



PLANNING DIVISION
STAFF REPORT

City Council Hearing

July 11, 2022

CASE No.: **ZON21-00940**

PROJECT NAME: **Countryside Modern**

Owner's Name:	Nourelhouda, LLC
Applicant's Name:	Tim Boyle, Tim Boyle Design
Location of Request:	Within the 3100 block of East Southern Avenue (south side) and the 1200 block of South 32 nd Street (west side). Located east of Lindsay Road on the south side of Southern Avenue).
Parcel No(s):	140-58-001Q
Request:	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.
Existing Zoning District:	Single Residence 9
Council District:	2
Site Size:	2.4± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Vacant
P&Z Hearing Date(s):	January 26, 2022 / 4:00 p.m.
Staff Planner:	Lesley Davis, Senior Planner
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote 6-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

On **April 21, 1975**, the City Council annexed 2,120± acres of land, including the subject property, into the City of Mesa and established City of Mesa Agricultural (AG) zoning (Ordinance No. 926).

On **May 14, 1979**, the City Council approved a rezoning of 100.6± acres, including the 2.26± acre subject property from AG to Single Residence 9 (RS-9) for single residence lots. (Case No. Z79-035; Ordinance No. 1233).

PROJECT DESCRIPTION

Background:

The subject request is for a rezone of a 2.4± acre property from Single Residence 9 (RS-9) to Multiple Residence 3 with a Planned Area Development Overlay (RM-3-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 east of Lindsay Road on the south side of 32nd Street and is undeveloped.

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 RS-9. The subject request is to rezone the site from RS-9 to RM-3-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 20 units per gross acre. Per Table 11-5-2 in the MZO, the multiple residence use is allowed in the RM-3 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 16.6 dwelling units per acre, complies with the purpose of the RM-3 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
Minimum 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	21 feet	As proposed
Minimum Yards– <i>MZO Section 11-5-5</i> - Front (4-lane Arterial – Southern Ave.) - Street-Facing Side (Collector – 32 nd St.) - Interior Side, 3 or more units on lot (multiple story) - Rear, 3 or more units on lot (multiple story)	20 feet 25 feet 15 feet per story (30 feet total) 15 feet per story (30 feet total)	10 feet 10 feet 18 feet 4 inches total for Building E, 28 feet total for Building B 24 feet 4 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 11-5-5 and 11-33-3(B)</i> - Front (4-lane Arterial - Southern Avenue) - Street-Facing Side (Collector – 32 nd St.) - Non-Single Residential Uses Adjacent to Non-Single Residence (west and south property line)	20 feet 25 feet 15 feet	10 feet 10 feet West Property Line Only: 4 feet with 0 feet to trash enclosure South Property Line Only: 14 feet	As proposed

Private Open Space Coverage – MZO Section 11-5-5(A)(3)(e)(2)	50%	30%	As proposed
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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 additional spaces provided within the development. The applicant provided six spaces more than code requires.

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. 32nd Street). The applicant is requesting to reduce the required setback from 50 feet to 21 feet to accommodate the placement of proposed buildings.

Required Building Setbacks:

Per Section 11-5-5 of the MZO, the RM-3 zoning district requires a 20-foot building setback from property lines abutting arterial streets and a 25-foot building setback from property lines abutting collector streets. The applicant is requesting reductions to the following required building setbacks: 20 feet to 10 feet from the north property line (adjacent to Southern Avenue); and 25 feet to 10 feet from the east property line (adjacent to 32nd Street. Per Section 11-5-5 in the MZO, the side and rear setback for structures in the RM-3 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 side setback (west property line) from 30-feet to 18-feet 4-inches for Building E, and 28-feet for Building B. Along the rear setback (south property line) the applicant requests to reduce the setback from 30 feet to 24-feet 4-inches.

Required Building Separation:

Per Section 11-5-5 of the MZO, two-story buildings on the same 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 20-foot-wide landscape yard is required along the north property line and a 25-foot landscape yard is required along the east property line. The applicant is requesting reductions to the following landscape yard widths: 10-foot landscape yard adjacent to the north and east property lines, four feet adjacent to the west property line with zero feet adjacent to the trash enclosure, and 14 feet adjacent to the south property line. Despite requesting a reduction to the landscape areas, the applicant has not requested to reduce the number of required plant material. Furthermore, the applicant is proposing to

landscape the right-of-way and has some larger landscape areas with additional plant material thereby satisfying the purpose and intent of this requirement.

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 30%. Landscaping is provided near the private open space to provide additional 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 modern front façade building materials including vertical wood siding, stained wood doors, black wall tile and black aluminum railings around private landscaped yards. Additionally, the landscape design is intentional, providing pedestrian areas along all street frontages and two on-site recreational amenity spaces including a pool and spa and separate dog park, all with shade pavilion structures and seating. The proposed 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 40-unit multiple residence development with primary vehicular access from 32nd Street. Per the submitted plans, the applicant is proposing a centrally located common open space areas with various amenities including a swimming pool, seating and shade structure, with a separate enclosed dog park, that will also include seating and a shade structure. The site plan also shows pedestrian walkways linking all of the units to existing sidewalks along 32nd Street and Southern Avenue, and pedestrian connections to open space areas within the development. 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 to review the subject request on January 11, 2022. 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 January 26, 2022, Study Session.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across Southern Avenue) AG City Park	North (Across Southern Avenue) OC and PS City Park	Northeast (Across Southern Avenue) RS-9 Single Residences
West OC Offices	Subject Property RS-9 Vacant	East (Across 32nd Street) RS-9 Single Residences
Southwest RS-7	South RS-9	Southeast (Across 32nd Street)

Single Residences	Church	RS-9 Single Residences
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Compatibility with Surrounding Land Uses:

The subject property is currently vacant. To the north, across Southern Avenue, is an existing City Park. To the west is an existing office development. Property to the south is zoned RS-9 but is developed with a church. Property to the east, across 32nd Street is zoned RS-9 and is developed with single residences. 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 (40 units)	Name of School	Annual Estimated Demand	Adequate Capacity to Serve
Porter	Elementary	22	Yes
Taylor	Middle School	25	Yes
Mesa	High School	56	Yes

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, 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 July 15, 2021. According to the Citizen Participation Report, eight residents were in attendance and raised general questions about visibility into nearby yards from the units, location of dumpsters and construction noise and dust. Per the report, the applicant relocated the dumpsters to the west side of the site adjacent to the offices and is providing landscaping to mitigate views into nearby yards. 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 RS-9 to RM-3-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. DRB21-00942.
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.) - Interior Side, 3 or more units on lot (multiple story) - Rear, 3 or more units on lot (multiple story)	10 feet 10 feet 18 feet 4 inches total for Building E, 28 feet total for Building B 24 feet 4 inches total
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Private Open Space Coverage – <i>MZO Section 11-5-5(A)(3)(e)(2)</i>	30%
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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