

Planning and Zoning Board



Meeting Minutes

Held in the City of Mesa Council Chambers – Upper Level

Date: November 16, 2016 Time: 4:00 p.m.

MEMBERS PRESENT:

Chair Michael Clement
Vice Chair Michelle Dahlke
Steve Ikeda
Dane Astle
Jessica Sarkissian
Jennifer Duff
Tim Boyle

MEMBERS ABSENT:

none

STAFF PRESENT:

Andrew Spurgin
Tom Ellsworth
Lesley Davis
Kim Steadman
Charlotte McDermott
Mary Grace McNear
Gordon Sheffield
Antoinette Hefer
Rebecca Gorton
Mike Gildenstern

OTHERS PRESENT:

Sean Lake
George Lance
Barbara Eads
Other citizens who did not sign in

Call Meeting to Order.

Chair Clement declared a quorum present and the meeting was called to order at 4:05 p.m.

1. Take action on all consent agenda items.

Items on the Consent Agenda

2. **Approval of minutes:** Consider the minutes from the October 18, and October 19, 2016 study sessions and regular hearing.

It was moved by Boardmember Sarkissian to approve the Consent Agenda. The motion was seconded by Boardmember Astle.

Vote: 7-0

Zoning Cases: Z16-051, Z16-052, Z16-053, Z16-055, Z16-054, Preliminary Plats for "Andy's Frozen Custard", "Mission Park", "Trustop Manufacturing"

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- *3-a **Z16-051 District 5.** 3400 to 3500 block of North Greenfield Road (east side) and 4400 block of East Virginia Street (north side). Located south of Loop 202 on the east side of Greenfield Road. (7.77 ± acres). Site Plan Review. This request will allow an industrial warehouse/manufacturing building. Dustin Chisum, Deutsch Architecture Group, applicant; Scott Jackson, Colebank Family Ltd Partnership & Inter-Coastal Electronics, Inc. (PLN2016-00671)

Staff Planner: Kim Steadman

Staff Recommendation: Approval with Conditions

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

It was moved by Boardmember Sarkissian and seconded by Boardmember Astle to approve case Z16-051 with conditions:

That: The Board recommends the approval of the case Z16-051 conditioned upon:

1. Compliance with the development as described in the project narrative and as shown on the site plan, elevations and landscape plan.
2. Compliance with all City development codes and regulations.
3. Signs (detached and attached) require separate approval & permit for locations, size, & quantity.
4. Compliance with Subdivision Regulations.
5. Compliance with Design Review approval DR16-009 for architectural and landscaping design.
6. Compliance with all requirements of the Airport Overflight District including the following:
 - a. Written notice be provided to future tenants, and acknowledgement received that the project is within 2 miles of Mesa Falcon Field Airport.
 - b. Owner shall grant an Avigation Easement and Release to the City, pertaining to Mesa Falcon Field Airport that will be prepared and recorded by the City (concurrently with the recordation of the final land split or prior to the issuance of a building permit).
 - c. Noise attenuation measures are to be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.

Vote: 7-0

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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- *3-b Z16-052 District 6.** 3700 block of South Power Road (east side). Located south of Elliot Road on the east side of Power Road. (2.55 ± acres). Site Plan Review; Special Use Permit. This request will allow a swim school with outdoor activity area with a swimming pool. David Tait, EVO Swim School, applicant; PEF Trust, owner. (PLN2016-00669).

Staff Planner: Lesley Davis

Staff Recommendation: Approval with Conditions

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

It was moved by Boardmember Sarkissian and seconded by Boardmember Astle to approve case Z16-052 with conditions:

That: The Board recommends the approval of the case Z16-052 conditioned upon:

1. Compliance with the development as described in the project narrative and as shown on the site plan, elevations and landscape plan.
2. Compliance with all City development codes and regulations.
3. Compliance with all conditions of Design Review approval for architectural and landscaping design.
4. Signs (detached and attached) require separate approval and permit for locations, size, and quantity.
5. 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).
6. Noise attenuation measures be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.
7. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77.9, (form 7460), to determine any effect to navigable airspace, air navigation facilities. A completed form with response by the FAA must accompany building permit application for structures on this property.
8. **Compliance with all requirements of the Subdivision Regulations including recordation of cross-access, shared parking and cross-drainage easements if the property is divided.**

Vote: 7-0

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- *3-c Z16-053 District 1.** 1353 East McKellips Road. Located east of Stapley Road on the south side of McKellips Road (1.06 ± acres). Site Plan Review; Special Use Permit. This request will allow development of a restaurant with a drive-thru and outdoor eating area. Bill Cantieri, Piazza Restaurant Consulting, applicant; Richard Dobrusin, Dobrusin Investments, LLC., owner. (PLN2016-00677).

