



PLANNING DIVISION
STAFF REPORT

City Council

August 19, 2024

CASE No.: ZON24-00617	PROJECT NAME: Merit Partners Legacy GP Amendment
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Owner's Name:	Pacific Proving LLC
Applicant's Name:	Gammage & Burnham, PLC
Location of Request:	Within the 9700 to the 10000 blocks of East Pecos Road (north side) and within the 6600 to 6800 blocks of the future South Crismon Road alignment (west side). Located north of Pecos Road and west of the future South Crismon Road alignment.
Parcel No(s):	313-25-859Y
Request:	Minor General Plan Amendment. This request will change the General Plan Character Area Type from Mixed Use Community to Employment with an Industrial Sub-type.
Existing Zoning District:	Agricultural (AG)
Council District:	6
Site Size:	43± acres
Proposed Use(s):	Data Center
Existing Use(s):	Vacant
P&Z Hearing Date(s):	August 14, 2024 / 4:00 p.m.
Staff Planner:	Sean Pesek, Senior Planner
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	ADOPTION (5-0)

HISTORY

On **August 13, 2024**, the Planning and Zoning Board recommended adoption of the subject request to City Council (Vote: 5-0) (Case No. ZON24-00617). At the same meeting, the Planning and Zoning Board recommended approval with conditions of the companion rezone, site plan review, and Council Use Permit request to City Council (Vote: 5-0) (Case No. ZON24-00802).

PROJECT DESCRIPTION

Background:

The applicant is requesting a Minor General Plan Amendment to change the Character Area Type for 43± acres from Mixed Use Community to Employment with an Industrial Sub-type (Proposed Project). The Proposed Project is a companion to the rezoning, site plan review, and Council Use Permit application (Case No. ZON23-00802).

Through the companion zoning application, the applicant is seeking to rezone the property from Agricultural (AG) to Light Industrial with a Planned Area Development Overlay (LI-PAD) to allow for the development of a data center.

Per Chapter 7 of the Mesa 2040 General Plan, the current General Plan Character Area, Mixed Use Community, is expected to develop as a cohesive urban village with a mix of residential and non-residential uses. As such, the only supporting primary zoning district within this character area is Planned Community (PC). The requested LI-PAD zoning is neither a primary nor secondary zoning district.

The Proposed Project includes a request to change the character area designation to Employment with an Industrial Sub-type, which allows LI as a primary zoning district. This character area supports a wide range of employment-type (primary) uses such as warehousing, outdoor storage, and compatible public and semi-public uses.

Per Chapter 16 of the Mesa 2040 General Plan, the requested change is considered a Minor General Plan Amendment as the affected land area is less than 160 acres.

General Plan Character Area Designation and Goals:

The applicant is requesting to change the Character Area Type from Mixed Use Community to Employment with an Industrial Sub-type. Per Chapter 7 of the General Plan, the goal of the Employment Character area designation is to provide a wide range of employment opportunities in high quality settings. The industrial Sub-type signifies locations with larger lots that provide quality jobs and require protection from encroachment of non-compatible uses.

The Proposed Project is consistent with the Employment-Industrial Character Area and the criteria for review of development outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

General Plan Amendment Approval Criteria:

The Mesa 2040 General Plan (Chapter 16 (pg. 16-26) provides City Council with six approval criteria when it considers an amendment to a character area map:

1. Whether the proposed amendment to the General Plan character area will result in a shortage of land for other planned uses.

The Proposed Project will not result in a shortage of land for other planned uses. Approximately 4,450 acres of land to the west and north of the subject site contain the Mixed Use Community character area designation; most of which is already developed as a mixed use, master-planned community.

2. Whether events subsequent to the adoption of the Plan have changed the character or condition of the area making the proposed amendment appropriate.

Subsequent to the adoption of the Plan, Pecos Road has experienced employment-generating projects. Property to the west, east and south of the Proposed Project have industrial zoning designations and are either developed as, or have approved site plans for, large-scale industrial development. Proposed Project is appropriate within this context.

