



PLANNING DIVISION
STAFF REPORT

City Council Hearing

August 26, 2019

CASE No.: **ZON18-00951**

PROJECT NAME: **Avalon Crossing Community Plan**

Owner's Name:	Pacific Proving LLC
Applicant's Name:	Paul Gilbert, Beus Gilbert PLLC
Location of Request:	The 6000 through 6400 blocks of the south Crismon Road alignment (east side), the 10000 to 10600 blocks of East Williams Field Road (south side) and the 6000 through 6400 blocks of South 222nd Street (west side). Located south of Williams Field Road and west of Signal Butte Road.
Parcel No(s):	304-35-004N, -004P
Request:	Rezone from Agricultural (AG) and Planned Community (PC) to Planned Community (PC). This request will establish the Avalon Crossing Community Plan.
Existing Zoning District:	Agricultural (AG), and Planned Community (PC),
Council District:	District 6
Site Size:	182 ± acres
Proposed Use(s):	Master Planned Community
Existing Use(s):	Vacant
P&Z Hearing Date(s):	July 10, 2019 / 4:00 p.m.
Staff Planner:	Tom Ellsworth
Staff Recommendation:	Approval with conditions
Planning and Zoning Board Recommendation: Approval with conditions to include the modifications provided at the study session	
Proposition 207 Waiver Signed: Yes	

HISTORY

On September 10, 2012, the City Council approved a rezoning of a portion (20± acres) of the proposed site from Light Industrial (LI) to Planned Community (The Pacific Proving Grounds North Community Plan). This Planned Community is currently known as the Cadence Community Plan. The northwest corner of the subject request is identified as Development Unit 5 (DU 5) in the approved Cadence Community Plan (Case# Z12-028).

PROJECT DESCRIPTION

Background

The subject request is to rezone the property to a Planned Community District (PC). A portion of the site (approximately 20 acres) is currently located in the Cadence Community Plan. The applicant is requesting a separate rezoning and major community plan amendment request to remove the 20 acres from the Cadence Community Plan (ZON19-00436) and incorporate it with the subject Planned Community District. The remaining section of the property is currently located in Maricopa County and zoned as Agriculture.

As part of the formation of the PC district, the applicant has also submitted an application to annex approximately 160 acres of the section of the property currently located and under the Jurisdiction of Maricopa County to the City of Mesa. This annexation request is planned to be considered concurrently with the Community Plan on the same City Council agenda. In approving the annexation, the City of Mesa is required to assign a city zoning designation on the property that is similar and not more intense than the existing county zoning designation on the property. The current County zoning designation on the property is Rural 43. Prior to rezoning and approval of the Community Plan, the City, as part of the annexation approval, will designate the property as an Agricultural (AG) zoning district.

According to the application documents, the requested Community Plan will facilitate the development of a variety of land uses including retail, employment, high density residential and medium high density residential.

General Plan Character Area Designation and Goals

The property is located in a Mixed-Use Community character area designation of the City's General Plan. Per Chapter 7 of the General Plan, the primary focus of the Mixed-Use character area designation is for large land areas where it is possible to develop a mixture of uses that create a complete and identifiable community. Such mix of uses include employment, industrial, office, retail, medical, educational, community service, tourism, entertainment, open space, recreational, and residential uses to provide a complete community atmosphere. The subject request conforms to the goals of the Mixed-Use Community character area, as it will allow the development of a master planned mixed-use community that includes retail, employment, and residential uses. The request is also consistent with the criteria for review outlined in Chapter 15 (pg. 15-1&2) of the Mesa 2040 General Plan.

Gateway Strategic Development Plan:

The property is also located within the Mixed-Use Community District of the Gateway Strategic Development Plan. According to this plan, the focus of the Mixed-Use Community District is to provide sustainability through the creation of a live/work/play community with a wide variety of land uses to include low to high density residential, commercial, employment, civic and recreational uses. The proposed planned community district and associated community plan is consistent with the Gateway Strategic Development Plan.

