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OFFICE OF THE CITY CLERK

COUNCIL MINUTES

September 22, 2025

The City Council of the City of Mesa met in the Study Session room at City Hall, 20 East Main Street, on September 22, 2025, at 5:15 p.m.

COUNCIL PRESENT	COUNCIL ABSENT	OFFICERS PRESENT
Mark Freeman	None	Scott Butler
Scott Somers		Holly Moseley
Rich Adams		Jim Smith
Jennifer Duff		
Alicia Goforth		
Francisco Heredia		
Julie Spilsbury		

Mayor Freeman conducted a roll call.

1. Review and discuss items on the agenda for the September 22, 2025, Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflict of interest: None

Items removed from the consent agenda: 3-c, 8-b, and 8-c.

In response to a request from Mayor Freeman regarding agenda Item 8-c, **(ZON25-00304 "Price Manor II" 6.5± acres located approximately 1,620± feet north of the northeast corner of East McKellips Road and North Center Street.)**, on the Regular Council Meeting agenda, Planning Director Mary Kopaskie-Brown introduced Principal Planner Evan Balmer and Senior Planner Jennifer Merrill.

Mr. Balmer reported that several questions were received regarding the citizen participation process for the Price Manor project. He explained that there are three types of public notices required: (1) mailing letters to property owners within a 500-foot radius of the site, including registered neighborhoods and homeowners' associations within a one-mile radius; (2) posting a public notice sign on the property; and (3) publishing a notice in a local newspaper. He confirmed that the City of Mesa (COM) provides the applicant with mailing lists and instructions, and it is the responsibility of the applicant to complete notification including submitting affidavits to confirm the letters were mailed and the site was posted. He advised that the citizen participation requirements for Price Manor were properly completed.

Responding to a question from Mayor Freeman, Mr. Balmer explained that registered neighborhoods are included in the public notification mailing list and confirmed that the Lehi neighborhood was among those listed to receive a letter of notice as part of the citizen participation process for the proposed project.

In response to a comment from Councilmember Goforth, Ms. Kopaskie-Brown added that the reason there are several required methods for notifying neighbors is to make sure residents are aware of upcoming hearings such as the Planning and Zoning Board hearings. She acknowledged that providing multiple forms of notice enhances the likelihood that the public is adequately informed.

Additional discussion ensued regarding the City's public notification process and the steps taken to notify citizens about the proposed project.

Mr. Balmer displayed a PowerPoint presentation. **(See Attachment 1)**

Responding to a question from Councilmember Spilsbury, Mr. Balmer explained that the homeowners who attended the Planning and Zoning Board meeting and spoke in support of the proposed project are residents living adjacent to the subject property.

Mr. Balmer reviewed the proposed site and traffic plan. He discussed the concessions made by the developer after receiving the citizen feedback which resulted in increased support for the project. (See Page 8 of Attachment 1)

Mayor Freeman pointed out that when Price Manor I was proposed and approved by a 70% vote in January of last year, the community lacked housing intended for middle-class residents and the current project continues to address that need in the area. He explained that the surrounding area contains a mix of zoning types and the proposed project represents the most appropriate housing option for the area.

Councilmember Goforth requested agenda Item 8-b, **(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.)**, on the Regular Council Meeting agenda, be moved to a future Study Session to allow additional time for discussion and review.

City Attorney Jim Smith explained that the proposed ordinance pertains to a battery storage facility that has already been permitted and is currently under construction. He stated that the purpose of the ordinance is to allow the project to continue moving forward by clarifying that a prior zoning administrator interpretation does not affect this previously approved development. He added that the applicant is seeking approval this month to secure financing needed for the ongoing construction.

City Manager Scott Butler clarified that although the project had been approved by the City, questions later arose regarding the interpretation of that approval. He stated that, out of fairness to the developer and Salt River Project, the proposed ordinance would clarify the matter and enable the project to complete its financing, which required a conforming use. He added that staff plan to return in November or early December for a broader discussion on potential updates to the City's battery storage ordinance and future sites in southeast Mesa.

