



**PLANNING DIVISION
STAFF REPORT**

City Council Hearing

August 23, 2021

CASE No.: **ZON20-00585**

PROJECT NAME: **Lofts at Superstition Vistas**

Owner's Name:	Cardon Hiatt Investments, LLC & CB Equity, LLC
Applicant's Name:	Jared Malone, Associated Architects
Location of Request:	Within the 7300 block of East Southern Avenue (north side) and within the 1100 block of South Rowen (east side). Located west of Sossaman Road on the north side of Southern Avenue.
Parcel No(s):	218-64-642D
Request:	Rezone from Limited Commercial with a Planned Area Development overlay (LC-PAD) to Multiple Residence 2 with a Planned Area Development overlay (RM-2-PAD-PAD). This request will allow for the development of attached single residences. Also consider a preliminary plat for "The Lofts at Superstition Vistas".
Existing Zoning District:	Limited Commercial with a Planned Area Development Overlay
Council District:	5
Site Size:	1.77 ± acres
Proposed Use(s):	Single Residence
Existing Use(s):	Vacant
P&Z Hearing Date(s):	July 28, 2021 / 4:00 p.m.
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 **October 9, 1979**, the City Council approved the annexation of a 276± acre area of land that included the subject property and subsequently rezoned the property to Single Residence 35 (RS-35) (Case No. Z80-016; Ordinance No. 1313).

On **July 18, 1988**, the City Council approved a rezoning of a 78± acre site that included the subject property from RS-35 to Limited Commercial (LC) to allow a commercial development on the property (Case No. Z88-033; Ordinance No. 2362).

On **May 4, 1992**, the City Council approved a Development Master Plan overlay (i.e. Superstition Springs) on a 1413± acre property that included the subject property (Case No. Z92-014; Ordinance No. 2693).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the subject site from Limited Commercial with a Planned Area Development overlay (LC-PAD) to Multiple Residence 2 with a Planned Area Development Overlay (RM-2-PAD) to allow development of a 21-unit attached single residence on the property. Currently, the property is vacant and located on the north side of Southern Avenue, west of Sossaman Road. The property is surrounded by a single residence subdivision to the north, a retention area to the east, and a post office building to the west, across a local street.

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 an attached single 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 Southern Avenue. The design of the site also conforms to the form and design guidelines outlined for such development in the Neighborhood Suburban character area, such as density under 12 dwelling units per acre, buildings heights under two stories, and accessible, useable community space. 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 LC-PAD 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 attached single residence use is allowed in the RM-2 zoning district.

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. Phoenix-Mesa Gateway Airport staff reviewed the proposed request and did not have any concerns with the proposed development.

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: Development Standards

MZO Development Standards	Required	Proposed	Staff Recommendation
<u>Minimum Lot Area per Dwelling Unit</u> – MZO Section 11-5-5	2,904 square feet	1,260 square feet	As proposed
<u>Minimum Lot Dimensions</u> – MZO Section 11-5-5 - Minimum Lot Width (Single-Residence Attached) - Minimum Lot Depth (Single-Residence Attached)	36 feet 94 feet	21 feet 60 feet	As proposed
<u>Building Setbacks</u> – MZO Section 11-5-5 - Front & Street Facing Side Setback, 6-lane arterial (Southern Avenue) - Front & Street Facing Side Setback, Local Street (Rowen) - Interior Side and Rear, 3 or more units on lot, Multiple	30 feet 20 feet 15 per story (30 feet total)	20 feet 16 feet As shown on the site plan	As proposed

Story (north & east property lines)			
<u>Landscape Yard Width –</u> <i>MZO Section 11-33-3</i> Non-single residential uses adjacent to single residence uses (East & North property line)	20 feet	7 feet on north property line, 5 feet on east property line	As proposed
<u>Minimum Interior Side Yard</u> <i>– MZO Section 11-5-5(A)(1)</i> Required interior side yard on the end units	10 feet	0 feet	As proposed
<u>Private Open Space –</u> <i>MZO Section 11-5-5(A)(3)(e)</i> Private open space located at the ground level	No dimension shall be less than 10 feet	Minimum dimension allowed is 6 feet for depth only	As proposed
<u>Building Entrances –</u> <i>MZO Section 11-5-5(B)(3)(c)</i> Minimum depth for individual exterior unit entrances	Must have a roofed projections such as a porch or recess with a minimum depth of 5 feet and horizontal area of 50 square feet	Roof projection with a minimum depth of 3 feet and horizontal area of 50 square feet	As proposed
<u>Access, Circulation and Parking –</u> <i>MZO Section 11-5-5(B)(4)(f)</i> Allowed maximum number of garage doors for multiple garage doors to be located adjacent to one another in one building	3 maximum garage doors adjacent to one another	5 maximum garage doors adjacent to one another	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 Lot Area:

Per Section 11-5-5 of the MZO, the minimum lot area per dwelling unit is 2,904 square feet and the minimum lot size required is 36 feet wide by 94 feet deep. The applicant is requesting a reduction to the minimum lot area from 2,904 square feet to 1,260 square feet per unit. The applicant is also requesting a reduction to the minimum lot width from 36 feet to 21 feet and the minimum lot depth from 90 feet to 60 feet. According to the applicant, the requested modifications are necessary to facilitate the proposed development that is intended to serve as a transition between an arterial street and an existing single residence subdivision to the north.

