



## Planning and Zoning Board

### *Staff Report*

**CASE NUMBER:** ZON18-00806  
**LOCATION/ADDRESS:** Within the 3100 to 3400 blocks of South Ellsworth Road (west side).  
**GENERAL VICINITY:** Located north of Elliot Road on the west side of Ellsworth Road.  
**REQUEST:** Rezone from LC-PAD and PEP-PAD to LI; Site Plan Review; and a Special Use Permit for a reduction in parking.  
**PURPOSE:** This request will allow for an industrial development.  
**COUNCIL DISTRICT:** District 6  
**OWNER:** Sunbelt Land Holdings LP  
**APPLICANT:** Jeffrey Blilie, Beus Gilbert PLLC  
**STAFF PLANNER:** Ryan McCann, Planner I

#### SITE DATA

**PARCEL NO.:** 304-03-016K & 304-03-016J  
**PARCEL SIZE:** 67.5± acres  
**EXISTING ZONING:** Limited Commercial (LC) PAD and Planned Employment Park (PEP) PAD  
**GENERAL PLAN CHARACTER:** Mixed Use Activity/ Employment District  
**CURRENT LAND USE:** Vacant

#### SITE CONTEXT

**NORTH:** Existing single residence development – zoned RM-2, RS-6, and, AG (±250 power easement)  
**EAST:** (Across Ellsworth Road) Planned Employment Park PAD – Zoned PEP-PAD  
**SOUTH:** Vacant – Zoned Limited Commercial PAD (LC-PAD) and Planned Employment Park PAD (PEP-PAD)  
**WEST:** Loop 202 Santan Freeway

#### HISTORY/RELATED CASES

**February 1990:** Annexed ±1,740 acres into the City (Ord. #2482)  
**April 1990:** Rezone ±1,740 acres from County Rural-43 and C-2 to SR and C-2 (Z90-009, Ord #2511)  
**May 2008:** Rezone from R1-43 to C-2 DMP (25 ± ac) and PEP DMP (16 ± ac) (Z08-14, Ord #4836)

**STAFF RECOMMENDATION:** Approval with conditions

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

**PROPOSITION 207 WAIVER SIGNED:**  Yes  No

### **PROJECT DESCRIPTION / REQUEST**

This is a request to rezone 67.5± acre property from LC-PAD & PEP-PAD to Light Industrial (LI), Site Plan Review, and a Special Use Permit to allow reduction in the number of required parking spaces. The site plan review is specifically for a portion of the overall site (19± acres) to allow the development of two 143, 291 square foot industrial buildings on the property.

### **NEIGHBORHOOD PARTICIPATION:**

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 one mile. According to the applicant, no resident has expressed opposition or support for the request. As of writing this report, staff has been contacted by one resident in the surrounding area to express concerns with likely effect of the development on their property value. The applicant will be providing an updated Citizen Participation Report prior to the March 19<sup>th</sup>, 2019 Study Session. Staff will provide any new information during the Board's scheduled study session.

### **STAFF ANALYSIS**

#### **MESA 2040 GENERAL PLAN:**

Staff 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. The Mesa 2040 General Plan Character area designation on the property is Mixed Use Activity/Employment District. Per Chapter 7 of the General Plan, the primary focus of the Employment District is a character type that is primarily used for employment-type land uses and typically have minimal connection to the surrounding area. Examples of employment districts include areas for large manufacturing facilities, warehousing, business parks, etc. The goal for these districts is to provide for a wide range of employment opportunities in high quality settings.

The proposed project is consistent with the General Plan. Per Chapter 7 of the General Plan, the proposed use is listed as a typical use within the Industrial sub-type. The proposed LI zoning is an allowed district in the Industrial sub-type.

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

The subject property is located in the Mixed-Use Community District of the Mesa Gateway Strategic Development Plan. According to the plan, the Mixed Use Community District is envisioned to be an area that solidifies the goal to balance land uses and provide sustainability through the creation of a live/work/play community. The district will contain the widest variety of land uses within the planning area, with ultimate development including low- to high-density residential, commercial, employment, civic, and recreational uses to provide a complete community experience. While other districts allow for residential uses, the Mixed Use Community District will be the primary area for residential development. The subject request and site plan conform with the goals of the Mixed-Use Community District.

