



**PLANNING DIVISION**  
**STAFF REPORT**

**City Council Meeting**

**October 16, 2023**

CASE No.: **ZON23-00469**

PROJECT NAME: **Off the Streets**

Owner's Name:	Sunstay Bridge, LLC
Applicant's Name:	Lindsey Balinkie, City of Mesa Community Services
Location of Request:	Within the 6700 block of East Main Street (south side), the 0 block of South Sunaire (west side), and the 6700 block of East Alder Avenue (north side). Located west of Power Road on the south side of Main Street.
Parcel No(s):	141-58-014, 141-58-015, 141-58-016, 141-58-017, 141-58-018 and 141-58-019
Request:	Rezone from Limited Commercial (LC) to Limited Commercial with a Bonus Intensity Zone overlay, (LC-BIZ), Council Use Permit (CUP), and Site Plan Review. This request will allow for the Off the Streets program, a social service facility.
Existing Zoning District:	Limited Commercial (LC)
Council District:	2
Site Size:	1.3± acres
Proposed Use(s):	Off the Streets program (social service facility)
Existing Use(s):	Hotel
P&Z Hearing Date(s):	<b>September 13, 2023/ 4:00 p.m.</b>
Staff Planner:	Charlotte Bridges, Planner II
Staff Recommendation:	APPROVAL with conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote: 5-1)
Proposition 207 Wavier Signed:	Yes

**HISTORY**

On **December 16, 1974**, the City Council annexed 3,957± acres of land, including the project site, into the City of Mesa (Ordinance No. 901).

On **December 30, 1980**, the City Council approved a rezoning for 18± acres of recently annexed property, including the project site, from Maricopa County Single Residence – 6 (R1-6), Commercial- 2 (C-2) to City of Mesa Limited Commercial (C-2) and General Commercial (C-3). The project site was zoned Commercial C-2 (equivalent to Limited Commercial [LC]) (Case No. Z75-031; Ordinance No. 936).

On **September 13, 2023**, the Planning and Zoning Board recommended approval of the project (Vote 5-1).

## **PROJECT DESCRIPTION**

### **Background:**

The proposed project site, generally located west of Power Road at the southwest corner of Main Street and Sunaire, is developed with a two-story, 20,890 square foot hotel on the west side of the site (Building 1) and a single-story 4,967 square foot building on the east side of the site (Building 2).

The applicant is requesting: 1) to rezone the proposed project site from Limited Commercial (LC) to Limited Commercial with a Bonus Intensity Zone overlay (LC-BIZ); 2) approval of a Council Use Permit (CUP), required for a social service facility in the Limited Commercial (LC) zoning district; and 3) approval of an Initial Site Plan (Proposed Project).

The existing hotel was initially developed in the mid-1970s and was later expanded in the mid-1980s in compliance with the development standards at the time. Because some of the project site improvements do not meet current MZO development standards, the project site is legal non-conforming. The applicant is requesting a Bonus Intensity Zoning (BIZ) overlay to allow modifications to current MZO development standards to allow the existing non-conforming conditions to remain and to modify other MZO standards. The applicant is also requesting approval of an Initial Site Plan. Finally, because the Proposed Project, classified as a social service facility by the Mesa Zoning Ordinance (MZO), the applicant is requesting a CUP.

### **Off the Streets Program:**

The Proposed Project includes repurposing the existing hotel into a 70-room temporary housing facility, for the Off the Streets (OTS) program. OTS is a City program that provides temporary housing and other support services to unsheltered people. The OTS program is currently operating from a hotel located in northeast Mesa. Additional information about the OTS program is included in this staff report.

In recent years, the City of Mesa, like many communities across the country, has experienced increasing populations of unsheltered people. In June 2020, during the pandemic, the City created OTS and partnered with local non-profit Community Bridges, Inc. (CBI) to help run OTS. Currently, OTS is located at a northeast Mesa hotel, from which the City leases rooms. The City recently received City Council approval to open escrow to purchase the property while pursuing a Council Use Permit and other related zoning and community engagement requirements. If approved by City Council, the project site will be used for OTS. OTS is currently a City-run program, in partnership with CBI. It is possible that, in the future, the City

may transfer ownership of the project site to a non-profit. If that were to occur, the non-profit would be required to continue operation of OTS at the project site.