Minimum Setback – Front:

Per Sections 11-5-5 & 11-33-3 of the MZO, the minimum building and landscape setback along Southern Avenue is 30 feet. The applicant is requesting a reduction to the required building setback from 30 feet to 20 feet and a reduction of the required landscape setback from 30 feet to 7 feet. According to the applicant, the requested reductions to the building and landscape setbacks are to allow the development and the proposed buildings to be constructed closer to Southern Avenue and enhance the pedestrian experience when such developments are located close to the street. The required modifications are also to allow more area within the center of the development to be used as a common amenity open space area.

Minimum Setback – Street Side:

Per Sections 11-5-5 & 11-33-3 of the MZO, the minimum building and landscape setback along Rowen is 20 feet. The applicant is requesting a reduction to the setback from 20 feet to 16 feet. According to the applicant, the requested reductions to the setbacks are to allow the development and associated buildings to be constructed closer to the street and increase the pedestrian experience when buildings are placed closer to street. Allowing the buildings closer to the street will also allow an increase to the center of the development to be used as open space and amenity areas within the development. Per the submitted site plan, the private open space areas within the units adjacent to Rowen will be constructed to face the street and enhance the pedestrian experience along the street.

Minimum Setback – Interior Side and Rear:

Per Section 11-5-5 of the MZO, the minimum building setback for a two-story building along the northern property line is 30 feet. The applicant is requesting a reduction from 30 feet to 20 feet. According to the applicant, this reduction is necessary to facilitate the proposed development that is intended to serve as a transition between an arterial street and an existing single residence subdivision to the north. Per the submitted site plan, the reduced building setback is only for Building A, all other proposed buildings conform to the required setback of 30 feet.

Per Section 11-33-3 of the MZO, the minimum landscape setback for property lines adjacent to a single residence zoning district is 20 feet. A 20-foot landscape setback is required along the northern and eastern property lines. The applicant is requesting a reduction to the required setback from 20 feet to 7 feet on the north property line and from 20 feet to 5 feet on the eastern property line. According to the applicant, the requested reduction to the required setbacks are to accommodate increased common open space areas within the development.

Minimum Interior Side Yard:

Per Section 11-5-5(A)(1) of the MZO, attached single residence structures are permitted to have a 0-foot building setback when the end units are constructed to maintain a 10-foot setback. The applicant is requesting a reduction to the required setbacks from 10 feet to 0 feet. According to the applicant, the requested reduction is to allow a larger drive aisle wide enough to accommodate Solid Waste and Fire vehicles.

Private Open Space:

Per Section 11-5-5(A)(3) of the MZO, the depth of the ground level private open space areas within the development are required to be a minimum of 10 feet. The applicant is requesting a reduction to the minimum private open space depth from 10 feet to 6 feet. According to the applicant, the requested reduction is needed to accommodate increased common open space areas that is intended to serve as a centralized community gathering space.

Building Entrances:

Per Section 11-5-5(A)(3) of the MZO, all individual unit entrances must have a roof projection with a minimum depth of at least 5 feet. The applicant is requesting a reduction to the minimum roof projection from 5 feet to 3 feet. According to the applicant, the requested roof projection dimension is to conform with the design of the private open space areas to allow 3 feet of open air in the private yards.

Access, Parking and Circulation:

Per Section 11-5-5(B)(4) of the MZO, when multiple garage doors are located within one building, the maximum number of garage doors adjacent to one another shall be limited to three doors. The applicant is requesting an increase to the maximum garage doors adjacent to one another from 3 doors to 5 doors. The proposed elevations show breaks in the second-story facades minimizing the dominance of the garage doors and creating an improved aesthetic view of the facades. Per the submitted plans, buildings with 4 or more garage doors adjacent to each other will not be visible from public view on Southern Avenue and Rowen.

