



**PLANNING DIVISION
STAFF REPORT**

City Council Meeting

November 20, 2023

CASE No.: ZON23-00495	PROJECT NAME: Power Townhomes
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Owner's Name:	Via Church Inc
Applicant's Name:	Jon Gillespie, Pew & Lake, PLC
Location of Request:	Within the 600 block of North Power Road (west side) and within the 6700 block of East Dallas Street (south side). Located north of University Drive and west of Power Road.
Parcel No(s):	141-62-002H
Request:	Rezone from Single Residence-6 (RS-6) to Multiple Residence-2 with a Planned Area Development overlay (RM-2-PAD) and Site Plan Review. This request will allow for a multiple residence development.
Existing Zoning District:	RS-6
Council District:	2
Site Size:	2.8± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Vacant parking area
P&Z Hearing Date(s):	October 25, 2023 / 4:00 p.m.
Staff Planner:	Jennifer Merrill, Senior Planner
Staff Recommendation:	APPROVAL with conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (6-0)
Proposition 207 Wavier Signed:	Yes

HISTORY

On **May 15, 1989**, the City Council approved an annexation of 40± acres into the City of Mesa including the project site, which was being used for RV storage (Case No. A89-002, Ordinance No. 2432).

On **October 16, 1989**, the City Council established R1-6 zoning (equivalent to current Single Residence-6 [RS-6]) on the project site, as part of a larger 26± acre rezoning request (Case No. Z89-026, Ordinance No. 2462).

On **October 25, 2023**, the Planning and Zoning Board recommended approval with conditions (Vote 6-0).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the 2.8± acre project site from Single Residence-6 (RS-6) to Multiple Residence-2 with a Planned Area Development overlay (RM-2-PAD) to allow for the development of a multiple residence project (Proposed Project).

The proposed project site, which was previously used for overflow parking for Via Church, is located north of University Drive on the west side of Power Road, across the street from the Red Mountain Library.

The Proposed Project includes a 38-unit residential development consisting of eight buildings. Five of the buildings are two-stories, with three bedrooms and two bathrooms in each unit, and three of the buildings are three-stories, with four bedrooms and three bathrooms in each unit.

General Plan Character Area Designation and Goals:

The General Plan Character Area for the property is Neighborhood, with a Suburban Sub-type. The primary focus of the Neighborhood Character Type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The Suburban Sub-type contains neighborhoods that are primarily single residence in nature with most lots ranging in size from 6,000 sq. ft. to 18,000 sq. ft.

As part of a Neighborhood Area, this Character Type may also contain areas of duplexes and other multi-residence properties and commercial uses along arterial frontages and at major street intersections. Multiple residence is listed as a primary land use and RM-2 is listed as a primary zoning district for the Neighborhood-Suburban Sub-type.

Per Chapter 4 of the General Plan, new developments that improve walkability between housing and key amenities and services such as parks, schools, shopping, and transit connections are encouraged. The Proposed Project is located adjacent to a new bus stop to be constructed as part of this development, and directly across Power Road from the Red Mountain branch of the Mesa Public Library. Future residents will benefit from the walkways throughout the project and tying into the public sidewalks leading to the bus stop and library.

The request complies with the General Plan.

Zoning District Designations:

The applicant is requesting to rezone the proposed project site RM-2-PAD. Per Section 11-5-2 of the MZO, the purpose of the RM zoning district is to provide areas for a variety of housing types at densities of up to 43 units per gross acre. Appropriate types of dwelling units include small-lot single residences, townhouses, cluster housing, and multiple residence housing. Multiple residence is a permitted use in the RM-2 zoning district.

Surrounding Zoning Designations and Existing Use Activity:

<p style="text-align: center;">Northwest (Across Dallas Street) Maricopa County R-3 Multiple Residence</p>	<p style="text-align: center;">North (Across Dallas Street) Maricopa County R-3 Multiple Residence</p>	<p style="text-align: center;">Northeast (Across Power Road) PS Mesa Public Library</p>
<p style="text-align: center;">West Maricopa County R1-6 Single Residence</p>	<p style="text-align: center;">Project Site RS-6 Vacant parking area</p>	<p style="text-align: center;">East (Across Power Road) PS Mesa Public Library</p>
<p style="text-align: center;">Southwest GC Mini-Storage and Boat & RV Storage Facility</p>	<p style="text-align: center;">South GC Mini-Storage and Boat & RV Storage Facility</p>	<p style="text-align: center;">Southeast (Across Power Road) PS East Mesa Service Center</p>

Compatibility with Surrounding Land Uses:

The Proposed Project is adjacent to multiple residence uses to the north, and single residences to the west. The Proposed Project includes two- and three-story buildings. The two-story buildings are located adjacent to the single residences to the west with second-story windows oriented away from the single residences. The Red Mountain branch of the Mesa Public Library is across Power Road to the east.

