



Planning and Zoning Board

Staff Report

CASE NUMBER: ZON18-00984
LOCATION/ADDRESS: Within the 700 block of South Stapley Drive (east side) and the 1200 block of East 8th Avenue (north side).
GENERAL VICINITY: Located south of Broadway on the east side of Stapley Drive.
REQUEST: Rezoning from RM-3 and OC to NC-BIZ; and Site Plan Review.
PURPOSE: This request will allow for a commercial development.
COUNCIL DISTRICT: District 4
OWNER: Pro Tax Financial Services, LLC
APPLICANT: Adaptive Architects, Inc.
STAFF PLANNER: Wahid Alam, AICP Planner II

SITE DATA

PARCEL NO.: 139-04-013A and 139-04-010A
PARCEL SIZE: 0.9± acres
EXISTING ZONING: RM-3 and OC
GENERAL PLAN CHARACTER: Neighborhood: Suburban
CURRENT LAND USE: Existing office and vacant

SITE CONTEXT

NORTH: Existing single residence for Landscaping business- zoned RM-3
EAST: Existing single residence homes- zoned -RS-6
SOUTH: (across 8th Avenue) Existing single residence homes- zoned LC and RS-6
WEST: (across Stapley Drive) Existing office and multi-residences-zoned RM-3

HISTORY/RELATED CASES

January 17, 1959: Annexed into City of Mesa (Ord. No. 361)
April 20, 1992: Rezoned from R-3 to O-S for conversion of an existing house to an office use (Z92-010; Ord. No. 2683)

STAFF RECOMMENDATION: Approval with conditions.

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

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

PROJECT DESCRIPTION / REQUEST

The applicant is requesting to rezone the property from OC and RM-3 to NC with a BIZ overlay to allow the development of multi-tenant retail building. Currently, the site consists of two lots. One of the lots is developed with a 1,110sf office building. The second lot is vacant. Each of the lots has a different zoning designation. The purpose of the rezoning request is to designate one zoning district on the property and develop the site under one unified development. The request also includes a site plan review to allow development of a 5,475 square feet building on the property.

NEIGHBORHOOD PARTICIPATION:

The applicant has completed a Citizen Participation Process, which included mailed letters to property owners within 1000' of the site, as well as HOAs within a half mile and registered neighborhoods within a mile radius of the site. As of writing this report, staff have not been contacted by any residents or property owners in the area to express support or opposition. The applicant will be providing an updated Citizen Participation Report prior to the March 19, 2019 Study Session. Staff will provide an update to the Board of any new information during the scheduled Planning and Zoning Board Study Session.

STAFF ANALYSIS

MESA 2040 GENERAL PLAN:

Staff reviewed the request and found it is consistent with the criteria for review outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan and determined that the proposed use of the property is in conformance with the General Plan. The adopted Mesa 2040 General Plan designates the site as a Neighborhood character with a Suburban sub-type. Per Chapter 7 of the General Plan, 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 character type can also contain a wide range of housing options and often have nonresidential uses, such as local serving businesses. As part of a total neighborhood area, the suburban character type may also contain areas of duplexes and other multi-residence properties and commercial uses along arterial frontages and at major street intersections. The request is to redevelop an existing site commercial development site for neighborhood commercial uses, which is consistent with the goals of the Neighborhoods character designation.

ZONING:

The existing zoning designation on the property is OC and RM-3. The purpose of the rezoning request is to allow designation of one zoning district on the two lots and with district that will allow neighborhood commercial uses. As part of the rezoning request, the applicant is also request a BIZ overlay. The purpose of this request is to allow and encourage unique and innovative development of superior quality.

BIZ OVERLAY

The applicant is requesting an overlay through the Bonus Intensity Zone (BIZ) district standards to allow deviations from certain requirements of the MZO. Section 11-21-3B of the MZO allows the City Council to approve modifications to underlying zoning district standards proportionate to the number of items and degree of compliance provided by a project. This is to encourage superior designs, address higher

environmental performance standards, or for projects that meet or exceeds nationally recognized environmental performance standards. The proposed project meets the review criteria for a BIZ overlay.

In addition, per section 11-21-1 of the MZO, the purpose of the BIZ overlay is to allow greater intensity of development and encourage unique, innovative development of superior quality. A proposed BIZ overlay must also further the goals and objective of the General Plan and provide significant social or economic benefit to the City. The subject request is to redevelop an existing dilapidated site for commercial uses which will be of economic benefit to the City

The summary below outlines the request for the BIZ overlay and associated deviation from the standards requirements of the MZO for projects that comply with item 1 and 2 identified in Section 11-21-3B:

Setback along the north property line:

Per Table 11-6-3A of the MZO, a minimum of 20 feet setback is required for developments adjacent to an RM zoning district for one story building, of which 15 feet of the setback must be developed as a landscape yard. The submitted site plan shows a 10 feet setback along the northern property line of the site, which is adjacent to an RM zoned property. The purpose of the request for the variation is to accommodate a requirement to relocate an existing driveway on the property to meet the City's standards. Currently the driveway is located approximately 65 feet from the southern property line. The proposed redevelopment of the site requires the driveway to be moved approximately 15 feet from the existing location causing the proposed building to also be moved close to the northern property boundary. The reduction in setback is necessary for redevelopment of the site, as such staff do not have concerns for the reduction in setback from the northern property boundary.

SITE PLAN REVIEW - MZO Section 11-69-5:

The proposed site plan meets the review criteria for site plan review outlined in Section 11-69-5 of the MZO. Proposed vehicular access, setback of the building with the BIZ and all applicable development standards conforms to the requirements of the MZO, Section 11-21-3.

Design Review:

On February 12, 2019, the Design Review Board reviewed proposed elevation for the development and had no major concerns. The Board expressed support for the elevations and associated landscaping for development of the site.

CONCLUSION:

The subject request conform with the General Plan and meets the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, as well as the criterial for a BIZ overlay outlined in Section 11-21-3 of the MZO. Staff recommends approval with the following conditions:

CONDITIONS OF APPROVAL:

1. Compliance with the final site plan submitted.
2. Compliance with all City development codes and regulations except this BIZ reduces the setback along the north property boundary from 20 feet to 10 feet.

3. 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 a subdivision plat, or at the time of the City's request for dedication, whichever comes first.
4. Compliance with all requirements of Design Review.
5. Prior to the issuance a building permit, record with Maricopa County a lot combination that combines parcel numbers 139-04-013A and 139-04-010A into one parcel.