

# Planning and Zoning Board

## *Meeting Minutes*

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

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

### **MEMBERS PRESENT:**

Jeff Crockett  
Benjamin Ayers  
Shelly Allen\*  
Jeff Pitcher  
Troy Peterson  
Genessee Montes\*

### **MEMBERS ABSENT**

Jessica Sarkissian

(\*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  
Charlotte Bridges  
Joshua Grandlienard  
Sean Pesek  
Chloe Durfee Daniel  
Charlotte McDermott  
Alexis Jacobs

### **OTHERS PRESENT:**

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

Chair Crockett declared a quorum present and the meeting was called to order at 4:27 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 April 12, 2023 study session and regular meeting hearing.**

Boardmember Peterson motioned to approve the minutes from the April 12, 2023 study session and regular meeting. The motion was seconded by Boardmember Pitcher.

\* \* \* \* \*

**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](http://www.mesaaz.gov)**

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

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

Boardmember Peterson motioned to approve the consent agenda. The motion was seconded by Boardmember Pitcher.

Zoning cases: ZON22-00717, ZON23-00052, ZON22-01176, ZON22-01178, ZON22-01344, ZON23-0049, ZON22-01248 and ZON23-0117.

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*3-a ZON22-00717. “Rio Salado 4-plex” (District 3).** Within the 500 block of West Rio Salado Parkway (north side). Located north of Rio Salado Parkway and west of Country Club Drive. (0.5± acres). Site Plan Review. This request will allow for a multiple residence development. National Consulting Group LLC, Owner; 312 Architect and Design, Applicant.

**Planner: Joshua Grandlienard**

**Staff Recommendation: Approval with conditions**

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

Boardmember Peterson motioned to approve case ZON22-00717. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-00717 conditioned upon:**

1. Compliance with the final site plan and elevations submitted.
2. Compliance with all City development codes and regulations, except as modified by the approved Development Incentive Permit (Case No. BOA22-00718).
3. Prior to the issuance of any building permit, provide a revised landscape plan that replaces the sidewalk along the eastern side of the property with a six-foot-wide landscape yard in accordance with the final site plan.
4. Compliance with the final landscape plan, to be submitted for review and approval by the Planning Director satisfying condition #3 above.

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*3-b ZON23-00052. "QBD Dunkin" (District 1).** Within the 300 block of East McKellips Road (north side) and within the 2000 block of North Mesa Drive (west side). Located north of McKellips Road and west of Mesa Drive. (0.75± acres). Site Plan Review. This request will allow for a restaurant with drive-thru. VIEL GLUCK LP/BEN FATTO LP, Owner; Larson Design Group, Applicant.

**Planner: Jennifer Merrill**

**Staff Recommendation: Approval with conditions**

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

Boardmember Peterson motioned to approve case ZON23-00052. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON23-00052 conditioned upon:**

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB23-00053.
3. The approval of the site plan is contingent on the Board of Adjustment approving a Development Incentive Permit (Case No. BOA23-00087).
4. Compliance with all requirements of Case No. BOA23-00087.
5. Compliance with all City development codes and regulations, except any modifications to the development standards that are approved by the Board of Adjustment in Case No. BOA23-00087.

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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

- \*4-a ZON22-01168. "Edge on Main Apartments" (District 4).** Within the 100 block of South Morris (east side) and the 200 block of West Mahoney Avenue (north side). Located east of Country Club Drive and south of Main Street. (0.5± acres). Rezone from T4NF to T5MS within the Form Based Code Regulating Plan. OZ16 QOZB LLC, Owner; Scott Harwood, OZ Development, Applicant.

**Planner: Charlotte Bridges**

**Staff Recommendation: Approval with conditions**

**Summary:**

**Staff Planner Charlotte Bridges presented case ZON22-01168. See attached presentation.**

Chair Crockett invited the applicant to speak.

Applicant Scott Harwood added to staff presentation.

Boardmember Pitcher asked what surrounding properties the applicant also owned.

Applicant Scott Harwood responded the hard corner on Country Club and Main we own that property and the two vacant properties just south of that as well. In addition to the parcels on the east side of Morris and the vacant properties on Mahoney.

