



PLANNING DIVISION
STAFF REPORT

City Council Meeting

September 19, 2022

CASE No.: **ZON22-00436**
Townhomes

PROJECT NAME: **Hampton**

Owner's Name:	Signal Butte BFC, LLC.
Applicant's Name:	Shaine T. Alleman, Tiffany & Bosco, P.A.
Location of Request:	Within the 10500 block of E. Hampton Avenue (north side) and within the 1300 block of South 105 th Place (west side). Located west of Signal Butte Road on and south of Southern Avenue.
Parcel No(s):	220-81-993
Request:	Rezone from Limited Commercial with a Planned Area Development overlay (LC-PAD) to Multiple Residence-3 with a Planned Area Development overlay (RM-3-PAD-PAD) and Site Plan Review. This request will allow for a multiple residence development. Also consider a preliminary plat for "Hampton Townhomes".
Existing Zoning District:	Limited Commercial with a Planned Area Development overlay (LC-PAD)
Council District:	5
Site Size:	2± acres
Proposed Use(s):	Multiple Residence 3 with a Planned Area Development overlay (RM-3-PAD-PAD)
Existing Use(s):	Vacant
P&Z Hearing Date(s):	August 24, 2022 / 4:00 p.m.
Staff Planner:	Sean Pesek, Planner II
Staff Recommendation:	APPROVAL with conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote: 5-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **August 3, 1987**, the City Council annexed 746± acres of land, including the 2± acre subject property into the City of Mesa (Case No. A87-008; Ordinance No. 2250).

On **October 10, 1987**, the City Council approved a rezoning of 772± acres, including the 2± acre subject property from Maricopa County Rural 43, R1-8, C-2, and C-3 to City of Mesa comparable zoning SR, RS-9, LC, and GC (Case No. Z87-067; Ordinance No. 2272).

On **August 1, 1988**, the City Council approved a rezoning of 117± acres, including the 2± acre subject property from City of Mesa comparable zoning SR to RS-9, LC, and GC (Case No. Z88-040).

On **April 16, 2007**, the City Council approved a General Plan Land Use Designation amendment from Mixed Use Employment to Regional Commercial and High Density Residential for approximately 58± acres, including the 2± acre subject property.

On **April 16, 2007**, the City Council approved a rezone for 113± acres, including the 2± acre subject property from RS-43 and conceptual OC, LC and LI to RS-4, LC-PAD, LC-PAD-BIZ (Case No. Z07-022; Ordinance No. 4689).

On **July 8, 2020**, the City Council approved a rezone for 81± acres, including the 2± acre subject property from LC-PAD and LC-PAD-BIZ to LC-PAD, RM-4-PAD and RM-5-PAD (Case No. ZON19-00872; Ordinance No. 5580).

PROJECT DESCRIPTION

Background:

The applicant is requesting a rezone of a 2± acre property from Limited Commercial with a Planned Area Development overlay (LC-PAD) to Multiple Residence-3 with a Planned Area Development overlay (RM-3-PAD-PAD), site plan review of an Initial Site Plan, and Preliminary Plat approval to allow for a multiple residence development. The subject site is located on the north side of Hampton Avenue, west of Signal Butte Road and is within the Mountain Vista Marketplace Planned Area Development (PAD). As such, the subject request must conform to the regulations set forth in the PAD, the underlying Development Agreement, and Mesa Zoning Ordinance (MZO).

The proposed development consists of 29, two-story townhome units. The request for a Planned Area Development (PAD) overlay is to allow modifications to certain development standards set forth in the Mesa Zoning Ordinance (MZO) that are specific to the subject property. Per Section 11-22-1 of the MZO, the purpose of a PAD overlay is to allow modifications to certain development standards to promote innovative design and flexibility

that creates a high-quality development for the site. The submitted documents show the proposed development will be unique by incorporating common open space areas that exceed the City's standard size and plant quantity requirements as well as a variety of community recreation facilities.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Mixed Use Activity District with a Community Scale Sub-type. Per Chapter 7 of the General Plan, the focus of the Mixed Use Activity District is to create large-scale community and regional activity areas that have significant retail and commercial components including shopping areas, power centers, and lifestyle center. However, these areas may take on a significant residential character so long as the residential component is developed secondary to the primary uses. Secondary uses may be permitted in conjunction with a greater commercial development or complimentary to existing commercial developments provided the minimum percentage of primary uses within the character area is established through existing zoning/development.

