



PLANNING DIVISION  
STAFF REPORT

Board of Adjustment

August 7, 2024

CASE No.: <b>BOA24-00437</b>	CASE NAME: <b>Falcon View Industrial Building</b>
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Owner’s Name:	Dandi Village Properties LLV
Applicant’s Name:	Lance D. Baker, AIA, Synectic Design Incorporated
Location of Request:	3000 block of North Maple
Parcel No:	141-25-068
Nature of Request:	Requesting a Development Incentive Permit (DIP) for an industrial development
Zone District:	Light Industrial with a Planned Area Development Overlay (LI-PAD)
Council District:	1
Site size:	.9 ± acres (40,026 square feet)
Proposed use:	Industrial Development
Existing use:	Vacant
Hearing date(s):	<b>August 7, 2024 / 5:30 p.m.</b>
Staff Planner:	Charlotte Bridges
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **February 5, 1979**, the City Council annexed 542± acres, including the project site, into the City of Mesa (Ordinance No. 1208).

On **February 6, 1979**, the City Council rezoned 138± acres of recently annexed property, including the project site, from Maricopa County Rural 43 to City of Mesa Agricultural (AG) (Case No. Z79-073, Ordinance No. 1254).

On **November 21, 1981**, the City Council rezoned 105± acres, including the project site, from AG, to Single Family Residence-35 (R1-35) (equivalent to Single Residence-35 [RS-35]) to allow for the development of an 88 lot residential subdivision (Case No. Z81-065, Ordinance No. 1521).

On **February 21, 1984**, the City Council rezoned 112± acres, including the project site, from AG and RS-35 to Industrial M-1 (equivalent to Light Industrial [LI]) and a preliminary plat was approved to allow for the development of an 89 lot industrial subdivision (Case No. Z84-007, Ordinance No. 1797).

On **June 23, 1997**, the City Council approved "*The Commons Industrial Park at Falcon View Unit 1*" subdivision plat, 35± acres, including the project site, to allow for the development of a 16 lot industrial subdivision (Case No. S97-037). The subdivision plat was recorded on July 25, 1997, (Book 446, page 34).

On **February 22, 1999**, the City Council rezoned 109± acres, including the project site, from LI to LI with a Planned Area Development Overlay (LI-PAD) to establish specific development standards for an industrial development (Case No. Z99-099, Ordinance No. 3748).

## **PROJECT DESCRIPTION**

### **Background:**

The applicant is requesting a Development Incentive Permit (DIP) to allow for deviations from certain development standards for an industrial development in the Light Industrial with a Planned Area Development Overlay (LI-PAD) District. The Proposed Project includes the construction of a two-tenant, office and warehouse building and other site improvements such as on-site circulation drive aisles, 18 parking spaces, and installation of new plant material throughout the project site.

Per Section 11-72-1 of the Mesa Zoning Ordinance (MZO), the purpose of a DIP is to provide incentives for the development of smaller tracts of land that would have difficulty meeting current development standards. Per Section 11-72-2 of the MZO, incentives that may be granted by the DIP are limited to: modifications to building setbacks, landscaping design, on-site parking, building height, and other site development provisions contained in the MZO. Through the DIP, the applicant is requesting to modify the development standards to reduce the required landscape yard along the south property line. The requested deviations from the MZO ensure the Proposed Project will comply with the other requirements for the site while also allowing development on an infill parcel.

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

The General Plan Character area designation on the property is 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, and business parks. The site is within an existing industrial park and is compatible with surrounding uses and, therefore, meets the intent of the Employment Character Area designation.

### **Falcon Field Sub Area Plan:**

The property is also located within the Falcon Field Sub-Area. A Falcon Field Sub Area Plan was adopted by the City Council in 2007 to provide a planning policy document that is focused on the

unique characteristics of the area including airport operations and strong business linkages to the airport. One of the goals of the plan is to ensure the Falcon Field Sub Area is an oasis of abundant, high-quality employment for professionals, technical experts, and highly skilled labor. The Proposed Project meets the goals of the Falcon Field Sub-Area Plan by developing a high quality industrial site within the sub area.

**Site Characteristics:**

The Proposed Project is located within an existing industrial park, which is west of Greenfield Road and north McDowell Road, less than one mile from the Falcon Field Airport. The Project Site is slightly less than one acre and is zoned LI-PAD. Access to the Proposed Site is provided by a new drive entrance from Maple (street) and an internal drive aisle connects the Project Site to the adjacent industrial site to the south providing for the exiting of emergency and Solid Waste vehicles.

The site plan shows the construction of a 10,644 square foot building adjacent to Maple. A total of 16 parking spaces are required for the Proposed Project, while 18 parking spaces are provided adjacent to the north property line and the west side of the building.

Overall, the landscape plan indicates trees, shrubs and ground cover planted within the required landscape yards adjacent to Maple, the north and west property lines and a portion of the required landscape yard adjacent to the south property line. Internal to the site, trees and shrubs are planted in the required parking lot landscape planters and shrubs and groundcover are planted in the foundation base along the north elevation. An outdoor amenity area is provided at the southeast corner of the building for employee and visitor use.

