



**PLANNING DIVISION
STAFF REPORT**

City Council

May 6, 2024

CASE No.: ZON23-00743	PROJECT NAME: Central Mesa Reuse Pipeline
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Owner's Name:	City of Mesa
Applicant's Name:	Brian Border, City of Mesa
Location of Request:	Within the 3600 block of East Thomas Road (north side) and within the 3600 block of North Val Vista Drive (east side). Located east of Val Vista Drive and north of Thomas Road.
Parcel No(s):	141-22-006
Request:	Rezone from General Industrial (GI) to Public and Semi-Public District with a Bonus Intensity Zone overlay (PS-BIZ), Council Use Permit (CUP), and Site Plan Review. This request will allow for the development of a major utility facility.
Existing Zoning District:	GI
Council District:	1
Site Size:	0.8± acres
Proposed Use(s):	Water Utility Service Station
Existing Use(s):	Vacant
Hearing Date(s):	April 10, 2024 / 4:00 p.m.
Staff Planner:	Chloe Durfee Daniel, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions(5-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **February 17, 1981**, City Council annexed 438± acres, including the project site, into the City of Mesa (Ordinance No. 1465).

On **August 17, 1981**, City Council approved a rezoning of 105± acres, including the project property, from Maricopa County Rural 43 to M-2 (equivalent to current General Industrial (GI)) (Case No. Z81-058, Ord. No. 1509).

On March 12, 2024 and April 9, 2024, the Design Review Board reviewed the elevations and landscape plans. Because City projects must be approved by the Design Review Board. At the April 9, 2024 meeting, the Design Review Board approved the design for the project.

On **April 10, 2024**, the Planning and Zoning Board recommended approval of the rezoning, Council Use Permit, and site plan with conditions (Vote: 5-0).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone 0.76± acres of property from General Industrial (GI) to Public and Semi Public with a Bonus Intensity Zone (PS-BIZ), approval of a Council Use Permit (CUP) and, approval of an Initial Site Plan to allow for a major utility (Proposed Project).

The subject site is located on the north side of Thomas Road and east of Val Vista Drive.

The Proposed Project, known as the Central Mesa Reuse Pipeline (CMRP) Intermediate Pump Station (IPS), is considered a major utility requiring approval of a CUP in the PS District. The requested BIZ overlay is to allow modifications to certain development standards set forth in the Mesa Zoning Ordinance (MZO).

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood Village Center. Per Chapter 7 of the General Plan, the goal of the Neighborhood Village Character Area is to provide for the regular shopping and service needs of the nearby population while serving as the focal points for the surrounding neighborhoods.

Per Chapter 7 of the General Plan, 80% of the Neighborhood Village Center must be developed with primary zoning districts and primary land uses before secondary zoning districts can be utilized. The Public and Semi-Public District and public semi-public uses are listed as secondary zoning district and land uses within the Neighborhood Village Center.

Per Chapter 7 (pg. 7-7) of the General Plan, City Council may approve minor deviations to the required minimum primary zoning districts and/or land uses. The minor deviation must clearly demonstrate that proposed development will achieve the intent of the areas and that the proposed zoning is a better option than a primary zoning district listed for the character type.

The purpose of the PS District is to accommodate large scale governmental, public utility, recreational, and educational facilities. The PS zoning district is therefore the most appropriate zoning districts for the proposed major utility. The Proposed Project is a necessary infrastructure improvement for the area. This infrastructure improvement is necessary to support the continued development of the character area and therefore conforms to the intent of the character area.

Zoning District Designations:

The request is to rezone the subject property from GI to PS- BIZ. The purpose of the PS District is to accommodate large scale governmental, public utility, recreational, and educational facilities.

The proposed major utility site is permitted with the approval of a Council Use Permit.

BIZ Overlay Modification – MZO Article 3, Chapter 21:

The Proposed Project includes a Bonus Intensity Zone overlay (BIZ) to allow for modifications to certain required development standards of the MZO on the property. Per Section 11-21 of the MZO, the purpose of the BIZ overlay is to allow greater intensity of development and encourage unique, innovative developments of superior quality for the site.

