

Planning and Zoning Board

Meeting Minutes

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

Date: August 14, 2024 Time: 4:00 p.m.

MEMBERS PRESENT:

Jeff Pitcher
Troy Peterson
Genessee Montes
Jamie Blakeman
Jayson Carpenter
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
Evan Balmer
Joshua Grandlienard
Charlotte Bridges
Chloe Durfee Daniel
Kirstin Dvorchak
Alexis Wagner

OTHERS PRESENT:

Call Meeting to Order.

Vice Chair Pitcher excused Chair Ayers declared a quorum present, the meeting was called to order at 4:05 pm.

1 Take action on all consent agenda items.

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

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

Items on the Consent Agenda

2 Approval of minutes from previous meetings.

***2-a** Minutes from the July 24, 2024 Planning and Zoning meeting.

MINUTES OF THE AUGUST 14, 2024 PLANNING & ZONING BOARD MEETING

3 Take action on the following zoning cases:

It was noted that item 3-a will be for recommendation to City Council.

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

***3-a ZON24-00145 - "Walmart Fuel 5349" (District 6).** Within the 8200 to 8400 blocks of East Guadalupe Road (south side). Located west of Hawes Road and south of Guadalupe Road. (7± acres). Major Site Plan Modification. This request will allow for a Service Station. Trent Rachel, Walmart Stores Inc., Owner; Ryan Alvarez, Kimley-Horn, Applicant.

Planner: Chloe Durfee Daniel

Staff Recommendation: Approval with conditions

The Board recommends to approve case ZON24-00145 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Case No. DRB24-00147.
3. Issuance of an SUP by the Board of Adjustment and compliance with all requirements of Case No. BOA24-00092.
Compliance with all City development codes and regulations.

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE AUGUST 14, 2024 PLANNING & ZONING BOARD MEETING

- *4-a ZON24-00274 - "WM Fuel Mesa 3799" (District 4).** Within the 100 to 400 blocks of West Baseline Road (north side). Located east of Country Club Drive on the north side of Baseline Road. (23± acres). Major Site Plan Modification. This request will allow for a Service Station. Trent Rachel, Walmart Stores Inc., Owner; Ryan Alvarez, Kimley-Horn, Applicant.

Planner: Chloe Durfee Daniel

Staff Recommendation: Approval with conditions

The Board recommends to approve case ZON24-00274 conditioned upon:

1. Compliance with the final site plan.
2. Compliance with all requirements of Case No. DRB24-00275.
3. Issuance of an SUP by the Board of Adjustment and compliance with all requirements of Case No. BOA24-00104.
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, Blakeman, Carpenter, Farnsworth

NAYS – None

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- *4-b ZON24-00571 "City of Mesa Fire and Medical Station 223" (District 1).** Within the 3200 to 3400 blocks of East McDowell Road (north side). Located north of McDowell Road and west of Val Vista Drive. (14± acres). Rezone from Single Residence 35 (RS-35) to Public and Semi-Public (PS) and Site Plan Review. This request will allow for a Fire and Medical Public Safety Facility. City of Mesa, Owner, Bill Johns, City of Mesa, Applicant.

Planner: Joshua Grandlienard

Staff Recommendation: Approval with conditions

The Board recommends to approve case ZON24-00571 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB24-00483.
3. 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 Falcon Field Airport prior to the issuance of a building permit.
 - b. Due to the proximity to Falcon Field 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 Falcon Field Airport.
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, Blakeman, Carpenter, Farnsworth

NAYS – None

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- *4-c ZON24-00030 - "Southgate Commerce Park Phasing Plan" (District 6).** Within the 8800 block of East Germann Road (north side) and the 7300 to 7600 blocks of South 88th Street (east side). Located north of Germann Road and west of Ellsworth Road. (16± acres). Rezone from Office Commercial with a Planned Area Development Overlay (OC-PAD), Neighborhood Commercial with a Planned Area Development Overlay (NC-PAD) and Light Industrial with a Planned Area Development Overlay (LI-PAD) to OC-PAD, NC-PAD and LI-PAD to modify the existing PAD to allow for phasing of the proposed business park. Southgate North LLC, Owner; Robert Burgheimer, Sketch Architecture, Applicant.

