

## CITY OF MESA

### MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers

Date April 20, 2006 Time 4:00 p.m.

#### MEMBERS PRESENT

Rich Adams, Chair  
Barbara Carpenter, Vice-Chair  
Alex Finter  
Frank Mizner  
Jared Langkilde

#### MEMBERS ABSENT

Bob Saemisch, excused  
Ken Salas, excused

#### OTHERS PRESENT

John Wesley  
Dorothy Chimel  
Tom Ellsworth  
Michael Bell  
Jennifer Gniffke  
Ryan Matthews  
Maria Salaiz

Mayor Hawker  
Paul Gilbert  
Wayne Balmer  
Mark Reeb  
George Tibsherany  
Martin Hazine  
Others

Chairperson Adams declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated April 20, 2006. Before adjournment at 5:50 p.m., action was taken on the following items:

It was moved by Boardmember Mizner, seconded by Boardmember Carpenter that the minutes of the March 21 and March 23, 2006 meeting be approved as submitted. The vote was 5-0 with Boardmembers Saemisch and Salas absent.

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

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

Zoning Cases: GPMinor06-02, Z06-25, \*Z06-27, \*Z06-28, Z06-29, \*Z06-30, \*Z06-31, \*Z06-32, \*Z06-33, \*Z06-34

## MINUTES OF THE APRIL 20, 2006 PLANNING AND ZONING MEETING

Item: **GPMInor06-02 (District 6)** The 9600 block of East Southern Avenue (south side). Located at the southeast corner and southwest corner of South 96th Street and East Southern Avenue (23.12± ac). Minor General Plan Amendment to change the General Plan Land Use Map from Business Park (BP) to High Density Residential 10 - 15 dwelling units per acre (HDR 10 - 15). M.R. Parasher, Yale Casitas Inc., owner; Martin Hazine, HGN, applicant.

### **COMPANION CASE Z06-25.**

Comments: Paul Gilbert, 4800 N. Scottsdale Road, representing the applicant, asked to have the General Plan and zoning case heard together. The Board agreed. He stated they are requesting a Minor General Plan Amendment from Business Park (BP) to High Density Residential (HDR) for 18.4 acres and C-1-BIZ for 4.4 acres, which is the office building off of Hampton Avenue. The site was originally designated BP and envisioned as a large employment base for the City, however, it did not develop as a Business Park. He added they had done an incredible job in planning this parcel, which was difficult to develop. He stated they are in agreement with staff recommendations with the exception of the narrow piece south of Hampton Avenue, which staff was recommending that it not be rezoned to residential. He stated their rationale for keeping it residential was that the arroyo separates the narrow piece of property and in order to connect it with the office building and the rest of the property it would be necessary to cross that arroyo. The arroyo serves as an aesthetically pleasing and natural buffer separating the residential from the commercial.

Mr. Gilbert stated they believed that the residential and the mixed used project was a good use for this challenging piece, which provides significantly more jobs than projected. He noted the two reasons they've asked for the BIZ overlay: 1) the adjacent property is zoned residential and they need greater setbacks. However, when the land develops as commercial they would meet the required setbacks; and 2) they have asked for additional height for freeway exposure. Mr. Gilbert stated that this would be a first rate project and the problem they had was that they would be required to put 100% of 96<sup>th</sup> Street on their property and cost them about three acres. Therefore, they had to make adjustments to some of the setbacks and spacing between the buildings. He stated they had done this project in Scottsdale and that project was sold out and considered a very successful project. He added that their goal was to create a work, live, environment for employees of the adjacent employment uses.

Michael Bell, Planner II, gave an overview of the General Plan Amendment stating that the applicant was requesting to change 18.4 acres from BP to HDR (10-15 du/ac). As the applicant has described, staff recommends approval of the area north of Hampton Avenue because the residential use had already been established to the west. The physical boundaries of 96<sup>th</sup> Street and Hampton Avenue will create a clear boundary between the residential and BP areas.

