



PLANNING DIVISION
STAFF REPORT

Planning and Zoning Board

September 14, 2022

CASE No.: **ZON22-00896**

PROJECT NAME: **The Grove on Main Condominium Plat**

Owner's Name:	Suburban Land Reserve Inc
Applicant's Name:	Noel Griemsmann, Snell & Wilmer L.L.P.
Location of Request:	Within the 0 to 100 block of South Mesa Drive (east side), the 0 to 100 block of South Udall (east and west sides), and the 0 to 100 block of South LeSueur (west side). Located east of Mesa Drive and south of Main Street.
Parcel No(s):	138-27-100 & 138-27-101
Request:	Preliminary Plat. This request will allow condominium ownership of the common elements of "The Grove on Main".
Existing Zoning District:	T5 Main Street Flex (T5MSF)
Council District:	4
Site Size:	4.6± acres
Proposed Use(s):	Mixed-Use (Commercial and Residential)
Existing Use(s):	Mixed Use (Under Construction)
P&Z Hearing Date(s):	September 14, 2022 / 4:00 p.m.
Staff Planner:	Jennifer Merrill, Planner II
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **July 10, 1930**, the City Council approved a 550± acre annexation that included the subject site, and subsequently zoned the property to C-3, C-2, R-4 and R-2 (Ordinance No. 157).

On **September 8, 1987**, the City Council approved an amendment to the Mesa Zoning Ordinance to create zoning districts for all properties within Mesa's Town Center. The subject property was zoned Downtown Core (DC) and Downtown Residence District 2 (DR-2) (Case No. Z87-040; Ordinance No. 2254).

On, **June 14, 2012**, the City Council approved an amendment to the zoning code adopting the Form -Based Code including an Opt-in Regulating Plan for the downtown area. The Regulating Plan established form based transects on properties in the downtown area to be applied through an opt-in process, allowing property owners to replace the traditional zoning district on their property with the form based transects. The Regulating Plan designated the transects for the subject property as Transect 5 Main Street (T5MS), Transect 4 Neighborhood Flex (T4NF), and Transect 4 Neighborhood (T4N) (Ordinance No. 5099).

On **May 18, 2018**, the subject property opted-in to the Form-Based Code. Specifically, the opt-in rezoned the property from Downtown Core (DC) and Downtown Residence District 2 (DR-2) to Transect 5 Main Street (T5MS), Transect 4 Neighborhood Flex (T4NF), and Transect 4 Neighborhood (T4N) (Case No. FBC-00020).

On **July 9, 2018**, the City Council approved rezoning of the subject property from T5MS and T4NF to T5MSF to allow a mixed-use development (Case No. ZON18-00375, Ordinance No. 5456).

On **November 5, 2018**, the Planning Director approved the zoning clearance request for the subject site to allow the multiple-building, mixed-use development on 4.55± net acres (Case No. ADM18-00742).

On **June 9, 2021**, the Planning and Zoning Board approved The Grove on Main Condominium Plat. The approval expired one year later (ZON20-00364).

PROJECT DESCRIPTION

The applicant is requesting approval of a Preliminary Plat titled “The Grove on Main Condominium,” to create a condominium plat in the T5MSF zoning district. The subject property is located at the southeast corner of Mesa Drive and Main Street and is developed as a mixed-use project consisting of apartments, retail, and semi-public uses. The condominium-style plat will allow a condominium association to own the common elements within the mixed-use development and provide for their maintenance and upkeep. According to the application, the common elements include ground-level pedestrian spaces, amenities, landscaping, and the subterranean parking structure. The proposed Preliminary Plat shows the parcels which generally follow the outlines of building structures.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan character area designation on the property is Neighborhood and is within a Station Area of the Transit District. 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. Neighborhoods can contain a wide range of housing options and often have associated nonresidential uses such as schools, parks, places of worship, and local serving businesses. Per the Plan, the focus of the Transit District is to develop a mixed-use, pedestrian-oriented, urban environment, particularly within walking distance of transit stops.

The site is also located within the Temple/Pioneer Park Neighborhood Planning Area of the Central Main Plan. Objectives for the future of the neighborhood include providing a unique,

high-quality environment to attract new businesses and residential development to the surrounding area and growing a diverse mix of activities for community residents.

Overall, the request is consistent with the review criteria outlined in Chapter 15 (pg. 15-1&2) of the Mesa 2040 General Plan. The approved development adds to the mix of residential uses in this area and includes pedestrian-oriented streetscapes along Main Street, Mesa Drive, Udall and Lesueur. The proposed Preliminary Plat supports the approved development by defining the ownership of the common spaces in the development.

Zoning District Designations:

The subject property is zoned T5 Main Street Flex (T5MSF). Per Section 11-58-3 of the Mesa Zoning Ordinance (MZO) the intent of the T5MSF transect is to provide a flexible area that can transition from the commercial district to residential district by allowing a mixture of ground floor uses including live/work and ground floor residential that could transition to commercial space when the commercial corridor matures. The commercial and multi-unit residential uses on the site conform to the intent of the T5MSF transect.

Preliminary Plat:

Section 9-6-2 of the Mesa Subdivision standards requires approval of all subdivision plats located in the City to be processed through four progressive stages. Review and approval of a Preliminary Plat is the second stage in the series of the progressive stages. This review includes the evaluation of the overall site, including utilities layout, ADA compliance, and retention requirements. The Preliminary Plat is reviewed and approved by the Planning and Zoning Board. Per Section 9-6-2 of the City's subdivision regulations, all plats are subject to Final Plat approval through the City Council. The proposed request meets the review criteria for approval of a Preliminary Plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (across Main Street and Mesa Drive) Downtown Core (DC) Auto Sales lot	North (across Main Street) Downtown Core (DC) Park and Ride lot	Northeast (across Main Street and Lesueur) Downtown Residence (DR-2) Pioneer Park
West (across Mesa Drive) Downtown Core (DC) Park, Restaurant	Subject Property T5 Main Street Flex (T5MSF) Multi-Unit Residential	East (across Lesueur) Downtown Residence (DR-2) Mesa Arizona Temple
Southwest (across Mesa Drive) Downtown Core (DC) Vacant, Commercial Strip Center	South T4NF & T4N Multi-Unit Residential <i>Currently under construction</i>	Southeast (across Lesueur) Downtown Residence (DR-2) Mesa Arizona Temple

Compatibility with Surrounding Land Uses:

The subject property is located immediately south of the light rail station and a park and ride lot at Mesa Drive and Main Street. To the east of the property is the Mesa Arizona Temple grounds. Multi-residential and single residential uses are located to the immediate south and commercial development is to the west, across Mesa Drive. Approval of a Preliminary Plat for the establishment of condominium ownership of the common areas on the property will not be out of character with the surrounding area.

Staff Recommendation:

The subject request is consistent with the General Plan and meets the review criteria for approval of a Preliminary Plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations. Therefore, staff recommends approval with the following conditions:

Conditions of Approval:

1. Compliance with the Preliminary Plat submitted.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Subdivision Regulations.

Exhibits:

Exhibit 1-Staff Report

Exhibit 2-Vicinity Map

Exhibit 3-Application Information

3.1 Project Narrative

3.2 Preliminary Plat