

CITY OF MESA

MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers
Date: October 18, 2007 Time: 4:00 p.m.

MEMBERS PRESENT

Rich Adams, Chair
Frank Mizner
Ken Salas
Randy Carter
Chell Roberts

MEMBERS ABSENT

Pat Esparza, Vice Chair, excused
Jared Langkilde, excused

OTHERS PRESENT

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

Joy Spezeski
Elisabeth Hunt
Carl Schaffer
Lon Carruth
Robert Pizorno
Christine Zielonka
Jim Smith

The LTD Academy
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 October 18, 2007. Before adjournment at 5:10 p.m., action was taken on the following items:

It was moved by Boardmember Salas, seconded by Boardmember Mizner that the minutes of the September 18, 2007, and September 20, 2007 study sessions and the regular meeting be approved as submitted. Vote: 5-0 with Boardmembers Esparza and Langkilde absent.

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

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

Zoning Cases: *Z07-91, *Z07-96, *Z07-102, Z07-103, Z07-104, *Z07-105, *Z07-107, *Z07-108, *GPMInor07-11, *Z07-74, GPMInor07-13, Z07-101, GPMInor07-14, Z07-106, *Preplat – “First Mesa Commerce Centre (Phase 1)”.

Code Amendment: Amending Sections 11-1-6, 11-5-3, and 11-6-3 regarding “Supervised Living Facilities (SLFs)” and “Transitional Correctional Facilities (TCFs).”

MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Item: **Z07-91 (District 4)** 905 West Broadway Road. Located east of Alma School on the south side of Broadway Road (1.12± acres). Site Plan Modification. This request will bring the site into compliance with current standards. Larry Stickler, owner; David Lind, applicant. **CONTINUED FROM THE AUGUST 16, 2007, AND SEPTEMBER 20, 2007 MEETINGS.**

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board continue zoning case Z07-91 to the November 15, 2007 hearing.

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

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MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Item: **Z07-96 (District 5)** The 5600 block of East Thomas Road (south side). Located west of Recker Road on the south side of Thomas Road (25± acres). Rezone from R1-90 to PEP (conceptual BIZ). This request will allow future the development of a business park. Van Bethancourt, Red Mountain Commerce Park, LLC, owner; Josh Hannon, EPS Group, Inc., applicant. Also consider the preliminary plat. **CONTINUED FROM THE SEPTEMBER 20, 2007 MEETING.**

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board continue zoning case Z07-96 to the November 15, 2007 hearing.

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

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Item: **Z07-102 (District 1)** 1234 West University Drive. Located west of Alma School Road on the north side of University Drive (.17± ac.). Council Use Permit. This request will allow the development of a pawnshop. Michael Mugel, owner; Brad Shain, applicant.

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board continue zoning case Z07-102 to the November 15, 2007 hearing.

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

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Item: **Z07-103 (District 6)** 10309 East Hampton Avenue. Located east of Crismon Road and south of Southern Avenue (5.91± ac.). Rezone from M-1 to M-1-BIZ, and Site Plan Modification. This request will allow for the development of two hotels. Vance H. Marshall, VJ Crismon LLC, owner; Elisabeth Hunt, TAAG (The Allred Architectural Group P.C.), applicant.

Comments: Elisabeth Hunt, TAAG's Architect, applicant, addressed concerns regarding the elevations and stated that after their initial meetings with the Design Review Board (DRB) they have revised the elevations.

Jennifer Gniffke, Planner II, gave an overview of the project stating that the BIZ overlay is being requested to allow for an increase to the height of the buildings as well as for some minor reductions to the setbacks and width of the foundation base; she added that staff is recommending approval with conditions.

Boardmember Carter noted his concerns with the elevations and mentioned that although this project meets the corporate goals, it does not have quality elevations. He stated that this project would be wonderful but noted he would like the owners and the architects to "step it up" and have a better-looking gateway to the City of Mesa; adding that this project is close to a well-designed hospital and needs quality buildings. He also mentioned that there would be issues with the site regarding solid waste and he hoped that this hotel chain would set the standard in the area.