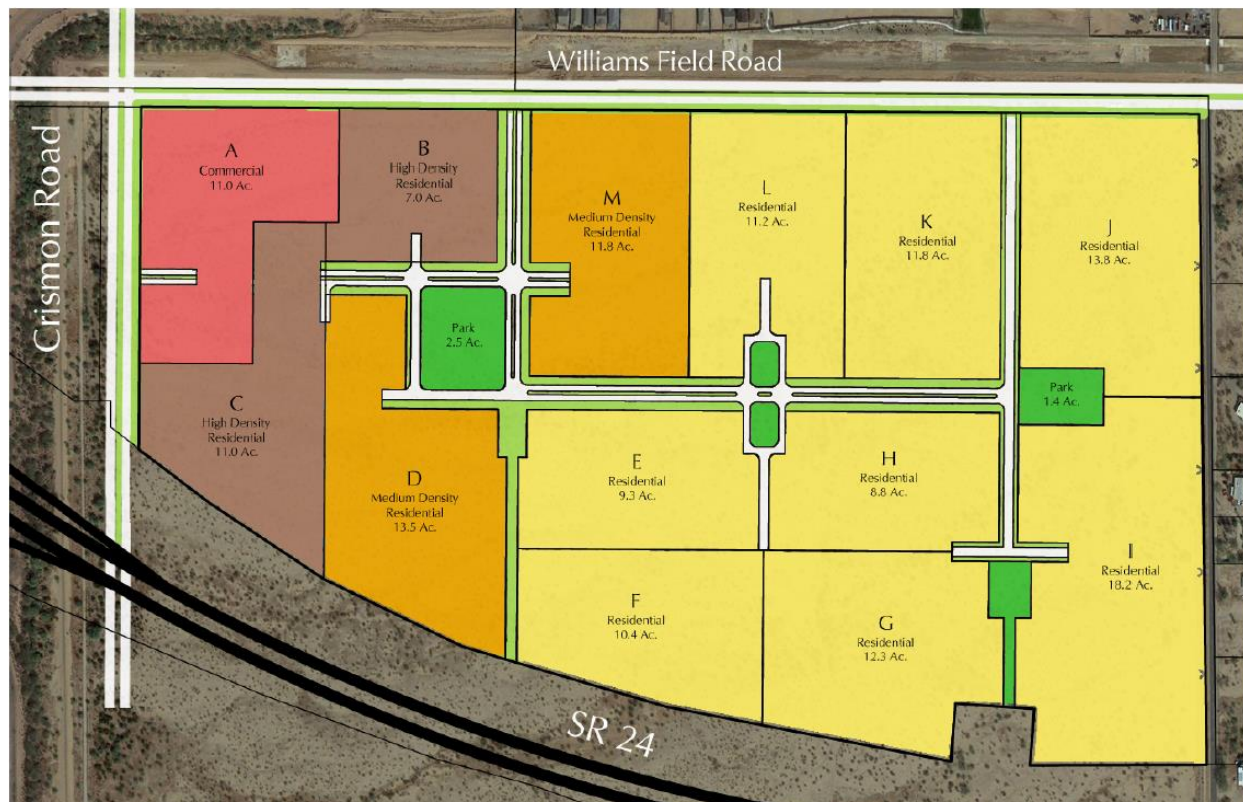
Zoning District Designations:

The subject request is to rezone approximately 182± acres of property from Agriculture (AG) and Planned Community District (PC) to a Planned Community (PC) District. The PC district will allow the creation of a Community Plan and Development Units (DUs) within the Community Plan (CP). The Community Plan establishes allowed land uses and review processes while the DUs will provide specific regulatory and development requirements, including the intensity of the development and acreages for specific uses to govern development of the property. Per Chapter 11 of the City's Zoning Ordinance, the intent of a Community Plan is to allow development of a large-scale, unified and comprehensively planned development that also encourages and promotes innovative and sustainable residential and non-residential land uses.

Community Plan

Section 11-11-4 of the zoning ordinance requires that a Community Plan be submitted with a request to zone a property to a PC district. The submitted Community Plan includes a comprehensive design guideline with key community elements such as site design and orientation of uses, building design, and landscape and streetscapes designs. As stated, the Community Plan outlines requirements and processes for review and approval of future Development Unit Plans, Site Plans, and Subdivision Plats, which are required after approval of the Community Plan.

