

Planning and Zoning Board

Minutes

Held in the City of Mesa Council Chambers
Date: September 18th, 2013 Time: 4:00 p.m.

MEMBERS PRESENT:

Randy Carter, Chair
Beth Coons, Vice-Chair
Brad Arnett
Lisa Hudson
Vince DiBella
Suzanne Johnson

MEMBERS ABSENT:

Michael Clement

STAFF PRESENT:

John Wesley
Kaelee Wilson
Lesley Davis
Angelica Guevara
Wahid Alam
Margaret Robertson
Jason Sanks
Kim Steadman
Gordon Sheffield
Delphina Legah

OTHERS PRESENT:

Chairperson Carter declared a quorum present and the meeting was called to order at 4:02 p.m. Before adjournment at 4:51p.m., action was taken on the following:

It was moved by Boardmember DiBella, seconded by Boardmember Johnson that the minutes of the August 20th, 2013, and August 21st, 2013 study sessions and regular meeting be approved as submitted.
Vote: 6 -0 (Boardmember Clement absent)

It was moved by Boardmember Coons, seconded by Boardmember DiBella that the minutes of the August 28th, 2013 special meeting be approved as submitted.
Vote: 4-0 (Boardmember Clement absent, Chair Carter and Boardmember Hudson abstain)

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

It was moved by Boardmember Arnett, seconded by Boardmember Coons that the consent items be approved. Vote: 6-0 (Boardmember Clement absent)

MINUTES OF THE SEPTEMBER 18, 2013 PLANNING AND ZONING MEETING

Zoning Cases: Z13-046, Z13-048, Z13-049, Z13-043 and Z13-044

Preliminary Plat: Signal Butte 105

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

It was moved by Boardmember Arnett, seconded by Boardmember Hudson that the consent items be approved. Vote: 4-0 (Boardmember Clement absent, Boardmember DiBella and Boardmember Coons abstain)

Zoning Cases: Z13-047

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Item: **Z13-046 (District 6)** 10545 East Main Street. Located on the south side of Main Street just west of Signal Butte Road. (3.75± acres). Site Plan Modification and a Special Use Permit to allow outdoor display. This request will allow the development of a retail store in the GC-PAD zoning district.

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

It was moved by Boardmember Arnett, seconded by Boardmember Coons

That: The Board approves of zoning case Z13-046 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape plan, and building elevations except as otherwise conditioned.
2. Design Review approval.
3. Compliance with the foundation base requirements for the east side of the building.
4. Compliance with required tree/shrub quantities per Ch. 33 of the Zoning Ordinance
5. Compliance with all City development codes and regulations.
6. Signs (detached and attached) need separate approval and permit for locations, size, and quantity.

Vote: Passed (6-0) Boardmember Clement absent

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

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Item: **Z13-047 (District 6)** 2400 block of South Signal Butte Road. Located on the east side of Signal Butte Road just south of Baseline Road. (2.26± acres). Site Plan Review. This request will allow the development of an assisted living facility in the RM-4 zoning district.

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

It was moved by Boardmember Arnett seconded by Boardmember Hudson

That: The Board approves of zoning case Z13-047 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape plan, and building elevations except as otherwise conditioned.
2. Design Review approval.
3. Modification of the existing Special Use Permit (BA11-021)
4. Approval of a request for parking reduction & reduction of one landscape island.
5. Compliance with all City development codes and regulations.
6. Signs (detached and attached) need separate approval and permit for locations, size, and quantity.

Vote: Passed (4-0) Boardmember Coons and DiBella abstained

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MINUTES OF THE SEPTEMBER 18, 2013 PLANNING AND ZONING MEETING

Item: **Z13-048 (District 6)** 5329 South Power Road. Located south of Ray Road on the east side of Power Road. (4.989± acres). Site Plan Modification. This request will allow the development of a group commercial center in the LC-PAD zoning district.

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

It was moved by Boardmember Arnett, seconded by Boardmember Coons

That: The Board approves of zoning case Z13-048 conditioned upon:

1. Compliance with the basic development as described in the project narrative, and as shown on the site plan 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. 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 street frontage landscaping to be installed in the first phase of construction.
6. 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.
7. 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.
8. Compliance with all requirements of case Z08-031, except as modified by this request.
9. Recordation of a reciprocal parking easement with individual lot owners of the development.
10. Future Site Plan Review for development of the parcel identified as a future hotel on the site plan identified as A1.1, dated August 21, 2013.
11. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
12. Noise attenuation measures be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.