Planner: Charlotte Bridges

Staff Recommendation: Approval with conditions

The Board recommends to approve case ZON24-00030 conditioned upon:

1. Compliance with the Final Phasing Plan submitted with ZON24-00030.
2. Compliance with the approved site plan per Case No. Z05-008.
3. Compliance with all City development codes and regulations.
4. 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.
5. Due to the proximity to the 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.
6. Proposed changes to the approved landscape plan's plant palette require approval of an Administrative Review application prior to the issuance of a building permit. The revised plant palette shall use species identified in the Arizona Department of Water Resources Low Water Use and Drought Tolerant Plant List.

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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MINUTES OF THE AUGUST 14, 2024 PLANNING & ZONING BOARD MEETING

- *4-d **ZON22-01052 - "RWC Building Supplies" (District 6)**. Within the 10600 block of East Pecos Road (north side) and within the 6600 to 6700 blocks of South 222nd Street (east side). Located west of Signal Butte Road on the north side of Pecos Road (5± acres). Major Site Plan Modification and amending the conditions of approval for Case No. ZON20-00447; and Special Use Permit. This request will allow for an industrial development. NM MANAGEMENT LLC, Owner; James Elson, Applicant.

Planner: Jennifer Merrill

Staff Recommendation: Continued to August 28, 2024 Planning and Zoning Board meeting.

That: The Board recommends to continue case ZON22-01052 to the August 28, 2024 Planning and Zoning Board meeting.

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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Items not on the Consent Agenda

- *4-e ZON23-00369 - "Culver Estates" (District 5).** Within the 8600 block of East Culver Street (north side) and within the 8600 to 8800 blocks of East Nance Street (south side). Located south of McDowell Road and east of Hawes Road. (5.3± acres). Rezone from Single Residence-35 (RS-35) to Single Residence-35 with a Planned Area Development Overlay (RS-35-PAD). This request will allow for a single residence subdivision. BFH Group, LLC., Owner; David Bohn, Applicant. **(Companion case to "Culver Garden Estates Preliminary Plat", associated with item *5-a)**

Planner: Sean Pesek

Staff Recommendation: Approval with conditions

Summary:

Staff Planner Evan Balmer presented case ZON23-00369. See attached presentation.

Applicant David Bohn summarized the project.

The following citizen offered a series of comments in opposition to ZON23-00369.

- Norm Sendler, a Maricopa County resident

Mr. Bohn detailed the considerations behind the design choices for the roadway in the proposed project.

Mr. Balmer added that planning will work with transportation on the lighting requirements for private streets.

Further discussion ensued regarding the proposed private street, transportation's requirements in comparison to the County's requirements and if the development could be gated.

It was moved by Boardmember Farnsworth, seconded by Boardmember Carpenter to approve case ZON23-00369 conditioned upon:

1. Compliance with the Preliminary Plat Submitted.
2. Compliance with the Subdivision Regulations.
3. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for any building permit, at the time of recordation of a subdivision plat, or at the time of the City's request for dedication, whichever comes first.
4. Prior to the issuance of a building permit, obtain approval of and record a final subdivision plat for the subject parcels.
5. Prior to issuance of a building permit, obtain approval of an Administrative Review for product approval of the proposed homes.
6. 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:

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Development Standards	Approved
<u>Lot Frontage on a Public Street</u> – <i>MZO Section 11-30-6(H)</i>	Each lot shall have frontage on a private street
<u>Minimum Lot Area</u> – <i>MZO Table 11-5-5</i>	34,166 square feet
<u>Minimum Lot Width – Interior Lot</u> – <i>MZO Table 11-5-5</i>	Lot 1: 46 feet Lot 2: 62 feet

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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5 Discuss and take action on the following preliminary plats:

***5-a “Culver Garden Estates Preliminary Plat” (District 5).** Within the 8600 block of East Culver Street (north side) and within the 8600 to 8800 blocks of East Nance Street (south side). Located south of McDowell Road and east of Hawes Road. Preliminary Plat. BFH Group, LLC., Owner; David Bohn, Applicant. **(Companion case to ZON23-00369, associated with item *4-e).**

Planner: Sean Pesek

Staff Recommendation: Approval with conditions

It was moved by Boardmember Farnsworth, seconded by Boardmember Carpenter to approve Culver Garden Estates Preliminary Plat conditioned upon:

1. Compliance with the Preliminary Plat Submitted.
2. Compliance with the Subdivision Regulations.
3. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for any building permit, at the time of recordation of a subdivision plat, or at the time of the City's request for dedication, whichever comes first.
4. Prior to the issuance of a building permit, obtain approval of and record a final subdivision plat for the subject parcels.
5. Prior to issuance of a building permit, obtain approval of an Administrative Review for product approval of the proposed homes.
6. 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>Lot Frontage on a Public Street –</u> <i>MZO Section 11-30-6(H)</i>	Each lot shall have frontage on a private street
<u>Minimum Lot Area –</u> <i>MZO Table 11-5-5</i>	34,166 square feet
<u>Minimum Lot Width – Interior Lot –</u> <i>MZO Table 11-5-5</i>	Lot 1: 46 feet Lot 2: 62 feet

Vote (6 – 0; Chair Ayers, absent)

Upon tabulation of vote, it showed:

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

NAYS – None

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6 Discuss and make a recommendation to the City Council on the following General Plan amendment and related zoning case:

- 6-a ZON24-00617 - "Merit Partners Legacy Business Park GP Amendment" (District 6).** Within the 9700 to the 10000 blocks of East Pecos Road (north side) and within the 6600 to 6800 blocks of the future South Crismon Road alignment (west side). Located north of Pecos Road and east of Ellsworth Road. (43± acres). Minor General Plan Amendment. This request will change the General Plan Character Area Type from Mixed Use Community to Employment. PACIFIC PROVING LLC., Owner; Gammage & Burnham, PLC, Applicant.

Planner: Sean Pesek

Staff Recommendation: Adoption

Summary:

It was moved by Boardmember Peterson, seconded by Boardmember Carpenter that case ZON24-00561 be approved.

That: The Board recommends adoption of case ZON24-00617 conditioned upon:

1. Compliance with conditions of approval for Case No. ZON23-00802.

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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- 6-b ZON23-00802 - "Merit Partners Legacy Business Park" (District 6).** Within the 9700 to the 10000 blocks of East Pecos Road (north side) and within the 6600 to 6800 blocks of the future South Crismon Road alignment (west side). Located north of Pecos Road and east of Ellsworth Road. (43± acres). Rezone from Agricultural (AG) to Light Industrial with a Planned Area Development Overlay (LI-PAD), Site Plan Review, and Council Use Permit (CUP). This request will allow for a data center. PACIFIC PROVING LLC., Owner; Gammage & Burnham, PLC, Applicant.

Planner: Sean Pesek

Staff Recommendation: Approval with conditions

Summary:

It was moved by Boardmember Peterson, seconded by Boardmember Montes, that case ZON24-00190 be approved.

That: The Board recommends to approve case ZON23-00802 conditioned upon:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB23-00803.
3. Execute and comply with the development agreement, DA24-00004, and all future amendments to it.
4. Prior to the issuance of any building permit, execute a drainage agreement with the City of Mesa and record the drainage agreement with the Maricopa County Recorder's Office.
5. Compliance with the drainage agreement and all future amendments to it.
6. Compliance with the City's Design and Engineering Standards, except as may be modified by the drainage agreement.
7. 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.
8. 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. Provide written notice to future property owners that the project is within two miles of Phoenix-Mesa Gateway Airport.
 - d. Prior to 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.
 - 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 the Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to

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some individuals.”

