



**PLANNING DIVISION
STAFF REPORT**

City Council Meeting

October 5, 2020

CASE No.: **ZON20-00283**

PROJECT NAME: **Zen on Recker**

Owner's Name:	Pacific Rim Mesa 2 LLC
Applicant's Name:	Ralph Pew, Pew & Lake, PLC
Location of Request:	Within the 6000 block of East Baseline Road (north side) and within the 1900 block of South Recker Road (east side). Located at the northeast corner of Recker Road and Baseline Road.
Parcel No(s):	141-54-005G, 141-54-004C, 141-54-004J, & 141-54-004K
Requests:	Rezoning from AG to RM-2-PAD; and Site Plan Review. This request will allow a multiple residence development (townhomes) on the property. Also consider a preliminary plat for "Zen on Recker".
Existing Zoning District:	Agriculture (AG)
Council District:	2
Site Size:	6.7± acres
Proposed Use(s):	Multiple residence (Townhomes)
Existing Use(s):	Single Residences
P&Z Hearing Date(s):	September 9, 2020 / 4:00 p.m.
Staff Planner:	Ryan McCann, Planner II
Staff Recommendation:	Approval with Conditions
Planning and Zoning Board Recommendation:	Approval with conditions
Proposition 207 Waiver Signed:	Yes

HISTORY

On **March 29, 1982**, the property was annexed into the City of Mesa (Ordinance No. 1590).

On **November 22, 1982**, the City Council approved a rezoning of a 327 acre property from County Rural-43 to Agriculture (AG) which included the subject property. (Case No. Z82-091; Ordinance No. 1661)

PROJECT DESCRIPTION

Background

The applicant is requesting to rezone the subject site from Agriculture (AG) to Multiple Residence 2 (RM-2) with a Planned Area Development (PAD) Overlay and a site plan review to allow development of 76-unit townhomes on the property. According to the applicant, the purpose for the PAD request is to allow innovative designs and flexibility for development of the property. Per Section 11-22 of the MZO, the purpose of a PAD overlay is to allow innovative design and flexibility that create high-quality development for the site. Currently, there are three single residence dwellings on the property. The submitted site plan shows these existing single family dwellings will be demolished to allow the development of the property for townhomes.

General Plan Character Area Designation and Goals:

The General Plan Character area designation on the property is Neighborhood Suburban. Per Chapter 7 of the General Plan, the Suburban character type is the predominant neighborhood pattern in Mesa and are primarily single-residence in nature. However, as part of a total neighborhood area, the character area may also contain areas of duplexes and other multi-residence and commercial uses along arterial frontages and at major street intersections. Per the Plan, residential multiple dwellings 2 (RM-2) is listed as a primary use within the Suburban subtype character designation. In addition, development within the Suburban character designation are to consist of between two and 12 dwelling units per acre, with higher density allowed along arterial street intersections. Homes in the character area are also encouraged to be setback from the street to provide a front yard. From the request, the proposed development of the site for multiple residence will add to providing the goals for diversity of housing envisaged in the character area designation. In addition, the design of the site includes two-story buildings, higher density along arterial streets, and sidewalks available on both sides of the street which conform to the forms and guidelines outlined for development within the character area.

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

Zoning District Designations:

The subject site is zoned Agriculture (AG). The request is to rezone the site to RM-2 with a Planned Area Development (RM-2-PAD) overlay to allow modifications to certain required development standards on the property. Per Section 11-5-2 of the MZO, multiple residence use (townhomes) is allowed in the RM-2 zoning district. Per Section 11-5-1 of the MZO, the purpose of the multiple resident zoning district is to provide areas for a variety of housing types.

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

The subject request includes a PAD overlay to allow for modifications to certain required development standards of the MZO. Per Section 11-22 of the MZO, the purpose of the 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

MZO Development Standards	Required	Proposed	Staff Recommendation
<u>Minimum Setbacks –</u> <i>MZO Section 11-5-5 & 11-33-3</i> <i>-Front 6-lane arterial (Baseline Road)</i>	(building/landscape) 30'/30'	(building/landscape) 20'/20'	As proposed
<u>Minimum Setbacks –</u> <i>MZO Section 11-5-5 & 11-33-3</i> <i>-Street Side- Collector Road (Recker Road)</i>	(building/landscape) 25'/25'	(building/landscape) 20'/20'	As proposed
<u>Minimum Setbacks –</u> <i>MZO Section 11-5-5 & 11-33-3</i> <i>-Interior Side (East property line)</i>	(building/landscape) 30' (2-story)/20'	(building/landscape) 20'/20'	As proposed
<u>Building Separation –</u> <i>MZO Section 11-5-5</i> <i>Minimum separation between buildings (2-story)</i>	30'	14'11" Minimum (as shown on the site plan)	As proposed
<u>Access, Circulation and Parking (attached garages)</u> <i>MZO Section 11-5-5</i> Garage doors to be recessed from upper story living facade	3'	0'	As proposed

As shown on the table above, the applicant is requesting the following modifications from the RM-2 zoning district development standards as outlined in Section 11-5-5 of the MZO:

Front Setback - Building & Landscape - Requirement for 6-lane arterial (Baseline Road): Per Section 11-5-5 of the MZO, the required building and landscape setback along Baseline Road (i.e. a 6-lane arterial road) is 30 feet. The applicant is requesting a reduction in the required setback from 30 feet to 20 feet. As part of the request for the reduction to the required setback and to conform with the goals of a PAD, the landscape plan provided with the application shows increased shrub planting along Baseline Road frontage and a proposed perimeter wall designed to complement the surrounding developments. As a mitigation for the reduced setback, the site plan shows an increased landscape plan that consist of ±180 shrubs which exceed the required landscape. Per Section 11-33-3 of the MZO, this section of the development is required to provided 90 shrubs.

