



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

November 15, 2023

CASE No.: **ZON23-00139**

PROJECT NAME: **4312 E. University**

Owner's Name:	Mark Hanneken
Applicant's Name:	Sean Lake, Pew & Lake, PLC
Location of Request:	Within the 4300 block of East University Drive (north side). Located west of Greenfield Road on the north side of University Road.
Parcel No(s):	140-14-003M
Request:	Site Plan Review, Council Use Permit (CUP); and Special Use Permit (SUP). This request will allow for a Mini-Storage Facility, restaurant with a drive-thru facility, and multi-tenant building with a drive-thru facility.
Existing Zoning District:	Limited Commercial
Council District:	2
Site Size:	4± acres
Proposed Use(s):	Mini-Storage Facility, restaurant with a drive-thru facility, and multi-tenant building with a drive-thru facility.
Existing Use(s):	Vacant
Hearing Date(s):	November 15, 2023 / 4:00 p.m.
Staff Planner:	Sean Pesek, Planner II
Staff Recommendation:	APPROVAL with conditions

HISTORY

On **September 18, 1972**, Mesa City Council approved the annexation of 997± acres of land, including the project site, into the City of Mesa (Annexation 76, Ordinance No. 767).

On **September 24, 1979**, Mesa City Council approved a rezone for 75± acres, including the project site, from Maricopa County R1-9 to Single Residence-9 (R1-9) (equivalent to current Single Residence-9 [RS-9]) (Case No. Z79-092, Ordinance No. 1272).

On **August 2, 1982**, Mesa City Council approved a rezone for 75± acres, including the project site, from RS-9 to Multiple Residence-2 with a Planned Area Development Overlay (R-2-PAD)

(equivalent to current Multiple Residence-2 [RM-2]) to allow for a multiple residence development (Case No. Z82-041, Ordinance No. 1639).

On **January 8, 1989**, Mesa City Council approved a rezone for 8± acres, including the project site, from RM-2-PAD to Limited Commercial (C-2) (equivalent to current Limited Commercial [LC]) for a conceptual commercial development (Case No. Z87-062, Ordinance No. 2480).

On **July 6, 2004**, Mesa City Council approved a Site Plan Modification for approximately 7± acres, including the project site, to allow for a Mini-Storage Facility on the northern portion of the site and a medical office building on the southern portion of the site (Case No. Z04-036, Ordinance No. 4129).

On **May 22, 2006**, Mesa City Council approved a Site Plan Modification for the project site to allow for the development of a larger self-storage facility consisting of six buildings with approximately 119,567 square feet of gross floor area. The project was never constructed, and the site plan expired (Case No. Z06-029, Ordinance No. 4545).

PROJECT DESCRIPTION

Background:

The applicant is requesting approval of a Council Use Permit (CUP), Special Use Permit (SUP) and Initial Site Plan for a commercial development that consists of a Mini-Storage Facility, multi-tenant retail building with a drive-thru facility, and restaurant with drive-thru facility (Proposed Project).

The Proposed Project was heard by the Planning and Zoning Board on September 13, 2023, and received a approval recommendation of approval (vote: 5-0) from the Board to City Council for the Council Use Permit and Initial Site Plan. Recent changes to the Mini-Storage Facility design include a mechanical penthouse and elevator shaft, both of which exceed the maximum allowable height for the LC district. Per Section 11-30-3(A) of the MZO, these structures may exceed the maximum permitted building height with approval of a Special Use Permit (SUP). The SUP is required due to the AF Airfield Overlay (AOA 3) on the property. All other aspects of the project remain unchanged from when the project was last heard before the Planning and Zoning Board on September 13th.

Per the Mesa Zoning Ordinance, the Initial Site Plan and the CUP are subject to recommendation by the Planning and Zoning Board and review and approval by the City Council. The Special Use Permit is subject to review and approval by the Planning and Zoning Board and is needed to accommodate a height exception within the AF Airfield District, pursuant to Section 11-30-3-(B) of the MZO. The subject property is currently vacant and located on the north side of University Drive, west of Greenfield Road. An existing Mini-Storage Facility (Extra Space Storage) is located to the east and was approved by Mesa City Council in 2014 prior to City Council adopting Zoning Code Ordinance amendments which now require a CUP in the LC District (Case No. Z14-043).

