

## CITY OF MESA

### MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers, Lower Level

Date: November 29, 2007 Time: 4:00 p.m.

#### MEMBERS PRESENT

Rich Adams, Chair  
Pat Esparza, Vice Chair  
Frank Mizner  
Jared Langkilde  
Ken Salas  
Randy Carter  
Chell Roberts

#### MEMBERS ABSENT

None.

#### OTHERS PRESENT

John Wesley  
Dorothy Chimel  
Maria Salaiz  
Kelly Arredondo

MaryGrace McNear  
Michael Dyett  
Christine Zielonka  
Others

Vice-Chairperson Esparza declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated November 29, 2007. Before adjournment at 6:00 p.m., the following item was discussed:

A. Review, Discuss and Suggest Direction regarding Zoning Ordinance Update project (Title 11, Chapters 1 through 18 of the Mesa City Code).

Gordon Sheffield, welcomed those present and introduced Michael Dyett, Dyett and Bhatia, consultant. He stated that this is the first of four Modules, which the Board will see. He commented the Zoning Ordinance has been divided into four Modules: 1) Land Use Classifications and Use Regulations; 2) Design and Development Standards; 3) the processing of cases and administration of the Zoning Ordinance; and 4) Supplementary Provisions; adding that the format being proposed is radically different.

Michael Dyett, briefly explained where they are in the process and how they've organized the Use Regulations. He stated they are not changing the current set of regulations but presenting them in a different format to make the Zoning Ordinance user friendly. He briefly discussed the difference of each table and how they have organized the "use types" into a classification system; adding that there may be refinements needed. He further explained the process for using the new classification system, the new zone names, and standards for specific uses.

The Board had the following comments/questions:

#### Table 1: AG & Residential Districts

- ♦ Is a Council Use Permit (CUP) required for a public school in a residential zone? No.
- ♦ Difference between an assisted living facility and group home for the elderly. A group home for the elderly allows 6-10 person and is a permitted use. Assisted living facilities would be greater than 10 residents.

- ◆ “Large Home Daycare” and “Small Home Day Care” are permitted uses.
- ◆ “Daycare Group Homes” would need additional regulations.

#### Table 2: Commercial Districts

- ◆ Change “single family” and “multiple family” to “single residences” and “multi residences” throughout the document.
- ◆ Discussion ensued regarding at what point does a medical or dental office become a clinic and vice versa and what classification would be used. It was determined that more work be done on the definition for these uses.
- ◆ Allow “single residences” and “multi residences” with a Special Use Permit (SUP) instead of a CUP, so Council won’t have to look at condo projects in commercial districts.
- ◆ Allow pet stores, automobile washing and service stations as a right subject to additional standards. Discussion ensued regarding noise associated with these types of services abutting residential districts.
- ◆ Allow auto rentals in the NC (C-1) or MX (mixed use), subject to some standards. Limit them to small scale but lets expand the places from where they currently are allowed.
- ◆ College and Trade Schools, why not permitted uses in NC or OC. College and Trade Schools tend to be on larger sites and didn’t seem compatible with the concept of the NC. Discussion ensued regarding looking at having remote locations for main campuses and maybe adding additional notes.
- ◆ The possibility of increasing the size limit for grocery and food stores, possibly pharmacy stores in the NC district up to 35,000 sq.ft.
- ◆ Check cashing/pay day loan should have a CUP.

#### Table 3: Employment Districts

- ◆ Make the GI (M-2) district, a pure heavy industrial district, under the current Code hotels, motels, and retails sales, etc. are allowed.
- ◆ Schools should not be in industrial areas.
- ◆ In the new “PC” district, if the applicant wants to reserve some land for a heavy industrial area, we want to make it an inclusive industrial area.

Discussion ensued regarding how this was going to interact with the General Plan. Mr. Sheffield commented that because there is a compatibility table in the General Plan that talks about how the General Plan land use categories get translated to zoning districts and if we adopt the new names we would have to amend the text. The M-1 district would still be compatible with the land use designations in the General Plan.

