



## PLANNING DIVISION

### STAFF REPORT

#### Planning and Zoning Board

October 23, 2019

CASE No.: **ZON19-00754**  
**ZON17-00606**

PROJECT NAME: **Hawes Crossing**

Owner's Name: **ZON19-00754 and ZON17-00606**: CIRCLE G INVESTMENTS 402 LLC, VAN RIJN JODY/PIETER, AG LAND INVESTORS LP/ETAL, FEENSTRA CHARLES L/BARBARA M TR, JOHN & BRENDA VAN OTTERLOO FAMILY TRUST/ETAL, MAYNARD BILLY W/NORA D, MAYNARD DIANNE, MESA-CASA GRANDE LAND CO LLC, RIJLAARSDAM JACOB/MARY TR, STECHNIJ H/GLENDA TR/ETAL, TUFFLY FREDERICK M

Applicant's Name: Jordan Rose, Rose Law Group

Location of Request: Generally located beginning ½ mile south of Guadalupe Rd extending south to the 202 San Tan Freeway, ¼ mile east of Sossaman Road to Ellsworth Road.

Parcel No(s): 304-04-027, -030, -031, -032, -007T, -007W, -024C, -025A, -025, -026A, -026B, 029C, ; 304-30-001, -004, -006; 304-30-002A, -002E, -002G, -002H, -002J, -003G, -003H, -021B, -021C, -021D, -024F, -024G; 304-31-015, -024, -025, -026, -028, -005A, -006L, -006P, -006V, -006W, -009N, -009U, -016B, -018D, -021A, -022C

Request: **ZON19-00754: Minor General Plan Amendment.** This request will change 280± acres of property from the General Plan character designation of Mixed Use Activity/Employment to Neighborhood.

**ZON17-00606:** Rezone from Agricultural (AG) and Light Industrial (LI) to Single Residence (RS)-6, Small Lot Single Residence (RSL)-4.0, RSL-2.5, Multiple Residence (RM)-5, Limited Commercial (LC), General Commercial (GC), Mixed Use (MX) and LI with a Planned Area Development (PAD) Overlay. (540± acres)

Existing Zoning District: Light Industrial (LI) and Agriculture (AG)

Council District: 6

Site Size: 540± acres

Proposed Use(s): Planned Area Development with a mixture of uses

Existing Use(s): Vacant and Agricultural

Hearing Date(s):	<b>October 23, 2019</b>
Staff Planner:	Tom Ellsworth
Staff Recommendation:	ZON19-00754: Approval ZON17-00606: Approval with Conditions
Planning and Zoning Board Recommendation:	
Proposition 207 Waiver Signed: Yes/No?	

### **HISTORY**

On **January 22, 1990**, the City Council annexed 1,721± acres of property from Maricopa County into the City (Ordinance#: 2482). Approximately 135 acres of land within the subject PAD request was part of the annexed area. The area is specifically located north of Elliot Road. Subsequently, after the annexation, the property was zoned to RS-43 and AG.

On **February 2, 2004**, the City Council approved a rezoning of 38 acres of property within the subject PAD area from RS-43 designation to LI. The purpose of the rezoning to Light Industrial district was to assign a zoning designation on the property that conformed to the General Plan character designation of Business Park on the property. The approximately 38 acres is located north of Elliot Road along the 80<sup>th</sup> Street frontage.

On **October 16, 2000**, the City Council annexed 1571.1± acres of property from Maricopa County into the City (Ordinance#: 3815). Approximately 85 acres of the subject property was part of the annexed property. This area is specifically located south of Warner Road. Subsequently after the annexation, the property was zoned to AG.

### **PROJECT DESCRIPTION**

#### **Background**

Overall, the subject application for a Planned Area Development (i.e. the Hawes Crossing PAD) consist of two General Plan Amendments and two rezoning requests. Specifically, one General Plan Amendment for six individual property owners, its associated rezoning request, and one General Plan amendment with its associated rezoning request for the State of Arizona Land Department property. The amalgamation of the request makes up the “Hawes Crossing Planned Area Development (PAD)”. Because of certain logistics and processes required to review the Arizona State Land Department request, the report for the subject PAD is separated into two requests; one for the State Land Department and the other for the six private landowners.

The purpose of the subject PAD is to establish a unified planned community through the approval of base zoning districts with certain design standards and guidelines, infrastructure and open space master plans. Overall, the PAD covers approximately 1,131.5 acres of land that is generally bounded by Ellsworth Road on the east, Loop 202 on the south, the 80th Street

alignment on the west, and the electrical transmission line corridor located one-half mile north of Elliott road on the north.

A variety of land uses are proposed within the PAD; including Single-family Residential, Multifamily, Office, Commercial, Mixed-use, and Employment. Other proposed uses include open space areas, schools, and areas for public facilities. The PAD also consists of development themes and standards.

#### General Plan Amendment:

Case #ZON19-00754; Minor General Plan Amendment (Private Property Owners): This request is for a minor General Plan amendment to change approximately 280 acres of land from Mixed Use Activity/Employment designation to a Neighborhood designation. Overall, there are 535.8 acres of land within the proposed PAD that are under the private property ownership. However, only 280 acres of land are required to obtain approval of a General Plan amendment to allow the proposed PAD. The remaining 256.6 acres within the PAD area that are under private ownership are currently designated as Mixed-Use Activity/Employment and consistent with the proposed PAD zoning designations.