OTS is an essential part of the City's Housing Path to Recovery and an important step to helping individuals achieve long-term housing stability. OTS provides temporary housing, food, clothing, and access to support services such as mental health and substance abuse treatment to people experiencing homelessness. The City's most vulnerable people, including seniors, families, and domestic violence victims, are given priority for placement in OTS. Once participants are provided safe housing and are wrapped with the support services they need, the City and CBI work together to create a housing stability plan and route to "graduation" from OTS. Graduation includes participants moving out of OTS and into other housing based on their individualized housing plan and being connected to additional services such as employment services and mental and behavioral health services, as needed. OTS offers every participant transportation to their next housing destination, or if needed, to crisis services or treatment. Participants exiting OTS are provided guidance and support; they are not simply turned out into the neighborhood.

OTS is a referral-based program; referrals are received from first responders and non-profit partners. OTS is a closed campus (no walk-up or drop-in services) with dedicated police presence to help ensure the campus is safe and secure for both the participants and the surrounding community. Additionally, CBI provides 24/7 on-campus oversight and case management.

OTS serves as an entry point for unsheltered people into Mesa's Housing Path to Recovery, connecting them to other needed services and housing. Since its creation, OTS has served more than 1,700 individuals and families. Of those served, 42% have physical disabilities and 21% are survivors of domestic violence. Over 73% of OTS participants have a positive exit, or graduation, from the program. Prior to the creation of OTS, positive exits from other shelters for this population were around 30%.

If the Proposed Project is approved and OTS is permitted at the project site, the City (or the non-profit operating OTS) will continue to dedicate resources to help ensure the campus is safe and secure for the participants and the surrounding commercial and residential communities. For example, the City has committed to serving only families, senior citizens, and victims of domestic violence at OTS at the project site. Police security and non-profit staff will be at OTS at the project site 24/7. The Mesa Police Department will put efforts into additional engagement with the community which may include a neighborhood watch program. OTS at the project site will remain referral based only and will not accept walk-ups or drop-ins, who will be transferred to other shelters. The project site will also be improved, including to install security walls and gates, improved lighting, and cameras connected to the City's Real Time Crime Center.

Finally, the City has developed, in coordination with CBI, an Operations and Maintenance Plan and a Good Neighbor Policy for OTS at the project site. More information regarding OTS can be found in the Operations and Maintenance Plan and the Good Neighbor Policy. A condition of

approval for the Proposed Project is compliance with both the Operations and Maintenance Plan and the Good Neighbor Policy (attached as exhibits to this Staff Report).

### **General Plan Character Area Designation and Goals:**

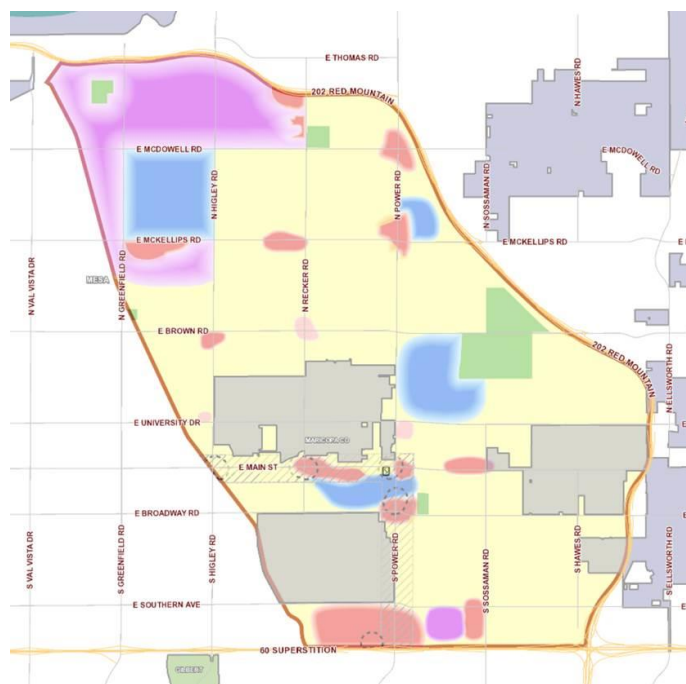
The proposed project site is located in the Neighborhood Character Type with a Suburban Sub-type and has a Transit District Character Type with a Station Area Sub-type overlay.

### ***Neighborhood-Suburban Character 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. 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. As part of the total neighborhood area, the Suburban Sub-type may contain areas of duplexes and other multi-residence properties and commercial uses along arterial frontages and at major street intersections.

