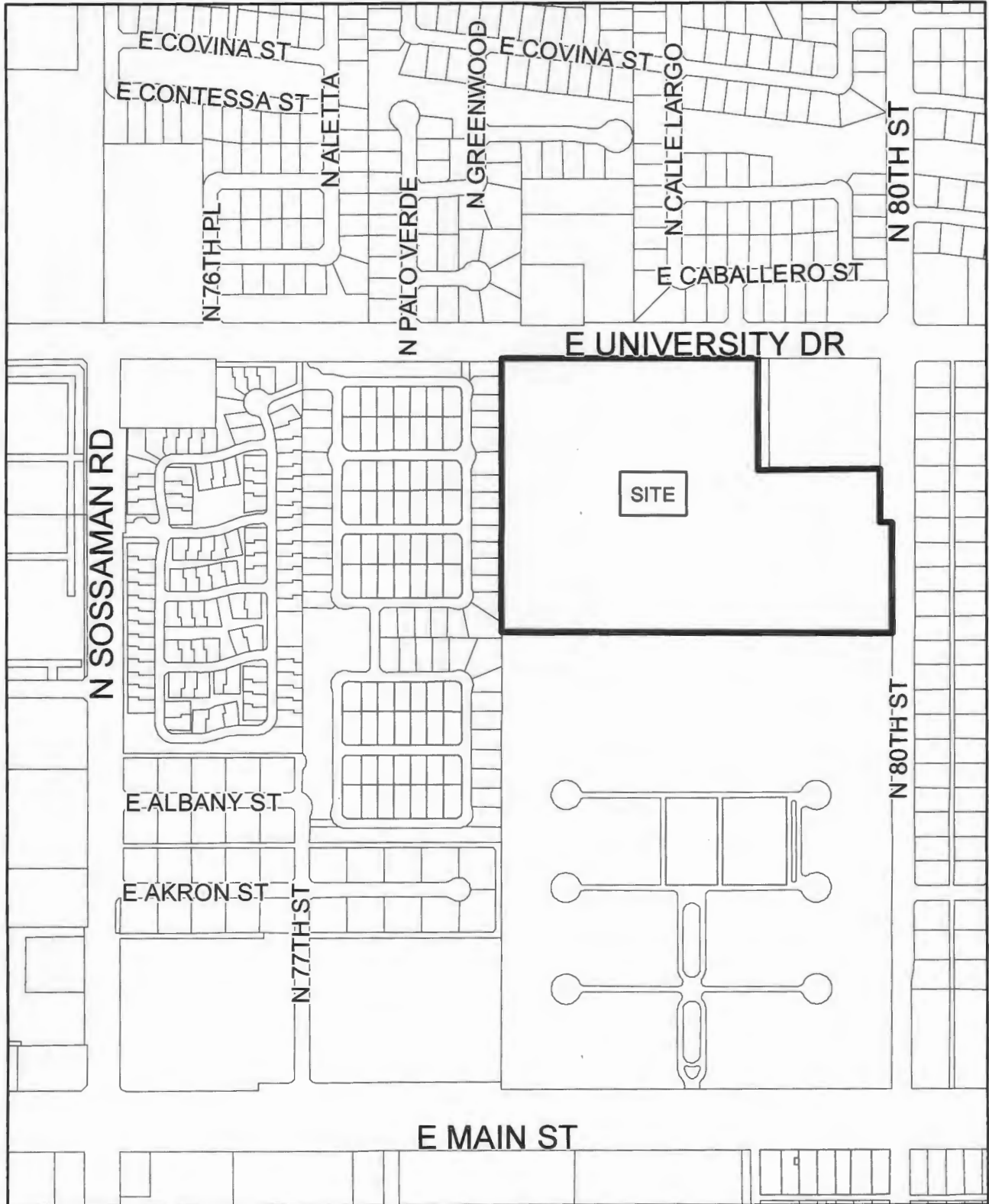


# PLANNING AND ZONING VICINITY MAP



Z13-07

Z13-07

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## Planning and Zoning Board

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### *Case Information*

**CASE NUMBER:** Z13-007 (PLN2013-00003)  
**LOCATION/ADDRESS:** 7800-7900 block of East University Drive (south side)  
**GENERAL VICINITY:** Located south and west of University Drive and 80<sup>th</sup> Street  
**REQUEST:** PAD Amendment to allow minor changes to setbacks for  
**PURPOSE:** This request will allow for the development of single residence homes  
**COUNCIL DISTRICT:** District 5  
**OWNER:** Pulte Home Corporation  
**APPLICANT:** Ralph Pew, Pew and Lake, PLC  
**STAFF PLANNER:** Lesley Davis

