



**PLANNING DIVISION
STAFF REPORT**

Planning and Zoning Board

January 22, 2020

CASE No.: **ZON19-00710**

PROJECT NAME: **Desert Place at Morrison Ranch**

Owner's Name:	B & K Land & Invesment Co.
Applicant's Name:	Sean Lake, Pew and Lake, PLC
Location of Request:	Within the 7000 to 7600 blocks of East Guadalupe Road (south side) and within the 2800 through 3100 blocks of South Sossaman Road (west side). Located south of Guadalupe Road and west of Sossaman Road.
Parcel No(s):	304-17-570
Request:	Rezone from Neighborhood Commercial (NC) Planned Area Development (PAD) to Single Residence 6 (RS-6)-PAD (6.7± acres); and major modification of an existing PAD (213.7± acres). Also consider the preliminary plat for "Desert Place at Morrison Ranch". This request will allow for the development of a single-residence subdivision.
Existing Zoning District:	Neighborhood Commercial (NC) with a Planned Area Development Overlay (PAD)
Council District:	6
Site Size:	Rezoning 6.7± acres. Major modification of PAD 213.7± acres
Proposed Use(s):	Single residence subdivision
Existing Use(s):	Vacant
Hearing Date(s):	January 22, 2020 / 4:00 p.m.
Staff Planner:	Evan Balmer
Staff Recommendation:	Approval with Conditions
Planning and Zoning Board Recommendation:	
Proposition 207 Waiver Signed:	No

HISTORY

On **January 22, 1990**, the property was annexed into the City of Mesa (Ord. No. 2482) and subsequently zoned to Agriculture (AG) (Case No. Z90-009).

On **October 16, 2006**, City Council approved a rezoning of the property to establish the Morrison Ranch Master Plan on 213.7± acres. As part of the master plan approval, the subject site (6.7± acres) was designated as Neighborhood Commercial (NC) with the PAD (Case# Z06-006).

PROJECT DESCRIPTION

Background:

The purpose of the subject request is to modify the Morrison Ranch PAD by rezoning 6.7± acres of designated Neighborhood Commercial (NC) in the PAD to Single Residence 6 (RS-6). The Morrison Ranch Development Master Plan was approved by City Council on October 16, 2006 and consisted of 213± acres with zoning designations of Single Residence 6 (RS-6), Single Residence 7 (RS-7), Single Residence 9 (RS-9) and Neighborhood Commercial (NC). The residential component of the master plan consisted of 205.5± acres of the overall 213± acres within the PAD, and designation of 6.7 acres of land for neighborhood commercial uses.

The proposed request is to change the Neighborhood Commercial designation to Single Residence (RS-6) to allow development of a 37-lot single residence subdivision on the property. As part of the request, the applicant is also requesting a major modification to the PAD overlay. This is specifically to allow deviations to the minimum lot size and the minimum lot width allowed in the RS-6 zone and would apply only to the 6.7± acre subject site. The request also includes a proposed preliminary plat showing minimum lot size of 5,750 square feet and minimum lot width of 50 feet for the development of the 37 single residence lots. The balance of the Morrison Ranch PAD has been constructed.

According to the applicant, the property owners within the PAD discussed several options to utilize the subject property. Through the various deliberations, the residents concluded that rezoning the property from the current designation to allow residential development similar to those existing homes in the PAD will be the best use of the land, especially as there are several neighborhood commercial uses in close proximity within the subdivision that provide for the needs of the residents. The applicant also provided a market radius analysis showing provision of services with the immediate vicinity of the site (See Exhibit 1). Per Section 11-6-1 of the Mesa Zoning Ordinance (MZO), the purpose of the Neighborhood Commercial is to provide areas for locally oriented retail service uses that serve the surrounding trade area within a ½ to 2-mile radius. And typical uses in the district include retail stores, grocery-store-anchored shopping centers, drug stores, restaurants and cafes, gas stations, and convenient stores.

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 primary focus of the Neighborhood character is to provide safe places for people to live where they can feel secure and enjoy their surrounding community.

