



PLANNING DIVISION
STAFF REPORT

City Council Meeting

October 17, 2022

CASE No.: ZON22-00682	PROJECT NAME: Happy Wife Storage Expansion
Owner's Name:	Redpoint Contracting, LLC and Happy Wife Storage, LLC
Applicant's Name:	Timothy Quigley
Location of Request:	Within the 3700 to 3900 blocks of South Sossaman Road (east side). Located south of Elliot Road on the east side of Sossaman Road.
Parcel No(s):	304-30-007M and 304-30-007Q
Request:	Rezone from Light Industrial to Light Industrial with a Planned Area Development (LI-PAD), Council Use Permit (CUP), and Site Plan Review. This request will allow for the expansion of an existing boat and recreational vehicle storage facility.
Existing Zoning District:	Limited Industrial (LI)
Council District:	6
Site Size:	20.0± acres
Proposed Use(s):	Mini-storage facility with RV and boat storage.
Existing Use(s):	Vacant
Hearing Date(s):	September 14, 2022 / 4:00 p.m.
Staff Planner:	Lesley Davis
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote: 6-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **November 7, 2005**, the City Council annexed approximately 60± acres of land, including the subject property (Ordinance No. 4473).

On **January 23, 2006**, the City Council approved to establish City of Mesa Single Residence 43 (RS-43) zoning on 60± acres of land, including the subject property (Z05-110, Ordinance No. 4512).

On **June 26, 2006**, the City Council approved to rezone the property from RS-43 to Light Industrial (LI) to bring the property into conformance with the 2025 General Plan (Z06-035, Ordinance 4560)

On **September 19, 2018**, the Planning and Zoning Board approved the initial site plan for 11± acres of the subject property to allow for the development of a single-story, mini-storage facility with RV and boat storage (ZON18-00441).

On **December 1, 2020**, the City Council approved an amendment to the Mesa Zoning Ordinance requiring the approval of Council Use Permits for mini-storage, and RV and boat storage uses in the Limited Industrial (LI) District, as well as other zoning districts. On **January 1, 2021**, the text amendments went into effect (Ordinance No. 5593).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone from Light Industrial (LI) to Light Industrial with a Planned Area Development overlay (LI-PAD), a Council Use Permit (CUP) and site plan review to allow the expansion of an existing mini-storage facility with RV and boat storage on the subject property. The southern 11± acres of the site is developed with a mini-storage facility with RV and boat storage. The remaining 9± acres is currently vacant. On September 19, 2018, the Planning and Zoning Board approved a site plan to allow for the development of the mini-storage facility with RV and boat storage (ZON18-00441). Later, on January 1, 2021, the Mesa Zoning Ordinance (MZO) was amended to require approval of a Council Use Permit (CUP) for mini-storage, and RV and boat storage uses in the Light Industrial (LI) District. As such, the use is legally nonconforming. Per Section 11-36-5 of the Mesa Zoning Ordinance (MZO), any use legally established prior to the effective date of this Ordinance or of any subsequent amendments to its text or to the Zoning Map may only be continued and maintained provided there is no alteration, enlargement, or addition to any building or structure; no increase in occupant load; nor any enlargement of the area, space, or volume occupied by or devoted to such use. The proposal enlarges the space occupied by the legally nonconforming use. Consequently, approval of a CUP and site plan review is required for the expansion of the facility, which requires review by the Planning and Zoning Board and approval by City Council, per Section 11-70-6(A) of the MZO and Section 11-69-7(D)(1)(a) of the MZO.

The proposal consists of a two (2) phased expansion. The first phase will add an 18,967 square-foot enclosed RV, boat and trailer storage building with 26 garages along the southeastern property border. This area is currently an above ground retention area, which will be placed underground. The second phase is to develop the 8-acre parcel to the north with two new enclosed RV storage buildings totaling 28,866 square-feet. Additionally, the site plan shows seven new covered canopy structures totaling 179,302 square-feet in area. Access to the site is provided through the existing gated entrance along Sossaman Road.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property are 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. Per the Plan, one of the goals for Employment Districts is to provide for a wide range of employment opportunities in high-quality settings. Primary uses include outdoor storage. 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 request to allow expansion of an existing storage facility in an industrial district will provide storage opportunities for the growing southeast portion of Mesa and minimize the need for additional locations.