Chair Crockett asked what the vision for the height of the buildings would be.

Applicant Scott Harwood answered between 5 and 8 stories.

Boardmember Peterson asked what the height would be for the site in question today.

Applicant Scott Harwood answered that would have 3 levels of podium parking and then 5 additional stories on top of that.

Nicole Walters, 244 W Mahoney Ave spoke, and expressed concern about the public outreach that has been conducted, the noise that will come with construction, overflow parking and local infrastructure.

Chair Crockett asked if more people in the neighborhood might benefit her business.

Nicole Walters responded that she is an appointment only business and does not accept walk-ins.

Chair Crockett asked staff to address the public outreach concern.

Assistant Planning Director Rachel Nettles responded that the applicant completed the public notice in accordance with code requirements, there was an ad in the paper, the site was physically posted and the property owner was notified. Owner information is readily available from the County Assessors website however it is more difficult to obtain renter information.

Boardmember Peterson asked if there will be some form of good neighbor policy or communication with stakeholders in the area or what are the options here.

Assistant Planning Director Rachel Nettles responded on some of the conceptual site plans they have indicated possibly vacating a portion of Morris. That would be done through the City Real Estate Department for City Council action, and that there is some outreach requirements but she was just unsure of what those were.

Chair Crockett asked the applicant how he planned on managing the construction impact on local businesses and residents and what he vision was for adequate parking.

Scott Harwood responded that during construction they will have fencing up that will have contact information posted if there are any concerns. For the parking component all of our conceptual plans we have been able to meet code and do not anticipate any on street parking.

**Boardmember Allen motioned to approve ZON22-01168. The motion was seconded by boardmember Pitcher.**

**That: The Board recommends to approve ZON22-01168 conditioned upon:**

1. Compliance with all City development codes and regulations.

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*4-b ZON22-01176. “Anton-Mesa Fiesta” (District 3).** Within the 1300 block of South Alma School Road (east side), within the 1000 to 1200 blocks of West Grove Avenue (south side), within the 1400 block of South Westwood, and within the 1000 to 1200 blocks of West Holmes Avenue (north side). Located east of Alma School Road and south of Southern Avenue. (16.5± acres). Rezone from Limited Commercial with a Planned Area Development overlay (LC-PAD) to LC-PAD, Council Use Permit (CUP), and Site Plan Review. This request will allow for a multiple residence development. HV & CANAL LLC, Owner; Benjamin Graff, Quarles & Brady, LLP, Applicant.

**Planner: Sean Pesek**

**Staff Recommendation: Approval with conditions**

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

Boardmember Peterson motioned to approve case ZON22-01176. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-01176 conditioned upon:**

1. Compliance with the final site plan and landscape plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB22-01232.
3. All perimeter landscaping must be installed with the first phase of development.
4. 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.
5. Prior to issuance of any building permit, apply for and receive approval of a Preliminary and Final Plat.
6. 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>Maximum Building Height</u> – <i>MZO Section 11-6-3(A)</i>	62 feet
<u>Minimum Building Setbacks</u> – <i>MZO Section 11-6-3(A)</i> -Interior Side and Rear: Adjacent to Non-residential District (west of Building A)	8 feet total
-Street-Facing Side (Community Collector - Holmes Avenue)	12 feet

<u>Minimum Landscape Yards</u> – <i>MZO Section 11-33-3(B)(2)</i> -Non-single residence uses adjacent to other non-single residence (west of Building A)	8 feet
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-Street-Facing Side (Holmes Avenue)	12 feet
<u>Standards for Required Open Space –</u> <i>MZO Table 11-6-3(A) and Section 11-5-5(3)</i> - Minimum private open space (2-bedroom unit) (3-bedroom unit)	90 square feet per unit 100 square feet per unit
<u>Required Parking Spaces –</u> <i>MZO Section 11-32-3(A)</i> - Multiple Residence	1.53 spaces per unit (843 total)
<u>Required Covered Parking –</u> <i>MZO Section 11-32-3(D)</i> -Multiple Residence	0.96 spaces per unit (528 spaces)
<u>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 28 contiguous parking spaces
<u>Minimum Dimensions for Residential Enclosed Garages –</u> <i>MZO Section 11-32-4(F)(1)</i> -Single car garage	Minimum 10 feet wide by 21 feet, 2 inches

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*4-c ZON22-01178. "Take 5 @ Ellsworth" (District 5).** Within the 1200 to 1300 blocks of South Ellsworth Road (east side). Located south of Southern Avenue on the east side of Ellsworth Road. (2.7± acres). Site Plan Review. This request will allow for a minor automobile/vehicle repair facility. LOWES HIW INC, Owner; Jesse Macias, M3 Design, LLC, Applicant.

