



PLANNING DIVISION
STAFF REPORT

City Council Hearing

August 23, 2021

CASE No.: **ZON20-00700**

PROJECT NAME: **Brown & 202 Townhomes**

Owner's Name:	Thrive Development LLC
Applicant's Name:	Zach Collins
Location of Request:	Within the 8100 block of East Brown Road (south side). Located west of the 202 Red Mountain Freeway on the south side of Brown Road.
Parcel No(s):	218-08-854A
Requests:	Rezoning from RS-9 to RM-2-PAD; and Site Plan Review. This request will allow for the development of attached single residences. Also consider a preliminary plat for "Brown and 202 Multifamily".
Existing Zoning District:	Residential Single Dwelling 9 (RS-9)
Council District:	5
Site Size:	3.21± acres
Proposed Use(s):	Multiple residence (Townhomes)
Existing Use(s):	Vacant
Hearing Date(s):	July 28, 2021 / 4:00 p.m.
Staff Planner:	Jennifer Gniffke, Planner I
Staff Recommendation:	Approval with Conditions
Planning and Zoning Board Recommendation:	Approval with conditions
Proposition 207 Waiver Signed:	Yes

HISTORY

On **April 1, 1985**, the property was annexed into the City of Mesa as part of a larger 849-acre annexation, and subsequently zoned SR (Ordinance No. 1935; Case No. Z86-045; Ordinance No. 2080).

On **August 25, 1986**, the City Council approved a rezoning of 76 acres, including the subject site, from SR to R1-9 PAD (Conceptual R-2, RS) (Case No. Z86-083; Ordinance No. 2109).

On **September 8, 1987**, the City Council approved a rezoning of 80 acres, including the subject site, from R1-9 PAD to R1-9, R1-9 (Conceptual R-2) and R1-9 (Conceptual RS) to accommodate the development of 207 residential lots and ten acres for future use as townhomes and offices (Case No. Z87-057; Ordinance No. 2261).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the subject site from Single Residential 9 (RS-9) to Multiple Residence 2 with a Planned Area Development Overlay (RM-2 PAD), requesting site plan review and preliminary plat approval for development of 36 townhomes.

The subject site, which is currently vacant, is located south of Brown Road and west of the 202 Freeway and the CAP canal. The requested PAD overlay would allow for private streets as well as modifications to several other development standards. Per Section 11-22 of the MZO, the purpose of a PAD overlay is to allow for flexibility in development standards that results in high-quality development and innovative design. According to the applicant, the proposed development provides high-quality, and innovative design beyond standard code requirements including, providing desirable central amenities and an attractive site layout, all while balancing the interest of the adjacent neighbors and the City as a whole.

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. Multiple Residence 2 (RM-2) is listed as a primary zoning district within the Suburban Sub-type.

Per the Project Narrative, the quality housing provided through this proposal contributes to a variety of housing in the area of east Mesa, and contributes to long-term stability and quality of the overall area. Accessible, usable community space is spread throughout the community and is the focus of the development. It also provides a landscaped buffer where it abuts the RS-9 zone to the south, which meets the code requirement for multi-family development next to residential.

In addition, Chapter 4 of the General Plan explains that neighborhood investment and maintenance is more likely to happen when a neighborhood is a recognizable place, when it has its own character and personality. Character and personality can come from such things as an architectural style or theme or other unique design character. The proposed townhome community utilizes high-quality architecture and building materials that are unique in design.

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 Single Residential 9 (RS-9). The request is to rezone the site to RM-2 with a Planned Area Development (RM-2-PAD) overlay to allow for modifications to certain development standards. Per Section 11-5-1 of the MZO, the purpose of the multiple residence zoning district is to provide areas for a variety of housing types. Per Section 11-5-2 of the MZO, multiple residence use (townhomes) is allowed in the RM-2 zoning district.

Site Plan and General Site Development Standards:

The proposed site plan shows a gated, 36-unit, townhome development. The primary access will be from Brown Road located at the west end of the site. A secondary, emergency only access will be located off Brown Road towards the center of the site. Due to ADOT controlled access rights along Brown Road, all access points need to be as far west as possible from the Loop 202 Freeway.

