

Planning and Zoning Board



Study Session Minutes

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

Date: August 27, 2025 Time: 3:00 p.m.

MEMBERS PRESENT:

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

MEMBERS ABSENT

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

STAFF PRESENT:

Mary Kopaskie-Brown
Rachel Phillips
Evan Balmer
Kirstin Dvorchak
Joshua Grandlienard
Alexis Wagner

OTHERS PRESENT:

1 Call meeting to order.

Chair Ayers declared a quorum present; the meeting was called to order at 3:02 pm.

2 Review items on the agenda for the August 27, 2025, regular Planning and Zoning Board Hearing.

Staff Planner Joshua Grandlienard presented case ZON24-00859. See attached presentation.

Boardmember Pitcher asked staff to outline how the Good Neighbor Policy addressed the public's questions and concerns.

Staff Planner Josh Grandlienard explained that primary access to the site will be from the interior, with some traffic impacts anticipated at the adjacent intersection, which is still under construction. He noted that gas deliveries will occur during regular hours and that no propane kiosk is proposed. He added that while outdoor music is uncertain, any that is present will comply with the noise ordinance, and a staff member will be on-site during operating hours to provide surveillance.

MINUTES OF THE AUGUST 27, 2025 PLANNING & ZONING STUDY SESSION

Staff Planner Rachel Phillips presented the proposed amendments to Chapter 36 of Title 11 of the Mesa City Code pertaining to legal nonconforming uses, lots/parcels, structures, and sites, and legal procedurally conforming uses and structures.

The Board had no questions for staff.

3 Planning Director Update: None.

4 Adjournment.

Boardmember Pitcher motioned to adjourn the study session. The motion was seconded by Boardmember Carpenter.

The study session was adjourned at 3:20 pm.

Vote (7-0)

Upon tabulation of vote, it showed:

