



**PLANNING DIVISION**  
**STAFF REPORT**

**Planning and Zoning Board**

**October 23, 2019**

CASE No.: **ZON19-00538**

PROJECT NAME: **Airgate Center**

Owner's Name:	PHX-Mesa Gateway Airport 193 LLC
Applicant's Name:	Wes Balmer, Balmer Architectural Group
Location of Request:	Within the 7200 through 7400 blocks of East Ray Road (south side). Located east of Power Road on the south side of Ray Road. (9.8± acres). Site Plan Review. This request will allow for an industrial development.
Parcel No(s):	304-30-038
Request:	Site Plan Review. This request will allow for the development of an industrial development on the property.
Existing Zoning District:	Light Industrial with an Airfield Overlay (LI-AF)
Council District:	6
Site Size:	9.8± acres
Proposed Use(s):	Office/Retail/Manufacturing
Existing Use(s):	Vacant
Hearing Date(s):	<b>October 23, 2019 / 4:00 p.m.</b>
Staff Planner:	Ryan McCann
Staff Recommendation:	<b>APPROVAL</b> with Conditions

**HISTORY**

On **November 16, 2000**, the property was annexed into the City of Mesa (Ord.#3815).

On **May 7, 2001**, the City Council annexed the property from Maricopa County Airport District II (ADII), Airport District III (ADIII), and Rural-43 and designated the City of Mesa comparable zoning of Light Industrial with an Airfield Overlay (LI-AF) and Agriculture with an Airfield Overlay (AG-AF) on the property (Case #Z00-087).

## **PROJECT DESCRIPTION**

### **Background:**

The subject site plan review request is to allow the development of a 48,460 square feet industrial building on the property with associated parking. Currently the property is vacant. According to the applicant, the building will be used specifically for show room-retail and light manufacturing.

### **General Plan Character Area Designation and Goals:**

The General Plan Character area designation on the property is Mixed Use Activity District/Employment. Per chapter seven of the General Plan, the purpose of the Employment character area designation is to provide employment-type land uses with such areas typically having minimal connection to the surrounding area. Examples of employment districts include areas for large manufacturing facilities, warehousing, business parks, etc. The proposed project to allow development of an industrial building that will provide employment to residents conforms to the goals of the General Plan land use character area designation. Staff also reviewed the request and determined it is consistent with the criteria for review of development outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

### **Mesa Gateway Strategic Development Plan**

The property is also located within the Airport/Campus District of the Gateway Strategic Development Plan. This district refers to the area encompassing the ASU Polytechnic/Chandler Gilbert Community College Campus, the Phoenix-Mesa Gateway Airport, and the area immediately outside the airport's future main terminal. Per the Strategic Development Plan, the focus of the Airport/Campus District is to create a district that supports the development of a mixed use district centered around educational opportunities, research and development functions, and airport related uses that support the traveling public. Transitional area or boundary of the Plan Area is envisioned to be predominantly high intensity employment uses that integrate well with the on-airport uses. The subject property is located on the northwestern boundary of the Strategic Plan Area and considered as part of the transitional area. The proposed development of a 48,460 square feet industrial development conforms to the goals of the Airport/Campus District of the Gateway Strategic Development Plan.

### **Zoning District Designations:**

The subject property is zoned Light Industrial (LI) with an Airfield Overlay District (AF). Per Section 11-7-2 of the City of Mesa Zoning Ordinance (MZO), the proposed industrial use is allowed in the LI zoning district.

### **Airfield Overlay – Mesa Zoning Ordinance (MZO) Article 3, Section 11-19:**

Per Section 11-19 of the MZO, the property is located within the AF Overlay District. Specifically, within the Airport Overflight Area Two (AOA 2). The location of the property within AOA 2 is due to its proximity to the Phoenix-Mesa Gateway Airport (See Condition #4). Per Section 19 of the MZO, the AOA 1 and AOA 2 has certain restricted uses, as well as requirement for approval of Council Use Permits to allow certain uses. The current proposed industrial development conforms to the AF requirements.

