

CITY OF MESA

MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers

Date May 16, 2002 Time 4:00 p.m.

MEMBERS PRESENT

Chris Zaharis, Chair
Marty Whalen, Vice-Chair
Dan Brock
Mike Cowan
Jerry Petrie

MEMBERS ABSENT

Sue Kathe (excused)
Lynda Bailey (excused)

OTHERS PRESENT

Dorothy Chimel
Leena Hernigle
Ryan Heiland
Lois Underdah
Maria Salaiz

Ralph Pew
Karen Kurtz
Bill Thompson
Jeff Smoker
Others

Chair Zaharis declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated May 16, 2002. Before adjournment at 5:00 p.m., action was taken on the following items:

It was moved by Boardmember Cowan, seconded by Boardmember Brock that the minutes of the April 18, 2002 Planning and Zoning meeting be approved as submitted. The vote was 5-0.

It was moved by Boardmember Cowan, seconded by Boardmember Petrie that the minutes of the Special Meeting of April 25, 2002 be approved as submitted. The vote was 4-0-1, (Brock, abstaining, Boardmember Brock was not in attendance at the meeting).

It was moved by Boardmember Cowan, seconded by Boardmember Brock that the minutes of the Special Meeting of May 2, 2002 be approved as revised. The vote was 5-0.

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

It was moved by Boardmember Brock, seconded by Boardmember Whalen that the consent items be approved. Vote 5-0-2.

Zoning Cases: *Z02-16, *Z02-18, *Z02-19, Z02-20

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Item: **Z02-16** West of the northwest corner of Brown Road and Greenfield Road. Site Plan Modification (1.1 ac). This case involves the development of two office buildings. David Gillette, owner/applicant.

Comments: This case was on the consent agenda, therefore, it was not discussed individually. However, during the preceding Study Session Ms. Chimmel advised the Boardmembers that issues raised regarding the citrus, vegetation and wall height along the west side of the property will be handled by the Design Review Board.

It was moved by Boardmember Brock, seconded by Boardmember Whalen

That: The Board recommend to the City Council approval of zoning case Z02-16 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) 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 City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
6. All street improvements and landscaping to be installed in the first phase of construction.
7. Recordation of cross-access for temporary emergency turnaround with parcel 141-32-004L to the east.
8. Recordation of cross-access and reciprocal parking easements with parcel 141-32-004L to the east.
9. As a requirement for Design Review Board submittal, submit signed original documents regarding emergency turn around cross-access agreement and a property wall agreement regarding wall height and construction with a Villa Sendero Homeowner's Association representative.
10. Compliance with all requirements of the Design Review Board.
11. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance(s) outlined in the staff report.
12. Medical and dental uses shall not be permitted.
13. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport which will be prepared and recorded by the City prior to the issuance of a building permit.
14. Building "A" footprint that is not immediately improved will be maintained in a dust-free, weed-free condition and will be integrated into the site grading and drainage design.
15. Noise attenuation measures be incorporated into the design and construction to achieve a noise level reduction of 25 db.

Vote: Passed 5-0.

Reason for Recommendation: The Board felt this development is a good use for the area and does not create any significant problems for the surrounding uses.

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Item: **Z02-18** 540 to 550 block of S. Bellview (west side). Council Use Permit for expansion of a social service facility (2.58 ac). This case involves the development of a Transitional Redevelopment Center for Women. East Valley Addiction Council Inc., owner; Frank Scarpati, applicant.

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

It was moved by Boardmember Brock, seconded by Boardmember Whalen

That: The Board recommend to the City Council approval of zoning case Z02-18 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) 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. 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 variances 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: Passed 5-0.

Reason for Recommendation: The Board felt this proposal would provide a valuable service in the East Valley.

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Item: **Z02-19** 4121 E. Valley Auto Drive. Rezone from M-1 to M-1 PAD (2.5 ac). This case involves a request for a condominium office development. Michael Reidy, owner/applicant.

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

It was moved by Boardmember Brock, seconded by Boardmember Whalen

That: The Board recommend to the City Council approval of zoning case Z02-19 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) 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 City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
6. All street improvements and perimeter landscaping to be installed in the first phase of construction.
7. Compliance with all requirements of the Subdivision Technical Review Committee.

Vote: Passed 5-0.

Reason for Recommendation: The Board felt this proposal was compatible with adjacent properties.