Mr. Smith indicated that the battery storage facility currently under construction proceeded under the Planning Department's prior interpretation of the zoning code, which did not require Council approval. He added that after construction began, a subsequent zoning administrator interpretation altered how the project was classified, creating uncertainty about its status. He verified that the proposed ordinance is intended to clarify that the project is procedurally legal and conforming. He stated that this clarification would also allow the facility to be rebuilt if damaged, but the building could not be expanded without additional approval. He commented that while the proposed ordinance directly addresses this particular case, it also establishes a framework that could apply to similar future situations involving zoning interpretations, such as with data centers.

Additional discussion ensued regarding postponing consideration of the ordinance to a later date to allow further time for review.

Responding to a question from Councilmember Duff, Assistant Planning Director Rachel Phillips explained that the proposed text amendment provides a comprehensive update to the nonconforming chapter. She stated that the update revises standards for all nonconforming uses, sites, and structures to align with current zoning processes, incorporates the City's substantial conformance improvement permit procedures, and eases restrictions on improving or expanding existing nonconforming structures.

In response to a question from Mayor Freeman, Ms. Kopaskie-Brown clarified that the procedurally conforming use portion represents a small part of the overall text amendment and currently applies only to the battery storage facility under construction. She added that because the ordinance applies citywide, the provisions could affect other uses in the future, and that the nonconforming use updates would have an immediate impact on a local single-family property owner by allowing them to benefit from the proposed changes, which provide greater flexibility for existing nonconforming uses.

Responding to a question from Councilmember Heredia, Mr. Smith reiterated that a zoning administrator's interpretation concluded that battery storage was not a permitted use in any zoning district within the City of Mesa, which resulted in a facility under construction being classified as a prohibited use, creating issues with its financing and legal status. He confirmed that the proposed ordinance was intended to establish the project as a legally conforming use and resolve any issues, and emphasized that this was a unique circumstance, partly created by the City's prior actions.

Councilmember Goforth commented that while the ordinance would make the current battery storage facility legally conforming, it could also influence how the City handles other similar projects in the future. She expressed concern that the issue was more extensive than initially understood, noting that Council had not been fully informed earlier, and emphasized the importance of obtaining additional information and having further discussion before proceeding to a vote.

Mayor Freeman confirmed that the item will be removed from the consent agenda and continued to a future date for further discussion and review at a Study Session.

2. Acknowledge receipt of minutes of various boards and committees.

2-a. Housing and Community Development Advisory Board meeting held on May 1, 2025.

2-b. Parks and Recreation Advisory Board meeting held on May 14, 2025.

2-c. Approval of minutes from City Council executive sessions held on February 24, April 21, June 12, 2025; and Audit, Finance & Enterprise Committee executive session held on June 26, 2025.

It was moved by Councilmember Spilsbury, seconded by Councilmember Goforth, that receipt of the above-listed minutes be acknowledged.

Upon tabulation of votes, it showed:

AYES – Freeman–Somers–Adams–Duff–Goforth–Heredia–Spilsbury
NAYS – None

Carried unanimously.

3. Current events summary including meetings and conferences attended.

Mayor Freeman and Councilmembers highlighted the events, meetings, and conferences recently attended.

4. Scheduling of meetings.

City Manager Scott Butler stated that the schedule of meetings is as follows:

Thursday, October 2, 2025, 7:30 a.m. – Study Session

5. Adjournment.

Without objection, the Study Session adjourned at 6:05 p.m.

MARK FREEMAN, MAYOR

ATTEST:

HOLLY MOSELEY, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 22nd day of September 2025. I further certify that the meeting was duly called and held and that a quorum was present.

HOLLY MOSELEY, CITY CLERK

sr
(Attachments-1)

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PLANNING

City Council
ZON25-00304

Mary Kopaskie-Brown, Planning Director

September 8, 2025

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Request

- Rezone from RS-9-PAD to RSL-4.5 with a new PAD Overlay
- 41-lot single residence development