9. 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 Building Height</u> – <i>MZO Table 11-7-3(A)</i>	70 feet
<u>Foundation Base</u> – <i>MZO Section 11-33-5(A)(1)</i> -Width along exterior walls with a public entrance adjacent to parking stalls	10 feet
<u>Required Parking Spaces by Use</u> – <i>MZO Table 11-32-3(A)</i> - Warehousing and Storage (exclusive of Mini-Storage) -General offices, retail, and services	1 space per 0 sq. ft. (no spaces provided) 1 space per 380 sq. ft. (236 spaces provided) (236 total proposed)
<u>Required Solid Waste and Recycling Container Enclosures</u> - <i>MZO Section 11-30-12(A)(1)</i>	Solid waste and recycling container enclosures not required when located inside eight-foot perimeter wall
<u>Service Area Location</u> – <i>MZO Section 11-30-13(B)</i>	Truck docks, loading areas and service areas shall be screened from public view with a solid 8’ wall
<u>Fences and Freestanding Wall Height</u> – <i>MZO Section 11-30-4(B)</i>	No fence or freestanding wall within or along the exterior boundary of the required interior side or rear yards shall exceed a height of 11-feet
<u>Outdoor Storage</u> – <i>MZO Table 11-7-2</i>	Accessory outdoor storage is permitted throughout the lot

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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7 Adjournment.

Boardmember Carpenter 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, Blakeman, Carpenter, Farnsworth

NAYS – None

The public hearing was adjourned at 4:37 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

