



**PLANNING DIVISION
STAFF REPORT**

Planning and Zoning Board

May 24, 2023

CASE No.: ZON22-01340	PROJECT NAME: Residences at Dobson and Cub's Way
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Owner's Name:	LHM JVR MSA, LLC
Applicant's Name:	Sean Lake, Pew & Lake, PLC
Location of Request:	Within 900 block of North Dobson Road (west side) and within the 2000 block of West Riverview Auto Drive (east side). Located north of Rio Salado Parkway on the west side of Dobson Road.
Parcel No(s):	135-33-584
Request:	Rezone from General Commercial with a Planned Area Development overlay (GC-PAD) to Multiple Residence-4 with a Bonus Intensity Zone overlay (RM-4-BIZ) and Site Plan Review. This request will allow for a multiple residence development.
Existing Zoning District:	GC-PAD
Council District:	3
Site Size:	6.6± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Vacant
P&Z Hearing Date(s):	May 24, 2023 / 4:00 p.m.
Staff Planner:	Sean Pesek, Planner II
Staff Recommendation:	APPROVAL with conditions

HISTORY

On **December 21, 1958**, the City Council approved the annexation of 1,194± acres of land, including the project site, and subsequently zoned the property to Light Industrial (M-1) (equivalent to current Light Industrial [LI]) (Ord. No. 358).

On **November 1, 2004**, the City Council approved an amendment to the General Plan for 204± acres, including the project site, from Mixed Use/Employment to Regional Commercial (Case No. GPMINOR04-007; Ord. No. 8355).

On **November 1, 2004**, the City Council rezoned 33± acres, including the project site, from M-1 to General Commercial (C-3) (equivalent to current General Commercial [GC]) (Case No. Z04-086; Ord. No. 4310).

On **January 1, 2007**, the City Council rezoned 33± acres, including the project site, from C-3 to C-3-PAD and approved an Initial Site Plan to allow for an auto mall with three separate dealerships (Case No. Z06-098; Ord. No. 4666).

PROJECT DESCRIPTION

The Proposed Project is located north of Rio Salado Parkway, and has direct frontage on Dobson Road, Cubs Way, and Riverview Auto Drive. The project site is approximately 6.6± acres in size and undeveloped. Property to the immediate north and east of the subject site is zoned GC-PAD and developed with an auto dealership.

The applicant has requested to rezone the project site from General Commercial with a Planned Area Development overlay (GC-PAD) to Multiple Residence-4 with a Bonus Intensity Zone overlay (RM-4-BIZ). If approved, the requested rezone will replace the existing PAD overlay with a BIZ overlay to establish unique development standards for the Proposed Project.

The applicant is also requesting approval of an Initial Site Plan to allow the development of a multiple residence development. Per the submitted site plan, 416 units are proposed within two, four-story buildings and one, two-story building, with a net density of 62 dwelling units per acre.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan Character Area designation on the property is Mixed Use Activity District with a Regional-Scale District sub-type. Per Chapter 7 of the General Plan, Mixed Use Activity areas are large-scale community and regional activity areas that typically have a significant commercial component including shopping centers, power centers, or lifestyle centers that are designed and developed to attract customers from a large radius. Over time, these districts may take on a significant residential character but will still have a strong mix of uses. The goal is to help these districts be strong and viable centers of commercial activity that attract people to unique shopping and entertainment experiences.

Multiple residence is listed as secondary land use and RM-4 is listed as a secondary zoning district; both are supported within the Mixed Use Activity District character area provided that all secondary land uses and/or zoning districts do not exceed 30% of the total character area and a minimum of 70% of the character is already established with primary zoning districts and primary land uses. After review, the subject request complies with the requirements for the

Mixed Use Activity District and is consistent with the criteria for review of development outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

Zoning District Designations:

The applicant has requested to rezone the project site from GC-PAD to RM-4-BIZ. Per Section 11-5-2 of the MZO, the RM-4 zoning district allows for a wide range of housing types including multiple residence use with a maximum density of 30 dwelling units per net acre. The Proposed Project has a density of 62 dwelling units per acre, which exceeds the prescribed maximum per MZO.

