



**PLANNING DIVISION  
STAFF REPORT**

**Planning and Zoning Board**

**November 13, 2024**

CASE No.: <b>ZON24-00656</b>	PROJECT NAME: <b>AZ4 Expansion - MPCA</b>
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Owner's Name:	MGC Pure Chemicals America INC
Applicant's Name:	Brandon Linville, Gray AE, PSC
Location of Request:	Located at the northwest corner of East Pecos Road and South Mountain Road.
Parcel No(s):	304-34-037A, 304-34-037C, 304-34-037E, 304-34-035B
Request:	Major Site Plan Modification, Special Use Permit, and amending condition of approval No. 1 for Case No. Z15-024.
Existing Zoning District:	Heavy Industrial (HI)
Council District:	6
Site Size:	16± acres
Proposed Use(s):	Manufacturing Facility
Existing Use(s):	Vacant and Manufacturing Plant
P&Z Hearing Date(s):	November 13, 2024 / 4:00 p.m.
Staff Planner:	Chloe Durfee Daniel, Planner II
Staff Recommendation:	APPROVAL with conditions

**HISTORY**

On **May 17, 1990**, the City Council annexed 625.7± acres of land, including the project site (Case No. A90-001; Ordinance No. 2514).

On **June 4, 1990**, the City Council established Agricultural (AG) zoning on recently annexed land, including the project site. (Case No. Z90-025, Ordinance No. 2529).

On **August 29, 1994**, the City Council approved a rezoning from AG to M-2-AF [equivalent to the current Heavy Industrial [HI] zoning district and within an Airport Overflight Area (AOA)], including the project site, to allow for the development of a manufacturing facility (Case No. Z94-046; Ordinance No. 2947).

On **April 5, 1995**, the Design Review Board approved a 7,196 square foot expansion to a manufacturing facility (Case No. DR95-015).

On **February 22, 2010**, the City Council approved a rezoning from AG to M-2, a Council Use Permit for the whole of the site, and a site plan modification to allow for the expansion for an existing manufacturing plant (Case No. Z10-003; Ordinance No. 4972).

On **January 23, 2012**, the City Council approved a rezoning from AG and Light Industrial (LI) to HI with a site plan review to allow for the expansion of an existing manufacturing facility (Case No. Z11-029; Ordinance No. 5074).

On **August 31, 2015**, City Council approved a rezoning from AG to HI-AF with site plan review to allow for the expansion of an existing industrial facility (Case No. Z15-024; Ordinance No. 5296).

On **July 14, 2015**, the Planning Director approved an administrative site plan modification and design modification to allow for a 7,000 square foot office expansion to an existing industrial facility (DR15-029).

## **PROJECT DESCRIPTION**

### **Background:**

The applicant is requesting a Major Site Plan Modification, a Special Use Permit (SUP), and amending condition of approval No. 1 for Case No. Z15-024 to allow for an expansion to an existing manufacturing facility (Proposed Project).

The project site is located at the northwest corner of East Pecos Road and South Mountain Road. The site is part of the existing manufacturing plant property and a portion of the site is currently vacant. The site plan submitted shows 16 new structures, three new bridges, an additional parking area, and an outdoor storage area.

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

The Mesa 2040 General Plan Character Area designation on the property is Employment with an Industrial sub-type. Per Chapter 7 of the General Plan, Employment character areas are intended to provide for a wide range of employment opportunities in high-quality settings. Employment Districts are a character type that is primarily used for employment-type land uses of at least 20 acres. Employment Districts include areas for large manufacturing facilities, warehousing, and business parks. As the proposed project is a large manufacturing facility the proposed development meets the goals and intent of the Mesa 2040 General Plan.

### **Gateway Strategic Development Plan:**

The subject property is also located within the Logistics and Commerce District of the Mesa Gateway Strategic Development Plan (GSDP). Per the GSDP, this district is envisioned to provide a high-quality employment environment that is compatible with increasing over-flight activities associated with Phoenix-Mesa Gateway Airport. Greater intensity and higher density

uses will be encouraged for development approaching the northern boundary of this area as it transitions to the freeway. The proposed development meets the goals and intent of the Mesa Gateway Strategic Development Plan.

**Zoning District Designation:**

The property is zoned Heavy Industrial (HI). Per Section 11-7-1(B) of the MZO, the purpose of the HI district is to provide areas that are set aside principally for manufacturing, assembly, wholesaling, distribution and storage activities. Activities in the HI district may take place indoors or outdoors. A manufacturing facility is a permitted use in the HI district per Table 11-7-2 of the MZO.