ZON17-00606; Rezoning (Private Property Owners): This is the associated rezoning request for approximately 535.8 acres of property that are owned by individual private landowners. Specifically, the request is to rezone the property from AG and LI to RS-6, RSL-4.0, RSL-2.5, RM-5, LC, GC, MX and LI with a PAD Overlay. A majority of the landowners are dairy farmers who are seeking entitlement to the land for future development. The main property owners are the Boyle, Rijlaarsdam, Van Otterloo, Van Rijn, Feenstra, and Maynard families.

#### Land Use Study and Strategic Plans:

The proposed PAD is within the Inner Loop District of the Mesa Gateway Strategic Development Plan. Specifically, the Inner loop district is a 3,100-acre area that is generally located between Ellsworth and Power Road, and north of William Field Road (see Exhibit 10). The Mesa Gateway Strategic Development Plan was adopted by the City Council in 2008. One of the major goals of the plan was to create a strategic plan document with models to inform the integration of land uses and transportation systems in such a way that accessibility of the area becomes an attraction through an effective model for jobs to housing balance (Mesa Gateway Strategic Plan, 2008).

#### The Inner Loop District:

According to the Plan, the focus of the Inner Loop District is to provide a wide variety of uses. The District should provide a high-quality, mixed use environment that is compatible with increasing over-flight activities associated with Phoenix-Mesa Gateway Airport operations. The plan recommends that over time, flexibility of the use of the plan should be important as development begins to transition to mixed uses, with concentrations of light industrial, office, and retail, with a possibility of higher-density residential uses being developed in the future.

Another recommendation of the plan is to provide higher density uses with emphasis on business park development. And that while business park development will contribute to the

urban feel of the district as their densities increase, so too will the presence of village centers. The village centers are to provide areas that attract pedestrians and are built at a scale comfortable for those traveling by foot or bike. Uses in the village centers should include retail, offices, services, high-density mixed use residential, and open spaces.

#### Land Use Study:

In recent years, there have been several proposals and inquiries for development within the Inner Loop District for employment, commercial and residential uses, including the subject request. This interest prompted the City to conduct a specific study of the Inner Loop in 2018. The intent of the study was to ensure proposed land uses and distribution aligns with the goals of providing a wide variety of uses that will result in high-quality, mixed use environment that will also be compatible with the Phoenix Mesa Gateway Airport operations. Over several months of discussion with various stake holders and land use modeling, the results of the study were completed.

#### **Below is a summary of the results of the Study:**

The study concluded that the appropriate locations for employment type uses would be in the areas of the inner loop that are directly adjacent to the freeway corridor and are within proximity to the flight path of the airport, as depicted by the airport's Land Use Compatibility Study and within the Airport Overflight Areas 1 and 2. The study also indicates that the Elliot Road corridor is an appropriate location to provide a higher density mixed use environment. The study also concludes that mid- to higher-density residential uses would be appropriate along the Hawes Road corridor to create a vibrant "village center" as discussed in the Mesa Gateway Strategic Plan. Residential uses were also found to be appropriate to create a transition and continuity of residential development to the neighborhoods to the north of the Inner Loop District, specifically between Hawes and Sossaman Road. All of the recommended residential uses within the study area are within the AOA 3 area of the Phoenix-Mesa Gateway Airport Land Use Compatibility Plan. The land use compatibility plan indicates that residential developments are allowed within the AOA 3 area with requirements for noise attenuation and notifications to property owners of the proximity of their land to the airport (see Exhibit 6).

The Inner Loop District Study also determined that the proposed and recommended land use mixture within the Inner Loop District would have the potential to yield approximately 55,000 jobs. The study also concluded that the land use mixture would be supportive and not detrimental to the Mesa Gateway Strategic Development plan goal of 100,000 jobs for the entire Gateway Area.

Results of the study were utilized to guide staff recommendation for the subject General Plan amendments and PAD request (See Exhibit 9 of the results of the study and recommended land use designations).

#### **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, descriptions of the two-character types are defined as:

**Mixed Use Activity Districts** are large-scale community and regional activity areas that usually have a significant retail 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. These districts often include other uses such as office, entertainment and residential. These districts may take on a significant residential character but will still have a mix of uses. The goal is to help these districts be strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences. When integrated as part of the Mesa Gateway employment area, residential uses are more limited, require the establishment of the employment uses, and must serve to facilitate the development of the employment uses.

**Employment Districts** is a character type that is primarily used for employment-type land uses of at least 20 acres and typically have minimal connection to the surrounding area. Examples of employment districts include areas for large manufacturing facilities, warehousing, business parks, etc. Employment districts may include supporting retail and office areas but rarely include any type of residential uses. If residential uses are included, they need to be done in a manner that supports the continued development of the employment uses. The goal for these districts is to provide for a wide range of employment opportunities in high quality settings.

#### **Minor General Plan Amendment (ZON19-00754)**

Chapter 15 of the General Plan outlines requirements for amendments to the General Plan. Per this chapter of the Plan, a minor General Plan amendment is required to change the current character type designation of Mixed Activity or Employment on the property to a Neighborhood character type for the areas within the PAD proposed to be rezoned to RS-6, RSL-4.0, and RSL-2.5, as these zoning districts are currently not allowed districts within the Employment or Mixed Use Activity character type designation. Per Chapter 16 of the General Plan, for a development to be considered consistent with the General plan, the resulting development must be consistent with the character area and sub-type designation for the area. This includes consistency with the allowed zoning districts within the character types. The proposed areas within the PAD to be rezoned to commercial, employment, mixed use and higher density residential do not require a General Plan amendment, as those districts are consistent with the Mixed Use or Employment character designations.