#### **ZONING:**

Per Section 11-7-2 of the MZO, the proposed industrial development (office/warehouse/manufacturing facility) is permitted in the LI zoning district.

**SITE PLAN:**

The proposed site plan conforms to the review criteria for site plan layout and functionality outlined in Section 11-69-5 of the Mesa Zoning Ordinance (MZO). Per section 11-69-5 of the MZO, site plans are required to enhance and contribute to a visually interesting built environment. The site is located east of the 202 Red Mountain Freeway on the west side of Ellsworth Road, north of Elliot Road on approximately 19 acres. The site plan shows two proposed buildings with truck bays between the building and designed with aesthetically pleasing elevations. The site is also designed to be pedestrian friendly with walkways connecting the buildings and to the street.

**SPECIAL USE PERMIT – MZO Section 11-32-6 and 11-70-5:**

The Special Use Permit is for reduction in the number of required parking spaces. Per Section 33-32-3 of the MZO, 622 parking spaces are required for the proposed uses on the site. Section 11-32-6 of the MZO allows approval of a Special Use Permit to allow reduction in the number of parking spaces so long as there is a special condition associated with the property or use to justify the reduction in the number of the parking spaces, as well as the use will be adequately served by the proposed number of parking spaces and the demand generated by the project will not have detrimental impact on the supply of on-street parking in the surrounding area. In granting the SUP, the request must also advance the goals and objective of the general plan and not detrimental to the neighborhood or to the general welfare of the City.

The proposed parking reduction conforms to the requirements for granting of an SUP and reduction in the number of parking spaces. According to the applicant, their market studies (based on feedback from their brokerage team) this product-type (light industrial with 10-20% office) is 1 space / 500 square feet. The applicant has stated should the office percentage increase necessitating additional parking, additional parking can be provided. They believe it is in everyone’s best interest not to over park the project and that landscaping is a nicer benefit than additional asphalt.

Section 11-66-2. C of the MZO allows the Planning and Zoning Board to hear and take action on Special Use Permits when requested in conjunction with another request requiring action or recommendation by the Planning and Zoning Board. The associated request to rezone the property from LC-PAD and PEP-PAD requires review and recommendation of the P&Z and therefore an SUP can be reviewed as part of the subject request. However, in the event the City Council denies the rezone request, the SUP for a parking reduction shall also be considered denied. Below is a summary of the requirements for the SUP and findings:

| Parking Reduction Required Findings (MZO Section 11-32-6)  | Finding   |
|--|---|
| <p>1. Special conditions – including but not limited to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working or visiting the site exist that will reduce the parking demand at the site.</p> | <p>The applicant has stated the proposed operation will be light industrial users which requires minimum number of parking spaces in comparison with shell buildings (no specific use). Based on the information provided by the applicant, approximately 478 parking spaces (using the industrial parking ratio of 1 space per 600 square feet) will be required to support the development.</p> |

|  |  |
|--|--|
| <p>2. The use will adequately be served by the proposed parking.</p>   | <p>Based on the proposed use and information provided by the applicant, the proposed 559 parking spaces will adequately serve the development.</p> |
| <p>3. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on street parking in the surrounding area.</p> | <p>The parking demand is not anticipated to exceed the capacity provided or impact the supply of on-street parking in the area.</p>                |

**CONCLUSION:**

The request is consistent with the General Plan and meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO. The request also conforms with requirements for granting an SUP outlined in Section 11-32-6 and 11-70-5 of the MZO. Staff recommends approval with the following conditions:

**CONDITIONS OF APPROVAL:**

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review.
4. 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 or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
  - b. Written notice shall be provided to future property owners, and acknowledgment received that the project is within 3 mile(s) of Phoenix-Mesa Gateway Airport.
  - c. Due to the proximity to Phoenix-Mesa Gateway Airport, all proposed structures require 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 shall be required with for the submittal of a building permit to construct a structure(s) on the property.
  - d. Prior to the issuance of a building permit, provide documentation by 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 db as specified in Section 11-19-5 of the Zoning Ordinance.