The Proposed Project consists of a two-story Mini-Storage Facility in the northern half of the site with approximately 96,000 square feet of gross floor area. Two commercial buildings totaling approximately 6,600 square feet are proposed in the southern half, with frontage onto University Drive.

General Plan Character Area Designation and Goals:

The General Plan Character area designation on the property is Neighborhood Village Center. Per Chapter 7 of the Plan, the goal of the Neighborhood Village Center character area is to provide for the regular shopping and service needs of the nearby population, serving as the focal point for the surrounding neighborhoods. LC is listed as a primary zoning district within this character area; restaurants and retail are both listed as primary land uses. The provision of commercial-based uses conforms to the intent of the Neighborhood Village Center character area and is consistent with the review criteria outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

Zoning District Designations:

The subject property is currently zoned Limited Commercial (LC). Per Section 11-6-1(B) of the Mesa Zoning Ordinance (MZO), the purpose of the LC district is to provide areas for indoor retail, entertainment and service-oriented businesses that serve the surrounding trade area within a one (1) to ten-mile radius.

Restaurant and retail are permitted by-right in the LC district; Mini-Storage is permitted with approval of a Council Use Permit.

Site Plan and General Site Development Standards:

Pad C:

The submitted site plan shows the development of a 96,000 square foot, two-story Mini-Storage Facility (with basement) in the northern half of the subject property that will function as an expansion of the existing Mini-Storage site to the east.

Primary access to the facility will be provided from a shared access drive from the existing Extra Space Storage site to the east, with an emergency-only access connection available through the restaurant/retail site. Per Section 11-32-3 of the MZO, a minimum of four parking spaces are required for a Mini-Storage Facility; four parking spaces are shown on the site plan.

Landscaped buffers are provided on all sides of the project site in accordance with all applicable standards in Chapter 33.

Pad A and B:

The submitted site plan shows the development of two, one-story commercial buildings in the southern half of the subject property. Pad A will consist of a standalone restaurant with drive-thru facility and Pad B will consist of a multi-tenant building with a drive-thru facility. Queuing distances for both buildings comply with the minimums set forth in Section 11-31-18 and are oriented away from University Drive to reduce visibility from public view.

Per Section 11-32-3 of the MZO, 46 parking stalls are required for the two pad buildings and 51 spaces are proposed.

Overall, the Proposed Project conforms with the MZO including the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

Special Use Permit:

The project is within the Airfield Overlay District (AOA 3). Per Section 11-30-3(B) of the MZO, there shall be no exceptions to the specified height limits within the AF Airfield Overlay District, unless authorized by the approval of a Special Use Permit. Section 11-70-5(E) of the MZO contains SUP review criteria standards discussed below:

- 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;

As discussed above, the character area designation on the project site is Neighborhood Village Center. These areas will typically include a mix of commercial uses to collectively provide for the regular shopping and service needs of the nearby population. Mini-Storage is generally considered a service-based commercial use that allows individuals safe and convenient access to leasable storage space. This particular Neighborhood Village Center is currently developed with various commercial uses including a medical office, gas station, auto repair, restaurants, and general retail. The expansion of an existing Mini-Storage Facility will not bring this area out of its intended character per the 2040 Mesa General Plan.

- 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 with any other applicable City plan or policies;

The Proposed Project is designed in accordance with applicable MZO development standards including minimum building setbacks, perimeter landscaping, and minimum parking. The proposed height increase for the mechanical penthouse and elevator shaft is 4-feet, which is minimal.

- 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 does not encroach into required building or landscape setbacks per MZO. Over 60 feet of separation is provided from the north property line to the north building wall and over 70 feet of separation from the west property line to west building wall. Additionally, the proposed Mini-Storage Facility will function as an expansion to the adjacent Extra Space Storage site. Therefore, no detrimental impacts are anticipated to the east.

