



PLANNING DIVISION
STAFF REPORT

City Council Hearing

September 26, 2019

CASE No.: **ZON19-00304**

PROJECT NAME: **Cabana on Power Road**

Owner's Name:	Power Road Gateway, LLC
Applicant's Name:	Sean Lake, Pew & Lake, PLC
Location of Request:	Within the 6000 through 6300 blocks of South Power Road. Located south of Williams Field Road between the northbound and southbound lanes of Power Road.
Parcel No(s):	304-49-007L
Request:	Rezone from RM-4-BIZ and LC-BIZ-CUP to RM-4-PAD; and Site Plan Review. This request will allow for a multiple residence development.
Existing Zoning District:	Multiple Residence (RM-4-BIZ) and Limited Commercial (LC-BIZ-CUP)
Council District:	6
Site Size:	11± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Vacant
P&Z Hearing Date(s):	August 14, 2019 / 4:00 p.m
Staff Planner:	Cassidy Welch
Staff Recommendation:	Approval with Conditions
Planning and Zoning Board Recommendation:	Approval with conditions
Proposition 207 Waiver Signed:	Yes

HISTORY

On **October 20, 1997**, the property was annexed into the City of Mesa (Ord. #3398) and subsequently zoned Agriculture (AG) (Case# Z97-081).

On **September 17, 2017**, the City Council rezoned the site from AG to Multiple Residence and Limited Commercial with a Bonus Intensity Zone overlay (RM-4-BIZ & LC-BIZ) with a Council Use

Permit to allow the development of a multi-residential development with commercial and retail uses.

PROJECT DESCRIPTION

Background:

The subject site is currently vacant. The purpose of the proposed request is to rezone a portion of the property from RM-4-BIZ and LC-BIZ-CUP to RM-4-PAD to allow modifications to certain development standards to accommodate development of a multiple-residence use on the property. Currently, the southern portion of the site is zoned LC-BIZ and there are no proposed changes to this portion of the property. That portion is excluded from the subject request. Future development of this section would require Site Plan Review approval through the Planning & Zoning Board.

According to information on file, the property received its current zoning designation of RM-4-BIZ, LC-BIZ-CUP and LC-BIZ as a part of an approval of a mixed-use development in 2017. The BIZ overlay was approved to allow an increase in height of 50 feet from the required 40-foot maximum in the RM-4 district. The Council Use Permit was requested to allow residential uses in a commercial district. As part of the subject request, the Council Use Permit will be eliminated.

General Plan Character Area Designation and Goals:

The General Plan Character area designation on the property is Specialty. Per Chapter 7 of the General Plan, the primary focus of the Specialty character designation is to encourage large areas devoted to single use such as an educational campus, airport, or medical facility. The plan identifies that typical uses for this character type may be supported by retail, offices, residential, hotels, or dormitories. In addition, development in the character area should maintain a campus feel and connection between buildings as well as high quality building design and materials. The property falls within a larger development area that includes the ASU Polytechnic Campus and the Phoenix-Mesa Gateway Airport. The proposed project provides supportive residential and is consistent with adjacent uses and conforms with the Specialty character area designation. Staff also reviewed the request and determined it is consistent with the criteria for review outlined in Chapter 15 (pg. 15-1&2) of the Mesa 2040 General Plan.

Gateway Strategic Development Plan:

The site is also located within the Airport/Campus District of the Gateway Strategic Development Plan. According to the plan, the focus of the Airport/Campus District is to provide a variety of uses that support regional destinations within the area. Multiple-residence developments are an appropriate use within the district.