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

NAYS – None

Respectfully submitted,



Benjamin Ayers
Planning and Zoning Board Chair

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



ZON24-000859

Walmart Fuel Center



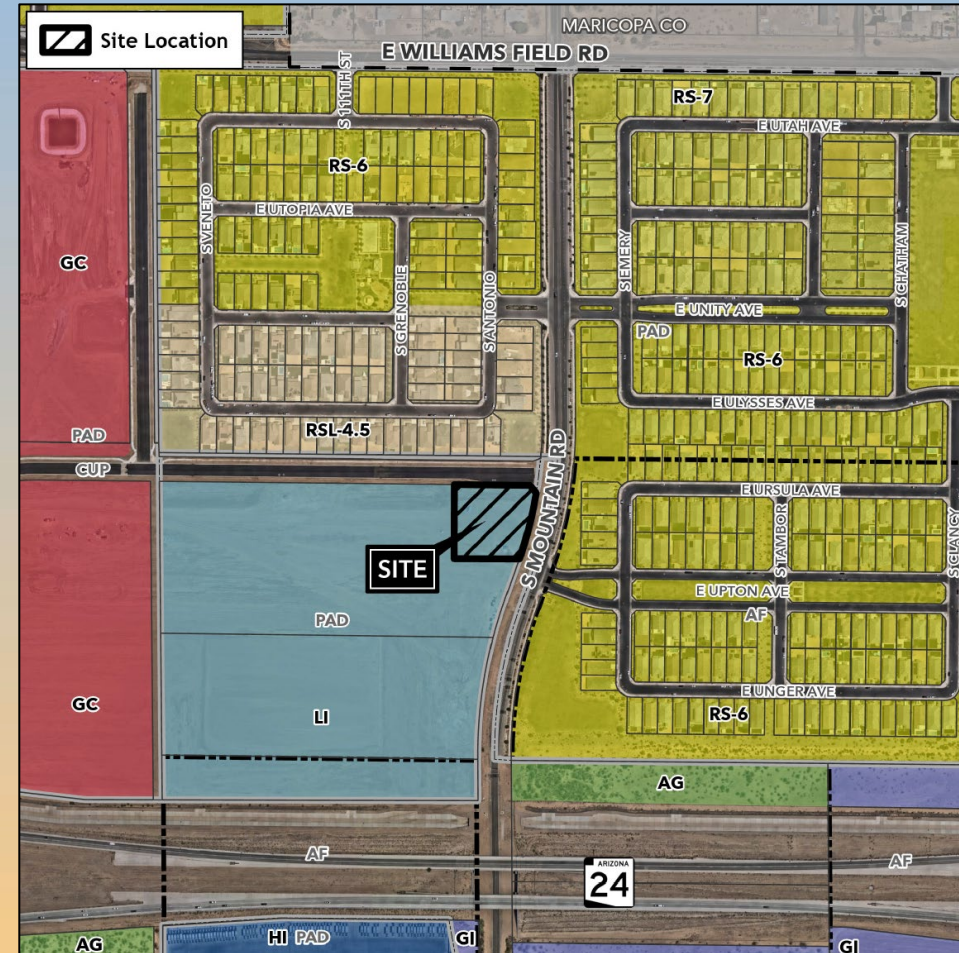
Request

- Site Plan Review and Special Use Permit for a Fuel Center
- A part of a large commercial center, which includes an approved Walmart





- Located on the south side of Gateway Auto Drive
- West side of Mountain Road





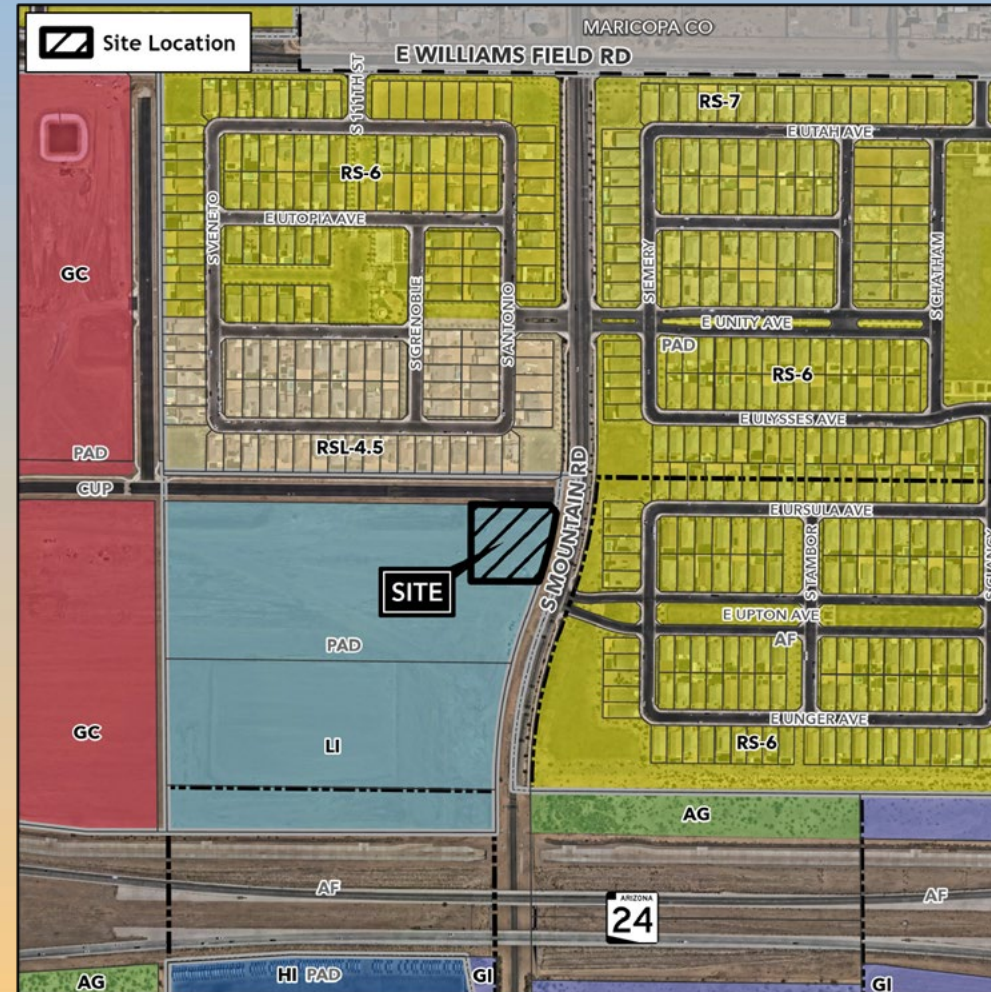
Regional Center - Evolve

- [illegible]



