



## Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

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**Cases:** 1. CPA2019002 – Pacific Proving Grounds  
2. Z2019011 – Pacific Proving Grounds

**Hearing Date:** October 24, 2019

**Supervisor District:** 2

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**Applicant:** Cassandra Ayres, Beus Gilbert PLLC

**Owner:** Pacific Proving LLC

**Requests:** 1. Comprehensive Plan Amendment to change the Queen Creek Area Plan land use designation from General Motors Proving Grounds to Light Industrial  
2. Zone Change with Overlay from Rural-43, AD-1, and AD-2 to IND-2

**Site Location:** Generally located at the NEC of Ellsworth Rd. and Pecos Rd. in the Mesa area

**Site Size:** Approx. 637 acres

**Density:** N/A

**County Island:** City of Mesa

**County Plan:** Queen Creek Area Plan – General Motors Proving Grounds

**Municipal Plan:** City of Mesa – Mixed Use Community

**Municipal Comments:** City of Mesa – Support of requests

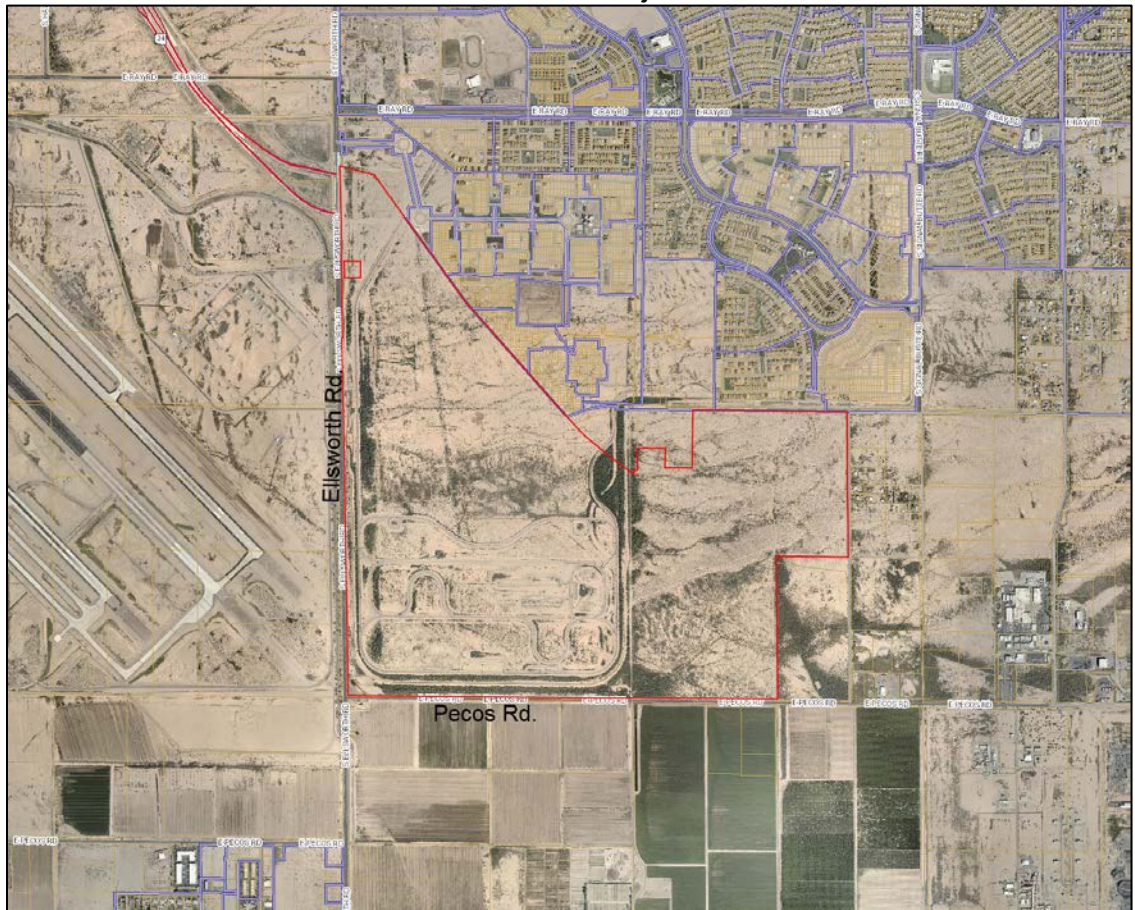
**Support/Opposition:** None known

**Recommendations:** 1. **Approve with conditions**  
2. **Approve with conditions**

**Project Summary:**

1. The applicant, Beus Gilbert PLLC is requesting a Comprehensive Plan Amendment to change the Queen Creek Area Plan land use designation on approximately 637 acres from General Motors Proving Grounds to Light Industrial. In addition, the applicant is requesting a zone change from Rural-43, AD-1, and AD-2 to IND-2. The subject site currently consists of one parcel (304-35-004P) where only a portion of this approximately 1,191-acre parcel is included with these requests.
2. The proposed project is located at the northeast corner of Ellsworth Rd. and Pecos Rd. The proposed project is within the City of Mesa’s planning area, the site is currently vacant but was previous used as a proving grounds for General Motors. There is no proposed land use at this time for the subject area at this time and the applicant states within the narrative report that the subject site would be annexed into the City of Mesa at a future time as development necessitates.
3. The applicant is also requesting to remove the Special Use Permit (SUP) associated with the proving grounds. The last related amendment for this SUP was under case Z90-77. The proving grounds operations have since ceased starting around 2010 and since then other portions of the original land area has been developed and/or annexed by the City of Mesa. It should be noted that north of the subject site is the future planned SR-24 freeway extension as described within the narrative report. Staff has sent notice of these requests to ADOT but has not received any comments as of writing this report.

**2019 Aerial View of Subject Parcel**



4. MCDOT is requiring a future Traffic Impact Study to address traffic impacts and roadway improvements when a Plan of Development or other entitlement is required if these requests are approved. Since the current CPA and zone change do not have a proposed plan at this time, there is no technical review inferred. It should be noted that Ellsworth Rd. and Pecos Rd. are both within the City of Mesa jurisdiction adjacent to the subject site.