Staff Planner: Wahid Alam

Staff Recommendation: Approval with Conditions

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

It was moved by Boardmember Sarkissian and seconded by Boardmember Astle to approve case Z16-053 with conditions:

That: The Board recommends the approval of the case Z16-053 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 as approved by Design Review process.
2. Compliance with all City development codes and regulations, except as modified by the conditions below.
3. Compliance with all Design Review process requirements (DR16-035).
4. Compliance with all requirements of the Subdivision Technical Review.
5. **Prior to filing with City of Mesa for the re-plat of the property, provide the City of Mesa with a copy of the recorded condominium termination agreement per ARS 33-1228.**
6. **Recordation of cross-access and reciprocal parking easements with the abutting property owner to the west.**
7. **Prior to building permit submittal, submit a revised site plan for review and acceptance by the Planning Director to include the following modifications:**
 - a. **Well designed, durable amenities in the front outdoor patio area including tables, chairs, planter boxes and/or enhanced hardscape under a permanent shade structure. No plastic tables or chairs allowed.**
 - b. **Provide pedestrian connections of at least 5 feet in width from the building to both McKellips Road and June Street.**
 - c. **All retention basins shall be designed per Section 11-33-6 of the Mesa Zoning Code:**
 - i. **Retention basin design shall provide consolidated basins. Multiple, small retention areas are not acceptable unless basins are interconnected and designed per the City of Mesa Engineering Manual; and,**
 - ii. **Landscaping shall be provided in all areas of the retention basin including side slopes, the perimeter edge around the basin and along the bottom of the basin.**
 - d. **Location and design of at least one permanent shade structure for employees taking drive-thru orders.**

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- e. Revised landscape plan to include plant materials (trees, shrubs and ground cover) similar to those in featured in the medical facility to the west to create a consistent landscape theme for the entire center.
- f. Design of screening wall along both McKellips Road and June Street and trash enclosure to be either similar to the existing medical facility to the west or designed to be compatible in material, color and texture to the proposed architecture of Andy's Frozen Custard.
- g. Provide 15' wide landscape yard along the west property line per zoning code Table 11-6-3A.

Vote: 7-0

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- 3-d Z16-055 District 6.** 6800 block of East Main Street (south side) and 0 to 100 block of South Power Road (east side). Located south of Main Street on the east side of Power Road. (1.0 ± acres). Site Plan Review. This request will allow development of a restaurant with drive-thru. George G. Lance, L2 Architects, applicant; Richard Riordan, Phoenix Dobson LLC, owner. (PLN2016-00576).

Staff Planner: Kim Steadman

Staff Recommendation: Approval with Conditions

Summary: Staff member Steadman explained the case to the Board.

The applicant, George Lance, 6418 E. Tanque Verde, Tucson, confirmed that the Board didn't have any questions or concerns about the project.

It was moved by Boardmember Sarkissian and seconded by Boardmember Astle to approve case Z16-055 with conditions:

That: The Board recommends the approval of the case Z16-055 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 Design Review approval through DR16-029.
3. Compliance with all City development codes and regulations.
4. **Prior to issuance of a building permit, submit a revised site plan for Planning Director review and acceptance that includes:**
 - a. **Revised stacking at each drive-thru lane that provides stacking for at least one car waiting to approach the order speaker;**
 - b. **Landscape islands that meet Code;**
 - c. **Alternative paving in the crosswalk area such as stamped or decorative concrete, pavers or similar finish**

Vote: 7-0

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Discuss and make a recommendation to the City Council on the following zoning cases:

- 4-a Z16-054 District 1.** 2200 block of East University Drive (north side). Located east of Gilbert Road on the north side of University Drive. (2.11 ± acres). Rezoning from RS-6 to RM-2-BIZ; Site Plan Review. This request will allow for attached single residence development. Doug Sweeney, Brighton Companies, LLC., applicant; David K. Stephens Trust, owner. (PLN2016-00683)

Staff Planner: Tom Ellsworth

Staff Recommendation: Approval with Conditions

Summary: Staff member Ellsworth explained the case to the Board.