Mr. John Wesley, Planning Director, reminded the Board that once they recommend approval of the General Plan change to Council the zoning case could change. He asked the Board to give the General Plan it's own consideration, independent of the zoning case.

Boardmember Langkilde asked if a condition could be added that only minor amendments to the existing zoning case be stipulated. Mr. Wesley responded that with market conditions and ownership changes, they could come back and do something very different and there is no way to stop that.

Boardmember Carpenter made a motion to approve GPMInor06-02 as submitted. The motion failed for lack of a 2<sup>nd</sup>.

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Boardmember Mizner made a motion for denial of GPMInor06-02, stating that the Mesa General Plan was adopted by the voters in the fall of 2002, and one of the major themes of the General Plan had to do with the creation of jobs and balancing the community. He stated the burden was on the applicant to prove a net benefit to the City and that benefit could be in the form of job creation, a unique project, or a more compatible development. In this case, the applicant has not met that test. He stated that the Board was being asked to approve a four-story building that would be incompatible with the area, that would result in a disconnected residential portion with no recreational amenities and no ties to the balance of the residential development. Boardmember Carpenter seconded the motion.

Mr. Gilbert stated that the citizens voted on a concept and that the General Plan has an amendment process, which they were here taking advantage of. He added that this property had developed in a much different pattern than what the General Plan called for and precedence was set when it developed for a charter school, a post office, and a church, none of which are consistent with the General Plan. Mr. Gilbert noted that 96<sup>th</sup> Street would provide temporary access to the medical office building but Hampton Avenue would be the main access when the property is developed. He reiterated that the plan was a well-designated plan and staff was in support.

Boardmember Finter stated he would not be supporting the motion and was hoping for a compromise to support staff's recommendation. He added that the narrow strip didn't fit well and staff has provided a reasonable argument.

Boardmember Carpenter stated she had a problem with the City redesigning projects for the applicant and added she supports staff's position. She noted she would prefer to see the applicant amend their application to go along with the Hampton Avenue boundary. Mr. Gilbert responded they would be amenable to amending the application to be consistent with staff's recommendation.

Chairperson Adams stated he agreed with both Mr. Mizner and Mr. Finter's comments and was inclined to be supportive of staff's recommendation. He stated this was a nice project but not sure if it was in the best location. He also stated he was in favor of staff's recommendation rather than denying the case.

Motion failed 1-4 with Boardmembers Finter, Carpenter, Adams and Langkilde voting nay.

It was moved by Boardmember Finter, seconded by Boardmember Langkilde

That: The Board approve and recommend to the City Council approval of Minor General Plan Amendment GPMInor06-02 02 with staff's recommendation.

Vote: Passed 4-1 with Boardmember Mizner nay, Saemisch and Salas absent

Reason for Recommendation: The majority of the Board felt changing the Mesa 2025 General Plan land use designation from Business Park (BP) to High Density Residential (HDR10-16 du/ac) was appropriate.

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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)**

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Item: **Z06-25 (District 6)** The 9600 block of East Southern Avenue (south side). Located at the southeast corner and southwest corner of South 96th Street and East Southern Avenue (23.12± ac). Rezone from AG and R1-43 to C-1-BIZ-PAD and R-3-PAD and Site Plan Review. This request will allow for the development of a medical office building and residential condominiums. M.R. Parasher, Yale Casitas Inc., owner; Martin Hazine, HGN, applicant.

Comments: Boardmember Mizner asked staff what affect the General Plan recommendation had on the zoning case because the site plan presupposes that narrow strip be rezoned to R-3, and the Board's recommendation was that that not take place.

Mr. Wesley stated that the Board had three options; 1) to continue the zoning case, have them redesign the southern portion and come back with a complete package; 2) approve the area north of Hampton Avenue, which meets all the requirements as outlined in the staff report and deny the section south of Hampton Avenue so the applicant could redesign and bring it back; and 3) to approve the residential north of Hampton, approve the C-1-BIZ and deny the narrow strip. Mr. Wesley stated staff would be in favor of the second option and added that staff recognized that the narrow strip may be a little difficult to develop but would be easier to do if it is done in integration with the property adjacent to it. Mr. Gilbert stated they also agreed with the second option.

