



## Planning and Zoning Board

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### *Case Information*

**GENERAL PLAN CASE #:** ZON18-00181 (Minor General Plan Amendment)  
**ZONING CASE #:** ZON18-00067 (Re-zoning and Site Plan Review)  
**LOCATION/ADDRESS:** The 9500 thru 9800 blocks of East Hampton Road (south side).  
**GENERAL VICINITY:** Located north of the US-60 Superstition Freeway and west of Crismon Road.  
**GENERAL PLAN REQUEST:** Minor General Plan amendment to change Character Type from Employment to Neighborhood-Suburban.  
**ZONING REQUEST:** Rezone from NC-BIZ, NC-PAD and PEP-PAD-CUP to RSL2.5-PAD and RM-3-PAD, and Site Plan Review; and consideration of the Preliminary Plat for "Bella Encanta"  
**PURPOSE:** This request will allow for a small-lot, single-residence subdivision and multi-residence development.  
**COUNCIL DISTRICT:** District 6  
**OWNERS:** Crismon BFC LLC  
**APPLICANT:** Pew and Lake, PLC  
**STAFF PLANNER:** Lisa Davis, AICP

**SITE DATA**  
**PARCEL NUMBERS:** 220-80-002X and 009G and portions of 220-80-009H and 008B  
**PARCEL SIZE:** 33± acres  
**EXISTING ZONING:** NC-BIZ, NC-PAD and PEP-PAD-CUP  
**GENERAL PLAN Character area:** Employment  
**CURRENT LAND USE:** Vacant

#### SITE CONTEXT

**NORTH:**(Across Hampton Ave) Multi-residence, vacant and church-Zoned RM-3-PAD, RM-2-PAD and RS-43  
**General Plan Character Area:** Employment  
**EAST:** Vacant-Zoned PEP-PAD-CUP  
**General Plan Character Area:** Employment and Mixed Use Activity – Community Scale  
**SOUTH:**ADOT Stormwater conveyance channel and the US 60 Superstition Freeway  
**WEST:** Existing open space for Muirfield Village – Zoned RM-2-PAD  
**General Plan Character Area:** Neighborhood – Suburban

**STAFF RECOMMENDATION:** Denial of the Minor General Character Amendment  
Denial of Rezone and Site Plan  
Denial of Preliminary Plat

**P&Z BOARD RECOMMENDATION:** ☐ Approval with conditions. ☐ Denial  
**WAIVER SIGNED:** ☐ Yes ☒ No

#### **ZONING HISTORY/RELATED CASES**

**September 2, 1987:** Annexed 1,091 acres into the City. (Ord. #2249)  
**October 5, 1987:** Establish City zoning from County Rural-43 and R1-8 single residence to RS-43 and RS-8. (Z87-066)  
**June 25, 2007:** Rezone from RS-43 and AG to NC-BIZ, 7.5 acres, to allow for development of medical office buildings. (Z07-042)  
**October 18, 2010:** Rezone from RS-43 to NC-PAD and PEP-PAD-CUP, 39 acres, to allow for a mixed-use business park with retail uses. (Z10-024)

#### **GENERAL PLAN HISTORY**

**1971 General Plan:** General Plan designation: **Not shown**  
**1982 General Plan:** General Plan designation: **Not shown**  
**1988 General Plan:** General Plan designation: **Commerce Park**  
**1996 General Plan:** General Plan designation: **Commerce Park**  
**2002 General Plan:** General Plan designation: **Business Park**  
**Mesa 2040:** Character Area: **Employment and a small western portion of Neighborhood**

#### **REQUEST (MINOR GENERAL PLAN AMENDMENT)**

The Mesa 2040 General Plan land use designation for the site is Employment that blends into a Neighborhood (Suburban sub-type) at the western edge. The applicant is requesting a change from Employment to Neighborhood, concurrently with the rezoning and site plan review case.

#### **PROJECT DESCRIPTION / REQUEST (ZONING)**

This site is located North of the US-60 Superstition Freeway and west of Crismon Road at the south side of Hampton Road. This is a request for Rezoning from NC-BIZ, NC-PAD and PEP-PAD-CUP to RSL-2.5-PAD and RM-3-PAD, Site Plan Review, and Preliminary Plat. The applicant proposes a 249-unit, small-lot residential and multi-residential development on 33± acres. The proposed development includes a combination of 123 single-residence lots and 126 attached multi-residence condominium units. A PAD overlay is requested to allow deviations from development standards and the use of a private streets.

