



Planning and Zoning Board

Meeting Minutes

Mesa City Council Chambers – Upper Level, 57 East 1st Street

Date: October 23, 2024 Time: 4:00 p.m.

MEMBERS PRESENT:

Jeff Pitcher
Troy Peterson
Genessee Montes
Jayson Carpenter
Jamie Blakeman
Chase Farnsworth

MEMBERS ABSENT

Benjamin Ayers

(*Boardmembers and staff participated in the meeting through the use of telephonic and video conference equipment)

STAFF PRESENT:

Mary Kopaskie-Brown
Rachel Nettles
Cassidy Welch
Jennifer Merrill
Charlotte Bridges
Emily Johnson
Kirstin Dvorchak
Alexis Wagner
Evan Balmer

OTHERS PRESENT:

Call Meeting to Order.

Vice Chair Pitcher excused Chair Ayers and declared a quorum present, the meeting was called to order at 4:48 pm.

1 Take action on all consent agenda items.

It was moved by Boardmember Montes, seconded by Boardmember Farnsworth, that the consent agenda items be approved.

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Blakeman, Farnsworth

NAYS – None

MINUTES OF THE OCTOBER 23, 2024 PLANNING & ZONING BOARD MEETING

Items on the Consent Agenda

2 Approval of minutes from previous meetings.

***2-a** Minutes from the October 9, 2024 Planning and Zoning meeting.

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

***3-a ZON23-00771 - "The Five Six" (District 2).** Within 100 block of North 56th Street (east side) and the 100 block of North 57th Street (west side). Located west of Recker Road and north of Main Street. (1± acres). Rezone from Limited Commercial (LC) to Multiple Residence-4 with a Planned Area Development Overlay (RM-4-PAD) and Site Plan Review. This request will allow for a multiple residence development. Johnstar LLC, Property owner; Tim Boyle, Atmosphere Architects, applicant.

Planner: Charlotte Bridges

Staff Recommendation: Approval with conditions

The Board recommends to approve ZON23-00771 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB23-00770.
3. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication, whichever comes first.
4. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD overlay as shown in the following table:

Development Standard	Approved
<p><u>Minimum Yards</u> – <i>MZO Table 11-5-5:</i> - Front and Street Facing Side: 56th Street (Collector): 57th Street (Local): - Interior Sides and Rear (3 or more units on lot): North property line: South property line:</p>	<p style="text-align: center;">8 feet</p> <p style="text-align: center;">14 feet, 8 inches</p> <p>Multiple Story: 2 feet, 2.66 inches per story (minimum 6 feet, 8 inches total to 2nd floor balcony)</p> <p>Multiple Story: 2 feet, 2.66 inches per story (minimum 6 feet, 8 inches to 2nd floor balcony)</p>

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<p><u>Required Landscape Yards – MZO Table 11-5-5:</u> - Front and Street Facing Side: 56th Street (Collector):</p> <p>57th Street (Local):</p>	<p>8 feet</p> <p>14 feet, 8 inches</p>
<p><u>Minimum Separation Between Buildings on Same Lot – MZO Table 11-5-5:</u> - Three-story buildings:</p>	<p>14 feet, minimum (Across the drive aisle, at third story)</p>
<p><u>Off-site Access – MZO Section 11-5-5(B)(4)(b)</u></p>	<p>Drive aisles leading to main entrances do not have walkways on the sides of the drive aisle</p>
<p><u>Attached Garages – MZO Section 11-5-5(B)(4)(f)(iii):</u></p>	<p>When multiple garage doors are located within 1 building, the maximum number of garage doors adjacent to one another shall be limited to 8 garages doors with a 4-foot-wide, 1-foot-deep recessed niche between every pair of garage doors</p>
<p><u>Setback to Cross Drive Aisles – MZO Section 11-32-4(A):</u></p>	<p>Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 11 ft from the property line abutting 56th Street and 17 feet, 4 inches from the property line abutting 57th Street</p>
<p><u>Required Landscape Yards – MZO Section 11-33-3(B)(2)(a)(ii):</u> - Non-Single Residential Uses Adjacent to Other Non-Single Residence Uses or Districts, Non-Group C-O-I:</p> <p>North property line:</p> <p>South property line:</p>	<p>6 feet, 8 inches to 2nd floor balcony</p> <p>6 feet, 8 inches to 2nd floor balcony</p>

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<p><u>Interior Parking Lot Landscaping – MZO</u> <i>Section 11-33-4(B)(2):</i> - Landscape Islands width:</p> <p><i>MZO Section 11-33-4(D)(1)(a):</i> -Plant Materials:</p>	<p>4 feet, minimum where adjacent to the building</p> <p>0 shade trees and 4 shrubs for islands adjacent to the buildings</p>
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Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Blakeman, Farnsworth

NAYS – None

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- *3-c ZON23-00935 - "Mesa Shopping Center - Final Phase" (District 4).** Within the 300 block of East Southern Avenue (south side) and the 1200 block of South Mesa Drive (west side). Located west of Mesa Drive and south of Southern Avenue. (7.5± acres). Major site plan modification. This request will allow for a limited service restaurant with a drive-thru facility. Red Mountain Asset Fund II LLC, Red Mountain Asset Fund I LLC and MacFrugals's Plaza LLC, owners; John Clay, Red Mountain Group, applicant.

