



PLANNING DIVISION
STAFF REPORT

City Council

June 17, 2024

CASE No.: **ZON23-00645**

PROJECT NAME: **1756 E. University**

Owner's Name:	Trevally LLC
Applicant's Name:	Tim Boyle, Atmosphere Architects
Location of Request:	Within the 1700 block of East University Drive (north side) and within the 400 block of North Hall (east side). Located west of Gilbert Road on the north side of University Drive.
Parcel No(s):	137-01-231
Request:	Rezone from Neighborhood Commercial (NC) to Multiple Residence-4 with a Planned Area Development overlay (RM-4-PAD) and Site Plan Review. This request will allow for a multiple residence development.
Existing Zoning District:	Neighborhood Commercial (NC)
Council District:	1
Site Size:	1.5± acres
Proposed Use(s):	Multiple residence
Existing Use(s):	Vacant
P&Z Hearing Date(s):	May 22, 2024 / 4:00 p.m.
Staff Planner:	Jennifer Merrill, Senior Planner
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (6-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **March 21, 1959**, the City Council annexed 1,378 acres, including the project site, into the City of Mesa (Ordinance No. 366).

On **November 19, 1984**, the City Council rezoned four acres from Limited Multiple Residence (R-3), Restricted Multiple Residence (R-2) and Single Family Residence (R1-6) to Neighborhood

Commercial (C-1), Residential Service (RS) and Limited Multiple Residence (R-3) for the development of a 2.6-acre retail center and a 42-unit apartment complex. The project site was approved for C-1 zoning (Case No. Z84-157, Ordinance No. 1895).

On **June 19, 2001**, the Planning Director approved a Land Split for 4.23 acres, which divided the project site from the charter school property to the north (Case No. LS01-008). The charter school was constructed in 2001.

On **May 9, 2024**, the Design Review Board reviewed the building elevations and landscape plans. Staff is working with the applicant to address any comments and recommendations.

On **May 22, 2024**, the Planning and Zoning Board recommended approval with conditions of rezoning with a Planned Area Development overlay Site Plan (Vote 6-0).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the 1.5± acre project site from Neighborhood Commercial (NC) to Multiple Residential 4 with a Planned Area Development overlay (RM-4-PAD) and site plan review of an Initial Site Plan to allow for development of a multiple residence project (Proposed Project).

The project site, which is currently vacant, is located west of Gilbert Road on the north side of University Drive, just west of the Salt River Project (SRP) consolidated canal.

The Proposed Project includes a gated 30-unit residential development consisting of nine buildings. Each three-story unit has two bedrooms, two bathrooms and an attached two-car garage. The main entrance to the development is off of Hall, with a service and emergency exit onto University Drive.

General Plan Character Area Designation and Goals:

The General Plan Character area for the property is Neighborhood with a Suburban Sub-type. The primary focus of the Neighborhoods character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Per Chapter 4 of the General Plan, Neighborhoods should provide a safe, clean, and healthy living environment with opportunities for residents to interact, connect and enjoy their outdoor spaces. Neighborhoods should also be diverse and have character and personality provided through quality design and development.

The Suburban sub-type is the predominant neighborhood pattern in Mesa. These neighborhoods are primarily single residence in nature with most lots ranging in size from 6,000 sq. ft. to 18,000 sq. ft. As part of a total neighborhood area, this character type may also contain areas of duplexes and other multi-residence properties and commercial uses along arterial frontages and at major street intersections.

The primary zoning districts for the Suburban Sub-type include Residential Single (RS) Dwelling, Residential Small Lot (RSL) Dwelling, and Residential Multiple Dwelling 2 (RM-2). Secondary zoning districts include Residential Multiple Dwelling 3 and 4 (RM-3, RM-4). A majority of the character area must first utilize the primary zoning districts and primary land uses listed. After the primary zoning districts and primary land uses are established, the use of secondary zoning districts and secondary land uses are permitted, in appropriate locations, as long as the secondary zoning districts and land uses add to the mixture of uses and zoning and otherwise foster vibrancy of the area.

