



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

**City Council Meeting**

**May 15, 2023**

CASE No.: **ZON22-01008**

PROJECT NAME: **Gateway East**

Owner's Name:	Phoenix-Mesa Gateway Airport Authority
Applicant's Name:	Wendy Riddell, Berry Riddell, LLC
Location of Request:	Within the 5300 to 6200 blocks of South Ellsworth Road (west side). Located south of Ray Road and west of Ellsworth Road.
Parcel No(s):	304-35-018, 304-35-016B, 304-35-016D, 304-35-015A, 304-35-011H, 304-35-012B, 304-35-017B, 304-35-025A
Request:	<p>Rezone from Light Industrial with a Planned Area Development Overlay (LI-PAD) to Light Industrial with a new Planned Area Development Overlay (LI-PAD) and Council Use Permit to allow for a commercial and industrial development.</p> <p>This request will replace the existing Williams Gateway Industrial Development Master Plan with a new Planned Area Development which will establish unique development standards, allow the proposed project to be phased, and allow for private streets.</p>
Existing Zoning District:	Light Industrial with a Planned Area Development Overlay (LI-PAD)
Council District:	6
Site Size:	273± acres
Proposed Use(s):	Commercial and Industrial
Existing Use(s):	Vacant
P&Z Hearing Date(s):	<b>April 19, 2023 / 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)	
Proposition 207 Waiver Signed: Yes	

**HISTORY**

On **February 6, 1985**, the City Council annexed 4,106± acres of land, including the project site (Ord. No. 1907).

On **June 2, 1986**, the City Council approved a rezoning of recently annexed lands from County Industrial (IND-2) to Public Facilities (PF) (Case No. Z86-058; Ord. No. 2095).

On **May 20, 1996**, the City Council approved a rezoning from PF to Light Industrial with a Planned Area Development Overlay (LI-PAD) to allow for the Williams Gateway Industrial Development Master Plan (Case No. Z96-023; Ord. No. 3181).

On **May 7, 2007**, the City Council approved a PAD modification of the Williams Gateway Industrial Development Master Plan (Case No. Z07-014; Ord. No. 4691).

On **April 19, 2023**, the Planning and Zoning Board approved a Special Use Permit for Heliports and Service Stations within the 273± acre property (Case No. ZON22-01008).

## **PROJECT DESCRIPTION**

### **Background:**

The Proposed Project is located within the northeast portion of the Phoenix-Mesa Gateway Airport on 273± acres of vacant land. The applicant requested to rezone the project site from Light Industrial with a Planned Area Development Overlay (LI-PAD) to Light Industrial with a Planned Area Development Overlay (LI-PAD). The requested rezone will replace the existing Williams Gateway Industrial Development Master Plan with a new Planned Area Development which will establish unique development standards, allow the proposed project to be phased, and allow for private streets.

The Proposed Project also includes two Council Use Permit (CUP) to allow Hotels and Large Commercial Developments on the project site. A Special Use Permit (SUP) is required to allow Service Stations and Heliports. To provide the greatest flexibility with future phasing and development, the applicant is requesting that the CUP and SUP apply to the entire 273± acre property. On April 19, 2023, the Planning and Zoning Board approved the SUP for Heliports and Service Stations within the Proposed Project.

The Proposed Project includes a Development Agreement (DA) that will limit certain uses on the property. The DA will be heard and voted on by City Council at the same public meeting as the zoning case.

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

The Proposed Project is located within a Specialty District Character Area with an Airport Sub-type. Per Chapter 7 of the General Plan, Specialty Districts are large areas, typically over 20 acres, with a single use such as an airport, educational facility, or medical facility. The primary uses may be supported by secondary uses such as retail, offices, and hotels.

The Specialty District Airport Sub-type does not have a specific percentage requirement for primary zoning districts or land uses. Per Chapter 7 of the General Plan, when specific percentages of primary zoning districts and land uses are not listed, a majority of the character area, defined as 55% or more, must be established with primary zoning and primary land uses before secondary zoning districts and land uses are allowed. The proposed LI zoning district is a primary zoning district. A majority of the character area is developed for the use of Phoenix-Mesa Gateway Airport fulfilling the use of primary land uses.

The Specialty District should also maintain a campus-like feel and connection between buildings through consistent landscaping and high-quality building design and materials. The proposed PAD includes design guidelines that establish consistent building form and design themes, and landscaping themes within the Proposed Project. This PAD, and associated design guidelines, were prepared in collaboration with the Phoenix-Mesa Gateway Airport Authority to guarantee the site develops in a manner consistent with the Phoenix-Mesa Gateway Airport vision.

