



Planning and Zoning Board

Case Information

CASE NUMBER: Z14-059 (PLN2014-000548)
LOCATION/ADDRESS: 8650 East Brown Road.
GENERAL VICINITY: Located west of Ellsworth Road on the south side of Brown Road.
REQUEST: Rezone from RS-43 to RSL-2.5 PAD and Site Plan Review. Also consider the preliminary plat for "Monticello".
PURPOSE: This request will allow the development of a single-residence small-lot subdivision with 36 lots.
COUNCIL DISTRICT: District 5
OWNER: Mark Funk, Bellago Development, LLC
APPLICANT: Sean Lake, Pew & Lake, PLC
STAFF PLANNER: Lesley Davis

SITE DATA

PARCEL NUMBER(S): 218-07-014H
PARCEL SIZE: 5.44± acres
EXISTING ZONING: RS-43
GENERAL PLAN DESIGNATION: Neighborhood
CURRENT LAND USE: Vacant land

STAFF RECOMMENDATION: Approval with Conditions

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

PROPOSITION 207 WAIVER SIGNED: ☒ Yes ☐ No

HISTORY/RELATED CASES

January 19, 1999: Annexed into the City of Mesa and subsequently zoned RS-43 (Z98-117, Ord. No. 3464)

SITE CONTEXT

NORTH: (across Brown Road) Existing single residences – zoned RS-9
EAST: Existing church – zoned RS-43
SOUTH: Existing 202 Red Mountain Freeway
WEST: Existing 202 Red Mountain Freeway

PROJECT DESCRIPTION/REQUEST

The subject site is located east of the 202 Red Mountain Freeway on the south side of Brown Road. The 5.44 ± acres is currently vacant and was annexed into the City of Mesa in 1998. The applicant is requesting to rezone the property from RS-43 to Residential Small Lot 2.5 (RSL-2.5) PAD and site plan review. Also, to consider the preliminary plat for the development of a 36-lot, single residence subdivision named "Monticello." The proposed density of the development is 6.62 du/acre. The main access into the subdivision is provided off of Brown Road. A second exit only access is provided to Brown Road at the west side of the site.

The streets within the subdivision will be 28-foot wide private drives, sidewalks will occur on one side of the street. On-street parking will be allowed on one side of the street and one side will need to be painted with red curbing to indicate no parking. The proposed minimum lot size within the subdivision is 2,964 SF with homes anticipated to range in size from 1,476 square-feet to 2,634 square-feet

RESIDENTIAL SUBDIVISION DESIGN:

	Min. Lot Size Min. Dimensions	Min. Front Setback	Min. Side Setbacks	Min. Rear Setback	Rear Yard Patio setback
RSL-2.5 Standards	2,000 SF 2,500 SF (avg) 25' x 75' (corner lot width 30')	12' - Building Wall 7' - Porch 20' - Garage	10' - Street Side 3'/5'' - Minimum 8' - Total	15'	15'
Proposed	2,964 SF 2,500 SF (avg) 25' x 75' (corner lot width 30')	12' - Building Wall 7' - Porch 20' - Garage	10' - Street Side 4'/4' - Minimum 8' - Total	15' 13' for lot 1 to accommodate a single story plan	10'

SUBDIVISION DETAILS:

Street System	Fences/Walls	Open Space	Other
Private streets	6' CMU perimeter wall (sound wall on west and south property lines adjacent to the freeway could exceed 6-feet. Height will be determined by ADOT)	2 Common open space areas providing - swimming pool, ramada, shade and seating	-HOA -CC&Rs

RSL Design Elements

Per Table 11-5-4 of the Zoning Ordinance, there are six design elements which must be implemented in this subdivision to achieve the RSL2.5 designation. The developer has chosen the following:

Streetscape: The zoning ordinance requires the developer to include at least two streetscape elements in their design. The applicant has met this requirement by providing 18.8% open space within the project, which exceeds the required open space. In addition to the open space, the applicant has provided two "neck-down" traffic calming areas with decorative pavement surfaces. They have also provided a third element from the streetscape elements, which is decorative paving materials at the main entry of the development.

