



## Planning and Zoning Board

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### *Case Information*

**CASE NUMBER:** **Z14-054 (PLN2014-00478)**

**LOCATION:** Parcel 13 at Mountain Bridge, the 8800 to 8900 blocks of East McKellips Road (south side) and Parcel 16 at Mountain Bridge, the 8900 to 9100 blocks of McKellips Road (south side). Located west of Ellsworth Road and south of McKellips Road.

**GENERAL VICINITY:** Located at the southwest corner of Ellsworth and McKellips Roads

**REQUEST:** Rezone from RS-15 PAD PAD and RS-35 PAD PAD to RS-15 PAD PAD for Parcel 13 (14.22± acres) and Rezone from RS-35 PAD to LC PAD for Parcel 16. (3.31± acres). Also approval of a Preliminary Plat for Parcel 13 at Mountain Bridge.

**PURPOSE:** This request will allow the development of a residential subdivision for Parcel 13 and establish commercial zoning for Parcel 16.

**COUNCIL DISTRICT:** District 5

**OWNER:** Phoenix Land Division, LLC

**APPLICANT:** Paul Dugas, Pinnacle Ridge Holdings, LLC

**STAFF PLANNER:** Lesley Davis

### **SITE DATA**

**PARCEL NO.:** 219-31-049D, 219-31-047F and 219-31-048B

**EXISTING ZONING:** Parcel 13: RS-15 PAD PAD and RS-35 PAD PAD  
Parcel 16: RS-35 PAD with conceptual NC

**GENERAL PLAN DESIGNATION:** Neighborhood

**CURRENT LAND USE:** Vacant

**LOT SIZE:** Parcel 13: 14.22± acres  
Parcel 16: 3.31± acres

**STAFF RECOMMENDATION:** Approval with conditions

**PLANNING & ZONING BOARD DECISION:** ☒ Approval with conditions. ☐ Denial

**PROP-207 WAIVER:** ☒ Signed. ☐ Not Signed

## SITE CONTEXT

General location		Land use / name	Zoning	General Plan Designation
<b>NORTH</b>	West of Ellsworth Across Hermosa Vista and its alignment	Madrid residential subdivision	RS-35 PAD	LDR 1-2
		Various residential lots	County jurisdiction	LDR 0-1
		Trinity Anglican Church	County jurisdiction	LDR 0-1
<b>EAST</b>	North of McKellips	Boulder Mountain residential subdivision	RS-15 PAD	MDR 2-4
		Undeveloped	PF	Public / Semi public
		Elementary School	PF	Public / Semi public
	South of McKellips Across 92nd St and its alignment	Residential subdivision	RS-43	LDR 0-1
		Various residential lots	County jurisdiction	LDR 0-1
<b>SOUTH</b>	West of Ellsworth Across McLellan Road	Sierra Heights residential subdivision	RS-7 PAD	LDR 1-2
		Residential subdivision	RS-9	LDR 1-2
		Grandview Estates residential subdivision	RS-9	LDR 1-2
		Undeveloped	RS-15	LDR 1-2
<b>WEST</b>	West of Hawes North of McKellips	Hermosa Estates residential subdivision	RS-35	LDR 0-1
		Savona residential subdivision	RS-35 PAD	LDR 0-1
		The Estates at Desert Shadows	RS-35 PAD	LDR 0-1
	South of McKellips	A portion of the Mesa Highland DMP	RS-35 DMP conceptual OC	Office

## ZONING HISTORY

<b>Nov 19, 1986:</b>	Annexed (Ord. 2133) and subsequently zoned R1-35 (Z86-123)
<b>Oct 19, 1987:</b>	Council approved rezoning from RS-35 to RS-35 DMP (conceptual R1-15, RS-9, RS-6, RM-2, OC, and LC) establishing a maximum of 1,396 lots (case Z87-51).
<b>Mar 19, 2001:</b>	Council tabled a rezoning request (RS-35 DMP to RS-35) initiated by City staff (case Z00-22)
<b>July 2, 2001:</b>	Council approved a modification of previously approved case Z87-51, establishing a maximum of 1,050 lots, added 37 stipulations, deleting some of the previously approved uses (Z01-27) ordinance 3908
<b>Dec 18, 2006:</b>	Approval of RS-15 PAD PAD establishing the Mountain Bridge Planned Area Development establishing a maximum of 1,210 lots and site plan review of Parcels 24, 26, and 27 (Z06-86) and General Plan Minor Amendments for Parcels 10 and 14 approving an HDR 15+ land use designation.
<b>April 21, 2008:</b>	Approval of rezoning and site plan review of Parcels 8, 12, and 13 to RS-15 PAD PAD (Z08-13)
<b>Jan. 23, 2012</b>	Approval of Minor General Plan Amendment and PAD Modification to increase the maximum number of allowed lots to 1,480 and modification of the mixture of required open space totals (GPMinor11-002 and Z11-030)

