



**PLANNING DIVISION
STAFF REPORT**

City Council Hearing

September 14, 2020

CASE No.: ZON20-00253	PROJECT NAME: Cannon Beach
Owner's Name:	Power 17, LLC and Power 40, LLC
Applicant's Name:	Sean Lake, Pew & Lake, PLC
Location of Request:	Within the 4400 to 4700 blocks of South Power Road (east side) and within the 6800 to 7000 blocks of East Warner Road (south side). Located at the southeast corner of Power Road and Warner Road.
Parcel No(s):	304-30-009U & 304-30-009V
Request:	(1) Rezone 30± acres of the property from Agricultural (AG) to General Commercial with a Planned Area Development overlay (GC-PAD); Site Plan Review; and a Council Use Permit to allow Outdoor Seating in the GC district and Airfield Overlay Area 2 (AOA 2) (Area A); and (2) Rezone 29± acres of the property from AG to Light Industrial (LI-PAD) (Area B & C); and Site Plan Review and a Council Use Permit to allow Large Commercial Development and Large-Scale Commercial Recreation in the LI district and AOA 2 on 9± acres (Area B) of the property. This request will allow for the development of a group commercial entertainment, and industrial development. Also consider a preliminary plat for "Cannon Beach".
Existing Zoning District:	Agricultural (AG)
Council District:	6
Site Size	59± acres
Proposed Use(s):	General Retail, Offices, Gymnasium, Hotel, Restaurants, Commercial Recreation, and Industrial
Existing Use(s):	Vacant
P&Z Hearing Date(s):	August 12, 2020 / 4:00 p.m.
Staff Planner:	Cassidy Welch, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	Approval with conditions to include additional conditions provided at the study session
Proposition 207 Waiver Signed:	Yes

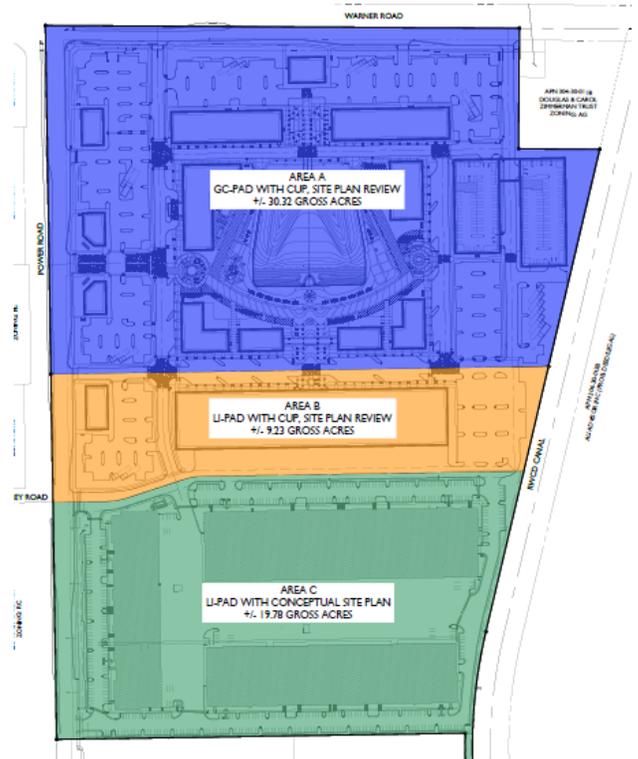
HISTORY

On **May 18, 2000**, the property was annexed into the City of Mesa (Case A00-002; Ord. #3762) and subsequently zoned Agricultural (AG) (Case Z00-045; Ord. #3794).

