



Planning and Zoning Board

Case Information

ZONING CASE#: Z15-026
LOCATION/ADDRESS: The 7400 to 7600 block of East Southern Avenue (north side)
GENERAL VICINITY: The northwest corner of Southern Avenue and Sossaman Road
ZONING REQUEST: Rezone from LC PAD PAD to RSL-2.5 PAD PAD and site plan/preliminary plat
PURPOSE: This request will allow the development of a single residence subdivision with 81 lots
COUNCIL DISTRICT: District 5
OWNER: The Arizona Real Estate Fund II, LLC
APPLICANT: Sean Lake, Pew and Lake, PLC
STAFF PLANNER: Lesley Davis

SITE DATA

PARCEL NUMBER(S): 218-55-007-W and 218-64-642-E
PARCEL SIZE: 11.57± acres
EXISTING ZONING: LC PAD PAD
GEN. PLAN DESIGNATION: Mixed Use Activity District, Community Scale
CURRENT LAND USE: Undeveloped

SITE CONTEXT

NORTH: (from west to east) Single residence "Fulton Homes at Superstition Springs" – zoned RS-6 PAD PAD; and SRP Sub-station – zoned RS-35
EAST: (from north to south) SRP Sub-station – zoned RS-35; (across Sossaman Road) Manufactured home subdivision "Desert Sands Golf and Country Club" – zoned RS-6 PAD; and Gas station/Convenience store – zoned LC PAD
SOUTH: (across Southern Avenue) (from west to east) Industrial office/warehouse "The Commons at Superstition Springs" – zoned LI PAD PAD with a CUP; and retail store – zoned LC PAD
WEST: (from north to south) Single residence "Fulton Homes at Superstition Springs" – zoned RS-6 PAD PAD; and Vacant – zoned C-2 PAD

STAFF RECOMMENDATION: Denial
P&Z BOARD RECOMMENDATION: ☒ Approval with conditions. ☐ Denial
PROP 207 WAIVER: ☒ Signed. ☐ Not Signed

ZONING HISTORY/RELATED CASES:

October 9, 1979:	Annexed into the City of Mesa. (Ord. # 1279)
February 18, 1980:	Established comparable zoning; re-zoned from County Rural-43 to City R1-35. (Z80-16; Ord. #1313)
December 8, 1986:	The applicant requested re-zoning from R1-35 to M-1 to allow for the development of an industrial park. This case was withdrawn at the request of the applicant prior to City Council action. (Z86-121)
July 18, 1988:	This site was rezoned from R1-35 to C-2 to allow for future commercial developments. (Z88-33; Ord. #2362)
May 4, 1992:	Established the "Superstition Springs" Development Master Plan (DMP) and designated this site as commercial within the DMP. This case stipulated Site Plan Review through the Planning and Zoning Board and City Council of future development plans for all parcels not previously approved by the Board and Council. (Z92-14; Ord. #2693)
January 12, 2009:	City Council approval to rezone from LC PAD to LC PAD PAD and Site Plan Review for the development of a group commercial center. (Z08-068, Ord. #4903)

PROJECT DESCRIPTION/ ZONING REQUEST

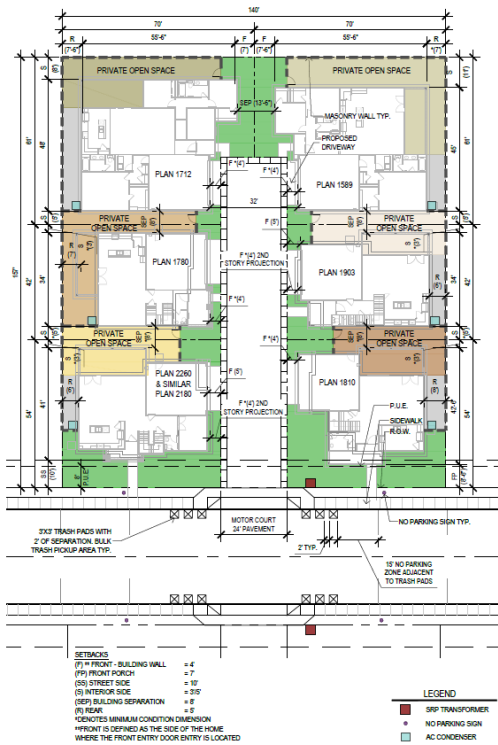
The request is for a rezoning from LC PAD PAD to RSL2.5 PAD PAD with an associated Site Plan/Preliminary Plat to accommodate an 81-lot, single-residence subdivision on approximately 11.57 acres, resulting in a density of 7 DU/acre. The subject property is located on the northwest corner of East Southern Avenue and South Sossaman Road.