**Planner: Charlotte Bridges**

**Staff Recommendation: Approval with conditions**

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

Boardmember Peterson motioned to approve case ZON22-01178. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-01178 conditioned upon:**

1. Compliance with final site plan and landscape plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB22-00179.
3. Compliance with all conditions of approval of Ordinance No. 4385 (Zoning Case No. Z05-033), except compliance with the final site plan and landscape plan submitted with this request (Case No. ZON22-01178).
4. Compliance with all City development codes and regulations.
5. 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 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 5± miles 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 states 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."

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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- \*4-d ZON22-01344. "La Mesita - Phase 4" (District 3).** Within the 2200 block of West Main Street (north side). Located north of Main Street and west of Dobson Road. (1± acres). Rezone from General Commercial (GC) and Multiple Residence-4 (RM-4) to General Commercial with a Bonus Intensity Zone (GC-BIZ), Council Use Permit and Site Plan Review. This request will allow for a multiple residence development. A New Leaf Inc, Owner; Earl and Curley, Applicant.

**Planner: Joshua Grandlienard**

**Staff Recommendation: Continued to the May 10, 2023 Planning and Zoning Board meeting.**

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

Boardmember Peterson motioned to continue case ZON22-01344. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to continue case ZON22-01344 to the May 10, 2023 Planning and Zoning Board meeting.**

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

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- \*4-e ZON23-00049. "The View 202 - Phase 2" (District 6).** Within the 8700 to 9000 blocks of East Starfire Avenue (south side). Located north of Ray Road and west of Ellsworth Road. (46± acres). Site Plan Review. This request will allow for an industrial development. SUNBELT LAND HOLDINGS L P, Owner; Ken Miller, Butler Design Group, Applicant.

**Planner: Sean Pesek**

**Staff Recommendation: Approval with conditions**

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

Boardmember Peterson motioned to approve case ZON23-00049. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON23-00049 conditioned upon:**

1. Compliance with the final site plan submitted.
2. Compliance with Ordinance No. 5575.
3. Compliance with all requirements of the Design Review Board case DRB23-00050.
4. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states 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."

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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**5 Discuss and take action on the following preliminary plats:**

- \*5a ZON22-01248 “Preliminary Plat Elliot Tech Center - Phase II” (District 6).** Within the 10400 to 10600 blocks of East Elliot Road (north side) and within the 3400 block of South Signal Butte Road (west side). Located north of Elliot Road and west of Signal Butte Road. (48+ acres). Preliminary Plat for an industrial development. WHANE OF MESA LIMITED PARTNERSHIP LLLP, Owner; Randy Litwin, Hunter Engineering, Inc., Applicant.

**Planner: Jennifer Merrill**

**Staff Recommendation: Approval with conditions**

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

Boardmember Peterson motioned approve case ZON22-01248. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON22-01248 conditioned upon:**

1. Compliance with the Preliminary Plat submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Subdivision Regulations.
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 1/4 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 states 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.”

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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**\*5-b ZON23-00117 "Lot 2 Crismon Business Park AMD Replat" District 5.**

Within the 10,000 block of East Southern Avenue (south side). Located east of Crismon Road on the south side of Southern Avenue. (2.3± acres). Preliminary Plat. This request will create two lots. Helix Engineering, LLC, applicant; V J Crismon, LLC., owner.

**Planner: Chloe Durfee Daniel**

**Staff Recommendation: Approval with conditions**

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

Boardmember Peterson motioned to approve case ZON23-00117. The motion was seconded by Boardmember Pitcher.

