



PLANNING DIVISION  
STAFF REPORT

City Council Hearing

November 15, 2021

CASE No.: <b>ZON20-00840</b>	PROJECT NAME: <b>Westmount Estates</b>
------------------------------	--

Owner's Name:	Thomas Adhoot
Applicant's Name:	Victoria Snively, United Realty MTA
Location of Request:	Within the 1000 block of East McKellips Road (south side). Located west of Stapley Drive on the south side of McKellips Road.
Parcel No(s):	136-25-044, -001A, -012A, -006D
Request:	Rezone from Single Residence 9 (RS-9) and Multiple Residence 4 (RM-4) to Multiple Residence 2 (RM-2) with a Planned Area Development overlay (PAD); and Site Plan Review. This request will allow for a multiple residence development.
Existing Zoning District:	Single Residence 9 (RS-9) & Multiple Residence 4 (RM-4)
Council District:	1
Site Size:	4.5 ± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Vacant
P&Z Hearing Date(s):	<b>September 22, 2021 / 4:00 p.m.</b>
Staff Planner:	Cassidy Welch, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	Approval with conditions
Proposition 207 Waiver Signed:	Yes

**HISTORY**

On **July 6, 1970**, the City Council approved the annexation of a 1394± acre area of land that included the subject property and subsequently rezoned the property to RS-9 (Ordinance No. 672).

On **August 29, 1983**, the City Council approved a rezoning of a 1± acre property that included a portion of the subject property from RS-9 to RM-4 to allow an office development (Case No. Z83-092; Ordinance No. 1734).

## PROJECT DESCRIPTION

### **Background:**

The applicant is requesting to rezone the subject site from Single Residence 9 (RS-9) and Multiple Residence 4 (RM-4) to Multiple Residence 2 with a Planned Area Development Overlay (RM-2-PAD); and a site plan review to allow development of a 30-unit multiple residence development on the property. The property is vacant and located on the south side of McKellips Road, west of Stapley Drive. The property is also located between two canals, specifically the canals abut the eastern and western section of the property. The topography of the site is influenced by the adjacent canals creating two varying grades on the property. Specifically, the grade level of the eastern section of the property is approximately 12 feet higher than the western section of the property with a lower grade level.

As part of the request for the PAD overlay, the applicant is requesting certain modifications to the City's development standards on the property. Per Section 11-22-1 of the Mesa Zoning Ordinance (MZO), the purpose of a PAD overlay is to allow modifications to certain required development standards to permit innovative design and flexibility that creates a high-quality development for the site. The submitted application documents, including the building elevations and site plan, show the proposed development will be unique and consists of innovative design standards such as using high-quality facade building materials and incorporating common open spaces areas within the development that exceeds the City's standard requirement.

### **General Plan Character Area Designation and Goals:**

The General Plan character area designation on the property is Neighborhood with a Suburban subtype. Per Chapter 7 of the General Plan, the Suburban character type is the predominant neighborhood pattern in Mesa and primarily consists of single residence. However, as part of a total neighborhood area, the character area may also contain areas of duplexes and other multiple residence and commercial uses along arterial frontages and at major street intersections. In addition, developments within the Suburban character designation are to consist of between 2 and 12 dwelling units per acre, with higher density allowed along arterial street frontages.

The proposed development of the site for a multiple residence development conforms to the goals of the Neighborhood Suburban character area designation. The use will add to the diversity of housing envisaged in the character area designation and improve the streetscape along McKellips Road. The design of the site conforms to the form and design guidelines outlined for such development in the Neighborhood Suburban character area. Staff reviewed the request and determined it is consistent with the criteria for review of development outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

### **Zoning District Designations:**

The request is to rezone the site from RS-9 and RM-4 to RM-2 with a PAD overlay to allow modification to certain required development standards on the property. Per Section 11-5-2 of the MZO, the proposed multiple residence use is allowed in the RM-2 zoning district.

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

The subject request includes a PAD overlay to allow modifications to certain required development standards of the MZO. Per Section 11-22 of the MZO, the purpose of the overlay is to allow design and flexibility that creates high-quality development for the site. Overall, the proposed development complies with requirements of a PAD as outlined in Section 11-22 of the MZO by incorporating high-quality development design standards and increased open space areas on the property.