### **SITE DATA**

**PARCEL NUMBER(S):** 218-24-004E & 218-24-004J  
**PARCEL SIZE:** 24+ acres  
**EXISTING ZONING:** Residential (RS-6 PAD)  
**GENERAL PLAN DESIGNATION:** Medium Density Residential 6-10 DU/Acre (MDR 6-10)  
**CURRENT LAND USE:** Vacant

### **SITE CONTEXT**

**NORTH:** (Across University Drive) City of Mesa Fire Station, zoned R1-43 and existing single-family residents, zoned R1-7  
**EAST:** Existing single-family residences, zoned R1-8 Maricopa County  
**SOUTH:** Existing Mountain View Memorial Gardens cemetery, zoned AG  
**WEST:** Existing single-family residences, zoned R1-6 PAD

### **ZONING HISTORY/RELATED CASES:**

**Aug. 10, 2000:** Annexed into City (Ord. # 3785)  
**Sept. 11, 2000:** Rezoning Rural-43 Maricopa County to R1-43 City of Mesa  
**April 4, 2005:** Rezone from RS-43 to RS-6 PAD for the development of Villas at Montana Vista with 143 lots

**STAFF RECOMMENDATION:** Approval with Conditions

**P&Z BOARD DECISION:**  Approval with conditions.  Denial

**PROP 207 WAIVER:**  Signed  Not Signed

**PROJECT DESCRIPTION/REQUEST**

This request seeks to amend the PAD for a previously approved subdivision titled "Villas at Montana Vista", as approved in prior zoning case Z05-026. The request includes changes in the development standards for the RS-6 PAD zoning. The property is located just behind the southwest corner of 80<sup>th</sup> Street and University. The initial subdivision was approved with 143 lots. Since the original zoning and preliminary plat approval, the lot count has been reduced to 139. This was a minor change that did not impact the layout of the subdivision and was approved through the Administrative Approval process.

In July of 2011 the City Council approved modifications to the zoning code which established new development standards for single residence lots within the RS zoning district. Because Villas at Montana Vista setbacks were established with the PAD overlay, the PAD setbacks are applicable over the new zoning code standards. As a result, the development standards for single residence detached development within the RS-6 zoning district now allows more flexibility than what was approved in the PAD. In addition to the reduced setbacks offered in the current Zoning Ordinance, the applicant has requested some additional relief to their previous approval for rear yard setbacks of 15' to 10', allowing a further reduction in the rear setback for all lots except the lots on the west, which are adjacent to an existing residential development. Staff has outlined the proposed setbacks in a chart below, comparing them to the previous approval and current code.

**RESIDENTIAL SUBDIVISION DESIGN:**

	Minimum Lot Size Min. Dimensions	Minimum Front Setback	Minimum Side Setbacks	Minimum Rear Setback	Maximum Lot Coverage
<b>Proposed</b>	50' x 90' 50' x 97' 50' x 103'	10' - porch or side entry garage 20' - garage door face	5' / 7' 12' total	10'*	50%
<b>Approved RS-6 PAD Standards (Z05-26)</b>	47'/50' x 90' 50' x 93' 50' x 95'	18' to 20'	5' / 7' 12' total	15' to 17' staggered	40%
<b>Current (2011) Zoning Ordinance Standards RS-6</b>	55' x 90'	10' Enclosed Livable areas, Porches, and Porte Cocheres, 20' Garages	5' minimum with 15' total	20' (10' for livable areas up to 50% the width of the house)	50%

\* Lots along the western boundary of the subdivision (lots 121-132), adjacent to the existing homes to the west will comply with the 2011 Mesa Zoning Ordinance for rear yard setbacks.

### **PRELIMINARY PLAT AND MODIFICATIONS**

In a Planned Area Development (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 proposal includes requests for the following modifications:

- Reduced setbacks
- Increase in building coverage

The data tables for the proposed changes are shown above and included on the attached Preliminary Plat.

This subdivision was designed with several open space tracts dispersed throughout the development. Community amenities will include the large open space areas, community swimming pool, ramada and tot lot.

### **NEIGHBORHOOD PARTICIPATION**

The applicant has completed a Citizen Participation Plan, which included 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. A meeting was held on February 26, 2013. Three neighbors attended the meeting, but did not express any concerns.

