



**PLANNING DIVISION
STAFF REPORT**

City Council Meeting

January 13, 2025

CASE No.: ZON24-00731	PROJECT NAME: 88 Southern Townhomes
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Owner's Name:	Coconut Properties LLC, and AZ COMMERCIAL HOLDINGS LLC
Applicant's Name:	Shaine Alleman, Tiffany & Bosco, P.A.
Location of Request:	Located approximately 1,900 feet west of the northwest corner of South Ellsworth Road and East Southern Avenue.
Parcel No(s):	218-49-015A and 218-49-016A
Request:	Rezone from Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD) to RM-2 with a new PAD Overlay (RM-2-PAD) and a Major Site Plan Modification to allow for a single residence development.
Existing Zoning District:	Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD)
Council District:	5
Site Size:	4± acres
Proposed Use(s):	Single Residence
Existing Use(s):	Vacant
P&Z Hearing Date(s):	December 11, 2024 / 4:00 p.m.
Staff Planner:	Jennifer Merrill, Senior Planner
Staff Recommendation:	APPROVAL with conditions
Planning and Zoning Board Recommendation:	APPROVAL with conditions (6-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **January 22, 2024**, the City Council annexed 4± acres into the City of Mesa and zoned the property Agricultural (AG) (Case No. ANX23-00480; Ordinance No. 5844).

On **January 22, 2024**, the City Council approved a rezoning request for 4± acres from AG to Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD) and Site Plan

Review for a 59-unit multiple residence development (Case No. ZON23-00478; Ordinance No. 5843).

On **December 11, 2024**, the Planning and Zoning Board approved a Preliminary Plat titled, “88th & Southern Townhomes” and recommended that City Council approve the Proposed Project (Case No. ZON24-00731).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the 4± acre project site from Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD) to RM-2 with a new PAD overlay (RM-2-PAD) to allow the development of a 54-lot attached single residence project (Proposed Project).

A rental townhome development was approved for the project site on January 22, 2023. The Proposed Project includes a Preliminary Plat to allow for individual ownership. The Preliminary Plat was approved by the Planning and Zoning Board.

General Plan Character Area Designation and Goals:

Per the Mesa 2040 General Plan, the Character Area is Neighborhood with a Suburban Sub-type. The primary focus of the Neighborhood Character Area is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Suburban Sub-type neighborhoods are primarily single residence in nature with lots typically ranging in size from 6,000 square feet to 18,000 square feet. Single residences are listed as a primary land use and the RM-2 zoning district is listed as a primary zoning district.

Per Chapter 4 of the General Plan, the opportunity for long-term health and sustainability of neighborhoods is increased when the initial development is of high quality. High quality development comes from the use of architectural detailing to provide visual interest, use of materials that add texture and are easily maintained over time, integration of architecture and landscape design, and use of a plant palate that is appropriate for our climate and can be easily maintained. It is important to design and maintain neighborhoods to be walkable, with walkways designed and maintained to help people feel safe and comfortable using them.

The Proposed Project conforms with the Neighborhood Character Area, and the development review criteria of Chapter 15 of the Mesa 2040 General Plan.

Zoning District Designations:

The Proposed Project includes a rezoning to RM-2 with a new PAD Overlay. Per Section 11-5-2 of the MZO, the purpose of the RM zoning district is to provide areas for a variety of housing types at densities of up to 43 units per gross acre. Appropriate types of dwelling units include small-lot single residences, townhouses, cluster housing, and multiple residence housing. Multiple residence is a permitted use in the RM-2 zoning district.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across 88 th Street) 202 Freeway	North Maricopa County RU-43 Single Residence	Northeast Maricopa County RU-43 Single Residence
West (Across 88 th Street) 202 Freeway	Project Site RM-2-PAD Vacant	East Maricopa County RU-43 Single Residence
Southwest (Across Southern Avenue and 88 th Street) RM-2-PAD RV Park	South (Across Southern Avenue) RM-2-PAD RV Park	Southeast (Across Southern Avenue) RM-2-PAD RV Park

Compatibility with Surrounding Land Uses:

The Proposed Project is adjacent to single residence uses to the north and east, and an RV Park across Southern Avenue to the south. The Proposed Project includes two-story buildings that are setback 23 feet from the east property line, and 50 feet from the north property line.

The Proposed Project is compatible with the surrounding developments.

