



**PLANNING DIVISION  
STAFF REPORT**

**Planning and Zoning Board**

**September 23, 2020**

CASE No.: <b>ZON19-00709</b>	PROJECT NAME: <b>Pecos 10</b>
Owner's Name:	Pecos 10 LLC
Applicant's Name:	Katie Rounds, The Kaidence Group
Location of Request:	Within the 8500 to 8700 blocks of East Pecos Road (south side). Located west of Ellsworth Road on the south side of Pecos Road.
Parcel No(s):	304-62-011L
Requests:	Rezoning from Agricultural (AG) to Light Industrial and Office Commercial with a Planned Area Development Overlay (LI-PAD and OC-PAD); and Site Plan Review. This request will allow for an industrial development. Also consider a preliminary plat for "Pecos 10, A Condominium".
Existing Zoning District:	Agriculture (AG)
Council District:	6
Site Size:	11.7± acres
Proposed Use(s):	Industrial (shell buildings)
Existing Use(s):	Vacant
Hearing Date(s):	<b>September 23, 2020 / 4:00 p.m.</b>
Staff Planner:	Ryan McCann, Planner II
Staff Recommendation:	Approval with Conditions
Planning and Zoning Board Recommendation:	
Proposition 207 Waiver Signed:	No

**HISTORY**

On **December 18, 1989**, the subject property was annexed as part of a 3,346± acre property into the City of Mesa (Case A89-003; Ord. #2473).

On **March 5, 1990**, the City Council approved a rezoning of the property from Maricopa County Airfield District (AD) I designation to City of Mesa Agriculture (AG) designation (Case No. Z90-007, Ordinance No. 2496).

## PROJECT DESCRIPTION

### **Background:**

The request is to rezone the subject site from Agriculture (AG) to Light Industrial (LI) and Office Commercial (OC) with a Planned Area Development Overlay (PAD) to allow an industrial development and a site plan review. According to the applicant, the purpose for the PAD request is to allow certain modifications to the City's landscape requirements and reduction in the number of required parking spaces for development of the property. The modifications are to allow innovative design and flexibility for development of the property which is consistent with the purpose for a PAD overlay. Per Section 11-22 of the MZO, the purpose of a PAD overlay is to permit flexibility in the application of zoning standards and requirements and demonstrate that the proposed development provides equivalent or superior standard in a creative way to meet the intent of the City's zoning ordinance and general plan.

From the City's zoning map, there is a sliver of Office Commercial (OC) zoning designation on the adjacent property to the southeast and southwest of the property. The subject request includes rezoning the southern section of the property, approximately 95' feet, to Office Commercial to align with the adjacent OC zoning designations (see Exhibit 6). According to the applicant, the purpose for that section of the OC zoning designation is to align with surrounding similar designations that also have been serving as a form of a separation buffer from industrial developments. The submitted landscape plan also shows 120' landscape tract along the southern perimeter of the property. This landscape area is intended to provide a buffer to the surrounding residential neighborhood to the south of the property from industrial uses.

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

The General Plan character area designation on the property is Employment with a Business Park subtype. Per Chapter 7 of the General Plan, the Employment character area designation is to provide a wide range of employment opportunities in high-quality settings. The Business Park subtype is for areas that contain a number of separate businesses, offices, and light industrial facilities. This subtype is also typically for low intensity developments that comprises mainly of office, office warehouse, research and development facilities and other similar uses. Per the General Plan, typical uses within the subtype include office flex spaces and light industrial uses with loading areas and outdoor storage yards screened from public view by buildings, walls, and/or landscaping.

The proposed rezoning and development of the property for industrial uses will provide the opportunity for employment generated uses which conform to the goals of the employment character designation. The proposed site plan also conforms to the form and guidelines for development within the business park subtype through the use of common architecture and landscape themes, street and sidewalk system that connects buildings within the site, and storage yards screened from public view. In sum, the proposed rezoning and PAD overlay conforms to the goals of the Employment character area designation and the business park subtype. Staff reviewed the request and determined the proposed rezoning and use of the

property is consistent with the criteria for review outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

**Mesa Gateway Strategic Development Plan:**

The site is also located within the Mesa Gateway Strategic Development Plan and specifically located within the Logistics & Commerce District of the Plan. Per the Strategic Plan, the focus of the Logistics & Commerce District is to provide a high-quality employment environment that is compatible with increasing over-flight activities associated with Phoenix-Mesa Gateway Airport. Per the Plan, desired uses within the district include manufacturing facilities, large warehouses, distribution facilities, planned employment parks, and similar uses. The proposed industrial development is consistent with the goals of the Mesa Gateway Strategic Development Plan.