**Site Plan and General Site Development Standards:**

Currently the site is vacant. The proposed site plan shows development of 156 parking spaces on the property, which exceeds the City's parking requirements. Per Section 11-32-3.C of the MZO, an Administrative Use Permit approval shall be required to allow the required number of parking spaces to exceed the maximum required spaces. Staff has included a condition of approval to require the administrative use permit to allow the additional parking spaces (See Condition #3). The site plan also shows construction of truck loading areas at the rear of the property. According to the applicant, the truck loading areas will be utilized by occupants of the building when needed. The site plan also shows a section of the lot will remain undeveloped. Per Section 11-69-2 of the MZO, any future proposed development on the section of the vacant property will require a site plan review.

The request conforms to the review criteria for site plan review outlined in Section 11-69-5 of the City of Mesa Zoning Ordinance. The request also conforms to all applicable development standards, including the review criteria set forth in MZO section 11-69-5 for sites located in Employment Districts. Per Section 11-69-5 of the MZO, sites located in Employment Districts are required to create a distinctive and appealing community with well-designed buildings that represent a 'desert tech' look, create a safe, attractive and inviting environment at the ground floor of building(s) on sides used by the public, respond to intensity of specific land use classifications located within employment districts.

**Design Review:**

On September 10, 2019, the Design Review Board reviewed proposed elevation plan for the development and recommended minor changes to the plans. Staff is working with the applicant to include the recommended changes to the final design.

**Surrounding Zoning Designations and Existing Use Activity:**

*Table 1*

<b>Northwest</b> (Across Ray Road) LI-PAD-CUP Retail	<b>North</b> (Across Ray Road) LI-PAD-CUP Retail	<b>Northeast</b> (Across Ray Road) 202 Santan Freeway
<b>West</b> (Across Ray Road) LI-PAD Vacant	<b>Subject Property</b> LI Vacant	<b>East</b> LI Industrial
<b>Southwest</b> LI-PAD Airport	<b>South</b> LI-PAD Airport	<b>Southeast</b> LI-PAD Airport

**Compatibility with Surrounding Land Uses:**

The majority of the properties that surround the site are vacant. There are existing industrial and retail uses within the immediate vicinity of the site to the east and west. The proposed use will be compatible with the surrounding uses.

**Neighborhood Participation Plan and Public Comments:**

The applicant has completed a Citizen Participation Process, which included mailed letters to property owners within 1,000-feet of the site, as well as HOAs within ½ mile and registered neighborhoods within 1 mile of the site. As of the date of this report, neither the applicant nor staff has received any comments/concerns from surrounding property owners. The applicant will be providing an updated Citizen Participation Report to staff prior to the October 23, 2019 Planning and Zoning Study Session. Staff will provide the Board with any new information during the scheduled Study Session on October 23, 2019.

The applicant has informed the Phoenix-Mesa Gateway Airport staff of the proposed development and received comments (See Condition #5).

**Staff Recommendations:**

The subject request is consistent with the General Plan and meets the review criteria for Site Plan Review approval outlined in Section 11-69-5 of the MZO. Staff recommends approval with the following conditions:

**Conditions of Approval:**

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review
3. Apply for and receive approval of an Administrative Use Permit to allow the number of parking spaces to exceed 125% of the maximum required parking spaces or comply with Zoning Ordinance requirements for parking.
4. Site Plan Review by the Planning and Zoning board shall be required for development on the eastern half of the property noted on the site plan as “reserved for future development”.
5. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner shall execute and record the City’s standard Avigation Easement and Release for Phoenix Mesa Gateway Airport prior to the issuance of a building permit.
  - b. Any proposed permanent or temporary structure 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. An FAA determination notice of no hazard to air navigation shall accompany any building permit application for the property.
  - c. Prior to the issuance of a building permit, provide documentation that a registered professional engineer or registered professional architect has certified that noise attenuation measures have been incorporated into the design and construction of the buildings to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Mesa Zoning Ordinance.
  - d. Provide written notice to future property owners that the project is within 1 miles of Phoenix-Mesa Gateway Airport.