Boardmember Mizner echoed Mr. Carter's comments adding that this is a prominent location, next to the hospital and freeway. He also stated this item was pulled from the consent agenda to note concerns about the architectural design; he welcomed them into the community.

Chairperson Adams asked Ms. Hunt if the design was corporate model. Ms. Hunt responded that Marriott has a prototype they use and have modified the elevations to fit in with the development. Discussion ensued regarding the design of the buildings and elevations.

Boardmember Carter stated since this project is setting the standard for development he asked that DRB look carefully at this project. Ms. Hunt stated that the Board's comments are well received and appreciated and they would take them and try to come up with something that is liked.

Boardmember Mizner moved to approve this project noting that it would be an asset to Mesa is consistent with the overall development of this area and meets the goals of the Mesa General Plan, seconded by Boardmember Carter

That: The Board approve and recommend to the City Council approval of zoning case Z07-103 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted (without guarantee of lot yield, building count, or lot coverage).
2. Compliance with all City development codes and regulations, unless modified as part of the BIZ overlay.
3. Compliance with all requirements of the Design Review Board.
4. All signage shall be in conformance with the Zoning Ordinance.

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5. All limits of construction shall have temporary landscaping, extruded curbs, and screen walls where parking and loading/service areas are visible from Rights of way and public areas.
6. Site Plan Review through the public hearing process of any future development.
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. Approval of a land split and compliance with the conditions of that approval (LS07-29).

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

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Item: **Z07-104 (District 3)** 922 South Country Club Drive. Located north and west of Country Club Drive and Southern Avenue (7.17± ac.). Site Plan Modification, and rezone from C-2 and C-3 to C-3-PAD. This request will allow for the expansion of a motorcycle dealership. E. B. Chester, owner; Carl F. Schaffer, AIA, Ideation Design Group, applicant.

Comments: Carl Schaffer, Ideation Design Group, 5013 E. Washington St. Phoenix, AZ, applicant, gave an overview of the project stating that it would be a nationally recognized project. He mentioned they have worked diligently with Planning staff and other Departments and have made numerous concessions with the Design Review Board (DRB) and were applauded and thanked by DRB. He explained the project and stated the proposed new development is required to have 132 parking spaces and they have provided 159; noting that the City does not recognize motorcycle parking and a typical parking space, which is 9'x18', can park up to four motorcycles. He addressed the screening for the "Riders Edge" stating that they are providing additional landscaping along the security fence prior to "Building 3" being built and have met all landscaping requirements. He addressed concerns regarding the "loading dock" being used as an entertainment venue, which is an allowed use four times a year and will also serve as a noise attenuation wall and shield the noise from the surrounding neighborhoods. Mr. Schaffer thanked the City for making this project a reality.

Lon Carruth, 922 S. Country Club, Mesa, AZ, General Manager and applicant, addressed the issue of traffic; adding that a little over 50% of their clients come in on their motorcycles and park 3-4 motorcycles in one space. He explained the use of the "Riders Edge Course", which is part of a nationally organized motorcycle foundation program for safety training and added that they currently have to go outside the City of Mesa to teach this training.

Boardmember Roberts asked what would be the possible use of "Building 3" and asked if there is sufficient buffering without the building. He also asked if there were adequate parking spaces during special events. Mr. Schaffer explained the set up of "Building 3" and mentioned that there would be sufficient buffering without the building. Mr. Carruth responded that they are confident about adequate parking for their events and use the property to the south, if necessary. Discussion ensued regarding parking for special events and permits.

Boardmember Mizner noted the concerns from the neighbors regarding hours of operation for Solid Waste pick up. He also asked if they were comfortable with Condition #3 regarding future review of Buildings #3 & #4. Mr. Carruth explained that the gates do not open until 6:30 a.m. and generally the City picks up around 10:00 a.m.; adding they can try to work with the driver to pick up later. He mentioned that they are responsive to their neighbors concerns and stated they are comfortable with Condition #3.

