



PLANNING AND ZONING BOARD STUDY SESSION MINUTES

August 12, 2026

The Planning and Zoning Board of the City of Mesa met in the Study Session room at City Hall, 20 East Main Street, on August 12, 2026, at 3:00 p.m.

BOARD PRESENT

Troy Peterson, Chairperson
Jeff Pitcher, Vice Chairperson
Jayson Carpenter, Boardmember
Chase Hales, Boardmember
Misty Klann, Boardmember*
Genessee Montes, Boardmember
Alexis Kay Wagner, Boardmember

BOARD ABSENT

STAFF PRESENT

Evan Balmer
Kirstin Dvorchak
Danika Heying
Cassidy Welch

(*Participated in the meeting through the use of video conference equipment)

Chairperson Peterson conducted a roll call.

Chairperson Peterson excused Boardmember Hales and Boardmember Montes from the beginning of the meeting; Boardmember Montes arrived at 3:02 p.m., and Boardmember Hales arrived at 3:24 p.m.

1. Call meeting to order.

2. Review and discuss items listed on the Public Hearing agenda for August 12, 2026.

Senior Planner, Joshua Grandlienard, reviewed agenda Item 3-a, GPA26-00161 "Hawes Crossing Village 7", 103± acres located at the southeast corner of South Hawes Road and East Elliot Road. Major General Plan Amendment to change the Placetype from Urban Center to Urban Residential on 29.7± acres and Local Employment Center to Urban Residential on 73.2± acres. **(District 6)**. on the Planning and Zoning Board Public Hearing agenda and displayed a PowerPoint presentation. **(See Attachment 1)**

Mr. Grandlienard explained that the major General Plan amendment proposal requests a Placetype change from Urban Center and Local Employment Center to Urban Residential. He noted that the current designations were originally intended to support pedestrian-oriented mixed-use, commercial, and industrial or business uses, whereas the proposed Urban Residential place type would accommodate future residential development. **(See Pages 3 through 11 of Attachment 1)**

Senior Planner, Joshua Grandlienard, reviewed agenda Item 3-a, ZON26-00160 "Hawes Crossing Village 7", 153.5± acres located at the southeast corner of South Hawes Road and East Elliot Road. Rezone 102.9± acres from Mixed Use with a Planned Area Development

Overlay (MX-PAD) (29.7± acres) and Light Industrial with a Planned Area Development Overlay (LI-PAD) (73.2± acres) to Residential Small Lot - 2.5 with a Planned Area Development Overlay (RSL-2.5-PAD). And Rezone 50.6± acres from Limited Commercial with a Planned Area Development Overlay (LC-PAD) (23.5± acres) and MX-PAD (27.1± acres) to LC-PAD (27.8± acres) and MX-PAD (22.8± acres). This request will allow for future residential, commercial and mixed-use development. **(District 6)** on the Planning and Zoning Board Public Hearing agenda and displayed a PowerPoint presentation. **(See Attachment 2)**

Mr. Grandlienard concurrently presented the rezoning request to reduce the Mixed-Use area, remove the Light Industrial (LI) designation, and rezone the site to Residential Small Lot - 2.5 as part of the overall Hawes Crossing Planned Area Development (PAD). Mr. Grandlienard detailed that commercial and mixed uses would be maintained within the first 200 feet along Elliot Road, with residential uses situated behind it, all adhering to the design guidelines and development agreement requirements of the Hawes Crossing PAD. He reported that extensive citizen participation outreach was conducted, including notifying property owners within a 1,000-foot radius and homeowners associations within a half-mile radius ahead of an April 28 virtual neighborhood meeting, where two attending residents expressed general support. Mr. Grandlienard concluded by recommending approval of both requests with conditions. **(See Pages 3 through 8 of Attachment 1)**

In response to a question from Boardmember Montes regarding planned traffic and road improvements along Elliot Road and Hawes Road, Mr. Grandlienard clarified that a portion of the Elliot Road frontage is currently being addressed through a Capital Improvement Program project, while future developers will be responsible for completing required roadway improvements along both Hawes Road and Elliot Road during subsequent development and auction processes.

Boardmember Klann inquired about the specific notification methods and response timelines for residential outreach. Mr. Grandlienard detailed that the City provides a 1,000-foot notification list to applicants upon initial submittal, and public meeting notices are typically mailed out approximately two weeks prior to the meeting date, with public comments welcomed throughout the development process. Vice Chairperson Pitcher questioned the distance on notification to surrounding neighbors. Mr. Grandlienard noted that while the state minimum requirement for notification is 500 feet, City best practice for major rezonings utilizes a 1,000-foot radius. Assistant City Attorney, Kirstin Dvorchak, added that state statute mandates public hearing notices be published via local newspapers, the city website, and other platforms at least 15 days prior to the first public hearing before the Board, as well as prior to subsequent City Council hearings.

3. Planning Director's Updates.

No current updates.

4. Open Meeting Law Training and Review.

Assistant City Attorney, Kirstin Dvorchak, presented a legal training session on Arizona Open Meeting Law and statutory conflict of interest rules applicable to the Planning and Zoning Board. Ms. Dvorchak outlined that as a designated public body under Arizona statutes, any gathering or simultaneous interaction of a quorum—defined as four or more members on the seven-member board—discussing, proposing, or taking legal action regarding matters that may come before the Board constitutes an official meeting. She cautioned Boardmembers against non-contemporaneous electronic communications, noting that "reply all" email threads, forwarded

emails, or social media interactions involving a quorum violate open meeting requirements if proper public notice is not provided. In response to clarifying inquiries from Boardmembers regarding informal gatherings or attendance at broader civic events like the State of the City address, Ms. Dvorchak advised that Boardmembers should notify staff in advance to allow the City Clerk's office to post a social gathering notice, while reiterating that Board business should not be discussed during such events. She further clarified that Boardmembers attending community or developer outreach meetings in their personal capacity should explicitly state for the record that they are participating as private citizens rather than in their official board capacity.

Ms. Dvorchak emphasized that public notice via detailed meeting agendas must be posted at least 24 hours prior to a meeting, listing item locations and specifics so citizens can determine whether to participate. Boardmembers and staff reviewed the legal consequences of non-compliance, with Ms. Dvorchak explaining that actions taken in violation of open meeting laws are null and void unless properly ratified within 30 days of discovery. Vice Chairperson Pitcher questioned the specific liability and financial penalties involved, to which Ms. Dvorchak confirmed that court-assessed civil penalties of up to \$500 per violation, potential removal from public office, and individual responsibility for legal defense costs apply directly to offending Boardmembers, as state statute prohibits the City from expending public funds for individual defense in open meeting violation complaints.

Boardmember Carpenter questioned conflicts of interest, Ms. Dvorchak detailed that Boardmembers or their statutory relatives—defined as spouses, children, parents, in-laws, grandchildren, grandparents, stepchildren, siblings, and spouse's siblings—must declare a conflict and recuse themselves if they hold a non-speculative pecuniary or proprietary substantial interest in a case. In response to Vice Chair Pitcher regarding property proximity and relative involvement, Ms. Dvorchak explained as a rule of thumb that owning property within the statutory public notice mailing distance creates a potential proprietary interest requiring recusal. She clarified that generic employment alone does not automatically trigger a conflict under statutory remote interest exemptions—such as matters affecting the general public equally or large-scale citywide plans—unless an action directly yields a specific personal financial benefit. Finally, Ms. Dvorchak instructed that upon identifying a conflict, members must notify legal staff and formally state the conflict on the record before discussion begins, step down from the dais, and refrain from participating or voting on the item.

Ms. Dvorchak concluded the legal training session by reviewing the administrative procedures and legal liabilities associated with conflict of interest disclosures. She explained that when a Boardmember declares a conflict, staff provides an official conflict of interest disclosure form for signature, which is maintained by the City Clerk's office and subject to audit by the Arizona Attorney General. In response to a clarification from Vice Chairperson Pitcher regarding attendance, Ms. Dvorchak noted that while declaring a conflict is best practice for tracking potential future phases of a case, non-attendance inherently prevents participation in discussion or voting, thereby avoiding a conflict of interest violation.

Ms. Dvorchak detailed the statutory penalties for failing to disclose a conflict of interest, reiterating that because compliance is an individual legal obligation, penalties apply directly to individual Boardmembers. She noted that an intentional violation constitutes a Class 6 felony, while a reckless or negligent failure to declare constitutes a misdemeanor. She added that court findings of a violation can result in the forfeiture of public office, voided Board decisions, monetary fines, and mandatory individual responsibility for legal costs without City reimbursement. Ms. Dvorchak concluded by advising that when in doubt, Boardmembers should

err on the side of caution and declare a conflict to maintain public trust and avoid potential liability.