The property was previously approved for a retail development along Southern Avenue with a mini-storage facility in the rear.

As a proposed cluster project, each grouping of six homes is accessed from a public street. Guest parking is provided along the public street. The applicant has identified 218 parking spaces, which is 2.7 parking spaces per dwelling unit.

Open space has been provided with a park/amenity area that is centrally located along the north property line. There is also a larger retention/park area at the southwest corner of the development and a smaller retention area at the central entry point. Two additional small pocket park areas have been provided as well. A pedestrian network has been provided throughout with pathways to the parks and the perimeter of the subdivision. This subdivision has a public street system and will not be gated.

The prospective builder is proposing what they call a "Motor Court" housing product, which is also sometimes referred to as "Cluster" home development. This product features six homes that front onto a shared driveway/motor court, which is also where they access their garage. This is different than a "Garden Court" development because the homes face the driveway instead of a pedestrian area on the opposite side of the driveway. Each home will have a small private yard that will be fenced with a 6-foot masonry wall. The applicant provided the exhibits below, which demonstrate how the private and public areas work. The private areas are the brown, tan and yellow spaces, while the green area is the public open space. There is also an exhibit, which identifies the single-story (purple) vs. two-story (tan) portions of the home.



Setback and Open Space Exhibit



Single Story vs. Two Story Exhibit

RSL DESIGN ELEMENTS

The proposed base zoning is RSL 2.5. The RSL districts have built-in additional design requirements based on the size of the lots requested. The smaller the lots, the more design elements required. The average lot size for this proposed development is 3,195 square-feet; therefore 5 design elements are required. The applicant has identified the following design elements to comply with the ordinance requirement.

Streetscape Elements (2 required):

1. **Parkland and Open Space:** To comply with this requirement, the development is required to include a privately maintained park or common open space at least 30 percent greater in area than the minimum open space required. The applicant has met this requirement by providing 2.4 acres of open space within the project, which exceeds the required open space, which is .22 acres.
2. **Paving Material:** Decorative paving materials may include pavers, stamped, colored asphalt or stamped or textured concrete to be utilized for pedestrian areas, street crossings, and entries into the development. The applicant has stated that decorative paving will be provided at all entries to the project. The entries are the most appropriate place to provide these decorative surfaces. The transportation department has not approved decorative surfaces for any pedestrian crossing points within this development that cross a public street.

Site Design Elements (1 required):

- 3. Shared or Clustered Driveways:** Driveways are paired so that there is a single curb-cut providing access to two or more houses and the total width for the paired driveway is not more than 18-feet. This project provides a single driveway for access to either four or six homes in a cluster.

Building Design Elements (1 required):

4. **Architectural Diversity:** This 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 81 lots, which would require 7 unique elevations to comply. The applicant has proposed 7 floor plans with 3 elevations for each plan, which provides a total of 21 different options.

Additional Design Element (1 required):

5. **Variable Garage Entries (Building Design Element):** This requirement states that a development plan must include provisions for variable location of garage entries with at least 35% of the lots having garages that are side-loaded, or set entirely in the rear half of the lot in a detached garage. The applicant has stated that they comply with this requirement by providing access to their units through the motor court, which removes the garage from the community's street scene. They have also stated that 100% of the homes have frontage on the street, with their garages on the side elevation.