**That: The Board recommends to approve case ZON23-00117 conditioned upon:**

1. Compliance with the Preliminary Plat submitted.
2. Compliance with all requirements of the Subdivision Regulations.
3. Compliance with all conditions of approval for Case No. ZON22-01062 and Case No. DRB22-01053).
4. 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.
5. Prior to the issuance of a building permit, obtain approval of and record a final subdivision plat for the subject parcel APN 220-81-744.
6. Compliance with all City development codes and regulations

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

\* \* \* \* \*

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## 6 Adjournment.

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

**Vote: 6-0 (Boardmember Sarkissian, absent)**

Upon tabulation of vote, it showed:

AYES – Crockett, Ayers, Allen, Peterson, Pitcher, Montes

NAYS – None

The public hearing was adjourned at 5:00 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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Michelle Dahlke  
Principal Planner

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# ZON22-01168

Charlotte Bridges, Planner II

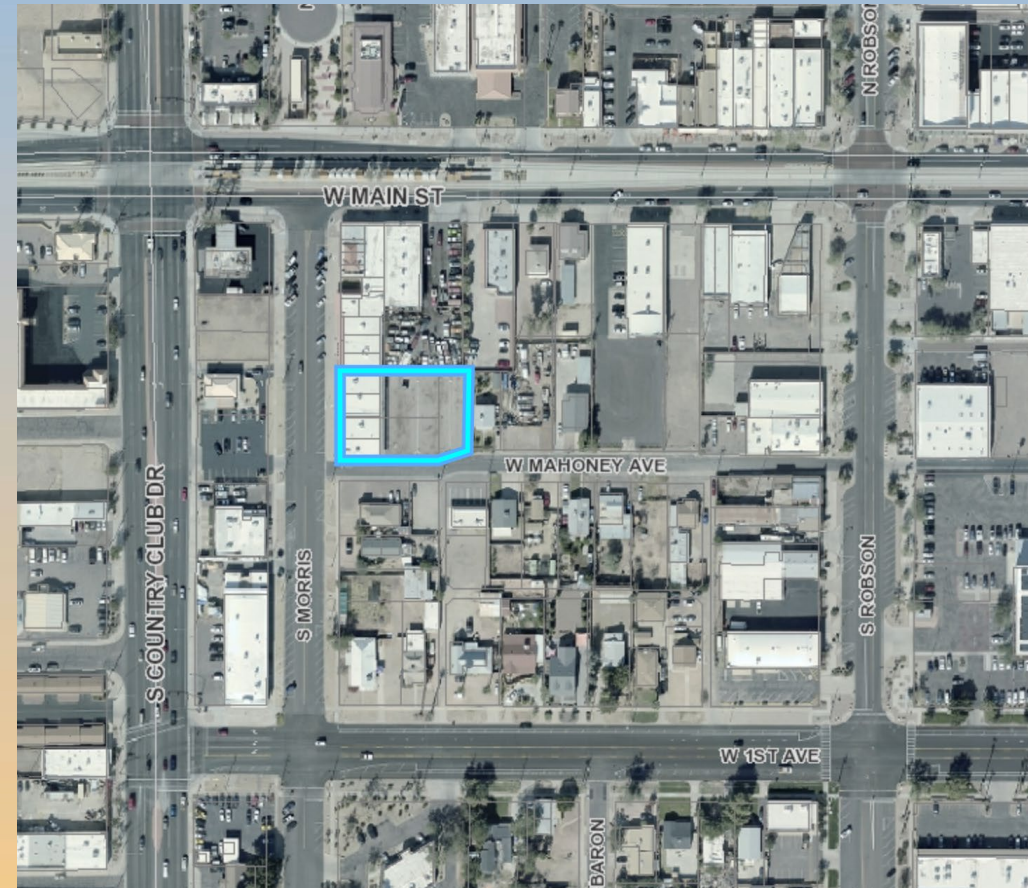
April 26, 2023





# Request

- Rezone from T4NF to T5MS within the Form Based Code Regulating Plan

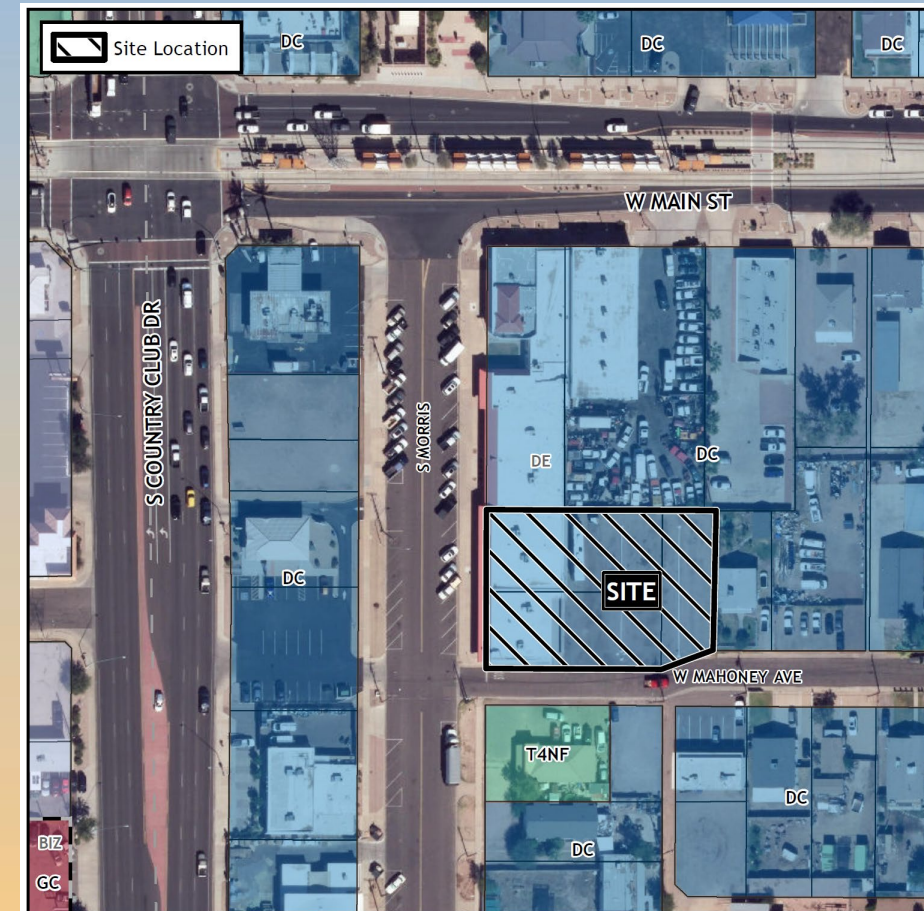






# Location

- East of Country Club Drive
- South of Main Street
- Located at the northeast corner of Morris and Mahoney Avenue