Chapter 7 of the General Plan provides that the majority (55% or more) of the character area must be established with primary zoning districts and primary land uses before secondary zoning districts and secondary land uses are permitted. In the Neighborhood-Suburban Character Type, Limited Commercial (LC) is listed as a secondary zoning district and the Proposed Project (social service facility) is a public/semi-public use listed as a secondary land use.

Character Areas are defined by the character of development in the area and consideration of the overall look and feel of the area, the predominant character of the built environment, and intervening features. The boundaries of the character area for the project site are the 60 Superstition Freeway, the canal, and the 202 Red Mountain Freeway. The character area is shown in this map:



Eighty five percent (85%) of the Neighborhood-Suburban Character Type is currently developed with primary zoning districts. Large portions of the character area are unincorporated Maricopa County islands. The County islands are not counted towards the total of primary zoning districts and primary land uses. However, it is important to note that, if those County islands were annexed into the City, they would be assigned comparable City zoning of Single Residential 9 (RS-9) or Single Residential 6 (RS-6), which are both primary zoning districts in the Neighborhood-Suburban Character Type. If the County islands were counted towards the total of primary zoning districts and primary land uses, the amount of the character area developed with primary zoning districts and primary land uses would rise to over 95%.

The majority (55% or more) of the character area is already developed with primary zoning districts or primary land uses, and secondary zoning districts (including the proposed LC) and secondary land uses (including the proposed social service facility) are permitted and conform to the Mesa 2040 General Plan. The Proposed Project meets the goals and intent of the Neighborhood-Suburban Character Type by contributing to the range of housing options available and providing a compatible public/semi-public use along an arterial frontage. The dedicated police and non-profit presence at the Project Site will contribute to the Neighborhood-Suburban Character Type goal of providing safe and secure places to live.

The request conforms with the requirements for the Neighborhood-Suburban Character Type in the Mesa 2040 General Plan.

***Transit Districts-Station Area Character Type Overlay***

Per Chapter 7 of the General Plan, the Transit Districts Character Type overlays the other Character Types and is used to transition the area into a more transit and pedestrian oriented development form. Per Chapter 7 of the General Plan (page 7-35), areas within a transit corridor are not subject to the requirements of this Character Type until such time a final decision is made to implement the transit improvements for the area.

There are no near-term plans for high-capacity transit in the area; therefore, the request conforms with the Mesa 2040 General Plan.

**Zoning District Designations:**

The applicant is requesting to rezone the project site from LC to LC-BIZ to allow OTS, which is classified as a social service facility. Per Table 11-6-2 of the MZO, a social service facility is permitted in the LC district with the approval of a CUP and must adhere to the additional development standards of Section 11-31-26: Social Service Facilities, and the meet the CUP review criteria in Section 11-70-6 of the MZO.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest (Across Main Street)</b>	<b>North (Across Main Street)</b>	<b>Northeast (Across Main Street and Sunair)</b>
LC Commercial	LC Commercial	LC Commercial

<b>West</b> LC Commercial and undeveloped	<b>Project Site</b> LC Hotel	<b>East</b> LC Commercial and undeveloped
<b>Southwest (Across Alder Avenue)</b> RS-6 Single Residences	<b>South (Across Alder Avenue)</b> RS-6 Single Residences	<b>Southeast (Across Alder Avenue and Sunaire)</b> RM-3 Multiple Residences

**Compatibility with Surrounding Land Uses:**

The surrounding area to the north (across Main Street), east (across Sunaire) and west are zoned LC with a mix of commercial uses and undeveloped property. To the south (across Alder Avenue) is RS-6 zoning with single residences and RM-3 zoning with multiple residence.

As part of the improvements being made to the proposed project site to accommodate OTS, an eight-foot-high masonry screen wall and gates are being installed adjacent to Sunaire and Alder Avenue to control ingress and egress to the site. CBI staff and Mesa Police Department officers are on-site 24/7 to manage residents, keep the project site safe, and ensure compatibility with the adjacent commercial and residential uses. A condition of approval for the Proposed Project is compliance with both the Operations and Maintenance Plan and the Good Neighbor Policy (attached as exhibits to this Staff Report).

**Site Plan and General Site Development Standards:**

The proposed project site is currently developed as a hotel and contains a 20,890 square-foot, two-story building located on the western portion of the site (Building 1) and a 4,967 square-foot, single-story building located on the eastern portion of the site (Building 2). In total, the existing hotel has 70 guest rooms. There is an existing garage located on the south side of the eastern building that will be used for OTS offices and for the intake of new residents.

