



**PLANNING DIVISION
STAFF REPORT**

Planning and Zoning Board

January 13, 2021

CASE No.: **ZON20-00655**

PROJECT NAME: **Airgate I**

Owner's Name:	PHX-Mesa Gateway Airport 193 LLC
Applicant's Name:	Wes Balmer, Balmer Architectural Group
Location of Request:	Within the 7200 to 7500 blocks of East Ray Road (south side). Located east of Power Road on the south side of Ray Road.
Parcel No(s):	304-30-038
Requests:	Site Plan Review; and Special Use Permit. This request will allow for an industrial development.
Existing Zoning District:	Light Industrial (LI) in Airfield Overflight Area 1 and 2 (AOA 1 & 2)
Council District:	6
Site Size:	11.7± acres
Proposed Use(s):	Industrial (shell building)
Existing Use(s):	Vacant
Hearing Date(s):	January 13, 2020 / 4:00 p.m.
Staff Planner:	Ryan McCann, Planner II
Staff Recommendation:	Approval with Conditions

HISTORY

On **November 16, 2000**, the City Council approved the annexation of a 1,562± acre property that included the subject property (Ordinance No. 3815).

On **May 7, 2001**, the City Council approved a rezoning of the subject property from Maricopa County Airport District II (ADII) to the City of Mesa comparable zoning of Light Industrial with an Airfield Overlay (LI-AF) (Case No. Z00-087, Ordinance No. 3885).

On **October 23, 2019**, the Planning and Zoning Board approved a site plan to allow an industrial development on the subject property (Case No. ZON19-00538).

PROJECT DESCRIPTION

Background:

This request is for a site plan review to allow development of approximately 143,000 square foot industrial building on the subject vacant property. The property is zoned Light Industrial and also within the Airfield Overlay Areas 1 and 2 (AOA 1 and 2). According to the application submittal information, the proposed building will be used for manufacturing and warehouse uses. Per Section 11-7-2 of the Mesa Zoning Ordinance (MZO), warehousing and manufacturing uses are permitted in the LI zoning districts and within the AOA 1 and 2.

The applicant is also requesting a Special Use Permit (SUP) to allow; (1) a reduction in the number of required parking spaces from 304 to 207 spaces; and (2) to allow additional building height in the Airfield Overflight Area designation on the property from 40 feet to 52 feet. Section 11-32-6 of the MZO allows reduction in the required number of parking spaces during the review of a Special Use Permit. In addition, section 11-30-3 of the MZO also allow the P&Z to approve increase in height for proposed development through a special use permit.

General Plan Character Area Designation and Goals:

The General Plan character area designation on the property is Mixed-Use Activity and Employment. Per the Plan, Mixed Use Activity areas are large in scale (typically over 25 acres) community and regional activity areas that usually have a significant retail and commercial component, including shopping areas such as malls, power centers or lifestyle centers designed to attract people from a large radius. Per Chapter 7 of the General Plan, the primary focus of the Employment character area designation is to provide for a wide range of employment opportunities in high-quality settings. Examples of employment-type land uses include areas for large manufacturing facilities, warehousing, and business park type uses.

Per Chapter 5 of the City of Mesa General Plan, the subject site is also located within the City's Gateway Economic Activity Area. Per the Plan, this area provides the largest opportunity for new growth in the City of Mesa. Given the large size of the area, a wide range of employment activities are anticipated with an emphasis on education, aerospace/aviation, and technology industry clusters. The proposed request to allow development of a large industrial building for manufacturing and warehouse uses conforms to the goals of the Employment character designation and Gateway Economic Activity Area. Specially, the building is planned to be occupied by various industrial operating businesses and users which will likely add to the employment opportunities in the City.

Mesa Gateway Strategic Development Plan

The subject site is also located within the Airport Campus District of the Mesa Gateway Strategic Development Plan. This district encompasses the area covering ASU Polytechnic/Chandler Gilbert Community College Campus, the Phoenix-Mesa Gateway Airport, and the area immediately outside the Mesa Gateway airport's future main terminal. The area of the property within the Strategic Development Plan is envisaged to predominantly be high-intensity employment uses that integrate well with the on-airport uses.

Staff reviewed the request and determined it is consistent with the development review criteria outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan. The proposed development is

also consistent with the goals of the Mixed-Use Activity and Employment character area designation and the Gateway Strategic Development Plan Airport Campus District by providing high-intensity employment uses that is also compatible with the Phoenix-Mesa Gateway Airport use.

Zoning District Designations:

The subject property is zoned Light Industrial (LI). Per Section 11-7-2 of the MZO, industrial uses are permitted in the LI zoning district.

Airfield Overlay – MZO Article 3 Section 11-19:

Per Section 11-19 of the MZO, the site is located within the Airfield Overlay District, specifically within the Airport Overflight Areas One and Two (AOA 1 and 2). The location of the property within the Airfield Overlay is due to its proximity to the Phoenix-Mesa Gateway Airport. Per section 11-7-2 of the MZO, AOAs 1 and 2 allow industrial and warehouse uses.

Site Plan and General Site Development Standards:

The proposed site plan shows development of 143,000 square foot industrial building on the property. From the submitted site plan, there will be two access points from Ray road, located north of the property, onto the site. These access points will be located on the northeastern and western section of the property. The site plan also shows landscaping along Ray Road. This landscaping conforms to the requirement of Section 11-33-3 of the MZO. Further, the site plan also shows 207 parking spaces on the property. As part of the request, the applicant is requesting a special use permit to allow reduction in the required parking spaces. Overall, the proposed site plan with the accompanying special use permits conforms to the requirements of the Mesa Zoning Ordinance.

