



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

June 12, 2019

CASE No.: **ZON18-00067**

PROJECT NAME: **Bella Encanta**

Owner's Name:	Crismon BFC, LLC
Applicant's Name:	Reese Anderson, Pew & Lake, PLC
Location of Request:	Within the 9500 through 9800 blocks of East Hampton Avenue (south side). Located north of the US-60 Superstition Freeway and west of Crismon Road
Parcel No(s):	220-80-002X, 220-80-008C and 220-80-009G
Request:	Rezoning from Neighborhood Commercial with a Bonus Intensity Zone (NC-BIZ) Neighborhood Commercial Planned Area Development (NC-PAD) and Planned Employment Park -Planned Area Development –Council Use Permit (PEP-PAD-CUP) to Multiple Residence 2 Planned Area Development (RM-2-PAD); and Site Plan Review. Also consider the preliminary plat for “Bella Encanta”. This request will allow for the development of a single-residence subdivision.
Existing Zoning District:	Neighborhood Commercial with a Bonus Intensity Zone overlay (NC-BIZ), Neighborhood Commercial with a Planned Area Development overlay (NC-PAD), Planned Employment Park with a Planned Area Development Overlay and a Council Use Permit (PEP-PAD-CUP)
Council District:	6
Site Size:	33 ± acres
Proposed Use(s):	Attached Single-Residence Subdivision (Duplex)
Existing Use(s):	Vacant
Hearing Date(s):	May 22, 2019/ 4:00 p.m.
Staff Planner:	Evan Balmer
Staff Recommendation:	APPROVAL with 5 Conditions
Planning and Zoning Board Recommendation:	
Proposition 207 Waiver Signed:	Yes

HISTORY

On **June 25, 2007**, the City Council approved rezoning on 7.49± acres of the property from Single Residence (RS-43) and Agriculture (AG) to Neighborhood Commercial with a Bonus Intensity Zone Overlay (C-1-BIZ) zoning to allow a medical office use (Case# Z07-042).

On **October 18, 2010**, the City Council approved rezoning on 38.62± acres of the property from Single Residence (RS-43) to Neighborhood Commercial with a Planned Area Development (C-1-PAD) and Planned Employment Park with a Planned Area Development and Council Use Permit (PEP-PAD-CUP) (Case# Z10-024).

On **December 3, 2018**, the City Council approved a Minor General Plan Amendment on 33± acres to change the character type designation from Employment to Neighborhood (Case# ZON18-00181). The subject request pertains to this 33-acre property.

PROJECT DESCRIPTION

Background

The site is currently vacant. The requested rezoning is to allow a single-residence subdivision on the property.

General Plan Character Area Designation and Goals

The General Plan Character area designation on the property is Neighborhood with a Suburban sub type. Per Chapter 7 of the General Plan, the focus of the Neighborhoods designation is a character type that provide a safe place for people to live where they can feel secure and enjoy their surrounding community. Within the suburban subtype, as part of a total neighborhood area, this character type may also contain areas of duplexes and other multi-residence properties and commercial uses along arterial frontages and at major street intersections. Residential Multiple Dwelling 2 (RM-2) is listed as a primary use within the suburban subtype. The proposed project is consistent with the General Plan. Staff also reviewed the request and determined it is consistent with the criteria for review of development outlined in Chapter 15 (pg. 15-1&2) of the Mesa 2040 General Plan.

Zoning District Designations

The request includes rezoning of the property from Neighborhood Commercial with a Bonus Intensity Zone overlay (NC-BIZ), Neighborhood Commercial with a Planned Area Development overlay (NC-PAD), Planned Employment Park with a Planned Area Development Overlay and a Council Use Permit (PEP-PAD-CUP) to a Multiple Residence District (RM-2). The applicant is also requesting a site plan review, and modifications to certain development standards through a Planned Area Development (PAD) Overlay.

The proposed development of an attached single-residence subdivision on the property is allowed within the RM-2 zoning district per Section 11-5-2 of the MZO.