Zoning

- Current: LI-PAD, use is allowed with a Special Use Permit





Site Photo

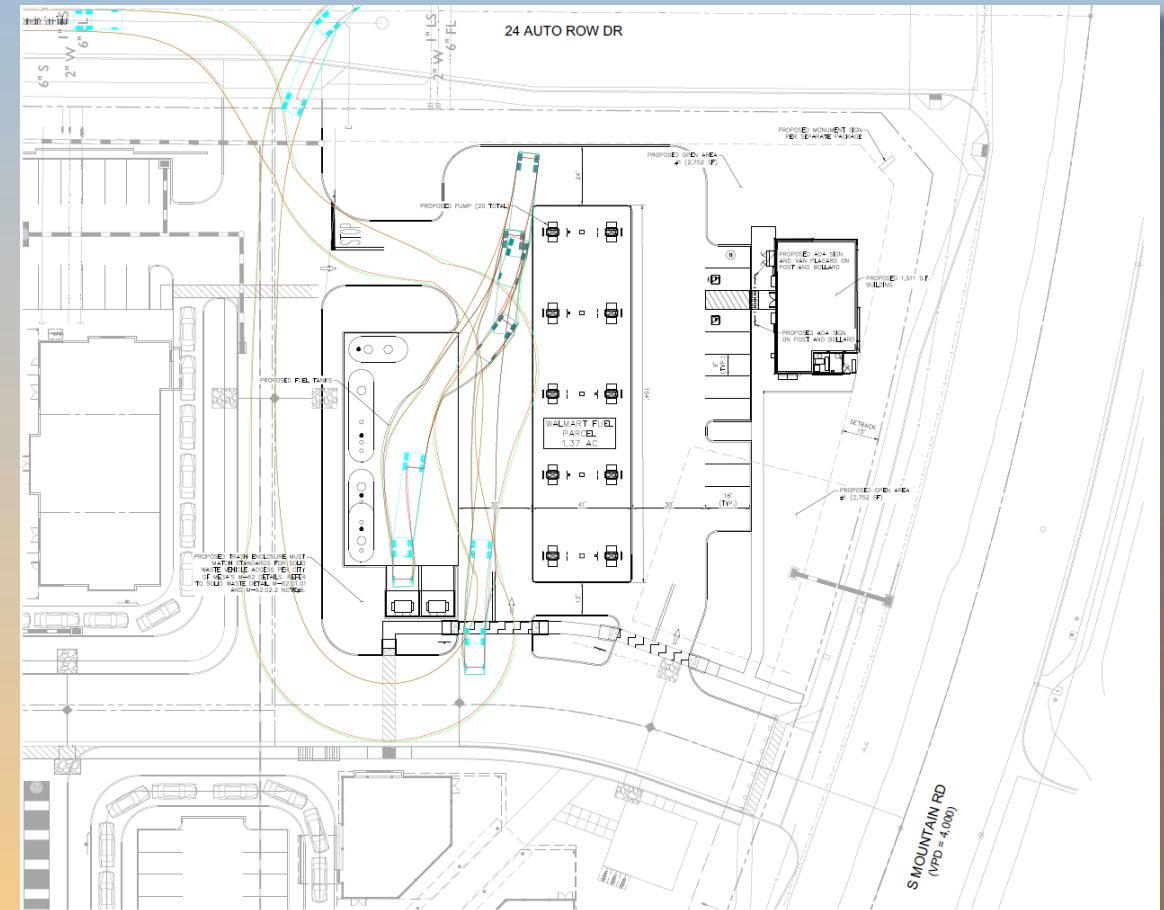


Looking west from Mountain Road



Site Plan

- Ingress/Egress will be via internal drives, with indirect access to both Gateway Auto Drive and S Mountain Road
- Fuel Storage located underground on the western side of the site





