



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

May 8, 2019

CASE No.: **ZON19-00126**

PROJECT NAME: **Inspira at Gateway**

Owner's Name:	Langley Banner Gateway, LLC
Applicant's Name:	Ralph Pew, Pew & Lake, PLC
Location of Request:	Within the 4500 block of East Banner Gateway Drive (south side) and within the 1700 and 1800 blocks of Old Greenfield Road (east side). Located north of Baseline Road and east of Greenfield Road.
Parcel No(s):	140-68-003P
Request:	Rezoning from AG to RM-4-PAD; Site Plan Review; and a Special Use Permit to allow for a nursing home in the RM-4 district. This request will allow for the development of an assisted living facility with a nursing home.
Existing Zoning District:	Agricultural (AG)
Council District:	2
Site Size:	4± acres
Proposed Use(s):	Assisted Living / Nursing Home
Existing Use(s):	Vacant
Hearing Date(s):	May 8, 2019 / 4:00 p.m.
Staff Planner:	Cassidy Welch
Staff Recommendation:	APPROVAL with 6 Conditions
Planning and Zoning Board Recommendation:	Approval with conditions
Proposition 207 Waiver Signed:	Yes

HISTORY

On **June 16, 1982**, the property was annexed into the City of Mesa. No significant activity has occurred on the property since 1982.

PROJECT DESCRIPTION

Background:

The applicant intends to develop the subject property as an assisted living facility. The facility will include independent living and memory care. Currently, the zoning designation on the property is Agriculture (AG) which does not allow such a use. The rezoning request from AG to Multiple Residence District 4 (RM-4) is to obtain approval of a zoning designation on the property to allow the proposed use. Per Section 11-5-2 of the Mesa Zoning Ordinance (MZO), a Special use Permit is required to allow an assisted living facility in the RM-4 district. The applicant is also requesting Site Plan Review and modifications to certain development standards through a Planned Area Development (PAD) overlay to allow certain development standards for development of the property. The site is located north of Baseline Road east of Greenfield Road and is currently vacant.

General Plan Character Area Designation and Goals:

The subject property is located in the City's Employment character area designation. Per Chapter 7 of the General Plan, the primary focus of the Employment character type is to provide for high quality employment and commercial development. This character type is primarily used for employment-type land uses that are typically large in site size (20 acres). Residential uses in the Employment character area may be included, however, they should be developed in a manner that supports the continued development of the employment uses.

Rezoning of the subject property from Agriculture to Multiple Residence (RM-4) will not be out of character with the surrounding General Plan character designations of Mixed Use Activity Center and Employment and development trends in the area. Allowing an assisted living facility will be compatible with the surrounding area. Per Chapter 16 (pg 16-22) of the General Plan, the subject rezoning request does not require a General Plan Amendment. Staff reviewed the request and determined it is consistent with the criteria for review outlined in Chapter 15 (pg 15-1) and Chapter 16 (pg. 16-22) of the Mesa 2040 General Plan. Development of the property for an assisted living will also conform to the surrounding development of the area.

Zoning District Designations:

The subject property is currently zoned AG – Agricultural. The applicant is requesting to rezone the property from AG to RM-4 with a Planned Area Development overlay (RM-4-PAD). Per Section 11-5-2 of the MZO, nursing home facilities are permitted with the approval of a Special Use Permit in the RM-4 zoning district.

Planned Area Development (PAD) Overlay – MZO Article 3, Chapter 22:

The request includes a Planned Area Development (PAD) overlay in accordance with Section 11-22 of the MZO. The purpose of this request for an overlay is to allow modifications to certain required standards for development of the property.

Table 1 below shows the MZO required standards, the applicant's proposed PAD standards, and staff recommendations.

Table 1

RM-4 Development Standards	Required	Proposed	Staff Recommendation
Parking	142 spaces	129 spaces	As proposed
Street-Facing Side Setback (Collector)	25 feet	20 feet	As proposed

As shown on the table above, the applicant is requesting two deviations from the RM-4 zoning district development standards. The first is for a reduction in the number of required parking spaces. Section 11-32-3 of the MZO requires 2.1 parking spaces per dwelling unit for the Independent Living component of an assisted living facility and 1 parking space per dwelling unit with an additional 2 parking spaces for the Assisted Living and Nursing Home/Memory Care components of such a facility. Based on these requirements, a total number of 142 parking spaces is required for development of the site. The applicant is proposing 129 parking spaces. This equates to a parking ratio of 1.06 parking spaces per unit. The applicant conducted a parking study on similar facilities in the area and found residents in the Independent Living component of such assisted living facility typically require only one car per unit. Residents in the Assisted Living and Memory Care components typically do not drive or are unable to drive and do not need parking spaces. They also typically have fewer visitations. Based on the information provided by the applicant, the proposed parking is adequate to serve the facility.

