



Planning and Zoning Division

Development Services Department

10000 N. El Mirage Road, El Mirage, AZ 85335

623-972-8116; TDD 623-933-3258

www.elmirageaz.gov

STAFF REPORT

Council Meeting Date: August 17, 2026

ACTION

Zoning Case: CUP260001

Request to Consider

Consideration and action on a Conditional Use Permit for a Warehouse Use and Accessory Outdoor Storage in a Commerce Park zone at a vacant property at 9105 N El Mirage Rd, El Mirage, Arizona 85335.

Goal/Purpose of Request

The applicant requests approval of a Conditional Use Permit (CUP) to allow the development and operation of a 105,760-square-foot tilt-up concrete warehouse building with approximately 5,000 square feet of office space on a 9.42-acre parcel.

Location

Site Plan indicated by the red parcel outline.

9105 N El Mirage Rd, El Mirage, AZ 85335



Owner

Wyoming Property Co LLC / 9315
Property LLC
1734 W Williams Dr Ste 5
Phoenix, AZ 85027

Applicant

Stephanie Watney
Withey Morris Baugh
2121 E Highland Ave,
Phoenix, AZ 85016
stephanie@wmbattorneys.com
602-230-0600

Background

The project includes a secured accessory outdoor storage yard of approximately 3.2 acres, or 138,935 square feet, situated behind the principal building and enclosed by perimeter CMU screening walls to limit visibility from surrounding rights-of-way. The property is currently vacant, designated Commerce/Industry Park in the General Plan, and surrounded by existing or planned industrial and commerce-park uses. Parking, landscaping, loading, and vehicle circulation have been designed to meet City development standards, and the applicant proposes 97 parking spaces, exceeding the 94 spaces required by code.

Access is provided from N. El Mirage Road, a major arterial with sufficient width and capacity to accommodate the 468 daily vehicle trips anticipated for the development, including morning and afternoon peak traffic volumes. The warehouse is expected to operate during standard business hours, with fewer than 69 employees and no distribution uses proposed. The site has been designed to mitigate any potential impacts on adjacent properties through building placement, perimeter landscaping, screening walls, and the internalization of operational activities such as loading and outdoor storage.

The proposal is consistent with the City's General Plan and satisfies the conditional use permit criteria outlined in Section 154.157, including demonstrating adequate site design, compatibility with surrounding industrial development, sufficient roadway capacity, and the ability to protect public health, safety, and welfare through compliance with applicable municipal regulations. Any changes to the site plan will require the submittal and approval of a site plan amendment.

All potential tenants shall consult with City staff prior to leasing or occupying the site to verify land-use eligibility and ensure compliance with the applicable military compatibility requirements.

General Plan Compliance

The 2020 General Plan Land Use Map identifies the site as being part of the Commerce and Industrial Park Planning Area and is compatible with the plan.

Zoning, Land Use & Overlays

The site is zoned Commerce Park (CP), and the proposed warehouse and accessory outdoor storage require a conditional use permit approval.

ARS 28-8481 Land Use Compatibility

The site is located within the Noise Contour Zone of Luke Air Force Base (LAFB) and within the Military Airport Territory Area. As a result, the project is subject to ARS 28-8481 land use compatibility regulations. Consequently, the proposed development will experience approximately 170 direct flights overhead each day. The military base reviewed the pre-application and provided comments. Please see the review comments letter dated April 9, 2026.

City Staff Review

City staff reviewed the application and determined it is ready for the public hearing.

Stipulations

The applicant shall consent to the Technical Advisory Committee's stipulations as set forth in the memorandum dated July 6, 2026.

Planning Commission

The zoning application was recommended for approval as presented at the public hearing on July 14, 2026, with a vote of 4-1. The one Planning Commission member who voted against the project expressed concerns that the applicant did not fully address the review comments from Luke Air Force Base at the public hearing. Additionally, this member felt that the need for another warehouse in the city is unnecessary.

City Council

City staff will present and request final action from the City Council during the public hearing on August 17, 2026.

Public Comments

Staff received three (3) inquiries about the project with no additional comments in favor or against the proposed development, and one (1) provided comments at the public hearing.

Conclusion

If the application is approved, the applicant may submit the final site plan for staff review and approval.

Attachments

Zoning Application, TAC Review Comments, Planning Commission Meeting Minutes, and Presentation.