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

The request includes a Planned Area Development (PAD) overlay in accordance with Section 11-22 of the MZO. The purpose of this request for an overlay is to allow modifications to certain required standards for development of the property. The overlay is also to allow innovative design and flexibility that creates high-quality development for the site.

Table 1 below shows the MZO required standards, the applicant's proposed PAD standards, and staff recommendations:

Table 1

RM-2 Development Standards	Required	Proposed	Staff Recommendation
Minimum Lot Area	7,200 sf	3,150 sf	As proposed
Minimum Lot Width	36 feet	42 feet	As proposed
Minimum Lot Depth	94 feet	75 feet	As proposed
Front and Street Facing Side Setback	20 feet	10 feet	As proposed
Interior Side Setback - Attached	0 feet	0 feet, (attached side)/5 feet, (non-attached)	As proposed
Rear Setback	15 feet	10 feet	As proposed
Maximum Building Coverage	45%	56.9%	As proposed
Garage Dimensions			
Standard	20 feet x 22 feet	20 feet x 22 feet	As proposed
Tandem	10 feet x 44 feet	11 feet 4 inches x 41 feet 6 inches	As proposed

As shown on the table above, the applicant is requesting eight deviations from the RM-2 zoning district development standards. The first three requests are for reduction in the minimum lot area and the minimum lot width and depth. These deviations are being requested to fit the proposed development of the property as duplex units for individual ownership.

The next deviation is for a reduction in the required front street facing setback. Section 11-5-5 of the MZO requires a 20-foot building and landscape setback for front street facing setback in the RM-2 district. According to the applicant, the requested reduction from 20 feet to 10 feet for the front and street facing side setback is to accommodate the housing product proposed for the development.

The applicant is also requesting a deviation to the required side and rear setbacks. Section 11-5-5 of the MZO requires a 0-foot side setback for single residence attached units. As these are duplex units attached on only one side, the applicant is proposing a 0-foot side setback on the side of the lot that is attached and a 5-foot setback on the side of the lot that is not attached. Section 11-5-5 of the MZO also requires a 15-foot rear setback. The applicant is requesting a reduction in the rear setback from 15 feet to 10 feet. According to the applicant, the requested reduction in the rear yard setback from 15 feet to 10 feet is to accommodate the housing product proposed for the development.

The final deviation requested is from the minimum inside dimensions of a tandem garage. Section 11-32-4-F3 of the MZO requires a tandem garage to be at least 10 feet wide and 44 feet long (440

square feet). The applicant is proposing minimum dimensions of 11 feet 4 inches by 41 feet 6 inches (470 square feet). The proposed deviation allows for a larger square footage of garage space than is required by the MZO and is consistent with the depth of the housing product on the lot.

In exchange for the requested deviations and opportunity to create a well designed and integrated community, the applicant is providing enhanced open space and recreational amenities within the subdivision. The proposal includes approximately 2.9± acres of recreational open space throughout the community as well as enhanced pedestrian connection within the development.

Site Plan and General Site Development Standards:

The subject site is vacant and approximately 33± acres in size and will be accessed from Hampton Avenue. The applicant is proposing 212 duplex units with four different models and three elevations per model. Three of these models will be used for two story products, while the fourth will be used for single story products. The submitted site plan shows a large amenity area (1.2± acres) to be constructed in the center of the development. According to the project narrative, amenities to be installed include a fitness center, a swimming pool, a basketball, volleyball and pickleball courts. There is also an open space and amenity area to be constructed on the east side of the property. The proposed amenities to be installed on this area of the property include a tot lot. The site plan also shows another open space and amenity area on the west side of the development with proposed amenities that includes soccer goal posts. Additionally, the site plan shows pedestrian connections that run north to south through the site that provide connections to Hampton Avenue and the various open space and amenity areas within the development.

PRELIMINARY PLAT

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. Per the Section of the MZO, the preliminary plat is reviewed and approved by the Planning and Zoning Board. All approved preliminary plats are subject to potential modification through the City's Subdivision Technical Review process, which is the third stage after approval of the preliminary plat. The Subdivision Technical Review process considers the overall design of the subdivision and details, such as utilities layout, ADA compliance, detention requirements, etc. This process can sometimes result in modification to lot sizes and configuration and reduction in the number of lots.