PROJECT DESCRIPTION

Background:

The purpose of the subject request is to rezone the subject property from Agriculture (AG) to General Commercial with a Planned Area Development Overlay (GC-PAD) and Light Industrial with a Planned Area Development Overlay (LI-PAD) to allow a large commercial/industrial development that consist of the following uses: commercial recreation, offices, restaurants, retail, a gymnasium, a hotel, and industrial. From the submitted application documents, the request consists of three areas of development (i.e. Area A, B, and C) as shown on the submitted overall plan (see Illustration 1). Specifically, the applicant is requesting specific site plan approval for two of the development areas (Area A & Area B) and a concept plan for the remaining area (i.e. Area C). Per Section 11-22-5 of the Mesa Zoning Ordinance, a specific site plan shall be required prior to any development on Area C. This specific site plan shall be required to be consistent with the proposed conceptual plan (See condition #4 of this report).



As shown on the overall plan, the subject area is divided broken into three main areas of development with an underlying concept of creating a transition of uses in the development from high intensity commercial development on the northern portion of the site (Area A) to proposed flex industrial/commercial uses (Area B) in the middle and to light industrial uses on the southern portion of the site (Area C).

The specific description of the areas and uses are summarized below:

1. "Area A" is located on the northern portion of the site, specifically at the southeast corner of Warner and Power Roads and consists of 30± acres. This area is proposed to be rezoned from AG to GC-PAD with Site Plan Review. The proposed site plan for the area shows development of a large commercial development with large-scale commercial recreation, retail, hotel, and restaurant uses. The request for "Area A" also includes a Council Use Permit (CUP) to allow outdoor seating within Airport Overflight Area 2 (AOA 2). Per

Section 11-6-2 of the Mesa Zoning Ordinance, a Council Use Permit is required to allow outdoor seating within the AOA 2.

2. "Area B" is located immediately south of Area A and has road frontage on Power Road. The area consists of 9± acres and is proposed to be rezoned to LI-PAD. The submitted site plan shows a large "flex" industrial/commercial building on the site. According to the applicant, this area is intended to be developed and serve as a transitional area between the large commercial development in Area A and the proposed industrial development in Area C. The requests also includes two CUPs in "Area B" to allow large commercial development that exceeds 25,000 square feet in size and large-scale commercial recreation uses in the LI district and within the AOA 2. Per Section 11-7-2 of the Mesa Zoning Ordinance, a CUP is required to allow large commercial development within the LI district and large-scale commercial recreation within the LI and AOA 2.
3. "Area C" is the remaining 20± acres of the property. This area is specifically located south of Area B and proposed to be rezoned to LI-PAD. According to the submittal documents, the area is intended to be utilized for future industrial uses. The current request is specifically for a conceptual plan. Per Section 11-22-5 of the Mesa Zoning Ordinance, a specific site plan approval shall be required prior to development on the property (See Condition #4 of this report).

General Plan Character Area Designation and Goals:

The General Plan character area designation on the property is a blend of the Mixed-Use Activity and Employment character type designations. Per Chapter 7 of the General Plan, Mixed-Use Activity character areas are large in scale (over 25 acres) and provide community and regional activity areas. Per the Plan, these areas generally have a substantial commercial component including shopping areas such as malls, power centers, or lifestyle centers that are designed and developed to attract customers from a large radius. The goal of the district is to also help create strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences. 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.

The requested rezoning and PAD overlay will create the opportunity for the development of land that will provide a large recreational amenity and draw people from a large radius to patronize the use and also create a sense of place. The proposed industrial development will also provide the opportunity for employment generated uses which conform to the goals of the employment character designation. Overall, the proposed rezoning and PAD overlay conform to the goals of the Mixed-Use Activity District and Employment character area designations. Staff reviewed the request and determined the proposed uses and intended development 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 Inner Loop District of the Plan. Per the Strategic Plan, the focus of the Inner Loop District is to provide a high-quality, mixed-use environment that is compatible with increasing over-flight activities associated with the Phoenix-Mesa Gateway Airport operations.

The proposed development to allow a mixed-use development is consistent with the goals of the Mesa Gateway Strategic Development Plan.

