



**PLANNING DIVISION  
STAFF REPORT**

**City Council**

**October 21, 2019**

CASE No.: **ZON19-00473**

PROJECT NAME: **Eastridge Manor**

Owner's Name:	James Render
Applicant's Name:	Sean Lake, Pew and Lake, P.L.C.
Location of Request:	Within the 3100 block of South Eastridge (east side). Located south of Guadalupe Road and east of Hawes Road.
Parcel No(s):	304-03-017C & 304-03-017D
Request:	Rezone from Single Residence 6 (RS-6) to Multiple Residence 2 (RM-2) with a Planned Area Development Overlay (PAD); and Site Plan Review; also consider the preliminary plat for "Eastridge Manor". This request will allow for the development of a multi-residence development.
Existing Zoning District:	Single Residence (RS-6)
Council District:	6
Site Size:	4.2± acres
Proposed Use(s):	Attached Single-Residences
Existing Use(s):	Vacant
P&Z Hearing Date(s):	September 25, 2019 / 4:00 p.m.
Staff Planner:	Wahid Alam, AICP
Staff Recommendation:	Approval with Conditions
Planning and Zoning Board Recommendation:	Denial (Vote: 3-2)
Proposition 207 Waiver Signed:	Yes

**HISTORY**

On **January 22, 1990**, the City Council annexed approximately 1,721.9 acres of land (Ord #. 2482) and subsequently zoned the property to a Single Residence (R1-43) (Case # Z90-009).

On **August 28, 2006**, the **City Council** approved rezoning approximately 4.2 acres from Single Residence (R1-43) to Single Residence R1-6 (now called RS-6) for an 18-lot single-residential subdivision with 6,000 sq. ft. lots (Case# Z06-054, Ord #. 4590).

## **PROJECT DESCRIPTION**

### **Background**

The subject site is currently vacant. The requested rezoning is to allow the development of an attached single-residence (duplex style homes) subdivision on the property. The applicant is also requesting a Planned Area Development (PAD) Overlay to accommodate certain proposed modifications to specific standards pertaining to development on the property. The subject site is approximately 4.2 acres and surrounded by single-family developments to the north and west. There is an SRP substation located to the east and a major transmission line easement to the south of the site. Overall, the proposed development will not be incompatible to the surrounding residential uses.

### **General Plan Character Area Designation and Goals**

The General Plan Character area designation on the property is Neighborhood with a sub-type of Suburban as defined in Chapter 7 of the General Plan. Per Chapter 7 of the General Plan, the primary focus of the neighborhood character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The suburban neighborhood character type are primarily single residence in nature with most lots ranging in size from 6,000 sq.f.t to 18,000 sq. ft. As part of a total neighborhood area, this character type may also contain areas of duplexes and other multi-residence properties and commercial uses along arterial frontages and at major street intersections. Multiple Residence (RM-2) is listed as a primary zoning district within the suburban sub-type (pg.7-10). The proposed project for an attached single-residential duplex development is consistent with the General Plan land use designation, as it will contribute to the creation of a variety of housing options for the neighborhood. Staff also reviewed the request and determined it is consistent with the criteria for review outlined in Chapter 15 (pg. 15-1) of the Mesa 2040 General Plan.

### **Zoning District Designations**

The request includes rezoning of the property from Single Residence 6 (RS-6) to Multiple Residence 2 with a Planned Area Development Overlay (RM-2-PAD). The applicant is also requesting a site plan review, and modifications to certain development standards on the property through a PAD Overlay.

Per Section 11-5-2 of the Mesa Zoning Ordinance (MZO), the proposed use of the property for attached single residential development is allowed in the RM-2-PAD zoning designation.

### **Airfield Overlay – Mesa Zoning Ordinance (MZO) Article 3, Section 11-19:**

The subject site is within 2 miles of Phoenix-Mesa Gateway Airport. Per Section 11-19 of the MZO, the property is located within the Airfield (AF) Overlay District. Specifically, within the Airport Overflight Area Three (AOA 3). Residential land uses are allowed within the AOA 3 area and are subject to notification and noise attenuation requirements (See Condition #6).

### **Planned Area Development (PAD) Overlay – MZO Article 3, Chapter 22:**

The purpose of this request for a PAD overlay is to allow modifications to certain required development standards on the property. The overlay is also to allow innovative design and flexibility that creates high-quality development for the site.

