



Planning and Zoning Board

Case Information

CASE NUMBER: Z14-006
LOCATION/ADDRESS: 5656 East Albany Street
GENERAL VICINITY: Located north and east of North 56th Street and East Main Street.
REQUEST: Rezone from RS-9 AS to RSL-2.5 PAD
PURPOSE: This request will allow the development of a single-residence subdivision with 228 lots. Also consider the preliminary plat for "Farnsworth".
COUNCIL DISTRICT: District 2
OWNER: Dreamland Villa Golf Limited Partnership, LLC
APPLICANT: Greg Davis, Iplan Consulting
STAFF PLANNER: Lesley Davis

SITE DATA

PARCEL NUMBER(S): 141-49-041G
PARCEL SIZE: 32± acres
EXISTING ZONING: RS-9 AS
GENERAL PLAN DESIGNATION: Medium Density Residential 6-10 du/ac (MDR 6-10)
CURRENT LAND USE: Existing golf course

HISTORY/RELATED CASES

March 2, 2009: Annexed to City (Ord. #4914), zoned R1-8 SC in Maricopa County
January 15, 2013: P&Z Board hearing for proposed establishment of City of Mesa RS-9 AS

STAFF RECOMMENDATION: Approval with Conditions

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

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

SITE CONTEXT

NORTH: Existing apartments – zoned Maricopa County R-4 SC
EAST: (across 57th Pl.) Existing single residences, zoned Maricopa County R1-8 SC
SOUTH: (across Albany) Existing commercial uses and vacant land – zoned LC and RM-4 PAD
WEST: Existing apartments – zoned Maricopa County R-4 SC and existing single residences, zoned Maricopa County R1-8 SC

PROJECT DESCRIPTION/REQUEST

This rezoning and site plan review has been requested to allow the development of a 228 small-lot, single residence subdivision on approximately 32 acres, resulting in a density of approximately 7.2 du/acre. The subject property is the former Dreamland Villa golf course property located east of North 56th Street and north of East Main Street, which is located about a half mile between Higley and Recker Roads.

The property was annexed into the City of Mesa in March of 2009 and is surrounded by Maricopa County on the west, north, and east. The commercial property to the south is located within the City of Mesa.

The prospective builder is proposing what they call a “Garden Court” housing product, which is also sometimes referred to as “Motor Court” development or “Cluster” home development. This product features six homes that front onto a shared courtyard with a pedestrian path that links all of the homes. The homeowners will own the property out to the center of that pedestrian path; however the maintenance of that area will fall to the Home Owner’s Association (HOA). Vehicular access to the homes is in the rear of the home through a shared common driveway. Each home will have a small private yard that will be fenced with a 6-foot masonry wall. The applicant provided the exhibit below, which demonstrates how the private and public areas work. The private areas are the darker green, while the lighter green area is the public open space. There is a public street that loops around the development in a “U” configuration. Each grouping of six homes is accessed from that public street. Guest parking is also provided along the public street, with exception to the homes that are tucked in at the northwest and northeast corners of the development, where the applicant has included some additional parking that is more easily accessible to the units at the end.



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The proposed base zoning is RSL2.5. The RSL (Residential Small Lot) zoning is new with the new zoning ordinance. As a reminder, the RSL districts have built in additional design elements required based on the size of the lots requested. The smaller the lots the more design elements required. As an RSL2.5 development, this proposal must provide at least 6 additional design elements. The applicant has requested some modification to these requirements as part of their PAD request.

