



PLANNING DIVISION
STAFF REPORT

City Council Hearing

April 18, 2022

CASE No.: **ZON21-00921**

PROJECT NAME: **Ascent Apartments**

Owner's Name:	PROS INVESTMENTS LLC
Applicant's Name:	Ralph Pew, Pew and Lake, PLC
Location of Request:	Within the 10000 block of East Southern Avenue (north side) and within the 1000 to 1200 blocks of South Crismon Road (east side). Located north of Southern Avenue and east of Crismon Road.
Parcel No(s):	220-71-978, 220-71-979, and 220-71-980
Request:	Rezone from Limited Commercial with a Planned Area Development overlay (LC-PAD) to Multiple Residence 3 with a Planned Area Development overlay (RM-3-PAD), and Site Plan Review. This request will allow for a multiple residence development.
Existing Zoning District:	Limited Commercial with a Planned Area Development overlay (LC-PAD)
Council District:	5
Site Size:	8.5± acres
Proposed Use(s):	Multiple Residences
Existing Use(s):	Vacant
P&Z Hearing Date(s):	March 23, 2022 / 4:00 p.m.
Staff Planner:	Charlotte Bridges, Planner II
Staff Recommendation:	APPROVAL with conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote: 6-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **September 2, 1987**, the City Council approved the annexation of 1,090± acres of land, including the subject site (Case No. A87-004, Ordinance No. 2249).

On **October 5, 1987**, the City Council established comparable zoning on 770± acres of recently annexed land, including the subject site, from Maricopa County Rural 43 and to Suburban Ranch (SR) (equivalent to Single Residence 43 [RS-43]) (Case No. Z87-067, Ordinance No. 2272).

On **January 18, 1988**, City Council approved a Development Master Plan (DMP) (equivalent to Planned Area Development ([PAD] overlay) for “Signal Butte Ranch” and approved to rezone the 14± acre area, including the subject site, from RS-43 to Single Family Residence 9 (R1-9) (equivalent to Single Residence 9 [RS-9]), and approved conceptual zoning of Limited Commercial (C-2) (equivalent to Limited Commercial [LC]) within the Signal Butte Ranch PAD to allow for the future development of a commercial center (Case No. Z87-084, Ordinance No. 2298).

On **March 5, 2001**, City Council approved the rezone of 14± acres, including the subject site, from RS-9 and conceptual LC to LC-PAD and renamed the DMP to “Parkwood Ranch” to allow for the development of a commercial center (Case No. Z01-006, Ordinance No. 3863).

On **August 28, 2006**, the City Council approved a site plan for a 14-acre area of land, including the subject site, to allow the development of a commercial center (Case No. Z06-053, Ordinance No. 4587).

On **April 17, 2008**, the Planning and Zoning Board approved a site plan modification for a 11± acre area of land, including the subject site, to allow the development of a medical office subdivision. Under this approval, the parcel located at the northeast corner of Crismon Road and Southern Avenue developed with a medical clinic (Case No. Z08-020).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the subject property from Limited Commercial (LC) with a Planned Area Development (PAD) overlay (LC-PAD) to Multiple Residence 3 (RM-3) with a PAD overlay (RM-3-PAD) and requesting a Major Site Plan Modification to allow a 156-unit multiple residence development. The subject site is undeveloped and is located to the north and east of the northeast corner of Crismon Road and Southern Avenue. The site is part of the Parkwood Ranch PAD, which was originally envisioned to develop as a larger 14-acre commercial center. Over the years to the properties to the west with frontage along Crismon Road and to the south with frontage on Southern Avenue have developed with commercial uses, but this property has remained undeveloped.

The proposed site plan shows five, three-story multiple residence buildings and two, two-story multiple residence buildings totaling 156-units. As part of the request for the PAD overlay, the applicant is requesting certain modifications to the City’s development standards to facilitate the development of 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.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Mixed-Use Activity District with a Community Scale Sub-type. Per Chapter 7 of the General Plan, the focus of the Mixed Use Activity District is large-scale community and regional activity areas that usually have significant retail and commercial components including shopping areas, power centers, and lifestyle centers that are designed and developed to attract customers from a large radius. The district often includes other uses such as office, entertainment, and residential.