Access to the project site is provided by driveways on Main Street, Sunaire, and Alder Avenue. A total of 47 parking spaces are provided on-site. As part of the Proposed Project, new sidewalks will be provided on the interior of the site that will connect to the public sidewalk on Main Street. A new dog run will be located north of Building 2, and a new covered play area and single dumpster enclosure will be constructed to the south of Building 2.

New trees and shrubs will be planted within existing open-space areas and the perimeter landscape yards adjacent to the rights-of-way. To control ingress and egress to the proposed project site, an eight-foot-tall perimeter masonry wall will be installed along Sunaire and Alder Avenue and the access drives from Sunaire and Alder Avenue will be gated.

**BIZ Overlay Modification – MZO Article 3, Chapter 21:**

The Proposed Project requests approval of a Bonus Intensity Zone overlay (BIZ) to allow for modifications to certain development standards of the MZO. Table 1 below shows the MZO required standards and the applicant's proposed BIZ standards.

Table 1: Proposed Development Standards

<b>Development Standards</b>	<b>MZO Required</b>	<b>BIZ Proposed</b>	<b>Staff Recommendation</b>
<u>Minimum Setback to Building and Parking Areas –</u> <i>MZO Table 11-6-3.A</i> -Front and Street Facing Side: Main Street (arterial road) Sunaire (local street) Alder Avenue (local street) -Interior Side: Adjacent to Non-residential District:	15 feet 20 feet 20 feet 15 feet, per story	<b>8.21 feet (existing)</b> <b>5.46 feet (existing)</b> <b>7.89 feet (existing)</b> <b>4.06 feet (existing, two-stories)</b>	As Proposed
<u>Fences and Freestanding Wall Height –</u> <i>MZO Section 11-30-4(B)(1)</i> -Walls with the required front and side street yards	3.5 feet, maximum height	<b>8 feet in height along Sunaire and Alder Avenue</b>	As Proposed
<u>Fences and Freestanding Wall Articulation –</u> <i>MZO Section 11-30-4(E)</i> -Maximum length of continuous, unbroken, and uninterrupted fence or wall plan adjacent to right-of-way	40 feet	<b>120 feet</b>	As Proposed
<u>Off-street Parking and Loading –</u> <i>MZO Table 11-32-2.H.1:</i> -Minimum width of two-way drive aisle adjacent to 90° parking spaces	24 feet	<b>23.19 feet (existing)</b>	As Proposed
<u>Required Parking Spaces by Use –</u> <i>MZO Table 11-32-3.A</i> -Hotel and Motel uses	1 space per room or suite of rooms with individual exits plus ancillary use requirements (63 spaces total)	<b>47 spaces</b>	As Proposed

Development Standards	MZO Required	BIZ Proposed	Staff Recommendation
<u>Setback of Cross Drive Aisles</u> – MZO Section 11-32-4.A	Parking spaces along main drive aisles connecting directly to a street shall be set back at least 50 ft. from the property line abutting the street	<b>Parking spaces along main drive aisles connecting directly to a street shall be set back at least 7.89 ft. from the property line abutting the street</b>	As Proposed
<u>Open Space Landscape</u> – MZO Section 11-33-2(E)	50% of all required open space shall contain live plant material	<b>30.4% of all required open space contains live plant material</b>	As Proposed
<u>Perimeter Landscape</u> – MZO Section 11-33-3 -Main Street (arterial road) – 1 tree and 6 shrubs per 25 linear feet of frontage  -Sunair (local street) – 1 tree and 4 shrubs per 25 linear feet of frontage:  -Alder Avenue (local street) – 1 tree and 4 shrubs per 25 linear feet of frontage:  MZO Section 11-33-2(B)(2)(c) -West property line – 3 non-deciduous trees and 20 shrubs per 100 linear feet of adjacent property line	8 trees and 43 shrubs (180 feet of street frontage)  13 trees and 51 shrubs (320 feet of street frontage)  7 trees and 29 shrubs (180 feet of street frontage)  10 trees and 64 shrubs (320 feet of adjacent property line)	<b>3 trees and 37 shrubs</b>  <b>14 trees and 32 shrubs</b>  <b>7 trees and 13 shrubs</b>  <b>0 trees and 0 shrubs</b>	As Proposed