Staff has determined that a majority ($\geq 55\%$) of the area contains the primary zoning districts; therefore, the proposed rezoning to RM-4, a secondary zoning district, would be permitted.

Zoning District Designations:

The existing zoning for the project site is Neighborhood Commercial (NC). The purpose of the NC district is to provide areas for locally oriented retail and service uses that serve the surrounding residential trade area within a one-half to two-mile radius.

Multi-residential uses are permitted in the NC zoning district if they comply with Section 11-31-31 of the Mesa Zoning Ordinance (MZO), and incorporate a minimum amount of commercial use, or through approval of a Council Use Permit (a public hearing process similar to a rezoning).

The proposed zoning district is RM-4-PAD. The purpose of the RM zoning district is to provide areas for a variety of housing types. Types of dwelling units include small-lot single residences, townhouses, cluster housing, and multiple residence housing. The RM-4 zoning permits a maximum density of 30 dwelling units per acre, and the proposed development has a density of 20.7 dwelling units per acre.

The Planned Area Development (PAD) overlay allows 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.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Hall) RM-3 Multiple Residential	North OC Charter School	Northeast (Across SRP Canal) RM-4 Multiple Residential
West (Across Hall) RM-3 & RM-4 Multiple Residential & Office	Subject Property NC Vacant	East NC Vacant & SRP Canal
Southwest (Across University Dr. & Hall) OC Offices	South (Across University Dr.) OC & RS-6 Single Residences & Office	Southeast (Across University Dr.) RM-4 Offices

Compatibility with Surrounding Land Uses:

The adjacent property to the north contains a charter school, and surrounding properties to the west contain multiple residential and office uses. The small vacant parcel adjacent to the east is owned by SRP. The surrounding development is primarily single story; however, two-story multiple residential developments can be found across the canal to the northeast of the Proposed Project, as well as one block to the west. The proposed multiple residential development is compatible with the surrounding mixture of uses, and per the narrative will provide a more urban aesthetic as the area transitions to a higher use transit corridor.

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. Per Section 11-22 of the MZO, the purpose of the PAD overlay is to allow innovative design and flexibility that creates high-quality development for the site.

Table 1 below 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 Yards –</u> <i>MZO Section 11-5-5(A)</i> -Front and Street-Facing Side: adjacent to a 4-lane arterial (University Drive) -Interior Side and Rear: 3 or more units on lot (north property line) (east property line)	20 feet 15 feet per story (45 feet wide total) 15 feet per story (45 feet wide total)	9 feet-6 inches 9 feet -8inches per story (29 feet wide total) 5 feet per story (15 feet wide total)	As proposed
<u>Minimum Separation Between Buildings on Same Lot –</u> <i>MZO Section 11-5-5(A)</i> -Three-story building	35 feet	8 feet	As proposed
<u>Off-site Access –</u> <i>MZO Section 11-5-5(B)(4)(b)</i>	Drive aisles leading to main entrances shall have walkways on both sides of the drive aisle	No walkways along entrance drive aisle	As proposed

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Attached Garages</u> – <i>MZO Section 11-5-5(B)(4)(f)(iii)</i>	When multiple garage doors are located within 1 building, the maximum number of garage doors adjacent to one another shall be limited to 3	4 garage doors adjacent to one another	As proposed
<u>Building Materials</u> – <i>MZO Section 11-5-5(B)(5)(b)</i>	Buildings must contain at least 2 kinds of primary exterior materials distinctively different in texture or masonry pattern, with each of the required materials covering at least 25% of the exterior walls of the building	Siding covers $\geq 14\%$ of the exterior walls of the building	As proposed
<u>Parking Area Design</u> - <i>MZO Section 11-32-4(A)</i> -Setback of Cross Drive Aisles	50 feet from property line abutting the street	14 feet from University Drive	As proposed
<u>Bicycle and Motorcycle Parking</u> – <i>MZO Section 11-32-8(A)(1)</i> -Spaces required	At least 1 bicycle space per 10 on-site vehicle parking spaces actually provided ($74/10=8$ spaces)	At least 1 bicycle space per 15 on-site vehicle parking spaces (5 spaces)	As proposed
<u>Required Landscape Yards</u> – <i>MZO Section 11-33-3(B)(2)(a)</i> -Non-Single Residential Uses Adjacent to Other Non-Single Residence Uses or Districts	15 feet	2 feet-2 inches (north property line)	As proposed