Barbara Eads, at 2261 E. Caballero Circle, spoke in criticism of the project. Ms. Eads asserted that she was representing 7 of the 10 homes on her street, and that she and her neighbors had concerns with privacy jeopardized by the proposed 2 story home height in the new project. Ms. Eads also had an issue with the increased traffic volume and safety, with only one planned entrance/exit to the new community, and was concerned about the maintenance of the parking area. Ms. Eads was also concerned about the lack of greenspace and a play area in the new community, and was concerned about investors purchasing the homes resulting in rental units. Ms. Eads closed by saying that the value of her home would potentially be affected because of the lower pricing structure of the new development.

Sean Lake, 1744 S. Val Vista, explained to the Board that the new project is sensitive to the community, and provides housing options unique to the area. Mr. Lake went on to explain that the new units feature a 20 ft rear yard setback, which is standard to the RS-6 District, and that most of the homes in the adjacent community north of the project have only a 10-15 rear setback. Mr. Lake stated that the only access point to the new community is on University Dr., but the ingress/egress was approved by the City, and was aligned with the collector street across the arterial. Mr. Lake mentioned that a balance was struck to create a sustainable community that is beautiful and still affordable to maintain with a limited number of homes funding the community HOA. The applicant added that there are functional rear yards included with the homes, so a community play area was not as necessary to the development. Mr. Lake stated that the homes are two stories in height, which is entitled by right, adding that basement homes or one story offerings would make the project cost prohibitive. The applicant added that the density of the project is around 7.5 units per acre, which is on the lower end of what is seen in other recent infill projects around the City. Mr. Lake mentioned that they were not required to do a traffic impact study, but they worked with a City of Mesa Engineer, and the assessment was that road capacity was sufficient to accommodate the proposed number of new homes in the area. Mr. Lake

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closed by saying that there was, in fact, an investor at the meeting, but the owner cannot prohibit whom the homes are sold to.

Boardmember Boyle stated that a family member's house backs up to the project, and he declared that he had to recuse himself from the case.

The applicant explained to the Board that adequate notice had been given, and that they support all of Staff's recommendations of approval. Mr. Lake added that in the neighborhood meeting, both sides were unable to come to an agreement on two story homes in the community, but that the height is allowed in the district, and that the rear yards will be landscaped by the property owners to screen the abutting properties from each other.

Questions were raised by the Board if the rear windows of the homes directly abutting the properties to the north were excessively large, jeopardizing the privacy of the existing homeowners, but it was determined that the windows were most likely meeting minimum code, and a reduction in size would not be further explored.

Mr. Lake gave the Board a brief inventory of the surrounding land uses in the immediate area, and stated that only 2 of the existing homes to the north actually are located immediately adjacent to the new project. He also added that of the two homes, one has roughly an 11' setback, and the other has roughly a 15' setback, while the new proposed homes will all feature a 20' setback to the rear property line.

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It was moved by Boardmember Astle and seconded by Boardmember Dahlke to approve case Z16-054 with conditions:

That: The Board recommends the approval of the case Z16-054 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary plat submitted (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of the Subdivision Technical Review Committee.
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 of Mesa Code requirements and regulations.
5. **Building product must include a variety of building materials and finishes on the exterior of the homes (i.e., wood, stone, metal, etc.). Side and rear elevations must be enhanced with appropriate transitions of wainscoting, window detailing and enhanced covered patios as shown in the elevations submitted.**

Vote: 6-0-1, (Boardmember Boyle recused due to a conflict of interest)

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MINUTES OF THE NOVEMBER 16, 2016 PLANNING & ZONING MEETING

Discuss and take action on the following preliminary plats:

- *5-a "Andy's Frozen Custard". District 1. 1353 East McKellips Road. Located east of Stapley Road on the south side of McKellips Road (1.06 ± acres). Preliminary Plat. This request will allow development of a restaurant with a drive-thru and outdoor eating area. (Companion Case to Z16-053) (Associated with Item 3-c.) (PLN2016-00677).

