



**PLANNING DIVISION
STAFF REPORT**

Planning and Zoning Board

November 16, 2022

CASE No.: ZON22-00582	PROJECT NAME: Ace Hardware
Owner’s Name:	PPGN-Ellsworth, LLLP
Applicant's Name:	Gammage & Burnham Law
Location of Request:	Within the 9300 block of East Cadence Parkway (north side). Located north of Cadence Parkway and east of Ellsworth Road.
Parcel No(s):	313-25-867
Request:	Site Plan Review and Special Use Permit. This request will allow for an Ace Hardware store and two retail stores.
Existing Zoning District:	Planned Community (PC)
Council District:	6
Site Size:	4.3± acres
Proposed Use(s):	Commercial
Existing Use(s):	Vacant
Hearing Date(s):	November 16, 2022 / 4:00 p.m.
Staff Planner:	Samantha Brannagan, Planner II
Staff Recommendation:	Approval with Conditions

HISTORY

On **September 10, 2012**, the City Council approved the annexation of a 483± acre property, including the subject property, into the City of Mesa with a comparable zoning designation of Light Industrial (LI) (Case No. A12-001, Ordinance No. 5113 and Case No. Z12-027, Ordinance No. 5114). On the same date, the City Council also approved a rezoning of the property from LI to a Planned Community (PC) District and established the Pacific Proving Grounds North Community Plan, which was subsequently named the Cadence Community Plan (Case No. Z12-028, Ordinance No. 5115).

On **October 9, 2019**, the Planning and Zoning Board approved 25± for the Development Unit 1 Phase 2 (DU1 Phase 2) of the Cadence Community Plan for future commercial development (Case No. ZON19-00577).

On **March 25, 2020**, the Planning and Zoning Board approved a Site Plan Review for the development of a commercial shopping center within DU1 Phase 2 of the Cadence Community Plan (Case No. ZON19-00909).

PROJECT DESCRIPTION

Background:

The applicant is requesting Site Plan Review approval for an anchor Ace Hardware store and two retail pads for future commercial uses, as well as a Special Use Permit for permanent outdoor display for the Ace Hardware Garden Center. The subject parcel is currently vacant and is located within Phase 2 of Development Unit 1 of Cadence for commercial development.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan character area designation of the property is Mixed Use Community. 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. This mix of uses may include employment, industrial, office, retail, medical, educational, community service, tourism, entertainment, open space, recreational, and residential uses to provide a complete community atmosphere with a sense of place. The proposed commercial development conforms to the goals of the Mixed Use Community character area. In addition, the proposed development complies with DU1 Phase 2 of the Cadence Community Plan.

Zoning District Designations:

The subject property is zoned Planned Community (PC) within the approved Cadence Community Plan. The proposed development is consistent with the purpose and intent of the PC district outlined in Section 11-11-1 of the Mesa Zoning Ordinance (MZO). In addition, the property is within the Community Commercial (CC) Land Use Group of the Cadence Community Plan. The purpose of the CC Land Use Group is to provide locally oriented retail, service, and employment uses. The proposal also conforms to the CC Land Use Group.

Mesa Gateway Strategic Development Plan:

The property is also located within the Mixed Use Community District of the Mesa 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 development conforms to the goals of the Gateway Strategic Development Plan to create a sense of place for people to live, work, and play.

Site Plan and General Site Development Standards:

The proposed site plan identifies a 24,000± square foot Ace Hardware store with an attached 8,900± square foot accessory garden center and purchase pickup area for customers. Public entrance to both the main store and garden center will be from the western side, with a proposed permanent outdoor display area at the west and south side of the building to engage pedestrian and automobile traffic. Primary access to the site will be via Ray Road to the north

and East Cadence Parkway to the south, with secondary access via internal drives connecting to the proposed adjoining commercial development to the west. The proposed development includes 156 vehicle parking spaces, five ADA compliant parking spaces, and 16 bicycle parking spaces. Vehicular parking along the southern boundary of the site will be screened from view of Cadence Parkway by a 30" screen wall.

The site plan also includes two freestanding commercial pad buildings for future retail and restaurant uses, one of which will be 3,900 square foot in size (Building D) with a 686 square foot outdoor seating area along the northeastern corner of the building. The other building (Building A) is an 8,574 SF retail shops building with a 1,477 square foot outdoor seating area located along the western boundary of the building.

Overall, the proposed site plan conforms with the review criteria for site plans listed in Section 11-69-5 the MZO as well as Chapter 8 of the Cadence Community Plan regarding Community Commercial Land Use Groups.

