



**PLANNING DIVISION
STAFF REPORT**

City Council Meeting

November 6, 2023

CASE No.: ZON22-01038	PROJECT NAME: Villas at Apache
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Owner's Name:	BFH Group
Applicant's Name:	BFH Group
Location of Request:	Within the 9600 to 9700 Blocks of East Main Street (South Side). Located south of Main Street and west of Crismon Road.
Parcel No(s):	220-37-005A
Request:	Rezone from Agricultural (AG) to Multiple Residence 4 with a Planned Area Development (RM-4-PAD) and Site Plan Review. This request will allow for a 144-unit multiple residence development.
Existing Zoning District:	AG
Council District:	5
Site Size:	4.6± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Vacant
Hearing Date(s):	July 26, 2023 / 4:00 p.m.
Staff Planner:	Josh Grandlienard, AICP, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote: 7-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **July 5, 2022**, the applicant applied to annex the property into the City of Mesa (Case No. ANX22-00738). The project site is currently zoned High Density Residential 5 (R-5) and General Commercial (C-3) in Maricopa County. The planned annexation, if approved, will assign a zoning designation of Agriculture (AG) to the property, which is a less intense zoning district designation than the existing Maricopa County zoning. The application for the annexation is planned to be considered on the same City Council agenda as the subject request.

On **July 11, 2023**, the Design Review Board reviewed the building elevations and landscape plan. Staff is working with the applicant to address minor aesthetic comments and recommendations from the Design Review Board that do not impact the site plan.

On **July 26, 2023**, the Planning and Zoning Board recommended approval of the rezoning and site plan review (Vote 7-0).

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the project site from Agricultural (AG) to Multiple Residence-4 with a Planned Area Development (RM-4-PAD), and approval of an Initial Site Plan to allow for a multiple residence project (Proposed Project).

The proposed project site is located on the south side of Main Street, west of Crismon Road. The Proposed Project includes a gated, 144-unit residential development consisting of six buildings. Each of the buildings is three-stories in height and contains 24 units. The applicant is proposing a mixture of one-, two-, and three-bedroom units.

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 type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. Additionally, these areas may contain a variety of housing types including multiple residence.

The Neighborhood-Suburban character area includes primary and secondary zoning districts and land uses. The RM-4 zoning designation is identified as a secondary zoning district in the Suburban Sub-type and may be utilized if a majority (55% or more) of the character area is established with primary zoning districts. The majority of the Neighborhood-Suburban character area in which the Proposed Project is located has been established with primary zoning districts and land uses. The Proposed Project is a primary land use Neighborhood-Suburban character area.

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:

Concurrent with the Proposed Project, the applicant is requesting the annexation and establishment of comparable zoning for the subject property. The annexation application (Case No. ANX22-00738) will be considered at the same City Council hearing as the subject application. If approved, Agricultural (AG) zoning will be established on the subject site.

The applicant is requesting to rezone the subject site from AG to Multiple Residence 4 with a Planned Area Development Overlay (RM-4-PAD). Per Section 11-5-1 of the MZO, the purpose of the multiple residence zoning district is to provide areas for a variety of housing types at

densities of up to 43 units per gross acre. Appropriate types of dwelling units include small-lot single residences, townhouses, cluster housing, and multiple residence housing.

Per Section 11-5-2 of the MZO, the Proposed Project is an allowed use in the RM-4 zoning district.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Apache Trail) Maricopa County C-3 Commercial	North (Across Apache Trail) Maricopa County C-3 Commercial	Northeast (Across Apache Trail) Maricopa County C-3 Commercial
West Maricopa County C-3/R-5 Vacant	Project Site AG Vacant	East Maricopa County C-3/R-5 Commercial
Southwest Maricopa County R-5 Vacant	Southwest Maricopa County R-5 Multiple Residence	Southwest Maricopa County R-5 Multiple Residence

Compatibility with Surrounding Land Uses:

The proposed project site is currently vacant. On the northside of Apache Trail, land uses to the north, northwest, and northeast of the site are existing commercial uses. East of the proposed project site is an existing commercial structure. South and southeast of the site is an existing multiple residence located within Maricopa County. Southwest of the site is currently Vacant.

The Proposed Project is compatible with the surrounding development and the intended land uses for this area.

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.