# Zoning

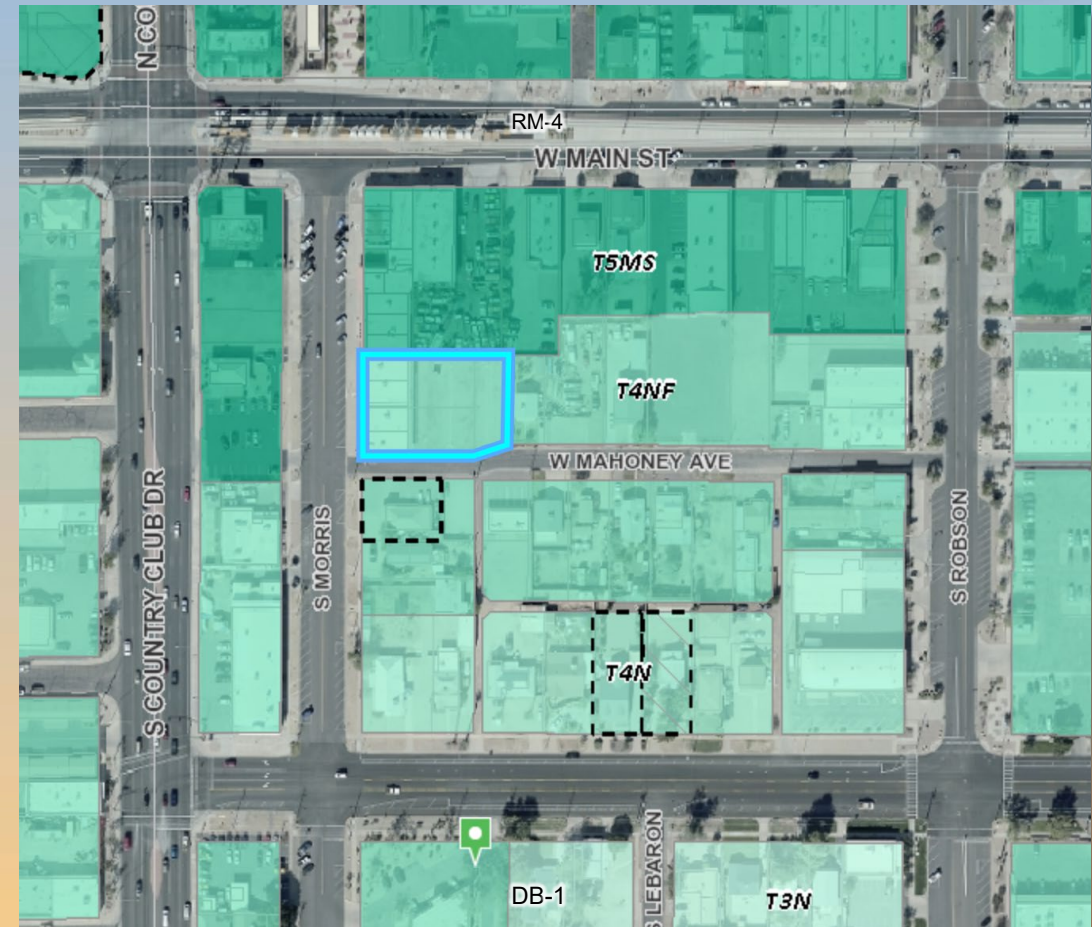
- Downtown Core with a Downtown Events overlay (DC-DE)





# FBC

- T4NF within the FBC Regulating Plan







# General Plan

## Downtown - Transit District Corridor Station Area

- Create pedestrian oriented, transit rich environment with a lot of activity
- Design buildings to engage the street and promote construction quality that meets or exceeds the public investment in the light rail.