Table 1 below shows the MZO required standards and the applicant’s proposed PAD standards.

*Table 1*

MZO Development Standards	Required	Proposed	Staff Recommendation
<u>Building Separation –</u> <i>MZO Section 11-5-5</i> <i>-Minimum separation between 3-story buildings</i>	35 feet	<b>30 feet</b>	As proposed
<u>Access, Circulation and Parking (Attached Garages) –</u> <i>MZO Section 11-5-5.B.4.f</i> <i>-Allowed maximum number of garage doors for multiple garage doors to be located adjacent to one another in one building</i>	3 garage doors	<b>4 garage doors</b>	As proposed
<u>Landscape Yard –</u> <i>MZO Section 11-33-2.A</i> <i>-Required interior landscape yard (east property line)</i>	Required landscaped yard shall be maintained free from encroachment by vehicles	<b>The three guest parking spaces, as shown on the final site plan, are allowed to encroach into the required landscape yard</b>	As proposed

As shown on the table above, the applicant is requesting the following modifications from the RM-2 zoning district development standards outlined in Sections 11-5-5 and 11-33-3 of the MZO.

**Minimum Building Separation – 3-story:**

Per Section 11-5-5 of the MZO, the minimum allowed separation between 3-story buildings on the same lot is 35 feet. The applicant is requesting a reduction in the required minimum separation of story buildings on the property from 35 feet to 30 feet. According to the applicant, the requested reduction is due to uneven grading levels of the site. According to the site plan, the height of the proposed buildings never exceeds two stories at the upper grade. The requested reduction from 35 feet to 30 feet is consistent with the minimum building separation for two-story buildings.

**Attached Garage Doors:**

Per Section 11-5-5.B.4.f of the MZO, a maximum of three attached garage doors are allowed to be adjacent to one another within one building. The applicant is requesting a modification to the maximum allowed garage doors adjacent to each other from three to four in one building. According to the applicant and the submitted plans, the proposed building elevations show articulation of the building facades, including recessing the garage doors below upper-level balconies for the units. The development also includes incorporating landscaping features between each garage door to break up the facade.

**Perimeter Landscape Setback – east side:**

Per Section 11-32-2.A of the MZO, required landscape yards shall be maintained free from encroachment by any use, structure, or vehicle not a part of the landscaping design. The applicant is requesting to allow the encroachment of three guest parking stalls within the required perimeter landscape yard along the eastern boundary. According to the site plan submitted, the applicant is proposing an increased landscape yard that exceeds the minimum landscape yard setback of 15 feet.

**Site Plan and General Site Development Standards:**

The proposed site plan shows development of a 30-unit multiple residential development with primary vehicular access located on McKellips Road to the north of the site. Overall, there will be four buildings on the property consisting of a two-story building and the other three buildings being three-story buildings. The three-story buildings are proposed to be located on west side of the property with a lower grade level. The buildings, as shown on the site plan, will be developed with garage doors and vehicular parking spaces located along a central drive aisle planned in the center of the development. The site also shows proposed amenities in the development will include a fitness center building, a swimming pool, outdoor seating areas, a playground and an internal pedestrian trail that connects to the adjacent canals. Per Section 11-32-3 Of the MZO, 63 spaces are required for the development. According to the site plan submitted, 64 spaces will be provided in the development. The parking will be provided within attached garages with surface parking also provided in the development, specifically along the southern edge of the site.

**Design Review:**

The Design Review Board is scheduled to review the subject request on June 15, 2021. Staff will be working with the applicant to address any comments and recommendations from the Design Review Board.

