

- 4-c ZON21-00940 District 2.** Within the 3100 block of East Southern Avenue (south side) and the 1200 block of South 32nd Street (west side). Located east of Lindsay Road on the south side of Southern Avenue. (2.4± acres) Rezone from Single Residence 9 (RS-9) 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. Tim Boyle, Tim Boyle Design, applicant; Nourelhouda, LLC, owner.

Planner: Lesley Davis

Staff Recommendation: Approval with conditions

Summary:

Boardmember Boyle abstained from participation in this case.

Staffmember Lesley Davis presented case ZON21-00940. The request is to rezone from RS-9 to RM-3 PAD for multiple residence development. The site is located east of Lindsay Road on the south side of Southern Avenue just on the west side of 32nd Street, to the south of Countryside Park. The zoning request is from RS-9 to the RM-3 PAD; the PAD is to modify certain MZO, Mesa Zoning Ordinance standard development standards which I'll go over in a moment. The general plan for the area's neighborhood. The intent of the neighborhood designation is to provide a safe place for people to live, and also to include a variety of housing types, including multiple residence developments. The site plan shows five, two-story buildings with 40 units, with two primary access points off of 32nd Street. There are two open space areas provided, one that is a dog park with some seating and shade at the northwest corner of the project, along Southern Avenue. The second is located more centrally with units that will face it, including a pool area. Hot tub, shade, and seating will also be provided in those areas. There are 84 parking stalls required. Through the zoning ordinance, the applicant has provided 90 parking stalls, 80 of those are enclosed spaces within garages. Each unit will have a two-car garage. The PAD request included some reductions, which are listed here, some minor modifications to the size of the garage. For the building setbacks, the way that this site is oriented, there will be units that will face out onto Southern Avenue to engage the street, also along 32nd Street. Each of these units has a private enclosed open space area that the six-foot wrought iron fence would be allowed to come a little closer than normal to the street to provide that open-space kind of front yard. Within that setback, it would be at 10 feet, rather than the 20, or 25 feet, respectively. They've also requested some deviations to the west and the south sides, which are minimal reductions for two specific buildings. The other buildings meet the requirements. Also, there is a building separation request to go from 30 feet to 24 feet. And the landscape deviations they've requested follow along with the setbacks. They have tucked the trash enclosure over on the west side of the property to keep it away from neighbors; it's adjacent to an office development. They have requested to push that all the way to that property line to minimize impact on the development, as well as other residential properties. As for the private open space coverage, there is some covered space in the courtyards, they've requested to go from 50% of covered area to 30%. They do have landscaping in those courtyard areas that can provide additional shade. This project went to the Design Review Board on January 11 of this year. And the design review

board made some minor recommendations to the building and landscape design. Staff will continue to work with the applicant on those changes. The addressing displayed on renderings with large, bold letters, is something that will need to be requested to board of adjustment, for a comprehensive sign plan to exceed what's typically required for addressing and for signage on a residential project. That would be a public hearing, and if that is not approved, they would have to work with staff to create some sort of design component that is similar to what design review board was supportive of regarding that design element.

Citizen participation was completed. Their neighborhood meeting was quite a while ago. It was last summer last, possibly the end of July. Some of the concerns that were raised at that meeting included visibility into the nearby yards, to the southwest of the site. The applicant made some modifications to the landscape plan to provide some trees in appropriate locations to help provide some screening. They also relocated the dumpster as I previously mentioned; that was a concern from the neighborhood to help mitigate that concern, they relocated it. Staff has recently heard there are some concerns with the parking on the site. I believe we have some people here to speak to that this evening. I can convey that the applicant has exceeded the minimum code requirements are for parking. If there is a concern with parking on 32nd Street, we can facilitate conversations with the residents, and the Transportation Department, to follow the guidelines for a no parking requested. There is a process that is required to determine if that can be accommodated. The project is in conformance with the Mesa General Plan. The purpose of the PAD outlined in the Mesa Zoning Ordinance and the criteria in Chapter 69 of the ordinance for site plan review, and we recommend approval with conditions.