Street-Facing Side Setback – Building & Landscape - Requirement for a collector road (Recker Road): Per Section 11-5-5 of the MZO, the required building and landscape setback along Recker Road (i.e. a collector road) is 25 feet. The applicant is requesting the required setback to be reduced from 25 feet to 20 feet. As a mitigation for the reduced setback, the site plan shows an increased landscape plan that consist of ±240 shrubs which exceed the required landscape. Per Section 11-33-3 of the MZO, this section of the development is required to provided 168 shrubs. In addition to the proposed landscaping, the site plan shows a proposed perimeter wall along the

property. This wall is uniquely designed to complement the surrounding area with a ranch/horse theme through the use of steel pipes and stucco columns.

Side Setback - Building (east side): Per Section 11-5-5 of the MZO, the required building setback along the interior east side of the development is 30 feet for a 2-story building (15 feet per story). The applicant is requesting the required setback to be reduced from 30 feet to 20 feet. According to the applicant, the proposed reduction is to allow effective use of the internal space of the development to provide an adequate and enhanced amenity area in the interior of the site. Specifically, the site plan shows a proposed amenity area with a swimming pool, ramada, fireplace, barbeque area, and a community amenity building in the center of the development.

Building Separation: Per Section 11-5-5 of the MZO, the minimum separation between 2-story buildings is 30'. From the site plan, the minimum distance between the units is 14'-11". The elevation and site plan shows the proposed distance is adequate and will not result in over dominance of garages spaces in the development.

Building Entrances: Per Section 11-5-5(D) of the MZO, garage doors below livable space shall be recessed 3 feet from the upper story façade. The proposed elevations show rooftop decks above the garage for every unit. This design of the decks will mitigate protrusion of the garage beyond the required 3 feet from the upper story building façade. In addition, the elevation plans also shows garage doors with wood grain and glass side panels that are of superior quality and exceeds the standard garage doors that typically consist of aluminum panels with no windows.

Overall, the proposed development complies with requirements of a PAD outlined in Section 11-22 of the MZO by providing innovative design that creates a high-quality development. Further, as a justification for the requested deviations, the site plan also shows private and common open spaces that exceed the minimum private open space requirement. Per Section 11-5-5 of the MZO, a minimum of 200 square feet of open space is required for each unit. The site plan shows 357 square feet of open space for each unit.

Airfield Overlay – Mesa Zoning Ordinance (MZO) Article 3, Section 11-19:

Per Section 11-19 of the MZO, the property is located within the Airfield (AF) Overlay District. Specifically, within the Airport Overflight Area Three (AOA 3). The location of the property within AOA 3 is due to its proximity to the Phoenix-Mesa Gateway Airport. Per Section 11-19 of the MZO, residential land uses are allowed within the AOA 3. The Phoenix-Mesa Gateway Airport staff reviewed the subject request and had no concerns with the proposed development.

Site Plan and General Site Development Standards:

The proposed site plan shows a gated, 76-unit, townhome development with primary access from Recker Road located west of the site. From the site plan, there will be 15 buildings consisting of four, six, to eight units with varying number of bedrooms. The buildings are proposed to be 2-stories in height. The site plan also shows the development will have a central amenity area that includes a swimming pool, a ramada, a fireplace, a barbeque area, and the community amenity building. The provided site plan also shows a meditation garden (Zen garden) in the northeast corner of the development. There are also pedestrian walkways throughout the development that creates a walkable community.

The elevations and floor plans submitted with the application also show the development and associated units will exceed the required minimum private open space areas. Specifically, the development will include roof top patios (above the garages) and balconies. Per Section 11-5-5 of the MZO, a minimum of 100 square feet of private open space is required per 2-bedroom unit and 120 square feet per 3-bedroom units. The site plan and elevation show each unit will consist of 327 square feet of private open space.