At the time of writing this report Staff has not received any inquiry regarding the proposal. According to the Citizen Participation Report, the applicant also has not received any inquiries.

### **CONFORMANCE WITH THE GENERAL PLAN**

The Mesa 2025 General Plan designation – MDR 6-10 (Medium Density Residential 6-10 dwelling units per acre, with a target density of 6.5 dwelling units per acre) identifies areas for single residence detached development.

In addition the following Mesa 2025 General Plan Goals, Objectives and Policies are supportive of the proposed land use

- ❖ Goal LU-1  
Develop a land use pattern throughout the City that creates orderly municipal growth, achieves compatibility with surrounding communities, and is consistent with other plans and programs of the City.
  - Objective LU-1.3  
Ensure that the land use pattern throughout the community is compatible with the provisions of all elements of the General Plan and the corresponding master plans prepared by the City.
    - Policy LU-1.3a  
Continue to evaluate the relationships between the land use pattern and issues related to the subjects of the other General Plan elements.
- ❖ Goal LU-3  
Provide for high quality, balanced, and diverse housing stock for existing and future City residents.
  - Objective LU-3.1  
Promote a balanced stock of single residence and multiple residence types and styles at appropriate locations.
    - Policy LU-3.1a  
Coordinate land use decisions with the provisions of the Housing Element of the General Plan.
- ❖ Goal H-1  
Ensure that housing is safe, decent, and sanitary; encourage residential design that is

community-friendly and compatible with the neighborhood character.

- Objective H-1.3  
Encourage development and revitalization projects in all areas of Mesa that provide a variety of housing types to meet the needs of the growing population.
  - Policy H-1.3a  
Designate sites for master planned housing and mixed-use communities and encourage developers to utilize the existing PAD, BIZ, and DMP overlay zoning district where applicable.
  - Policy H-1.3b  
Provide opportunities to allow the development of higher density housing at appropriate locations, dependent upon project quality and aesthetics, to ensure that a broad range of housing is available to accommodate an expanded employment base.
- ❖ Goal H-2  
Promote the preservation and development of high quality, balanced, and diverse housing options for persons of all income levels throughout the City of Mesa.
  - Objective H-2.3  
Provide a variety of housing opportunities that will satisfy the needs of existing and future households at diverse socioeconomic levels.

## STAFF ANALYSIS

### SUMMARY:

This request is specifically to amend the RS-6 PAD development standards, for the Villas at Montana Vista, to accommodate a reduction in setbacks offered in the current Zoning Ordinance, which was approved by City Council in July of 2011. In addition to the reduced setbacks offered in the Zoning Ordinance, the applicant has requested some additional relief to their previous approval for rear yard setbacks from 15' to 10', allowing a further reduction in the rear setback for all lots except 121-132, which are adjacent to an existing residential development. The applicant has requested this deviation to provide a more flexible building envelope. The current Zoning Ordinance standard allows livable area to encroach up to 10' for up to one-half the width of the widest dimension of the residence. It is important to note that an increase over the current code maximum lot coverage of 50% has not been requested. Staff is comfortable that maximum lot coverage will mitigate the impact of a reduced rear yard setback. The modification to the existing PAD will allow for variation in the setbacks. This variation coupled with the revised standards for residential product, will create a more interesting streetscape than what would have been provided with their previous approval. Therefore, staff is supportive of the proposal.

### CONCLUSION:

Staff recommends approval 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 the Villas at Montana Vista Ordinance #4372, except as modified by this case (Z13-007)
3. Compliance with the Residential Development Guidelines:
4. Compliance with development standards in the Zoning Ordinance for residential product design.
5. Compliance with all City development codes and regulations.
6. 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.

7. All street improvements, street frontage landscaping, and perimeter theme walls to be installed in the first phase of construction.
8. Compliance with all requirements of the Subdivision Technical Review Committee.

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**VILLAS AT MONTANA VISTA**  
**80<sup>TH</sup> STREET & UNIVERSITY DRIVE**  
**AMENDMENT TO PAD**  
**PROJECT NARRATIVE**  
**MARCH 6, 2013**

Introduction

Pew & Lake, PLC, ("Applicant") represents Eightieth & University, Inc. ("Owner"), regarding the approximately 24 acres located south and west of the southwest corner of 80<sup>th</sup> Street and University Drive in Mesa, Arizona. We respectfully submit this project narrative as part of the PAD Amendment concerning the development standards for the Villas at Montana Vista site plan and preliminary plat that have been approved for this property. Specifically, the Applicant is proposing the following to accommodate the future development at this site:

- Amend the existing PAD to adjust development standards for the single-family residential subdivision.