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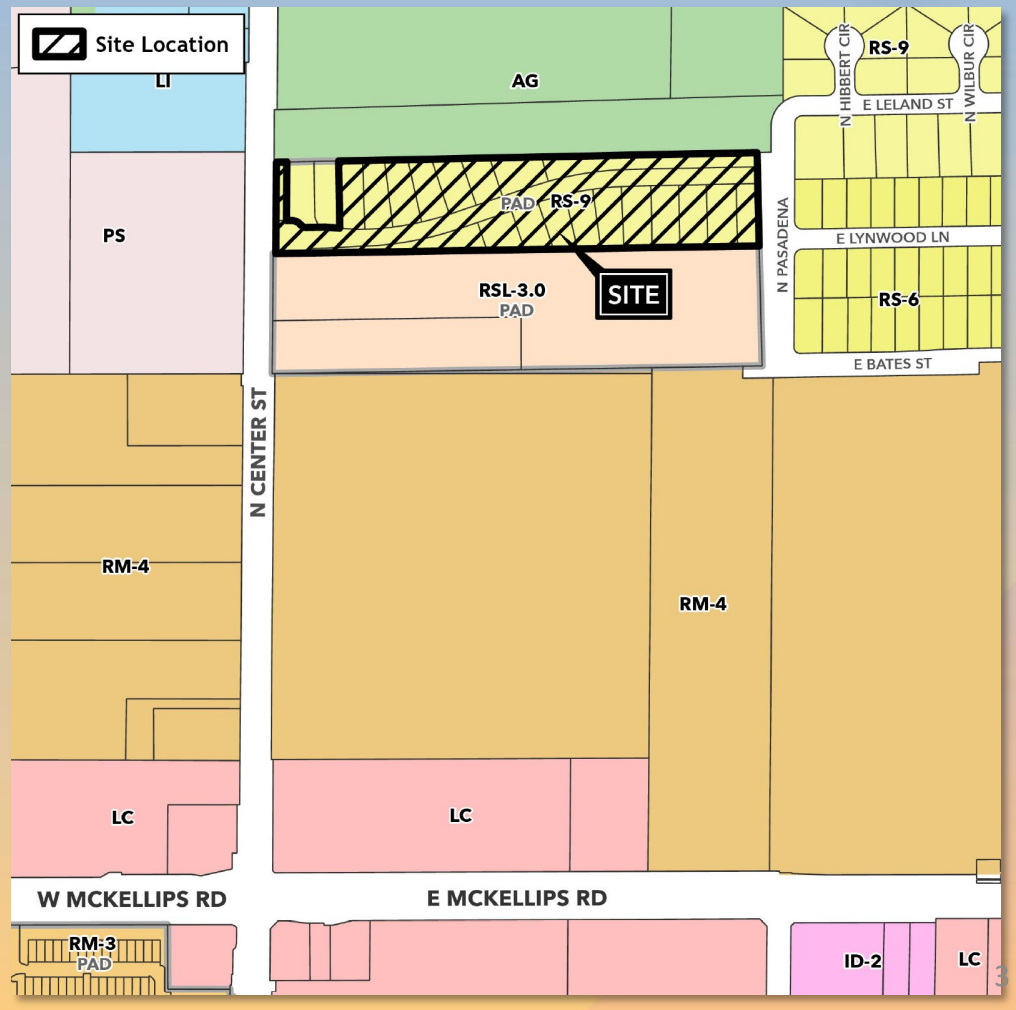
Location