#### **NEIGHBORHOOD PARTICIPATION**

The applicant has enacted a Citizen Participation Plan for this project, holding a neighborhood meeting on February 22, 2018. According to the Citizen Participation report, invitations (dated 2-5-18) were mailed to Property owners within 1,000', and Registered Neighborhoods within a mile. HOA's were not indicated on the plan as being notified. As a policy, typically all HOA's within ½ mile of the site are also notified. The sign in sheet indicates 6 people attended the meeting. The applicant's report lists questions raised and answers provided. There is a written comment card in the report stating support for the project.

The Citizen Participation Report provided by the applicant reports that the residents who attended the meeting supported a residential development on this property, rather than commercial development. The applicant also provided a letter of support from the Muirfield Village Community Association President. Stating they are in support of development of the site.

At the time that this report was written staff had not been contacted by any residents or property owners in the area.

## STAFF ANALYSIS

### MESA 2040 GENERAL PLAN:

#### Summary:

This is a request to change the General Plan Character Area from Employment to Neighborhood. Upon review of the five evaluation criteria, the proposal does not meet the goals of the General Plan and is not consistent with the City's economic development goals for Mesa.

1. Is the proposed development consistent with furthering the intent and direction contained in the General Plan?

**Staff Answer:** *No. In weighing the factors, the proposed development does not further the intent and direction of the General Plan.*



#### General Plan Amendment

The General Plan focuses on creating land development patterns that emphasize the character of place and focusing on those principles that build neighborhoods, stabilize the job base, and improve the sense of place. These three guiding principles work together to help move Mesa to become a more sustainable, balanced and recognizable City (See Chapter 3 of the Mesa 2040 General Plan).

The Neighborhoods chapter of the General Plan (Chapter 4) lists principles to be followed to help create and maintain great neighborhoods. These apply to both residential and non-residential areas. Particular items to consider from this chapter are:

- Build Community and Foster Social Interaction
- Connectivity and Walkability
- Provide for Diversity
- Neighborhood Character and Personality

Given the adjacent existing and approved commercial properties, the proximity to the freeway, a non-residential neighborhood would better and more easily fit the principles contained in the General Plan.

The jobs chapter of the General Plan (Chapter 5) describes the importance to the City to continue to grow our economic base and increase the number of jobs per household. It also lists several key elements needed to help grow our supply of stable jobs. This chapter starts with a recognition that a strong economic base is one of the key factors in determining the future of our community and includes the statement that:

*"the City of Mesa will do everything necessary to protect these areas [economic growth areas] from residential encroachment, promote them aggressively, and develop them to their highest economic potential."*

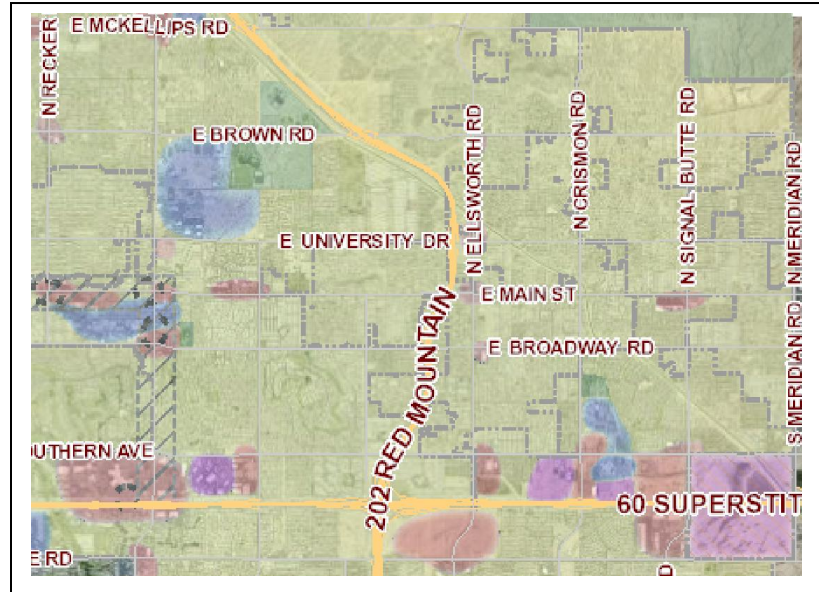
Mesa has historically lagged behind other Valley cities in the jobs available to local residents. A *Ratio of Jobs per Capita* table on page 5-3 of the Plan shows Mesa with only 0.3 jobs per capita compared to a Maricopa County average of 0.45. We must grow the number of jobs in our community to keep our residents from having to travel out of the City to find meaningful employment. We cannot provide employment opportunities if the land is not available for employment growth.