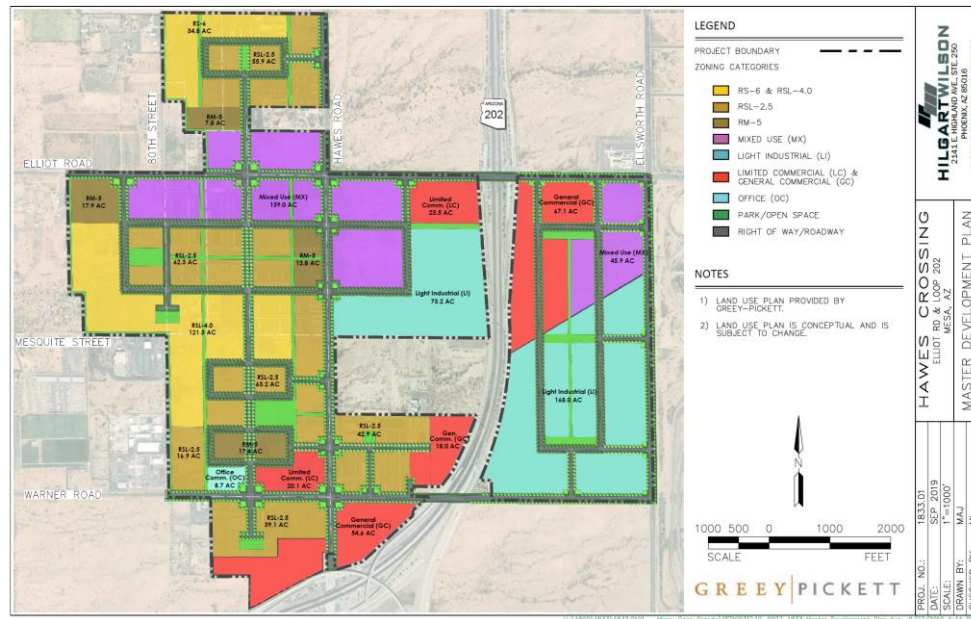
The proposed General plan amendment from Mixed use Activity or Employment to Neighborhood will allow certain uses to conform to results of the Inner Loop Study and the Mesa Gateway Strategic Plan. The Neighborhood character designation will allow uses that will help fulfill the goal to create a wide variety of uses to create a vibrant community. The proposed Neighborhood character area designation, based on the Inner Loop Study and 2017 Airport compatibility study, will not negatively impact operations of the Mesa Gateway Airport.

#### **Annexation (Case #ANX18-00788)**

Approximately 697± acres of the PAD is located in Maricopa County and will be annexed into the City as part of approval of the General Plan amendments and PAD. There are two associated annexation requests that are planned to be scheduled on the same City Council agenda as the subject request for a General Plan Amendment and a PAD.

## Zoning District Designations

The requests for a PAD establish the master plan framework and underlying zoning to guide future development on the property. The requested underlying zoning districts are RS-6, RSL-4, RSL-2.5, RM-5, Limited Commercial (LC), General Commercial (GC), Office Commercial (OC), Mixed-Use (MX), and Light Industrial (LI). See Exhibit F-Proposed Zoning and Exhibit U- Master Development Plan). These plans show the overall vision of the PAD, and specifically demonstrate how the proposed zoning, open space, and circulation framework works as a single unified plan.



The table below shows the total acreages for each zoning district within this request for the proposed PAD:

LEGEND LAND USE PLAN	GROSS ACREAGE
RS - 6	34.8
RSL - 4.0	77.7
RSL - 2.5	210.1
RM -5	39.5
MIXED USE	101.9
GENERAL COMMERCIAL	72.6
<b>TOTAL</b>	<b>536.6</b>

## Planned Area Development Overlay:

The proposed PAD includes allowed land uses within each zoning district, design standards and design guidelines to direct future development of the property. The PAD documents also include associated open space and trails master plans, as well as infrastructure master plans. The subject PAD is to allow designated zoning districts. Per Section 11-22-5(B) of the City of

Mesa Zoning ordinance, approval of Specific Plans, site plans, and subdivision plats shall be required prior to development of the property.

According to the PAD documents, developments within the PAD shall be organized in a “Village Concept” and each request for a Specific Plan for a Village shall consist of a minimum of 20 acres for single family residential developments and 10 acres for multifamily or non-residential development. The Planning Director, however, may have limited authority to authorize a proposed development that may be below the minimum require land area on a special circumstance.

#### Villages and Phasing of the Development

The PAD documents show eight villages to form the overall development. According to the applicant, the villages are not intended to specify a particular order of development. The plans are to be utilized to govern standards for development of infrastructure phasing and open space areas when reviewing requests for specific plans. In accordance with the “Village” concept, each village may be completed as a single specific or site plan or may be processed as a series of specific plans. However, all necessary infrastructure and open space required must be constructed to support each proposed development. See Exhibit V-Conceptual Village Plan; Exhibit N-Open Space Master Plan; & Water, Wastewater, and Drainage master plans.