Table 1 below shows the MZO required standards, the applicant's proposed PAD standards, and staff recommendations:

*Table 1*

<b>Standards</b>	<b>RM-2 Required</b>	<b>Proposed</b>	<b>Staff Recommendation</b>
Minimum Lot Area per Dwelling Unit (sq. ft.)	2,904	<b>2, 800</b>	As proposed
Minimum Lot Depth-single residence attached	94'	<b>70'</b>	As proposed
Minimum Street Facing Side Setback	20'	<b>8': Adjacent to lots 11 &amp; 19</b>	As proposed
Minimum Street-Facing Front setback	20'	<b>10' – front porch / livable 18' - Garage</b>	As proposed
Minimum setback- two storied adjacent to RS District	30'	<b>22'-24'</b>	As proposed
Minimum Rear Yard	15'	<b>12': Lots 13-18 &amp; 21-26 12.5': Lots 27-36</b>	As proposed
Building Form 11-5-5.D(2)b Garage: multi-story buildings that include livable floor area, garage doors located below upper story living space shall be recessed at least 3 feet from the upper story facade.	3'	<b>0'</b>	As proposed
Maximum Building Coverage (% of lot)	45%	<b>55%</b>	As proposed

As shown in the table above, the applicant is requesting the following deviations from the RM-2 zoning district development standards from Section 11-5-5 of the Mesa Zoning Ordinance (MZO):

**Setbacks:**

**Street Facing Side:**

The property is located along the east side of Eastridge Street. Per Section 11-5-5 of the MZO, the required street facing side setback along a local street is 20'. The proposed site plan shows a setback of 35' at the northwest corner of the site adjacent to the side of Lot 1 and the southwest corner of the site adjacent to the side of Lot 27. The applicant is requesting a reduction in the street setback adjacent to the sides of lots 11 and 19 to 8'. This area is designed on the site plan as a landscaped retention area along Eastridge Street with wider than allowed setbacks to the north and south and a narrower landscaped area in the middle between the two local streets.

**Front:** The applicant is also requesting a reduction in the front setbacks for all 36 lots facing the private streets within the subdivision. The required setback per 11-5-5 is 20' the applicant is proposing a minimum front setback of 10' to the front porch or livable area and 18' to the garage.

**Rear:** The required setback to the rear lot line is 15'. The applicant is requesting a rear yard setback of 12' for lots 13-18 and lots 21-26 and a 14.5' setback for lots 27-36. These lots are design to be adjacent to common open space areas, which will act like a 25' to 30' wide landscape buffer between lots 13-18 and lots 21-26. These lots adjacent to this

open space will enjoy larger separation between the houses across the common area. Therefore, the reduced rear yard setbacks are justified along the common open space. The proposed site plan shows a majority of the lots conform to or exceeds the required setback where the lots are adjacent to the existing residential development to the north.

**Building Form:**

Garage: Per Section 11-5-5.D(2)b of the MZO, multi-story buildings that include livable floor area, garage doors located below upper story living space shall be recessed at least 3 feet from the upper story facade. The applicant is requesting the removal of this building form standard. The standard is typically intended for development of apartment style housing types within the RM zoning districts. The proposed elevations and housing style is for duplex homes that generally have similar design character as single family homes. The proposed elevations meet the required 3 feet setback for garages to be from the primary wall of the home or substantial porch, as outlined in Section 11-5-3(E)b) of the MZO for single-residential development building form standards.

**Lot depth and lot area:**

Per Section 11-5-5 of the MZO, the required minimum lot depth in the RM-2 zoning district for attached single residence buildings is 94'. The applicant is requesting a minimum lot depth of 70'. As a result of this reduction in lot depth, the applicant is requesting a reduction of the minimum required lot area from 2,904 sq. ft. to 2,800 sq. ft. According to the applicant, the reduction in the lot area is necessary for providing common open space with amenities and a landscape buffer area along the east property boundary adjacent to the existing SRP substation.

**Lot Coverage:**

Per Section 11-5-5 of the MZO, the required maximum lot coverage for development of the property is 45%. The applicant is requesting a maximum lot coverage of 55%. The increase lot coverage is needed to allow the proposed product to fit on the lots with reduced rear setback adjacent to common open space.

Although the proposed development include reduction in the required lot area, the overall density (8.5 du/acre) of the site is within the allowed maximum density of 15 dwelling units per acre within the RM-2 zoning district.

**Site Plan and General Site Development Standards:**

The proposed development is designed to fit within the general and pedestrian circulation of the surrounding developments. All the lots and buildings are designed to face the internal streets. There is also a proposed landscape buffer to be constructed along the eastern property boundary. This section of the lot is adjacent to an SRP substation. According to the applicant, the landscape buffer area will be maintained by the Homeowners Owners Association to be formed for the development.

The site plan shows the proposed development of 36 attached single residence duplex style homes on 36 lots, including approximately 0.7 acres of open space with amenities such as a walking trail, sitting benches, picnic tables, pergola and barbeque grills. The open space areas include two retention basins located along the northwestern and southeastern section of the property. Specifically, along Eastridge Street. The large section of the open space area with the common amenities are shown on the site

plan to be located in the center of the development. The street widths within the development will allow on-street. There are also four proposed parking stalls to be reserved for the central open space area for visitors. The proposed development will have its own HOA to maintain common areas.

