



**PLANNING DIVISION
STAFF REPORT**

City Council Hearing

March 15, 2021

CASE No.: **ZON20-00846**

PROJECT NAME: **Legacy Sports Park**

Owner's Name:	Pacific Proving, LLC
Applicant's Name:	Paul Gilbert, Beus Gilbert McGroder
Location of Request:	Within the 6000 to 6600 block of South Ellsworth Road (east side), within the 9200 to 9800 blocks of East Williams Field Road alignment (south side) and within the 6200 to 6600 blocks of South Crismon Road alignment (west side). Located east of Ellsworth Road and north of Pecos Road.
Parcel No(s):	313-25-859C
Requests:	Rezone 41.7± acres of the 337.0± acres of the property from Agriculture (AG) to Leisure and Recreation (LR); Special Use Permits; and Site Plan Review on the property. This request will allow for the development of a recreation facility.
Existing Zoning District:	Light Industrial (LI) and Agriculture (AG)
Council District:	6
Site Size:	337.0± acres
Proposed Use(s):	Recreation facility
Existing Use(s):	Vacant
P&Z Hearing Date(s):	March 10, 2020 / 4:00 p.m.
Staff Planner:	Evan Balmer, Planner II
Staff Recommendation:	Approval with Conditions
Planning and Zoning Board Recommendation:	Approval with conditions
Proposition 207 Waiver Signed:	Yes

HISTORY

The subject site is currently located outside the City of Mesa city limits and under the land use jurisdiction of Maricopa County. However, the applicant has applied to annex the property into the City of Mesa (Case# ANX20-00242). The planned annexation, if approved, will assign a zoning designation of Light Industrial (LI) on 295.3± acres of the 337.0± acre site, which is comparable to the existing Maricopa County zoning designation of Light Industrial (IND-2). The remaining 41.7± acres will be assigned a zoning designation of Agriculture (AG), which is less intense than the existing Rural 43 (RU-43) zoning designation within Maricopa County. The application for the

annexation review is planned to be considered on the same City Council agenda as the subject request.

PROJECT DESCRIPTION

Background:

Currently, the property consists of 337.0± acres of land and is under the jurisdiction of Maricopa County. Prior to considering the subject request, the City Council will be considering annexation of the property into the City of Mesa. The subject request is specifically for a rezoning and site plan review to allow development of a recreation facility with approximately 477,000 square feet of building area as well as outdoor soccer, baseball, volleyball and pickleball facilities. Currently, 295.3± acres of the property is zoned Light Industrial (LI) and under the jurisdiction of Maricopa County. As part of the annexation request, the 295.3± acres will be designated as LI within the City of Mesa. The remaining 41.7± acres of the site will be designated as Agriculture (AG) within the City of Mesa.

The subject request is to rezone the 41.7± acres of the assigned AG, after the property is annexed into the City, to the Leisure and Recreation (LR) zoning designation and a Site Plan review on the overall 337.0± acre property. The subject property is also within the Airfield Overlay Areas 1 and 2 (AOA 1 and 2). Per Section 11-7-2 of the Mesa Zoning Ordinance (MZO), large scale commercial recreation uses are permitted in the LI zoning districts and within the AOA 1 and 2. Per Section 11-15-2 of the MZO, recreation facilities are allowed in the LR district within the AOA 1 and 2 designation.

Additionally, the subject request includes a Special Use Permit (SUP) to allow; (1) reduction in the number of required vehicular parking spaces from 3,532 to 2,625 spaces and reduction in the number of required bicycle parking spaces from 202 to 160 spaces; and (2) increase to the allowed maximum height in the Airfield Overflight Area (AOA) designation on the property from 40 feet to 58 feet for proposed buildings within the development and 99 feet for proposed lighting structures within the development. Per section 11-32-6 of the MZO, an SUP is required to allow reduction in the number of required parking spaces for the development. Section 11-30-3 of the MZO also allows the Planning and Zoning Board, through an SUP review, to approve an increase in height for proposed developments within the AOA.