- North of McKellips Road
- East Side of Center Street



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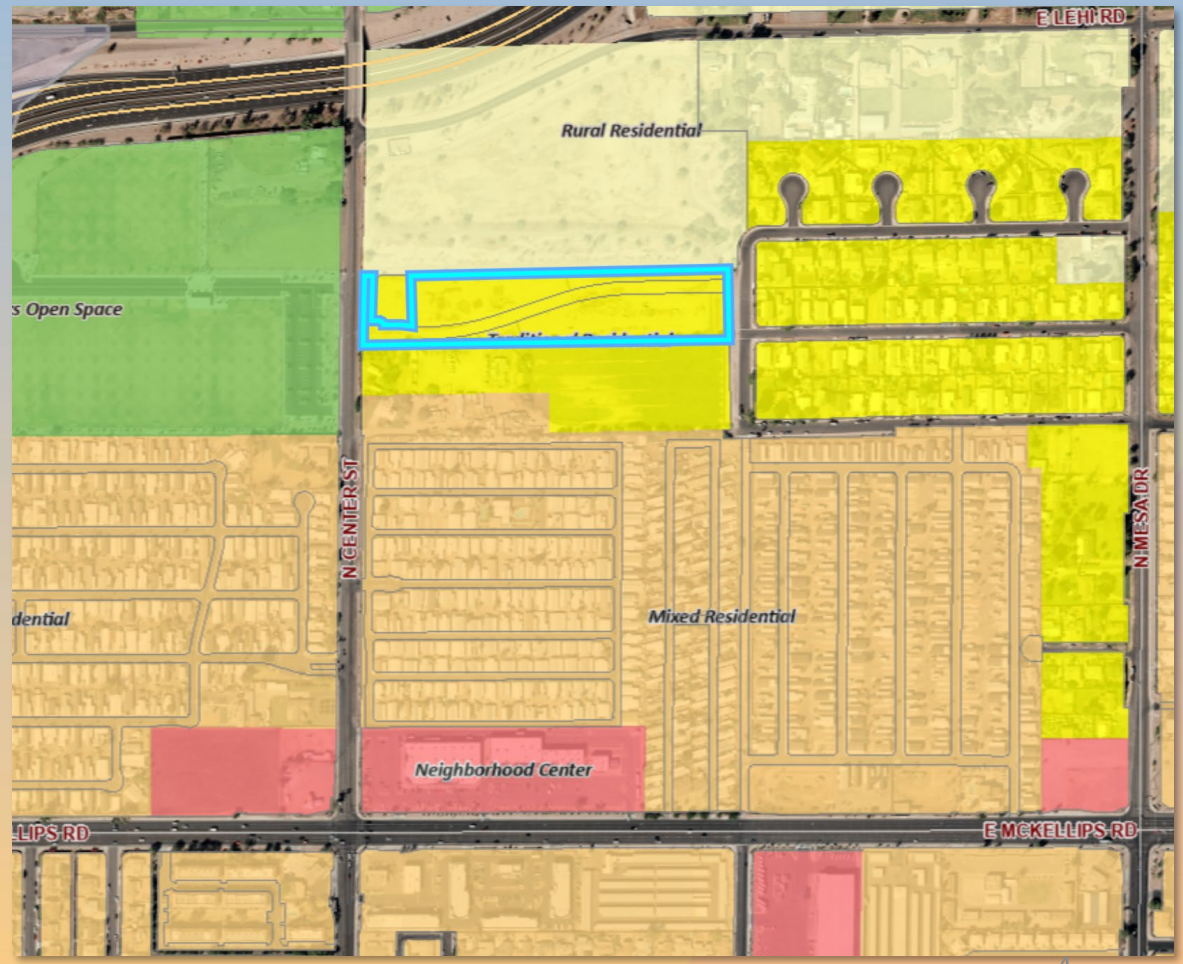
General Plan

Traditional Residential

- Primarily detached single-family homes on medium or large lots with densities up to 7.26 du/ac
- The proposed project has a density of 6.7 du/ac
- Single-family residential is a principal land use