Open space:

The Zoning Ordinance specifies that the homes be located within 330-feet of an active open space area. The applicant has provided three large open space areas within the development with the more active open space located fairly central to the development along the north property line. This area includes the pool, tot-lot, BBQ's and ramadas. There are also two larger retention areas located at two of the primary entrances to the development. There are some lots that are further from the larger open space areas, however the applicant has provided some smaller pocket parks that could serve those homes. This proposal complies with the open space requirements, but details were not provided to ensure that there is appropriate seating and shade in each open space area.

Architectural Diversity and Quality of Design

The applicant has exceeded the minimum number of elevations and number of plans for the development. Staff feels comfortable that there will be a variety in elevations and plans within the pod/cluster. The applicant has taken this product to the Design Review Board within the last year for two other subdivisions located in Mesa. Through that process, the applicant has been very receptive to making improvements to the detailing and quality of the homes. Staff does not have any concerns regarding the design of the homes.



Residential Product

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 below. In return for providing the deviations from code, the applicant is expected to provide a creative, high-quality development. It is also important to note that the RSL districts do not take into account the cluster/motor-court/garden-court developments with the shared drive, which reduces the lot depth. Deviations to the lot depth have been approved on previous sites to accommodate this housing-type, but the Board has raised questions about what deviations are appropriate.

RESIDENTIAL SUBDIVISION DESIGN:

	Minimum Lot Size Min. Dimensions	Minimum Front Setback	Minimum Side Setbacks	Minimum Rear Setback	Maximum Height
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	15' rear	30' 2 stories
Proposed (Deviations identified in red bold text)	2,352 SF 42' x 56' (corner lot width - 55')	4' front – from motor court tract/property line 8' front - porch	10' street side 3' int. side 8' int. side total	5' rear	30' 2 stories

"Front" is defined as the side of the home where the garage door is located.

SUBDIVISION DETAILS:

Street System	Fences/Walls	Open Space	Other
- Public streets	-6' decorative CMU perimeter wall surrounding the perimeter except at open space areas	- 4 acres of open space provided. Large centralized open space with community pool with Ramada, gathering/play space	-HOA -CC&Rs

NEIGHBORHOOD PARTICIPATION

The applicant has completed their Citizen Participation Plan, which included mailing written notifications to property owners within 700-feet of the subject property and registered neighborhoods within 1-mile of the property. They also notified the Mesa School District which includes Jefferson Elementary, Fremont Junior High and Red Mountain High School. A neighborhood meeting was held on the property on June 10, 2015 with a follow up meeting in August. The applicant has indicated through the Citizen Participation Report and through phone conversations, that the neighbors were supportive of the proposed development, with one neighbor preferring apartments on this site. However, that was not the consensus. Staff has received one letter from the owner of the commercial property at the southwest corner of Sossaman and Southern that is in support of the proposal. Staff has also received a couple of calls and emails from neighbors with concerns regarding the land use, but generally supporting the proposed development. One call was with a neighbor who had a concern about the pool and play area adjacent to the residences to the north. The applicant is preparing an updated Citizen Participation Report, which will be provided to the Board at the Study Session on September 15, 2015.

CONFORMANCE WITH THE MESA 2040 GENERAL PLAN

Summary: The proposed rezoning request is not in conformance with the Mesa 2040 General Plan. The site is located on the edge of an area that is designated as a Mixed Use Activity Area character type and is adjacent to an area designated as a Neighborhood Character type. The site has been part of the Superstition Springs Master Plan and has been planned for commercial type

uses. The character description of the Mixed Use Activity Area allows the consideration of residential as a part of the Mixed Use Area to enhance the overall connectivity and sense of place of the mixture of uses. In order for the request of residential to be compatible with the General Plan it will need to consider the inclusion of supportive multi-residence housing that will support the Mixed Use character by providing a higher density housing for potential employment and customer base in the area.

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.

Criteria for review of proposal: The following criteria (Ch. 15 of the General Plan) have been developed for use during the review process to determine whether the proposed development is achieving the vision and goals established in the General Plan and thus meeting the statute requirements.

1. Is the proposed development consistent with furthering the intent and direction of the General Plan?

The General Plan focuses on creating land development patterns that emphasize the character of place and focusing on those principles that build neighborhoods, stabilize the job base, and improve the sense of place.