Per Chapter 7 (pg. 7-22) of the General Plan, at least 70% of the total Mixed Use Activity District character area shall be reserved for primary zoning designations and primary uses. Primary zoning districts include districts such as Office Commercial (OC), Limited Commercial (LC), General Commercial (GC), Mixed-Use (MX), Planned Employment Park (PEP), and Infill Incentive District 2 (ID-2). Approximately 75% of the total area for the Mixed Use Activity District in Mountain Vista Marketplace is zoned LC-PAD with the remaining 25% zoned RM-5-PAD and RM-4-PAD. The subject request to rezone approximately 2 acres from LC-PAD to RM-3-PAD will not cause the total percentage of secondary uses to exceed 30%. Overall, the request conforms to the goals of the Mesa 2040 General Plan.

Zoning District Designations:

The request is to rezone the subject property to RM-3-PAD-PAD. Per Section 11-5-1(B) of the MZO, the purpose of the multiple residence zoning district is to provide areas for small-lot single residences, townhouses, cluster housing, and multiple residence housing, with densities of up to 43 units per gross acre. Multiple residence is allowed by-right in the RM-3 district, provided the site is developed in accordance with applicable development standards, which includes the Mountain Vista Marketplace PAD and development agreement.

Planned Area Development Overlay:

The Mountain Vista Marketplace PAD established a master plan that outlines development themes, guidelines, and allowed uses for the community. Proposed site plans are reviewed against standards in the PAD including but not limited to the text and exhibits. After review, the subject request complies with the applicable PAD standards and development agreement conditions.

Nevertheless, the applicant is seeking approval of a second PAD overlay as the proposed site design does not comply with all MZO standards. Per Section 11-22 of the MZO, the purpose of the PAD overlay is to allow innovative design and flexibility that creates high-quality

development for the site. Table 1 below shows the MZO required standards and the applicant's proposed PAD standards.

Table 1: Development Standards

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Minimum Yards –</u> <i>MZO Section 11-5-5(A)</i> - Front and Street Facing Side (Collector Street – E. Hampton Avenue) - Front and Street Facing Side (Local Street S. 105 th Place) -Rear (1 or 2 units on lot)	25 feet 20 feet 15 feet	18 feet 17 feet 0 feet	As proposed
<u>Required Landscape Yards –</u> <i>MZO Section 11-5-5(A) and 11-33-3(B)(2)</i> - Street Side (Collector Street – E. Hampton Avenue) - Street Side (Local Street – S. 109 th Place) - Non-single Residence uses next to Single Residence (west)	25 feet 20 feet 15 feet	3 feet 0 feet 0 feet	As proposed
<u>Retention Basins –</u> <i>MZO Section 11-33-6(D)</i>	Retaining walls shall not exceed 25% of basin perimeter	Retaining walls shall not exceed 75% of basin perimeter	As proposed
<u>Setback of Cross Drive Aisles –</u> <i>MZO Section 11-32-4(A)</i>	Parking spaces along main drive aisles connecting directly to a street shall be set back at least 50 feet from the property line abutting the street	Parking spaces along main drive aisles connecting directly to a street shall be set back at least 17 feet and 4 inches from the property line abutting the street, as shown on the final site plan	As proposed

<u>Setback for Attached Single Residences –</u> <i>MZO Section 11-5-5(A)(1)(c)</i>	The minimum interior side yard shall be 10 feet on the end units	The minimum interior side yard shall be 4 feet and 6 inches on the end units	As proposed
<u>Attached Garages –</u> <i>MZO Section 11-5-5(B)(4)</i>	Garage doors located below upper-story living space shall be recessed at least three (3) feet from the upper story facade	Garage doors located below upper-story living space shall be recessed at least one (1) foot from the upper story facade.	As proposed
<u>Open Space Coverage –</u> <i>MZO Section 11-5-5(A)(3)</i>	Private open space shall be at least 50 percent (50%) covered	Private open space shall be at least 15% covered	As proposed

Minimum Yards:

Per Section 11-5-5 of the MZO, the required front building setback, adjacent to a collector street is 25 feet. The applicant is requesting a reduced setback from E. Hampton Avenue of 18 feet. Per Section 11-5-5 of the MZO, the required front building setback adjacent to a local street is 20 feet. The applicant is requesting a 17-foot setback from S. 105th Place. Per Section 11-5-5 of the MZO, the required the required rear setback for each townhome lot is 15 feet. The applicant is requesting a zero-foot rear setback for all units.