**Gateway Strategic Development Plan:**

The site is also located within the Airport Campus District of the Mesa Gateway Strategic Development Plan. Per the Plan, the Airport Campus District is envisioned as a mixed-use district centered around educational opportunities, research and development functions, and airport related uses that support the traveling public. Uses in this area will predominantly be high-intensity employment uses and will also address the needs of travelers and visitors. The Proposed Project conforms to the purpose and intent of the Airport Campus District.

In summary, staff finds that the Proposed Project is consistent with the Specialty District Airport Sub-type, the Mesa Gateway Strategic Development Plan, and the review criteria outlined in Chapter 15 (pg. 15-1&2) of the Mesa 2040 General Plan.

**Zoning District Designations:**

The project site is currently zoned Light Industrial with a Planned Area Development Overlay (LI-PAD). The Proposed Project includes a rezone of the site from Light Industrial with a Planned Area Development Overlay (LI-PAD) to Light Industrial with a Planned Area Development Overlay (LI-PAD) to establish a new PAD.

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

Per Section 11-19 of the MZO, the project site is located within the Airfield (AF) Overlay District, specifically, within the Airport Overflight Areas Two and Three (AOA 2 & AOA 3). The location of the property within the AOA 2 & AOA 3 is due to its proximity to the Phoenix-Mesa Gateway Airport.

Per Section 11-19-4 of the MZO, AOA 2 and AOA 3 areas contain some land use restrictions according to the land use tables for the base zoning. Future development of the site is subject to these requirements and may require additional approvals.

**Council Use Permit – MZO Section 11-70-6:**

The Proposed Project includes two Council Use Permits. Per Table 11-7-2 of the MZO, Hotels and Motels in the LI zoning district and AOA 2 require approval of a CUP. Additionally, per Table 11-7-2 of the MZO, Large Commercial Development (commercial developments over 25,000 square feet) also require approval of a CUP in the LI zoning district. The applicant is requesting to apply the Council Use Permits to the entire 273± acre site to allow flexibility for future development.

Per Section 11-70-6 of the MZO, a CUP shall only be granted if the approving body determines that the Proposed Project conforms to all of the following criteria:

1. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies:

**The Proposed Project complies with the Specialty District Airport Sub-type character area designation of the Mesa 2040 General Plan by developing the site for commercial and employment type uses in high-quality settings that will be supportive to the adjacent Phoenix-Mesa Gateway Airport. The Proposed Project also complies with the Airport Campus District of the Mesa Gateway Strategic Development Plan by providing a mixed-use development centered around airport-related employment opportunities and visitor-supported commercial.**

2. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;

**The Proposed Project consists of a 273± vacant site located northeast of the Phoenix-Mesa Gateway Airport. The Proposed Project includes a Planned Area Development Overlay, Design Guidelines and Development Agreement that will ensure the site develops in a manner consistent with the Airport, the Mesa 2040 General Plan, and the Mesa Gateway Strategic Development Plan.**

3. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and

**The Proposed Project will not be injurious or detrimental to the adjacent Phoenix-Mesa Gateway Airport or surrounding properties. Rather, it will provide employment and commercial uses that will serve not only the Airport and surrounding area, but the city as a whole.**

- 4.

Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

**The existing and planned public services, facilities and infrastructure are anticipated to be adequate to serve the Proposed Project. As a part of the development, additional public infrastructure, specifically Gateway Boulevard, will be constructed to meet the needs of the proposal.**

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

The Proposed Project includes a Planned Area Development overlay to allow for modifications to certain required development standards of the MZO on the property, allowing it to be phased, and allow for private streets.

According to the applicant, the complete build-out of the Gateway East PAD area is estimated to take 40 years. Development is anticipated to begin in Phase I in the southeast portion of the property. However, the timing of the phases is flexible. For example, development in Phase III could occur before Phase II.

Figure 1: Conceptual Phasing Plan

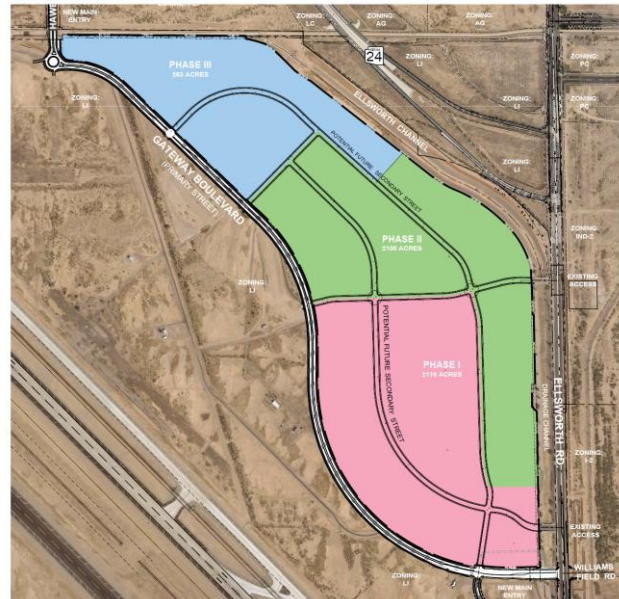


Table 1 below shows the MZO required standards and the applicant’s proposed PAD modifications. Due to the uniqueness of the Airport property all setback measurements will be taken from the lease lines.