The Plan also describes 5 fundamentals to be considered with development to help move the City toward the goal of becoming a more complete, recognizable City. The five elements include:

1. High Quality Development
2. Changing Demographics
3. Public Health
4. Urban Design and Place-Making
5. Desert Environment

This proposal is consistent with some of the goals and direction established in the General Plan, but falls short of providing a unique development. The project does help to create a greater sense of place for the development itself, but with the exception of the new landscaping, does not enhance the sense of place for the surrounding area. The proposed development is located on a property at the fringe of the Superstition Springs/Power Road Corridor Economic Activity Area and is adjacent to a traditional single residence neighborhood. It is a property that has been long planned for commercial and employment uses and has a commercial site plan from 2008 with retail pad sites and a mini-storage facility. There is a mix of existing uses to the south, which includes retail, employment and multi-family residential. The developments to the north and east are primarily single residence and retirement communities. If the property were to be rezoned to residential, the property offers the opportunity to provide a necessary transition between the single residential to the north and the commercial and employment area to the south, which would be better served by a higher density residential project. The area has historically been auto oriented, but the goal is to provide a development that places an emphasis on walkability with the site so easily accessible to jobs, shopping, entertainment, transit.

This property is within the Superstition/Power Road Economic Activity Area. This economic activity area has the opportunity to grow employment associated with the adjacent freeways and expanding medical services. The area to the southwest of this property has the employment character type designation. Significant expansion is currently underway for employers in this area. The larger Mixed Use Activity

District associated with Superstition Springs Mall is one of Mesa's few, prime locations for transformation over time into walkable, mixed use suburban center. The concentration of retail, employment, transit, and street/highway network make this a prime location for this transformation from strict auto orientation to a unique place. To achieve this, care must be taken with each available property to move toward this goal.

The General Plan also promotes the creation and maintenance of a variety of great neighborhoods. In consideration of this case, which is on the edge of the suburban neighborhood to the north, care must be taken to meet the goals and intent of the Plan with regards to neighborhoods. This property does provide for the transition between two neighborhoods. If this property were to develop with residential uses as part of the Neighborhood Character area, the Plan encourages the use of the "Traditional Neighborhood" sub-type in these locations. The Plan also encourages a mix of residential types in all areas of the City to provide for a variety of housing needs.

2. Is the proposed development consistent with adopted sub-area or neighborhood plans?

Mesa has not established a neighborhood or sub-area plan for this area.

3. Is the proposed development consistent with the standards and guidelines established for the applicable character type(s)?

This request is within the Character Type of Mixed Use Activity District, with a further designated sub-type of Community Scale District as identified on the Character Area map in the Mesa 2040 General Plan. It is on the fringe of the Community-Scale District adjacent to Neighborhood with the sub-type Suburban.

Character Area: Mixed Use Activity Districts

Focus: Mixed Use Activity Districts are large-scale (typically over 25 acres) community and regional activity areas that usually have a significant retail commercial component that are designed and developed to attract customers from a large radius. They are primarily retail areas and entertainment centers, but often also include offices, multi-residential and other supporting uses.

Sub-type: Community-scale districts

Community Scale Districts (primarily serving up to a 4-mile radius) typically contain one or two big box buildings and associated shops and pad sites. These character types are typically at the intersection of two arterial streets and are typically auto-dominant unless part of a Transit District. As part of redeveloping older community commercial areas, this character type may transition into providing a greater mix of uses including office and residential activities and should take on a more pedestrian-friendly environment. The primary goal of this character type is to provide high quality opportunities for commercial and entertainment activities consistent with the needs of today's consumer.

The Mixed Use Activity District, Community-Scale, anticipates multi-family as a part of this character area, but not single residence. This property is on the fringe of the character area however and is adjacent to the Neighborhood, Sub-type Suburban. The proposed zoning is more consistent with the adjacent Neighborhood, Sub-type than the Mixed Use Activity District. The goal for this area is to enhance the Mixed Use Activity District character.

4. Will the proposed development serve to strengthen the character of the area by:

- Providing appropriate infill development.