Required Landscape Yard:

Per Section 11-5-5 of the MZO, front and street facing yards must be landscaped according to the standards of Chapter 33: Landscaping. Therefore, the required landscape yard width is the same width as the required building setback. The applicant is requesting a reduction to the required landscape yard width along E. Hampton Avenue to 3 feet and 0 feet along S. 105th Place and the western boundary line of the proposed townhome subdivision. While the requested minimum yard width is 0 feet in two locations, the proposed design is a hybrid of private yards and HOA-maintained landscaping.

Retention Basins:

Per Section 11-33-6(D) of the MZO, retaining walls shall not exceed 25% of the basin perimeter. The applicant is proposing to increase the minimum to 75%.

Setback of Cross Drive Aisles:

Per Section 11-32-4(A) of the MZO, parking spaces along main drive aisles connecting directly to a street shall be set back at least 50 feet from the property line abutting the street. To accommodate the proposed development, the applicant is seeking a reduction to 17 feet and 4 inches.

Setback for Attached Single Residences:

Per Section 11-5-5(A)(1)(c) of the MZO, the minimum interior side yard shall be 10 feet on the end units. The applicant is requesting a reduction to 4 feet and 6 inches.

Garage Recess:

Per Section 11-5-5(B)(4) of the MZO, in multi-story buildings that include livable floor area, garage doors located below upper-story living space shall be recessed at least three (3) feet from the upper story facade. The applicant is requesting a reduction to one (1) foot.

Open Space Coverage:

Per Section 11-5-5(B)(3) of the MZO, private open space shall be at least 50% covered. The applicant is requesting a reduction to 15%, although most units have a coverage between 30% and 40%.

PAD Justification:

The proposed development conforms to the criteria for a PAD. Per Section 11-22-1 of the MZO, the purpose of a PAD overlay is to allow modifications to certain development standards to promote innovative design and flexibility that creates a high-quality development for the site. The submitted documents show the proposed development will be unique by incorporating well-designed open space, especially at the southwest corner of the site complete with monument signage, decorative hardscape, and date palm trees to create a sense of arrival and cohesiveness with adjacent development. Additionally, the applicant is proposing a community pool and covered barbeque areas for homeowners to enjoy. Overall, the proposed code deviations are commensurate with the proposed amenity and landscape design features.

Site Plan and General Site Development Standards:

The proposed site plan shows 29, two-story townhome units with a density of approximately 13 dwelling units per acre. Primary access to the site is from S. 109th Place via two driveways. Per Section 11-32-3 of the MZO, 61 parking spaces are required for the development, of which 29 spaces must be covered. According to the site plan submitted, 61 spaces will be provided, including 58 covered spaces. Overall, the proposed site plan conforms to the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

Design Review:

Per Section 11-71-2(A)(2) of the MZO, Design Review is not required for multiple residence projects that do not exceed 15 dwelling units per acre. After review of the landscape plan building elevations, the proposed designs comply with all MZO and adopted Mountain Vista Marketplace design standards.

Surrounding Zoning Designations and Existing Use Activity:

Northwest RM-4-PAD Multiple Residence	North RM-4-PAD Multiple Residence	Northeast (Across S. 109 th Place) RM-4-PAD Multiple Residence
West	Subject Property	East

RM-4-PAD Multiple Residence	LC-PAD Vacant	(Across S. 109 th Place) RM-4-PAD Multiple Residence
Southwest (Across E. Hampton Avenue) RM-4-PAD Multiple Residence	South (Across E. Hampton Avenue) RM-4-PAD Multiple Residence	Southeast (Across E. Hampton Avenue) RM-5-PAD Multiple Residence

Compatibility with Surrounding Land Uses:

The subject property is surrounded by existing and/or proposed multiple residential zoning and land use in all directions. The subject request, including rezone from LC-PAD to RM-3-PAD-PAD is commensurate with existing and proposed development in the area.