Evan Balmer
Principal Planner

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ZON23-00369

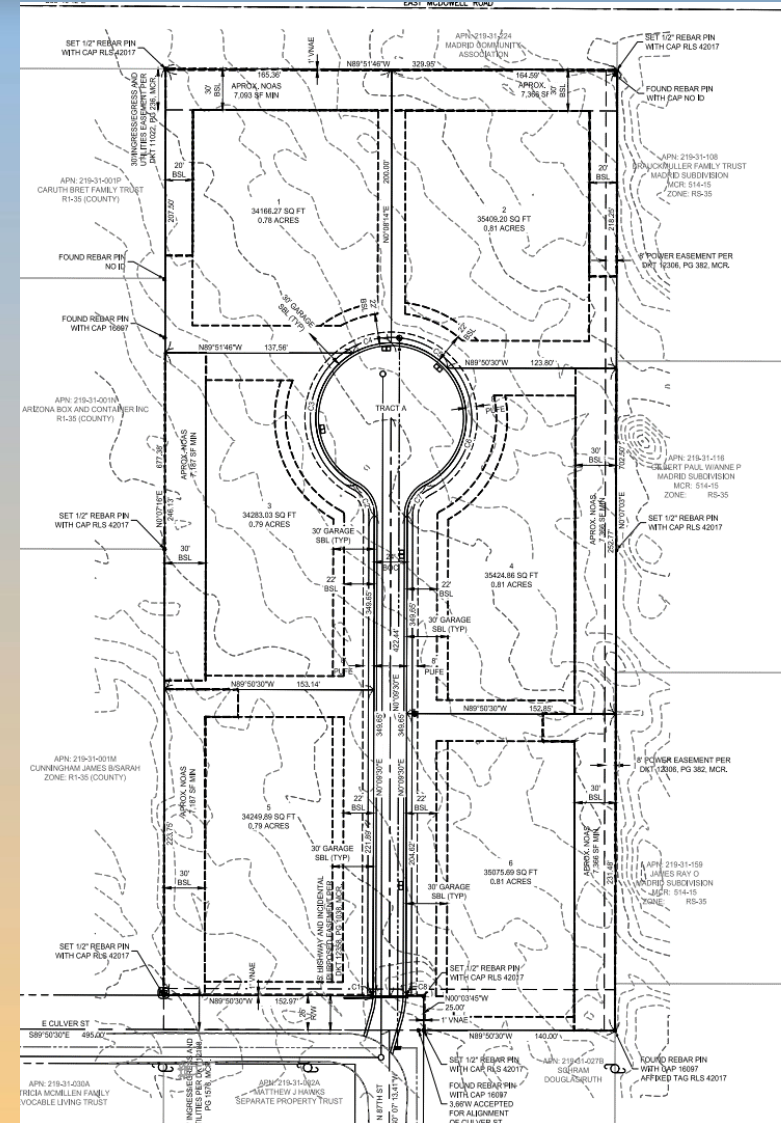
Sean Pesek, Senior Planner

August 14, 2024



Request

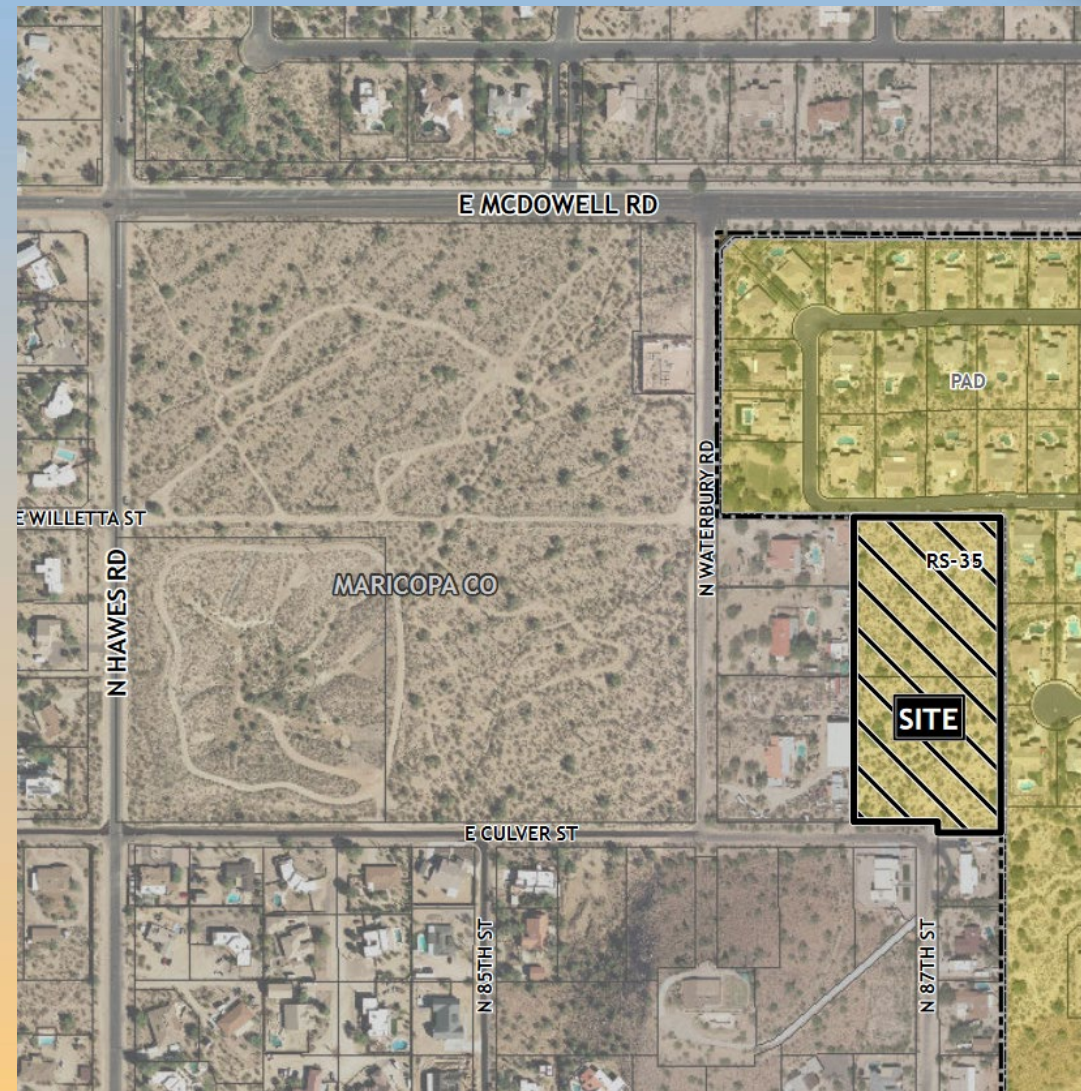
- Rezone from RS-35 to RS-35-PAD
- Preliminary Plat for a six-lot single residence subdivision