Site Plan and General Site Development Standards:

The proposed site plan shows development of a 21-unit attached single residence development with primary vehicular access located on Rowen to the west of the property. Overall, the site plan shows there will be six two-story buildings on the property with each building consisting of three to five units. The proposed site plan also shows the common open space and amenity area will be located in the center of the development to create a centralized common area for residents to gather. There are two buildings shown on the site plan to be constructed adjacent to Rowen Street. The units adjacent to Rowen will consist of private open space areas designed to face the street. The intent of this design is to create and enhance the pedestrian experience along the street. Per Section 11-32-3 of the MZO, 45 parking spaces are required for the development. According to the site plan submitted, 55 spaces will be provided in the development. The parking spaces will be provided within the proposed attached garages and surface parking. The site plan also show 13 surface parking spaces will be provided within the development, specifically located to the east of the common open space area shown on the site plan.

Preliminary Plat:

Section 9-6-2 of the Mesa Subdivision Regulations 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 retention requirements. The Preliminary Plat is reviewed and approved by the Planning and Zoning Board. Per Section 9-6-2 of the City's Subdivision Regulations, all plats are

subject to Final Plat approval by City Council. The proposed request meets the review criteria for approval of a Preliminary Plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Rowen) Single Residence RS-6-PAD-PAD	North Single Residence RS-6-PAD-PAD	Northeast (Across Drainage Channel) Single Residence RSL-2.5-PAD-PAD
West (Across Rowen) LC-PAD Post Office	Subject Property LC-PAD Vacant	East (Across Drainage Channel) Single Residence RSL-2.5-PAD-PAD
Southwest (Across Southern Avenue) RM-4-PAD Multiple Residence	South (Across Southern Avenue) RM-4-PAD Multiple Residence	Southeast (Across Southern Avenue) LI-PAD-CUP Commercial

Compatibility with Surrounding Land Uses:

The subject property is adjacent to existing single residence subdivisions to the north and across a drainage channel to the east. There is a post office facility located to the west of the property, specifically across Rowen. Overall, the proposed development of the site as attached single residence will serve as an appropriate transition between Southern Avenue and the existing single residence subdivision. In addition, the proposed development help provide diversity in housing options to serve the surrounding community and foster the goals of the General Plan to provide diversity of housing types in the City.

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 one (1) virtual neighborhood meeting on June 9, 2021. From the applicant's submitted citizen participation report, the two major primary comments expressed by the neighbors were: (1) potential impact of parking and solid waste to the existing single residences to the north and (2) inquiry about the anticipated timeline of the development and projected construction cost. According to the applicant, no solid waste bins or parking will be located along the northern site boundary.

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 July 28, 2021 Study Session. Staff will provide the Board with any new information during the scheduled Study Session.

Economic Development Analysis:

Economic Development reviewed the request and did not have any comments on the proposed rezone request.

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 (21 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
Jefferson	Elementary	0	Yes
Fremont	Middle School	1	Yes
Skyline	High School	0-1	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, meets the review criteria for approval of a preliminary plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations; therefore, staff 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 the Subdivision Regulations.
3. Compliance with the final building elevations submitted.
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 the PAD overlay and shown in the following table:

MZO Development Standards	Approved
<u>Minimum Lot Area per Dwelling Unit</u> – MZO Section 11-5-5	1,260 square feet
<u>Minimum Lot Dimensions</u> – MZO Section 11-5-5 - Minimum Lot Width (Single-Residence Attached) - Minimum Lot Depth (Single-Residence Attached)	21 feet 60 feet
<u>Building Setbacks</u> – MZO Section 11-5-5 -Front & Street-Facing Side Building Setback, 6-lane arterial (Southern Avenue) - Front & Street-Facing Side Building Setback, Local Street (Rowen) -Interior Side and Rear, 3 or more units on lot, Multiple Story (north & east property lines)	20 feet 16 feet As shown on the site plan
<u>Landscape Yard Width</u> – MZO Section 11-33-3 Non-single residential uses adjacent to single residence uses (East & North property line)	7 feet on north property line, 5 feet on east property line
<u>Minimum Interior Side Yard</u> – MZO Section 11-5-5(A)(1) Required interior side yard on the end units	0 feet
<u>Private Open Space</u> – MZO Section 11-5-5(A)(3)(e) Private open space located at the ground level	Minimum dimension allowed is 6 feet for depth only
<u>Building Entrances</u> – MZO Section 11-5-5(B)(3)(c) Minimum depth for individual exterior unit entrances	Roof projection with a minimum depth of 3 feet and horizontal area of 50 square feet

<u>Access, Circulation and Parking –</u> MZO Section 11-5-5(B)(4)(f) Allowed maximum number of garage doors for multiple garage doors to be located adjacent to one another in one building	5 maximum garage doors adjacent to one another
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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 Floor Plans

3.6 Preliminary Plat

3.7 Citizen Participation Plan

Exhibit 4-Citizen Participation Report