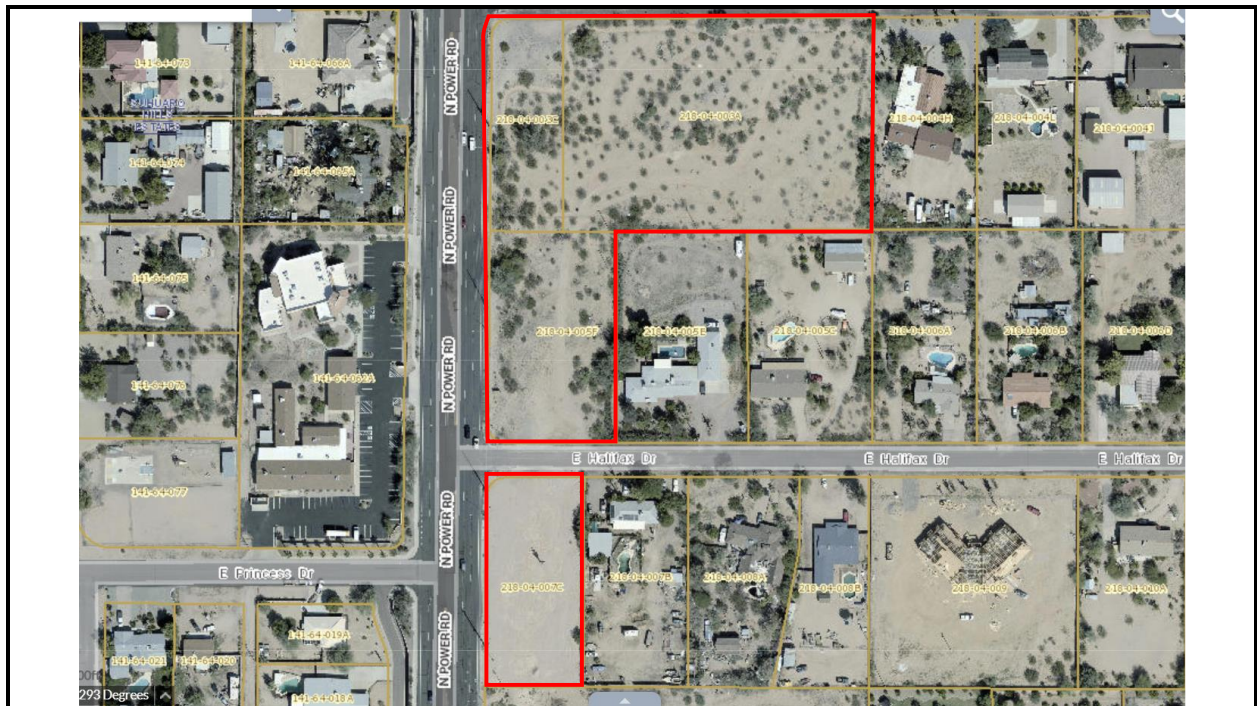


EXHIBIT 3.01

Power Park 1439 and 1349 North Power Road Rezoning Project Narrative October 21, 2021

1. Introduction

Pew & Lake PLC, on behalf of David T. Darling, PC and DM3, LLC (“Property Owner”), hereby submits this project narrative and Site Plan for Power Park, a park on 6.10 acres located on Power Road, north and south of Halifax Drive in the City of Mesa. The property is known as Maricopa County Parcel Numbers 218-04-003A, 218-04-003C, 218-04-005F and 218-04-007C, and the approximate boundaries of the proposed development site are shown below. Residents of Mesa, particularly northeast Mesa, have been asking for a unique and fun destination for residents to gather, eat and hang out. A park is a great destination for this use. Accordingly, the Power Park was developed to provide a location for Mesa residents to gather, hang out, eat, and have a destination that is safe, welcoming to all, and family friendly. This destination has been tried at many locations throughout the city with limited success as it is usually tied to a specific event. Power Park has been developed in an ideal location that has proven to be successful on an on-going basis, not tied to a specific event. It has been well-received by the community- once again proving the real estate maxim—“location, location, location.”