The request includes two floor plans for two-story duplex units with areas of 1,794 square feet and 2,094 square feet. The proposed elevations meet the site layout and building form standards found in Section 11-5-5D of the MZO with the exception of the 3' garage recess as mentioned in the PAD section of this report.

#### **PRELIMINARY PLAT**

Section 9-6-2 of the Mesa Subdivision standards requires approval of all subdivision plats located in the City to be processed through four progressive stages. Review and approval of the proposed "Eastridge Manor" preliminary plat is the second stage in the series of the progressive stages. Per the Section of the MZO, the preliminary plat is reviewed and approved by the Planning and Zoning Board. All approved preliminary plats are subject to potential modification through the City's Subdivision Technical Review process, which is the third stage after approval of the preliminary plat. The Subdivision Technical Review process considers the overall design of the subdivision and details, such as utilities layout, ADA compliance, detention requirements, etc. This process can sometimes result in modification to lot sizes and configuration and reduction in the number of lots. The final stage is the formal review of the final plat and approval by the City Council.

#### **Surrounding Zoning Designations and Existing Use Activity:**

<b>Northwest</b> (Across Eastridge) RS-6-PAD Single Residence	<b>North</b> RS-6-PAD Single Residence	<b>Northeast</b> RS-6-PAD Single Residence
<b>West</b> (Across Eastridge) RS-6-PAD Single Residence	<b>Subject Property</b> RS-6 Vacant	<b>East</b> RS-43 SRP Substation
<b>Southwest</b> LI-PAD Elliot Rd Tech Corridor Vacant- SRP Power Lines	<b>South</b> LI-PAD Elliot Rd Tech Corridor Vacant- SRP Power Lines	<b>Southeast</b> LI-PAD Elliot Rd Tech Corridor Vacant- SRP Power Lines

#### **Compatibility with Surrounding Land Uses:**

The subject site is adjacent to an existing residential subdivision to the north and west, and is separated by a utility easement and overhead power lines to the south. The proposed single residence subdivision will be compatible with the surrounding residential uses.

#### **Neighborhood Participation Plan and Public Comments**

The applicant held a neighborhood meeting on June 19, 2019 at the Boulder Creek Elementary School Library. Property owners within 1,000 feet, HOA's within ½ mile, and registered neighborhoods within 1 mile were invited via mail to attend the meeting. The residents that attended the meeting expressed concerns. Here are the items and the proposed resolutions:

- a) The site plan presented at the meeting did not show the intersection of Posada Avenue and Eastridge aligned. The site plan is revised and shows the intersection aligned as requested.
- b) Residents wanted to make sure the proposed development will have quality perimeter wall and open space. The proposed development has been revised to upgrade both items.
- c) Impact on the existing Eastridge Subdivision HOA. The applicant assured the neighbors at the meeting and then with follow up phone conversation that the proposed development will have their own HOA for common area maintenance and upkeep of amenities including landscaping and streets.

The applicant will submit a detailed citizen participation report addressing these issues prior to the scheduled study session on September 25, 2019. Staff will provide any new information received during the Board's scheduled study session

As of writing this report, staff has not been contacted by any residents to express opposition or support to the development of the site for single residences.

**Staff Recommendations:**

The subject request is consistent with the General Plan and meets the review criteria for Site Plan Review outlined in Section 11-69-5 and for Planned Area Development overlays outlined in Section 11-22-5 of the MZO. Therefore, staff recommends approval of the request with the following conditions:

**Conditions of Approval:**

1. Compliance with final site plan submitted.
2. Compliance with all requirements of the Subdivision Regulations.
3. Compliance with all City development codes and regulations, except as modified in Table 1 in the staff report.
4. Dedicate the right-of-way and easements 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.
5. Prior to submitting for a building permit for the homes, administrative review and approval is required for the design of the proposed homes.
6. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
  - a. Any proposed permanent or temporary structure, as required by the FAA, is subject to an FAA filing, for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities. If required, provide an FAA determination notice of no hazard to air navigation with any building permit application for the property.
  - b. Prior to the issuance of a building permit, provide documentation by a registered professional engineer or registered professional architect has certified that noise attenuation measures have been incorporated into the design and construction of the buildings to achieve a noise level reduction to 45 decibels as specified in Section 11-19-5 of the Zoning Ordinance.

- c. Owner granting an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map or prior to the issuance of a building permit). Provide written notice to future property owners that the project is within 2 miles of Phoenix-Mesa Gateway Airport.
- d. Provide a 4-foot x 4-foot sign at the entrance to the sales office for this development, with notice to all prospective buyers that the project is within an Overflight Area for Phoenix-Mesa Gateway Airport as specified in Section 11-19-5 of the Zoning Ordinance.