



PLANNING DIVISION
STAFF REPORT

City Council Meeting

November 6, 2023

CASE No.: ZON22-01311	PROJECT NAME: 48th Street & Ingram
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Owner's Name:	LPC MESA, LLC
Applicant's Name:	Daniel Macias, LGE Design Group
Location of Request:	Within the 1700 block of North 48 th Street (west side) and within the 4700 block of East Ingram Street (north side). Located west of Higley Road and south of McKellips Road.
Parcel No(s):	141-34-350
Request:	Rezone from Light Industrial (LI) to Light Industrial with a Bonus Intensity Zone Overlay (LI-BIZ); and Site Plan Review. This request will allow for an industrial development.
Existing Zoning District:	Light Industrial (LI)
Council District:	2
Site Size:	1± acres
Proposed Use(s):	Industrial
Existing Use(s):	Vacant
P&Z Hearing Date(s):	October 11, 2023 / 4:00 p.m.
Staff Planner:	Cassidy Welch, Senior Planner
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (7-0)
Proposition 207 Wavier Signed:	Yes

HISTORY

On **June 26, 1979**, City Council approved the annexation of approximately 3,141± acres of land, including the project site (Ord. No. 1250).

On **December 17, 1979**, City Council established City of Mesa comparable zoning of Agricultural (AG) for 576± acres of land, including the project site, on recently annexed land. (Case No. Z79-118, Ord. No. 1302).

On **April 19, 1982**, City Council approved a rezone of 230± acres, including the project site, from AG to M-1 (equivalent to current Light Industrial [LI]) and conceptual M-1 to allow development of an industrial park known as Mesa Commerce Center (Case No. Z82-009, Ord. No. 1593).

On **April 15, 1985**, City Council approved rezone of 120± acres, including the project site, from conceptual M-1 (LI) to M-1 (LI) and a modification of the Mesa Commerce Center industrial park lot configuration (Case No. Z85-034, Ord. No. 1938).

On **October 10, 2023**, the Design Review Board reviewed the building elevations and landscape plan. Staff will work with the applicant to address any comments and recommendations from the Design Review Board.

On **October 11, 2023**, the Planning and Zoning Board recommended approval with conditions for the rezoning and site plan approval (Vote 7-0).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the proposed project site from Light Industrial (LI) to Light Industrial with a Bonus Intensity Zone overlay (LI-BIZ) and requesting approval of an Initial Site Plan to allow for an industrial development. The applicant is requesting a Bonus Intensity Zone overlay to allow for modifications to development standards (Proposed Project).

The proposed project site is currently vacant and located within an existing industrial subdivision located west of Higley Road and south of McKellips Road. The Proposed Project includes development of an industrial building totaling 15,536 square feet with associated parking and access. Per Table 11-7-2 of the Mesa Zoning Ordinance (MZO), the Proposed Project is allowed in the Light Industrial zoning district.

General Plan Character Area Designation and Goals:

The proposed project site is located within the Employment character area of the Mesa 2040 General Plan. Per Chapter 7 of the General Plan, the goal for these districts is to provide for a wide range of employment opportunities. The Proposed Project complies with the overall intent of the character area designation. Staff reviewed the request and determined the proposed BIZ overlay and use of the property is consistent with the criteria for review of development outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

Falcon Field Sub-Area:

The proposed project site is located within the Falcon Field Sub-Area Plan. The primary intent of the Falcon Field Sub-Area is to provide an oasis for aviation-related businesses and an abundance of high-quality employment uses.

The Proposed Project is consistent with the intent of the Falcon Field Sub-Area Plan by contributing to the high-quality employment in the area.

Zoning District Designations:

The applicant is requesting to rezone the project site from Light Industrial (LI) to Light Industrial with a Bonus Intensity Zone overlay (LI-BIZ). Per Section 11-7-1 of the Mesa Zoning Ordinance (MZO), the purpose of the LI zoning district is to provide areas for limited manufacturing and processing, wholesaling, research, warehousing, and distribution activities within enclosed buildings.

Per Section 11-7-2 of the MZO, offices and warehousing are permitted uses in the LI zoning district. The Proposed Project conforms to the goals of the LI zoning district.

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 proposed project site within the Airfield Overlay is due to its proximity to the Phoenix-Mesa Gateway Airport.

Per Table 11-7-2 of the MZO, there are no additional use restrictions for office and warehouse uses located in the LI zoning district and AOA 3.

BIZ Overlay Modification – MZO Article 3, Chapter 21:

The Proposed Project includes a Bonus Intensity Zone overlay (BIZ) to allow for modifications to certain required development standards of the MZO.

Per Section 11-21-1 of the MZO, the purpose of a BIZ overlay is to provide for variation from the application of development standards to allow greater intensity of development and encourage unique, innovative developments of superior quality.

Table 1 shows the MZO required standards and the applicant’s proposed BIZ standards.

Table 1: Development Standard Comparison

Development Standards	MZO Required	BIZ Proposed	Staff Recommendation
<u>Perimeter Landscaping –</u> <i>MZO Section 11-33-3(B)(2)</i> -Non-Single Residence Uses adjacent to other Non-single Residence	15-foot-wide landscape yard	3-foot-wide landscape yard	As proposed

Development Standards	MZO Required	BIZ Proposed	Staff Recommendation
<u>Parking Area Design –</u> <i>MZO Section 11-32-4(A)</i> -Setback of Cross Drive Aisles	50 feet from parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles to the property line abutting the street	<p style="text-align: center;">27 feet from parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles to the property line abutting Ingram Street</p> <p style="text-align: center;">33 feet from parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles to the property line abutting 48th Street</p>	As proposed

Perimeter Landscape Setback:

Per Section 11-33-3(B)(2) of the MZO, non-single residence uses adjacent to non-residential uses/districts shall provide a 15-foot perimeter landscape yard.