Vote: Passed (6-0) Boardmember Clement absent

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MINUTES OF THE SEPTEMBER 18, 2013 PLANNING AND ZONING MEETING

Item: **Z13-049 (District 2)** 6458 East Broadway Road. Located west of Power Road on the north side of Broadway (4± acres). Site Plan Review. This request will allow the expansion of a skilled nursing facility in the RM-4 zoning district.

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

It was moved by Boardmember Arnett, seconded by Boardmember Coons

That: The Board approves of zoning case Z13-049 conditioned upon:

1. Compliance with the basic development as described in the project narrative, and as shown on the site plan submitted, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of the Design Review Board.
3. Approval of a Special Use Permit from the Board of Adjustment.
4. Compliance with all City development codes and regulations.

Vote: Passed (6-0) Boardmember Clement absent

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MINUTES OF THE SEPTEMBER 18, 2013 PLANNING AND ZONING MEETING

Item: **Z13-043 (District 6)** 3225 South Power Road. Located on the east side of Power Road just south of Guadalupe Road. (14.25± acres). Modification of a Planned Area Development in the LI-PAD zoning district. This request will allow the development of a self-storage facility.

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

It was moved by Boardmember Arnett, seconded by Boardmember Coons

That: The Board recommend to the City Council approval of zoning case Z13-043 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted.
2. Compliance with all requirements of the Design Review process.
3. Compliance with all City development codes and regulations.
4. Provide minimum 8 feet wide landscape yard with trees, shrubs and ground cover along the 8 feet tall wrought iron fence along the easement boundary.
5. Provide 15 feet wide landscape yard along south property line with 8 feet tall wrought iron fence with trees, shrubs and groundcover.
6. Move the Building E to the north away from the south property line and bring the driveway to the south along the landscape yard creating the same environment along RWCD Canal bank.
7. Provide landscaping inside the SRP easement per SRP approved plant materials.
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. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the map, prior to the issuance of a building permit).

Vote: Passed (6-0) Boardmember Clement absent

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MINUTES OF THE SEPTEMBER 18, 2013 PLANNING AND ZONING MEETING

Item: **Z13-044 (District 6)** The 5,600 to 6,000 blocks of South Signal Butte Road (east side) and the 10,800 to 11,100 block of East Williams Field Road (north side). Located at the north east corner of Signal Butte Road and Williams Field Road. (105± acres). Rezone from RSL-4.5 (35± acres) and RS-6 (70± acres) to RS-6-PAD and Site Plan Review. This request will allow residential development.

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

It was moved by Boardmember Arnett, seconded by Boardmember Coons

That: The Board recommend to the City Council approval of zoning case Z13-044 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape exhibits and preliminary plat submitted, (without guarantee of lot yield, building count, or lot coverage).
2. Compliance with the Residential Development Guidelines:
 - A) Staggering the home front yard setback at least 2' behind the required front yard setback
 - B) No two identical elevations are permitted on adjacent lots or on lots across the street from each other, and no more than two identical elevations with different exterior colors are permitted within five consecutive lots on the same side of the street.
 - C) Garage door types and colors shall be varied (e.g. varied window shapes and styles, varied door trim detail, two single doors in lieu or one double door, etc.).
 - D) Unless specifically part of a coordinated design theme, a variety of roof configurations should be offered along with the various elevations (see above), to include gable, hip, hipped gable, or some combination of styles.
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 of dedication whoever comes first.
5. All street improvements, street frontage landscaping, and perimeter theme walls to be installed in phases as approved by the City of Mesa.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. 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.
8. Compliance with all requirements of the Subdivision Technical Review Committee.
9. Owner shall grant an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
10. Written notice be provided to future residents, and acknowledgment received that the project is within 2 mile(s) of Phoenix-Mesa Gateway Airport.

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11. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction as required by Code.
12. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
13. Final Plats shall include at least two typical lot sizes.
14. The Design Review Board shall review at a work session and provide comment regarding home product and builder landscape packages prior to administrative approval by staff through the City of Mesa's product review process.

