



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

January 11, 2023

CASE No.: **ZON22-00977**

PROJECT NAME: **Mountain Bridge Parcel 16**

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| Owner's Name: | Phoenix Land Division LLC |
| Applicant's Name: | Pew and Lake PLC |
| Location of Request: | Within the 9000 to 9200 blocks of East McKellips Road (south side) and between the 1800 to 2000 blocks of North Ellsworth Road (west side). Located south of McKellips Road and west of Ellsworth Road. |
| Parcel No(s): | 219-31-048D, 219-31-047Q |
| Request: | Rezone from Neighborhood Commercial with a Planned Area Development (NC-PAD) to Single Residence 9 with a Bonus Intensity Zone (RS-9-BIZ). This request will allow for a single residence development. |
| Existing Zoning District: | NC-PAD |
| Council District: | 5 |
| Site Size: | 4± acres |
| Proposed Use(s): | Single-Family Residential |
| Existing Use(s): | Vacant |
| Hearing Date(s): | January 11, 2023 / 4:00 p.m. |
| Staff Planner: | Josh Grandlienard, Planner II |
| Staff Recommendation: | APPROVAL with Conditions |
| Planning and Zoning Board Recommendation: | |
| Proposition 207 Waiver Signed: | No |

HISTORY

On **November 19, 1986**, the property was annexed as a part of a larger 1,569-acre annexation and given the comparable zoning of R1-35 (now RS-35) (Ord. 2133, Case No. Z86-123, Ord. 2160).

On **October 19, 1987**, City Council approved rezoning the site from RS-35 to RS-35 DMP (Conceptual RS-15, RS-9, RS-6, RM-2, OC, and LC) for the larger Mountain Bridge Master Plan Community for the establishment of a maximum of 1,396 lots. (Case No. Z87-51)

On **July 2, 2001**, City Council approved a modification of the previously approved case Z87-51, establishing a maximum of 1,050, lots, added 37 new stipulations, and modifying the previously approved uses. (Ord. 3908, Case No. Z01-27)

On **December 18, 2006**, City Council approved of a rezoning from RS-35-PAD to RS-35-PAD-PAD establishing the Mountain Bridge Planned Area Development establishing a maximum of 1,210 lots. (Ord. 4656, Case No. Z06-86)

On **January 23, 2012**, City Council approved a Minor General Plan amendment and PAD modification to increase the maximum number of allowed lots to 1,480 and modification of the mixture of required open space totals. (Ord. 5075, Case No. GPMinor11-002 and Z11-030)

On **January 26, 2015**, City Council approved a rezone from RS-35-PAD-PAD to NC PAD to allow for the development of a commercial pad for the subject property. (Ord. 5267, Case No. Z14-054)

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the 3.3± acre subject site from NC-PAD to RS-9-BIZ to allow for the development of a single residence subdivision. Since the initial development of the Mountain Bridge Master Planned community, the site has changed from residential to commercial zoning, however no development has ever occurred on this site. Based on market conditions and the overall lack of commercial development, the proposed rezone back to residential uses is consistent with the overall Mountain Bridge Master Plan and subsequent modifications, as well as the Mesa 2040 General Plan land use designation of Neighborhood with a Suburban sub-type.

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 primary focus of the Neighborhood character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The Suburban sub-type is primarily single residence in nature with most lots ranging in size from 6,000 square feet to 18,000 square feet. 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. Schools, parks, and religious institutions are frequently found in these neighborhoods. Streets in the character area are generally wide and contain sidewalks on both sides.

Staff reviewed the request and determined it is consistent with the criteria for review outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan. Per Chapter 7 of the General Plan, the RS-

9 district is listed as a primary zoning category within the Suburban sub-type Overall, the requested rezoning is consistent with the intent of the Neighborhood character area.

Zoning District Designations:

The subject request is to rezone the property from NC-PAD to RS-9-BIZ to allow development of a 7-lot single residence subdivision on 3.3± acres.