Per Chapter 7 (pg. 7-20) of the General Plan, these areas may take on a significant residential character with the redevelopment of shopping centers, so long as the residential component is developed secondary to the primary uses. Secondary uses may be permitted in conjunction with a greater commercial development or complimentary to existing commercial developments provided the minimum percentage of primary uses within the character area are established through existing zoning/development.

Per Chapter 7 (pg. 7-22) of the General Plan, a minimum of 70% of the total Mixed Use Activity District character area shall be reserved for primary zoning designations and uses. These primary designations shall include commercial zoning districts, such as the Office Commercial (OC), Limited Commercial (LC), General Commercial (GC), Mixed Use (MX), Planned Employment Park (PEP), and Infill Incentive District 2 (ID-2). The minimum percentages of the zoning can be met with a combination of the above listed zoning districts, or the entire area may be zoned under one primary zoning district. In addition to the zoning requirements, the General Plan also outlines the minimum and maximum percentages of primary and secondary land uses allowed in the Mixed-Use Activity District character area designation. Per this requirement, the maximum allowed secondary land uses for Multiple Residential is 30%. Roughly 63% of the Mixed Use Activity District character area is established with Neighborhood Commercial (NC) and LC zoning districts and is developed with primary uses or will allow the future development of primary uses. While this percentage falls short of 70%, per Chapter 7 (pg. 7-7) of the General Plan, the City Council has the discretion to approve minor deviations to the required percentages if the proposed development or rezoning achieves the intended character of the area and the proposed development is a better option than the land uses or zoning districts listed in the Mixed Use Activity District. The subject request, being zoned entirely RM-3-PAD to allow for the proposed multiple residence development helps achieve the goals of the Mixed Use Activity District by providing a horizontal mix of retail, office and restaurant uses at the northeast corner and along the frontages of Crismon Road and Southern Avenue. In addition, the proposed multiple residence development will add to the types of residential uses in the area and contribute to the population to support existing and future commercial developments in the area. Staff reviewed the request and determined it is consistent with the review criteria for developments outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

Zoning District Designations:

The request is to rezone the site from LC with a PAD overlay to RM-3 with a PAD. Per Section 11-5-2 of the MZO, the RM-3 zoning district allows for a wide range of housing types including apartment units up. The subject request complies with the underlying zoning.

PAD Overlay Modification – MZO Article 3, Chapter 22:

The subject request includes a Planned Area Development overlay (PAD) to allow for modifications to certain required development standards of the MZO on the property. 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. 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. Table 1 below shows the MZO required standard and the applicant's proposed PAD standard.

Table 1: Development Standards

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Minimum Separation Between Buildings on Same Lot</u> – MZO Table 11-5-5 - Detached Covered Parking Canopies	20 feet	8 feet to 11 feet, 6 inches as shown on the final site plan	As proposed
<u>Encroachments</u> – MZO Section 11-5-5(B)(2)(a)(v)(3) - Awning, eaves, overhangs, or basement wells	3 feet into any required yard	Carport canopy eaves adjacent to the north property line may overhang 5 feet, 2-inches into the required yard	As proposed
<u>Required Landscape Yards</u> – MZO Section 11-33-3(B)(2)(a) - Landscaping for Non-Single Residence Uses Adjacent to Other Non-Single Residence (West) (South)	15 feet 15 feet	11 feet, 7-inches 10 feet, 8-inches to 14-feet, 10-inches wide as shown on the final site plan	As proposed

Table 1: Development Standards (continued)

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Foundation Base –</u> MZO Section 11-33-5(A) - Exterior Walls with Public Entrance	15 feet wide	8 feet to 12-feet, 10-inches wide as shown on the final site plan	As proposed

Minimum Separation Between Buildings on Same Lot:

Per Table 11-5-5 of the MZO, the minimum separation between buildings and adjacent detached covered parking canopies is 20 feet. The applicant is requesting a minimum separation between buildings and the detached covered parking canopies of eight-feet to 11 feet, six-inches. This deviation will allow for the placement of parking canopies adjacent to the building to meet Fire Code requirements to have no greater than a 30-foot distance from the drive aisle of a building.