A review and approval of land use groups (LUGs) are required as part of the Community Plan. The LUGs are the base zoning districts within the Community Plan that designates allowed land uses and development standards. The proposed LUG's for Avalon Crossing include a mix of detached and attached single residence, small lot single residence and multi-residence development as well as complimentary commercial, and other non-residential uses. Overall, the land use plan envisions development of commercial, multi-residence and higher density single residence uses. These uses are planned to be located close to the Williams Field Road and Crismon Road intersection and then transition to contemporary single-residence neighborhoods in the inner core of the development. According to the plan and project description, the commercial areas will be physically and visually integrated with residential portions of the community and are planned to capture the advantages of visibility and access on arterial streets and future freeway interchange near the site. The illustration below shows the conceptual land use allocation plan:



Development Unit Plan:

Section 11-11-4 of the Mesa Zoning Ordinance requires specific development unit plans for a Community Plan. As part of the subject Community Plan, there are proposed two distinct Development Units. These Development Units focus on geographic and land use considerations as well as anticipated project phasing. The Development Units also specify assigned maximum number of residential units allowed and the maximum non-residential building area allocations. Overall, according to the plans, the development (Avalon Crossing) is planned for a maximum residential yield of 1,200 dwelling units and a minimum non-residential gross floor area (GFA) of 100,000 square-feet with a maximum GFA of 250,000 square-feet. The table below shows the proposed land use allocations within the Development Units:

Land Use Budget						
Development Unit	Acres	Residential Dwelling Units		Gross Floor Area Non-Residential ²		Maximum Percentage of Allowable Land Use Groups ³
		Minimum	Maximum	Minimum	Maximum	
DU 1	30.7	200	400	100,000	250,000	CR and/or CRSL: 20% CMR: 75% CC: 75% CMU: 100%
DU 2	139.8	500	800	-	-	CR and/or CRSL: 100% CMR: 20%
TOTAL	170.5	700	1,200	100,000	250,000	

Surrounding Zoning Designations and Existing Use Activity:

Northwest PC Cadence Community Plan Residential	North PC Eastmark and Cadence Community Plans Residential	Northeast PC Eastmark Community Plan Residential
West Maricopa County Zoning Undeveloped Future 24 Gateway Freeway	Subject Property AG and PC Undeveloped	East RS-9 PAD and County Zoning Undeveloped Residential
Southwest Maricopa County Zoning Undeveloped (Future 24 Gateway Freeway)	South Maricopa County Zoning Undeveloped (Future 24 Gateway Freeway)	Southeast Maricopa County Zoning Undeveloped (Future 24 Gateway Freeway)

Compatibility with Surrounding Land Uses:

The subject site is located south of the Eastmark and Cadence community's both of which are zoned as a Planned Community District. The proposed Avalon Crossing Community Plan utilizes the same regulatory framework and land use groups as the Cadence Community Plan. The site is also located north of the alignment of the future 24 Gateway Freeway. The property to the east of the site was approved for the development of a master planned community in June of 2018. The proposed PC district and land uses will be compatible with the surrounding land uses.

Airport Compatibility:

Chapter 11 of the Community Plan includes standards for airport compatibility. The subject site is located in close proximity to the Phoenix-Mesa Gateway Airport and located within the Airport Overflight Area III (AOA) of the airport's land use compatibility plan. The AOA III area is defined by the land use compatibility plan as those areas located outside of the airports 60 Day-Night Average Sound Level (dnl) noise contour line. The airport has reviewed the proposed Community Plan including the associated Airport Compatibility Standards submitted with the plan (see Chapter 11 of the plan) and has recommended the standard conditions of approval for developments within the AOA III area.

A portion of this request, approximately 30 acres, is within a designated AOA II area as defined in Chapter 19 of the City of Mesa Zoning Ordinance. This designation is different from the Mesa-Gateway Airport's land use compatibility designation. The Mesa Gateway Airport designation on the section of the property is AOA III. This difference in designation between the City's AOA II area and the airport's land use compatibility plan is as a result of the City using parcel lines, instead of strict adherence to 60 DNL maximum as the determining factor for designating an area as AOA II. Specifically, the City's designation was based on using logical property boundaries such as roads and section lines to allow easier administration of the AOA areas in the future.

Regarding the subject site, although a small section of the property is in the City's designated AOA II, the area is outside the 60 DNL noise contour used by the Airport to designate areas as AOA II. The City's AOA II boundaries in this area have been defined by the section lines within the subject site. Section 11-5-2 of the City of Mesa's Zoning Ordinance limits residential developments in the AOA II through specified zoning districts. However, the subject request is for a PC zoning district which allows the creation of zoning districts and land uses within the framework of the community plan, as well as specific development regulations associated with the zoning district.