The site plan shows 13 buildings centered around a common amenity space. Each of the units is a three-bedroom, two-story unit with an attached two-car garage. The central amenity area includes a swimming pool, ramada, and a grass landscaped area. In addition, a dog park is provided on the north side of the development just east of the gated entry. There are pedestrian walkways throughout the development that connect each of the units with the amenity areas and with the public right-of-way.

Each unit will have a minimum 12-foot by 12-foot private patio and a second story balcony. The site plan and elevation show that each unit will have a minimum of 144 square feet of private open space which exceeds the 120 square feet of private open space required by Section 11-5-5 of the MZO.

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.

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. As shown on the Table 1 below, 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 and landscaping standards of Chapter 33.

Table 1: PAD Modifications

MZO Development Standards	Required	Proposed	Staff Recommendation
<u>Building Setbacks - MZO Section 11-5-5(A)</u> -Front 6-lane arterial (Brown Road) -Interior Side: 3 or more units (East property line) -Interior Side: 3 or more units (West property line)	30 feet 15 feet per story (30 feet total) 15 feet per story (30 feet total)	20 feet 5 feet per story (10 feet total) 10 feet per story (20 feet total)	As proposed
<u>Landscape Yard Width—MZO Section 11-33-3(B)</u> Non-single residential uses adjacent to other non-single residence uses (East property line)	15 feet	10 feet	As proposed
<u>Building Separation – MZO Section 11-5-5(A)</u> Minimum separation between buildings (2-story)	30 feet	10 feet	As proposed
<u>Private Open Space Standards—MZO Section 11-5-5(A)(3)(e)(ii)</u> Percent of private open space that must be covered	50%	0%	As proposed
<u>Access, Circulation and Parking—MZO Section 11-5-5(B)(4)(f)</u> Maximum number of garage doors adjacent to one another in one building	3	4	As proposed
<u>Building Entrances—MZO Section 11-5-5(B)(3)(c)</u> Building entrances minimum depth of projection or recess (feet)	5 feet	3 feet	As proposed
<u>Building Materials—MZO Section 11-5-5(B)(5)(b)</u> Minimum usage of primary materials per exterior building wall (percentage)	25% per 2 primary materials (50% total usage of primary materials)	As shown on elevations	As proposed

The purpose of the PAD overlay is to allow flexibility in the application of standards where it can be shown that the proposed development provides equivalent or superior design to meet the intent of the zoning standards and General Plan.

Through the requested PAD overlay the applicant is requesting a reduction in the required setback along Brown Road from 30 feet to 20 feet. Due to the property's proximity to the 202 Freeway, portions of Brown Road adjacent to the property have a greater right-of-way width to

prevent access points from being installed too close to the freeway. Thus, technical deviations are requested given the uniqueness of the site's property line; however, the actual buildings will be setback over 71 feet from the existing public road and sidewalk.

The applicant is also requesting reduced setbacks along the east and west property lines. The adjacent land uses are a golf course to the east and an assisted living facility to the west. The 10-foot setback from the east property line positions the private open space for the east-facing units directly adjacent to the golf course. Despite the reduced setback, homeowners will enjoy a sense of openness with visibility out onto the golf course through a full-height view fence. Additional landscaping will also be provided along the south property line to offset the requested deviations.

The proposed design does not provide covered private open space. However, the proposed development exceeds the private open space square footage requirement by providing 144 square feet of private patio space, plus a balcony for each unit, when a minimum of 120 square feet of private open space is required for each 3-bedroom unit per Section 11-5-5 of the MZO.

Per Section 11-5-5(B)(5)(b) of the MZO, buildings must contain at least two kinds of primary exterior materials, distinctively different in texture or masonry pattern, with each of the required materials covering at 25% of the exterior walls of the building. The proposed townhomes include stucco, in three different colors and two distinct patterns, porcelain tile with a wood-grain finish, and glazing. The porcelain tile accounts for 14% of the front and rear elevations of the buildings and 15-20% of the side elevations. The stucco comprises up to 56% of the front elevations and up to 38% on the rear garage elevations. In combination, the porcelain tile and glazing meet the 25% minimum requirement but not individually. Buildings were designed to have a modern architectural flare. The use of additional building materials, and subtle variations within the materials, results in a contemporary design that meets the intent of the Quality Development Design Guidelines and MZO requirements.

Overall, the proposed development 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.

Preliminary Plat:

The applicant is requesting approval of a preliminary plat titled Brown and 202 Multifamily to create 36 townhome lots. 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 and Zoning Board. Per Section 9-6-2 of the City's subdivision regulations, all plats are then subject to final plat approval through City Council. The request meets the review criteria for approval of a preliminary plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Brown Road) PS Red Mountain Park	North (Across Brown Road) PS Red Mountain Park	Northeast SRP Canal and 202 Red Mountain Freeway
West OC Heritage Village Assisted Living	Subject Property RS-9 Vacant	East RM-4 PAD Viewpoint Golf Resort
Southwest RS-9 Single Residence	South RS-9 Single Residence	Southeast RM-4 PAD Viewpoint Golf Resort

Compatibility with Surrounding Land Uses:

The subject site is surrounded by a golf course to the east, Red Mountain Park across Brown Road to the north, assisted living to the west, and single residential to the south. The proposed residential development will be compatible with the surrounding residential and public/semi-public uses.

School Impact Analysis:

Mesa Public Schools reviewed the request and has determined there is adequate capacity to serve the development.

Neighborhood Participation Plan and Public Comments:

The applicant has 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 neighborhoods within one mile of the site. The applicant held a virtual ZOOM neighborhood meeting on April 21, 2021. Based on the submitted report, four neighboring households attended the meeting. The major topics discussed were related to the height of the two-story buildings blocking views, the drainage from the site, the condition of the shared southern wall, and the Brown Road and 80th Street traffic patterns.

1. Below is the summary of how the concerns, issues, and problems have been addressed by the applicant:
 - a. Building Heights:
 - Provided the required 30-ft landscape setback between the south property line and Buildings G, H, I, J, K and L.
 - b. Drainage:
 - Drainage issues on the site should be remedied with the new development, which involves the development of a grading and drainage plan.
 - c. Shared Southern Wall:
 - The developer is agreeable to working with the neighbors to remedy any wall deficiencies which exist or may arise in the future.
 - d. Traffic Patterns:

- The developer has worked with the City's Transportation Department and with ADOT to ensure that the proposed traffic plan for the project is appropriate and will not conflict with the 202 Freeway infrastructure.

As of writing this report, staff has not received feedback directly from surrounding property owners. Staff will provide the Board with any new information during the scheduled Study Session.

Staff Recommendation:

Based on the application received and preceding analysis, staff finds that the request rezone, site plan review, and preliminary plat is consistent with the General Plan, the purpose for a Planned Area Development overlay outlined in Section 11-22-5 of the MZO, meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, and the meets review criteria for approval of a preliminary plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations; therefore, staff recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the site plan, site details, elevation drawings and landscape plan submitted.
2. Compliance with all requirements of the Subdivision Regulations.
3. 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:

Development Standards	Approved
<u>Building Setbacks</u> 6-lane arterial (Brown Road) Interior Side: 3 or more units (East property line) Interior Side: 3 or more units (West property line)	20 feet 5 feet per story (10 feet total) 10 feet per story (20 feet total)
<u>Landscape Yard Width</u> Non-single residential uses adjacent to other non-single residence uses (East property line)	10 feet
<u>Building Separation</u> Minimum separation between buildings (2-story)	10 feet
<u>Private Open Space Requirements</u> Percent of private open space covered	0%
<u>Access, Circulation and Parking</u> Maximum number of garage doors adjacent to one another in one building	4
<u>Building Entrances</u> Building entrance depth of projection or recess (feet)	3 feet

<u>Building Materials</u> Minimum usage of primary materials per exterior building wall (percentage)	As shown on elevations
---	-------------------------------

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