5. The City of Mesa provided a letter (attached) that includes support for the requests. The City mentions that at the time of annexation, they would work with the owner regarding providing water and sewer services. Since the subject site is within their "Mixed Use Community" General Plan area, this would support future industrial land uses as well as others. The Phoenix-Mesa Gateway Airport Authority provided a letter (attached) on March 7, 2019. They mention that light industrial development is considered compatible adjacent to the airport. They also mention that land use, height, and design compatibility in close proximity to a runway critical to airport safety and capacity. They have included recommended conditions within their letter.
6. The CPA narrative report asserts that the proposed development meets the Comprehensive Plan Amendment criteria in the following manner:

***Whether the amendment constitutes an overall improvement to the Vision 2030 Comprehensive Plan and the Queen Creek Area Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.***

*"The proposed land use change is consistent with and updates the land use designation to a current land use designation that will allow for future development of employment uses. The General Motors Proving Ground is no longer, and the current land use designation is hindering development. Moreover, the land use designation change along with the concurrent rezoning case (Case: Z2019011) will prepare the land for future development as it comes forward as well as assures no single-family residential homes will be developed or conflict with Phoenix-Mesa Gateway Airport."*

***Whether the amendment will adversely impact all or a portion of the planning area by:***

- a. ***Altering acceptable land use patterns to the detriment of the plan.***
- b. ***Requiring public expenditures for larger and more expensive infrastructure improvements to roads, sewer, or water systems than are needed to support the planned land uses.***
- c. ***Adversely impacting planned uses because of increased traffic.***
- d. ***Affecting the livability of the area or the health or safety of present and future residents.***
- e. ***Adversely impacting the natural environment or scenic quality of the area in contradiction to the plan.***

*"The proposed land use change will not impact the planning area as the area was always planned for employment/industrial type uses (e.g., General Motors Proving Ground). The land use pattern fits with the Area Plan and the City of Mesa's plan for the area. The infrastructure is built and being expanded by both the City of Mesa, Maricopa County (i.e., MCDOT), Arizona Department of Transportation (e.g., SR-24) and by private development occurring in the area. The City of Mesa has planned for and will provide the necessary sewer/water for development. The property is ideally located to facilitate*