5. Adjourn.

Without objection, the Planning and Zoning Board Study Session adjourned at 3:54 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Planning and Zoning Board Study Session meeting of the City of Mesa, Arizona, held on the 12th day of August 2026. I further certify that the meeting was duly called and held and that a quorum was present.

TROY PETERSON, CHAIRPERSON

DH
(Attachments - 2)

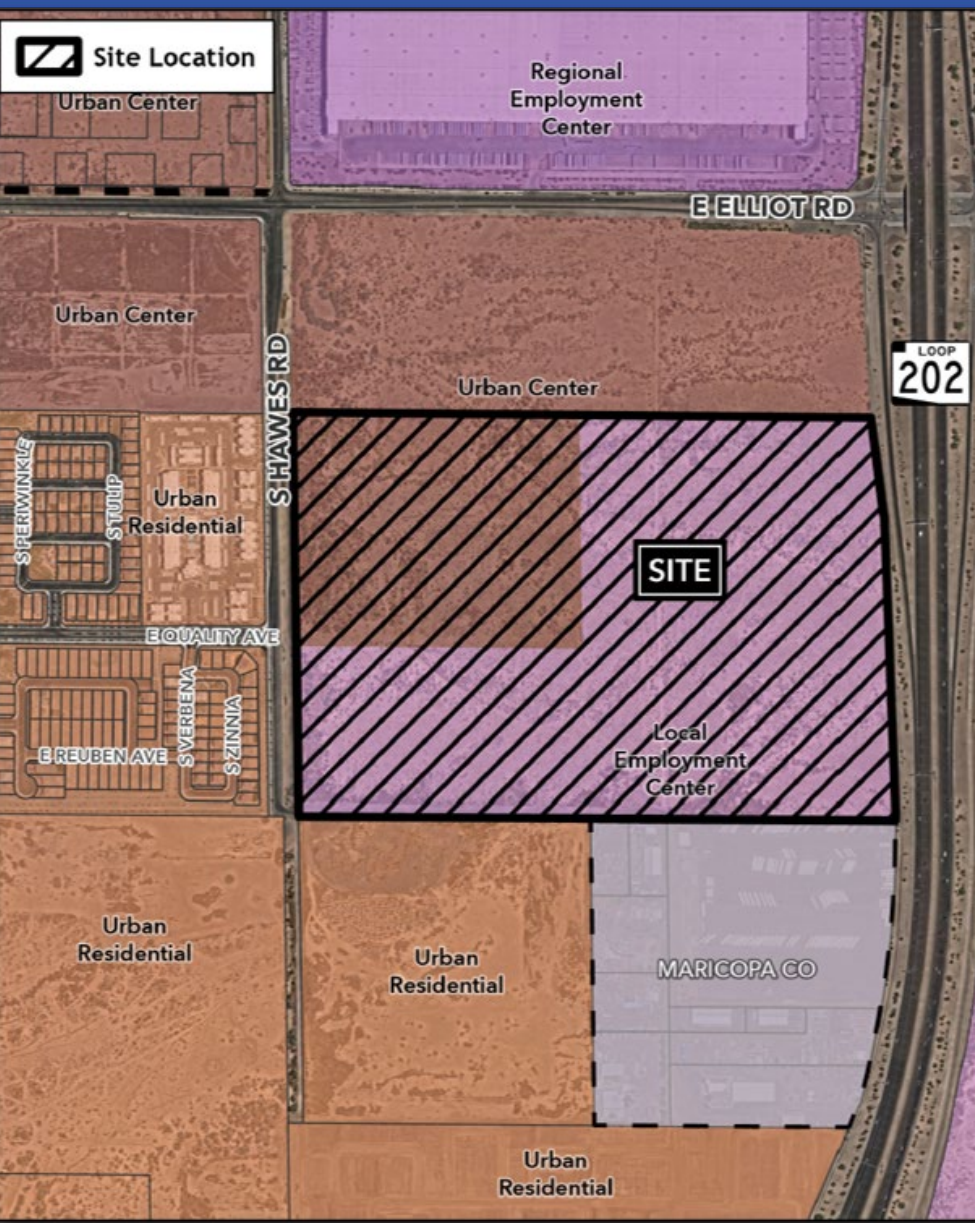