As a recommendation of the Mesa Gateway Strategic Development plan, the City of Mesa conducted a specific land use study in 2018 (i.e. the 2018 Inner Loop Land Use Study) for the Inner Loop Area of the Plan. The intent of the study was to ensure appropriate allocation of land uses and distribution that aligns with the goals of the Mesa Gateway Strategic Development Plan. The study designated the subject property as appropriate for Employment/Business Park type uses. The proposed development conforms with the recommendations of the land use study.

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 Area Two (AOA 2). The location of the property within the Airfield Overlay is due to its proximity to the Phoenix-Mesa Gateway Airport. Per sections 11-6-2 and 11-7-2 of the MZO, the AOA 2 requires approval of a Council Use Permit to allow certain conditional uses.

Zoning District Designations:

As noted above, the request includes rezoning of the property from AG to GC-PAD and LI-PAD. Approximately 30 acres (Area A) of the total 59± acres will be rezoned to GC with the remaining 29 acres (Areas B & C) rezoned to LI. The applicant is also requesting modifications to certain development standards through a Planned Area Development (PAD) overlay.

Per Section 11-6-1 of the MZO, the purpose of the GC zoning district is to provide areas for indoor retail, entertainment, and service-oriented businesses. The proposed development will provide a range of commercial and entertainment businesses that will attract the surrounding community to the site to patronize the proposed uses.

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. The proposed rezoning and intended development for provide industrial and commercial space in Area B and industrial buildings in Area C will conform to the goals of the LI district.

PAD Overlay Modifications – MZO Article 3, Chapter 22:

The subject request includes a Planned Area Development (PAD) Overlay in accordance with Section 11-22 of the MZO. The purpose of the request for an overlay is to allow modifications to certain standards for development of the property. The overlay is also to allow innovative design and flexibility that create high-quality development for the site.

Table 1 below shows the MZO required standards and the applicant’s proposed PAD standards for **Area A:**

Development Standard	Required GC	Proposed GC	Staff Recommendation
Maximum Building Height – <i>MZO Section 11-6-3</i>	30'	40' commercial pads 55' restaurants & gym 65' hotel & office 75' parking garage	As proposed

Interior side and rear building setback adjacent to non-residential districts – <i>MZO Section 11-6-3</i>	15' per story	20'	As proposed
Interior perimeter landscape setback adjacent to non-single residence districts – <i>MZO Section 11-33-3</i>	15'	10'	As proposed
Public open space – <i>MZO Section 11-6-3</i>	Min. 5 SF per 1,000 SF, max. 15, 000 SF	No maximum	As proposed
Required Parking, Commercial Recreation – <i>MZO Section 11-32-3</i>	1 space per 500 SF	1 space per 671 SF	As proposed
Foundation Base – <i>MZO Section 11-33-5</i>	900 SF additional entry plaza per 10,000 SF building	No additional entry plaza per 10,000 SF building	As proposed
Pedestrian Connections to ROW – <i>MZO Section 11-30-8</i>	Direct connection to public sidewalk	Indirect connection to public sidewalk	As proposed
Parking Lot Landscape Islands <i>MZO Section 11-33-4.B(4)</i>	Rows of more than 16 parking spaces, landscape islands shall be staggered	No staggering is required for landscape islands for rows of 16 or more parking spaces. Landscape islands shall be parallel as shown on the site plan.	As proposed

As shown on the table above, the applicant is requesting the following deviations from Sections 11-6-3, 11-30-8, 11-32-3, and 11-33-5 of the Mesa Zoning Ordinance (MZO):

Required maximum building height: Per Table 11-6-3.A of the MZO, the required maximum building height in the GC zoning district is 30 feet. The applicant is requesting a maximum height of 40 feet for all commercial pads on the site, a maximum height of 65 feet for the proposed hotel and offices, a maximum height of 75 feet for the proposed parking garage and a maximum height of 55 feet for all remaining buildings on the site. According to the applicant, the proposed building heights are aimed at creating greater activity and intensity around the wave lagoon, at commercial nodes, and near the rear of the site.