Table 1: Development Standards

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Maximum Building Height –</u> <i>MZO Table 11-7-3</i>	40 feet	<b>165 feet in Zone A and 90 feet in Zone B (As shown on the Maximum Building Height Exhibit in the Gateway East PAD Document)</b>	As proposed

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Minimum Setback along Property Lines or Building and Parking Areas –</u> <i>MZO Table 11-7-3</i> - Front and Street-Facing Side           -Interior Side and Rear: Adj. to AG, RS, RSL, RM, Commercial and PEP districts	Arterial Street: 15 feet Major or Midsection Collector: 20 feet Industrial/Commercial Collector: 20 feet Local Street: 20 feet Freeways: 30 feet for buildings, 15 feet for parking structures      1 foot of setback for each foot of building height with minimum 20 feet setback	<b>Gateway Boulevard: 20 feet</b> <b>Secondary Street: 20 feet</b> <b>Main Entry Segments: 30 feet</b> <b>(As specified in the Gateway East PAD Document)</b>  <b>Minimum 15 feet</b>	As proposed
<u>Perimeter Landscape Yard –</u> <i>MZO Table 11-7-3</i> -Width	Arterial Street: 15 feet Major or Midsection Collector: 20 feet Industrial/Commercial Collector: 20 feet Local Street: 20 feet Freeways: 30 feet for buildings, 15 feet for parking structures   Street-facing setbacks shall be landscaped in accordance with Section 11-33-3(A)	<b>Gateway Boulevard: 20 feet</b> <b>Secondary Street: 20 feet</b> <b>Main Entry Segments: 30 feet</b> <b>(As specified in the Gateway East PAD Document)</b>  <b>Street-facing setbacks shall be landscaped in accordance with Section 11-33-3(A)</b>	As proposed

<b>Development Standards</b>	<b>MZO Required</b>	<b>PAD Proposed</b>	<b>Staff Recommendation</b>
<u>Minimum Landscape Yards –</u> <i>MZO Section 11-33-3(B)(2)</i> - Non-single residence uses adjacent to non-single residence	Width. 15 feet Landscaped according to Section 11-33-3(B)(2)(b)-(f)	<b>Width. 0 feet</b> <b>Landscaping not required</b>	As proposed
<u>Averaging Depth of Foundation Base –</u> <i>MZO Section 11-33-5(A)(3)</i>	The designated depth of the foundation base may be less than the minimum required depth required by Section 11-33-5(A)(1-2) provided it adheres to all other requirements of Section 11-33-5(A)(3)(a-c)	<b>The designated depth of the foundation base may be less than the minimum required depth required by Section 11-33-5(A)(1-2) and may be further reduced beyond the requirements of Section 11-33-5(A)(3)(a-c) to meet life safety requirements if a conflict exists between Fire Code and Zoning Ordinance standards</b>	As proposed
<u>Outdoor Storage –</u> <i>MZO Section 11-30-7</i> - Permitted Location (General Commercial and Light Industrial)  -Screening and Setbacks	Not permitted in front or street-facing side yards. Permitted in interior side and rear yards, or outside of required yards, subject to the standards of this Section [Section 11-30-7]  A setback shall be provided for material stored outdoors at the ratio of 1:1 from all lot lines equal to total height of stored material above required screen wall 8	<b>Not permitted in front yards. Permitted in street facing side yards interior side and rear yards, or outside of required yards, subject to Section 11-30-7(B)(1-2)</b>  <b>No setback is required for material stored outdoors</b>	As proposed