The proposed use is compatible with the surrounding developments.

PAD Overlay Modification – MZO Article 3, Chapter 22:

The Proposed Project includes a Planned Area Development overlay (PAD) to allow for modifications to certain required development standards of the MZO.

Per Section 11-22 of the MZO, the purpose of the PAD overlay is to allow innovative design and flexibility that creates high-quality development for the site. Table 1 shows the MZO required standards and the applicant’s proposed PAD standards.

Table 1: Development Standards

MZO Development Standards	Required	Proposed	Staff Recommendation
<p><u>Minimum Yards – MZO Section 11-5-5(A)</u> -Front and Street-Facing Side: adjacent to a 6-lane arterial (east property lines) -Interior Side and Rear: 3 or more units on lot (west property line) (south property line)</p>	<p>30 feet wide 15 feet per story (30 feet wide total) 15 feet per story (30 feet wide total)</p>	<p>15 feet wide 12.5 feet per story (25 feet wide total) 11 feet per story (22 feet wide total)</p>	<p>As proposed</p>
<p><u>Materials – MZO Section 11-5-5(B)(5)</u></p>	<p>Buildings must contain at least two kinds of primary exterior materials, with each of the required materials covering at least 25% of the exterior walls of the building</p>	<p>Buildings must contain at least two kinds of primary exterior materials, each of the required materials may cover less than 25% of exterior walls of the building</p>	<p>As proposed</p>
<p><u>Fences and Freestanding Walls – MZO Section 11-30-4(A)(1)</u> -Maximum Height in RM District: Site and Rear Yards</p>	<p>6 feet tall</p>	<p>8 feet tall along west property line</p>	<p>As proposed</p>
<p><u>Parking Area Design – MZO Section 11-32-4(A)</u> -Setback of Cross Drive Aisles</p>	<p>50 feet from property line abutting the street</p>	<p>34 feet from Dallas Street</p>	<p>As proposed</p>

MZO Development Standards	Required	Proposed	Staff Recommendation
<u>Foundation Base – MZO Section 11-33-5(A)(2)</u> -Exterior Walls Without a Public Entrance	10-foot-wide adjacent to parking stalls	5'-3" wide (Building C) 3' wide (Building E) 1'-8" wide (Building G)	As proposed

Minimum Yards:

Per Section 11-5-5(A) of the MZO, a 30-foot-wide yard is required adjacent to a six-lane arterial street.

The applicant is requesting a 15-foot yard along the eastern property line; this yard width is similar to adjacent properties to the north and south.

Per Section 11-5-5(A) of the MZO, a 30-foot-wide (15-foot per story) yard is required along the side and rear property lines.

The applicant is requesting a 22-foot yard along the south property line adjacent to a commercial use, and a 25-foot yard along the west property line adjacent to single residences.

Site Planning and Design Standards:

Per Section 11-5-5(B)(5) of the MZO, buildings must contain at least two kinds of primary exterior materials, with each of the required materials covering at least 25% of the exterior walls of the building.

The Proposed Project includes stucco comprising at least 25% of the exterior walls, and a combination of two other primary building materials (brick and fiber cement siding) comprising at least 25% of the exterior walls of each building.

Fences and Freestanding Walls:

Per Section 11-30-4(A)(1) of the MZO, within the RM Districts, no fence or freestanding wall within or along the exterior boundary of the required side or rear yards shall exceed a height of six feet.

At the request of the neighbors, the applicant will be constructing a new privacy wall along the western property line that abuts the single residences. The applicant is requesting an eight-foot height to provide additional privacy.

Parking Area Design:

Per Section 11-32-4(A) of the MZO, parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 50 feet from the property line abutting the street.

A reduced set back of 34 feet from the north property line abutting Dallas Street to the first driveway is requested.

Foundation Base:

Per Section 11-33-5(A)(2) of the MZO, a minimum 10-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall adjacent to parking stalls.

The applicant is requesting a five foot three-inch-wide foundation base for Building C, a three-foot-wide foundation base for Building E, and a one-foot eight-inch-wide foundation base for Building G. These deviations allow for additional guest parking spaces, and for placement of a trash enclosure in a central location.

Justification:

As justification for the requested deviations, the applicant is proposing high-quality architecture with three primary materials when two are required, recessed windows and multiple changes-in-plane across the elevations, and buildings positioned at an angle to the property lines. The Proposed Project also features tree sizes and common open space and amenity area which exceed the minimum required in the MZO. Amenities include playground equipment, a pollinator garden, and a dog park.

The Proposed Project complies with requirements of a PAD outlined in Section 11-22 of the MZO by providing equivalent or superior features that meet the intent of the base zone development standards.

