



**PLANNING DIVISION  
STAFF REPORT**

**Planning and Zoning Board**

**May 11, 2022**

CASE No.: <b>ZON22-00093</b>	PROJECT NAME: <b>Mesa Connection</b>
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Owner's Name:	Victor Riches
Applicant's Name:	Shane Cassidy, Komunale Properties
Location of Request:	Within the 7900 block of E. Warner Road (south side). Located east of Sossaman Road and west of Hawes Road
Parcel No(s):	304-30-016A
Request:	Rezone from Agricultural (AG) to Light Industrial with a Planned Area Development overlay (LI-PAD) and Site Plan Review. Also consider the preliminary plat for "Mesa Connection".
Existing Zoning District:	Agricultural (AG)
Council District:	6
Site Size:	50± acres
Proposed Use(s):	Industrial
Existing Use(s):	Vacant
P&Z Hearing Date(s):	May 11, 2022 / 4:00 p.m.
Staff Planner:	Sean Pesek, Planner II
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **November 16, 2000**, City Council annexed 1,571± acres of land, including the 50± acre subject property into the City of Mesa (Ordinance No. 3815).

On **June 2, 1986**, City Council approved a rezoning on the 50± subject property from Maricopa County Agricultural (ADII) to City of Mesa comparable zoning district of Agricultural (AG) (Case No. Z00-087; Ordinance No. 3885).

## PROJECT DESCRIPTION

### **Background:**

The subject request is a rezone from Agricultural (AG) to Light Industrial with a Planned Area Development overlay (LI-PAD), review of an Initial Site Plan, and review of a Preliminary Plat to allow for an industrial development. If approved, the requested PAD overlay will increase the maximum allowable building height, reduce the required number of on-site parking spaces, and waive the requirement for raised pedestrian crossings at truck court entrances.

Per Section 11-22 of the Mesa Zoning Ordinance (MZO), the purpose of a PAD overlay is to permit flexibility in the application of zoning standards and requirements where a proposed development can demonstrate that it provides equivalent or superior standards in a creative way to meet the intent of the City's Zoning Ordinance and General Plan. As justification for the PAD, the applicant is proposing an innovative industrial complex design complete with usable open space, amenity areas, and environmentally conscious development practices.

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

The Mesa 2040 General Plan Character Area designation on the property is Employment and Mixed Use Activity District. 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. The Mixed Use Activity District is a large-scale (typically over 25 acres) regional activity area that 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.

Staff reviewed the request and determined it is consistent with the development review criteria outlined in Chapter 15 (pg. 15-1) and the goals of the Employment District by providing areas for employment and commercial opportunities in a high-quality setting including office, manufacturing, and distribution warehousing.

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

The subject property is also located within the Inner Loop District of the Mesa Gateway Strategic Development Plan (MGSDP), which is envisioned as a high-quality mixed-use environment that is compatible with over-flight activities associated with Phoenix-Mesa Gateway Airport operations. Per the Plan, development along the freeway corridors should be higher intensity but take on a business park setting and present attractive facades to the freeway. The subject request conforms to the goals of identified in the MGSDP by providing a variety of industrial uses in the Loop 202 Red Mountain Freeway corridor.

### **Airfield Overlay – Mesa Zoning Ordinance (MZO) Article 3, Section 11-19:**

Per Section 11-19 of the MZO, the property is located within Airport Overflight Area Two and Three (AOA 2 & AOA 3) of the Airfield (AF) Overlay District due to its proximity to the Phoenix-Mesa Gateway Airport. Per Section 11-19 of the MZO, there are no industrial use restrictions

within the AOA 2 and AOA 3. Phoenix-Mesa Gateway Airport staff reviewed the subject request and had no comments on the proposed development.

**Zoning District Designations:**

The applicant is requesting to rezone the site from AG to LI-PAD. Per Section 11-7-1 of the MZO, the purpose of the LI zoning district is to provide areas for limited industrial and high-impact commercial uses. The proposed use conforms to the goals of the LI District.