PAD Overlay Modification – MZO Article 3, Chapter 22:

Per Section 11-22 of the MZO, the purpose of the PAD overlay is to permit flexibility in the application of zoning standards and requirements. The PAD overlay allows for creative, innovative and flexible design that creates high-quality development for the site.

Table 1: Development Standards

MZO Development Standards	Required	Proposed	Staff Recommendation
<u>Minimum Lot Width</u> – <i>MZO Table 11-5-5</i> -Single Residence Attached	36 feet	22 feet	As proposed
<u>Minimum Lot Depth</u> – <i>MZO Table 11-5-5</i> -Single Residence Attached	94 feet	61 feet	As proposed
<u>Minimum Lot Area per Dwelling Unit (sq. ft.)</u> – <i>MZO Table 11-5-5</i>	2,904 square feet	1,352 square feet	As proposed
<u>Max. Lot Coverage (% of lot)</u> – <i>MZO Table 11-5-5</i>	70%	95%	As proposed
<u>Minimum Yards</u> – <i>MZO Table 11-5-5</i> -Rear: 1 or 2 units on lot (Garage Facing Side)	15 feet	0 feet	As proposed

MZO Development Standards	Required	Proposed	Staff Recommendation
<u>Max. Building Coverage (% of lot) – MZO Table 11-5-5</u>	45%	87%	As proposed
<u>Standards for Required Open Space – MZO Section 11-5-5(A)(3)(a)</u> - Proportion of private and common open space	Three (3) bedroom or more have at least 120 square feet of private open space	Three (3) bedroom or more have at least 104 square feet of private open space	
<u>Standards for Required Open Space – MZO Section 11-5-5(A)(3)(e)(ii)</u> -Private open space, covered	Open space shall be at least 50% covered (60 square feet) and shall have at least one (1) exterior side that is open and unobstructed between three (3) and eight (8) feet above its floor level	<u>Unit A:</u> Open space shall be at least 31% covered (52 square feet), <u>Unit B:</u> Open space shall be at least 36% covered (41 square feet)	As proposed
<u>Access, Circulation and Parking – MZO Section 11-5-5(B)(4)(f)(ii)</u> -Attached Garages	Garage doors located below upper-story living space shall be recessed at least 3 feet from the upper story facade	Garage doors located below upper-story living space shall be recessed at least 2 feet 1 inch from the upper story facade	As proposed
<u>Materials – MZO Section 11-5-5(B)(5)(b)</u>	Buildings must contain 2 primary materials, each covering at least 25% of the exterior walls	Buildings must contain 4 primary materials, 1 covering at least 25% of the exterior walls and 2 others collectively covering at least 22% of the exterior walls on the side elevations and 25% of the exterior walls on the front and rear elevations	As proposed

MZO Development Standards	Required	Proposed	Staff Recommendation
<u>Fences and Freestanding Walls</u> – MZO Section 11-30-4(A)(1) -Maximum Height in RM District: Front Yards	4.5 feet tall if the topmost 1.5 feet is visually transparent and not opaque	6 feet tall (along south and west property lines)	As proposed
<u>Lots and Subdivisions</u> – MZO Section 11-30-6(H) -Lot frontage	Every lot shall have frontage on a dedicated public street unless the lot is part of an approved Planned Area Development (PAD)	Lots front onto private drives	As proposed
<u>Required Landscape Yards</u> – MZO Section 11-33-3(B)(1)(a)(i) -Non-Single residence adjacent to single residence uses or districts less than 5 acres	20-feet	5 feet (between the solid waste enclosures and the north property line) 8 feet (East property line)	As proposed

Minimum Lot Width:

Per Table 11-5-5 of the MZO, the minimum lot width for individual lots in the RM-2 District is 36 feet.

The applicant is requesting a minimum lot width of 22 feet.

Minimum Lot Depth:

Per Table 11-5-5 of the MZO, the minimum lot depth for individual lots in the RM-2 District is 94 feet.

The applicant is requesting a minimum lot depth of 61 feet.

Minimum Lot Area per Dwelling Unit (sq. ft.):

Per Table 11-5-5 of the MZO, the minimum lot area for individual lots in the RM-2 District is 2,904 square feet.

The Proposed Project includes a minimum lot size of 1,352 square feet. Each lot accommodates a two-story, three-bedroom townhome including a two-car garage and ample patio space.

Max. Lot Coverage (% of lot):

Per Table 11-5-5 of the MZO, the maximum lot coverage for the RM-2 zoning district is 70%.

