

## CITY OF MESA

### MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers  
Date: February 20, 2013 Time: 4:00 p.m.

#### MEMBERS PRESENT

Randy Carter, Chair  
Beth Coons, Vice-Chair  
Vince DiBella  
Suzanne Johnson  
Michael Clement

#### MEMBERS ABSENT

Brad Arnett  
Lisa Hudson

#### OTHERS PRESENT

John Wesley  
Angelica Guevara  
Wahid Alam  
Jason Sanks  
Debbie Archuleta  
Donna Bronski

Richard Dyer  
Reese Anderson  
Chris Trendler  
Kathy Stefanik  
Mike Stefanik  
Curtis Barbour  
Jason Smith  
Lisa Smith  
John Parker  
Selena Hanson  
Others

Chairperson Carter declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated February 20, 2013. Before adjournment at 5:17 p.m., action was taken on the following:

It was moved by Boardmember Vince DiBella, seconded by Boardmember Beth Coons that the minutes of the January 15, 2013, and January 16, 2013 study sessions and regular meeting be approved as submitted. Vote: 5 – 0 (Boardmembers Arnett and Hudson absent).

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

It was moved by Boardmember Michael Clement, seconded by Boardmember Vince DiBella that the consent items be approved. Vote: 5 – 0 (Boardmembers Arnett and Hudson absent)

Zoning Cases: Z13-01, Z12-50, Z13-04, Z13-08, Z13-09, GPMinor13-01, Z13-10, Z13-11

## MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

Item: **Z13-01 (District 6)** 1411 South Power Road. Located south of Southern Avenue on the east side of Power Road (1± acres). District 6. Site Plan Modification. This request will allow development of a restaurant within a group commercial center in the LC-PAD zoning district. Rare Hospitality Management, owner; Heather Hirschberg, Kimley-Horn and Associates, Inc. applicant. (PLN2012-00377)

Comments: This case was on the consent agenda and therefore was not discussed individually

It was moved by Boardmember Michael Clement, seconded by Boardmember Vince DiBella

That: The Board recommend to the City Council approval of zoning case Z13-01 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted.
2. Compliance with all requirements of the Design Review.
3. Approval of a Substantial Conformance Improvement Permit by the Board of Adjustment for the modification of design standards.
4. Compliance with all City development codes and regulations.
5. Finish the backside of the parapet to match the front.
6. Signs (detached and attached) need separate approval and permit for locations, size, and quantity.

Vote: Passed 5 – 0 (Boardmembers Arnett and Hudson absent)

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MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

Item: **Z12-50 (District 3)** 146 West Baseline Road. Located east of Country Club Drive on the north side of Baseline Road (.99± acres). District 3. Modification of the existing Council Use Permit and Site Plan Modification. This request will allow development of a restaurant with a drive-thru within an existing commercial center in an LI-CUP zoning district. McDonald's USA LLC, owner; Scott Belford, Synectic Design, Inc., applicant. (PLN2012-00413)

Comments: This case was on the consent agenda and therefore was not discussed individually

It was moved by Boardmember Michael Clement, seconded by Boardmember Vince DiBella

That: The Board continue zoning case Z12-50 to the March 20, 2013 meeting

Vote: Passed 5 – 0 (Boardmembers Arnett and Hudson absent)

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MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

Item: **Z13-04 (District 5)** 5656 East Albany Street. Located north of Main Street and west of Recker Road (29.96± acres). District 5. Rezone from Maricopa County R1-8 to City of Mesa RS-9. This request will establish City of Mesa zoning on recently annexed land. (PLN2012-00526)

Comments: This case was on the consent agenda and therefore was not discussed individually

It was moved by Boardmember Michael Clement, seconded by Boardmember Vince DiBella

That: The Board accept the withdrawal of zoning case Z13-04

Vote: Passed 5 – 0 (Boardmembers Arnett and Hudson absent)

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## MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

Item: **Z13-08 (District 5)** The 7100 and 7200 blocks of East McDowell Road (north side) Parcel 51 of the Las Sendas PAD. Located east of Power Road on the north side of McDowell Road (22.73± acres). District 5. Modification of the Desert Creek PAD and Site Plan Modification of the residentially zoned portion of the development in the RM-2-PAD. This request will allow the development of single-residence/townhomes. (PLN2012-00492)

Comments: This case was removed from the consent agenda by adjacent neighbors.

