



Planning and Zoning Board

Staff Report

CASE NUMBER: ZON17-00324
LOCATION/ADDRESS: 1800 block of South Recker Road (east side)
GENERAL VICINITY: Located north of Baseline Road on the east side of Recker Road.
REQUEST: Rezone from AG to RS-43 BIZ and Site Plan Review
PURPOSE: This request will allow the land to be divided for the development of detached single residence housing.
COUNCIL DISTRICT: District 2
OWNER: Lynn M. Urry, Scott W. Urry and Peggy A. Urry
APPLICANT: Shane Urry
STAFF PLANNER: Veronica Gonzalez

SITE DATA

PARCEL NO.: 141-54-007R
PARCEL SIZE: 3.8 ± acres
EXISTING ZONING: AG
GENERAL PLAN CHARACTER: Neighborhood – Large Lot/Rural
CURRENT LAND USE: Single Residence

SITE CONTEXT

NORTH: Existing Single Residences – Zoned AG
EAST: (Across RWCD Canal) Existing Golf Course – Zone AG
SOUTH: Existing Single Residences – Zoned AG
WEST: (Across Recker Road) A.T. Still University – Zoned PEP PAD

STAFF RECOMMENDATION: Approval with Conditions

P&Z BOARD RECOMMENDATION: ☐ Approval with conditions. ☐ Denial

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

HISTORY/RELATED CASES

March 29, 1982: Annexed to City (Ord. #1590)
November 22, 1982: Rezoned from County Rural-43 to City AG (Z82-091)

PROJECT DESCRIPTION / REQUEST

This request is to rezone approximately 3.8 acres from AG to RS-43 BIZ to allow the land to be divided for the development of detached single residences. The property is located north of Baseline Road on the east side of Recker.

The subject site is currently a single parcel with an existing residence. The property owner intends to split the parcel into three lots to allow construction of residences on each of the two new lots.

NEIGHBORHOOD PARTICIPATION:

The applicant has completed a Citizen Participation Plan, which included a mailed letter to property owners within 1,000' of the site, as well as HOAs and registered neighborhoods within a mile. Staff has not received any phone calls or emails from adjacent property owners in opposition to this request.

STAFF ANALYSIS

MESA 2040 GENERAL PLAN:

The General Plan character type for this is Neighborhood - Large Lot/Rural. Residential development in this area is primarily of an agricultural and rural character. This request is consistent with the pattern of surrounding development as the applicant proposes appropriately-scaled, single-residential homes that will enhance the rural character of the area. Staff has reviewed the proposal and found that it is consistent with the criteria for review as outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan and has determined that the proposed use is in conformance with the General Plan.

ZONING:

This request is to rezone a 3.8 ± acre lot from AG to RS-43 with a Bonus Intensity Zone (BIZ) overlay. Rezoning will allow the parcel to be split into three (3) one-acre minimum lots. The new lots to be created by a land split will be "flag lots" that do not meet the minimum frontage requirement in the RS-43 zoning district, which is 130'. However, the BIZ overlay allows for reduced frontage while allowing the lots to be developed consistent with other RS-43 standards.

In terms of zoning classification, RS-43 is a bit of a deviation from the existing AG zoned parcels adjacent to the subject property. The AG zoning district establishes the minimum amount of frontage for a lot at 400' and a minimum lot size of 10 acres. None of the adjacent parcels currently zoned AG along Recker Road in this area meet the minimum frontage and acreage requirements of that zoning district, but are allowed to remain as AG zoned parcels because they are considered legal non-conforming. The proposed RS-43 BIZ zoning reflects the existing parcel sizes in the area while maintaining the rural development pattern.

BIZ OVERLAY MODIFICATIONS – MZO Article 3:

The applicant has requested a BIZ overlay to accommodate deviations to lot width and setbacks for the RS-43 development standards. In a BIZ, variations from conventional development requirements may be authorized by the City Council when projects offer amenities, features or conditions that compensate for such variations. This proposal requires the following modifications:

Minimum Lot Width: Per Section 11-5-3 of the MZO, the minimum lot width required in the RS-43 zoning district is 130'. The applicant is proposing a flag lot configuration with minimum of 5' of frontage on Recker Road for each of the new lots. The buildable portion of the proposed new lots will be 140' and 145' for Lots 2 and 3, respectively, which exceed the minimum required in the RS-43 zoning district.

Setbacks: Section 11-5-3 of the MZO defines the required setbacks for the RS-43 zoning district for front, side and rear yards. The BIZ overlay is maintaining the standard setback dimensions but is defining the setbacks in terms of north, south, east and west property lines due to the unusual lot configuration and street frontage. The proposed setbacks are as follows:

Property Line	Setback
North:	10' minimum (30' aggregate with South setback)
South:	10' minimum (30' aggregate with North setback)
East:	30'
West:	22' (30' for Garages and Carports)

Staff is supportive of the proposed modifications as the project meets the BIZ criteria for a distinctive, superior quality design and the site design criteria, known as Items 1 and 2 of Section 11-21-3(B) of the MZO. The BIZ overlay also allows for enhancement of the character and development pattern of the area.

SITE PLAN - MZO Section 11-69-5:

The subject site is a single parcel with access to Recker Road. The parcel has an existing home with accessory structures and the applicant proposes to split the parcel into three (3) lots that are each at least one acre in size. Site plan review is for Lot 3 only. Access to Lots 2 and 3 will be achieved with a shared driveway and private access road. A 20'-wide ingress-egress easement covering the northernmost driveway and extending eastward across the north side of the three lots will be recorded on the properties (conditions #6 and 7).

The applicant recently received approval from the City Council to defer sewer line extension and connection requirements for this development proposal. As a result of this deferral, the applicant is allowed to install individual septic systems for each new home and a development agreement between the City and the property owner addressing said deferment will be required (condition #8).

The proposed site plan for Lot 3 meets all the review criteria per Section 11-69-5 of the MZO as it is consistent with RS-43 development standards, suitable to the pattern of development of the area and consistent with the parcel size of adjacent properties.

CONCLUSION:

The proposed project complies with the General Plan, the development standards of the BIZ Overlay District, and meets all review criteria for Site Plan Review from Chapter 69 of the Zoning Ordinance (Section 11-69-5). Staff recommends approval with the following conditions:

CONDITIONS OF APPROVAL:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan (identifying Lot 1, Lot 2 and Lot 3) submitted.
2. Compliance with the Residential Development Guidelines.
3. Compliance with all City development codes and regulations, except as modified below:
 - a. Minimum lot widths, as measured at Recker Road, are as follows:
 - i. Lot 1 – 120' minimum
 - ii. Lot 2 – 20' minimum
 - iii. Lot 3 – 5' minimum
 - b. Setbacks defined in terms of north, south, east and west with dimensions as follows:
 - i. North – 10' minimum (30' aggregate with South setback)
 - ii. South – 10' minimum (30' aggregate with North setback)
 - iii. East – 30'
 - iv. West – 22' (30' for garages and carports)
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication whichever comes first.
5. Compliance with all conditions of approval for a land split.
6. Prior to approval of a land split, recordation of an ingress-egress easement between Lots 1, 2, and 3 for the shared driveway and access road between the properties.
7. Prior to approval of a land split, recordation of a non-exclusive access easement granting the City emergency vehicular ingress and egress to Lots 1, 2, and 3.
8. Recordation of a Development Agreement addressing deferment of sewer extension and connection requirements.