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

Per Section 11-19 of the MZO, the property is located within Airport Overflight Area Three (AOA 3) of the Airfield (AF) Overlay District due to its proximity to the Phoenix-Mesa Gateway Airport. Per Section 11-19 of the MZO, there are no commercial or industrial use restrictions within the AOA 3. Phoenix-Mesa Gateway Airport staff reviewed the subject request and had no comments on the proposed development.

**Zoning District Designations:**

The applicant is requesting to rezone the site from AG to LI and OC with a Planned Area Development (LI-PAD and OC-PAD) overlay to allow modifications to certain required development standards on the property. Specifically, 10.6 acres will be rezoned to LI-PAD and 1.1± acres rezoned to OC-PAD. Per section 11-7-2 of the MZO, industrial uses are permitted in the LI zoning district. In addition, per Section 11-7-1 of the MZO, the purpose of the LI zoning district is to provide areas for limited industrial and high-impact commercial uses. Per Section 11-6-1 of the MZO, the purpose of the OC zoning district is to provide areas for small-scale medical and professional offices intended to serve the community and remain compatible with adjacent residential areas.

The proposed rezoning and intended development for industrial uses on the property conform to the goals of the LI district. According to the applicant, the proposed rezoning to OC is to provide a separation buffer from adjacent residential development to the south of the property and also to be consistent with previously approved industrial development within the vicinity of the property.

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

The subject request includes a Planned Area Development (PAD) Overlay to allow for modifications to certain required development standards of the MZO. Per Section 11-22 of the MZO, the purpose of the 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*

<b>Development Standard</b>	<b>Required LI</b>	<b>Proposed LI</b>	<b>Staff Recommendation</b>
<u>Perimeter Landscape Yard for non-single residence uses adjacent to AG and OC districts – MZO Section 11-33-3(B)(2)</u>	20’	<b>0’</b>	As proposed
<u>Required Parking, Shell industrial buildings – MZO Section 11-32-3(A)</u>	75% at 1 space per 500 SF plus 25% at 1 space per 375 SF	<b>1.3 parking spaces per 1,000 SF of building area</b>	As proposed

As shown on the table above, the applicant is requesting the following modifications from the LI zoning district development standards outlined in Chapter 33 of the MZO:

Perimeter Landscape Yard – adjacent to non-single residence uses: Per Section 11-33-3(B)(2) of the MZO, required perimeter landscape yards are to conform to the minimum yard and setback requirements for the zoning district of the property. Per section 11-7-3 of the MZO, the minimum setback required for development of the property adjacent to AG and OC zoning districts is 20 feet. The applicant is requesting to provide no setback and landscape yard on the eastern and western property boundary and side yard setbacks. This reduction of the required landscape yard setback is consistent with development standards for properties adjacent to LI zoning districts. According to the applicant, although the surrounding property to the northwest is currently designated as AG, the General Plan character designation on the property is Employment, as well as it is surrounded by LI zoning designations that will likely be developed with uses consistent with the surrounding industrial uses; therefore, such a request to provide no landscape and side yard setback will be consistent with the surrounding industrial development.

Required number of parking spaces: Per Section 11-32-3(A) of the MZO, shell industrial buildings are required to be parked at a ratio of 75% at 1 space per 500 square feet and 25% at 1 space per 375 square feet. Based on this requirement, a total of 242 of parking spaces are required. The applicant is requesting a parking ratio of 1.3 spaces per 1,000 square feet for a total parking spaces of 145 on the property. According to the application documents provided by the applicant’s traffic engineer, the proposed parking spaces are adequate to serve the needs of the intended users.

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

The proposed site plan shows 14 industrial shell buildings ranging in size from 5,295± square feet to 15,500± square feet. According to the building elevations submitted with the application, the buildings will be single-story with a maximum height of 26 feet. Per Section 11-7-3 of the MZO, the maximum height allowed in the LI zoning district is 40 feet. The site plan also shows each

building will have rear storage yard and be screened from public view which conform to the screening requirements outlined in Section 11-30-7 of the MZO.

