

# **REZONE & PRELIMINARY PLAT ZON19-00687 NARRATIVE**

1859 N Val Vista Drive

Submitted on behalf of:

**K AND V DEVELOPMENT**

Submitted by:

WELKER DEVELOPMENT RESOURCES

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Submitted to:

The City of Mesa  
55 N Center Street  
Mesa, AZ 85201

February 19, 2020 REVISED

**A. PROJECT BACKGROUND**

This approximately 3.47 acres of undeveloped land is located at 1859 N Val Vista Drive. Also known as Maricopa County Parcel #141-30-014M ("Property"). The Property is currently zoned RS-35 and is within the Citrus Sub-Area of Mesa's 2040 General Plan. The Property was annexed into Mesa in 1979 in conjunction with Ordinance 1277. Historically, the Property has been used for agricultural purposes - specifically citrus.

**B. Existing and Surrounding Site Uses**

The surrounding zoning and uses are identified as follows:

	Existing Zoning	Current General Plan	Existing Use(s)
<b>North</b>	RS-35	Neighborhood Citrus Sub-Area	Residential
<b>South</b>	RS-35	Neighborhood Citrus Sub-Area	Residential
<b>East</b>	RS-35 PAD	Neighborhood Citrus Sub-Area	Residential
<b>West</b>	RS-35 PAD	Neighborhood	Val Vista Drive & Residential

**C. PROJECT REQUESTS**

Welker Development Resources, LLC ("Applicant"), on behalf of K&V Development ("Developer's"), respectfully requests a Rezone and Preliminary Plat for the Property. Specifically, the Developer's are requesting rezoning from the existing RS-35 designation to RS-35 BIZ (Bonus Intensity Zone). Approval will allow for the creation of a two lot custom residential subdivision.

The BIZ Overlay request is being requested to allow for deviations from the the City of Mesa Development Standards to allow the creation of a cohesive residential use at this location. Strict adherence to the current RS-35 lot width development standard would create a practical difficulty and unnecessary hardship for the creation of the desired two lots. Specifically, the minimum lot width of 130' for RS-35 will not allow the creation of two compliant lots fronting on Val Vista Drive. At 244.63' wide, the Property is 15' short of having the required minimum width. Mesa's development standards require that each residential lot have the minimum required frontage on a public street. As the two properties on the north and south sides of this Property are already developed, there is not an opportunity to acquire additional land that would expand the parcel as needed for strict RS-35 compliance.

**D. GENERAL PLAN COMPLIANCE**

The Property is located within the special Citrus Sub-Area of Mesa's 2040 General Plan. A priority of this development is to maintain the rural and citrus character of the area that is consistent with the existing residences in the area and compliant with Mesa's General Plan. Accordingly, and as demonstrated on the landscape plan, the Owners will maintain more existing citrus trees than currently required by MZO 11-33 and the Citrus Sub-Area Plan. In addition, the Val Vista Drive street frontage will be landscaped in full compliance with MZO 11-33, including two rows of citrus trees adjacent to said frontage - double the amount required. Lastly, even though the existing RS-35 zoning would allow 35,000 s.f. minimum lots, the Developer's are proposing 2 lots that are over 1-acre in size (58,000+ s.f.) with flood irrigation. The two proposed lots are much more consistent size-wise to the existing large lot residences in this area.

**E. LOCATION AND ACCESSIBILITY**

The site is located adjacent to the east side of Val Vista Drive approximately halfway between McLellan and McKellips Roads. Primary access will be from Val Vista Drive via a proposed gated driveway as represented on the plans. Public street improvements adjacent to the Property will be consistent with Mesa standards for this reach of Val Vista Drive.

**F. LANDSCAPING**

As demonstrated on the landscape plan, this development will fully comply with MZO 11-33 and the Citrus Sub-Area requirements.

**G. CIRCULATION SYSTEM**

The trip generation from the proposed two lots will not have a significant impact on the surrounding public street system. The on-site circulation will be simply controlled by the proposed private drive as indicated on the plans. Consistent with Mesa's standards, the onsite drive is designed to accommodate access, turning movements, and maneuverability of large emergency and solid waste vehicles.

**H. COMMUNITY FACILITIES AND SERVICES**

Due to the low density nature of the of proposed use, additional new services such as parks, schools, or other regional amenities are not needed or required.

