



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

**Planning and Zoning Board**

**September 14, 2022**

CASE No.: **ZON22-00607**

PROJECT NAME: **Wentworth 80<sup>th</sup>**

Owner's Name:	TLC Foundation LP
Applicant's Name:	Pew & Lake
Location of Request:	Within the 7600 and 8000 blocks of East Elliot Road (north side) and within the 3300 and 3600 blocks of South 80 <sup>th</sup> Street (west side). Located east of Sossaman Road and north of Elliot Road.
Parcel No(s):	304-04-011P, 304-04-011Q, 304-04-012J, 304-04-912, 304-04-012Z, 304-04-011R, 304-04-012F, 304-04-012K, 304-04-012L, 304-04-011K, 304-04-011G, 304-04-011N, 304-04-913
Request:	Rezone from Agriculture (AG), Single Residence – 43 (RS-43), and Limited Commercial (LC) to Light Industrial Planned Area Development (LI-PAD), and Site Plan Review. Also consider a Preliminary Plat entitled, "Lot Consolidation Elliot Road and 80 <sup>th</sup> Street". This request will allow for an industrial development.
Existing Zoning District:	Agriculture (AG), Limited Commercial (LC), and Single Residence - 43 (RS-43)
Council District:	6
Site Size:	58± acres
Proposed Use(s):	Industrial
Existing Use(s):	Vacant
Hearing Date(s):	September 14, 2022 / 4:00 p.m.
Staff Planner:	Josh Grandlienard, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	
Proposition 207 Waiver Signed:	No

## HISTORY

On **May 31, 2022**, the applicant applied to annex the property into the City of Mesa (Case No. ANX22-00608). The planned annexation, if approved, will assign a zoning designation of Agriculture (AG) to the property, which is comparable to or a lesser intense zoning district designation than the existing Maricopa County zoning designation of Single Residence 43 (RU-43). The application for the annexation is planned to be considered on the same City Council agenda as the subject request.

## PROJECT DESCRIPTION

### **Background:**

The subject property is currently vacant and located on the north side of Elliot Road and east of Sossaman Road. The applicant is requesting to rezone the property from Agricultural (AG) and Limited Commercial (LC) to Light Industrial with a Planned Area Development Overlay (LI-PAD) and approval of an Initial Site Plan. The proposed site plan shows the development of eight buildings on the subject site, all of which will be used for manufacturing and processing, wholesaling, research, warehousing, e-commerce, data center, and distribution activity space uses. The applicant is also requesting approval of a Preliminary Plat titled, "Lot Consolidation Elliot Road and 80<sup>th</sup> Street" as part of the subject request.

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

The Mesa 2040 General Plan Character Area designation on the property is Mixed Use Activity and Employment. 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 Logistics and Commerce District of the Mesa Gateway Strategic Development Plan (GSDP). Per the GSDP, heavy industrial, light industrial, business park, and commercial uses will be predominant within this district. Desired uses include manufacturing facilities, large warehouses, distribution facilities, planned employment parks, and similar uses. This district should provide a high-quality employment environment that is compatible with increasing over-flight activities associated with Phoenix-Mesa Gateway Airport. The proposed development meets the goals and intent of the Mesa Gateway Strategic Development Plan.

### **Zoning District Designations:**

Concurrent with the subject application, the applicant is pursuing the annexation and establishment of zoning for the subject property. The annexation and establishment of zoning application (ANX22-00608) will be considered at the same City Council hearing as the subject application. If approved, Agricultural (AG) zoning will be established on the subject site commensurate with the current Maricopa County zoning designation of Single Residence 43 (RU-43). The applicant is requesting to rezone the subject site to Light Industrial with a Planned Area Development Overlay (LI-PAD). The proposed rezoning and intended development of the site for industrial 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(C) of the MZO there are no additional land use regulations beyond those of the base 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. Table 1 below shows the MZO required standards and the applicant's proposed PAD standards.

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>50 feet</b>	As proposed
<u>Required Parking Spaces by Use</u> – <i>MZO Table 11-32-3.A</i> <i>- Shell Industrial Buildings</i>	75% at 1 space per 500 square feet plus 25% at 1 space per 375 square feet	<b>1 space per 600 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. The applicant is requesting a maximum height of 50 feet for all buildings within the development. According to the applicant, the requested increase in height is needed to accommodate the type of operation planned on the property.