Site Design Elements: The ordinance requires that one Site Design element be provided. The applicant has proposed clustered driveways with a 34' separation distance between the clusters, which is two feet less than what the code identifies. The applicant has stated that this is due to the generous two foot return wall at each garage.

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 36 lots, which would require 4 elevations to comply. The applicant has proposed 6 elevations

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, which the applicant has committed to provide.

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.

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. This development does not meet all of the development standards for the RSL-2.5 zoning district, as indicated by the preceding table. The applicant is seeking two minor modifications to the code as it relates to setbacks for a covered open patio. The code does not allow for an encroachment of a covered open patio that is closer than 15' to the rear property line. The applicant is requesting that this project be allowed to encroach an open patio into the rear yard setback up to 10-feet from the rear property line. The other modification would be to allow a 13' rear setback on lot 1 to accommodate a single story floor plan adjacent to the arterial street.

The applicant is also requesting a PAD in order to facilitate the use of a private drive within the Subdivision. The zoning code requires that all developable parcels must have frontage on a public right of way, unless modified through the approval of a PAD. The proposed 28' private drive will be recorded as a separate tract on the subdivision plat and will be designated for access to the lots within the subdivision.

The other modification requested is the reduced dimension between clustered driveways from 36 feet to 34-feet to accommodate the two foot return wall on either side of each garage.

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 on October 30, 2014. The initial notification included all property owners within 500 feet, registered neighborhoods and HOAs within 1 mile of the site. Staff requested that the applicant extend that boundary to 1000 feet for property owners. The applicant complied with that request and sent out an additional mailing. The Citizen Participation report summarizes the concerns/comments expressed at the meeting. Neighbors

expressed concern for traffic in the area. All other comments/questions were general in nature.

Staff has not been contacted by any citizen regarding this application.

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.

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; however it located on the fringe of this designated area. 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.

This particular property does not contain the typical physical characteristics of a property in the Desert Uplands with washes, rock outcroppings or undisturbed hillsides. The vegetation on this property is sparse, however the property owner has committed to providing appropriate plants, landscape design and building materials so that the project takes on the intended Desert Uplands character. They have also committed to taking an inventory of existing plants on the property to preserve and re-use where possible.

The proposal is also for smaller lots than what the plan identifies as appropriate in the desert uplands with acre lots, however the location and size of this property limits the ability to develop it as acre home sites. The proposed development should tie in with the existing character of the larger neighborhood, which has a variety of uses and housing types.

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 Monticello development has not yet been approved. The applicant will need to receive Administrative Approval of their residential product from the Planning Director. They will be held to the Building Form Standards as established in the Zoning Ordinance and will be expected to provide home designs that have a strong desert character since this property is located within the established Desert Uplands boundary. The Project Narrative provided with this request identifies that the homes in Monticello will 1) incorporate durable local building materials such as stone, stucco and masonry; 2) include accent materials which are durable and complementary to primary building materials; 3) feature a color palette which is reflective of desert colors; and 4) utilize subtle changes in texture to add visual interest.

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 5.4 acres, which is a fairly small residential subdivision. The property is bounded by a freeway on 2 sides and a church on the other side, which limits their ability to connect with other neighborhoods, however a pedestrian network has been provided within the subdivision with sidewalks on one side of their private drives and a two connection points to Brown Road at their primary vehicular entry point at the northeast corner of the subdivision and at their exit only drive at the northwest side of the subdivision.

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: 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 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.

The proposed community provides a transitional, residential project on a small, bypassed parcel and provides a logical transition between the church and the freeway.

STAFF ANALYSIS

SUMMARY:

This is a request to rezone a 5.44± acres parcel from RS-43 to RSL-2.5 PAD to facilitate the development of a 36-lot, single-residence, and small-lot subdivision. The request also includes the review and consideration of the Preliminary Plat for the subdivision under the plat name of "Monticello."

The subject parcel is a vacant property flanked to the north by the Brown Road, the 202 Freeway, to the west and south and an existing church to the east. The applicant is proposing a density of 6.62 du/acre.

