



**PLANNING DIVISION  
STAFF REPORT**

**Planning and Zoning Board**

**November 13, 2024**

CASE No.: <b>ZON24-00015</b>	PROJECT NAME: <b>5308 East Main Modern</b>
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Owner's Name:	John Saliba, Saliba Hogan Investments LLC
Applicant's Name:	John Fox
Location of Request:	Approximately 600 feet east of the northeast corner of North Higley Road and East Main Street.
Parcel No(s):	141-76-014
Request;	Rezone from Limited Commercial (LC) to Multiple Residence-4 with a Bonus Intensity Zone Overly (RM-4-BIZ) and Site Plan Review to allow for a multiple residence development.
Existing Zoning District:	Limited Commercial (LC)
Council District:	2
Site Size:	2.3± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Vacant
Hearing Date(s):	November 13, 2024 / 4:00 p.m.
Staff Planner:	Chloe Durfee Daniel, Planner II
Staff Recommendation:	APPROVAL with Conditions

**HISTORY**

On **December 16, 1974**, Mesa City Council annexed 3,956.75± acres of land, including the project site, into the City of Mesa (Annexation 104, Ordinance No. 907).

On **May 19, 1975**, Mesa City Council established R-4 (equivalent to current Multiple Residence-4 [RM-4]) and C-2 (equivalent to current Limited Commercial [LC]) on recently annexed property (Case No. Z75-026, Ord. No. 936).

On **December 19, 1983**, Mesa City Council approved a rezone of the project site, from R-4 to C-2 (equivalent to current Limited Commercial [LC]) to allow for the development of a self-storage complex (Case No. Z83-158, Ordinance No. 1774).

## **PROJECT DESCRIPTION**

### **Background:**

The applicant is requesting a rezone of the 2.3± acre property from Limited Commercial (LC) to Multiple Residence-4 (RM-4) with a Bonus Intensity Zone Overlay (RM-4-BIZ) and approval of an Initial Site Plan to allow for a multiple residence project (Proposed Project).

The project site is located on the north side of Main Street and east of Higley Road. The Proposed Project consists of four three-story buildings which provide a total of 45 units with a net density of approximately 19.4 dwelling units per acre. The requested BIZ overlay is to allow modifications to certain development standards set forth in the Mesa Zoning Ordinance (MZO).

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

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood with a Suburban Sub-type and Transit District with a Corridor and a Station Area Sub-type.

Per Chapter 7 of the General Plan, the primary focus of the Neighborhood Character Area is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. In the Suburban Sub-type, most lots are primarily single residence in nature ranging between 6,000 square feet to 18,000 square feet. Additionally, these areas may contain a variety of housing types including multiple residence and commercial properties. The Transit Corridor and the Station Area Sub-types are used as an overlay to the other character types and are used to transition the area into a more transit and pedestrian oriented development form.

The proposed RM-4 zoning is a secondary zoning district in the Neighborhood-Suburban Character Area and a primary zoning District in both the Transit Corridor and Station Area Character Types. A majority of the Neighborhood-Suburban Character Area has been developed with primary zoning districts therefore the use of a secondary zoning district is permitted.

In summary, staff finds that the Proposed Project conforms to the goals of the Mesa 2040 General Plan and meets the development review criteria outlined in Chapter 15 (pg. 15-1).

### **Zoning District Designations:**

The request is to rezone the subject property from Limited Commercial (LC) to Multiple Residence-4 with a Bonus Intensity Zone Overlay (RM-4-BIZ). The intent of the RM district is to provide a variety of housing types at densities of up to 43 dwelling units per acre, with the RM-4 district having a maximum density of up to 30 dwelling units per acre. The Proposed Project provides 45 units at a density of 19.4 dwelling units per acre.

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

<b>Northwest</b> RM-2-PAD Multiple Residence	<b>North</b> RM-2-PAD Multiple Residence	<b>Northeast</b> RM-2-PAD Multiple Residence
<b>West</b> LC and RM-4 Medical Office and Single Residence	<b>Project Site</b> LC Vacant	<b>East</b> GC and LC Restaurant and Auto related use
<b>Southwest</b> (Across Main Street) GC Mini-Storage and RV & Boat Storage	<b>Southwest</b> (Across Main Street) GC Office/Auto Related Use	<b>Southwest</b> (Across Main Street) GC Office/Auto Related Use

**Compatibility with Surrounding Land Uses:**

The project site is currently vacant. To the north is a multiple residence development. To the west is a Recreational Vehicle Park and a medical office. To the east is a restaurant and auto related uses while to the south of the site across Main Street are additional auto related uses, offices, and a mini-storage and Boat & RV storage facility. The proposed multiple residence development is compatible with the surrounding development and land uses.

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

The subject request includes a Bonus Intensity Zone overlay (BIZ) to allow for modifications to certain required development standards of the MZO on the property. Per Section 11-21 of the MZO, the purpose of the BIZ overlay is to allow greater intensity of development and encourage unique, innovative developments of superior quality for the site.

Table 1 below shows the MZO required standards and the applicant’s proposed BIZ standards.

