




# City Council Report

Date	June 16, 2025	
Case No.	ZON24-01020	
Project Name	Main 45 – SWC Sossaman & Main	
Request	<ul style="list-style-type: none"><li>• Rezone from Limited Commercial (LC) to Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD)</li><li>• Site Plan Review for a 45-unit multiple residence development</li></ul>	
Project Location	Located at the southwest corner of South Sossaman Road and East Main Street	
Parcel No(s)	218-18-001J 218-18-001K	
Project Area	3.5± acres	
Council District	District 2	
Existing Zoning	Limited Commercial (LC)	
General Plan Designation	Neighborhood Center	
Applicant	Jon Gillespie / Rose Law Group	
Owner	Yang Chin Sein/Mary Fong	
Staff Planner	Charlotte Bridges, Planner II	
Proposition 207 Waiver Signed	Yes	

## Recommendation

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### Staff Recommendation:

Staff finds that the Proposed Project is consistent with the Mesa 2050 General Plan, the purpose for a Planned Area Development Overlay outlined in Section 11-22-1 of the MZO, and the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

Staff received a petition signed by 453 residents of the Mesa East Homeowners Association in opposition to the case (Petition is included in Exhibit 8 – Page 88). Staff analyzed the petition and determined it meets the requirements for a legal protest. A favorable vote of a supermajority (three-fourths of all members of the City Council) to approve the Proposed Project is required per A.R.S. § 9-462.04(H) and Section 11-67-4 (F) of the Mesa Zoning Ordinance.

**Staff recommends approval with conditions.**

### Planning & Zoning Board Recommendation:

On April 9, 2025, the Planning and Zoning Board **voted (4-0)** to recommended that City Council **approve** the proposed project with an additional condition of approval.

## Project Overview

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### Request:

The applicant is requesting to rezone the site from Limited Commercial (LC) to Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD) and approval of an Initial Site Plan to allow for a 45-unit multiple residence development (Proposed Project).

### Concurrent Applications:

None

## Site Context

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### General Plan:

- The Placetype for the project site is Neighborhood Center and the Growth Strategy is Evolve.
- Multi-Family Residential uses are supporting land uses, that when integrated with low-intensity commercial development that includes connectivity, convenient access to goods, services and dining within a short comfortable walk or convenient drive, and creates a complete community.
- The Proposed Project is consistent with Neighborhood Center Placetype and furthers the implementation of, and is not contrary to, the Vision, Guiding Principles, Strategies, and applicable elements of the Mesa 2050 General Plan.

- Supporting General Plan Strategies:
  - N1. Promote complete communities in both existing and new neighborhoods.
  - N2. Promote adaptive reuse and infill as tools to rejuvenate and revitalize established neighborhoods.
  - N5. Improve street and open space network connectivity within neighborhoods and to local serving amenities.
  - H1. Create more opportunities for housing options.
  - H4. Encourage the development of high-density housing in proximity to transit and major activity centers.
  - LU1. Promote a balance of land uses to enhance the quality of life for current and future generations.
  - LU3. Encourage infill and redevelopment to meet the community's strategic needs.

### **Zoning:**

- The project site is zoned Limited Commercial (LC).
- The applicant is requesting to rezone the site to Multiple Residence-2 with a Planned Area Development Overlay (RM-2-PAD)
- A multiple residence with a maximum density of 15 dwelling units per acre is permitted in the RM-2 District. The Proposed Project has a density of 12.8 dwelling units per acre.

### **Surrounding Zoning & Use Activity:**

The proposed multiple residence development is compatible with surrounding land uses, which include medical offices, commercial development, and single residences.