**PAD Overlay Modification – MZO Article 3, Chapter 22:**

The subject request includes a Planned Area Development overlay (PAD) to allow for modifications to certain required development standards of the MZO on the property. Per Section 11-22 of the MZO, the purpose of the PAD overlay is to allow innovative design and flexibility that creates high-quality development for the site. Overall, the proposed development complies with requirements of a PAD as outlined in Section 11-22 of the MZO by incorporating high-quality development design standards. Table 1 below shows the MZO required standard and the applicant’s proposed PAD standard.

*Table 1: Development Standards*

<b>Development Standards</b>	<b>MZO Required</b>	<b>PAD Proposed</b>	<b>Staff Recommendation</b>
<u>Maximum Building Height</u> – <i>MZO Section 11-7-3</i>	40 feet	<b>60 feet for Buildings 4 and 5</b> <b>50 feet for Buildings 1,2,3, and 6</b>	As proposed
<u>Pedestrian Access</u> – <i>MZO Section 11-32-4(G)</i>	Where a pedestrian sidewalk crosses a vehicle lane, the pedestrian sidewalk shall be raised a minimum of 3-inches above the vehicle lane and	<b>At truck court entrances only, a pedestrian sidewalk crossing a vehicle lane is not required to be raised above the vehicle lane</b>	As proposed
<u>Parking Spaces Required</u> – <i>MZO Section 11-32-3(A)</i> - Group Industrial Buildings and Uses, Shell Buildings (no specified use)	75% at 1 space per 500 square feet plus 25% at 1 space per 375 square feet	<b>15% at 1 space per 375 square feet and 85% at 1 space per 900 square feet</b>	As proposed

**Maximum Building Height:**

Per Section 11-7-3 of the MZO, the maximum building height in the LI zoning district is 40 feet. While the submitted elevations show a maximum building height of 43 feet, the applicant is requesting a maximum height of 60 feet for buildings 4 and 5 and a maximum allowable height of 50 feet for buildings 1,2,3, and 6 to accommodate future buyers or tenants

**Pedestrian Access:**

Per Section 11-32-4(G) of the MZO, where a pedestrian sidewalk crosses a vehicle lane, the pedestrian sidewalk shall be raised a minimum of three inches above the vehicle lane and made distinct by use of textured paving and contrasting color. The applicant is proposing to omit this requirement for pedestrian crossings at truck court entrances. All other pedestrian crossings will be raised and striped to meet Code.

**Parking Spaces Required:**

Per Section 11-32-3(A) of the MZO, shell industrial buildings required to provide one parking space per 500 square feet of floor area (for 75% of the gross floor area) and one space per 375 square feet (for 25% of the gross floor area), which yields approximately 1,435 on-site spaces. The applicant has proposed a ratio of one space per 375 square feet of floor area (for 15% of the gross floor area) and one space per 900 square feet (for 85% of the gross floor area), which yields 1,136 spaces.

**Justification:**

Per Section 11-22 of the MZO, the purpose of the PAD overlay is to allow innovative design and flexibility that creates high-quality development for the site. After review of the submitted documents, the proposed code deviations are commensurate with the building and landscape design features. The applicant is providing approximately 7,654 square feet of amenity space, which is 116% of the required amount. Additionally, the amount of plant coverage provided exceeds the 50% minimum coverage of open space as required by the MZO. With regard to building design, the applicant has integrated environmentally conscious practices such as water sensor irrigation systems, drought-tolerant landscaping, low-emissivity glass, and electric charging stations.

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

The proposed site plan shows development of six industrial buildings totaling approximately 660,045 square feet of floor area. Each building will have truck docks and service areas that are screened by eight-foot decorative walls per the screening requirements outlined in Section 11-30-13 of the MZO. Primary access for employees and visitors is provided from E. Warner Road, with secondary access from S. 80<sup>th</sup> Street. On-site walkways will connect primary building entrances with parking areas, employee amenity spaces, and adjacent sidewalks. Perimeter landscape yards are provided along all property lines to soften the appearance of development and meet the requirements set forth in Chapter 33 of the MZO. Overall, the proposed site plan conforms to the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

**Design Review:**

The Design Review Board is scheduled to review the subject request on May 10, 2022. Staff will work with the applicant to address any comments and recommendations from the Design Review Board.