Boardmember Mizner pointed out that some of the conditions of approval applied to the medical office building and the conditions should be reviewed. Mr. Bell noted that only Condition #11 applies to the commercial development and could be deleted.

Mr. Gilbert stated they are in agreement with the Board approving the area north of Hampton Avenue but rather than continue the area south of Hampton Avenue they are in concurrence with allowing it to be denied, with the understanding that they would not be required to start at the beginning when they re-file.

Discussion ensued regarding the process for continuing vs. denying the south portion of the project. Jim Smith, Assistant City Attorney, stated that the applicant would still have to go through the whole process and since the Planning Division already knows the general concept of this area the initial review could be accelerated.

Boardmember Langkilde asked if there would be a problem with approving the north portion and continuing the area south of Hampton. Mr. Smith stated the concern he had with a continuance was that the cases would be separated and Council may approve or deny a portion while another portion is still being considered.

Boardmember Carpenter made a motion to continue zoning case Z06-25. Boardmember Langkilde seconded the motion.

Mr. Gilbert stated they agreed with staff to withdraw the case south of Hampton and to go forward with the north half. He noted it was important for them to stay on schedule because they had some escrow commitments. He stated there was no reason to continue the whole thing and was hoping that the Board would approve the area north of Hampton Avenue, deny south of Hampton and leave it up to them and staff to work out the schedule for coming back.

Discussion ensued regarding continuing the case to allow the applicant time to work out the design or going forward and approving the north portion of Hampton Avenue.

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Boardmembers Finter, Mizner and Adams stated they would not be supporting the motion for continuance.

Boardmember Langkilde stated that if a continuance were granted, it would keep the entire project together and he would be voting in favor of the continuance.

Motion to continue failed 2-3 with Boardmembers Finter, Adams and Mizner voting nay, Saemisch and Salas absent.

Boardmember Finter made a motion to approve staff's recommendation and remove Condition #11. Boardmember Carpenter seconded the motion.

Boardmember Mizner stated he would not be supporting the motion because he was concerned with the large number of modifications. In this case, the residential portion alone has a full page of modifications and not all of those requirements had to do with the property to the east. Mr. Mizner stated that many are self-imposed because of the design or building configuration.

Chairperson Adams stated he was also concerned with the large and unusual number of modifications.

Boardmember Finter noted Mr. Gilbert's concern about taking the full burden of putting 96<sup>th</sup> Street through their property and losing three acres. He asked if that requirement was used regularly in Mesa. Mr. Bell responded that applicants are required to dedicate right-of-way to the City and that 96<sup>th</sup> Street was to continue straight to intersect with Hampton Avenue. The applicant chose to jog 96<sup>th</sup> Street over.

Boardmember Carpenter stated she was concerned with all these exceptions and did not see enough justification for them and was hoping for a continuance.

Chairperson Adams asked if there had been cases in the last several months that have had this many modifications. Tom Ellsworth, Senior Planner, responded that staff looks at the modifications requested vs. the trade off and the quality the City would get in allowing those modifications.

Boardmember Langkilde stated this project introduces a product to the City, which it does not have and perhaps that was one of the reasons for the additional modifications. It's an excellent project that offers the opportunity to live and work in virtually the same place, which was a unique concept to Mesa. He stated he would like to see it go forward and rather than create two cases or approve a portion and deny the other, it made more sense to continue the case.

Mr. Gilbert commented that as part of a PAD overlay, they did not have to meet the standards of a hardship. He added they did not need 96<sup>th</sup> Street to make this project work and it was originally designed without 96<sup>th</sup> Street. He stated they are required to put in 96<sup>th</sup> Street as a full street, so there was a hardship. Mr. Gilbert also stated they have met the unique design hardship.