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
	feet		
<u>Truck Docks, Loading and Service Areas – MZO Section 11-30-13</u> -Location on Lot  -Screening	Must be located at the rear or side of buildings, rather than facing a street  Docks, loading and service areas shall be screened from public view	<b>Must be located at the rear or side of buildings, and may not be readily visible from Gateway Boulevard or Ellsworth Road</b>  <b>Docks, loading and service areas shall be screened from Gateway Boulevard or Ellsworth Road</b>	As proposed
<u>Screening of Mechanical Equipment – MZO Section 11-30-9(A)</u> -Ground-Mounted Equipment	Ground-mounted equipment facing a street or not otherwise separated from the street by intervening building(s) shall be screened to a height of at least 12 inches above the equipment. Screening devices shall consist of decorative walls and/or berms (2:1 maximum slope) with supplemental plant materials including trees, shrubs, and groundcovers. For screen walls that are 3 feet in height or lower, vegetative materials may be substituted for 50 percent of the	<b>Screening of the ground mounted electrical equipment facing a street may be adjusted as necessary to comply with the utility provider's access and design requirements</b>	As proposed

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<p>-Exterior wall equipment</p>	<p>screening device.</p> <p>Wall-mounted equipment, including but not limited to electrical meters, electrical distribution cabinets, service entry section (SES), fire sprinkler equipment and similar valves and cabinets that face a street, or public parking and are not recessed and/or separated from the street by intervening building(s) shall be screened. Screening devices shall incorporate elements of the building design, e.g., shape, color, texture, and material. Vegetative materials may be substituted for up to 50 percent of the screening devices when used in conjunction with screen walls that are 3 feet in height or lower.</p>	<p><b>Downspouts must be internally located and screened on building facades adjacent to streets. Downspouts located on building facades not adjacent to streets may be externally located as long as they are coordinated with other façade elements and appropriately finished to compliment the façade design</b></p>	

<b>Development Standards</b>	<b>MZO Required</b>	<b>PAD Proposed</b>	<b>Staff Recommendation</b>
<u>Required Parking Spaces by Use –</u> <i>MZO Table 11-32-3.A</i> - Industrial	1 space per 600 square feet of gross floor area	<p><b>Buildings less than 250,000 square feet: 1 space per 675 square feet of gross floor area</b></p> <p><b>Buildings that are 250,000 up to 500,000 square feet: 1 space per 1,000 square feet of gross floor area</b></p> <p><b>Buildings over 500,000 square feet: 1 space per 2,000 square feet of gross floor area</b></p>	As proposed
<u>Setback of Cross Drive Aisles –</u> <i>MZO Section 11-32-4(A)</i>	Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 50 ft from the property line abutting the street	<b>Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 30 ft from the property line abutting the street</b>	As proposed
<u>Parking Lot Layout –</u> <i>MZO Section 11-32-4(G)(2)</i>	<p>No more than 200 parking spaces shall be allowed together in one group or cluster</p> <p>In office-use and industrial projects, a minimum 25 percent of the required parking spaces shall be provided within 200 feet of the building served, with the balance of the required parking within 400 feet</p> <p>Drive aisle intersections</p>	<p><b>No more than 300 parking spaces shall be allowed together in one group or cluster</b></p> <p><b>In office-use and industrial projects, a minimum 25 percent of the required parking spaces shall be provided within 200 feet of the building served, with the balance of the required parking within 500 feet</b></p> <p><b>Drive aisle intersections</b></p>	As proposed

<b>Development Standards</b>	<b>MZO Required</b>	<b>PAD Proposed</b>	<b>Staff Recommendation</b>
	are to be perpendicular to each other	<b>may not be perpendicular to each other</b>	
<u>Pedestrian Access</u> – <i>MZO Section 11-32-4(G)(3)</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 made distinct by use of textured paving and contrasting color	<b>Where a pedestrian sidewalk crosses a vehicle lane, the pedestrian walkways shall be made distinct by use by use of textured paving and contrasting color</b>	As proposed
<u>Maximum Parking Spaces</u> – <i>MZO Section 11-32-3(C)</i>	The number of parking spaces provided by any development in surface parking lots shall not exceed 125% of the minimum required spaces	<b>There shall be no maximum to the number of parking spaces provided by any development</b>	As proposed
<u>Size of Parking Spaces and Maneuvering Aisles</u> – <i>MZO Section 11-32-2(H)(1)</i> -Standard Parking Spaces	The minimum basic dimension for standard parking spaces is 9 feet by 18 feet	<b>The minimum basic dimension of a parking stall is 9 feet by 18 feet. Where applicable, the 18-foot dimension is inclusive of a 2-foot overhang over the adjacent sidewalk or landscape area</b>	As proposed
<u>Heliports</u> – <i>MZO Table 11-7-2 Footnote 14</i>	Heliports in Employment Districts shall be set a minimum of 2 full stories above the natural grade, unless associated with a hospital.	<b>Heliports in Employment Districts may be located at the natural grade (aka ground level)</b>	As proposed
<u>Drive-thru Facilities</u> – <i>MZO Section 11-31-18(D)</i>	Drive-thru lanes shall not be located parallel to arterial roadways.	<b>Drive-thru lanes shall not be located parallel to Gateway Boulevard</b>	

