



**PLANNING DIVISION**  
**STAFF REPORT**

**Planning and Zoning Board**

**September 28, 2022**

CASE No.: <b>ZON21-01271</b>	PROJECT NAME: <b>University Modern</b>
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Owner's Name:	QCC Promotion and Marketing, LLC
Applicant's Name:	Tim Boyle, Tim Boyle Design
Location of Request:	Within the 600 block of West University Drive (south side), within the 300 block of North Hosick (east side), and within the 300 block of North Date (west side). Located west of Country Club Drive on the south side of University Drive.
Parcel No(s):	135-58-074, 135-58-081, 135-58-143, 135-58-140 and 135-58-144
Request:	Rezone from Limited Commercial (LC) and Single Residence 6 (RS-6) 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 (LC) and Single Residence 6 (RS-6)
Council District:	4
Site Size:	1.5± acres
Proposed Use(s):	Multiple Residence
Existing Use(s):	Office
P&Z Hearing Date(s):	September 28, 2022 / 4:00 p.m.
Staff Planner:	Cassidy Welch, Senior Planner
Staff Recommendation:	APPROVAL with conditions
Planning and Zoning Board Recommendation:	
Proposition 207 Waiver Signed:	

**HISTORY**

On **January 5, 1949**, the City of Mesa's City Council approved a 2,419± acre annexation which included the subject site (Ordinance No. 228).

## **PROJECT DESCRIPTION**

### **Background:**

The applicant is requesting to rezone the property from Limited Commercial (LC) and Single Residence 6 (RS-6) 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 development of multiple residence on the property. The request for the PAD is to allow certain modifications to the City's development standards on the property. 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, include the building elevations and site plan, are consistent with the intent of the PAD overlay.

### **General Plan Character Area Designation and Goals:**

The General Plan character area designation on the property is Neighborhood with a Suburban Sub-type. Per Chapter 7 of the General Plan, the Suburban character type is the predominant neighborhood pattern in Mesa and primarily consists of single residences. However, as part of the total neighborhood area, the character area may also contain areas of duplexes and other multiple residence uses along arterial frontages and at major street intersections. Density is generally between two and 12 dwelling units per acre; however, higher densities may occur along arterial streets.

The proposed development fronts University Drive and is adjacent to multiple residence and commercial uses to the east and west. An existing single residence subdivision exists to the south of the subject site. The proposed development will serve as an appropriate transition of density and uses while adding to the diversity of housing types envisioned in the character area. Staff reviewed the request and determined it is consistent with the criteria for review of development outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

### **West Main Street Area Plan:**

The subject site is located within the Neighborhood Opportunity Area of the West Main Street Area Plan. Per the Plan, the Neighborhood Opportunity Areas represent an opportunity to protect these neighborhoods and their established character while enhancing the quality of these neighborhoods by encouraging reinvestment. The subject site is currently vacant and serves as the entry point to an existing single residence subdivision. The proposed development of multiple residence will serve as an appropriate transition of uses while providing buffer and protection for the existing single residence subdivision.

### **Zoning District Designations:**

The subject request is to rezone the property from LC and RS-6 to RM-4-PAD. Per Section 11-5-1 of the Mesa Zoning Ordinance (MZO), the purpose of the RM district is to provide areas for a variety of housing types at densities of up to 30 dwelling units per gross acres (du/ac). Per MZO Table 11-5-2, Multiple Residence is a permitted use in the RM zoning district.

**PAD Overlay Modification – MZO Article 3, Chapter 22:**

The subject request 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. Table 1 below shows the MZO required standards and the applicant's proposed PAD standards.