When we look at the eastern area of Mesa, we see very few locations for significant employment activities to happen beyond retail jobs. Except for the SRP offices and the Banner Baywood and Mountain Vista Medical Center areas, the only true employment area that exists in this 35 square mile area is the area around Hampton and Clearview. In order to provide for the mix of uses and the opportunity for a more sustainable development pattern that includes a variety of uses and activities within close distance, we must maintain areas designated for all types of uses.

The general plan history above shows this area has long been planned for employment and commercial activities, with an emphasis on employment uses. The current general plan shows the Employment and Mixed-Use Activity District coming together at Crismon Road north of the US-60 Superstition Freeway. Both character area types include employment activities as part of the land uses that should take place and also exclude residential uses except in a limited, supporting role.

The economic downturn that started in 2008 caused development to slow. Development in this area is now increasing. Commercial and employment development is starting to rebound throughout the city.

The applicant's project narrative provides ample data to show that this property will not likely development with Class A offices and similar uses that were envisioned in 2010. Given the increase in residential development on the north side of Hampton and the existing RM-3-PAD development to the west, staff can agree that this property may not have the potential for large Class A office development. However, with access to Crismon Road and grade level position at the US-60 Superstition Freeway makes this site highly visible and a good location for other non-residential activities. There are other employment sub-types such as Business Parks. This site, in conjunction with the 15-acre PEP-PAD site at the east side, could incorporate a Business Park layout. Employment uses at this location would benefit from access to other employment activities in the immediate area, Mountain Vista Medical Campus and easy access to both Phoenix-Mesa Gateway Airport and Sky Harbor Airport. A review of the City's zoning map and General Plan Character Area Map show this is one of only a few





locations designated for significant employment activities adjacent to the US 60. It is also one of the limited number of locations that is at grade level to the US-60 Superstition Freeway that will make it highly visible.

The applicant also points to the fact that this property has been marketed for 30 years

for non-residential development but has not received any significant interest. While this is true, this is not the only place where development has taken time. The P&Z Board has recently approved industrial buildings on the south side of the US 60 just east of Mesa Dr. on property that was initially zoned for development 30 years ago but is just now developing. That property has less visibility and more limited access than this site.

Chapter 5 of the General Plan establishes four Economic Activity Areas, this site is located in the Superstition Springs/Power Road Corridor Economic Activity Area and the Superstition Freeway East Economic Activity District. Each of the areas has a description of the type of economic activity anticipated for the area. The Superstition/Power Road Economic Activity Area covers this specific location (see Figure 5-1 and page 5-11 of the General Plan) and states the following:

*The Superstition/Power Road Economic Activity Area is established around the opportunity to grow employment opportunities associated with the Loop 202 and US 60 Freeways and expand medical services.*

*Superstition Freeway East: Superstition Springs Center, one of two regional shopping centers located in Mesa, serves as a focal point for the Superstition Freeway East Corridor. It is dominated by businesses representing the advanced business services, healthcare services and retail industry clusters extending for approximately eight miles along the Superstition Freeway (US 60). This area is expected to see further growth in these clusters as vacant parcels throughout the corridor are developed over time.*

Because of the emphasis in the General Plan to maintain employment areas, Economic Development Policy 1 contained in Chapter 5 is to "Preserve designated commercial and industrial areas for future job growth." The proposed development is contrary to this policy and does not further the goals of the General Plan to provide for employment, office and retail uses needed to create and maintain a diverse and stable job base.

In 2017 a request was made to rezone the property on the north side of Hampton across from this property to allow for a multi-residence development. As a part of the consideration of that application the City Council held a study session discussion to review the land use plan for this area of the



Looking North at site from the US-60

Superstition Springs Freeway corridor. While no specific direction was given in the study session, the Council did acknowledge the need for employment uses in the City, they recognized the opportunities and challenges with this property, and indicated a willingness to consider residential uses if the frontage along Crismon retained non-residential uses. The request for rezoning on the north side of Hampton was approved and a rezoning for non-residential uses along Crismon has recently been approved.

When the focus is shifted from the larger community needs to the issues, opportunities, and constraints of this specific property and the adjacent area, two character area options seem appropriate and viable: Neighborhood (Neo-traditional subtype) or Employment (Business Park subtype). For employment uses, Hampton would be used as a separator to divide the uses and keep them focused to Crismon and buildings would be designed for maximum visibility from the US 60 Freeway. These uses would provide a sound and visual buffer for the residential uses along the north side of Hampton. If the Neighborhood option is approved for this property, Hampton Avenue would become the central spine of a neo-traditional neighborhood connecting the area together and be a focus for development and buildings should be oriented way from and screened from the US 60 Freeway.

#### Rezoning and Site Plan

The proposed rezoning and site plan for this property are for development consistent with the Neighborhood – Suburban character type. The General Plan encourages that new developments should follow the Neo-Traditional Neighborhood sub-type.