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

<p><b>Northwest</b> (Across E. Warner Avenue) Maricopa County Agriculture</p>	<p><b>North</b> (Across E. Warner Avenue) Maricopa County Agriculture</p>	<p><b>Northeast</b> (Across E. Warner Avenue) RSL-2.5-PAD Vacant</p>
<p><b>West</b> LI-PAD Vacant</p>	<p><b>Subject Property</b> AG Vacant</p>	<p><b>East</b> LI-PAD &amp; AG Approved Industrial &amp; Vacant</p>
<p><b>Southwest</b> (Across Loop 202) LI Industrial</p>	<p><b>South</b> (Across Loop 202) LI-PAD Approved Industrial</p>	<p><b>Southeast</b> (Across Loop 202) LI-PAD Approved Industrial</p>

**Compatibility with Surrounding Land Uses:**

The subject site is currently vacant. Properties to the south, across Loop 202, are zoned LI and LI-PAD with approved site plans for industrial development. To the north are parcels within Maricopa County used for agriculture. To the immediate west is property zoned LI-PAD with an approved site plan for the AirPark 202 Industrial Business Park. Lastly, to the east, is property zoned LI-PAD with an approved site plan for the Gateway Interchange Business Park and AG land. If approved, the proposed use will not be out of character with the surrounding area and conforms to the goals of the General Plan and Mesa Gateway Strategic Development Plan.

**Preliminary Plat:**

As part of the subject request, the applicant is proposing a Preliminary Plat for three lots. Section 9-6-2 of the Mesa Subdivision standards requires approval of all subdivision plats located in the City to be processed through four progressive stages. Review and approval of a Preliminary Plat is the second stage in the series of the progressive stages. This review includes the evaluation of the overall design of the subdivision and details, such as utilities layout, ADA compliance, and detention requirements. The Preliminary Plat is reviewed and approved by the Planning & Zoning Board. Per Section 9-6-2 of the City’s subdivision regulations, all plats are subject to Final Plat approval through the City Council. The request meets the review criteria for approval of a Preliminary Plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations.

**Neighborhood Participation Plan and Public Comments:**

As part of the completed Citizen Participation Process, the applicant mailed notice letters to property owners within 1,000 feet of the site, as well as nearby HOAs and neighborhood associations. As of the writing of this report, neither the applicant nor staff have received any comments or concerns from surrounding property owners. Staff will provide the Board with any new information during the May 11, 2022 Study Session.

**Staff Recommendation:**

Based upon the application received and preceding analysis, staff finds that the subject requests are consistent with the Mesa 2040 General Plan, the Mesa Gateway Strategic

Development Plan, the review criteria for Site Plan Review approval outlined in Section 11-69-5, the purpose of a PAD outlined in Section 11-22-1, and meets the requirements of Section 11-9-2 of the Subdivision regulations; therefore, staff recommends approval of the request with the following conditions.

**Conditions of Approval:**

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review case no. DRB22-00100.
3. Compliance with the Subdivision Regulations.
4. 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.
5. All off-site improvements and street frontage landscaping to be installed in the first phase of construction.
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 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. 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 Phoenix-Mesa Gateway Airport
7. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with the PAD overlay and shown in the following table:

<b>Development Standards</b>	<b>PAD Approved</b>
<u>Maximum Building Height</u> – MZO Section 11-7-3	60 feet for Buildings 4 and 5  50 feet for Buildings 1,2,3, and 6
<u>Pedestrian Access</u> – MZO Section 11-32-4(G)	A pedestrian sidewalk crossing a vehicle lane is not required to be raised above the vehicle lane at truck court entrances
<u>Required Parking Spaces by Use</u> – MZO Table 11-32-3.A - Group Industrial Buildings and Uses, Shell Buildings (no specified use)	15% at 1 space per 375 square feet and 85% at 1 space per 900 square

	feet
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**Exhibits:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Application Information

3.1 Site Plan

3.2 Grading and Drainage Plan

3.3 Landscape Plan

3.4 Elevations

3.5 Project Narrative

3.6 Citizen Participation Plan

Exhibit 4 – Citizen Participation Report

Exhibit 5 – Avigation Easement