City of Mesa

Planning and Zoning Board

GPA26-00161

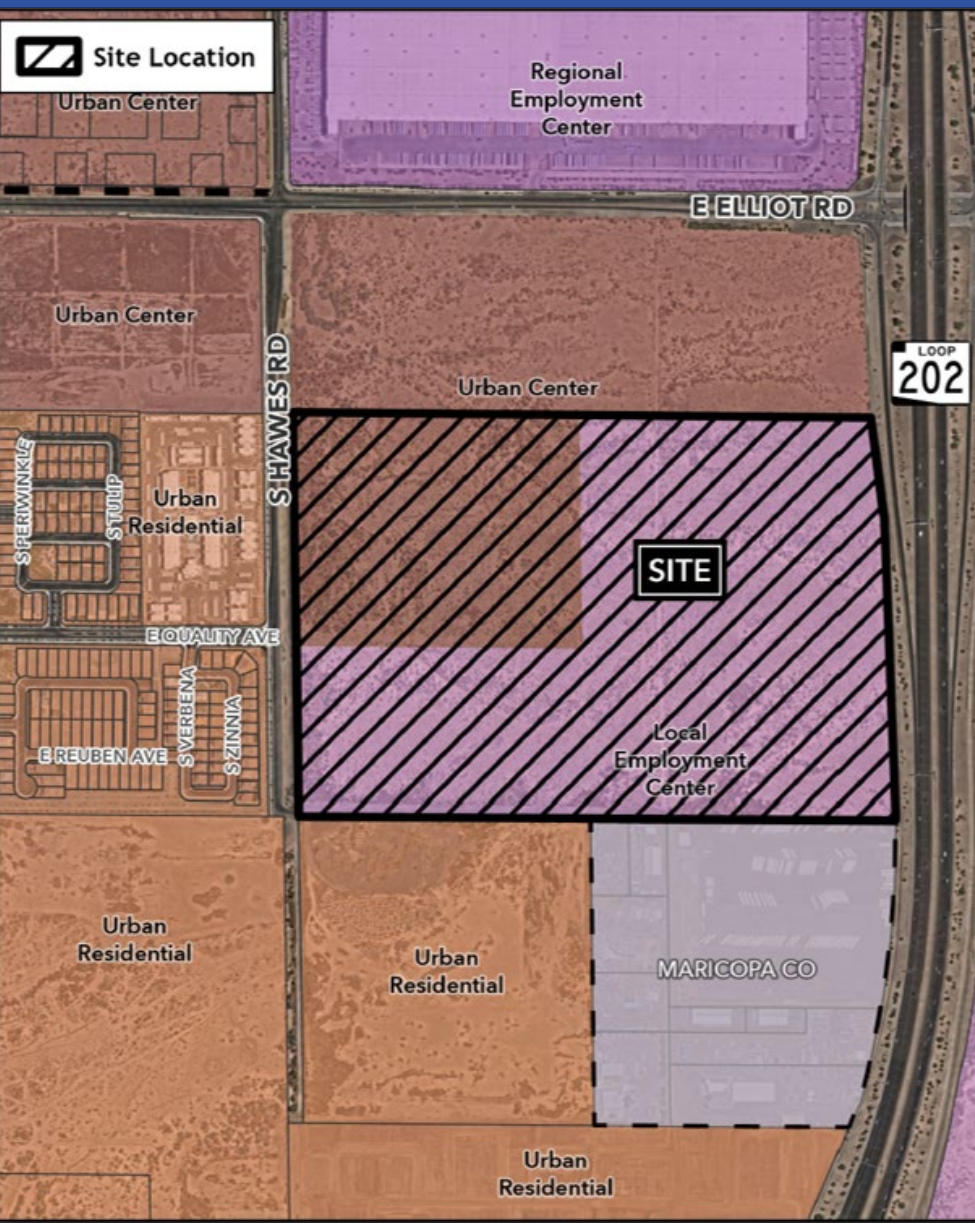
Hawes Crossing Village 7

Josh Grandlienard



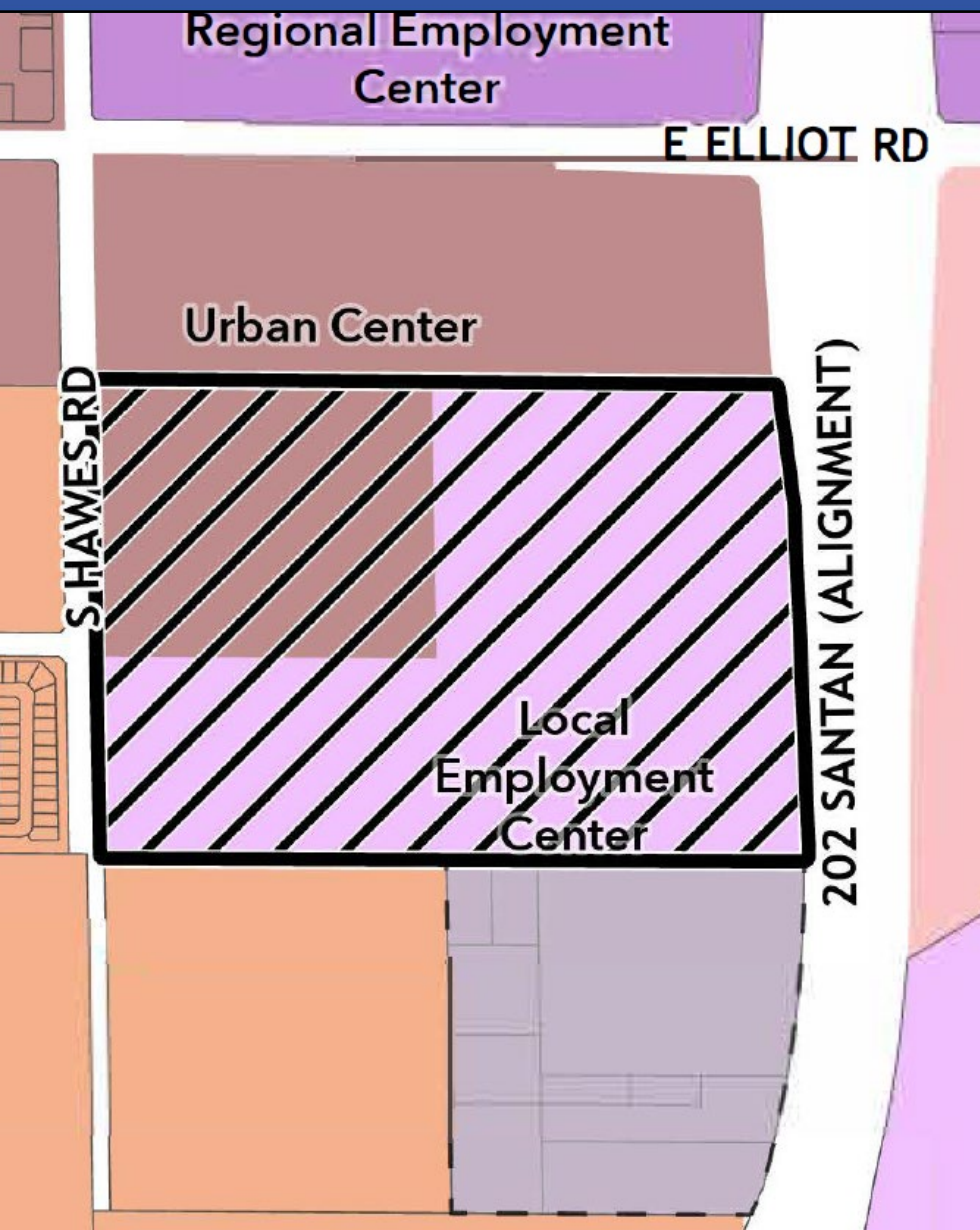
Request

- Major General Plan Amendment
- Urban Center and Local Employment Center Placetypes to Urban Residential Placetype



Location

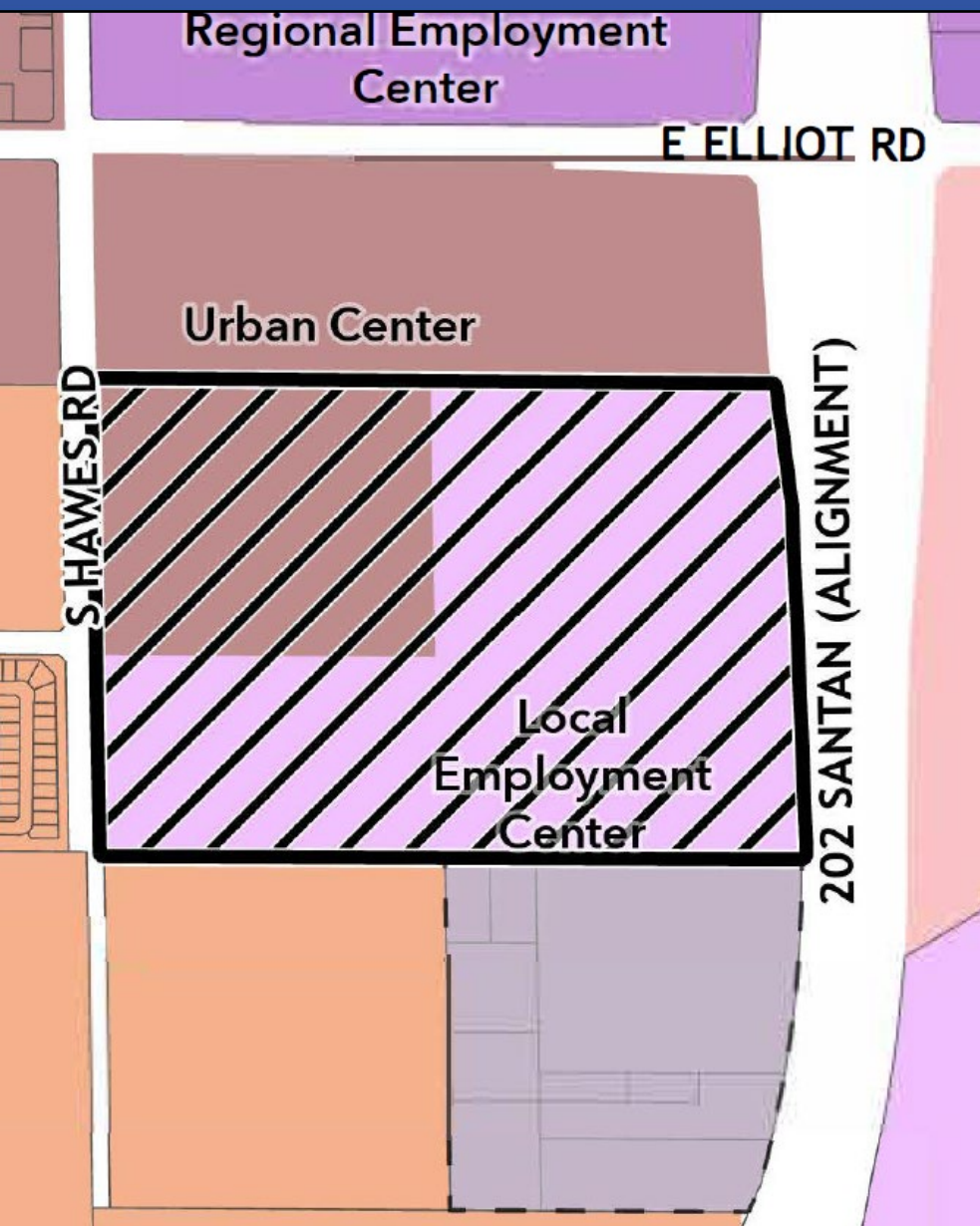
- East side of South Hawes Road
- West side of State Route 202
- South of East Elliot Road