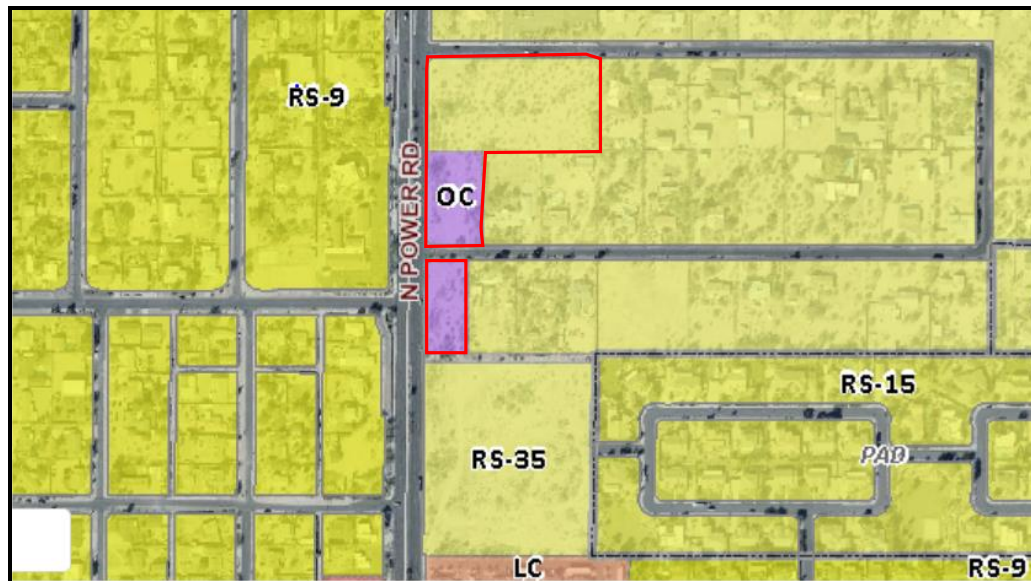
2. Existing General Plan Designation and Zoning Classification

As shown below, the project site is currently designated on the City of Mesa General Plan Map as “Neighborhood” and is classified as both Office/Commercial (OC) and RS-35 as shown on the City of Mesa zoning map. The existing Park is an allowed use on the property. The existing Park and proposed Park expansion will be open daily to the public. At the request of the City, the Power Park is submitting this rezoning application to change the zoning to Neighborhood Commercial (NC) with a PAD Overlay.

City of Mesa General Plan Land Use Map



City of Mesa Zoning Map



3. Relationship to Surrounding Properties

As shown on the graphic below, the site is bound on the north by a house of worship, on the west by Power Road, a major arterial with traffic counts of over 27,000 cars per day. It is bound on the east by residential homes, and on the south by vacant land owned by the City of Mesa that will be the location of the new Mesa Fire Department and Public Safety facility.

	General Plan Designation	Zoning	Existing Use
North	Neighborhood	RS-35	(across Hobart)Street Love of Christ Lutheran Church
South	Neighborhood	RS-35	Vacant City-Owned property
East	Neighborhood	RS-35	Residential
West	Neighborhood	RS-9	(across Power Road) Saguaro Hills Baptist Church
Project Site	Neighborhood	OC and RS-35	Power Park and vacant

4. Purpose of Requests

Our requests to the City of Mesa are :

- 1) Rezoning from Office/Commercial (OC) and RS-35 to Neighborhood Commercial (NC) with a PAD Overlay; and
- 2) Site Plan Approval.

Approval of these requests will allow for the use of the north portion of the property for an expansion of the Power Park and address specific concerns associated with the overwhelming popularity of the property as a park, by providing additional parking on site for normal and peak times. This additional parking will help pull parking off of the surrounding public streets. Additionally, the primary access into the Park will be off Hobart Street directly across the street from another non-residential use (Love of Christ Lutheran Church)

5. Zoning Analysis

Power Park currently operates on two parcels on Power Road, on the north and south sides of Halifax Street. David Darling and Ray Johnson have recently purchased the parcels of land north of the existing site. This purchase will allow an expanded use of the Park and will also provide off-street parking for visitors to the Park. This rezoning request, if approved, will provide a uniform zoning district on the full extent of the property. While the existing and proposed use of the property is currently an allowed use within the OC and RS-35 zoning districts, the City has requested that the property owners rezone the property to Neighborhood Commercial. The Neighborhood Commercial zoning district, as the least-intense commercial district in the zoning ordinance, has been selected for its compatibility with the surrounding neighborhood. The NC zoning district will allow all uses consistent with the NC uses listed in Table 11-6-2 of the City of Mesa Zoning Ordinance.