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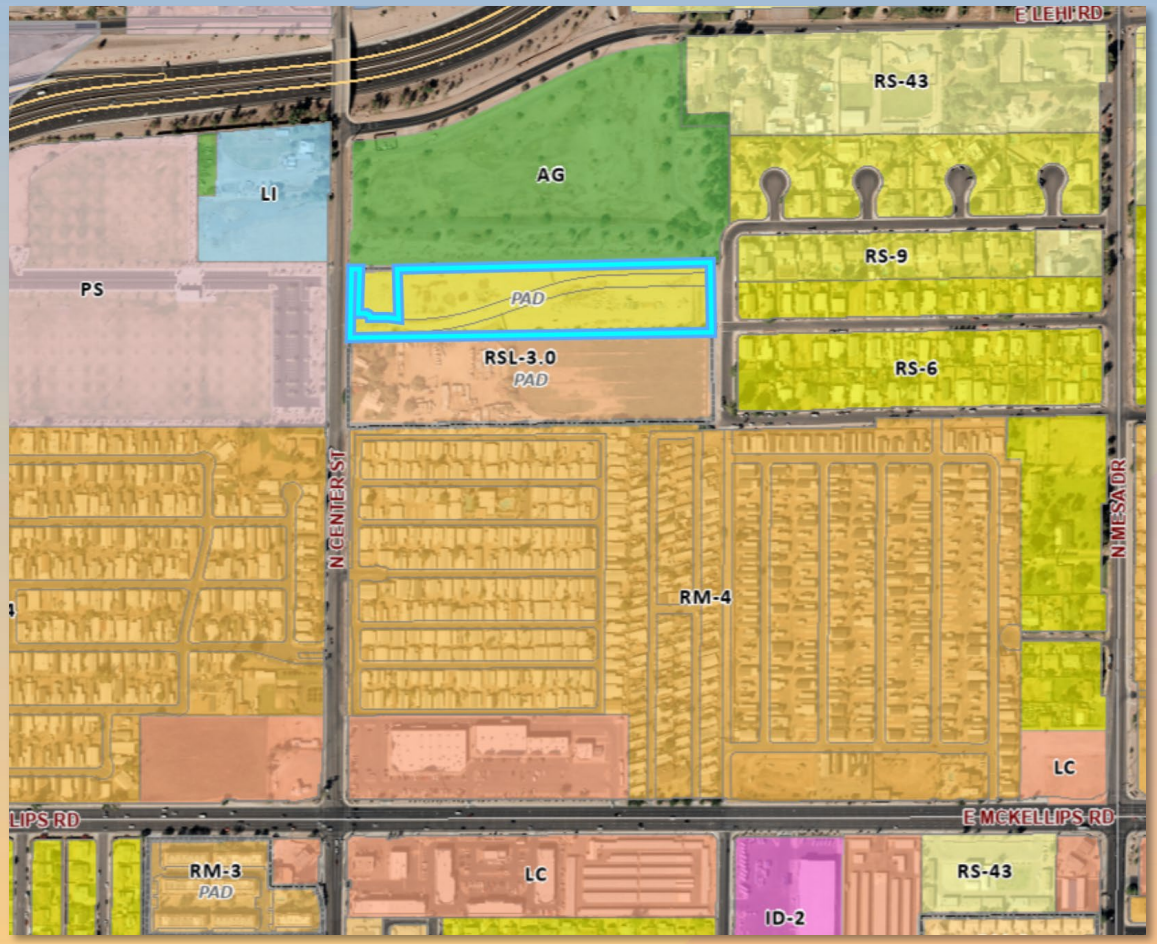
Zoning

- Existing: RS-9-PAD
- Proposed: RSL-4.5-PAD



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Site Photo

Looking east towards the site

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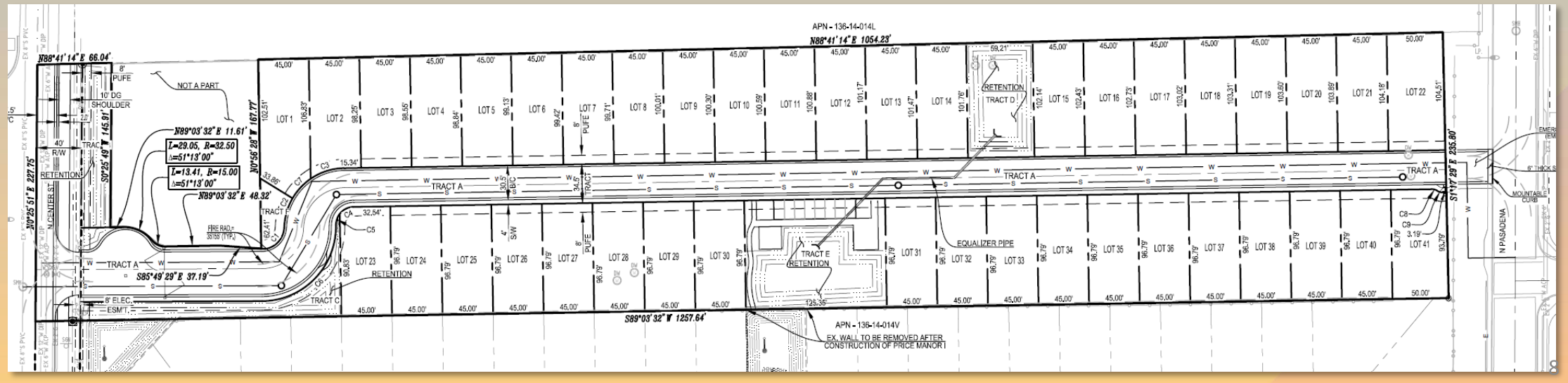
Site Plan