Table 1 below shows the MZO required standards and the applicant’s proposed BIZ standards.

Table 1: Development Standards

Development Standards	MZO Required	BIZ Proposed	Staff Recommendation
<u>Minimum Setback Along Property Lines for Buildings and Parking Areas –</u> <i>MZO Table 11-10-3.A</i> - Front and Street Facing Side: Collector (Thomas Road) -Front and Street Facing Side: Freeway (202 freeway) -Rear: Adjacent to Non-residential District	20 feet 30 feet Two or more stories: 15 ft per story (30 feet)	1’ 9” 9’ 3” 11’ 2” Total	As Proposed
<u>Required Landscape Yards –</u> <i>MZO Section 11-33-3.B</i> -Non-Single Residence Adjacent to Non-Single Residence MZO Table 11-10-3.A - Front and Street Facing Side: Collector (Thomas Road) -Front and Street Facing Side: Freeway (202 freeway)	15 feet 20 feet 30 feet	0 feet 0 feet 0 feet	As Proposed

Development Standards	MZO Required	BIZ Proposed	Staff Recommendation
<u>Fences and Freestanding Walls</u> – MZO Section 11-30-4(B)1 -Maximum Height (Front yards and required street side yards)	3.5 feet	8 feet	As Proposed
<u>Setbacks at Intersections</u> – MZO Section 11-30-10 - Arterial with Major/ Midsection collector	25 feet	23 feet	As Proposed
<u>Setback of Cross Drive Aisles</u> – MZO Section 11-32-4(A) - Setback from property line	50-foot radius	35' 5" radius	As Proposed
<u>Perimeter Landscaping</u> – MZO Section 11-33-3(A) -Arterial (Val Vista Drive) -Collector (Thomas Road)	1 tree and 6 shrubs per 25 linear feet of street frontage (5 trees/29 shrubs total) 1 tree and 6 shrubs per 25 linear feet of street frontage (18 trees/108 shrubs total)	1.27 trees and 5.93 shrubs per 25 linear feet of street frontage (6 trees/ 28 shrubs total) 0 trees and 3 shrubs per 25 linear feet of street frontage (0 trees/ 59 shrubs total)	As Proposed

Minimum Setback Along Property Lines for Buildings and Parking Areas:

Per Section 11-10-3(A) of the MZO, the required building setback for a PS district along front and street-facing side yards is 20 feet for a collector street and 30 feet for a freeway.

The applicant is requesting to reduce the required building setbacks on the southern property line along Thomas Road to one foot nine inches. For the northern property line along the Red Mountain 202 Freeway, the applicant is requesting to reduce the building setback to nine feet and three inches.

Per Section 11-10-3(A) of the MZO, the required building setback for a PS district adjacent to a non-residential district is 15 feet per story.

The applicant is requesting to reduce the required building setback on the eastern property line to 11 feet, two inches.

Required Landscape Yards:

Per Section 11-33-3(B)(2) of the MZO, the required landscape yard for a non-residential use adjacent to a non-single-residential use is 15 feet.

The applicant is requesting to reduce the required landscape yards on the eastern property boundary to zero feet.

Per Section 11-10-3(A) of the MZO, the required landscape setback for a PS district along front and street-facing side yards is 20 feet for a collector street and 30 feet for a freeway.

The applicant is requesting to reduce the landscape setbacks for both the collector street and the freeway to zero feet.

Fences and Freestanding Walls:

Per Section 11-30-4(B)(1) of the MZO, no fence or freestanding wall within or along the exterior boundary of the required front yard shall exceed a height of 3.5-feet.

The request is for eight-foot-tall walls around the perimeter of the facility, including within the front yard.

Setback at Intersections:

Per Section 11-30-10 of the MZO, the required setback for the corner at an intersection of an arterial and a collector street is 25 feet.

The applicant is requesting to reduce the setback to 23 feet.