MODIFICATIONS

The applicant has also requested a Planned Area Development (PAD) overlay. In a PAD, variations from conventional development requirements may be authorized by the City Council when projects offer amenities, features or conditions that compensate for such variations. The deviations proposed to the lot size and setback standards are identified with bold italicized text in the chart below. Additional proposed deviations have been identified below the chart. In return for providing the deviations from code, the applicant is expected to provide a creative, high-quality development

RESIDENTIAL SUBDIVISION DESIGN:

	Minimum Lot Size Min. Dimensions	Minimum Front Setback	Minimum Side Setbacks	Minimum Rear Setback	Maximum Height
Proposed	2,597 SF minimum/ 42' x 53' (corner lot width - 55')	8' front - bldg. wall 8' front – porch	8' street side 5' int. side 10' int. side total	2' rear (12' to driveway C/L)	30' 2 stories
RSL2.5 Standards	2,000 SF 25' x 75' (corner lot Width – 30')	12' front - bldg. wall 7' front – porch	10' street side 3' int. side 8' int. side total	13'	30' 2 stories

SUBDIVISION DETAILS:

Street System	Fences/Walls	Open Space	Other
- Public streets	-6' decorative CMU perimeter wall surrounding the perimeter	- 8.62 acres of open space provided. Large centralized open space with community pool with Ramada, gathering/play space	-HOA -CC&Rs

RSL Design Elements

Streetscape: The zoning ordinance requires the developer to include at least 2 streetscape elements in their design. The applicant has met this requirement by providing 8.62 acres of open space within the project, which exceeds the required open space, which is 2.1 acres. Also, staff has worked with the applicant to be sure that an additional element is provided with decorative pavement at the subdivision entries as well as at the traffic tables.

Building Design Elements: Another of the requirements for the RSL2.5 designation is to provide two building design elements. The applicant has chosen to do this by implementing the Architectural Diversity option. That option requires that three distinct elevations be provided for the first 20 lots and an additional elevation for every additional 20 homes. The applicant has proposed 228 lots, which would require 13 elevations to comply. The applicant has proposed 12 elevations; however they have offered an alternative elevation for each of the four plans they offer for homes that front on the public street that loops through the development. So, they believe they have met the intent of this standard and are asking for a deviation to use just the 12 elevation.

Another option they have chosen to meet the required Building Design Elements is to provide front porches. The Zoning Ordinance requires that 50% of the homes include covered front entries/porches for 50% of the front façade with minimum dimension of 4-feet deep and 8-feet wide. The applicant has described that they meet the intent of this requirement by providing 2 of their 4 street facing elevations with covered front porches. They have also stated that their internal courtyard front facades will include front porches, but they will fall short of the size requirements, but are not visible from the public street.

Distance to open space

The applicant has provided an exhibit that includes the distances to the open space. The Zoning Ordinance specifies that the homes be located within 330-feet of an active open space area. This distance is up to 330-feet for the outer corners of the development.

Garage Dimensions

Each of the proposed homes will include a 2-car garage, however the applicant is proposing that the internal dimensions of the garage be allowed to be 19-feet by 20-feet. The current Zoning Ordinance standard is 20-feet by 22-feet. The applicant has justified this reduction by noting that this is a higher density product, which typically attracts homeowners who desire a smaller space and drive smaller vehicles. They have also stated that they intend to go above and beyond upon the sale of these homes to notify prospective buyers of the garage size, so that they understand the limitations of the smaller garage.

As further justification to the deviations proposed, it is important to note that the plan design includes the following features:

- *The proposal includes a large centralized and usable open space at the center of the community. This space is a focal point of the community upon entrance with many view corridors. Lots have been oriented to face the open space where possible, increasing the transparency.*
- *The open space is usable and includes active amenities, including tot-lot, swimming pool and ramada.*

NEIGHBORHOOD PARTICIPATION

The applicant has provided a Citizen Participation Report that summarizes outreach efforts to inform neighboring property owners of the project, solicit feedback, and address any comments or concerns that may arise. The applicant held a neighborhood meeting May 13, 2013 at Victory Lutheran Church, near the proposed development. The initial notification included all property owners within 500 feet, registered neighborhoods within 1 mile and HOAs within ½ mile of the site. The Citizen Participation

report indicates that 50 people were in attendance at the first meeting. Concerns raised at the 1st meeting included:

1. Concern about compatibility of non-age restricted housing in the area.
2. Concern about how loss of golf course will affect drainage.
3. Concern about two-story homes affecting views.
4. Concern about traffic, crime, kids causing trouble in the area.
5. Concern about City annexing more property and raising taxes.
6. Concern about fire service in the area.
7. Concern about how project will affect property valuation in the area.