Encroachments:

Per Section 11-5-5(B)(2)(a)(v)(3) of the MZO, eaves may encroach up to three feet into any required yard. The applicant is requesting that the covered parking canopy eaves be able to encroach a maximum of five feet, two-inch into the required 20-foot landscape yard adjacent to the north property line. The vertical supports for the covered parking canopies comply with the 20-foot setback adjacent to the north property line, but the canopy will overhang the parking space by five feet, two-inch. This will provide for a 15-foot-wide landscape area along the north property for the growth of the trees and shrubs.

Required Landscape Yards:

Per Section 11-33-3(B)(2)(a) of the MZO, the required landscape yard between for non-single residence uses adjacent to other non-single residence is 15 feet. The applicant is requesting an 11-foot, seven-inch-wide landscape yard along the west property line and between a 10-foot, eight-inch to 14-foot, 10-inch-wide landscape yard along the south property line. These deviations will allow the existing drive aisles along the west and south sides of the development to remain.

Foundation Base:

Per Section 11-33-5(A) of the MZO, the required foundation base along exterior walls with public entrances is 15 feet. The applicant is requesting to reduce the foundation base along exterior walls with public entrances to a minimum width between eight-feet and 12 feet, ten-inches as shown on the final site plan.

Justification:

As justification for the requested modifications, the development provides 289 square feet per unit of common open space, when only 175 square feet is required by Table 11-5-5 of the MZO. Furthermore, the applicant notes the assortment of enhanced amenities typically found only in much larger apartment communities, including a clubhouse/fitness center, pool, play

area and linear park (paseo), which are distributed throughout the common open space area. Overall, the site plan, landscape plan and building elevations, show the proposed development will be unique and incorporates innovative design standards such as using high-quality facade building materials and enhanced common open space and amenity areas within the development that exceed the City's standard requirements.

Site Plan and General Site Development Standards:

The proposed site plan shows development of five, three-story and two, two-story, multiple residence buildings with a proposed density of 18.4 dwelling units per acre. Following is a table with the building types, building areas and number of units.

Table 2: Building and Unit Configuration

BUILDING TYPE	STORIES	NUMBER OF BUILDINGS	BUILDING FOOTPRINT	NUMBER OF UNITS PER BUILDING			TOTAL NUMBER OF UNITS
				ONE-BEDROOM	TWO-BEDROOM	THREE-BEDROOM	
1A	3	2	19,228 SF	12	12	-	48
1B	2	1	9,614 SF	8	8	-	16
2	3	2	27,580	24	12	-	72
3A	3	1	5,828	-	6	6	12
3B	2	1	6,054	-	4	4	8
TOTALS		7		80	66	10	156

Each one-bedroom unit includes 161-303 square feet of private open space, each two-bedroom unit includes 155-233 square feet of private open space, and each three-bedroom unit includes 143-200 square feet of private open space. The ground floor units' have private patios shaded by the units above, while the second floor and third floor units have private balconies. The second-floor private balconies are shaded by the third-floor units and the third-floor balconies are shade by the building roof.

The three-story buildings are located in the center of the development with the two-story buildings located along the east property line. This placement of the two-story buildings creates a transition in height that is intended to provide compatibility with the two-story, residential buildings on the adjacent property. The main amenity area is on the west site of the development near the Crismon Road entrance and consists of a clubhouse/fitness center that may be reserved for small gatherings and includes a resort-style swimming pool, with cabanas and other amenities. Located between the buildings, is the paseo, which features a game lawn, outdoor kitchen, play area and other gathering spaces. Throughout the development, pedestrian paths connect the units to the amenity areas and to the adjacent developments, which in-turn, connect to the public rights-of-way.

The primary access to the site is from Crismon Road. Upon entering the site, guest and visitor parking is provided to the right, across from of the leasing office/clubhouse/fitness center. Continuing east from the primary Crismon Road access is the gated, main entrance to the apartment complex. A secondary, resident-only gated entrance in the southeastern corner of the development provides access to Southern Avenue by means of a shared drive aisle. The

balance of the site's perimeter is enclosed by a solid masonry wall, except for the southern boundary, where a view fence allows visual permeability into the site. In addition, pedestrian gates are provided in the perimeter wall/fence along the development's west and south boundaries to allow sidewalks and crosswalks to connect to the adjacent businesses, promoting walkability between developments.