General Plan Character Area Designation and Goals:

The General Plan character area designation on the property is Mixed-Use Community. Per Chapter 7 of the General Plan, areas designated as Mixed Use Community are expected to develop with one or more villages and/or urban core(s) and contain a mix of employment, office, retail, medical, educational, community service, tourism, entertainment, open space, recreational, and residential uses to provide a complete community with a sense of place. The proposed recreation facility is consistent with the goal of the Mixed Use Community character area. The use will provide recreational opportunities for residents in the immediate area, as well for all people from the broader region.

Per Chapter 5 of the City of Mesa General Plan, the subject site is also located within the City's Gateway Economic Activity Area. Per the Plan, the Gateway Economic Activity area provides the largest opportunity for new growth in the City of Mesa. The plan envisions a wide range of

employment activities to occur in the area with emphasis on education, aerospace/aviation, and technology industry clusters. The proposed request to allow development of a recreation facility conforms to the goals of the Gateway Economic Activity Area by providing new service sector employment opportunities in the area.

Mesa Gateway Strategic Development Plan

The subject site is also located within the Logistics and Commerce District of the Mesa Gateway Strategic Development Plan. Per the Plan, heavy industrial, light industrial, business park, and commercial uses will be predominant within the Logistics and Commerce District. This district should provide a high-quality employment environment that is compatible with increasing over-flight activities associated with Phoenix-Mesa Gateway Airport. The proposed recreation facility will provide service sector employment opportunities in the area that are compatible with over-flight activities associated with Phoenix-Mesa Gateway Airport.

Staff reviewed the request and determined it is consistent with the development review criteria outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan. The development is also consistent with the goals of the Mixed Use Community character area designation and the Logistics and Commerce District designation of the Gateway Strategic Development Plan. The use will provide service sector employment uses that are compatible with the Phoenix-Mesa Gateway Airport use.

Zoning District Designations:

The subject property consists of 337± acres, of which 295.3± acres is planned to be designated as LI after the property is annexed into the City of Mesa. Per Section 11-7-2 of the MZO, large-scale commercial recreation uses are permitted in the LI zoning district. As part of the subject request, the remaining 41.7± acres of the subject property are to be rezoned from AG to LR. Per Section 11-15-2 of the MZO, recreation facilities are permitted in the LR zoning district.

Airfield Overlay – MZO Article 3 Section 11-19:

Per Section 11-19 of the MZO, the site is located within the Airfield Overlay District, specifically within the Airport Overflight Areas One and Two (AOA 1 and 2). The location of the property within the Airfield Overlay is due to its proximity to the Phoenix-Mesa Gateway Airport. Per Sections 11-7-2 and 11-15-2 of the MZO, there are no restrictions for recreation facilities within AOA 1 or 2.

Site Plan and General Site Development Standards:

The proposed site plan shows development of three buildings totaling approximately 477,000 square feet. The buildings will be used as facilities to support a wide range of sports including basketball, volleyball, and gymnastics; as well as supporting retail, office and restaurant uses on the property. In addition to indoor uses, the site plan also shows development of 41 pickleball courts, 24 soccer fields, 12 sand volleyball courts and eight baseball fields. There is also a large outdoor event lawn located adjacent to the proposed volleyball courts shown on the site plan and a maintenance building located in the southwest portion of the site (see exhibit 3.2).

Also, from the submitted site plan, the proposed development will have one vehicular access point on Ellsworth Road to west and two vehicular access points on Williams Field Road to the north. The site plan shows vehicular parking will be located to the north and east of the proposed

buildings. The proposed buildings are shown to be constructed in the center of the site. According to the applicant, the location of the parking area is intended to ensure efficient vehicular movements of entry and exit out of the site. The site plan also shows an additional overflow parking area to be located south of the proposed baseball fields located west side of the buildings. Overall, 2,625 vehicle parking spaces and 160 bicycle parking spaces are proposed for development of the property. Per Section 11-32-3 of the MZO, 3,532 parking spaces and 202 bicycle spaces are required. As part of the request, the applicant is requesting a special use permit to allow reduction in the required number of parking spaces. The proposed site plan with the accompanying special use permits conforms to the requirements of the Mesa Zoning Ordinance.

