



## Planning and Zoning Board

### *Staff Report*

**CASE NUMBER:** ZON18-00958  
**LOCATION/ADDRESS:** Within the 8400 block of East Broadway Road (north side) and the 200 and 300 blocks of South Hawes Road (east side).  
**GENERAL VICINITY:** Located at the northeast corner of Broadway Road and Hawes Road.  
**REQUEST:** Rezoning from RM-4 to RM-4-PAD; and Site Plan Review.  
**PURPOSE:** This request will allow for the development of a multi-residential use.  
**COUNCIL DISTRICT:** District 5  
**OWNER:** David Mchenry, NSHE Porterville LLC  
**APPLICANT:** Brent Fike, Todd and Associates  
**STAFF PLANNER:** Wahid Alam, AICP

#### **SITE DATA**

**PARCEL NO.:** 218-44-001D  
**PARCEL SIZE:** 9± acres  
**EXISTING ZONING:** RM-4  
**GENERAL PLAN CHARACTER:** Neighborhood: Manufactured Home  
**CURRENT LAND USE:** Vacant

#### **SITE CONTEXT**

**NORTH:** Existing single residence homes- County zoning  
**EAST:** Existing single residence homes- County zoning  
**SOUTH:** (across Broadway Road) Existing single residence homes- zoned RM-2  
**WEST:** (across Hawes Road) Existing residential development- County zoning

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

**May 21, 2007:** Annexed into City of Mesa (A06-18, Ord. No. 4694)  
**August 27, 2007:** Rezoned from county R-5 to city R-4 (Case# Z07-071; Ord. No. 4745)  
**May 19, 2008:** Site Plan Review for an apartment complex (Z08-010)  
**December 19, 2018:** Site Plan Review and Special Use Permit for reduction in parking (ZON18-00772).

**STAFF RECOMMENDATION:** Approval with conditions.

**P&Z BOARD RECOMMENDATION:** ☒ Approval with conditions. ☐ Denial

**PROPOSITION 207 WAIVER SIGNED:** ☒ Yes ☐ No

### **PROJECT DESCRIPTION / REQUEST**

The applicant is requesting to rezone the property from RM-4 to RM-4-PAD and a Site Plan Review to allow a multiple-residence development. The proposed development consists of three-story buildings containing 237 units. The complex will be restricted for seniors 55 and over. Currently, the site is vacant. The main purpose of the rezoning request with a PAD overlay is to modify and allow a reduction in the City's development standards for private open space areas for a multi-residence development. Per Section 11-55-5 of the MZO, a minimum of 60 square feet of private open space for 1 bed room units, at least 100 square feet of private open space for 2 bed room units, and at least 120 square feet for 3 bed room units is required. On December 19, 2018 the Planning and Zoning Board approved a site plan for development of a multi-residence complex on the property. As part of the site plan approval, the Planning and Zoning Board included a condition of approval to require revisions to the size of private open spaces in upper floors of the multiple-residence, as shown on the site plan. This condition was to meet the MZO standards. The subject request is to modify the MZO standards for the required private open space through approval of a PAD overlay.

### **NEIGHBORHOOD PARTICIPATION:**

The applicant has completed a Citizen Participation Process, which included a mailed letter to property owners within 500' of the site, as well as HOAs and registered neighborhoods within a mile. The mailing included a description of the request and a site plan. The letter also included contact information to receive input and answer questions from the neighboring property owners. The applicant offered to meet with neighbors upon request. According to the applicant, one resident phoned to inquire about the request and to understand if the proposed rezoning with modify the zoning designation on her property. The applicant informed the resident that the rezoning is specific to the subject property and will not change the resident's property zoning designation.

As of writing this report, staff have not been contacted by any residents or property owners in the area expressing support or opposition to the request.