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
	Where physical site conditions prevent such configuration, Provide 40-inch-high screen walls adjacent to the public right-of-way	<b>but may be located parallel to Ellsworth Road. Where physical site conditions prevent such configuration, Provide 40-inch-high screen walls adjacent to the public right-of-way</b>	As proposed
<u>Site Planning and Design Standards – MZO Section 11-7-3(B)(1)-(5)</u>	Per MZO Section 11-7-3(B)	<b>Per the Gateway East Design Guidelines</b>	As proposed

#### Maximum Building Height:

Per Table 11-7-3 of the MZO, the maximum building height in the LI zoning district is 40 feet.

The applicant is requesting a maximum building height of 165 feet in Zone A and 90 feet in Zone B, as indicated in Figure 2 below. The locations of the Zones and associated maximum building heights were determined in accordance with existing surface elevations and maximum elevation heights per the Phoenix-Mesa Gateway Airport Authority and Federal Aviation Administration (FAA).

#### Setback along Property Lines or Building and Parking Areas:

Per Table 11-7-3 of the MZO, the minimum building setbacks for front and street facing sides are 15 feet for arterial streets and 20 feet for collector and local streets.

The applicant is requesting to modify the building setbacks as described below:

- Gateway Boulevard: 20 feet
- Secondary Street: 20 feet
- Main Entry Segment: 30 feet

Per Table 11-7-3.A of the MZO, the minimum building setback along interior side and rear property lines when adjacent to Agricultural, Single Residence, Residential Small Lot, Multiple Residence, Commercial, and Planned Employment Park zoning districts is one foot of setback for each foot of building height with minimum 20-foot setback.

The applicant is requesting a minimum 15-foot setback.





#### Perimeter Landscape Yard:

Per Table 11-7-3 of the MZO street-facing setbacks shall be landscaped in accordance with Section 11-33-3(A).

The applicant is requesting a reduction to front and street facing setbacks as indicated above. Therefore, a similar reduction to perimeter landscape yard would apply as below:

- Gateway Boulevard: 20 feet
- Secondary Street: 20 feet
- Main Entry Segment: 30 feet

The yard will be landscaped according to the requirements of Section 11-33-3(A) of the MZO.

#### Minimum Landscape Yards:

Per Section 11-33-3(B)(2)(a) of the MZO, the minimum landscape yard for non-single residence zoning districts and/or land use adjacent to other non-single residence zoning districts and/or land use is 15 feet and landscaped according to subsection (b) – (f).

The applicant is requesting a zero-foot landscape yard for non-single residence zoning districts and/or land use adjacent to other non-single residence zoning districts and/or land use and elimination of the landscaping requirements.

#### Averaging Depth of Foundation Base:

Per Section 11-33-5(A)(3) of the MZO, the designated depth of foundation base may be averaged and may be less than the minimum depth required along certain portions of the building exterior provided that:

- a. That for each location in which the depth is less, a corresponding location along the same foundation base exceeds the minimum depth by the same amount;
- b. In all cases involving principally pedestrian access points into a building, the foundation base shall be no less than 5 feet in depth.
- c. The foundation base area remains equivalent to or more than the amount of foundation base area that would be provided if the edge of the foundation base remained parallel to the building elevation.

The applicant is requesting that averaging of foundation base be allowed and that when a conflict between the Fire Department and the Zoning Ordinance exists, that a further reduction beyond the standards of 11-33-5(A)(3)(a-c) be permitted.

#### Outdoor Storage:

Per Table 11-30-7 of the MZO, outdoor storage is not permitted in front or street-facing side yards in the LI zoning district. The applicant is requesting to allow outdoor storage within the street-facing side yards when screened by an eight-foot CMU wall.

Section 11-30-7(B)(3) of the MZO, also requires that material being stored outdoors be setback from the screen wall one foot for every foot the material extends above the required eight-foot screen wall.

The applicant is requesting to remove the setback requirement for material that extends above the required eight-foot screen wall.

Truck Docks, Loading and Service Areas:

Per Section 11-30-13 of the MZO, truck docks and loading areas must be located at the rear or side of buildings, may not face the street, and must be screened from public view.

The applicant is requesting that truck or loading be able to face the street but not be readily visible from and screened from Gateway Boulevard and Ellsworth Road.

Screening of Mechanical Equipment:

Per Section 11-30-9(A) of the MZO, ground mounted mechanical equipment not separated from the street by intervening building(s) be screened to a height of at least 12 inches above the equipment.