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Interior Parking Lot Landscaping –</u> <i>MZO Section 11-33-4(B)(2)</i> -Landscape Island Width <i>MZO Section 11-33-4(D)(1)(a)</i> -Plant Materials	8 feet 1 shade tree and 3 shrubs for every 15-foot parking island	2 feet-11 inches 0 shade trees and 4 shrubs for every 15-foot parking island	As proposed
<u>Foundation Base – MZO</u> <i>Section 11-33-5(A)(2)(a)</i> -Width along exterior walls without a public entrance adjacent to parking stalls -Width along exterior walls without a public entrance adjacent to drive aisles	10 feet 5 feet	1 foot-6 inches 4 feet-1 inches	As proposed

Minimum Yards:

Per MZO Section 11-5-5(A), front and street-facing side yards adjacent to a four-lane arterial streets are required to be a minimum of 20 feet wide. The Proposed Project requests a minimum nine-foot six-inch yard adjacent to University Drive.

The applicant has indicated, per the narrative, the University Drive setback is reduced to better engage the street, providing a more urban aesthetic as the area transitions to a higher use transit corridor. The units located closest to University Drive face east or west, and, therefore, are not sacrificing privacy.

Per MZO Section 11-5-5(A), rear yards for development with three or more units are required to have side and rear yards a minimum of 15 feet per story (45 feet for three-story buildings). The Proposed Project includes a 29-foot-wide yard along the north property line, adjacent to a charter school on Office Commercial (OC) zoned property, and a 15-foot-wide yard adjacent to the east property line, adjacent to vacant land zoned Neighborhood Commercial (NC).

The applicant has indicated, per the narrative, more open space is provided per unit than is required, and placing buildings closer to perimeter lot lines frees up space for common amenity areas including the proposed pool, BBQ area and turf areas.

Minimum Separation Between Buildings on Same Lot:

Per MZO Section 11-5-5(A), three-story buildings are required to be separated by a minimum of 35 feet. The Proposed Project includes a minimum eight-foot building separation.

The applicant has indicated, per the narrative, placing buildings close together provides shade, and the narrow areas of the site have added shade structures that will be integral to the design. The walkways in those narrow areas were added to provide additional connectivity throughout the site, and trellis shades are proposed over those walkways.

Offsite Access:

Per MZO Section 11-5-5(B)(4)(b), drive aisles leading to main entrances shall have walkways on both sides of the drive aisle.

The applicant is not proposing walkways along the drive aisles; instead the vehicular entry to the development is separate from the pedestrian entry. The two entries are approximately 15 feet apart.

Attached Garages:

Per MZO Section 11-5-5(B)(4)(f)(iii), when multiple garage doors are located within one building, the maximum number of garage doors adjacent to one another shall be limited to three, unless there is a break in the building façade between garage doors. The break shall contain a major architectural feature, such as a building entrance or equivalent feature.

Staff worked with the applicant to break the buildings into smaller sections, divided by walkways, to reduce the number of adjacent garage doors. The Proposed Project includes a maximum of four adjacent garage doors.

The applicant has indicated, per the narrative, if the site were designed with a maximum of three garages in a row, the pedestrian walkways would be angled too much, creating potential safety hazards.

