



## Planning and Zoning Board

### *Staff Report*

**CASE NUMBER:** Z17-044 (PLN2017-00352)  
**LOCATION/ADDRESS:** The 1300 through 1400 blocks of West Main Street (north side)  
**GENERAL VICINITY:** Located west of Alma School Road on the north side of Main Street.  
**REQUEST:** Modification of the Bonus Intensity Zone Overlay, Council Use Permit; and Site Plan. Also, consider a preliminary plat for "West Main Station Village".  
**PURPOSE:** This request will allow the development of a multi-residence development in the NC zoning district with potential commercial services.  
**COUNCIL DISTRICT:** District 3  
**OWNER:** Mesa Main Street, LLC  
**APPLICANT:** Fred Woods, Wood Associates Architects, LLC  
**STAFF PLANNER:** Lesley Davis

#### **SITE DATA**

**PARCEL NO.:** 135-52-048A, 047B, 038D, 037A, and 039A  
**PARCEL SIZE:** .87± acre portion of the overall 3.3± acre development site  
**EXISTING ZONING:** NC CUP-BIZ  
**GENERAL PLAN CHARACTER:** Neighborhood – Transit Corridor  
**CURRENT LAND USE:** Vacant

#### **SITE CONTEXT**

**NORTH:** Existing multi-residence attached townhomes, zoned RM-4 BIZ  
**EAST:** Existing 2-story Motel – zoned C-3  
**SOUTH:** (across Main Street) Group Commercial development – zoned C-2  
(across Main Street) East Valley Institute of Technology – zoned PF  
**WEST:** (across Rogers) Existing Commercial Uses – zoned C-3

#### **STAFF RECOMMENDATION:**

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

**PROPOSITION 207 WAIVER SIGNED:** ☒ Yes ☐ No

### **HISTORY/RELATED CASES**

**January 5, 1949:** Annexed into the City of Mesa (Ord. # 228) Subsequently zoned C-3.  
**August 13, 2007:** City Council approved a rezone from GC to NC CUP-BIZ and Site Plan Review to allow the development of a mixed-use transit oriented development consisting of 13 live/work units and 44 townhomes units. (Z07-028)

### **PROJECT DESCRIPTION / REQUEST**

The applicant is requesting to modify the previously approved Council Use Permit that allowed 13 live/work townhome units with ground floor retail within the approved West Main Station development (Z07-028), which will also include a preliminary plat for "West Main Station Village". This proposal is to allow 26 townhomes with a ground floor business/office/bedroom option. The new concept will fit within the same building footprint, so the site plan is not affected except for the required parking. The applicant has expressed a desire to provide more flexibility within these buildings to allow a homeowner the option to utilize the ground floor for additional residential space.

### **NEIGHBORHOOD PARTICIPATION:**

The applicant initially has completed a Citizen Participation Process, which included a mailed letter to property owners within 500-feet of the site, as well as HOAs within a ½ mile and registered neighborhoods within a mile. Staff notified the applicant in their first review comments, that they should expand the notification boundary for property owners to 1,000'. Staff has not been contacted by any property owner's, HOA's or registered neighborhoods regarding this proposal.

At the time that this report was written staff had not yet received the updated Citizen Participation Report, however staff anticipates submittal of that document prior to the September 19, 2017 Study Session. Planning staff will provide an update to the Board at that time.

### **STAFF ANALYSIS**

#### **MESA 2040 GENERAL PLAN:**

Staff has reviewed the proposal and found that it is consistent with the criteria for review as outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan and has determined that the proposed use is in conformance with the General Plan.

The Mesa 2040 General Plan designates the character type appropriate for this site as Neighborhood – Transit Corridor. The proposal is for the consideration of Modification of the existing Bonus Intensity Zone Overlay, Council Use Permit; and Site Plan to allow for the conversion of 13 live/work townhome units with ground floor retail to allow 26 townhomes with a ground floor business/office/bedroom option. This conversion takes place within the approved footprint included with the previously approved site plan as part of Z07-028.

The Mesa 2040 General Plan Character area designation is Neighborhood – Transit Corridor. This project also falls within the boundary for the West Main Area plan.

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. The Transit District Character type overlays the other neighborhood character type to transition the area into a more transit and pedestrian

oriented development form, which encourages higher density residential uses with buildings located close to the street offering ground floor offices or retail.

The proposed use is compatible with both the Neighborhood and Transit Corridor designations by providing higher density residential development located at the street along Main Street, while still offering the option for ground floor office or retail. This proposal is in conformance with the General Plan as well as the West Main Area Plan.