Site Plan and General Site Development Standards:

The Proposed Project contains eight multiple residence buildings that provide a total of 38-units. Three of the buildings are three stories in height, and contain eleven units that have four bedrooms, three bathrooms and an attached two-car garage. Five of the buildings are two-stories in height, and contain 27 units that have three bedrooms, two bathrooms and an attached single-car garage plus a driveway long enough to park a second vehicle. The three-story buildings front Power Road along the eastern portion of the site. Buildings then step down and transition to two-stories on the western portion of the site, providing a transition to single-residential homes west of the development.

Pedestrian access is provided from Power Road and from Dallas Street. Paths continue throughout the development to each building and amenity area. The site and landscape plans show playground equipment, a shade structure, barbecue area, and butterfly garden in the centrally located amenity area, and a dog park at the south end of the development. Vehicular access is provided from Power Road and from Dallas Street. Per Section 11-32-3 of the MZO, 80

parking spaces (including 38 covered spaces) are required for this 38-unit development, and 83 spaces (including 49 covered spaces) are provided.

The Proposed Project conforms to the review criteria for Site Plan Review outlined in Section 11-69-5 of the City of Mesa Zoning Ordinance.

Design Review:

Per Section 11-71-2 of the MZO, Design Review is required for multiple residence projects that exceed the maximum density of the RM-2 zoning district which is 15 dwelling units per acre. The Proposed Project has a density of 13.76 dwelling units per acre, therefore, Design Review is not required, and the building elevations and landscape plan are reviewed with the site plan review application.

Neighborhood Participation Plan and Public Comments:

The applicant completed a Citizen Participation process, which included mailing letters to property owners within 1,000 feet of the site, and registered neighborhoods and Homeowners Associations within one mile of the site.

A virtual neighborhood meeting was held on June 6, 2023. Several neighbors attended the meeting and expressed opposition to the proposed use of the property with concerns regarding Dallas Street and Power Road traffic movements, maintaining the 55+ character of the area, and the existing wall height on the western property line. Specifically, the neighbors were concerned with increased traffic turning left from Dallas Street to Power Road, and a potential for increased noise and trash in the area. They also explained that the existing wall along the rear property lines of the homes adjacent to the proposed project is less than six feet tall, and they would prefer a taller wall there.

The applicant is agreeable to working with these neighbors to construct an eight-foot-tall wall along the west property line of the proposed project. A summary of the neighborhood meeting is provided on page three of the Citizen Participation Report.

At the October 25, 2023 Planning and Zoning Board Meeting, 6 comment cards were submitted in opposition to the project.

School Impact Analysis:

The Mesa Public School District reviewed the request for its potential impact on the existing schools in the area. The school district provided the following analysis:

Proposed Development (416 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
Elementary	Salk	4	Yes
Middle School	Fremont	1	Yes
High School	Red Mountain	2	Yes

Staff Recommendation:

Staff finds that the Proposed Project is consistent with the Mesa 2040 General Plan, complies with the criteria for a PAD overlay per Section 11-22-1 of the MZO, and meets the review criteria for Site Plan Review per Section 11-69-5 of the MZO.

Staff recommends approval of the request with the following **Conditions of Approval:**

1. Compliance with final site plan, landscape plan, and elevations submitted.
2. 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.
3. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD overlay as shown in the following table:

MZO Development Standards	Approved
<u>Minimum Yards</u> – <i>MZO Section 11-5-5(A)</i> -Front and Street-Facing Side: adjacent to a 6-lane arterial (east property lines) -Interior Side and Rear: 3 or more units on lot (west property line) (south property line)	15 feet wide 12.5 feet per story (25 feet wide total) 11 feet per story (22 feet wide total)
<u>Materials</u> – <i>MZO Section 11-5-5(B)(5)</i>	Buildings must contain at least two kinds of primary exterior materials, each of the required materials may cover less than 25% of exterior walls of the building
<u>Fences and Freestanding Walls</u> – <i>MZO Section 11-30-4(A)(1)</i> -Maximum Height in RM District: Site and Rear Yards	8 feet tall along west property line
<u>Parking Area Design</u> – <i>MZO Section 11-32-4(A)</i> -Setback of Cross Drive Aisles	34 feet from Dallas Street
<u>Foundation Base</u> – <i>MZO Section 11-33-5(A)(2)</i> -Exterior Walls Without a Public Entrance	5'-3" wide (Building C) 3' wide (Building E) 1'-8" wide (Building G)

Exhibits:

Exhibit 1 – Presentation

Exhibit 2 – Ordinance

Exhibit 3 – Ordinance Map

Exhibit 4 – Vicinity Map

Exhibit 5 – P&Z Minutes

Exhibit 6 – Submittal Documents