General Plan

Current – Urban Center

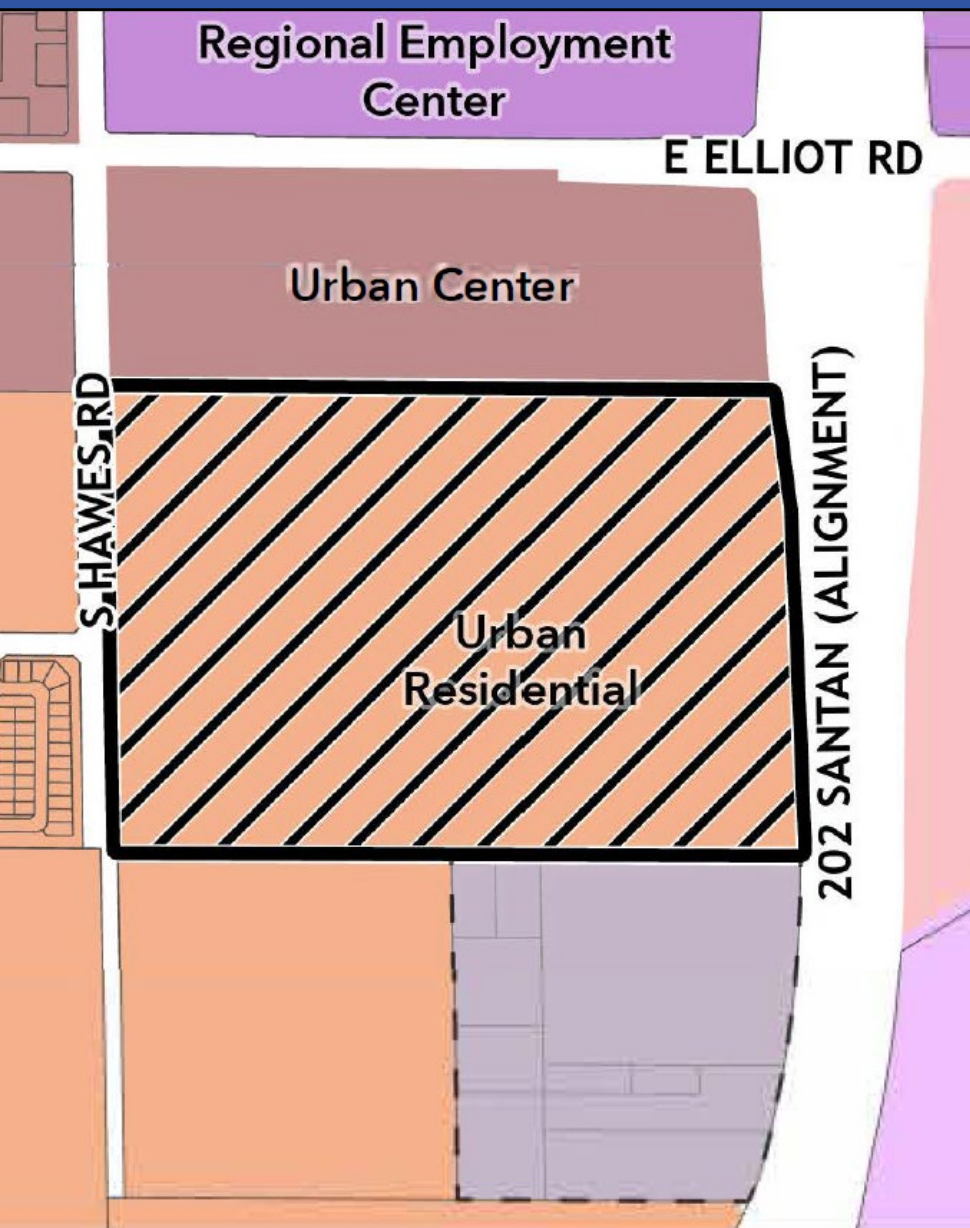
- Compact mixed-use areas with pedestrian-oriented development
- Contain retail, personal services, entertainment and recreation facilities, eating and drinking establishments, limited multi-family residential
- Residential zoning districts: RM-2, RM-3, RM-4, RM-5



General Plan

Current – Local Employment Center

- Areas that support a variety of low-intensity business operations that are compatible with residential uses
- Principal Land Uses include: Business Offices, Medical Facilities, Light Industrial, & Retail
- Zoning districts: OC, NC, LC, GC, PEP, LI, EO, & PS



General Plan

Proposed – Urban Residential

- Areas that contain a diverse mixture of uses where commercial, residential, and public/semi-public uses coexist
- Principal Land Uses: Single Family Residential, Multi-family Residential, Retail, Personal Services, Eating and Drinking Establishments, Business Offices
- Zoning districts: RS-9, 7, 6, RSL-4.5, 4, 3, 2.5, RM-2, 3, 4, 5, OC, NC, LC, GC, MX, PC, ID-1, 2, LR, and PS



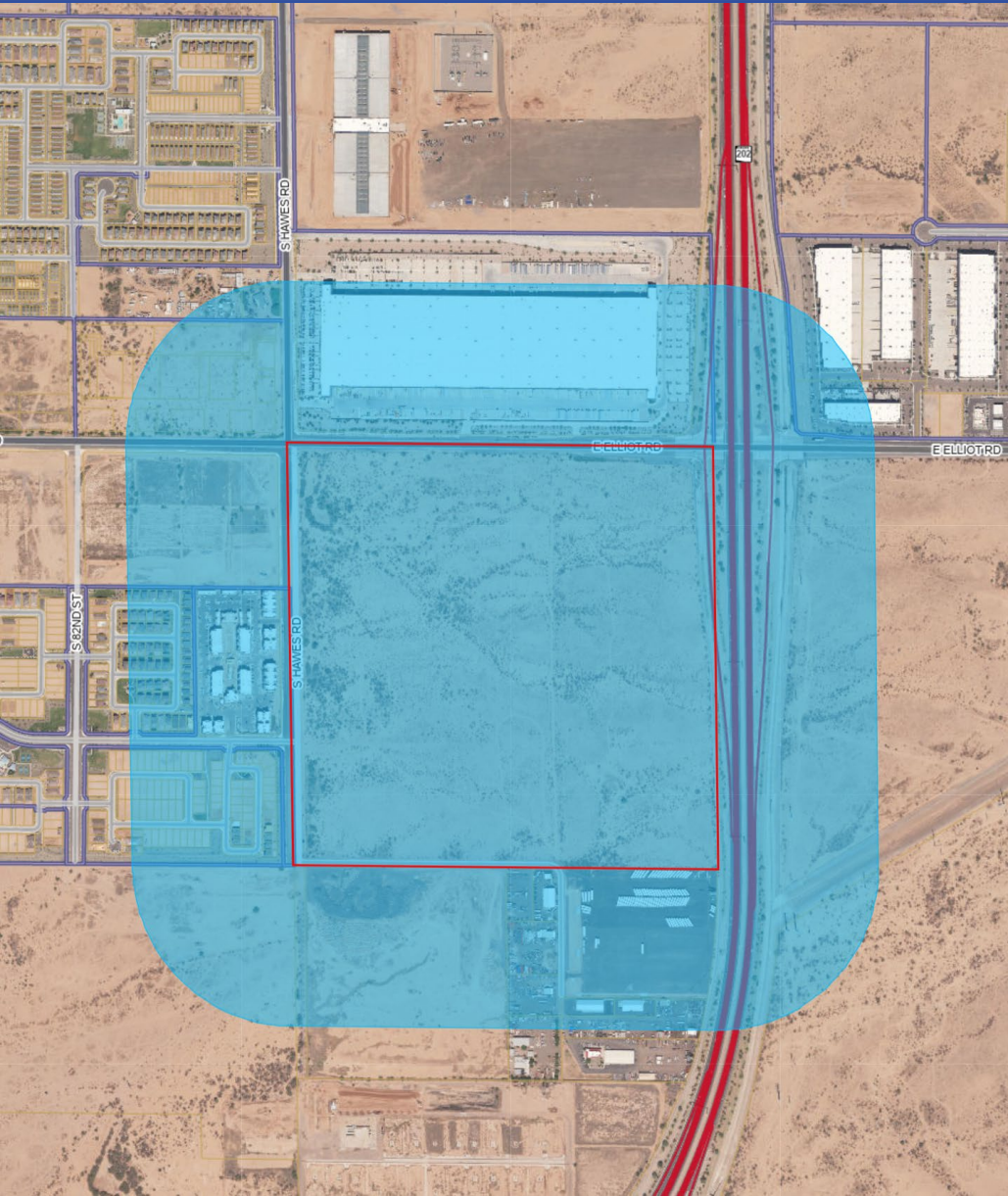
GPA Approval Criteria

1. Whether the amendment will result in a shortage of land for other planned uses
2. Whether events after the adoption of the General Plan have changed the character or condition of the area, making the amendment appropriate
3. The degree to which the proposed amendment will impact the community by:
 - a. Altering existing land use patterns in a significant way that is contrary to the Vision, Guiding Principals, or Strategies of the General Plan
 - b. Requiring larger or more extensive improvements to roads, sewer or water systems that may negatively impact development of other lands
 - c. Adversely impacting existing uses due to increased traffic congestion that is not accommodated by planned roadway improvements or other planned transportation improvements such as nonmotorized transportation alternatives or transit



GPA Approval Criteria

4. Whether the proposed amendment is consistent with the Vision, Guiding Principles, or Strategies of the General Plan
5. Whether the proposed amendment constitutes an overall improvement to the General Plan and the City of Mesa
6. The extent to which the benefits of the proposed amendment outweigh any of the impacts identified by these criteria



Citizen Participation

- Notified property owners within 1000 feet, HOAs and registered neighborhoods
- Neighborhood meetings
 - Virtual: April 28, 2026, two residents in attendance



