



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

October 27, 2021

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| CASE No.: ZON21-00892 | PROJECT NAME: Cannon Beach Phase 2 PAD Modification |
| Owner's Name: | Power 40, LLC |
| Applicant's Name: | Sean Lake, Pew & Lake, PLC |
| Location of Request: | Within the 4400 to 4700 blocks of South Power Road (east side) and within the 6800 to 7000 blocks of East Warner Road (south side). Located at the southeast corner of Power Road and Warner Road. |
| Parcel No(s): | 304-30-009X |
| Request: | Modification of the Planned Area Development Overlay (PAD) and Site Plan Modification. This request will allow for commercial development. Also consider a preliminary plat for "Cannon Beach". |
| Existing Zoning Districts: | General Commercial with a Planned Area Development Overlay and Council Use Permit (GC-PAD-CUP), and Light Industrial with Planned Area Development Overlay and a Council Use Permit (LI-PAD-CUP) |
| Council District: | 6 |
| Site Size: | 40± acres |
| Proposed Use(s): | General Retail, Offices, Gymnasium, Hotel, Restaurants, Commercial Recreation, and Industrial |
| Existing Use(s): | Vacant |
| P&Z Hearing Date(s): | October 27, 2021 / 4:00 p.m. |
| Staff Planner: | Sean Pesek, Planner II |
| Staff Recommendation: | APPROVAL with Conditions |
| Planning and Zoning Board Recommendation: | |
| Proposition 207 Waiver Signed: | Yes |

HISTORY

On **May 18, 2000**, the property was annexed into the City of Mesa (Case A00-002; Ord. #3762) and subsequently zoned Agricultural (AG) (Case Z00-045; Ord. #3794).

On **September 21, 2020**, Mesa's City Council approved a rezoning with a PAD overlay, a Council Use Permit, and Specific and Conceptual plans on a 59-acre property that included the subject property. The subject property is shown as Areas A and B per the approved ordinance (Case ZON20-00253; Ord. #5587). Approval allowed for the development of large-scale commercial recreation, retail, hotel, and restaurant uses. Overall, Areas A and B consisted of approximately 40± acres.

PROJECT DESCRIPTION

Background:

As shown on the previously approved zoning exhibit (Exhibit 10), the property is divided into three areas of development (Areas A, B, and C). The subject request only pertains to Areas A and B; there are no proposed changes to Area C. The purpose of the subject request is to amend the previously approved PAD overlay for Areas A and B; amend the specific site plan for a portion of Areas A and B; and approve a Preliminary Plat for a portion of Areas A and B.

The requested changes to the previously approved site plan are: (1) reduce the building size on Parcel 3 from 6,000 square feet to 2,271 square feet; (2) increase the building size on Parcel 4 from 5,000 square feet to 8,580 square feet; (3) increase the building size on Parcel 5 from 5,000 square feet to 8,580 square feet; and (4) reduce the building size on Parcel 6 from 7,200 square feet to 2,100 square feet.

As part of the request, the applicant is also requesting one modification to the previously approved PAD. Specifically, a modification to the building separation requirement for buildings with a height between 20 and 40 feet in the GC District. All other conditions of approval associated with the approved PAD (except the modified site plan) remain unchanged.

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, Mixed-Use Activity character areas are large in scale (over 25 acres) and provide community and regional activity areas. Per the Plan, these areas generally have a substantial 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. The goal of the district is to also help create strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences. Per Chapter 7 of the General Plan, the primary focus of the Employment character area designation is to provide for a wide range of employment opportunities in high-quality settings.

The subject request will provide a large recreational amenity that will draw people from a large radius to patronize the use and conforms to the goals of the Mixed-Use Activity District and the Employment character area designation. Staff reviewed the request and determined the intended development is consistent with the criteria for review outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

Mesa Gateway Strategic Development Plan:

The site is also located within the Inner Loop District of the Mesa Gateway Strategic Development Plan. Per the Strategic Plan, the focus of the Inner Loop District is to provide a high-quality, mixed-use environment that is compatible with increasing over-flight activities associated with the Phoenix-Mesa Gateway Airport operations. The requested change to the previously approved PAD overlay and specific site plan is consistent with the goals of the Mesa Gateway Strategic Development Plan.

As a recommendation of the Mesa Gateway Strategic Development Plan, the City of Mesa conducted a specific land use study in 2018 (i.e., the 2018 Inner Loop Land Use Study) for the Inner Loop Area of the Plan. The intent of the study was to ensure appropriate allocation of land uses and distribution that aligns with the goals of the Mesa Gateway Strategic Development Plan. The study designated the subject property as appropriate for Employment/Business Park type uses. The requested change to the previously approved PAD overlay and specific site plan conforms with the recommendations of the land use study.

Airfield Overlay – MZO Article 3 Section 11-19:

Per Section 11-19 of the MZO, the site is located within the Airfield Overlay District, specifically within the Airport Overflight Area Two (AOA 2). The location of the property within the Airfield Overlay is due to its proximity to the Phoenix-Mesa Gateway Airport. Per Sections 11-6-2 and 11-7-2 of the MZO, the AOA 2 requires approval of a Council Use Permit to allow for certain conditional uses. The subject request does not propose new uses that require a CUP.

Zoning District Designations:

Per Section 11-6-1 of the MZO, the purpose of the GC zoning district is to provide areas for indoor retail, entertainment, and service-oriented businesses. The requested change to the previously approved site plan and PAD overlay will provide a range of commercial and entertainment businesses that will attract the surrounding community to the site to patronize the proposed uses.

Per Section 11-7-1 of the MZO, the purpose of the LI zoning district is to provide areas for limited industrial and high-impact commercial uses. The requested change to the previously approved PAD overlay and specific site plan will provide industrial and commercial space to allow for uses that conform to the goals of the LI district.