Landscape Plan

PLANT SCHEDULE

SYMBOL	QTY	BOTANICAL / COMMON NAME	CONT	HEIGHT/SPREAD	CAL.
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TREES

	27	ACACIA ANEURA / MULGA	24" BOX	9'-10" HT X 4'-5" SPR.	1" CAL.
	6	CAESALPINIA CACALACO / CASCALOTE	24" BOX	9'-10" HT. X 3'-4" SPR.	1" CAL.
	6	CERCIDIUM X 'DESERT MUSEUM' / DESERT MUSEUM PALO VERDE	24" BOX	8'-10" HT. X 5'-7" SPR.	1" CAL.
	4	ULMUS PARVIFOLIA 'TRUE GREEN' / TRUE GREEN LACEBARK ELM	24" BOX	9'-11" HT. X 4'-5" SPR.	1" CAL.

SYMBOL	QTY	BOTANICAL / COMMON NAME	CONT.	SPACING
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SHRUBS

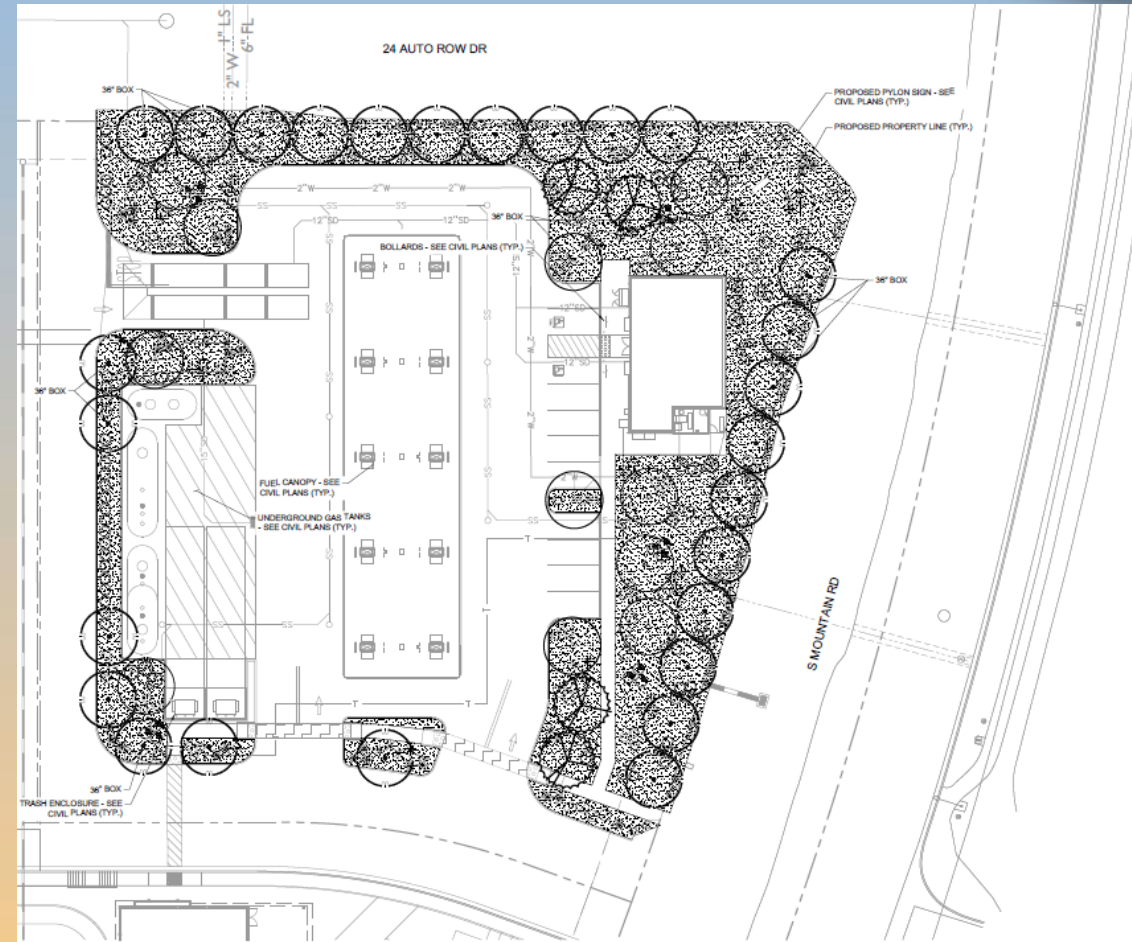
	28	AGAVE AMERICANA / CENTURY PLANT	5 GAL.	4' O.C.
	18	CALLIANDRA CALIFORNICA / RED BAJA FAIRY DUSTER	5 GAL.	5' O.C.
	33	HESPERALOE PARVIFLORA / RED YUCCA	5 GAL.	3' O.C.
	27	LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO' / RIO BRAVO LANGMAN'S SAGE	5 GAL.	4' O.C.
	53	LEUCOPHYLLUM ZYGOPHYLLUM 'CIMARRON' / CIMARRON BLUE RANGER	5 GAL.	4' O.C.
	46	MUHLENBERGIA RIGENS / DEER GRASS	5 GAL.	4' O.C.
	15	RUELLIA BRITTONIANA / MEXICAN PETUNIA	5 GAL.	4' O.C.
	63	RUELLIA PENINSULARIS / DESERT RUELLIA	5 GAL.	4' O.C.
	21	TECOMA STANS 'GOLD STAR' / YELLOW BELLS	5 GAL.	4' O.C.

