



## Planning and Zoning Board

### *Staff Report*

**P&Z CASE NUMBER:** Z16-037 (PLN2016-00379)  
**LOCATION/ADDRESS:** 2810 North Val Vista Drive and 3558 East McDowell Road  
**REQUEST:** Site Plan Review  
**PURPOSE:** This request will allow for the development of an assisted living facility (previously approved in October, 2010, through case Z10-029)  
**COUNCIL DISTRICT:** District 5  
**OWNER/APPLICANT:** Jennifer Tonna  
**STAFF PLANNER:** Jennifer Gniffke

### **SITE DATA**

**PARCEL NO.:** 141-17-010B, 141-17-011D & 141-17-011E  
**PARCEL SIZE:** 1.69 ± acres  
**EXISTING ZONING:** OC  
**GENERAL PLAN DESIGNATION:** Character Area: "Neighborhood – Citrus"  
**CURRENT LAND USE:** Vacant  
**BUILDING SQUARE FOOTAGE (GFA):** 19,649 sq. ft. ±

### **SITE CONTEXT**

**NORTH:** Vacant-single residences – zoned RS-35  
**EAST:** (across Val Vista) Single residences – zoned RS-35  
**SOUTH:** (across McDowell) Vacant and single residences – zoned O-S & RS-35  
**WEST:** Existing single residences – zoned RS-35

### **HISTORY/RELATED CASES**

**August 19, 1987:** Annexation in 1987 and comparably zoned to R1-35 (Ord. 2243)  
**January 22, 2007:** Rezoned from R1-35 to O-S (Ord. 4665)  
**January 3, 2007:** Design Review approval for Office development (DR07-007)  
**October 20, 2010:** Site Plan Modification for an assisted living facility (Z10-029)  
**October 23, 2010:** Design Review submittal of an assisted living facility, case never scheduled for Design Review Board (DR10-014)  
**December 14, 2010:** Special Use Permit and a Development Incentive Permit for an Assisted Living Facility in an O-S zoning district (BA10-067)  
**September 7, 2016:** Special Use Permit and a Development Incentive Permit for an Assisted Living Facility in an OC zoning district (BA16-041)

**STAFF RECOMMENDATION:** Approval with conditions.

**P&Z BOARD RECOMMENDATION:** ☐ Approval with conditions. ☐ Denial

**PROPOSITION 207 WAIVER SIGNED:** ☒ Yes ☐ No

### PROJECT DESCRIPTION / REQUEST

The applicant requests Site Plan Review to allow a 30-bed assisted living facility within a 19,649 square foot building located at the northwest corner of Val Vista and McDowell. This proposal was previously approved by the Planning and Zoning Board in October of 2010 through case Z10-029 (and shortly thereafter by the Board of Adjustment and the Design Review Board). The previously approved site plan has expired, and the owner now wishes to proceed with developing the property as originally proposed. The Zoning Ordinance does not establish an avenue to reactivate expired site plans, therefore the request has been brought back to the Planning & Zoning Board for consideration. A Special Use Permit (SUP) for an assisted living facility located in the OC zoning district in accordance with section 11-6-4 of the Zoning Ordinance was approved by the Board of Adjustment hearing in September

The assisted living facility design proposes an appearance of a residential dwelling rather than an institution and is intended to provide a home-like environment for the elderly. The proposed building is single-story, the proposed landscaping includes two rows of citrus trees along the street frontages, and a 6-foot masonry wall with wrought iron is also being built to maintain the appearance of a residential dwelling. The proposed building is setback 67' from the right of way to maintain the residential estate development pattern desired in the Citrus Sub-Area.

A Special Use Permit (SUP) for an assisted living facility located in the OC zoning district in accordance with section 11-6-4 of the Zoning Ordinance was approved by the Board of Adjustment hearing in September.

### MODIFICATIONS

Development of this small, infill site needed a few modifications to code as shown on the chart below to allow a building that would meet the design standards of this area.

Development Standard	Code Requirement	DIP Approved Standards
<b>Building setbacks</b> (adjacent to RS District)	25'	18'
<b>Landscape setbacks</b> (adjacent to RS District)	20'	10'
<b>Parking Requirements</b>	1.0 space for each room plus 2 additional spaces for development with congregate dining and no distinguishable separate dwelling units	1.0 space for each room (total = 26 spaces)

The applicant applied for a Development Incentive Permit (DIP) through the Board of Adjustment to address these modifications. These modifications were approved by the Board of

Adjustment at their September meeting.