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

There are existing utilities located within University Drive and Greenfield Road that have sufficient capacity to support the development.

Council Use Permit:

Per Table 11-6-2 of the MZO, Mini-Storage is a permitted use in the LC District with approval of a CUP. Section 11-70-6(E) of the MZO contains Council Use Permit review criteria standards discussed below:

- 1) Demonstrating that the proposed project will advance the goals and objectives of the General Plan and other City policies;

As discussed above, the character area designation on the project site is Neighborhood Village Center. These areas will typically include a mix of commercial uses to collectively provide for the regular shopping and service needs of the nearby population. Mini-Storage is generally considered a service-based commercial use that allows individuals safe and convenient access to leasable storage space. This particular Neighborhood Village Center is currently developed with various commercial uses including a medical office, gas station, auto repair, restaurants, and general retail. The expansion of an existing Mini-Storage Facility will not bring this area out of its intended character per the 2040 Mesa General Plan.

The Proposed Project meets this criterion.

- 2) Demonstrate that the location, size, design, and operating characteristics of the project are consistent with the purpose of the zoning district designation on the property;

The Proposed Project is designed in accordance with applicable MZO development standards including maximum building height, minimum building setbacks, perimeter landscaping, and minimum parking.

The Proposed Project meets this criterion.

- 3) Ensuring the project will not be injurious or detrimental to adjacent properties or surrounding areas; and

The Proposed Project does not encroach into required building or landscape setbacks per MZO. Over 60 feet of separation is provided from the north property line to the north building wall and over 70 feet of separation from the west property line to west building wall. Additionally, the proposed Mini-Storage Facility will function as an expansion to the adjacent Extra Space Storage site. Therefore, no detrimental impacts are anticipated to the east.

The Proposed Project meets this criterion.

- 4) Demonstrating that there are adequate public services and infrastructure to support the development.

There are existing utilities located within University Drive and Greenfield Road that have sufficient capacity to support the development.

The Proposed Project meets this criterion.

Design Review:

The Design Review Board will review the Proposed Project at their September 12, 2023, work session. Staff will work with the applicant to address any comments and recommendations from the Design Review Board.

Surrounding Zoning Designations and Existing Use Activity:

Northwest RM-2 Single Residence	North RM-2 Single Residence	Northeast LC Mini-Storage Facility
West RM-3 Multiple Residence	Project Site LC Vacant	East LC Mini-Storage Facility, Gas Station, and Medical Office
Southwest (Across University Drive) RM-4-PAD Multiple Residence	South (Across University Drive) LC Police Station	Southeast (Across University Drive) LC Police Station

Compatibility with Surrounding Land Uses:

The project site is currently vacant. Property to the north is zoned RM-2 and developed as a single residence subdivision. Property to the west is zoned RM-3 and developed as a multiple residence community. Property to the east is zoned LC and developed with a variety of commercial uses including a medical office, gas station, and Mini-Storage Facility. Property to the south, across University Drive, is zoned LC and developed as a Police Substation. Overall, the Proposed Project is compatible with the surrounding development and land uses.

Neighborhood Participation Plan and Public Comments:

The applicant completed a Citizen Participation Process which included notifying 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. A neighborhood meeting was held on July 20, 2023, with no public attendees. The applicant was contacted by three neighbors after the organized meeting with general questions about landscaping and construction timing.

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 November 15, 2023.

Staff Recommendations:

Staff finds the Proposed Project complies with the Mesa 2040 General Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, the review criteria for a Council Use Permit outlined in Section 11-70-6 of the MZO, and the review criteria for a Special Use Permit outlined in Section 11-70-5(E) of the MZO.

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

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB23-00138.
3. The access point labeled “emergency access only” on the final site plan submitted shall remain an emergency only access point unless other access is approved through a Site Plan Modification in conformance with Chapter 69 of the Mesa Zoning Ordinance.
4. 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 – Grading and Drainage Report
Exhibit 7 – Elevations
Exhibit 8 – Citizen Participation Plan
Exhibit 9 – Citizen Participation Report
Exhibit 10 – Power Point Presentation