



**PLANNING DIVISION
STAFF REPORT**

Planning and Zoning Board

April 24, 2024

CASE No.: ZON23-01012	PROJECT NAME: 23-B090 Shepherd Re-Plat
------------------------------	---

Owner's Name:	Killer Bulls, LLC
Applicant's Name:	D2 Surveying
Location of Request:	Within the 8800 block of East Pecos Road (south side) and within the 7300 block of South Atwood (west side). Located south of Pecos Road on the west side of Ellsworth Road.
Parcel No(s):	304-62-785 and 304-62-943
Request:	Preliminary Plat for a two-lot subdivision. This request will allow for an industrial Development.
Existing Zoning District:	Light Industrial with a Planned Area Development overlay (LI-PAD)
Council District:	6
Site Size:	4.7± acres
Proposed Use(s):	Industrial
Existing Use(s):	Vacant and Industrial
P&Z Hearing Date(s):	April 24, 2024 / 4:00 p.m.
Staff Planner:	Kwasi Abebrese, Planner II
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **January 18, 1990**, the City Council annexed 3,346± acres, including the project site, into the City of Mesa (Case No. A89-003; Ordinance No. 2473).

On **March 5, 1990**, the City Council established City zoning designations of Agriculture (AG), Single Residence (equivalent to Single Residence 43 [RS-43]) and General Industrial (M-2, equivalent to current GI) for 3,331± acres, including the project site (Case No. Z90-007; Ordinance No. 2496).

On **May 6, 2002**, the City Council approved a land use plan for 1,282± acres, including the project site, and the area south of Williams Gateway Airport to ensure that future development would be complementary to the airport (Case No. Z01-029; Resolution No. 7838).

On **June 21, 2004**, the City Council approved a rezone of 315± acres, including the project site, from Single Residence-43 (R1-43, equivalent to current RS-43) to Light Industrial (M-1, equivalent to current LI) (Case No. Z04-001; Ordinance No. 4208).

On **March 20, 2006**, the City Council approved a rezone of 9.3± acres, including the project site, from M-1 to M1-PAD (equivalent to LI-PAD), site plan review and a preliminary plat for “Williams Gateway Self Storage” to allow for the development of office/warehouse developments, self-storage facilities, caretaker quarters, and a retail building (Case No. Z06-006; Ordinance No. 4521).

On **December 4, 2006**, the City Council approved a Final Plat for “Williams Gateway Self Storage”. The plat was recorded on July 3, 2007 (Case No. S06-018; Book 934, Page 12; Recording No. 2007-0813485).

On **April 21, 2006**, the City Council approved a Final Plat for “Replat of Lots 3 & 4 of Williams Gateway Self Storage”. The plat was recorded on November 3, 2016 (Case No. S16-014; Book 1296, Page 32; Recording No. 2016-0761415).

PROJECT DESCRIPTION

Background:

The applicant is requesting approval of a preliminary plat titled “8817 Pecos Plat” to create a two-lot industrial subdivision on approximately 4.7± acres in the Light Industrial with a Planned Area Development overlay (LI-PAD) district. The project site is located south of Pecos Road on the west side of Ellsworth Road.

General Plan Character Area Designation and Goals:

The General Plan character area of the project site is Employment. Per Chapter 7 of the General Plan, the Employment Districts are a character type that is primarily used for employment-type land uses of at least 20 acres. However, in certain circumstances individual employment-type developments on sites less than 20 acres may be appropriate. Employment Districts typically have minimal connection to the surrounding area. Examples of Employment Districts include areas for large manufacturing facilities, warehousing, and business parks. The goal of Employment Districts is to provide for a wide range of employment opportunities in high-quality settings.

Mesa Gateway Strategic Development Plan:

The project site is also located within the Logistics and Commerce District of the Mesa Gateway Strategic Development Plan. The Logistics and Commerce District is envisioned to provide a high-quality employment environment that is compatible with increasing over-flight activities associated with the nearby Phoenix-Mesa Gateway Airport. The subject request for a

preliminary plat conforms to the purpose and intent of the Mesa Gateway Strategic Development Plan.

Staff reviewed the request and determined it is consistent with the criteria for review outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan. The proposed preliminary plat to create two industrial lots is in conformance with the intent of the Employment character area.

Zoning District Designations:

The subject property is zoned Light Industrial with a Planned Area Development overlay (LI-PAD). Per Section 11-7-1 of the Mesa Zoning Ordinance (MZO), the purpose of the Light Industrial (LI) district is to provide areas for limited manufacturing and processing, wholesaling, research, warehousing and distribution activities that take place within enclosed buildings, with restricted accessory outdoor storage. Office, warehousing, and storage facilities are permitted uses within the LI zoning district.

Airfield Overlay – MZO Article 3 Section 11-19:

Per Section 11-19 of the MZO, the property is located within the Airfield (AF) Overlay District. Specifically, within the Airport Overflight Area Three (AOA 3), in proximity to the Phoenix-Mesa Gateway Airport. Per Section 11-19-4 (C) of the MZO, there are no use limitations beyond those in the LI district. However, proposed developments within an AOA 3 overlay area are subject to the supplementary provisions of Section 11-19-5 of the MZO. These supplementary provisions are included as conditions of approval for this request.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Pecos Road) LI Vacant	North (Across Pecos Road) LI Vacant	Northeast (Across Pecos Road) LI-AF Vacant
West LI-PAD Existing Industrial Development	Project Site LI-PAD Vacant and Industrial	East LI-PAD Vacant
Southwest OC-PAD Vacant	South LI-PAD Vacant	Southeast (Across Atwood) LI-PAD Vacant

Compatibility with Surrounding Land Uses:

The project site is currently comprised of an existing office and warehouse facility and a vacant lot. The surrounding properties to the north, south, east, and west are all zoned LI and are either vacant or have existing industrial uses. The property to the southwest is zoned OC-PAD and is currently vacant.

Overall, the proposed preliminary plat creating a two-lot industrial subdivision will not be out of character with the surrounding area.

Preliminary Plat:

Section 9-6-2 of the Mesa Subdivision Standards requires approval of all subdivision plats located in the City to be processed through four progressive stages. Review and approval of a Preliminary Plat is the second stage in the series of progressive stages. This review includes the evaluation of the overall site, including utilities layout, and retention requirements. The Preliminary Plat is reviewed and approved by the Planning and Zoning Board. Per Section 9-6-2 of the City's subdivision regulations, all plats are subject to Final Plat approval through the City Council.

The proposed Preliminary Plat entails a replat of two parcels located within two separate subdivisions to create a two-lot industrial subdivision. The Proposed Project meets the review criteria for approval of a Preliminary Plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations.

Staff Recommendation:

Staff finds that the subject request is consistent with the Mesa 2040 General Plan and meets the review criteria for approval of a Preliminary Plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations.

Staff recommends approval with the following **Conditions of Approval:**

1. Compliance with the Preliminary Plat submitted.
2. Compliance with the Subdivision Regulations.
3. Prior to the issuance of any building permits, obtain approval of and record a final subdivision plat.
4. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication, whichever comes first.
5. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner must execute 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. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent or temporary structure, as required by the FAA, 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. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
 - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
 - d. Provide written notice to future property owners that the project is within 2 miles of Phoenix-Mesa Gateway Airport.
6. Compliance with all City development codes and regulations.

Exhibits:

Exhibit 1 – Staff Report

Exhibit 2 – Vicinity Map

Exhibit 3 – Project Narrative

Exhibit 4 – Preliminary Plat

Exhibit 5 – Power Point Presentation