Location

- North side of Culver Street
- South side of Nance Street
- South of McDowell Road





Site Photo



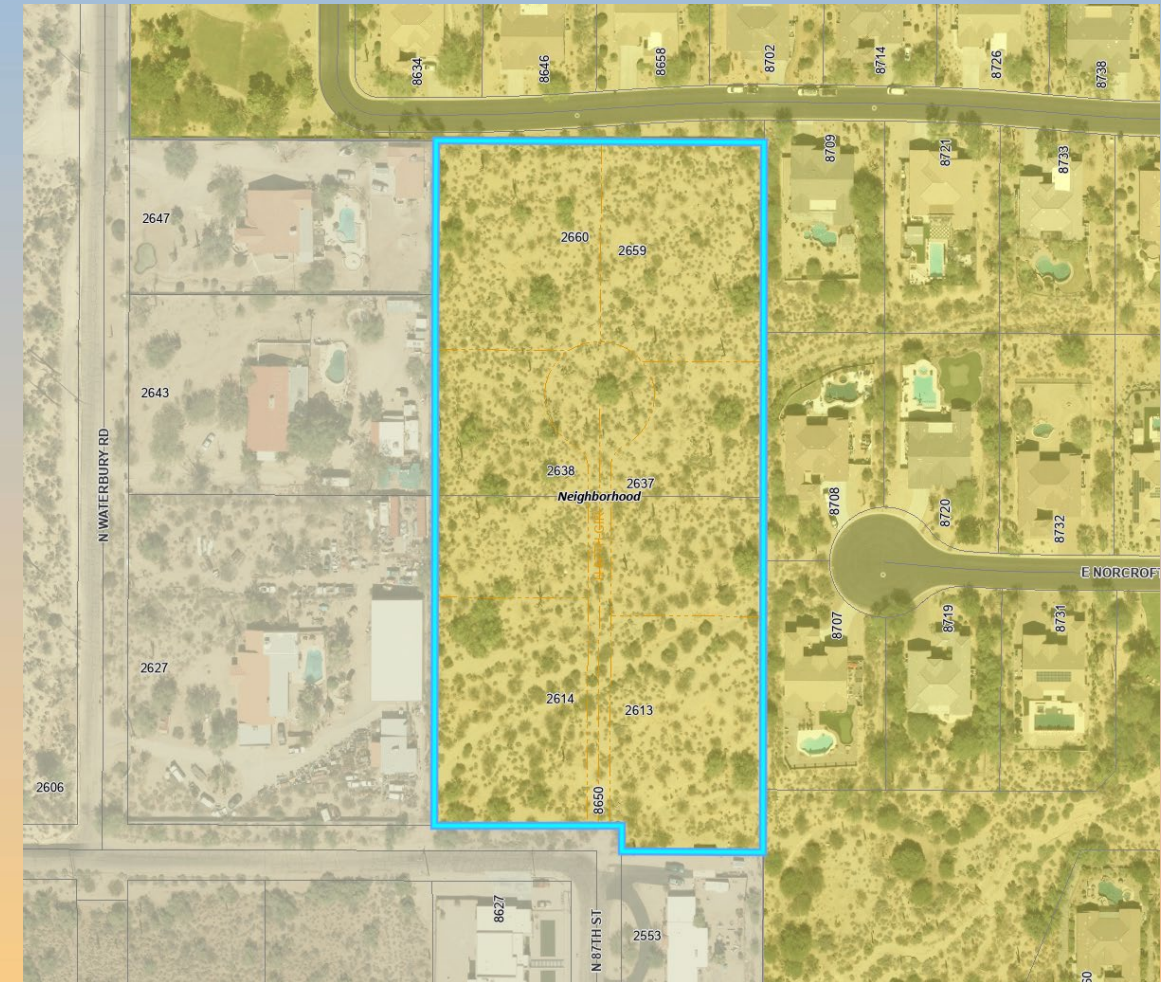
Looking north from Culver Street



General Plan

Neighborhood - Desert Uplands Sub-Type