### **STAFF ANALYSIS**

#### **MESA 2040 GENERAL PLAN:**

Staff has reviewed the proposal and found that it is consistent with the criteria for review as outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan and has determined that the proposed use is in conformance with the General Plan. The adopted Mesa 2040 General Plan designates the site as a Neighborhood character type with Manufactured Homes sub-types. Per Chapter 7 of the General Plan, 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. These neighborhoods are often age restricted to persons over the age of 55 and include amenity areas for the benefit of the residents. The request is an infill residential development for senior living surrounded by existing residential homes and not out of character with the surrounding uses.

#### **ZONING:**

The existing zoning designation on the property is RM-4. The purpose of the rezoning request is to include a PAD overlay on the property to allow reduction in the required private open space areas for a multi-residence development. Per Section 11-5-2 of the MZO, multi-residence developments are allowed in the RM zoning district.

## **PAD OVERLAY**

The proposed development meets all development standards for RM-4 zoning designation, except for the private open space requirement. Mesa Zoning Ordinance Table 11-5-5 requires a minimum of 150 square feet of open space (i.e. private and public open space combined) within the RM-4 district. The proposed development will provide larger private patios that range from 100 to 120 square feet for all ground floor units. The upper floor units will each have private balconies with a minimum of 60 square feet.

The applicant is requesting the PAD overlay, specifically for the following standards:

Per Section 11-55-5 of the MZO, a minimum of 60 square feet of private open space is required for 1 bed room units, a minimum of at least 100 square feet is required for private open space for 2 bed room units, and a minimum of at least 120 square feet is required for 3 bed room units. The applicant is requesting a reduction of the minimum required private open space. Specifically, the applicant is requesting all proposed units located on the upper floors (i.e. on the second and third floor) to have a minimum of 60 square feet of private open space.

Overall, there are 237 total dwelling units that comprises of 99 one-bedroom units, 120 two-bedroom units, and 18 three-bedroom units. Of the 237 dwelling units, 145 of the units (i.e. 99 one-bedroom, 40 two-bedroom and 6 three-bedroom) conform to the MZO requirements for private open space. All the units located on the ground-floor of the buildings conform to the MZO requirements. The units on the second and third floor requires the reduction in the private open space.

The table below summarizes the MZO requirement and the proposed deviation through the PAD overlay:

**Table 1**

<b>Open Space</b>	<b>MZO minimum required sq. ft. (237 units)</b>	<b>Proposed sq. ft. (237 units)</b>
Private	21, 420	17, 500
Public	14, 130	108, 135
Total combined (private + public)	35, 500 (150 per unit)	125, 635 (530 per unit)

As shown on the table above, the proposed 237 units will require a total of 21,420 square feet of private open space and 14,130 square feet of public open space. However, the applicant is requesting to provide a total of 17,500 square feet of private open space for the overall units. This is a reduction of 3,920 square foot (i.e.  $21,420 - 17,500 = 3,920$ ).

For the public open space, the MZO requires 14,130 square feet of common public open space for the entire development. The applicant is requesting to provide 108,135 square feet, which is an excess of 94,005 ( $108,135 - 14,130 = 94,005$ ) square feet than those required. Regarding the total combined open space, the MZO requires 150 square feet for combined private and common open space areas per unit. This equates to an overall total of 35,500 square feet for the entire development. The applicant is requesting to provide a total of 125,635 square feet for the combined private and public open space. This equates to an average total of 530 square feet of open space per unit.

According to the applicant, the proposed development is an age-restricted community that serves a defined senior demographic. The project has also been designed to create a community-oriented social environment that focuses the open spaces areas on provided common open space amenities, instead of individual open space areas. The planned common open space areas include shaded BBQ dining areas; a swimming pool with extensive deck area, pool cabanas, an outdoor gaming area (including Bocce' Ball and Corn Hole courts), shade structures, and extensive landscaped walks. Additionally, the development will also include an 8,145 square-foot clubhouse with kitchen facilities, media room, business/office center, conference room, yoga room, and fitness center.