PAD Overlay Modifications – MZO Article 3, Chapter 22:

Per Section 11-22-1 of the MZO, the purpose of a PAD overlay is to allow modifications to certain required development standards to permit innovative design and flexibility that creates a high-quality development for the site.

The subject request includes a PAD modification to allow for one additional deviation to development areas A and B. **The previously approved modifications (per Ord. #5587) shall remain in effect, except as noted in Table 1 below for Areas A and B.**

Table 1: Development Standards

| Development Standard | Required | Proposed | Staff Recommendation |
|---|----------|--|----------------------|
| Minimum Building Separation – <i>MZO Section 11-6-3</i> <i>(Building height between 20 and 40 feet)</i> | 30 feet | 13.5 feet between buildings on Parcels 4, 5, 6, and 8 | As proposed |

Minimum building separation: Per Table 11-6-3.A in the MZO, the minimum building separation between buildings, on the same lot, with heights between 20 and 40 feet is 30 feet in the GC District. The applicant is requesting a minimum building separation of 13.5 feet between buildings on Parcels 4, 5, 6, and 8. According to the applicant, the requested reduction in the required building separation is to create a more unified group commercial development.

The submitted application demonstrates innovative design through creative architectural detailing and embellishments at the main entries facing the parking fields and main attraction to the east, and tower elements and other enhancements on the building elevations facing Power Road. A pedestrian corridor is located between buildings on Parcels 4, 5, 6, and 8, which breaks up the building form and increases opportunities for outdoor activity and an enhanced pedestrian realm. Pathways and enhanced pavement crossings connect these buildings to the major activity center to the east.

Site Plan and General Site Development Standards:

The subject request is a major modification to a specific site plan for development of Areas A and B as shown on the approved PAD (Exhibit 10). Specifically, the proposed modifications: (1) reduce the building size on Parcel 3 from 6,000 square feet to 2,271 square feet; (2) increase the building size on Parcel 4 from 5,000 square feet to 8,580 square feet; (3) increase the building size on Parcel 5 from 5,000 square feet to 8,580 square feet; and (4) reduce the building size on Parcel 6 from 7,200 square feet to 2,100 square feet. Staff finds that the proposed site plan meets the review criteria for site plan review outlined in Section 11-69-5 and 11-69-7 of the MZO.

Preliminary Plat:

As part of the subject request, the applicant is requesting a preliminary plat for 40± acres of the property, specifically for Areas A and B, as shown on the approved PAD. Section 9-6-2 of the Mesa Subdivision standards requires approval of all subdivision plats located in the city to be processed through four progressive stages. Review and approval of a preliminary plat is the second stage in the series of the progressive stages. This review includes the evaluation of the overall design of the subdivision and details, such as utilities layout, ADA compliance, and retention requirements. The preliminary plat is reviewed and approved by the Planning and Zoning Board. Per Section 9-6-2 of the City's subdivision regulations, all plats are then subject to final plat approval through City Council. The request meets the review criteria for approval of a preliminary plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations.

Surrounding Zoning Designations and Existing Use Activity:

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| Northwest (Across Warner Rd & Power Rd) Town of Gilbert Undeveloped | North (Across Warner Road) LC-PAD Commercial & Vacant | Northeast (Across RWCD Canal and East Maricopa Floodway) Maricopa County Agriculture |
| West (Across Power Road) Town of Gilbert Commercial | Subject Property GC-PAD-CUP LI-PAD-CUP Undeveloped | East (Across RWCD Canal and East Maricopa Floodway) LI Undeveloped |
| Southwest (Across Power Road) Town of Gilbert Commercial | South LI Automobile Repair | Southeast (Across RWCD Canal and East Maricopa Floodway) LI Vacant |

Compatibility with Surrounding Land Uses:

The subject site is currently undeveloped. The site is immediately adjacent to industrial development to the south. There is commercial development across Power Road to the west and within the Town of Gilbert. Overall, the proposed development will be consistent with the General Plan character area designation, as well as the surrounding land uses.

Neighborhood Participation Plan and Public Comments:

The applicant completed a Citizen Participation Process which included mailing letters to property owners within 1,000 feet of the site, as well as HOAs within ½ mile, and registered neighborhoods within one mile of the site. In addition, the applicant held a virtual neighborhood meeting on September 21, 2021, via Zoom. As of the writing of this staff report, staff has not received public comments pertaining to the request.

Staff Recommendation:

The subject request is consistent with the General Plan, the Gateway Strategic Development Plan, the criteria for modifications to Planned Area Development outlined in Section 11-22-1 of the MZO. Therefore, Staff recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the final site plan submitted.
2. Compliance with Ordinance No. 5587, except as modified by this request.
3. Compliance with all City development codes and regulations except modifications approved with Ordinance No. 5587, and those shown in the following table:

Development Standards - Areas A and B

| Development Standard | Approved |
|---|--|
| Minimum Building Separation – <i>MZO Section 11-6-3</i> <i>(Building height between 20 and 40 feet)</i> | 13.5 feet between buildings on Parcels 4, 5, 6, and 8 |

Exhibits:

- Exhibit 1 – Staff Report
- Exhibit 2 – Vicinity Map
- Exhibit 3 – Project Narrative
- Exhibit 4 – Site Plan
- Exhibit 5 – Landscape Plan
- Exhibit 6 – Preliminary Plat
- Exhibit 7 – Grading and Drainage Plan
- Exhibit 8 – Citizen Participation Plan
- Exhibit 9 – Citizen Participation Report
- Exhibit 10 – Zoning Exhibit (from ZON20-00253 case file)
- Exhibit 11 – Avigation Easement Shell