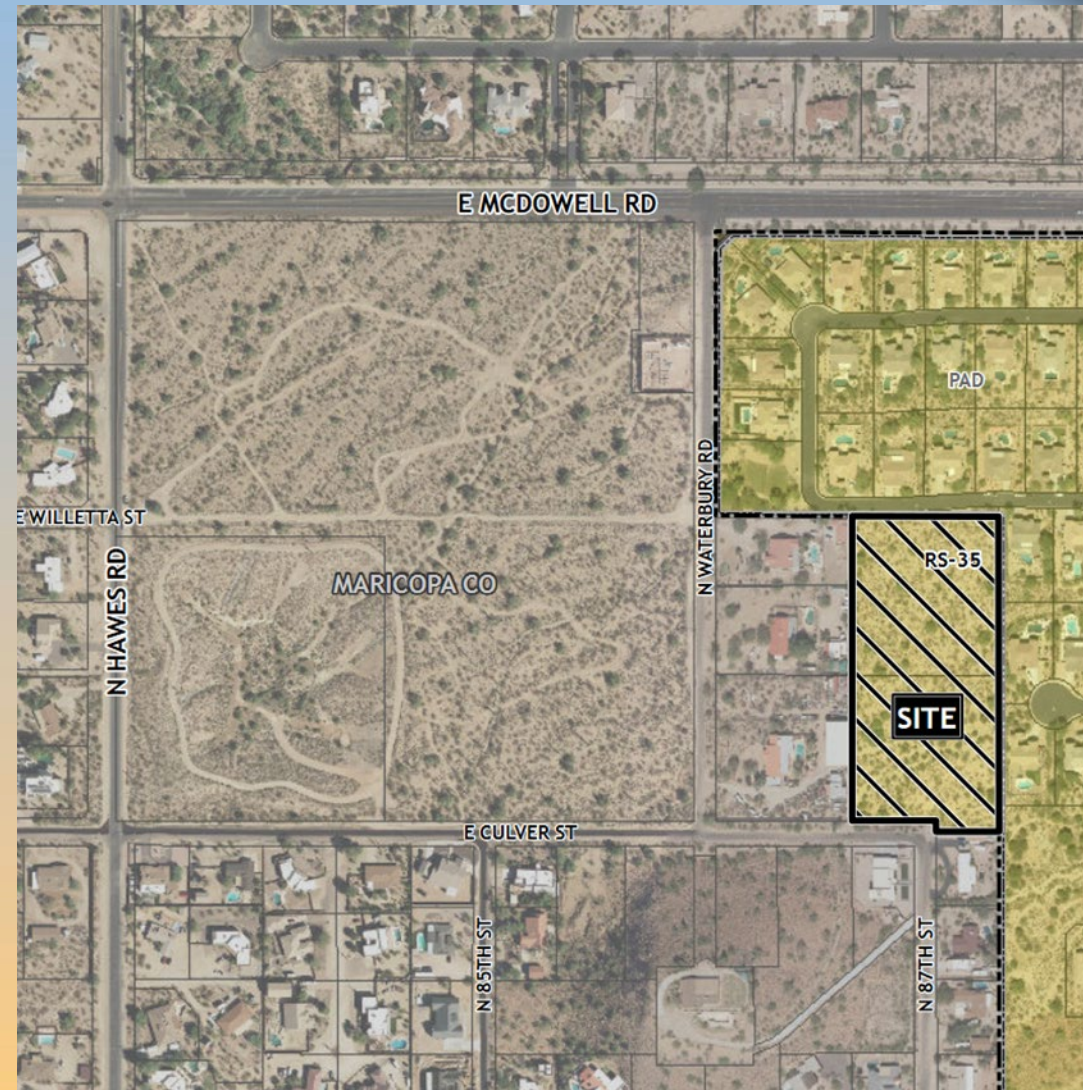
- Provide safe places for people to live where they can feel safe
- Larger lots with natural desert preservation
- RS-35 is listed as a primary land use within the Desert Uplands Sub-Type





