August 19, 2015**

Staff Planner: Lesley Davis

Staff Recommendation: Denial

Summary: Staff member Lesley Davis presented case Z15-026 to the Board. Ms. Davis stated the property falls under the Mesa 2040 General Plan as a Mixed Use Activity District character type. Staff member Davis described the area to the south as an existing commercial and employment development and the adjacent area to the north property as an existing residential neighborhood. Staff member Davis stated an appropriate use of the property would be a more dense residential use such as townhomes or condominiums. Due to these factors, Ms. Davis stated that staff recommends denial.

Chair Johnson inquired what the density of the proposed project is. Staff member Davis clarified the project density as 7 units per acre. Ms. Johnson confirmed that the density of condominiums and townhouses would be greater and Ms. Davis confirmed that. Ms. Davis also stated that staff does not feel that apartments would be a better use of the property. She stated that the Economic Development Department had provided their recommendation that also suggest condominiums or townhomes. Staff has provided the Board with Conditions of Approval in the event Board recommends approval.

Applicant Sean Lake of Pew and Lake, PLC, at 1744 South Val Vista Drive, #217 presented an overview of the project. Mr. Lake discussed the project in the early stage with Mr. Jabjiniak, Economic Development Director, in which Mr. Jabjiniak agreed that retail would not work at this location. Mr. Lake detailed the support given from the surrounding neighbors for the development. He then presented the Board with the specific changes which were made to the site after discussing staff's concerns. The changes include the addition of more parking spaces, street design and reorienting the position of the pool.

Thomas Barnhart, 7315 East Forge Avenue, addressed the Board and stated he is opposed to building houses at that location.

Velora Barringer, 7311 East Flower, supports the project and is against an apartment complex.

Cecile Shobe, 7335 East Flower, is opposed to an apartment project or industrial

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buildings and supports the single family homes.

Jamie Cloud, 7413 East Florian, supports the project and is against an apartment complex.

Robert Justen, 1010 South Terripin, is a member of the Association Board and is in support of the single family homes. He stated he would prefer that there be fewer homes.

Boardmember Astle requested clarification of a letter that was sent by the City to the neighbors. Applicant Sean Lake clarified that the letter mentioned was a letter the applicant received from Economic Development that they provided to the neighbors at the Neighborhood meetings. The letter indicated that the City would prefer to have a multi-family project.

Vice Chair Clement asked Mr. Lake if they reached out to other multi-family developers about this property. Mr. Lake stated that they did discuss the project with other brokers and the response was of disinterest.

It was moved by Boardmember Ikeda to approve case Z15-026 with the stipulations as presented by staff with the exception of amending Condition #20 to remove the word "approximately" and to add Condition #22 as presented by the applicant. The motion was seconded by Boardmember Dahlke.

That: The Board recommends approval of zoning case Z15-026 conditioned upon:

1. Compliance with the basic development as described in the project narrative, Preliminary Plat, and landscape plans provided without guarantee of lot yield.
2. Full compliance with all City development codes and regulations.
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. All offsite street improvements and street frontage landscaping to be installed in the first phase of construction unless otherwise approved by the City of Mesa.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. **Compliance with all requirements of the City of Mesa Terms and Conditions for the Sale of Utilities as administered by the Water Resources Department as well as City of Mesa Standard Detail M-53.**
7. Compliance with all requirements of the Fire Department.
8. Compliance with the Residential Development Guidelines as well as the building form standards established in the City of Mesa Zoning Ordinance.
9. No two identical elevations are permitted on adjacent lots or on lots across from each other, and no more than two identical elevations with different exterior colors are permitted within a cluster of lots adjacent within each courtyard.
10. **Patios have been included in the open space calculation for the private yards and therefore they may not be enclosed.**
11. View fences shall comply with the City of Mesa pool fence barrier regulations.

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12. Owner granting an Avigation Easement and Release to the City, pertaining to the Phoenix-Mesa 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).
13. Written notice be provided to future residents, and acknowledgment received that the project is within five (5) miles of the Phoenix-Mesa Gateway Airport.
14. Noise attenuation measures are to be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.
15. Designated Solid Waste barrel pick-up locations for cluster lots shall be as shown on the Parking and Refuse Exhibit, unless modified by the City of Mesa Staff. Each individual barrel location shall be marked on the concrete identifying it as a solid waste barrel location per M-62.06 of the City of Mesa Standard Details.
16. The sum of the walls for the homes within 10-feet of the rear property line shall not exceed 55% of the outside length of the pod/cluster.
17. Provide dusk to dawn garage lights and porch lights within each cluster.
18. Provide safe, attractive and comfortable shaded seating within all of the open space areas for this development. Details to be approved by the Planning Director prior to issuance of a building permit for the subdivision improvements.
19. Lots 10, 11 and 12 will have a minimum 15-foot setback along the north side of the development. The balance of the homes along the north property line will have a minimum setback of 10-feet for single story and 15-feet for two story, this includes lots 14, 15, 18, 19, 22, 23, 26, 27 and 29 as identified on the Preliminary Plat, dated July 20, 2015.
20. Provide a parking ratio of three (3) parking spaces per dwelling unit.
21. Provide at least 3 exclusive, unassigned parking spaces within 150 of each cluster as measured from curblin at the intersection with the public street and termination of the shared drive.
22. The Home Owner's Association shall maintain all 90 degree parking spaces.

Vote: 7-0

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- 7-a **“Southern and Sossaman” District 5** The 7400 through 7600 blocks of East Southern Avenue (north side). Located at the northwest corner of Sossaman and Southern Avenues (11.57± acres). This request will allow for the development of a single residence subdivision. Sean B. Lake, Pew & Lake, PLC, applicant; Terrence R. Wall, The Arizona Real Estate Fund II, LLC, owner. (PLN2015-00244) Companion case to Z15-026. Continued from August 29, 2015.

Staff Planner: Lesley Davis

Staff Recommendation: Denial

Summary: This case was discussed concurrently with zoning case Z15-026.

Board Decision: Approval

Vote: 7-0

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Other Business:

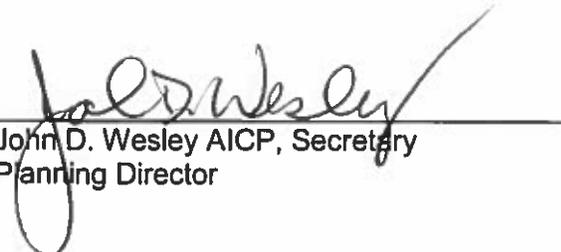
None.

Adjournment

Boardmember Allen made a motion to adjourn the meeting at 5:23 pm. The motion was seconded by Boardmember Hudson.

Vote: 7-0

Respectfully submitted,



John D. Wesley AICP, Secretary
Planning Director