



**PLANNING DIVISION  
STAFF REPORT**

**City Council Meeting**

**September 23, 2024**

CASE No.: <b>ZON24-00475</b>	PROJECT NAME: <b>8817 East Pecos Road</b>
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Owner’s Name:	Killer Bulls, LLC
Applicant’s Name:	Ian Mulich, Pinnacle Design, Inc.
Location of Request:	Within the 8800 block of East Pecos Road (south side). Located west of Ellsworth Road and south of Pecos Road.
Parcel No(s):	304-62-943
Request:	Major Site Plan Modification and amending the conditions of approval for Case No. Z06-006. 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:	2± acres
Proposed Use(s):	Industrial
Existing Use(s):	Vacant
P&Z Hearing Date(s):	<b>August 28, 2024 / 4:00 p.m.</b>
Staff Planner:	Kwasi Abebrese, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation: APPROVAL with Conditions (5-0)	
Proposition 207 Waiver Signed: Yes	

**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 Agricultural (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), and site plan review 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 **August 13, 2024**, the Design Review Board reviewed the Proposed Project. Staff is working with the applicant to address comments and recommendations from the Design Review Board.

On **August 28, 2024**, the Planning and Zoning Board recommended City Council approve the Proposed Project.

## **PROJECT DESCRIPTION**

### **Background:**

The project site is approximately 2± acres in size. The site is currently vacant and is located west of Ellsworth Road and south of Pecos Road.

On March 20, 2006, the City Council approved a rezone of 9.3± acres of land including the project site, and a site plan to allow for the development of three (3) separate but contiguous projects including office and warehouse developments, a self-storage facility, and a retail shell building (Case No. Z06-006; Ordinance No. 4521). The proposed development consisted of four (4) lots or areas (Areas A-D).

Area A is developed into a self-storage facility, and Areas C and D have been developed into industrial offices and warehouse facilities. The remaining lot (Area B) is currently vacant and was proposed for the development of a 7,100 square foot office and warehouse facility and retail building.

Condition of Approval No. 1 for Ordinance 4521 requires compliance with the basic development as described in the project narrative and as shown on the site plan and building elevations submitted.

The applicant is requesting a Major Site Plan Modification to allow for an industrial development in the Light Industrial with a Planned Area Development overlay (LI-PAD) district and an amendment of the conditions of approval to enable the development of an

approximately 24,400 square foot industrial office and warehouse building on the project site (Area B).

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

The General Plan character area of the project site is Employment with an Industrial Sub-type. 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. 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 primary land uses in Industrial Sub-type areas include warehousing, such as planned industrial development.

The Proposed Project conforms to the intent and purpose of the Employment character area designation and is consistent with the review criteria outlined in Chapter 15 (pg. 15-1&2) of the Mesa 2040 General Plan.

**Mesa Gateway Strategic Development Plan:**

The project site is located within the Logistics and Commerce District of the Mesa Gateway Strategic Development Plan. This designation applies to areas south of the Airport/Campus District and the Williams Gateway Freeway.

Heavy industrial, light industrial, business parks, and commercial uses should be the predominant uses within this district.

The Proposed Project meets the goals and intent of the Mesa Gateway Strategic Development Plan.

**Zoning District Designations:**

The project site is zoned Light Industrial with a Planned Area Development overlay (LI-PAD). Per Section 11-7-2 of the Mesa Zoning Ordinance (MZO), an industrial office and warehouse facility are permitted in the Light Industrial (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:**

<b>Northwest</b> (Across Pecos Road) LI Vacant	<b>North</b> (Across Pecos Road) LI Vacant	<b>Northeast</b> (Across Pecos Road) LI Vacant
<b>West</b> LI-PAD Mini-Storage Facility	<b>Project Site</b> LI-PAD Vacant	<b>East</b> LI-PAD Vacant
<b>Southwest</b> LI-PAD Industrial Development	<b>South</b> LI-PAD Vacant	<b>Southeast</b> LI-PAD Vacant

**Compatibility with Surrounding Land Uses:**

The surrounding properties are zoned LI or LI-PAD and are either vacant or have existing industrial or commercial uses.

The Proposed Project will not be out of character with the surrounding area or use.

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

The Proposed Project includes development of an approximately 24,400 square foot industrial building. The building will include a truck dock and loading area on the southeast and south sides that will be screened by an eight-foot-tall CMU wall and gate per the screening requirements outlined in Section 11-30-13(C) of the MZO.

Vehicular access to the site is provided from Pecos Road, specifically at the northwest and northeast corners of the project site. On-site walkways will connect the primary entrance of the proposed building to the public sidewalk on Pecos Road.

Per Section 11-32-3 of the MZO, 31 parking spaces are required for the Proposed Project and 33 parking spaces are proposed.

The Proposed Project conforms to the requirements of the MZO including the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

**Neighborhood Participation Plan and Public Comments:**

The applicant completed a Citizen Participation Process, which included mailing 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, no comments or concerns have been received by the applicant or staff from surrounding property owners.

**Staff Recommendation:**

Staff finds that the Proposed Project is consistent with the Mesa 2040 General Plan, the Mesa Gateway Strategic Development Plan, and the review criteria for Site Plan Review approval outlined in Section 11-69-5 of the MZO.

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

1. Compliance with all conditions of approval of Case No. Z06-006, except for Condition of Approval no. 1.
2. Compliance with the final site plan, narrative, landscape plan, and building elevations submitted with this request instead of those approved with Case Z06-006.
3. Compliance with all requirements of Design Review, Case No. DRB23-00689.
4. Compliance with all City development codes and regulations.
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.

**Exhibits:**

Exhibit 1 - Presentation

Exhibit 2 - Ordinance

Exhibit 3 - Ordinance Map

Exhibit 4 - Vicinity Map

Exhibit 5 - Site Plan

Exhibit 6 - Minutes

Exhibit 7 - Submittal Documents