



**PLANNING DIVISION
STAFF REPORT**

Planning and Zoning Board

May 22, 2024

CASE No.: ZON24-00019	PROJECT NAME: PHX062
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Owner's Name:	Amazon.com Services LLC
Applicant's Name:	Josh Tracy, Ryan Companies, Applicant
Location of Request:	Within the 10400 to 10600 blocks of East Elliot Road (south side) and within the 10400 block of East Mesquite Street (north side). Located south of Elliot Road and west of Signal Butte Road
Parcel No(s):	314-10-777
Request:	Site Plan Review and a Special Use Permit
Existing Zoning District:	Planned Community (PC)
Council District:	6
Site Size:	36.9± acres
Proposed Use(s):	Indoor Warehousing
Existing Use(s):	Vacant
P&Z Hearing Date(s):	May 22, 2024 / 4:00 p.m.
Staff Planner:	Josh Grandlienard, AICP, Senior Planner
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **November 3, 2008**, the City Council annexed 3,136.6± acres, including the project site, into the City of Mesa. (Case No. A08-08; Ordinance No. 4891).

On **November 3, 2008**, the City Council rezoned 3,136.6± acres, including the project site, from Maricopa County Single Residence-43 (RU-43) to City of Mesa Single Residence-43 (RS-43) to establish City of Mesa zoning on recently annexed property (Case No. Z08-055; Ordinance No. 4892).

On **November 3, 2008**, the City Council rezoned 3,136.6± acres, including the project site, from RS-43 to Planned Community (PC) for development of a Mixed Use Community, known as Eastmark (Case No. Z08-056; Ordinance No. 4893).

On **April 28, 2011**, the Planning and Zoning Board approved a Development Unit Plan (DUP) for Development Unit 6 North (DU6N) on 262± acres, including the project site. (Case No. Z11-011).

PROJECT DESCRIPTION

Background:

The applicant is requesting approval of an Initial Site Plan and approval of a Special Use Permit for a reduction to the required number of parking spaces to allow for the development of an indoor warehousing facility (Proposed Project).

The project site is currently vacant and located on the south side of Elliot Road, west of Signal Butte Road. The applicant is requesting Site Plan Review to allow for the development of two data center buildings totaling 458,000 square feet.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Mixed Use Community. Per Chapter 7 of the General Plan, The Mixed Use Community character type identify larger land areas where it is possible to develop a mixture of uses that will create a complete and identifiable community. 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. As appropriate, uses should be integrated vertically and horizontally, and provide for a variety of transportation options.

Per Chapter 7 of the Mesa 2040 General Plan, the Planned Community zoning district is identified as a primary zoning district in the Mixed Use Community character area. Overall, the request conforms to the goals of the Mesa 2040 General Plan and meets the development review criteria outlined in Chapter 15 (pg. 15-1).

Gateway Strategic Development Plan:

The subject property is also located within the Mixed-Use Community District of the Mesa Gateway Strategic Development Plan (GSDP). Per the GSDP, this district is envisioned to be the area that solidifies the goal to balance land uses and provide sustainability through the creation of a live/work/play community. It 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 use to provide a complete community experience. The proposed development meets the goals and intent of the Mesa Gateway Strategic Development Plan.

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 proposed data center is consistent with the goals of the Mixed Use Activity District as well as the intentions of the Mixed-Use Community District of the Gateway Strategic Development Plan.

Zoning District Designations:

The subject property is zoned PC and is located within Development Unit 6 North (DU6 N) of the Eastmark Community Plan. The Development Unit Plan (DUP) for Development Unit 6 North (DU6N) includes a land use allocation plan that requires specific identification and location of land use types during the review and approval of a site plan.

The Eastmark Community Plan includes Land Use Groups (LUG) for every property within the Planned Community and the LUGs set forth the general character, permitted and land uses and development standards for each area. Land Use Group C (LUG-C), Regional Center/Campus, has been specified for this development. Per the Eastmark Community Plan, the purpose of LUG-C is to provide areas for large, self-contained uses such as manufacturing and high tech uses. The proposed data center, which is considered indoor warehousing and storage, is a permitted use within LUG-C, per Exhibit 7.38 of the Eastmark Community Plan.

Airfield Overlay – MZO Article 3 Section 11-19:

Per Section 11-19 of the MZO, the site is located within the City of Mesa Airfield (AF) Overlay District; specifically, within the Airport Overflight Area Three (AOA 3). The location of the property within the AOA 3 is due to its proximity to the Phoenix-Mesa Gateway Airport. Per Section 11-19-4 of the MZO, there are no additional land use limitations beyond the base zoning.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Elliot Road) LI-PAD Data Center	North (Across Elliot Road) LI-PAD Industrial Business Park	Northeast (Across Elliot Road) LI-PAD Industrial Business Park
West PC Industrial Business Park	Project Site PC Vacant	East PC Data Center
Southwest (Across Mesquite Street) PC Industrial Business Park	South PC Industrial Business Park	Southeast PC Industrial Business Park

Compatibility with Surrounding Land Uses:

The project site is currently vacant and is currently zoned PC. The properties to the east, south and west are all within the Eastmark Planned Community and have compatible uses. To the north of the project site across Elliot Road are industrial uses similar in scope to the Proposed Project. Overall, the Proposed Project is compatible with the surrounding development and land uses.

Site Plan and General Site Development Standards:

The Proposed Project consists of two single story data center buildings on the project site in addition to a security building located near the entrance on Elliot Road. The two data center buildings are approximately 229,304± square feet each, for a total of 458,608 square feet with the additional security building being 6,933 square feet in size.

