



PLANNING DIVISION
STAFF REPORT

City Council Hearing

January 24, 2022

CASE No.: **ZON21-00693**
56th

PROJECT NAME: **The Heights on**

Owner's Name:	Craig Ahlstrom
Applicant's Name:	Tim Boyle, Tim Boyle Design
Location of Request:	Within the 5600 block of East Albany Street (south side), within the 100 block of North 56 th Street (east side), and within the 100 block of North 57 th Street (west side). Located west of Recker Road and north of Main Street.
Parcel No(s):	141-49-009G
Request:	Rezone from Limited Commercial (LC) 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:	Limited Commercial
Council District:	2
Site Size:	1.5± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Commercial
P&Z Board Hearing Date(s):	December 15, 2021 / 4:00 p.m.
Staff Planner:	Sean Pesek, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote 5-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **November 16, 1974**, the City Council annexed 3,956± acres of land, including the subject property, into the City of Mesa (Ordinance No. 907).

On **May 19, 1975**, the City Council approved a rezoning of 35± acres, including the 1.5± acre subject property from Maricopa County Commercial (C-S) to City of Mesa comparable zoning of Commercial (C-2) (Case No. Z75-027; Ordinance No. 936).

PROJECT DESCRIPTION

Background:

The subject request is for a rezone of a 1.5± acre property from Limited Commercial (LC) to Multiple Residence 4 with a Planned Area Development Overlay (RM-4-PAD) and Site Plan Review approval of an initial site plan to allow for the development of a multiple residence project. The subject property is located north of E. Main Street on the east side of N. 56th Street, south side of E. Albany Street, and west side of N. 57th Street and currently developed with two commercial structures.

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). Per Section 11-22-1 of the MZO, the purpose of a PAD overlay is to allow modifications to certain required development standards to permit innovative design and flexibility that creates a high-quality development for the site. The submitted application documents, including the building elevations and site plan, show the proposed development will be unique through the utilization of high-quality front façade building materials and incorporating common open space areas within the development that exceed the City's standard requirements.

General Plan Character Area Designation and Goals:

The General Plan character area designation on the property is Neighborhood. Per Chapter 7 of the General Plan, Neighborhood character areas are intended to provide safe places for people to live where they can feel secure and enjoy their surrounding community and include a variety of housing options including multiple residence. The proposed use, multiple residence, conforms to the purpose and intent of this character area.

Zoning District Designations:

The property is currently zoned LC. The subject request is to rezone the site from LC to RM-4-PAD to allow for a multiple residence development. Per Section 11-5-1(B) of the MZO, the purpose of Multiple Residence Districts is to provide areas for a variety of housing types up to 43 units per gross acre. Per Table 11-5-2 in the MZO, the multiple residence use is allowed in the RM-4 zoning district subject to compliance with the development standards set forth in Section 11-5-5. The proposed multiple residence development with a density of 24 dwelling units per acre, complies with the purpose of the RM-4 District.

Planned Area Development Overlay:

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). Per Section 11-22-1 of the MZO, the purpose of a PAD overlay is to allow modifications to certain required development standards to permit innovative design and flexibility that creates a high-quality development for the site. The submitted application documents, including the building

elevations and site plan, show the proposed development will be unique through the utilization of high-quality front façade building materials and incorporating common open space areas within the development that exceed the City’s standard requirements. Table 1 below shows the MZO required standards and the applicant’s proposed PAD standards.

