

STAFF REPORT

Cases Number: ZON19-11

To: Planning and Zoning Commission

Through: Rodolfo Lopez, Economic & Community Development, Deputy Director

From: Peter Margoliner, Assistant Planner

Meeting Date: May 11, 2020

REQUESTS

PUBLIC HEARING: ZON19-11 Kooline Plumbing Zoning Map Amendment: A request by Kooline Plumbing to rezone approximately one and a quarter (1.25) acres, Pinal County parcel number 510-710-210, from existing General Rural (GR) to General Mixed Use (MU-G) generally located East of GunSmoke Road on Magnolia Road, property address 40521 W. Magnolia Rd Maricopa, AZ 85138 **Discussion and Action.**

APPLICANT/PROPERTY OWNER

Mohammed Nazeem & Farzana Afroza
40481 W SANDERS WAY
MARICOPA AZ, 85138

Phone: (602) 920-6000
Email: koolineplumbingllc@gmail.com

COUNCIL PRIORITIES CONSIDERED

- Quality of Life
- Economic Sustainability
- Managing the Future
- Public Safety

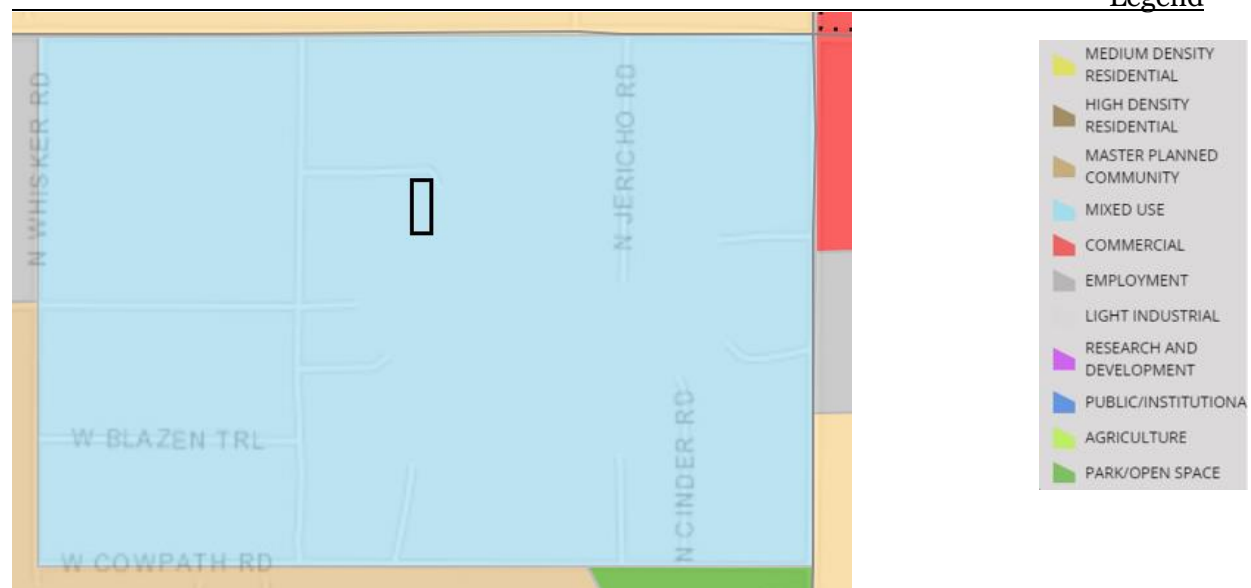
PROJECT DATA

Site Gross Acres	1.25 acres
Parcel #	510-710-210
Site Address	40521 W Magnolia Rd Maricopa, AZ 85138
Existing Site Use	Vacant
Proposed Site Uses	Office
Existing General Plan, Land Use	Mixed Use - MU
Existing Zoning	General Rural – GR
Proposed Zoning	Mixed Use General – MU-G
Overlay Zoning	None
Parking Required/Provided	4 parking spaced with one of those being ADA.

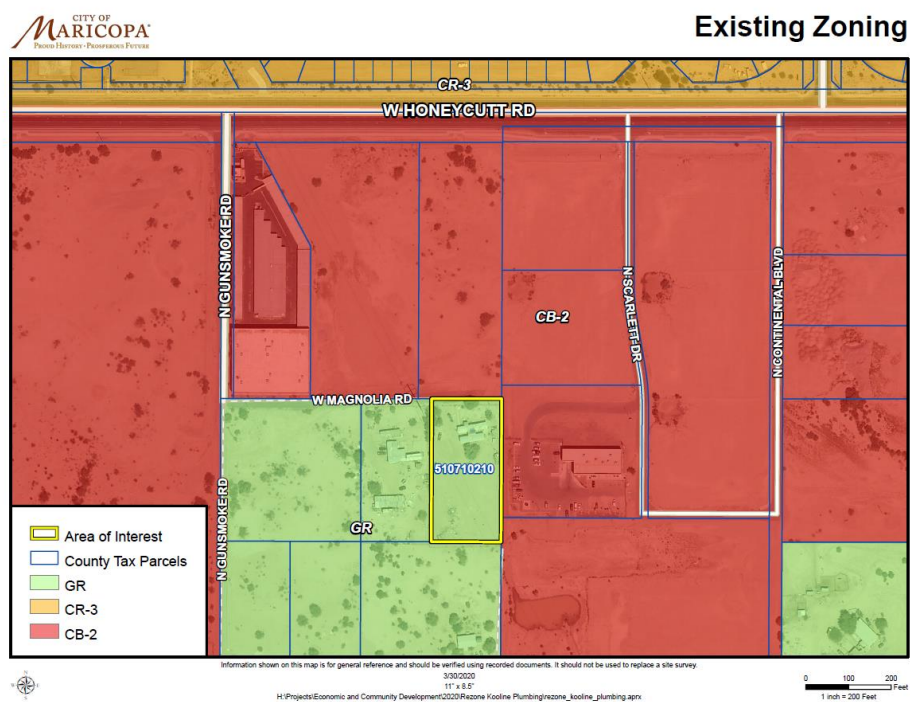
Surrounding Zoning/Use:

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Mixed Use (MU)	CB-2	Vacant
East	Mixed Use (MU)	CB-2	Post Office
South	Mixed Use (MU)	GR	Single Family Residential
West	Mixed Use (MU)	GR	Single Family Residential

General Plan Future Land Use Map (Existing)



Zoning Map (Existing)



HISTORY SUMMARY

- General Rural (GR) is a Zoning District that dates back to the previous Zoning Code the City adopted from Pinal County as a model of the code in place at the time of the City's incorporation.
- Best records indicate the property was last zoned under the County's jurisdiction.

ANALYSIS

The applicant is requesting a rezone from General Rural (GR) Zoning (previous Zoning Code) to Mixed Use General (MU-G), existing zoning code. This zone change request will allow the applicant to develop a propose small office development to accommodate the need of office space within the City of Mariocpa. The office development is an allowed use under the MU-G Zoning District. The review of the development site plan is currently in process under an administrative review due to the size, less than 5,000 square feet. This request is solely for the zone change of GR to MU-G, refer to Exhibit B for Zone Map.

Each request builds upon land use and development entitlements to make the proposal possible. Each approval is dependent upon the subsequent approval. The development proposal cannot move ahead without the rezoning. The Applicant is currently moving forward with an administrative Minor Development Review Permit.

Refer to Attachment A for the project narrative for thorough descriptions of the proposals to that met staff's satisfaction for clarity and completeness. Within the narrative, the unique description of the land use reads: *It is the intent of the owners to rezone the property to operate their small business "Kooline Plumbing llc" administration office and material storage in storage building per the site plan.*

The land use designation per the General Plan calls out the area as Mixed Use, which is intended to foster creative design for developments that desire to combine commercial, office and residential components. The request of appropriately rezoning the land from the previous zoning code to the current zoning code meets Goal B1.4, Objective 6; Minimize conflicts between land uses by transitioning all property zoning designations from preexisting districts to existing zoning districts that best achieves the goals of this General Plan.

The proposal does not appear to impose any risk to violating the performance standards in place for nuisance control. However, if such nuisances are encountered, the City will enforce the authority provided by code.

CITIZEN PARTICIPATION:

Prior to recommending approval of the rezoning, the applicant will provide a public participation plan to demonstrate the materials used to inform surrounding property owners of the proposed Rezoning required per the city's Zoning Code. The Public Participation Plan will include a neighborhood meeting which was held virtually at the request of anyone who wished to participate, notification letters to all property owners within 300 feet of the subject area, public notice signs within the subject area, and legal notices in the local newspaper circulator. A timeline of the participation event is shown below (refer to Exhibit C for Citizen Participation Report). The applicant will provide paper copies of this report at the time of the meeting.

- April 6, 2020 - Notification letters sent
- April 6, 2020 - Legal notice published (newspaper)
- April 6, 2020 - Sign posted posted
- April 20, 2020 - Neighborhood Meeting held

PUBLIC COMMENT:

Staff did not receive any public comments.

ZON19-10 ZONING MAP AMENDMENT REQUIRED FINDINGS:

As required by Sec. 509.14 of the City's Zoning Code, the Planning & Zoning Commission shall make the following findings in their recommendation to the City Council:

1. The amendment is consistent with the General Plan;

***Staff Analysis:** The proposed zone change to MU-G adheres to the General Plan's future land use designation.*

2. Any change in District boundaries is necessary to achieve the balance of land uses desired by the City, consistent with the General Plan, and to increase the inventory of land within a given Zoning District; and

***Staff Analysis:** The zone change amendment will allow the applicant to continue its development plan for a proposed commercial development in support of providing diverse uses throughout the City for a complete range of local business opportunities meeting residence needs locally.*

3. The amendment will promote the growth of the City in an orderly manner and protect the public health, safety, peace, comfort and general welfare.

***Staff Analysis:** The zone change will not impact the health, safety and general welfare of the area and will promote growth in an orderly manner.*

CONCLUSION:

Staff recommends approval of **case ZON19-11** subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

1. The zone change request case # ZON19-11 will be fully subject to Article 204 Mixed Use District of the Maricopa Zoning Code, Subdivision Ordinance and all provisions thereof.
2. The applicant shall continue with the development process of submitting a Development Review Permit as prescribed within the City's Zoning Code.
3. The development shall be responsible for any offsite and onsite improvements identified by the City's Engineering Division.
4. Prior to the City Council approval of the ZON19-11, the applicant shall submit to the city a signed waiver pursuant to Proposition – 207 and as applicable.

ATTACHMENTS:

Exhibit A: Narrative

Exhibit B: ZON19-11 Zone Change Map

Exhibit C: Citizen Participation Report

-- End of staff report --