<b>Northwest</b> (Across Main Street)  LC Medical Office / Commercial Development	<b>North</b> (Across Main Street)  LC Funeral Home / Commercial Development	<b>Northeast</b> (Across Main Street and Sossaman Road) Maricopa County Vehicle Repair, Service and Washing/ Commercial Development
<b>West</b>  LC Medical Office / Commercial Development	<b>Project Site</b>  LC Vacant	<b>East</b> (Across Sossaman Road) LC Retail Sales / Commercial Development
<b>Southwest</b>  RS-6-PAD Single Residences (Manufactured Home Subdivision)	<b>South</b>  RS-6-PAD Single Residences (Manufactured Home Subdivision)	<b>Southeast</b> (Across Sossaman Road) RM-4 Multiple Residences (Manufactured Home Park)

### Site History:

- **December 5, 1983:** City Council annexed 146± acres, including the project site, into the City of Mesa (Ordinance No. 1767).
- **February 19, 1985:** City Council approved a rezoning for 64± acres, including the project site, from Maricopa County R-5, C-2, and C-3 to City of Mesa Multiple Residence-4 (equivalent to current Multiple Residence-4 [RM-4]) and C-2 (equivalent to current Limited Commercial [LC]) and C-3 (equivalent to current General Commercial [GC]). The project site was zoned LC District (Case No. Z85-001; Ordinance No. 1921).
- **April 9, 2025:** The Planning and Zoning Board voted (4-0) to recommended that City Council approve the proposed project with an additional condition of approval.

### Project/Request Details

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#### Site Plan:

- **Building Design:** The Proposed Project includes 45 three-bedroom, two-story units arranged as follows:
  - Five, four-unit buildings;
  - One, five-unit building;
  - One, eight-unit building, and
  - One, 12-unit building.
- **Access:** Primary access to the site is from one driveway off of Main Street. A secondary access is provided from Sossaman Road for emergency and Solid Waste vehicles only.
- **Parking:** Per Table 11-32-3.A of the Mesa Zoning Ordinance (MZO), 95 parking spaces are required. A total of 105 parking spaces are provided including 45 single garage spaces (one per unit).
- **Connectivity:** Pedestrian walkways throughout the site connect the buildings and amenity spaces to one another and to the public sidewalks along Main Street and Sossaman Road.
- **Landscaping:** The landscape design includes trees, shrubs, and live and inert ground cover around the perimeter of the site, within parking lot landscape islands, and in foundation base areas adjacent to the buildings.
- **Amenities:** An amenity area with a covered ramada, barbeque grill, seating, playground equipment and turf area is centrally located within the Proposed Project. An additional dog park area is located at the southwest corner of the site.

#### Planned Area Development Overlay:

Per Section 11-22 of the MZO, the purpose of a PAD overlay is to permit flexibility in the application of zoning standards and requirements where it can be demonstrated that the proposed

development provides equivalent or superior standards in a creative way to meet the intent of the underlying zoning district and general plan.

Development Standards	MZO Required	PAD Proposed
<u>Minimum Yards –</u> MZO Table 11-5-5 Front and Street-Facing Side: 6-lane arterial street (Main Street)  4-lane arterial street (Sossaman Road)  Interior Side and Rear: 3 or more units on lot: (West property line)  (South property line)	30 feet  20 feet  Multiple Story: 15 feet per story, (30 feet total)  Multiple Story: 15 feet each story, (30 feet total)	<b>14 feet</b>  <b>15 feet</b>  <b>20 feet total</b>  <b>20 feet total</b>
<u>Additional Standards for Private  Open Space - Accessibility –</u> MZO Section 11-5-5(A)(3)(e)(i)	Private open space shall be accessible to only one living unit by a doorway to a habitable room or hallway.	<b>Private open space for 11  units is accessible from  the exterior only (no fence  or wall on side adjacent to  front door).</b>
<u>Perimeter Landscape Required  Plant Material –</u> MZO Table 11-33-3.A.4 Arterial Streets (Main Street)	1 tree and 6 shrubs per 25 linear feet of street frontage (720 feet of frontage = 29 trees and 173 shrubs total)	<b>11 trees, 69 shrubs</b>
Interior Parking Lot Landscape Islands – <i>MZO Section 11-33-  4(B)(1)</i> - Required number of parking lot landscape islands	Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 8 contiguous parking spaces.	<b>Parking lot landscape  islands shall not be  required at each end of a  row of parking stalls.</b>