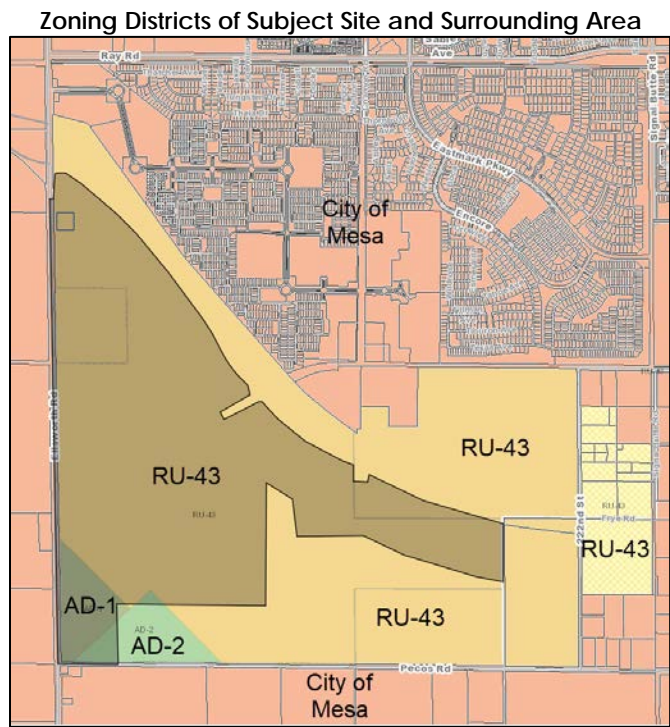
development with ease of access to existing improved major streets in the area (i.e., Ellsworth) and the future SR- 24 freeway, which is moving along. To date, most of the single-family residential developments are occurring north of the future SR-24 freeway, and the City of Mesa has planned for additional industrial/employment uses surrounding the property. Thus, protecting both present and future residents. The City of Mesa has designated the property mixed-use allowing for significant employment and industrial type uses as well as, where appropriate, high-density housing. Thus, by providing significant employment and industrial type uses will help towards minimizing car trips and support a better quality of life by offering jobs to support the explosive residential growth occurring in the area. Moreover, the land use designation will support and buffer Phoenix-Mesa Gateway Airport, which is growing."

**Whether the amendment is consistent with the overall intent of both the Vision 2030 Comprehensive Plan and the Queen Creek Area Plan.**

"The proposed land use change updates the Area Plan with a consistent/current land use designation that is consistent with the surrounding development pattern, buffered from residential areas, and consistent with the spirit and intent of the proving grounds (i.e., employment/industrial type uses). Moreover, along with the current rezoning case filed (Case: Z2019011) will assure no single-family residential homes will be developed or conflict with Phoenix-Mesa Gateway Airport and the City of Mesa's and Maricopa County's long-term plans for the area (e.g., employment, retail, industrial, and ancillary high-density housing where appropriate)."