#### Land Use Regulations and Restrictions within the PAD:

Per Section 11-22-2 of the Mesa Zoning Ordinance, the PAD overlay district is to be used in conjunction with one or more underlying zoning districts; thereby permitting the same uses and activities as the underlying base zoning district, except those that may be excluded by the City Council. In accordance with this section of the Zoning Ordinance, approval of a development agreement is required before the City Council excludes a land use from a base zoning district. Such a development agreement can be adopted prior to or concurrently with the adoption of the PAD overlay district.

The applicant is proposing to limit certain land uses within the RS-6, RSL-4.0, RSL-2.5, LI and GC zoning districts (See Exhibits 1, 2 and 3). The intent of this limitation is to prohibit uses that may be incompatible with the overall development theme of the PAD. As part of the PAD, the City Council will also be considering a development agreement to limit such uses, as well as instituting other measures that are outside the direct realm of the zoning request and review.

#### Design Standards

Per Section 11-22-3 of the Mesa Zoning Ordinance, the PAD overlay may be utilized to modify specific development standards for each underlying zoning district. All development standards, additional requirements, and standards for all underlying zoning districts within the PAD are identified in Exhibit Y-Development Standards attached to the staff report. Exhibit (Exhibit Y) of the staff report shows the PAD will be utilizing a majority of the City’s current development standards of the base zoning districts. According to the PAD documents, both current and future developments will comply with the City’s standards and as modified by the PAD.

The PAD documents show modifications to allow an increase in the maximum allowed height in each of the GC, LI, and MX zoning districts to 75 feet. The document also shows proposed

modifications to allow the following specific Building Form Standards for each of the following zoning districts in the PAD:

**RS-6**

***Garages:*** An attached or detached garage shall be allowed to be located in the rear of the lot with driveway access from the front lot line as an alternative to a traditional front facing garage at the front of the lot. As a front access or side-entry garage in the rear of the yard, the rear setback to a detached garage is 3 feet. In these cases, the garage may be shared between an accessory dwelling unit and the primary dwelling unit but must be one-story and no higher than 15 feet.

***Façades:*** Façades facing streets or open space, whether the front, side or rear elevation of the home, shall be finished to the same architectural articulation, detail, and trim level as the front of the home. The building façade articulation shall make use of multiple elements and design such as pop outs, varying roof lines, offsets, recesses, etc.

***Staggered Setbacks:*** Front setbacks should be staggered by at least 3 feet to provide a varied streetscape and visually interesting neighborhood. Where a staggered setback is not possible, a varied streetscape shall be provided through other building designs similar in concept. The alternative design shall be showed with the request for a specific plan review.

***Accessory Dwelling Units:*** Accessory dwelling units are permitted in the rear yard of all RS districts and shall meet the same setbacks and development standards of a garage. The height of any accessory structure shall not be more than one-story or 15 feet in height.

**RSL-4.0 and RSL-2.5**

***Alley-loaded:*** Alley-loaded product is permitted in the RSL-4.0 and RSL-2.5 districts. For these lots, the garage setback is 3' or a minimum of 18'.

***Shared and clustered driveways:*** No home in the RSL-4.0 districts shall be permitted with more than one driveway. Where shared driveways are employed, such driveways shall not be more than 18 feet wide and the centerline of the driveway shall be located on the property line between the two adjacent lots. Where units are clustered with common driveways, such driveways shall be constructed to be a minimum of 36 feet of uninterrupted curb between the driveways.

***Lot width:*** Mixing lot widths along streets is required to further the variation of the streetscape. Different lot widths must be located adjacent and across from each other without a pattern. The variation of lot widths will be determined at the time of specific plan approval.

***Covered entry:*** Each home shall have a covered entry either by a roof specifically for the entry or integration into the roofline of the home. v. Front porch coverings must be at least 50 percent of the width of the building with a depth of at



***least 6 feet, however, alternative designs for front porch entries may be approved at the time of product approval with the specific plan.***

#### Mixed Use Standards

The Mixed Use (MX) districts in the PAD are encouraged to be vertically and horizontally integrated development. Development in the mixed-use district areas are planned for a pedestrian scale type of development while accommodating vehicular traffic and parking, ideally in the rear and sides of buildings where possible. The section of the MX district located east of the Loop 202 is planned to allow a maximum building height of 75 feet. The purpose of this height increase is to create a vibrant and more compact environment.

According to the PAD documents, the MX areas within the PAD requires a minimum of 35% non-residential uses. The calculation for the non-residential uses for vertically mixed-use buildings shall be determined by the gross building square footage per development. The percentage for non-residential horizontally integrated mixed-use projects shall be determined by the square feet of the total site area for a development. Overall, non-residential uses within the MX district shall no longer be required whenever 35% of the entire MX district is developed as non-residential uses (make sure you are watching the horses). Per the PAD documents, no more than 50% of the allowed residential area shall be allowed to be constructed prior to the construction of the required 35% required non-residential uses.

#### Design Guidelines

The proposed PAD consists of the general theme for the PAD, including Design Guidelines. This is to ensure the overall architectural and design quality of the PAD. The guidelines include architectural character, building massing and form, building entries, materials and finishes, and glazing requirements. The design guidelines are included in the staff report as Exhibit 4.