Special Use Permit:

Section 11-66-2(C) of the MZO allows the Planning and Zoning Board to hear and take action on a SUP when requested in conjunction with another request requiring action or recommendation by the Planning and Zoning Board. The applicant is requesting a Special Use Permit to allow (1) a reduction in the number of required parking spaces from 304 to 207; and (2) to allow additional building height in an Airfield Overflight Area designation on the property from 40 feet to 52 feet.

Parking Reduction

Per Section 11-32-3 of the MZO, 304 parking spaces are required for the proposed use on the site. The request is to reduce the number of parking spaces from 304 to 207, thus a reduction of 97 total parking spaces. Section 11-32-6 of the MZO outlines the criteria for approval of an SUP to allow reduction in the number of parking spaces. Below is a summary of the criteria for the SUP and findings:

Parking Reduction Required Findings (MZO Section 11-32-6)	Findings
1. Special conditions – including but not limited to the nature of the proposed operation; proximity to frequent	The proposed use is on the property is manufacturing and warehousing.

transit service; transportation characteristics of persons residing, working or visiting the site exist that will reduce the parking demand at the site.	Based on the anticipated users to occupy the building and associated number of employees and customers, there will be less number of employees and customers on the site at the same time and will not require such number of parking spaces other than those proposed.
2. The use will adequately be served by the proposed parking.	The proposed reduction in the number of parking spaces is consistent with the number of parking spaces provided with similar industrial buildings and users within the vicinity of the property which has been adequate for such users.
3. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on street parking in the surrounding area.	The parking demand is not anticipated to exceed the capacity provided or impact the supply of on-street parking in the area. The applicant provided a plan to show the ability to increase the number of parking spaces on the property should there be the need for such additional parking (see Exhibit 3.5).

Per section 11-70-5 of the MZO, granting the SUP must also advance the goals and objective of the General Plan and not be detrimental to the neighborhood or to the general welfare of the City. As previously stated, the proposed development for an industrial warehouse building is consistent with the goals of the General Plan by providing high-intensity employment uses compatible with Phoenix-Mesa Gateway Airport. The proposed reduction in the number of parking spaces for a use that is anticipated to generate less demand than the required parking spaces will not be detrimental to surrounding neighborhood. In addition, the applicant has demonstrated the ability to provide additional parking on the property should there be the need for such parking spaces.

Building Height

The applicant is also requesting a Special Use Permit to allow additional building height in the Airport Overflight Area (AOA) designation on the property. Per Table 11-7-3 of the MZO, the maximum height allowed on the property is 40 feet. The applicant is requesting a 47-foot building height to the top of the parapet wall, and a 52-foot height for a proposed entry tower on the proposed building. According to the applicant, the request to allow the increase in the building height for the parapet and the entry tower of the building is needed to accommodate the type of operation planned for the use of the building.

Per Section 11-70-5 of the MZO, the requirements for granting an SUP to allow increase in the height than those allowed on the property include demonstrating that the proposed project will advance the goals and objectives of the General Plan and other city policies. As well as 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, and ensuring the project will not be injurious or detrimental to adjacent properties or surrounding areas. Further, the request should demonstrate there is 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 City's employment character area designation. Allowing the increase in the height of the building to 47-foot-high and a tower structure which is an architectural element of the building to a 52-foot high will not be detrimental to the surrounding development. Currently, a majority of the surrounding area is developed with industrial uses and allowing such height will not negatively impact any of the surrounding uses. In addition, the Phoenix-Mesa Gateway Airport staff reviewed the subject request and expressed no concerns with the proposed building height.

Design Review:

On December 15, 2020, the Design Review Board reviewed the proposed building elevations and landscape plan for the development and recommended certain modifications. The recommended modifications included changes to the building's wall articulation and colors. Specifically, to modify and extend the parapet wall articulation along the southern elevation of the building. The recommended changes also included painting the roll up doors to match the exterior color of the building. Staff is working with the applicant to include the recommended changes to the final design of the building.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Ray Road) LI-PAD-CUP Retail	North (Across Ray Road) LI-PAD-CUP Retail	Northeast (Across Ray Road) 202 Santan Freeway
West (Across Ray Road) LI-PAD Vacant	Subject Property LI Vacant	East LI Industrial
Southwest LI-PAD Airport	South LI-PAD Airport	Southeast LI-PAD Airport

Compatibility with Surrounding Land Uses:

The majority of the properties surrounding the site are vacant. There are existing industrial and retail uses to the east and west of the site. The proposed development of the site plan for industrial uses will not be out of character with the surrounding 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. As of writing this report, the applicant and staff have not received any comments or concerns from surrounding property owners. The applicant will

be providing an updated Citizen Participation Report to staff prior to the January 13, 2020 Study Session.

Staff Recommendation:

Based on the application received and the proceeding analysis, staff finds the subject request is consistent with the General Plan, the Gateway Strategic Development Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO and meets the review criteria for a Special Use Permit outlined in Section 11-32-6 and Section 11-70-5 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 City development codes and regulations.
3. Compliance with all requirements of Design Review.
4. 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. 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.
 - c. 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.
 - d. Provide written notice to future property owners that the project is within 1 miles of Phoenix-Mesa Gateway Airport.

Exhibits:

Exhibit 1- Vicinity Map

Exhibit 2- Staff Report

Exhibit 3- Application Information

- 3.1 Project Narrative
- 3.2 Site Plan
- 3.3 Landscape Plan
- 3.4 Elevations
- 3.5 Parking Exhibit

Exhibit 4- Citizen Participation Plan

Exhibit 5- Citizen Participation Report

Exhibit 6- Avigation Easement