Per Chapter 11-21-1 of the MZO, the purpose of the Bonus Intensity Zone (BIZ) Overlay District 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.

Bonus Intensity Zone (BIZ) Overlay – MZO Article 3, Chapter 21:

The Proposed Project includes a request for a Bonus Intensity Zone overlay (BIZ) to allow for modifications to certain required development standards of the MZO, including maximum residential density in the RM-4 zone. Table 1 below shows the MZO required standard and the applicant’s proposed BIZ standard.

Table 1: Development Standards

Development Standard	MZO Required	BIZ Proposed	Staff Recommendation
<u>Maximum Density</u> – <i>MZO Table 11-5-5</i>	30 dwelling units per acre	62 dwelling units per acre	As Proposed
<u>Maximum Height</u> – <i>MZO Table 11-5-5</i>	40 feet	61 feet	As Proposed
<u>Maximum Lot Coverage (% of lot)</u> – <i>MZO Table 11-5-5</i>	70%	71%	As Proposed
<u>Minimum Building Setback</u> – <i>MZO Table 11-5-5</i>			
-Front and Street-Facing Side (Dobson Road)	30 feet	15 feet	As Proposed
-Front and Street-Facing Side (Cubs Way)	25 feet	22 feet	As Proposed
-Front and Street-Facing	20 feet	15 feet	As Proposed

Side (Riverview Auto Drive)			
-Side and Rear (north property line)	15 feet per story (60 feet total)	15 feet total	As Proposed
-Side and Rear (east property line)	15 feet per story (60 feet total)	15 feet total	As Proposed
<u>Required Parking Spaces</u> – MZO Section 11-32-3 (multiple residence)	2.1 spaces per unit (874 spaces)	1.5 spaces per unit (624 spaces)	As Proposed
<u>Minimum Landscape Yards</u> – MZO Table 11-5-5			
- Front and Street-Facing side (Dobson Road)	30 feet	8 feet	As Proposed
-Front and Street-Facing side (Cubs Way)	25 feet	8 feet	As Proposed
-Front and Street-Facing Side (Auto Riverview Drive)	20 feet	8 feet	As Proposed
<u>Minimum Building Separation</u> – MZO Table 11-5-5	35 feet	19 feet for buildings three-stories and above	As Proposed
-Three-story buildings			
<u>Minimum Lot Area Per Dwelling Unit</u> – MZO Table 11-5-5	1,452 square feet per dwelling unit (604,032 square feet total)	869 square feet per dwelling unit (361,695 square feet total)	As Proposed
<u>Maximum Fence/Wall Height in Front Yard</u> – MZO Section 11-30-4(A)(b)	3.5 feet	6 feet	As Proposed

Maximum Density:

Per Table 11-5-5 in the MZO, the maximum allowable residential density in the RM-4 district is 30 dwelling units per acre. The applicant is requesting to increase the maximum allowable residential density to 62 dwelling units per acre to accommodate the Proposed Project.

Maximum Height:

Per Table 11-5-5 in the MZO, the maximum building height in the RM-4 district is 40 feet. The applicant is requesting a maximum height of 61 feet to accommodate the proposed parking structure.

Maximum Lot Coverage:

Per Table 11-5-5 in the MZO, the maximum lot coverage in the RM-4 district is 70%. The applicant is requesting a maximum lot coverage of 71% to accommodate the Proposed Project.

Maximum Building Setback:

Per Table 11-5-5 in the MZO, the minimum building setback for the RM-4 district is 30 feet from property lines abutting a 6-lane arterial (Dobson Road), 25 feet from property lines abutting a collector road (Cubs Way), and 20 feet from property lines abutting local streets (Riverview Auto Drive). The applicant is requesting to decrease the minimum building setback to 15 feet from the south property line (Dobson Road), 22 feet from the west property line (Cubs Way), and 15 feet from the west property line (Riverview Auto Drive) to accommodate the Proposed Project.