Should it be determined a residential neighborhood is the optimal land use pattern in this location, the proposed project design is not consistent with the neo-traditional neighborhood design principles. Chapter 4 of the General Plan concentrates on creating and maintaining a variety of great neighborhoods. In the Goal to create and maintain a variety of great neighborhoods, general policy Neighborhood P2: Review new development for the mix of uses and form of development needed to establish lasting neighborhoods. (P4-8)

Staff is concerned that the proposed residential development design will not establish a lasting neighborhood. This will be discussed further in the Rezoning Section of the report.

**2. Is the proposed development consistent with adopted sub-area or neighborhood plans?**

**Staff answer:** *The proposed development is not located in a sub-area or neighborhood plan. This question is not applicable.*

**3. Is the proposed development consistent with the standards and guidelines established for the applicable character type(s)?**

**Staff answer:** *No. The proposed development does not provide employment-type land uses of at least 20 acres that are required in the standards and guidelines established in the Employment District. If the General Plan is changed to designate the area for the Neighborhood Character type, the proposed zoning would be consistent with that character designation, but the site plan needs additional work to meet the design intent of creating a neo-traditional neighborhood.*

The General Plan identifies this site as Employment. What is being proposed follows a suburban neighborhood format and would not fall into this character type. Therefore, to allow the proposed zoning a General Plan Amendment is needed.

On page 7-8 of the General Plan, it states that the Neo-Traditional Neighborhood subtype "is the desired

character type for new neighborhoods and for retrofitting existing neighborhoods." Should residential development occur on this property, it would need to be designed in manner that meets the Form and Guidelines for this character type as well as implementing the key elements from Chapter 4 of the General Plan for establishing and maintaining neighborhoods. Staff has concerns with the proposed design as described below under the Rezoning Request and Site Plan Review sections of this report.

The applicant has requested a Minor General Plan Amendment to the Neighborhoods Character Type. The primary focus of the neighborhoods character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. More thought should be placed in the design of the project to better integrate the mix of lot sizes with the condominium portion. The proposed project is not consistent with the Neo-traditional form and guidelines. If the Board believes the General Plan character area should be changed, staff would recommend a revised site plan layout that complies with the Neo-Traditional form and guidelines.



**4. Will the proposed development serve to strengthen the character of the area by:**

- **Providing appropriate infill development;**

This site is not an in-fill development this is not applicable.

- **Removing development that is deteriorated and/or does not contribute to the quality of the surrounding area;**

The site is currently vacant therefore this is not applicable.

- **Adding to the mix of uses to further enhance the intended character of the area;**

At the southwest corner of Hampton Avenue and Crismon Road, directly to the east of this proposal, a total of 15 acres received City Council approval for ZON18-00149 on August 27, 2018 for rezoning from PEP-PAD-CUP to PEP-PAD, to allow for an office and commercial development. Although the site is currently vacant, the zoning change is consistent with the Employment and Mixed-Use Activity District character designation at the site.

The existing Employment district extends to the north side of Hampton Avenue. On the north side, Crismon Estates, Z17-005, is a residential development. Although Staff recommended denial of the case, the Crismon Estates project was approved by City Council May 8, 2017 and was rezoned to RM-2-PAD. West of this neighborhood within the Employment district is an existing church.

The proposed residential use does not meet the General Plan goals for providing the needed mix of uses in this area.

- **Improving the streetscape and connectivity within the area;**

The applicant's proposed site design is a standard neighborhood design with amenities and open space typically found in a small-lot residential subdivision. There is minimal connectivity to the exterior of the property. Vehicular access has been provided through two proposed gates accessing Hampton Avenue. The main entrance does align with Crismon Estates development to the north. A pedestrian connection is provided at the northeast portion of the subdivision that will tie into the commercial/office development to the east.

The proposed development does provide for some connectivity, but it is a gated project. Staff is concerned that the walls completely surrounding the site will not improve connectivity within the area.



- **Meeting or exceeding the development quality of the surrounding area;**

The proposed development has been reviewed by staff and has not been found it to meet the intent of the Planned Area Development overlay to provide for creative and high-quality development. Staff is concerned that the project is not consistent with the quality of development in the area. The PEP-PAD development to the east will have a minimum 15' landscape setback and a 30' building setback at the south property line. If the project is approved, the residential product would be required to be submitted separately for review and approval by the Planning Director.