Chair Sarkissian invited the applicant to speak.

Michael Hubson, of True Design and Tim Boyle Design of 1334 E. Hale St. spoke. So, we wanted to speak to this a little bit. I just barely moved, but I lived in this neighborhood just north of there, about for the past eight years. So, I'm very familiar with the site. The property has been vacant for as long as I can remember. It's a ton of busy street on the corner of 32nd and Southern, across from the park. The it's sandwiched between the busy street and the church, which makes it not an ideal spot for single family residential, which is probably why it stayed vacant for so very long. And in fact, as an architect, we know that cities, cities prefer to have multi-family to buffer between busy intersections, busy areas, and commercial and also and residential areas and single family residential. So, this is the perfect opportunity to do that. To have, say, to have a multifamily project here. The is the site plan shows that we have 40 units and 2.4 acres. Each one of these units has a two-car garage. These are two-story luxury, townhome style apartments. And I know that it has been a concern in this area that maybe it would be low end housing, or something like that. And these are going to be high-end, luxury townhomes. The kind of style these are, we have a similar project- the Allen, which actually rented for over \$2,000 a month. These apartments here and the apartment project as a whole, when it sold recently, was actually the highest value

multi-family project per acre (price per acre0 that's ever been sold in Mesa. So, these are not low end users, these are doctors and other professionals that are moving into this neighborhood. This also has many amenities, it has a dog park has pool, spa, shade, pavilions and a whole lot of landscaping. A large variety of landscaping, more than was required by the code including heritage oak, ghost gums, purple orchid, and mesquite trees. And it's also across the street from a huge amenity, which is countryside Park. As I said before, there are 40 units, there are 84 spaces, it was required to have 84 spaces, we have 90 spaces. Every single one of these units has a two-car garage, plus there are six additional parking spaces for guests. We've requested R-3 zoning with a PAD and the R-2 allows 15 dwelling units per acre with 40 units on 2.4 acres, our project has 16.6 dwelling units per acre. Also, the architect knocked on all the doors of the houses directly to the south, kind of the southeast, of this project to make sure that we had an understanding of what their concerns might be. The only concern that they had was that something was nice being put there. Right now, there are a lot of stray dogs and other random people walking through that area. So, they're excited about this development. There were no negative comments at all. The only concerns that came up during the neighborhood meeting were regarding, the type of apartments that were going in. Once we explained that these were going to be luxury apartments, most of those comments and concerns went away. We worked with the neighborhood, also to the southwest, to move the dumpsters because that was one of their concerns. They didn't want to have a lot of dumpster noise and all that stuff throughout the evening. So those were moved, and additional trees were added. We made some adjustments to make sure that all windows and viewpoints from these dwelling units would face away from that neighborhood, especially just the one. There's one corner house there.

Chari Sarkissian read the submitted comments:

Victoria Specht, 1230 S. Helms, is opposed- The amount of homes in this small area is ridiculous. Has anyone thought of the parking situation along 32nd street? There is no way all the tenants will be parking inside this community. The bike lanes will be a parking lot. Look along Hampton between Val Vista and 32nd Street. You will see the overflow from the townhomes that don't allow on street parking. It is unsafe for the kids that wait for school buses. Think smaller to allow for parking.

Tom Hull, 1205 S Almar Cir., is opposed: I oppose the rezoning of this piece of property. It is not big enough for what they have planned. There is not enough space for all the homes and for all the off-street parking that will be necessary. Therefore, our side streets will become the parking lots, just like you see all around other neighborhoods where huge developments are built that are only given 1 space for parking and all other cars are on the street. We don't want to turn our neighborhood into a parking lot. Also, we don't want to add all that extra traffic with our kids it is unsafe for them and reduces visibility

Julie Hull, 1205 S Almar Cir., is opposed to the project- I am against the rezoning of this piece of property. They are planning on placing too many homes in not enough space. Where do they plan on putting all the parking? It will have to go somewhere, and it will end up on the street causing a nightmare for all the current residents. You see that everywhere they make those large amount of homes with no parking. It will also increase the traffic greatly in that area and there is already so many issues with speed and red light running that it is unsafe for our children. What will it be like with so much traffic in the area?