Building Materials:

Per MZO Section 11-5-5(B)(5)(b), buildings must contain at least two kinds of primary exterior materials distinctively different in texture or masonry pattern, with each of the required materials covering at least twenty-five percent of the exterior walls of the building.

The applicant has indicated, per the narrative, the contrasting orange and white colors create an interesting relationship to each other and their placement across the façade. Too many dissimilar materials could clutter the appearance and minimize the dynamic between the orange and white paint scheme. A minimum of 14 percent of the exterior walls is comprised of siding, and per the applicant, increasing the percentage of the siding would make the project design less striking.

Parking Area Design:

Per MZO Section 11-32-4(A), 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 site plan shows a 14-foot setback from the garage for Unit 113 and University Drive at the service and emergency exit.

Bicycle and Motorcycle Parking:

Per MZO Section 11-32-8(A)(1), bicycle parking is required for multi-unit residential buildings and nonresidential development. Unless otherwise expressly stated, buildings and uses subject to bicycle parking requirements must provide at least three bicycle parking spaces or at least one bicycle space per 10 on-site vehicle parking spaces actually provided, whichever is greater.

The Proposed Project includes 74 vehicle parking spaces, which would equate to a minimum of eight bicycle parking spaces. The Proposed Project provides five bicycle parking spaces near the mailboxes in the northeast area of the site.

The applicant has indicated, per the narrative, the applicant anticipates bicycle storage to occur in the private attached garages.

Required Landscape Yards:

Per MZO Section 11-33-3(B)(2)(a), for non-single residence uses adjacent to other non-single residence uses or districts, properties must provide a 15-foot landscape yard except where a cross-access drive aisle occurs within the required landscape yard. The Proposed Project includes a minimum two-foot two-inch wide landscape yard along the north property line, adjacent to a charter school on Office Commercial (OC) zoned property.

The applicant has indicated, per the narrative, more open space is provided per unit than is required, and placing buildings closer to perimeter lot lines frees up space for common amenity areas including the proposed pool, BBQ area and turf areas.

Interior Parking Lot Landscaping:

Per MZO Section 11-33-4(B)(2), landscape islands shall be a minimum of eight feet wide and 15 feet in length for single-row parking. All measurements are to face-of-curb. The Proposed Project includes a minimum two-foot 11-inch-wide landscape islands.

The applicant has indicated, per the narrative, the applicant has provided more than the required number of guest parking spaces in response to concerns from City staff and neighbors regarding the amount of guest parking spaces provided in multiple residential developments. By increasing the number of guest spaces, the landscape islands have been reduced in width.

Per MZO Section 11-33-4(D)(1)(a), one shade tree and three shrubs shall be provided for every 15-foot parking island.

The applicant has indicated that the reduced widths of the two proposed landscape islands will not support tree growth, and therefore trees have been eliminated from the two landscape islands. The reason for the reduced widths is to allow additional guest parking spaces.

Foundation Base:

Per MZO Section 11-33-5(A)(2)(a), for exterior walls without a public entrance, a minimum 10-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall adjacent to parking stalls. The Proposed Project includes a minimum one-foot six-inch foundation base width along the east elevations of the two east-west-oriented buildings.

Per MZO Section 11-33-5(A)(2)(b), a minimum five-foot-wide foundation base shall be provided, measured from face of building to face of curb along the entire length of the exterior wall adjacent to drive aisles. Proposed project minimum four-foot one-inch foundation base width along the west elevations of the two east-west-oriented buildings.

The applicant has indicated, per the narrative, foundation base widths have been reduced below minimum to accommodate the standards for drive aisles. To minimize the impact of this, the end units feature integrated planters.

Justification:

As justification for the requested deviations, the applicant is proposing a unique two-tone architectural design with recessed planters and walkways shaded with trellises. Each unit contains more than the required amount of private open space area, and the overall development features more common amenity space than is required. Amenities include a pool, BBQ area, ramada and turf areas.