Setback of Cross Drive Aisles:

Per Section 11-32-4(A) of the MZO, the required setback for a cross drive aisle from the right-of-way is 50 feet. The applicant is requesting a reduction to 35 feet, five-inches. A 50-foot setback is not feasible due to the shape of the parcel.

The applicant has worked with staff to provide adequate driveway lengths off of Thomas Road.

Perimeter Landscaping:

Per Section 11-33-3(A) of the MZO, a minimum of one tree and six shrubs are required per 25 linear feet of street frontage along arterial and collector streets.

The applicant is proposing 1.27 trees and 5.93 shrubs per 25 linear feet of street frontage along Val Vista Drive, and zero trees and three shrubs per 25 linear feet of street frontage along Thomas Road.

BIZ Justification:

According to the applicant, the proposed development is of superior quality and will aid in the development of vacant property as well as providing vital infrastructure to the surrounding community. Per Section 11-31-32 of the MZO, a superior site design are those that incorporate the following five elements; (1) holistic site and project design, (2) responsive approach to the site, (3) sustainable design, (4) site and design standards that exceed the standard development requirements, and quality public spaces.

As a part of the justification for the request and the superior quality of the site, the applicant has designed the masonry electrical building to be fully insulated to meet the City of Mesa's Energy Conservation Code and the HVAC system has also been designed with an economizer to further the energy efficiency. The pumps at the site have been designed with premium efficiency rated motors and variable frequency drives to also further energy efficiency.

To provide a greater degree of compatibility with the surrounding area, the site walls and the architectural finish of the masonry electrical building have been designed to coordinate with the wall of the residential development south of Thomas Road. This coordination will create consistency in the area's aesthetic and allow the site to blend into the surroundings while also exceeding typical site perimeter wall design standards.

The site has exceeded the requirements for the number and sizes of both trees and shrubs along Val Vista Drive and the number and sizes of shrubs along Thomas Road. The plants for the site have been selected for their viability and long-term maturation as well as their ability to withstand heat and drought, the reflected heat from the site wall, and being able to promote a holistic and sustainable streetscape.

The applicant has also provided bio-swales in the landscaping design to promote water efficiency and support storm water management by cleaning storm water before it percolates into the ground.

Through the use of the proposed alternative landscape plan that focuses on holistic and sustainable plantings and practices, in addition to being a responsive approach to the site and community and considering the unique complexity of the site itself and the use, and the walls that match the walls for the community nearby, the Proposed Project meets the requirements and criteria of the Bonus Intensity Zone overlay.

Site Plan and General Site Development Standards:

The applicant is proposing a new 0.76-acre major water utility facility. The proposed site plan shows a 25 foot tall steel reclaimed water storage tank with a volume of approximately 0.5 million gallons; a 13 foot tall 13,300 gallon horizontal surge tank to accommodate potential pipeline pressure surges and to protect the CMRP system infrastructure; a 17 foot tall masonry electrical building providing the secured storage for pump motor starters, variable frequency drives, and monitoring and control equipment; and various other equipment on site surrounded by an eight foot wall to match the development across Thomas Road.

Access to the site is provided off of Thomas Drive and will be visited once per day by a City of Mesa truck or less.

Council Use Permit:

Per Table 11-10-2 of the MZO, Major Utilities are permitted in the Public Semi-Public Zoning District with the approval of a Council Use Permit.

Section 11-70-6(D) of the MZO, contains Council Use Permit review criteria standards discussed below:

- 1) Demonstrating that the proposed project will advance the goals and objectives of the General Plan and other City policies;

The Proposed Project advances the goals and objective of the General Plan by providing critical infrastructure support for the wide range of opportunities for the surrounding community, developing a previously unutilized area to help the City of Mesa achieve its future water supply goals and provide a needed service for the City. The Proposed Project will be supporting environmental and conservation efforts with resource efficiency, provide fiscally sound planning, design, and construction of a public facility, and implementing landscaping that restores natural desert beauty to the area.