George Tibshery, 7150 East Camelback, Ste. 500, Scottsdale, managing member, stated he had done a lot of units in the southwest and was familiar with the constraints. He stated that there was a SRP pole in the middle of 96<sup>th</sup> Street, which put a hardship on the design of the site plan and instead of continuing 96<sup>th</sup> Street straight came up with the site plan before the Board, which was easier to plan creating a more dynamic and quality project. He noted the projects

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he had done in Scottsdale, which this site was modeled after. Mr. Tibsherany stated that this site was very challenging and his first objective was to meet City Code requirements and not take advantage of the flexibility they had with the PAD overlay.

Chairperson Adams stated that some of the modifications being requested suggested adding four or five more units on the property. He noted the differences on the setbacks requested and understood the economic reasons to put more units and wanted the Board to be aware of that in their consideration.

Boardmember Finter mentioned that there was a lot of give and take with this project and that City staff wouldn't have given away or agreed to these conditions of approval without consideration; he added that this was a quality development.

It was moved by Boardmember Finter, seconded by Boardmember Carpenter

That: The Board approve staff's recommendation and delete Condition #11, and recommend to the City Council approval of zoning case Z06-25 conditioned upon:

1. Compliance with the basic development north of Hampton Avenue, as described in the project description and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage).
2. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance(s) outlined in the staff report.
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 the Subdivision Technical Review Committee.
6. Provide pavers or distinguished pavement on all drive aisle arroyo crossings.
7. Provide a minimum 5' foundation base adjacent to drive aisles.
8. Provide a minimum 10' foundation base adjacent to parking.
9. Provide the additional 2' of landscaping for all landscape areas that are encroached by a vehicle 2' overhang.
10. Maintain a minimum arroyo width of 23', which is only encroached by pedestrian pathways and amenities (underground retention, utilities, and surface drive aisle crossings may encroach the arroyo).
11. 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.
12. Retention basins to be 6:1 slopes maximum where adjacent to public right-of-ways or pedestrian walkways.

Vote: Passed 3-2 with Mizner and Langkilde voting nay, Saemisch and Salas absent.

Reason for Recommendation: The majority of the Board felt this project was well-designed and should be compatible with the adjacent neighborhoods.

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Item: **Z06-27 (District 6)** The 9200-9600 block of East Elliot Road (north side). Located north of Elliot Road and east of Ellsworth Road (75± ac.). Rezone from R1-43 to C-2 and M-1. This request is to bring the zoning of the property into conformance with the Mesa 2025 General Plan. The Cardon Company (Will Cardon), owner; City Staff, City of Mesa, applicant.

Comments: This item was on the consent agenda, therefore, it was not discussed individually. Mr. Wesley noted that this case would be not be heard by City Council as noted on the agenda. It would be introduced on May 22, 2006, with the public hearing on June 5, 2006 to allow more time to meet with the property owner.

It was moved by Boardmember Carpenter, seconded by Boardmember Mizner

That: The Board approve and recommend to the City Council approval of zoning case Z06-27 conditioned upon:

1. Site Plan Review through the public hearing process of future development plans.
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 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 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. Implement public disclosure utilizing the following:
  - a. An aircraft noise disclosure statement similar to that provided in Exhibit A, specifically stating, this land lies within Williams Gateway Airport Noise Overflight Area 2 or 3 (as depicted on Figure 11-3, of the Williams Regional Planning Study) and is subject to noise that may be objectionable;
  - b. An avigation easement similar to that provided in Exhibit C;
  - c. Notification on the Plat and Title – The plat and title should note that the site is within an Airport Overflight Area subject to aircraft noise. Specifically, the plat should indicate. “these properties, due to their proximity to Williams Gateway Airport will experience aircraft overflights that generate noise levels which may be of concern to some individuals”.
8. Noise attenuation measures be incorporated into the design and construction of future buildings to achieve a noise level reduction of 25 db.

