



**PLANNING DIVISION  
STAFF REPORT**

**City Council Meeting**

**March 13, 2024**

CASE No.: <b>ZON23-00559</b>	PROJECT NAME: <b>The Farmhouses at 1902 N Gilbert</b>
------------------------------	---

Owner's Name:	Mesa Assisted Living LLC, Logan Marta/Robert/Anota Juan C/Anna
Applicant's Name:	Tim Boyle
Location of Request:	Within the 1800 to 1900 blocks of North Gilbert Road (west side). Located south of McKellips Road and west of Gilbert Road.
Parcel No(s):	136-27-021A, 136-27-016A
Request:	Rezone from Single Residence-43 (RS-43) to Multiple Residence-2 with a Bonus Intensity Zone overlay (RM-2-BIZ) and Site Plan Review. This request will allow for a multiple residence development.
Existing Zoning District:	RS-43
Council District:	1
Site Size:	2± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Single Residence
P&Z Hearing Date(s):	March 13, 2024 / 4:00 p.m.
Staff Planner:	Josh Grandlienard, AICP, Planner II
Staff Recommendation:	APPROVAL with conditions

**HISTORY**

On **May 31, 1975**, the City Council approved the annexation of 76.6± acres of land, including the project site, and subsequently zoned the property to Suburban Residential (S-R) (equivalent to current Single Residence-43 [RS-43]) (Ord. No. 954).

## PROJECT DESCRIPTION

The applicant has requested to rezone the project site from Single Residence-43 (RS-43) to Multiple Residence-2 with a Bonus Intensity Zone overlay (RM-2-BIZ) and site plan review of an Initial Site Plan to allow for a multiple residence development (Proposed Project).

The Proposed Project is located south of McKellips Road on Gilbert Road on an approximate 2± acres vacant property.

The applicant is requesting a BIZ overlay to modify development standards to facilitate the development of the proposed 26-unit multiple residence project.

### **General Plan Character Area Designation and Goals:**

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood with a Suburban District Sub-type. Per Chapter 7 of the General Plan, Suburban neighborhoods are primarily single residence in nature with most lots ranging in size from 6,000 square feet to 18,000 square feet. As part of a total neighborhood area, this character type may also contain areas of duplexes and other multiple residence properties and commercial uses along arterial frontages and at major street intersections.

Multiple residence is listed as primary land use and RM-2 is listed as a primary zoning district in the Neighborhood-Suburban Character Area. The development of a multiple residence project along an arterial roadway is consistent with the Neighborhood District with a Suburban sub-type and is consistent with the criteria for review of development outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

### **Zoning District Designations:**

The applicant has requested to rezone the project site from RS-43 to RM-2-BIZ. Per Section 11-5-2 of the MZO, the RM-2 zoning district allows for a wide range of housing types including multiple residence use with a maximum density of 15 dwelling units per net acre. The Proposed Project has a density of 14.1 dwelling units per acre, which meets the maximum per the MZO.

### **Bonus Intensity Zone (BIZ) Overlay – MZO Article 3, Chapter 21:**

The Proposed Project includes a request for a Bonus Intensity Zone overlay (BIZ) to allow for modifications to certain required development standards of the MZO. Per Chapter 11-21-1 of the MZO, the purpose of the Bonus Intensity Zone (BIZ) Overlay District is to provide for variation from the application of residential densities and other development standards to allow greater intensity of development and encourage unique, innovative developments of superior quality. Table 1 below shows the MZO required standard and the applicant's proposed BIZ standard.

Table 1: Development Standards

<b>Development Standard</b>	<b>MZO Required</b>	<b>BIZ Proposed</b>	<b>Staff Recommendation</b>
<u>Minimum Building Setback –</u> <i>MZO Table 11-5-5</i>  -Front and Street-Facing Side adjacent to a 6-lane arterial (Gilbert Road)  -Interior Side and Rear: 3 or more units on a lot (north and south property lines)	30 feet  15 feet per story (30 feet total)	<b>20 feet</b>  <b>1 foot</b>	As Proposed
<u>Minimum Landscape Yards –</u> <i>MZO Table 11-5-5</i> -Front and Street-Facing Side (Gilbert Road)  -Interior Side and Rear: 3 or more units on a lot (north and south property lines)	30 feet  15 feet	<b>20 feet</b>  <b>1 foot</b>	As Proposed
<u>Minimum Building Separation –</u> <i>MZO Table 11-5-5</i> -Two-story buildings	30 feet	<b>9 feet</b>	As Proposed
<u>Maximum Fence/Wall Height–</u> <i>MZO Section 11-30-4(A)(b)</i>	6 feet	<b>8 feet</b>	As Proposed

Minimum Building Setback:

Per Table 11-5-5 in the MZO, the minimum building setback for the RM-2 district is 30 feet from property lines abutting a 6-lane arterial (Gilbert Road). The applicant is requesting to decrease the minimum building setback to 20 feet.

