

# Planning and Zoning Board

## *Meeting Minutes*

Mesa City Council Chambers – Upper Level, 57 East 1<sup>st</sup> Street

Date: July 26, 2023 Time: 4:00 p.m.

### **MEMBERS PRESENT:**

Benjamin Ayers  
Jeff Pitcher  
Jeffery Crockett  
Troy Peterson  
Genessee Montes  
Jamie Blakeman  
Jayson Carpenter\*

### **MEMBERS ABSENT**

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

### **STAFF PRESENT:**

Mary Kopaskie-Brown  
Rachel Nettles  
Michelle Dahlke  
Jennifer Merrill  
Sean Pesek  
Joshua Grandlienard  
Sergio Solis  
Sarah Steadman  
Alexis Jacobs

### **OTHERS PRESENT:**

### **Call Meeting to Order.**

Chair Ayers declared a quorum present and the meeting was called to order at 4:09 p.m.

### **1 Take action on all consent agenda items.**

#### Items on the Consent Agenda

### **2 Approval of minutes from previous meetings.**

#### **\*2-a** Minutes from the July 12, 2023 study session and special meeting.

Vice Chair Pitcher motioned to approve the minutes from the July 12, 2023 study session and regular meeting. The motion was seconded by Boardmember Montes.

#### **Vote: 7-0**

Upon tabulation of vote, it showed:

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

NAYS – None

**3 Take action on the following zoning cases:**

Vice Chair Pitcher motioned to approve the consent agenda. The motion was seconded by Boardmember Montes.

Zoning cases: ZON22-01038, ZON22-01298, ZON23-00222, ZON23-00282, ZON23-00338 and ZON236-00384.

**Vote: 7-0**

Upon tabulation of vote, it showed:

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

NAYS – None

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**\*3-a ZON22-01038. "Villas at Apache" (District 5).** Within the 9600 to 9700 blocks of East Main Street (south side). Located south of Main Street and west of Crismon Road (4.6± acres). Rezoning from Agricultural (AG) 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. David Bohn, BFH Group, Applicant. BFH Holdings LLC, Owner.

**Planner: Joshua Grandlienard**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Vice Chair Pitcher motioned to approve case ZON22-01038. The motion was seconded by Boardmember Montes.

**That: The Board recommends to approve case ZON22-01038 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB23-00288
3. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, 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 modifications to the development standards approved with this PAD as shown in the following table:

<b>Development Standards</b>	<b>Approved</b>
<u>Minimum Building Setbacks</u> – <i>MZO Section 11-5-5(A)</i> <i>-Interior Side and Rear: 3 or More Units on Lot (north and east property lines)</i>	7.5 feet per story (15 feet total)
<u>Minimum Separation Between Buildings</u> – <i>MZO Table 11-5-5</i>	10 feet
<u>Minimum Parking Required</u> – <i>MZO Table 11-32-3.A</i>	2.01 Stalls per unit (289 spaces total)
<u>Minimum Covered Parking Required</u> – <i>MZO Section 11-32-3(D)(2)</i>	.85 per unit (122 spaces total)
<u>Parking Lot Landscape Islands</u> – <i>MZO Section 11-33-4(B)(1)</i>	Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 10 contiguous parking spaces.

**Vote: 7-0**

Upon tabulation of vote, it showed:

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

NAYS – None

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**\*3-b ZON22-01298. "Red Oak Autism Academy" (District 2).** Within the 5000 to 5100 block of East University Drive (north side). Located west of Higley Road on the north side of University Drive (2.5± acres). Council Use Permit. This request will allow for a private school (grades K-12) to be located within the Limited Commercial (LC) zoning district. AnneMarie Butler, Applicant; MYSLONY DEVELOPMENT LLC, Owner.

**Planner: Sergio Solis**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Vice Chair Pitcher motioned to approve case ZON22-01298. The motion was seconded by Boardmember Montes.

**That: The Board recommends to approve case ZON22-01298 conditioned upon:**

1. Compliance with Ordinance No. 1870.
2. Compliance with all requirements of Design Review Case No. DR03-083, including the final site plan and final landscape plan approved with case DR03-083.
3. Prior to the issuance of any building permit, install perimeter landscaping consistent with the final landscape plan approved with case DR03-083.
4. Compliance with all City development codes and regulations.

**Vote: 7-0**

Upon tabulation of vote, it showed:

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

NAYS – None

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**\*3-c ZON23-00222. "Brightpath Child Care" (District 1).** Within the 1200 block of North Val Vista Drive (west side) and within the 3500 block of East Brown Road (north side). Located west of Val Vista Drive and north of Brown Road. (1.2± acres). Rezone from Office Commercial with a Bonus Intensity Zone overlay (OC-BIZ) to Office Commercial (OC) and Major Site Plan Modification. This request will allow for the development of a day care center. Sean Lake, Pew and Lake, PLC, Applicant; Mark Reeb, Makana LP, Owner.