Planner: Charlotte Bridges

Staff Recommendation: Approval with conditions

The Board recommends to approve ZON23-00935 conditioned upon:

1. Compliance with the final site plan submitted with this request instead of the site plan approved with case SPR85-018.
2. Compliance with all requirements of the Board of Adjustment Case BOA24-00435
3. Compliance with all requirements of the Design Review Case DRB23-00934.
4. Compliance with all City development codes and regulations.

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Blakeman, Farnsworth

NAYS – None

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***3-d ZON23-00994 - "ESS - Bldg E" (District 2).** Within the 4400 to 4600 blocks of East Southern Avenue (north side) and within the 4500 block of East Flower Circle (west side). Located north of Southern Avenue and east of Greenfield Road. (7.2± acres). Rezone from Single Residence-6 with a Planned Area Development overlay (RS-6-PAD) and Limited Commercial (LC) to Limited Commercial with a Planned Area Development overlay (LC-PAD), Council Use Permit, and Major Site Plan Modification. This request will allow for the expansion of a mini-storage facility. Bebes Nirvana LP, owner; Tim Nielsen, Farnsworth Construction Co., applicant.

Planner: Emily Johnson

Staff Recommendation: Approval with conditions

The Board recommends to approve ZON23-00994 conditioned upon:

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB24-00796.
3. Prior to the issuance of any building permit, record a lot split of Tract A, Assessor Parcel Number 140-51-721, per Exhibit 9.
4. Prior to the issuance of any building permit, record a shared-access agreement between future Parcel 1 and future Parcel 2 as shown in Exhibit 9.
5. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD and shown in the following table:

Development Standards	Approved
<u>Maximum Lot Coverage</u> – <i>MZO Table 11-6-3</i>	91 percent (existing)
<u>Fence and Freestanding Walls Height in Front Yard and Required Street Side Yards</u> – <i>MZO Section 11-30-4(B)(1)</i>	8 feet (existing)
<u>Screening – Common Property Lines</u> – <i>MZO Section 11-30-9(I)</i> - North property line - East property line	No wall No wall
<u>Trash and Refuse Collection Areas</u> – <i>MZO Section 11-30-12(B)(1)</i>	Solid waste located in required landscape yard
<u>Setback of Cross Drive Aisles</u> – <i>MZO Section 11-32-4(A)</i>	36 feet 10 inches (existing)
<u>Screening – Parking Areas</u> – <i>MZO Section 11-30-9(H)(1)</i>	No screen wall (existing)
<u>Minimum Parking Requirements</u> – <i>MZO Table 11-32-3(A)</i>	A total of 5 spaces

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	(existing)
<u>Required Landscape Yards – MZO Table 11-6-3</u>	0 feet (existing)
<u>Interior Parking Lot Landscaping – Landscape Islands – MZO Section 11-33-4(B)</u>	One landscape island, remainder are absent (existing)
<u>Interior Parking Lot Landscaping – Plant Materials – MZO Section 11-33-4(D)</u> Parking lot landscape islands. One shade tree and three shrubs shall be provided for every 15-foot parking island	0 trees, 3 shrubs (existing)
<u>Required Foundation Base – MZO Section 11-33-5(A)(1)</u> Exterior wall with public entrance (northwest elevation of office building)	4 feet (existing)
<u>Required Foundation Base – MZO Section 11-33-5(A)(2)(b)</u> Exterior walls without public entrance from exterior wall to drive aisles (west and east elevations of storage buildings)	0 feet
<u>Required Landscape Material in Foundation Base – MZO Section 11-33-5(B)(1)</u> - A minimum one (1) tree per 50 linear feet or less of exterior wall length of a building shall be provided. Trees in a parking lot and within 30 feet of the building may be counted toward this requirement. Any calculation resulting in a percentage of a whole tree shall be rounded up to the nearest whole (southwest elevation of office) (west and east elevations of storage buildings)	0 trees (existing) 0 trees (existing)
<u>Required Landscape Area in Foundation Base – MZO Section 11-33-5(B)(3)(b)</u> Exterior Walls Visible From Public Parking or Right-of-Way without Public Entrances. A landscape area shall be provided equal in length to 25 percent (minimum) of adjacent exterior wall (west and east elevations of storage buildings)	0 percent (existing)