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

Reason for Recommendation: The Board felt this proposal was reasonably well-designed and should be compatible with the adjacent neighborhoods.

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Item: **Z06-28 (District 6)** 6859 East Rembrandt Avenue (south side). Located east of Power Road and north of Warner Road (3.66± ac.). Site Plan and PAD Modifications. This request will allow for the development of a commercial, office and light industrial business complex. Frank Richards, San Tan Commerce Park LLC, owner; Steven Nevala, Cawley Architects, 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 Carpenter, seconded by Boardmember Mizner

That: The Board approve the preliminary plat and recommend to the City Council approval of zoning case Z06-28 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted.
2. Site Plan Review through the public hearing process 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. Compliance with all requirements of the Design Review Board.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
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. 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. Implement public disclosure utilizing the following:
  - a. An aircraft noise disclosure statement similar to that provided in Exhibit A;
  - b. An avigation easement similar to that provided in Exhibit C;
  - c. Notification on the Plat and Title – The plat and title should note that the site is within an Airport Overflight Area subject to aircraft noise. Specifically, the plat should indicate. “these properties, due to their proximity to Williams Gateway Airport will experience aircraft overflights that generate noise levels which may be of concern to some individuals”.
10. Retention basins to be 6:1 slopes maximum where adjacent to public right-of-ways or pedestrian walkways.

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

Reason for Recommendation: The Board felt this proposal was reasonably well-designed and should be compatible with the adjacent neighborhoods.

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Item: **Z06-29 (District 2)** The 4300-4330 block of East University Drive (north side). Located west of North Greenfield Road and north of East University Drive (4±ac.). Site Plan Modification. This request will allow for the development of a self-storage facility and a retail shell building. Barry Baker, owner; Jared McQuarrie, New Sun Property Investments, LLC, applicant.

Comments: Boardmember Langkilde stated he was interested in a full presentation and noted he asked that it be pulled because of his concern for the number of storage facilities in the area. He stated there are six storage units within a two-mile radius of the proposed site and 11 storage units within a three-mile radius. He added that this area was seeing an over concentration of storage facilities.

Bruce Jordan, representing Jared McQuarrie, and architect for the project, stated that their firm specializes in the design and feasibility of self-storage, which they had done for this project. When we did the feasibility study we studied the occupancy of the existing facility, which showed a high demand. He stated most facilities are first generation facilities, which are older with no aesthetic appeal and not well planned. He added that they are proposing a third generation facility, which offers more aesthetic appeal, a lot more emphasis on the architecture and has more quality. The reason that growth is up with self-storage is that more businesses are starting to use them. He stated they have a first class project and encouraged the Board to look at that and the economic viability.

Mr. Jordan stated they knew the need for retail, so they chose to put that out front and align it with the drug store so it fits together as one cohesive design. He noted the problem they had with the site was the depth for the retail because it was too deep and made for an awkward development, which is why the property sat undeveloped for so long. He added the facility is closed at night, is low on traffic, crime, and low on police and fire needs. We have a quiet nice use with one story building around the perimeter, which is compatible with the neighborhood.

Discussion ensued regarding market demands, demographic and income trends and what influenced it had in the area and to self-storage facilities.

Boardmember Mizner asked what happens when these storage facilities are no longer successful or the market gets saturated with them. Mr. Jordan responded that he had never seen one that has failed because of market conditions. He added that he had seen them run down, have bad security or bad management but it was not a market problem it's was a functional design problem.

Boardmember Langkilde noted that there has been some new development in the area that could justify the need for additional self-storage units but how many can fit in one area and asked if the numbers he gave were specific to the area. Mr. Jordan responded he was relying on national statistics, and gave occupancy rates of self-storage units in the area, which showed there was an unmet demand. He added they were taking a difficult site and turning into a peaceful use adjacent to residential and that there was not an over saturation in this area.

