



Planning and Zoning Board

Staff Report

CASE NUMBER: ZON18-00221
LOCATION/ADDRESS: The 1100 block of North Miller Street (east side) and the 1000 block of East Brown Road (south side).
GENERAL VICINITY: Located on the south side of Brown Road and west of Stapley Drive.
REQUEST: Rezoning from OC to RS-9-BIZ; and Site Plan Review.
PURPOSE: This request will allow for the development of a single-family residence.
COUNCIL DISTRICT: District 1
OWNER: NICHA, LLC
APPLICANT: Richard Corrow
STAFF PLANNER: Evan Balmer, AICP

SITE DATA

PARCEL NO.: 137-09-204
PARCEL SIZE: 0.2± acres
EXISTING ZONING: OC
GENERAL PLAN CHARACTER: Neighborhood - Suburban
CURRENT LAND USE: Vacant

SITE CONTEXT

NORTH: Existing office, zoned OC
EAST: Existing residential, zoned RS-9
SOUTH: Existing residential, zoned RS-9
WEST: Existing church, zoned RS-9

STAFF RECOMMENDATION: Approval with conditions

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

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

HISTORY/RELATED CASES

April 20, 1959: Annexed into the City of Mesa (Ord. No. 366)
February 19, 1979: Approved rezone from R1-9 to OC (Z79-012)

PROJECT DESCRIPTION / REQUEST

This is a request for rezoning from OC to RS-9 with a BIZ overlay and Site Plan Review on a currently vacant parcel to allow the development of a 2,000± square foot detached single-family home. The applicant is requesting one modifications under the BIZ application, which is to allow the garage to extend 2' in front of the portal patio.

NEIGHBORHOOD PARTICIPATION

The applicant sent mailings to property owners within 500 feet of the site, to HOAs within ½ mile, registered neighborhoods within a mile of the site and held two neighborhood meetings. The applicant did not receive any contact in response to the mailing and had no attendees at the meetings. The report is included for the Board's review. To date, staff has not been contacted with regard to this proposal.

STAFF ANALYSIS

MESA 2040 GENERAL PLAN:

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.

The Mesa 2040 General Plan Character Area designation is Neighborhood – Suburban. The primary focus of the neighborhoods character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The Neighborhood – Suburban designation is the predominate neighborhood pattern in Mesa and generally includes lots between 6,000 and 18,000 square feet. This project is consistent with the Neighborhood – Suburban General Plan Character Area and will strengthen the character of the area by developing an infill parcel that has remained vacant since it was platted in 1973 and is the last undeveloped parcel in the surrounding neighborhood.

ZONING:

This request is to rezone from OC to RS-9-BIZ. The subject property is located on the southeast corner of Brown Road and Miller Street and is part of the Michael Estates subdivision.

The subject property was annexed into the City of Mesa in 1959 and subsequently zoned R1-9. In 1979, the property was rezoned to OC to allow the development a medical office building. The medical office did not come to fruition and the property has remained undeveloped. The rest of the neighborhood is currently zoned RS-9 and is an established residential neighborhood with the subject property being the only remaining vacant parcel in the area. The applicant is proposing a single-family detached home on the property and is able to meet all of the development standards of the RS-9 zone including minimum lot size and all setbacks. This request is in compliance with both the Zoning Ordinance and the development pattern in the area.

BIZ OVERLAY MODIFICATIONS – MZO Article 3, Chapter 21:

The Zoning Ordinance allows the City Council to approve modifications to the underlying district standards proportionate to number of items and degree of compliance provided by a project. Projects with few modifications need comply with a lower percentage of criteria. Projects with a higher number and greater deviation from adopted standards shall comply with a higher percentage of criteria.

The use of a BIZ overlay is not suitable for all projects and is reserved for unique situations, one of which is the redevelopment of economically distressed parcels. While this site is not damaged or environmentally contaminated, the small size and location of the parcel does not make it an ideal location for an office building. The parcel was created in 1973 as part of the Michael Estates subdivision, and while the rest of the subdivision has been built out, this parcel at the entrance to the subdivision has remained vacant and presents a good opportunity for infill development.

As part of the BIZ overlay, the applicant is requesting one deviation from the Zoning Ordinance. In the 2011 Zoning Ordinance update, language was added to the Ordinance that requires lots with garage doors oriented parallel or within 10 degrees of parallel to the front property line to be located at least 3-feet behind the primary wall facing the street. This provision was amended in April 2018 to apply only to lots less than 100' wide that had plans approved after October 2011. The applicant is proposing to build a Santa Fe style home on this property similar to other homes he has built around the valley. The design of the home includes a large portal patio with the garage extending 2' in front of the portal.

The reason this language was added to the Zoning Ordinance was to avoid garage dominant neighborhood designs and encourage architectural variety and interest. Because the subject property is the last remaining undeveloped parcel in an established neighborhood, it is a bit of a unique situation. Due to the age of the neighborhood, there are a variety of architectural styles represented including side entry garages, flush garages, forward garages and a few carports within the immediate vicinity of the applicant's parcel. The Santa Fe style home with the large portal and the slightly garage forward design would be a unique addition to the neighborhood and meet the intention of the Zoning Ordinance, which is to provide a variety of designs within a neighborhood. For these reasons Planning Staff is supportive of the BIZ request.

Development Standards – MZO Table 11-5-3	Required	Proposed
Minimum Lot Area	9,000 sf	9,000 sf
<u>Front Setback</u>		
Livable	15'	15'
Garages	25'	25'
<u>Side Setbacks</u>		
Minimum	7'	7'
Aggregate	17'	17'
Street side	10'	10'
<u>Rear Setback</u>	25'	25'

<u>Garage location</u>	3' behind the front wall of the home	2' in front of the portal patio
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The proposed project meets the review criteria for a BIZ overlay for Items 1 and 2 as stated in MZO section 11-21-3.B.

SITE PLAN - MZO Section 11-69-5:

This proposal is for a 2,000± square-foot detached single-family home on a 0.2± acre parcel. Access to the parcel will be along Miller Street and the design of the home meets all applicable development standards for the RS-9 zone.

This proposal project contributes to the creation of a visually interesting built environment for the surrounding area and utilizes a parcel that has gone undeveloped for many years. The proposed site plan meets the review criteria for site plan review as found in MZO Section 11-69-5 of the Zoning Ordinance.

CONCLUSION:

The proposed project complies with the General Plan and meets the review criteria for Site Plan Review from MZO, Chapter 69 (Section 11-69-5), as well as the criteria established in MZO, Chapter 21 (section 11-21-3.) for the BIZ overlay. Staff recommends approval with the following conditions:

CONDITIONS OF APPROVAL:

1. Compliance with the basic development as shown on the site plan and preliminary elevations.
2. Compliance with all City development codes and regulations, except as modified by this BIZ overlay.
3. Prior to building permit submittal, the Applicant shall submit a revised site plan for review and acceptance by the Planning Director showing all perimeter walls in conformance with section 11-30-4 of the City of Mesa Zoning Ordinance.