



PLANNING DIVISION
STAFF REPORT

City Council Meeting

November 21, 2022

CASE No.: **ZON22-00265**

PROJECT NAME: **Sparrow**

Owner's Name:	Sunny Mesa INC
Applicant's Name:	Pew & Lake
Location of Request:	Within the 1200 to 1300 blocks of South 48th Street (both sides), the 4700 to 4800 blocks of East Southern Avenue (south side), and within the 4800 to 4900 blocks of East Hampton Avenue (north side). Located east of Greenfield Road and south of Southern Avenue.
Parcel No(s):	140-54-005S, 140-54-001E, 140-55-004F, 140-54-001B, 140-55-004G
Request:	Rezone from Single Residence-43 (RS-43) and Single Residence-15 (RS-15) to Multiple Residence-4 with a Planned Area Development overlay (RM-4-PAD) and Site Plan Review. This request will allow for an Age-Restricted multiple residence development.
Existing Zoning District:	RS-43, RS-15
Council District:	2
Site Size:	9± acres
Proposed Use(s):	Age-Restricted Multiple Residence
Existing Use(s):	Agricultural uses
Hearing Date(s):	October 26, 2022 / 4:00 p.m.
Staff Planner:	Josh Grandlienard, AICP, Planner II
Staff Recommendation:	APPROVAL with Conditions Planning and Zoning Board
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote: 6-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **August 19, 1974**, the City Council annexed approximately 321± acres, including the western portion of the subject site, into the City of Mesa and established comparable zoning of Agriculture (AG) (Case No. Z74-052; Ordinance No. 812, 886).

On **January 20, 1986**, the City Council approved a rezone of 144± acres, including the subject property, from Agriculture (AG) to Suburban Ranch (SR) (comparable to modern RS-43) and R1-15 (now RS-15) to allow for the development of a mixed-use center that included commercial, office, industrial, and residential uses (Case No. Z85-151; Ordinance No. 2026).

PROJECT DESCRIPTION

Background:

The applicant is requesting a rezone from Single Residence-43 (RS-43) and Single Residence-15 (RS-15) to Multiple Residence-4 with a Planned Area Development overlay (RM-4-PAD) and Site Plan Review approval of an Initial Site Plan to allow for an age-restricted multiple residence project. The subject site is a 9± acres parcel located on the south side of Southern Avenue just east of Greenfield Road. Per the submitted site plan, the applicant is proposing one building that is a mix of two- and three-stories for a total of 208 units, plus amenity areas that includes a clubhouse, pool, community park, and pickleball courts.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character area designation on the property is Neighborhood with a Suburban Sub-type. Per Chapter 7 of the General Plan, the Neighborhood character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. As part of the total neighborhood area, Suburban Sub-types may contain duplexes and other multi-residence projects. Multiple residence is a primary land use within the Suburban Sub-type. The use of RM-4 zoning is allowed as a secondary zoning district provided that a majority (defined in the General Plan as 55% or more) of the character area has been established with primary zoning districts. This request complies with the General Plan because 61% of the total character area is utilizing primary zoning districts.

Staff reviewed the request and determined the proposed multiple residence community is consistent with the Neighborhood character area and meets the development review criteria outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

Zoning District Designations:

The subject property is currently zoned RS-15 and RS-43. The applicant is requesting a rezone to RM-4-PAD. Multiple residence uses are permitted in the RM-4-PAD zoning district.

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

Table 1: Development Standards

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Minimum Yards –</u> <i>MZO Section 11-5-5</i> -Front and Street-Facing Sides adjacent to a collector (east – 48 th St.) -Interior Side: 3 or more units on lot – Multiple Stories	25 feet 15 feet per story (45 feet total)	18 feet 6.5 feet for the west property line adjacent to parcel 14055004B 4.5 feet for the south property line	As proposed
<u>Private Open Space –</u> <i>MZO Section 11-5-5.A.3</i> -Two-bedroom Unit Only	100 square feet	Min. 62 square feet	As proposed
<u>Building Separation –</u> <i>MZO Table 11-5-5</i> -Detached covered parking canopy	20 feet	10 feet	As proposed
<u>Fences and Freestanding Wall Maximum Height –</u> <i>MZO Section 11-30-4(A)(1)(b)</i>	6 feet	8 feet adjacent to single residence uses	As proposed
<u>Landscape Yards –</u> <i>MZO Section 11-33-3 (B)(2)(a)</i> -Non-single residential uses adjacent to non-residential districts or uses (north) -Non-single residential uses adjacent to non-	15 feet 15 feet	10 feet 4.5 feet	As proposed

residential districts or uses (south)			
<u>Landscape Yards –</u> <i>MZO Section 11-33-3 (B)(1)(a)(ii)</i> -Non-single residential uses adjacent to single residence (for sites 2.5 acres or more in size) (west)	25 feet	6.5 feet	As proposed

Minimum Yards:

Per Section 11-5-5 of the MZO, developments within the RM-4 District adjacent to a collector roadway must provide a 25-foot setback to buildings and structures. As shown on the site plan, the applicant is proposing an 18-foot setback along the eastern property line adjacent to 48th Street. Per Section 11-5-5 of the MZO, development with three or more units on a lot must also provide 15 feet of setback per each story of the building along their interior property lines. The proposed three-story building would require a 45-foot setback along its interior property lines. The applicant is proposing a 6 ½ foot setback to the parking field adjacent to the single-residence property located along the northwestern portion of the site and a 4 ½ foot setback along the southern property line.