<p><u>Required Landscape Yards</u> – <i>MZO Section 11-33-3(B)(1) & MZO Section 11-33-3(B)(2)</i></p> <ul style="list-style-type: none"> - Non-single residential uses adjacent to single residential uses or districts (north and east property lines) <p>Non-single residential uses adjacent to other non-single residential uses or districts (west property line)</p>	<p>0 feet (existing)</p> <p>0 feet (existing)</p>
<p><u>Required Landscape Material</u> – <i>MZO Table 11-33-3.A.4</i></p> <p>1 tree and 6 shrubs per 25 linear feet of street frontage</p>	<p>13 trees, 64 shrubs (existing)</p>
<p><u>Required Landscape Material</u> – <i>MZO Section 11-33-3(B)(1)(c)(ii)</i></p> <ul style="list-style-type: none"> - Areas visible from public parking or drive aisles. A minimum of four (4) non-deciduous trees and 20 shrubs per 100 linear feet of adjacent property line shall be provided (north and east property lines) <p>Northernmost north property line</p> <p>Southernmost north property line</p> <p>Westernmost east property line</p> <p>Easternmost east property line</p>	<p>0 trees, 0 shrubs (existing)</p> <p>2 trees, 2 shrubs (existing)</p> <p>0 trees, 0 shrubs (existing)</p> <p>2 trees, 4 shrubs (existing)</p>
<p><u>Required Landscape Material</u> – <i>MZO Section 11-33-3(B)(2)(c)</i></p> <p>A minimum of three (3) non-deciduous trees and 20 shrubs per 100 linear feet of adjacent property line shall be provided (west property line)</p>	<p>0 trees, 0 shrubs</p>

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Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Blakeman, Farnsworth

NAYS – None

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***3-e ZON24-00602 - "Mesa Royale" (District 4).** Within the 600 block of West Main Street (north side). Located west of Country Club on the north side of Main Street. (3.3± acres) Rezone from General Commercial (GC) to GC with a Planned Area Development overlay (GC-PAD), Council Use Permit (CUP), and Site Plan Review. This request will allow for a multiple residential development. Mesa Royale East Motel LLC, Nuevas Vistas on Main, LLC, and Mesa Royale West LLC, owners; Benjamin W. Graff, Esq., Quarles & Brady LLP, applicant.

Planner: Jennifer Merrill

Staff Recommendation: Approval with conditions

The Board recommends to approve ZON24-00602 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with the Plan of Operation and Good Neighbor Policy submitted.
3. Compliance with all requirements of Design Review Case No. DRB24-00603.
4. Compliance with all City development codes and regulations.
5. All off-site improvements and street frontage landscaping must be installed in the first phase of construction.
6. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD overlay as shown in the following table:

Development Standards	Approved
<u>Maximum Building Height</u> – MZO Table 11-6-3.A	37 feet 4 inches
<u>Minimum Outdoor Living Area, Proportion of Private and Common Open Space</u> – MZO Table 11-6-3.A & Section 11-5-5(A)(3)(a)	Open space may be provided in any combination of private and common open space, as long as studio and one (1) bedroom units have at least 64 square feet of private open space, two (2) bedroom units have at least 67 square feet of private open space and three (3) bedroom or more have at least 70 square feet of private open space
<u>Minimum Outdoor Living Area, Accessibility and Location</u> – MZO Table 11-6-3.A & Section 11-5-5(A)(3)(e)(i)(1)	Private open space located at the ground level (e.g., yards, decks, patios) are permitted one dimension less than six (6) feet, all other dimensions shall have no less than (10) feet
<u>Materials and Colors</u> – MZO Section 11-6-3(B)(5)(d)	No more than 67% of the east or west building elevations may be covered with one (1) single material
<u>Required Parking Spaces by Use</u>	

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<p>– <i>MZO Table 11-32-3.A</i> – <i>Apartments: Development site not located within ¼ mile radius (1320-feet) of bus rapid transit or light rail station, regardless of bedroom count</i></p>	<p>Minimum of 1.15 spaces per dwelling unit, including office/retail area (104 spaces)</p>
<p><u>Covered Spaces</u> – MZO Section 11-32-3(D)(2)</p>	<p>Multiple-residence projects shall provide a minimum of 0 covered parking space per unit</p>

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Blakeman, Farnsworth

NAYS – None

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***3-f ZON24-00649 - "Avalon Ranch Lots 4, 5 & 6" (District 6).** Within the 3600 block of South Power Road (east side). Located south of Elliot Road on the east side of Power Road. (2.2± acres). Rezone from Limited Commercial to Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ) and Major Site Plan Modification. This request will allow for a modification to a group commercial center. Avalon Ranch, LLC, owner; David Lack, Avalon Development, applicant.