**5. Does the proposed development provide appropriate transitions between uses? In more urban areas these transitions should generally be accomplished by design elements that allow adjacent buildings to be close to one another. In more suburban locations these transitions should be addressed through separation of uses and/or screening;**

The proposed design shows 126 condominiums 10' from the south property line that is adjacent to the ADOT channel and the US-60. It is staff's opinion that this is not adequate buffering to adjacent land uses. A minimum 15' setback is proposed for the condominium buildings that line the east property line adjacent to the PEP-PAD development, Employment use, and does not provide adequate buffering. The project narrative does indicate that the entire community will be enclosed by a 6' high masonry perimeter wall as a separation. Staff does not believe this is adequate buffering. By comparison, the buffer area provided in Eastmark between the residential area and employment area is a minimum of 140' wide.



## Conclusion:

The protection of employment areas is a strong emphasis of the General Plan. The lead-in statement of Chapter 5 of the Plan states: "The future of the City of Mesa is tied to its ability to continue to secure and maintain a stable and diverse employment base." This proposal would transfer Employment lands into a Neighborhood, providing housing that will serve both the Employment and the MUAD Districts. The presence of multi-residential uses in the area reduces the amount of Employment District.

Although a consideration of change of character area from the Employment to Neighborhood character may be considered, Staff does not believe the design of the proposed development is consistent with the General Plan's three guiding principles to help move Mesa to become a more sustainable, balanced and recognizable City. Staff recommends denial of the Minor General Plan amendment which is not supportable by the policy directions approved through The Mesa 2040 General Plan.

## REZONING REQUEST

The 33± acre site is currently zoned NC-BIZ, NC-PAD and PEP-PAD-CUP. The rezoning request is for RSL2.5-PAD and RM-3-PAD, to accommodate a 123 small-lot residential subdivision and 126 condominium multi-residence development. A PAD overlay has been requested to accommodate modifications to development standards and private streets. Staff believes the development does not comply with the intent of the PAD overlay to provide for a creative high-quality development and is recommending denial of the request. In reviewing the proposed development, it is important to note that the details are not easily found. As an example, the information for the private open space of the condominiums is not in the narrative but found on the schematic plans for the condos. Schematic plans for the condos do not include landscape information. The information should be consolidated to clarify all requests.

Most of the development is comprised with the RSL2.5 lots. A large amenity area is somewhat centrally located. Vehicular access into the development is proposed with two gated entries from Hampton Avenue. Although the request for rezoning is to the RSL2.5 district the size of the proposed lots is consistent with a RSL4.0. The proposed minimum lot area of 3,500 SF is significantly larger than the minimum 2,000 SF lot required for the RSL2.5 lot. The RSL2.5 designation will allow for smaller setbacks on the larger lots but the applicant is requesting more reductions in setbacks.

A total of 18 buildings are proposed for the RM-3 district. Each of the buildings contains a total of seven residential condo units all accessed from the first floor. Five of the units are proposed to have a two-car garages and two units, A and B, will have a single-car garage. Each 14 pack, 7-units on each side, has a shared driveway/motor court for access to the garages and the front doors of four units all in the same area. A 3' wide stamped asphalt band lining the driveway is proposed for pedestrian pathway.



### PLANNED AREA DEVELOPMENT(PAD) OVERLAY MODIFICATIONS – MZO Article 3:

The purpose of the PAD is to allow more freedom and creativity in subdivision design. Staff does not believe the standards for the PAD overlay are met to allow for the modifications. In return for allowing modifications to the standard code requirements, there needs to be added features that provide for a higher quality development. The applicant has requested a PAD overlay to accommodate modifications to standards and to allow for private streets with a gated entry.

The applicant's request for a PAD overlay will allow for modification from development standards in these specific areas:

#### Modifications to setbacks for RSL2.5 lots.

The applicant is requesting additional modifications from the smallest RSL2.5 district development standards. This allows for a much larger house than was originally envisioned for the RSL4.0 district. Below, Staff has created Table 1 to show the required standards for the RSL2.5 district, with comparison to the RSL4.0 and the proposed PAD modifications.

Table 1-PAD modifications requested for setbacks in the **RSL2.5 district-red=reduced- green= increased**

	For reference RSL4.0 MZO required	RSL2.5 MZO required	PAD proposed
Minimum Average Lot Area of Subdivision (sq ft)	4,000	2,500	4,000
Minimum Individual Lot Area (sq ft)	3,500	2,000	3,526
Minimum Lot Width –Interior Lot (ft)/corner lot (SF)	35/40	25/30	50/50
Minimum Lot Depth (ft)	85	75	72
Maximum Density	None	None	5.66 du/ac
Minimum Yards (ft)			
Front – Building Wall	15	12	10-8"
Front – Garage	20	20	22
Front – Porch	10	7	10-6"
Street Side	10	10	5
Interior Side: Minimum each side	4	3	5
Interior Side: Minimum aggregate of 2 sides	10'	8'	10
Rear	20'	15'	10'-5"