### **Required Parking Ratio:**

Per Section 11-32-3 of the MZO, shell industrial buildings, with no specific uses identified, are required to park the development with the following ratio: 75% at one space per 500 square feet

plus 25% at one space per 375 square feet. The applicant is requesting to utilize the industrial use parking ratio and provide one parking space per 600 square feet of gross floor area. According to the applicant, the anticipated users are likely to require the same degree of required parking spaces as standard industrial uses.

**Justification:**

The applicant's justification for the requested deviations are enhanced building elevations and landscaping along Elliot Road. Landscape islands along Elliot Road will be increased to have an 18-foot width to provide for more lush and mature landscaping, as well as additional landscaping on the north side of the drainage channel. Internal landscaping and amenity areas will also be enhanced to provide for a more pleasing employee break and gathering area.

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

The proposed site plan shows development of eight industrial buildings totaling approximately 772,768 square feet. As shown on the site plan, Building 1 will be 86,644 square feet, Building 2 will be 119,155 square feet, Building 3 will be 97,469 square feet, Building 4 will be 97,476 square feet, Building 5 will be 86,625 square feet, Building 6 will be 112,303 square feet, Building 7 will be 89,764 square feet, and Building 8 will be 83,332 square feet. Each building will include truck docks and outdoor storage areas. The truck dock and storage areas will be located interior to the site screened by each building and an eight-foot opaque wall in conformance with Section 11-30-17 of the MZO. Four access points will be provided to the site, one along 80<sup>th</sup> Street and three along Elliot Road.

**Design Review:**

The Design Review Board reviewed the subject request at their September 13, 2022 meeting. Staff is working with the applicant to address minor aesthetic comments and recommendations from the Design Review Board that do not impact the site plan.

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

<b>Northwest</b> LI Vacant	<b>North</b> AG Existing Industrial	<b>Northeast</b> (Across S. 80 <sup>th</sup> Street) RS-6-PAD-PAD Hawes Crossing
<b>West</b> LC Vacant	<b>Subject Property</b> AG, LC & RS-43 Vacant	<b>East</b> (Across S. 80 <sup>th</sup> Street) NC & LI Existing Industrial
<b>Southwest</b> (Across E. Elliot Road) LC Vacant	<b>South</b> (Across E. Elliot Road) RM-5-PAD Vacant	<b>Southeast</b> (Across E. Elliot Road) MX-PAD Vacant

**Compatibility with Surrounding Land Uses:**

The subject site is currently vacant. To the north of the site are existing industrial uses. Directly east of the site is vacant land this is zoned Light Industrial and Neighborhood Commercial. South of the site is property located within the Hawes Crossing Community and zoned Limited

Commercial, Multiple Residence 5 PAD, and Mixed Use. To the west of the site is a vacant land zoned Limited Commercial. The proposed industrial development is compatible with the surrounding development and land uses.

**Preliminary Plat:**

The applicant is requesting Preliminary Plat approval to combine 13 parcels into one lot. 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 retention 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:**

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 September 14, 2022.

**Staff Recommendations:**

Based on the application received and the preceding analysis, staff finds the subject request is consistent with the Mesa 2040 General Plan, the Gateway Strategic Development Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, the review criteria for approval of a Preliminary Plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations, and meets the intent for a Planned Area Development outlined in Section 11-22-3 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 the landscape plan submitted.
3. Compliance with the Preliminary Plat submitted.
4. Compliance with all requirements of the Subdivision Regulations.
5. Compliance with all requirements of DRB22-00673.
6. 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.
7. 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."
8. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD as shown in the following table:

<b>Development Standards</b>	<b>Approved</b>
<u>Maximum Building Height –</u> <i>MZO Section 11-7-3</i>	50 feet
<u>Required Parking Spaces by Use –</u> <i>MZO Table 11-32-3.A</i> <i>- Industrial</i>	1 space per 600 square feet

**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 Preliminary Plat

3.6 Project Narrative

3.7 Citizen Participation Plan

Exhibit 4-Citizen Participation Report