Additionally, per Table 11-5-5 in the MZO, the minimum interior side and/or rear setback is 15 feet per story. According to the submitted site plan, two-story buildings are proposed, equating to 30 feet of required building setback from the north, south, and west property lines. The applicant is requesting a reduction from 30 feet to one foot along the north and south property lines to accommodate the Proposed Project.

Minimum Landscape Yards:

Per Table 11-5-5 in the MZO, the minimum width of the landscape yard along interior rear and side property lines with three or more units on a lot is 15 feet. The applicant is requesting a one-foot-wide landscape yards along the northern and southern property lines.

The applicant is also requesting a reduction in the front yard setback from a minimum of 30 feet to 20 feet to allow for a proposed pool and amenity area to be located along Gilbert Road. This allows for the amenities to be provided for on site users while reducing the noise impacts to the adjacent neighborhood.

**Minimum Building Separation:**

Table 11-5-5 in the MZO contains an error and does not specify a minimum building separation requirement for three-story buildings in the RM-2 district. As such, the most stringent requirement is that associated with a two-story building, which is 30 feet. The applicant is requesting a reduction from 30 feet to nine feet to accommodate the Proposed Project.

**Maximum Fence/Wall Height:**

Per Section 11-30-4(A)(b) of the MZO, maximum fence/wall height within the side or rear yard of residentially zoned lots is six feet. The applicant is requesting to increase the maximum fence/wall height to eight feet to provide additional screening to the neighbors to the west based on comments provided by the neighbors with concerns about privacy.

**BIZ Justification:**

Per Section 11-21-3(B) of the MZO, the City Council may approve modifications to the underlying district standards so long as the project includes distinctive, superior quality designs and incorporates sustainable design elements as outlined in Section 11-21-3(B)(2).

Per Section 11-31-32 of the MZO, a superior design is one that incorporates the following five elements; (1) holistic site and project design; (2) responsive approach to the site; (3) sustainable design; (4) site and design standards that exceed the standard development requirements, and quality public spaces and; (5) great public spaces.

The submitted documents show the Proposed Project will include superior design elements that reflect a farmhouse architectural character, provides for shaded pedestrian walkways, and bicycle racks, and feature high-quality amenities and open space areas for recreation.

**Site Plan and General Site Development Standards:**

The proposed site plan shows the development of six multiple residence buildings providing a total of 26 units. All units are three-bedrooms and contain private open space (i.e., balcony or ground floor patio) that complies with the minimum size and dimensional standards set forth in MZO. Three common open space areas are shown on the site plan. A pool and BBQ ramada are shown along Gilbert Road, a playground along the northwest portion of the site, and a dog park along the southwest portion of the site.

Access to the site is provided from Gilbert along the south side of the property and emergency access is provided to/from Gilbert Road along the north side of the property. Per Table 11-32-3.A of the MZO 2.1 parking spaces are required per unit for a total of 57 required parking spaces. Each unit is provided with two garage spaces and 10 guest parking spots are provided on site for a total of 64 parking spaces provided.

Overall, the proposed site plan complies with the review criteria for Site Plan Review in Section 11-69-5 of the MZO.