- Reduced lot depth- Staff is very concerned with the reduced lot depth. As discussed above, the area of the lots is consistent with the RSL4.0 district that requires a minimum 85' lot depth. The proposed lot depth is 72'. Staff is not in support of the modification request.
- Reduced rear yard setback-As a result of the requested lot depth reduction a modification to the rear yard setback is requested. A minimum 15' is required for RSL2.5 lots and a minimum 10'-5" rear yard is requested. Not all plans would require the 10'-5" rear yard setback, but five of the six house plans are proposed at less than a 15' rear setback. It is significant to mention the RSL district does not have a maximum lot coverage like the RS zoning districts. By comparison, the RS-6 district has a maximum lot coverage of 50%. No lot coverage would allow the property owners within the RSL district to build onto their homes right up to the proposed setbacks. These homes should have a larger degree of separation to provide for long-term livability. Staff is not in support of the reduced rear yard request.

### Modification in setbacks for the RM-3

Below, Staff has created Table 2 to show the required standards for the RM-3 district and the proposed PAD modifications.

Table 2-PAD modifications requested for the **RM-3 district-red=reduced**

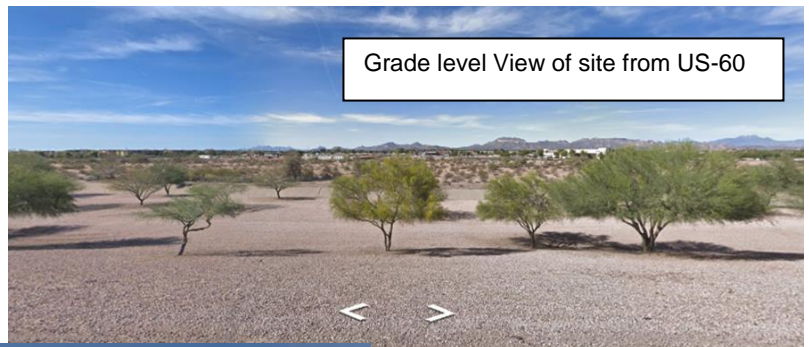
	RM-3 MZO required	PAD proposed
Maximum Height (ft)	40'	30'
Minimum Yards (ft)		
Front and Street-Facing Side Local street	20'	10'
Interior Side and Rear:	30' for 2-story	10'
Minimum Separation Between Buildings on Same Lot	30' for 2-story	6-4"
Maximum Building Coverage	50%	40.6%
Minimum Open Space	175 SF/unit =20,825 SF	101,623 sq. ft. total

- Reduced front setback facing local street- The requested reduction from 20' to 10' could be supported by staff. Although, there is concern for adequate space for landscape. This will leave about 5' for landscape material. This is a concern since at least two of the seven units in each building is located adjacent to the street.

- Reduced side and rear setbacks-Staff is extremely concerned with the proposed 10' setback at the south property line for the condo product. The property line is adjacent to the ADOT channel and the US-60 at grade level beyond. The 10' setback is adjacent to living space with windows that will face the channel and freeway. With a 10' setback, there will not be adequate space between the buildings and the masonry wall for trees to be planted and survive, to provide the needed buffer.

95% of the residential projects adjacent to the US-60 in Mesa have a berm or sound attenuation wall, inset to the right, between the freeway and the residential projects but that is not occurring at this

site. If a residential project were to be constructed at this site, design of the development needs to include adequate buffering from the grade level adjacent US-60 freeway. The east side of the project does propose a 15' building setback adjacent to the PEP-PAD site and a 30' setback is required. Staff is concerned with sustainability and livability for the project and is not in support of this modification.



- **Reduced Building Separation.** Buildings are required to be separated by 30'. Most of the buildings do meet this separation of 30' with the exception of the end units for each 14-pack which are only separated by 6'-4". The separation between the buildings within the private access or motor court mainly accommodates the asphalt drive.
- **Garage Doors.** Design Objective: Ch.11-5-5(D)3b of the Zoning Ordinance requires to attention focused on building entrances. The shared motor court driveway access and front entry court is designed around the garage doors and access to the garages and does not meet this standard.
- **Entrances facing the Street:** Ch.11-5-5(D)3b of the Zoning Ordinance requires that "All units located along public rights-of-way must have the primary building entrance or individual unit entrances facing this right-of-way." The intent is to provide neighborhoods that engage the street, encouraging pedestrian activity. The design of the applicant's product does not lend itself easily to this standard. The proposed condominium product and Plan 5 for the RSL lots includes side entry units and entries that face onto the shared driveway. These entries are hidden and do not comply with this standard.