3. The degree to which the proposed amendment will impact the whole community or a portion of the community by:

a. Altering acceptable existing land use patterns in a significant way that is contrary to the goals, policies, and strategies identified in the Plan.

The Proposed Project will not alter acceptable land use patterns in a significant way that is contrary to the goals, policies, and strategies identified in the Plan. Per Chapter 15 of the Plan, one of the criteria for new development is whether appropriate transitions are provided between land uses.

Properties located to the west, east, and south are either designated for industrial use or have approved site plans for industrial development. The existing character area designation for the project site supports a Planned Community (PC) zoning designation, the purpose of which is to accommodate large-scale residential and non-residential development. The transition between land uses would not be appropriate with residential development.

Staff finds that an Employment designation better complements the employment-generating uses surrounding the airport and provides an appropriate transition to less intensive uses north of the state highway.

The Proposed Project is also located within the Logistics and Commerce District of the Mesa Gateway Strategic Development Plan (GSDP). Per the GSDP, heavy industrial, light industrial, business park, and commercial uses will be predominant within this district. Desired uses include manufacturing facilities, large warehouses, distribution facilities,

planned employment parks, and similar uses. The Proposed Project aligns with the vision and goals of the Mesa Gateway Strategic Development Plan.

Staff finds the proposed amendment will strengthen the goals, policies, and strategies identified in the Plan.

- b. Requiring larger or more extensive improvements to roads, sewer, or water systems than are necessary to support the prevailing land uses which may negatively impact development of other lands.**

This amendment is part of a larger rezoning/site plan review for a data center. In contrast to a master planned community with residential and commercial uses, which is supported by the existing character area designation, the Proposed Project requires less extensive on-site and off-site infrastructure.

- c. Adversely impacting existing uses due to increased traffic congestion that is not accommodated by planned roadway improvements or other planned transportation improvements such as non-motorized transportation alternatives and transit.**

The Proposed Project will not adversely affect existing industrial development due to increased traffic congestion that is not accommodated by planned roadway improvements.

- 4. Consistency of the proposed amendment with the vision, goals, policies, and strategies of the Plan.**

As previously stated, the proposed Minor General Plan Amendment is consistent with the vision, goals, policies, and strategies of the Plan because it would support a zoning designation that is compatible with the Mesa Gateway Strategic Development Plan and surrounding industrial development on Pecos Road.

- 5. Does the proposed amendment constitute an overall improvement to the General Plan and the City of Mesa.**

The Proposed Project supports the goals of the Mesa Gateway Strategic Development Plan and would allow for land uses that are compatible with continued development of employment uses along Pecos Road.

6. The extent to which the benefits of the proposed amendment outweigh any of the impacts identified in this subsection.

The Proposed Project will establish a new character area designation that is more compatible with surrounding properties. The benefits to the Pecos Road Employment corridor will outweigh the perceived impacts.

The Proposed Project complies with the amendment criteria set forth in Chapter 16 (pg. 16-26) of the Mesa 2040 General Plan.

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 or registered neighborhoods within one mile of the site. A virtual neighborhood meeting was held on May 21, 2024. There were no attendees of the virtual meeting.

As of the date of this report, staff has not been contacted by any resident or property owner to express support or opposition to this request.

Staff Recommendation:

The requested Minor General Plan Amendment to change the Character Area Type Designation from Mixed Use Community to Employment is consistent with the goals and intent of the Mesa 2040 General Plan, including the General Plan amendment criteria outlined in Chapter 16.

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

1. Compliance with conditions of approval for Case No. ZON23-00802.

Exhibits:

- Exhibit 1 - Presentation
- Exhibit 2 - Resolution
- Exhibit 3 - Resolution Map
- Exhibit 4 - Vicinity Map
- Exhibit 5 - Minutes
- Exhibit 6 - Submittal Documents