**I. PUBLIC UTILITIES AND SERVICES**

As directed by City of Mesa Development Planning staff, the Developer's engineer anticipates that the existing City of Mesa 6-inch public water and 8-inch public sewer mainlines located in Val Vista Drive, will be of sufficient size and capacity to serve the potable water, fire protection, and sanitary sewer needs for this proposed development.

**J. STORMWATER DRAINAGE & RETENTION**

As approved by Mesa staff member Pablo Hernandez during the Pre-Submittal conference of August 8, 2019, stormwater retention for this site will be maintained in proposed basins/areas on lots 'A' and 'B'. The Developer's engineer will prepare the requisite drainage calculations and G&D design showing compliance with Mesa's adopted standards.

**K. DEVIATIONS**

This BIZ Overlay application includes a request to deviate from MZO Figures 11-2-3.F and 11-2-3.L, and MZO Table 11-3-5 related to front yard, rear yard, and side yard setbacks. Said deviations are specifically noted as follows:

1. LOT 1 - As depicted on the preliminary plat submitted with this application, the Developer's are seeking approval of setbacks.
  - (A) Front yard setback of 30' to be located on the lot's private cul-de-sac Tract A frontage at the southeast corner.
  - (B) Rear yard setback of 30' to be located on the lot's west frontage adjacent to Val Vista Drive.
  - (C) Side yard setback of 30' to be located on the lot's east common property line with proposed Lot 2.
  - (D) Side yard setback of 20' to be located on the lot's south property line adjacent to the Tract A private drive.
  - (E) Rear yard setback of 10' to be located on the lot's north common property line with parcel 141-30-014K.

The dimensions of these Lot 1 setbacks are equal to, or exceed, Mesa's standards as established in MZO Table 11-3-5 for the front yard, rear yard, and side yards setbacks in the RS-35 zoning district.

2. LOT 2 - As depicted on the preliminary plat submitted with this application, the Developer's are seeking approval of setbacks.
  - (A) Front yard setback of 30' to be located on the lot's private cul-de-sac Tract A frontage at the southwest corner.
  - (B) Side yard setback of 20' to be located on the lot's south common property line with parcel 141-30-014N.
  - (C) Side yard setback of 30' to be located on the lot's west common property line with the proposed Lot 1.
  - (D) Rear yard setback of 10' to be located on the lot's north common property line with parcel 141-30-014K.
  - (E) Rear yard setback of 30' to be located on the lot's east common property line with parcels 141-30-114 & 141-30-122.

The dimensions of these Lot 2 setbacks are equal to, or exceed, Mesa's standards as established in MZO Table 11-3-5 for the front yard, rear yard, and side yards setbacks in the RS-35 zoning district.

As previously noted in this narrative, the BIZ Overlay is necessary to allow the development of this nearly 3.5 acre parcel. But for the minimum lot width requirements associated with the RS-35 district, these two lots could have been created via a minor land division. Reinterpreting the lot frontages to accommodate the proposed acre-plus lots and private drive necessitates a deviation in the traditional allocation of setbacks such that the proposed estate homes planned can be physically accommodated on Lots 1 and 2.

The property owners for the existing residences adjacent to the north and south of the Property have provided written support for the setbacks as currently proposed. These owners written support is attached to this narrative as Exhibits A and B. Additional rationale for these requested deviations are provided as follows:

- The rear yard setback of 10' proposed for the north property line of Lots 1 and 2 is absolutely consistent with MZO Table 11-5-3 and matches the existing 10' side yard setback already established for the residence located on parcel 141-30-014K.

- The side yard setback of 30' proposed for the common property line of Lots 1 and 2 exceeds the standard 10' minimum established in MZO Table 11-5-3 and creates a 60' minimum separation from the future estate homes on Lots 1 and 2 - three times the separation normally required.
- The side yard setback of 20' proposed for the south property line of Lots 1 and 2 exceeds the standard 10' minimum established in MZO Table 11-5-3 and the existing 10' side yard setback already established for the residence located on parcel 141-30-014L & 14N. It would create 1½ times the separation normally required for these RS-35 parcels.
- The rear yard setback of 30' proposed for the east property line of Lot 2 is absolutely consistent with MZO Table 11-5-3 and matches the existing 30' rear yard setback already established for the adjacent residences on parcels 141-30-014L & 014N.
- The rear yard setback of 30' proposed for the west property line of Lot 1, adjacent to Val Vista Road, is absolutely consistent with MZO Table 11-5-3.
- The front yard setbacks of 30' proposed for the property lines of Lots 1 and 2, adjacent to the Tract A private cul-de-sac is absolutely consistent with MZO Table 11-5-3.