Development Standards	MZO Required	PAD Proposed
<u>Foundation Base, Exterior Walls with Public Entrances</u> – MZO Section 11-33-5(A)(1)	A 15-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall.	<b>An 8-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall.</b>
<u>Fences and Freestanding Wall Height</u> – MZO Section 11-30-4(A)(1)(b) - Side and rear yard	6 feet	<b>8 feet (south property line)</b>

Per the project narrative, a PAD overlay is being requested due to the narrowness of the project site. Strict application of the zoning provisions would not allow the Proposed Project to offer the cohesive design and creativity needed to promote the intended vibrant and sustainable development.

The Proposed Project offers creative, high-quality development for both residents and the surrounding area, by incorporating the following superior design standards, per Section 11-31-32 of the MZO:

- **Holistic Approach to Project Design:**

- The architectural design incorporates a diverse mix of six material types—including hardy board, brick, stucco, concrete tile, glass, and metal.
- The materials are thoughtfully applied with appropriate massing and detailed articulation, creating a cohesive design from ground-level patios to pitched roof elements.
- Enlarged private open spaces are integrated into the architecture with batter stack CMU wall design.

- **Responsive Approach to Site and Sub-Area Context:**

- Per Table 11-5-5 of the MZO, the required setback along the south property line is 30 feet. A key design consideration of the Proposed Project is that the two-story buildings on the south side of the site are setback 40 feet from the adjacent subdivision, including the 20-foot-wide alley.
- To create a unique sense of place, the Proposed Project includes monument signage and a site entry wall designed with diagonal elements that complement the singular pitched roof forms of the architecture.

- **Sustainable Design:**

- The Proposed Project promotes sustainability by utilizing an infill lot served by existing public infrastructure with capacity to support higher-density development.

- The design maximizes the use of common and private open space areas thereby creating the opportunity for social interaction and promoting open space, while the building and landscape layout is thoughtfully arranged to provide ample shading.
- Additionally, the Proposed Project will be prewired for electric vehicle charging in every garage.
- **Exceeds MZO Standards:**
  - Increasing number of trees, shrubs, and accent plants within the perimeter landscape areas along Main Street and Sossaman Road rights-of-way.
  - Installing 10 trees within landscape yard adjacent to the west property line where six trees are required.
  - Installing 47 trees within landscape yard adjacent to the south property line where 31 trees are required.
  - The private open space for each three-bedroom unit varies from 196 feet to 613 square feet (422 square feet average per unit), where 120 square feet is required.
  - The total open space provided per unit is 587 square feet, where 200 square feet is required.
  - A centralized common amenity space that is 4,146 square feet in area and contains a covered ramada, barbeque grill, seating, playground equipment and turf area. In addition, a dog park 3,124 square feet in area is provided at the southwest corner of the Proposed Project.
- **Great Public Spaces:**
  - The subject site's frontage along Main Street and Sossaman Road will be improved with the required street improvements, including a public sidewalk and landscaping consisting of trees, shrubs and ground cover, which will enhance the streetscape along the public realm of the Proposed Project.
  - The building located at the corner of Sossaman Road and Main Street is offset from the intersection and additional landscape material is installed to create visual interest and a sense of place. A monument sign is also proposed at the corner to identify the development and provide additional interest.
  - Buildings are oriented towards Main Street to provide spatial definition with parking located behind the buildings.
  - Pedestrian sidewalks are provided throughout the Proposed Project that connect the dwelling units with the common open space areas, including a dog park, ramada with barbeque, playground amenity and grass area with seating.

## **Alternative Compliance**

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The applicant is requesting alternative compliance with the building material requirements of Section 11-5-5(B)(5)(b) of the MZO.

- **Required:**
  - Buildings must contain at least two kinds of primary exterior materials distinctively different in texture or masonry pattern.