Recommendation

Staff Recommends Adoption

City of Mesa

Planning and Zoning Board

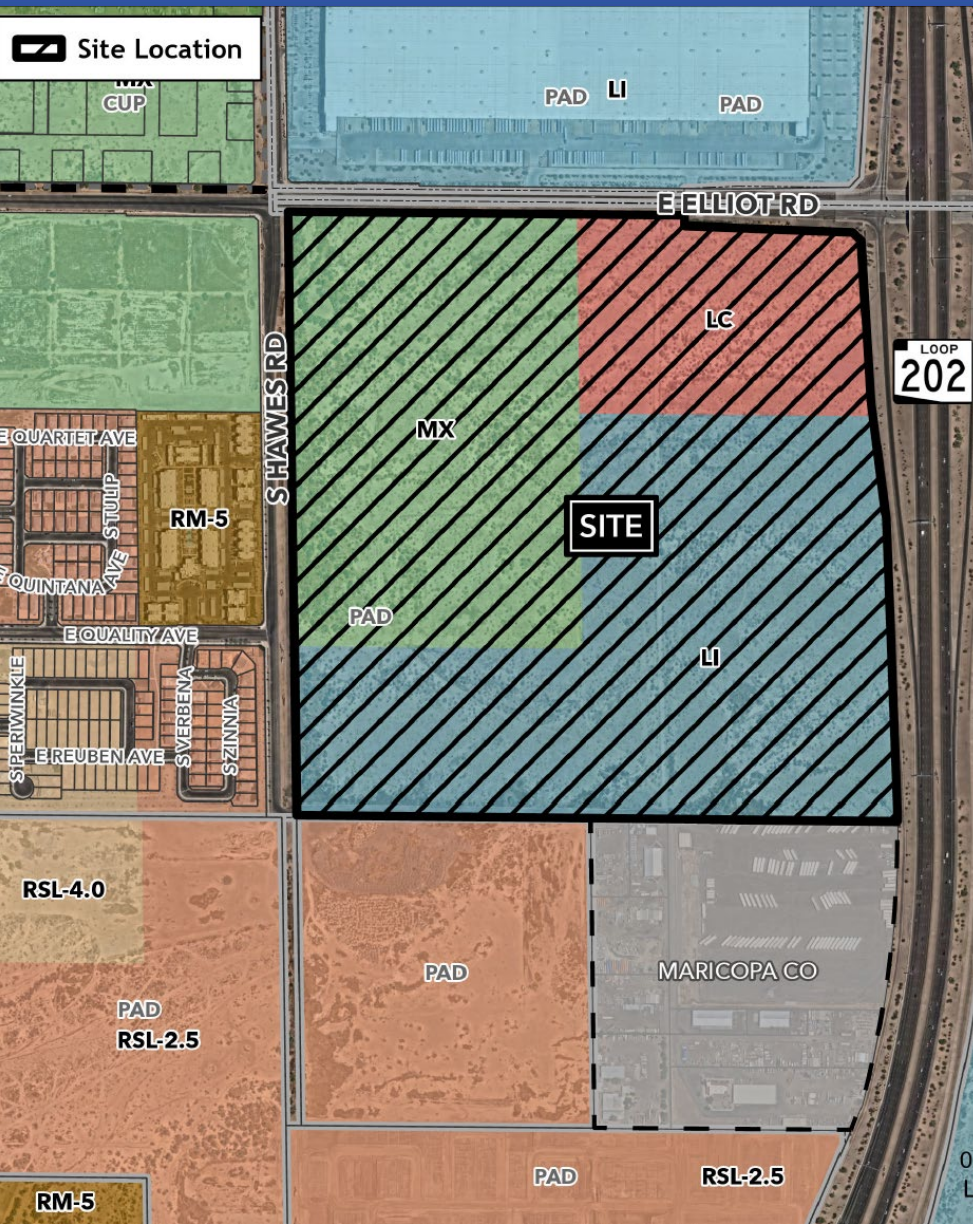
City of Mesa

Planning and Zoning Board

ZON26-00160

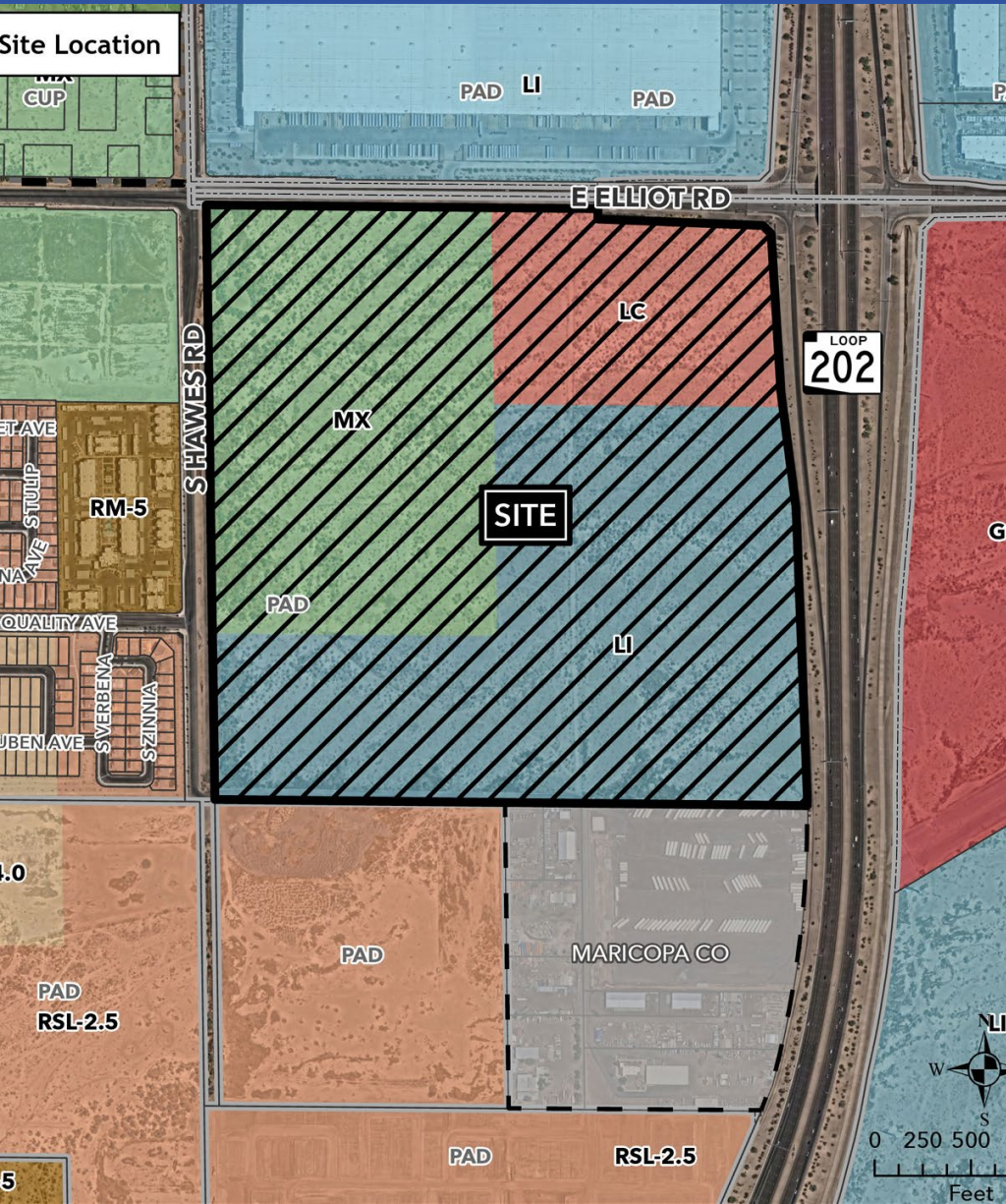
Hawes Crossing Village 7

Josh Grandlienard



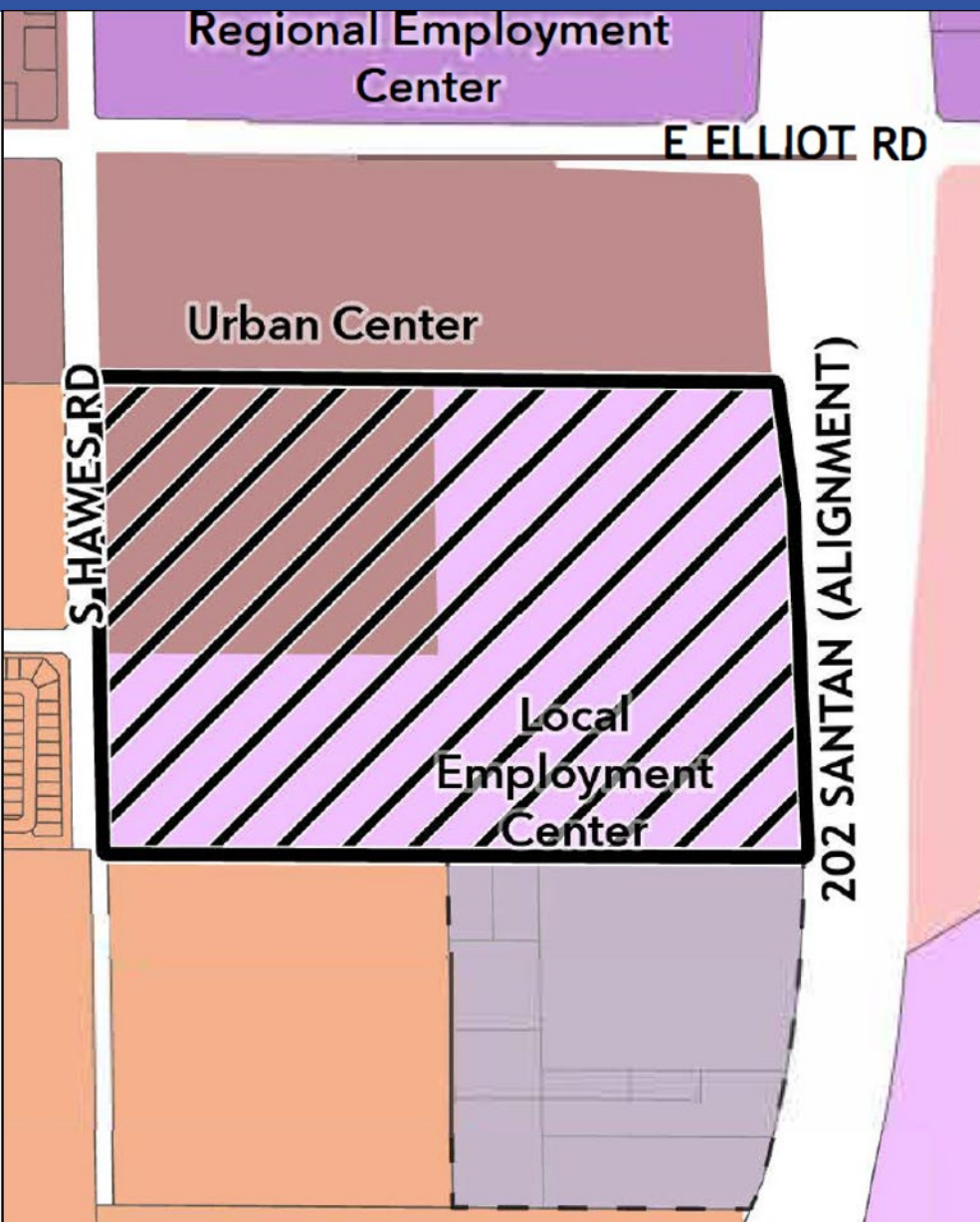
Request

- Rezone 102.9± acres from Mixed Use with a Planned Area Development Overlay (MX-PAD) (29.7± acres) and Light Industrial with a Planned Area Development Overlay (LI-PAD) (73.2± acres) to Residential Small Lot - 2.5 with a Planned Area Development Overlay (RSL-2.5-PAD).
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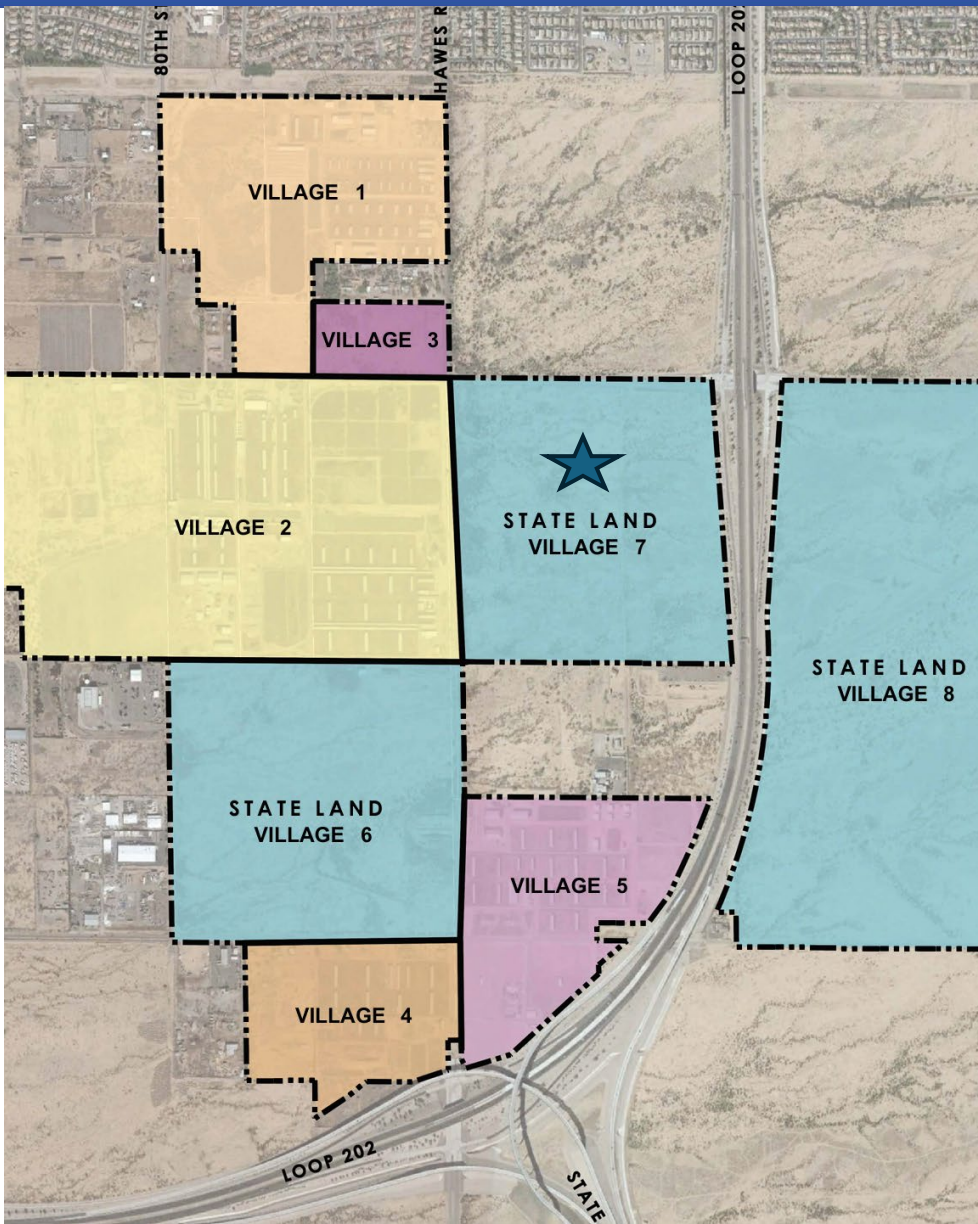
Location

- East side of South Hawes Road
- West side of State Route 202
- South of East Elliot Road



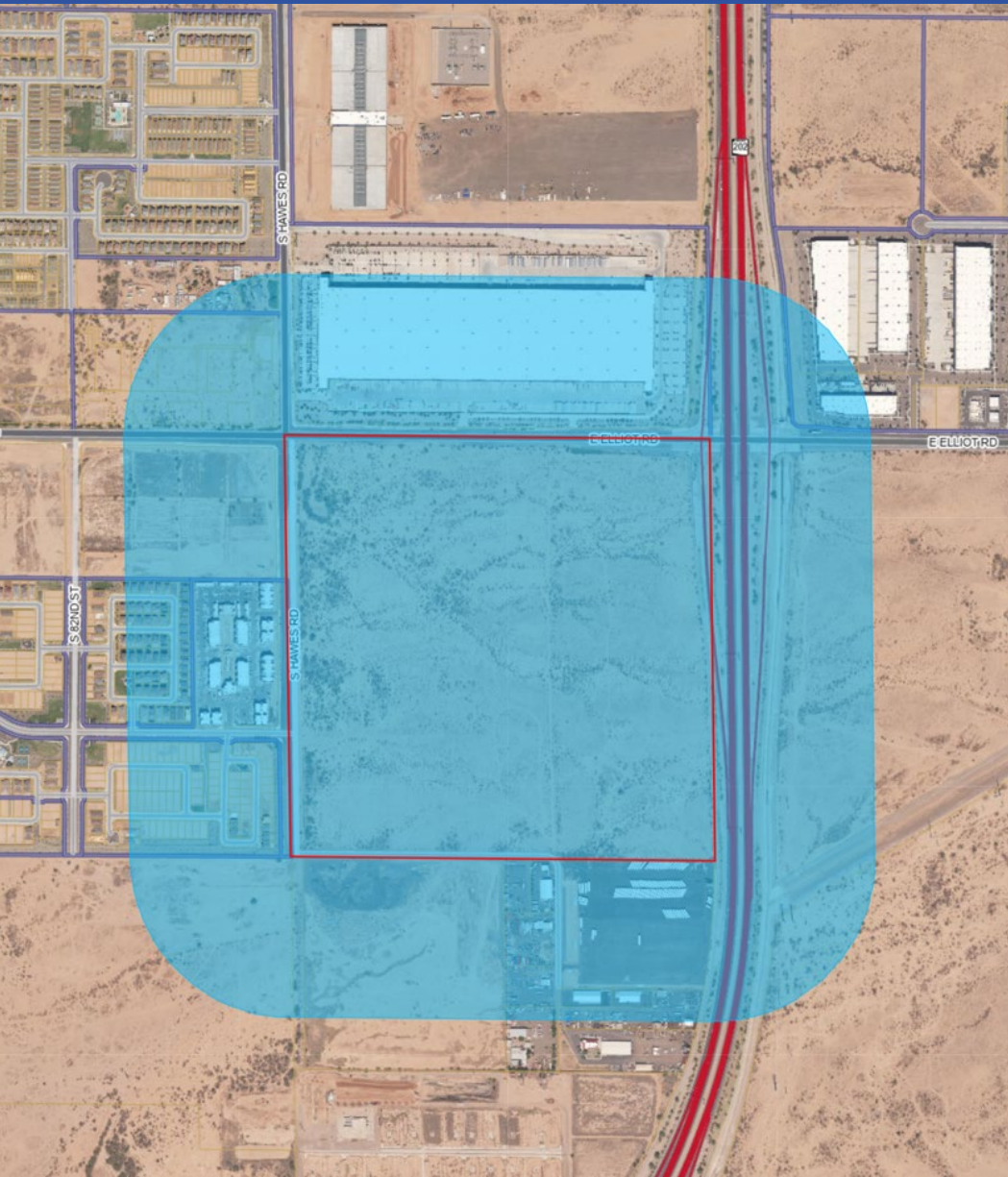
General Plan

- Currently Local Employment Center and Urban Center
- Concurrent request to amend the General Plan Place types to Urban Center and Urban Residential



Hawes Crossing PAD

- Subject Site has been identified as Village 7 of the Overall Hawes Crossing Planned Area Development
- Land currently owned by the State of Arizona
- All future development will need to meet the requirements of the Hawes Crossing PAD



Citizen Participation

- Notified property owners within 1000 feet, HOAs and registered neighborhoods
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Recommendation

Staff Recommends Adoption

City of Mesa

Planning and Zoning Board



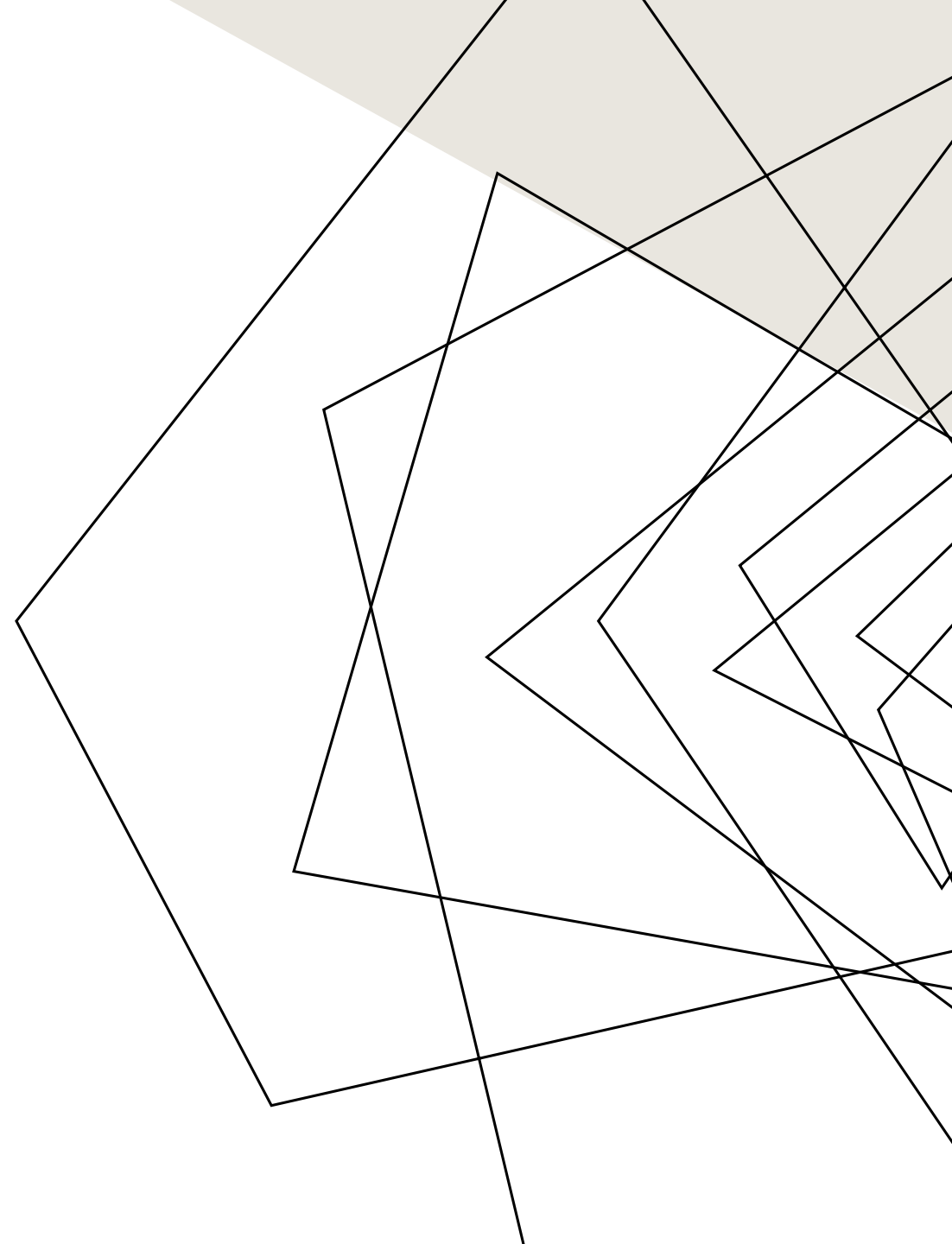
CITY OF MESA 2026 BOARD TRAINING

Open Meeting Law

OPEN MEETING LAW

A.R.S. § 38-431.09

It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided.



WHAT IS A MEETING?

A meeting occurs ANY TIME a quorum of the public body discusses, proposes, or takes legal action on a subject that is reasonably likely to come before the board.

- Traditional Meetings
- Electronic Meetings
 - Emails, email forwarding, reply all, social media
- Serial Meetings



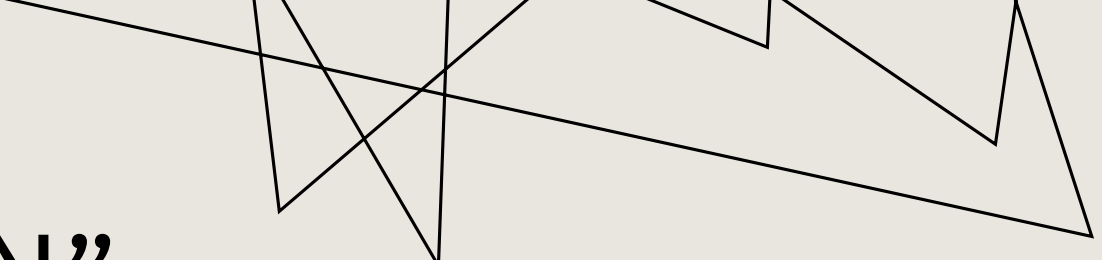
MEETING AGENDA

Must Have

- Date, Time, Place
- Matters to be discussed or decided in reasonable detail – not just bullet points

Must be posted 24 hours prior

RULE: If no posted agenda, no meeting



IS IT “LEGAL ACTION”

- Violation can occur even if no votes are taken
- All discussions, deliberations, considerations, or consultations among a majority of the members of a public body regarding matters that may foreseeably require final action or a final decision by the governing body, constitute "legal action" and, therefore, must be conducted in a public meeting
- The key is whether the matter may foreseeably require final action

VIOLETIONS

ACTIONS taken by the Committee are **NULL** and **VOID**.

The Attorney General or County Attorney INVESTIGATES.

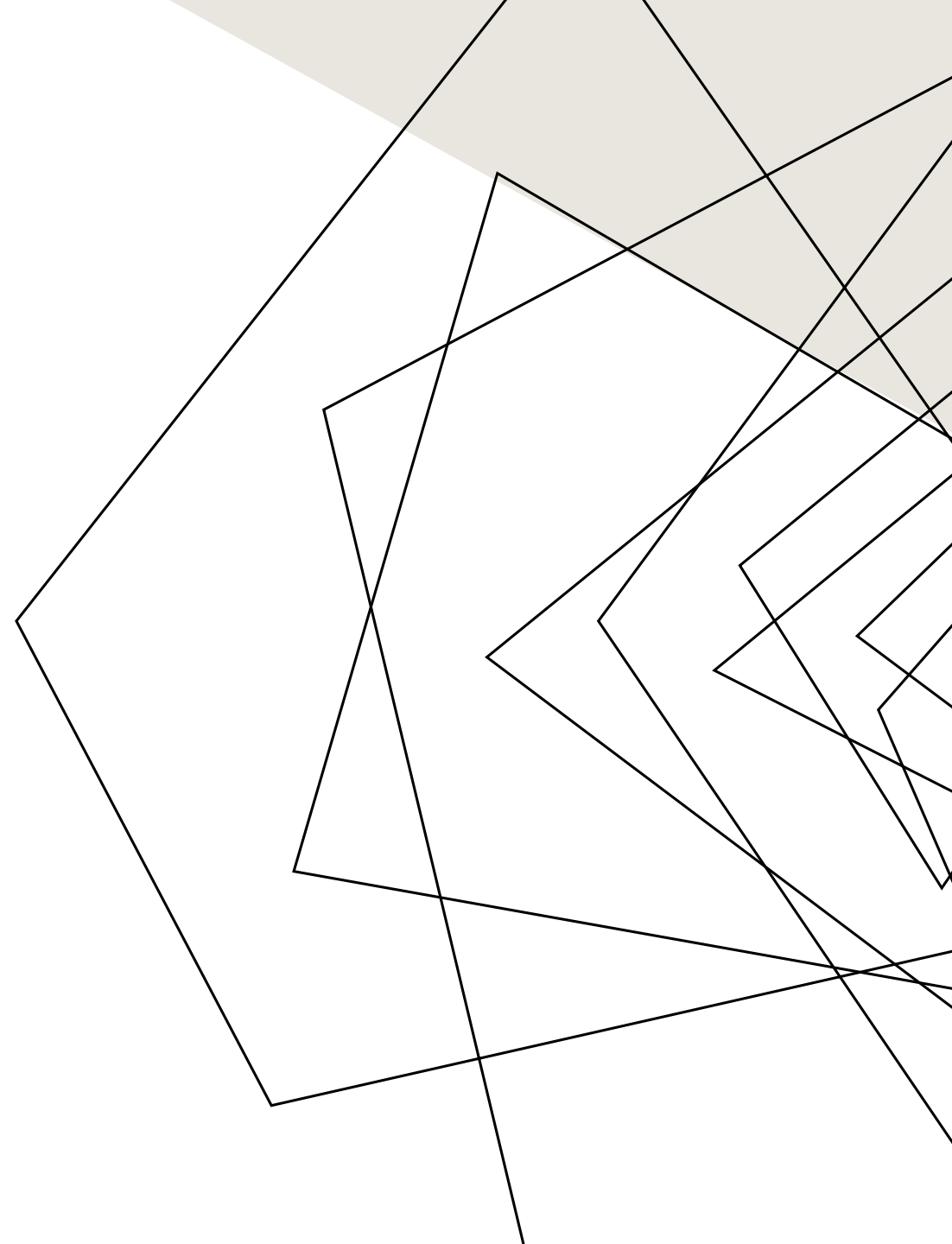
PENALTIES...

- \$500 civil penalty for violation (and can increase for multiple)
- REMOVAL of a committee member if the court makes a finding of intent
- Assess the officer with ALL COSTS awarded to the plaintiff
- The City MAY NOT spend public monies for legal counsel, so costs are borne by the individual

OPEN MEETINGS: DECISION-MAKING

Purpose of the Open Meeting Law is transparency and public trust in the decision-making process.

An integral part of this public trust is the integrity of the process – through unbiased decision makers.



CONFLICT OF INTEREST

A.R.S. § 38-503

Any public officer who has, or whose relative has, a substantial interest in an issue before the advisory committee (or subcommittee) shall declare conflict and refrain from participating in any manner in such decision.

A.R.S. § 38-502

“Substantial interest” means any nonspeculative **pecuniary or proprietary interest**, either direct or indirect, other than a remote interest.

WHO DOES IT APPLY TO?

Board/committee members

AND

Their spouse, children, parents, in-laws, grandchildren, grandparents, step-children, step-parents, brothers and sisters (whole or half), or brothers and sisters of their spouse

WHAT DOES THE MEMBER DO IF THEY HAVE A SUBSTANTIAL INTEREST?

- **DO NOT** take part in the discussion or action
- **MAKE THE INTEREST KNOWN** in public records
- **Complete a Public Officer Disclosure Form**

VIOLATIONS

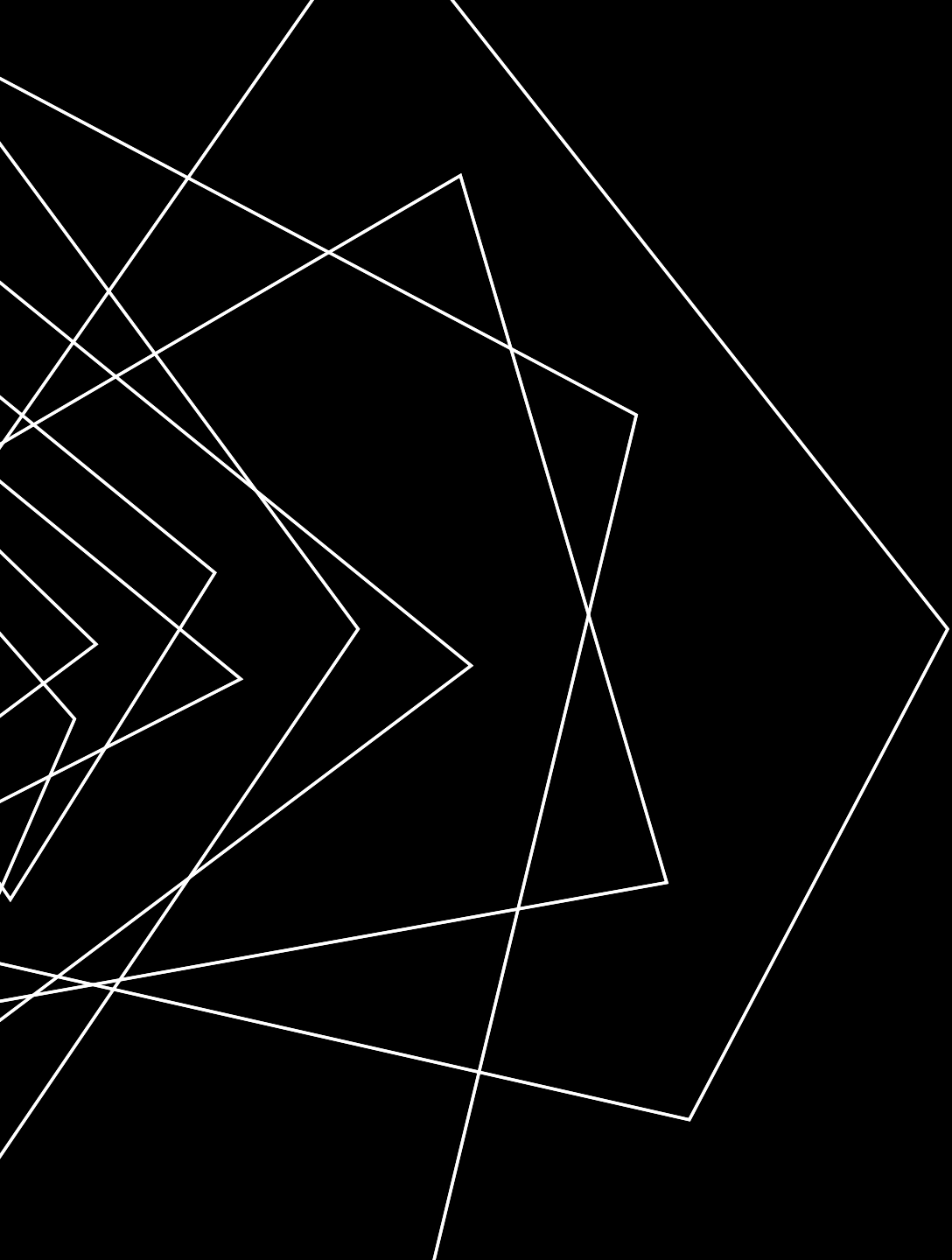
- CIVIL SUIT to enforce the law
 - Court may award reasonable attorney's fees
- Class VI Felony for INTENTIONALLY or KNOWINGLY violating the law
- Class I Misdemeanor for RECKLESSLY or NEGLIGENTLY violating the law
- Person found guilty might be required to FORFEIT his PUBLIC OFFICE
- Legal costs not borne by the City

WHEN IN DOUBT

Avoid the Appearance of Impropriety!

Rather than risk an inadvertent violation of law, the safest course of action is simply to declare that a conflict may exist that prevents an elected official or advisory board member from participating.

Honesty and integrity should be the primary values in all issues. The public trust in the City Council and citizen boards can be a reality only when public officials are truthful.



THANK YOU