



**PLANNING DIVISION**  
**STAFF REPORT**

**City Council Hearing**

**June 6, 2022**

CASE No.: **ZON22-00154**  
**Gateway**

PROJECT NAME: **Project Earl at Mesa**

Owner's Name:	The Cubes at Mesa Gateway, LLC
Applicant's Name:	Adam Baugh, Withey Morris, PLC
Location of Request:	Within the 7300 to 7500 blocks of the South Crismon Road alignment (east side) and within the 10000 to 10300 blocks of East Germann Road (north side). Located north of Germann Road on the east side of the Crismon Road alignment.
Parcel No(s):	304-63-006V
Request:	Site Plan Review; and Special Use Permit. This request will allow for an industrial development.
Existing Zoning District:	General Industrial (GI)
Council District:	6
Site Size:	63.6± acres
Proposed Use(s):	Industrial
Existing Use(s):	Vacant
P&Z Hearing Date(s):	<b>May 11, 2022 / 4:00 p.m.</b>
Staff Planner:	Cassidy Welch, Senior Planner
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote: 5-0)

**HISTORY**

On **January 18, 1990**, the City Council approved the annexation of approximately 3,346± acres of land, including the subject site (Ordinance No. 2473); and subsequently zoned the property to Single Residence 43 (RS-43) (Case No. Z90-007, Ordinance No. 2496).

On **October 21, 1996**, the City Council approved a rezone of a 313± acres of land, including the subject site, from RS-43 to General Industrial (GI) to allow for future development of industrial uses (Case No. Z96-67, Ordinance No. 3245).

On **February 28, 2022**, the City Council approved a final plat for “The Cubes at Mesa Gateway” for the development of 5 industrial lots (Case No. SUB21-01307).

On **February 28, 2022**, the City Council approved a Site Plan Review for an industrial development within Lot 3 of The Cubes at Mesa Gateway (Case No. ZON21-01064, Resolution No. 11799).

## **PROJECT DESCRIPTION**

### **Background:**

The subject request is for the Site Plan Review of an Initial Site Plan to allow for the development of a 264,800 square foot office and manufacturing building in the GI District. The subject site is currently vacant and located north of Germann Road on the east side of the future Crismon Road alignment. A condition of approval on zoning case Z96-67 (Ordinance No. 3245) requires Planning and Zoning Board recommendation and City Council approval of the Site Plan. The subject site is located within Lot 5 of The Cubes at Mesa Gateway, a larger master planned industrial development.

Per Table 11-7-2 of the Mesa Zoning Ordinance (MZO), offices and manufacturing are permitted uses in the GI zoning district. The subject request also includes approval of a Special Use Permit (SUP) to reduce the amount of required parking for the proposed development and to exceed the maximum building height in the Airfield Overlay District.

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

The General Plan character area designation on the property is Employment. Per Chapter 7 of the General Plan, the primary focus of the Employment character area designation is to provide for a wide range of employment opportunities in high-quality settings. Examples of employment-type land uses include areas for large manufacturing facilities, warehousing, and business park-type land uses. The proposed industrial development for office and manufacturing uses will be consistent with the intent of the Employment character area designation. Overall, the request is consistent with the review criteria outlined in Chapter 15 (pg. 15-1&2) of the Mesa 2040 General Plan.

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

The subject property is also located within the Logistics and Commerce District of the Mesa Gateway Strategic Development Plan (MGSDP). The Logistics and Commerce District is envisioned to provide a high-quality employment environment that is compatible with increasing over-flight activities associated with the nearby Phoenix-Mesa Gateway Airport. The subject request for an industrial development conforms to the purpose and intent of the Mesa Gateway Strategic Development Plan.

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

Per Section 11-19 of the MZO, the site is located within the Airfield Overlay District, specifically within the Airport Overflight Area Two (AOA 2). The location of the property within the Airfield Overlay is due to its proximity to the Phoenix-Mesa Gateway Airport. Per Section 11-7-2 of the MZO, the AOA 2 allows development of office and manufacturing uses.

The proposed development is not in the direct flight path of the Phoenix-Mesa Gateway airport runways; however, the development will likely experience noise from the airport. Phoenix-Mesa Gateway Airport staff reviewed the subject request and had no concerns with the proposed development of the site for non-residential uses.

**Zoning District Designations:**

The subject site is currently zoned General Industrial (GI). Per Section 11-7-2 of the MZO, office and manufacturing land uses are permitted in the GI zoning district. Per Section 11-7-1 of the MZO, the purpose of the GI zoning district is to provide areas for industrial and high-impact commercial uses that require separation from residential uses.

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

The proposed site plan shows development of one, large-scale industrial building totaling approximately 264,800 square feet. Primary access to the site is provided through two access drives on the southern boundary of the site from Germann Road. Secondary access, which is intended for industrial truck traffic, is provided at the western boundary of the subject site from the Crismon Road alignment. Truck loading docks are located on the north and east sides of the building and will be screened by an eight-foot opaque screen wall along the north and east boundaries of the site.

Per Section 11-32-3 of the MZO, 473 on-site parking spaces are required for the proposed office and manufacturing use. Per the submitted plan, 300 parking spaces are provided. The subject request includes a Special Use Permit (SUP) for a parking reduction. Parking spaces are located along Germann Road and are broken up into areas less than 200 spaces, in accordance with the parking lot layout standards set forth in Section 11-32-4(G) of the MZO.