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

Preliminary Plat:

As part of the subject request, the applicant is requesting a preliminary plat for the property. 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. Per Section 11-66-2 of the Mesa Zoning Ordinance, the preliminary plat is reviewed and approved by the Planning & 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 modifications to lot sizes and configuration and a reduction in the number of lots.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Recker Road) PEP A.T. Still University	North AG Single Residences	Northeast AG Single Residences
West (Across Recker Road) PEP A.T. Still University	Subject Property AG Single Residences	East LI Light Industrial
Southwest (Across Baseline Road) Town of Gilbert Commercial	South (Across Baseline Road) Town of Gilbert Single Residence	Southeast (Across Baseline Road) Town of Gilbert Commercial/Vacant

Compatibility with Surrounding Land Uses:

The subject site is surrounded several zoning and varying land uses including industrial/commercial uses to the east, residential uses to the north, and the A.T. Still University campus to the west. The proposed multiple residence zoning will aid in development of a higher density residential to serve the residential needs of the surrounding University campus and industrial development. In addition, such a high-density development will be compatible with the surrounding nonresidential uses.

Neighborhood Participation Plan and Public Comments:

The applicant has completed a Citizen Participation Process, which included mailed letters to property owners within 1,000-feet of the site, as well as HOAs within ½ mile and registered neighborhoods within 1 mile of the site. The applicant held two (2) neighborhood meetings; one in person and one virtual through using Cisco Webex. From the applicant's submitted report, 20 people attended the first neighborhood meeting and 17 people attended the Webex meeting. The major concerns discussed at the first neighborhood meetings related to proposed site layout, vehicular accessibility and traffic, sewer connections, alternative uses preferred by the neighbors, property values, and the land entitlement process. The major concerns discussed at the second neighborhood meeting were increased traffic along Recker Road, entrance to the development, property values, and losing the current neighborhood feel.

1. Below is the summary of how the concerns, issues, and problems have been addressed by the applicant:

a. Site Layout adjacent to existing residences:

- Revised site plan to shift building 13 from a 21'-7" setback to a 43'-4" setback & building 14 from a 20' setback to a 30' setback.
- Building 13 in northeast corner of site now exceeds the required setback

b. Vehicular accessibility and Traffic:

- Baseline Road is under Town of Gilbert's jurisdiction
- Traffic lights are not warranted at this time based on proposed development

c. Sewer connection:

- Applicant verified with the City that property owners north of the proposed development are not required at this time to connect to sewer because of this project

d. Alternative uses preferred by the neighbors:

- The applicant spoke with the property owner regarding the comment.

e. Property values:

- Proposed product will be individual ownership, it will not be an apartment complex
- Applicant explained the development is unlikely to raise assessed value of adjacent homes

f. Losing the current neighborhood feel:

- Redesigned entry and site wall to provide a theme that compliments the history of the area

g. Land entitlement process:

- Discussed where the project was in the process and the requirements moving forward to the Planning and Zoning Board then to City Council, to make the final decision

As of writing this report, staff has received three letters of opposition from surrounding property owners. The concerns listed in the letter relates to the proposed zoning, density of the project, increased traffic along Recker Road, and losing the current neighborhood feel. The applicant will be providing an updated Citizen Participation Report to staff prior to the September 9, 2020 Study

Session. Staff will provide the Board with any new information during the scheduled Study Session.

Staff Recommendation:

The subject request is consistent with the General Plan, the purpose for a Planned Area Development overlay outlined in Section 11-22-5 of the MZO, and meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO; therefore, staff recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the final site plan submitted.
2. Compliance with the final elevations submitted.
3. Compliance with the final landscape plan submitted.
4. Development to provide common amenities as shown on the final site plan submitted, including a swimming pool, ramada, fireplace, barbeque area, and a community amenity building.
5. 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.
6. Compliance with all requirements of the Subdivision Regulations.
7. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner shall execute and record the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to the issuance of a building permit.
 - b. Prior to the issuance of a building permit, provide documentation that a registered professional engineer or registered professional architect has certified that noise attenuation measures have been incorporated into the design and construction of the buildings to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Mesa Zoning Ordinance.
 - c. Provide written notice to future property owners that the project is within 5 mile(s) of Phoenix-Mesa Gateway Airport.
 - d. Any proposed permanent or temporary structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. An FAA determination notice of no hazard to air navigation shall accompany any building permit application for the property.
 - e. All final subdivision plats and leasing offices shall include a disclosure notice in accordance with Section 11-19-5(C) of the Zoning Ordinance which shall state in part: "This property, due to its proximity to Phoenix- Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."
8. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD and shown in the following table:

MZO Development Standards	Approved
<u>Minimum Setbacks - Section 11-5-5 and 11-33-3</u> (building/landscape) <i>6-lane arterial (Baseline Road)</i> <i>Collector (Recker Road)</i> <i>Interior Side (East property line)</i>	(building/landscape) 20'/20' 20'/20' 20'/20'
<u>Building Separation – Section 11-5-5</u> <i>Minimum separation between buildings (2-story)</i>	14'11" Minimum
<u>Access, Circulation and Parking (attached garages)- Section 11-5-5</u> Garage doors to be recessed from upper story living façade	Garage doors do not have to be recessed

Exhibits:

Exhibit 1-Staff Report

Exhibit 2-Vicinity Map

Exhibit 3-Application Information

3.1 Project Narrative

3.2 Site Plan

3.3 Landscape Plan

3.4 Elevations

Exhibit 4-Citizen Participation Report

Exhibit 5-Avigation Easement

Exhibit 6-Letters of Opposition