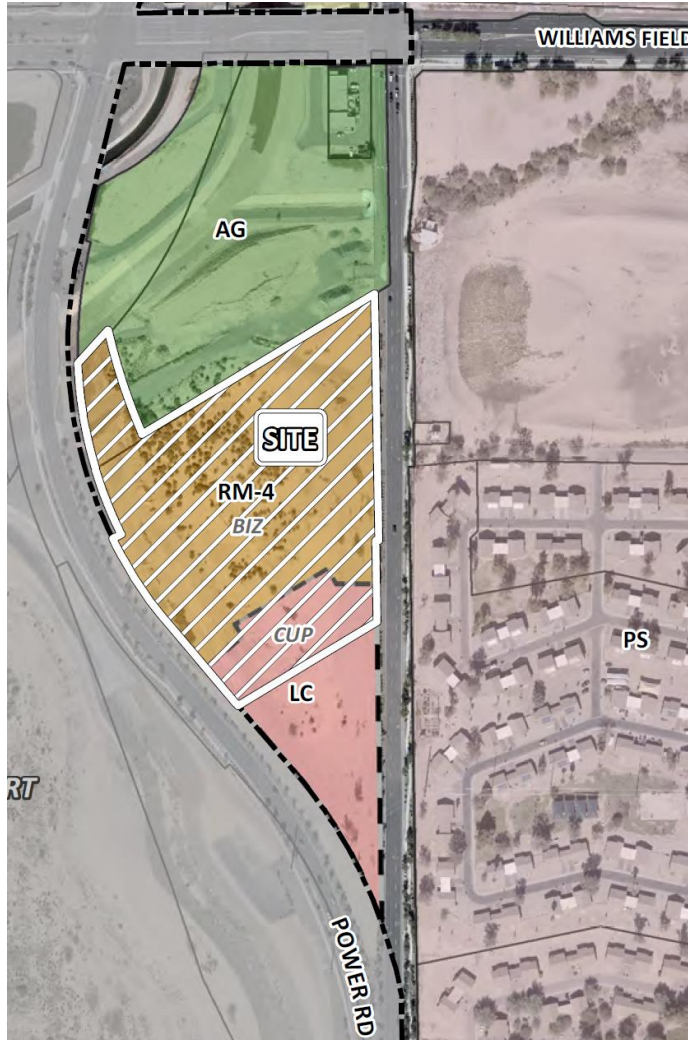
Airfield Overlay – Mesa Zoning Ordinance (MZO) Article 3, Section 11-19:

Per Section 11-19 of the MZO, the property is located within the Airfield (AF) Overlay District. Specifically, within the Airport Overflight Area One (AOA 1). The location of the property within AOA 1 is due to its proximity to the Phoenix-Mesa Gateway Airport (Condition #7).

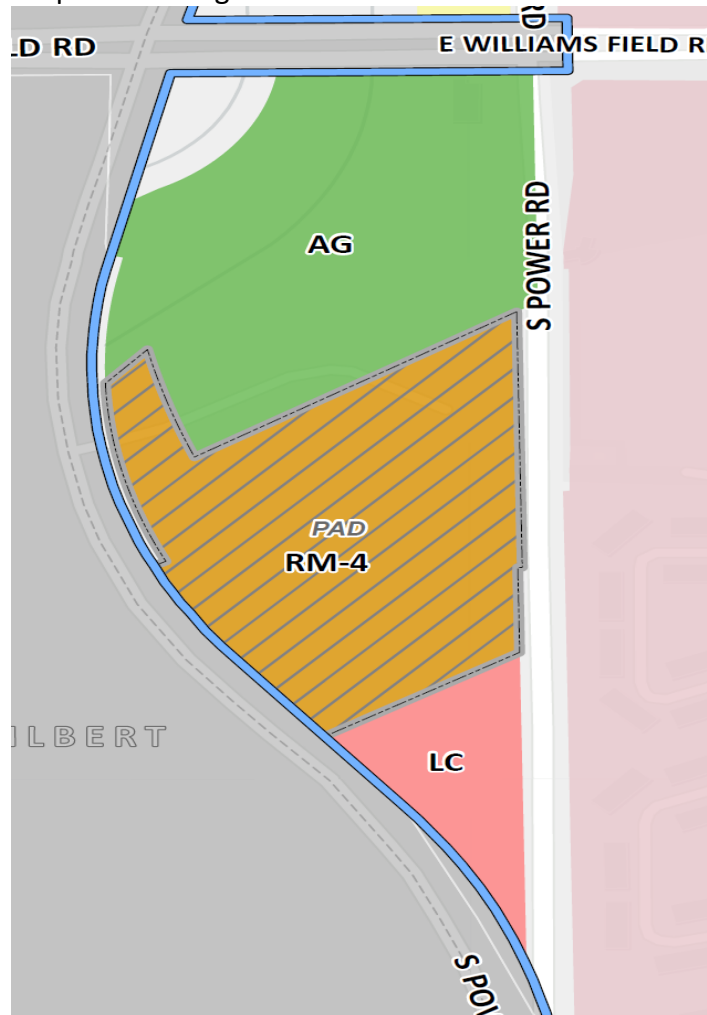
Zoning District Designations:

The subject property is currently zoned RM-4-BIZ and LC-BIZ-CUP. The applicant is requesting to rezone a portion of the property (approximately 8 acres) from RM-4-BIZ and LC-BIZ-CUP to RM-4-PAD to allow modifications to certain development standards to allow the development of a multiple-residence use.