Ms. Jennifer Gniffke, Planner I, gave an overview of the request and mentioned that this site was already zoned C-2 and self-storage facilities were an allowed use. She noted that this site was previously approved for a self-storage facility in 2004. She also mentioned there will be some modifications that are required and the applicant would have to apply for a variance. Staff is recommending approval with conditions.

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Boardmember Carpenter asked staff if there have been any reports of problems with too many people using these types of facilities and if there had been any indication that this might help clean up the area. Ms. Gniffke responded that the Police Department reviewed the application and supports the design as presented, as far as cleaning up the area, she did not have that information.

Boardmember Mizner made a motion for approval of zoning case Z06-29. He noted Mr. Langkilde's concern regarding a proliferation of this type of usage but pointed out that the property was already zoned for commercial and had an approved site plan for a storage facility.

It was moved by Boardmember Mizner, seconded by Boardmember Finter

That: The Board approve and recommend to the City Council approval of zoning case Z06-29 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. Modification of the existing cross access easement, maintenance and restriction agreement to address building and access locations.
3. Compliance with all requirements of the Design Review Board.
4. Compliance with all City development codes and regulations.
5. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
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. Compliance with all requirements of the Board of Adjustment.
8. Recordation of the amended Land Split Map (LS04-09), and compliance with all requirements of the Subdivision Regulations, prior to submittal of construction documents.
9. Written notice be provided to future owners, and acknowledgment received, that the project is within two miles of Falcon Field Airport.

Vote: Passed 4-1 with Boardmembers Langkilde nay and Saemisch and Salas absent.

Reason for Recommendation: The Board felt this proposal was reasonably well-designed and should be compatible with the adjacent neighborhoods.

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Item: **Z06-30 (District 6)** 4207 South Power Road (east side). Located at the northeast corner of Power Road and Warner Road, "Parcel A" within the Gateway Norte Master Plan Subdivision (1.09± ac.). Site Plan Modification. This request will allow for the development of a retail pad with multiple tenants. Richard Garcia, owner; David Ross, Ross Design Group, LLC, applicant.

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

It was moved by Boardmember Carpenter, seconded by Boardmember Mizner

That: The Board approve and recommend to the City Council approval of zoning case Z06-30 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. 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 requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Compliance with all requirements of the Subdivision Technical Review Committee.
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 owners, and acknowledgment received that the project is within one mile of Williams Gateway Airport.
9. Noise attenuation measures be incorporated into the design and construction of the building to achieve a noise level reduction of 25 db.

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

Reason for Recommendation: The Board felt this proposal was reasonably well-designed and should be compatible with the adjacent neighborhoods.

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Item: **Z06-31 (District 3)** The 500 block of West Baseline Road (south side). Located west of the southwest corner of South Country Club Drive and West Baseline Road (6.82± ac.). Rezone from M-1 to M-1 PAD and Site Plan Modification. This request will allow for the development of medical/office condominiums. Sydney OBP Mesa, LLC – Bob Hunt, owner; William J. Patterson, Odyssey Commercial, applicant. Also consider the preliminary plat of "Odyssey Business Park"

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

It was moved by Boardmember Carpenter, seconded by Boardmember Mizner

That: The Board approve the preliminary plat of "Odyssey Business Park" and recommend to the City Council approval of zoning case Z06-31 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. Compliance with all requirements of the Design Review Board.
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. Square footage for medical office use shall be limited to:
  - a. 6,152 sq. ft. for Building 2
  - b. 10,476 sq. ft. for Building 3
  - c. 5,274 sq. ft. for Building 5
  - d. Total square footage of medical office use shall not exceed 21,902 for the site.

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

Reason for Recommendation: The Board felt this proposal was reasonably well-designed and should be compatible with the adjacent neighborhoods.