Alternative Landscape Plan:

As part of the subject request, the applicant has submitted an Alternative Landscape Plan (ALP) for development of the site. Section 11-33-7 of the MZO allows certain modifications to the City's landscaping requirements for proposed development if the development is demonstrated to exceed in whole or in part to the City's landscape standards and conforms to the intent of the landscaping requirements. The applicant is requesting reduction in the required length and width of the proposed parking lot landscape islands within the development, as well as reduction in the landscaping planting requirements along the southern property boundary of the site. Per Section 11-33-4 of the MZO, the parking lot landscape islands are required to 8 feet wide and 15 feet in length. Per Section 11-33-3 of the MZO, the southern property boundary is required to provide 3 trees and 20 shrubs per 100 linear feet of landscaping. To offset the proposed deviations from the required landscaping on the property, the applicant is proposing enhanced landscaping around the perimeter of the parking lot and the required foundation base landscaping around the buildings. Staff reviewed the request for the Alternative Landscape Plan and has determined it is consistent with the design principles and required findings outlined in Section 11-33-7 of the MZO. Specifically, the use and design of the site is unique and warrants special arrangements and installation of landscaping areas on the property.

Special Use Permit:

As part of the subject request, the applicant is requesting a Special Use Permit to allow (1) reduction in the number of required vehicular parking spaces from 3,532 to 2,625 spaces and reduction in the number of required bicycle parking spaces from 202 to 160 spaces; and (2) increase to the allowed maximum height in the Airfield Overflight Area designation on the property from 40 feet to 58 feet for the proposed buildings and 99 feet for ball field lighting structures on the property. Section 11-66-2(C) of the MZO allows the Planning and Zoning Board to consider such a request for an SUP when reviewed in conjunction with a request requiring action or recommendation by the Planning and Zoning Board.

Parking Reduction

The proposed sports facility includes a number of activities some of which are not directly specified in the City's parking standard as outlined in Section 11-32 of the MZO. Specifically, Section 11-32-3 of the MZO does not include specific vehicular parking number required for outdoor sports fields. However, Section 11-32-3-G of the MZO allows the City's Zoning Administrator to request a parking demand study for uses that are unspecified to determine the appropriate parking calculation for such proposed uses.

As part of the application, the applicant submitted a parking study with the request that included evaluation and standards for required vehicular parking spaces for outdoor sports facilities in other municipalities. Based on the information and parking analysis submitted with the application, it is the recommendation of the engineer that prepared the report that three spaces be provided for each pickleball court, nine spaces be provided for each sand volleyball court, 25 spaces be provided for each baseball field and 30 spaces be provided for each soccer field. From the recommended parking standards and the number of fields and courts shown on the site plan, a total of 1,645 parking spaces would be needed to provide parking spaces to support the outdoor activities proposed as part of the development of the property. Per Section 11-32-3 of the MZO, the proposed indoor uses would require 1,885 parking spaces. Based on the parking study and Section 11-32-3 of the MZO, a total of 3,532 parking spaces are required for the development and proposed uses on the property. The applicant is requesting to reduce the number of parking spaces from 3,532 to 2,625.

Per Section 11-32-8 of the MZO, one bicycle parking space is required for every 10 vehicular parking spaces for a development, and one bicycle parking space for every 20 vehicle parking spaces after the first required 50 bicycle parking spaces. Based on the requirement, 202 bicycle parking spaces are required for the development with 3,532 required vehicular parking spaces. The applicant is requesting to reduce the number of bicycle parking spaces from 202 to 160.

Section 11-32-6 of the MZO outlines the criteria for approval of an SUP to allow reduction in the required number of parking spaces for a development. Below is a summary of the criteria for the SUP and findings:

Parking Reduction Required Findings (MZO Section 11-32-6)	Findings
<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 proposed development on the property is for a recreation facility uses. The development will consist of a variety of sport activities that will have different peak seasons and unlikely require all the associated parking spaces on the property at the same time. Therefore, the overall required and needed number of spaces will be under used during each particular sport season.</p>
<p>2. The use will adequately be served by the proposed parking.</p>	<p>As outlined in the parking study, the proposed reduction in the number of parking spaces is consistent with the number of parking spaces provided for similar facilities currently in operation in other municipalities and have been adequate to serve the use.</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. However, should additional parking be needed, the applicant has identified an area on the property to be used as overflow parking area (see Exhibit 3.2).</p>
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Per section 11-70-5 of the MZO, granting the SUP must also advance the goals and objective of the General Plan and not be detrimental to the neighborhood or to the general welfare of the City. As previously stated, the proposed development of a recreation facility is consistent with the goals of the General Plan by providing service sector employment uses. The proposed uses on the property will also be compatible with the surrounding area and the operations of Phoenix-Mesa Gateway Airport. In addition, the proposed reduction in the number of parking spaces for a use that is anticipated to generate less demand than the required number of parking spaces will not be detrimental to the surrounding neighborhood. Further, the proposed site plan includes an area to be used as an additional parking area should there be the need for such parking spaces.

