



## PLANNING DIVISION

### STAFF REPORT

**City Council Hearing**

**June 7, 2021**

CASE No.: **ZON21-00050**

PROJECT NAME: **Sossaman Heights**

Owner's Name:	Superstition & Sossaman Road and Sossaman & Baseline Rd LTD Partnership
Applicant's Name:	Brian Sandstrom, ARCHISTRUCT
Location of Request:	Within the 1800 to 2000 blocks of South Sossaman Road (west side). Located north of Baseline Road on the west side of Sossaman Road.
Parcel No(s):	218-56-310, -309, -007N, -308, -307A, 307B, -306, -305, and -304B
Request:	Rezone from Single Residence 6 with a Planned Area Development overlay (RS-6-PAD), Office Commercial (OC), and Neighborhood Commercial (NC) to Multiple Residence 4 with a Planned Area Development (RM-4-PAD); and Site Plan Review. This request will allow for the development of a multiple residence development. Also consider a preliminary plat for "Sossaman Heights"
Existing Zoning District:	RS-6-PAD, OC, and NC
Council District:	6
Site Size:	1.2± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Vacant
P&Z Hearing Date(s):	<b>April 28, 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 **May 15, 1985**, the City Council approved annexation of a 583.6± acre area of land, including subject property. (Ordinance No. 1936)

On **May 5, 1986**, the City Council approved a rezoning of 1.8± acres of property that included a portion of the subject property from Maricopa County Commercial Office (CO) & Intermediate Commercial (C-2) zoning designation to City of Mesa Office Commercial (OC) & Neighborhood Commercial (NC) zoning designation (Case No. Z86-055; Ordinance No. 2080).

On **May 28, 1986**, the City Council approved a rezoning of 302± acres of property that included a portion of the subject property from Maricopa County R1-6 zoning designation to City of Mesa Single Residence 6 with a Planned Area Development (RS-6-PAD) overlay designation (Case No. Z85-074, Ordinance No. 2090)

On **March 20, 1989**, The City Council approved the development of a convenience store and service station on a property located south of the subject property. The approval included a cross access with the subject property. (Case No. Z89-002; Ordinance No. 2418)

## PROJECT DESCRIPTION

### **Background:**

The applicant is requesting to rezone the subject site from Single Residence 6 with a Planned Area Development Overlay (RS-6-PAD), Neighborhood Commercial (NC) and Office Commercial (OC) to Multiple Residence 4 with a Planned Area Development Overlay (RM-4-PAD); and site plan review to allow development of a 29-unit multiple residence development on the property. The subject property is located on Sossaman Road, approximately 240 feet north of Baseline Road. Currently, the site is vacant and consists of undeveloped parcels located in an approved plat (i.e. the “Desert Sands Golf and Country Club” plat). The applicant is also requesting a preliminary plat to allow creation of a new subdivision from the existing plat to allow the proposed development.

As part of the request for the PAD overlay, the applicant is requesting certain modifications to the City’s required development design standards to allow flexibility in developing the property while ensuring the overall development is innovative and high quality. 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 application documents, including the building elevations and site plan, show the proposed development will be unique and consists of innovative design such as high-quality materials and increased common open space areas within the development. The design and proposed open space areas conforms to the goals of the MZO for a PAD.

**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 are primarily single residence in nature. However, as part of a total neighborhood area, the character area may also contain areas of duplexes and other multi-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 two and 12 dwelling units per acre, with higher density allowed along arterial street intersections.

The proposed development of the site for multiple residence conforms to the goals of the Neighborhood Suburban character designation. The use will add to the diversity of housing envisaged in the character area designation and improve the streetscape along Sossaman Road. The design of the site conforms to the forms and 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-6-PAD, OC and NC to RM-4 with a PAD overlay to allow modifications 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-4 zoning district. Per Section 11-5-1 of the MZO, the purpose of the multiple residence zoning district is to provide areas for a variety of housing types.

**Airfield Overlay – Mesa Zoning Ordinance (MZO) Article 3, Section 11-19:**

Per Section 11-19 of the MZO, the property is located within the Airfield (AF) Overlay District. Specifically, within the Airport Overflight Area Three (AOA 3). The location of the property within AOA 3 is due to its proximity to Phoenix-Mesa Gateway Airport. Per Section 11-19 of the MZO, residential land uses are allowed within the AOA 3.

