



PLANNING DIVISION
STAFF REPORT

City Council Hearing

August 22, 2022

CASE No.: **ZON22-00162**

PROJECT NAME: **Geneva Villas**

Owner's Name:	Brighton Homes
Applicant's Name:	Jon Gillespie, Pew and Lake
Location of Request:	Within the 9000 to 10000 Blocks of East Brown Road (south side) and within the 1100 to 1200 Block of North Crismon Road (west side). Located on the southwest corner of Brown Road and Crismon Road.
Parcel No(s):	220-20-010C
Request:	Rezone from Agricultural (AG) to Single Residence 15 with a Planned Area Development overlay (RS-15-PAD), Site Plan Review, and Preliminary Plat. This request will allow for a Single Residence development.
Existing Zoning District:	AG
Council District:	5
Site Size:	8± acres
Proposed Use(s):	Single-Family Residential
Existing Use(s):	Vacant
Hearing Date(s):	June 8, 2022 / 4:00 p.m.
Staff Planner:	Josh Grandlienard, Planner II
Staff Recommendation:	APPROVAL with Conditions
Planning and Zoning Board Recommendation:	APPROVAL with Conditions (Vote: 5-0)
Proposition 207 Waiver Signed:	Yes

HISTORY

The subject site is currently under the land use jurisdiction of Maricopa County. However, the applicant has applied to annex the property into the City of Mesa (Case# ANX22-00161). The planned annexation, if approved, will assign a zoning designation of Agriculture (AG) to the

property, which is comparable to the existing Maricopa County zoning designation of Single Residence 43 (RU-43). The application for the annexation is planned to be considered on the same City Council agenda as the subject request.

PROJECT DESCRIPTION

Background:

The applicant is requesting to rezone the site from AG to RS-15-PAD to allow development of a 27-lot single residence subdivision on 8± acres. The site plan shows a mixture of lot sizes ranging from 4,937 to 8,926 square feet with an overall density of 2.7 units per acres for the development.

Currently, the subject property is vacant. The applicant is also requesting approval of a Preliminary Plat “Geneva Villas” as part of the subject request.

General Plan Character Area Designation and Goals:

The General Plan Character area designation on the property is Neighborhood with a Suburban sub-type. 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 sub-type is primarily single residence in nature with most lots ranging in size from 6,000 sq. ft. 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. Schools, parks, and religious institutions are frequently found in these neighborhoods. Streets in the character area are generally wide and contain sidewalks on both sides.

Staff 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. Per Chapter 7 of the General Plan, the RS-15 district is listed as a primary zoning category within the Suburban sub-type. In addition, the proposed lot sizes and density for the project conforms with planned lot sizes within the Suburban sub-type character designation. Overall, the requested rezoning and preliminary plat are consistent with the intent of the Neighborhood character area.

Zoning District Designations:

The subject request is to rezone the property from AG to RS-15-PAD. The proposed lot sizes range from 4,937 square feet to 8,926 square feet with an average density of 2.7 units per acre. Per Section 11-5-2 of the Mesa Zoning Ordinance (MZO), the proposed density and use of the property for a single residence subdivision is allowed within the RS-15-PAD zoning district.

Residential Product:

The proposed elevations meet or exceed the design requirements outlined in Section 11-5-3 of the MZO. Per Section 11-5-3(B)(7) of the MZO, any one material must be used on at least 15% of the front façade of buildings. The proposed elevations are primarily stucco, which is consistent with the design intent of those architectural styles that feature a simple building design with the use of accent materials and building articulation to create visual interest. The four elevations

proposed are shown to include design elements such as pop-outs, stone accents and decorative corbel details that provide interest and articulation to the buildings. The style elements conform to the intent of the design and facade requirements of the MZO.

Desert Uplands:

The proposed development is located within the Desert Uplands, which encourages developments in a natural or re-vegetated desert surrounding. This goal is achieved through either having large lots that maintain at least 40% of the lot in the natural desert condition, or through smaller cluster lots that maintain a significant area of the property in its natural state. This typically leads to the design solution of smaller lots that allow large open surrounding areas that maintain natural characteristics on the property, such as existing vegetation or washes. The proposed RS-15-PAD is consistent with the requirements of the desert uplands in order to provide for a large natural desert area located on the south side of the proposed development as well as smaller lots that provide for the site to maintain its natural desert condition.

PAD Overlay Modification – MZO Article 3, Chapter 22:

The subject request includes a Planned Area Development overlay (PAD) to allow for modifications to certain required development standards of the MZO on the property. Per Section 11-22 of the MZO, the purpose of the PAD overlay is to allow innovative design and flexibility that creates high-quality development for the site. Table 1 below shows the MZO required standards and the applicant's proposed PAD standards.