The Proposed Project requires a total of 512 parking spaces on site, and the applicant is proposing to include 151 parking spaces. Primary access to the site is from two access points on Elliot Road with utility access for the SRP substation located off Mesquite Street on the south side of the site.

Overall, the proposed site plan complies with the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

Zoning Ordinance, Section 11-70-5 – Special Use Permit – Parking Reduction

Section 11-66-2(C)(2) of the MZO allows the Planning and Zoning Board to hear and take action on a SUP when requested in conjunction with another request requiring action or recommendation by the Planning and Zoning Board.

Per Section 11-32-3 of the MZO, 264 parking spaces are required for the proposed development. The applicant is requesting to reduce the number of parking spaces from 512 to 151, a 113-space reduction. According to the submitted parking demand study which is based on the National Institute of Transportation Engineers parking demand calculations, as well as the parking demand of the same use within other jurisdictions throughout the United States, the proposed number of stalls will exceed parking demand anticipated for this development. Staff has no concerns with the request for reduced parking.

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

Parking Reduction Required Findings (MZO Section 11-32-6)	Findings
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 parking demand at this site.	The proposed Data center use has a total of 3 shifts where there are 12-38 employees per shift, creating a need for a total of 122 spots if all employees were on site at one time. Per the MZO, the required parking for an indoor warehousing use, which a Data Center falls under, requires a total of 512 parking spaces, far exceeding the required parking for the end user’s proposed use.
2. The use will adequately be served by the proposed parking.	The applicant provided a parking study to demonstrate that the proposed reduction would still adequately serve the development’s needs. According to the National Institute of Transportation Engineers (ITE) parking generation calculations, the proposed development would require 122 parking spaces during an average workday. The applicant has also provided specific data for their end use

	where based on other sites that have been developed by the user, which anticipate a maximum of 38 parking spots needed based on their shift times.
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.	According to the applicant, the parking demand is not anticipated to exceed the capacity provided or impact the supply of on-street parking in the area.

Section 11-70-5 - Special Use Permit

The applicant is requesting to reduce the required parking from 512 spaces to 122 parking spaces required. Per Table 11-32-3A of the MZO, for warehousing and storage uses a minimum ratio of 1 parking space per 900 square feet of building area, which would require 512 parking spaces for this use. Per Section 11-32-6 of the MZO, a Special Use Permit is required for any parking reduction.

Per Section 11-70-5 of the MZO, the Planning and Zoning Board, when making a decision on a SUP, shall find that the project conforms to the following criteria:

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;

The proposal complies with the Mixed Use Community Character Area designation of the Mesa 2040 General Plan by developing the site with a data center use.

The proposal complies with this criteria.

2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and any other applicable City plan or policies;

The location, size, design, and operating characteristics of the proposed data center aligns with the purpose of the Planned Community zone outlined within the Mesa Zoning Ordinance and comply with the Mesa 2040 General Plan, and the Mixed Use Activity Character Area.

The proposal complies with this criteria.

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and

The Proposed Project will not be injurious or detrimental to the adjacent or surrounding properties in the area, which include properties zoned PC and LI, nor will the Proposed Project be injurious or detrimental to the surrounding neighborhoods or the general welfare of the City.

The proposal complies with this criteria.

4. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

The addition of the site does not add any additional burden to the existing public services, public facilities, nor public infrastructure. The public infrastructure is located near the site and will adequately serve the site and proposed use with the proposed off-site improvements.

The request complies with this criterion.

Design Review:

The proposed project is within the Eastmark Planned Community, where all Design Review requests are submitted to the master developer and approved through the Design Review Committee process. A condition has been added to this staff report to ensure that this process is completed.

Neighborhood Participation Plan and Public Comments:

The applicant completed a Citizen Participation Process which included mailing letters to property owners within 750 feet of the site as well as HOAs within ½ mile or registered neighborhoods within one mile of the site.

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 will provide the Board with any new information during the scheduled Study Session on May 22, 2024.

Staff Recommendation:

The subject request is consistent with the Mesa 2040 General Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, and the review criteria for a Special Use Permit outlined in Sections 11-32-6 and 11-70-5 of the MZO.

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

1. Compliance with the final site plan submitted.
2. Prior to the issuance of any building permit, obtain final approval from the Eastmark Design Review Committee.
3. Compliance with all requirements of the Eastmark Design Review Committee.
4. Compliance with Ordinance No. 4893 and the adopted Eastmark (Mesa Proving Grounds) Community Plan.

5. Compliance with Eastmark Development Unit 6 North Development Unit Plan dated April 20, 2011.
6. 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.
7. 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. Provide written notice to future property owners that the project is within two miles of Phoenix-Mesa Gateway Airport.
 - d. Prior to 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.
 - e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which must state in part: "This property, due to its proximity to the Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."
8. Compliance with all City development codes and regulations.

Exhibits:

- Exhibit 1 – Staff Report
- Exhibit 2 – Vicinity Map
- Exhibit 3 – Project Narrative
- Exhibit 4 – Site Plan
- Exhibit 5 – Landscape Plan
- Exhibit 6 – Preliminary Grading and Drainage Plan
- Exhibit 7 – Elevations
- Exhibit 8 – Parking Study
- Exhibit 9 – Noise Study
- Exhibit 10 – Citizen Participation Plan
- Exhibit 11 – Citizen Participation Report
- Exhibit 12 – PowerPoint Presentation