



PLANNING & ZONING COMMISSION

STAFF REPORT

Meeting Date: 9/5/2024

Agenda Item(s): 6R

TO: Planning and Zoning Commission

THROUGH: Chris M. Jacques, AICP, Planning Director

FROM: Sarah Dircks, Senior Planner

SUBJECT: Ascent Mystic: Lake Pleasant Heights Major PCD Amendment (Z03-05A.6)
Northwest corner of El Mirage Westland Road

PROPOSAL

Proposal for a Major Amendment to the Lake Pleasant Heights Planned Community Development (PCD) to increase the height allowance of buildings located on Parcel A-16 of the Lake Pleasant Heights PCD from thirty- six (36) feet to thirty-nine and a half (39' 6") feet.

APPLICATION INFORMATION

Case Numbers Major PCD Amendment (Z03-05A.6)

Applicant George Pasquel III of Withey Morris Baugh, PLC

Requests Major Amendment to the Lake Pleasant Heights Planned Community Development (PCD) to increase the height allowance of buildings located on Parcel A-16 of the Lake Pleasant Heights PCD by 3.5 feet.

BACKGROUND AND CONTEXT

The subject site, referred to herein as "Ascent Mystic: Lake Pleasant Heights" or simply as "Ascent Mystic" is located on Parcel A-16 on the northwest corner of El Mirage and Westland Road as outlined in red within **Exhibit 2**. Ascent Mystic is approximately 28-acres within the 3,268-acre Lake Pleasant Heights master planned community within the City of Peoria.

CONTEXT:

The subject site is undeveloped land bounded by Central Arizona Project (CAP) Canal to the north, the EL Mirage Road alignment to the east, Westland Road to the south, and the East Garambullo wash to the west. The surrounding area is generally existing and planned for residential uses as shown in **Exhibit 2**.

APPLICANT'S PROPOSAL

The Applicant is requesting approval of an amendment to the Lake Pleasant Heights Planned Community District (PCD), specifically to increase the allowed building height for the proposed *Ascent Mystic* multi-family development only.

The proposed Ascent Mystic development contemplates a mix of housing types ranging in heights between 2-story townhomes and 3-story garden style apartments. Currently the PCD allows for a maximum height of thirty six (36) feet on the subject property. However, the desire is to place the air conditioning (ac) units for the 3-story apartments on the roof rather than installed on the ground in order to reduce visual clutter and maximize the usability of the open space areas. The Applicants preferred

ASCENT MYSTIC: LAKE PLEASANT HEIGHTS MAJOR PCD AMENDMENT (Z03-05A.6)

design with roof mounted ac units prompts the total building height to be approximately 38' 3" from finish floor as shown in **Exhibit 3**.

While building elevations are relatively fixed, the ground undulates in certain areas due to the site's adjacency to the CAP, the East Garambullo wash, and El Mirage Road. Therefore, the total deviation in grade change across the site is not certain at this time as the proposal is still undergoing further engineering analysis. This means the projected final grades (or finished floors) for the buildings may be further refined (increased or decreased) as the project moves forward into construction permitting.

To offset any potential fluctuations in physical grading of the site, the Applicant is seeking a slighter higher increase in maximum building height at 39'-6" from finished floor. The Applicant believe this additional 1'-3" cushion should counteract or offset expected deviations in grading, and ultimately would allow for the buildings to better respond to existing topography. To allow for the additional height for Parcel A-16 only, the proposed PCD amendment would modify the text within Table 8 to include a footnote as shown in **Exhibit 4**. No other changes to the development standards are proposed with this request, and the buildings would still need to comply with Peoria's Community Design Guidelines as outlined within the PCD.

STAFF ANALYSIS

LPH PLANNED COMMUNITY DEVELOPMENT (PCD):

The subject property is 28-acres within the 3,268-acre Lake Pleasant Heights PCD that was originally approved by City Council in 2005 (Ordinance 05-66A). As the area has evolved, so too has the PCD development standards to keep pace with the evolving market conditions, which has resulted in five amendments to date. The sixth amendment, and specific subject of this request, is to increase the building height on the Ascent Mystic property (Parcel A-16) only, and does not alter the permitted use or number of residential units allowed on the site.

PCD AMENDMENT PROCESS:

The Peoria Zoning Ordinance establishes the criteria for determining what is considered a minor and major amendment to an established Planned Community District (PCD). Within the initial stages of the application review, the request to increase building heights 3.5 feet on parcel A-16 was determined to be a minor amendment. However, pursuant to Section 21-604.e.2.a of the Code, a minor amendment is required to be reclassified to a major amendment upon receiving written opposition.