**BIZ OVERLAY MODIFICATIONS - MZO Section 11-21-3:**

The site currently has a BIZ overlay to allow for deviations to code for building and landscape setbacks as well as separation between buildings. The proposal would include an additional deviation to code to reduce the required number of parking spaces by 6, however that does not include the additional 19 parking spaces that exist along Main Street in front of this development. These additional spaces eliminate any negative impact of the requested deviation to code.

The Zoning Ordinance allows the City Council to approve modifications to the underlying district standards proportionate to number of items and degree of compliance provided by a project. Projects with few modifications need comply with a lower percentage of criteria. Projects with a higher number and greater deviation from adopted standards shall comply with a higher percentage of criteria.

The criteria include a requirement that the BIZ overlay facilitate “unique, innovative developments of superior quality.” Planning Staff is supportive of the application of the BIZ overlay for the live/work portion of the project, as the Main Street frontage represent a unique and innovative development. The proposal increases the density within the existing footprint, which is encouraged by the General Plan within a Transit Corridor. Although it removes a requirement for ground floor commercial, it still offers the option to allow for more flexibility in marketing. The applicant previously received Design Review approval for the buildings, which will be slightly modified to address the increase in units through the Administrative Review process with approval by the Planning Director. The building design will be held to a higher standard, due to the BIZ overlay.

The BIZ overlay criteria also encourages redevelopment and rehabilitation on economically distressed properties, utilization of existing transportation infrastructure for higher density development, utilization of locations along the light rail line and site design to facilitate alternative modes of transportation to reduce onsite environmental impacts.

The proposed project meets these criteria, including a reduction in parking for a project with easy access to mass transit and on-street parking.

**SITE PLAN - MZO Section 11-69-5:**

The proposed site plan meets the review criteria outlined in the Zoning Ordinance. The site plan approved as part of Z07-028 is only minimally impacted by this proposal. It will include additional driveways/garages along the north side of the building and slight modifications to the entry courtyards along Main Street, increasing the number of gates accessing those courtyards. The building footprint will be nearly identical to that approved and the intent is to maintain all of the approved amenities for the project including the 1930 Mesa Train Depot replica ramada located along Main Street between the buildings.

**COUNCIL USE PERMIT- MZO Section 11-31-3:**

Developments exceeding the residential density maximums specified in the Zoning Ordinance and commercial floor area requirements that differ from the areas specified, require approval of a Council Use Permit. The review of Council Use Permit requires a determination that the project is in compliance with minimum criteria established in this section of the Ordinance.

Planning staff has evaluated the request for a modification to the existing Council Use Permit for the addition of 13 residential units and the removal for the requirement for ground floor retail/office, allowing it to be optional.

The use complies with the General Plan, Sub Area Plans and other recognized development plans or policies, and will be compatible with surrounding uses. The subject site is within the Transit District character type of the general plan, specifically the Transit Corridor and also the West Main Street Area Plan. The proposal is consistent with the policies for both documents.

The applicant has submitted a plan of operation demonstrating compliance, which satisfies section 11-31-31 of the Zoning Ordinance. That plan identifies that there will be an Owner's Association and professional management company that will take care of all property related matters to ensure that the mixture of uses is operated and maintained in a professional manner and in compliance with the deed restrictions. An acceptable 'good neighbor policy' has also been submitted.

The documents submitted demonstrate general compliance with City development standards and where deficient, they are required to comply with previously approved deviations to setbacks that were approved as part of Z07-028 as well as the additional reduction for required parking, which is a deviation to code that they have requested as a modification to the existing BIZ Overlay.

**CONCLUSION:**

The proposed development was approved in 2007. The applicant is proposing minor modifications to the Council Use Permit and BIZ overlay. The modifications will accommodate a minor reduction in the number of parking spaces provided on site and increase the number of units along Main Street with removal of the requirement for ground floor office/retail allowing it to be an option for a buyer. The request also includes consideration of a preliminary plat for "West Main Station Village" to accommodate individual ownership of 26 townhome units.

The proposal is in conformance with the General Plan and West Main Area Plan. The applicant has provided an acceptable "Operational Plan" and "Good Neighbor Policy" to satisfy the requirements for a CUP, allowing the residential use in the NC Zoning District. The applicant has also satisfied the requirement for the BIZ overlay.

Staff recommends approval of Z17-044 with the following conditions:

**CONDITIONS OF APPROVAL:**

1. Compliance with the basic development as described in the project narrative, and as shown on the site plan submitted, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Subdivision Technical Review Committee.

4. Dedication of right-of-way 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.
5. Compliance with all requirements of Design Review approval through DR07-095 except as modified through the Administrative Approval process, which requires approval by the Planning Director for the revised elevations.
6. Compliance with all requirements of Z07-028, except as modified by this request.