Additionally, per Table 11-5-5 in the MZO, the minimum interior side and/or rear setback is 15 feet per story. According to the submitted site plan, four-story buildings are proposed, equating to 60 feet of required building setback from the north and east property lines. The applicant is requesting a reduction from 60 feet to 15 feet along the north and east property lines to accommodate the Proposed Project.

Required Parking Spaces:

Per Section 11-32-3(A) of the MZO, 2.1 parking spaces are required per unit for multiple residence developments. Based on this standard, a minimum of 874 spaces are required for the project. The applicant is requesting to reduce the parking ratio from 2.1 space per unit to 1.5 spaces per unit, which equates to 624 parking spaces.

Minimum Landscape Yards:

Per Table 11-5-5 in the MZO, the minimum width of landscaping along front and street-facing property lines is 15 feet. The applicant is requesting an eight-foot-wide landscape yards along all street frontages (i.e., Dobson Road, Cubs Way, and Riverview Auto Drive), a reduction of seven feet to accommodate private ground-floor patio spaces for tenants.

Minimum Building Separation:

Table 11-5-5 in the MZO does not specify a minimum building separation requirement for anything above a three-story building. As such, the most stringent requirement is that associated with a three-story building, which is 35 feet. The applicant is requesting a reduction from 35 feet to 19 feet to accommodate the Proposed Project.

Minimum Lot Area:

Per Table 11-5-5 in the MZO, RM-4 lots shall provide a minimum of 1,452 square feet of total lot area per unit. According to the submitted site plan, 416 units are proposed, which equates to 604,032 square feet of total area. The applicant is requesting a reduction from 1,452 square feet per unit to 361,695 square feet per unit to accommodate the Proposed Project.

Maximum Fence/Wall Height:

Per Section 11-30-4(A)(b) of the MZO, maximum fence/wall height within the front yard of residentially zoned lots is 3.5 feet. The applicant is requesting to increase the maximum fence/wall height to six feet to allow for private patios along all street frontages.

BIZ Justification:

Per Section 11-21-3(B) of the MZO, the City Council may approve modifications to the underlying district standards so long as the project includes distinctive, superior quality designs and incorporates sustainable design elements as outlined in Section 11-21-3(B)(2).

Per Section 11-31-32 of the MZO, a superior design is one that incorporates the following five elements; (1) holistic site and project design; (2) responsive approach to the site; (3) sustainable design; (4) site and design standards that exceed the standard development requirements, and quality public spaces and; (5) great public spaces. The submitted documents show the Proposed Project will include superior design elements that reflect the southwest architectural character, promote sustainability through structured parking, shaded pedestrian walkways, and bicycle racks, and feature high-quality amenities and open space areas for recreation.

Site Plan and General Site Development Standards:

The proposed site plan shows three multiple residence buildings with unit types that range from studio to three-bedroom. Each unit is provided with private open space (i.e., balcony or ground floor patio) that complies with the minimum size and dimensional standards set forth in MZO. Two centralized common open space areas are proposed, complete with a Nordic spa, outdoor fitness area, in-ground pool, verandas, and group seating.

Access to the site is provided from Riverview Auto Drive along the west side, and a shared access drive on the east side of the site. An east-west private road (“Main Street”) connects the two driveways and includes surface parking for employees and visitors. A six-level parking structure wraps around the northern building and has direct access from Main Street and Riverview Auto Drive.

Overall, the proposed site plan complies with the review criteria for Site Plan Review in Section 11-69-5 of the MZO.

Design Review:

The Design Review Board reviewed the proposed building elevations and landscape plan on May 9, 2023. The applicant is working with staff to incorporate the suggested changes.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Riverview Auto Drive) GC-PAD Office	North (Across Riverview Auto Drive) GC-PAD Auto Dealership	Northeast GC-PAD Auto Dealership
West	Project Site	East

(Across Riverview Auto Drive) GC-PAD Undeveloped	GC-PAD Vacant	GC-PAD Auto Dealership
Southwest (Across Cubs Way) PS-PAD Park	South (Across Dobson Road) LC Commercial	Southeast (Across Dobson Road) LC Commercial

Compatibility with Surrounding Land Uses:

Property to the east and north is zoned GC-PAD and developed with an auto dealership. An existing office building and parking garage are located northwest of the subject property on parcels zoned GC-PAD. Property to the southwest, across Cubs Way, is zoned PS-PAD and developed with a public park. Lastly, parcels to the south, across Dobson Road, are zoned LC and developed as a large shopping center.