The Proposed Project includes a lot coverage of 95%. The previously approved lot coverage was 75%, but was based on the development being for-rent. The Proposed Project includes individual ownership of the lots leading to the requested lot coverage of 95%.

Minimum Yards:

Per Table 11-5-5 of the MZO, a 15-foot-wide yard is required along the rear property line of RM-2 lots with one or two units on each lot.

The Proposed Project includes a zero-foot rear setback for each townhome lot, along the garage elevations of the buildings.

Max. Building Coverage (% of lot):

Per Table 11-5-5 of the MZO, the maximum building coverage for individual RM-2 lots is 45%.

The Proposed Project includes a maximum building coverage of 87% to allow for individual lots to exceed the maximum building coverage.

Standards for Required Open Space:

Per Table 11-5-5 of the MZO, the minimum open space required per unit is 200 square feet, and per Section 11-5-5(A)(3)(a) of the MZO, open space may be provided in any combination of private and common open space, as long as three-bedroom units have at least 120 square feet of private open space.

The ground floor patios for the Type A units are 124 square feet; therefore, the minimum amount of private open space is provided for the Type A units.

The ground floor patios for the Type B units are 104 square feet; therefore, the applicant is requesting a reduction in the amount of private open space for the Type B units from 120 square feet to 104 square feet. A second story balcony is provided to provide for additional private open space. The aggregate of these two open space areas is 131 square feet, which exceeds the private open space requirements.

Per Section 11-5-5(A)(3)(e)(ii) of the MZO, private open space shall be at least 50% covered and shall have at least one exterior side that is open and unobstructed between three and eight feet above its floor level. Unit A provides 31% (52 square feet) and Unit B provides 36% (41 square feet) of covered private open space.

The common pool area, dog park and additional open space and seating areas provide open space for the development, which exceeds the minimum requirements of the MZO.

Access, Circulation and Parking:

Per Section 11-5-5(B)(4) of the MZO, in multi-story buildings that include livable floor area above garages, the garage doors located below upper story living space must be recessed at least three feet from the upper story facade.

The Proposed Project includes a reduction and recess of 2'-1" from the upper story façade to improve the overall aesthetic of the building frontage and the architectural articulation. This reduction allows the modern aesthetic of the buildings to be enhanced, which helps with overall styling and view of the buildings.

Materials:

Per Section 11-5-5(B)(5) of the MZO, buildings must contain at least two kinds of primary exterior materials, with each of the required materials covering at least 25% of the exterior walls of the building.

The Proposed Project includes stucco comprising at least 25% of the exterior walls, and a combination of two other primary building materials (composite wood planks, hardie board siding) covering at least 22% of the exterior walls on the side elevations and 25% of the exterior walls on the front and rear elevations.

Fences and Freestanding Walls:

Per Section 11-30-4(A)(1) of the MZO, within the RM Districts, no opaque or non-transparent fence or freestanding wall within or along the exterior boundary of the required front yard shall exceed a height of 3.5 feet. Fences or freestanding walls over 3.5 feet high are allowed in front yards, provided the fence or freestanding wall does not exceed a maximum height of 4.5 feet, and the topmost 1.5 feet is visually transparent and not opaque.

The Proposed Project includes a six-foot-tall wrought-iron fence located eight feet behind the Southern Avenue and 88th Street frontages. Although the landscape buffer is reduced on the west and south boundaries, the inclusion of the ground floor patios on those frontages will add to the overall aesthetics that will be a combination of hardscape and landscape. Additional landscaping adjacent to the 88th Street and Southern Avenue rights-of-way beyond the formal eight-foot landscape yard, which will also add to the aesthetic of the street frontages.

Required Landscape Yards:

Per Section 11-33-3(B)(1)(a)(i) of the MZO, non-single residences uses or districts on sites five acres or more adjacent to single residence districts or uses must provide a minimum 20-foot landscape yard.

The Proposed Project includes a five-foot landscape yard along the north property line where the solid waste enclosure is located. This deviation allows for placement of trash enclosures in efficient locations. The remaining portion of the landscape yard will meet MZO requirements and be 21'-3". Additionally, the applicant is requesting a reduced landscape yard along the east property line of eight feet. This is the space between the private patios and the east property line.

Justification:

The development standards deviations are justified by the enhanced architectural design, the 50-foot-wide building setback on the north property line, and the overall unique townhome-type, individually owned housing product not found in the area.

The Proposed Project complies with requirements of a PAD outlined in Section 11-22 of the MZO by providing equivalent or superior features that meet the intent of the base zone development standards.

