



PLANNING DIVISION
STAFF REPORT

City Council Meeting

January 9, 2023

CASE No.: **ZON22-00546**

PROJECT NAME: **Recker & 202 Retail**

Owner's Name:	SUN CITY 115, LLC
Applicant's Name:	Neil Feaser, RCAA
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 (25± acres)
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:	APPROVAL with Conditions (Vote 5-0)
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 proposed project includes a request 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 proposed project requires modification of condition of approval Number 1 of Zoning Case Z07-118 (Ordinance No. 4804) 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.

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 purpose of the Mixed-Use Activity character area is to accommodate large-scale (typically over 25 acres) community and regional activity areas that usually have a significant retail and commercial component. This includes, but is not limited to, shopping areas such as malls, power centers or lifestyle centers designed to attract people from a large radius.

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 Falcon Field Sub-Area aims 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 Mixed-Use Activity District/Employment character area and the Falcon Field Sub-Area by providing a variety of commercial uses in the area and supporting future employment uses that may develop in the area. Staff reviewed the request and determined the proposed project consistent with the development review criteria outlined in chapter 15 (page 15-1) of the Mesa 2040 General Plan.

Mesa Zoning Ordinance Designations:

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

Per Article 3 Section 11-19 of the Mesa Zoning Ordinance (MZO), the property is located within the Airfield (AF) Overlay District within the Airport Overflight Area Three (AOA 3) based on the proximity to the Falcon Field Airport. Per Section 11-19 of the MZO, the proposed project commercial land uses are permitted within the AOA 3.

Site Plan and General Site Development Standards:

The request for proposed project is specifically to allow 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 project 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 one Pad-2. The proposed drive-thru facilities meet the development standards of Section 11-31-18 of the MZO.

The proposed project landscape plan for the site perimeter identifies 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 project 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 reviewed 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:

<p>Northwest</p> <p>PEP-PAD and RS-90 Undeveloped</p>	<p>North (Across Virginia Street)</p> <p>RS-90 City of Mesa Fire Station and Undeveloped</p>	<p>Northeast (Across Virginia Street and Recker Road)</p> <p>RS-6 Single Residences</p>
<p>West (Across Red Mountain 202 Freeway)</p> <p>RS-90 Comprehensive Youth Residence</p>	<p>Subject Property</p> <p>LI-BIZ Undeveloped</p>	<p>East (Across Recker Road)</p> <p>RS-9-PAD Place of Worship</p>
<p>Southwest (Across Red Mountain 202 Freeway)</p> <p>RS-90 and LC-PAD-CUP Comprehensive Youth Residence and Undeveloped</p>	<p>South (Across Red Mountain 202 Freeway)</p> <p>LC-PAD-CUP Commercial Development</p>	<p>Southeast (Across Red Mountain 202 Freeway and Recker Road)</p> <p>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 proposed project to allow commercial development on two-plus acres of the 25± acre property will provide for a variety of commercial uses in the area, service the existing single residences in the area and promote the purpose 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, HOAs within ½ mile and registered neighborhoods to a virtual meeting held on September 1, 2022.

The participants were generally supportive of the proposed project but raised concerns about increased traffic in the area. As a part of this review, Transportation reviewed this project and did not identify any traffic issues with the proposed project. As of writing this report, staff has not received any additional comments/concerns from surrounding property owners.

Staff Recommendation:

Staff finds that the proposed project is consistent with the Mesa 2040 General Plan and the purpose of the BIZ Overlay outlined in Section 11-21-1 of the MZO. The proposed project meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

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 – 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 Grading and Drainage Report

3.6 Citizen Participation Plan

Exhibit 4 – Citizen Participation Report