



**PLANNING DIVISION
STAFF REPORT**

City Council Hearing

January 10, 2022

CASE No.: **ZON21-00790**

PROJECT NAME: **Confluence Phase II**

Owner's Name:	Mushson Partners LLC
Applicant's Name:	Ryan Companies US, Inc.
Location of Request:	Within the 4900 to 5100 blocks of South Ellsworth Road (west side) and within the 9000 to 9200 blocks of East Ray Road (north side). Located west of Ellsworth Road and north of Ray Road.
Parcel No(s):	304-31-010E, 304-31-010H
Request:	Rezone from Agriculture (AG) to Light Industrial (LI); Site Plan Review, and Special Use Permit (SUP). This request will allow for an industrial development.
Existing Zoning District:	Agriculture (AG)
Council District:	6
Site Size:	17.04± acres
Proposed Use(s):	Industrial
Existing Use(s):	Vacant
P&Z Hearing Date(s):	December 15, 2021 / 4:30 p.m.
Staff Planner:	Josh Grandlienard, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote 5-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **October 6, 2000**, the City Council annexed 1,571.41± acres of land, including the 17.04± acre subject property, into the City of Mesa and established Agriculture (AG) zoning on the property (Case No. Z00-087, Ordinance No. 3815, and Ordinance No. 3885).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the property from Agricultural (AG) to Light Industrial (LI), Site Plan Review approval for an initial site plan, and a Special Use Permit (SUP) exceed the permitted height in the Airfield Overflight Area (AOA).

The subject property is currently vacant and located on the northwest corner of Ray Road and Ellsworth Road. The submitted site plan shows three 53-foot industrial buildings totaling approximately 352,000 square feet. According to the applicant, the buildings will be used for general manufacturing and warehouse/storage uses. Per Section 11-7-2 of the Mesa Zoning Ordinance (MZO), a variety of industrial uses including general manufacturing and warehouse/storage are allowed in the LI zoning district. The maximum building height in the LI District is 40 feet; however, Section 11-30-3 of the MZO allows the Planning and Zoning Board to approve an increase in height for proposed developments through an SUP.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Employment and Mixed-Use Activity Districts. Per Chapter 7 of the General Plan, Employment Districts typically have minimal connection to the surrounding area and are used for employment-type uses such as manufacturing facilities, warehousing, and business parks. Per the Plan, one of the goals for Employment District is to provide for a wide range of employment opportunities in high-quality settings. The Mixed-Use Activity District is a large-scale (typically over 25 acres) community and regional activity area that usually has a significant retail commercial component including shopping areas such as malls, power centers, or lifestyle centers that are designed and developed to attract customers from a large radius. These districts often include other uses such as office, entertainment, and residential. The subject requests would allow for industrial development which is consistent with the goals of the Employment Character Area.

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. This district will also include walkable mixed-use “urban core” areas to provide focus and identity. 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 development of an industrial building is consistent with the goals of the Employment Character Area designation, as well as the intentions of the Mixed-Use Community District of the Gateway Strategic Development Plan.

Zoning District Designations:

The property is currently zoned Agricultural (AG). The applicant is requesting to rezone the property to Light Industrial (LI). Per Section 11-7-1(B)(2) of the MZO, the purpose of the LI District is to provide areas for limited manufacturing and processing, wholesaling, research, warehousing, and distribution activities which take place in enclosed buildings. The proposed rezoning and intended development of the site for general manufacturing, warehousing, and storage uses conforms to the goals of the LI District.

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 land use limitation in the AOA 3 beyond those in the base district.

Site Plan and General Site Development Standards:

The proposed site plan shows development of three industrial buildings totaling 352,000 square feet. As shown on the site plan, the buildings will range between 108,810 square feet to 135,018 square feet. Each building on the property will include truck docks areas, as well as areas for outdoor storage. The outdoor storage areas will be located internal to the site, on the back and sides of the industrial buildings, and screened by an eight-foot wall in conformance with Section 11-30-17 of the MZO. The site plan shows access to the site will be from Ray Road to the south of the site, and Ellsworth Road to the east.