Jennifer Gniffke, Planner II, gave an overview of the project explaining the modifications being requested as part of the PAD overlay, which include building and landscape setbacks, foundation base widths and changes to the parking lot layout. She noted the concerns from a neighbor regarding noise pollution. She also noted staff's concern regarding the feasibility of future Buildings #3 & #4, parking, the paint striped parking spaces in the "Riders Edge" area, the loading dock being used as an entertainment venue, and notification to the neighbors regarding the revised plan. Ms. Gniffke stated that staff is recommending approval with conditions and several conditions have been drafted to address the concerns mentioned.

Chairperson Adams commented that this is an area that could use a new fresh business and would put a nice "facelift" to County Club Drive.

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Boardmember Mizner noted that staff did a thorough job on the staff report and as pointed out by Ms. Gniffke, there were a number of concerns regarding future uses on the site, which have been addressed through the revised Conditions. Boardmember Mizner moved to approve zoning case Z07-104, noting that this project would be an asset to this area and is in conformance with the Mesa General Plan. Seconded by Boardmember Roberts.

That: The Board approve and recommend to the City Council approval of zoning case Z07-104 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted (without guarantee of lot yield, building count, or lot coverage).
2. Compliance with all requirements of the Design Review Board.
3. Future Buildings #3 and #4 to be reviewed and approved by the Planning and Zoning Board, Design Review Board and City Council.
4. Compliance with all City development codes and regulations, unless modified as part of the PAD overlay.
5. The area indicated for Future Building #3, including the entire area bound by drive aisles to the west and north, and by the perimeter picket fence to the east, shall be fully landscaped per Code requirements for landscape areas.
6. Provide on-site directional signage to prevent customers from riding motorcycles into the area of the site that is located north of New Building #1 and west of the gate located at the western end of the drive aisle that passes under the canopy.
7. A Special Event License is required if the building/loading dock is used for an outdoor entertainment venue.
8. 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.
9. Provide screening for all parking areas, including the parking spaces in the Riders Edge area, per Code.
10. The Riders Edge area shall not be utilized for parking except during licensed special events.

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

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Item: **Z07-105 (District 6)** 7551 East Pecos Road. Located south and east of Pecos Road and Sossaman Road (9.57± ac.). Site Plan Review. This request will allow the development of 3 shell industrial buildings. Roger Buttrum, Buttrum Westside Commerce Center LLC, owner; Michael Hill, RDB Management & Construction.

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board approve and recommend to the City Council approval of zoning case Z07-105 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot yield, building count, or lot coverage).
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all City development codes and regulations.
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Certificates of Occupancy and/or Completion for individual buildings shall not be granted until Zoning Ordinance required parking and landscaping are constructed for those buildings.
6. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
7. Written notice be provided to future owners, and acknowledgment received, that the project is within Williams Gateway Airport Noise Overflight Area 3 and within one (1) mile of the airport, and is subject to noise that may be objectionable.

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

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Item: **Z07-107 (District 6)** 8230 East Broadway Road. Located on the north side of Broadway Road east of Hawes Road (0.20± ac.). Rezone from Maricopa County R1-6 to City of Mesa R1-6. For the establishment of City of Mesa zoning on recently annexed property. James and Karla Vanderpool, owner; City of Mesa, applicant.

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board approve and recommend to the City Council approval of zoning case Z07-107 conditioned upon:

1. Compliance with all City development codes and regulations.
2. Future review of development per Zoning Ordinance requirements.

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

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Item: **Z07-108 (District 6)** 9621 East McKellips Road. Located on the south side of McKellips Road west of Crismon Road (1.06± ac.). Rezone from Maricopa County Rural-43 to City of Mesa R1-43. For the establishment of City of Mesa zoning on recently annexed property. Alan and Jan Saquella, owner; City of Mesa, applicant.

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board approve and recommend to the City Council approval of zoning case Z07-108 conditioned upon:

1. Compliance with all City development codes and regulations.
2. Future review of development per Zoning Ordinance requirements.