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

<p><b>Northwest</b> (across the RWCD canal) RS-35 Single Residences</p>	<p><b>North</b>  LI-PAD Industrial Development</p>	<p><b>Northeast</b> (across Maple) LI-PAD Industrial Development</p>
<p><b>West</b> (across the RWCD canal) RS-35 Single Residences</p>	<p><b>Subject Property</b>  LI-PAD Vacant</p>	<p><b>East</b> (across Maple) LI-PAD Industrial Development</p>
<p><b>Southwest</b> (across the RWCD canal) RS-35 Single Residences</p>	<p><b>South</b>  LI-PAD Industrial Development</p>	<p><b>Southeast</b> (across Maple) LI-PAD Industrial Development</p>

**Mesa Zoning Ordinance Requirements and Regulations:**

**Development Incentive Permit (DIP) Chapter 11-72 of the MZO:**

The purpose of a DIP is to provide incentives for smaller tracts of land that would have difficulty meeting current development standards. To qualify for consideration, a parcel must meet the criteria set forth in Section 11-72-1 of the MZO. After review of the application, the subject

property qualifies as a by-passed parcel as it is less than 2.5 acres in size and has been in its current configuration for more than 10 years. The lot has direct access to City utilities, is within an area where not more than 25% of developable land is vacant, and more than 50% of the surrounding parcels have been developed for more than 15 years. The requested modifications will result in a development that is commensurate with existing development in the area.

Table 1 below compares MZO requirements, the applicant’s proposal, and staff’s recommendation for the subject property. Items in bold face type indicate deviation from code requirements:

**Table 1: Development Standards**

<b>Development Standard</b>	<b>MZO Requirement</b>	<b>Applicant Proposed</b>	<b>Staff Recommendation</b>
<i>Landscape yard – Section 11-33-3(B)(2)(a)(ii), Non-Single Residence Uses Adjacent to Other Non-Single Residence uses or districts and not part of a group C-O-I Development:</i>  South property line	15 feet (249.32 feet)	<b>Minimum 10 feet            (124± feet)</b>	<b>As proposed</b>
<i>Foundation Base – Section 11-33-5(A)(2)(a), Exterior Walls without a Public Entrance adjacent parking stalls:</i>  West Elevation	10 feet	<b>0 feet</b>	<b>As proposed</b>

Pursuant to Section 11-72-1 of the MZO, a Development Incentive Permit (DIP) may be approved to allow incentives for the development of parcels that meet the following criteria:

A. AREA

1. Total area of the parcel does not exceed 2.5 net acres, and the parcel has been in its current configuration for more than 10 years; or
2. Total area of the site does not exceed 5 net acres and was created by the assembly of 2 or more individual, contiguous parcels.

**The subject property is 0.9± acres and has been in its current configuration for more than 10 years according to Maricopa County records.**

***The request complies with this criterion.***

- B. UTILITIES. The parcel is served by, or has direct access to, existing utility distribution facilities.

**The parcel has access to City of Mesa utilities.**

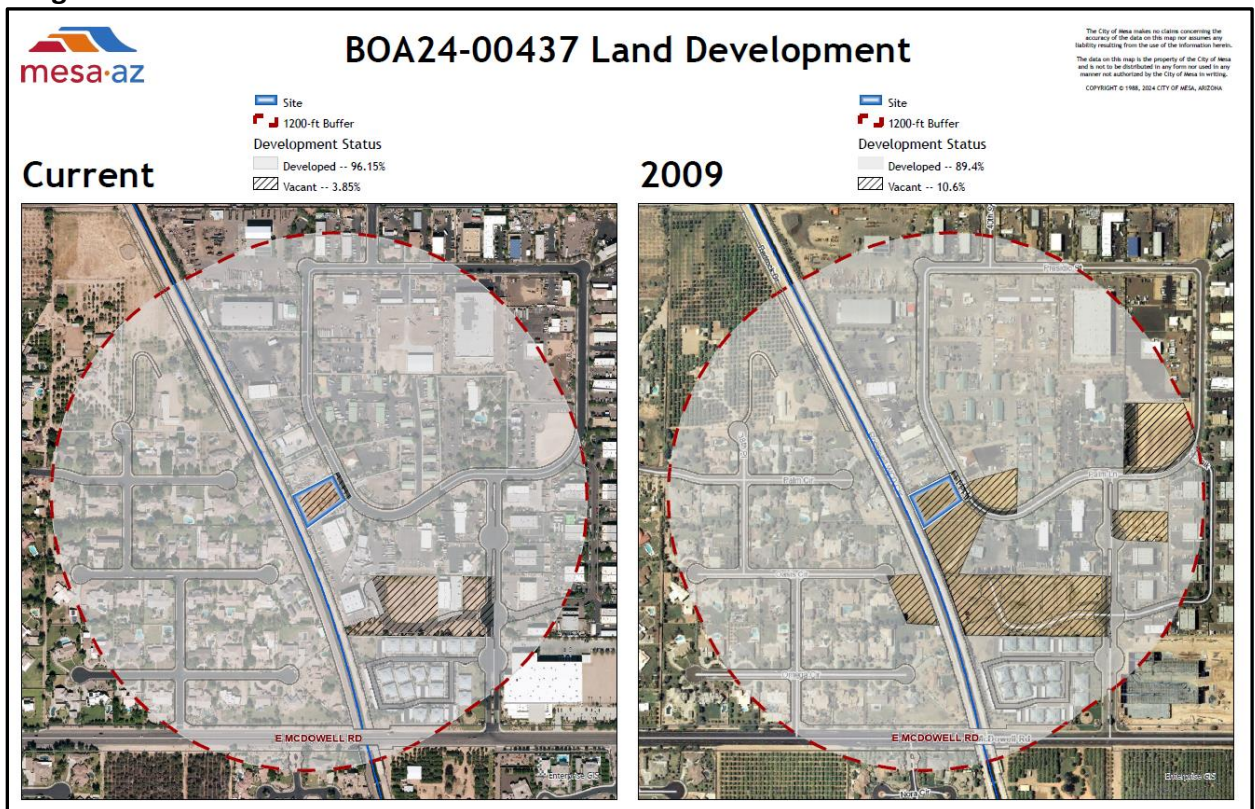
***The request complies with this criterion.***