Staffmember Jason Sanks explained there were two requests for parcel 51. The applicant for the northern portion of parcel 51 had requested a continuance to the March 20, 2013 meeting.

Chris Trendler – 6819 East Pearl Street spoke in opposition. He said there is a series of homes bordering the proposed new homes. He wanted a tract to separate the new homes from the existing homes, like the rest of Las Sendas.

Kathy Stefanik – 7514 East Oasis Circle spoke in opposition. She thought the proposal was too dense. She stated the school was at capacity and the School District would have to change the boundaries. She wanted all of the traffic to go to McDowell. Mr. Anderson said they did not want the traffic to go to McDowell.

Mike Stefanic – 7514 East Oasis Circle spoke in opposition. He thought the proposal was too dense. He stated Ryland and Trend Homes build very dense production type homes. He stated it would not fit in with Las Sendas. He wanted the same buffers, density, etc. as the rest of Las Sendas. He stated it should be part of Las Sendas, they need the same type of homes and amenities. He did not want any additional traffic on Ridgecrest and Red Mountain, he wanted the traffic on McDowell. He wanted the residences to be part of the Las Sendas Homeowners Association.

The following people submitted cards in opposition to the case, but did not wish to speak:

Curtis Barbour – 7454 East Oasis Circle  
Jason Smith - 3629 North Sonoran Hills  
Lisa Smith - 7418 East Sandia Circle

Reese Anderson represented the case and stated they wanted to join the Homeowners Association. He understood the flyer circulating through the community said they would not be part of the association, but they wanted to be. He explained their notification process. He stated they had notified the President of the Las Sendas Homeowners Association, who stated they would notify members of the association. He stated they held a neighborhood meeting.

A gentleman in the audience stated they were notified of the neighborhood meeting a week and a half before the meeting.

John Parker – 7412 East Sandia Circle spoke in opposition. He stated he appreciated the fact the Board was here, and thanked them for protecting the residents. He agreed with what others had said.

Selena Hanson – 3055 North Red Mountain spoke in opposition. She stated the traffic on Ridgecrest and Red Mountain is very bad. She didn't want three-story Trend Homes. She

MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

stated she had moved there to get away from a Trend Home project because they bring rif raf to the areas. Fire and Police already have a problem with traffic.

Boardmember Beth Coons explained that this was on the agenda to be continued and the Board had not received any information regarding the proposal.

It was moved by Boardmember Suzanne Johnson, seconded by Boardmember Beth Coons

That: The Board continue zoning case Z13-08 to the March 20, 2013 meeting

Vote: Passed 5 – 0 (Boardmembers Arnett and Hudson absent)

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## MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

Item: **Z13-09 (District 5)** The 7100 and 7200 blocks of East McDowell Road (north side). Located east of Power Road on the north side of McDowell Road (9.11± acres). District 5. Modification of the Desert Creek PAD and Site Plan Modification of the non-residentially zoned portion of the development in the PEP-PAD-CUP and LC-PAD. This request will allow modifications to relocate the drainage channel and change the internal collector street from private to public. Talon Properties, LLC, owner; Reese Anderson, Pew and Lake, PLC, applicant. (PLN2012-00491)

Comments: This case was removed from the consent agenda by adjacent neighbors

Staffmember Jason Sanks explained the case. He stated this was a request to amend the previously approved site at the southern portion of parcel 51. Five years ago the site was amended from a strictly office project to a mixed use project with office, commercial, retail, hotel and residential. He stated the site incorporated the Desert Uplands Design Guidelines. The current request was to move the drainage channel and put it under ground. The applicant would provide a different amenity to replace it. He stated staff would work with the applicant on the site plan; which would also require Design Review approval. The modified collector was 60' instead of 80'. If approved, the street would have the same access points as previously approved. They were asking to replace the median landscaping with hardscape. Mr. Sanks stated staff was working with Traffic to ensure the right-of-way works. If it did not meet City standards and quality design expectations it would not be allowed to be a public street. He stated condition 3 was being modified to add Engineering.

Diane Tarantino – 7465 East Oasis Circle spoke in opposition. She stated the traffic on Ridgecrest was horrible. She didn't want to add more students to an overcrowded school.

Curtis Barbour – 7454 East oasis Circle spoke in opposition. He stated he had two school aged children who use the cross walk and the traffic is bad. Crossing guards have trouble now.

Mary Wellfell – 6952 East Red Hawk Circle stated traffic is a problem from 7:00 a.m. to 8:00 a.m. Ridgecrest is one of two main entrances to Las Sendas. She wanted a traffic study.

Mike Stefanik – 7514 East Oasis Circle spoke stated he realized the project was approved in 2008, but the notification wasn't good enough back then. They don't want the collector streets to go anywhere in Las Sendas. He wanted to know how citizens can change what was approved 5 years ago. Chair Carter stated only the property owner can change what was already approved. The appeal period had expired.

Kathy Stefanik – 7514 East Oasis Circle stated that Mr. Anderson stated the project would not be part of the Association at the neighborhood meeting, now he is saying they will.

Reese Anderson represented the case and showed a brief powerpoint which showed the approved plan from 2008. He stated they were asking to put the underground box culvert adjacent to the McDowell Road right-of-way and replace it with passive landscaping with active trails. None of the buildings would change, the road would not change either. He stated the entire site had been approved by the Design Review Board in 2009. He stated they agreed with staff conditions including the modification to condition 3.

## MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

Boardmember Beth Coons confirmed the green area on the display would be the channel, which would be an active landscape area as opposed to a gabian fence. The dimensions would not change. She thought the traffic study should be part of the residential case.

Boardmember Vince DiBella stated the 2008 plan was approved and can be built as is. He confirmed that Mr. and Mrs. Stefanik did not live in Las Sendas in 2008.

Chair Randy Carter stated he was on the Board in 2008 and remembered this application. He stated there was a great deal of citizen involvement in the public hearing process. He stated the neighbors needed to speak to their HOA about the way they notify their residents. It was explained that only property owners are notified by mail, not renters, which may account for why some people did not receive notification.

It was moved by Boardmember Vince DiBella, seconded by Boardmember Suzanne Johnson

That: The Board recommend to the City Council approval of zoning case Z13-09 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted.
2. Compliance with all applicable prior approvals, except as amended by this application. This includes the detailed project narrative adopted by case Z07-074 with specific regards to development quality and details for the centralized amenity, pad site development, and the overall Parcel 51 "walking village" concept that focuses on meaningful spaces and pedestrian connectivity between land uses.
3. Approval of a public street classification for the collector shall be conditioned on the following design attributes to be approved by the Engineering, Transportation and Planning Departments:
  - a) Meets public safety requirements for site visibility and emergency access as related to street width, curve radii, and curbing type.
  - b) Decorative paving and/or landscaping where possible in center medians and traffic circles to convey an aesthetically pleasing streetscape that complements the Las Sendas PAD and unifies the multiple uses within Parcel 51.
  - c) Logical pedestrian crossings that provide ease of movement between internal parcels.
  - d) Final right-of-way width and street section components (curb, paving, medians, landscape).

If the final design cannot meet the expectations for quality as illustrated in Z07-074 through a public street classification and is solely possible through the flexibility of a private street section, the City will not accept the collector through a public street dedication.

4. Compliance with all City development codes and regulations.

Vote: Passed 5 – 0 (Boarmembers Arnett and Hudson absent)

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MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

Item: **GPMInor13-01 (District 5)** The 1200 through 1300 blocks of North Crismon Road (east side). Located north of Brown Road on the east side of Crismon Road (15.53± acres). District 5. Minor General Plan Amendment to adjust the boundaries of the existing Mesa 2025 General Plan Land Use designation from Low Density Residential 0-1 du/acre (LDR 0-1) to Low Density Residential 1-2 du/acre (LDR 1-2). This request will allow future residential development of a higher density on the site. La Jara Farms LLC, owner; Beus Gilbert PLLC, applicant. (PLN2012-00437)

Comments: This case was removed from the consent agenda by an adjacent neighbor.

Donald Pendergras of 1309 North Amandes, spoke regarding this project. Mr. Pendergras did not want increased traffic on Crismon Road. He was also opposed to 2-story homes because they would block his view of the mountains.

Staffmember Jason Sanks explained the request. He stated the project had been approved in the County for 14 homes with septic. When they were ready to build they were informed they would no longer be able to use septic, therefore they were requesting the increased density to off-set the costs of the sewer system.

Lindsay Schube of Beus Gilbert, 701 N 44 Street represented the case. Ms. Schube stated the applicant had agreed to restrict the homes to one-story.

It was moved by Boardmember Suzanne Johnson, seconded by Boardmember Beth Coons

That: The Board recommend to the City Council adoption of General Plan Amendment case GPMInor13-01.

Vote: Passed 5 – 0 (Boardmembers Arnett and Hudson absent)

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## MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

Item: **Z13-10 (District 5)** The 1200 through 1300 blocks of North Crismon Road (east side). Located north of Brown Road on the east side of Crismon Road (15.53± acres). District 5. Rezone from Maricopa County R1-35 to City of Mesa RS-35. This request will establish City zoning on recently annexed property. La Jara Farms LLC, owner; Beus Gilbert PLLC, applicant. (PLN2012-00437)

Comments: This case was removed from the consent agenda by an adjacent neighbors.

Donald Pendergras of 1309 North Amandes, spoke regarding this project. Mr. Pendergras did not want increased traffic on Crismon Road. He was also opposed to 2-story homes because they would block his view of the mountains.

Staffmember Jason Sanks explained the request. He stated the project had been approved in the County for 14 homes with septic. When they were ready to build they were informed they would no longer be able to use septic, therefore they were requesting the increased density to off-set the costs of the sewer system.

Lindsay Schube of Beus Gilbert, 701 N 44 Street represented the case. Ms. Schube stated the applicant had agreed to restrict the homes to one-story.

It was moved by Boardmember Beth Coons, seconded by Boardmember Vince DiBella

That: The Board recommend to the City Council approval of zoning case Z13-10 conditioned upon:

1. Compliance with the Zoning Ordinance and all City development codes and regulations for the proposed development.

Vote: Passed 5 – 0 (Boardmembers Arnett and Hudson absent)

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## MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

Item: **Z13-11 (District 5)** The 1200 through 1300 blocks of North Crismon Road (east side). Located north of Brown Road on the east side of Crismon Road (15.53± acres). District 5. Rezone from RS-35 to RS-15 PAD and Site Plan Review. This request will allow the development of a single-residence subdivision. La Jara Farms LLC, owner; Beus Gilbert PLLC, applicant. (PLN2012-00437)

Comments: This case was removed from the consent agenda by an adjacent neighbor

Donald Pendergras of 1309 North Amandes, spoke regarding this project. Mr. Pendergras did not want increased traffic on Crismon Road. He was also opposed to 2-story homes because they would block his view of the mountains.

Staffmember Jason Sanks explained the request. He stated the project had been approved in the County for 14 homes with septic. When they were ready to build they were informed they would no longer be able to use septic, therefore they were requesting the increased density to off-set the costs of the sewer system.

Lindsay Schube of Beus Gilbert, 701 N 44 Street represented the case. Ms. Schube stated the applicant had agreed to restrict the homes to one-story.

It was moved by Boardmember Beth Coons, seconded by Boardmember Michael Clement

That: The Board recommend to the City Council approval of zoning case Z13-11 conditioned upon:

1. Compliance with the basic development as described in the project narrative, Preliminary Plat, and landscape plans provided.
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 the Residential Development and Desert Uplands Design Guidelines.
7. View fences shall comply with the City of Mesa pool fence barrier regulations.
8. All homes within La Jara Estates to be limited to one story.

Vote: Passed 5 – 0 (Boardmembers Arnett and Hudson absent)

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MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

E. DISCUSS AND TAKE ACTION ON THE FOLLOWING PRELIMINARY PLAT(S):

**La Jara Estates (District 5)** The 1200 through 1300 blocks of North Crismon Road (east side). Located north of Brown Road on the east side of Crismon Road (15.53± acres). This request will allow the development of a single-residence subdivision. La Jara Farms LLC, owner; Beus Gilbert PLLC, applicant.

Comments: This case was discussed with the rezoning cases.

It was moved by Boardmember Beth Coons, seconded by Boardmember Vince DiBella

That: The Board approve the Preliminary Plat of La Jara Estates

Vote: Passed 5 – 0 (Boardmembers Arnett and Hudson absent)

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MINUTES OF THE FEBRUARY 20, 2013 PLANNING AND ZONING MEETING

F. HEAR A PRESENTATION, DISCUSS AND PROVIDE DIRECTION ON THE FOLLOWING:

Zoning Code Update

Respectfully submitted,

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John Wesley, Secretary  
Planning Director

DA:  
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