**Planner: Emily Johnson**

**Staff Recommendation: Continued to the August 9, 2023 Planning and Zoning Board meeting.**

**Summary: This case was on the consent agenda and was not discussed individually.**

Vice Chair Pitcher motioned to continue case ZON23-00222 to the August. The motion was seconded by Boardmember Montes.

**That: The Board recommends to continue case ZON23-00222 to the August 9, 2023 Planning and Zoning Board meeting.**

**Vote: 7-0**

Upon tabulation of vote, it showed:

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

NAYS – None

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**\*3-d ZON23-00282. "Mountain America Credit Union Mesa Branch" (District 6).** Within the 4900 block of South Power Road (east side). Located north of Ray Road on the east side of Power Road. (1± acres). Major Site Plan Modification and amending the conditions of approval for Case No. ZON21-00069. This request will allow for a bank with a drive-thru. Michael Sanders, Sanders Associates Architects, Applicant; POWER 202 MIXED-USE LLC, Owner.

**Planner: Sean Pesek**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Vice Chair Pitcher motioned to approve case ZON23-00282. The motion was seconded by Boardmember Montes.

**That: The Board recommends to approve case ZON23-00282 conditioned upon:**

1. Compliance with all conditions of approval for ZON21-00069 (Ordinance No. 5634), except compliance with the final site plan submitted with this case (ZON23-00282), instead of the final site plan approved with case ZON21-00069.
2. Compliance with all requirements of Design Review Case No. ADM23-00191.

**Vote: 7-0**

Upon tabulation of vote, it showed:

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

NAYS – None

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**\*3-e ZON23-00338. “TMW Offroad” (District 6).** Within the 7400 block of South 89th Place (west side), within the 8900 block of East Winston Avenue (north side), and within the 7400 block of South Atwood (east side). Located west of Ellsworth Road and north of Germann Road. (2.4+ acres). Rezone from Light Industrial with a Planned Area Development overlay (LI-PAD) to Light Industrial with a PAD overlay and a Bonus Intensity Zone overlay (LI-PAD-BIZ) and Site Plan Review. This request will allow for an industrial development. Tim Nielsen, Farnsworth Construction Co., Applicant; Tyco Metal Works LLC, Owner.

**Planner: Jennifer Merrill**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Vice Chair Pitcher motioned to approve case ZON23-00338. The motion was seconded by Boardmember Montes.

**That: The Board recommends to approve case ZON23-00338 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Review and approval by the Design Review Board of all future development Plans.
3. Compliance with Design Review Case No. DRB22-01109.
4. 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 one mile 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 must state 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.”
5. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with the PAD in zoning case no. Z06-093 [Ordinance no. 4654] and this BIZ shown on the following table:

<b>Development Standards</b>	<b>Approved</b>
<u>Materials and Colors</u> – MZO <i>Section 11-7-3(B)(5)</i> -Materials	No more than 81% of the total façade may be covered with 1 single material
<u>Parking Area Design</u> – <i>MZO Section 11-32-4(A)</i> -Setback of Cross Drive Aisles	40 feet from parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles to the property line abutting the street

**Vote: 7-0**

Upon tabulation of vote, it showed:

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

NAYS – None

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**\*3-f ZON23-00384. "The Nile - Historic Landmark Overlay" (District 4).** Within the 100 block of West Main Street and the 100 block of South Macdonald. Located east of County Club Drive and south of Main Street (0.19± acres). Rezone from Downtown Core with a Downtown Events Overlay (DC-DE) to Downtown Core with a Downtown Events Overlay and a Historic Landmark Overlay (DC-DE-HL). This request will establish a Historic Landmark Overlay. Michelle Donovan - The Nile, Applicant; CK Properties, LLC, Owner.

**Staff Planner: Michelle Dahlke**

**Staff Recommendation: Approval with conditions**

**Summary: This case was on the consent agenda and was not discussed individually.**

Vice Chair Pitcher motioned to approve case ZON23-00384. The motion was seconded by Boardmember Montes.

**That: The Board recommends to approve case ZON23-00384 conditioned upon:**

1. Compliance with all City development codes and regulations.

**Vote: 7-0**

Upon tabulation of vote, it showed:

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

NAYS – None

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#### 4 **Adjournment.**

Boardmember Crockett motioned to adjourn the meeting. The motion was seconded by Vice Chair Pitcher.

**Vote: 7-0**

Upon tabulation of vote, it showed:

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

NAYS – None

The public hearing was adjourned at 4:15 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,

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Evan Balmer  
Principal Planner

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