This site is surrounded by existing developments. There is single residential to the north with commercial and multi-family to the south. The approved PAD for Superstition Spring planned this area for commercial uses. Any deviation from this approved zoning and use needs to provide a use that will further enhance the goal for creating a viable community with a sense of place. The proposed development does not achieve this objective.

- Removing development that is deteriorated and/or does not contribute to the quality of the surrounding area.

This property is vacant, this does not apply.

- Adding to the mix of uses to further enhance the intended character of this area.

There are traditional single residence neighborhoods to the north and east of this property. Much of the area to the south and west has developed with commercial, industrial uses and employment uses. Additional commercial development could be beneficial to the neighborhood, but the property owners have been unsuccessful in attracting those uses to this site. As a fringe area, it could provide a residential transition, but the question arises as to what density and housing type is most appropriate. Some form of attached dwellings or multi-residence development would be more consistent with the Plan goals for this area.

- Improving the streetscape and connectivity within the area.

New landscaping will be added with development that will improve the streetscape.

- Improving safety within the area.

New development will utilize the property and provide more lighting and activity which should serve to improve safety.

- Adding to the sense of place.

The site plan accompanying the zoning request includes significant landscape areas along Southern Avenue. The applicant has provided a small neighborhood, but has provided a pedestrian network for the residents to access nearby services and restaurants. These design characteristics, however, are very similar to many other places in the City. What is needed is something unique that will further the development of this area as an active employment and commercial area.

- Meeting or exceeding the development quality of the surrounding area.

The design quality of the development is equal to or exceeds the surrounding developments.

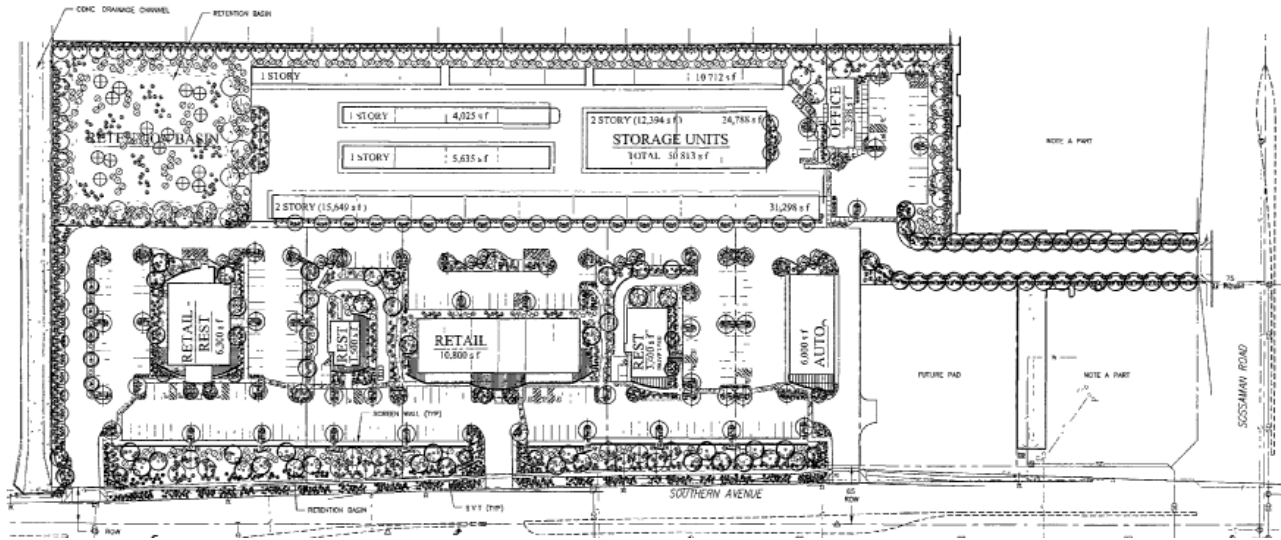
5. Does the proposed development provide appropriate transitions between uses?

The property to the south (across Southern Avenue) is zoned LI PAD and LC. The adjacent uses north of Southern Avenue are LC on the sides and traditional residential to the north. Staff is not convinced that detached single residences provides the appropriate transition. Staff has discussed this point further in the Staff Analysis below.