Required building and landscape setback: Per Section 11-6-3 of the MZO, the interior side and rear setbacks adjacent to a non-residential zoning district is 15 feet per story building setback. MZO Section 11-33-3 requires a 15-foot perimeter landscape setback adjacent to non-single residence zoning districts. The applicant is requesting a reduction of the building setback to 20 feet and a reduction of the landscape setback to 10 feet to accommodate the proposed 4-story parking garage along the east side of the site adjacent to a canal. According to the applicant, the requested deviations to building and landscape setbacks are due to the site’s proximity to the AG zoning district at the northeast corner of the site.

Required square footage of public open space: Per Section 11-6-3 of the MZO, public open space shall be provided at a rate of 5 square feet per 1,000 square feet of building area but shall not

exceed 15,000 square feet of open space. The applicant is proposing to not require the maximum open space standard in order to provide approximately 75,000 square feet of open space throughout the site.

Required number of parking spaces: Section 11-32-3 of the MZO requires Commercial Recreation land uses to be parked at a ratio of 1 space per 500 square feet. The applicant is requesting a parking ratio of 1 space per 671 square feet. According to the applicant, it is anticipated that there will be an overlap of users between the provided wave lagoon, restaurants, and indoor commercial recreation that allow for a reduced parking ratio.

Required foundation base: Per Section 11-33-5 of the MZO, buildings larger than 10,000 square feet require an additional foundation base entry plaza area of 900 square feet. The applicant is requesting to not provide additional foundation base for entry plaza for all buildings over 10,000 square feet in the development, specifically for those buildings adjacent to the proposed pedestrian promenade surrounding the perimeter of the wave lagoon (see exhibit 3.2).

Required pedestrian connection to public right-of-way: Per Section 11-30-8 of the MZO, pedestrian connections between main building entries and public sidewalks should be provided along the shortest practical distance. The applicant is requesting to modify this standard for development of the property in order to provide a system of internal pedestrian promenades and pathways that connect all buildings to each other and to the street.

Required interior parking lot landscaping: Per Section 11-33-4.B(4) of the MZO, for rows of more than 16 parking spaces landscape islands shall be staggered. The applicant is requesting the islands to be parallel and not staggered as shown on the site plan.

Table 2 below shows the MZO required standards and the applicant’s proposed PAD standards for **Area B:**

Development Standard	Required LI	Proposed LI	Staff Recommendation
Maximum Building Height – <i>MZO Section 11-7-3</i>	40’	55’ for industrial building	As proposed
Pedestrian Connections to ROW – <i>MZO Section 11-30-8</i>	Direct connection to public sidewalk	Indirect connection to public sidewalk	As proposed
Parking Lot Landscape Islands <i>MZO Section 11-33-4.B(4)</i>	Rows of more than 16 parking spaces, landscape islands shall be staggered	No staggering is required for landscape islands for rows of 16 or more parking spaces. Landscape islands shall be parallel as shown on the site plan.	As proposed

As shown on the table above, the applicant is requesting the following deviations from Sections 11-7-3 and 11-30-8 of the Mesa Zoning Ordinance (MZO):

Required maximum building height: Per Table 11-7-3.A of the MZO, the required maximum building height in the LI zoning district is 40 feet. The applicant is requesting a maximum height

of 55 feet for the proposed industrial/commercial flex building on the site. According to the applicant, the proposed building heights are aimed at creating greater activity and intensity on the subject site.

Required pedestrian connection to public right-of-way: Per Section 11-30-8 of the MZO, pedestrian connections between main building entries and public sidewalks should be provided along the shortest practical distance. The applicant is requesting to modify this standard for development of the property in order to provide a system of internal pedestrian promenades and pathways that connect all buildings to each other and to the street.