Table 1: Development Standards

<b>Development Standards</b>	<b>MZO Required</b>	<b>PAD Proposed</b>	<b>Staff Recommendation</b>
<u>Minimum Yards –</u> <i>MZO Table 11-5-5</i> Front and Street Facing sides - Adjacent to a local street (Date) (Hosick)  Interior Side and Rear -Multiple story (South property line)	20 feet 20 feet  15 feet per story (30 feet total)	<b>13 feet</b> <b>9 feet</b>  <b>13 feet</b>	As proposed
<u>Landscape Yards –</u> <i>MZO Table 11-5-5</i> Front and Street Facing sides - According to the required yards (Date) (Hosick)  Rear Yards	20 feet 20 feet  20 feet	<b>0 feet</b> <b>0 feet</b>  <b>Minimum 6 feet as shown on the site plan</b>	As proposed
<u>Minimum Building Separation –</u> <i>MZO Table 11-5-5</i> -Three-story building	35 feet	<b>23 feet</b>	As proposed
<u>Required Open Space –</u> <i>MZO Section 11-5-5</i> -Private Open Space	Private open space shall be at least 50% covered	<b>Private open space shall be at least 32% covered</b>	As proposed
<u>Setback of Cross Drive Aisles –</u> <i>MZO Section 11-32-4</i>	50 feet	<b>21 feet</b>	As proposed
<u>Interior Parking Lot Landscaping –</u> <i>MZO Section 11-33-4</i>	Landscape islands	<b>Landscape</b>	As proposed

	shall be a minimum of 8 feet wide and 15 feet in length	<b>islands shall be a minimum of 2 feet wide and 15 feet in length</b>	
<u>Building Entrance –</u> <i>MZO Section 11-5-5</i> - Individual unit entrances	Minimum depth of at least 5 feet and minimum horizontal area of 50 square feet	<b>Minimum depth of 2 feet and minimum horizontal area of 30 square feet</b>	As proposed
<u>Access, Circulation and Parking –</u> <i>MZO Section 11-5-5</i> - Attached Garages	In multi-story buildings that include livable floor area, garage doors located below upper-story living space shall be recessed at least 3 feet from the upper story façade.	<b>Two-Story Units:</b> <b>In multi-story buildings that include livable floor area, garage doors located below upper-story living space shall be recessed at least 2 feet from the upper story façade.</b>	As proposed
<u>Maximum Fence Height –</u> <i>MZO Section 11-30-4</i> - Required Street Side Yards	No fence or freestanding wall within or along the exterior boundary of the required front yard shall exceed a height of 3.5-feet.	<b>No fence or freestanding wall within or along the exterior boundary of the required front yard shall exceed a height of 4 feet</b>	As proposed

Required Yards:

Per MZO Table 11-5-5, the minimum street side setback along Date and Hosick is 20 feet. The applicant is requesting a reduction to the required street side setback along Date from 20 feet to eight feet and a reduction to the required street side setback along Hosick from 20 feet to 10 feet. According to the applicant, the requested building setbacks will allow the units to be brought closer to the streets, creating a more connected and pedestrian friendly aesthetic.

Per MZO Table 11-5-5, the minimum rear building setback for developments with three or more units on a lot is 15 feet per story for a total of 30 feet. The applicant is requesting a reduction to the rear (southern) building setback from 30 feet to thirteen feet. Per the applicant, the reduced rear setback allows for increased frontage on the north side of the site along University Drive for a more attractive and useable frontage.

#### Landscape Yards:

Per MZO Table 11-5-5, the minimum street side landscape setback along Date and Hosick is 20 feet. The applicant is requesting a reduction to the required street side landscape setback along Date and Hosick from 20 feet to 0 feet. According to the applicant, the reduced landscape setbacks are necessary for the high-quality development proposed. Additionally, while there is no public landscape setback on both Date and Hosick, landscaping will be provided in the private yards that front those streets.

Per MZO Section 11-5-5, the minimum rear landscape setback for multiple residence developments adjacent to the RS zoning district shall be 20 feet. The applicant is requesting a reduction in the minimum rear landscape setback from 20 feet to a minimum of six feet. Per the applicant, the reduced landscape setback is necessary to accommodate the proposed visitor parking. According to the applicant, the rear landscape setback outside of the solid waste enclosure location and visitor parking area ranges from 10 feet to 30 feet. Staff has concerns with the reduced landscape setback, particularly adjacent to the existing single residences to the south, and the long-term viability of landscaping within the four-foot yard. In order to support the reduced landscape setback, staff is requested additional landscape diamonds every two parking stalls to allow trees sufficient area to grow (See Condition #6).