Chair Sarkissian invited members of the public to speak.

Monty Hogle, 1421 S. Creston, is opposed to the project- I got to say that the other comments from the people that have written in I 100% concur with. Our biggest concern is that they're putting too many units. I mean they're providing a dog park for example. There's a dog park across the street, city dog park. And so, we just feel that along 32nd Street it will become a parking lot. I spoke with Tim today; it was mentioned you know overflow parking in the church parking lot. That not going to fly; that's private property. We can't have a complex going in and using that type of facility and depending on that. So, the issues with traffic and cars, is of a big concern of for us. I do I have down on my list of things, that we're concerned about is the architectural elements. We saw some of that today. I think we're fine with some of that stuff. I would like to ask the question, is what kind of support, is the staff, are they opposing. Are they supportive? It would be a question that I have.

Chair Sarkissian reiterated the staff finding on the agenda.

Staffmember Lesley Davis clarified: Staff is recommending approval with conditions based on the zoning ordinance and the Mesa General Plan.

Monty Hogle continued. If this project were to go through, and to be approved, what kind of guarantees do we have that the residents that are going to that are going to live there are not going to access the freeway down 32nd Street, over to Hampton to Val Vista on to the freeway. There would have to be some way of providing islands to prevent turning onto 32nd Street, in order to keep the traffic out of the neighborhoods. It's already a disaster. So much traffic. And is the access to this property, is it going to be off at 32nd Street? Or is it going to be off in southern Avenue? It's 32nd I believe. Once again, as I as I mentioned 40 units is just way too much, they need to cut that down and get rid of some of the amenities. And the last question that I have at this point is who the zoning counsel is.

Conversation ensued to which Chair Sarkissian identified the City of Mesa land use attorneys.

John Jarvis, 3144 E. Hampton spoke. I live just south of the church building, that this property is north of, very concerned about traffic has already been discussed here. Right now we have kids that walk to school, north of Southern. We're just going to add two entrances onto 32nd Street, where kids are walking to school and home from school at that area there. I'd like to know to you talked about a meeting. I live just right around there. I know nothing about the meeting. He said that there was nobody opposed to it. On 32nd Street, there's like five houses that go down a couple 100 feet, how far of a

radius do they go, because we have had no notice at all about this thing going on. So I don't know what the gentleman's talking about, everybody's in favor of it? In fact, the sign that was put up was put up on Southern, facing Southern, people going 45 miles an hour down the road. Would everyone see it? You see the white side; you can't see any writing on it. The only way to access and know what it is, is to park your car, get off and walk through the lot to get to it. There was no signage on 32nd Street to inform anybody who lives south of the building of that area. So, it's gone very much under the radar, we just barely found out about it, because Monty happened to pull over on the side. I have talked to at least a dozen of my neighbors. In the last two days, everyone is opposed. Most of them want to be here, but because we have a four o'clock meeting. They couldn't get off work. So, my big question is, what is it going to take by petition, or what's the process to oppose this thing at this point? Until we get comfortable because everything that was read about the site is- we want to reduce this instead of going 25 feet, which was the norm, we want to go 10 feet besides this, we want to come... they want to go there trying to jam this project into that area. They want to put some nice places in there and make it not so crowded, we'll listen to that. You know, But right now we as a neighborhood, feel like we're being forced into this without any real knowledge of it. It's been very quiet. And again, I don't why a sign is put on a 45 mile an hour street that you can't even see. And it's very dangerous even to walk back to where is. Because you'd have to be looking like this, as you're driving, even see if there's something there, instead of facing the traffic that you could actually, see something there. So what is the what's the process with petitions? What's the steps that we do as a neighborhood to pretty much opposes at this point?

Chair Sarkissian referred to Staff and attorneys to clarify the process for members of the public.

Staffmember Lesley Davis clarified: We have requirements for citizen participation, which would have been related to the meeting that they had last summer. The notification for that is property owners within 1000 feet and then registered neighborhoods a half mile, and HOAs within one mile (I may have those two backwards). As far as the legal notification of this public hearing, it is a 500-foot radius that has to be met, and they are required to post a sign on the property. Due to the acreage of the site, there was one sign versus two on the larger sites. That is typical. But we can certainly note that this is an issue to look into. Letters were sent, per what is required by code for property owners within 500 feet. That information is gathered from the county assessor records.

Charlotte McDermott added, in regards to protest, I can direct residents to the part of our code that addresses protest. That is Mesa Zoning Ordinance 11-67-4 e. They can also look at the state statute which is ARS 9-462.04.

Chair Sarkissian invited the applicant to respond.

Michael Hudson clarified: I would like to just address the parking issue that keeps being brought up with these units again. It's hard to tell on a site plan. It looks like there's no parking, but all of that parking is inside the units themselves. There's a two-car garage and each one of those. Currently the neighbors to the east actually park on the on 32nd Street right in front of this property all the time. And there's always people parking along

there. It's not uncommon to see that. I don't foresee that happening because of the amount of parking that we actually have, which is over the amount that's required.

Vice Chair Villanueva- Saucedo stated. Given that the parking is exceeding what is required, I like the modern design. I think Mesa needs more variety in terms of design and housing type, especially for young professionals. I like the two-car garage for each unit, which is more than we typically see when we have proposals like this. The addressing of those big numbers and again, we just need a variety of housing types for those that don't want big yards, and don't want big lots. I'm fully in support of this project.

Vice Chair Villanueva-Saucedo motioned to approve ZON21-00940. The motion was seconded by Boardmember Allen.

That: The Board recommends the approval of case ZON21-00940 conditioned upon:

Conditions of Approval:

1. Compliance with the final site plan submitted.
2. Compliance with Design Review Case No. DRB21-00942.
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 modifications to the development standards as approved with the PAD overlay and shown in the following table:

MZO Development Standards	Approved
Minimum Garages Dimensions – <i>MZO Section 11-32-4(F)</i> Double car garage	20 feet 8 inches wide by 20 feet long
Minimum Setback of Cross Drive Aisles – <i>MZO Section 11-32-4(A)</i>	21 feet
Minimum Yards– <i>MZO Section 11-5-5</i> - Front (4-lane Arterial – Southern Ave.) - Street-Facing Side (Collector – 32 nd St.)	10 feet 10 feet

- Interior Side, 3 or more units on lot (multiple story)	18 feet 4 inches total for Building E, 28 feet total for Building B
- Rear, 3 or more units on lot (multiple story)	24 feet 4 inches total
Minimum Building Separation – <i>MZO Section 11-5-5</i> - Two-story buildings	24 feet
Landscape Yards – <i>MZO Sections and 11-5-5 and 11-33-3(B)</i> - Front (4-lane Arterial - Southern Avenue)	10 feet
- Street-Facing Side (Collector – 32 nd St.)	10 feet
- Non-Single Residential Uses Adjacent to Non-Single Residence (west and south property line)	West Property Line Only: 4 feet with 0 feet to trash enclosure South Property Line Only: 14 feet
Private Open Space Coverage – <i>MZO Section 11-5-5(A)(3)(e)(2)</i>	30%

Vote: 6-0 Approved (Boardmember Boyle recuse)

Upon tabulation of vote, it showed:

AYES – Sarkissian, Villanueva-Saucedo, Allen, Crockett, Ayers and Peterson

NAYS – None

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Note: Audio recordings of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also “live broadcasted” through the City of Mesa’s website at www.mesaaz.gov