



Planning and Zoning Board

Case Information

CASE NUMBER: Z15-033 (PLN2015-00347)
LOCATION/ADDRESS: 2210 W. Southern Avenue
GENERAL VICINITY: Located at the northwest corner of San Jose and Southern Avenue
REQUEST: Rezone from OC to LC-BIZ and Site Plan Review
PURPOSE: This request will allow for the development of a commercial building with a drive-thru
COUNCIL DISTRICT: District 3
OWNER: GDC San Jose & Southern, LLC
APPLICANT: RKAA Architects – Neil Feaser
STAFF PLANNER: Kim Steadman

SITE DATA

PARCEL NUMBER: 134-42-396
PARCEL SIZE: 0.65± acres
EXISTING ZONING: OC
GENERAL PLAN Character area: Neighborhoods; Traditional
CURRENT LAND USE: Office complex

HISTORY/RELATED CASES

May 4, 1970: Annexed into the City. (Ord. #661)
December 16, 1974: Rezoned the subject site from R-4 to RS and Site Plan Review. (Z74-076)

STAFF RECOMMENDATION: Approval with conditions
P&Z BOARD RECOMMENDATION: ☒ Approval with conditions. ☐ Denial
WAIVER SIGNED: ☒ Yes ☐ No

SITE CONTEXT

NORTH:	Existing office complex	– Zoned RM-4
EAST:	(Across San Jose) Existing McDonalds	– Zoned LC
SOUTH:	(Across Southern Avenue) Existing medical center	– Zoned NC-PAD
WEST:	Existing office building	– Zoned OC

PROJECT DESCRIPTION/REQUEST

This site is located at the northwest corner of Southern Ave. and San Jose. The site is at the west end of Mesa's "Fiesta District", within walking distance of the Banner Desert campus across Southern Ave. The guidelines of the *Fiesta District Design Handbook* cover this area, encouraging pedestrian-friendly buildings that front the sidewalk. This site will benefit from the City's streetscape improvements to Southern Ave., and the undergrounding of utility lines as part of the City's project.

The request is to rezone the property from OC to LC with a BIZ overlay and Site Plan Review in order to build a commercial building with outdoor seating and a drive-thru. The LC zoning will allow drive-thru service and outdoor seating. The BIZ overlay will allow deviation from setbacks in exchange for superior quality of development. The building fronts onto Southern Ave, with outdoor seating facing the sidewalk. The drive-thru lane is located behind the building.

NEIGHBORHOOD PARTICIPATION

The applicant has completed a Citizen Participation Plan (Report attached) to inform neighboring property owners of the project, solicit feedback, and address any comments or concerns that may arise.

Planning Staff has received one phone call from a neighbor requesting information about the rezoning.

CONFORMANCE WITH THE MESA 2040 GENERAL PLAN

The General Plan underscores the importance of observing the standards of Mesa's several "Sub Areas". Individual Area Plans identify development standards that will build toward a specific quality identified with, or desired for the area. The "Fiesta District" is a Sub Area with a distinct direction, which is to replace the suburban, auto-centered development pattern that no longer serves the area well. The express intent of the District is a more urban style of development, with buildings hugging the sidewalks. By placing the building at the street front this project meets the intent of the General Plan to support the standards of Sub Areas.

This site is within the Character Type of *Neighborhoods* as identified on the Character Area map in the Mesa 2040 General Plan. Further, it is 0.2 miles from the proposed Dobson Rd. transit corridor. The General Plan acknowledges that "non-residential uses consistent with the overall guidelines and neighborhood development patterns are anticipated". Street front retail, which complies with the Fiesta District development standards, is consistent with the *Neighborhoods* Character Area.

STAFF ANALYSIS

The Fiesta District:

The Fiesta District Design Guidelines has Private Realm Design Guidelines that encourage buildings that front the street:

"The siting of a building will play an important role in establishing the character and a sense of place for the Fiesta District. Siting buildings at the street's edge gives spatial definition to the public realm that is critical to supporting pedestrian activity. It also establishes a visual connection between businesses on opposite sides of the street that is an important ingredient of a successful business district."

The proposed site plan complies with these standards by placing the building on the street corner, with a shaded outdoor patio fronting Southern Ave.

Rezoning:

The site is currently zoned Office Commercial (OC) and has an existing single-story office building that will be razed. The request is for Limited Commercial (LC) zoning to allow for a commercial building that includes drive-thru service and an outdoor covered patio. These are appropriate LC uses.

Site plan:

This is a corner lot at a signalized intersection with vehicular access from both Southern Ave and San Jose. The existing building complex will be razed and a new building will be sited at the southeast corner, fronting both streets. A proposed shaded outdoor dining area will face Southern Ave., and pedestrian connections are provided from both streets. Parking and a drive-thru lane fill the remainder of the site. A Valley Metro bus stop is located in the Right of Way in front of the proposed building. A Bonus Intensity Zone (BIZ) overlay is being requested to allow deviation from perimeter setbacks in support of the urban design contemplated by the Fiesta District guidelines.

BIZ Overlay:

The applicant's request for a Bonus Intensity Zone (BIZ) overlay will allow for deviation from development standards in these specific areas:

- Street Setback – East Side: The required setback from San Jose is 20'. The applicant proposes a 5' encroachment. This encroachment complies with the Fiesta District standard of siting buildings close to the street.
- Street Setback – South Side: Mesa is in the midst of a major capital improvement project to renovate Southern Ave. Overhead power and utility lines will be undergrounded and one traffic lane will be removed, providing additional width for generous sidewalks with enhanced paving patterns and landscaping in furtherance of the Fiesta District vision. As a result the City is not requiring dedication of additional Right-of-Way along Southern Ave., beyond the existing 55' ROW. The BIZ will allow the typical 15' setback to be used for the shaded outdoor dining patio and a small architectural pop-out, meeting the intent of the Fiesta District without compromising the City's need for street right of way.
- Property Line Setback – West Side: The property to the west is zoned OC. Code requires a 15' setback in this location. The proposed setback is 5'. This is similar to the existing condition, with the addition of landscaping along the property line. This deviation helps meet the intent of keeping parking areas and the drive-thru lane away from Southern Ave.
- Property Line Setback – North Side: The property to the north is zoned RM-4 and a 20' setback is required here. The proposed 10' setback improves on the existing 2' setback. As with the deviation on the west property line, this deviation helps the site design meet the intent of the Fiesta Guidelines.

The purpose of the BIZ 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 requested deviations help the proposed development comply with the intent of the Fiesta District Guidelines. The use of quality design and materials for the building and the addition of a shaded outdoor terrace establish the needed quality level to justify the BIZ.

CONCLUSION:

The requested zoning is appropriate to the request, and staff finds that the proposed site plan complies with the intent of the General Plan and Fiesta District Design Guidelines. The BIZ overlay will allow for deviations from setbacks typically required by the Zoning Ordinance. Staff recommends approval with the following conditions:

CONDITIONS OF APPROVAL:

1. Compliance with the development as described in the project narrative and as shown on the site plan, elevations and landscape plan.
2. Compliance with all City development codes and regulations.
3. Signs (detached and attached) require separate approval and permit for locations, size, and quantity.
4. **Compliance with all conditions of Design Review approval DR15-036 for architectural and landscaping design.**

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