

**CITY OF MESA**

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING**

Held in the City of Mesa Council Chambers  
Date: August 19, 2009 Time: 4:00 p.m.

MEMBERS PRESENT

Frank Mizner, Chair  
Randy Carter, Vice Chair  
Beth Coons  
Scott Perkinson  
Vince DiBella

MEMBERS ABSENT

Chell Roberts (excused)

OTHERS PRESENT

John Wesley  
Tom Ellsworth  
Gordon Sheffield  
Debbie Archuleta

Others

Chairperson Mizner declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated August 19, 2009. Before adjournment at 4:48 p.m., action was taken on the following:

It was moved by Boardmember Vince DiBella seconded by Boardmember Beth Coons that the minutes of the July 14, 2009, and July 15, 2009 study sessions and regular meeting be approved as submitted. Vote: 4 – 0 – 1 Boardmember Perkinson abstained because he was not present for the July meetings. Boardmember Roberts absent.

Consent Agenda Items: All items identified with an asterisk (\*) were approved with one Board motion.

It was moved by Boardmember Beth Coons, seconded by Boardmember Randy Carter that the consent items be approved. Vote: 5 – 0 (Boardmember Roberts absent)

Zoning Cases: Z09-15

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Item: **Z09-15 (District 6)** 8257 East Guadalupe Road, Suites 11 – 13. Located west of Hawes Road on the south side of Guadalupe Road. District 6. Council Use Permit. This request will allow a charter school in a C-2 district. Pamela Johns, Guadalupe Hawes Dev. Investors, LLC, owner; Jill Gaitens, Vistas Leadership Academy, applicant.

Comments: This case was on the consent agenda and therefore was not discussed individually.

It was moved by Boardmember Beth Coons, seconded by Boardmember Randy Carter

That: The Board recommend to the City Council approval of zoning case Z09-15 conditioned upon:

1. Compliance with the basic development of the Charter School as described in the project narrative.
2. Compliance with all City development codes and regulations.

Vote: Passed 5 – 0 (Boardmember Roberts absent)

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**Note: Audiotapes 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.cityofmesa.org](http://www.cityofmesa.org)**

## MINUTES OF THE AUGUST 19, 2009 PLANNING AND ZONING MEETING

Item: Presentation on Module and progress report on Zoning Code update

Comments: Zoning Administrator, Gordon Sheffield explained Module 4 deals with administration and procedures. He gave a brief history of the Zoning Code update so far. Mr. Sheffield stated he anticipated the Council would be discussing Board consolidation at their September 24<sup>th</sup> study session.

Chair Frank Mizner confirmed that the proposal in the Board handouts was not what they had discussed with staff.

Mr. Sheffield stated that if the Downtown Development Committee were to be eliminated their duties may be added to the Planning and Zoning Board duties. He stated Board of Adjustment and Historic Preservation would not be changing. The Planning Hearing Officer functions would remain the same. The Zoning Administrator would probably get some new responsibilities.

Boardmember Vince DiBella confirmed the duties of the Planning Hearing Officer are similar to the Planning and Zoning Board. The duties of the Zoning Administrator are similar to the Board of Adjustment, and also to interpret the Code.

Mr. Sheffield stated staff was proposing to simplify the process by having the Planning and Zoning Board approve Special Use Permits when they are part of a case being heard by the Planning and Zoning Board, so that applicants only go to one Board rather than going through the Planning and Zoning process and then going to the Board of Adjustment. For instance cases that require rezoning or site plan approval for gas stations.

Chair Frank Mizner confirmed the Council could act as the Board of Adjustment; however, they would not be able to talk to anyone regarding the Board of Adjustment cases. They would have to act as judges for those cases.

Some things that go through public hearings now would be reviewed by staff. A new temporary use permit, is being proposed and explained. There was some debate as to whether temporary uses should require some form of hearing to allow adjacent property owners to be heard.

Mr. Sheffield stated staff did not think the process for citizen participation should change. As long as adjacent property owners were being notified, not every case should require a neighborhood meeting.

Enforcement would still be civil; however, the Nuisance Code allow for higher fines for second and third violations. It also allows for an investigation fee. The revision will establish a fee structure.

Mr. Sheffield stated revisions would be sent back to the consultant and then the changes would go back through the various Boards. He was hoping the project would be final in the Spring of 2010.

Boardmember Randy Carter wanted item 9 on page 23 to be revised. He was OK with the first sentence but did not think the Board should be determining if buildings are energy efficient. Mr. Sheffield stated staff was hoping to use LEED certification as a means to reward projects. Mr. Carter stated the there are buildings that are now in law suits because they don't function. The Board agreed that the first part of item 9 was fine, but not the LEED reference.

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Boardmember Beth Coons wanted to ensure that the public would be able to comment on the Zoning Code update.

Respectfully submitted,

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John Wesley, Secretary  
Planning Director

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