The proposed development is located within the Desert Uplands, an area within the City with unique subdivision regulations which preserve the natural desert landscape. This goal is achieved through either having large lots that maintain at least 40% of the lot in the natural desert condition, or through smaller cluster lots that maintain a significant area of the property in its natural state. The conceptual site plan provided for reference only, shows a minimum of lot size of 6,300 square feet with an overall density of 2.11 units per acre. Upon future subdivision, the applicant is proposing to create a landscape tract with general open space that will be planted to the standards of the Desert Uplands and will help to buffer and reduce the impact of McKellips Road and Ellsworth Road on the proposed subdivision that will be along the north, east, and southern boundaries of the site, while maintaining the existing landscape setback to the west from the existing Seville at Mountain Bridge neighborhood. The proposed RS-9-BIZ zoning and conceptual site plan complies with the Desert Uplands by providing a large natural desert area on the south side of the proposed development.

BIZ Overlay Modification – MZO Article 3, Chapter 21:

The subject request includes a Bonus Intensity Zone overlay (BIZ) to allow for modifications to certain required development standards of the MZO on the property. Per Section 11-21 of the MZO, the purpose of the BIZ overlay is to allow greater intensity of development and encourage unique, innovative developments of superior quality for the site. Table 1 below shows the MZO required standards and the applicant's proposed BIZ standards.

Table 1: Development Standards

| Development Standards | MZO Required | BIZ Proposed | Staff Recommendation |
|---|---|---|-----------------------------|
| <u>Minimum Lot Area</u> – <i>MZO Table 11-5-3.A.1</i> | 9,000 square feet | 6,000 square feet | As proposed |
| <u>Minimum Lot Width</u> – <i>MZO Table 11-5-3.A.1</i> | 75 feet | 50 feet | As proposed |
| <u>Building setbacks (Minimum Yards)</u> – <i>MZO Table 11-5-3.A.1</i> | Front (enclosed livable areas, porches, and porte cocheres) and side loaded garages – 15 feet | Front (enclosed livable areas, porches, and porte cocheres) and side loaded garages– 10 feet | As proposed |

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| | <p>Garages and carports (front and side yards) – 25 feet</p> <p>Street side – 10 feet</p> <p>Interior Side: minimum either side – 7 feet</p> <p>Interior Side: minimum aggregate of 2 sides – 20 feet</p> <p>Interior Rear – 30 feet</p> <p>Rear Yard Next to Arterial Road – 30'</p> | <p>Front Garages Only – 18 feet</p> <p>Street side – 5 feet only when adjacent to minimum 8-foot-wide landscape tract</p> <p>Interior Side: minimum either side – 5 feet</p> <p>Interior Side: minimum aggregate of 2 sides – 10 feet</p> <p>Interior Rear – 15 feet only when adjacent to minimum 10-foot-wide landscape tract</p> <p>Rear Yard Next to Arterial Road – 15 feet only when adjacent to minimum 10-foot-wide landscape tract</p> | |
| <p><u>Garage Front Distance from Primary Building Front</u> – <i>MZO Section 11-5-3(B)(4)(a)</i></p> | <p>Forward facing garages shall be located at least three (3) feet behind the primary wall facing the street, and never less than the required garage setback.</p> | <p>Forward facing garages shall be located at least two (2) feet behind the primary wall facing the street, and never less than the required garage setback.</p> | <p>As proposed</p> |

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| <u>3-Car Garages–</u> <i>MZO Section 11-5-3(B)(4)</i> | Not permitted | 3-car garages are permitted but only when designed as a tandem 3-car garage or side-loaded 3-car garage | As proposed |
| <u>Minimum Front Porch Dimensions</u> <i>MZO Section 11-5-3(B)(3)(a)</i> | Minimum depth of 6 feet from façade to posts, minimum width of 8 feet | Minimum depth of 3 feet from façade to posts or column, minimum width of 6 feet | As proposed |
| <u>Elevation Material Calculations –</u> <i>MZO Section 11-5-3(B)(7)</i> | Buildings must contain at least 2 kinds of primary exterior materials, and at least one material must be used on at least 15% of the front facade | For Spanish Elevations only, buildings may contain less than two primary exterior materials. | As proposed |

BIZ Justification:

Section 11-21-1 of the MZO specifies that the intent of the BIZ overlay is to provide for variation from the application of residential densities and other development standards to allow greater intensity of development and encourage unique, innovative developments of superior quality. The proposed project, Enclave at Mountain Bridge, provides a high-quality design that is consistent with the surrounding Mountain Bridge Master Plan community and the General Plan designation of Neighborhood within the Desert Uplands.

Building Setbacks:

Per Table 11-5-3.A.1 of the MZO, the minimum building setbacks for an RS-9 zoned property are 15 feet for the front building setback, 25 feet for the front garage setback, 10 feet for the street side setback, 7 feet for the minimum interior side yard setback, 20 feet for the aggregate side interior setback, and 30 feet for the rear setback. The applicant proposed to reduce the setbacks to 10 feet for the front building setback, 18 feet for the front garage setback, 5 feet for the side interior and street setbacks, 15 feet for the interior side aggregate setback and 15 feet for the rear setback but only when adjacent to a minimum 10-foot-wide landscape tract. According to the applicant, the proposed setback reduction is to allow the development to meet the intent of the Desert Uplands area by providing for smaller lots that provide for more natural desert open space, as well as being able to provide for quality open space and home design features.

Lot Size Requirements (lot area, width, and depth):

Per Table 11-5-3.A.1 of the MZO, the minimum lot area for an RS-9 zoned property is 9,000 square feet, with a minimum lot width of 75 feet and a minimum depth of 100 feet. The applicant proposed a reduction of the minimum lot area of 6,000 square feet, minimum lot width of 50

feet and a minimum lot depth of 100 feet. According to the applicant, the proposed lot size reduction is to allow the development to meet the intent of the Desert Uplands area by providing for smaller lots that provide for more natural desert open space, as well as being able to provide for quality open space and home design features.

Garage Front Distance from Primary Building Front:

Per Section 11-5-3(B)(4)(a) of the MZO, the minimum garage front distance from the primary building front is 3 feet, while the applicant proposed a reduction to 2 feet. Per the applicant, the building elevations attempt to provide a living forward design which is not garage dominant. The garage comprises less than 50% of the total building frontage but they are setback only 2 feet from the covered porch on certain elevation designs. This deviation is justified by the overall quality of the proposed elevations, 6 elevations provided for a 7-lot subdivision, which include attractive material composition and building articulation.

3-Car Garages:

Per Section 11-5-3(B)(4) of the MZO, 3-car garages are not allowed. Per the applicant, due to the proposed clienteles and overall market for these specific products, the demand for 3-car garages makes the need to allow for 3-car garages and is justified due to the quality of the elevations. With the specific design standards of either a tandem 3-car garage or side loaded garage will reduce the impact of garage doors along the street frontage and meet the intent of providing an additional covered parking space will not increasing the impact visually of the standard 3-car garage.

Minimum Front Porch Dimensions:

Per Section 11-5-3(B)(3)(a) of the MZO, a minimum depth of 6 feet is required from the façade to the porch front posts, with a minimum width of 8 feet, while the applicant proposes a minimum depth of 3 feet from the façade to the front posts, with a minimum width of 6 feet. Per the applicant, the change in sizing for the front porch is due to the overall site constraints of the Desert Uplands sub-area as well as trying to maintain a high quality of building elevations. This deviation is justified due to the overall quality of the housing product as well as an increased sizing for the rear patios that will help to provide a space for engagement and is consistent with the surrounding Desert Uplands sub-area.

Elevation Material Calculations:

Per Section 11-5-3(B)(7) of the MZO, for single residence structures, buildings must contain at least 2 kinds of primary exterior materials and any one material must be used on at least 15% of the front façade. The applicant proposed only the buildings using the Spanish elevation to be allowed to have one material. This deviation is justified by the overall quality of the 6 elevation styles for 7 lots and by providing architectural interest by the three additional elements will help to break up the structure providing depth and articulation, meeting the intent of this code section.