- Gated 41-lot subdivision accessed from Center Street
- Exit-only gate at east end, to Pasadena
- Price Manor I is adjacent to the south:
  - Centrally-located pedestrian connection & shared amenities
- SRP well site at west end



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Planned Area Development

Development Standard	MZO Required	PAD Proposed
Fencing and Freestanding Walls; AG, RS, RSL, RM and DR Districts - Maximum Height, Side and Rear Yards	No fence or freestanding wall within or along the exterior boundary of the required side or rear yards shall exceed a height of 6 feet.	**No fence or freestanding wall within or along the exterior boundary of the required side or rear yards shall exceed a height of 6 feet, except where adjacent to the well site, where no fence or freestanding wall shall exceed a height of 8 feet.**
Lots and Subdivisions	Every lot shall have frontage on a dedicated public street unless the lot is part of an approved Planned Area Development (PAD), Bonus Intensity Zone (BIZ), Infill Development District (ID-1 or ID-2), Planned Employment Park District (PEP), a unit in a condominium subdivision or an alternative is specified in an approved Community Plan for a Planned Community District (PC).	**Every lot shall have frontage on a private street**

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Planned Area Development

- High-Quality: Residential lots that exceed the minimum lot width, depth and area required in the RSL-4.5 District
- Livable and Well-Connected Communities: Shared amenities with Price Manor I, which includes a pickleball court, play structure and additional green spaces
- Superior Design: Quality residential product including a variety of materials and detailing
- Creative land planning: Coordination with SRP regarding the future well site, landscaping, screen walls

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Elevations - Spanish

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Elevations - Ranch

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Elevations – Desert Prairie

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Citizen Participation

- Notified property owners within 1,000', HOAs and registered neighborhoods
- Neighborhood meeting on May 27, 2025
- Neighbors' concerns:
  - Increased traffic in neighborhood to east
  - Prefer lower density
- Exit-only gate proposed
- Some neighbors support the proposal

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Findings

- ✓ Complies with the 2040 Mesa General Plan

- ✓ Criteria in Chapters 22 & 69 for PAD & Site Plan Review

Staff recommend Approval with Conditions

Planning and Zoning Board recommends Approval with Conditions (6-0)