Staff reviewed the request for a proposed RV and boat storage facility at the existing site and determined it is consistent with the development review criteria outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan is consistent with the and Employment Character Area, as LI zoning is a listed primary zoning district. Additionally, the proposed development will be consistent with the surrounding area, as the area has been developing into an industrial area with many developments supporting the nearby Phoenix-Mesa Gateway Airport.

Gateway Strategic Development Plan:

The subject property is also located within the Inner Loop District of the Mesa Gateway Strategic Development Plan. This designation applies to areas north of the Airport/Campus District and the 202 San Tan Freeway. The district should provide a high-quality, mixed use environment that is compatible with increasing over-flight activities associated with Phoenix-Mesa Gateway Airport operations. Land uses in this area may need to be generally nonresidential. The proposed development meets the goals and intent of the Mesa Gateway Strategic Development Plan.

Zoning District Designations:

The subject property is zoned Limited Industrial (LI). Per Section 11-7-2 of the City of Mesa Zoning Ordinance (MZO), mini-storage and RV and boat storage uses are permitted in the LI District with the approval of a CUP. Per Section 11-7-1(B)(2) of the MZO, the purpose of the LI District is to provide limited manufacturing and processing, wholesaling, research, warehousing, and distribution activities take place within enclosed buildings, with restricted accessory outdoor storage as needed to support the primary uses. Light Industrial areas can be used to buffer General Industrial uses from other less intense uses.

Airfield Overlay – MZO Article 3 Section 11-19:

Per Section 11-19 of the MZO, the property is located within the 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 Falcon Field Airport. Per Section 11-19 of the MZO, mini-storage and RV and boat storage uses are permitted within the AOA 3.

Council Use Permit:

Per Table 11-7-2 of the MZO, mini-storage, and RV and boat storage uses are permitted in the LI District subject to approval of a CUP. Section 11-70-6(D) of the MZO, outlines the review criteria for approval of a CUP. These requirements include showing that the proposed project will advance the goals and objectives of the General Plan and other city policies, and demonstrate

that the location, size, design, and operating characteristics of the project are consistent with the purpose of the zoning district designation on the property. The CUP is also required to show that approval of the project will not be injurious or detrimental to adjacent properties or surrounding areas, and there is adequate public services and infrastructure to support the development.

The proposed development conforms to the criteria for approving a CUP outlined in Sections 11-70-6(D) of the MZO. The proposed development advances the goals and objective of the General Plan and Neighborhood character area, by providing pedestrian walkways and improving the streetscape along Sossaman Road. Also, the size, shape, and characteristics of the development as shown by the site plan and building elevations, demonstrate conformance with the purpose of the LI District and compliance with all zoning, building, and fire safety regulations. In addition, there is adequate public services and infrastructure to support the proposed development. In summary, the proposed development will be a high-quality, service-oriented business that will not be injurious or detrimental to adjacent properties or surrounding areas and will contribute to creating a strong neighborhood.

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

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Minimum Building Setback – MZO Table 11-7-3</u> -Interior side and rear (South property line)	22 feet	5 feet	As proposed
<u>Minimum Landscape Setback – MZO Section 11-33-3(B)</u> -Adjacent to single residence zoning (South property line)	25 feet	5 feet	As proposed

Building Setback:

MZO Table 11-7-3 identifies that the minimum building setback adjacent to a single residence district requires one foot of setback for each foot of building height with a minimum 20-foot setback. The building height proposed adjacent to this property line is 22-feet. The request is for a five-foot building setback adjacent to this property line.

Landscape Setback:

MZO Section 11-33-3(B) identifies a minimum 25-foot landscape yard adjacent to single residence zoning. The proposal is for a minimum five-foot setback to match the building setback.

PAD Justification:

The adjacent property to south of the Phase One expansion at the southeast corner of the development is zoned RU-43 within Maricopa County, which is a single residence district. Although the adjacent property is zoned for single residence it is used as a green waste recycling facility. The Mesa 2040 General Plan also identifies the area to the south as Mixed Use Activity – Employment. The proposal is to expand an existing storage facility. There is an existing 8-foot-high precast decorative wall along the property line. The new 22-foot building provides additional architectural interest and additional screening between the two uses. Overall, the proposed development complies with requirements of a PAD as outlined in Section 11-22 of the MZO by incorporating high-quality design elements into the project.