Surrounding Zoning Designations and Existing Use Activity:

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| Northwest (Across E. McKellips Road) RS-9 PAD Single Residential | North (Across E. McKellips Road) RS-9 PAD Single Residential | Northeast RS-35 Vacant |
| West RS-15 PAD Single Residential | Subject Property NC Vacant | East RS-15 PAD Single Residential |
| Southwest RS-15 PAD Single Residential | South RS-9 PAD Single Residential | Southeast RS-15 PAD Single Residential |

Compatibility with Surrounding Land Uses:

The subject site is adjacent to properties zoned and developed as single residences to the east, north, west, and south. The proposed rezoning of the property will not be out of character with the surrounding development.

School Impact Analysis:

Mesa Public Schools was notified of the proposed development; however, staff did not receive comment from the school district.

Neighborhood Participation Plan and Public Comments:

As part of the completed Citizen Participation Process, the applicant mailed notification letters to property owners within 1,000 feet of the site, Homeowner Associations (HOAs) within ½ mile of the site, and registered neighborhoods within one mile of the site and conducted a neighborhood meeting on September 26, 2022. As of time of writing this report, staff has only received one phone call where a concerned citizen asked if they would have to relocate the commercial zoning elsewhere within the Mountain Bridge community and would prefer it would not be relocated in order to maintain the natural desert look of their community. Staff relayed that the proposed rezone will not require any additional rezones to allow for commercial uses and will require that the standards of the Desert Uplands be maintained for this subject parcel and sub-area as a whole. Staff will provide the Board with any new information during the scheduled Study Session on January 11, 2022.

Staff Recommendation:

Based on the application received and the preceding analysis, staff finds that the requested rezone is consistent with the General Plan, and therefore recommends approval of the request with the following conditions:

Conditions of Approval:

1. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for any building permit, at the time of recordation of a subdivision plat, or at the time of the City's request for dedication, whichever comes first.

2. Prior to the issuance of a building permit, obtain approval of and record a final subdivision plat for the subject parcels.
3. Prior to issuance of a building permit, obtain approval of an Administrative Review for product approval of the proposed homes.
4. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this BIZ and shown in the following table:

| Development Standards | Approved |
|--|---|
| <u>Minimum Lot Area</u> – <i>MZO Table 11-5-3.A.1</i> | 6,000 square feet |
| <u>Minimum Lot Width</u> – <i>MZO Table 11-5-3.A.1</i> | 50 feet |
| <u>Building setbacks (Minimum Yards)</u> – <i>MZO Table 11-5-3.A.1</i> | <p>Front (enclosed livable areas, porches, and porte cocheres) and side loaded garages– 10 feet</p> <p>Front Garages Only – 18 feet</p> <p>Street side – 5 feet only when adjacent to minimum 8 foot wide landscape tract</p> <p>Interior Side: minimum either side – 5 feet</p> <p>Interior Side: minimum aggregate of 2 sides – 10 feet</p> <p>Interior Rear – 15 feet only when adjacent to minimum 10 foot wide landscape tract</p> <p>Rear Yard Next to Arterial Road – 15 feet only when adjacent to minimum 10 foot wide landscape tract</p> |
| <u>Garage Front Distance from Primary Building Front</u> – <i>MZO Section 11-5-3(B)(4)(a)</i> | Forward facing garages shall be located at least two (2) feet behind the primary wall facing the street, |

| | |
|---|---|
| | and never less than the required garage setback. |
| <u>3-Car Garages allowed –</u> <i>MZO Section 11-5-3(B)(4)</i> | 3- car garages are permitted but only when designated as a tandem 3-car or side-loaded 3-car garage |
| <u>Minimum Front Porch Dimensions</u> <i>MZO Section 11-5-3(B)(3)(a)</i> | Minimum Depth of 3 feet from façade to posts or column, minimum width of 6 feet |
| <u>Elevation Material Calculations –</u> <i>MZO Section 11-5-3(B)(7)</i> | For Spanish Elevations only, buildings may contain less than two primary exterior materials. |

Exhibits:

Exhibit 1- Vicinity Map

Exhibit 2- Staff Report

Exhibit 3- Application Information

3.1 Conceptual Site Plan

3.2 Project Narrative

3.3 Residential Product

3.4 Landscape Plan

3.5 Citizen Participation Plan

Exhibit 4- Citizen Participation Report