Zoning

The subject property is currently zoned RS-6 PAD in the City of Mesa. The proposed use for the property will remain the same. This amendment to the approved PAD will adjust the setbacks established in Ordinance No. 4372 that was approved in April 2005 for the Villas at Montana Vista subdivision. Since the PAD was approved in 2005 the total number of lots has been reduced from 145 to 139 and the City of Mesa has updated and revised the development standards for the RS-6 zoning district with the adoption of the 2011 Mesa Zoning Ordinance. This proposed amendment to the approved PAD development standards is minor and closely reflects the current City of Mesa Zoning Ordinance.

The table below indicates the required and proposed development standards for the Villas at Montana Vista subdivision:

DESCRIPTION	2011 Mesa Zoning Ordinance	2005 PAD	2013 PAD
<b>Lot and Density Standards</b>			
Lot Sizes	55' x 90'	47' / 50' x 90'; 50' x 93'; 50' x 95'	50' x 90'; 50' x 97'; 50' x 103'
<b>Building Form and Location</b>			
Front Yard setback (Enclosed Livable Areas & Porches)	10'	N/A	10'
Garages – front yard	20'	18' to 20' (staggered)	20'

Interior Side: Minimum either side	5'	5'	5'
Interior Side: Minimum aggregate of 2 sides	15'	12' or 15'	12' (5' / 7')
Rear Yard setback	20' (10' for livable areas up to half the distance of house)	15' to 17' (staggered)	10'*

\*Lots along the western boundary of the subdivision, adjacent to existing homes to the west will comply with the 2011 Mesa Zoning Ordinance for rear yard setbacks.

The subdivision is designed with significant open space and community amenities. Upon entry into the Villas at Montana Vista there is a large open space area, which contains a community swimming pool, ramada and tot lot. Also, there are three additional large turf areas providing open space and play areas. All of these amenities add quality of life for the residents. The minor deviation to the rear-yard setback is justified in this case by the following:

1. A reduction in total lot count from 145 to 139.
2. Amenities provided in the project.
3. Quality of design for the subdivision layout.
4. Maintaining code-required setbacks on the western boundary adjoining the existing residential project.
5. It is not expected that 100% of the width of a house will have a 10-foot rear-yard setback because such a design for a floor plan would likely not be approved by City staff and would, in some instances, exceed the maximum lot coverage allowed.
6. The purpose of the requested deviation is to allow some flexibility beyond 50% of the width of a house to have a 10-foot rear-yard setback in order to accommodate a builder's floor plan that may exceed the 50% amount.

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BOOK 308, PAGE 64 M.C.A.

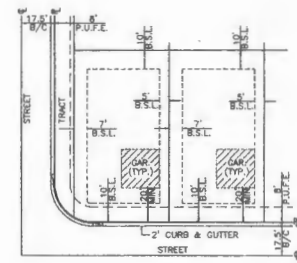
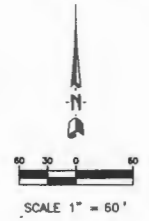
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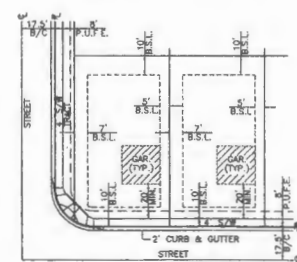


CITIZEN  
BOOK 308, PAGE 64 M.C.A.

MONTANA NEW RECORDAL ORDINANCE  
BOOK 136, PAGE 34, M.C.A.



TYPICAL LOT SETBACKS  
WITH NO SIDEWALKS



TYPICAL LOT SETBACKS  
WITH SIDEWALKS

Clouse Engineering, Inc.  
ENGINEERS & SURVEYORS  
1945 N. 20th Street, Suite 100  
Billings, MT 59102-3000  
Tel: 406-253-8000 Fax: 406-253-8117

SITE PLAN EXHIBIT  
THE VILLAS AT MONTANA VISTA

Revised  
Date: 12-31-12  
Job No.: 010102

**VILLAS AT MONTANA VISTA**  
**80<sup>TH</sup> STREET & UNIVERSITY DRIVE**  
**AMENDMENT TO PAD**  
**CITIZEN PARTICIPATION PLAN**  
**JANUARY 2, 2013**

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**Purpose**

The purpose of this Citizen Participation Plan is to provide the City of Mesa with information regarding the plan to inform citizens and property owners in the vicinity concerning the Applicant's request for the following:

- Amend the existing PAD to adjust development standards for the single-family residential subdivision.