The applicant held a 2nd neighborhood meeting on November 13, 2013. This meeting was held at the Dreamland Villa Community Center and the applicant reported that there were 60 homeowner's in attendance.

Concerns raised at the 2nd meeting included:

1. Concern about compatibility of non-age restricted housing in the area.
2. Concern about traffic impacts to local streets.
3. Concerns about kids causing trouble and an increase in crime in the area.
4. Concern about how project will affect property valuation in the area.

The applicant held a 3rd neighborhood meeting on February 11, 2014. At the time of writing this report, staff had not yet received results from that meeting.

Planning staff has been contacted by a representative of the neighborhood, who indicated similar concerns. When staff was contacted, the neighborhood representative was also looking for information on how her neighborhood could effectively oppose the project. The process was explained to the neighbor and she indicated that the neighborhood would have a significant number of homeowner's in attendance at the Public Hearings and that they would be presenting a petition opposing the project. At the time of writing this report, staff had not received a copy of that petition. Planning staff has been contacted by many of the neighbors in opposition to this case. Most of those neighbors have provided a letter or e-mail identifying their position and concerns. A copy of those letters will be provided for each Board member at the P&Z study session and a copy of each letter will be provided to City Council as this case moves through the process.

CONFORMANCE WITH THE GENERAL PLAN

This request is within an area designated as Medium Density Residential 6-10 (MDR 6-10 du/ac) on the Land Use Plan map from the Mesa 2025 General Plan. The MDR 6-10 designation identifies where urban density detached or attached single family residential including townhouse and patio home developments is desirable. The target density for these areas is 6.5 du/ac for detached products and 8.0 du/ac for attached products. Appropriate locations offer direct collector or arterial road access, connections to potable water and sanitary sewer, and proximity to public safety services. The provision of park and open space (15 percent of net area excluding street system) is encouraged to provide opportunities for recreation and non-vehicular pedestrian connections like pathways, trails, etc.

The proposal is in conformance with the MDR 6-10 General Plan designation.

STAFF ANALYSIS

CONCERNS:

Distance to open space and fencing

The proposal includes a large centralized and usable open space at the center of the community. This space is a focal point of the community with many view corridors. Lots have been oriented to face the open space where possible, increasing the transparency. The applicant has provided an exhibit that includes the distances to the open space as well as a fencing exhibit. The Zoning Ordinance specifies that the homes be located within 330-feet of an active open space. Per the open space exhibit provided by the applicant, the open space area is located within 330' of all residences.

Staff concern: *The applicant has fenced off the open space at the end of the private courtyards, which has the effect of isolating parks from lots that do not have the benefit of facing them. Staff understands the concern from the applicant is that by providing an opening people not part of that cluster of houses may use the sidewalk in front of their homes to access the open space and that the residence who live there will not want that extra foot traffic. At the same time, it greatly lessens the access by residents to get to parks and significantly increases the distance for many lots. Staff believes the applicant should provide access to the park at the end of each cluster or provide additional open space. The applicant has expressed that they do not wish to provide access through the courtyards to the open space and that this is difficult due to some grade changes between the homes and the park. Staff suggests that there could be some compromise and that the applicant look at providing opening in a few locations, rather than at the end of every courtyard. Staff has not created a condition of approval to require these openings, but felt a board discussion on this issue was warranted.*

Architectural Diversity

Three distinct elevations are required for the first 20 lots and an additional elevation for every additional 20 homes. The applicant has proposed 228 lots, which would require 13 elevations to comply. The applicant has proposed 12 elevations, however they have offered an alternative elevation for each of the four plans they offer for homes that front on the public street that loops through the development.