Required interior parking lot landscaping: Per Section 11-33-4.B(4) of the MZO, for rows of more than 16 parking spaces landscape islands shall be staggered. The applicant is requesting the islands to be parallel and not staggered as shown on the site plan.

Table 3 below shows the MZO required standards and the applicant’s proposed PAD standards for **Area C:**

Development Standard	Required LI	Proposed LI	Staff Recommendation
Maximum Building Height – <i>MZO Section 11-7-3</i>	40’	49’	As proposed
Required Parking Ratio, Industrial Shell – <i>MZO Section 11-32-3</i>	75% at 1 space/500 SF and 25% at 1 space/375 SF; 716 required	85% at 1 space/900 SF and 15% at 1 space/375 SF; 446 proposed	As proposed
Interior Perimeter Landscape Setback adjacent to non-single residence districts – <i>MZO Section 11-33-3</i>	15’	5’	As proposed
Foundation Base – <i>MZO Section 11-33-5</i>	1 entry plaza at each building entrance (min. of 900 SF area)	Min. 4 total entry plazas per building (min. 900 SF area)	As proposed

As shown on the table above, the applicant is requesting the following deviations from Sections 11-7-3, 11-32-3, 11-33-3 & 11-33-5 of the Mesa Zoning Ordinance (MZO):

Required maximum building height: Per MZO Section 11-7-3.A of the MZO, the required maximum building height in the LI zoning district is 40 feet. The applicant is requesting a maximum height of 49 feet. According to the applicant, the requested height is consistent with other industrial developments in the City and allows for increased indoor clearance for industrial users.

Required number of parking spaces: Section 11-32-3 of the MZO requires 75% of industrial shell buildings to be parked at a ratio of 1 space per 500 square feet and the remaining 25% to be parked at a ratio of 1 space per 375 square feet. The applicant is requesting a parking ratio of 85% of the total square footage to be parked at a ratio of 1 space per 900 square feet and the remaining 15% to be parked at a ratio of 1 space per 375 square feet. The applicant is requesting

a modified parking ratio based on prospective tenants and is consistent with similar employment centers developed in the City.

Required minimum landscape setback: Per Section 11-33-3 of the MZO, a minimum 15-foot landscape setback is required for development of non-residential districts adjacent to other non-residential districts. The applicant is requesting a reduction of the landscape setback to 5 feet. This is to provide a more appropriate transition to the canal to the east of the site and the existing industrial development to the south.

Required foundation base: Per Section 11-33-5 of the MZO, buildings larger than 10,000 square feet require an additional foundation base entry plaza area of 900 square feet for each building entrance. As the proposed shell buildings have no defined tenants, the applicant is requesting to modify the requirement of an entry plaza at each building entrance. According to the applicant, irrespective of the number of building entries provided, a minimum of four entry plazas will be constructed for each building.

PAD Overlay with Conceptual Plans (Area C):

As part of the PAD, the applicant is requesting modification to certain development standards and a conceptual plan for Area C. Per Section 11-22-5 of the MZO, a conceptual plan may be requested on a property describing land uses, development themes, and ranges of intensity of development as ratios of activity, such as floor area ratio and dwelling units per acre. Approved conceptual plans require review and approval of a specific plan prior to development on the property. The conceptual plan document submitted with the application shows the zoning on the property, as well as three industrial buildings on 20± acres on the southern portion of the subject property. Per Section 11-22-5(B) of the MZO, a specific site plan shall be required prior to any development on the proposed conceptual development plan parcel. The specific site plan will show the detailed site design, building elevations, landscaping, and other site related requirements.

Design Guidelines:

The subject request includes robust design guidelines to facilitate development of all areas within the 59± acre site and create a unique and cohesive design within the development. Some of the elements shown with the design guidelines include architectural themes, building materials, and landscape themes. Overall, the proposed design guidelines are to ensure the subject site is developed to function as a cohesive planned development. All architectural landscaping and design will be reviewed per these design guidelines during the Design Review process (see Condition #9).

