



Planning and Zoning Board

Staff Report

CASE NUMBER: Z17-007 (PLN2016-00951)
LOCATION/ADDRESS: The 2300 block of East McKellips Road (north side).
GENERAL VICINITY: Located east of Gilbert Road on the north side of McKellips Road.
REQUEST: Rezone from AG to RM-2 BIZ; and Site Plan Review.
PURPOSE: This request will allow for a multi-residential development.
COUNCIL DISTRICT: District 1
OWNER: Parry Investments, LLC.
APPLICANT: Porter Kyle, LLC.
STAFF PLANNER: Wahid Alam, AICP Planner II

SITE DATA

PARCEL NO.: 141-07-002R
PARCEL SIZE: 1.23± acres
EXISTING ZONING: Agriculture (AG)
GENERAL PLAN CHARACTER: Neighborhood Suburban
CURRENT LAND USE: Vacant undeveloped

SITE CONTEXT

NORTH: (across Eastern Canal) Existing residential development zoned RS-9.
EAST: SRP well site.
SOUTH: (across McKellips Road). Existing residential development– zoned RS-9.
WEST: Existing residential development- zoned RS-9

ZONING HISTORY/RELATED CASES

April 3, 1976: Annexed into the City of Mesa (Ord.# 996)
February 21, 1977: Establish City of Mesa Zoning AG (Z77-007, Ord.#1053).

STAFF RECOMMENDATION: Approval with conditions

P&Z BOARD RECOMMENDATION: ☒ Approval with conditions. ☐ Denial

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

PROJECT DESCRIPTION / REQUEST

The applicant is requesting rezoning from AG to RM-2 BIZ and Site Plan Review for a multi-residential development of 18 units on a 1.23± acre site. The site is located on north side of McKellips Road between Gilbert Road and Lindsay Road.

“The Alan” is a multi-residence project consisting of three apartment buildings with limited amenities. Building 1, with 9 units, is situated along the canal bank parallel to the north property line. Building 2 backs to McKellips Road and accommodates 5 units. Building 3 has 4 units and is placed in the middle of the site. All three buildings are proposed for a height of two stories (26'-0") and the units are accessed from an internal driveway/fire lane. The units are arranged in such a way that all 18 units have their two-car garage door and the entry door facing the internal driveway.

All the units are three-bedroom apartments (1,280 sq. ft.). The back of each unit has a 182-sq. ft. patio (7'-9" x 23'-6") and the upper floors will have two balconies (72 sq. ft. and 80 sq. ft.) for a total of 334-sq. ft. of private open space per unit. The overall development provides 783 sq. ft. combined public and private open space per unit, which is significantly greater than code requirement.

The main entry to “The Alan” is from McKellips Road which becomes a loop internal driveway that provides access to the garages on the ground floor of the units. There is no secondary entry or exit as designed. The zoning code requires parking for multi-residence development to be 2.1 parking spaces per units irrespective of bedroom counts. The proposal is for 18 units (all are 3 bedroom units), which requires 38 parking spaces. The site plan provides 36 garage parking spaces (two for each unit) plus 7 guest parking spaces for a total of 43 spaces.

Setbacks for RM-2:

Street/property line	Minimum Setback	Proposed Setback
McKellips Road	20' (4 lane-2040 Trans. Plan)	0'
North property line/Eastern Canal	15' per Section 11-5-5A2	0'
East property line	30' (15'per story)	5'
West property line	30' (building) 20' (landscape)	15' (building) 0'-4' (landscape)
Building Separation	30' between 2 story buildings	30' & 25'

Other Development Standards for RM-2:

	Minimum Req.	Provided
Minimum Open Space sq. ft./unit	200 sq. ft.	783 sq. ft. (334 sq. ft. private) meets code
Balcony area and minimum dimension	60 sq. ft. min 8' wide or 6' deep	72 & 80 sq. ft. 4'-8" deep. Dimensions does not meet code
Patio/Deck Minimum	10'	8' wide dimension does not meet code
Parking spaces	Ratio 2.1 per unit	Provided 43 when 36 required. Meets code
Maximum Density (Dwelling units/ net acre)	15 for RM-2	14.32 du/acre – meets code
Maximum Building height	30'	26' – does not meet code.