The deviations requested will not negatively impact the Property's compliance with the 2040 General Plan and Citrus Sub-Area. As proposed Lots 1 and 2 are exceed 1 acre - significantly larger than the 35,000 s.f. minimum allowed in the RS-35 district. In all other aspects of this application, Lot 1 and Lot 2 will meet or exceed all required RS-35 development standards.

## **L. CONCLUSION**

This application is consistent with the land use patterns already established in the immediate area and is therefore compatible with the vision established by the City of Mesa General Plan and Zoning Ordinance. The applicant and owners look forward to working receiving input on this application and working with city staff to bring this new project to fruition in the City of Mesa.

*Exhibits A and B are attached to this narrative document.*

**STATEMENT OF SUPPORT**

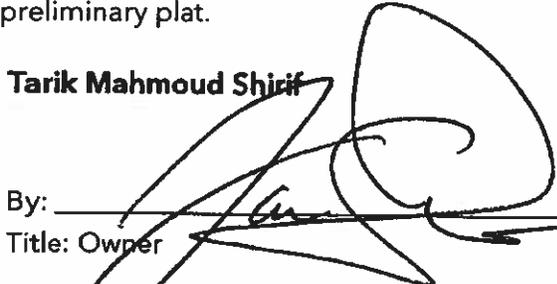
**REZONING APPLICATION ZON19-00687**

K and V Development (Developer) is the owner of the residential property known as Maricopa County Assessors Parcel Number 141-30-014M. The Developer has requested rezoning from the City of Mesa to change the existing RS-35 designation to RS-35 BIZ (Bonus Intensity Zone) to allow for the creation of a two lot custom residential subdivision.

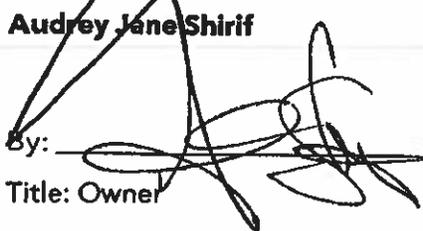
In order to receive approval for ZON19-00687 from the City of Mesa, the Developer needs to resolve a sight visibility issue with the existing wall at the northwest corner of parcel APN 141-30-014L. Accordingly, the Developer is proposing to relocate the existing fencing and landscaping in conflict. Said work will include the installation of new fencing and landscaping as depicted on the Developer's revised plans. The Developer will be 100% responsible for all costs and construction associated with this work.

As the property owner and neighbor immediately adjacent to the south property line of the Developer's parcel (i.e. 1807 N Val Vista Drive, Mesa, Arizona, APN 141-30-014L & 014N), we have discussed and understand the rezoning the Developer is requesting. By our signature below, we support the Developer's rezoning request, endorse the proposed setbacks, and fence/landscaping relocation as represented on the Developer's plans and preliminary plat.

**Tarik Mahmoud Shirif**

By:  \_\_\_\_\_ Date: 1/23/2020  
Title: Owner

**Audrey Jane Shirif**

By:  \_\_\_\_\_ Date: 1/23/2020  
Title: Owner

The above is approved by the Developer:

**K and V Development**

By: Sherry Kearney \_\_\_\_\_ Date: 1/29/2020

By: Jay Vander Kooi \_\_\_\_\_ Date: 1/29/2020

**STATEMENT OF SUPPORT**  
**REZONING APPLICATION ZON19-00687**

Sikora Holdings LLC (Developer) is the owner of the residential property known as Maricopa County Assessors Parcel Number 141-30-014M. The Developer has requested rezoning from the City of Mesa to change the existing RS-35 designation to RS-35 BIZ (Bonus Intensity Zone) to allow for the creation of a two lot custom residential subdivision.

As the property owner and neighbor immediately adjacent to the north property line of the Developer's parcel (i.e. 1859 N Val Vista Drive, Mesa, Arizona, APN 141-30-014K), we have reviewed, discussed, and understand the rezoning the Developer is requesting. By our signature below, we support the Developer's rezoning request and endorse the proposed setbacks as represented on the Developer's plans and preliminary plat. Our endorsement is without condition or reservation.

**THOMAS AND MARILYN SIKORA FAMILY TRUST**

By: Thomas S. Sikora Date: 1/23/2020  
Title: Owner