The applicant is requesting that screening requirements be adjusted as necessary to comply with the utility provider's access and design requirements.

Section 11-30-9(A) also requires that exterior wall equipment that faces a street or public parking area must be screened.

The applicant is requesting that downspouts on building elevations not adjacent to streets be allowed to be externally located as long as they are coordinated with the other façade elements on the building façade which they are located.

Required Parking Spaces by Use:

Per Table 11-32-3.A of the MZO, industrial uses are required to provide one parking space per 600 square feet of gross floor area.

The applicant is requesting to establish a parking ratio based on the size of the building as described below.

- Buildings less than 250,000 square feet: 1 space per 675 square feet of gross floor area;
- Buildings 250,000 up to 500,000 square feet: 1 space per 1,000 square feet of gross floor area; and
- Buildings over 500,000 square feet: 1 space per 2,000 square feet of gross floor area.

Setback of Cross Drive Aisles:

Per Section 11-32-4(A) of the MZO, parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 50 feet from the property line abutting the street.

The applicant is requesting to reduce the setback to 30 feet.

#### Parking Lot Layout:

Per Section 11-32-4(G)(2) of the MZO, no more than 200 parking spaces may be allowed together in one group or cluster.

The applicant is requesting that no more than 300 parking spaces be allowed in a group or cluster.

Furthermore, in office-use and industrial projects, a minimum of 25% of the required parking spaces must be provided within 200 feet of the building served, and the remaining parking located within 400 feet of the building served. The applicant is requesting that 25% of the required parking be located within 200 feet of the building served and the remaining spaces be located within 500 feet of the building served.

Finally, per Section 11-32-4(G)(2) of the MZO, requires that drive aisle intersection be designed to be perpendicular to one another.

The applicant is requesting that drive aisle intersections be allowed to be designed not perpendicular to one another.

#### Pedestrian Access:

Per Section 11-32-4(G)(3) 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 requesting make the pedestrian sidewalk distinct through the use of textured paving and contrasting color only and not raise the crossing above grade.

#### Maximum Parking Spaces:

Per Section 11-32-3(C) of the MZO, the maximum number of parking spaces provided shall not exceed 125% of the minimum required parking spaces.

The applicant is requesting to allow no maximum to the number of parking spaces provided.

#### Size of Parking Spaces and Maneuvering Aisles:

Per Section 11-32-2(H)(1) of the MZO, the minimum basic dimension for standard parking spaces is nine feet by 18 feet.

The applicant is requesting that the minimum dimension for standard parking spaces be nine feet by 18 feet, and that two-foot overhang onto a sidewalk or landscape area be counted towards the 18-foot depth.

#### Heliport:

Per Table 11-7-2 of the MZO, Heliports are a permitted use with the approval of a SUP and must adhere to Footnote 14, which states that Heliports in Employment Districts must be set a minimum of two full stories above the natural grade, unless associated with a hospital.

The applicant is requesting that Heliports be permitted to be placed at grade.

#### Drive-thru Facilities:

Per *Section 11-31-18(D) of the MZO*, drive-thru lanes may not be located parallel to arterial roadways.

The applicant is requesting that drive-thru lanes be permitted to be located parallel to Ellsworth Road but not adjacent to Gateway Boulevard.

#### Site Planning and Design Standards:

Section 11-7-3(B) of the MZO outlines site planning and design standards for employment districts that include standards for character and image, massing, and scale, building entrances, access, circulation and parking, and materials and colors.

The applicant is requesting to utilize the site planning and design standards per the Gateway East Design Guidelines.

#### 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.

The requested PAD establishes unique development standards that are intended to allow for flexibility as the Proposed Project develops over time.

In order to ensure high-quality development, the proposed PAD includes design guidelines which establish standards for high-quality design and building form. The Gateway East Design Guidelines are broken into five sections: (II) Site Plan; (III) Architecture - General; (IV) Architecture; (V) Lighting; and (VI) Landscape.

The site plan section includes standards for employee open space and amenities, parking, and site design.

The architecture sections establish standards for building form, materials, colors, and entries. The architecture section also includes precedent images for industrial, office, hospitality, and retail users.

The lighting section includes standards for light fixture, lighting warmth, and placement to create consistency with the Gateway East PAD.

Finally, the landscaping section establishes a plant palette and streetscape standards to create consistency and promote human interaction with the open space.

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

The applicant is not seeking site plan approval at this time. Any future development within the site will require site plan approval in accordance with Chapter 69 of the MZO.