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

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MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Item: **GPMInor07-11 (District 5)** Parcel 51 at Las Sendas. The 7100 and 7200 blocks of East McDowell Road (north side). Located east of Power Road on the north side of McDowell Road. District 5. General Plan Minor Amendment to change the General Plan Land Use Map from Business Park to Medium Density Residential 6-10 du/acre (25± ac.) and Neighborhood Commercial (14± acres). This request will allow the development of multi-family condominium villas within the Las Sendas Development Master Plan. JCA Holdings, LLC, Chris Arnold, owner; Reese Anderson, Pew and Lake, PLC, applicant. **COMPANION CASE Z07-74. CONTINUED FROM THE JULY 19, 2007 AND SEPTEMBER 20, 2007 MEETINGS.**

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board continue zoning case GPMInor07-11 to the November 15, 2007 hearing.

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

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MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Item: **Z07-74 (District 5)** Parcel 51 at Las Sendas. The 7100 and 7200 blocks of East McDowell Road (north side). Located east of Power Road on the north side of McDowell Road (50± ac.). District 5. Rezone from R1-90 DMP to R-2, C-2 and PEP, all part of a P.A.D. overlay and a modification to the Las Sendas Development Master Plan. This request will allow the development of a mixture of multi-family, retail, and office uses. JCA Holdings, LLC, Chris Arnold, owner; Reese Anderson, Pew and Lake, PLC, applicant. Also consider the preliminary plat. **COMPANION CASE GPMInor07-11. CONTINUED FROM THE JULY 19, 2007 AND SEPTEMBER 20, 2007 MEETINGS.**

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board continue zoning case Z07-74 to the November 15, 2007 hearing.

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

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MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Item: **GPMInor07-13 (District 6)** 9565 East Southern Avenue. Located west of Crismon Road on the south side of Southern Avenue. (16.17± ac.). General Plan Minor Amendment to change the General Plan Land Use Map from High Density Residential 10-15 du/ac (HDR 10-15 du/ac) to High Density Residential 15+ du/ac (HDR 15+). This request will allow the development of apartments. George F. Tibsherany, owner; Don Cox, WRG Design Inc. applicant. **COMPANION CASE Z07-101.**

Comments: Robert Pizorno, 4800 N. Scottsdale Road, Suite 6000, Scottsdale, AZ, applicant, stated that this site is in an area of rapidly developing medical facilities and felt a development of multi-family housing was appropriate. He mentioned that there are some site constraints, one is the request by staff that 96th Street be brought through the site, which would cut the site in half and make it unworkable and another issue is retention, which has been addressed by putting in a large drainage area and channeling it towards the back. Mr. Pizorno explained that the northwest corner would be for office/retail and that the rest of the site would be residential with a slight increase in density. He added that the site is parked to Code with ample parking for visitors and residents. He stated they are in complete agreement with the staff report and pleased to have staff's support.

Boardmember Mizner stated he brought up the concerns about the location of the C-1, which is an odd location given the fact that 96th Street is not an arterial. He stated he appreciated the applicant's explanation, adding that the combination of office/retail is appropriate and compatible for the area.

Joe Welliver, Planner I, gave an overview stating that this is a request to change the General Plan land use designation from High Density Residential (HDR 10-15 du/ac) to High Density Residential (HDR 15+du/ac.) and a rezone to change the zoning from R-3-PAD to R-3-PAD and C-1. He stated that there is ample parking and staff is supportive of both the Minor General Plan Amendment and the zoning change. Mr. Welliver mentioned that the modifications being requested are landscape setbacks, building setbacks and building separation for the residential portion.

Boardmember Carter noted that the recycling containers do not meet Solid Waste requirements and will affect parking on the site. He asked that this issue be reviewed with the applicant because it may result in losing parking spaces and the site will have to be redesigned. He stated that this is a well-designed project with a "village" feel that integrates the retail and office buildings into the complex.

Chairperson Adams noted that the language regarding avigation easements for the Williams Gateway be added into the Conditions of Approval.

Boardmember Roberts stated that this is a great project and would be an asset to Mesa but noted that while the parking meets Code, having one parking space per unit is not adequate.

It was moved by Boardmember Carter, seconded by Boardmember Salas

That: The Board approve and recommend to the City Council adoption of GPMInor07-13.