Staff concern: *Staff is less concerned with the number of elevations provided, but more concerned with the quality of the architecture. The detailing on the elevations could help with the long-term quality of the project to create architectural interest and street theming, and to retain value in the development over time. It is also important to note that these homes are located very near one another and movement in the buildings themselves becomes very important to avoid large 2-story masses, which could create a canyon effect in the private yard spaces and along the pedestrian areas in front of the homes. Staff can support the deviation to the number of elevations with the recommendation that the residential product be reviewed at a 'Work Session' with the Design Review Board with final approval from the Planning Director to ensure high quality design.*

Entries and Porches

The Zoning Ordinance requires that 50% of the homes include covered front entries/porches for 50% of the front façade with minimum dimension of 4-feet deep and 8-feet wide. The applicant has described that they meet the intent of this requirement by providing 2 of their 4 street

facing elevations with covered front porches. They have also stated that their internal courtyard front facades will include front porches, but they will fall short of the size requirements, but are not visible from the public street.

Staff concern: *The intent of this requirement is to activate the front of the homes within the neighborhood, not just along the public streets. As an alternative to enlarging the porches to meet the ordinance requirement, staff would suggest that design the landscape area in front of these homes was modified to better define the private space from the sidewalk/public space. This could be done with a simple feature, such as a column with an address, curbing or low wall separating those front entrances from the sidewalk corridor. Details could be worked out with Planning Division staff as the project moves through the Subdivision process. Due to the applicant's concerns with this suggestion, staff has not created a condition of approval, but felt that a board discussion was warranted.*

Clusters

To this point in the process the information provided by the applicant for the design of the courtyard area for the clusters has been generic; we really do not have any specific details on how they will be designed.

Staff concern: *Mesa has not seen these types of cluster projects for many years and we have several more applications for similar projects pending. The design of these clusters so they are attractive and inviting and not monotonous is important; particularly given the long straight street through the development. In order to avoid a "cookie cutter" approach and look to these spaces, Staff believes there should be some planned variation in hardscape, landscape, lighting, etc. to create uniqueness to the courtyard clusters. This could be further addressed during product and subdivision review with approval by the Planning Director.*

Parking

The applicant has provided 2 parking spaces within the garage unit and an additional 139 spaces on the looped public street within the development, which is 2.6 parking spaces per unit.

Staff concern: *Staff has two concerns with regards to this issue. One is the number of spaces provided and the other is the distance to the spaces.*

Historically, these types of developments generate a parking issue in the number of guest spaces provide. With a more traditional layout each home has parking in their garage, in their driveway, and in the street in front of their home. So, while only 2 spaces are required, there is typically parking for 4 – 6 vehicles with each home. In this type of development any visitor parking becomes parking along the street so when people have social events parking can become difficult. This can be particularly problematic on Solid Waste pick-up days as well as holidays. The City of Mesa has not adopted separate development standards for "Garden Court" or "Motor Court" subdivisions; however some of the other jurisdictions have. Staff has been reviewing the City of Phoenix standards to help provide some guidance in what may or may not be appropriate in our city for such a development. The Phoenix guidelines established a requirement for 3 parking spaces for each unit in the cluster with at least one space per unit being non-exclusive and located within 150-feet of the cluster. Because the proposed homes are

relatively small, under 2,000 sq. ft., they are not likely to be having large gatherings of people so staff is relatively comfortable with the number of spaces.

The related concern is with the location of the spaces in relationship to the homes, particularly for the homes at the end of a cluster. Staff agrees with the City of Phoenix standard that from the entrance into the courtyard area of each cluster there should be between 3 and 4 unassigned parking spaces within 150'. Most of the development meets this standard. The primary difficulty is with the clusters in the northeast and northwest corners of the property. The applicant has attempted to address this concern by adding the parking spaces along the driveways to these corner clusters. These 8 additional spaces will help alleviate this concern.

Traffic calming

The applicant has proposed mid-block speed tables on the public street in two locations that line up with the entrance to the park from both sides.