- 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;

The Proposed Project is part of a larger project that will enable the City of Mesa to fulfil its long-term water needs. The location, size, design, and operating characteristics of the Proposed Project are not only consistent with the needs of the City but are also consistent with the purpose of the PS zoning district, which is to accommodate large-scale governmental, public utility, recreational, and educational facilities.

- 3) Ensuring the project will not be injurious or detrimental to adjacent properties or surrounding areas; and

The Proposed Project will not be injurious or detrimental to adjacent properties or surrounding areas.

- 4) Demonstrating that there are adequate public services and infrastructure to support the development.

The Proposed Project will be providing public utilities that will allow further development within the area.

Surrounding Zoning Designations and Existing Use Activity:

<p>Northwest (Across Val Vista Drive) ADOT Land East 202 Red Mountain FRWY</p>	<p>North ADOT Land East 202 Red Mountain FRWY</p>	<p>Northeast ADOT Land East 202 Red Mountain FRWY</p>
<p>West (Across Val Vista Drive) GI Office/Warehousing</p>	<p>Project Site GI Vacant</p>	<p>East ADOT Land East 202 Red Mountain FRWY</p>
<p>Southwest (Across Thomas Road) RM-2 Citrus Grove</p>	<p>South (Across Thomas Road) RM-2 Multiple Residence</p>	<p>Southeast (Across Thomas Road) RM-2 Multiple Residence</p>

Compatibility with Surrounding Land Uses:

The subject site is consistent with the surrounding multiple residence uses to the south, commercial and industrial uses to the west, as well as ADOT land and the freeway to the north and east.

The proposed City Water Utility Service Facility on the property will not be out of character with the surrounding development.

Neighborhood Participation Plan and Public Comments:

As part of the completed Citizen Participation Process, the applicant mailed notification letters to property owners within 1,000 feet of the site, Homeowner Associations (HOAs) within ½ mile of the site, and registered neighborhoods within one mile of the site.

As of the writing of this report, staff has not received any comments or concerns from surrounding property owners.

Staff Recommendations:

Staff finds the Proposed Project meets the intent of the Mesa 2040 General Plan for the reasons set forth in this report, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, meets the review criteria for a Bonus Intensity Zone outlined in Section 11-21-5 of the MZO, and the review criteria for a Council Use Permit outlined in Section 11-70-6(D) of the MZO.

Staff recommends approval with the following **Conditions of Approval:**

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB23-00745.
3. Prior to the issuance of any Building Permit, the Engineering Department shall submit proposed art, including visual screening of exterior tank appurtenances, for the site and tank for Planning Director review and approval.
4. 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.

5. Compliance with all City development codes and regulations, except the modifications to the development standards approved with this BIZ as shown in the following table:

Development Standards	Approved
<u>Minimum Setback Along Property Lines for Buildings and Parking Areas –</u> <i>MZO Table 11-10-3.A</i> - Front and Street Facing Side: Collector (Thomas Road) -Front and Street Facing Side: Freeway (202 freeway) -Rear: Adjacent to Non-residential District	1' 9" 9' 3" 11' 2" Total
<u>Required Landscape Yards –</u> <i>MZO Section 11-33-3.B</i> -Non-Single Residence Adjacent to Non-Single Residence <i>MZO Table 11-10-3.A</i> - Front and Street Facing Side: Collector (Thomas Road) -Front and Street Facing Side: Freeway (202 freeway)	0 feet 0 feet 0 feet
<u>Fences and Freestanding Walls –</u> <i>MZO Section 11-30-4(B)1</i> -Maximum Height (Front yards and required street side yards)	8 feet
<u>Setbacks at Intersections –</u> <i>MZO Section 11-30-10</i> - Arterial with Major/Midsection collector	23 feet
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Exhibits:

- Exhibit 1 – Presentation
- Exhibit 2 – Ordinance
- Exhibit 3 – Ordinance Map
- Exhibit 4 – Vicinity Map
- Exhibit 5 - Site Plan
- Exhibit 6 – Minutes
- Exhibit 7 – Submittal Documents