Table 1: Development Standards

Development Standards	MZO Required	PAD Proposed	Staff Recommendation
<u>Minimum Lot Area</u> – <i>MZO Table 11-5-3.A.1</i>	15,000 square feet	4,950 square feet	As proposed
<u>Minimum Lot Width</u> – <i>MZO Table 11-5-3.A.1</i>	110 feet	55 feet	As proposed
<u>Minimum Lot Depth</u> – <i>MZO Table 11-5-3.A.1</i>	120 feet	90 feet	As proposed
<u>Building setbacks</u> <u>(Minimum Yards)</u> – <i>MZO Table 11-5-3.A.1</i>	<p>Front (enclosed livable areas, porches, and porte cocheres) – 22 feet</p> <p>Garages and carports (front and side yards) – 30 feet</p> <p>Street side – 10 feet</p>	<p>Front (enclosed livable areas, porches, and porte cocheres)– 10 feet</p> <p>Front Garage – 18 feet</p> <p>Street side – 5 feet</p>	As proposed

	<p>Interior Side: minimum either side – 7 feet</p> <p>Interior Side: minimum aggregate of 2 sides – 20 feet</p> <p>Rear – 30 feet</p>	<p>Interior Side: minimum either side – 5 feet</p> <p>Interior Side: minimum aggregate of 2 sides – 15 feet</p> <p>Rear – 22 feet</p>	
<p><u>Garage Front Distance from Primary Building Front – MZO Section 11-5- 3(B)(4)(a)</u></p>	<p>Forward facing garages shall be located at least three (3) feet behind the primary wall facing the street, and never less than the required garage setback.</p>	<p>Forward facing garages shall be located at least one (1) foot behind the primary wall facing the street, and never less than the required garage setback.</p>	<p>As proposed</p>

Building Setbacks:

Per Table 11-5-3.A.1 of the MZO, the minimum building setbacks for an RS-15 zoned property are 22 feet for the front building setback, 30 feet for the front garage setback, 10 feet for the street side setback, 7 feet for the minimum interior side yard setback, 20 feet for the aggregate side interior setback, and 30 feet for the rear setback. The applicant proposed to reduce the setbacks to 10 feet for the front building setback, 18 for the front garage setback, 5 feet for the side interior and street setbacks, 15 feet for the interior side aggregate setback and 22 feet for the rear setback. According to the applicant, the proposed setback reduction is to allow the development to meet the intent of the Desert Uplands area by providing for smaller lots that provide for more natural desert open space, as well as being able to provide for quality open space and home design features.

Lot Size Requirements (lot area, width, and depth):

Per Table 11-5-3.A.1 of the MZO, the minimum lot area for an RS-15 zoned property is 15,000 square feet, with a minimum lot width of 110 feet and a minimum depth of 120 feet. The applicant proposed a reduction of the minimum lot area of 4,950 square feet, minimum lot width of 55 feet and a minimum lot depth of 90 feet. According to the applicant, the proposed lot size reduction is to allow the development to meet the intent of the Desert Uplands area by providing for smaller lots that provide for more natural desert open space, as well as being able to provide for quality open space and home design features.

Garage Front Distance from Primary Building Front:

Per Section 11-5-3(B)(4)(a) of the MZO, the minimum garage front distance from the primary building front is 3 feet, while the applicant proposed a reduction to 1 foot. Per the applicant, the building elevations attempt to provide a living forward design which is not garage dominant. The garage comprises less than 50% of the total building frontage but they are setback only 1 foot from the covered porch on certain elevation designs. This deviation is justified by the overall quality of the proposed elevations which include attractive material composition and building articulation. The garage setback deviation is also justified given the site being comprised of 45% open space (35% being maintained as NAOS) and the maximum run of adjacent parallel garages being 6 homes.

Surrounding Zoning Designations and Existing Use Activity:

Northwest RS-9 PAD Single Residential	North RS-15 PAD Single Residential	Northeast RS-35 Church
West RU-43 (Maricopa County) Vacant	Subject Property RU-43 (Maricopa County) Vacant	East RU-43 (Maricopa County) Vacant
Southwest RU-43 (Maricopa County) Single Residential	South RU-43 (Maricopa County) Single Residential	Southeast RU-43 (Maricopa County) Vacant

Compatibility with Surrounding Land Uses:

The subject site is adjacent to properties zoned and developed as single residences to the east, north, west and south. The proposed rezoning of the property will not be out of character with the surrounding development.