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

The subject request includes a PAD overlay to allow for modifications to certain required development standards of the MZO. Per Section 11-22 of the MZO, the purpose of the 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 providing high-quality development design and amenities including 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
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<u>Minimum Yard Setbacks –</u> <i>MZO Sections 11-5-5 &amp; 11-33-3</i> - Front and Street Facing <i>(along Sossaman Road)</i>  - Interior Side (north <i>property line)</i>  - Rear (west property line)	(bbuilding/landscape)  20’/20’  30’/20’  20’/20’	(bbuilding/landscape)  <b>0’/0’</b>  <b>30’/0’ except as  shown on the site  plan</b>  <b>15’/0’ except as  shown on the site  plan</b>	As proposed
<u>Minimum Parking  Requirements –</u> <i>MZO Section 11-32-3 &amp; 11-32-4</i> - Required Ratio - Setback of Cross Drive Aisles - Covered Parking	 2.1 spaces/unit 50 feet  29 spaces	 <b>1.86 spaces/unit</b> <b>37’</b>  <b>26 spaces</b>	As proposed
<u>Minimum Private Open  Space –</u> <i>MZO Sections 11-5-5</i> - Studio & 1-bedrooms - 2-bedrooms - 3-bedrooms	60 SF 100 SF 120 SF	<b>53 SF</b> <b>61 SF</b> <b>83 SF</b>	As proposed

As shown on the table above, the applicant is requesting the following modifications from the RM-4 zoning district development standards as outlined in Sections 11-5-5, 11-33-3, 11-32-3 and 11-32-4 of the MZO.

Minimum Yard Setbacks (Building and Landscape) - Front and Street Facing:

Per Section 11-5-5 of the MZO, the required building and landscape setback along Sossaman Road is 20 feet. The applicant is requesting a reduction in the setback from 20 feet to 0 feet. According to the applicant, the requested reduction is to create an urban form of development with buildings located close to the street that enhances pedestrian interaction and scale. Per the City’s Capital Improvement Plan (CIP), the right-of-way along Sossaman Road, the adjacent road abutting the property, will be improved in 2022 to include utility easements, landscaping and public sidewalks. The proposed site plan shows the proposed buildings will be setback approximately 20 feet from the Sossaman Road travel lane.

Interior Side Landscape Setback:

Per Section 11-33-3 of the MZO, the required interior landscape setback is 20 feet along the north property line. The applicant is requesting a reduction of the landscape setback from 20 feet to a minimum of 0 feet. Per the site plan submitted, the minimum landscape setback shown is 0 feet, however, there are areas within the landscape setback areas with a landscaping width of up to 30 feet. According to the applicant, the requested deviation is to accommodate required vehicular parking located on the west side of the buildings. As a mitigation for the reduction of the interior landscape areas, the site plan shows additional foundation base landscaping that exceeds the City's standards will be constructed on the property.

Interior Rear Building and Landscape Setback:

Per Sections 11-5-5 and 11-33-3 of the MZO, the required building and landscape setback is 20 feet along the western property line. The applicant is requesting a reduction in the required building setback from 20 feet to 15 feet and a reduction in the required minimum landscape setback from 20 feet to 0 feet. The proposed site plan shows the 0-foot landscape setback is needed to accommodate the turning radius for the drive aisle on the western section of the property line. The site plan also shows a minimum of 7 feet of landscape area for all other locations along the western property line. According to the applicant, the requested reductions in the rear yard setback and landscape area are due to the narrow depth of the subject property.

Parking Ratio:

Per Section 11-32-3 of the MZO, a minimum parking ratio of 2.1 parking spaces per unit is required for multiple residence uses. The applicant is requesting a parking ratio of 1.86 spaces per unit. According to the applicant, the proposed reduction in the parking ratio is consistent with similar multiple residence projects in the area. A parking study provided by the applicant shows the proposed vehicular parking spaces will be adequate to meet the needs of the development.

Parking Setback:

Per Section 11-32-4 of the MZO, parking spaces along main drive aisles connecting directly to a street shall be set back at least 50 feet from the property line. The applicant is requesting a reduction in the setback from 50 feet to 37 feet from the property line. The site plan shows the closest parking space is set back 37 feet from the property line. However, there is approximately 26 feet of landscape area within existing right-of-way abutting the property. When accounting for this existing right of way the parking space will be set back approximately 63 feet from the entry drive.

Covered Parking:

Per Section 11-32-3 of the MZO, multiple residence projects shall provide a minimum of 1 covered parking space per unit for a total of 29 required covered spaces. The applicant is requesting a reduction in the required number of covered parking spaces from 29 to 26 spaces.

According to the applicant, the requested reduction is due to the unique lot shape and narrow depth of the lot.

**Private Open Space:**

Per Section 11-5-5 of the MZO, a minimum private open space of 60 square feet (SF) for studios & 1-bedrooms, 100 SF for 2-bedrooms, and 120 SF for 3-bedroom units is required. The applicant is requesting a reduction in the minimum private open space. Specifically, a reduction from 60 SF to 53 SF for studios and 1-bedrooms; from 100 SF to 61 SF for 2-bedrooms; and from 120 SF to 83 SF for 3-bedrooms. According to the applicant, the reduction is requested to reduce resident storage and maintain a quality, clutter-free environment, particularly for the units along Sossaman Road. Per the submitted plans, provided total open space areas, including common open space, on the property exceeds the City's required minimum open space of 150 square feet.

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

The request is to allow development of a two-building, 29-unit multiple residence on the property. From the submitted site plan, primary access to the site will be from a shared access drive onto Sossaman Road located east of the property. The site plan also shows one proposed amenity clubhouse building. In addition to the amenity building, the site plan also shows there will be other amenities on the property that include a pet park, pool, and yard games located along the western boundary of the site, adjacent to the golf course. Regarding vehicular parking, the site plan shows parking for the residents located on the west side of the property, behind the proposed buildings.