**Surrounding Zoning Designations and Existing Use Activity:**

<p style="text-align: center;"><b>Northwest</b> (Across McKellips Road) Single Residence RS-15-PAD</p>	<p style="text-align: center;"><b>North</b> (Across McKellips Road) Single Residence RS-15-PAD</p>	<p style="text-align: center;"><b>Northeast</b> (Across McKellips Road) Commercial LC</p>
<p style="text-align: center;"><b>West</b> (Across Utah Canal) RS-9 Single Residence</p>	<p style="text-align: center;"><b>Subject Property</b>  RM-4 &amp; RS-9 Vacant</p>	<p style="text-align: center;"><b>East</b> (Across South Canal) OC &amp; RM-2-PAD Commercial &amp; Single Residence</p>

<b>Southwest</b> (Across Utah Canal) RS-9 Single Residence	<b>South</b>  RS-9 Vacant	<b>Southeast</b> (Across South Canal) RM-2-PAD Single Residence
---	------------------------------------	--

**Compatibility with Surrounding Land Uses:**

The subject site is bordered by two canal systems on the east and west of the site. There are existing single residence subdivisions located across the canals, specifically to the east and west of the site. There is also a single residence subdivision located to the north, across McKellips Road, and one single residence to the south. Overall, the proposed development of the site as multiple residence will provide diversity in housing options to serve the surrounding community as envisaged in the General Plan and the neighborhood character area designation.

**Neighborhood Participation Plan and Public Comments:**

The applicant has completed a Citizen Participation Process, which included mailed letters to property owners within 1,000-feet of the site, as well as HOAs within ½ mile and registered neighborhood within 1 mile of the site. The applicant held two (2) virtual neighborhood meetings on October 19, 2020 and on April 26, 2021. From the applicant’s submitted citizen participation report, the two major primary concerns expressed by the neighbors were; (1) potential increase in vehicular traffic on McKellips Road and (2) height of the buildings adjacent to the single residence may impede the privacy of the single residence to enjoy their private backyards as those backyard will be visible from the upper levels of the development. According to the applicant, the traffic study completed for the development shows there is adequate capacity on McKellips Road to support the development. Also, the increased perimeter landscaping along the western boundary will screen the view of those private backyards from the development.

As of writing this report, staff has not received any comments from surrounding property owners. The applicant will be providing an updated Citizen Participation Report to staff prior to the June 23, 2021 Study Session. Staff will provide the Board with any new information during the scheduled Study Session.

**School Impact Analysis:**

The Mesa Public School District reviewed the request and provided the following analysis:

Proposed Development (30 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
MacArthur	Elementary	4	Yes
Stapley	Middle School	13-15	Yes
Westwood	High School	5-6	Yes

Per the analysis by the School District, the schools will have adequate capacity to accommodate serve the development.

**Staff Recommendation:**

The subject request is consistent with the General Plan, the purpose for a Planned Area Development overlay outlined in Section 11-22-1 of the MZO, and meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO; therefore, staff recommends approval with the following conditions:

**Conditions of Approval:**

1. Compliance with the final site plan submitted.
2. Development of the site must, at a minimum, shall include all the common amenities shown on the final site plan including: a swimming pool, fitness building, a playground, and outdoor seating area.
3. Compliance with the requirements of Design Review.
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. Prior to submittal of a building permit, record a lot combination for the subject parcels.
6. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with the PAD overlay and shown in the following table:

MZO Development Standards	Approved
<u>Building Separation</u> – <i>MZO Section 11-5-5</i> <i>-Minimum separation between 3-story buildings</i>	<b>30 feet</b>
<u>Access, Circulation and Parking (Attached Garages)</u> – <i>MZO Section 11-5-5.B.4.f</i> <i>-Allowed maximum number of garage doors for multiple garage doors to be located adjacent to one another in one building</i>	<b>4 garage doors</b>
<u>Landscape Yard</u> – <i>MZO Section 11-33-2.A</i> <i>-Required interior landscape yard (east property line)</i>	<b>The three guest parking spaces, as shown on the final site plan, are allowed to encroach into the required landscape yard</b>

**Exhibits:**

**Exhibit 1-Staff Report**

**Exhibit 2-Vicinity Map**

**Exhibit 3-Application Information**

3.1 Project Narrative

3.2 Site Plan

3.3 Landscape Plan

3.4 Elevations

3.5 Citizen Participation Plan

**Exhibit 4-Citizen Participation Report**