Per Ch. 22 of the Zoning Ordinance, a PAD should allow the applicant flexibility in exchange for creative, high-quality development. Each of the above modifications from the MZO has not been justified by a design or functional need. A large open space at the center of the project does not make up for the overall design of the project. This is not a creative high-quality development. There is not a balanced alternative method of meeting the intent of Code. The proposal falls short of incorporating "well-designed and integrated open space and recreation facilities" (Ch. 11-22-1.A), and the design documents do not reflect a high level of quality.

#### **SITE PLAN - MZO Section 11-69-5:**

MZO sets review criteria to utilize as a guide for a Site Plan Review. Staff reviewed the criteria and found concern with the criteria as outlined in the following:

##### The project shall be consistent with and conform to the adopted general plan

The proposed zoning and site plan are not consistent with the current general plan designation for employment development. If the Plan is changed to allow for the Neighborhood character-type, the proposed zoning is consistent with the zoning districts allowed in this character type, but the proposed site plan falls short of following the form and guidelines for the Neo-traditional Neighborhood and the key elements from Chapter 4 with regards to neighborhoods.

##### Overall design including suitable environment and function, landscape and streetscape

Staff is concerned with the overall layout of the development with the combination of small lots and condominiums. The buildings proposed seem to be driving the design of the project. Large homes placed on small lots with exceptionally small rear yards and condominiums surrounded by hardscape are not a suitable environment, in staff's opinion.

##### Suitable environment and function

- The proximity to the US-60 Freeway, the adjacent Planned Employment Park to the east and Hampton Avenue have not been considered in the design of the project. Buffers from all have not been considered in the design.
- **Solid Waste-**The condominium units will have large bins for solid waste service. These bins are located adjacent to the small lot single residences and adjacent to the open space areas. The Mesa Zoning Ordinance (MZO) Section 11-30-12 provides standards for trash and refuse collection areas.



These standards include that the locations are reasonably equalized. Although the applicant shows that the bins are equally distributed, although far for the residents in the southern placed units. The placement of the bins adjacent to the small residential lots and next to the open space with residential houses and condos facing onto the areas are a concern. These areas can often become messy and unsightly. There is also concern for timing of the solid waste truck picking up the bins at 6 am adjacent to the homes. This is not a good design and is not supported by staff.

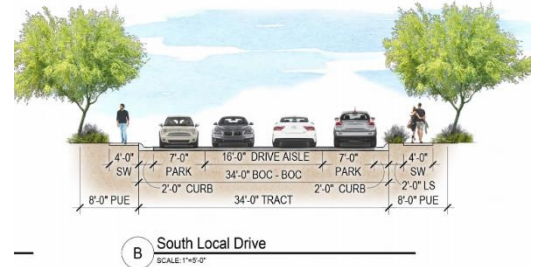
- Parking-Parking for the RM-3 condominiums is a concern and does not meet CPTED (Crime Prevention Through Environmental Design) principles. While the required minimum number of parking spaces is met, staff has concerns with the distribution of guest parking spaces. The guest parking indicated for units C, E and G will be utilized only by those units. Guest parking for the other units will have to be provided on street or at the parking lots located near the large open space areas. These spaces may not be easily accessible for guests. Policy has been established for similar projects that requires guest parking to be no more than 150' from any of the residential units. The proposed guest parking for the units at the end of the private drive of the 14 packs will not meet the maximum distance of 150'. A redesign is needed to ensure there is at least one guest space within 150' of the front door of each condominium unit.
- The project proposes two 7-unit condos facing and then backing to one another with a 15' setback at the rear for a total of 14 packs. The entries to the residential units and garages are all within the same driveway access.
- Staff is concerned with the layout of the 14-packs of the condominium buildings. All garages and four of the residential units are all accessed from the private drive. This is not consistent with CPTED principles to avoid creating long dead-end drives that are entrapment areas for vehicles.
- Staff is concerned with the proposed reduced setbacks for the condominiums adjacent to the US 60 and the PEP district and adjacent to Hampton Avenue. These reductions will include reduced area for landscape and very tight spaces. Staff does not believe the design of the project will create a visually interesting built environment.
- Placement of the buildings 9 and 18 will have conflict with cars backing out of the garages directly onto the private street. Visibility will be limited for the vehicles backing out of the garage.