Table 1: Development Standards

MZO Development Standards	Required	Proposed	Staff Recommendation
Required Parking Spaces – <i>MZO Section 11-32-3(A)</i> - Multiple Residence	2.1 spaces per unit (76 total spaces)	2 spaces per unit (72 total spaces)	As proposed
Required Bicycle Parking – <i>MZO Section 11-32-8(A)(1)</i>	1 space per 20 required vehicle parking spaces (7 spaces)	3 spaces	As proposed
Garages Dimensions – <i>MZO Section 11-32-4(F)</i> Double car garage	20 feet wide by 22 feet long	20 feet 8 inches wide by 20 feet long	As proposed
Minimum Setback of Cross Drive Aisles – <i>MZO Section 11-32-4(A)</i>	50 feet	3 feet	As proposed
Building Setbacks – <i>MZO Section 11-5-5</i> - Front (Collector - Albany St.) - Street Side (Collector - 56 th St.) - Street Side (Collector - 57 th St.) - Rear (south property line)	25 feet 25 feet 25 feet 15 feet per story (30 feet total)	8 feet 0 feet 14 feet 9 inches 13 feet 3 inches total	As proposed
Minimum Building Separation – <i>MZO Section 11-5-5</i> - Two-story buildings	30 feet	24 feet	As proposed
Landscape Yards – <i>MZO Sections and 11-5-3(B) and 11-33-3(B)</i> - Front (Albany Street) - Street Side (N. 56th St.) - Street Side (N. 57th St.) - Non-Single Residential Uses Adjacent to Non-Single Residence (south property line)	25 feet 25 feet 25 feet 15 feet	0 feet 0 feet 14 feet 9 inches 5 feet	As proposed

Required Perimeter Landscaping – <i>MZO Section 11-33-3</i> - Front (Collector - Albany St.) - Street Side (Collector - 56 th St.)	25 trees & 145 shrubs 25 trees & 145 shrubs	0 trees & 0 shrubs 0 trees & 0 shrubs	As proposed
Required Minimum Dimension for Private Open Space at ground level – <i>MZO Section 11-5-5(A)(3)(e)(i)(1)</i>	10 feet	4 feet 1 inch	As proposed
Private Open Space Coverage – <i>MZO Section 11-5-5(A)(3)(e)(2)</i>	50%	10%	As proposed

Required Parking Ratio:

Per Section 11-32-3(A) of the MZO, 2.1 parking spaces per unit are required for multiple residence developments. The subject development proposes 36 units, resulting in 76 required on-site spaces. The applicant is requesting a reduction to the parking ratio from 2.1 spaces per unit to 2.0 spaces per unit, which equates to 72 on-site parking spaces. Per the submitted plans, each three-bedroom residential unit will contain an attached two-car garage satisfying the parking demands for each household. Guest parking, which is normally required on-site, will be provided on the south side of E. Albany Street for the entire length of property.

Required Bicycle Parking:

Per Section 11-32-8(A)(1) of the MZO, one bicycle space per 10 on-site vehicle spaces shall be provided. With 70 vehicle spaces proposed, seven bicycle spaces are required shall consist of lockers or racks. The applicant is requesting to reduce the required number of bicycle spaces from 7 to 3.

Required Minimum Dimensions for Residential Enclosed Garages:

Per Section 11-32-4(F) in the MZO, a double-car garage shall be at least 20-feet-wide by 22-feet-long. Through the PAD overlay, the applicant is requesting to reduce the required minimum length to 20 feet and the required minimum width to 20 feet, 8 inches, which is large enough to accommodate most standard vehicles. Oversized vehicles will be able to utilize on-street parking on E. Albany Street.

Minimum Setback of Cross Drive Aisles:

Per Section 11-32-4(A) in the MZO, parking spaces along main drive aisles connecting directly to a street shall be setback at least 50 feet from the property line abutting the street. Per the submitted plans, no building setback is proposed from the west property line (adjacent to N. 56th Street). The applicant is requesting to reduce the required setback from 50 feet to 3 feet to accommodate the placement of proposed buildings.

Required Building Setbacks:

Per Section 11-5-5 of the MZO, the RM-4 zoning district requires a 25-foot building setback from property lines abutting collector streets. The applicant is requesting reductions to the following required building setbacks: 25 feet to 8 feet from the north property line (adjacent to Albany Street); 25 feet to 0 feet from the west property line; and 25 feet to 14 feet, 9 inches from the east property line. Per Section 11-5-5 in the MZO, the rear setback for structures in the RM-4 zoning district is 15 feet per story when there are three or more units on the same lot. The applicant is requesting to reduce the required rear setback (south property line) from 30 feet to 13 feet, 3 inches.