Existing Zoning:



Proposed Zoning:



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 development standards as it pertains to development on the property. The overlay is also to allow innovative design and flexibility that creates a high-quality development for the site.

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
Landscape Setbacks			
Front (Power Roads)	30’	25’	As proposed
Interior Side (North)	15’	0’	As proposed

Minimum Building Separation for Parking Canopies	20'	13.5'	As proposed
Maximum Height	40'	43'	As proposed
Maximum Fence Height within Front Setback	3.5'	6'	As proposed
Private Open Space Studio & 1 bedroom 2 bedroom Minimum Dimensions Access	60 SF/unit 100 SF/unit 10' x 10' From Private Space	60 SF average 60 SF average 3.5' x 14' From Public Space	As proposed As proposed As proposed As proposed
Parking	2.1 spaces/unit	1.4 spaces/unit	As proposed

As shown in the table above, the applicant is requesting several deviations from the RM-4 zoning district development standards. The property is a unique, polygon-like shape, with a narrowing width on the southern portion that makes full conformance with current development standards difficult. From the outlined table above, the requested deviations are to accommodate the proposed development on the property. The degree of modifications requested are consistent with the degree of site improvements and superior quality provided. A summary of specific intended reason from the deviations are discussed below:

Landscape Setbacks: Section 11-5-5 of the MZO requires a 30-foot landscape setback for street-facing setbacks and a 15-foot landscape side setback. Due to the existing constraints of the site, the applicant is requesting a reduction of the required landscape setback from 30 feet to 25 feet on the east and west sides of the property, specifically along the Power Road frontages. The site plan also shows a reduction of the landscape setback from 15 feet to 0 feet on the north side of the site. This section of the property is adjacent a Flood Control Channel. According to the applicant, the requested reduction will allow for the proposed development while also maintaining a sufficient landscape buffer along the perimeter of the site.

Building Separation: Section 11-5-5 of the MZO requires a minimum of 20-foot building separation from the parking canopies. Due to the irregular shape of the property, the applicant is requesting a reduction of this minimum separation, specifically a reduction from 20 feet to 13.5 feet. According to the applicant, the majority of the parking canopies comply with the 20-foot requirement and the reduction is requested only in areas with physical constraints that will impede internal traffic flow and safety.

Building Height: Section 11-5-5 of the MZO allows a maximum height of 40 feet in the RM-4 zoning district. The applicant is requesting a maximum building height 43 feet. This request is to provide flexibility to allow variations to the rooflines of the buildings.

Fence Height: Section 11-30-4 of the MZO requires a maximum 3.5 feet tall fence within the front setback in all residential zoning districts. The applicant is requesting an increase in the maximum height from 3.5 feet to 6 feet. This request is as a result of the site constraints and to allow site security and a reasonable buffer from Power Roads.

Private Open Space: The applicant is also requesting a deviation to the required private open space for development of a multiple residence use. Section 11-5-5.C of the MZO outlines specific development standards for minimum dimensions, square footage per unit type, and access. The MZO also limits access of private open space to be from only one private livable area. The proposed project includes locating private open spaces at the entrance of the units along a common open-air passageway. The proposed open space is adjacent to the common passageway and will feature an alternative pavement to distinguish the private open space from the public passageway. The applicant has indicated that the requested deviations will promote a greater sense of community by promoting greater connection between neighbors and create an appropriate transition from the public open space and courtyards to the private interior space. As further justification for the requested deviations, the site plan shows useable public open space to be provided on the property exceeds the minimum open space requirements. Per Section 11-5-5 of the MZO, the minimum public open space required is 150 square feet per unit, the proposed site plan shows approximately 300 square feet per unit. The proposed development also includes 4 distinct, themed courtyards, community gardens, dog park, and active paths/open space.