#### Open Space and Trails Master Plan

Section 11-22-4B of the Mesa Zoning Ordinance (MZO) requires common open space areas to be an essential and major element of the PAD. The proposed PAD includes significant open space and trails areas. These areas are shown on an open space master plan (see Exhibits N and O). The open space areas within the PAD will consist of variety of parks, including community parks, neighborhood parks, pocket parks, and urban plazas. These opens space areas will be connected through a series of trails throughout the PAD.

The PAD also includes guidelines and standards for the development of each type of park and trail (see Exhibit 5 'Open Space Guidelines'). The following are the requirements for open space areas within the PAD:

1. The public or common open space areas shall be a minimum of 15 percent of gross residential acreage in the RS-6, RSL-4, and RSL-2.5 areas. Open space in the RM-5 district and non-residential areas within the PAD shall conform to the open space requirements of the zoning code outlined in chapters 5 and 6.
2. Each single residential development in the RS-6, RSL-4 or RSL-2.5 zoning districts must provide a minimum of fifteen percent (15 %) of Open Space within the boundaries of the each specific plan of development; and a minimum of three percent (3%) of the

Open Space areas shall be dedicated to parks. Further, a maximum of thirty percent (30%) of the single-family dwelling units within a specific development may be built before the Owner is required to install the Open Space (or parks). The City will not issue any building permits for any single-family dwelling unit above 30% of the allowed residential uses in a Specific Plan until the required Open Space is constructed and approved by the City.

3. Specific Plan approvals shall include Neighborhood Parks, Pocket Parks, Urban Plazas, Open Space Trails, Theme Street Trails, and/or On-street Trails as shown on Exhibit N. The exact locations of the parks may vary and change during the Specific Plan review and approval process. However, general conformance, as determined by the Planning Director, to the Open Space Master Plan is required unless an area of 160 or more contiguous acres is submitted for Specific Plan review. In this instance, the Specific Plan may propose a new Open Space Master Plan for the area that provides the same or more parks, trails, and plazas and is compatible with adjacent areas of the current Open Space Master Plan. Any approved changes to the Open Space Master Plan must meet the intent, minimum requirements, and standards of the PAD.
4. No more than 30% of the single-family dwelling units within a Specific Plan shall receive a building permit prior to the construction of the required neighborhood park as shown on Exhibit N, Open Space Master Plan.

#### Open Space Buffer

The PAD includes a required 30' open space buffer along the western edge of the PAD. This buffer serves as a hedge between the residential development within the PAD and potential employment users that may develop to the west.

#### Airport Compatibility

The proposed PAD is located approximately one mile north of the Mesa Gateway Airport. The entire PAD boundary is located within the Airport Overflight Area (AOA) 3, as identified in the Airport's land use compatibility Study (See Exhibit 6). In addition, the PAD is not in the direct flight path of the airport runways, but it is in close proximity and will experience noise from the airport. The Mesa Gateway Airport reviewed the subject request and is requesting conditions of approval for noise attenuation and notification requirements to be given to future property owners regarding proximity of the PAD to the airport.

#### Infrastructure Master Plans

The PAD includes master infrastructure plans for Water, Wastewater, Drainage, and Transportation. The proposed master infrastructure plans have been reviewed and determined by staff to be adequate to support development of the property.

#### Development Agreement

There is a proposed development agreement associated with the PAD request. This development agreement addresses requirements such as vesting of development standards of the property, limitation of land uses, and development of all required infrastructure. The development agreements will be considered by the City Council concurrently with the PAD review and approval.

### **Economic Development Advisory Board (EDAB)**

Staff reviewed a letter of concern from the City's Economic Development Advisory Board regarding the proposed rezoning request. A copy of the letter has been included in the packet as exhibit 7.

### **Design Review:**

Section 11-71-2 of the MZO outlines requirements for design review for proposed developments. This PAD request does not modify the Design Review applicability requirements of the zoning code. All proposed development within the PAD shall be required to conform to the to the required Design Review process.

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

<b>Northwest</b> RS-6 Single-Residential Subdivisions	<b>North</b> RS-6 Single-Residential Subdivisions	<b>Northeast</b> RS-6 Single-Residential Subdivisions
<b>West</b> LI and AG Light Industrial and Agricultural Uses	<b>Subject Property</b> LI, AG, and County Land Undeveloped and Agricultural Uses	<b>East</b> PC Eastmark Community Plan
<b>Southwest</b> Loop 202 Freeway	<b>South</b> LI and LC Undeveloped Loop 202 Freeway	<b>Southeast</b> PC Eastmark Community Plan

### **Compatibility with Surrounding Land Uses:**

The PAD area is adjacent to single-residential neighborhoods across the transmission line corridor to the north. The loop 202 freeway bifurcates the PAD with approximately 280 acres of property laying east of the Freeway. The majority of the land area within the PAD is located west of the Loop. All of the property within the request for the private property owners is located west of the Loop 202. The Eastmark Planned Community District (PCD) is located east of the PAD. The section of the Eastmark PCD adjacent to the subject PAD is planned to be developed for mid-density residential and suburban oriented retail/employment uses. The property to the west of the subject proposed PAD is undeveloped zoned AG and LI. There are also pockets of County "island areas" with various industrial type land uses located west of the PAD.

The proposed PAD and associated land use studies demonstrate the use of the property will be compatible with the surrounding land uses. The proposed land use plan shows a transition of similar densities from the single-residential development to the north to higher-intensity mixed use development along the Elliot Road frontage. All the proposed land uses along the Loop 202 Freeway are designated for non-residential/employment land uses. The proposed residential uses within the PAD are located within the AOA 3 area of the Mesa Gateway Airport's land use

compatibility study. Airport staff has reviewed the request and is recommending standard conditions of approval to require aviation easement for future property owners and notification that the property is located in close proximity to the Airport. Staff has included the request as a part of the condition of approval for the PAD. The PAD includes a proposed landscape/open space buffer along the western edge of the property to buffer residential uses within the PAD from potential employment uses to the west.

### **Neighborhood Participation Plan and Public Comments**

The applicant has completed a Citizen Participation Process that included a mailed notification to all property owners within 1,000 feet of the Project and homeowners' associations within 1 mile of the Project. In addition, the applicant held a neighborhood meeting on October 4, 2017, to discuss the subject request with residents. All property owners of 466 properties as well as Eastridge Community Association, Villages at Hawes Homeowners Association, and Boulder Creek Homeowners Association, were notified of the request.

The neighborhood meeting was held at Boulder Creek Elementary School on October 4, 2017 from 6:30PM to 8:00PM. According to information provided by the applicant, about 40-50 people attended the meeting. The major issues discussed at the meeting were the proposed land uses, with majority of the residents expressing general support for the proposed land use mixture in the plan.

The applicant also conducted a walking neighborhood outreach from February 2018 to April 2018, specifically walking through the Boulder Creek neighborhood to meet neighbors, share information about the Project, and answer questions. According to the applicant, almost everyone in the Boulder Creek subdivision, through this outreach process, has been informed of the Project.

On April 12, 2018, upon the request of the Boulder Creek HOA manager, presented the request during their HOA meeting. There were approximately 20 residents in attendance at the meeting.

On September 10, 2018, the applicant mailed letters to all property owners (700+) in the Boulder Creek community notifying them of the upcoming Planning and Zoning Board meeting. Additionally, the HOA also sent an email to all residents to inform them of the meeting. The applicant also made phone calls to residents that had expressed interest to obtain additional information to the propose request. The applicant also held further neighborhood meeting on September 25, 2018, to discuss the project with surrounding residence.

On June 13, 2019, and September 12, 2019, the applicant also presented the proposed development again to the Boulder Creek HOA. Approximately 15 people, including the board members, were in attendance at the meetings. According to the applicant, throughout these meetings, the major concerns and comments have been centered around the proposed land uses, development densities, and the timeline of the project.

On August 27, 2019, the applicant again sent an email to the list contacts from the previous meetings, including Boulder Creek residents, surrounding property owners, and other

interested parties inviting them to another informal open house meeting on September 14th, 2019 at the Boulder Creek Elementary School. The Boulder Creek HoA also sent details of the meeting to all of their residents. The purpose of the open house was to offer neighbors and interested parties an opportunity to obtain additional information about the project. The meeting was intentionally scheduled on a Saturday to encourage all residents to attend.

In addition to the neighborhood meetings, staff, the applicant and several City Council members have received emails, letters and phone calls from City residents expressing either support or opposition to the request. Below is a general summary of comments and concerns expressed by residents;

1. Property owners to the north of the transmission line easement are primarily in support of the proposed PAD and expressed a desire to allow residential development immediately to the south of their neighborhood.
2. Several residents had questions about specific land uses and proposed development standards in the proposed plan.
3. Several residents are in support of the proposed PAD and are happy to see organized development of the area.
4. A number of residents have also expressed concerns with the proposed development. Specifically, the residents are concerned with the proposed residential land uses and its potential effects on the operations of the Mesa Gateway Airport. They also expressed concerns with conversion of non-residential and employment land uses to residential and its future effect of the City's economy.

A copy of the emails and letters have been included as Exhibit 8 of the staff report. In addition, an updated Citizen Participation Report from the applicant will be included with the staff report and associated documents with the packet. Staff will also provide update of the citizen participation report during the scheduled study session on October 23, 2019.

**Staff Recommendations:**

The proposed General Plan amendment conforms to the criteria for amendments outlined in Chapter 16 (page 16-22 & 23) of the General Plan.

The rezoning requests and associated PAD to allow a variety of land uses and development standards conforms to the City's General Plan and criteria for review of development application outlined in Chapter 15 (page 15-1 & 2) of the Mesa General Plan. The request also conforms to the Mesa Gateway Strategic Plan, as well as Chapter 22 of the Mesa Zoning Ordinance; Therefore, staff is recommending approval with the following conditions:

**Conditions of Approval:**

The following conditions of approval are in addition to and not intended to replace compliance with the zoning code. Any standard not identified through these conditions of approval, the zoning code requirements shall apply.

## ZONING

1. Compliance with Exhibit F, 'Proposed Zoning' of the Hawes Crossing PAD.
2. Compliance with Exhibit 1 establishing the allowed land uses within the RS-6, RSL-4, RSL-2.5, and RM-5 zoning district within the Hawes Crossing PAD.
3. Compliance with Exhibit 2 establishing the allowed land uses within the Light Industrial (LI) zoning district within the Hawes Crossing Plan Area Development (PAD).
4. Compliance with Exhibit 3 establishing the allowed land uses within the General Commercial zoning district within the Hawes Crossing PAD.
5. Prior to approval of any development, a review and approval of Specific Plans shall be required as shown in the City's PAD review process. All Specific Plans shall be a minimum of 20 acres for single-residential development and 10 acres for non-residential, mixed use, and multi-residential development. An owner may request an adjustment subject to modification by the city per the terms of the development agreement.
6. Development standards for all zoning districts shall conform to the City of Mesa Zoning Ordinance in place as of October 23, 2019, except as modified by this PAD:
  - a. Maximum height within the Mixed Use (MX), Light Industrial (LI), and General Commercial (GC) zoning districts shall be 75'.
  - b. MX zoned properties shall include a minimum of 35% non-residential uses. The percentage for the non-residential use shall be calculated by the gross building square footage for vertical mixed-use buildings and per acreage area for horizontal mixed-use sites. This percentage is required to be shown with each proposed Specific Plan.
    - i. Within any MX zoned area, no more than a maximum of 50% of the residential area shall be allowed to be constructed prior to construction of the required 35% of the required non-residential uses.

## DESIGN GUIDELINES

7. Commercial, office and all non-residential uses on the property shall comply with the design standards, architectural quality and standards in the non-residential design guidelines set forth in Exhibit 4, 'Design Guidelines'.
8. Compliance with the residential Building Form Standards outlined in Chapter 5 of the City's Zoning Ordinance as well as the City's Residential Development Guidelines, including the standards below:
  - a. RS-6 zoned properties shall conform to the following building form standards:
    - i. **Garages:** An attached or detached garage shall be allowed to be located in the rear of the lot with driveway access from the front lot line as an alternative to a traditional front facing garage at the front of the lot. As a front access or side-entry garage in the rear of the yard, the rear setback to a detached garage is 3 feet. In these cases, the garage may be shared between an accessory dwelling unit and the primary dwelling unit but must be one-story and no higher than 15 feet.
    - ii. **Façades:** Façades facing streets or open space, whether the front, side or rear elevation of the home, shall be finished to the same architectural articulation,

detail, and trim level as the front of the home. The building façade articulation shall make use of multiple elements and design such as pop outs, varying roof lines, offsets, recesses, etc.

- iii. **Staggered Setbacks:** Front setbacks should be staggered by at least 3 feet to provide a varied streetscape and visually interesting neighborhood. Where a staggered setback is not possible, a varied streetscape shall be provided through other building designs similar in concept. The alternative design shall be shown with the request for a specific plan review.
  - iv. **Accessory Dwelling Units:** Accessory dwelling units are permitted in the rear yard of all RS districts and shall meet the same setbacks and development standards of a garage. The height of any accessory structure shall not be more than one-story or 15 feet in height.
- b. RSL-4.0 zoned properties shall conform to the following building form standards:
- i. **Alley-loaded:** Alley-loaded product is permitted in the RSL-4.0 districts. For these lots, the garage setback is 3 feet or a minimum of 18'.
  - ii. **Shared and clustered driveways:** No home in the RSL-4.0 districts shall be permitted with more than one driveway. Where shared driveways are employed, such driveways shall not be more than 18 feet wide and the centerline of the driveway shall be located on the property line between the two adjacent lots. Where units are clustered with common driveways, such driveways shall be constructed to be a minimum of 36 feet of uninterrupted curb between the driveways.
  - iii. **Lot width:** Mixing lot widths along streets is required to further the variation of the streetscape. Different lot widths must be located adjacent and across from each other without a pattern. The variation of lot widths will be determined at the time of Specific Plan approval.
  - iv. **Covered entry:** Each home shall have a covered entry either by a roof specifically for the entry or integration into the roofline of the home.
  - v. Front porch coverings must be at least 50 percent of the width of the building with a depth of at least 6 feet, however, alternative designs for front porch entries may be approved at the time of product approval with the specific plan.
- c. RSL 2.5 zoned properties shall conform to the following building form standards:
- i. **Alley-loaded:** Alley-loaded product is permitted in the RSL-4.0 districts. For these lots, the garage setback is 3 feet or a minimum of 18'.
  - ii. **Shared and clustered driveways:** No home in the RSL-4.0 districts shall be permitted with more than one driveway. Where shared driveways are employed, such driveways shall not be more than 18 feet wide and the centerline of the driveway shall be located on the property line between the two adjacent lots. Where units are clustered with common driveways, such driveways shall be constructed to be a minimum of 36 feet of uninterrupted curb between the driveways.
  - iii. **Lot width:** Mixing lot widths along streets is required to further the variation of the streetscape. Different lot widths must be located adjacent and across from each other without a pattern. The variation of lot widths will be determined at the time of Specific Plan approval.

- iv. **Covered entry:** Each home shall have a covered entry either by a roof specifically for the entry or integration into the roofline of the home.
- v. Front porch coverings must be at least 50 percent of the width of the building with a depth of at least 6 feet, however, alternative designs for front porch entries may be approved at the time of product approval with the Specific Plan.

## **LANDSCAPING**

- 9. All development shall comply with the 'Approved Plant Palette' shown on Exhibit Q to achieve a unified landscaped environment that is appropriate and successful for the desert climate.
- 10. Landscaping areas shall consist of a blend of lush, and desert appropriate plant materials from the approved plant palette arranged in patterns along straight and meandering sidewalks, with emphasis on shade and color along the major streets and pedestrian corridors in the development.
- 11. Parcel entries shall be highlighted by unique urban plazas with portal elements framed by large shade trees. Community walls will be designed to complement both a traditional and modern aesthetic.
- 12. A landscape plan prepared by a landscape professional such as a registered landscape architect or a qualified arborist is required for all site plans and subdivision plats.
- 13. Park Landscaping: Landscaping in parks, open spaces and pedestrian trail areas shall include a diversity of desert appropriate plants materials and strategic use of trees to create nodes of shade. Turf should be used only where functionally appropriate for recreational fields, useable open spaces and as a complement to shaded nodes.