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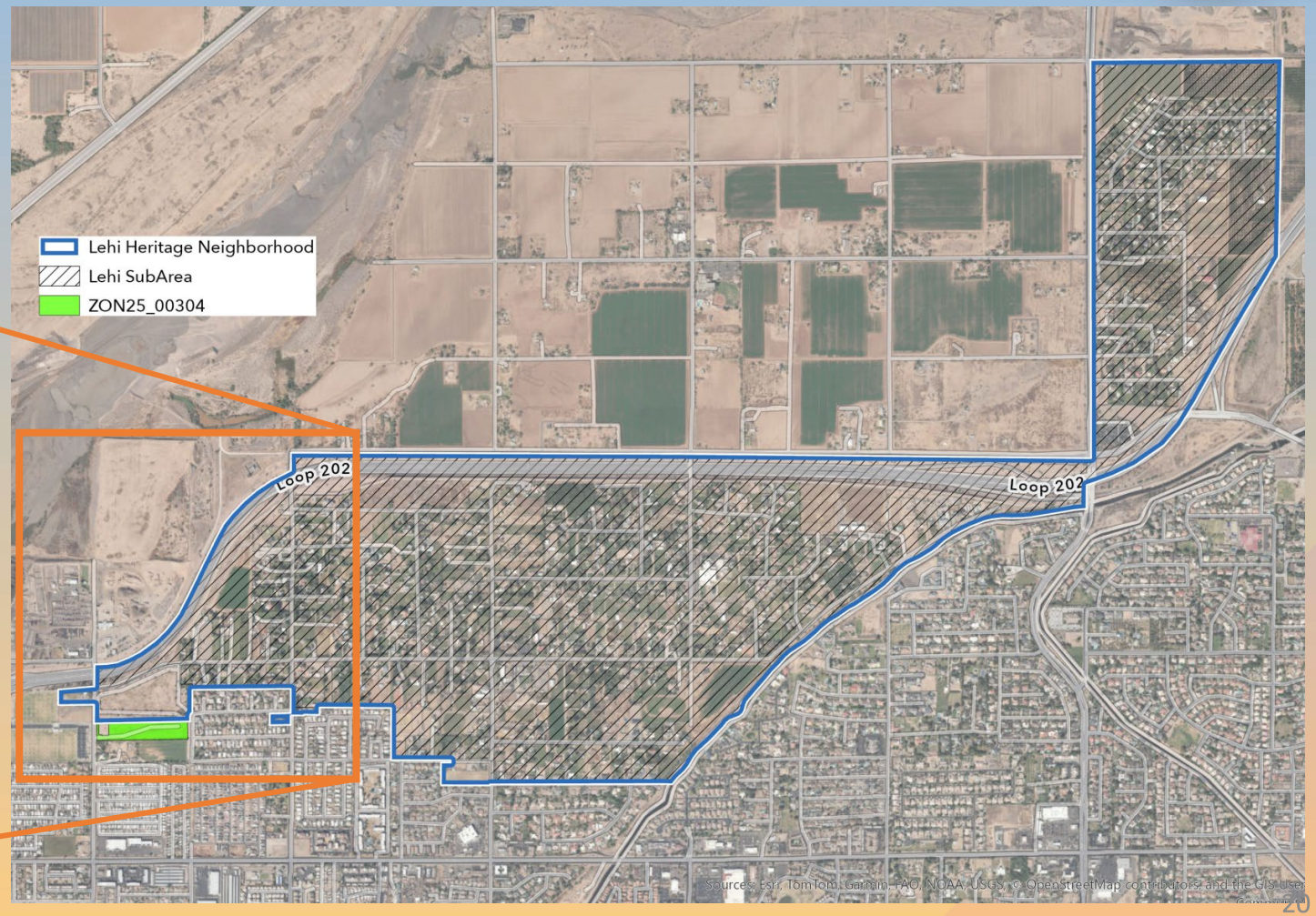
Context with Lehi Community



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Site Photo

Looking southeast towards the site

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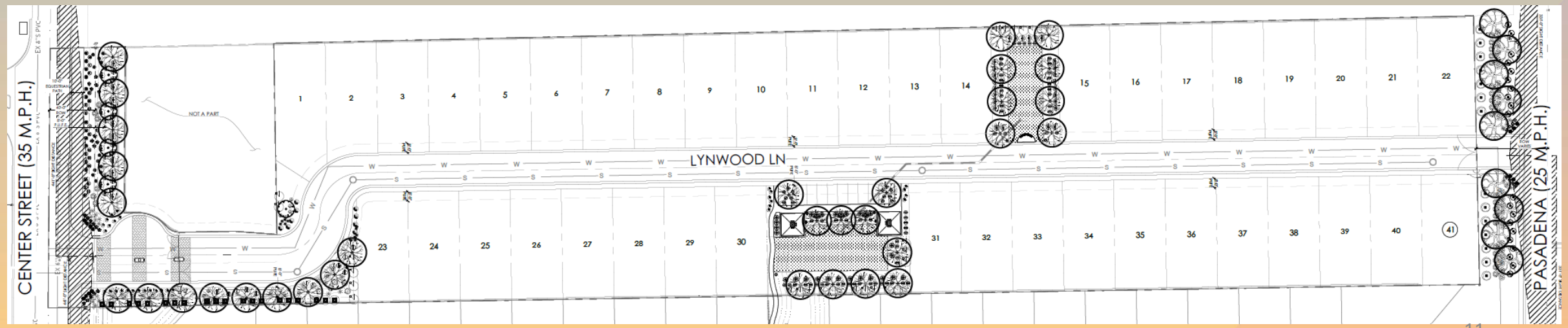
Landscape Plan