Site Plan and General Site Development Standards:

The Proposed Project consists of 54 townhomes grouped into eight buildings. Each townhome has two bedrooms, two bathrooms, a two-car garage, ground floor patio, and second-story balcony.

Pedestrian access is provided from Southern Avenue and from 88th Street. Paths continue throughout the development to each building and amenity area. Amenities include a centrally located swimming pool, shade structures and seating areas, two generous turf play areas with seating in two corners of the development, and a dog park with seating and shade structures in the northeast corner.

Vehicular access is provided from Southern Avenue as well as from 88th Street. The development is proposed to be gated, with the main entrance and exit located along Southern Avenue, and an exit-only gate along 88th Street. Per Section 11-32-3 of the MZO, single residences shall provide a minimum of two covered parking spaces per unit, for a total of 108 spaces for this development. The site plan shows 126 spaces, including 108 covered spaces, provided.

The Proposed project conforms to the review criteria for Site Plan Review outlined in Section 11-69-5 of the City of Mesa Zoning Ordinance.

Design Review:

Per Section 11-71-2 of the MZO, Design Review is required for multiple residence and attached single residence projects that exceed the maximum density of the RM-2 zoning district which is of 15 dwelling units per acre.

The Proposed Project has a density of 12.2 dwelling units per acre. Design Review Board review is not required, and the building elevations and landscape plan are reviewed with the site plan review application.

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:

Table 2: School Impact Analysis

Proposed Development (58 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
Elementary	Stevenson	6	Yes
Middle School	Smith	2	Yes
High School	Skyline	4	Yes

Neighborhood Participation Plan and Public Comments:

The applicant completed a Citizen Participation process, which included mailing letters to property owners within 1,000 feet of the site, and registered neighborhoods, and HOAs within one mile of the site.

A virtual neighborhood meeting was held on August 2, 2023, as part of the previous rezoning request. Per the Citizen Participation Plan submitted with the current request, the Applicant team walked the Berry Estates neighborhood during the recent months to explain the development site plan changes and explain the benefits of the proposed development. The Applicant team spoke with several neighbors and received support for the project.

The Citizen Participation Report includes a complete summary of the outreach efforts for both the previous and current requests.

Staff has not received any comments or concerns from surrounding property owners.

Staff Recommendation:

Staff finds that the Proposed Project is consistent with the Mesa 2040 General Plan, complies with the criteria for a PAD overlay per Section 11-22-1 of the MZO, and meets the review criteria for Site Plan Review per Section 11-69-5 of the MZO.

Staff recommends approval of the request with the following **Conditions of Approval:**

1. Compliance with final site plan, landscape plan, and elevations submitted.
2. Dedicate the rights-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.
3. Compliance with the Preliminary Plat submitted.
4. Prior to the issuance of a building permit, obtain approval of and record a final subdivision plat for the subject parcel.

5. Compliance with the Subdivision Regulations.
6. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD overlay as shown in the following table:

MZO Development Standards	Approved
<u>Minimum Lot Width</u> – MZO Table 11-5-5 -Single Residence Attached	22 feet
<u>Minimum Lot Depth</u> – MZO Table 11-5-5 -Single Residence Attached	61 feet
<u>Minimum Lot Area per Dwelling Unit (sq. ft.)</u> – MZO Table 11-5-5	1,352 square feet
<u>Max. Lot Coverage (% of lot)</u> – MZO Table 11-5-5	95%
<u>Minimum Yards</u> – MZO Table 11-5-5 -Rear: 1 or 2 units on lot (Garage Facing Side)	0 feet
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<u>Standards for Required Open Space</u> – MZO Section 11-5-5(A)(3)(a) - Proportion of private and common open space	Three (3) bedroom or more have at least 104 square feet of private open space
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<u>Access, Circulation and Parking</u> – MZO Section 11-5-5(B)(4)(f)(ii) -Attached Garages	Garage doors located below upper-story living space shall be recessed at least 2 feet 1 inch from the upper story facade
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MZO Development Standards	Approved
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<u>Lots and Subdivisions – MZO Section 11-30-6(H)</u> -Lot frontage	Lots front onto private drives
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Exhibits:

- Exhibit 1 - Presentation
- Exhibit 2 - Ordinance
- Exhibit 3 - Ordinance Map
- Exhibit 4 - Vicinity Map
- Exhibit 5 - Site Plan
- Exhibit 6 - Minutes
- Exhibit 7 - Submittal Documents