



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

January 11, 2023

CASE No.: **ZON22-01010**

PROJECT NAME: **Legacy Gateway Hotels**

Owner's Name:	Mesa BA Land, LLC
Applicant's Name:	Gammage and Burnham
Location of Request:	Within the 9600 to 9900 Blocks of East Williams Field Road (north side). Located north of Williams Field Road and West of State Route 24 Gateway Freeway.
Parcel No(s):	313-25-859T
Request:	Council Use Permit, Site Plan Review; Special Use Permit. This request will allow for development of multiple hotels and a retail pad. Also consider the Preliminary Plat entitled, "Legacy Gateway Hotels".
Existing Zoning District:	Light Industrial
Council District:	6
Site Size:	11± acres
Proposed Use(s):	Hotel and Retail
Existing Use(s):	Vacant
Hearing Date(s):	January 11, 2023 / 4:00 p.m.
Staff Planner:	Josh Grandlienard, AICP, Planner II
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **September 19, 2022**, the applicant applied to annex the property into the City of Mesa (Case No. ANX22-01007). The planned annexation, if approved, will assign a zoning designation of Light Industrial (LI) to the property, which is comparable to or a lesser intense zoning district designation than the existing Maricopa County zoning designation of General Industrial (IND-2). 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 northwest corner of Williams Field Road and SR 24 Gateway within Maricopa County's jurisdiction. Annexation of the subject property will be considered by the City Council at the same meeting as this request. A.R.S. § 9-471(M) requires the City, when annexing, to adopt a zoning classification that permits densities and uses not greater than those permitted by the county immediately before annexation. If approved the requested annexation will establish Light Industrial (LI) zoning which is comparable to or a lesser intense zoning district designation than the existing Maricopa County zoning designation of General Industrial (IND-2).

The applicant is requesting Site Plan Review approval for an Initial Site Plan, a Council Use Permit for a hotel within an Airport Overflight Area Two (AOA 2), and a Special Use Permit (SUP) to exceed the permitted height in the Airfield Overflight Area (AOA). The submitted site plan shows three 65-foot hotel buildings totaling approximately 68,850 square feet, as well as two retail buildings with a height of 25 feet and approximately 12,075 square feet of retail space.

Zoning District Designations:

If the proposed annexation is approved by City Council (Case No. ANX22-01007), Light Industrial (LI) zoning will be established on the property. 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. This district also provides for a full range of commercial activities, generally on a limited scale, including high-impact commercial uses, outdoor display, and outdoor sale. Hotel and general retail uses are permitted within 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 Two (AOA 2). The location of the property within the AOA 2 is due to its proximity to the Phoenix-Mesa Gateway Airport. Per Section 11-19-4 of the MZO, AOA 2 requires a Council Use Permit for any hotel uses.

Site Plan and General Site Development Standards:

The proposed site plan shows development of three hotel buildings and retail pad in the southwest corner of the site. The proposed hotels are 28,996 square feet, 19,109 square feet, and 20,746 square feet. Each building on the property will include amenities for the hotel visitors. As shown on the site plan, the retail pad will contain two buildings, 4,500 square feet and 3,100 square feet respectively. The site plan shows access to the site from a private access drive from East Williams Field Road leading north into the site.

Per Section 11-32-3 of the MZO, one parking space is required per hotel room and per the MZO for any additional accessory use. General retail must provide one parking space per 375 square feet. The proposed site plan shows a total of 424 parking spots throughout the site where the proposed uses require a total 413 parking spots.

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 five 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 65-foot height for all three of the hotel buildings. 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 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 Mixed Use Community 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 currently zoned IND-2 within Maricopa County and is planned to be developed with similar uses that are intended to support Bell Bank Park to the south. Therefore, the proposed project is consistent with the surrounding uses and character and will not negatively impact surrounding properties.

Council Use Permit (Hotel Uses within AOA 2):

Per Table 11-7-2 of the MZO, a hotel is a permitted use in the LI District within Airfield Overlay Area 2 subject to approval of CUP. Section 11-70-6(D) of the MZO, outlines the review criteria for approval of a CUP which include: (1) Demonstrating that the proposed project will advance the goals and objectives of the General Plan and other City policies; (2) 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; (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.

As discussed above, the proposed development advances the goals and objective of the General Plan and City policies, is consistent with the zoning district designation on the site and will not be injurious or detrimental to adjacent properties or the surrounding area, and staff finds there are adequate public services and infrastructure to support the development.

Design Review:

The Design Review Board reviewed the subject request at their December 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:

Northwest IND-2 Maricopa County Vacant	North IND-2 Maricopa County Vacant	Northeast SR 24 Gateway
West IND-2 Maricopa County Vacant	Subject Property IND-2 Maricopa County Vacant	East SR 24 Gateway
Southwest LI Sports Park	South LI Sports Park	Southeast SR 24 Gateway

Compatibility with Surrounding Land Uses:

The subject site is currently vacant. To the north and west of the site is vacant land. To the east of the site is State Route 24 Gateway. South of the site is the Bell Bank Sports Park which is zoned Light Industrial (LI) and Leisure Recreation (LR). The proposed hotel and retail development is compatible with the surrounding development and land uses.

Preliminary Plat:

The applicant is requesting Preliminary Plat approval to split one parcel into four 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 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 January 11, 2023.

Staff Recommendations:

Based on the application received and the preceding analysis, staff finds the subject request is consistent with the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, the approval criteria for a Special Use Permit outlined in Section 11-70-5 of the MZO, and the approval criteria for a Council Use Permit outlined in Section 11-70-6 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 Design Review, DRB22-01074.
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 one mile 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."

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