plant legend

	botanical name common name	emitters	size	qty	comments	mature tree canopy
evergreen trees						
	ACACIA ANEURA MULGA	(5 @ 1.0 GPH)	24" BOX 36" BOX	6 2	6.0H., 2.0W., .75 CAL. 7.0H., 4.0W., 1.5 CAL. STAKE IN PLACE	8 TREES - 15' MATURE WIDTH 177 S.F. CANOPY 1,414 S.F. COVERAGE
	TIPUANA TIPU TIPU TREE	(6 @ 2.0 GPH)	24" BOX 36" BOX	25 7	7.0H., 3.0W., 1.0 CAL. 9.0H., 5.0W., 1.75 CAL. STAKE IN PLACE	32 TREES - 25' MATURE WIDTH 491 S.F. CANOPY 15,708 S.F. COVERAGE
shade trees						
	PROSOPIS CHILENSIS 'THORNLESS' THORNLESS CHILEAN MESQUITE	(5 @ 1.0 GPH)	24" BOX 36" BOX	5 4	5.0H., 6.0W., 1.25 CAL. 8.0H., 7.0W., 1.75 CAL. STAKE IN PLACE	9 TREES - 25' MATURE WIDTH 491 S.F. CANOPY 4,418 S.F. COVERAGE TOTAL CANOPY COVERAGE 20,126 S.F. 7.41% OF SITE

	botanical name common name	emitters	size	qty	comments
small shrubs					
	ASCLEPIAS SUBULATA DESERT MILKWEED	(1 @ 1.0 GPH)	5 GAL.	19	
	EREMOPHILA GLABRA SP. CARNOSA 'WINTER BLAZE WINTER BLAZE EREMOPHILA	(1 @ 1.0 GPH)	5 GAL.	10	
	HESPERALOE PARVIFLORA RED YUCCA	(1 @ 1.0 GPH)	5 GAL.	12	
	MUHLENBERGIA CAPILLARIS 'PINK MUHLY' REGAL MIST	(1 @ 1.0 GPH)	5 GAL.	31	
	RUELLIA BRITTONIANA MEXICAN PETUNIA	(1 @ 1.0 GPH)	5 GAL.	70	
	YUCCA RUPICOLA TWISTED LEAF YUCCA	(1 @ 1.0 GPH)	5 GAL.	21	
	YUCCA PALLIDA PALE LEAF YUCCA	(1 @ 1.0 GPH)	5 GAL.	14	



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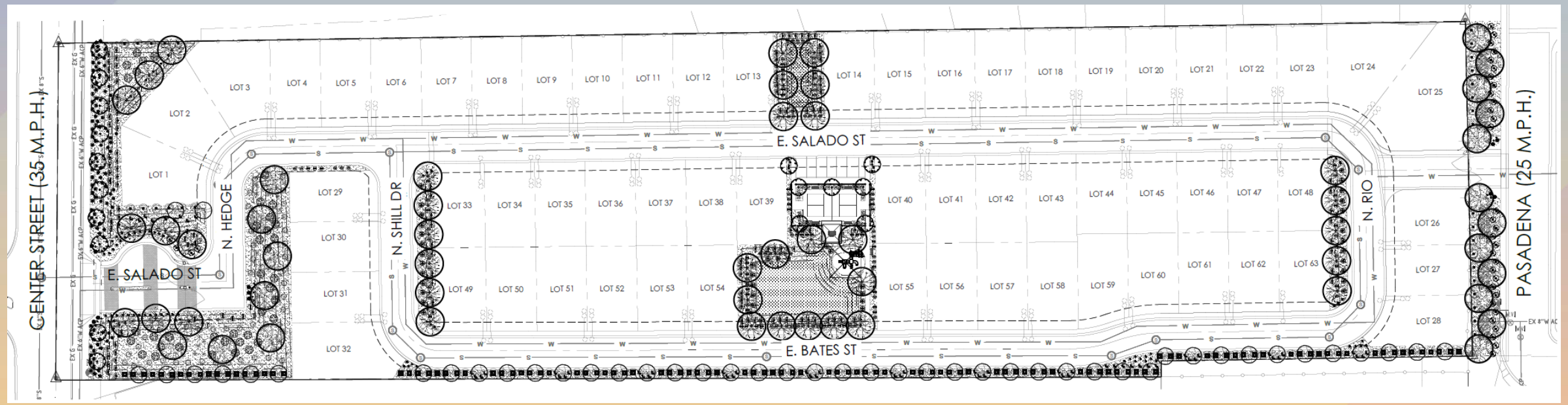
Adjacent Development to South: Price Manor I - Landscape Plan



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Combined Amenity Area Connection