**Design Review:**

Per Section 11-22-5(B)(1) of the MZO, applications for PAD overlays may include conceptual plans which describe the land uses, development themes, and ranges of intensities within the proposed project. The proposed project includes design guidelines which establish standards and design themes for site design, architecture, lighting design, and landscaping.

On February 14, 2023, the Design Review Board reviewed the proposed design guidelines and recommended approval to City Council with the condition that all future development comply with the Gateway East PAD/Design Guidelines.

Per Section 11-22-5(B)(1) of the MZO, approved conceptual plans require review and approval of a specific plan prior to development. Compliance with the design guidelines may eliminate the requirement for future design review applications to be reviewed by the Design Review Board subject to the Planning Director's discretion.

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

<b>Northwest</b> (Across Hawes Road) LC-PAD Vacant	<b>North</b> LC-PAD, PEP-BIZ & LI Vacant	<b>Northeast</b> (Across SR-24) LI Vacant
<b>West</b> LI-PAD Airport	<b>Project Site</b> LI-PAD Vacant	<b>East</b> (Across Ellsworth Road) Maricopa County Vacant
<b>Southwest</b> LI-PAD Airport	<b>South</b> LI-PAD Airport	<b>Southeast</b> (Across Ellsworth Road & Williams Field Road) LI Recreation

**Compatibility with Surrounding Land Uses:**

The project site is currently undeveloped. The site is adjacent to the Phoenix-Mesa Gateway Airport to the west and south. The project site is bordered by the SR-24 Gateway Freeway to the northeast and Ellsworth Road to the east. An outdoor recreation facility exists to the southeast across Ellsworth Road. The property to the east, across Ellsworth Road, is within Maricopa County's jurisdiction. It is anticipated that the site to the east will be developed for commercial and industrial uses consistent with the Proposed Project.

Overall, the Proposed Project is consistent with the General Plan character area designation, as well as the surrounding land uses and the Phoenix-Mesa Gateway Airport.

**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 writing this report, neither the applicant nor staff have received any comments or concerns from surrounding property owners.

**Staff Recommendation:**

Staff finds the Proposed Project is consistent with the Mesa 2040 General Plan, the Gateway Strategic Development Plan, the approval criteria for a Council Use Permit per Section 11-70-6(D) of the MZO, the approval criteria for a Special Use Permit per Section 11-70-5(E) of the MZO and meets the review criteria for a Planned Area Development outlined in Section 11-22-3 of the MZO. Staff recommends approval with the following **Conditions of Approval:**

1. Site Plan Review for all development on the property in accordance with Section 11-69-4 of the MZO.
2. Compliance with the Gateway East PAD document.
3. Compliance with all requirements of Design Review Case No. DRB22-01249; except compliance with the revised Gateway East Design Guidelines.
4. Execute and comply with the Development Agreement DA22-00056.
5. All public off-site improvements and street frontage landscaping must be installed according to Mesa City Code unless a modification is approved pursuant to Mesa City Code and documented in an executed development agreement.
6. If the developer elects to develop the internal street network with private streets, then with each development the developer must extend and install all utilities, streets, and street frontage landscaping as required by Mesa City Code.
7. With the submittal of each site-specific plan include for review and approval by the Transportation Department construction documents that show all street networks and street cross sections as required by, and in conformance with, Mesa City Code and Mesa Engineering and Design Standards.
8. Prior to approval of any site-specific plan, receive approval from the Transportation Department of the submitted Master Traffic Impact Study.
9. Compliance with the final approved Master Traffic Impact Study.
10. Dedicate the right-of-way, easements, or both as 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.
11. 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 one mile of 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 states 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."
12. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD overlay as shown in the following table:

<b>Development Standards</b>	<b>Approved</b>
<u>Maximum Building Height –</u> <i>MZO Table 11-7-3</i>	165 feet in Zone A and 90 feet in Zone B (As shown on the Maximum Building Height Exhibit in the Gateway East PAD Document)
<u>Minimum Setback along Property Lines or Building and Parking Areas –</u> <i>MZO Table 11-7-3</i> - Front and Street-Facing Side     -Interior Side and Rear: Adj. to AG, RS, RSL, RM, Commercial and PEP districts	Gateway Boulevard: 20 feet Secondary Street: 20 feet Main Entry Segments: 30 feet (As specified in the Gateway East PAD Document)  Minimum 15 feet
<u>Perimeter Landscape Yard –</u> <i>MZO Table 11-7-3</i> -Width	Gateway Boulevard: 20 feet Secondary Street: 20 feet Main Entry Segments: 30 feet (As specified in the Gateway East PAD Document)  Street-facing setbacks shall be landscaped in accordance with Section 11-33-3(A)
<u>Minimum Landscape Yards –</u> <i>MZO Section 11-33-3(B)(2)(a)</i> - Non-single residence uses adjacent to non-single residence	Width. 0 feet Landscaping not required