Site Plan and General Site Development Standards:

The site plan shows an expansion of an existing mini-storage facility with RV and boat storage. The expansion includes construction of three new storage buildings on the property totaling 47,833 square-feet. Additionally, the site plan shows new canopy structures for RV and boat storage totaling 179,302 square-feet. The building elevations submitted with the application show the height of the buildings to be 22-feet. According to the information shown on the site plan, primary access will be through the existing entrance on Sossaman Road, specifically near the leasing office, and will be used for both ingress and egress onto the site. Per Section 11-32-3 of the MZO, a minimum of four parking spaces are required for a mini-storage use, which is provided. Overall, the proposed site plan conforms with the MZO including the review criteria for Site Plan Review outlined in Section 11-69-5 of the City of MZO.

Design Review:

The proposed development is scheduled to be reviewed by the Design Review Board at the September 13, 2022, work session. Planning Staff will work with the applicant to implement any changes recommended by Design Review Board.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Sossaman Road) Maricopa County RU-43 Dairy	North LC Agricultural & Industrial	Northeast RSL-4.0-PAD Vacant
West (Across Sossaman Road) Maricopa County RU-43 Dairy	Subject Property LI Mini-storage & Boat and RV storage	East RSL-4.0-PAD Vacant
Southwest (Across Sossaman Road) Maricopa County RU-43 Dairy	South LI & Maricopa County RU-43 Industrial & Vacant	Southeast Maricopa County RU-43 Vacant

Compatibility with Surrounding Land Uses:

A portion of the subject property (12 acres) is developed with a mini-storage facility with RV and boat storage. The subject request is to expand the existing facility to the eight-acre parcel to the north and to modify the existing retention area on the southeast side of their site to include

additional storage units. The proposed expansion on the southeast is adjacent Maricopa County RU-43 on the south. That site is currently undeveloped and identified in the Mesa 2040 General Plan as Mixed Use Activity – Employment. Across Sossaman Road is an existing dairy, zoned RU-43 within Maricopa County. To the north and east, the property is adjacent to City of Mesa Zoning. The property to the north is zoned LC and is undeveloped property. The uses on that property appear to be largely agricultural. The property to the east is zoned RSL-4.0-PAD and is part of the Hawes Crossing Development. It has not yet been developed but is approved for small lot single residences. The existing storage facility was constructed prior to the approval of the adjacent RSL development. Currently, there is an existing 8-foot pre-cast decorative theme wall surrounding the existing development. The proposal includes extension of the theme wall to surround the expanded area of development. Additionally, a 25-foot landscape buffer and buildings setback has been provided for the new expansion area adjacent to the RSL zoning. This same landscape buffer and setback is provided along the north property line adjacent to the LC zoning. The proposed self-storage with RV and boat storage use will be compatible with the surrounding area and uses.

Neighborhood Participation Plan and Public Comments:

The applicant has completed a Citizen Participation Process, which included mailed letters to property owners within 1,000-feet of the site, as well as HOAs within ½ mile and registered neighborhoods within 1 mile of the site. As of the writing of this report, neither the applicant nor staff has received any comments/concerns from surrounding property owners. 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 that the request for a rezone, CUP, and Site Plan Review are consistent with the Mesa 2040 General Plan, the purpose for the Planned Area Development overlay outlined in Section 11-22-1 of the MZO, the review criteria for a CUP outlined in Section 11-70-6(D) of the MZO and for Site Plan approval outlined in Section 11-69-5 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 requirements of Design Review case number DRB22-00683.
3. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner must execute and record the City's standard Avigation Easement and Release for Phoenix Mesa Gateway Airport prior to 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 5 miles of the Phoenix Mesa Gateway Airport
 - 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 Phoenix Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."
4. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD and shown in the following table:

Development Standard	Approved
<u>Minimum Yards –</u> <i>MZO Section 11-7-3</i> <i>- Interior side and rear (south property line)</i>	5 feet
<u>Minimum Landscape Setback –</u> <i>MZO Section 11-33-3(B)</i> <i>- Adjacent to single residence zoning (south property line)</i>	5 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 Project Narrative

3.6 Citizens Participation Plan

Exhibit 4-Citizen Participation Report