Staff Planner: Wahid Alam

Staff Recommendation: Approval with Conditions

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

It was moved by Boardmember Sarkissian and seconded by Boardmember Astle to approve the Preliminary Plat for "Andy's Frozen Custard" with conditions:

That: The Board recommends the approval of the preliminary plat "Andy's Frozen Custard" 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 as approved by Design Review process.
2. Compliance with all City development codes and regulations, except as modified by the conditions below.
3. Compliance with all Design Review process requirements (DR16-035).
4. Compliance with all requirements of the Subdivision Technical Review.
5. **Prior to filing with City of Mesa for the re-plat of the property, provide the City of Mesa with a copy of the recorded condominium termination agreement per ARS 33-1228.**
6. **Recordation of cross-access and reciprocal parking easements with the abutting property owner to the west.**
7. **Prior to building permit submittal, submit a revised site plan for review and acceptance by the Planning Director to include the following modifications:**
 - a. **Well designed, durable amenities in the front outdoor patio area including tables, chairs, planter boxes and/or enhanced hardscape under a permanent shade structure. No plastic tables or chairs allowed.**
 - b. **Provide pedestrian connections of at least 5 feet in width from the building to both McKellips Road and June Street.**
 - c. **All retention basins shall be designed per Section 11-33-6 of the Mesa Zoning Code:**
 - i. **Retention basin design shall provide consolidated basins. Multiple, small retention areas are not acceptable unless basins are interconnected and designed per the City of Mesa Engineering Manual; and,**
 - ii. **Landscaping shall be provided in all areas of the retention basin including side slopes, the perimeter edge around the basin and along the bottom of the basin.**

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- d. Location and design of at least one permanent shade structure for employees taking drive-thru orders.
- e. Revised landscape plan to include plant materials (trees, shrubs and ground cover) similar to those featured in the medical facility to the west to create a consistent landscape theme for the entire center.
- f. Design of screening wall along both McKellips Road and June Street and trash enclosure to be either similar to the existing medical facility to the west or designed to be compatible in material, color and texture to the proposed architecture of Andy's Frozen Custard.
- g. Provide 15' wide landscape yard along the west property line per zoning code Table 11-6-3A.

Vote: 7-0

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- 5-b "Mission Park". District 1. 2200 block of East University Drive (north side). Located east of Gilbert Road on the north side of University Drive. (2.11 ± acres). Preliminary Plat. This request will allow for attached single residence development. (Companion Case to Z16-054) (Associated with Item 4-a) (PLN2016-00683)**

Staff Planner: Tom Ellsworth

Staff Recommendation: Approval with Conditions

Summary: Staff member Ellsworth explained the case to the Board.

Barbara Eads, at 2261 E. Caballero Circle, spoke in criticism of the project. Ms. Eads asserted that she was representing 7 of the 10 homes on her street, and that she and her neighbors had concerns with privacy jeopardized by the proposed 2 story home height in the new project. Ms. Eads also had an issue with the increased traffic volume and safety, with only one planned entrance/exit to the new community, and was concerned about the maintenance of the parking area. Ms. Eads was also concerned about the lack of greenspace and a play area in the new community, and was concerned about investors purchasing the homes resulting in rental units. Ms. Eads closed by saying that the value of her home would potentially be affected because of the lower pricing structure of the new development.