<b>Development Standards</b>	<b>Approved</b>
<u>Averaging Depth of Foundation Base –</u> <i>MZO Section 11-33-5(A)(3)</i>	<p>The designated depth of the foundation base may be less than the minimum required depth required by Section 11-33-5(A)(1-2) and may be further reduced beyond the requirements of Section 11-33-5(A)(3)(a-c) to meet life safety requirements if a conflict exists between Fire Code and Zoning Ordinance standards</p>
<u>Outdoor Storage –</u> <i>MZO Section 11-30-7</i> - Permitted Location (General Commercial and Light Industrial)  - Screening and Setbacks	<p>Not permitted in front yards. Permitted in street facing side yards interior side and rear yards, or outside of required yards, subject to Section 11-30-7(B)(1-2)</p> <p>No setback is required for material stored outdoors</p>
<u>Truck Docks, Loading and Service Areas</u> – <i>MZO Section 11-30-13</i> - Location on Lot  - Screening	<p>Must be located at the rear or side of buildings, and may not be readily visible from Gateway Boulevard or Ellsworth Road</p> <p>Docks, loading and service areas shall be screened from Gateway Boulevard or Ellsworth Road</p>
<u>Screening of Mechanical Equipment –</u> <i>MZO Section 11-30-9(A)</i> - Ground-Mounted Equipment  - Exterior wall equipment	<p>Screening of the ground mounted electrical equipment facing a street may be adjusted as necessary to comply with the utility provider’s access and design requirements</p> <p>Downspouts must be internally located and screened on building facades adjacent to streets. Downspouts located on building facades not adjacent to streets may be externally located as long as they are coordinated with other façade elements and appropriately finished to compliment the façade design</p>

<b>Development Standards</b>	<b>Approved</b>
<u>Required Parking Spaces by Use –</u> <i>MZO Table 11-32-3.A</i> - Industrial	<p>Buildings less than 250,000 square feet: 1 space per 675 square feet of gross floor area</p> <p>Buildings that are 250,000 up to 500,000 square feet: 1 space per 1,000 square feet of gross floor area</p> <p>Buildings over 500,000 square feet: 1 space per 2,000 square feet of gross floor area</p>
<u>Setback of Cross Drive Aisles –</u> <i>MZO Section 11-32-4(A)</i>	Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 30 ft from the property line abutting the street
<u>Parking Lot Layout –</u> <i>MZO Section 11-32-4(G)(2)</i>	<p>No more than 300 parking spaces shall be allowed together in one group or cluster</p> <p>In office-use and industrial projects, a minimum 25 percent of the required parking spaces shall be provided within 200 feet of the building served, with the balance of the required parking within 500 feet</p> <p>Drive aisle intersections may not be perpendicular to each other</p>
<u>Pedestrian Access –</u> <i>MZO Section 11-32-4(G)(3)</i>	Where a pedestrian sidewalk crosses a vehicle lane, the pedestrian walkways shall be made distinct by use by use of textured paving and contrasting color
<u>Maximum Parking Spaces –</u> <i>MZO Section 11-32-3(C)</i>	There shall be no maximum to the number of parking spaces provided by any development
<u>Size of Parking Spaces and Maneuvering Aisles –</u> <i>MZO Section 11-32-2(H)(1)</i> -Standard Parking Spaces	The minimum basic dimension of a parking stall is 9 feet by 18 feet. Where applicable, the 18-foot dimension is inclusive of a 2-foot overhang over the adjacent sidewalk or landscape area
<u>Heliports –</u> <i>MZO Table 11-7-2 Footnote 14</i>	Heliports in Employment Districts may be located at the natural grade (aka ground level)

<b>Development Standards</b>	<b>Approved</b>
<u>Drive-thru Facilities</u> – <i>MZO Section 11-31-18(D)</i>	Drive-thru lanes shall not be located parallel to Gateway Boulevard but may be located parallel to Ellsworth Road. Where physical site conditions prevent such configuration, Provide 40-inch-high screen walls adjacent to the public right-of-way
<u>Site Planning and Design Standards</u> – <i>MZO Section 11-7-3(B)(1)-(5)</i>	Per the Gateway East Design Guidelines

**Exhibits:**

Exhibit 1 – Staff Report

Exhibit 2 – Vicinity Map

Exhibit 3 – Application Information

3.1 Gateway East PAD/

3.2 Gateway East Design Guidelines

3.2 Citizen Participation Plan

Exhibit 4 – Citizen Participation Report

Exhibit 5 – Letters of Support