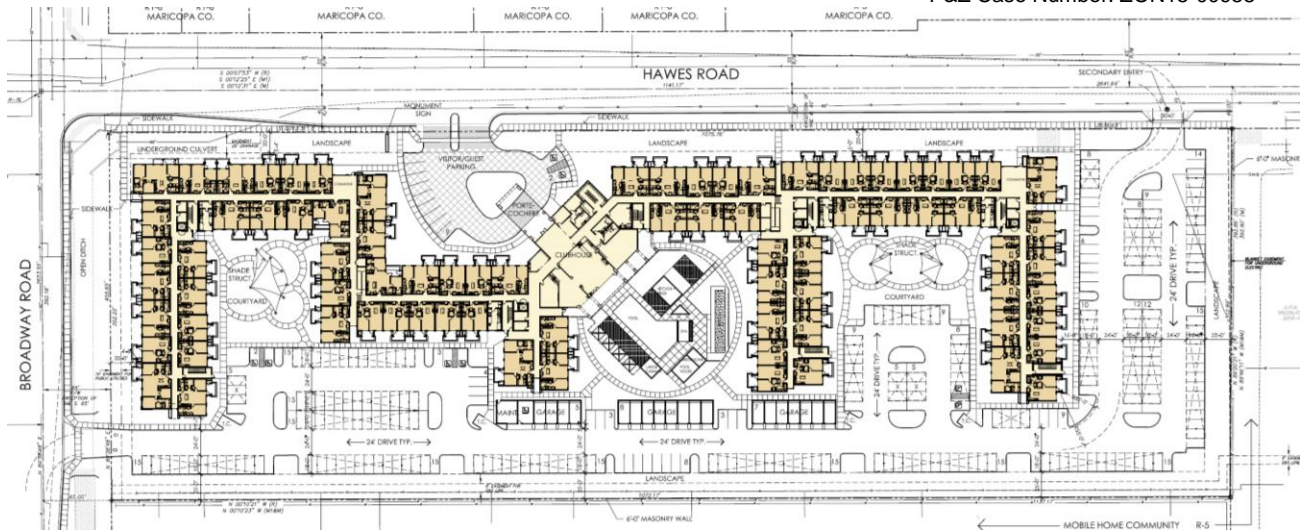
In addition, the project will be financed with Federal Tax Credits administered through the Arizona Department of Housing's (ADOH) Qualified Allocation Plan. Based on the requirements of this program, to meet MZO requirement for private open space the project would require reducing the interior square footage of each unit in order to meet the ADOH's maximum square footage requirements. The applicant wants to keep the reduced size of private open space in upper floors (second and third floor) so they do not have to reduce the square footage of the units in upper floor.

The overall quantity of open space provided within the development conforms to the intent of the MZO. The quality and varied open space opportunities will encourage social and recreational interactions as well as aesthetic views than would have been achieved with the required larger patios.

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

The proposed site plan meets all the review criteria per section 11-69-5 of the Zoning Ordinance. The proposed multiple-residence development will be three stories tall containing 237 units that consist of; 99 one-bedroom units, 120 two-bedroom units and 18 three-bed units. From the site plan, 333 of parking spaces will be provided on the property of which 20 will be in covered garages, 218 will be under carports, and the remaining 95 spaces will be uncovered parking spaces. Access to the site plan will be through the existing driveway access from Broadway. There will also be an additional access from the Hawes Road for visitors with drop off area under a port-cochere.

The site plan also shows three courtyards on the property. The central courtyard will include a clubhouse connected to visitor parking and drop off area in the development. Amenities in the club house will include a swimming pool, kitchen, barbeque, spa and bocce ball court. There are also two more courtyards shown on the site plan, one to the north and the other to the south of the pool area located in the central courtyard.



### CONCLUSION:

It is staff determination that the proposed site design and amenities provide superior design and open space standards and meets the intent and purpose of the MZO requirements.

The proposed project complies with the General Plan and meets all review criteria for PAD Overlay outlined in Chapter 22 of the MZO and Site Plan Review outlined in Chapter 69. Staff recommends approval with the following conditions:

### CONDITIONS OF APPROVAL:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations, except as modified in Table 1 in the staff report.
3. 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.
4. Compliance with all requirements of zoning case ZON18-00772, except as modified by this request.
5. Compliance with all requirements of Design Review.