- Each of the required materials covering at least twenty-five percent (25%) of the exterior walls of the building.
- **Proposed:**
  - Five primary exterior materials are used on the buildings throughout the project; stucco, hardy board, brick, concrete tile, and glazing.
  - The five primary exterior materials are applied in a variety of combinations on the buildings. Typically, one primary exterior material is provided that is greater than 25% of the elevation and the remainder of the elevation is comprised of primary exterior materials which are individually less than 25%, but in aggregate are greater than 25% of the elevation.
  - Stucco never exceeds 60%, hardy board never exceeds 48%, brick never exceeds 27%, and concrete roof tile never exceeds 26% of an elevation.

#### **Approval Criteria - Section 11-5-5(B)(6)(b):**

When considering approval of alternative compliance, the approving body must find that the request meets one or more of the criteria in Section 11-5-5(B)(6)(b) of the MZO.

The alternative compliance request meets the following criteria of Section 11-5-5(B)(6)(b)(iv) of the MZO: The proposed alternative is aesthetically more complementary to the site, better fits into the context of the area, improves the overall architectural appeal of the area and/or meets or exceeds the design objectives as described in the City's General Plan.

- The proposed architecture includes five primary exterior materials (stucco, hardy board, brick, concrete tile and glazing).
- The site plan has seven building types, which creates additional architectural interest in and of itself for a relatively small development site, with a variety of materials applied differently to each building.
- The large variations in the application of quality materials avoids being stucco dominant and achieves great architectural interest.

## **Impact Analyses**

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### **School Impact:**

The Mesa Public School District reviewed the project and found that the development will not negatively impact school capacity. The estimated demand on local schools shown below is within capacity:

- **Elementary:** 18 students (Jefferson)
- **Middle School:** 8 students (Freemont)
- **High School:** 10 students (Skyline)

## **Citizen Participation**

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The applicant conducted a Citizen Participation process, notifying surrounding property owners, HOAs, and registered neighbors.

**Neighborhood Meeting:**

A neighborhood meeting was held on January 8, 2025, where attendees raised questions/concerns about the following:

- Concern that the Proposed Project's residents will use the Mesa East Mobile Home subdivision amenities.
- The setback of the two-story buildings along the south property line to the rear yards of the adjacent lots within Mesa East Mobile Home subdivision.
- Preference that the units be for sale.
- Number of occupants within the three bedroom units.
- That vehicles from the Proposed Project will "cut through" the Mesa East Mobile Home subdivision.
- That children from the Proposed Project will use the streets of the Mesa East Mobile Home subdivision as a playground.
- The Proposed Project will negatively affect the property values of the properties with the Mesa East Mobile Home subdivision.
- Compatibility with the Mesa East Mobile Home subdivision, which is a development of single-family, age-restricted residences, and the commercial uses to the west, north, and east.
- Potential strain on local resources including roads, emergency services, and recreational facilities.
- How storm water from the Proposed Project will impact the northeast corner of the Mesa East Mobile Home subdivision.

The applicant provided the following response to the attendee questions/concerns:

- Commitment to place lease language in the Main 45 lease agreements that bars use of the Mesa East Mobile Home subdivision amenities.
- A line of sight drawing was provided to illustrate the proposed 40 foot separation, which includes 47 trees, will provide an adequate physical and visual buffer between the Proposed Property and the property owners to the south.
- The developer intends to build the Proposed Project and hold it as a long-term asset.
- Expected rent will be upwards of \$2,300 per month.
- The lease agreement will sufficiently control the number of occupants and the permitted parking reserved for each unit.

**Required Notification:**

- Property owners within 1,000 feet, HOAs within ½ mile, and registered neighborhoods within one mile of the subject site were notified of the public hearing.

### **Legal Protest:**

- Staff received a petition signed by 453 residents of the Mesa East Homeowners Association in opposition to the case (Petition is included in Exhibit 8 – Page 88).
- Staff analyzed the petition and determined it meets the requirements for a legal protest.

