



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

December 14, 2022

CASE No.: **ZON22-00546**

PROJECT NAME: **Recker & 202 Retail**

Owner's Name:	SUN CITY 115, LLC
Applicant's Name:	Neil Feaser, RKAA
Location of Request:	Within the 3300 block of North Recker Road (west side) and the 5900 block of East Virginia Street (south side). Located south of Virginia Street on the west side of Recker Road
Parcel No(s):	141-41-002N
Request:	Site Plan Modification and amending the conditions of approval on zoning case Z07-118. This request will allow for commercial development.
Existing Zoning District:	Light Industrial with a Bonus Intensity Zone Overlay (LI-BIZ) District
Council District:	5
Site Size:	25± acres
Proposed Use(s):	Commercial
Existing Use(s):	Vacant
P&Z Hearing Date(s):	December 14, 2022 / 4:00 p.m.
Staff Planner:	Charlotte Bridges, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	
Proposition 207 Waiver Signed: YES	

HISTORY

On **February 22, 1983**, the City Council annexed approximately 2,335± acres of property, including the subject site, into the City of Mesa and subsequently zoned the property to Single Family Residence-90 (R1-90) (equivalent to Single Residence-90 [RS-90]) (Ordinance No. 1682; Case No. Z83-038, Ordinance No. 1710).

On **March 1, 2004**, the City Council approved a rezone of 30± acres of land, including the subject site, from RS-90 to Limited Industrial (M-1) (equivalent to Light Industrial [LI]) to bring the zoning into conformance with the Mesa 2025 General Plan (Case No. Z04-002, Ordinance No. 4164).

On **January 22, 2008**, the City Council approved a rezone of 25± acres of land, including the subject site, from LI to Light Industrial with a Bonus Intensity Zone overlay (LI-BIZ) and approved a site plan to allow for a commercial/office development (Case No. Z07-118, Ordinance No. 4804).

PROJECT DESCRIPTION

Background:

The applicant is requesting to modify the approved site plan for two-plus acres of the 25± acre property, which has frontage on the Recker Road and Virginia Street to allow for the development of multi-tenant commercial building with drive-thru facilities and a limited-service restaurant with drive-thru facilities. Because the existing zoning (Z07-118) requires compliance with the originally approved site plan, the requested site plan modification requires modification of condition of approval number 1 of zoning case Z07-118 (Ordinance No. 4804) and review and approval by City Council. No other modifications to the approved BIZ Overlay District or site plan are proposed under this application. A separate application will be submitted to modify the approved BIZ Overlay District and site plan for the remainder of the 25± acre property at a later date.

General Plan Character Area Designation and Goals:

The General Plan Character area designation on the 25± acre property is Mixed Use Activity District/Employment. Per Chapter 7 of the General Plan, the Mixed Use Activity character area are large scale (typically over 25 acres) community and regional activity areas that usually have a significant retail and commercial component, including shopping areas such as malls, power centers or lifestyle centers designed to attract people from a large radius. Per the General Plan, the purpose of the Employment character area designation is to provide for a wide range of employment opportunities in high-quality settings. Examples of employment-type land uses include areas for large manufacturing facilities, warehousing, and business park type uses.

The subject site is also located within the Falcon Field Sub-Area Plan. The intent of the Falcon Field Sub-Area is to create a vibrant and progressive urban center that serves as an oasis of aviation related businesses, abundant high-quality employment, and regional entertainment.

The proposed project conforms with the purpose of the Mixed Use Activity District/Employment character area and the intent of the Falcon Field Sub-Area by contributing to the variety of commercial uses in the area and providing support for future employment uses that may develop in the area. Staff reviewed the request and determined it is consistent with the development review criteria outlined in chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

Zoning District Designations:

Currently, the 25± acre site is zoned LI-BIZ. No changes are proposed to the previously approved BIZ modifications to the LI development standards

Airfield Overlay – MZO Article 3 Section 11-19:

Per Section 11-19 of the MZO, the property is located within the Airfield (AF) Overlay District. Specifically, within the Airport Overflight Area Three (AOA 3). The location of the property within AOA 3 is due to its proximity to the Falcon Field Airport. Per Section 11-19 of the MZO, the proposed commercial land uses are permitted within the AOA 3.