Parking Standards: The final deviation being requested is for a reduction to the number of parking spaces required. Section 11-32-3 of the MZO requires a minimum parking ratio of 2.1 spaces per unit for a multiple residence. The applicant is requesting a parking ratio of 1.4 spaces per unit. According to the applicant, the proposed parking ratio is consistent with similar multiple residence projects constructed and operated by the developer in Mesa, Scottsdale, and Phoenix. The subject site is within close proximity to the Phoenix-Mesa Gateway Airport and the ASU Polytechnic Campus which will reduce demand for parking. The applicant anticipates that the majority of residents will be ASU students or airport employees. To encourage alternative transportation, the developer will be constructing a pedestrian crossing across the northbound lane of Power Road.

In exchange for the requested deviations, the applicant is proposing quality and active open space that exceeds the minimum requirements, enhanced pedestrian connections, and high-quality building and landscape design. Staff is supportive of the requested modifications.

Site Plan and General Site Development Standards:

The subject site is vacant and approximately 11± acres in size and will be accessed from both the northbound and southbound lanes of Power Road. The applicant is proposing a 3-story, 244-unit multiple residence development. The proposed development includes one centrally located building that will consist of 4 quads. From the site plan, each quad will be oriented around a themed courtyard. The quads are interconnected through shaded entry corridors and outdoor amenity areas. The site plan also shows the leasing office will be located on the south side of the development and includes amenities such as a fitness center, a co-workspace, and pedestrian access to a future commercial development to the south of the site. The commercial development to the south will require a separate site plan approval.

Design Review:

The Design Review Board reviewed the subject request on July 9, 2019 Work Session and complimented the quality of the design of the development. The Board had minor suggestions for improvements. Staff is working with the applicant to finalize the design.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Power Road) Gilbert PF/I Vacant	North AG Flood Control Channel	Northeast (Across Power Road) PS ASU Polytechnic Campus
West (Across Power Road) Gilbert PF/I Vacant	Subject Property RM-4-BIZ and LC-BIZ-CUP Vacant	East (Across Power Road) PS ASU Polytechnic Campus
Southwest (Across Power Road) Gilbert PF/I Vacant	South LC-BIZ Vacant	Southeast (Across Power Road) PS ASU Polytechnic Campus

Compatibility with Surrounding Land Uses:

The subject site is adjacent to the ASU Polytechnic Campus and Phoenix-Mesa Gateway Airport. The proposed use will be compatible with surrounding uses.

Neighborhood Participation Plan and Public Comments

The applicant held a neighborhood meeting on February 21, 2019. According to the Citizen Participation Report, notifications were mailed to property owners within 1000 feet of the site and registered neighborhoods and HOAs within one mile. Twelve people attended the neighborhood meeting. Items discussed by the attendees included:

- Potential traffic congestion and safety
- Preference to limit access and visibility of adjacent neighborhoods

The applicant has addressed all comments in the Citizen Participation Report. As of writing this report, staff has not received any comments/concerns from surrounding property owners. The applicant will be providing an updated Citizen Participation Report to staff prior to the August 14, 2019 Study Session.

Staff Recommendations:

The subject request is consistent with the General Plan, the Mesa Gateway Strategic Development Plan, meets the review criteria for Site Plan Review outlined in Section 11-69-5, and for Planned Area Development overlays outlined in Section 11-22-5 of the MZO; Therefore, staff recommends approval of the request 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.
4. Compliance with all City development codes and regulations, except as modified in Table 1 of the staff report.
5. 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.
6. Prior to subdivision of the property, provide cross access and reciprocal parking agreement(s) for any additional parcels created.
7. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City concurrently with the recordation of the final subdivision map or prior to the issuance of a building permit; whichever comes first.
 - b. Provide a 4-foot x 4-foot sign at the entrance to the leasing office for this development, with notice to all prospective tenants that the project is within an Overflight Area for Phoenix-Mesa Gateway Airport as specified in Section 11-19-5 of the City of Mesa Zoning Ordinance.
 - c. Any proposed permanent, or temporary structure, as required by the FAA, 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. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
8. The exit driveway location identified on the site plan as a temporary exit (Keynote 28) will be reevaluated by the City at the time of Site Plan Review for the undeveloped area to the south.