GROUND COVER

	61	LANTANA MONTEVIDENSIS / PURPLE TRAILING LANTANA	1 GAL.	3' O.C.
	38	LANTANA X 'NEW GOLD' / NEW GOLD LANTANA	1 GAL.	4' O.C.

INERTS

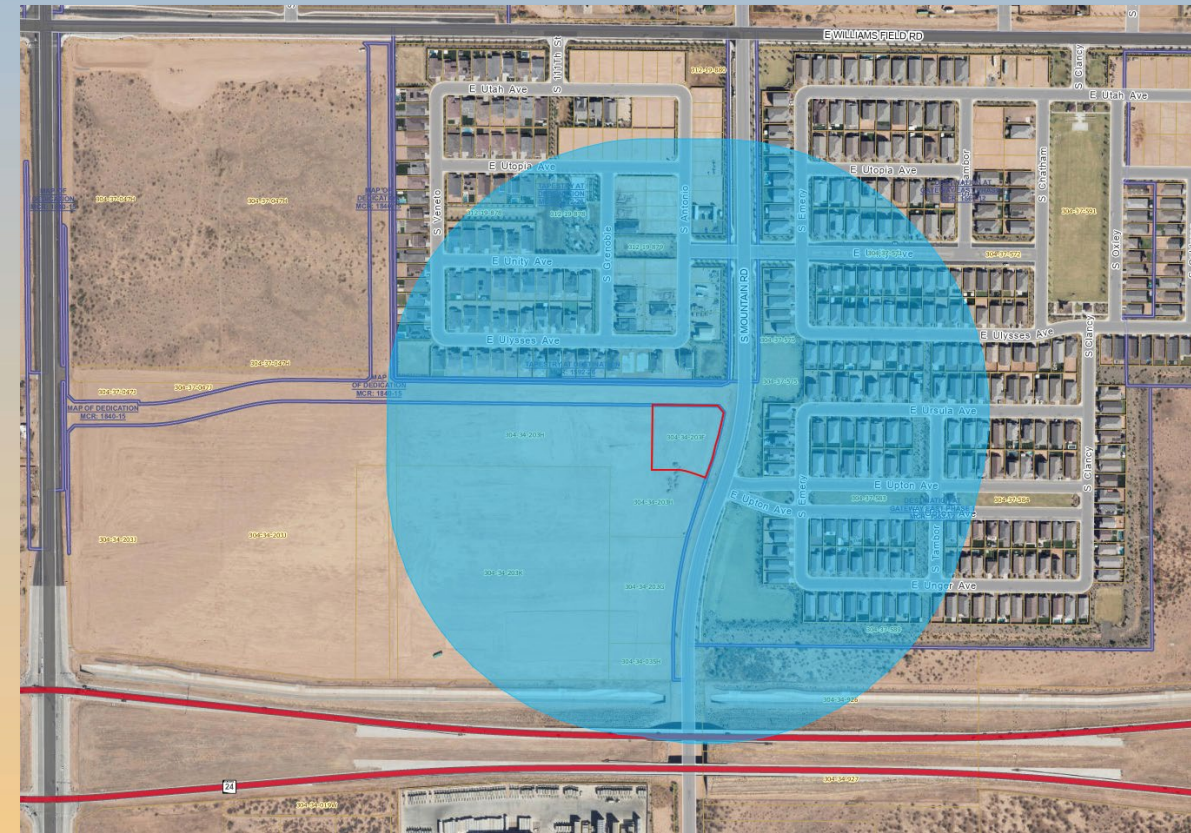
	20,286 SF	2" DEPTH DECOMPOSED GRANITE 1/2" SCREENED, COLOR: DESERT GOLD. MAUFACTURER: ROCK PROS USA	-
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Citizen Participation