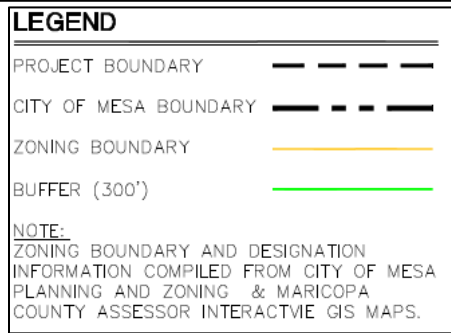
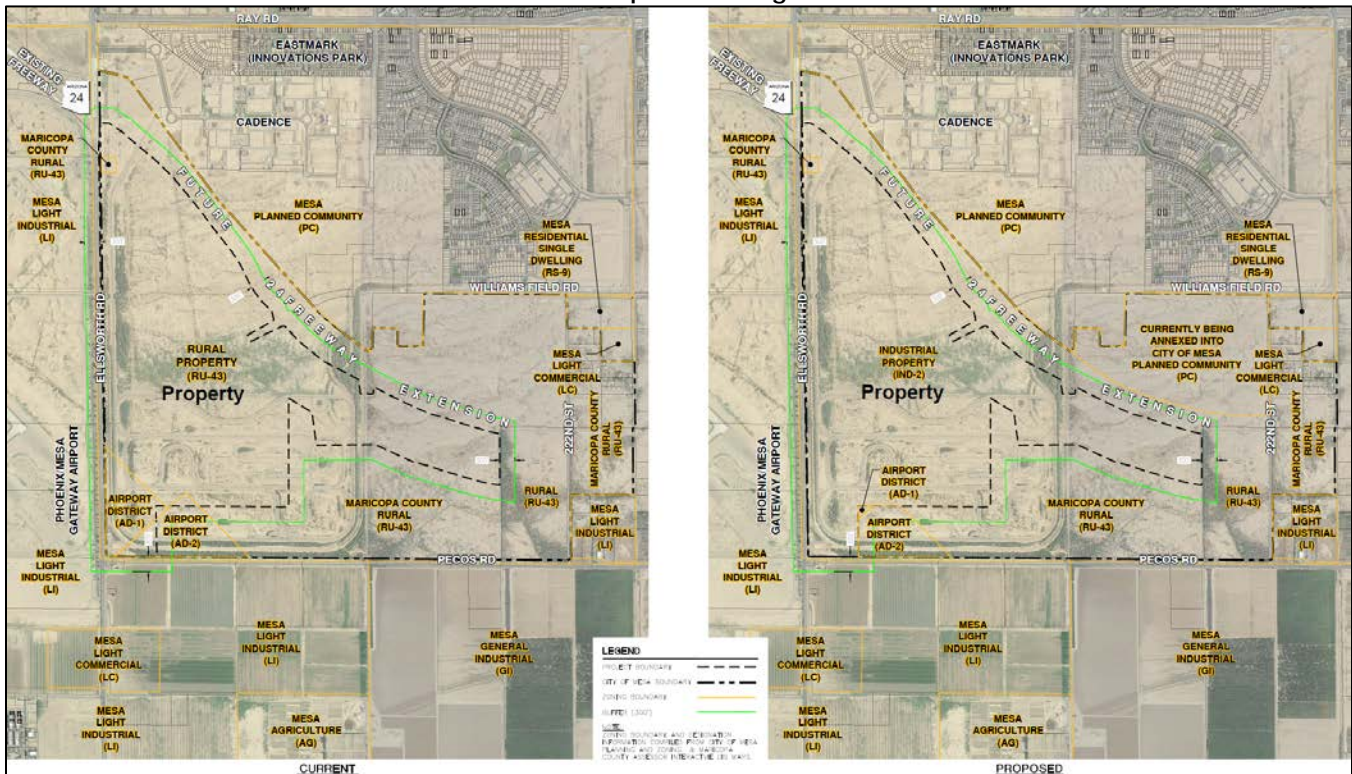
**The extent to which the amendment is consistent with the specific goals and policies contained within the plan.**

The applicant has provided goals and objectives from the Queen Creek Area Plan with responses as how the proposed amendment is consistent with each. See narrative report for these details.





## Z2019011 Proposed Zoning Exhibit



### Existing On-Site and Adjacent Zoning / Land Use:

- |    |          |  |
|----|----------|--|
| 7. | On-site: | Rural-43, AD-1, and AD-2 / Vacant                            |
|    | North:   | RU-43 / Vacant (future location of SR-24 highway extension)  |
|    | South:   | Arterial then LI (City of Mesa) / Pecos Rd. then agriculture |
|    | East:    | Rural-43 / Vacant  |
|    | West:    | Arterial then LI (City of Mesa) / Ellsworth Rd. then airport |

### Utilities and Services:

- |    |                  |   |
|----|------------------|---|
| 8. | Water:           | City of Mesa  |
|    | Wastewater:      | City of Mesa  |
|    | School District: | Queen Creek Unified School District                         |
|    | Fire:            | City of Mesa  |
|    | Police:          | Maricopa County Sheriff's Department (MCSO) or City of Mesa |