### **PROJECT DESCRIPTION**

This request is to rezone Parcel 16 at Mountain Bridge from RS-35 PAD to LC PAD. (3.31± acres) The proposed commercial property is located at the immediate southwest corner of Ellsworth and McKellips Roads and was identified in the approved master plan for the Mountain Bridge development as a conceptual Neighborhood Commercial (NC) property. The applicant is proposing to rezone that parcel to commercial and has provided a conceptual site plan as to how that property could develop. Future site plan review would be required for the commercial property with approval from the Planning and Zoning Board.

This request also includes a proposal to rezone Parcel 13 at Mountain Bridge from RS-15 PAD PAD and RS-35 PAD PAD to RS-15 PAD PAD (14.22± acres) and to consider a preliminary plat for Parcel 13 at Mountain Bridge. This portion of the request will allow the development of a 23-lot single-residence subdivision at a density of 1.62 dwelling units per acre. Parcel 13 was previously approved for RS-15 PAD PAD in 2008 and included 23 lots. (Z08-013) As part of this request, the applicant has slightly modified the layout of Parcel 13 and has increased that boundary by 2.1 acres, which reduces the size of Parcel 16 from ±5.4 acres to ±3.3 acres.

### **MODIFICATIONS**

Modifications to the Zoning Ordinance are to be considered through the PAD overlay for Parcel 13. The following tables identify the requested modifications to the dimensional criteria of the Zoning Ordinance. The table includes the design standards for the base RS-15 zoning. Given the amount of open space provided within the Mountain Bridge PAD the overall density of the request puts the zoning of the property in the RS-15 zoning category. These modifications are also consistent with the previous approval for Parcel 13 at Mountain Bridge. (Z08-013)

The modifications requested through the PAD overlay for the residential area include:

- Lots facing a private street and not a public right of way;
- Lots with setbacks less than required by the RS-15 conventional development standards;
- Lots with less than the required minimum dimensions and sizes;
- Lots with more than the maximum allowable roof area;
- Lots with more than the maximum lot disturbance.

Parcel	Zoning District	Typical lot sizes	Lot Yield	Max Density (PAD du / net ac)	Parcel Net Acreage (Open Space Net Acreage)	Max. Lot Coverage	Setbacks (minimum – ft)							Lot Size (s.f.)	
							Front			Rear		Sides		Average	Minimum
							Livable or side load garage	Porch	Garage	Livable	Patio	Minimum	Total both sides		
	RS-15	110' x 130'		2.9		40%	22'	22'	30'	30'	15'	7'	20'		15,000
13	RS-15 PAD	55' x 130'	23	1.62	14.22 (7.3)	58%	15'	10'	18'	15'	10'	5'	15'	8,438	7,038
Parcel 13: Private streets, gated entry/exit, and production home lots. Homes will be from the Craftsman Series Product Line with Old World Architecture.															

The Zoning Ordinance requires a front setback to livable space of 22', 30' to the front of the garage, a rear setback of 30', side setbacks of 7' and 20' total, minimum lot sizes of 15,000 s.f., minimum lot dimensions of 110' width by 120' depth, and maximum lot coverage of 40%. The Subdivision Regulations require a maximum lot disturbance of 50%. The RS-15 PAD has a maximum density of 2.9-du/net acre.

The proposed modifications will allow a front setback to livable space of 15', 18' to the front of the garage, a rear setback of 15', side setbacks of 5' and 15' total, a minimum lot size of 7,038 s.f., minimum lot dimensions of 55' wide by 130' depth, and maximum lot coverage of 58%. The applicant is proposing a layout that clusters development of lots towards the center of the parcel for mass grading while retaining 2.63 acres of undisturbed open space and 4.71 acres of revegetated open space. The proposal would allow a maximum density of 1.62 du/net acre.