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

The applicant is requesting three Council Use Permits to allow certain conditional uses in the GC and LI zoning districts and also in the AOA 2. Per Table 11-6-2 of the MZO, a Council Use Permit (CUP) is required for the development of eating and drinking establishments with outdoor seating in the GC zoning district within the AOA 2 district. Additionally, per Table 11-7-2 of the MZO, a CUP is required both for large commercial development (over 25,000 sf) and large-scale commercial recreation uses in the LI zoning district and AOA 2.

As a requirement of the CUP, the proposed development is required to conform to the criteria for approving a CUP per Section 11-70-6 of the MZO. The requirements for the CUP include showing that the proposed project will advance the goals and objectives of the General Plan and other city policies. Further, the criterion includes 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, as well as ensuring the project will not be injurious or detrimental to adjacent properties or surrounding areas, and there is adequate public services and infrastructure to support the development.

The applicant's proposal meets the criteria for approving a CUP per Section 11-70-6 of the MZO. The proposed development size, shape, and characteristics are consistent with the purpose of the GC and LI zoning districts and will provide a high-quality, commercial, and industrial environment that is compatible with the General Plan and associated character area designation, as well as compatible with the surrounding land uses. The submitted plans, as also modified with the PAD, demonstrate compliance with all zoning, building, and fire safety regulations.

Site Plan and General Site Development Standards:

The subject request includes a site plan approval for development areas A & B and a conceptual site plan for Area C. The proposed site plan shows a regional commercial, recreational and employment center on Area A. Specifically, the northern portion of project (Area A) includes "Cannon Beach", which focuses on a wave lagoon experiential center with supporting recreational activities and landscaped areas. The site plan also shows outdoor activity areas that are both surrounded and traversed by landscaped pedestrian promenades and nodes on the property (i.e. Area A). Further, the site plan shows proposed development of restaurants, a hotel, a fitness center, and retail uses surrounding the wave lagoon. These commercial uses and area will be connected to the wave lagoon through a themed pedestrian promenade with amenitized focal points. There are proposed commercial pads along Warner and Power Roads; Warner Road is located north of the site and Power Road is located west of the site. The site plan also shows proposed development of three-story office buildings to be located along Warner Road, specifically to be situated north of the wave lagoon area and a four-story parking garage also to be developed on the eastern edge of the development adjacent to a canal to the east of the site.

For the proposed development on Area B, the site plan shows a large industrial/commercial flex building to be developed on Area B. According to the applicant, uses on Area B may include indoor commercial/recreational uses, such as an indoor cart racetrack, an indoor trampoline-parkour recreation center, and a virtual entertainment commercial use. The proposed site plan meets the review criteria for site plan review outlined in Section 11-69-5 of the MZO.

Area C is proposed to be approved as a conceptual site plan. Per Section 11-22-5.B of the MZO, applications for a PAD overlay may be approved for a conceptual plan with generalized plans showing land uses and development themes, and ranges of intensity of the development. In accordance with this section, approval of a conceptual plan does not allow actual development on the property. The applicant is proposing the conceptual site plan to allow future development of three industrial buildings. Per Section 11-22-5.B of the MZO, approval of a specific site plan shall be required prior to development on the property.

Preliminary Plat:

As part of the subject request, the applicant is requesting a preliminary plat for 39± acres of the property (See Illustration 1 - Areas A and B). 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:

Northwest (Across Warner Rd & Power Rd) Town of Gilbert Undeveloped	North (Across Warner Road) LC-PAD Commercial & Vacant	Northeast (Across RWCD Canal and East Maricopa Floodway) Maricopa County Agriculture
West (Across Power Road) Town of Gilbert Commercial	Subject Property AG Undeveloped	East (Across RWCD Canal and East Maricopa Floodway) LI Undeveloped
Southwest (Across Power Road) Town of Gilbert Commercial	South LI Automobile Repair	Southeast (Across RWCD Canal and East Maricopa Floodway) LI Vacant

Compatibility with Surrounding Land Uses:

The subject site is currently undeveloped. The site is immediately adjacent to industrial development to the south. There is commercial development across Power Road to the west and within the Town of Gilbert. The request to rezone the property from AG to GC-PAD and LI-PAD will be compatible with existing development and plan character designation of the surrounding area. Overall, the proposed development is consistent with the General Plan character area designation, as well as the surrounding land uses.