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Item: **Z02-20** 6600 to 6700 block of S. Mountain Rd. (east side). Rezone from AG to M-2 and Council Use Permit (8.63 ac). This case involves the development of a Solid Waste Transfer Station. James Cullumber, owner; Ralph Pew/Pew & Lake PLC, applicant.

Comments: Ralph Pew, applicant, gave an overview of the project and explained the transfer process. He stated that this would be a good spot for the facility and would have good access to Ellsworth Road and to the proposed San Tan Freeway.

Bill Thompson stated he opposes this proposal because of concerns with traffic on Mountain Road and trash in the area left by vehicles using the transfer station.

Jeff Smoker also spoke in opposition of the proposal. He stated his main concerns were water contamination, flooding and traffic in the area. He mentioned that this request was being rushed through the process and asked the Board to postpone this request until adequate offsite water flow testing is done.

Mr. Pew addressed Mr. Smoker's concern regarding water contamination and potential flooding. He explained that an extensive engineering study was done, which was approved by the City engineers. The facility would be designed with concrete floors and be equipped with pumps so in the event there is a spill of materials, the pump can properly contain those materials for proper disposal.

Ms. Dorothy Chimel, Principal Planner, gave a history of the annexed area and explained the appropriateness of the land use for this project. She stated that staff is in support of this proposal but agreed with neighbors on potential traffic concerns. However, the applicant had committed that contract haulers would be routed along Pecos Road.

Boardmember Whalen asked the applicant for his personal assurance to be a good neighbor. Mr. Pew responded by stating that if there is trash in the area, the company (Cactus Waste) would patrol/police the area for violations.

Boardmember Petrie stated that he liked having the vehicles tie down and secure the loads when going in and out of the facility and also stated he would like to see them recycle materials.

Boardmember Brock asked how many public meetings the applicant had with neighbors. Mr. Pew responded they only had one neighborhood meeting, but started sending out notices May of last year.

Bill Thompson stated that residents were invited at which time they opposed the project and stated that they did not oppose the industrial zoning, but opposed the amount of trash through their neighborhood.

Boardmember Brock asked about hazards material contamination from flooding and if the operator would be responsible. Mr. Pew responded Yes. Mr. Brock stated he agrees with staff's recommendation for approval and supported the motion.

Chair Zaharis encouraged the applicant and neighbors to work together and stated he would be supporting this case.

It was moved by Boardmember Petrie, seconded by Boardmember Cowan

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That: The Board recommend to the City Council approval of zoning case Z02-20 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) 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. 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. Compliance with a letter dated April 5, 2002 from Ralph Pew to Frank Mizner, which is included in the zoning case file and pertains to a drainage easement along the south side of the project.
9. Written approval of the amended Archeological Survey by the City's Historic Preservation Office prior to issuance of any building permits.
10. Compliance with the following terms of the letter from Casey Denny to Jo Ferguson dated April 3, 2002; this letter is incorporated into the ordinance by reference:
 - a. Waste shall be received indoors and shall be removed only by enclosed or tarped vehicles.
 - b. Waste shall not be handled or stored outside.
 - c. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (prior to the issuance of a building permit).
 - d. Noise attenuation measures be incorporated into the design and construction in those areas that are not otherwise exposed to industrial level noise (office areas, employee break rooms) so as to achieve an exterior to interior noise level reduction of 20 decibels.
11. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
12. Compliance with the following terms of the applicant's letter to Leena Hernigle dated May 10, 2002; this letter is incorporated into the ordinance by reference:
 - a. The facility will operate six days a week, Monday through Saturday.
 - b. Along the Mountain Road frontage, the landscape setback will be increased to 25 feet.
13. Compliance with the following terms of the applicant's letter to Frank Mizner dated May 16, 2002; this letter is incorporated into the ordinance by reference:
 - a. Hazardous Materials as defined and regulated by applicable government agencies having jurisdiction over the site shall not be knowingly handled, processed, transferred or stored at this facility.
 - b. Except for three day holiday weekends and conditions beyond the control of the operator of the transfer station including flooding, road closures, etc., solid waste materials shall not remain on the floor of the transfer station for more than 48 hours prior to being removed from the transfer station.

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Vote: Passed 5-0.

Reason for Recommendation: The Board felt the proposed zoning and use permit appear to be compatible with other zoning and uses in the area and with the present General Plan as well as the Mesa 2025 draft Land Use Plan.

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Respectfully submitted,

Frank Mizner, Secretary
Planning Director

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