The applicant is proposing to develop the site in three phases to address the current needs in the market. 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</u> – <i>MZO Section 11-5-5(A)</i> <i>-Interior Side and Rear: 3 or More Units on Lot (north and east property lines)</i>	15 feet per story (45 feet total)	7.5 feet per story (15 feet total)	As Proposed
<u>Minimum Separation Between Buildings</u> – <i>MZO Table 11-5-5</i>	35 feet	10 feet	As Proposed
<u>Minimum Parking Required</u> – <i>MZO Table 11-32-3.A</i>	2.1 stalls per unit (303 spaces total)	2.01 Stalls per unit (289 spaces total)	As Proposed
<u>Minimum Covered Parking Required</u> – <i>MZO Section 11-32-3(D)(2)</i>	1 per unit (144 spaces total)	.85 per unit (122 spaces total)	As Proposed
<u>Parking Lot Landscape Islands</u> – <i>MZO Section 11-33-4(B)(1)</i>	Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 8 contiguous parking spaces.	Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 10 contiguous parking spaces.	As Proposed

Minimum Building Setbacks:

Per Section 11-5-5(A) of the MZO, interior side and rear setbacks for developments with three or more units in the RM-4 zoning district are required to be 15 feet per story. Because the applicant is proposing a three-story building, the total required setback would be 45 feet.

The proposed apartment buildings shown on the site plan meet this requirement; however, the applicant is requesting a 15 setback along the north and east property lines to allow the parking canopies to encroach in the required setback.

Minimum Setback Between Buildings on Site:

Per Table 11-5-5 of the MZO, the minimum setback between buildings on site is 35 feet.

The applicant is requesting a 10-foot setback between each building proposed on site allowing the perimeter landscaping to be maintained at 15 feet while also providing high-quality amenities for residents.

Minimum Parking Required:

Per Table 11-32-3.A of the MZO, 2.1 parking stalls are required for each unit. Based on this standard, a minimum of 303 parking spaces are required for the project.

The applicant is requesting to reduce the parking ratio from 2.1 space per unit to 2.01 spaces per unit or 289 parking spaces.

Minimum Covered Parking Spaces Required:

Per Section 11-33-4-B.1 of the MZO, one covered parking stall per unit is required. Based on this standard, a minimum of 144 covered parking spaces are required for the project.

The applicant is requesting to reduce the number of covered parking stalls from one per unit to 0.85 per unit for a total of 122 covered parking stalls.

Parking Lot Landscape Islands:

Per Section 11-33-4-B.1 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.

The applicant is requesting parking lot landscape islands be installed at each end of a row of stalls and in between for maximum 10 contiguous parking spaces.

PAD Justification:

Section 11-22-1 of the MZO specifies that the intent of the PAD 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 provides a high-quality design that is consistent with the surrounding area and the General Plan designation of Neighborhood. By providing enhanced landscaping and amenities on site, the applicant meets the intent of this section and provides for a superior quality for this development.

Site Plan and General Site Development Standards:

The Proposed Project includes a gated 144-dwelling unit development consisting of six, three-story buildings. The applicant is proposing a mixture of one-, two- and three-bedroom units.

There are two access points to the Proposed Project on to Apache Trail (Main Street), which is currently under Maricopa County Jurisdiction. The western access allows for ingress and egress while the eastern access is egress only. Per Section 11-32-3 of the MZO, 2.1 parking spaces per unit are required for the Proposed Project with one covered parking space per unit. Based on this standard, 303 spaces are required for the Proposed Project. The applicant is providing a total of 289 spaces, 122 of which are covered parking spaces.

Pedestrian connectivity is provided to Apache Trail via three connections, one at each of the vehicular access points and a third, centrally located connection that leads to the amenity area. The amenity area will include a recreation center, pool, pickleball court and ramadas. The applicant has provided for each unit on site to have 378 square feet of open space per unit.

School Analysis:

The City provided project details to the Mesa Public School District and requested comment on its potential impact and available capacity. As of the writing of this report, staff has not received a reply from the School District.

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.

At time of this report, staff has not been contacted by any members of the public with comments or concerns for this development.

Staff Recommendations:

Staff finds the Proposed Project is consistent with the Mesa 2040 General Plan, complies with the criteria for a Planned Area Development outlined in Section 11-22-1 of the MZO, and meets 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 the final site plan submitted.
2. Compliance with all requirements of Design Review Case No. DRB23-00288
3. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for a building permit, 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 PAD as shown in the following table:

Development Standards	Approved
<u>Minimum Building Setbacks</u> – <i>MZO Section 11-5-5(A)</i> <i>-Interior Side and Rear: 3 or More Units on Lot (north and east property lines)</i>	7.5 feet per story (15 feet total)
<u>Minimum Separation Between Buildings</u> – <i>MZO Table 11-5-5</i>	10 feet
<u>Minimum Parking Required</u> – <i>MZO Table 11-32-3.A</i>	2.01 Stalls per unit (289 spaces total)
<u>Minimum Covered Parking Required</u> – <i>MZO Section 11-32-3(D)(2)</i>	.85 per unit (122 spaces total)
<u>Parking Lot Landscape Islands</u> – <i>MZO Section 11-33-4(B)(1)</i>	Parking lot landscape islands shall be installed at each end of a row of stalls and in between for maximum 10 contiguous parking spaces.

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