Table 1: Development Standards

<b>Development Standards</b>	<b>MZO Required</b>	<b>BIZ Proposed</b>	<b>Staff Recommendation</b>
<u>Minimum Yards</u> – <i>MZO Table 11-5-5</i> -Interior Side and Rear: 3 or more units on lot			
(East)	15 feet per story (45 feet total)	<b>30 feet</b>	As Proposed
(North)	15 feet per story (45 feet total)	<b>18 feet</b>	
(West)	15 feet per story	<b>15 feet</b>	

	(45 feet total)		
<u>Required Landscape Yards</u> – MZO Section 11-33-3(B)(2)(a)(ii) – Non-Single Residence Adjacent to Non-Single Residence, non-group C-O-I Development (East)	15 feet	<b>5 feet</b>	As Proposed
<u>Foundation Base</u> – MZO Section 11-33-5(A)(1) – Exterior wall with a Public Entrance	15 feet	<b>12 feet</b>	As Proposed

Minimum Building Setbacks:

Per Table 11-5-5 of the MZO, the minimum yard along interior and rear yards for three units or more is 15 feet per story. The setbacks along the side and rear yards for the Proposed Project would be 45 feet since the proposed buildings are three stories in height. The applicant is requesting a 30-foot setback on the east side, a 18-foot setback on the north side, and a 15-foot setback on the west side due to the overall orientation of the existing lot and based on the overall proposed layout of the development.

Landscape Yards:

Per Section 11-33-3(B)(2)(a)(ii) of the MZO, the required landscape yard width for non-single residence uses next to non-single residence uses is 15 feet. The applicant is requesting 5 feet to make room for a required secondary fire access route that will allow for both fire and solid waste to access and service the site.

Foundation Base:

Per Section 11-33-5(A)(1) of the MZO, exterior walls with public entrances must provide a minimum 15-foot-wide foundation base along the entire length of the exterior wall. The applicant is requesting to reduce the minimum width of the foundation base to 12 feet to meet fire code requirements.

BIZ Justification:

Section 11-21-1 of the MZO specifies that the intent of the BIZ overlay is to provide for variation from the application of residential densities and other development standards to allow greater intensity of development and encourage unique, innovative developments of superior quality.

The Proposed Project includes both public and private open space with public amenities that include BBQs, picnic tables, a walking path, and a pool. The elevations for the four buildings include multiple different colors and materials while taking advantage of the horizontal movement to provide interest from the street and within the site. Additionally, the applicant is also providing energy star rated appliances, energy star rated HVAC, low flow faucets, low flow

showerheads, and low flow toilets on the site to provide a more sustainable and energy efficient design. The proposed project provides a high-quality design that is consistent with the General Plan designation of Neighborhood within the Transit Corridor and Station Area.

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

The Proposed Project consists of four three-story multiple residence buildings with a total of 45 dwelling units. One-bedroom units are in the first building closest to Main Street while the other three buildings contain two-bed/two-bath units.

Common open space amenities are located between each of the buildings with the pool towards the rear of the site.

Primary access to the Proposed Project is from Main Street. Secondary access is provided via an emergency access “grasscrete” paved lane along the east side of the site.

Per Section 11-32-3 of the MZO, 2.1 parking spaces per unit are required, 95 total spaces. The applicant is providing 98 spaces, 45 of which are covered parking spaces.

Overall the site plan meets the criteria of Section 11-69-5.

**Design Review:**

The Design Review Board will review the subject request at their November 12, 2024, Work Session. Staff will work with the applicant to incorporate any recommendations from the Board.

**School Impact Analysis:**

The Mesa Public School District reviewed the request for its potential impact on the district and indicated that the existing schools in the area have capacity to serve the anticipated students.

*Table 2: School Impact Analysis*

Proposed Development (45 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
O'Connor	Elementary	4 Students	Yes
Shepherd	Middle School	3 Students	Yes
Red Mountain	High School	5 Students	Yes

**Neighborhood Participation Plan and Public Comments:**

The applicant completed a Citizen Participation Process which included mailing letters to property owners within 1,000 feet of the site as well as HOAs within ½ mile or registered neighborhoods within one mile of the site.

Staff has not received any comment from the surrounding neighbors about this project. Staff will provide the Board with any new information during the scheduled Study Session on November 13, 2024.

**Staff Recommendations:**

Staff finds the Proposed Project complies with the Mesa 2040 General Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, and meets the review criteria for a Bonus Intensity Zone outlined in Section 11-21 of the MZO.

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

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB24-00029.
3. 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.
4. Compliance with all City development codes and regulations, except the modifications to the development standards approved with this BIZ as shown in the following table:

<b>Development Standard</b>	<b>Approved</b>
<u>Minimum Building Setbacks for Side and Rear</u> – <i>MZO Table 11-5-5.A</i> -East	30 feet
-North	18 feet
-West	15 feet
<u>Required Landscape Yards</u> – <i>MZO Section 11-33-3.B</i> -Non-Single Residence Adjacent to Non-Single Residence, non-group C-O-I Development: East side	5 feet
<u>Foundation Base</u> – <i>MZO Section 11-33-5.A.1</i> -Exterior wall with a Public Entrance	12 feet

**Exhibits:**

- Exhibit 1-Staff Report
- Exhibit 2-Vicinity Map
- Exhibit 3-Project Narrative
- Exhibit 4-Site Plan
- Exhibit 5-Landscape Plan
- Exhibit 6-Grading and Drainage Plan
- Exhibit 7-Elevations
- Exhibit 8-Citizen Participation Plan

Exhibit 9-Citizen Participation Report