Required Building Separation:

Per Section 11-5-5 of the MZO, two-story buildings on the same RM-4 lot require a minimum 30-foot separation. Through the PAD, the applicant is requesting a minimum 24-foot building separation between two-story structures.

Required Landscape Yards:

Per Section 11-5-3 of the MZO, street-facing setbacks shall be landscaped according to the standards in Chapter 33. As such, a 25-foot-wide landscape yard is required along the north, east, and west property lines. The applicant is requesting reductions to the following landscape yard widths: no landscape yard adjacent to the north and west property lines, 14 feet, 9 inches adjacent to the east property line, and 5 feet adjacent to the south property line. While no on-site landscape yard is provided along the north and west property lines, the applicant is proposing to landscape the ROW thereby satisfying the purpose and intent of this requirement.

Required Perimeter Landscaping:

Per Section 11-33-3 of the MZO, landscape yards adjacent to collector streets shall contain four trees and 16 shrubs per 100 linear feet of property line. Through the PAD overlay, the applicant has requested to eliminate the required landscape yards adjacent to E. Albany Street and N. 56th Street to accommodate the proposed buildings. As such, no trees and shrubs are proposed. Instead, the applicant is proposing to plant six trees and 46 shrubs within the N. 56th right-of-way. Additionally, the applicant proposed to plant 28 trees and 300 shrubs within the E. Albany Street right-of-way.

Required Minimum Dimension for Private Open Space:

Per Section 11-5-3(A)(3) in the MZO, private open space at ground level shall have no dimension less than 10 feet. Through the PAD, the applicant is requesting a reduction to this standard. Per the submitted plans, the minimum dimension for ground-level private open space is 4 feet, 1 inch.

Private Open Space Coverage:

Per Section 11-5-3(A)(3) of the MZO, private open space shall be at least 50% covered. The applicant is requesting to reduce the minimum coverage (as a percentage) from 50% to 10%. According to the submitted narrative, north orientation for buildings adjacent to E. Albany Street will provide adequate shade.

PAD Justification:

The proposed development conforms to the criteria for a PAD. Per Section 11-22 of the MZO, the purpose of a PAD is to encourage unique and innovative developments of superior quality. The submitted application documents show the proposed development will be unique through the utilization of high-quality front façade building materials including vertical wood siding, stained wood doors, and black aluminum balcony railing. Additionally, the landscape design is intentional, providing shaded pedestrian areas along all street frontages and on-site recreational amenity spaces. Approximately 400 square feet of open space is proposed (per unit), exceeding the MZO requirement of 150 square feet per unit. The proposed code deviations are commensurate with the proposed building and landscape design features.

Site Plan and General Site Development Standards:

The subject request is to allow a 36-unit multiple residence development with primary vehicular access from N. 56th Street and N. 57th Street. Per the submitted plans, the applicant is also proposing a centrally located common open space areas with various amenities including a swimming pool, enclosed dog park, and shade structures. The site plan also shows a pedestrian walkway linking south-facing units to existing sidewalks along N. 56th Street and N. 57th Street. Overall, the proposed site plan conforms to the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO.

Design Review:

The Design Review Board is scheduled reviewed the subject request on December 14th, 2021. Staff will be working with the applicant to address comments and recommendations from the Design Review Board after this work session. Staff will provide the Board with an update at the December 15 Study Session.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across N. 56 th Street) Maricopa County Multiple Residence	North (Across E. Albany Street) RSL-2.5-PAD Single Residence	Northeast (Across E. Albany Street) RSL-2.5-PAD Single Residence
West (Across N. 56 th Street) Maricopa County Multiple Residence	Subject Property LC Commercial	East (Across N. 57 th Street) RM-4-PAD Hotel
Southwest (Across N. 56 th Street) LC Commercial	South LC Vacant	Southeast (Across N. 57 th Street) RM-4-PAD Hotel

Compatibility with Surrounding Land Uses:

The subject property is currently developed with two commercial structures that will be demolished to accommodate the subject request. To the north, across E. Albany Street, is an existing single residence subdivision zoned RSL-2.5-PAD. To the west is an existing multiple residence development within Maricopa County. Property to the south is zoned LC and

undeveloped. Property to the east, across N. 57th Street is zoned RM-4-PAD and is developed with a hotel and conference center. Overall, the proposed development will be compatible with the surrounding community and help enhance the appearance of the immediate vicinity.