Private Open Space:

Per Section 11-5-5(A)(3) of the MZO, developments in the RM-4 District are required to provide 100 square feet of private open space per two-bedroom unit. The applicant is proposing a minimum of 62 square feet for 36 of the proposed two-bedroom units. The proposed open space deviation is supported by the overall increased amenities in the common open space and because average the private open space is 100 square feet per two-bedroom unit with a range from 62 to 144 square feet per two-bedroom unit, with this deviation only affecting two bedroom units.

Building Separation:

Per Table 11-5-5 of the MZO, detached parking canopies must be separated from the building by at least 20 feet. In order to meet fire apparatus requirements and still provide parking canopies adjacent to the building, the applicant is requesting to reduce the parking canopy separation to 10 feet.

Fences and Freestanding Wall Maximum Height:

Per Section 11-30-4(A)(1)(b) of the MZO, site wall located on the side or rear property line may be a maximum six feet in height. Currently, an approximate six-foot wall is located along the western boundary, which is the rear or side yard wall to the two adjacent single residence homes. The applicant is proposing to replace these walls with an eight-foot privacy wall to provide the adjacent neighbors with additional screening. This proposed change to eight-feet was requested during the citizen outreach for this project by the neighboring single-residence property owners.

Landscape Yards:

Per Section 11-33-3 (B)(1)(a)(ii) of the MZO, non-single residential uses greater than 2.5-acres in size adjacent to single residential uses must provide a 25-foot landscape yard between such uses. The applicant is proposing a six and a half-foot landscape yard along the northwestern portion of the site adjacent to the single-residence owned by the Killian family (applicant). Furthermore, per Section 11-33-3 (B)(1)(a) of the MZO, non-single residential uses adjacent to other non-single residence uses must provide a 15-foot landscape yard between uses. The applicant is proposing a 4 ½ foot landscape yard along the southern property line.

PAD Justification:

The proposed development conforms to the criteria for a PAD. Per Section 11-22-1 of the MZO, the purpose of a PAD overlay is to allow modifications to certain development standards to promote innovative design and flexibility that creates a high-quality development for the site. The submitted documents show the proposed development will be unique by having several requirements that exceed the City's requirements in many instances – such as building setbacks, open space, amenity counts, and the quality interior and exterior architectural themes and appreciation of the outdoor environment. These superior design elements are tailored to this creative and highly demanded residential uses. Overall, the proposed code deviations are commensurate with the proposed building and landscape design features.

While the applicant is requesting reduced setbacks and landscape yard to the parking fields, the residential building setbacks exceed requirements. Further, additional landscaping will occur on both sides of the 48th Street within the right-of-way. Based on the citizen participation outreach, the applicant proposes to maintain four rows of citrus trees along the western boundary to provide an increased buffer to the existing single residences to the west.

Site Plan and General Site Development Standards:

The proposed site plan shows one, two- to three-story building containing 208 units. The site plan includes a proposed density of approximately 25.1 dwelling units per acre. The portion of the building that is two-story is located along the western lineside of the site to help provide a transition in density from the adjacent single residence neighborhoods. Unit types range from studio to two-bedroom units intended for 55+ residents.

Primary access to the site is from Southern Avenue, with a secured access along 48th Street. The primary access will terminate at the proposed clubhouse and amenity area which then leads to a gated parking area. Secondary access is provided on the east side of the proposed site on to S. 48th Street.

Per Section 11-32-3 of the MZO, 2.1 parking spaces per unit are required for multiple residence uses. The proposed development with 208 units would require 437 parking spaces. However, per Section 11-32-7(F) of the MZO, alternative compliance with the minimum parking requirements is available for housing projects designed for residents with special needs, such as senior citizens, if the applicant can demonstrate that the proposed development will not generate a need for as much parking as a project designed for a general market. Based on the parking study provided by the applicant, the Institute of Traffic Engineers and Urban Land Institute have rated the parking demand for an active senior housing to be 0.85 spaces per unit. Based on this ratio, alternative compliance with the parking requirements can be met with a total of 177 parking

spaces to serve the proposed use. The applicant is proposing 293 parking spaces on site. Thus, the applicant meets the parking requirements of the MZO via alternative compliance.

Design Review:

The Design Review Board reviewed the subject request on September 13, 2022. The Board expressed concern with the viability and longevity of the citrus grove and recommended best practices to maintain the health of the trees. The Board also had general comments on the design of the proposed parking and building elevations of the structures on site. Staff will be working with the applicant to address the comments and recommendations from the Design Review Board.