The Site Plan shows parking adjacent to Ellsworth Road and Ray Road, being screened with a mixture of landscaping and a screen wall. The applicant has provided a total of 515 parking spots for passenger vehicles throughout the site where the proposed uses require a total 444 parking spots due to the demand required by the proposed user.

Alternative Landscape Plan:

As part of the subject request, the applicant has submitted an Alternative Landscape Plan (ALP). Section 11-33-7 of the MZO allows certain modifications to the City's landscaping requirements if the proposal exceeds, in whole or in part, the City's landscape standards and conforms to the intent of the landscaping requirements. The applicant is proposing a reduction in the required width of the foundation base. Per Section 11-33-5 of the MZO, along exterior walls with public entrances, a 15-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall. The applicant is proposing a 12-foot foundation base along the frontages of Buildings One, Two and Three in order to provide a fire apparatus lane along those portions of the buildings. To offset the proposed deviations, the applicant is proposing a diverse plant palette of low water use, drought tolerant plants, as well as larger trees to give the site a more mature landscape feel in a shorter amount of time. Staff reviewed the request for the Alternative Landscape Plan and has determined it is consistent with the design principles and required findings outlined in Section 11-33-7 of the MZO.

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) for three of the three proposed buildings. Per Table 11-7-3 of the MZO, the maximum height allowed in the LI zoning district is 40 feet. The applicant is requesting a 53-foot height for Buildings One, Two, and Three. Section 11-66-2(C) of the MZO allows the Planning and Zoning Board to 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, requirements for granting an SUP to allow for an increase in height include: (1) Demonstrating that the proposed project will advance the goals and objectives of the General Plan and other city policies; (2) Demonstrating that the location, size, design, and operating characteristics of the project are consistent with the purpose of the zoning district designation on the property; (3) Ensuring the project will not be injurious or detrimental to adjacent properties or surrounding areas; and (4) Demonstrating that there are adequate public services and infrastructure to support the development.

The proposed development size, shape, and characteristics conform to the goals and purposes of the LI zoning district designation on the property and the General Plan Employment Character Area designation. Allowing the increase in height of the proposed buildings will not be detrimental to the surrounding development. The adjacent property to the north is zoned LI and intended for similar industrial development. Therefore, the proposed project is consistent with the surrounding uses and character and will not negatively impact surrounding properties.

Design Review:

The Design Review Board is scheduled to review the subject request on December 14, 2021. Staff will be working with the applicant to address any comments and recommendations from the Design Review Board and will provide the Board an update at the December 15 Study Session.

Surrounding Zoning Designations and Existing Use Activity:

Northwest LI Confluence Phase I	North LI Confluence Phase I	Northeast PC Vacant
West LI Confluence Phase I	Subject Property AG Vacant	East PC Vacant
Southwest AG Vacant	South AG Vacant	Southeast PC Vacant

Compatibility with Surrounding Land Uses:

The subject site is currently vacant. To the north and west of the site is vacant land that was recently approved for industrial development (Confluence Phase I). To the east of the site is a vacant property within the Eastmark Community. South of the site is vacant property zoned Agriculture (AG). The proposed industrial development is compatible with the surrounding development and land uses.

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. 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 December 15, 2021.

Staff Recommendations:

Based on the application received and the proceeding analysis, staff finds the subject request is consistent with the General Plan, the Gateway Strategic Development Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, and meets the review criteria for a Special Use Permit outlined in Section 11-70-5 of the MZO; therefore, staff recommends approval with the following conditions.

Conditions of Approval:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of Design Review.
4. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication whichever comes first.
5. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner shall execute and record the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to the issuance of a building permit.
 - 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. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
 - c. Provide written notice to future property owners that the project is within one mile of Phoenix-Mesa Gateway Airport.

Exhibits:

Exhibit 1-Staff Report

Exhibit 2-Vicinity Map

Exhibit 3-Application Information

3.1 Project Narrative

3.2 Site Plan

3.3 Landscape Plan

3.4 Elevations

Exhibit 4-Citizen Participation Plan

Exhibit 5-Citizen Participation Report