Development Standards	MZO Required	BIZ Proposed	Staff Recommendation
<u>Parking Lot Landscape Islands</u> – MZO Section 11-33-4(B)	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>0 parking lot landscape islands (existing)</b>	As Proposed
<u>Parking Lot Landscape Island Plant Material</u> – MZO Section 11-33-4(D)	1 tree and 3 shrubs per parking lot landscape island	<b>0 trees and 0 shrubs per parking lot landscape island (existing)</b>	As Proposed
<u>Foundation Base along Exterior Walls</u> – MZO Section 11-33-(A) -Exterior Wall with Public Entrances  - Exterior Wall with Public Entrances, buildings larger than 10,000 square feet with parking space that abut the foundation base	<p>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</p> <p>An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum width and depth of 20 feet, and a minimum area of 900 square feet</p>	<p><b>An 8.78-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall (existing)</b></p> <p><b>An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum 14.4 feet width and 29 feet depth, and a minimum area of 417.6 square feet (existing)</b></p>	As Proposed

Minimum Setbacks to Buildings and Parking Areas:

Per Table 11-6-3.A of the MZO, the minimum setback to buildings and parking areas along arterial streets is 15 feet.

The applicant requested to maintain the existing 8.21-foot setback to parking spaces along Main Street.

Per Table 11-6-3.A of the MZO, the minimum setback to buildings and parking areas along local streets is 20 feet.

The applicant is requesting to maintain the existing 5.46-foot setback to the building along Sunaire and the existing 7.89-foot setback to the parking spaces along Alder Avenue.

In addition, per Table 11-6-3.A of the MZO, a minimum setback of 15 feet per story is required for interior side yards adjacent to residential uses.

The applicant is requesting to maintain the existing 4.06-foot setback along the west property to the existing two-story building (Building 1).

Fences and Freestanding Walls:

Per Section 11-30-4(B)(1)(a) of the MZO, no fence or freestanding wall within or along the exterior boundary of the required front yard and street side yards shall exceed a height of 3.5-feet. Per Section 11-30-4(E) of the MZO, the maximum length of continuous, unbroken, and uninterrupted fence or wall plane adjacent to right-of-way shall be 40 feet.

The applicant is proposing an unarticulated, eight-foot in height masonry wall and gate along Sunaire and Alder Avenue to control ingress and egress into the Project Site.

Off-street Parking and Loading:

Per Table 11-32-2.H.1 of the MZO, the required width of a two-way drive aisle adjacent to 90° parking spaces is 24 feet.

The applicant is requesting to maintain the 23.19-foot-wide drive aisle.

Setback of Cross Drive Aisles:

Per Section 11-32-4(A) of the MZO, parking spaces along main drive aisles connecting directly to a street must be set back at least 50 feet from the property line abutting the street. The location of existing parking spaces along the drive aisle to Main Street, Sunaire, and Alder Avenue do not meet this the 50-foot setback requirement.

The applicant is requesting a minimum 7.89-foot setback.

Required Parking Spaces by Use:

Per Table 11-32-3.A of the MZO, a hotel/motel use requires one space per room or suite of rooms with individual exits plus ancillary use requirements. The existing site has 63 parking

spaces. After necessary improvements are made to the project site, such as the installation of a dumpster enclosure, 47 parking spaces will remain on-site. The MZO does not have a specific parking space requirement for a Social Service Facility.

As part of the project narrative, the applicant states that 47 parking spaces are sufficient for the Proposed Project since the individuals who will reside at the facility rarely own vehicles.

#### Open Space Landscape:

Per Section 11-33-2(E) of the MZO, 50% of all required open space shall contain live plant material.

The applicant is proposing to improve the overall open space plant material with the addition of trees and shrubs to provide a much higher amount of plant material than what currently exists on the Project Site. The applicant is requesting that 30.4% of all required open space contain live plant material.

#### Perimeter Landscape:

Section 11-33-3 of the MZO outlines the requirements for the number of required trees and shrubs in the landscape yards adjacent to the public right-of-way. Adjacent to Main Street, one tree and six shrubs per 25 linear feet of frontage are required for a total of eight trees and 43 shrubs based on 180 linear feet of street frontage.

The applicant is proposing three trees and 37 shrubs within the landscape yard adjacent to Main Street.

Adjacent to Sunaire and Alder Avenue, one tree and four shrubs per 25 linear feet of frontage are required. A total of 13 trees and 51 shrubs are required along Sunaire based on 320 linear feet of street frontage. The applicant is proposing to remove existing palms along Sunaire, except for three Pineapple palms, which are adjacent to the proposed playground area and plant 14 trees and 32 shrubs within the required landscape yard. A total of seven trees and 29 shrubs are required along Alder Avenue based on 180 linear feet of street frontage.

The applicant is proposing to remove the existing palms along Alder Avenue and plant seven trees and 24 shrubs within the required landscape yard.

Per Section 11-33-3(B)(2)(c) of the MZO, three non-deciduous trees and 20 shrubs per 100 linear feet are required adjacent to the west property line.

Because of the existing four-foot setback from the existing building to the west property line, the applicant is not proposing new trees or shrubs within the landscape yard along the west property line to allow maintenance access to the building. However, the applicant is maintaining the existing cacti and adding two new canopy trees to the landscape area north of Building 1 and adding trees and shrubs in the outdoor common space to the south of Building 1.

#### Parking Lot Landscape Islands:

Per Section 11-33-4(B) of the MZO, parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum eight contiguous parking spaces. In addition, one tree and three shrubs per are required per parking lot landscape island. The existing parking field does not contain any parking lot landscape islands.

The applicant is requesting not to install new parking lot landscape islands due to the limited number of on-site parking spaces. However, the applicant is proposing to install new trees and shrubs to the west of Building 2 and south of the future playground area.

Foundation Base along Exterior Walls:

Per Section 11-33-5(A) of the MZO, a 15-foot-wide foundation base is required adjacent to exterior walls with public entrances. In addition, building greater the 10,000 square feet in area with parking spaces that abut the foundation base, an additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum width and depth of 20 feet, and a minimum area of 900 square feet.

The applicant is proposing to maintain the existing foundation base adjacent to the adjacent to the east elevation of Building 1, which is only 8.78 feet and the existing plaza area, which is only 14.4 feet in width, 29 feet in depth totaling 417.6 square feet.

**Council Use Permit (CUP) – MZO Article 4, Chapter 31, Section 26 and Article 7, Chapter 70, Section 6(D):**

Section 11-70-6(D) of the MZO, contains the following review criteria for a CUP:

- A. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable City plan and/or policies;

**The Proposed Project is consistent with both the Neighborhood-Suburban Character Type and the Transit Districts-Station Area Character Type overlay. The final site plan and final landscape plan submitted (attached as exhibits to this Report) offer improved pedestrian connectivity and streetscape, further contributing to the goals of the 2040 General Plan. The Proposed Project contributes to the housing goals of the 2040 General Plan by providing needed transitional and supportive housing for people experiencing homelessness who are striving to get off the streets and back to self-sufficiency.**

***The Proposed Project meets this criterion.***

- B. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the district where it is located and conform with the General Plan and with any other applicable City plan or policies;

**Per Section 11-6-1(B)(2) of the MZO, the purpose of the LC district is to provide areas for indoor retail, entertainment and service-oriented businesses that serve the surrounding residential trade area within a one (1) to ten-mile radius, including**

public/semi-public uses. Repurposing the existing hotel for OTS is consistent with the intent of the LC district which states that public/semi-public uses (which includes a social service facility) are compatible in the LC and are permitted with approval of a CUP. The Proposed Project provides transitional and supportive housing for homeless identified as a goal in the 2040 General Plan.

*The Proposed Project meets this criterion.*

- C. The proposed project will not be injurious or detrimental to the adjacent or surrounding properties in the area of the proposed project or improvements in the neighborhood or to the general welfare of the City; and

Per the OTS Operations and Maintenance Plan and Good Neighbor Policy, OTS is a closed campus with no walk-in or drop-in services available or allowed. Participants in the OTS program will be limited to seniors, families, and domestic violence victims experiencing homelessness. No visitors are allowed on campus without permission and monitoring. To ensure safety and program compliance, the OTS staff will conduct daily room checks and enforce a 10 p.m. curfew for all program participants.

To support a secure campus environment, an eight-foot-tall, masonry wall with gates will be constructed along the south and east sides of the parking area and upgraded exterior lighting and security cameras installed internal to the site. The security cameras will be monitored through the real time crime center. In addition, dedicated, on-site, non-profit and police presence (day and night) will ensure the campus is a secure and safe environment. The presence of CBI staff and the Mesa Police Department may benefit the surrounding neighborhood. Staff does not anticipate the Proposed Project will be injurious or detrimental to the surrounding neighborhood which contains a mix of commercial and residential uses.

*The Proposed Project meets this criterion.*

- D. Adequate public services, public facilities and public infrastructure are available to serve the proposed project.