The community plan proposes residential land uses within the area of the AOA II designated by the City. According to the project description, the area designated as AOA II is outside the main determinant factor of the 60 DNL noise contour used by the Airport for designating areas as within the AOA II; and therefore, allowing the PC zoning to allow residential. The created land use groups in the area of the AOA II as designated by the zoning ordinance will not be detrimental to residents or impede development of the Airport. The Airport reviewed the request and expressed no major concerns; except recommending including typical conditions of approval for developments within AOA III areas. Staff is in support of the land use designations proposed by the community plan.

Neighborhood Participation Plan and Public Comments

The applicant held a neighborhood meeting on March 27, 2019. According to the Citizen Participation report, property owners within 1,000', and registered neighborhoods within a mile were all notified through mail of the meeting. The sign in sheet of the meeting provided to staff indicates nine people attended the meeting. According to the Citizen Participation Report provided by the applicant, the residents who attended the meeting inquired about proposed infrastructure improvements, the types of residential development, and the types of commercial development that are envisioned within the community plan.

In response to the inquiries, the applicant informed those in attendance of the required infrastructure improvements related to the project. The applicant also informed the residents that the residential development will include higher density residential which will buffer the medium density and low-density residential from the commercial development proposed to be adjacent to Williams Field and Crismon Roads. The applicant explained that the intent of the plan is to allow a variety of goods and services, such as grocery and drug stores, restaurants, medical and professional offices, gas stations, etc., that will meet the needs of the project's residents and encourage pedestrian connectivity and access. No commercial tenants have been identified at present.

As of writing this report, staff has not been contacted by any resident to express support or opposition to the development. Staff will provide any new information during the Board's scheduled study session.

Staff Recommendations:

The subject request is consistent with the General Plan and Gateway Strategic Development Plan. The proposed Community Plan meets the purpose and intent of a Planned Community District as specified in Section 11-11-1 of the zoning ordinance, as well as all of the required elements of a Community Plan found in Section 11-11-4 of the Mesa Zoning Ordinance; therefore, staff recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the final Avalon Crossing Community Plan submitted.
2. Compliance with the final infrastructure master plans submitted which includes the Traffic Impact Analysis, Master Wastewater Report, Master Water Report, and Master Drainage Report.
3. Compliance with all City development codes and regulations except those modified with the approval of the Community Plan or those identified as requiring future review and approval by the City Engineer if approval is granted by the City Engineer.
4. Future development shall fully comply with all requirements of the Community Plan.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. The Planning Director is authorized and directed to correct the Community Plan for grammatical, formatting, and other errors that do not affect or change the meaning of the CP's substantive requirements or standards.
7. All preliminary subdivision plats require approval by the Planning and Zoning Board.
8. Compliance with all requirements of the Design Review process for development proposals including the following:
 - a. Buildings 4 or more stories in height.
 - b. Multiple-residence and attached single residence projects that exceed the standard density of the RM-2 density range.
 - c. Mixed-use, commercial and/or industrial projects that have frontage on an arterial or collector street or that are a part of an existing or planned development that has frontage on an arterial or collector street.
 - d. Mixed Use, commercial and/or industrial projects that have, or will have, greater than 20,000 square feet of gross floor area.
9. All non-residential buildings shall be architecturally designed to comply with the approved design guidelines for each Development Unit.
10. 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.
11. All street improvements and street frontage landscaping to be installed in the first phase of construction for each approved site plan.
12. Any proposed permanent, or temporary structure, as required by the FAA, 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. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.

13. Provide a 4-foot x 4-foot sign at the entrance to the sales office for residential developments, with notice to all prospective buyers that the project is within an Overflight Area Phoenix-Mesa Gateway Airport as specified in Section 11-19-5 of the Zoning Ordinance.
14. Prior to the issuance of a building permit, provide documentation by 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 db as specified in Section 11-19-5 of the Zoning Ordinance.
15. All final subdivision plats shall include the following notice: "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.
16. Execute a development agreement addressing the development unit phasing schedule, infrastructure phasing plan, and other terms to ensure that the future development fulfills the purposes of the Community Plan.