



**PLANNING DIVISION  
STAFF REPORT**

**Board of Adjustment**

**August 3, 2022**

CASE No.: <b>BOA22-00572</b>	CASE NAME: 1235 North Sunnyvale Unit 52
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Owner's Name:	Mike and Jill Wagner
Applicant's Name:	Mike Wagner
Location of Request:	1235 North Sunnyvale Unit 52
Parcel Nos:	141-45-122
Nature of Request:	Requesting a Modification of a Planned Area Development (PAD) to allow for the addition of a garage on an existing casita
Zone District:	Multiple Residence-2 (RM-2)
Council District:	5
Site size:	.21± acres
Existing use:	Multiple Residence
Hearing date(s):	<b>August 3, 2022 / 5:30 p.m.</b>
Staff Planner:	Kwasi Abebrese
Staff Recommendation:	Denial

**HISTORY**

On **June 26, 1979**, the property was annexed into the City of Mesa as part of a larger annexation 3,141.7± acre area (Ord. No. 1250).

On **December 22, 1979**, the City Council approved a rezone of the site from Agriculture (AG) to RM-2 to allow for the development of a multi-use residential and commercial neighborhood (Case No. Z79-132) (Ord. No. 1280).

On **December 19, 1983**, the City Council approved a rezone from RM-2 to RM-2 with a Planned Area Development (RM-2-PAD) overlay to allow for the development of a 115 Unit Townhouse Project (Case No. Z83-156) (Ord. No.1774).

In **1985**, according to the Maricopa County Assessor's website, the property was constructed.

On **November 30, 1999**, the Zoning Administrator approved a request for the modification of a Planned Area Development (PAD) for the addition of a room to the existing building on the subject site in the RM-2-PAD district (Case No. ZA99-103).

## **PROJECT DESCRIPTION**

### **Background:**

The applicant is requesting a modification of a Planned Area Development (PAD) for the addition of a 16 foot by 22-foot garage on an existing casita in an attached single residence in the RM-2-PAD zoning district. The subject property has an existing garage that was constructed in 1985 with an area of 483 square feet. The applicant is therefore seeking to construct an additional garage that is designed to accommodate large vehicles.

The subject site known as the Mission Square Planned Community was annexed into the City of Mesa as part of a larger annexation in 1979 and was subsequently rezoned from Agriculture (AG) to RM-2. The development standards for this unique development were adopted by the City through the approval of a Planned Area Development Overlay District (RM-2-PAD) in 1983 to allow for the development of a 115 Unit Townhouse Project on a 15-acre tract as part of the Alta Mesa Development Master Plan. Per the approved PAD, the building setbacks required for the subject site include a front yard setback of 6 feet, a side yard setback of 0 feet and 7 feet, and a rear yard setback of 5 feet.

### **General Plan Character Area Designation and Goals:**

The Mesa 2040 General Plan Character Area designation on the property is Neighborhood with a Traditional Sub-type. Per Chapter 7 of the General Plan, the focus of the Neighborhood Character Area is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The Traditional Sub-type neighborhoods are predominantly single residence in character but may contain a variety of lot sizes and dwelling types. Traditional neighborhoods may also contain supportive land uses such as small, neighborhood scale offices, retail, restaurants, and personal services that are located along arterials, and collector streets. The existing single residence conforms to the intent of the neighborhood character area and the Traditional Sub-type.

### **Site Characteristics:**

The subject property is in the Mission Square Planned Area Development which is located north of East Brown Road and east of North Higley Road. The subdivision plat for Mission Square (Alta Mesa Parcel 3) was approved on December 19, 1983, by the City Council of the City of Mesa. Most of the homes in the subdivision were constructed in the early 1980's. The subject lot is 9,161 square feet (.21± acre).

### **Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest RS-7 Golf Course and Single Residence</b>	<b>North RS-7 Golf Course and Single Residence</b>	<b>Northeast RS-7 Golf Course and Single Residence</b>
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<b>West RM-2-PAD Multiple Residence</b>	<b>Subject Property RM-2-PAD Single Attached Residence</b>	<b>East RM-2-PAD Multiple Residence</b>
<b>Southwest RM-2-PAD Multiple Residence</b>	<b>South RM-2-PAD Multiple Residence</b>	<b>Southeast RM-2-PAD Multiple Residence</b>

**Mesa Zoning Ordinance Requirements and Regulations:**

The Mission Square Planned Area Development was approved on December 19, 1983, to allow for the development of a 115 Unit Townhouse project of approximately 1,300 to 1,500 square feet. The development is part of the Alta Mesa Development Master Plan.

Per Section 11-22-5(E) of the MZO, when a project has been completed, modification, or alteration of any buildings within the development is required to remain in conformance with the approved development. Any minor extension, alteration, or modification of an existing building may be reviewed and approved by the Board of Adjustment, if the request is found to be consistent with the purpose and intent of the approved PAD.

The purpose and intent of a PAD Overlay District is to allow for innovative design and flexibility in the application of MZO development standards to provide creative, and high-quality development. The proposed addition of a garage in a single attached residence in the RM-2-PAD district does not conform to the development standards of the approved plan.

The Mission Square Planned Area Development includes a variety of housing types designed around a golf course to create a unique and sustainable development. Many of the single attached residences within Mission Square Planned Area Development were constructed with a double-car garage that are visible from the street. Per Section 11-5-5(B)(4)(C) of the MZO, the total frontage of parking areas visible from the street, including open parking, carports, and garages in the multiple residential zoning districts shall not exceed 30 percent of the lot frontage. Currently, the total frontage of the garage on the existing property is over 40 percent. The addition of the proposed garage on the subject site will increase the total frontage of the parking area to over 90 percent. This will create a visual dominance of garages on the subject site which does not conform to the design standards in the multiple residence districts per Section 11-5-5(B)(4)(C) of the MZO as well as the approved PAD.

**Findings:**

- A. The existing home was constructed in 1985 and meets the required RM-2-PAD District development standards which includes a front yard setback of 6 feet, a rear yard setback of 5 feet and a side yard setback of 0 feet and 7 feet.
- B. The subject site has an existing garage which is 483 square feet in area.
- C. The addition of the proposed garage will increase the visual dominance of garages on the subject site. This does not conform to the design standards in multiple residence districts per Section 11-5-5(B)(4)(C) of the MZO as well as the approved PAD.

**Neighborhood Participation Plan and Public Comments:**

The applicant sent the required notification letters to all property owners within 150 feet of the site. As of writing this report, staff has not been contacted by any residents to express support or opposition to the request.

**Staff Recommendation:**

Based on the application received and preceding analysis, staff finds that the request to modify an existing Planned Area Development (PAD) to allow for the addition of 16 feet by 22 feet garage to an existing casita within the RM-2-PAD district does not meet the modification criteria of 11-22-5(E) of the MZO, and therefore recommends denial of the request.

**Exhibits:**

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Staff Report
- Exhibit 3 – Justification Statement
- Exhibit 4 – Site Plan
- Exhibit 5 – Elevations
- Exhibit 6 – Site Photos