### **NEIGHBORHOOD PARTICIPATION**

A citizen participation plan is required as part of this zoning case. The applicant met with the neighbors at various times since the purchase of the land. During the original review of this proposal in 2010, the applicant held a neighborhood meeting and mailed information to surrounding property owners and neighborhoods. The applicant met with Mr. Lew Lenz and kept him informed and received positive feedback.

For the current review and processing of the proposal, the applicant notified property owners within 1,000', registered neighborhood associations within one mile, and homeowners associations within one-half mile of the site. The notification included a letter describing the project and exhibits showing the proposal. The applicant has submitted a summary of all meetings with neighbors including Lew Lenz for the case file.

The Board of Adjustment and Design Review Board meetings for this case included notification to surrounding property owners. No citizens appeared to address either board at their meetings. The Design Review Board supported the applicant's design and directing staff to work with the applicant to update plans for final Design Review approval.

To date staff has not received any comments or concerns related to this request.

### **MESA 2040 GENERAL PLAN**

*Summary: The site plan review request to build an assisted living facility is in conformance with the General Plan by providing the anticipated mix of land uses on arterials and major intersections within neighborhood areas and by providing for housing diversity while maintaining the residential, citrus character of the local area.*

The goal of the Mesa 2040 General Plan is to establish and maintain neighborhoods and to build a sense of place in neighborhoods and in commercial/employment areas of activity. Rather than focusing on individual land uses, the Plan focuses on the "character of development in different areas." Character types combine concepts of land use with building form and intensity to describe the type of area being created through the development that occurs.

Within the Neighborhoods character area, the primary focus is to provide safe places for people to live where they can feel secure and enjoy their surrounding community.

**Criteria for review of proposal:** The following criteria (Ch. 15 of the General Plan) have been developed for use during the review process to determine whether the proposed development is achieving the vision and goals established in the General Plan and thus meeting the statute requirements.

#### **1. Is the proposed development consistent with furthering the intent and direction contained in the General Plan?**

The General Plan focuses on creating land development patterns that emphasize the character of place and focusing on those principles that build neighborhoods, stabilize the job base, and improve the sense of place.

*The character type for this area is Neighborhood - Citrus, the primary focus of which is to provide safe places for people to live, feel secure and enjoy their community, in an area with large lots with single-residence homes surrounded by citrus trees and other large-leaf foliage and trees along streets. The subject property is at the intersection of two arterial streets, which makes it less likely to be developed as single-family residential. The proposed development is a business, but the business is residential in nature, and the building is designed to resemble a large home.*

**2. Is the proposed development consistent with adopted sub-area or neighborhood plans?**

*The proposed development is within the Citrus Sub-Area, which was adopted by City Council through a resolution. The Citrus Sub-Area Plan designates this intersection corner for office and related uses, as long as the project maintains the rural citrus character of the area, and is "compatible with the existing residential community and looks like a custom residential dwelling with respect to site layout, landscaping, and architectural design" (Chapter 4, Section 3).*

*To follow the Citrus Sub-Area Office Development Guidelines, the project has been designed to resemble a residential home rather than an institutional facility. The proposed building is single-story (Guideline 1); the building is located in the rear most corner of the property, with parking located in front but screened from view from the street by trees and a masonry/wrought iron wall (Guideline 2); the proposed landscaping includes two rows of citrus trees along the street frontages (Guideline 3); the north and west property lines will include an 8' high masonry wall, and will be planted with citrus or other fast growing trees to shield the building from the adjacent uses (Guidelines 4&5).*

*Guideline 3 states that a 20' landscape setback along the side and rear (north and west) property lines. The proposal includes requests to deviate from landscape setback requirements, along short stretches of the property line, to accommodate a trash enclosure and minor building encroachments. These deviations have been approved via a Development Incentive Permit through the Board of Adjustment.*

*Guidelines 6, 7 and 9 discuss limitations to business hours and outdoor activities/noise for potential office uses. The visiting hours and outdoor activities for the assisted living facility are anticipated to be similar to, if not the same as, those for the existing assisted living facility owned by the same person on the opposite corner of the intersection, and Staff is of the understanding that the neighbors have not had any complaints regarding that facility.*

*Guideline 8 states that the office use shall be parked for potential medical use; however, that would at least double the size of the parking lot.*

*No monument sign is currently proposed for the site, but if one is proposed in the future, it*

would be limited to that allowed by the Zoning Ordinance for the OC zoning district (Guideline 10).

Guideline 11 states that uses that are currently allowed by special permit should not be allowed in the Citrus Sub-Area. Assisted living facilities are allowed by Special Use Permit in the OC zoning district. However, the lot size is similar to the surrounding lots, and the massing and size of the building is consistent with the Citrus Sub-Area Plan and with the neighborhood as a whole.