# Site Photo



Looking east from Morris





# Site Photo



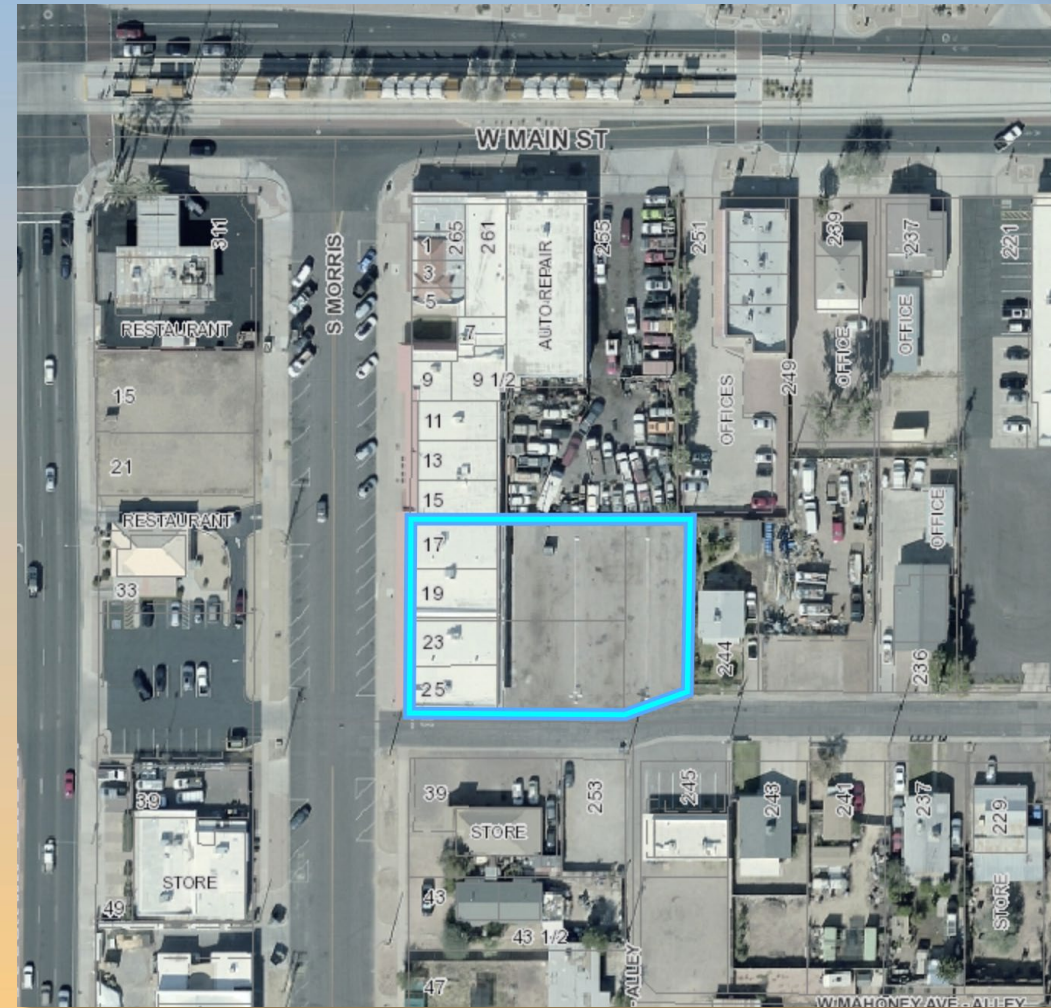
Looking north from Mahoney Avenue





# Subject Site

- 1/2 acre site
- Establish the same development standards as property to the north
- Help create a uniform urban form for anticipated future development