#### Landscape and streetscape

- Tract H adjacent to Hampton Avenue is 8' deep and includes an 8' PUE. Trees are shown on the landscape plan in this area but are not allowed to be planted within the 8' PUE. Some trees may be planted within the right of way, but it is unclear the total amount. It is unlikely it will meet minimum requirements.
- The Zoning Ordinance also specifies that all lots in the RSL district must be located within 330-feet of common open space area. It appears that all lots are not within the 330-foot distance to the common open space, therefore this criterion has not been met.
- For the condo private drive access/motor court there is minimal landscape sprinkled between driveways and sidewalks. Staff is concerned there is not enough area for the trees to survive. Trees may also block visibility for cars backing out of the garages.
- Minimal landscape area for the condos adjacent to the private street. Staff is concerned with the limited trees in the condominium project. The Arizona climate does need to be addressed with the design of the project.
- Minimal landscape area and limited survivability for trees planted at the south and east property lines.
- Inadequate, 7' wide, landscape area proposed at the south property line with RSL lots 33 through 37 facing this minimal landscape area and masonry wall. Staff believes this is not adequate for trees to

survive between the asphalt and the 6' high masonry wall.

- The existing dooley wall will remain at the west property line adjacent to the existing Muirfield Village open space. This will close off the open space proposed for Bella Encanta at the west property line.
- Fence Height adjacent to Hampton Avenue, although not addressed as a PAD modification, the applicant proposes 6'-8" reaching to 9' tall decorative fencing and access gates. A maximum 6' high wall is allowed in residential zoning districts. Staff believes this will further segregate this project from the surrounding community.
- The tree lined streets shown throughout the development may not be possible if the small lot residences adjacent to the street decide not to plant a tree close to the street. It would be up to the individual property owner to plant and maintain the tree.



Should the General Plan amendment be approved by City Council, the proposed site plan should not be approved. There are numerous design issues as established in this report. It is not in compliance with the criteria established in MZO Section 11-69-5.

#### RSL DESIGN ELEMENTS – MZO Section 11-5-4:

The minimum lot area in the RSL District is 4,500 square feet (SF), indicated by the designator RSL4.5. A request to reduce the lot sizes smaller than 4,500 can be requested with Site Plan Review and if at least a minimum number of design elements are provided based on the designator. Based on the designator of 2.5, MZO Table 11-5-4 requires a minimum of six design elements to be implemented into the subdivision to achieve the RSL2.5 designation. Staff has reviewed the design elements and found that it does meet the minimum number of six elements.

#### Grading and Drainage

The project is proposing to utilize the Muirfield Village open space at the west side of the development for portions of needed retention. This open space is owned and maintained by the Muirfield Village HOA and requires a separate private agreement. The applicant has provided a copy of the agreement to allow private storm water retention. City Staff has reviewed the document provided and understands that this document outlines the framework for the agreement. More steps will need to occur to finalize the agreement. It is important to note that the open space design does not open the two projects to tie together. The existing dooley wall will remain in place between the two projects.

#### Proposed Sewer Solution

Although it is not in the purview of zoning, it is important to note that the proposed sewer solution for the site is required. The applicant will be required to install the sewer as proposed and approved through City Staff. It will be required to be reviewed to meet all City standards and policies prior to approval of construction permit.

#### Mesa Public Schools Impact Study

15 elementary students  
 2-4 junior high students  
 1 high school student

Patterson Elementary, Smith Junior High and Skyline High School, at their current capacities, can accommodate the additional students from the proposed residential project.

**CONCLUSION:**

**Minor General Plan Amendment.** Staff recommends denial of this request. This request is not consistent with the General Plan current Employment character area. However, given the previous actions by the P&Z Board and City Council to consider and approve the residential development on the north side of Hampton, a change to the character of this area to neighborhood may be warranted. If this is the case, staff believes the proposed development will need to be revised to meet the General Plan guiding policies. If the Board believes the character area should be changed Staff recommends a continuance to allow for the development to redesign to conform to the General Plan.

**Rezoning and Site Plan Review.** Staff recommends denial of this request. The applicant's proposed development for a 123-unit, small-lot residential subdivision with the 126 multi-residence condominiums is at odds with the General Plan designation for development of a Employment at this location. It is also conflicting with the elements of economic development that are articulated in the Plan and are key to the continued growth of the City. The proposal cannot be approved with the current General Plan Character designation on this property. If it is not changed, the rezoning must be denied.

If the Neighborhood character area is considered appropriate by the Board, Staff recommends that the rezoning and site plan be continued to allow for re-design of the project to conform to the Neo-traditional forms and guidelines that will be more appropriate at this site. Staff recommends denial of the rezone and Site Plan based on the proposed design of project and believes it does not meet the criteria for a PAD overlay as outlined in this report. Buffering is critical for the future residential project from the US-60 freeway, ADOT canal, Hampton Road and the hotel/commercial project to the east side of the project.

**Preliminary Plat.** This application includes a Preliminary Plat for Bella Encanta. Because Staff does not support the General Plan amendment or the rezoning request, Staff recommends denial of the preliminary plat.