**Design Review:**

The Design Review Board reviewed the proposed building elevations and landscape plan on December 12, 2023. The applicant is working with staff to incorporate the suggested changes.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest</b> RS-9 Single Residence	<b>North</b> NC Daycare	<b>Northeast</b> (Across Gilbert Road) LC Group Commercial Center
<b>West</b> RS-9 Single Residence	<b>Project Site</b> RS-43 Single Residence	<b>East</b> (Across Gilbert Road) LC Group Commercial Center
<b>Southwest</b> RS-9 Single Residence	<b>South</b> RS-43 Single Residence	<b>Southeast</b> (Across Gilbert Road) RS-9-PAD Single Residence

**Compatibility with Surrounding Land Uses:**

Property to the north is zoned Neighborhood Commercial (NC) and developed with a daycare. An existing commercial center is located northeast of the subject property on parcels zoned GC on the east side of Gilbert Road. Property to the south and west, is zoned RS-9 and RS-43 respectively and developed with a single residence neighborhood. Lastly, parcels to the east, across Gilbert Road, are zoned RS-9-PAD and developed as a single residence neighborhood.

Overall, the proposed development is compatible with existing development in the surrounding area.

**Neighborhood Participation Plan and Public Comments:**

The applicant 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 neighborhood within one mile.

A virtual neighborhood meeting on February 16, 2023, to allow interested parties the opportunity to ask questions and provide opinions on the Proposed Project. Per the Citizen Participation Report, 20-25 citizens participated in the virtual meeting and had general questions about the project, with specific concerns about the proposed density and impacts to their neighborhood. The applicant then had follow up meetings with the concerned community members on March 29, 2023, and April 26, 2023, who had established a steering committee to create unified voice when working with the applicant on the proposed development. Based on feedback from neighbors, the applicant reduced the overall request from 33 units to 26 units and provided additional setbacks and landscaping adjacent to properties to the west. The

applicant is also requesting a deviation from the standard wall height to address privacy concerns provided by the steering committee.

The applicant also had a follow up meeting with members of the neighborhood on February 26, 2024 to further discuss their concerns, where the neighbors provided their concerns on the overall proposed density and traffic impacts created by the Proposed Project. The neighbors then provided a follow up email which state their concerns include that the applicant did not reach out back to the neighborhood prior to scheduling a hearing, lack of transparency of the ownership, and lack of identification on notice letters, in addition to their concerns about the proposed site plan previously stated.

As part of the Citizen Participation Process, the applicant mailed letters of notification and posted a sign on the subject property in compliance with the Planning and Zoning Board notice of public hearing requirements of Section 11-67-5 of the MZO. Staff received three comments submitted for Board Review from members of the public on this case who have concerns about the proposed density, lack of parking and buffering between uses, as well as traffic impacts created by the proposed project. Staff will provide the Board with any new information during the scheduled Study Session on March 13, 2024.

**School Impact Analysis:**

City of Mesa staff provided project information to Mesa Public Schools and requested information on the anticipated impacts of the project and capacity of local schools. As of writing this report, staff did not received any comments Mesa Public Schools.

**Staff Recommendation:**

Staff finds the subject request is consistent with the Mesa 2040 General Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, and the review criteria for a Bonus Intensity Zone Overlay outlined in Section 11-21-3(B) of the MZO.

Staff recommends approval with the following **Conditions of Approval:**

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB23-00539.
3. Prior to the issuance of any building permit record a lot combination for parcels 136-27-021A and 136-27-016A.
4. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication, whichever comes first.
5. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this BIZ and shown in the following table:

<b>Development Standards</b>	<b>Approved</b>
<u>Minimum Building Setback – MZO</u> <i>Table 11-5-5</i>  -Front and Street-Facing Side	

adjacent to a 6-lane arterial (Gilbert Road)	20 feet
-Interior Side and Rear: 3 or more units on a lot (north and south property lines)	1 foot
<u>Minimum Landscape Yards – MZO Table 11-5-5</u>	
-Front and Street-Facing Side (Gilbert Road)	20 feet
-Interior Side and Rear: 3 or more units on a lot (north and south property lines)	1 foot
<u>Minimum Building Separation – MZO Table 11-5-5</u>	
-Two-story buildings	9 feet
<u>Maximum Fence/Wall Height– MZO Section 11-30-4(A)(b)</u>	8 feet

**Exhibits:**

- Exhibit 1 – Staff Report
- Exhibit 2 – Vicinity Map
- Exhibit 3 – Project Narrative
- Exhibit 4 – Site Plan
- Exhibit 5 – Landscape Plan
- Exhibit 6 – Preliminary Grading and Drainage Plan
- Exhibit 7 – Elevations
- Exhibit 8 – Citizen Participation Plan
- Exhibit 9 – Citizen Participation Report
- Exhibit 10 – PowerPoint Presentation