During the course of the review, the subject PCD amendment request has received neighborhood opposition as identified in **Exhibit 5**. As a result, the case was classified as a Major Amendment and subject to a Citizen Participation Process to provide a forum for public involvement and resolution of concerns prior to the formal public hearing process.

ANALYSIS:

Within the Lake Pleasant Heights PCD, the site allows up to 440 multi-family units on Parcel A-16, so the land use, number of units, and type of housing allowed at this location is not in question or the subject of the amendment. Rather, the proposed change to the Lake Pleasant Heights PCD is limited to whether to allow a 3.5 feet increase in maximum building height for Parcel A-16 only.

ASCENT MYSTIC: LAKE PLEASANT HEIGHTS MAJOR PCD AMENDMENT (Z03-05A.6)

One item to note is that the proposed Ascent Mystic multi-family development is currently under review with a companion Site Plan Application (Case SP24-02). The site plan review process is technical in nature and limited to review and enforcement of applicable development standards and design elements as set forth in the Lake Pleasant Heights PCD and Peoria's Community Design Guidelines. During this review, staff is evaluating elements such as, but not limited to building layout, on-site circulation, traffic impact, and architectural design for compliance.

In terms of building height, the Lake Pleasant PCD already allows for multi-story buildings, as is evident with the thirty-six foot height allowance, so the proposed two and three story buildings are consistent with the PCD in this regard. From a massing perspective, the site is both challenged and benefits from the moderate grade differences present on site due to the adjacent conditions. In particular, there are notable grade differences along the wash, the CAP canal and adjacent roadways. Because of these existing anomalies in natural grade, the additional allowance in height will result in buildings that are still in keeping with the expected character of the area. Additionally, the added height allowance also affords more opportunity for undulation in building massing, which reduces the overall visual bulk and monothetic appearance of the buildings themselves. The reduction of visual bulk and variation of massing directly aligns with the stated objectives within the Peoria design standards. Therefore, staff finds the proposed additional height in keeping with the intent of the Lake Pleasant Heights PCD and design principles of the Peoria Community Design Guidelines.

COMMUNITY INVOLVEMENT

PUBLIC NOTICING:

The application was properly noticed pursuant to Section 21-315 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site and registered HOAs within one (1) mile, posting of a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

SUPPORT / OPPOSITION:

At the time of this writing, staff has received written correspondence from (6) neighbors included in **Exhibit 5**. Among the correspondence, three (3) neighbors opposed the case, and three (3) neighbors reached out regarding for the request. Neighborhood opposition related to loss of desert view, having multi-family residential in the area, traffic, overcrowding schools, property values, and crime in the area.

As part of the Citizen Participation Process the applicant was required to host one (1) neighborhood meeting. In response to concerns received related to the signage and noticing, the applicant held two (2) neighborhood meetings in total. The first meeting occurred in-person at the Mystic Community Center on June 5, 2024, with an estimated thirty five people in attendance. The second neighborhood meeting was held virtually via zoom on June 24, 2024. The number of attendees fluctuated between 10-12 during the call, of which only two were from the public.

A detailed accounting of the meetings including a list of specific questions asked by residents during the meeting and meeting attendance is described in the Citizen Participation Report provided in **Exhibit 6**.

As of writing the subject staff report, City staff has not received any further inquiry or opposition from members of the public subsequent to the June 5, 2024, Neighborhood meeting.

ASCENT MYSTIC: LAKE PLEASANT HEIGHTS MAJOR PCD AMENDMENT (Z03-05A.6)

KEY FINDINGS

1. The Lake Pleasant Height Planned Community Development (PCD) already allows for up to 440 multi-family residential units on the subject site.
2. The PCD amendment is limited in scope to an increase in building height on Parcel A-16 only.
3. The zoning already allows for multi-story buildings, so the proposed two and three story buildings are consistent with the Lake Pleasant Heights PCD.
4. The additional height affords more opportunity for massing variation, which directly aligns with the stated objectives within the Peoria design standards.
5. On behalf of the owner, the applicant has submitted a signed and notarized Proposition 207 waiver, which will be recorded with the conditions outlined below.

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission take the following action:

Approve the Conditional Use Permit for Case Z03-05A.6, subject to the Conditions of Approval identified in Exhibit 1.

STAFF CONTACT

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