

CITY OF MESA

MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers

Date January 15, 2004 Time 4:00 p.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

None

OTHERS PRESENT

John Wesley	Rich McAllister	Joe Padilla	Reese Anderson
Dorothy Chimel	Tom Ellsworth	Kari Kent	Harold Decker
Ryan Heiland	Veronica Gonzalez	Sean Lake	Greg Hitchens
Scott Langford	Charlie Scully	Ralph Pew	Ted Sarhangian
Lois Underdah	Wayne Balmer	John Perkinson	Others
Maria Salaiz	Wahid Alam	Nick Wood	

Chair Whalen declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated January 15, 2004. Before adjournment at 6:15 p.m., action was taken on the following items:

It was moved by Boardmember Carpenter, seconded by Boardmember Adams that the minutes of the December 18, 2003 Planning & Zoning Meeting be approved as amended. The vote was 7-0.

It was moved by Boardmember Carpenter, seconded by Boardmember Adams that the minutes for the First Public Meeting for General Plan Amendment GPMinor03-05 held on December 16, 2003 be approved as submitted. The vote was 6-0 (Esparza, was not present at the First Public meeting for this case).

It was moved by Boardmember Carpenter, seconded by Boardmember Adams that the minutes of the January 13, 2004 Study Session be approved. Vote 6-0-1 (Saemisch was not present at the Study Session).

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated that he had a conflict with zoning case Z03-10 and would not be participating. The vote was 6-0 (Saemisch abstaining).

Zoning Cases: *Z03-64, *Z03-70, *Z04-01, *Z04-02, Z04-03, *Z04-04, *Z04-05, *Z04-06, *Z04-07, Z04-08, Z04-09, *Z04-10

Minor General Plan Amendment: GPMinor04-01

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Item: **GPMinor04-01 (District 2)** Southwest corner of Southern Avenue and Lindsay Road (21.02 ac.). Proposed change to the General Plan Land Use Map from Office and Medium Density Residential (MDR 4-6) 4-6 dwelling units per acre to Medium Density Residential (MDR 6-10) 6-10 dwelling units per acre. Perkinson Investments, owner; Lindsay Park Townhomes, (Ted Sarhangian) L.L.C., applicant.
COMPANION CASE – Z04-08.

Comments: Chairperson Whalen recessed the Planning and Zoning Meeting to conduct the second public hearing on GPMinor04-01.

John Perkinson (1733 N. Greenfield Road) representing the applicant gave an overview of the project and stated that he is in agreement with everything that has been brought up and has no further info to add.

Ryan Heiland, Planner I, stated that this is a request for a Minor General Plan Amendment to change the land use designation from medium density residential 4-6 du/ac and office uses to medium density residential 6-10 du/ac. This would allow for an increase in density and also allow for the development of the project requested with its companion case Z04-08. Staff is in support of the proposed Minor General Plan Amendment.

Clarence Freestone (2500 East Southern) stated they are in favor if the applicant meets their concern. Mr. Freestone stated he represents the houses and businesses on the north side of Southern Avenue and they have a concern with the future widening of Southern Avenue and asked the applicant to dedicate an additional 10' of setback. "Then, when Southern is widened in the future, the widening of this half-mile section could be done to the south (adding 2 lanes to the south) without greatly impacting the existing properties on the north side."

Boardmember Carpenter asked the applicant if he has addressed Mr. Freestone concern. Mr. Perkinson responded that his staff has spent considerable time meeting with the neighborhood, the churches, and schools. He stated they just received Mr. Freestone's letter noting his concern. He mentioned that there is an alignment off of Southern Avenue and what the neighbors are basically asking is to move that alignment to the south 10'. We have been working with Engineering's comments, input and design for the past 10 months. Mr. Sarhangian and his staff has been involved with that whole process. Mr. Perkinson stated that while this letter is addressed to him, it's should be addressed to the City because they are asking the City to reduce the 20' landscape that they have planned, per City requirements, to 10'.

Ted Sarhangian (1015 South Val Vista Drive) also representing the applicant stated they have addressed this concern with the City Engineer and the City is carefully monitoring it. Our engineers have allocated the land that the City requested and what we are proposing is fully in compliance with the City of Mesa's future development plan.