Freestanding patio areas are also provided for common use by employees that include trellises, benches, and picnic tables in accordance with the employee and visitor amenities requirements in Section 11-7-3(B)(1)(d) of the MZO. Overall, the proposed site plan conforms to the requirements of the MZO including the review criteria for Site Plan Review in Section 11-69-5.

**Special Use Permit – MZO Article 7, Section 11-70:**

Section 11-66-2(C)(2) of the MZO allows the Planning and Zoning Board to hear and take action on a SUP when requested in conjunction with another request requiring action or recommendation by the Planning and Zoning Board.

**Building Height:**

The applicant is requesting a Special Use Permit (SUP) to exceed the maximum building height permitted in the GI zoning district and Airfield Overlay District. Per Section 11-30-3(B), a Special Use Permit is required to exceed the maximum height of the base zoning district when within an Airfield Overlay District.

Per Table 11-7-3 of the MZO, the maximum height allowed in the GI zoning district is 50 feet. The applicant is requesting a 60-foot maximum building height to the top of the parapet. According to the applicant, the increased building height is needed to accommodate the type of operations planned for the building.

Per Section 11-70-5 of the MZO, requirements for granting an SUP include: (1) Demonstrating that the proposed project will advance the goals and objectives of the General Plan and other applicable City plans and/or 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) Demonstrate there is adequate public services and infrastructure to support the development.

The proposed development size, shape, and characteristics conform to the goals and purposes of the GI zoning district designation on the property and the General Plan Employment character area designation. Allowing the increase in height of the proposed building to 60 feet will not be detrimental to the surrounding properties. In addition, the Phoenix-Mesa Gateway Airport staff reviewed the subject request and expressed no concerns with the proposed building height.

Parking:

Per Section 11-32-3 of the MZO, 473 parking spaces are required for the proposed development. The applicant is requesting to reduce the number of parking spaces from 473 to 300, a 173-space reduction. Section 11-32-6 of the MZO establishes criteria for approval of a SUP to allow the reduction in the number of parking spaces. Below is a summary of the criteria for the SUP and findings:

<b>Parking Reduction Required Findings (MZO Section 11-32-6)</b>	<b>Findings</b>
1. Special conditions – including but not limited to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site – exist that will reduce parking demand at this site.	The proposed development consists of one large-scale industrial building. According to the applicant, a majority of the building area will be utilized for manufacturing and storage. The proposed office area accounts for approximately 10% of the total building square footage. Based on this intent, the applicant believes that 300 parking spaces will be sufficient to meet the employee and customer needs of the proposed development.

2. The use will adequately be served by the proposed parking.	Per the applicant, the provided 300 parking spaces are anticipated to meet the needs of the employees during each shift and shift changes, as well as additional temporary employees and customers.
3. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on street parking in the surrounding area.	According to the applicant, the parking demand is not anticipated to exceed the capacity provided or impact the supply of on-street parking in the area.

**Design Review:**

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

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

<b>Northwest</b> (Across Crismon Road) AG Agricultural	<b>North</b>  GI Vacant	<b>Northeast</b>  GI Vacant
<b>West</b> (Across Crismon Road) AG Agricultural	<b>Subject Property</b>  GI Vacant	<b>East</b>  GI Single Residence
<b>Southwest</b> (Across Germann & Crismon Roads) Town of Queen Creek Employment/Industrial	<b>South</b> (Across Germann Road) Town of Queen Creek Employment/Industrial	<b>Southeast</b> (Across Germann Road) Town of Queen Creek Employment/Industrial

**Compatibility with Surrounding Land Uses:**

The subject property is surrounded primarily by vacant land. The property to the north of the subject site is currently zoned General Industrial (GI) and is anticipated to be developed with industrial uses. There is an agricultural use located to the west of the subject property. The property to the east of the site is vacant and zoned General Industrial and properties south of the site, which are located within the Town of Queen Creek, are anticipated to be developed with employment type uses. Overall, the proposed development for industrial use will not be out of character with the surrounding 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 registered neighborhoods and HOAs within one mile of the site. As of the writing of this report, staff has not received any comments from surrounding property owners. The applicant will be providing an updated

Citizen Participation Report to staff prior to the May 11, 2022 Study Session. Staff will provide the Board with any new information during the scheduled Study Session.

**Staff Recommendation:**

Based upon the application received and preceding analysis, Staff finds that the subject request complies with the General Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, and criteria for a Special Use Permit outlined in Section 11-70-5 of the MZO; and therefore, 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.
3. Compliance with all City development codes and regulations.
4. Compliance with all conditions of approval of Z96-67 (Ordinance No. 3245).
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 granting an Avigation Easement and Release to the City, pertaining to the Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map or prior to the issuance of a building permit).
  - b. Written notice be provided to future property owners, and acknowledgment received that the project is within 2 mile(s) of Phoenix-Mesa Gateway Airport.
  - c. Due to the proximity to the 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
  - d. Prior to the issuance of a building permit, provide documentation by a registered Professional Engineer or registered Professional Architect has certified that Noise attenuation measures have been incorporated into the design and construction of the buildings to achieve a noise level reduction to 45 db as specified in Section 11-19-5 of the Zoning Ordinance.
7. Prior to submitting an application for any building permit, provide written authorization from Salt River Project authorizing the proposed development within the existing SRP easement.

**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