The primary and permitted use of the property will be a Park, however, the Property Owners will allow mobile food units on the property in accordance with Arizona Revised Statutes Section 9-485.01, that allows food trucks or “mobile food units” to locate on non-residentially zoned properties.

6. Operational Details

Traffic: The applicant has submitted a parking study and traffic analysis that have concluded that the adjacent roadways accommodate the existing and anticipated traffic from the expansion of the Park. While the City’s zoning ordinance does not have a requirement for the number of parking spaces for a park, and professional analysis has been provided that determined that sufficient parking will be provided on the site.

Noise: The proposed expansion of the Park will allow visitors to spread out across a larger site area. With more area to congregate in, noise will be dispersed throughout the property and away from the adjacent neighborhood. Additionally, as shown on the Wall Plan, an 8-foot wall will be built along the eastern and southern perimeter of the park as well as a 6-foot view fence with landscaping on the northern and western boundaries. A 25-foot landscape buffer that will be planted with trees and shrubs next to the adjacent residential properties that will mitigate perceived noise impacts. The Park will continue to comply with the City’s noise ordinance.

Lights: As part of the Park expansion, the Property Owners are proposing to install lights as shown on the Site Plan to illuminate the property for aesthetics and safety purposes.

7. General Plan Analysis

As outlined in the Mesa General Plan 2040, strong neighborhoods may be identified by several key elements. They are:

- a) a safe, clean and healthy living environment;

- b) a neighborhood that builds a sense of community and fosters social interaction;
- c) a neighborhood with connectivity and walkability;
- d) a neighborhood with a diversity of people and diversity of uses;
- e) a neighborhood with character and personality; and
- f) a neighborhood with quality design and development.

The General Plan further discusses the concept of encouraging an appropriate mix of uses that will bring life and energy to neighborhoods, while protecting them from encroachment by incompatible development. As shown on the well-conceived Site Plan that is provided along with this application, the use is implemented on the site with orderly and quality design. The layout and design of this site has been created with the intention of protecting the neighbors while bringing a creative and innovative use to this undeveloped property.

Power Park is an important contributor to the Power/Brown Road neighborhood area. It provides a walkable destination for both residents and visitors alike while promoting social interaction in a safe, and healthy living environment. Rather than using this commercial property for a mundane commercial use, the Power Park is an innovative use with a distinctive character and personality. By bringing this new use to the area, a strong sense of community and civic engagement has been created.

8. Site Plan

As shown on the Site Plan provided with this application, the newly configured site has been designed with the adjacent neighborhood in mind. The parcel south of Halifax is designed to provide surface parking and a kitchen/storage building. The parcel north of Halifax provides a great lawn and game area immediately adjacent to the eastern property owner, and the seating areas are located as close to Power Road as possible. The property is enclosed on its eastern and southern boundaries with an 8-foot perimeter wall, with the exception of the north side of Halifax which, along with the western and northern boundaries, will have a 6-foot view fence. Additionally, there is a 25-foot landscape buffer to help screen the adjacent residential from the park uses, and a 20-foot landscaped boundary along Halifax and Hobart Streets, and a 15-foot setback along Power Road. The site also provides for appropriate fire access, parking and adequate on-site retention.

9. Conclusion

Power Park is a great addition to the City of Mesa and helps build a strong neighborhood in this part of the City. It contributes to a diversity of uses in Mesa at an appropriate location. Additionally, care has been taken to provide appropriate transitions to other uses and the park has been designed to provide a unique gathering area for residents and visitors alike. The applicant, Mr. Darling and Mr. Johnson look forward to receiving input on this application and working with City staff to bring this exciting new project to the City of Mesa.