Adequate public facilities, such as public schools, police, and fire protection, are already provided to the project site.

*The Proposed Project meets this criterion.*

Section 11-31-26 of the MZO, contains development standards for Social Service Facilities and the following additional CUP criteria:

- A. The use is found to be in compliance with the General Plan, Sub Area Plans and other recognized development plans or policies, including the Social Service Facility Guidelines and will be compatible with surrounding uses; and

Staff finds the Proposed Project complies with the 2040 Mesa General Plan. The 1995 Social Service Guidelines (Guidelines) were written to assist Planning staff, the Redevelopment Advisory Board, the Planning and Zoning Board and City Council in evaluating a Social Service CUP request to ensure the proposed facility will operate efficiently without detriment to adjacent land uses. In compliance with the Guidelines, the proposed social service facility:

- Is located in a manner consistent with existing zoning and land use.
- Provides participants with basic amenities such as restrooms, drinking water, and seating areas.
- The project site is not located in downtown Mesa or within the designated Town Center Redevelopment Area.

***The Proposed Project meets this criterion.***

- B. A finding that a plan of operation has been submitted, which includes, but is not limited to, acceptable evidence of compliance with all zoning, building, and fire safety regulations; and

A plan of operation has been submitted (the OTS Operations and Maintenance Plan attached as an exhibit to this Report), and compliance with the Operations and Maintenance Plan is a condition of approval for the Proposed Project. The Operations and Maintenance Plan contains a description of the services and security measures provided at the proposed OTS facility.

The project was reviewed by City of Mesa Development Services and Planning staff for compliance with all zoning, building and fire safety regulations and a condition of approval stipulates compliance with all City development codes and regulations, except the modifications to the development standards as approved with this BIZ.

***The Proposed Project meets this criterion.***

- C. A finding that a "good neighbor policy" in narrative form has been submitted, which includes, but is not limited to, descriptions of acceptable measures to ensure ongoing compatibility with adjacent uses. Such policies shall include, but are not limited to, the name and telephone number of the manager or person responsible for the operation of the facility; complaint response procedures, including investigation, remedial action, and follow-up; and litter control measures; and

A Good Neighbor Policy has been submitted (the OTS Operations and Maintenance Plan and Good Neighbor Policy attached as an exhibit to this Report). The Good Neighbor Policy indicates: 1) CBI staff and Mesa Police Department officers will be on-site at all times; the OTS campus is secured; 2) there are clear communication channels for citizens to communicate with the City regarding OTS; 3) curfew is enforced; no

walk-up or drop-in services; 4) daily check ins on participants by CBI; and 5) more measures to ensure compatibility with adjacent uses.

***The Proposed Project meets this criterion.***

- D. Evidence that acceptable documentation is present demonstrating that the building or site proposed for the use is in, or will be brought into, substantial conformance with all current City Development Standards, including, but not limited to, landscaping, parking, screen walls, signage, and design guidelines.

**Approval of the requested BIZ overlay will result in the project site being brought into substantial conformance with City development standards. The applicant is proposing improvements to the Project Site. Interior to the project site, these improvements include adding trees and shrubs to the existing landscape areas and installing a new covered play area, dog run, and single dumpster enclosure. Around the perimeter of the site, a new eight foot in height masonry wall with gates will be constructed along Sunaire and Alder Avenue to help control access and egress into the site and new trees and shrubs will be planted in the required landscape yards adjacent to the street frontages. Overall, the proposed improvements bring the Project Site into substantial compliance with MZO developments standards.**

***The Proposed Project meets this criterion.***

**Design Review:**

No changes are proposed to the exterior of the existing building as a part of this request. Design Review is not required for the Proposed Project.

**Neighborhood Participation Plan and Public Comments:**

The applicant completed a Citizen Participation Process by holding two neighborhood meetings with invitations being sent to surrounding property owners within 1,000 feet of the project site, as well as HOAs within ½ mile, and registered neighborhood within one mile.

Prior to the Planning and Zoning Board meeting, staff received one phone call and one email in opposition to the Proposed Project and 15 emails in support of the request.

At the September 13, 2023 P&Z hearing, 14 comment cards in opposition to the project and one in support were provided prior to the public hearing. At the public hearing an additional 12 comment cards were submitted at the meeting with a request to speak in opposition of the project.

A more comprehensive description of community feedback is provided in the Citizen Participation Report.