Overall, the proposed development is compatible with existing development in the surrounding area.

Neighborhood Participation Plan and Public Comments:

The applicant completed a Citizen Participation Process, which included inviting property owners within 1,000 feet of the site, as well as HOAs within ½ mile, and registered neighborhood within one mile. A virtual neighborhood meeting on February 15, 2023, to allow interested parties the opportunity to ask questions and provide opinions on the proposed project. Per the Citizen Participation Report, one citizen participated in the virtual meeting and had general questions about the project.

In addition, the applicant mailed letters of notification and posted a sign on the subject property in compliance with the Planning and Zoning Board notice of public hearing requirements of Section 11-67-5 of the MZO. As of the writing of this report, staff has not received any comments about this proposal. Staff will provide the Board with any new information during the scheduled Study Session on May 24, 2023.

School Impact Analysis:

The Mesa Public School District reviewed the request for its potential impact on the existing schools in the area. The school district provided the following analysis:

Table 2: School Impact Analysis

Proposed Development (416 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
Elementary	Whittier	0	Yes
Middle School	Carson	15	Yes

High School	Westwood	30	Yes
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Staff Recommendation:

Staff finds the subject request 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 the review criteria for a Bonus Intensity Zone Overlay outlined in Section 11-21-3(B) of the MZO.

Staff recommends approval with the following conditions of approval.

Conditions of Approval:

1. Compliance with the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB22-01341.
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. Prior to the issuance of any building permit, submit a drainage report for review, and receive approval of the drainage report from the City Engineer or their designee.
5. 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>Maximum Density</u> – <i>MZO Table 11-5-5</i>	62 dwelling units per acre
<u>Maximum Height</u> – <i>MZO Table 11-5-5</i>	61 feet
<u>Maximum Lot Coverage (% of lot)</u> – <i>MZO Table 11-5-5</i>	71%
<u>Minimum Building Setback</u> – <i>MZO Section 11-5-5.A</i> -Front and Street-Facing Side (Dobson Road) -Front and Street-Facing Side (Cubs Way) -Front and Street-Facing Side (Riverview Auto Drive) -Side and Rear (north property line) -Side and Rear (east property line)	15 feet 22 feet 15 feet 15 feet total 15 feet total
<u>Required Parking Spaces</u> – <i>MZO Section 11-32-3 (multiple residence)</i>	1.5 spaces per unit (624 spaces)
<u>Minimum Landscape Yards</u> – <i>MZO Section 11-5-5(3)</i> - Front and Street-Facing side (Dobson Road) -Front and Street-Facing side (Cubs	8 feet 8 feet

Way) -Front and Street-Facing Side (Auto Riverview Drive)	8 feet
<u>Minimum Building Separation –</u> <i>MZO Table 11-5-5</i> -Three-story buildings	19 feet for buildings three-stories and above
<u>Minimum Lot Area Per Dwelling Unit –</u> <i>MZO Table 11-5-5</i>	869 square feet per dwelling unit (361,695 square feet total)
<u>Maximum Fence/Wall Height in Front Yard –</u> <i>MZO Section 11-30-4(A)(b)</i>	6 feet

Exhibits:

- Exhibit 1 – Staff Report
- Exhibit 2 – Vicinity Map
- Exhibit 3 – Application Information
 - 3.1 Project Narrative
 - 3.2 Site Plan
 - 3.3 Grading and Drainage Plan
 - 3.4 Landscape Plan
 - 3.5 Elevations
 - 3.6 Floor Plans
 - 3.7 Citizen Participation Plan
- Exhibit 4 – Citizen Participation Report