



PLANNING DIVISION
STAFF REPORT

Board of Adjustment

January 4, 2022

CASE No.: BOA22-01279	PROJECT NAME: Ace Hardware
Owner's Name:	PPGN-Ellsworth, LLLP
Applicant's Name:	Gammage & Burnham Law
Location of Request:	Within the 9200 to 9400 blocks of East Cadence Parkway. Located south of East Ray Road and east of South Ellsworth Road.
Parcel No(s):	313-25-867B
Nature of Request:	Requesting a Special Use Permit for permanent outdoor display areas for a proposed Ace Hardware.
Zoning District:	Planned Community (PC)
Council District:	6
Site Size:	5± acres
Existing Use:	Vacant
Hearing Date(s):	January 4 th , 2023 / 5:30p.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).

On **November 16, 2022**, the Planning and Zoning Board approved a commercial development including an Ace Hardware and two retail pads (Case No. ZON22-00582).

PROJECT DESCRIPTION

Background:

The applicant is requesting a Special Use Permit to allow permanent outdoor display areas accessory to an Ace Hardware store in Phase 2 of Development Unit 1 of Cadence Community. The outdoor display areas will serve the 33,000± square foot Ace Hardware building.

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.

Site Characteristics:

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. The public entrance to both the main store and garden center will be from the western side of the building. Per the site plan submitted, the proposed outdoor display area will run along the west elevation of the building. 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.

Surrounding Zoning Designations and Existing Use Activity:

Northwest Across East Ray Road AG Vacant	North Across East Ray Road PC Vacant	Northeast Across 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

Mesa Zoning Ordinance Requirements and Regulations:

The applicant has requested a Special Use Permit (SUP) for permanent outdoor display areas associated with the 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.

The request meets this criterion.

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.

The request meets this criterion.

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.

The request meets this criterion.

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.

The request meets this criterion.

Findings:

- A. The property was annexed into the City of Mesa in 2012 and subsequently zoned Planned Community (PC).
- B. The property was approved for a commercial development including an Ace Hardware store on November 16, 2022.
- C. 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 plan and/or policies;
- D. 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 any other applicable City plan or policies;
- E. 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
- F. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

Neighborhood Participation Plan and Public Comments:

The applicant sent the required notification letters to all property owners within 500 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 request will comply with the Mesa 2040 General Plan and the criteria for Special Use Permits outlined 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 with 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. Z12-028 (Ordinance No. 5115).
6. Compliance with all conditions of approval on zoning case no. ZON22-00582.
7. The southernmost outdoor display area indicated on the site plan adjacent to Cadence Parkway shall be limited to the display plant material.

Exhibits:

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Narrative and Justification Statement

Exhibit 4 – Site Plan

Exhibit 5 – Elevations

Exhibit 6 – Renderings