



Planning and Zoning Board

Staff Report

CASE NUMBER: ZON18-00065
LOCATION/ADDRESS: The 8900 block of East Germann Road (north side)
GENERAL VICINITY: Located on the west side of Ellsworth Road and north of Germann Road
REQUEST: Site Plan Review and Council Use Permit
PURPOSE: This request will allow for the development of a commercial recreation facility within the AOA 2 overflight area.

COUNCIL DISTRICT: District 6
OWNER: ETP Funding LLC
APPLICANT: Andrew Greybar, LGE Design Group
STAFF PLANNER: Ryan McCann, Planner I

SITE DATA

PARCEL NO.: 304-62-007Q
PARCEL SIZE: 4.0+/- acres
EXISTING ZONING: LI
GENERAL PLAN CHARACTER: Employment
CURRENT LAND USE: Vacant

SITE CONTEXT

NORTH: Vacant, zoned LI-PAD
EAST: Vacant, zoned LI
SOUTH: (across Germann Road), zoned R1-43 (Queen Creek)
WEST: Existing warehouse/vacant, zoned LI-PAD

STAFF RECOMMENDATION: Approval with conditions

P&Z BOARD RECOMMENDATION: ☐ Approval with conditions. ☐ Denial

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

HISTORY/RELATED CASES

January 18, 1990: Annexed into the City of Mesa (Ord. No. 2473)
March 15, 1990: Establishment of City zoning on recently annexed property (Ord. No. 2496, Z90-07)
May 20, 2002: Adoption of an Area Land Use Plan for the area south of Williams Gateway Airport (Resolution No. 7838, Z01-029)
June 21, 2004: Rezone of the northwest and northeast corners of Ellsworth and Germann roads from R1-43 to M-1 (Light Industrial) and conceptual C-2. (Ord. No. 4208, Z04-001).

PROJECT DESCRIPTION / REQUEST

This is a request for Site Plan Review and a Council Use Permit to allow the development of a commercial recreation facility within the AOA 2 overflight area. The site will include a proposed 29,606 SF recreation building and a vacant pad for future development. The site is located on the north side of Germann Road west of Ellsworth Road.

NEIGHBORHOOD PARTICIPATION:

The applicant has completed a Citizen Participation Process, which included a mailed letter to property owners within 500-feet of the site, as well as HOAs and registered neighborhoods within one mile. The applicant did not receive any comments/concerns. At the time that this report was written staff had not been contacted by any residents or property owners in the area. The applicant will be providing an updated Citizen Participation Report prior to the May 15, 2018 Study Session. An update will be provided by staff at that Planning and Zoning Board Study Session.

STAFF ANALYSIS

MESA 2040 GENERAL PLAN:

Staff has reviewed the proposal and found that it is consistent with the criteria for review as outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan and has determined that the proposed use is in conformance with the General Plan.

The Mesa 2040 General Plan Character area designation is Employment. The primary focus of the employment character type is to provide employment type uses. Employment areas may include retail and office type uses but rarely include any type of residential uses. The character sub-type is Industrial, which signifies locations appropriate for manufacturing, warehousing, and other industrial operations.

The proposed project is consistent with the General Plan by providing a commercial business to serve the neighborhood and surrounding community. The proposed use is listed as a secondary zoning district expected in the Industrial character area. The existing LI zoning is appropriate in an Employment district, and commercial recreation is a use by right in the LI district.

Mesa Gateway Strategic Development Plan:

The proposed use will help implement the Mesa Gateway Strategic Development Plan as part of the Logistics and Commerce District. Industrial, business park, and commercial uses are intended to be predominant within the Logistics and Commerce District. The proposed building will be of a larger mass comparable to warehouse type buildings that would typically be found in the area. The use and building are compatible with helping to foster an environment that is suitable with increasing over-flight activities.

The recreational use will contribute to the goal of addressing the job to housing balance needed for a sustainable area as well as a place to live, work, learn and recreate. The proposed location is located on the southern border of the Logistics and Commerce District near Neighborhood Commercial (NC) zoning within the district.

ZONING:

The proposed commercial recreation facility is a permitted use within the LI District, subject to a Council Use Permit (CUP) when located in the AOA 2 overflight area. The site has vacant LI to the north and east, existing warehouse (LI-PAD) to the west and single-family residences to the south across Germann Road.

COUNCIL USE PERMIT:

In the LI District, a commercial recreation facility requires a Council Use Permit (CUP) when located within the AOA 2 overflight district. The Mesa Zoning Ordinance (MZO) Section 11-70-6.D addresses Council Use Permits and provides review criteria. A CUP shall only be granted if the approving body determines that the project conforms to the criteria established in the Ordinance. Staff has determined that the applicant has complied with the required criteria for the CUP based on the analysis below:

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies:

The proposed project is consistent with the goals and objectives and is consistent with the policies of the general plan and strategic development plan. One goal of the General Plan is to create and maintain a variety of great neighborhoods. Within this goal there is a policy strategy that reads as follows:

"Avoiding incompatible land uses (e.g. locating an auto repair shop next door to a single family residence or locating residences near an airport) and/or providing appropriate transitions between uses, particularly when developing or redeveloping neighborhoods next to or near higher impact employment areas to lessen the impact on the employment use."

The proposed site is located on the southern border of an industrial area directly adjacent to residential. This use will provide a transition from single family residential to more intense uses typically found in industrial area.

2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;

The location, size, design and operating characteristics are consistent with the purposes of the district. The proposed project exceeds the minimum required building setbacks and is under the maximum allowed height.

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area of the proposed project or improvements in the neighborhood or to the general welfare of the City; and

The proposed project does not appear to be injurious or detrimental to the adjacent or surrounding properties. The proposed use is permitted within the LI district and the activities associated with the facility will take place within the enclosed building.

4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

All services are available to serve this project.

SITE PLAN - MZO Section 11-69-5:

Development Standards – MZO Table 11-7-3	Required	Proposed
Maximum Building Height	40'	36'
Setbacks:		
North	20'	141'
South	20'	219'
East	0'	79'
West	0'	75'
Development Standard – MZO Table 11-32-3.A	Required	Proposed
Parking	95	117

This proposal includes 29,606 SF of building coverage in the form of a new recreation facility and a vacant pad for future development. Access to the site is proposed from East Germann Road and East Winnston Avenue. A pedestrian connection has been provided connecting the sidewalk at Germann Road to the building entrance as well as the vacant pad. The proposed site plan meets the review criteria of MZO Section 11-69-5 of the Zoning Ordinance.

The Design Review Board reviewed the project at the March 13, 2018 Work Session. Suggestions provided by the Board included additional undulation of the building's façade, additional building articulation, and varying the parapet height. The applicant will work with staff for review of these revisions to obtain approval of DRB18-00064.

CONCLUSION:

The proposed project complies with the General Plan and Mesa Gateway Strategic Development Plan, meets the review criteria for Site Plan Review from MZO, Chapter 69 Section 11-69-5, and Council Use Permit, MZO Section 11-70-6, for a commercial recreation facility located within the AOA 2 overflight area. Staff recommends approval with the following conditions:

CONDITIONS OF APPROVAL:

1. Compliance with the basic development as described in the project narrative, the site plan, landscape plan, and preliminary elevations.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review approval.
4. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City, prior to the issuance of a building permit.

5. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77.9, (form 7460), to determine any effect to navigable airspace, air navigation facilities. A completed form with response by the FAA must accompany building permit application for structures on this property.
6. Dedicate unencumbered right of way and PUF required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication, whichever comes first.