#### Minimum Building Separation:

Per MZO Table 11-5-5, the maximum building separation for a three-story building is 35 feet. The applicant is requesting a reduction to the minimum building separation from 35 feet to 23 feet. According to the applicant, the reduced building separation is necessary to have an increased centralized amenity.

#### Required Private Open Space:

Per MZO Section 11-5-5, private open space shall be at least 50% covered. The applicant is requesting a reduction to the percentage of private open space covered from 50% to 32%.

#### Setback of Cross Drive Aisles:

Per MZO Section 11-32-4, parking spaces along main drive aisles connecting directly to a street shall be set back at least 50 feet from the property line abutting the street. The applicant is requesting a reduction to the minimum cross parking setback from 50 feet to twenty-one feet.

#### Interior Parking Lot Landscaping:

Per MZO Section 11-33-4, landscape islands shall be a minimum of eight feet wide and 15 feet in length. The applicant is requesting a reduction to the dimensions of the landscape island to a minimum two feet wide and 15 feet in length.

#### Building Entrances:

Per MZO Section 11-5-5, individual exterior unit entrances must have a roofed projection or recess with a minimum depth of five feet and minimum horizontal area of 50 square feet. The applicant is requesting a reduction to the building entrance area from a depth of five feet to two feet and a reduction to the horizontal area from 50 square feet to 32 square feet.

**Access, Circulation and Parking:**

Per MZO Section 11-5-5, in multi-story buildings that include livable floor area, garage doors located below upper story living spaces shall be recessed at least three feet from the upper story façade. The applicant is requesting a reduction to the garage setback in the two-story units from three feet to two feet. According to the applicant, the reduced garage setback is necessary to give priority to the pedestrian experience.

**Maximum Fence Height:**

Per MZO Section 11-30-4, the maximum height for fences located in the street-facing setback is three and a half feet. The applicant is requesting an increase to the maximum fence height from three and a half feet to four feet in the required street-facing setback on Date and Hosick.

**Justification:**

The subject site is located within the Neighborhood character area and the West Main Street Area Plan which encourages development of under-utilized parcels while also protecting existing residential areas. The proposed development serves as an appropriate transition between University Drive and the existing single residence subdivision to the south. Per the submitted narrative, the requested PAD overlay and associated deviations are necessary to accommodate the proposed development. In support for the PAD overlay, the applicant has provided increased common open space and resident amenities. Further, the applicant has provided units and private courtyards facing both street frontages of Date and Hosick to engage the surrounding developments and improve the street frontages. Overall, staff finds that the proposed PAD overlay is consistent with the intent for a PAD overlay outlined in MZO Section 11-22-1.

**Site Plan and General Site Development Standards:**

The proposed site plan shows development of a 28-unit multiple residence development with vehicular access located on University Drive. The site plan shows development of two (2) two-story buildings located along Date and Hosick and two (2) three-story buildings with a centralized amenity area in the center of the site. Individual unit private open space is located facing both Date and Hosick. Guest parking is located along the southern property line. A solid waste enclosure is located along the southern property line.

**Design Review:**

The Design Review Board reviewed the subject request on March 8, 2022. At the Design Review Board Work Session, staff received one comment card in opposition of the proposed development. The Design Review Board expressed concerns with the proposed elevations and context with the existing single residence subdivision to the south. Staff will be working with the applicant to address the comments and recommendations from the Design Review Board.

**Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest</b> (Across University Drive) OC Event Center	<b>North</b> (Across University Drive) OC Event Center	<b>Northeast</b> (Across University Drive & Date) OC Day Care
<b>West</b> (Across Hosick) OC & RS-6 Office & Single Residence	<b>Subject Property</b>  LC & RS-6 Office	<b>East</b> (Across Date) OC & RS-6 Offices & Single Residence
<b>Southwest</b> (Across Hosick) RS-6 Single Residences	<b>South</b>  RS-6 Single Residences	<b>Southeast</b> (Across Date) RS-6 Single Residences

**Compatibility with Surrounding Land Uses:**

The subject site contains a house that has been converted for office use. Small-scale office buildings exist to the east and west of the subject site, along University Drive. The site is bordered by two single residence lots immediately to the south with additional single residential located to the southeast and southwest of the site. The proposed development is compatible with the surrounding community by providing an appropriate transition of uses from University Drive to the existing single residence subdivision.

**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 a virtual neighborhood meeting on April 12, 2022. No surrounding residents or property owners attended the neighborhood meeting. At the March 8, 2022 Design Review Board Work Session, staff received one comment card in opposition to the proposed development. The property owner expressed concerns with the height and compatibility of the multi-story multiple residence. After the Design Review Board, staff received an additional comment card in opposition of the proposed density.

Neither staff nor the applicant have received direct comments from the surrounding properties. The applicant will be providing an updated Citizen Participation Report to staff prior to the September 28, 2022 Planning and Zoning Study Session. Staff will provide the Board with any new information during the scheduled Study Session.

**School Impact Analysis:**

Staff did not receive a response from the Mesa Public Schools District regarding the anticipated impact and capacity to nearby schools.

**Staff Recommendation:**

Based upon the application received and preceding analysis, Staff finds that the requested Rezone and Site Plan Review complies with the Mesa 2040 General Plan and the West Main Street Area Plan. The proposed development meets the purpose for a Planned Area Development overlay outlined in Section 11-22-1 of the MZO and the criteria for Site Plan Review outlined in Section 11-69-5 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 all requirements of Design Review Case No. DRB21-01270.
3. Prior to the issuance of a building permit, obtain approval of and record a final subdivision plat for the subject site.
4. 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.
5. All off-site improvements and street frontage landscaping to be installed in the first phase of construction.
6. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD overlay as shown in the following table:

<b>Development Standards</b>	<b>Approved</b>
<u>Minimum Yards</u> – <i>MZO Table 11-5-5</i> Front and Street Facing sides - Adjacent to a local street (Date) (Hosick)  Interior Side and Rear -Multiple story (South property line)	    13 feet 9 feet   13 feet
<u>Landscape Yards</u> – <i>MZO Table 11-5-5</i> Front and Street Facing sides - According to the required yards (Date) (Hosick)  Interior Rear Yards	    0 feet 0 feet  Minimum 6 feet as shown on the site plan
<u>Minimum Building Separation</u> – <i>MZO Table 11-5-5</i> -Three-story building	  23 feet
<u>Required Open Space</u> –	



<i>MZO Section 11-5-5</i> -Private Open Space	Private open space shall be at least 32% covered
<u>Setback of Cross Drive Aisles –</u> <i>MZO Section 11-32-4</i>	21 feet
<u>Interior Parking Lot Landscaping –</u> <i>MZO Section 11-33-4</i>	Landscape islands shall be a minimum of 2 feet wide and 15 feet in length
<u>Building Entrance –</u> <i>MZO Section 11-5-5</i> - Individual unit entrances	Minimum depth of 2 feet and minimum horizontal area of 30 square feet
<u>Access, Circulation and Parking –</u> <i>MZO Section 11-5-5</i> - Attached Garages	Two-Story Units: In multi-story buildings that include livable floor area, garage doors located below upper story living space shall be recessed at least 2 feet from the upper story façade.
<u>Maximum Fence Height –</u> <i>MZO Section 11-30-4</i> - Required Street Side Yards	No fence or freestanding wall within or along the exterior boundary of the required front yard shall exceed a height of 4 feet

**Exhibits:**

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Application Information

3.1 Site Plan Project Narrative

3.2 Grading and Drainage Plan

3.3 Landscape Plan

3.4 Elevations

3.5 Project Narrative

3.6 Letter of Opposition

3.7 Citizen Participation Plan

Exhibit 4 – Citizen Participation Report