This information will ensure that those affected by this application will have an adequate opportunity to learn about and comment on the proposed plan addressed in the application.

**Contact:**

Those coordinating the Citizen Participation activities are listed as follows:

W. Ralph Pew  
Pew & Lake, PLC  
1744 S. Val Vista Drive, Ste. 217  
Mesa, Arizona 85204  
(480) 461-4670 (office)  
(480) 461-4676 (fax)  
Ralph.Pew@pewandlake.com

Tyler Wright  
Pew & Lake, PLC  
1744 S. Val Vista Drive, Ste. 217  
Mesa, Arizona 85204  
(480) 461-4670 (office)  
(480) 461-4676 (fax)  
Tyler.Wright@pewandlake.com

**Actions:**

In order to provide effective citizen participation in conjunction with this application, the following actions will be taken to provide opportunities for feedback from surrounding property owners:

1. A neighborhood meeting will be scheduled and all property owners within 500' of the subject property, including all registered neighbors and HOA's on file with the City of Mesa, will be notified of the application to the City and invited to attend the neighborhood meeting.
2. For the public hearings, all property owners within 500' of the subject property, plus any neighbors who attend and sign-in at any neighborhood meeting will be

notified by letter of the public hearing before the Maricopa County Planning and Zoning Board and Board of Supervisors meetings.

3. Public Hearing sign(s) will be posted on the property once a date has been set for the public hearings.
4. Additional meetings and/or presentations will be made to groups of citizens and other interested parties as necessary.

**Attached Exhibits:**

- **Property owners within 500' of the subject property**
- **Notification Map of Surrounding Property Owners**

**Schedule:**

Formal Application Submittal – January 2, 2013

Neighborhood Meeting – Date TBD

Submittal of Final Citizen Participation Report – Date TBD (following the neighborhood meeting)

Planning and Zoning Board Hearing – TBD

Board of Supervisors Hearing – TBD

**VILLAS AT MONTANA VISTA**  
**80<sup>TH</sup> STREET & UNIVERSITY DRIVE**  
**AMENDMENT TO PAD**  
**CITIZEN PARTICIPATION REPORT**  
**MARCH 6, 2013**

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**Purpose**

The purpose of this Citizen Participation Report is to provide the City of Mesa with the results of to efforts to inform citizens and property owners in the vicinity concerning the Applicant's request for the following:

- Amend the existing PAD to adjust development standards for the single-family residential subdivision.

This information will ensure that those affected by this application will have an adequate opportunity to learn about and comment on the proposed plan addressed in the application.

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(480) 461-4676 (fax)  
Tyler.Wright@pewandlake.com

**Actions:**

In order to provide effective citizen participation in conjunction with this application, the following actions will be taken to provide opportunities for feedback from surrounding property owners:

1. A neighborhood meeting was held on Tuesday, February 26, 2013 at the Red Mountain Multigenerational Facility. Notice was sent to all property owners within 500' of the subject property, including all registered neighbors and HOA's within 1/2-mile of the property that are on file with the City of Mesa.
2. For the public hearings, the same notification list, plus any neighbors who attended and signed-in at the neighborhood meeting will be notified by letter of

the public hearing before the City of Mesa Planning and Zoning Board and City Council meetings. These letters will be provided to the City of Mesa with this Citizen Participation Report for mailing.

Three neighbors attended the meeting. Ralph Pew explained the request and the neighbors were satisfied with the proposal and did not have any concerns or objections to the proposal.

3. Public Hearing signs have been posted on the property in two locations (one on University Drive and one on 80<sup>th</sup> Street).

**Attached Exhibits:**

- **Property owners within 500' of the subject property and registered neighbors within 1/2-mile**
- **Notification Map of Surrounding Property Owners**
- **Sign-in sheet from the neighborhood meeting**

**Schedule:**

Formal Application Submittal – January 2, 2013

Neighborhood Meeting – February 26, 2013

Submittal of Final Citizen Participation Report – March 6, 2013

Planning and Zoning Board Meeting – March 20, 2013

City Council Meetings – April 1, 2013 (introduction) / April 15, 2013 (final action)