### **Planning and Zoning Board Meeting Public Comment:**

The Board received four comment cards opposing the Proposed Project, along with five additional requests to speak at the public hearing. The following questions/concerns were raised:

- The Proposed Project is not age-restricted and may disrupt the quiet, senior-oriented character of the Mesa East Mobile Home subdivision.
- Increased traffic volumes are anticipated on local streets, including Abalene
- Concerns that vehicles from the proposed project will use the Mesa East Mobile Home subdivision as a cut-through to avoid nearby traffic signals.
- On-site parking may be insufficient, potentially resulting in overflow parking on surrounding neighborhood streets.
- The absence of on-site management may lead to problems with rule enforcement, noise, and over-occupancy within the rental units.
- Concerns regarding potential over-occupancy in the three-bedroom units, with more individuals residing in each unit than permitted.
- Potential strain on local infrastructure and public services, including roads, emergency response, and recreational amenities.
- Questions about how stormwater runoff from the proposed project will impact drainage in the northeast corner of the Mesa East Mobile Home subdivision.
- Uncertainty and concern about maintenance responsibility for an adjacent alleyway that residents were previously unaware of.

The applicant provided the following response to the attendee questions/concerns:

- A preliminary grading and drainage plan has been completed. The project will retain stormwater on-site using engineered basins, preventing historical runoff from flowing south into the Mesa East community. This improvement is expected to improve existing conditions.
- Related to the adjacent alleyway, the developer has agreed to take on maintenance responsibility, including trimming vegetation as needed to ensure continued utility access.
- The project will implement a "Good Neighbor Policy" that restricts resident and guest parking to designated on-site spaces only.

- Due to the site layout and surrounding road network, it is unlikely that vehicles will cut through the Mesa East neighborhood to reach Broadway Road. Primary access is designed to direct traffic towards arterials such as Main Street and Sossaman Road.
- Rental rates are expected to be approximately \$2,400 per month, indicating the project will offer market-rate housing rather than low-income or subsidized units.

## Conditions of Approval

Staff recommends **approval** of the request to rezone the site from LC District to RM-2-PAD district and Initial Site Plan Review, subject to the following conditions:

1. Compliance with the final site plan, landscape plan, and elevations submitted.
2. Prior to the issuance of a building permit, record a new legal description to combine APN 218-18-001K and APN 218-18-001J.
3. Prior to the issuance of a building permit, remove the billboard located at the northeast corner of the site.
4. 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.
5. All off-site improvements and street frontage landscaping must be installed in the first phase of construction.
6. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD overlay as shown in the following table:

Development Standards	Approved
<u>Minimum Yards</u> – MZO Table 11-5-5 Front and Street-Facing Side: 6-lane arterial street (Main Street)  4-lane arterial street (Sossaman Road)  Interior Side and Rear: 3 or more units on lot: (West property line)  (South property line)	   14 feet  15 feet  20 feet total  20 feet total
<u>Additional Standards for Private Open Space - Accessibility</u> – MZO Section 11-5-5(A)(3)(e)(i)	Private open space for 11 units is accessible from the exterior only (no fence or wall on side adjacent to front door).
<u>Perimeter Landscape Required Plant Material</u> – MZO Table 11-33-3.A.4 terial Streets (Main Street)	11 trees, 69 shrubs

Development Standards	Approved
Interior Parking Lot Landscape Islands – <i>MZO Section 11-33-4(B)(1)</i> - Required number of parking lot landscape islands	Parking lot landscape islands shall not be required at each end of a row of parking stalls.
<u>Foundation Base, Exterior Walls with Public Entrances</u> – <i>MZO Section 11-33-5(A)(1)</i>	An 8-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall.
<u>Fences and Freestanding Wall Height</u> – <i>MZO Section 11-30-4(A)(1)(b)</i> -Side and rear yard (south property line)	8 feet

7. Compliance with the Good Neighbor Policy as submitted

## Exhibits

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Exhibit 1 - Presentation

Exhibit 2 - Ordinance

Exhibit 3 - Ordinance Map

Exhibit 4 - Vicinity Map

Exhibit 5 - Site Plan

Exhibit 6 - Minutes

Exhibit 7 - Submittal Documents