MODIFICATIONS

The applicant is requesting a Bonus Intensity Zone (BIZ) Overlay, which will allow for deviations to the City of Mesa development standards in the Zoning Code. The purpose of the Bonus Intensity Zone (BIZ) Overlay District 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.

This proposal would require the following modifications:

1. Setbacks: The City of Mesa Zoning Code requires perimeter building/landscaping setbacks in the RM-2 zoning district to be a minimum of 20' along McKellips and minimum of 15' along the Eastern Canal. (Section 11-5-5(A)2). The applicant is proposing to eliminate that requirement with no perimeter landscaping.

The zoning code also requires a 30' building setback and 20' landscape set back along the western property line. The applicant is requesting to allow a 15' building setback adjacent to the existing single-residence houses along the west property line and only a 0' to 4' landscape setback along the remainder of the west property line. The required minimum setback is 20'.

2. Private Open Space-Minimum Dimensions: Private open space located at the ground level (e.g., yards, decks, patios) shall have no dimension less than 10 feet (Section 11-5-5-C-5-b). The applicant is requesting to reduce the private open space minimum dimension requirement from 10' to 8'. Above-ground private open space (e.g., balconies) is required to be a minimum of 60 square feet, and is not to be less than 8 feet wide or less than 6 feet deep (Section 11-5-5 C5b). The applicant is requesting to reduce the private open space minimum dimension requirement from 6' to 4'-8".
3. Minimum Dimensions for residential enclosed garages: A double-car garage shall be at least 20' wide and 22' long. The proposed dimensions are 19' wide and 20' deep.

The applicant is working with a difficult site that has sat vacant and underutilized for many years. The proposal is for a creative and unique development. As described below, the request meets the requirements for approval of the BIZ overlay, therefore, the modifications can be considered. Staff supports some of the requested modifications, but not all of them. Each is discussed below in the analysis section of the report.

NEIGHBORHOOD PARTICIPATION

The applicant has implemented a Citizen Participation Plan that includes a mailing to all property owners within 1000' and registered neighborhoods and HOA's within a half-mile radius of the site. Staff has received several phone calls from home owner Ms. Nadine Hale residing at 2166 E Kenwood, Garden Grove Subdivision. Ms. Nadine expressed concern that she was told by the applicant that the proposed development will be luxury townhomes not apartments. She thinks her neighbors will not support apartments and they have been misinformed regarding ownership of the project. She also expressed her concern regarding the location of the proposed driveway and the potential traffic increase which will make turning into neighborhoods unsafe. Staff did not receive any other phone calls, e-mails or inquiries regarding the application.

MESA 2040 GENERAL PLAN

Summary: The proposed multi-residential development is compatible with the Neighborhood Suburban character type designation in Mesa 2040 General Plan. Multiple residential type uses are identified as typical uses in this character type. There are some questions, however, in how well this proposed develop will fit into the surrounding neighborhood and be sustainable over time.

Criteria for review of development

The zoning ordinance requires that all rezoning and site plan modifications be consistent with the adopted General Plan. Determining consistency with the General Plan requires a review of the proposal against the character area requirements and the other goals and policies of the Plan and any adopted sub- area plans. The following criteria have been developed for use during the review process to determine whether the proposed development is achieving the vision and goals established in this Plan and thus meeting the statute requirements.

1. Is the proposed development consistent with furthering the intent and direction contained in the General Plan?

The General Plan focuses on creating land development patterns that emphasize the character of place and focusing on those principles that build neighborhoods, stabilize the job base, and improve the sense of place.