**Airfield Overlay – MZO Article 3, Section 11-19:**

Per Section 11-19 of the Mesa Zoning Ordinance (MZO), the site is located within the Airfield Overlay District, specifically within the Airport Overflight Area Three (AOA 3). The location of the property within the Airfield Overlay is due to its proximity to the Mesa Gateway Airport. Per Sections 11-19-4(C) of the MZO, there are no use limitations beyond those in the base district.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest</b> HI-PAD Manufacturing	<b>North</b> HI-PAD Manufacturing	<b>Northeast</b> (Across Mountain Road) GI-BIZ R&D facility
<b>West</b> AG Vacant	<b>Project Site</b> HI and HI-PAD Manufacturing and Vacant	<b>East</b> (Across Mountain Road) GI Vacant and Solid Waste Transfer Station
<b>Southwest</b> (Across Pecos Road) GI Vacant	<b>South</b> (Across Pecos Road) GI Vacant	<b>Southeast</b> (Across Pecos Road and Mountain Road) GI Vacant

**Compatibility with Surrounding Land Uses:**

The Proposed Project is adjacent to another manufacturing facility to the north, vacant land to the west, vacant land and other industrial uses to the east, and vacant land to the south. The proposed use is compatible with the surrounding developments.

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

The Proposed Project is proposing 16 new structures totaling approximately 58,700 square feet, flood channel work, three new bridges, an additional parking area, and an outdoor storage area for storing ISO containers on the site. Pedestrian and vehicular access is provided from Mountain Road. Per Section 11-32-3 of the MZO, 140 parking spaces are required. The site plan shows a total of 140 parking spaces.

Overall, staff finds that the proposed site plan conforms to the review criteria for Site Plan Review outlined in Sections 11-69-7 and 11-69-5 of the City of Mesa Zoning Ordinance.

**Zoning Ordinance, Section 11-70-5 - Special Use Permit (Building Height):**

The applicant is requesting a Special Use Permit (SUP) to exceed the maximum building height in the Airport Overflight Area (AOA). Per Table 11-7-3 of the MZO, the maximum height in the HI district is 50 feet. The applicant is proposing a maximum height of 64 feet. This height increase request is to allow for chemical storage facilities that allow for specific chemicals used in the manufacturing process to be properly stored. Per Section 11-30-3(B) of the MZO, there shall be no exceptions to the specified limits within the AF Airfield Overlay Districts, unless authorized by the approval of a Special Use Permit.

Per Section 11-66-2(C) of the MZO, the Planning and Zoning Board may consider an increase in the maximum building height when reviewed in conjunction with another request requiring action or recommendation by the Planning and Zoning Board. Per Section 11-70-5 of the MZO, a SUP shall only be granted if the approving body determines that the project as submitted or modified conforms to all of 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 expansion of the existing manufacturing plant is consistent with the General Plan and other applicable policies. The buildings proposed are centrally located on the site and are architecturally consistent with the existing development.**

***The proposal complies with this criterion.***

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 project complies with the purpose of the HI district and the 2040 Mesa General Plan. The proposed structures are centrally located on the site and will be consistent with the existing architectural theme of the development.**

***The proposal complies with this criterion.***

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 height of the structures will not be injurious or detrimental to the Mesa Gateway Airport, surrounding properties, neighborhoods or the general welfare of the City.**

***The proposal complies with this criterion.***

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

**As the proposed project is an extension to an existing facility, there are adequate public services, facilities, and infrastructure to serve.**

***The proposal complies with this criterion.***

**Design Review:**

The Design Review Board is scheduled to review the subject request on November 12, 2024. Staff will work with the applicant to address any comments and recommendations from the Design Review Board.

**Neighborhood Participation Plan and Public Comments:**

The applicant 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 neighborhood within one mile of the site.

As of writing this report, staff has not received any comments from surrounding property owners. Staff will provide the Board with any new information during the scheduled Study Session.

**Staff Recommendation:**

Staff finds that the Proposed Project is consistent with the Mesa 2040 General Plan, meets the review criteria for Site Plan Review outlined in Section 11-69-5, as required for major site plan modifications in Section 11-69-7 of the MZO, and the review criteria for approval of a SUP outlined in Sections 11-70-5 of the MZO.

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

1. Compliance with final site plan.
2. Compliance with all requirements of DRB23-00394.
3. 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."
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 – Preliminary Grading and Drainage Plan
- Exhibit 7 – Elevations
- Exhibit 8 – Citizen Participation Plan
- Exhibit 9 – Citizen Participation Report
- Exhibit 10 – PowerPoint Presentation