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 3: School Impact Analysis

Proposed Development (45 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
O'Connor Elementary	Elementary	N/A	Yes
Shepherd	Middle School	N/A	Yes
Red Mountain	High School	N/A	Yes

Neighborhood Participation Plan and Public Comments:

The applicant has 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 of the site. The applicant held one meeting with surrounding property owners and other interested parties in the area on May 15, 2021. Per the Citizen Participation Report, 10 residents were in attendance and raised general questions about parking, drainage, and project timing. As of the writing of this report, staff has not received any comments or concerns from adjacent property owners. Staff will provide the Board with any new information during the scheduled Study Session.

Staff Recommendation:

Based on the application received and the preceding analysis, staff finds that the subject request to rezone the property from LC to RM-4-PAD and approval of an initial site plan is consistent with the General Plan, the purpose for a Planned Area Development overlay outlined in Section 11-22-1 of the MZO, and meets the criteria for Site Plan Review outlined in Section 11-69-2 of the MZO; therefore, staff recommends approval with the following conditions.

Conditions of Approval:

1. Compliance with the final site plan submitted.
2. Compliance with Design Review Case No. DRB21-00658.
3. Compliance with all City development codes and regulations, except the modifications

to the development standards as approved with the PAD overlay and shown in the following table:

MZO Development Standards	Approved
Required Parking Spaces – <i>MZO Section 11-32-3(A)</i> - Multiple Residence	2 spaces per unit (72 total spaces)
Required Bicycle Parking – <i>MZO Section 11-32-8(A)(1)</i>	3 spaces
Garages Dimensions – <i>MZO Section 11-32-4(F)</i> Double car garage	20 feet 8 inches wide 20 feet long
Minimum Setback of Cross Drive Aisles – <i>MZO Section 11-32-4(A)</i>	3 feet
Building Setbacks – <i>MZO Section 11-5-5</i> - Front (Collector - Albany St.) - Street Side (Collector - 56 th St.) - Street Side (Collector - 57 th St.) - Rear (south property line)	8 feet 0 feet 14 feet 9 inches 13 feet 3 inches
Minimum Building Separation – <i>MZO Section 11-5-5</i> Two-story buildings	24 feet
Landscape Yards – <i>MZO Sections and 11-5-3(B) and 11-33-3(B)</i> - Front (Albany Street) - Street Side (N. 56 th St.) - Street Side (N. 57 th St.) - Non-Single Residential Uses Adjacent to Non-Single Residence (south property line)	0 feet 0 feet 14 feet 9 inches 5 feet
Required Perimeter Landscaping – <i>MZO Section 11-33-3</i> - Front (Collector - Albany St.) - Street Side (Collector - 56 th St.)	0 trees & 0 shrubs 0 trees & 0 shrubs
Required Minimum Dimension for Private Open Space at ground level – <i>MZO Section 11-5-5(A)(3)(e)(i)(1)</i>	4 feet 1 inch
Private Open Space Coverage – <i>MZO Section 11-5-5(A)(3)(e)(2)</i>	10%

Exhibits:

Exhibit 1-Staff Report

Exhibit 2-Vicinity Map

Exhibit 3-Application Information

3.1 Project Narrative

3.2 Site Plan

3.3 Landscape Plan

3.4 Elevations

Exhibit 4-Preliminary Grading and Drainage Plan

Exhibit 5-Citizen Participation Plan

Exhibit 6-Citizen Participation Report