**Right-of-Way:**

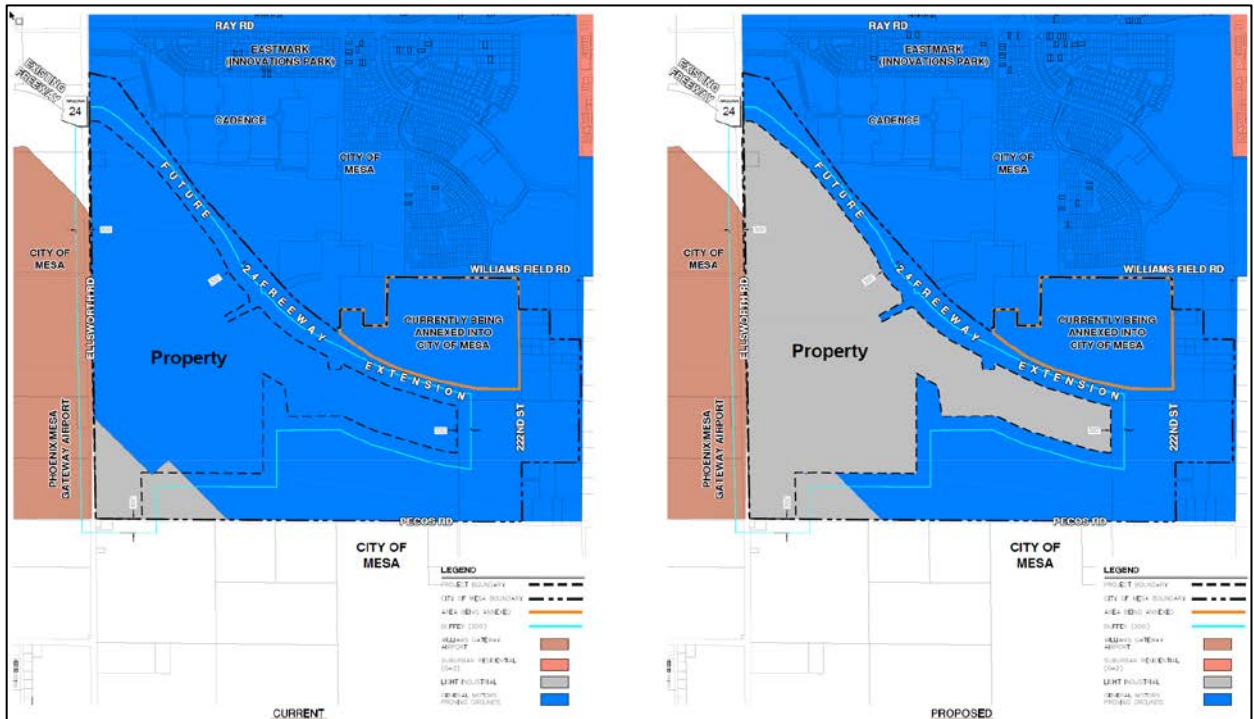
- The following table includes existing and proposed half-width right-of-way and the future classification based upon the City of Mesa jurisdiction.

Street Name	Half-width Existing R/W	Half-width Proposed R/W	Future Classification
Ellsworth Rd.	55'	55' (no change required at this time)	City of Mesa jurisdiction
Pecos Rd.	33'	33' (no change required at this time)	City of Mesa jurisdiction

**Adopted Plans:**

- Queen Creek Area Plan**, (adopted 1992): the site is within the Queen Creek Area Plan and is designated General Motors Proving Grounds. The proposed Comprehensive Plan Amendment would change the designation to Light Industrial.