Surrounding Zoning Designations and Existing Use Activity:

Northwest RS-15-PAD Single Residences	North Currently RS-43 (Proposed RM-4-PAD)	Northeast RS-15 Church
West RS-15-PAD Single Residences	Subject Property RS-43/RS-15 Vacant/existing agricultural uses	East PS School
Southwest RS-15-PAD Single Residences	South RS-15-PAD Single Residences	Southeast (Across E. Hampton Avenue) RS-6-PAD Single Residences

Compatibility with Surrounding Land Uses:

The subject site is currently vacant with the exception of former agricultural use buildings. North of the site, across Southern Avenue is an age-restricted single residence community. To the west of the site are single residences. East of the site is an existing school and church. South of the subject site is the proposed multiple residence development (Case. No. ZON22-00942). The proposed use is consistent with the existing Age-restricted uses to the north and is consistent with the general plan by providing for multiple housing types within the area, while also meeting the demand of senior based housing in the area. The proposed age-restricted multi-residential development is compatible with the surrounding development and land uses.

School Analysis:

Staff did not receive a response from the Mesa Public Schools District regarding the anticipated impact and capacity to nearby schools. However, with the Age-restricted nature of proposed use, no one under the age of 55+ will be allowed to live on site and therefore not create any demand for the nearby schools.

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

neighborhoods within one mile of the site. Staff has been contacted by several neighbors stating their concern of oversaturation of multiple residence uses in the area and traffic impacts.

As a part of their Citizen Participation Process, the applicant held two neighborhood meetings via Zoom on January 20th and May 9, 2022. Topics raised by neighbors were: (1) Traffic concerns, specifically south of the property where Hampton Avenue and 48th Street merge; (2) Density; and (3) Building height and visibility in adjacent properties as well as visibility into the adjacent school playground. The applicant also participated in at least 12 individual meetings with various neighbors to discuss the proposed project and ways they could address concerns.

As a result of their public outreach, the applicant made several design changes to the proposed project. To address concerns regarding density the number of units was reduced from 216 to 208 units. This was accomplished by reducing the height of the buildings adjacent to the neighborhoods from three to two-stories. The reduction in height in returned also helped address concerns with the height of the building and adjacent property owner privacy. To further address privacy concerns, the applicant is requesting a deviation to the maximum wall height in order to replace the existing privacy walls along adjacent to the single residence properties with an eight-foot wall. In addition, the applicant is proposing to maintain four rows of citrus trees along the western boundary of the site in order to help buffer the proposed use from the existing single residence uses. Where trees are unhealthy or dying, they will be replaced with either new citrus trees or Shamel Ashe trees.

Staff will provide the Board with any new information during the scheduled Study Session on October 26, 2022.

Staff Recommendations:

Based on the application received and the preceding analysis, staff finds the requested rezone and Site Plan Review is consistent with the Mesa 2040 General Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, parking alternative compliance criteria per Section 11-32-7(F) of the MZO, and meets the review criteria for a Planned Area Development outlined in Section 11-22-5 of the MZO; therefore, staff recommends approval with the following conditions.

Conditions of Approval:

1. Compliance with the 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, or at the time of the City's request for dedication whichever comes first.
3. Prior to issuance of any building permit, the applicant must record a lot line adjustment with Maricopa County to accommodate the proposed development.
4. Compliance with all requirements of DRB22-00440.
5. If, and at such time, the development is converted to a general market housing development and is no longer a housing development for senior citizens, a parking plan shall be submitted to the City demonstrating how parking complies with the requirements of Section 11-32-3 of the Mesa Zoning Ordinance, as amended

6. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD and shown in the following table:

Development Standard	Approved
<u>Minimum Yards –</u> <i>MZO Section 11-5-5</i> -Front and Street-Facing Sides adjacent to a collector (east – 48 th St.) -Interior Side: 3 or more units on lot – Multiple Stories	18 feet 6.5 feet for the west property line adjacent to parcel 14055004B 4.5 feet for the south property line
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<u>Building Separation –</u> <i>MZO Table 11-5-5</i> -Detached covered parking canopy	10 feet
<u>Fences and Freestanding Wall Maximum Height –</u> <i>MZO Section 11-30-4(A)(1)(b)</i>	8 feet adjacent to single residence uses
<u>Landscape Yards –</u> <i>MZO Section 11-33-3 (B)(2)(a)</i> -Non-single residential uses adjacent to non- residential districts or uses (north) -Non-single residential uses adjacent to non- residential districts or uses (south)	10 feet 4.5 feet
<u>Landscape Yards –</u> <i>MZO Section 11-33-3 (B)(1)(a)(ii)</i> -Non-single residential uses adjacent to single residence (for sites 2.5 acres or more in size) (west)	6.5 feet

Exhibits:

Exhibit 1-Vicinity Map

Exhibit 2-Staff Report

Exhibit 3-Application Information

3.1 Site Plan

3.2 Grading and Drainage Plans

3.3 Landscape Plan

3.4 Elevations

- 3.5 Project Narrative
- 3.6 Parking Study
- 3.7 Citizen Participation Plan
- Exhibit 4-Citizen Participation Report
 - 4.1 Letter of Support
 - 4.2 Letters in Opposition