The site plan shows the primary access to the site will be from Pecos Road located to the north of the site. The site plan also shows one central drive aisle with a maximum width of 30 feet within the development. A majority of the required parking spaces will be located in front of each building. The submitted landscape plan shows a 120-foot-wide landscape buffer to be constructed between the development and adjacent residential neighborhood to the south. In addition, the proposed buildings will be setback approximately 50 feet from the edge of the landscape tract and approximately 170 feet from the southern property line of the development. The proposed buffers are consistent with previous industrial developments approved in the area that are adjacent to the residential development to the south. Overall, the proposed site plan conforms to the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

**Preliminary Plat:**

As part of the subject request, the applicant is requesting a preliminary plat. 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. Per Section 11-66-2 of the Mesa Zoning Ordinance, the preliminary plat is reviewed and approved by the Planning & Zoning Board. All approved preliminary plats are subject to potential modification through the City’s Subdivision Technical Review process, which is the third stage after approval of the preliminary plat. The Subdivision Technical Review process considers the overall design of the subdivision and details, such as utilities layout, ADA compliance, detention requirements, etc. This process can sometimes result in modifications to lot sizes and configuration and a reduction in the number of lots.

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

<b>Northwest</b> (Across Pecos Road) LI Undeveloped	<b>North</b> (Across Pecos Road) LI Undeveloped	<b>Northeast</b> (Across Pecos Road) LI Undeveloped
<b>West</b> LI- BIZ, OC & AG Undeveloped	<b>Subject Property</b> AG Undeveloped	<b>East</b> LI-PAD & OC-PAD Church
<b>Southwest</b> LI- BIZ & OC Undeveloped	<b>South</b> RS-43 Single Residences	<b>Southeast</b> RS-43 Single Residences

**Compatibility with Surrounding Land Uses:**

The subject site is surrounded by several zoning districts and different land uses, including a church to the east, residential to the south, and undeveloped industrial land to the east and west. Immediately to the south of the subject site is a single residence subdivision (i.e. Queens Park Subdivision). This subdivision was developed in the 1980’s and situated in an area currently designated for development of employment and industrial uses. Currently, the General Plan

character designation on the property and surrounding areas is Employment. In the past years, various developments abutting the residential development have installed a landscape buffer between those development and the residential neighborhood. This buffer has mostly consisted of a large landscape tract that is typically 120' in width. The landscape plan shows the proposed development will consist of a 120' landscape tract located to the south of the property to create a similar buffer to separate the development from the residential development to the south. This buffer is consistent with approved landscape buffers surrounding the residential development.

Overall, the proposed industrial development conforms to the goals of the General Plan and Mesa Gateway Strategic Development Plan and will provide an industrial development that is compatible with increasing airport overflight activity in the area.

**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 one mile of the site. The applicant held a neighborhood meeting on November 4, 2019. Three people attended the meeting and asked general questions about the proposed development which the developer was able to answer all the questions with no further concerns from the neighbors. As of writing this report, staff has not received any comments/concerns from surrounding property owners. The applicant will be providing an updated Citizen Participation Report to staff prior to the September 23, 2020 Study Session.

**Staff Recommendation:**

The subject request is consistent with the General Plan, the Gateway Strategic Development Plan, and the purpose for a Planned Area Development overlay outlined in Section 11-22-1 of the MZO. Additionally, the request meets the review criteria for Site Plan Review 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.
3. Compliance with all requirements of the Subdivision Regulations.
4. Dedicate the right-of-way and easements 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.
5. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner shall execute and record the City's standard Avigation Easement and Release for Phoenix Mesa Gateway Airport prior to the issuance of a building permit.
  - b. Prior to the issuance of a building permit, provide documentation that a registered professional engineer or registered professional architect has certified that noise attenuation measures have been incorporated into the design and construction of the buildings to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Mesa Zoning Ordinance.

- c. Provide written notice to future property owners that the project is within 1 mile of Phoenix-Mesa Gateway Airport.
  - d. Any proposed permanent or temporary structure 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. An FAA determination notice of no hazard to air navigation shall accompany any building permit application for the property.
  - e. All final subdivision plats and sales and leasing offices shall include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which shall 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."
6. 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:

<b>Development Standard</b>	<b>Approved</b>
<u>Perimeter Landscape Yard adjacent to AG and OC districts –</u> <i>MZO Section 11-33-3(B)(2)</i>	<b>0'</b>
<u>Required Parking,</u> Shell industrial buildings – <i>MZO Section 11-32-3(A)</i>	<b>1.3 parking spaces per 1,000 SF of building area</b>

**Exhibits:**

**Exhibit 1-Staff Report**

**Exhibit 2-Vicinity Map**

**Exhibit 3-Application Information**

3.1 Project Narrative

3.2 Site Plan

3.3 Landscape Plan

3.4 Preliminary Plat

3.7 Citizen Participation Plan

**Exhibit 4-Citizen Participation Report**

**Exhibit 5-Avigation Easement**

**Exhibit 6-Zoning Designation Map**