Chapter 4 of the General Plan also outlines the goal for creating and maintaining a variety of great neighborhoods. This section identifies key elements needed for strong neighborhoods. One of such elements is the character and personality of a neighborhood that is created through architectural style or theme or other unique design character, such as street patterns and/or street planting programs. The Morrison Ranch subdivision includes enhanced perimeter landscaping and tree lined streets surrounded by a white picket fence. This character of the neighborhood makes it one of the most recognizable subdivisions bearing such traits in that area of the City. The proposed expansion of residential uses to be developed on the 6.7± acre property will continue to enhance the long term sustainability of the area, as well as provide the population to support the existing surrounding commercial uses.

Per Chapter 7 of the General Plan, Single Residence-6 (RS-6) zoning is listed as a primary use within the suburban sub-type. The proposed project is consistent with the General Plan land use character designation, as well as the goals for creating a strong neighborhood. Staff also 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.

Zoning District Designations:

As stated, the property was zoned NC in 2006 as part of the Morrison Ranch Master Plan Development. The intent of designating the subject site was to allow development of neighborhood commercial services, such as banks, offices, day care facilities, retail stores and restaurants to the immediate community surrounding the site.

Per Section 11-6-1 of the Mesa Zoning Ordinance (MZO), the purpose of the Neighborhood Commercial is to provide areas for locally oriented retail service uses that serve the surrounding trade area within a ½ to 2-mile radius. And typical uses in the district include retail stores, grocery-store-anchored shopping centers, drug stores, restaurants and cafes, gas stations, and convenient stores. From the information and neighborhood services analysis provided by the applicant (See Exhibit 1), there are several developed and existing uses within ½ to 2 miles radius providing such neighborhood services to the population within the trade area. In addition, there are several land use designations within the ½ to 2 miles radius capable of providing such neighborhood services (See Exhibit 1). Further, there are several identified vacant developed commercial uses that needs the population and market to support its continuous operations. The proposed rezoning will provide additional population to the area and help generate the neighborhood demand to support the existing commercial land uses. The original intent for zoning the parcel as NC was to provide basic neighborhood commercial services that are easily accessible to the immediate neighborhoods in the area. Because of the development of several neighborhood services within the immediate vicinity of the site, rezoning the property to allow uses to support the surrounding commercial uses aligns more with the intent of the neighborhood commercial district.

Planned Area Development (PAD) Overlay – MZO Article 3, Chapter 22:

The subject request includes a major modification to the existing PAD overlay. Per Section 11-69-6 of the MZO, the proposed changes to the approved master plan and rezoning of the property constitute a major modification to the PAD. In accordance with this section of the MZO, any modification that is considered a major modification, such as changes in uses, densities, or other major changes, shall be required to follow the procedure for approving such a plan.

Per Section 11-21-1 of the MZO, the purpose of the PAD overlay is to allow modifications to certain required development standards on the property. The overlay is also to allow innovative design and flexibility that create high-quality development for the site. Table 1 below shows the MZO required standards and the applicant’s proposed PAD standards:

Table 1

RS-6 Development Standards	Required	Proposed
Minimum Lot Area (sq.ft.)	6,000	5,750
Minimum Lot Width – Interior Lot (ft)	55’	50’

As shown on the table above, the applicant is requesting the following deviations from the RS-6 zoning district development standards outlined in Section 11-5-3 of the Mesa Zoning Ordinance (MZO):

Minimum Lot Area:

The required minimum lot area in the RS-6 zone is 6,000 square feet and the applicant is requesting a reduction of 250 square feet to 5,750 square feet.

Minimum Lot Width:

The required minimum lot width in the RS-6 zone is 55’. The applicant is requesting a reduction in the minimum lot width from 55’ to 50’. In exchange for a reduced lot width, the applicant is proposing a typical lot depth of 115’, which exceeds the RS-6 required lot depth of 90’.

Both of these deviations are consistent with development standards previously approved within the Morrison Ranch Development Master Plan.

As justification for the requested deviations, the applicant intends to maintain the high quality development found in the Morrison Ranch subdivision including high quality building design and landscape design consistent with the rest of the subdivision.