Mr. Perkinson stated he understands and sympathizes with the neighbors. We are open to hear what the City Engineer has to say but didn't think that should impact the General Plan Amendment or the zoning case.

Chairperson Whalen asked Mr. Heiland if staff has had any communication from the Engineer Department. Mr. Heiland responded that the applicant is providing the City required right-of-ways. He stated that this case is in regards to the land use for GPMinor04-01.

It was moved by Boardmember Carpenter, seconded by Boardmember Saemisch.

That: The Board approve and recommend to the City Council approval of minor general plan amendment case GPMinor04-01.

Vote: 7-0.

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Item: **Z04-08 (District 2)** Southwest corner of Southern Avenue and Lindsay Road (21.02 ac.). Rezone from O-S, C-1, R1-7 to R-2 PAD. This request is for the development of a residential subdivision. Perkinson Investments, owner; Lindsay Park Townhomes, (Ted Sarhangian) L.L.C., applicant. Also consider the preliminary plat "Lindsay Park Townhomes."
COMPANION CASE – GPMInor04-01.

Comments: Ted Sarhangian (1015 South Val Vista Drive), also representing the applicant gave an overview of the project. He noted that his company primarily does infill townhouse development. We are finding a great need for this type of product. This type of product appeals to first time buyers, young investors, seniors, etc. He also mentioned they are currently constructing and selling another project at 1015 South Val Vista Drive (Val Vista Park Homes) and the project has received tremendous amount of public acceptance.

Don Sherbondy, architect, (6118 North 9th Avenue, Phoenix) noted that this project was a difficult project and in working with the City they came out with a pretty good solution. What we have tried to do is provide a housing development that harmonizes with the existing neighborhoods and we have worked closely with the neighborhood to get their approval. This is more or less an evolution of the Val Vista project. We have changed the style, color, and landscaping to reflect a natural look for this neighborhood. He urged the Board for approval.

Chairperson Whalen stated that Mr. Freestone's remarks be incorporated into this zoning case.

Clarence Freestone (2500 East Southern) stated they are in favor if the applicant meets their concern. Mr. Freestone stated he represents the houses and businesses on the north side of Southern Avenue and they have concerns with the future widening of Southern Avenue and asked the applicant to dedicate an additional 10' of setback. "Then, when Southern is widened in the future, the widening of this half-mile section could be done to the south (adding 2 lanes to the south) without greatly impacting the existing properties on the north side."

Mr. Heiland gave a brief overview of this case adding that the Homeowners Association would control all common areas and facilities, and that the maintenance and upkeep would be regulated by the CC&R's. Staff is recommending approval of this proposed development.

Boardmember Cowan stated that this project would be a nice addition to the community. It blends nicely with the existing homes and addresses the need of Southern Avenue, while trying to also develop a nice place for families to live. He stated he is in favor of this project.

Boarmember Saemisch pointed out that this is a better example of infill. He noted the amount of open space is more than adequate and this is a good solution to a very tough problem.

Boardmember Carpenter "dittoed" Mr. Saemisch's comments.

Boarmember Whalen also concurred with Mr. Saemish's sentiments and noted that he found the Val Vista project to be very interesting and quite nice. Mesa could use a lot more of it and if this is more of it I'm in favor of it.

It was moved by Boardmember Cowan, seconded by Boardmember Admas.

That: The Board approve and recommend to the City Council approval of zoning case Z04-08 conditioned upon:

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1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count)
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
4. Compliance with all requirements of the Subdivision Technical Review Committee.
5. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
6. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways

Vote: 7-0

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Item: **Z03-64 (District 3)** Northwest corner of Sycamore and Main Street (14.46 ac.). Rezone from C-2 and C-3 to C-2 BIZ and C-3 BIZ and Site Plan Modification. This request is for the development of a bus/light rail transfer lot and park-and-ride facility to serve the Mesa light rail station and to reserve a site for future Transit Oriented Development (TOD). Judith A. Klein, Rising Sun, LLC., owner; Jeff Martin, City of Mesa, applicant. **CONTINUED FROM THE DECEMBER 18, 2003 MEETING.**

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated he had a conflict with zoning case Z03-10 and would not be participating.

That: The Board approve and recommend to the City Council approval of zoning case Z03-64 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. All street improvements and perimeter landscaping to be installed in the first phase of construction.
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
4. Compliance with all City development codes and regulations.
5. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
6. Compliance with all requirements of the Design Review Board.
7. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
8. Transit oriented development is encouraged for the 3.67 acre lot.

Vote: 6-0 (Saemisch abstaining).

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Item: **Z03-70 (District 2)** 4150 East Main Street. East of Val Vista Drive and north of Main Street (15.95 ac.). Site Plan Modification. This request is for the development of an apartment complex. Roberto Ruiz, owner; Sean Lake, applicant. **CONTINUED FROM THE DECEMBER 18, 2003 MEETING.**

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated he had a conflict with zoning case Z03-10 and would not be participating.

That: The Board approve and recommend to the City Council approval of zoning case Z03-70 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, lot coverage) except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit 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. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: 6-0 (Saemisch abstaining).

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MINUTES OF THE JANUARY 15, 2004 PLANNING AND ZONING MEETING

Item: **Z04-01 (District 6)** Northeast and Northwest corners of Ellsworth Road and Germann Road (320 ac.). Rezone from R1-43 to M-1 and M-1 (conceptual C-2). This request is to bring zoning into conformance with Mesa 2025 General Plan. Various owners; Wayne Balmer, Project Manager WGAA, applicant.

Comments: Boardmember Finter declared a potential conflict of interest and excused himself. He also reassured the residents that he has never had a conversation with anybody on the Board regarding this case.

Doug Chapman – (8715 E. Woodland Ave), spoke on behalf the Queens Park neighborhood. He stated that in a meeting held November 18, 2003, the residents of Queens Parks were informed by Mr. Wayne Balmer that the previously proposed case had been tabled. This new information caused great concerns among the neighbors in attendance. He stated that they could not receive assistance from Mr. Balmer or the City of Mesa, which have been very patronizing, condescending and unhelpful in this process. Many of the neighbors were absent during the holiday season, which made it impossible for the residents to come together in an unreasonably short timeframe. Mr. Chapman stated that it is imperative that additional time be given to allow the residents to receive input and engage in meaningful dialog with City staff and affected property owners. The neighborhood would prefer that the property remain R1-43, if this is not possible, the neighborhood insist on being a constructive part of the process.

The following residents spoke in opposition of this case.

Ladell Call	8660 E. Waterford Circle, Mesa
David Armstrong	8727 E. Woodland, Mesa
Vicki Johnson	20134 E. Supersition Dr, Queen Creek
Ann Call	8660 E. Waterford Circle, Mesa
Craig Markley	8559 E. Woodland Avenue, Mesa
Karla Chapman	8715 E. Woodland Avenue, Mesa
David Chapman	8659 E. Woodland Avenue, Mesa
Derek Arnson	8757 E. Woodland Avenue, Mesa
Ann Benton	8760 E. Winnston, Mesa
Roger Trinko	8626 E. Waterford Circle, Mesa
Todd Wyman	8662 E. Winnston Circle, Mesa

Chairperson Whalen also read blue cards from residents opposed to this project, but did not wish to speak.

LeAnn Merkley	8559 E. Woodland Avenue, Mesa
Bonnie Vaughn	8744 E. Waterford Circle, Mesa
Robert Sellers	30 W. 1 st Street, Suite D, Mesa
Angela Romero	8718 E. Winnston Circle, Mesa

Donald Fuller (1128 E. Greenway, #1, Mesa) stated that he was concerned about the conditions that staff has recommended. He also suggested a continuance of at least 90 days. Mr. Fuller pointed out to Mr. Balmer that denying manufacturing plants on industrial was a little bit strange. We need to take some time to look at this with the homeowners and see if we can't get a plan that works. I sympathize with the homeowners and maybe there's ways to make the transition, but to influence or affect the property to the east of Ellsworth Road, with the same conditions that would be applied to the west of Ellsworth Road is not appropriate. He also stated he was concerned with staff's initiation and need for this rezoning.

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Chairperson Whalen pointed out that this rezoning was not Mr. Balmer's idea, but being done at the direction of the City Council. He also pointed out that this action was voted on by the people of Mesa as part of the General Plan.

Ronald Wiltbank (1052 W. 4th Place, Mesa) stated he was initially in favor of the project but after speaking with Mr. Balmer and the conditions proposed has changed his mind because of all the restrictions being imposed upon him.

Ralph Pew, (10 W. Main St., Mesa) representing the owners east of the Queens Park subdivision, mentioned that this property has always been in the City's General Plan for some type of industrial development. He stated they support the M-1 recommendation with all the conditions listed and urged the Board to support the General Plan. He also responded to Mr. Fuller's comments stating that Conditions #9, 10, 11, and 12 are focused primarily on the interface between Queens Park and their client's property. He hoped that staff would recommend that Condition #3, be amended in such a way that it might help the concerns that Mr. Fuller had.

Russ Brandt (625 N. Gilbert Road) mentioned that he is one of the principal owners and also part of a partnership that has been involved with this property for over 20 years. He stated when they got involved in that property that area was earmarked for industrial use. It's always been that way. He noted they agreed to the Conditions mentioned except for Condition #3, which says we can't have light industrial. That's always been a Master Plan Area for the development of the airport. He stated they support the zoning change and are prepared to work with Mesa.

Wayne Balmer, applicant, gave an overview of the project. He started that the plan is that by the year 2030 there could be as many as 100,000 jobs in the area, making it the fourth largest job center in Maricopa County. City Council in 2003 became concerned about the areas around the airport that still had residential zoning. The reason it was zoned residential was when the City annexed it from Maricopa County, the County had approved residential zoning and the City is required by law to give the nearest equivalent zone that the property had in the County. We did have a proposal that south of Pecos Road it would be zoned PEP and to the north of Pecos Road would be industrial. Although the neighbors in the Queens Park subdivision liked it, other property owners in the area, this Board, and City Council were not in favor. The direction given to us was to finish the General Plan and let the voters decide in November 2002, which is what we did and the area around this property was designated for light industrial south of Pecos Road, heavy industrial north of Pecos Road, and commercial at the intersection of Pecos and Ellsworth Roads. City Council instructed staff to initiate rezoning of all properties zoned residential to a zone that would be consistent with our new General Plan.

Mr. Balmer stated staff supports the concept as shown on the General Plan, but that left a dilemma about what to do with the properties that have the R1-43 zoning. Many of the property owners were concerned and frustrated and questioned how the City would handle the buffering between the neighborhood and the industrial area. He asked the property owners to get together and suggest how they think this would be best done. What we heard was that it was too close to the holidays and we'd talk afterward. From the input I received from the property owners, the Queens Park neighbors as well as City Council, I put together a list of Conditions of Approval. Mr. Balmer briefly read over and explained the Conditions of Approval and stated that if it's the Board's pleasure to propose a continuance he would agree.

Chairperson Whalen noted that most of the people present wanted more dialog than are in

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opposition of the case and felt a continuance would not hurt the case. Boardmember Adams echoed Boardmember Whalen's comments.

Boardmember Whalen pointed out that this is part of an overall plan for the entire southeast part of the City and that no one was being singled out.

Boardmember Saemisch commented that Mr. Balmer has done a creditable job in combining issues with solutions. He stated he is in a position to be in favor of this case, however; felt a little more time would not hurt.

Boardmember Esparza stated she understood Council's decision on protecting Williams Gateway and is completely supportive, however, if the neighbors weren't satisfied with being heard, that also needs to be protected and respected. I would support a continuance for 60-90 days.

Boardmember Cowan echoed the sentiments of Boardmember Esparza. He agreed that Mr. Balmer has done a very commendable job of trying to blend the needs of different entities and felt that an extension is appropriate so all parties have a chance to reach clarification and an understanding of the direction that the Board is headed, as far as, maintaining the economic vitality of the Williams Gateway Airport area.

Boardmember Whalen suggested that a 60-day continuance would be more appropriate than a 90-day continuance.

Boardmember Carpenter mentioned that the City has an important process called Citizen Participation, which is fairly new. She noted that as recently as the 1980's and 1990's people were only notified, they weren't asked their opinion. I would agree that we could give a little more time to working with the neighbors from Queen Parks and to clarify questions for anyone, including Mesa residents and members of this Board. She thanked the neighbors for coming out and also thanked Mr. Balmer for a very tough job. She stated she would support a continuance that is a reasonable time period.

Boardmember Adams added that the concerns expressed by some folks, that there is some underlying reason, as to why the City was trying to move this along. I am not aware of any underlying reason that hasn't been discussed or laid out on the table for everyone to see. The Council has given direction to look at these zoning issues with respect to the General Plan and bring them into compliance. If I knew there was something going on under the table that you should be concerned about, I'd tell you.

Boardmember Saemisch asked Mr. Balmer if he had any problem with the time periods discussed. Mr. Balmer responded he did not have a problem and mentioned that if the motion passed he would try to have two meetings prior to the March 17th meeting.

It was moved by Boardmember Cowan, seconded by Boardmember Esparza

That: The Board continue zoning case Z04-01 for 60 days to the March 17, 2004.

Vote: 6-0-1 (Finter abstaining)

Reason for Recommendation: The Board felt a continuance was warranted to allow more dialog between the applicant and the neighbors.

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Item: **Z04-02 (District 5)** Northwest corner of Recker Road and Loop 202 Freeway (24.78 ac.). Rezone from R1-90 and AG to M-1. This request is to bring zoning into conformance with Mesa 2025 General Plan. City of Mesa, owner; Wayne Balmer, Project Manager WGAA, applicant.

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated he had a conflict with zoning case Z03-10 and would not be participating.

That: The Board approve and recommend to the City Council approval of zoning case Z04-02 conditioned upon:

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

Vote: 6-0 (Saemisch abstaining).

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Item: **Z04-03 (District 6)** South and East of the Southeast corner of Power Road and Elliot Road (20.5 ac.). Rezone from R-3 to C-3 within an approved DMP. This request is to bring zoning into conformance with Mesa 2025 General Plan per City Council direction. Farnam Realty Inc., owner; Wayne Balmer, Project Manager WGAA, applicant

Comments: Wayne Balmer, applicant, stated that this case comes to the Board at the direction of the City Council. He stated there was a proposal to do an apartment project but that the City Council recommended residential at a lower density. They were concerned about density and residential at 17 units to the acre. They did not approve the plan and in order to avoid having future proposals submitted like that, Council requested that staff initiate a rezoning request to something that would also be consistent with the current General Plan. Mr. Balmer mentioned when the property got the R-3 zoning in 1999 it was mixed-use residential, which allowed some residential and employment areas. Our new General Plan shows it as mixed-used employment and no residential. The reason this case is before the Board is to rezone to C-3. In looking at our commercial zones, given the limited frontage this property has on Power Road and Elliot, it would have more potential for market development behind the main uses on the property. It also would be very attractive to be purchased along with the property to the north or south to be assembled to a larger parcel.

Chairperson Whalen noted that Mike Troy was in favor of this case but did not wish to speak.

Mark Dioguardi (2525 E. Camelback Rd.), representing the owner Farnam Realty Inc., stated his firm has expressed their concerns about this rezoning in the past. He stated they have been working with the City on a possible trade but have not been able to reach an agreement. He noted their opposition to this request. He also thanked the City Manager, City Attorney and Mr. Balmer for being very courteous and professional in how they have handled the disagreement.

Sean Lake (10 W. Main St.) representing Ruiz Engineering stated they wish to express their objection to rezoning this property from R-3 to C-3 for several reasons: 1) there has been very little development in this area; 2) the rationale used by the Planning and Zoning Board, the City staff and City Council in 1999 to zone this property to R-3 is still in place and still valid; 3) the City of Mesa's Housing Master Plan and the April 23rd letter from the City of Mesa to the Arizona Department of Housing is evidence that there is a need for affordable housing in this area; 4) the goal of the City of Mesa and their General Plan to have housing near their employment corridor would support keeping the property zoned R-3; and 5) the property is still vested as R-3 and therefore should not be rezoned. Mr. Lake also stated that it is not appropriate to treat the City differently than you would a normal property owner who would come before this Board to rezone property without seeing a site plan. He also believes this is "spot zoning" because there is not C-3 zoning found anywhere in the City other than along Country Club Drive and Main Street; and to place C-3 zoning on this property, where there is no other C-3 property anywhere in the area, is inappropriate.

Mr. Balmer noted that one of the Conditions on the Approval calls for future site plan review. The City of Mesa does not own this property and we are not doing it with the support of the property owner. We are saying to the property owner and future property owners that this is the concept for land use. It's consistent with the mixed-use idea, it's an employment use and before the property could actually be developed for C-3 use a site plan would have to be submitted for review and approval.

John Wesley, Planning Director, gave a brief summary stating this action is coming to the Board at the request of City Council. The request is in conformance with the direction of the Mesa

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2025 Plan and staff recommends approval.

Boardmember Saemisch asked to see a map that would show the proximity to the airport. Mr. Balmer presented a map showing the arrival and departure routes for the larger aircraft that use the airport. He explained the amount of traffic that would be over the top of the property if it were a residential development. He added that this is one of the reasons City Council was concerned about the overall density

Boardmember Carpenter asked why would we want to put people who need affordable housing under a runway path. She objected strongly to that kind of treatment to any resident especially residents who are identified as needing affordable housing. She also questioned whether or not the owner of this land wouldn't still have an opportunity to sell at an equal value or higher and didn't see any reason not to support this proposal.

Boardmember Saemisch asked Mr. Balmer to explain, for the public, the difference between C-2 and C-3 zoning and also why not recommend that this area be zoned C-2. Mr. Balmer responded that C-2 zoning is what called intermediate commercial or neighborhood commercial. It's the typical zoning that you would find with most shopping centers and most of the retail is done within an enclosed building, eg: grocery stores, or hardware stores. C-3 zoning is what typically called highway commercial, where items that are offered for sale are not in enclosed buildings, eg: a car sales lot, a motor home sales lot, a lumberyard. Mr. Balmer went on to explain the reason for wanting C-3 zoning instead of keeping the R-3 zoning. We thought this might be a good use for the property owner, would generate sales tax, be compatible with the surrounding areas and fit with the plan, with retail to the north and industrial to the south.

Mr. Balmer also stated that the C-3 zoning doesn't exclude the C-2 uses. Boardmember Saemisch asked Mr. Balmer if they would also be willing to support that some of the C-2 zoning go back to the C-3. Mr. Balmer responded Yes, we would be glad to look at a site plan for the whole shopping center and look at all of the zoning at one time.

Boardmember Carpenter added that combining properties or developing properties together is being encouraged. We have had a lot of properties in the City of Mesa piecemealed and cut up into small pieces. Whenever the Board sees a project coming forward where they are collaborating parcels, I am definitely going to be far more in favor of that.

Boardmember Whalen agreed with Ms. Carpenter. There are a number of parcels that are perhaps un-developable because they should have been assembled. He stated he was sure Mr. Wesley would help lead us into the modern era of assembled parcels and larger developments.

It was moved by Boardmember Carpenter, seconded by Boardmember Saemisch that zoning case Z04-03 be approved for C-3 zoning with conditions as recommended by staff.

1. Future Site Plan Review by the Planning and Zoning Board and City Council of development plans.
2. Future review by the Design Review Board of development plans.
3. Compliance with all City development codes and regulations.

Vote: 7-0.

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Item: **Z04-04 (District 5)** 4750 East Main Street. Located north of Main Street and east of Greenfield Road. (7.03 ac.). Rezone from C-2 to C-3. This request is to allow storage of pre-manufactured home inventory product for Cal-Am Homes. Norton S. Karno, owner; Cory Sukert, Cal-Am Properties, applicant.

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated he had a conflict with zoning case Z03-10 and would not be participating.

That: The Board approve and recommend to the City Council approval of zoning case Z04-04 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape plan and elevations submitted (without guarantee of lot coverage).
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: 6-0 (Saemisch abstaining).

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Item: **Z04-05 (District 6)** 517 South Higley Road. Located south of Broadway Road and east of Higley Road (12.69 ac.). Rezone from AG to R1-6 PAD. This request is for the development of a single residence subdivision. Donald R. Allison, Monogram Development Services, L.L.C., owner/applicant. Also consider the preliminary plat of "Heritage Pointe."

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated he had a conflict with zoning case Z03-10 and would not be participating.

That: The Board continue zoning case Z04-05 to the February 19, 2004 meeting.

Vote: 6-0 (Saemisch abstaining).

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MINUTES OF THE JANUARY 15, 2004 PLANNING AND ZONING MEETING

Item: **Z04-06 (District 6)** Southeast corner of Ellsworth Road and Portobello Avenue. Located south of Guadalupe Road and east of Ellsworth Road (4.18 ac.). Rezone from R-4 PAD-DMP to O-S PAD-DMP. This request is for the development of office buildings. Marvin Jacobs, owner; Marshall Reynolds – Rencor Development, applicant. Also consider the preliminary plat of “Mesquite Canyon Office Condos”

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated he had a conflict with zoning case Z03-10 and would not be participating.

That: The Board approve and recommend to the City Council approval of zoning case Z04-06 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 all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. Compliance with all requirements of the Design Review Board.
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. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: 6-0 (Saemisch abstaining).

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MINUTES OF THE JANUARY 15, 2004 PLANNING AND ZONING MEETING

Item: **Z04-07 (District 6)** 5524 East Baseline Road. Located east of Higley Road and north of Baseline Road (2.34 ac.). Site Plan Modification. This request is for the expansion of an existing office building. Lynn Urry, owner; Greg Hitchens, applicant.

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated he had a conflict with zoning case Z03-10 and would not be participating.

That: The Board approve and recommend to the City Council approval of zoning case Z04-07 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
3. Compliance with all 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. All street improvements and landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Design Review Board.
7. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance outlined in the staff report.
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Vote: 6-0 (Saemisch abstaining).

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MINUTES OF THE JANUARY 15, 2004 PLANNING AND ZONING MEETING

Item: **Z04-09 (District 6)** The 7500 block of East Hampton Avenue (north side). Located south of Southern Avenue and west of Sossaman Road (4.1 ac.). Rezone from AG-DMP (conceptual M-1) to M-1-DMP. This request is for the development of an auto repair building. Superstition Springs Investors Limited Partnership (Neal Kurn, President), owner; Brian Johns, Associated Architects, applicant.

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated he had a conflict with zoning case Z03-10 and would not be participating.

That: The Board approve and recommend to the City Council approval of zoning case Z04-09 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 coverage).
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate 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. Ensure that pedestrian circulation layout includes directness, safety, and continuity of routes throughout the site and from the street to all building entrances.
6. Compliance with all requirements of the Subdivision Regulations.
7. Compliance with all requirements of the Design Review Board.

Vote: 6-0 (Saemisch abstaining).

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MINUTES OF THE JANUARY 15, 2004 PLANNING AND ZONING MEETING

Item: **Z04-10** (District 3) The 2900 block of South Alma School Road (west side). Located south of Guadalupe Road. Site Plan Modification (5+ ac.). This request is to allow the development of a new drive-through restaurant. SWC Guadalupe+ Alma School Road Limited Partnership (Gary Davidson); owner; Paul Gilbert, applicant.

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

It was moved by Boardmember Adams, seconded by Boardmember Cowan that the consent items be approved. Boardmember Saemisch stated he had a conflict with zoning case Z03-10 and would not be participating.

That: The Board continue zoning case Z04-10 to the February 19, 2004 meeting.

Vote: 6-0 (Saemisch abstaining).

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MINUTES OF THE JANUARY 15, 2004 PLANNING AND ZONING MEETING

Respectfully submitted,

John D. Wesley, Secretary
Planning Director

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