The second deviation is for a reduction in the required street-facing side building and landscape setbacks along Banner Gateway Drive. Section 11-5-5 of the MZO requires a 25-foot building and landscape setback for front and street facing sides in the RM-4 district. The applicant is requesting a reduction from 25 feet to 20 feet along Banner Gateway Drive. According to the applicant, the reduction is to mitigate the impact of the proposed development on the property to the south by bringing the building closer to the street and creating a greater buffer to the detached single residence to the south. The proposed site plan shows that the building will be located 67 feet from the southern property line.

Special Use Permit (SUP) – MZO Section 11-70-5:

Section 11-5-2 of the Mesa Zoning Ordinance (MZO) requires a Special Use Permit (SUP) for Nursing Homes in the RM-4 district. Per Section 11-70-5 (E) of the MZO, approval of a SUP shall only be granted if the approving authority determines that the proposed development conforms to the criteria for approving a SUP outlined in the Zoning Ordinance. The criteria for approval of an SUP includes ensuring the proposed development will advance the goals and objectives as well as consistent with the General Plan and other City policies; the location, design and operating characteristics of the use conforms to the General plan; the proposed development will not be injurious or detrimental to the adjacent or surrounding properties; and there is adequate facilities to support the development. Staff reviewed the SUP request and determined it is consistent with the General Plan and the MZO.

Site Plan and General Site Development Standards:

The subject site is vacant and approximately 4 acres in size. The applicant is proposing one contiguous building, located in the center of the site, ranging from two to three stories with the three-story component placed at the westernmost end of the site, adjacent to a canal. Overall,

the development will consist of 121 units ranging from studios to two-bedroom floor plans. From the site plan, the main entry and visitor parking will be located in the center front of the building, adjacent to Banner Gateway Drive. There will also be additional parking to the east, west and south sides of the building.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Banner Gateway Dr.) LC Commercial	North (Across Banner Gateway Dr.) RM-3-PAD Apartment Complex	Northeast (Across Banner Gateway Dr.) LI-PAD Vacant
West LI-PAD Business Park	Subject Property AG Vacant	East RM-3-PAD Proposed Apartment Complex
Southwest LI-PAD Business Park	South AG Residential	Southeast RM-3-PAD Proposed Apartment Complex

Compatibility with Surrounding Land Uses:

The property to the south is zone AG – Agricultural and is currently being used as a detached single residence. In 2015 and 2017, the City Council approved to rezone the properties to the east and north, across Banner Gateway Drive, to RM-3-PAD. Both sites are currently being developed as multi residence uses. Rezoning of the subject property to allow an assisted living facility will not be out of character with the surrounding area.

The subject site is located within 1 mile of the Banner Gateway Medical Center. According to the applicant, the site was strategically selected for the proposed development because of its proximity to the medical facilities, as the proposed development and its residents will benefit from the proximity of the site to a facility with medical professionals.

Neighborhood Participation Plan and Public Comments:

The applicant has completed a Citizen Participation Process, which included a neighborhood meeting. All property owners within 1000 feet of the site, as well as HOAs within ½ mile and registered neighborhoods within 1 mile of the site were notified of the neighborhood meeting. No residents attended the neighborhood meeting. As of writing this report, staff have not been contacted by any residents or property owners in the area expressing support or opposition to the project. The applicant will be providing an updated Citizen Participation Report prior to the May 8, 2019 Study Session. Staff will provide an update of the citizen participation to the Board during the scheduled study session.

Staff Recommendations:

The subject request is consistent with the General Plan and meets the review criteria for Site Plan Review outlined in Section 11-69-5 and for Planned Area Development overlays outlined in Section 11-22 of the MZO. The proposed project is also consistent with the review criteria for a Special Use

Permit outlined in Section 11-70-5 of the MZO; therefore, staff recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with final site plan submitted.
2. Compliance with all requirements of Design Review.
3. Compliance with all City development codes and regulations, except as modified in Table 1 of the staff report.
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. All off-site improvements and street frontage landscaping shall be installed in the first phase of construction.
6. During construction provide temporary landscaping, extruded curbs, and screen walls where parking and loading/service areas are visible from the right-of-way or any public area.