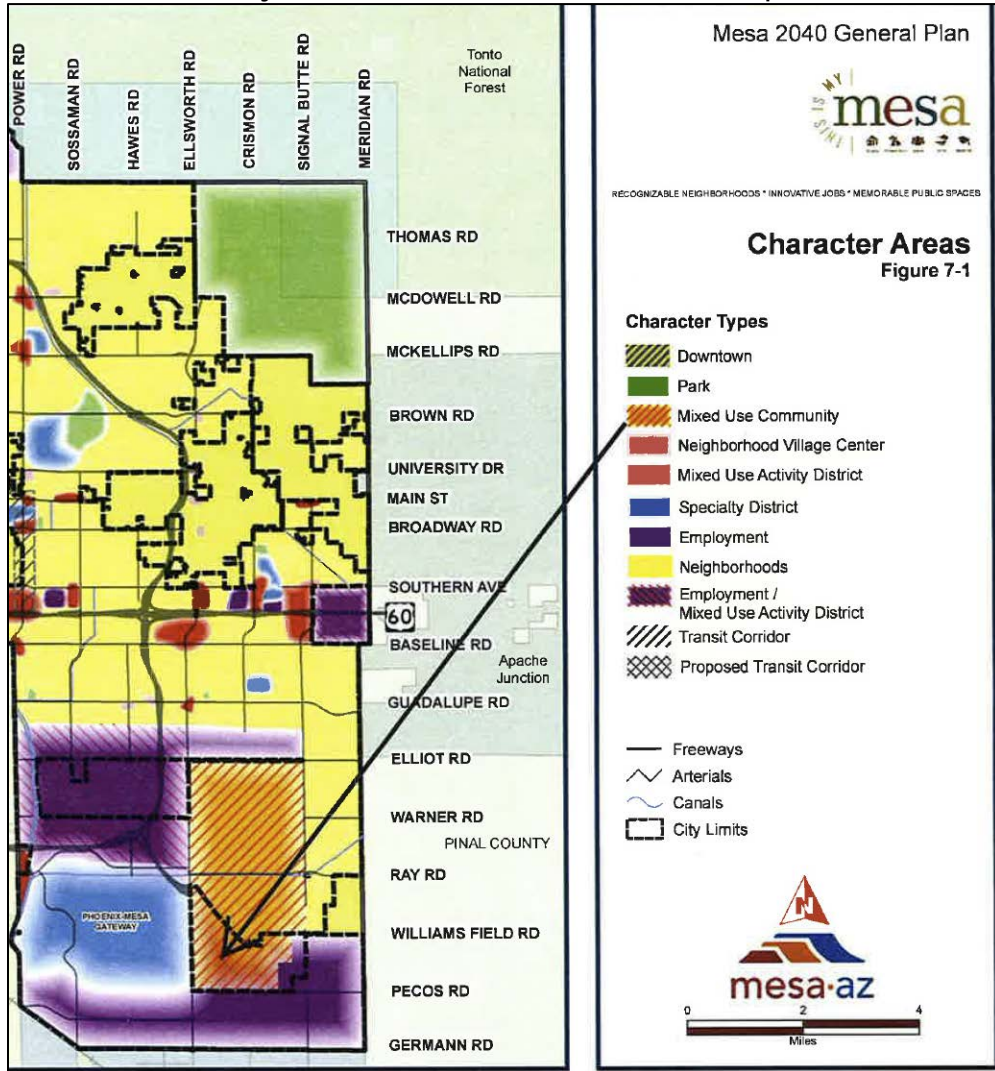
CPA2019002 Land Use Exhibit



LEGEND	
PROJECT BOUNDARY	— — — — —
CITY OF MESA BOUNDARY	— — — — —
AREA BEING ANNEXED	— — — — —
BUFFER (300')	— — — — —
WILLIAMS GATEWAY AIRPORT	■
SUBURBAN RESIDENTIAL (0-2)	■
LIGHT INDUSTRIAL	■
GENERAL MOTORS PROVING GROUNDS	■

11. **City of Mesa General Plan:** City of Mesa’s 2040 General Plan has the site designated as “Mixed Use Community”. This proposal would be within the allowed land uses for this future land use designation. Their General Plan includes the following explanation for “Mixed Use Community: “ Areas designated with the Mixed Use Community are expected to develop with one or more villages and/or urban cores and contain an appropriate variety and mix of employment, industrial, office, retail, medical, educational, community service, tourism, entertainment, open space, recreational, and residential uses to provide a complete community atmosphere.” See below for their General Plan Land Use Map with the subject site called out.

City of Mesa’s 2040 General Plan Land Use Map



**Public Participation Summary:**

12. The applicant complied with the Maricopa County Public Participation Process with the required posting of the property and notification by first class mail to the adjacent property owners within 300’ of the subject site and interested parties. Staff has not received any public interest with these requests. The applicant provided staff with a “Citizen Participation Results Report” on October 3, 2019. The applicant states that they have received no inquiries from anyone regarding the two subject cases. As previously



mentioned and discussed, staff received letters from City of Mesa and the Phoenix-Mesa Gateway Airport Authority.

**Outstanding Concerns from Reviewing Agencies:**

13. N/A

**Staff Analysis:**

14. Staff is in support of the CPA and zone change requests. The future capability of industrial land uses are compatible with the area given the City of Mesa's support and that the subject site is within the vicinity of the airport. The site has a history of being used in an industrial nature given the previous proving grounds land use, and allowance for these types of land uses to be permanent on the subject site is viable given the mentioned adjacent land uses and future designated land uses by the City of Mesa. Staff will include the recommended conditions as provided by the Phoenix-Mesa Gateway Airport Authority (as applicable). There will also be recommended conditions from Engineering included as well as for removal of the proving grounds SUP.

**Recommendation (Two motions CPA2019002 & Z2019011):**

15. For the reasons outlined in this report, staff recommends the Commission motion for **Approval**, subject to conditions 'a' – 'b', of CPA2019002.

a. Development of the site shall be in general conformance with the Narrative Report entitled "Pacific Proving Grounds – Comprehensive Plan Amendment Narrative Report," , consisting of 9 pages, dated and stamped received on September 23, 2019, except as modified by the following conditions.

b. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the uses existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the land use designation that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such change of the land use. The land use enhances the value of the property above its value as of the date the land use change is granted and reverting to the prior land use designation results in the same value of the property as if the land use change had never been granted.