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

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Mesa's website at www.cityofmesa.org

Item: **Z07-101 (District 6)** 9565 East Southern Avenue. Located west of Crismon Road on the south side of Southern Avenue. (16.17± ac.). Rezone from R-3 PAD to R-3 PAD and C-1 and Site Plan Review. This request will allow the development of a retail and office building. George F. Tibsherany, owner; Don Cox, WRG Design Inc. applicant. Consider the preliminary plat for "Superstition Canyon". **COMPANION CASE GPMInor07-13.**

Comments: Robert Pizorno, 4800 N. Scottsdale Road, Suite 6000, Scottsdale, AZ, applicant, stated that this site is in an area of rapidly developing medical facilities and felt a development of multi-family housing was appropriate. He mentioned that there are some site constraints, one is the request by staff that 96th Street be brought through the site, which would cut the site in half and make it unworkable and another issue is retention, which has been addressed by putting in a large drainage area and channeling it towards the back. Mr. Pizorno explained that the northwest corner would be for office/retail and that the rest of the site would be residential with a slight increase in density. He added that the site is parked to Code with ample parking for visitors and residents. He stated they are in complete agreement with the staff report and pleased to have staff's support.

Boardmember Mizner stated he brought up the concerns about the location of the C-1, which is an odd location given the fact that 96th Street is not an arterial. He stated he appreciated the applicant's explanation, adding that the combination of office/retail is appropriate and compatible for the area.

Joe Welliver, Planner I, gave an overview stating that this is a request to change the General Plan land use designation from High Density Residential (HDR 10-15 du/ac) to High Density Residential (HDR 15+du/ac.) and a rezone to change the zoning from R-3-PAD to R-3-PAD and C-1. He stated that there is ample parking and staff is supportive of both the Minor General Plan Amendment and the zoning change. Mr. Welliver mentioned that the modifications being requested are landscape setbacks, building setbacks and building separation for the residential portion.

Boardmember Carter noted that the recycling containers do not meet Solid Waste requirements and will affect parking on the site. He asked that this issue be reviewed with the applicant because it may result in losing parking spaces and the site will have to be redesigned. He stated that this is a well-designed project with a "village" feel that integrates the retail and office buildings into the complex.

Chairperson Adams noted that the language regarding avigation easements for the Williams Gateway be added into the Conditions of Approval.

Boardmember Roberts stated that this is a great project and would be an asset to Mesa but noted that while the parking meets Code, having one parking space per unit is not adequate.

It was moved by Boardmember Carter, seconded by Boardmember Salas

That: The Board approve the preliminary plat of "Superstition Canyon" and recommend to the City Council approval of zoning case Z07-101 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 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, except those amended with the PAD Overlay.
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. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
7. Written notice be provided to future tenants, and acknowledgment received that the project is within five (5) miles of Williams Gateway Airport.

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

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MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Item: **GPMInor07-14 (District 4)** 1137 East Broadway Road. Located west of Stapley Drive on the south side of Broadway Road (1.9± ac.). General Plan Minor Amendment to change the General Plan Land Use Map from Medium Density Residential 4-6 du/acre and High Density 15+ du/acre to Medium Density Residential 6-10 du/acre. This request will allow the development of a supportive housing project. Wayne Neil Evans and Jeanine Salmon, owner; Michael Knisely, Distyle Design, applicant. **COMPANION CASE Z07-106.**

Comments: Michael Knisely, Distyle Design, applicant, stated he would answer the Board's questions and noted that he is in agreement with the Conditions of Approval. He stated that there was concern from neighbors regarding the solid masonry fence and a view fence was suggested. He stated they would prefer to have solid masonry fence to the east and view fencing to the west.

Tom Ellsworth, Senior Planner, stated that this is a request to change the General Plan land use designation from Medium Density Residential (MDR 4-6 du/ac) and High Density Residential (HDR15+) to MDR 6-10 du/ac. This request will act as a transitional land use between an existing single-family neighborhood and a commercial corner. He stated staff is supportive of the land use change, which would encourage infill development on a parcel that has been vacant for some time. Mr. Ellsworth stated that the request is also for a rezone from R1-6 to R-2 to allow the development of a supportive housing facility, which staff is also supportive of. He mentioned that the applicant is requesting a modification to the parking to allow one space per unit and staff is also in support of that request through the Development Incentive Permit (DIP) process through the Board of Adjustment. He mentioned that staff has no objection to the development of the view fence to the west side.