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. This review includes the evaluation of the overall design of the subdivision and details, such as utilities layout, ADA compliance, and retention requirements. The Preliminary Plat is reviewed and approved by the Planning & Zoning Board. Per Section 9-6-2 of the City's subdivision regulations, all plats are subject to Final Plat approval through the City Council. The applicant is requesting approval of a Preliminary Plat titled "Hampton Townhomes." The proposed Preliminary Plat would create twenty-nine lots, one for each building proposed.

School Impact Analysis:

The Mesa Public School District reviewed the request for its potential impact on the district and indicated that the existing schools in the area have capacity to serve the anticipated students.

Table 2: School Impact Analysis

Proposed Development (29 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
Patterson	Elementary	1	Yes
Smith	Middle School	1	Yes
Skyline	High School	1	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, as well as HOAs within ½ mile, and registered neighborhood within one mile of the site. As of the writing of this report, staff has not received any comments from surrounding property owners. Staff will provide the Board with any new information during the scheduled Study Session on August 24th.

Staff Recommendation:

Based upon the application received and preceding analysis, staff finds that the subject requests are consistent with the Mesa 2040 General Plan, the review criteria for Site Plan Review approval outlined in Section 11-69-5 of the MZO, the purpose for a Planned Area Development Overlay outlined in Section 11-22-1 of the MZO, meets the review criteria for approval of a Preliminary Plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations, and complies with the Mountain Vista Marketplace PAD; therefore, staff recommends approval of the request with the following conditions.

Conditions of Approval:

1. Compliance with all conditions of approval for Case No. ZON19-00872 (Ordinance No. 5580), except compliance with the final landscape plan submitted with this request and not the landscape plan submitted with Case No. ZON19-00872 (Ordinance No. 5580).
2. Compliance with the Mountain Vista Marketplace Development Agreement No. 3156 (Recorders No. 2020-0649703) and approved master reports.
3. Compliance with the final site plan submitted.
4. Compliance with the Preliminary Plat submitted.
5. Compliance with all requirements of the Subdivision Regulations.
6. 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.
7. Prior to issuance of any building permit, the applicant must submit, receive approval of, and record a Final Subdivision Plat.
8. Compliance with all City development codes and regulations, except the modifications to the development standards approved with the PAD in Case No. ZON19-00872 (Ordinance No. 5580) and the modifications to the development standards approved with the PAD overlay and shown in the following table:

Development Standard	Approved
<u>Minimum Yards –</u> <i>MZO Section 11-5-5(A)</i> - Front and Street Facing Side (Collector Street – E. Hampton Avenue) - Front and Street Facing Side (Local Street S. 105 th Place) -Rear (1 or 2 units on lot)	 18 feet 17 feet 0 feet
<u>Required Landscape Yards – MZO Section 11-5-5(A) and 11-33-3(B)(2)</u> - Street Side (Collector Street – E. Hampton Avenue) - Street Side (Local Street – S. 109 th Place) - Non-single Residence uses next to	 3 feet 0 feet 0 feet

Single Residence (west)	
<u>Retention Basins</u> – <i>MZO Section 11-33-6(D)</i>	Retaining walls shall not exceed 75% of basin perimeter
<u>Setback of Cross Drive Aisles</u> – <i>MZO Section 11-32-4(A)</i>	Parking spaces along main drive aisles connecting directly to a street shall be set back at least 17 feet and 4 inches from the property line abutting the street, as shown on the final site plan
<u>Setback for Attached Single Residences</u> – <i>MZO Section 11-5-5(A)(1)(c)</i>	The minimum interior side yard shall be 4 feet and 6 inches on the end units
<u>Attached Garages</u> – <i>MZO Section 11-5-5(B)(4)</i>	Garage doors located below upper-story living space shall be recessed at least one (1) foot from the upper story facade.
<u>Open Space Coverage</u> – <i>MZO Section 11-5-5(A)(3)</i>	Private open space shall be at least 15% covered

Exhibits:

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Application Information

3.1 Site Plan

3.2 Grading and Drainage Plan

3.3 Landscape Plan

3.3 Elevations

3.4 Project Narrative

3.5 Citizen Participation Plan

Exhibit 4 – Citizen Participation Report