Staff is supportive of these modifications. The typical lot sizes are smaller than the base zoning of RS-15 which is typical for the overall Mountain Bridge Master Plan. The modifications with this request are justified because the smaller lot sizes are offset by the amount of undisturbed open space (2.63 ac.) and revegetated open space (4.71 ac.).

The PAD designation for the commercial area is included because of it being part of the larger Mountain Bridge Planned Area Development (approved under the old zoning ordinance as a Development Master Plan). There are no deviations to code being requested for this property at this time. Future site plan review will be required for specific development of that property. If there are code modifications desired, they will need to be addressed through a modification to the zoning at that time.

### CITIZEN PARTICIPATION

The applicant has notified all surrounding property owners within 500-feet of the subject site and registered neighborhoods within 1 mile. The applicant submitted a Citizen Participation Report. Staff has received several e-mails from a resident of the area. The concern seems to be with the request for LC PAD zoning. Planning staff has responded to each concern and informed the neighbors that staff is

recommending NC PAD zoning rather than the requested LC PAD zoning due to the same concerns regarding allowable uses in the LC district. Staff also let the neighbors know that the applicant is in agreement with that recommendation. The neighbor that staff spoke to via telephone was appeased by that information. At the time that this report was written, we have not had responses to the e-mails that clarified staff's position and the applicant's agreement with that position. Staff will provide an update at the Planning and Zoning Board Study Session on Tuesday, November 18<sup>th</sup>.

### **CONFORMANCE WITH THE MESA 2040 GENERAL PLAN**

The goal of Mesa 2040 General Plan is to establish and maintain neighborhoods and to build a sense of place in neighborhoods and commercial/entertainment districts. Rather than focusing on individual land uses, the Plan focuses on the "character of development in different areas." Character types combine concepts of land use with building form and intensity to describe the type of area being created through the development that occurs.

This request is within the Character Type of *Neighborhood* as identified on the Character Area map in the Mesa 2040 General Plan.

*Focus:* 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. Ideally, they would provide a wide variety of housing options and have associated non-residential uses, including local businesses with no more than 15 acres designated for the business or office activities.

Nonresidential areas within neighborhoods should be designed and located to bring people together and to not disrupt the fabric and functioning of the neighborhood as a place where people live.

#### **Sub-types**

*More particularly, this area is considered to be part of the Desert Uplands within the Large Lot/Rural district which is described as follows:*

Desert Uplands: This property is located within the Desert Uplands, which is intended to be a low density residential area committed to preservation of a natural desert landscape. The character type in this area can have either large lots with preservation on each lot, or smaller lots with common open space to maintain the low density character of the area. The proposed project is the latter with smaller lots and more common open space, which is considered in the overall master plan for Mountain Bridge.

The General Plan identifies key elements to community development that are important elements of continuing to grow and develop a healthy, sustainable City. The five elements include High quality development, Changing demographics, Public health, Urban design and place-making, and Desert environment. These key elements have been considered in the development of the vision statements, guiding principles, goals, policies and strategies contained in the General Plan.

#### ***High quality development***

This residential product for the Mountain Bridge development has already been approved. The applicant intends to build their Craftsman Series, their product line which they describe as having "Old World Architecture". This is product that has been built within the master plan and continues their overall cohesive design.

The General Plan also encourages diversity to help create and maintain great neighborhoods. The three components identified in the General Plan that create diverse neighborhood are: a variety of housing types, a variety of people and a variety of uses. In order to provide the opportunity for social interaction and create a sense of place, neighborhoods need to contain local serving activities such as schools, parks and shops. The amount of this type of diversity typically reduces in more rural neighborhoods such as the Desert Uplands. The current proposal is for 3.3 acres, which is a very small commercial property.

Small commercial development made up of small neighborhood shops, that includes appropriately scaled access points to the neighborhood for vehicular traffic, while also creating a pleasant pedestrian experience with shaded pathways and seating for neighbors to interact, is helpful in creating a sense of place and identity for a neighborhood.

Future review of the commercial site plan by the Planning and Zoning Board will be required before anything is constructed on that parcel to be sure it is high quality and ties in with the overall development plan and is developed in a manner that is sensitive to the desert environment.