The applicant has indicated that the site has proved to be difficult to design. The design challenges include:

- The property is only 5.44 acres in size.
- It is bounded by two sides by an existing freeway and by an existing church to the east.
- The shape of the site that leads to a point at the southeast corner.

Within the constraints the developer designed a standard subdivision design with standard conventional house plans. The only difference is the size of the lots, which fall under the Residential Small Lot (RSL) category in the Zoning Ordinance. The applicant has also complied with the six required design elements established in the code for the RSL 2.5 category.

In reviewing the overall plan as previously noted the lots and layout are typical or conventional. The site plan indicates 18.8% of open space, with a pool proposed on a separate 3,712 square foot tract and a retention area at the southeast corner of the development, which is 27,137 square feet in area. The larger open space area is pinched off from the street with the sides of homes, which limits visibility into this area. Staff has commented about fronting lots on the open space to provide natural surveillance and begin to create spaces that the community would naturally gather. Staff also raised concerns that a 36 lot subdivision would not be able to support a pool as an amenity long term. The applicant is confident that the number of lots is sufficient to support a small pool area and that the location of the open space is appropriate with lots siding onto it. One alternative would be to relocate Tract E, which contains the pool to the location on the site plan identified as lot 21. Grouping the two open space areas would create a central area for neighbors to gather and interact, allowing families to enjoy all of the amenities without being in separate locations.

Within the open space design for the larger retention area, there is reference to shaded seating with benches. More details have not been provided, but it seems as though staff would caution that the amount of shade and seating be sufficient for gathering. Shade structures are essential in making these opens space areas truly useable and a place to hang out and start to create the place for the community to start to congregate.

In review of the housing product design for the project it is apparent that the product design is not in conformance with the Building Form standards established in the Zoning Ordinance, which are intended to minimize the garagescape appearance of our residential streets and to bring the livable area with porches closer to the street to activate the front of the house and the neighborhood. In review of the floor plans submitted, it seems as though some fairly minor adjustments could be made to the product to comply with these standards. In order to ensure the necessary proportions and variations, Staff has added a condition of approval requiring Administrative Product Approval by the Planning Director. During that review, staff will continue working with the applicant to ensure high quality elevations.

The subdivision design meets the development standards for the RSL-2.5 zoning district with the exception of the requested rear yard setback deviations for open patios and a rear yard setback encroachment for a single story home on lot one as requested through the PAD overlay. The applicant is proposing a private drive in lieu of a public street system. The approval of the private drive is to facilitate the reduced street width to 28 feet.

CONCLUSIONS:

This request is in conformance with the General Plan, can meet most of the development standards for the RSL-2.5 zoning district, and justifies the modifications to the requested deviations of code through the PAD overlay. Therefore, Staff recommends approval of Z14-059 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. Minimum lot size shall be 38' x 78' for all lots.
3. Minimum rear yard setback shall be 15'. A patio cover may encroach into the rear yard setback up to 10' from the property line.
4. Lots 1, 32, 33, 35 and 36 indicated on the site plan are limited to single-story homes. No two-story products shall be built on these lots.
5. No two identical elevations are permitted on adjacent lots or on lots across from each other.
6. The house plans submitted do not comply with the Building Form Standards established in section 11-5-3(E) of the City of Mesa Zoning Ordinance. Residential product is not included as part of this approval and must be submitted for administrative review and approval by the Planning Director. Compliance with section 11-5-3(E) is required.
7. Provide elevations of the shade structures for the open space areas. Details to be Administratively Approved by the Planning Director.
8. Compliance with all City development codes and regulations.
9. 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 whoever comes first.
10. All street improvements, street frontage landscaping, and perimeter theme walls to be installed with the first phase of development.
11. Compliance with all requirements of the Subdivision Technical Review Committee.
12. Compliance with all requirements of the current City of Mesa Engineering and Design Standards Manual.
13. 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).
14. Written notice be provided to future residents, and acknowledgment received that the project is within 4 mile(s) of Falcon Field Airport.
15. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction as required by Code.
16. View fences shall comply with the City of Mesa pool fence barrier regulations.