

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

- *3-a ZON24-01074 “Polaris Academy,”** 1.8± acres located at the southwest corner of East Hampton Avenue and South Clearview Avenue. Modification of a Council Use Permit (CUP); Rezone 0.8± acres from Light Industrial with a Planned Area Development Overlay (LI-PAD) to LI-PAD with a Bonus Intensity Zone Overlay (LI-PAD-BIZ); Major Site Plan Modification for 1.9± acres; and to remove conditions no. 1, 7, 8, 10, and 11 of Ord. No. 2732 to allow the expansion of a private school. **(District 6)**

Planner: Kellie Rorex

Staff Recommendation: Approval with conditions

The Board recommends to approve case ZON24-01074 conditioned upon:

1. Compliance with the final site plan and landscape plan as submitted.
2. Compliance with all requirements of Design Review Case No. DRB24-01075.
3. Prior to the issuance of any building permit, record a cross-access and cross-parking easement between APN 218-56-570A and 218-56-570B.
4. Prior to the issuance of a building permit, record a shared refuse agreement between APN 218-56-570A and 218-56-570B.
5. A second trash enclosure shall be required on the southern parcel if the use on either parcel should ever change from a School, as evidenced by a new Certificate of Occupancy.
6. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this BIZ Overlay as shown in the following table:

Development Standards	MZO Required	BIZ Proposed
<u>Interior Side and Rear Setback</u> <u>Adjacent to Commercial</u> – MZO Table 11-7-3 (south setback for southern property)	1 foot of setback for each foot of building height with a minimum 20-foot setback	5' minimum

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MINUTES OF THE MAY 14, 2025, PLANNING & ZONING BOARD MEETING

Development Standards	MZO Required	BIZ Proposed
<u>Trash and Refuse Collection Areas – MZO Section 11-30-12(A)(1)</u> Southern Property only	Solid waste and recycling-container enclosures are required for all commercial/industrial developments in which the aggregate gross floor area exceeds 10,000 square feet.	No solid waste enclosure
<u>Parking Spaces Required – MZO Table 11-32-3(A)</u> Southern Property Only	School, kindergarten through 9 th grade: 1 space per 75 square feet for public assembly space, such as auditoriums and theaters, and 1 space per 600 square feet for all other areas High Schools, academies, colleges, universities, trade or vocational schools: 1 space per 200 square feet	1 space per 600 square feet
<u>Setback of Cross Drive Aisles – MZO Section 11-32-4(A)</u> Southern Property Only	50 feet	38 feet
<u>Landscaping for Non-Single Residence Adjacent to Non-Single Residence – MZO Section 11-33-3(B)(2)(a)(ii)</u> Southern Property Only (west and south landscape yards)	15-foot landscape yard	5 feet minimum
<u>Landscaping for Non-Single Residence Adjacent to Non-Single Residence – MZO Section 11-33-3(B)(2)(c) – Number of Plants</u> Southern Property Only (South landscape yard)	3 trees & 20 shrubs per 100 linear feet	3 trees and 20 shrubs per 200 linear feet

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Development Standards	MZO Required	BIZ Proposed
<p><u>Foundation Base – MZO Section 11-33-5(A)(1) and 11-33-5(A)(1)(a)</u></p> <p>Southern Property Only</p> <p>Exterior Walls with a Public Entrance</p> <p>Buildings larger than 10,000 square feet</p>	<p>15-foot foundation base</p> <p>An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum width and depth of 20 feet, and a minimum area of 900 square feet</p>	<p>10-foot foundation base</p> <p>An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum depth of 10 feet, a minimum width of 106 feet, and a minimum area of 1,060 square feet</p>

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 the Mesa Gateway Airport prior to or concurrently with the recordation of the Final Plat or the issuance of a building permit, whichever occurs first.
- b. Due to the proximity to 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 5 miles of Mesa Gateway Airport
- e. All Final Plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which must state in part: "This property, due to its proximity to the Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

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Vote (6-0; Boardmember Blakeman, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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