STAFF ANALYSIS

Land Use

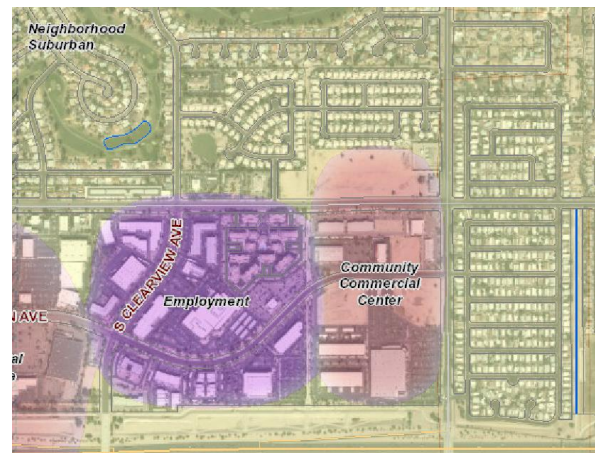
The primary request is to rezone the property at the northwest corner of East Southern Avenue and South Sossaman Road, surrounding the existing gas station, from LC PAD PAD to RSL2.5 PAD PAD to allow for the development of an 81 lot subdivision. The site's LC PAD PAD zoning included a site plan that was approved in 2008 for commercial pad sites along Southern Avenue with a mini-storage along the north edge of the property. That site plan is included below. That site plan provided a transition to the neighborhood through the use of the mini-storage buffering those residential properties with the mini-storage facility. The Zoning Map for the area has also been provided below for reference on the existing zoning in the area.



Previously approved Site Plan (Z08-068)



Zoning Map



General Plan Land Use Map

The Mesa 2040 General Plan identifies this site as a continuation of the Mixed Use Activity District (Sub-type Community-Scale) from the existing commercial and industrial developments to the south. This property is on the fringe of that area, adjacent to Neighborhood (Sub-type Suburban) land use group, so it is expected that this property would provide the appropriate connection and transition between that commercial and industrial land to the south and the existing residential neighborhood to the north. The question becomes, which type of development provides the best connection and transition while continuing to facilitate the development of the commercial and employment areas. The applicant has presented a case for detached residential cluster homes, however detached single residential homes are a more traditional housing type. Staff contends that if the property were to develop as a residential property, that a more dense attached housing type would be more appropriate.

The Mesa 2040 General Plan states that uses within the Mixed Use Activity District, the appropriate uses should include retail areas and entertainment centers, but often also include offices, multi-residential and other supporting uses. Multi-residential or office seem to provide a more graduated transition, perhaps offering a bit more open space adjacent to the residential to the north. As proposed those homes will have many two-story homes that are very close to their rear property lines. The proposal also

puts single residences directly adjacent to a corner gas station. Landscaping has been provided as a buffer, but it still raises the question that this housing type with such large building footprints may not be appropriate in this location. The proposed development is shown below.



Proposed 81 lot subdivision

Site Plan

The Neighborhood Chapter of the General Plan designates six key elements to the design of neighborhoods. This site design does a reasonable job of meeting most of those elements.