Vote: Passed (6-0) Boardmember Clement absent

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MINUTES OF THE SEPTEMBER 18, 2013 PLANNING AND ZONING MEETING

Item: **GPMInor13-006 (District 3)** The 800 and 900 blocks of West Southern Avenue (south side), the 1200 and 1300 blocks of South Extension Road (west side), and the 800 and 900 blocks of West Grove Avenue (north side). Located at the southwest corner of Southern Avenue and Extension Road. (3.67± acres). Minor General Plan Amendment to adjust the boundaries of the existing Mesa 2025 General Plan Land Use Designation from Community Commercial (CC) to High Density Residential 15+ (HDR 15+). This request will allow multi-residence development.

Summary: Staff member Wahid Alam gave a brief staff report on GPMInor13-006 and the accompanying zoning case Z13-045. The applicant is requesting to rezone the subject property to RM-4 PAD to allow the development of an apartment complex. There are currently 354 units proposed. Mr. Alam explained there are two amenities for the residents. Staff doesn't have any major concerns with the request. Staff would have liked a pedestrian access onto Southern Avenue and retail on the ground floor; however, staff understands there is a safety concern.

No citizens were present for comment regarding cases GPMInor13-006 and Z13-045.

Boardmember DiBella stated the development is a great kick start to the redevelopment of the Fiesta District. Chair Carter agreed with the statement.

It was moved by Boardmember Johnson, seconded by Boardmember Hudson

That: The Board recommend to the City Council adoption of zoning case GPMInor13-006.

Vote: Passed (6-0) Boardmember Clement absent

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Item: **Z13-045 (District 3)** The 800 and 900 blocks of West Southern Avenue (south side), the 1200 and 1300 blocks of South Extension Road (west side), and the 800 and 900 blocks of West Grove Avenue (north side). Located at the southwest corner of Southern Avenue and Extension Road. (19.3± acres). District 3. Rezone from LC-BIZ-PAD and RM-4-BIZ-PAD to RM-4-PAD and Site Plan Review. This request will allow multi-residence development.

Summary: Staff member Wahid Alam gave a brief staff report on GPMinor13-006 and the accompanying zoning case Z13-045. The applicant is requesting to rezone the subject property to RM-4 PAD to allow the development of an apartment complex. There are currently 354 units proposed. Mr. Alam explained there are two amenities for the residents. Staff doesn't have any major concerns with the request. Staff would have liked a pedestrian access onto Southern Avenue and retail on the ground floor; however, staff understands there is a safety concern.

No citizens were present for comment regarding cases GPMinor13-006 and Z13-045.

Boardmember DiBella stated the development is a great kick start to the redevelopment of the Fiesta District. Chair Carter agreed with the statement.

It was moved by Boardmember Johnson, seconded by Boardmember Arnett

That: The Board recommend to the City Council approval of zoning case Z13-045 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, and preliminary elevations as approved through the Design Review Process.
2. Compliance with design for screening wall, security gate, light fixtures and signs through Design Review Process.
3. Provision and maintenance of an evergreen type tree species along the east property line that will provide effective screening of the upper floors of the apartment units from the single-residence units to the east.
4. Compliance with all requirements of the Development Services Division with regard to the issuance of building permits.
5. Compliance with all requirements of a City of Mesa Lot Combination or Preliminary Plat to create the proposed development site. Recordation of the lot combination or final plat with Maricopa County.

Vote: Passed (6-0) Boardmember Clement absent

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Item: **GPMajor13-01 (District 6)** 8200 to 8400 blocks of East Baseline Road (north side). General Plan Land Use Major Amendment from High Density Residential 15+ (HDR15+) and Neighborhood Commercial (NC) to Medium Density Residential 6-10 (MDR 6-10), High Density Residential 15+ (HDR 15+) and Neighborhood Commercial (NC) on 54± acres at the northwest corner of Loop 202 San Tan Freeway and Baseline Road.

Summary: Chair Carter opened the hearing for public comment. No one from the public was present to speak on this item.

It was moved by Boardmember Coons, seconded by Boardmember Arnett

That: The Board recommend to the City Council adoption of zoning case GPMajor13-01.

Vote: Passed (6-0) Boardmember Clement absent

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Item: **GPMajor13-02 (District 1)** 3300 to 3600 blocks of East Thomas Road (north side) and the 3600 block of North Val Vista Drive. General Plan Land Use Major Amendment from Mixed Use Residential (MUR) to High Density Residential 15+ (HDR15+) on 13± acres at the northwest corner of Thomas Road and Val Vista Drive.