Planner: Cassidy Welch

Staff Recommendation: Approval with conditions

The Board recommends to approve ZON24-00649 conditioned upon:

1. Compliance with the final site plan submitted.
2. Future Design Review approval for the development of Pads B - D.
3. Prior to the issuance of a building permit, obtain approval of and record with Maricopa County a lot line adjustment for Lots 4, 5 & 6 as identified on the Avalon Ranch final plat.
4. Prior to the issuance of a building permit, submit for an Administrative Review to revise site plan to add a minimum 300 square foot amenity area on the west side of Pads B & C.
5. Dedicate the right-of-way and easements 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 off-site improvements and street frontage landscaping must be installed in the first phase of construction.
7. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
 - b. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent or temporary structure, as required by the FAA, is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
 - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
 - d. Provide written notice to future property owners that the project is within 2 miles of Phoenix-Mesa Gateway Airport
 - e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states in part: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."
8. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this BIZ and shown in the following table:

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Development Standards	Approved
<u>Minimum Lot Width</u> – <i>MZO Table 11-6-3</i>	90 feet
<u>Minimum Foundation Base</u> – <i>MZO Section 11-33-5(A)</i> <i>- Exterior Walls with Public Entrance</i>	10-foot-wide foundation base

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Blakeman, Farnsworth

NAYS – None

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4 Review, discuss and make a recommendation to the City Council regarding the following proposed amendment to the Mesa City Code:

- *4-a** Proposed amendments to Chapters 6, 7, 8, 81, and 87 of Title 11 of the Mesa City Code pertaining to adaptive reuse. The text amendments include but are not limited to adding Chapter 81: Adaptive Reuse Permit; modifying land use tables to permit multiple residential use in Commercial, Industrial, and Downtown Districts if they qualify for an Adaptive Reuse Permit; adding definitions for Adaptive Reuse, Adaptive Reuse Permit, Existing Commercial, Office, and Mixed-use Building, Low-income Housing, Moderate-income Housing, and Multiple Residence Reuse. **(Citywide)**

Planner: Rachel Nettles

Staff Recommendation: Adoption

The Board recommends to adopt the proposed text amendments.

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Blakeman, Farnsworth

NAYS – None

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- *4-b** Proposed amendments to Chapter 67 and 87 of Title 11 of the Mesa City Code pertaining to residential zoning application review timeframes. The text amendments include but are not limited to adding a timeframe for administrative completeness review for residential zoning applications; adding a process for residential zoning applications that are deemed incomplete; adding a timeframe for approving or denying residential zoning applications; providing exceptions from the residential zoning application timeframes; and adding a definition of residential zoning application. **(Citywide)**

Planner: Sean Pesek

Staff Recommendation: Continue to the November 13, 2024 Planning and Zoning Board meeting.

The Board recommends to continue the proposed text amendments to the November 13, 2024 Planning and Zoning Board meeting.

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Blakeman, Farnsworth

NAYS – None

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Items not on the Consent Agenda

- 3-b ZON23-00859 - “Fiesta Redefined” (District 3)** Within the 1300 to 1600 blocks of South Longmore (east side), within the 1300 block of West Southern Avenue (south side), and within the 1200 to 1600 blocks of South Alma School Road (west side). Located south of Southern Avenue and west of Alma School Road. (80± acres). Rezone from Limited Commercial (LC) to Infill Development District-2 (ID-2). This request will allow for a mixed-use development. Verde Fiesta I, LLC and MMCP, LLC, owner; Wendy Riddell, Berry Riddell, LLC, applicant.

Planner: Evan Balmer

Staff Recommendation: Approval with conditions

Summary:

It was moved by Boardmember Peterson, seconded by Boardmember Farnsworth, that case ZON23-00859 be approved.

The Board recommends to approve case ZON23-00859 conditioned upon:

1. Compliance with the Infill Incentive Plan submitted.
2. Dedicate the right-of-way and easements 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.
3. Compliance with all City development codes and regulations except as identified within the Fiesta Redefined IIP.
4. Compliance with the final approved Traffic Impact Study.

Vote (5 – 0; Chair Ayers, absent; Boardmember Blakeman, recused)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Farnsworth

NAYS – None

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5 Adjournment.

Boardmember Blakeman motioned to adjourn the meeting. The motion was seconded by Boardmember Montes.

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

AYES – Pitcher, Peterson, Montes, Carpenter, Blakeman, Farnsworth

NAYS – None

The public hearing was adjourned at 5:00 pm.

The City of Mesa is committed to making its public meetings accessible to persons with disabilities. For special accommodations, please contact the City Manager's Office at (480) 644-3333 or AzRelay 7-1-1 at least 48 hours in advance of the meeting.

Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al (480) 644-2767.

Respectfully submitted,

Evan Balmer
Principal Planner

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