Boardmember Carter thanked the applicant for investing in an area that needs redevelopment, adding that the architect has done a good job in meeting Code requirements.

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board approve and recommend to the City Council adoption of GPMInor07-14.

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

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MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Item: **Z07-106 (District 4)** 1137 East Broadway Road. Located west of Stapley Drive on the south side of Broadway Road (1.9± acres). Rezone from R1-6 to R-2 and Site Plan Review. This request will allow the development of a supportive housing project. Wayne Neil Evans and Jeanine Salmon, owner; Michael Knisely, Distyle Design, applicant. **COMPANION CASE GPMInor07-14.**

Comments: Michael Knisely, Distyle Design, applicant, stated he would answer the Board's questions and noted that he is in agreement with the Conditions of Approval. He stated that there was concern from neighbors regarding the solid masonry fence and a view fence was suggested. He stated they would prefer to have solid masonry fence to the east and view fencing to the west.

Tom Ellsworth, Senior Planner, stated that this is a request to change the General Plan land use designation from Medium Density Residential (MDR 4-6 du/ac) and High Density Residential (HDR15+) to MDR 6-10 du/ac. This request will act as a transitional land use between an existing single-family neighborhood and a commercial corner. He stated staff is supportive of the land use change, which would encourage infill development on a parcel that has been vacant for some time. Mr. Ellsworth stated that the request is also for a rezone from R1-6 to R-2 to allow the development of a supportive housing facility, which staff is also supportive of. He mentioned that the applicant is requesting a modification to the parking to allow one space per unit and staff is also in support of that request through the Development Incentive Permit (DIP) process through the Board of Adjustment. He mentioned that staff has no objection to the development of the view fence to the west side.

Boardmember Carter thanked the applicant for investing in an area that needs redevelopment, adding that the architect has done a good job in meeting Code requirements.

It was moved by Boardmember Salas, seconded by Boardmember Carter

That: The Board approve and recommend to the City Council approval of zoning case Z07-106 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).
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all City development codes and regulations.
4. Full compliance with all current Code requirements, unless modified through appropriate review and approval of a Development Incentive Permit for the modifications outlined within the staff report.
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.

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

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

MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Item: "First Mesa Commerce Centre (Phase 1)". The 4300 to 3600 block of Ellsworth Road and the 9200 to 9600 block of Elliot Road. Located at the northeast corner of Elliot Road and Ellsworth Road. To allow for the development of a commercial/industrial commerce park. Paul B. Mathews, FR/CAL Ellsworth LLC, owner; Ernest Amponsah, David Evans & Associates, Inc., applicant.

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board approve the preliminary plat of "First Mesa Commerce Centre (Phase 1)" conditioned upon:

1. 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.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Subdivision Technical Review Committee.
4. 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).
5. An aircraft noise disclosure statement shall be provided to future property owners.
6. Notification to be included on the title that "these properties, due to their proximity to Williams Gateway Airport, will experience aircraft overflights that generate noise levels which will be of concern to some individuals".

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

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MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Item: Amending Sections 11-1-6, 11-5-3, and 11-6-3. The amendment is proposing to amend, modify or delete language for the existing definition of "Supervised Living Facilities (SLFs)" and possibly replace it with a definition for "Transitional Correctional Facilities (TCFs)." The amendment would also revise Sections 11-5-3 and 11-6-3 with regard to permitted uses in the R-4 and Commercial Zoning Districts, permitted locations of SLF/TCFs and required spacing between similar SLF/TCF land uses. **CONTINUED FROM THE JULY 19, 2007 AND SEPTEMBER 20, 2007 MEETINGS.**

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

It was moved by Boardmember Salas, seconded by Boardmember Roberts

That: The Board continue this Code amendment to the November 15, 2007 hearing.

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

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MINUTES OF THE OCTOBER 18, 2007 PLANNING AND ZONING MEETING

Respectfully submitted,

John Wesley, Secretary
Planning Director

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