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. Per section 11-66-2 of the Mesa Zoning Ordinance, the preliminary plat is reviewed and approved by the Planning and Zoning Board. All approved preliminary plats are subject to potential modification through the City’s Subdivision Technical Review process, which is the third stage after approval of the preliminary plat. The Subdivision Technical Review process considers the overall design of the subdivision

and details, such as utilities layout, ADA compliance, detention requirements, etc. This process can sometimes result in modification to lot sizes and configuration and a reduction in the number of lots.

The proposed preliminary plat shows development of 37 single residence lots, which will be integrated into the larger Morrison Ranch development. Per the plan, access to the site will be from Guadalupe Road. As this property is part of the Morrison Ranch PAD, if approved, the residents to occupy the development would be able to use all the Morrison Ranch amenities, including a large central open space area and sport courts.

Surrounding Zoning Designations and Existing Use Activity:

<p>Northwest Across Guadalupe Road RS-6-PAD Single Residence</p>	<p>North Across Guadalupe Road LC Commercial</p>	<p>Northeast Across Guadalupe Road RS-7-PAD Single Residence</p>
<p>West RS-6-PAD Single Residence</p>	<p>Subject Property NC-PAD Vacant</p>	<p>East Across Sossaman Road LC Commercial</p>
<p>Southwest RS-6-PAD Single Residence</p>	<p>South RS-6-PAD Single Residence</p>	<p>Southeast Across Sossaman Road RS-6-PAD Single Residence</p>

Compatibility with Surrounding Land Uses:

The subject site is surrounded by single residence development to the south, west and northwest. There are also two commercial properties on the northwestern and southeastern corners of the intersection of Guadalupe Road and Sossaman Road, both of which are zoned LC. The property on the northwest corner is developed as an auto repair facility. The property on the southeast corner is developed with a variety of commercial uses and has a number of vacant spaces. There are also several developed commercial land uses within one mile of the property. Overall, the request to develop 37 single family residences on the subject property will be compatible with the surrounding uses and the Morrison Ranch PAD.

Neighborhood Participation Plan and Public Comments

The applicant has completed a Citizen Participation Process, which included mailed letters to property owners within 1,000-feet of the site, as well as HOAs within ½ mile and registered neighborhoods within 1 mile of the site. The applicant held a neighborhood meeting on September 24, 2019 at Boulder Creek elementary school. Three residents attended the meeting. According to the applicant, these residents expressed support for the requested change. And one of the residents inquired about proposed landscaping for the project. The applicant informed the resident that the landscaping would be consistent with the existing landscaping in the Morrison Ranch PAD.

In addition to the Citizen Participation for the zoning case, the applicant also collected the necessary signatures from 2/3rds of the residents at Morrison Ranch to amend the CC&Rs to allow the proposed single family residences into the Morrison Ranch HOA.

As of the writing this report, staff has received three emails from residents of Morrison Ranch. Two emails were in support of the request and the third was in opposition. The resident in opposition would like to see the subject property developed as commercial to provide retail and restaurant uses to the residents without the need to cross a major arterial roads to have such services.

Staff Recommendations:

The subject request is consistent with the General Plan and the purpose for a Planned Area Development overlay outlined in Section 11-22-1 of the MZO; Therefore, staff recommends approval of the request with the following conditions:

Conditions of Approval:

1. Compliance with the City of Mesa Zoning Ordinance, except as modified in Table 1 of the staff report.
2. Compliance with all requirements of the Subdivision Regulations.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner shall execute and record the City's standard Avigation Easement and Release for Phoenix Mesa Gateway Airport prior to the issuance of a building permit.
 - b. Prior to the issuance of a building permit, provide documentation that a registered professional engineer or registered professional architect has certified that noise attenuation measures have been incorporated into the design and construction of the homes to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Mesa Zoning Ordinance.
 - c. Provide written notice to future property owners that the project is within 3 miles of Phoenix-Mesa Gateway Airport.
 - d. Provide a 4-foot x 4-foot sign at the entrance to the sales office for this development, with notice to all prospective buyers that the project is within an Overflight Area for Phoenix-Mesa Gateway Airport as specified in Section 11-19-5 of the Zoning Ordinance.
 - e. Provide a note on the final subdivision plat that states: "This property, due to its proximity to Phoenix- Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals."