



PLANNING DIVISION
STAFF REPORT

City Council Meeting

November 20, 2023

CASE No.: ZON23-00160	PROJECT NAME: Meridian Gardens
Owner's Name:	DWIGHT O LEAR ROTH IRA
Applicant's Name:	David Bohn, BFH Group
Location of Request:	Within the 1100 block of South Meridian Road (west side) and the 11500 block of East Southern Avenue (north side). Located north of Southern Avenue and west of Meridian Road
Parcel No(s):	220-79-425
Request:	Rezone from Single Residence-43 (RS-43) to Multiple Residence-3 with a Planned Area Development overlay (RM-3-PAD) and Site Plan Review. This request will allow for a multiple residence development.
Existing Zoning District:	RS-43
Council District:	5
Site Size:	5.6± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Vacant
Hearing Date(s):	October 25, 2023 / 4:00 p.m.
Staff Planner:	Sean Pesek, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (5-1)
Proposition 207 Wavier Signed:	Yes

HISTORY

On **July 20, 1998**, Mesa City Council approved the annexation of 345± acres of land, including the project site, into the City of Mesa and established Single Residence-43 (R1-43) zoning (Case No. Z98-104, Ordinance No. 3586).

On **October 25, 2023**, the Planning and Zoning Board recommended approval of the project with conditions (Vote 5-1).

On **November 14, 2023**, the Design Review Board reviewed the submitted elevations and landscape plan. Staff will work with the applicant to address minor aesthetic comments and recommendations from the Design Review Board that do not impact the site plan.

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the 5.6± acre project site from Single Residence-43 (RS-43) to Multiple Residence-3 with a Planned Area Development Overlay (RM-3-PAD) and review of an Initial Site Plan to allow for a multiple residence project (Proposed Project). The proposed project site is currently vacant and located at the northwest corner of Meridian Road and Southern Avenue.

The applicant is proposing 72 units with a gross density of approximately 17 dwelling units per acre. The request for a Planned Area Development (PAD) overlay is to allow modifications to certain development standards set forth in the Mesa Zoning Ordinance (MZO) to promote innovative design that creates a high-quality project.

The Proposed Project will be high quality by incorporating several amenity spaces including a pool, playground, dog park, and covered seating areas, along with an enhanced, gated entrance with accent paving at the Meridian Road driveway.

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. 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.

These Areas will contain a variety of housing types including multiple residence. RM-3 is listed as a secondary zoning district within the Suburban sub-type and multiple residence is listed as a primary land use. Secondary zoning districts are supported after a majority (55% or more) of the Character Area is established with primary zoning districts. The overall Character Area is established with 55% or more primary zoning districts and primary land uses; therefore, RM-3 is supported at this location.

Per the adopted form and guidelines for the Suburban sub-type (Pg. 7-14), the predominant building height should be one and two stories, with three and four-story buildings located at the edge of a neighborhood next to arterial streets. Regarding density, 12 units per acre is the established baseline, with higher densities supported along arterial streets and major intersections.

The Proposed Project includes a maximum building height is three stories with a gross density of 17 units/acre. The Proposed Project will be located at the edge of the neighborhood at the intersection of two arterial streets where additional building height and density is supported.

Per Chapter 4 of the General Plan (page 4-6), a key element for a strong neighborhood is the presence of diversified housing. Diverse neighborhoods can be achieved by encouraging a variety of dwelling types within each area of the community consistent with the character area standards.

The Proposed Project is consistent with the goals and standards of the Character Area and offers a product type that contributes to the predominantly single residential housing form in the immediate vicinity. 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 Proposed Project includes a request to rezone the proposed project site from RS-43 to RM-3-PAD. Per Section 11-5-1 of the MZO, the purpose of the multiple residence zoning district is to provide areas for small-lot single residences, townhouses, cluster housing, and multiple residence housing, with densities of up to 20 units per gross acre. Multiple residence is allowed by-right in the RM-3 district, provided the site is developed in accordance with applicable MZO development standards.

Surrounding Zoning Designations and Existing Use Activity:

Northwest RS-6-PAD Single Residence	North RS-6-PAD Single Residence	Northeast (Across Meridian Drive) City of Apache Junction
West RS-6-PAD Single Residence	Subject Property RS-43 Vacant	East (Across Meridian Drive) City of Apache Junction
Southwest (Across Southern Avenue) Maricopa County	South (Across Southern Avenue) Maricopa County	Southeast (Across Southern Avenue) City of Apache Junction

Compatibility with Surrounding Land Uses:

The proposed project site is currently vacant and zoned RS-43. Parcels to the west and north are zoned RS-6 and developed as a single residence subdivision. Property to the east, across Meridian Road, is developed as a rental community and within Apache Junction jurisdiction. Property to the south is within Maricopa County and used for regional drainage by the State of Arizona (no zoning designation with Maricopa County).

The Proposed Project is compatible with the surrounding development and land uses.

PAD Overlay Modification – MZO Article 3, Chapter 22:

The Proposed Project includes a Planned Area Development overlay (PAD) to allow for modifications to certain required development standards of the MZO on the property. Table 1 shows the MZO required standards and the applicant’s proposed PAD standards.

Table 1: Development Standards

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Minimum Building Setbacks - MZO Section 11-5-5(A)</u> -Front and Street Facing Side (4-lane Arterial Street – N. Meridian Road) -Front and Street Facing Side (4-lane Arterial Street – E. Southern Avenue)	20 feet 20 feet	8 feet 0 feet	As Proposed
<u>Required Landscape Yards – MZO Table 11-5-5 and MZO Section 11-5-5(A)(1)</u> -Street Side (Arterial Street – N. Meridian Road) -Street Side (Arterial Street – E. Southern Avenue)	20 feet 20 feet	0 feet 0 feet	As Proposed
<u>Minimum Building Separation Between Buildings on the Same Lot – MZO Section 11-5-5(A)</u> -Three-story building	35 feet	15 feet	As Proposed
<u>Minimum Setback of Cross Drive Aisles – MZO Section 11-32-4</u>	Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 50 ft from the property line abutting the street	Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 0 feet from the property line abutting the street	As Proposed
<u>Minimum Foundation Base Width – MZO Section 11-33-5(A)</u> -Exterior wall adjacent to parking stalls	10 feet	5 feet	As Proposed

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Required Landscape Yard Plant Material –</u> <i>MZO Section 11-33-3(A)(4)</i> -Adjacent to arterial streets (east and south property lines) <i>MZO Section 11-33-3(B)(1)(c)</i> -Non-single residence uses adjacent to single residence (west and north property lines)	1 tree and 6 shrubs per 25 linear feet of street frontage 5 non-deciduous trees per 100 linear feet	0 trees and 0 shrubs per 25 feet of street frontage 0 non-deciduous trees per 100 linear feet	As Proposed

Minimum Building Setbacks:

Per Section 11-5-5(A) of the MZO, the required building setback from the south and east property lines is 20 feet.

The applicant is requesting a minimum building setback of eight feet measured from the east property line and a minimum 0-foot setback from the south property line. The 0-foot setback occurs for the westernmost 146 feet of property line, where the parking canopies are proposed. The remaining south property line segment will maintain a minimum eight-foot building setback, consistent with the east property line.

Required Landscape Yard:

Per Section 11-5-5(A) of the MZO, front and street facing building setbacks must be landscaped according to the standards of Chapter 33: Landscaping. The required landscape yard shall be the same width as the required building setback and remain free from any encroachment including parking.

The applicant is requesting a minimum yard width of 0 feet for the south and yards. However, this occurs for a small percentage of property line to accommodate parking.

Minimum Building Separation:

Per Section 11-5-5(A) of the MZO, three-story buildings located on the same lot shall maintain a minimum 35-foot separation.

The applicant is requesting a minimum 15-foot building separation between all structures within the development.

Setback of Cross Drive Aisles:

Per Section 11-32-4 of the MZO, parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 50 feet from the property line abutting the street.

The applicant is proposing a 0-foot setback from the south property line, where the notch occurs in the parcel. Despite the 0-foot setback, the applicant will provide a driveway with a depth of 50 feet to ensure adequate vehicle stacking and maneuverability.

Minimum Foundation Base:

Per Section 11-33-5(A) of the MZO, for exterior walls without a public entrance but adjacent to parking stalls, a 10-foot-wide foundation base shall be provided for the length of the building wall.

The applicant is proposing a minimum foundation base width of five feet.

Required Landscape Yard Plant Material:

Per Section 11-33-3(B)(1)(c) of the MZO, 4 trees and 20 shrubs shall be planted per 100 linear feet of west and north property line. 21 trees and 104 shrubs are required in the west yard and 21 trees and 125 shrubs are required in the north yard.

The applicant is proposing 0 trees and 0 shrubs in both yards due to an existing drainage channel and drainage easement, which prevents new landscaping.

Per Table 11-33-3(A)(4) in the MZO, 4 trees and 24 shrubs are required in the south and east landscaped yards. This equates to 21 trees and 125 shrubs in the southern yard and 17 trees and 98 shrubs in the eastern yard.

The applicant is proposing 23 trees and 130 shrubs within Southern Avenue right-of-way and 17 trees 100 shrubs within Meridian Road right-of-way.

PAD Justification:

The Proposed Project conforms to the criteria for a PAD. Per Section 11-22-1 of the MZO, the purpose of a PAD overlay is to allow modifications to certain development standards to promote innovative design and flexibility that creates a high-quality development for the site.

The Proposed Project will be high quality by incorporating open space areas that exceed the City's minimum requirements while also providing a variety of community amenities. Per the site plan, approximately 46,143 square feet of landscaping is proposed, which amounts to 25% of the total developable area of the site.

The applicant is also proposing a community pool, tot lot, dog park, and covered picnic areas to serve the tenants and guests.

The proposed code deviations are commensurate with the proposed building and landscape design features.

Site Plan and General Site Development Standards:

The Proposed Project includes three, three-story buildings for 72 dwelling units and a net density of 17 units per acre. Buildings are placed close to the intersection to maximize separation from the existing single residential homes to the north and west. Each unit contains private open space (i.e., balcony and ground-floor patio) that exceeds the minimum size requirements set forth in the MZO.

Pedestrian connections are provided from all buildings to future sidewalks along Southern Avenue and Meridian Drive.

Primary access to the site is from Meridian Road with a gated entrance. An exit-only gate is also proposed along Southern Avenue but does not provide ingress for tenants and guests. Per Section 11-32-3 of the MZO, 152 spaces are required for the proposed development, of which 72 shall be covered. The applicant is proposing 153 total spaces, of which 76 will be covered.

The Proposed Project, with the accompanying PAD deviations described below, conforms to the requirements of the MZO including the review criteria for Site Plan Review in Section 11-69-5 of the MZO.

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, and registered neighborhoods within one mile. The applicant held a virtual neighborhood meeting on April 20, 2023. Topics raised by neighbors were: (1) proposed density; (2) roadway improvements to Meridian and Southern; (3) headlight spillage from proposed parking; and (4) potential noise impacts from amenity areas.

To address these concerns, the applicant made several changes to the site plan including:

- (1) Requesting a building setback reduction from the south and east property lines to maximize separation from the adjacent single residential homes;
- (2) Locating the amenity areas closer to the southeast corner of the subject site while also ensuring safety for tenants and guests; and
- (3) Including a partial block wall between the surface parking stalls and the existing drainage channel to block headlights from spilling into neighboring single residential properties.

At the October 25, 2023 Planning and Zoning meeting, staff received one online blue card from a resident requesting to speak in opposition of the project.

Staff Recommendations:

Staff finds the Proposed Project is consistent 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 Planned Area Development outlined in Section 11-22-5 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. DRB23-00735.
3. Prior to issuance of any building permit, the applicant must receive written approval from Maricopa County Department of Transportation for the applicable roadway improvements that are within Maricopa County jurisdiction.
4. Compliance with all City development codes and regulations, except the modifications to the development standards as approved with this PAD and shown in the following table:

Development Standard	Approved
<u>Minimum Building Setbacks -</u> <i>MZO Section 11-5-5(A)</i> -Front and Street Facing Side (4-lane Arterial Street – N. Meridian Road -Front and Street Facing Side (4-lane Arterial Street – E. Southern Avenue)	<p style="text-align: center;">8 feet</p> <p style="text-align: center;">0 feet</p>
<u>Required Landscape Yards – MZO Table 11-5-5 and MZO Section 11-5-5(A)(1)</u> -Street Side (Arterial Street – N. Meridian Road) -Street Side (Arterial Street – E. Southern Avenue)	<p style="text-align: center;">0 feet</p> <p style="text-align: center;">0 feet</p>
<u>Minimum Building Separation Between Buildings on the Same Lot – MZO Section 11-5-5(A)</u> -Three-story building	<p style="text-align: center;">15 feet</p>
<u>Minimum Setback of Cross Drive Aisles – MZO Section 11-32-4</u>	<p style="text-align: center;">Parking spaces along main drive aisles connecting directly to a street and drive aisles that cross such main drive aisles shall be set back at least 0 feet from the property line abutting the street</p>
<u>Minimum Foundation Base Width – MZO Section 11-33-5(A)</u> -Exterior wall adjacent to parking stalls	<p style="text-align: center;">5 feet</p>
<u>Required Landscape Yard Plant Material – MZO Section 11-33-3(A)(4)</u> -Adjacent to arterial streets (east and south property lines) <i>MZO Section 11-33-3(B)(1)(c)</i> -Non-single residence uses adjacent to single residence (west and north property lines)	<p style="text-align: center;">0 trees and 0 shrubs per 25 feet of street frontage</p> <p style="text-align: center;">0 non-deciduous trees per 100 linear feet</p>

Exhibits:

- Exhibit 1 – Presentation
- Exhibit 2 – Ordinance
- Exhibit 3 – Ordinance Map
- Exhibit 4 – Vicinity Map
- Exhibit 5 – Site Plan
- Exhibit 6 – P&Z Minutes
- Exhibit 7 – Submittal Documents