Zoning

- Current Zoning: RS-35
- Proposed Zoning: RS-35-PAD
- Single Residence is a permitted use





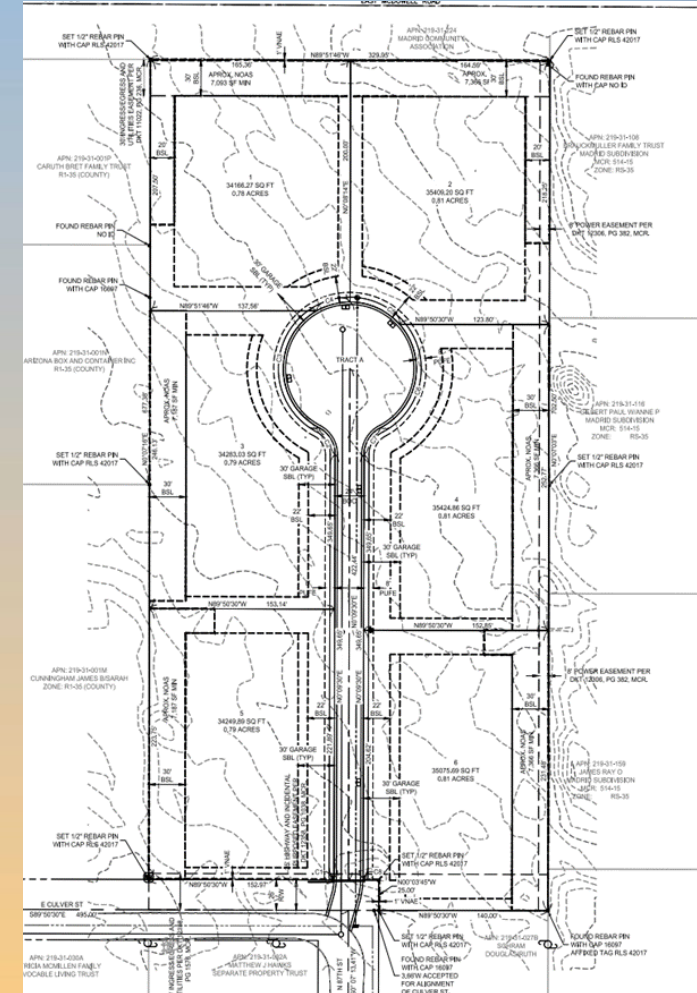
PAD Overlay

Development Standard	MZO Required	PAD Proposed
<u>Lot Frontage on a Public Street</u> – <i>MZO Section 11-30-6(H)</i>	Each lot shall have frontage on a dedicated public street	Each lot shall have frontage on a private street
<u>Minimum Lot Area</u> – <i>MZO Table 11-5-3</i>	35,000 square feet	34,166 square feet
<u>Minimum Lot Width</u> – <i>MZO Table 11-5-3</i>	130 feet	Lot 1: 46 feet Lot 2: 62 feet



Preliminary Plat

- 5.3 acres in size
- 6 single residence lots; 1 tract for ingress/egress and public utilities
- Access from Culver Street (not gated)
- Net residential density of 1.15 du/ac
- 50% maximum disturbance area per lot





Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Criteria in Subdivision Regulations Section 9-6-2

Staff recommend Approval with Conditions