The applicant is requesting a reduction to the perimeter landscape yard along the north property line from 15 feet to three feet. According to the applicant, the requested reduction is necessary due to the existing parcel configuration and to accommodate the Mesa Commerce Center Association requirements.

Parking Area Design:

Per Section 11-32-4(A) of the MZO, parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 50 feet from the property line abutting the street.

The applicant is requesting a 27-foot setback to the parking spaces and cross drive aisles from the property line abutting Ingram Street and a 33-foot setback from the property line abutting 48th Street. According to the applicant, the modification is requested due to the existing parcel

configuration. The requested reductions are consistent with similar developments within the Mesa Commerce Center industrial park.

Justification:

Review and approval of a BIZ overlay is based on the criteria in Section 11-21 of the MZO. The City Council may approve a request for a BIZ overlay for projects that provide distinctive, superior quality designs and address environmental performance standards in the site or building design.

Per the submitted plans, the Proposed Project offers superior quality design by using a variety of high-quality building materials and distinctive building massing to provide interest at the intersection of 48th Street and Ingram Street. The building entrance is enhanced through the use of a metal awning and glazing. The proposed modern industrial architecture is compatible with the adjacent developments and will be harmonious with the Mesa Commerce Center industrial park. The environmental performance standards are met by developing a vacant, underutilized site.

The Proposed Project demonstrates superior quality to meet the intent of the City's Zoning Ordinance and General Plan.

Site Plan and General Site Development Standards:

The Proposed Project consists of a 15,536 square foot industrial building. The building will be located at the rear of the site with access and parking located south of the building, adjacent to 48th Street and Ingram Street. The public entrance is located on the south façade of the building, facing Ingram Street. A truck dock is located on the west side of the building and will be screened from public view in accordance with Section 11-30-13 of the MZO.

Primary access into the site is proposed via an existing shared access drive on the western boundary of the site from Ingram Street and from a new proposed access drive on the eastern boundary of the site from 48th Street.

Per Table 11-32-3(A) of the MZO, a minimum of 22 parking spaces are required. Per the submitted plans, 24 parking spaces are proposed.

The Proposed Project conforms to the criteria and requirements of an Initial Site Plan outlined in Section 11-69-5 of the MZO.

Surrounding Zoning Designations and Existing Use Activity:

Northwest LI Industrial	North LI Industrial	Northeast (Across 48 th Street) LI Industrial
West LI Industrial	Project Site LI Vacant	East (Across 48 th Street) LI Industrial
Southwest (Across 48 th Street) LI Industrial	South (Across Ingram Street) LI Industrial	Southeast (Across 48 th Street) LI Industrial

Compatibility with Surrounding Land Uses:

The Proposed Project is located within the Mesa Commerce Center industrial park. Existing industrial developments are located to the north, east, south, and west of the project site. The Proposed Project will not be out of character with the existing surrounding developments.

Neighborhood Participation Plan and Public Comments:

The applicant completed a Citizen Participation Process which included notification to property owners within 500 feet of the site, as well as HOAs within ½ mile, and registered neighborhoods within one mile of the project site. The applicant conducted a virtual neighborhood meeting on July 26, 2023. No adjacent property owners attended the meeting.

Staff was contacted by a member of the Mesa Commerce Center Association who expressed concerns with the Proposed Project complying with the private covenants, conditions, and restrictions (CC&Rs) for the industrial park. The applicant worked with the Association to revise the site plan to comply with the CC&Rs. Staff has not received any additional contact since the Proposed Project was revised.

Staff Recommendation:

Staff finds that the Proposed Project is consistent with the Mesa 2040 General Plan, the Falcon Field Sub-area Plan, and the purpose for a Bonus Intensity Zone overlay outlined in Section 11-21 of the MZO, and the review criteria for Site Plan Review outlined in Section 11-69-5 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. DRB22-01310.
3. Prior to the issuance of any building permit, obtain approval of and record a lot line adjustment between the subject parcel (APN 141-34-350) and parcel 141-34-349.
4. Prior to the issuance of any building permit, record a cross-access easement with the adjacent property to the west (APN 141-34-349).
5. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this BIZ overlay as shown in the following table:

Development Standards	Approved
<u>Perimeter Landscaping – MZO Section 11-33-3(B)(2)</u> -Non-Single Residence Uses adjacent to other Non-single Residence	3-foot-wide landscape yard
<u>Parking Area Design – MZO Section 11-32-4(A)</u> -Setback of Cross Drive Aisles	27 feet from parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles to the property line abutting Ingram Street 33 feet from parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles to the property line abutting 48 th Street

6. 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 Falcon Field 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 Falcon Field 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 1 mile of Falcon Field Airport
 - e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which states in part: “This property, due to its proximity to Falcon Field Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals.”

Exhibits:

- Exhibit 1 – Presentation
- Exhibit 2 – Ordinance

- Exhibit 3 – Ordinance Map
- Exhibit 4 – Vicinity Map
- Exhibit 5 – Site Plan
- Exhibit 6 – P&Z Minutes
- Exhibit 7 – Submittal Documents