- Notified property owners within 1,000 feet, HOAs and registered neighborhoods
- Neighborhood meeting on February 4, 2025, with 17 residents in attendance.
- Questions related to:
 - Access to the site
 - Hours of gas delivery
 - Music in the parking lot
 - Surveillance on the property
 - Propane sales
 - The number of service stations proposed and their location
- One call received by staff with general questions on the overall development





Findings

- ✓ Complies with the 2050 Mesa General Plan
- ✓ Complies with Chapter 69 of the MZO for Site Plan Review
- ✓ Complies with Chapter 31 of the MZO for an SUP for a Fuel Center
- ✓ Complies with Chapter 70 of the MZO for SUP

Staff recommends Approval with Conditions

Planning and Zoning Board

August 27, 2025



Nonconforming and Procedurally Conforming Text Amendments

Rachel Phillips

Assistant Planning Director





Text Amendment Overview

- Repealing Chapter 36 - Nonconforming Uses, Structures, and Lots
- Replacing it with a new Chapter 36 - Nonconforming and Procedurally Conforming
- To modernize, simplify, and clarify regulations related to legal nonconforming uses, lots or parcels, structures, and sites
- Add regulations for legal procedurally conforming uses and structures

Proposed Text Amendments

- Chapter restructured based on nonconformities for easier administration
- Add new definitions:
 - Legal Nonconforming Uses
 - Legal Nonconforming Lots or Parcels
 - Legal Nonconforming Structures
 - Legal Nonconforming Sites
- Existing definitions do not specify the conditions (e.g., setbacks, density, lack of required approvals etc.) that make each (i.e., use, lot, structure) nonconforming
- Do not distinguish between legal and illegal nonconformities

A modern, multi-story building with large windows and a concrete finish is visible in the background. In the foreground, there is a well-maintained green lawn and a concrete sidewalk. The sky is clear and blue.

Proposed Text Amendments

- MZO does not address nonconformities resulting from a Zoning Administrator Interpretation
- Add definitions and regulations for Legal Procedurally Conforming Uses and Legal Procedurally Conforming Structures
 - I.e. Project that received zoning entitlements and buildings permits but the use was later determined by the Zoning Administrator to not be within any land use classification and therefore prohibited
- Regulations mirror those for Legal Nonconforming Uses and structures except they can be completely rebuilt if destroyed

Proposed Text Amendments

- Clarify regulations for partially destroyed Legal Nonconforming Structures
- Cannot be reconstructed or restored if cost exceeds 75% of the cost to rebuild the entire structure
- Add provisions for Legal Nonconforming Sites
 - Previously no addressed
 - Mirror Current practices and other provisions of the MZO
 - Allow modifications through a Substantial Conformance Improvement Permit (SCIP) that conform with development standards and bring the site into further conformance



Questions