School Impact Analysis:

The Mesa Public Schools was notified of the proposed development; however, staff has not received comment from the School System to date.

Preliminary Plat:

The applicant is requesting Preliminary Plat approval with the subject request. The proposed Preliminary Plat show 27 lots and a large natural desert amenity area. 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 a Preliminary Plat is the second stage in the series of the progressive stages. This review includes the evaluation of the overall design of the subdivision and details, such as utilities layout, ADA compliance, and detention requirements. The Preliminary Plat is reviewed and approved by the Planning & Zoning Board. Per Section 9-6-2 of the City's subdivision regulations, all plats are subject to Final Plat approval through the City Council. The request meets the review criteria for approval of a Preliminary Plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations.

Neighborhood Participation Plan and Public Comments:

As part of the completed Citizen Participation Process, the applicant mailed notification letters to property owners within 1,000 feet of the site, Homeowner Associations (HOAs) within ½ mile of the site, and registered neighborhoods within one mile of the site and conducted a neighborhood meeting on January 4, 2022. A total of three households attended the neighborhood meeting and provided concerns regarding the overall development. Per the Citizen Participation Report provided by the applicant, attendees wanted to ensure that the surrounding properties that they own will not be annexed into the City of Mesa, had concerns about open space and density, as well as to wanted to understand the overall construction process and timeline. Staff also received seven letters from neighboring property owners stating that they had no objections to the proposed development. Staff will provide the Board with any new information during the scheduled Study Session on May 25, 2022.

Staff Recommendation:

Based on the application received and the preceding analysis, staff finds that the requested rezone and Preliminary Plat approval is consistent with the General Plan, the review criteria for Site Plan Review outlined in Section 11-69-5 of the MZO, and meets the review criteria for approval of a preliminary plat outlined in Section 9-6-2 of the Mesa Subdivision Regulations. Therefore, staff recommends approval of the request with the following conditions:

Conditions of Approval:

1. Compliance with all requirements of the Subdivision Regulations.
2. Compliance with the final building product types submitted with application, including elevations and materials.
3. Dedicate the right-of-way and easements required under the Mesa City Code at the time of application for any 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.
4. Compliance with the preliminary plat submitted.
5. Compliance with the Final Site Plan submitted.
6. Compliance with all requirements of Chapter 19 of the Zoning Ordinance including:
 - a. Owner must execute the City's standard Avigation Easement and Release for Phoenix-Mesa Gateway Airport prior to or concurrently with the recordation of the final subdivision map or the issuance of a building permit, whichever occurs first.
 - b. Due to the proximity to Phoenix-Mesa Gateway Airport, 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. A completed form with a response by the FAA must accompany any building permit application for structure(s) on the property.
 - c. Provide written notice to future property owners that the project is within one mile of Phoenix-Mesa Gateway Airport
7. Compliance with all City development codes and regulations, except the modification to the development standards as approved with this PAD as shown in the following table:

Development Standards	Approved
<u>Minimum Lot Area –</u> <i>MZO Table 11-5-3.A.1</i>	4,950 square feet
<u>Minimum Lot Width –</u> <i>MZO Table 11-5-3.A.1</i>	55 feet
<u>Minimum Lot Depth –</u> <i>MZO Table 11-5-3.A.1</i>	90 feet
<u>Building Setbacks –</u> <i>MZO Table 11-5-3.A.1</i>	<p>Front (enclosed livable areas, porches, and porte cocheres)– 10 feet</p> <p>Front Garage – 18 feet</p> <p>Street side – 5 feet</p> <p>Interior Side: minimum either side – 5 feet</p> <p>Interior Side: minimum aggregate of 2 sides – 15 feet</p> <p>Rear – 22 feet</p>
<u>Garage Front Distance from Primary Building Front –</u> <i>MZO Section 11-5-3(B)(4)(a)</i>	Forward facing garages shall be located at least one (1) foot behind the primary wall facing the street, and never less than the required garage setback.
<u>Minimum Lot Area –</u> <i>MZO Table 11-5-3.A.1</i>	4,950 square feet

Exhibits:

- Exhibit 1- Vicinity Map
- Exhibit 2- Staff Report
- Exhibit 3- Application Information
 - 3.1 Site Plan
 - 3.2 Project Narrative
 - 3.3 Residential Product
 - 3.4 Preliminary Plat

3.5 Landscape Plan
Exhibit 4- Citizen Participation Plan
Exhibit 5- Citizen Participation Report