#### Table 4: Town Center Districts

- ◆ Liked what has been done with the “Proposed Zoning District” and the “Corresponding Existing Zone”, is there a way to create a master for TCR or TCB.
- ◆ No changes made to the Town Center district. There will be a separate meeting with the Downtown Development Committee.

#### PC District

There were comments regarding where the new “PC” district would be placed. Mr. Dyett stated that it wouldn’t be added in this format because the idea of the PC district is to have a framework for the master developer to come forward with a tailored list for that specific planned community.

## Table 5: Public Facilities Districts

- ◆ Discussion ensued regarding the uses allowed in this district.
- ◆ There will be a separate wireless communication facilities chapter.
- ◆ Discussed with city staff the idea of taking out the Social Services Facility (ex: homeless shelters, charity dining facilities, day labor center) from the PF district because it seemed unlikely that those uses would be on public land.
- ◆ The Social Services Facilities have been traditionally addressed both in the R-4 and C-2 districts with a CUP.

### 11-20-13 Hospital and Clinics

- ◆ What about clinics not located on arterial streets. Will work out an exception for the smaller scale clinics; also take a look at the licensing requirements under DHS.

### 11-20-14 Live Entertainment

- ◆ A CUP would be required for any live entertainment as an accessory use to a lounge, bar or restaurant.

### 11-20-15: Live/Work Units

- ◆ Allow live/work units across the board in C-1, C-2, C-3, subject to the standards.
- ◆ A new concept for Mesa, would like to include that in the Zoning Ordinance.

### 11-20-5: Automobile Rentals; Automobile/Vehicle Sales and Leasing

- ◆ The use of display vehicles in the air, lighting them up, or making them very prominent. This would be addressed under Module 2 – the “Design and Development Standard.

### 11-20-17: Outdoor Eating Areas

- ◆ The public liability insurance, don't remember it in the Zoning Code, why is it here and not attached to the business or liquor license. Requirement is for facilities that are going to be on public right-of-way and to address the City's liability issue.
- ◆ Work on the language to make it clearer.

### 11-20-19: Pawn Shops

- ◆ Add separation from schools requirement.
- ◆ Are there any other communities who have addressed this issue? Staff will research.
- ◆ Research how to address the saturation of pawnshops in certain areas.
- ◆ Possibly address those issues through licensing.

### 11-20-21: Recycling Facilities – Collection Facilities

- ◆ Current code requires that a recycling facility obtain a CUP and doesn't differentiate between types of recycling centers.
- ◆ Added a “small collection facility” and a “larger processing facilities”, which will create more distinction and allow us to be more flexible about where recycling facilities would be located.

### 11-20-24: Service Stations

- ◆ Have a distinction between a small scale service station in the neighborhood with 4-8 pumps vs. the larger 20-30 pump operations, which we don't want in neighborhood centers due to traffic.

### 11-20-25: Social Service Facilities

- ◆ Discussion ensued regarding concerns with 11-20-25: "A" to not allow these facilities on Main Street. Mr. Sheffield explained that this was mainly focused for the downtown area and would look at revising the language.

### 11-20-27: Tattoo Parlors

- ◆ Should be allowed by right.
- ◆ Having a CUP for tattoo parlors is off-base.
- ◆ What basis do we have for requiring a CUP, there is no evidence nationally that tattoo parlors cause crime, decrease of property values, or deterioration of quality of life.
- ◆ Discussion ensued regarding allowing certain businesses by-right, subject to the standards.
- ◆ Like having a CUP because these have a tendency to be Council oriented cases and it makes sense for the Council to make that decision rather than delegate it to a Board or staff.

### Appendix A:

- ◆ Rewrite the definitions for clinics.
- ◆ What is meant by "one household"? Mr. Dyett explained that these are classifications and that a "definition" section would follow.

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Mr. Sheffield commented that he would be presenting this to other Boards and City Council.

Lou Lenz, citizen, stated he would like to see and review the drafted material; adding that he had concerns with not seeing the special areas of Mesa and the PAD overlay areas not being addressed. Mr. Sheffield stated that they would be addressing Mr. Lenz concerns as the other Modules are brought forward and this Module is addressing the land uses. Mr. Sheffield stated he would add Mr. Lenz to his distribution list.