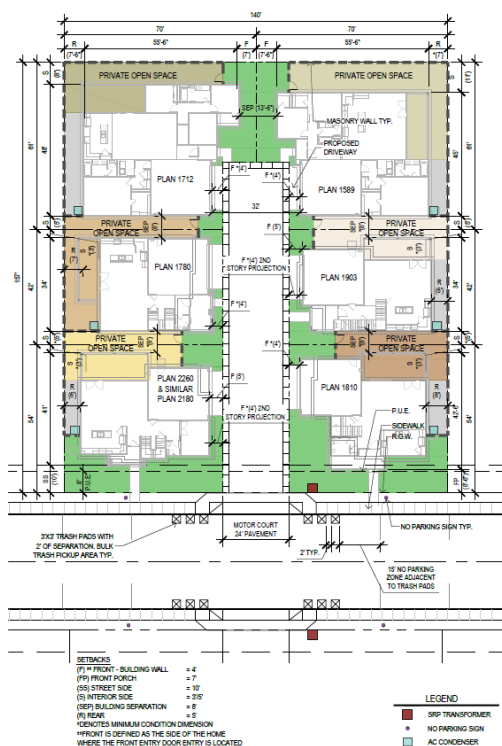
Setbacks

The applicant has requested a Planned Area Development (PAD) overlay to accommodate variations from the conventional development requirements for the RSL 2.5 zoning district. The Zoning Ordinance standards for the RSL districts do not take into account the possibility of a cluster/motor-court/garden-court type development with the shared drive. This product type typically creates the need for a reduced depth for the lot. The standard lot depth in the RSL 2.5 District is 75-feet with a standard rear setback of 15-feet. The applicant is proposing a 56-foot lot depth with a 5-foot rear setback.

This product is approved for two other recently approved subdivisions in Mesa and staff has recently been able to see this product constructed and experience the reality of the 5-foot rear setback. Staff is concerned that the reduction from 15-feet to 5-feet may be too severe. The 5-foot setback coupled with this housing type creates a scenario where there could be as many as 12 homes backing up to one another, from two adjacent clusters, with a maximum of 10' between the homes for that entire row. This happens in two locations within this proposed subdivision. The applicant has committed to a reduced second floor footprint to help reduce the canyon effect that these long rows of two story homes creates, but more variation in that setback may be necessary to provide some relief and space between homes to make it a more livable and comfortable community long term.

The exhibits below depict the proposed setbacks for each cluster as well as depicting the commitment from the applicant that the sum of the walls for the homes within 10-feet of the rear property line will not exceed 55% of the outside length of the pod/cluster. The private areas are shown in the exhibit on

the left, with the brown, tan and yellow spaces, while the green area is the public open space. The second exhibit on the right, identifies the single-story (purple) vs. two-story (tan) portions of the home. It is important to note that the homes at the end of each cluster have the potential to be two story homes, which has not been represented in the exhibit.



Setback and Open Space Exhibit



Single Story vs. Two Story Exhibit

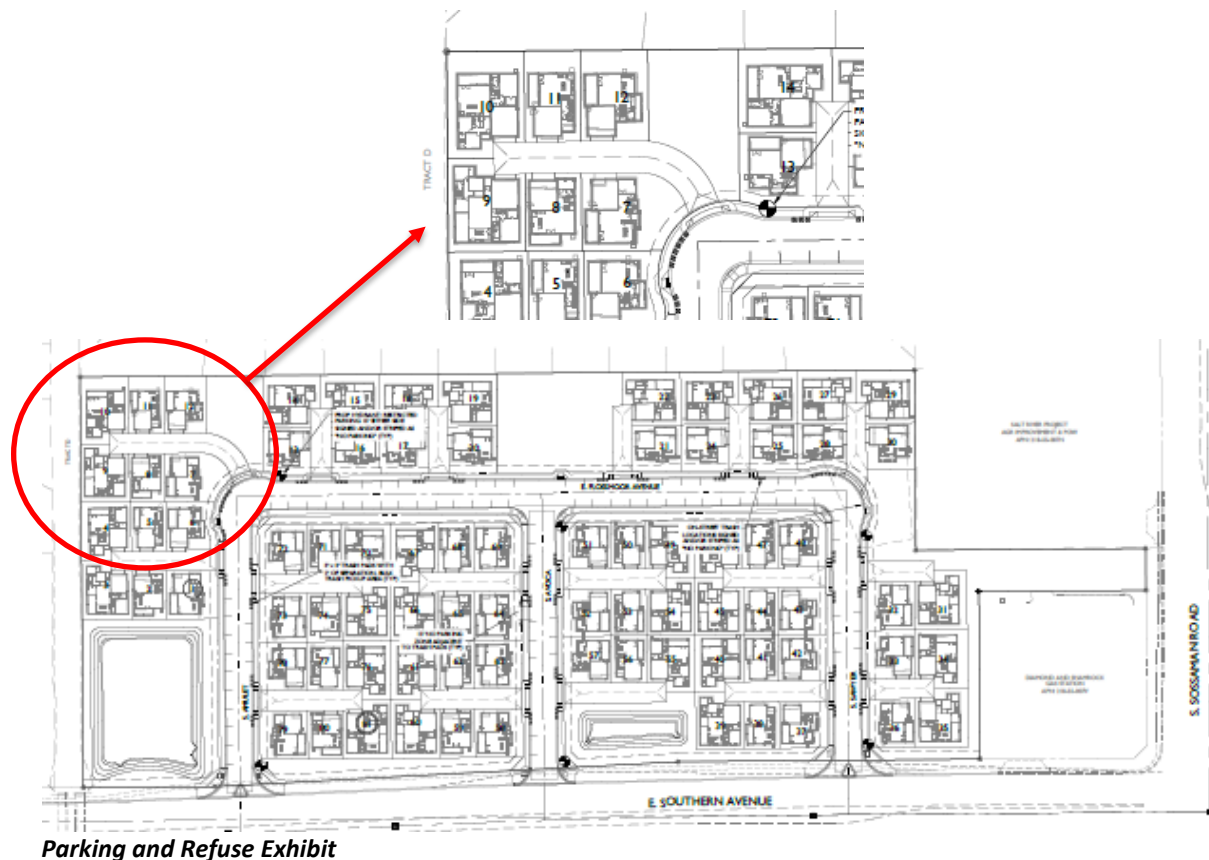
It is also important to note that the applicant has committed to some increased setbacks along the north property line, which are adjacent to traditional single residence homes. They have agreed that lots 10, 11 and 12 will have a 15-foot setback along the north side. The balance of the homes along the north property line would be 10-feet for single story and 15-feet for two story.