16. For the reasons outlined in this report, staff recommends the Commission motion for **Approval**, subject to conditions 'a' – 'h', of Z2019011.

a. Development of the site shall be in general conformance with the Narrative Report entitled "Pacific Proving Grounds – Rezoning to IND-2 (Light Industrial) Narrative



Report", consisting of 8 pages, dated and stamped received on September 23, 2019, except as modified by the following conditions.

- b. The following Planning Engineering conditions shall apply:
1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
  2. Approval/no objection from the City of Mesa is required since they own/maintain Ellsworth and Pecos Roads in this vicinity.
  3. A Traffic Impact Study to address traffic impacts and roadway improvements required to support the proposed development must be submitted with the Plan of Development application(s) or other future entitlement applications unless otherwise waived by MCDOT.
  4. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction.
  5. Engineering review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Section 1205 of the Maricopa County Zoning Ordinance and Drainage Policies and Standards; Floodplain Regulations for Maricopa County; and the MCDOT Roadway Design Manual.
- c. The following Phoenix-Mesa Gateway Airport Authority conditions shall apply:
1. Prior to approval of the initial final subdivision plat or Plan of Development, a fair disclosure agreement and covenant, shall be recorded as a condition of development approval: "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. The mix of aviation activities and types of aircraft expected to be located and operate at the Airport now and in the future include: scheduled and unscheduled commercial charters, commercial air carriers and commercial air cargo operations, all of which are expected to use large commercial aircraft; general aviation activity using corporate and executive jets, helicopters, and propeller aircraft; aviation flight training schools using training aircraft; and military activity using high performance military jets. The size of aircraft and frequency of use of such aircraft may change over time depending on market and technology changes."

2. Any proposed permanent, or temporary, structure 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. An FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
  3. An aviation easement shall be recorded concurrently with or prior to the recordation of a final subdivision plat or issuance of a building permit holding Maricopa County, the public and the Phoenix-Mesa Gateway Airport Authority harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles, or any other effects that may be caused by aircraft landing, departing or operating at or near a designated Airport, not including the physical impact of aircraft or parts thereof.
  4. The developer shall incorporate features into the design and construction of buildings where people are housed, work, or are otherwise received to achieve an outdoor-to indoor noise level reduction of 25 decibels.
  5. Maximum building height shall include the height of all structures on top of the building, and not to top of the parapet, to mitigate any impacts to navigable airspace and air navigation facilities in complying with CFR Title 14 Part 77 (Form 7460).
  6. Any building uses, design, or exhaust features which may obscure a pilot's vision in any way resulting in glare or flash blindness, or which involve raw materials, products or by-products that pose a potential large explosive hazard shall not be permitted.
  7. Avoid any lighting placement or systems that direct lighting toward the approach paths of aircraft, or that could be confused with airport identification or navigational lighting.
  8. Ensure that landscape features and plant/tree varieties attractive to hazardous wildlife shall not be used. Vegetation shall be properly maintained to control for height. Trash or debris collection containers shall close and be enclosed.
  9. Sources of electromagnetic interference with aircraft instrumentation, ground-based radar, or navigational aids shall be considered prohibited in the AOA I & AOA II and shall be considered through CFR Title 14 Part 77 (Form 7460) review.
- d. Prior to approval of the initial final plat or precise plan of development approval, the applicant shall provide the Maricopa County Planning and Development Department with an executed pre-annexation service agreement with the City Mesa that identifies the detail for when the proposed project will be annexed and the provision of water and sewer service. In lieu of pre-annexation service agreement the developer must provide a 'will serve' letter from the certificated water and sewer provider(s).

- e. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- f. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.
- g. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.
- h. The Special Use Permit (SUP) for General Motor's Proving Grounds (Z90-77 & Z77-6) is removed with this approval.

Presented by:  
Reviewed by:

Ray Banker, Planner  
Matthew Holm, AICP, Planning Supervisor

Attachments:

Case Maps (2 pages)  
CPA2019002 Narrative Report (9 pages)  
Z2019011 Narrative Report (8 pages)  
CPA2019002 & Z2019011 Legal Descriptions (6 pages)  
Z2019011 Planning Engineering Memo (2 pages)  
CPA2019002 & Z2019011 MCESD comments (2 pages)  
City of Mesa Memo (5 pages)  
Phoenix-Mesa Gateway Airport Authority Memo (8 pages)