



Planning and Zoning Board

Case Information

CASE NUMBER: Z15-008 (PLN2015-00019)
LOCATION/ADDRESS: The 2400 through 2500 blocks of South Signal Butte Road (west side).
GENERAL VICINITY: Located north of Guadalupe Road and west of Signal Butte Road.
REQUEST: Modification of the existing PAD overlay to eliminate the 10' vehicular access setback for lots 1-89 in Mulberry Parcel 1 and lots 114-117 and 152-154 in Mulberry Parcel 2 (30± acres).
PURPOSE: This request will modify an existing PAD will allow encroachments into the 10' required setback thus eliminating the required vehicle access.
COUNCIL DISTRICT: District 6
OWNER: Phoenix Land Division, LLC
APPLICANT: Desert Vista, 100, LLC-Paul Dugas
STAFF PLANNER: Lisa Davis

SITE DATA

PARCEL NUMBER(S): 312-02-250 to 338; 374 to 377 and 412 to 414
PARCEL SIZE: 30± acres
EXISTING ZONING: Residential (RS-6 PAD)
2040 GP CHARACTER AREA: Neighborhoods
CURRENT LAND USE: Vacant (under construction)

SITE CONTEXT

NORTH: Existing single residences – zoned RS-7 PAD (Villages at Eastridge)
EAST: (across Signal Butte Road) Existing nursing home, small lot residential project, existing church sites – zoned RM-4 PAD, RM-2 PAD and AG
SOUTH: (across Guadalupe Road) Existing single residences – zoned RS-6PAD (Santa Rita Ranch) and vacant 12.5 acres-zoned AG, Mesa 2025 land use designation is NC and MDR 4-6
WEST: Vacant site and existing school

STAFF RECOMMENDATION: Approval with Conditions

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

PROP 207 WAIVER: ☒ Signed ☐ Not Signed

HISTORY/RELATED CASES

- December 7, 1983:** Annexed into the City of Mesa (ordinance 1752).
July 16, 1984: Comparable zoning approved from Maricopa County Rural-43 to City of Mesa AG, Z84-091.
August 28, 2006: City Council approved GPMinor06-03 to revise the Mesa 2025 General Plan designation from MDR 4-6 to MDR 6-10 and Z06-45 for rezoning of 175± acres from AG to R1-9 PAD, R1-6 PAD and R-2 PAD, ordinance 4589, for the Desert Vista Development Master Plan.
August 25, 2014: City Council approved GP Minor14-10 and Z14-037 for the development of a 1,056 lot, five parcel development for Mulberry (172± acres).
November 3, 2014: City Council approved the final plats for Mulberry Parcels 1 through 4.

PROJECT DESCRIPTION/REQUEST

This request is to amend the PAD for lots 1 through 89 of Mulberry Parcel 1 and lots 114-117 and 152-154 of Mulberry Parcel 2, currently zoned RS-6 PAD, for a previously approved subdivision titled "Mulberry" (Z14-037). The request includes a change in the development standards approved for this portion of the project. The request is to eliminate the 10' vehicular access requirement, section 11-5-3.D.3 of the Zoning Ordinance, for the 60' wide RS-6 PAD lots.

With the elimination of the 10' wide vehicular access setback the air conditioning units, pool equipment, gas fireplaces and gas meters would be allowed to be placed in the 10' side yard setback. The placement of this equipment would still leave a 7' wide area for access. Pool and landscaping construction only require 5' clearance in order to access the rear yard. A 5' wide clear setback will be maintained on the driveway side each of the homes. In addition, according to the Blandford Homes letter dated January 12, 2015, the Mulberry CC&R's and architectural guidelines will restrict gates to rear yards and side yards to a maximum width of 48". This restriction will remove the ability for vehicular access and/or parking in the side or rear yards.

The Mulberry Development is located north of the northwest corner of Signal Butte and Guadalupe. The subdivision plats for Parcels 1 through 4 recorded December of 2014 and are currently under construction. Parcel 5 will develop in the future and is required to return to the Planning and Zoning Board for site plan approval. The 20± acre corner at the northwest corner of Signal Butte Road and Guadalupe Road is zoned LC PAD. The site plan and design review application has been approved and includes a 123,000 SF Fry's Marketplace with 12,040 SF of shops attached to the south.

NEIGHBORHOOD PARTICIPATION

The applicant has completed mailing written notifications to all property owners within 500' of the site. The notification included a letter describing the project and exhibits showing the proposal.

At the time of writing this report Staff has not received any inquiry regarding the proposal. In addition, the applicant has not reported that they have received any inquiries.

CONFORMANCE WITH THE GENERAL PLAN

The Mesa 2040 General Plan Character area designation – Neighborhoods. 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. The overall development, as previously approved establishes a unique neighborhood character that is consistent with the goals and objectives of the Plan. The proposed modification to allow encroachments into the vehicular side yard does not create any significant deviation from the previous approval. This project is still consistent with the General Plan.

STAFF ANALYSIS

SUMMARY:

Parcels 1 through 4 have a total of 545 lots with four lot sizes. The four sizes include 40' x 79' (Green Court), 45' x 115', 52' x 120', and 60' x 125'. The 60' x 125' sized lots are the largest lots offered within the development and the only size required to have the 10' vehicular access side yard setback. This request is specifically to amend the RS-6 PAD (60' x 125' typ.) development standards for lots 1 through 89 at Mulberry Parcel 1 and lots 114-117 and 152-154 at Mulberry Parcel 2, a total of 96 lots, to eliminate the 10' vehicular access side yard setback required by the Zoning Ordinance

The applicant does not believe that the 10' access side would be needed because of the restrictions of the size of the gate allowed per the CC&Rs of the project. The CC&R's will restrict the gate size to a maximum of 48" wide which would not accommodate vehicular access. They have also taken into consideration that placement of this type of equipment on the 5' setback side would limit access to the backyard from the garage side door. The request is consistent with previously approved requests by this home builder in Las Sendas and Mountain Bridge development. The plot plans provided show the placement of the A/c units within the 10' vehicular access side yard. In reviewing the overall design of the project this 60' wide lot is the only size that would require the 10' vehicular side yard setback. It is not provided or required for the other 458 lots within the project. Therefore, staff believes the impact of eliminating this requirement would be minimal.

CONCLUSIONS:

The overall design of the project with the grid street pattern, dispersed open space, architectural entry features, the community park, landscaped boulevards, tree lined streets, and the connection to the commercial corner will all work together to create a unique Mesa neighborhood. This is a large project and has had many moving pieces along the way as they have developed. Staff believes that this is a good project and the elimination of the required 10' vehicular access setback will have no impact on the overall design for the project. Planning staff is recommending approval of the Mulberry PAD amendment subject to the following conditions.

CONDITIONS OF APPROVAL:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, (without guarantee of lot yield, building count, or lot coverage).
2. Development in conformance with Ordinance #5247, (Z14-037), except as modified by this case.
3. Compliance with all City development codes and regulations.