Building Height

The applicant is also requesting a Special Use Permit to allow additional height in the Airport Overflight Area (AOA) designation on the property for proposed buildings and lighting structures on the property. Per Table 11-7-3 of the MZO, the maximum height allowed on the property is 40 feet. The applicant is requesting a 58-foot height for a proposed architectural tower and a 99-foot height for ballfield light structures on the property.

Per Section 11-70-5 of the MZO, requirements for granting an SUP to allow increase in height than those allowed on the property include demonstrating that the proposed project will advance the goals and objectives of the General Plan and other city policies. As well as demonstrating that the location, size, design, and operating characteristics of the project are consistent with the purpose of the zoning district designation on the property and ensuring the project will not be injurious or detrimental to adjacent properties or surrounding areas. Further, the request should also demonstrate there is adequate public services and infrastructure to support the development.

The proposed development size, shape, and characteristics conform to the goals and purposes of the LI and LR zoning to be designated on the property, as well as the General Plan character area designation of Mixed Use Community. Allowing the increase in height of the proposed structures (i.e. buildings, an architectural tower, and light poles) will not be detrimental to the surrounding development. Currently, a majority of the surrounding area is vacant and allowing such height will not negatively impact any surrounding uses. In addition, the Phoenix-Mesa Gateway Airport staff reviewed the subject request and expressed no concerns with the proposed building height.

Design Review:

The Design Review Board will review the proposed building elevations and landscape plan on March 9, 2021 Work Session of the Board. Staff will update the Planning and Zoning Board of any comments from the Design Review Board during the scheduled March 10, 2021 Planning and Zoning Board Study Session.

Surrounding Zoning Designations and Existing Use Activity:

<p>Northwest (Across Ellsworth Road) LI-PAD Phoenix-Mesa Gateway Airport</p>	<p>North Maricopa County IND-2 Vacant</p>	<p>Northeast Future State Route 24</p>
<p>West (Across Ellsworth Road) LI-PAD Phoenix-Mesa Gateway Airport</p>	<p>Subject Property LI and AG Vacant</p>	<p>East Maricopa County RU-43 Vacant</p>
<p>Southwest (Across Ellsworth Road) LI-PAD Phoenix-Mesa Gateway Airport</p>	<p>South Maricopa County IND-2 Vacant</p>	<p>Southeast Maricopa County RU-43 Vacant</p>

Compatibility with Surrounding Land Uses:

The majority of the properties surrounding the site are vacant with industrial zoning designation. Phoenix-Mesa Gateway Airport is located west of the site, specifically across Ellsworth Road. The proposed development of the site for a recreation facility will not be out of character with the surrounding area.

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 one mile of the site. As of writing this report, the applicant and staff have not received any comments or concerns from surrounding property owners. The applicant will be providing an updated Citizen Participation Report to staff prior to the scheduled March 10, 2021 Planning and Zoning Board Study Session.

Staff Recommendation:

Based on the application received and the proceeding analysis, staff finds the subject request is consistent with the General Plan, the Gateway Strategic Development Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO and meets the review criteria for a Special Use Permit outlined in Section 11-32-6 and Section 11-70-5 of the MZO. Therefore, 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. 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. All public infrastructure improvements as described and depicted in the pre-annexation development agreement shall be installed in the first phase of construction.
6. Execute and comply with the pre-annexation development agreement.
7. 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 500 feet of Phoenix-Mesa Gateway Airport.

Exhibits:

Exhibit 1- Vicinity Map

Exhibit 2- Staff Report

Exhibit 3- Application Information

3.1 Project Narrative

3.2 Site Plan

3.3 Landscape Plan

3.4 Elevations

3.5 Parking Exhibit

Exhibit 4- Citizen Participation Plan

Exhibit 5- Citizen Participation Report

Exhibit 6- Avigation Easement