## **OPEN SPACE**

- 14. Compliance with Exhibit N 'Open Space Master Plan' and Exhibit O 'Trail Master Plan'.
- 15. Compliance with Exhibit 5 "Open Space Guidelines".
- 16. The public or common open space areas shall be a minimum of 15 percent of gross residential acreage in the RS-6, RSL-4, and RSL-2.5 areas. Open space in the RM-5 district and non-residential areas within the PAD shall conform to the open space requirements outlined in chapters 5 and 6 of the zoning code in place as of October 23, 2019.
- 17. Each single residential development in the RS-6, RSL-4 or RSL-2.5 zoning districts must provide a minimum of fifteen percent (15 %) of Open Space within the boundaries of the each specific plan of development; and a minimum of three percent (3%) of the Open Space areas shall be dedicated to parks. Further, a maximum of thirty percent (30%) of the single-family dwelling units within a specific plan may be built before the Owner is required to install the Open Space (or parks). The City will not issue any building permits for any single-family dwelling unit above 30% of the allowed residential uses in a Specific Plan until the required Open Space is constructed and approved by the City.
- 18. Specific Plan approvals shall include Neighborhood Parks, Pocket Parks, Urban Plazas, Open Space Trails, Theme Street Trails, and/or On-street Trails, per Exhibit N, Open Space Master Plan. The exact locations of the parks may vary and change during the Specific Plan review and approval process. However, general conformance, as determined by the Planning Director, to the Open Space Master Plan is required unless an area of 160 or more contiguous acres is submitted for Specific Plan review. In this instance, the Specific Plan may propose a new Open Space Master Plan for the area that provides the same or more parks, trails, and plazas and is compatible with adjacent areas of the current Open Space Master Plan. Any approved changes



to the Open Space Master Plan must meet the intent, minimum requirements, and standards of the PAD.

19. No more than 30% of the single-family dwelling units within a Specific Plan shall receive a building permit prior to the construction of the required associated neighborhood park as shown on Exhibit N, Open Space Master Plan.

#### **OPEN SPACE BUFFER**

20. A 30' open space buffer is required along the western property lines of the overall PAD as shown on Exhibits L1, L2, L3.

#### **LOT FRONTAGE**

21. All parcels within the development may be allowed to front on either a public or private street.

#### **SIGNAGE**

22. Signage shall conform to the City of Mesa Sign Code, or as amended.
23. A comprehensive sign plan for developments in the non-residential areas shall be submitted during Specific Site plan approval, if required.
24. A comprehensive sign plan for the residential, parks, open space, and entry features shall be submitted with the Specific Plan, if required.

#### **PHASING**

25. Development within each Village may be completed as a part of a single or multiple specific plans or site plans; however, the required infrastructure and open space must be constructed to support that development per Exhibit V, Conceptual Phasing and Exhibit N, Open Space Master Plan.

#### **INFRASTRUCTURE**

26. Compliance with the final infrastructure master plans submitted (i.e. the Traffic Impact Analysis, Master Wastewater Report, Master Water Report, and Master Drainage Report) as may be amended, subject to the approval of the City, pursuant to the development agreement.

#### **AIRPORT COMPATIBILITY:**

27. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map or prior to the issuance of a building permit).
28. Written notice be provided to future property owners, and acknowledgment received that the project is within 1-2 mile(s) of Phoenix-Mesa Gateway Airport.
29. Due to the proximity to Phoenix-Mesa Gateway Airport, 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
30. Provide a 4-foot x 4-foot sign at the entrance to all sales and leasing offices for this PAD, with notice to all prospective buyers that the project is within an Overflight Area for Phoenix-Mesa Gateway as specified in Section 11-19-5 of the Zoning Ordinance.
31. 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.

32. 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."
33. A disclosure of airport activity and proximity thereto shall be included within the Codes Covenants and Restrictions for all HOAs within Hawes Crossing.

#### **STANDARD CONDITIONS**

34. Compliance with all City development codes and regulations, except as modified through this PAD.
35. 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 a subdivision plat, or at the time of the City's request for dedication whichever comes first.
36. Compliance with all requirements of the City's Subdivision Regulations.
37. Execute and comply with the development agreement, as approved by the City Council.

#### **List of Exhibits:**

Exhibits 1, 2, and 3-Land Use Tables  
Exhibits A-V from the Narrative  
Exhibit 4 - Design Guidelines  
Exhibit 5 - Open Space Guidelines  
Exhibit 6 - Airport Compatibility  
Exhibit 7 - Economic Development Advisory Board Letter  
Exhibit 8 - Emails from Residents  
Exhibit 9 - Inner Loop Study  
Exhibit 10 - Inner Loop District of the Gateway Strategic Plan  
Exhibit 11 - Project Narrative and Exhibits  
Exhibit 12 - Citizen Participation Report  
Exhibit 13 - Master Water Report  
Exhibit 14 - Master Wastewater Report  
Exhibit 15 - Master Drainage Report  
Exhibit 16 - Mesa Gateway Airport Response Letter