- C. SURROUNDING DEVELOPMENT. The parcel is surrounded by properties within a 1,200-foot radius in which:
1. The total developable land area is not more than 25 percent vacant; and
  2. Greater than 50 percent of the total number of lots or parcels have been developed 15 or more years ago.

**Based on current aerial photography, the total developable land area (within the 1,200-foot radius of the subject property) is less than 25% vacant. Additionally, after comparing the 15-year historical aerial photo with the current aerial photo, staff determined that more than half of the total number of lots (within the 1,200-foot radius of the subject property) were developed more than 15 years ago (see Figure 1).**

***The request complies with this criterion.***

**Figure 1:**



Per Section 11-72-3 of the MZO, the Board of Adjustment shall find upon sufficient evidence when making a decision on a DIP that:

1. The proposed development is consistent with the General Plan, any other applicable Council adopted plans and/policies, and the permitted uses as specified in this Ordinance;

**The proposed development is consistent with the General Plan's Employment character area designation; an office and warehouse use is permitted in the LI-PAD District.**

***The request complies with this criterion.***

2. The incentives do not allow development that is more intense than the surrounding neighborhood; commensurate with existing development within a 1,200-foot radius of the by-passed property; and

**The incentives will allow development that is commensurate with existing development within 1,200 feet radius of the property. The Proposed Project is within an existing industrial park and is compatible with surrounding development to the north, east and west.**

***The request complies with this criterion.***

3. The architectural elements, construction and landscape materials, and other site improvements of the proposed development meet the intent of the Design Standards of this Ordinance.

**The proposed initial site plan review, including a request for "Alternative Compliance" to the design standards of Section 11-7-3(B)(6) of the MZO, associated with the project will be administratively reviewed by the Planning Director after the DIP request is approved by the Board of Adjustment. The proposed project meets the intent of the Design Standards of the Ordinance.**

***The request complies with this criterion.***

Findings:

- A. The subject property is 0.9± acres and has been in its current configuration for more than 10 years.
- B. The subject property is served by, or has direct access to, existing utilities with Maple.
- C. The total developable land area within 1,200 feet of the subject property is not more than 25 percent vacant.
- D. Greater than 50 percent of lots within 1,200 feet of the subject property have been developed for more than 15 years.

- E. This requested deviations through the DIP will allow for the development of a bypassed parcel.
- F. The proposed development is consistent with the General Plan’s Employment character area designation.
- G. The requested modifications will result in a development that is commensurate with existing development in the vicinity.

**Neighborhood Participation Plan and Public Comments:**

The applicant completed a Citizen Participation Process, which included mailing letters to property owners within 500-feet of the site. As of the writing of this report, neither the applicant nor staff received any comments/concerns from surrounding property owners. Staff will provide the Board with any new information during the scheduled Study Session on August 7, 2024.

**Staff Recommendation:**

Based on the application received and preceding analysis, Staff finds the request for a Development Incentive Permit meets the required findings in Section 11-72-1 and Section 11-72-3 of the MZO, and therefore recommends approval with the following conditions:

**Conditions of Approval:**

1. Compliance with the final site and landscape plan as submitted.
2. Compliance with all City development codes and regulations, except as identified in Table 1 of this report.
3. Compliance with all requirements of ZON24-00026 for site plan approval.
4. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

**Exhibits:**

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Staff Report
- Exhibit 3 – Project Narrative
- Exhibit 4 – Site Plan
- Exhibit 5 – Landscape Plan
- Exhibit 6 – Grading and Drainage Plans
- Exhibit 7 – Elevations
- Exhibit 8 – Floor Plans