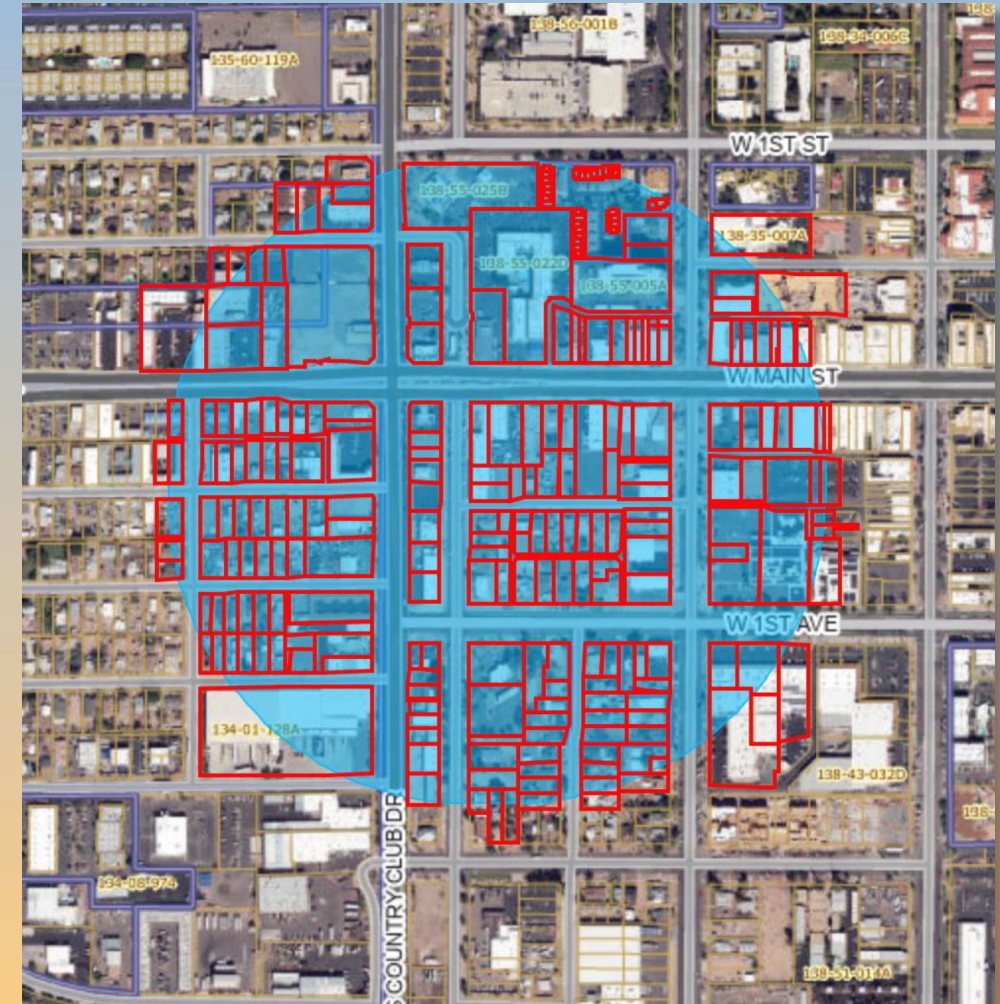






# Citizen Participation

- Notified property owners within 1,000 feet, HOAs and registered neighborhoods
- Mailed letter describing request and inviting comments







# Findings

- ✓ Complies with the 2040 Mesa General Plan
- ✓ Complies with the Central Main Street Area Plan

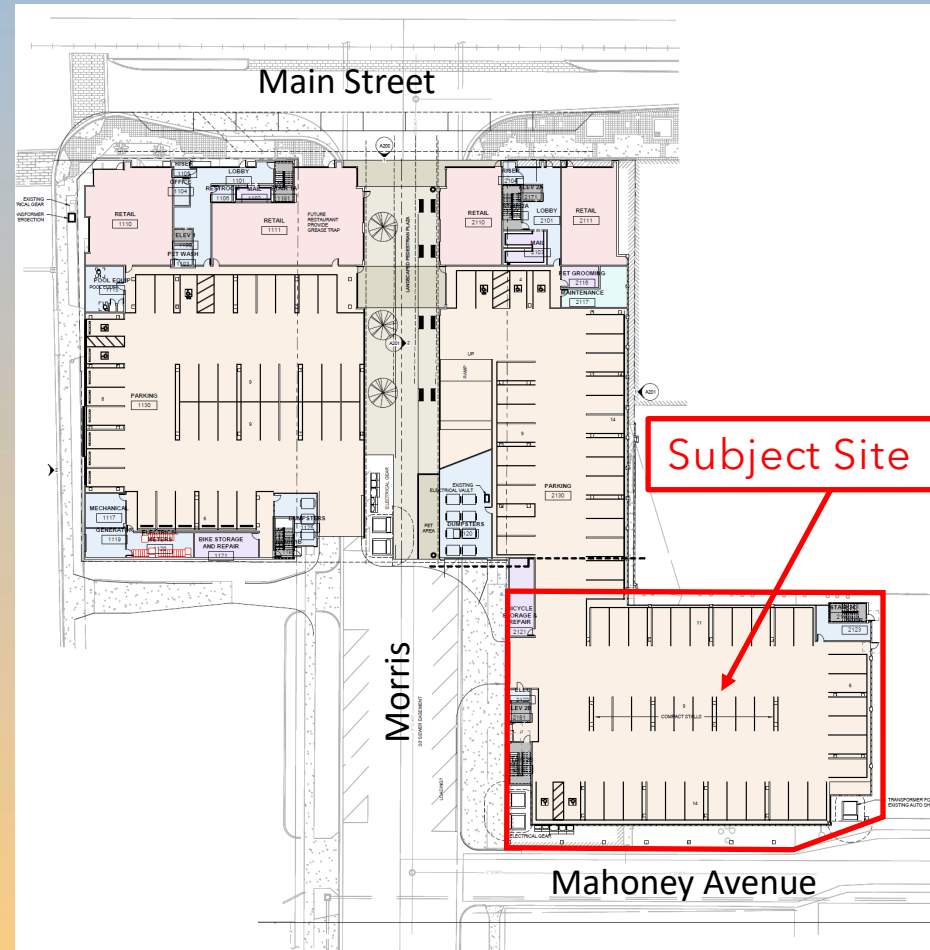
***Staff recommends Approval with Conditions***



# Planning and Zoning Board



# Conceptual Site Plan







# Conceptual Elevations