Parking & Solid Waste

The applicant has provided 2 parking spaces within the garage unit and an additional 56 spaces on the looped public street, which is 2.7 parking spaces per unit. Historically, these types of developments generate a parking issue in the number of guest spaces provided. 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 is provided along the street so that 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. This is a particular problem for the homes at the northwest corner of the development.

The proposed homes are a bit larger than what was previously supported at the 2.6 parking spaces per unit. These homes range from 1,600 to 2,260 square-feet with more of their homes in the 2,000 to 2,200 square-foot range. In homes of this size, there will likely be more residents who could potentially have vehicles and people are more likely to hold larger gatherings of people. This could create a parking problem in this subdivision. It is also a very isolated subdivision, so parking on a nearby street, in an adjacent neighborhood, will not be an option. If this development were to be approved, Staff recommends that the applicant make revisions to provide a parking ratio that meets or exceeds the 3 parking spaces per unit. There seems to be an opportunity to provide some additional parking in the small open space area east of lot 12 in the northwestern corner. The parking must also meet the distance requirements.

The primary concern for Solid Waste collection vs. parking spaces occurs in the northwest corner of the development, where there could be up to 9 barrels lined up on collection day. The applicant has provided a parking and refuse exhibit that also identifies the locations of the barrels. Parking has not been shown in this area, but realistically, it will be difficult to police those areas to prevent parking along the street in that location. Staff has included a blow up of this area below as well as the full graphic submitted by the applicant below:



Planning Staff has received a letter of opposition from the City of Mesa Economic Development Director, William J. Jabjiniak. Mr. Jabjiniak stated that Office of Economic Development is not opposed to a residential use on this property, but that a multi-family type project with multiple stories would be more suitable to the area. A Copy of this letter has been provided in the packet materials that accompany this report.

CONCLUSION:

A primary goal of the City of Mesa and our General Plan is to “grow and maintain diverse and stable jobs.” This area has long been planned from commercial/employment uses. To change the zoning from LC to a residential use, it must be a residential use that would be seen as an opportunity to facilitate the continued growth of the commercial and employment area to the south. The proposed zoning and site design do not achieve this goal. Staff recommends denial of Z15-026.

While staff analysis has found that the proposed rezoning and site plan are not consistent with Mixed Use Activity District designation of the General Plan, given the small size of the property, the Board could still recommend approval without a General Plan amendment. To do this the Board would need to determine that the specific proposal is appropriate for this location and will serve to strengthen the adjacent residential and commercial neighborhoods.