1. Creating and maintaining a variety of great neighborhoods.

- *The proposed development will introduce a new residential building form into this established suburban neighborhood. Consideration needs to be given to both the quality of this site and to how it fits into the larger context of the neighborhood. This development, as proposed, addresses the six key factors contained in the General Plan for the creation and maintenance of neighborhoods, to the degree possible given the site constraints.*

2. Growing and maintaining diverse and stable jobs.

- *This proposal does not add jobs or directly assist with this goal, but by providing an alternative type of housing choice provides an additional opportunity for people to live, work, and shop in the neighborhood.*

3. Providing rich, high-quality public spaces and cultural resources.

- *Given the size of this parcel and its difficult shape, it has been challenging to design and provide meaningful open space. While the proposed development exceeds the required amount of open space per unit, the actual size and location of each open space component are not ideal. Part of the challenge is trying to establish this more urban design concept in a suburban location. Continued detailing is needed to be comfortable that this goal is being met.*

2. Is the proposed development consistent with adopted sub-area or neighborhood plans?

This area is not within any adopted sub-area plan.

3. Is the proposed development consistent with the standards and guidelines established for the applicable character type(s)?

The Character Area map of the Mesa 2040 General Plan defines this location as

Neighborhood Suburban which is defined as follows:

Neighborhood

The primary focus of the neighborhoods character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Neighborhoods can contain a wide range of housing options and often have associated nonresidential uses such as schools, parks, places of worship, and local serving businesses. The design, development, and maintenance of neighborhoods focuses on ensuring clean, safe, and healthy areas where people want to live and maintain their investments. Neighborhoods are also designed to provide opportunities for people to gain a sense of place and feel connected to the larger community.

Suburban Sub-Type:

This is the predominant neighborhood pattern in Mesa. These neighborhoods are primarily single-residence in nature with most lots ranging in size from 6,000 sq. ft. to 18,000 sq. ft. 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 are generally wide and contain sidewalks on both sides.

The existing surrounding development fits the description of the Suburban subtype. Multi-residence development at this location is appropriate to this subtype and there is a desire to move from a suburban form to a more traditional neighborhood form over time. There is a concern, however, as explained in the analysis section of this report, that this small area of urban development form set in a suburban context that relies on that larger context for walkable neighborhood may not be sustainable over the years.

4. Will the proposed development serve to strengthen the character of the area by:

• Providing appropriate infill development;

This site is an infill property within the existing neighborhood. Given the location of this property the three possible development scenarios are to develop as an extension of the neighborhood to the west, multi-resident development, or office development. While there are some concerns for the specific site plan, the proposed use is appropriate for this location.

• Removing development that is deteriorated and/or does not contribute to the quality of the surrounding area;

The proposed development will demolish and replace the existing deteriorating structure in the area and will contribute to the quality of the surrounding area.

• Adding to the mix of uses to further enhance the intended character of the area;

Infilling with an appropriate multi-residential development layout with connectivity and amenities for the residents will enhance the intended character of the area.

• Improving the streetscape and connectivity within the area;

This request provides a well landscaped streetscape appropriate to a "Neighborhood Suburban" district. However, the proposed landscaping within the McKellips right-of-way will require an Encroachment Permit from the City. The proposed layout includes a connection to the canal but not to the adjacent neighborhood to the west.

- **Meeting or exceeding the development quality of the surrounding area;**

The Design Review process (DR17-009) is being used to ensure this development meets or exceeds the quality of the surrounding area. At the Design Review Work Session, the proposal received positive comments for architectural design with some concerns expressed for site layout, hardscape and landscaping plant materials from Design Review Board members.

5. Does the proposed development provide appropriate transitions between uses? In more urban areas these transitions should generally be accomplished by design elements that allow adjacent buildings to be close to one another. In more suburban locations these transitions should be addressed through separation of uses and/or screening;

The transition along the west property line is a bit abrupt given the narrow landscape area proposed that will not allow for significant tree planting to help soften the change.

STAFF ANALYSIS

REZONING:

The applicant is requesting rezoning from AG to RM-2-BIZ and Site Plan Review for a multi-residential development of 18 units on a 1.23± acre site. Staff is supportive of the rezone to RM-2 densities and uses for this site. Staff is also supportive of the use of the BIZ overlay to allow modifications to some of the RM-2 development standards to allow the development of an oddly shaped, infill parcel. As further discussed in the review of the site plan, staff has some concerns with some of the requested modifications.

SITE PLAN:

This is a challenging piece of property that has been in a deteriorated state and underutilized for many years. We have been presented with a creative and unique, urban form approach to the development of this property. The applicant has been responsive to staff concerns and comments and made several improvements to the proposed plan. There are many things to like about this proposal, but the urban form has presented some challenges.

Creation of Space and Livability

The applicant has challenged staff to look at this site in a unique way by proposing a more urban form design rather than the typical suburban design. In an urban form design there is more hardscape, things are typically smaller and closer together, and there is a reliance on the larger neighborhood to provide amenities and activities.

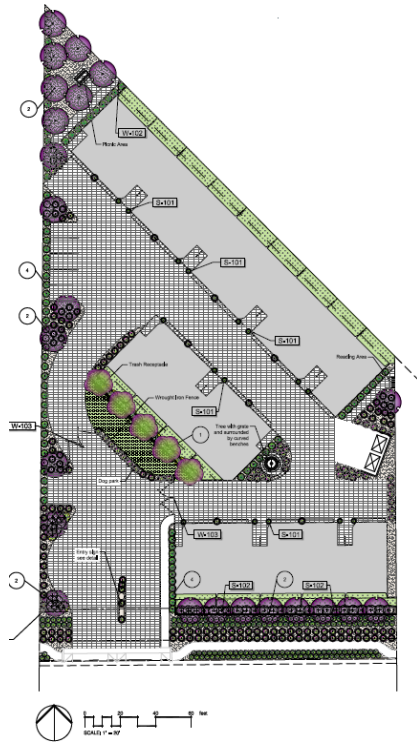
Compared to our typical designs, the proposed development lacks meaningful open space and has few on-site amenities. The current City of Mesa Zoning Code states:

Location of Open Space: Common open space shall be located within the same development as the units served. It may not be located within the required front or street-facing side setback. Up to 20 percent of common open space may be located on the roof of a building.

Minimum Dimensions: Common open space shall have no dimension less than 15 feet.

Amenities: Common open space must be designed and provide sufficient amenities (e.g. seating, recreation facilities, ramadas, shade, etc.) to encourage or invite one or more uses by the residents of the development.

The proposed site plan layout provides public open spaces at two locations, which are primarily left over areas after placing the buildings. One area is located near the gates adjacent to the back yards of central building. The other area is located at the furthest northern corner in a triangular shape with approximately 50' in width. Both designated public open spaces are also identified in the preliminary grading and drainage plan as above ground retention basins, not designed for multi-purpose uses. The two public open spaces do not meet the open space location requirement.



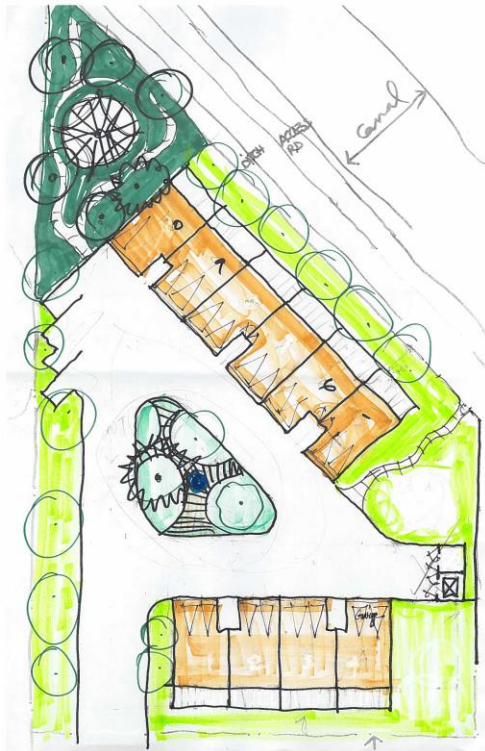
The proposed Landscape Plan.



Existing vacant site-aerial image.

With this proposal, the applicant is asking us to essentially consider all the driveway within the gated area, particularly the portion between the buildings, as part of their open space. The developer has been working on this concept and refining the drawings to have this develop as a people space that vehicles will also drive through. The most recent drawings show this with some difference in the pavement treatment next to the homes and with some potted plants in front of the units. This is moving in the right direction to accomplish this design concept but, from the information provided to date, staff believes the current proposal has still not gone far enough; more detailed drawings are needed to more fully evaluate what is being proposed. From what we see, it appears there needs to be greater differentiation between the areas of paving and the area next to the homes needs to be wider. The number of the pots may need to be increased and/or the size of the planting areas increased. There are things that could be done to the architecture of the buildings themselves to bring more interest at the ground plane and the garage doors could be more unique – maybe full glass doors to provide more of an open feel.

Staff is still hopeful that the additional design modifications can be developed so that the proposed design could be approved. If this cannot be done, it may be necessary to reduce the number of units on the property to provide an increase in open space amenity on the property. Staff has suggested at least two alternative site plans to improve the visual connections at the ground level.



Alternative Site Plan 1



Alternative Site Plan 2

Both alternative site plans use the same product the applicant is proposing, but each reduces the number of units to 10. The intent of Alternative 2 is to illustrate how with a single-car garage it opens up the ability to create private front yard/landscaped open space and provide a visual connection between the units through the addition of a front yard and the opportunity for additional windows along the internal street.

The applicant has made it clear he needs the proposed number of units to make this project financially viable.

BIZ Overlay/Code Modifications

The zoning code provides specific criteria that must be met to approve the request for a BIZ overlay and modify the code requirements. Section 11-21-3 of the zoning ordinance states that proposed site plans must provide distinctive, superior quality designs and address certain environmental performance standards. (See [Section 11-31-32, Superior Design](#))

The applicant's intent is to provide a high-quality holistic design to the project. The overall architecture of the buildings as well as the landscape design are of a superior quality and

design. The design of the building and property is distinctive and unique to this area and to Mesa. The development plan also addresses the environmental standards associated with consideration of a BIZ by doing such things as:

- Redeveloping a depressed property;
- Utilizing existing infrastructure;
- Providing bicycle parking;
- Providing the minimum number of parking spaces; and,
- Providing energy efficient design.

The proposed site design includes the following deviations from standard code requirements:

- Reduced landscape area along the west property boundary. The setback requirement is for a minimum 20' for landscaping before there are any drive aisles or parking areas. In this design, this landscape area varies to as little as four-feet wide. While the existing perimeter wall will provide somewhat of a buffer between the existing homes and the new development. The location of the guest parking spaces and the entry gate are close to the existing residence on the south side of Knoll Circle. Staff has concern about the impact on the existing residence and would recommend this spacing be increased. If this development were not gated, it would significantly reduce the area needed for paving at the entry and remove the concern with the noise of the gate opening and closing.
- Reduced building setback for the unit at the northwest corner of the property. The required setback is 30' for a two-story building. The setback provided is 14.7'. Given the overall site constraints and the fact that the home to the west on the north side of Knoll Circle is setback so far staff does not have a significant concern with this reduced setback. There is a concern, however, for the proximity of the drive aisle that provides access to the garage for this unit and the ability for a vehicle to be able to back out of this garage. The typical standard for a driveway in this configuration is for it to be 24' wide and for there to be a backing space beyond the parking location. Neither of these is provided. Because of the site constraints it does not appear there is sufficient room to move the units to make this work; it may be necessary to remove this unit from the plans.
- Reduced setback along the canal. The required setback along the canal is 15' and eight is being provided. This is the consistent eight' enclosed rear yard being proposed throughout the development. Because of the open space associated with the canal, staff does not have a concern with this reduced setback. Staff does have some design concern with the fact that the path along the canal is elevated above this property. Residents in the homes backing to the canal will have less privacy than might be desired without building taller wall along this side. A taller wall, however, will negatively impact the quality of the small open space being provided.
- Reduced setback along the east property line. The proposed setback from the east property line is five feet; 15' is required. The property to the east is being used by SRP for a well site and will not be further developed. Staff's concern for this reduction is the usability and maintenance of a five-foot wide area between a two-story building and a six-foot wall. We know, however, that as the developer has worked to balance all the site constraints and development requirements to design it any other way without losing a unit. While it is not ideal, staff can support this deviation.

- Private open space minimum dimension. While the proposed development exceeds the requirements for both private and public open space, the design of the private open space areas does not meet the minimum depth requirements. For the ground floor area the depth is being proposed at eight feet, rather than the required 10' and for the upper floor balconies, the depth is being reduced from six feet to 4.8'. The minimum dimensions have been established to ensure the open space areas are usable; i.e. there is room for some type of furniture and to move through the space.

In a more urban type development it is understandable that the individual open spaces might be smaller because residents have the larger urban setting to access. In this case, the surrounding neighborhood is very suburban and, other than the canal, there are no commercial areas or open spaces that provide for activities outside of the development.

Staff believe that the balconies need to be increased to the minimum depth to be usable.

- Minimum garage dimensions. The proposed development includes a garage size of 19' x 20' rather than the ordinance requirement for 20' x 22'. The water heater takes up a corner of the garage which further impacts the available space. The actual units have three bedrooms, 2.5 bathrooms, a very small kitchen and a great room in 1,280 square feet. There is very little storage area in the units. The larger garage size is often needed for both larger vehicles and to provide some room for storage. Because these will be rental units and not for sale homes, the landlord will be able to have some control over tenants parking somewhere other than in their garage and residents will understand the limitations on the size of vehicle they can own and live in this development.

The proposal could meet more of the required development standards or come closer to substantial compliance with current development standards. Staff feels that the proposal fails to create attractive and comfortable public spaces with quality amenities. The proposed open spaces within the development is made up of the left-over space and is not integrated as an essential element of the site plan. The proposed open spaces do not provide an efficient, aesthetic, and desirable usage.

CONCLUSION:

Staff can support RM-2 zoning of this property with a site plan that is appropriate for the site and neighborhood. The current proposal is very interesting and contains a lot design characteristics and concepts we would like to see in multi-resident development in Mesa. We also acknowledge the applicant's effort to continuously improve the quality of the project. However, staff cannot recommend approval of the site plan as presented.

Applicant has revised the site plan to remove the northwest corner unit and provide eight foot wide pedestrian zone along the front of all units per original condition a and b. Staff will work with applicant to resolve other items of concern. The detail design will require Design Review Work Session approval.

Staff recommends that these revisions should create a more livable environment by improving the ground floor/internal street level experience for the residents and addressing the impacts on the existing residents to the west.

Therefore, staff recommends approval of the rezoning with the following stipulations:

CONDITIONS OF APPROVAL:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape plan and building elevations submitted.
2. Compliance with all City requirements except as modified by this BIZ.
3. Compliance with all requirements of Design Review case # DR17-009 for architectural and landscaping design.
4. Modifying the proposed site plan for acceptance by the Planning Director to include the following items:
 - a. Provide an eight-foot wide pedestrian zone along the front of all units that is distinguished from the center drive aisle through a roll curb; and
 - b. Incorporating all the requirements of the Design Review Board (DR17-009) to include, but not limited to, the redesign of the ground plane and facades along the front of the units.
5. All retention basins shall be designed per Section 11-33-6 of the Mesa Zoning Code:
 - a) Retention basin design shall provide consolidated basins. Multiple, small retention areas are not acceptable unless basins are interconnected and designed per City of Mesa Engineering Manual; and,
 - b) Landscaping shall be provided in all areas of the retention basin including side slopes, the perimeter edge around the basin and along the bottom of the basin.
6. Signs (detached and attached) require separate approval and permit for locations, size, and quantity.