



Planning and Zoning Board

Staff Report

CASE NUMBER: ZON19-00067
LOCATION/ADDRESS: Within the 400 to 600 blocks of North Ellsworth Road (west side) and within the 9000 to 9200 blocks of East Decatur Road (south side).
GENERAL VICINITY: Located north of University Drive on the west side of Ellsworth Road.
REQUEST: Rezoning from RS-9 and RS-43 to RM-3-PAD; and Site Plan Review.
PURPOSE: This request will allow for the development of a multi-residential use.
COUNCIL DISTRICT: District 5
OWNER: Ellsworth-University, LLC
APPLICANT: Sean Lake, Pew & Lake, PLC
STAFF PLANNER: Evan Balmer

SITE DATA

PARCEL NO.: 218-07-038A, 218-07-040A and 218-07-041C
PARCEL SIZE: 13.07± acres
EXISTING ZONING: RS-9 and RS-43
GENERAL PLAN CHARACTER: Neighborhood
CURRENT LAND USE: Vacant

SITE CONTEXT

NORTH: Vacant – Zoned Maricopa County RU-43
EAST: Vacant – Zoned Maricopa County RU-43
SOUTH: Vacant – Zoned LC
WEST: State Loop 202 Red Mountain Freeway

STAFF RECOMMENDATION: Approval with conditions

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

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

PROJECT DESCRIPTION / REQUEST

The applicant intends to develop the property for a multi-residence use. The site plan shows a proposed development consisting of 135-units of multi-residence dwelling units.

NEIGHBORHOOD PARTICIPATION:

The applicant has completed a Citizen Participation Process, which included a mailed letter to property owners within 1,000' of the site, as well as HOAs and registered neighborhoods within a mile. The applicant held a neighborhood meeting on February 4, 2019 at Taft Elementary School, which is located within one mile of the site. Four neighbors signed in at that meeting. According to the minutes provided by the applicant, the questions pertained to:

- Whether there would be a wall surrounding the property.
- If the developer had other local projects that the neighbors could look at.
- Will there be a future expansion to the south?
- What is the size of the storage spaces?
- What is the proposed density?
- What is going to develop along Decatur Road?
- Will the lighting be dark sky compliant?
- Will there be a traffic signal installed?

Staff has not been contacted by any residents in the area.

STAFF ANALYSIS

MESA 2040 GENERAL PLAN:

Staff reviewed the request and determined it is consistent with the criteria for review outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan. The General Plan designation on the property is "Neighborhoods" character area. Per Chapter 7 of the General Plan, the primary focus of the Neighborhood character area is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The proposed development will establish a unique neighborhood character that is consistent with the goals and objectives of the General Plan.

ZONING:

The subject site is currently under the land use jurisdiction of Maricopa County and zoned R1-8 (Single Family Residential) and RU-43 (Rural Zoning District). The applicant has applied for an annexation (Case# ANX19-00066) to bring the property under the jurisdiction of the City of Mesa. The planned annexation, if approved, will assign RS-9 and RS-43 zoning districts on the property. Currently, the annexation review is planned to run concurrently with the timeline of the subject request. These zoning designations are comparable districts to the Maricopa County zoning designation on the property. In addition to the associated zoning designation to be assigned through the annexation, the applicant is requesting to rezone the assigned zoning from RS-9 and RS-43 to RM-3-PAD. The purpose of this rezoning is to allow the development of a multi-residence use on the property.

PLANNED AREA DEVELOPMENT (PAD) OVERLAY:

As part the PAD request, the applicant is proposing deviations from certain required development standards of the MZO pertaining to the site. The deviations are listed in Table 1 below:

Table 1

	RM-3 (Required)	RM-3-PAD (Proposed)
Minimum building and landscape setbacks for front and street facing sides (MZO Section 11-5-5): <ul style="list-style-type: none"> Local street (Decatur Road) Freeways (Loop 202) 	20' 30'	0' landscape/8' building 0' landscape/8' building
Minimum separation between buildings on the same lot (MZO Section 11-5-5)	25'	10'
Maximum wall height in the RM district (MZO Section 11-30-4) <ul style="list-style-type: none"> Front yard Side and rear yards 	3.5' 6'	8' 8'

Per Section 11-22-1 of the MZO, the purpose of a PAD is to allow for innovative design and flexibility in project of sufficient size that are planned for development as a cohesive unit. According to the applicant, the requested deviations to setbacks are needed due to the location of the property. As shown on the site plan, the property has frontage along Decatur and Ellsworth Road. And although Decatur Road is public right-of-way, there are no privately-owned parcels along it besides the subject property. Additionally, Arizona Department of Transportation (ADOT) has closed Decatur Road and is using the properties on the north side of Decatur Road as an equipment storage yard for their vehicles. The west side of the property is along the Loop 202 freeway right-of-way. The applicant is requesting a decrease in the required building and landscape setbacks along the northern and western property boundaries in order to provide an enhanced site plan and open space within the development. According to the applicant and the provided site plan, providing enhanced landscaping within the development instead of along the northern and western property boundary will be of a greater value and benefit to residents of the community than adhering to the basic requirements.

The applicant is also requesting a deviation to the maximum wall height allowed in the RM-3 zone. Per Section 11-30-4 of the MZO, the maximum allowed wall height in the side and rear yards is 6 feet and the maximum allowed height in the front yard is 3.5 feet. The applicant is proposing to construct an 8-foot-tall wall along Ellsworth Road, Decatur Road and along the western property boundary. According to the applicant and the site plan, the section of the property along Ellsworth Road is substantially at a higher elevation and grade than the remaining section of the site which creates a physical impediment to meet the requirement of a 6 feet high fence, as the higher grade level adds to the increase in the height of the fence. The request to construct 8 eight feet high fence along the western and eastern property is to create a uniform fence height along those sections of the property and to also serve a noise buffer from vehicular traffic along those roads.

The third deviation from the MZO standard is the separation requirements between buildings on the same lot. MZO Section 11-5-5 requires a minimum of 25 feet between buildings on the same lot. The applicant is requesting a reduction of 15 feet and allow the separation between buildings on the same

lot on the property to be 10 feet. According to the applicant, this deviation is being requested to facilitate an efficient site design and open space network. Staff has no concerns with the proposed modifications.

SITE PLAN - MZO Section 11-69-5:

The proposed site plan conforms to the criteria for site layout and functionality outlined in MZO Section 11-69-5. The proposed multiple-residence development will contain 135 units that consist of 46 one bedroom attached units and 86 two-bedroom detached units.

According to the site plan, 282 parking spaces will be provided on the property. Of the 282 parking spaces, 135 will be covered, 107 will be uncovered and 40 will be garages. Access to the site will be from Ellsworth Road.

The proposed site plan shows groupings of four to five buildings that open up to a small courtyard area that includes a turf and/or seating area. Additionally, there is a large turf open space area and a dog park in the center of the site. There is also a club area and a pool for the residents located adjacent to the central open space area.

CONCLUSION:

The subject request is consistent with the General Plan and all review criteria for site plan review outlined in Chapter 69 of the City of Mesa Zoning Ordinance (Section 11-69-5). Staff recommends approval with the following conditions:

CONDITIONS OF APPROVAL:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations, except as modified in Table 1 in the staff report.
3. 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.
4. Compliance with all requirements of Design Review.