The Proposed Project complies with requirements of a PAD outlined in Section 11-22 of the MZO by providing equivalent or superior features that meet the intent of the base zone development standards.

Site Plan and General Site Development Standards:

The Proposed Project contains nine multiple residence buildings that provide a total of 30 dwelling units. The buildings are three stories, and each of the three-story units includes two bedrooms, two bathrooms, a patio, two balconies, and an attached two-car garage.

Pedestrian access is provided from Hall and from University Drive. Paths continue throughout the development to each unit and to the central amenity area. The site and landscape plans show a shade structure, barbecue area, and pool in the centrally located amenity area.

Vehicular access is provided from Hall and an emergency and service exit is shown along University Drive. Per Section 11-32-3 of the MZO, 63 parking spaces (including 60 covered spaces) are required for this 30-unit development, and 74 spaces (including 60 private garage spaces) are provided.

Staff finds that the Proposed Project conforms to the review criteria for Site Plan Review outlined in Section 11-69-5 of the City of Mesa Zoning Ordinance.

Neighborhood Participation Plan and Public Comments:

The applicant completed a Citizen Participation process, including notification of surrounding property owners within 1,000 feet, and HOAs and registered neighbors within one mile. A neighborhood meeting was held virtually on August 17, 2023, and the only attendees were the architect and client. At the time of writing this report, staff has not received any inquiries about the Proposed Project.

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:

Proposed Development (30 Units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
Elementary	Hughes	5	Yes
Middle School	Poston	1	Yes
High School	Mountain View	1	Yes

Staff Recommendation:

Staff find that the Proposed Project complies with the Mesa 2040 General Plan, MZO Section 11-69-5 for Site Plan Review, and with the review criteria for a Planned Area Development Overlay outlined in Section 11-22-1 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. DRB23-00680.
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 modification to the development standards as approved with this PAD overlay as shown in the following table:

Development Standards	Approved
<u>Minimum Yards –</u> <i>MZO Section 11-5-5(A)</i> -Front and Street-Facing Side: adjacent to a 4-lane arterial (University Drive) -Interior Side and Rear: 3 or more units on lot (north property line) (east property line)	9 feet -6 inches 9 feet-8 inches per story (29 feet wide total) 5 feet per story (15 feet wide total)

Development Standards	Approved
<u>Minimum Separation Between Buildings on Same Lot</u> – MZO Section 11-5-5(A) -Three-story building	8 feet
<u>Off-site Access</u> – MZO Section 11-5-5(B)(4)(b)	No walkways along entrance drive aisle
<u>Attached Garages</u> – MZO Section 11-5-5(B)(4)(f)(iii)	4 garage doors adjacent to one another
<u>Building Materials</u> – MZO Section 11-5-5(B)(5)(b)	Siding covers $\geq 14\%$ of the exterior walls of the building
<u>Parking Area Design</u> - MZO Section 11-32-4(A) -Setback o Cross Drive Aisles	14 feet from University Drive
<u>Bicycle and Motorcycle Parking</u> – MZO Section 11-32-8(A)(1) -Spaces required	At least 1 bicycle space per 15 on-site vehicle parking spaces (5 spaces)
<u>Required Landscape Yards</u> – MZO Section 11-33-3(B)(2)(a) -Non-Single Residential Uses Adjacent to Other Non-Single Residence Uses or Districts	2 feet-2 inches (north property line)
<u>Interior Parking Lot Landscaping</u> – MZO Section 11-33-4(B)(2) -Landscape Island Width MZO Section 11-33-4(D)(1)(a) -Plant Materials	2 feet-11 inches 0 shade trees and 4 shrubs for every 15-foot parking island
<u>Foundation Base</u> – MZO Section 11-33-5(A)(2)(a) -Width along exterior walls without a public entrance adjacent to parking stalls -Width along exterior walls without a public entrance adjacent to drive aisles	1 feet-6 inches 4 feet-1 inches

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