This project has been reviewed and appears to have the potential to promote the following goals, policies, and strategies:

**Goal:** Create and maintain a variety of great neighborhoods

Neighborhood P1: Encourage the appropriate mix of uses that will bring life and energy to neighborhoods while protecting them from encroachment by incompatible development.

Neighborhood P2: Review new development for the mix of uses and form of development needed to establish lasting neighborhoods.

Neighborhoods S4: Establish and maintain an ongoing process for improving connections and walkability in existing neighborhoods by installing sidewalks where needed and improving the amount of shade and other amenities along sidewalks.

**Goal:** Grow and maintain diverse and stable jobs.

Economic Development S3: Preserve designated commercial and industrial areas for future job growth.

**Goal:** Provide rich, high quality public spaces and cultural resources

Public Spaces P2: Design of neighborhoods, neighborhood village centers, mixed use activity districts, downtown, and transit districts should consider and include the development of public gathering places appropriate for the scale and location of the development.

**Goal:** Foster a development pattern that creates and maintains a variety of great neighborhoods, grows a diverse and stable economy, and develops rich public spaces.

Character Areas P1: In areas with a Neighborhood character type, development will be reviewed for the impact on improving or maintaining the existing neighborhood and achieving the development and design standards for neighborhoods set forth in Chapter 4, and for compliance with any approved sub-area or neighborhood plan for the specific area.

Utilizing the tools of the Mesa 2040 General Plan in review of the proposed project, this request is consistent with the overall master plan approved for Mountain Bridge and is consistent with the goals of the General Plan to strengthen the character of the given area to add to the mix of uses to further enhance the intended character of the area, improving the streetscape and connectivity within the area,

adding to the sense of place and meeting or exceeding the development quality of the surrounding area. Appropriate transitions between the residential and commercial have been incorporated into the design to make it accessible to the neighborhood without having to access the arterial street and a vehicle.

#### **STAFF ANALYSIS:**

The request to rezone Parcel 16 at Mountain Bridge to commercial is consistent with the Mountain Bridge Master Plan. The master plan, which was approved in 2006, included approximately 5 acres of conceptual Neighborhood Commercial (NC) zoning in this location. The applicant requested Limited Commercial (LC) PAD on their application, which would allow for more intense uses than what is permitted in the NC district with uses such as auto repair, gas stations and drive through restaurants. Therefore, the LC zoning district is not consistent with the vision of this property to provide a small scale neighborhood retail development that would serve the immediate neighborhood. Staff has had discussions with the applicant to review their vision for the commercial development and the applicant is in agreement that the NC PAD zoning district would be more appropriate for this property. The site plan provided for this site is only conceptual. In order to develop the property, the applicant will need to submit for a Site Plan Approval from Planning and Zoning Board. Future buildings on this site will also need to be approved through the Design Review process.

The request to rezone Parcel 13 at Mountain Bridge from RS-15 PAD PAD and RS-35 PAD PAD to RS-15 PAD PAD and associated preliminary plat is also consistent with the Mountain Bridge Master Plan. The only change is the layout of the subdivision and the transfer of 2.1 acres from Parcel 16 to increase the boundary of the residential zoning.

#### **CONCLUSIONS:**

Staff is in support of this proposal and recommends approval of this case with the change in zoning district from RS-35 PAD to NC PAD subject to the following conditions:

#### **CONDITIONS OF APPROVAL:**

1. Compliance with the development as described in the project narrative and as shown on the site plan, landscape plan and preliminary elevations approved for this project
2. Compliance with all conditions of Ordinance No. 4656, except as modified this case (Z14-054) and by Ordinance 5075.
3. Compliance with all conditions of Ordinance No. 5075.
4. Compliance with all City development codes and regulations.
5. Future Site Plan Review and approval by the Planning and Zoning Board for Parcel 16, rezoning and Site Plan Review and approval by the City Council if code modifications are necessary.
6. A Native Plant Preservation Plan shall be reviewed and approved prior to removal of any plants.
7. A grading permit is required prior to any grading of the site.
8. Compliance with the Residential Development Guidelines.
9. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
10. 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 for dedication whichever comes first.
11. All street improvements, street frontage landscaping, and perimeter theme walls to be installed in the first phase of construction.
12. Compliance with all requirements of the Subdivision Technical Review Committee.