Special Use Permit:

The applicant has requested a Special Use Permit (SUP) for permanent outdoor display areas associated with the proposed Ace Hardware store. Per Section 11-70-5(E) of the MZO, the Planning and Zoning Board shall find, upon sufficient evidence, that the proposed SUP will meet all of the following criteria:

1. *Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plans or policies;*

The General Plan character area designation for the property is Mixed Use Community. Per Chapter 7 of the General Plan, the primary focus of the Mixed Use Community character area is to identify larger land areas for a mixture of uses that will create a complete and identifiable community. These areas are expected to develop with one or more villages or urban cores for housing along with employment, retail, medical, educational, entertainment, and recreational uses to serve such communities. A Mixed Use Community must contain a significant commercial component for the sustainability of a complete community. The Cadence Community Plan was developed with such General Plan characteristics in mind, and the proposed commercial development will adhere to serving the local community.

2. *The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;*

The proposed permanent outdoor display areas are consistent with the General Plan, the overall Cadence Community Plan, and DU1 Phase 2 of the Cadence Community Plan. DU1 Phase 2 is envisioned a commercial center that provides a mix of retail, restaurant, and service uses to serve the neighboring residences as well as future residential development in the area. The requested permanent outdoor display areas

will support the Ace Hardware store and garden center and contribute to the viability of the proposed development by attracting patrons to the commercial area.

3. *The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area, nor will the proposed project or improvements be injurious or detrimental to the neighborhood or to the general welfare of the City; and*

The Cadence Community Plan has been designed to seamlessly integrate commercial uses into the greater community area. The proposed development will follow not only the Mesa 2040 General Plan and the MZO requirements for the Planned Community zoning district, but also the requirements for commercial and mixed use land use groups within the Cadence Community. The applicant has requested a Special Use Permit with specific criteria under Chapter 8 of the Cadence Community Plan. As such, the proposed permanent outdoor display areas will be screened by a decorative wall and trellis and will be located outside of functional space including parking, drive aisles, and pedestrian walkways.

4. *Adequate public services, public facilities, and public infrastructure are available to serve the proposed project.*

The subject lot will have access to East Cadence Parkway, a City-maintained roadway, and City of Mesa public services.

Design Review:

The Design Review Board work session will be held on November 8, 2022. Staff will work with the applicant to address these comments and recommendations from the Design Review Board.

Surrounding Zoning Designations and Existing Use Activity:

Northwest Across East Ray Road AG Vacant	North Across East Ray Road PC Vacant	Northeast Across East Ray Road PC Vacant
West PC Retail	Subject Property PC Vacant	East PC Single Residence
Southwest PC Retail	South PC Retail	Southeast PC Single Residence

Compatibility with Surrounding Land Uses:

The subject site is currently vacant. An existing single residential subdivision is located to the east and southeast and within the same Planned Community (PC) zoning district within the Cadence Community. Parcels to the south, southwest, and west of the site are also zoned PC within the Cadence Community and the Community Commercial (CC) Land Use Group of the Cadence Community Plan and are either vacant or contain similar commercial and retail uses as

the proposed development. Overall, the proposed Ace Hardware, retail shops building, and commercial pad building are compatible with the surrounding development and land uses.

Neighborhood Participation Plan and Public Comments:

The applicant sent the required notification letters to all property owners within 1,000 feet of the site as well as HOAs and registered neighbors within one mile of the site. As of this report, staff has not been contacted by any resident to express support or opposition to the request.

Staff Recommendation:

Based upon the application received and preceding analysis, staff find that the requested Site Plan Review and Special Use Permit comply with the Mesa 2040 General Plan, the criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, and the criteria for Special Use Permit outline in Section 11-70-5 of the MZO. Therefore, staff recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with final site plan, landscape plan, and elevations submitted.
2. Compliance will all City development codes and regulations.
3. Compliance with the Cadence Community Plan.
4. Compliance with Development Unit 1 Phase 2 of the Cadence Community Plan.
5. Compliance with all conditions of approval on zoning case no. Z12-28 (Ordinance No. 5115).
6. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
 - b. 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. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
 - c. Prior to the issuance of any building permit, provide documentation by a registered professional engineer or registered professional architect demonstrating compliance with the noise level reductions required in Section 11-19-5 of the Mesa Zoning Ordinance.
 - d. Provide written notice to future property owners that the project is within one mile of Phoenix-Mesa Gateway Airport
 - e. All final subdivision plats must include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which must 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."

Exhibits:

Exhibit 1 – Staff Report

Exhibit 2 – Vicinity Map

Exhibit 3 – Application Information

3.1 Project Narrative

3.2 Site Plan

3.3 Landscape Plan

3.4 Elevations

3.5 Citizen Participation Plan

3.6 Grading and Drainage Plan

Exhibit 4 – Citizen Participation Report

Exhibit 5 – Avigation Easement