Resident parking spaces are located around the perimeter of the buildings. Per Section 11-32-3 of the MZO, 328 parking spaces are required for the development, of which 156 spaces must be covered or garage spaces. According to the site plan submitted, 334 spaces will be provided, including 148 covered and 24 garage spaces.

Design Review:

The Design Review Board reviewed the subject request on March 8, 2022. Staff will work with the applicant to address the comments and recommendations made by the Design Review Board.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Crismon Road) RS-6-PAD Single Residence	North RM-3-PAD-PAD Vacant	Northeast RM-3-PAD-PAD Multiple Residences
West LC-PAD Convenience Store with fuel station	Subject Property LC-PAD Vacant	East RM-3-PAD-PAD Multiple Residences
Southwest LC-PAD Medical Use	South LC-PAD Medical Use	Southeast LC-PAD Drive-thru Restaurant

Compatibility with Surrounding Land Uses:

The subject site is located to the east and north of northeast corner of Crismon Road and Southern Avenue, within a partially developed commercial subdivision called Parkwood Ranch Marketplace.

The subject property is adjacent to an existing multiple residence development to the east and an undeveloped phase of the same multiple residence development to the north. To the south are existing medical uses and a drive-thru restaurant. To the west is an existing convenience store and fuel station. The proposed development is compatible with the surrounding land uses, provides an additional housing choice for the surrounding community and contributes to the population to support existing and future commercial developments in the area.

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, as well as HOAs within ½ mile, and registered neighborhood within one mile of the site. As of the writing of this report, staff has not

received any comments from surrounding property owners. Staff will provide the Board with any new information during the scheduled Study Session on March 23.

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.

Table 3: School Impact Analysis

Proposed Development (156 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
Elementary	Patterson Elementary	8	Yes
Middle School	Smith Middle School	7	Yes
High School	Skyline High School	33	Yes

Staff Recommendation:

Based on the application received and the preceding analysis, staff finds that the subject request for a rezone and Site Plan Review approval is consistent with the Mesa 2040 General Plan, the purpose for a Planned Area Development overlay outlined in Section 11-22-1 of the MZO, the review criteria for approval of a site plan outlined in Section 11-69-5 of the MZO and therefore, recommends approval with the following conditions.

Conditions of Approval:

1. Compliance with the final site plan and landscape plan submitted.
2. Compliance with all requirements of Design Review case DRB21-00922.
3. 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.
4. Prior to issuance of any building permit, the applicant must submit, receive approval of, and record a replat to combine Lots 1, 2, and 3.
5. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD overlay and shown in the following table:

Development Standards	Approved
<u>Minimum Separation Between Buildings on Same Lot – MZO Table 11-5-5</u> - Detached Covered Parking Canopies	8 feet to 11 feet, 6 inches as shown on the final site plan

<u>Encroachments</u> – MZO Section 11-5-5(B)(2)(a)(v)(3) - Awning, eaves, overhangs, or basement wells	Carport canopy eaves adjacent to the north property line may overhang 5 feet, 2-inches into the required yard
<u>Required Landscape Yards</u> – MZO Section 11-33-3(B)(2)(a) - Landscaping for Non-Single Residence Uses Adjacent to Other Non-Single Residence (West) (South)	11 feet, 7-inches 10 feet, 8-inches to 14-feet, 10-inches wide as shown on the final site plan
<u>Foundation Base</u> – MZO Section 11-33-5(A) - Exterior Walls with Public Entrance	8 feet to 12-feet, 10-inches wide as shown on the final site plan

Exhibits:

Exhibit 1 – Staff Report

Exhibit 2 – Vicinity Map

Exhibit 3 – Application Information

3.1 Project Narrative

3.2 Site Plan

3.3 Grading and Drainage Plan

3.3 Landscape Plan

3.4 Elevations

Exhibit 4 – Citizen Participation Plan

Exhibit 5 – Citizen Participation Report