Surrounding Zoning Designations and Existing Use Activity:

Northwest RM-3-PAD Multiple-Residence	North RM-2-PAD Multiple-Residence	Northeast RS-43 Church
West RM-2-PAD Developed Open Space	Subject Property NC-BIZ, NC-PAD and PEP- PAD-CUP Vacant	East PEP-PAD Vacant
Southwest U.S. 60	South U.S. 60	Southeast U.S. 60

Compatibility with Surrounding Land Uses:

The subject site is surrounded by a mix of uses including commercial, residential, and a church. The proposed single-residence use will be compatible with the surrounding uses.

Neighborhood Participation Plan and Public Comments

The applicant held a neighborhood meeting on February 22, 2018. According to the Citizen Participation report, invitations were mailed to Property owners within 1,000', and Registered Neighborhoods within a mile. The sign in sheet indicates six people attended the meeting. According to the Citizen Participation Report provided by the applicant, the residents who attended the meeting are in support of a residential development on the property as to a commercial development. The applicant also provided a letter of support from the Muirfield Village Community Association President expressing support of development of residential on the property

The applicant sent an additional letter to residents in the area on May 13, 2019 informing them of the changes to the proposed site design. The applicant will be providing an updated Citizen Participation Report prior to the May 22, 2019 Study Session. As of writing this report, staff has not been contacted by any resident to express support or opposition to the development. Staff will provide any new information during the Board's scheduled study session.

Staff Recommendations:

The subject request is consistent with the General Plan and meets the review criteria for Site Plan Review outlined in Section 11-69-5 and for Planned Area Development overlays outlined in Section 11-22-5 of the MZO; Therefore, staff recommends Approval of the request with the following condition:

Conditions of Approval;

1. Compliance with final site plan submitted.
2. Compliance with all requirements of the Subdivision Regulations.
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 City development codes and regulations, except as modified in Table 1 in the staff report.
5. Prior to submittal of a permit application for a masterplan, or any modifications to an approved masterplan, submit for review and acceptance by the Planning Director elevations and floor plans that demonstrate:
 - a. Compliance with the Building Form Standards outlined in Chapter 5 of the Mesa Zoning Ordinance and the Residential Development Guidelines;
 - b. Use of architectural enhancements, such as windows, recesses, shutters, or metal accents applied to elevations that are located adjacent to the street or an open space; and
 - c. Use of a variety of real building materials and finishes on the exterior of the homes, such as wood or quality wood synthetic, shutters, stone, or metal to create interest through color, material and texture.

6. Prior to submittal of any construction permit(s), revise the site plan to show the stormwater runoff for the project is retained within the limits of the Bella Encanta subdivision per City of Mesa Code or submit the following documentation that substantiates Bella Encanta has permission to retain a portion of their stormwater runoff in the Muirfield Village Condominium's retention basin and establishes that the retention basin satisfies the City's requirements:
 - a. A drainage report that demonstrates the required volume of stormwater runoff in the Muirfield Village retention basin can meet the City requirements for the retention needs for both the Muirfield Village Condominium and the portion of the stormwater runoff from Bella Encanta that will be retained in the Muirfield Village Condominium retention basin.
 - b. A signed and sealed certification from a registered land surveyor that the Muirfield Village Condominium retention basin can adequately retain the volume of stormwater runoff identified in the drainage report.
 - c. Execute and record a contract, easement or similar legal document, acceptable to the City, that secures, in perpetuity, the right of Bella Encanta to retain a portion of their stormwater runoff in the Muirfield Village Condominium retention basin and addresses the long-term maintenance responsibility of the portion of the Muirfield Village Condominium retention basin used by Bella Encanta.
7. Comply with the City's requirement to provide an 8-foot wide public utility easement adjacent to the public streets. Relative to the private streets, the City will approve 6-foot wide public utility easements adjacent to the private streets if prior to the issuance of any construction permit(s), developer obtains consent, from each of the utility and telecommunication companies who will provide service to the property, that the 6-foot public utility easements are acceptable.