Sean Lake, 1744 S. Val Vista, explained to the Board that the new project is sensitive to the community, and provides housing options unique to the area. Mr. Lake went on to explain that the new units feature a 20 ft rear yard setback, which is standard to the RS-6 District, and that most of the homes in the adjacent community north of the project have only a 10-15 rear setback. Mr. Lake stated that the only access point to the new community is on University Dr., but the ingress/egress was approved by the City, and was aligned with the collector street across the arterial. Mr. Lake mentioned that a balance was struck to create a sustainable community that is beautiful and still affordable to maintain with a limited number of homes funding the community HOA. The applicant added that there are functional rear yards included with the homes, so a community play area was not as necessary to the development. Mr. Lake stated that the homes are two stories in height, which is entitled by right, adding that basement homes or one story offerings would make the project cost prohibitive. The applicant added that the density of the project is around 7.5 units per acre, which is on the lower end of what is seen in other recent infill projects around the City. Mr. Lake mentioned that they were not required to do a traffic impact study, but they worked with a City of Mesa Engineer, and the assessment was that road capacity was sufficient to accommodate the proposed number of new homes in the area. Mr. Lake closed by saying that there was, in fact, an investor at the meeting, but the owner cannot prohibit whom the homes are sold to.

Boardmember Boyle stated that a family member's house backs up to the project, and he declared that he had to recuse himself from the case.

The applicant explained to the Board that adequate notice had been given,

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and that they support all of Staff's recommendations of approval. Mr. Lake added that in the neighborhood meeting, both sides were unable to come to an agreement on two story homes in the community, but that the height is allowed in the district, and that the rear yards will be landscaped by the property owners to screen the abutting properties from each other.

Questions were raised by the Board if the rear windows of the homes directly abutting the properties to the north were excessively large, jeopardizing the privacy of the existing homeowners, but it was determined that the windows were most likely meeting minimum code, and a reduction in size would not be further explored.

Mr. Lake gave the Board a brief inventory of the surrounding land uses in the immediate area, and stated that only 2 of the existing homes to the north actually are located immediately adjacent to the new project. He also added that of the two homes, one has roughly an 11' setback, and the other has roughly a 15' setback, while the new proposed homes will all feature a 20' setback to the rear property line.

It was moved by Boardmember Sarkissian and seconded by Boardmember Astle to approve the Preliminary Plat for "Mission Park" with conditions:

That: The Board recommends the approval of the preliminary plat "Mission Park" conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and preliminary plat submitted (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all requirements of the Subdivision Technical Review Committee.
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 of Mesa Code requirements and regulations.
5. **Building product must include a variety of building materials and finishes on the exterior of the homes (i.e., wood, stone, metal, etc.). Side and rear elevations must be enhanced with appropriate transitions of wainscoting, window detailing and enhanced covered patios as shown in the elevations submitted.**

Vote: 7-0

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- *5-c "Trustop Manufacturing". District 5. 3400 to 3500 block of North Greenfield Road (east side) and 4400 block of East Virginia Street (north side). Located south of Loop 202 on the east side of Greenfield Road. (7.77 ± acres). Preliminary Plat. This request will allow an industrial warehouse/manufacturing building. (Companion Case to Z16-051) (Associated with Item 3-a) (PLN2016-00671)**

Staff Planner: Kim Steadman

Staff Recommendation: Approval with Conditions

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

It was moved by Boardmember Sarkissian and seconded by Boardmember Astle to approve the Preliminary Plat for "Trustop Manufacturing" with conditions:

That: The Board recommends the approval of the preliminary plat "Trustop Manufacturing" conditioned upon:

1. Compliance with the development as described in the project narrative and as shown on the site plan, elevations and landscape plan.
2. Compliance with all City development codes and regulations.
3. Signs (detached and attached) require separate approval & permit for locations, size, & quantity.
4. Compliance with Subdivision Regulations.
5. **Compliance with Design Review approval DR16-009 for architectural and landscaping design.**
6. **Compliance with all requirements of the Airport Overflight District including the following:**
 - a. **Written notice be provided to future tenants, and acknowledgement received that the project is within 2 miles of Mesa Falcon Field Airport.**
 - b. **Owner shall grant an Avigation Easement and Release to the City, pertaining to Mesa Falcon Field Airport that will be prepared and recorded by the City (concurrently with the recordation of the final land split or prior to the issuance of a building permit).**
 - c. **Noise attenuation measures are to be incorporated into the design and construction of the buildings to achieve a noise level reduction of 25 db.**

Vote: 7-0

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Other Business:

None.

Adjournment

Boardmember Ikeda made a motion to adjourn the meeting at 4:44 pm. The motion was seconded by Boardmember Astle.

Vote: 7-0

Respectfully submitted,



John D. Wesley AICP, Secretary
Planning Director