**Preliminary Plat:**

The applicant is requesting preliminary plat approval for "Sossaman Heights". Section 9-6-2 of the Mesa Subdivision standards requires approval of all subdivision plats located in the City to be processed through four progressive stages. Review and approval of a preliminary plat is the second stage in the series of the progressive stages. This review includes the evaluation of the overall design of the subdivision and details, such as utilities layout, ADA compliance, and detention requirements. The preliminary plat is reviewed and approved by the Planning & Zoning Board. Per section 9-6-2 of the City's subdivision regulations, all plats are subject to Final Plat approval through the City Council. The request meets the review criteria for approval of a preliminary plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations.

**Design Review:**

The Design Review Board is scheduled to review the subject request on May 11, 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:**

Northwest	North	Northeast
RS-6-PAD	RS-6-PAD	(Across Sossaman Road) RS-6-PAD

Golf Course	Access Tract for the Golf Course	Single Residence
<b>West</b>  RS-6-PAD Golf Course	<b>Subject Property</b>  RS-6-PAD, OC, & NC Vacant	<b>East</b> (Across Sossaman Road) LC Commercial
<b>Southwest</b>  RS-6-PAD Golf Course	<b>South</b>  NC Commercial	<b>Southeast</b> (Across Sossaman Road) LC Commercial

**Compatibility with Surrounding Land Uses:**

The subject site is located immediately north of an existing convenience store and service station. From the submitted application, the development will share an existing access drive with the adjacent convenient store and service station. The property to the west of the site is developed as a golf course (i.e. the Desert Sands golf course and associated maintenance building). The property to the east, across Sossaman road, is developed as commercial. The proposed rezoning and development of the site as multiple residence will not be out of character with the surrounding land uses. In addition, development of the site will aid in the revitalization of the area.

**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 neighborhoods within 1 mile of the site. The applicant held one (1) virtual neighborhood meeting on January 21, 2021. From the applicant's submitted report, approximately 3 residents attended the meeting with general questions related to the future of the adjacent golf course and traffic impacts. According to the report, the applicant also received phone calls from two additional residents who did not attend the neighborhood meeting. The primary concern expressed by the neighbors were about the proposed height of the buildings and if those buildings will block sunset views. The applicant conducted a balloon study to verify that views will not be impacted by the proposed 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 April 28, 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 for its potential impact on the existing schools in the area. The school district provided the following analysis:

Proposed Development (29 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
Wilson	Elementary	2-4	Yes
Fremont	Middle School	2	Yes
Skyline	High School	1	Yes

**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, include all the common amenities shown on the final site plan including: a swimming pool, a clubhouse, and pet park.
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. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Owner shall execute and record the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to the issuance of a building permit.
  - b. Prior to the issuance of a building permit, provide documentation that a registered professional engineer or registered professional architect has certified that noise attenuation measures have been incorporated into the design and construction of the buildings to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Mesa Zoning Ordinance.
  - c. Provide written notice to future property owners that the project is within five mile(s) of Phoenix-Mesa Gateway.
  - d. Due to the proximity to Phoenix-Mesa Gateway Airport, any proposed permanent, or temporary structure, as required by the FAA, is subject to an FAA filing, for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. If required, an FAA determination notice of no hazard to air navigation shall be provided prior to building permit issuance.
  - e. All final subdivision plats and leasing offices shall include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which shall state in part: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, will



experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals.”

6. 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:

MZO Development Standards	Proposed
<u>Minimum Yard Setbacks –</u> <i>MZO Sections 11-5-5 &amp; 11-33-3</i> - <i>Front (east property line)</i> - <i>Interior Side (north property line)</i> - <i>Rear (west property line)</i>	(building/landscape)  <b>0’/0’</b>  <b>30’/0’ except as shown on the site plan</b>  <b>15’/0’ except as shown on the site plan</b>
<u>Minimum Parking Requirements –</u> <i>MZO Section 11-32-3 &amp; 11-32-4</i> - <i>Required Ratio</i> - <i>Setback of Cross Drive Aisles</i> - <i>Covered Parking</i>	<b>1.86 spaces/unit</b>  <b>37’</b>  <b>26 spaces</b>
<u>Minimum Private Open Space –</u> <i>MZO Sections 11-5-5</i> - <i>Studio &amp; 1-bedrooms</i> - <i>2-bedrooms</i> - <i>3-bedrooms</i>	<b>53 SF</b>  <b>61 SF</b>  <b>83 SF</b>

**Exhibits:**

**Exhibit 1- Vicinity Map**

**Exhibit 2- Staff Report**

**Exhibit 3-Application Information**

3.1 Site Plan

3.2 Grading and Drainage Plan

3.3 Landscape Plan

3.4 Elevations

3.5 Narrative

**Exhibit 4-Citizen Participation Plan**

**Exhibit 5-Citizen Participation Report**

**Exhibit 5-Avigation Easement**