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. In addition, the applicant held a virtual neighborhood meeting on June 2, 2020 via Zoom. According to the applicant, one property owner attended the neighborhood meeting with general questions about the proposed uses on the site. 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 August 12, 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 Council Use Permits outlined in Section 11-70-6 of the MZO and 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. Future Site Plan review for the conceptual plan area identified as Area C.
5. 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.
6. Prior to the submittal of a building permit, recordation of a cross access and cross parking easements between all parcels on the site.
7. Prior to the submittal of a building permit, compliance with the final Traffic Impact Analysis as approved by the City's Transportation Engineer.
8. 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."
9. Compliance with the Cannon Beach Design Guidelines.
10. 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 tables:

Area A:

Development Standard	Approved in the General Commercial Zoning District
Maximum Building Height	40' commercial pads 55' restaurants & gym 65' hotel & office 75' parking garage <i>(as shown on the site plan)</i>
Interior side and rear building setback adjacent to non-residential districts	20'
Interior perimeter landscape setback adjacent to non-single residence districts	10'
Maximum Public open space	There is no maximum public open space requirement
Required Parking, Commercial Recreation	1 parking space per 671 square feet of outdoor recreation area including ancillary use
Foundation Base (900 SF additional entry plaza per 10,000 SF building)	No additional entry plaza requirements for buildings that are 10,000 SF or more
Pedestrian Connections to Right-Of-Way	Indirect connection to public sidewalk is permitted
Parking Lot Landscape Islands (For rows of more than 16 parking spaces, landscape islands shall be staggered)	No staggering is required for landscape islands for rows of 16 or more parking spaces. Landscape islands shall be parallel as shown on the site plan.

Area B:

Development Standard	Approved in the Light Industrial Zoning District
Maximum Building Height	55' for the industrial building (as shown on the site plan)
Pedestrian Connections to Right-Of-Way	Indirect connection to public sidewalk is permitted
Parking Lot Landscape Islands (For rows of more than 16 parking spaces, landscape islands shall be staggered)	No staggering is required for landscape islands for rows of 16 or more parking spaces. Landscape islands shall be parallel as shown on the site plan.

Area C:

Development Standard	Approved in the Light Industrial Zoning District
Maximum Building Height	Maximum Building Height 49'
Required Parking Ratio, Industrial Shell (75% at 1 space/500 SF plus 25% at 1 space/375 SF)	Industrial shell parked at 85% at 1 space/900 SF plus 15% at 1 space/375 SF
Interior Perimeter Landscape Setback adjacent to non-single residence districts	5'
Foundation Base (1 entry plaza at each building entrance for buildings larger than 10,000 SF (min. of 900 SF area; required)	A minimum of 4 entry plazas are required for buildings larger than 10,000 SF. Each required entry plaza must be a minimum of 900 SF area.

Exhibits:

Exhibit 1-Staff Report

Exhibit 2-Vicinity Map

Exhibit 3-Application Information

- 3.1 Project Narrative
- 3.2 Site Plan
- 3.3 Zoning Exhibit/Development Areas (Illustration 1)
- 3.4 Preliminary Plat
- 3.5 Plan of Operation/Good Neighbor Policy
- 3.6 Design Guidelines
- 3.7 Citizen Participation Plan

Exhibit 4-Citizen Participation Report

Exhibit 5-Avigation Easement