Summary: Staff member Wahid Alam gave a brief staff report to the Board. Mr. Alam explained the site is challenging to develop due to the lack of frontage on Val Vista Drive. There are also on site constraints with an existing cell tower, well and underground utilities. The current General Plan designation of Mixed Use Residential does allow for thirty percent of the site to be developed as a high-density residential project. Staff understands the residents to the south would like to see commercial in this area but potential sites for commercial developments are on both sides of Val Vista Road. This project would add variety to the housing types offered in this area. Mr. Alam stated staff supports this request.

Lew Lenz, 1370 E. Pomegranate Street, spoke in opposition of the project. Mr. Lenz stated he disagrees with the developer's claim that this site cannot be developed for a commercial site. He stated it is the perfect site for a veterinary clinic or a service station. The site is the ideal location for small businesses. Mr. Lenz went on to state there are no service stations along this portion of the 202. Mr. Lenz stated it is a nice project, just the wrong location. The future residents will hear a lot of freeway noise and will have to deal with poor air quality.

Steve Earl, 3101 N. Central Avenue, represented the applicant. Mr. Earl stated Kitchell, the applicant, develops both residential and commercial developments. Kitchell was aware of the General Industrial (GI) zoning when they purchased the land. Their first thought was to develop some type of commercial center, but due to all of the site constraints, it wasn't feasible. Kitchell has partnered with Mark Taylor to construct a high quality, luxury apartment complex.

Mr. Earl gave a brief presentation on the site constraints.

Mr. Earl explained a traffic study was done of Thomas Road. Thomas Road will be a four lane arterial and will be operating at a service level A. He stated the site plan is still in the preliminary stages and the applicant has just submitted for a pre-submittal to start the rezoning process. Mr. Earl went into detail about the citizen outreach that has been completed. They had a neighborhood meeting, sent emails and went door to door. He confirmed they will do another citizen participation process with the rezoning case. Mr. Earl added the site lines of the apartment complex will be lower than the allowed fifty feet in the current General Industrial (GI) zoning district.

Danny Wilbur, 3347 E. Rochelle, spoke in opposition of the request. Mr. Wilbur expressed much of what Mr. Earl stated was inaccurate. The timing that the applicant

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purchased the property is important to note. He went on to state there is not much commercial development happening right now, so the market is in apartment development. The applicant just wants to build the most profitable project. He stated the number of jobs will be limited to those it takes to run an apartment complex. Mr. Wilbur referred the board to a page on his phone that he stated was from the City's web page and stated this request doesn't meet the criteria listed for evaluation of the amendment. He stated many of the neighbors are also in opposition.

Steven Earl stated that he respects the comments made by Mr. Wilbur. He stated if a major General Plan amendment wasn't done across the street from the subject property, Mr. Wilbur wouldn't be living there. Mr. Earl reiterated industrial uses are not good neighbors to single family homes. He wants to set up another meeting with the neighbors to have them come to a clubhouse of an existing Mark Taylor apartment complex.

Board member Coons confirmed with staff that the City's Transportation Department didn't have an issue with the added traffic. Staff member Wahid Alam confirmed Transportation didn't see an issue.

Board member DiBella stated the amendment seems to fit in well with the overall area.

Board member Johnson explained she is a commercial broker who does feasibility studies and a commercial development wouldn't work on this site.

It was moved by Boardmember Johnson, seconded by Boardmember DiBella

That: The Board recommend to the City Council adoption of zoning case GPMajor13-02.

Vote: Passed (6-0) Board member Clement absent

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Preliminary Plat of Signal Butte 105

(District 6) The 5,600 to 6,000 blocks of South Signal Butte Road (east side) and the 10,800 to 11,100 block of East Williams Field Road (north side). Located at the north east corner of Signal Butte Road and Williams Field Road. (105± acres). This request will allow residential development.

It was moved by Boardmember Arnett, seconded by Boardmember Coons

That: The Board approve the Preliminary Plat of Signal Butte 105

Vote: Passed (6-0) Boardmember Clement absent

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Respectfully submitted,

John Wesley, Secretary
Planning Director

Minutes written by Kaelee Wilson, Planning Assistant

KW:
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