The relatively small size of the Assisted Living Facility with 30 beds and less than 20,000 square-feet of building means that the overall scale is not much greater than adjacent residential estate development within the Citrus Area. In general, this design is consistent with the preferred office development guidelines in the Citrus Area.

**3. Is the proposed development consistent with the standards and guidelines established for the applicable character type(s)?**

As stated previously, the Character Area map of the Mesa 2040 General Plan shows this area as Neighborhood - Citrus. The proposed building meets the form and guidelines identified in the General Plan for this character type, and the use is compatible with single-residential.

**4. Will the proposed development serve to strengthen the character of the area by:**

**• Providing appropriate infill development;**

The vacant corner lots at arterial street intersections in the Citrus Sub-Area are not anticipated to be developed as single-residences, and therefore offer opportunities for non-residential, yet relatively quiet uses that are compatible with single-residences. The owner of this facility has already developed another assisted living facility on the opposite corner of this same intersection, and reports to have had no compatibility issues with the neighbors.

**• Removing development that is deteriorated and/or does not contribute to the quality of the surrounding area;**

The proposal, if approved and constructed, will provide development for a currently vacant corner of the intersection. The development will contribute to the quality of the area by re-establishing citrus trees on the property.

**• Adding to the mix of uses to further enhance the intended character of the area;**

The proposed development will be similar to the existing facility on the southeast corner of the intersection and within the Citrus Sub-Area scheme for limited non-residential uses at major intersections.

**• Improving the streetscape and connectivity within the area;**

The development will include sidewalks and street frontage landscaping along Val Vista and McDowell.

**• Meeting or exceeding the development quality of the surrounding area;**

The proposal includes landscaping, hardscaping, and a building design that are all designed with the surrounding Citrus neighborhood in mind.

**5. Does the proposed development provide appropriate transitions between uses? In more urban areas these transitions should generally be accomplished by design elements that allow adjacent buildings to be close to one another. In more suburban**

**locations these transitions should be addressed through separation of uses and/or screening;**

*Yes; the proposed development includes landscaping and walls as buffers between the building/parking and the surrounding properties.*

### **STAFF ANALYSIS**

The applicant is requesting site plan approval for the proposed assisted living facility, as previously approved by the Planning & Zoning Board in 2010. The proposal is similar to a facility built by the same owner across the intersection located at the southeast corner of Val Vista and McDowell. This single-story assisted living facility is designed to be compatible with the unique Citrus character of the area. The Special Use Permit, Development Incentive Permit have been approved to allow the proposed use and to provide for a few minor deviations from Code. The Design Review processes will be used to finalize details on building design and landscaping to ensure the unique quality of the area is maintained.

When case Z10-029 was heard by the Planning and Zoning Board in 2010, the surrounding property owners requested a 10-foot perimeter wall along the western property line, rather the typical 8-foot authorized by the Zoning Ordinance or the 6-foot wall proposed by the applicant. In this case the Board concluded that an 8-foot wall as sufficient and but did not add a specific condition of approval relative to the wall. This site plan has included an 8-foot wall.

### **CONCLUSION:**

The applicant requests re-approval of an expired site plan for a previously approved assisted living facility for this vacant corner. The proposed development is similar to the existing assisted living facility for the southeast corner of the same intersection. The proposed architectural solutions take advantage of the unique character of this Citrus Sub-Area of single-story custom homes surrounded by citrus groves on large lots.

The proposed project complies with requirements of the Zoning Ordinance and Citrus Sub-Area Guidelines. The site plan and building are well designed and will blend in with the existing residential areas, contributing to the overall theme of the Citrus Sub-Area. This project will be compatible with and not detrimental to surrounding properties.

Staff is recommending approval of these requests subject to the following:

### **CONDITIONS OF APPROVAL:**

1. Compliance with the development as described in the project narrative (except as modified below) and as shown on the site plan, preliminary elevations, and landscape plan provided.
2. Compliance with all City development codes and regulations.
3. Review and approval of a Special Use Permit by the Board of Adjustment for assisted living facility.

4. Review and approval of Development Incentive Permit by the Board of Adjustment for modifications to site plan development standards.
5. Compliance with all requirements of the Board of Adjustment and Design Review Board request.
6. The owner shall grant an Avigation Easement and Release to the City, pertaining to Falcon Field Airport, which will be prepared and recorded by the City.
7. Noise attenuation measures be incorporated into the design and construction of the building to achieve a noise level reduction of 25 db.