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MINUTES OF THE APRIL 20, 2006 PLANNING AND ZONING MEETING

Item: **Z06-32 (District 5)** The 100 to 200 block of North Sunvalley Boulevard (east side). Located north of Main Street, west of Sossaman Road. (2.60± ac.). District 5. Rezone from O-S to R-2 PAD and Site Plan Review. This request will allow for the development of a residential townhouse subdivision. RSB Partners, L.L.C. (Ross Farnsworth), owner; Jeff Welker, Welker Development Resources, L.L.C., 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 Carpenter, seconded by Boardmember Mizner

That: The Board approve the preliminary plat and recommend to the City Council approval of zoning case Z06-32 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).
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. Full compliance with all current Code requirements, unless modified as outlined in the staff report.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Compliance with all requirements of the Design Review Board.
8. View fences shall comply with the City of Mesa pool fence barrier regulations.
9. Retention basins must have maximum slopes of 6:1 when adjacent to public rights-of-way or pedestrian walkways.

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

Reason for Recommendation: The Board felt this proposal was reasonably well-designed and should be compatible with the adjacent neighborhoods.

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MINUTES OF THE APRIL 20, 2006 PLANNING AND ZONING MEETING

Item: **Z06-33 (District 5)** The 1100-1200 block of North Meridian Drive (west side). Located at the southwest corner of Brown Road and Meridian Drive (3.61± ac.). Rezone from Maricopa County Rural 43 to City of Mesa R1-43. This case involves the establishment of City of Mesa zoning on recently annexed property. Portigal Travel, LLC-Lewis Rosenberg, General Manager, owner; Wilfred Klingsat, applicant.

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

It was moved by Boardmember Carpenter, seconded by Boardmember Mizner

That: The Board approve and recommend to the City Council approval of zoning case Z06-33 conditioned upon:

1. Compliance with all City development codes and regulations.

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

Reason for Recommendation: The Board felt the rezoning to City of Mesa R1-43 would be compatible with the adjacent neighborhoods.

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MINUTES OF THE APRIL 20, 2006 PLANNING AND ZONING MEETING

Item: **Z06-34 (District 6)** The 6800 block of East Ray Road (south side). Located at the southeast corner of Power Road and Ray Road (3.95± ac.). Site Plan Review. This request will allow for the development of a retail center. Marc Maken Baken, owner; Kurt Frimodig, Robert Kubicek Architects & Associates, Inc., applicant.

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

It was moved by Boardmember Carpenter, seconded by Boardmember Mizner

That: The Board approve and recommend to the City Council approval of zoning case Z06-34 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. Compliance with all requirements of the Design Review Board.
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. Recordation of a cross-access easement at the time of development of APN 304-37-021.
7. Owner granting an Avigation Easement and Release to the City, pertaining to the 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 owner(s) and tenant(s), and acknowledgment received that the project is within one mile of the Williams Gateway Airport.
9. Noise attenuation measures be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.

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

Reason for Recommendation: The Board felt this proposal was reasonably well-designed and should be compatible with the adjacent neighborhoods.

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## MINUTES OF THE APRIL 20, 2006 PLANNING AND ZONING MEETING

Item: 1026 West 8<sup>th</sup> Street (**District 1**). Located southeast of Alma School and Brown Roads. This request is to establish a standard single-residential subdivision. Mark Reeb, owner; Brent Allen, applicant. Also consider the preliminary plat for "Waldo Estates".

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

It was moved by Boardmember Carpenter, seconded by Boardmember Mizner

That: The Board approve the preliminary plat for "Waldo Estates" 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. Compliance with the Residential Development Guidelines.
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. Compliance with all requirements of the Subdivision Technical Review Committee.

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

Reason for Recommendation: The Board felt this proposal was reasonably well-designed and should be compatible with the adjacent neighborhoods.

MINUTES OF THE APRIL 20, 2006 PLANNING AND ZONING MEETING

Before adjournment, Boardmember Carpenter commented that the Board had seen a remarkable improvement in the citizen participation reports and complimented staff in guiding the applicants. She noted that they are seeing better reports that are easier to read.

Respectfully submitted,

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John Wesley, Secretary  
Planning Director

MS:  
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