Site Plan and General Site Development Standards:

The request for site plan modification is specifically for development of two-plus acres of the 25± acre property, located to the south of Virginia Street along the Recker Road street frontage. The proposed site plan (Exhibit 3.2) shows the development of a 4,500 square foot multi-tenant (medical office and limited-service restaurant uses) commercial building with a drive-thru lane on Pad-1 and an 896 square foot limited-service restaurant with a drive-thru lane on Pad-2. The proposed drive-thru facilities meet the development standards of Section 11-31-18 of the MZO. Around the perimeter of the site, the proposed landscape plan shows trees, shrubs and ground cover in the required landscape yards along Virginia Street, Recker Road and the south property line. Internal to the site, trees shrubs and ground cover material is shown in the parking lot landscape islands.

The proposed site plan also shows access to the site from Virginia Street through a shared drive aisle, which serves the internal vehicle parking and circulation areas for both pad sites. Per Section 11-32-3 of the MZO, 32 parking spaces are required. The applicant is proposing 51 parking spaces. Per Section 11-32-3(C)(5) of the MZO, an Administrative Use Permit is required to exceed 125% of the required number of parking spaces. The Project Narrative indicates the additional parking spaces are needed to accommodate employee parking for two shift changes during the day as well as additional parking for guests who may be using the patio area.

Design Review:

The Design Review Board will review the proposed building elevations and landscape plan at its December 13, 2022, work session. Staff will work with the applicant to include any recommended changes from the Design Review Board as they pertain to the building elevations and landscape plan.

Surrounding Zoning Designations and Existing Use Activity:

Northwest	North (Across Virginia Street)	Northeast (Across Virginia Street and Recker Road)
PEP-PAD and RS-90 Undeveloped	RS-90 City of Mesa Fire Station and Undeveloped	RS-6 Single Residences

<p>West (Across Red Mountain 202 Freeway) RS-90 Comprehensive Youth Residence</p>	<p>Subject Property LI-BIZ Undeveloped</p>	<p>East (Across Recker Road) RS-9-PAD Place of Worship</p>
<p>Southwest (Across Red Mountain 202 Freeway) RS-90 and LC-PAD-CUP Comprehensive Youth Residence and Undeveloped</p>	<p>South (Across Red Mountain 202 Freeway) LC-PAD-CUP Commercial Development</p>	<p>Southeast (Across Red Mountain 202 Freeway and Recker Road) RS-9-PAD Single Residences</p>

Compatibility with Surrounding Land Uses:

The subject site is currently undeveloped. There is undeveloped land to the northwest and north. The west and south side of the subject site are adjacent to the Red Mountain 202 Freeway. Virginia Street and Recker Road separate the site from the City of Mesa Fire building to the north and the single residence neighborhood and place of worship to the northeast and east. The subject request to allow commercial development on two-plus acres of the 25± acre property will contribute to the variety of commercial uses in the area, service the existing single residences in the area and promote the intent of the Mixed Use Activity/Employment character area designation on the property.

Neighborhood Participation Plan and Public Comments:

The applicant has completed a Citizen Participation Process which included inviting property owners within 1,000 feet of the site, as well as HOAs within ½ mile and registered neighborhoods to a virtual meeting held on September 1, 2022. In general, the participants were in support of the project but concerned about increased traffic in the area. As a part of this review, Transportation reviewed this project and did not identify any traffic concerns with the proposed development. As of writing this report, staff has not received any additional comments/concerns from surrounding property owners. Staff will provide the Board with any new information during the study session.

Staff Recommendation:

Based on the application received and the proceeding analysis, staff finds that the subject request is consistent with the Mesa 2040 General Plan and the purpose for a Bonus Intensity Zone Overlay outlined in Section 11-21-1 of the MZO. Additionally, the request meets 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 all City development codes and regulations.
2. Compliance with final site plan and landscape plan submitted.
3. Prior to application for any building permit, apply for and receive approval for an Administrative Use Permit to allow the number of parking spaces to exceed 125% of the

maximum required parking spaces or reduce the parking to comply with the Zoning Ordinance.

4. Compliance with all requirements of Design Review for DRB22-00547.
5. Compliance with Case No. Z07-118 (Ordinance No. 4804), except compliance with the final site plan and landscape plan approved with this case.
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 Falcon Field Airport prior to or concurrently with the recordation of the final subdivision map, minor land division or the issuance of a building permit, whichever occurs first.
 - b. Due to the proximity to Falcon Field 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, one-half mile of Falcon Field Airport
 - e. All final subdivision plats or minor land divisions 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 Falcon Field Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."

Exhibits:

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Application Information

3.1 Site Plan

3.2 Grading and Drainage Report

3.3 Landscape Plan

3.4 Elevations

3.5 Project Narrative

3.6 Citizen Participation Plan

Exhibit 4 – Citizen Participation Report