Staff concern: *The proposed public street will allow parking on both sides, but is very straight and very long. This creates situation where drivers will tend to speed down these streets. Speed humps can be annoying and cause more frustration and noise. A better alternative will be to make these speed "tables." A speed table is wider at the top so that all four vehicle tires can be on top at the same time. This will also make more of a visual impression on the street. The Transportation Department will not, however, allow these to be signed and striped as crosswalk. There is also a requirement to maintain sight triangles on each side of a speed table so any parking that may be within those sight triangles will need to be relocated outside of those areas. Staff will continue to work with the applicant and the Transportation Department through the Subdivision process to address the final design of these tables.*

Garage Dimensions

Each of the proposed homes will include a 2-car garage, however the applicant is proposing that the internal dimensions of the garage be allowed to be 19-feet by 20-feet. The applicant has justified this reduction by noting that this is a higher density product, which typically attracts homeowners who desire a smaller space and drive smaller vehicles. They have also stated that they intend to go above and beyond upon the sale of these homes to notify prospective buyers of the garage size, so that they understand the limitations of the smaller garage.

Staff concern: *The City of Mesa has recently adjusted the Zoning Ordinance standard to increase minimum garage standard from 20-feet by 20-feet to 20-feet by 22-feet. The applicant has requested a garage size that is smaller than our previous standard. Staff is concerned with the long term quality for a community with small garages and limited guest parking.*

Utilities

The proposed utility design is not in compliance with the City of Mesa Terms and Conditions for the Sale of Utilities.

Staff concern: *The Water Resources Department has not yet approved the proposed utility plan, which does not currently comply with the City of Mesa's Terms and Conditions for the Sale of Utilities. The applicant is working with the Water Resources Department to address these issues, which will need to be resolved prior to City Council approval of this project.*

CONCLUSIONS:

Staff recommends approval of Z14-006 with the following conditions of approval:

CONDITIONS OF APPROVAL:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape exhibits and preliminary plat submitted, (without guarantee of lot yield, building count, or lot coverage).
2. Compliance with the Residential Development Guidelines as well as the building form standards established in the City of Mesa Zoning Ordinance.
3. No two identical elevations are permitted on adjacent lots or on lots across from each other, and no more than two identical elevations with different exterior colors are permitted within a cluster of lots adjacent within each courtyard.
4. Residential product to be reviewed by the Design Review Board with final approval by the Planning Director.
5. Provide textured/decorative sidewalk surfaces to each of the courtyards. Details to be approved by Planning Division staff.
6. Compliance with all City development codes and regulations.
7. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request of dedication whichever comes first.
8. All street improvements, street frontage landscaping, and perimeter theme walls to be installed in phases as approved by the City of Mesa.
9. Compliance with all requirements of the Subdivision Technical Review Committee.
10. Compliance with all requirements of the City of Mesa Terms and Conditions for the Sale of Utilities as administered by the Water Resources Department.
11. Compliance with all requirements of the current City of Mesa Engineering and Design Standards Manual.
12. Owner shall grant an Avigation Easement and Release to the City, pertaining to Falcon Field Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
13. Written notice be provided to future residents, and acknowledgment received that the project is within 3 mile(s) of Falcon Field Airport.
14. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction as required by Code.
15. View fences shall comply with the City of Mesa pool fence barrier regulations.
16. Design courtyards such that there is some variation in the type of courtyard sidewalk hardscape and landscape throughout the development to provide transition from the common sidewalk to each courtyard.
17. Utilize a speed table at the mid-point of each north-south street. Details to be approved by the Transportation Department.
18. Provide decorative asphalt at each street entrance from Albany, which is to be maintained by the Home Owner's Association. Details to be approved by the Transportation Department.
19. Provide dusk to dawn garage lights and porch lights within each cluster.
20. Utilize a speed table at the mid-point of each north-south street and relocate any designated parking spaces within the sight triangle associated with that speed table.