**Staff Recommendation:**

Staff finds that the requested rezone, Council Use Permit, and Initial Site Plan are consistent with the Mesa 2040 General Plan, the development standards for a social service facility in

Section 11-31-26 of the MZO, the review criteria for a CUP in Section 11-7-6 and Section 11-31-26 of the MZO, the purpose for a Bonus Intensity Zone overlay outlined in Section 11-21 of the MZO, and the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

Staff recommends approval with the following **Conditions of Approval:**

1. Compliance with final site plan and final landscape plan submitted.
2. Compliance with the Off the Streets Operations and Maintenance Plan and the Good Neighbor Policy submitted.
3. At such time the subject site ceases to be used for the Off the Streets program as described in the Staff Report and in the Off the Streets Operations and Maintenance Plan, the City Council may consider whether to remove the Council Use Permit, pursuant to Section 11-70-6 of the Mesa Zoning Ordinance, as may be amended.
4. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this BIZ and shown in the following table:

Development Standards	Approved
<u>Minimum Setback to Building and Parking Areas –</u> <i>MZO Table 11-6-3.A</i> -Front and Street Facing Side: Main Street (arterial road) Sunaire (local street) Alder Avenue (local street) -Interior Side: Adjacent to Non-residential District	8.21 feet (existing) 5.46 feet (existing) 7.89 feet (existing) 4.06 feet (existing, two-stories)
<u>Fences and Freestanding Wall Height –</u> <i>MZO Section 11-30-4(B)(1)</i> -Walls with the required front and side street yards	8 feet in height along Sunaire and Alder Avenue
<u>Fences and Freestanding Wall Articulation –</u> <i>MZO Section 11-30-4(E)</i> -Maximum length of continuous, unbroken, and uninterrupted fence or wall plan adjacent to right-of-way	120 feet
<u>Off-street Parking and Loading –</u> <i>MZO Table 11-32-2.H.1</i> -Minimum width of two-way drive aisle adjacent to 90° parking spaces	23.19 feet (existing)
<u>Required Parking Spaces by Use –</u> <i>MZO Table 11-32-3.A</i> -Hotel and Motel uses	47 spaces
<u>Setback of Cross Drive Aisles –</u> <i>MZO Section 11-32-4.A</i>	Parking spaces along main drive



	aisles connecting directly to a street shall be set back at least 7.89 ft. from the property line abutting the street
<u>Open Space Landscape –</u> <i>MZO Section 11-33-2(E)</i>	30.4% of all required open space contains live plant material
<u>Perimeter Landscape –</u> <i>MZO Section 11-33-3</i> -Main Street (arterial road) – 1 tree and 6 shrubs per 25 linear feet of frontage  -Sunaire (local street) – 1 tree and 4 shrubs per 25 linear feet of frontage  -Alder Avenue (local street) – 1 tree and 4 shrubs per 25 linear feet of frontage  <i>MZO Section 11-33-2(B)(2)(c)</i> -West property line – 3 non-deciduous trees and 20 shrubs per 100 linear feet of adjacent property line	3 trees and 37 shrubs   14 trees and 32 shrubs   7 trees and 13 shrubs   0 trees and 0 shrubs
<u>Parking Lot Landscape Islands –</u> <i>MZO Section 11-33-4(B)</i>	0 parking lot landscape islands
<u>Parking Lot Landscape Island Plant Material –</u> <i>MZO Section 11-33-4(D)</i>	0 trees and 0 shrubs per parking lot landscape island (existing)
<u>Foundation Base along Exterior Walls –</u> <i>MZO Section 11-33-(A)</i> -Exterior Wall with Public Entrances          - Exterior Wall with Public Entrances, buildings larger than 10,000 square feet with parking space that abut the foundation base	An 8.78-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall (existing)          An additional foundation base shall be provided at the entrance to create an entry plaza area. The plaza area shall have a minimum 14.4 feet width and 29 feet depth, and a minimum area of 417.6 square feet (existing)

**Exhibits:**

Exhibit 1 – Staff Report

Exhibit 2 – Vicinity Map

Exhibit 3 – Application Information

3.1 Project Narrative

3.2 Final Site Plan

3.3 Final Landscape Plan

3.4 Elevations

3.5 Preliminary Grading and Drainage Plan

3.6 Off the Streets Operations and Maintenance Plan

3.7 Good Neighbor Policy

3.8 Citizen Participation Plan

Exhibit 4 – Citizen Participation Report

Exhibit 5 – Citizen Emails

Exhibit 6 – Off the Streets Program Brochure