



**PLANNING DIVISION
STAFF REPORT**

Board of Adjustment

January 4, 2023

CASE No.: BOA22-01171	CASE NAME: Sunland Village East PAD Modification
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Owner's Name:	Sunland Village East Association
Applicant's Name:	Katie Ross, Sunland Village East Homeowners Association Manager
Location of Request:	Within the 7600 to 8400 blocks of East Baseline Road (south side), the 2000 to 2800 blocks of South Hawes Road (west side), the 7600 to 8400 blocks of East Guadalupe Road (north side) and the 2000 to 2800 blocks of South Sossaman Road (east side). Located north of East Guadalupe Road and east of South Sossaman Road.
Parcel Nos:	Multiple parcel numbers
Nature of Request:	Requesting a minor modification of the approved Sunland Village East Planned Area Development (PAD) to increase the maximum allowed fence height.
Zone District:	Single Residence-7 with a Planned Area Development overlay (RS- 7-PAD)
Council District:	6
Site size:	564.3± acres
Existing uses:	Single Residences, Multiple Residence and Commercial
Hearing date(s):	January 4, 2023 / 5:30 p.m.
Staff Planner:	Charlotte Bridges
Staff Recommendation:	APPROVAL with Conditions

HISTORY

On **August 29, 1983**, the City Council approved the annexation of the subject properties as part of a larger 1,855± acre area. (Ord. No. 1731).

On **December 7, 1983**, the City Council rezoned the subject properties from Maricopa County Rural 43 to Single Family Residence-6 Planned Area Development (R1-7-PAD) (equivalent to Single Residence-7 [RS-7] Planned Area Development [PAD] [RS-7-PAD]) and approved a Development Master Plan for the Sunland Village East retirement community as part of a larger 606± acre rezoning. (Case No. Z83-126, Ord. No. 1754).

On **October 9, 2001**, the Board of Adjustment approved a minor modification to the Sunland Village East PAD to allow golf net fences to exceed a height of six-feet in the RS-7-PAD District (BA01-049).

PROJECT DESCRIPTION

Background:

The applicant is requesting a minor modification to the Sunland Village East Planned Area Development (PAD) to allow a softball field safety net fence to exceed a height of six feet in the RS-7-PAD District. Per Section 11-30-4(1)(a) of the Mesa Zoning Ordinance (MZO), the maximum height of fences and freestanding walls in the RS-7-PAD District within or along the exterior boundary of the required side or rear yards shall exceed a height of six feet.

Approval of this request would allow a 200-foot long safety net to be constructed at a height of 50 feet along the south side of the Sunland Village East softball field, which is located at the northeast corner of Sossaman and Guadalupe Roads, within the Sunland Village East PAD at 7731 East Nopal Avenue. The proposed softball field safety net would be located on the south side of the Sunland Village East Association softball property nine feet north of the existing six-foot tall masonry wall, which is located on the property line, and parallel to the Guadalupe Road right-of-way.

Since the development of the Sunland Village East PAD, safety net fencing of gradually increasing height, from 25 to 50 feet in height, has been installed and replaced along the south side of the softball field. The most recent safety net was 50 feet in height and was installed in 2018. It subsequently sustained wind damage and was removed. When the Sunland Village East management attempted to install a new 50-foot in height safety net, it was discovered that the proposed 50 foot tall safety net fence exceeded the allowed six-foot fence in the RS-7-PAD zone and previous safety nets were installed without obtaining City of Mesa zoning or building permit approval.

In 2001, the Board of Adjustment approved a similar modification to the Sunland Village East PAD to allow golf net fences to be constructed at a height of 20 feet, which also exceeds the maximum fence height of six-feet in the RS-7-PAD District.

General Plan Character Area Designation and Goals:

The Mesa 2040 General Plan character area designation on the property is Neighborhood. Per Chapter 7 of the General Plan, the focus of the Neighborhood Character Area is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The existing single and multiple residences and commercial uses with the Sunland Village East PAD conform to the goals of the Neighborhood character area.

Site Characteristics:

The Sunland Springs Village PAD extends from Sossaman Road to Hawes Road and from Baseline Road to Guadalupe Road. The existing softball field is located at the northeast corner of Sossaman Road and Guadalupe Road within the Sunland Village East PAD. Single residences are located to the north and east of the softball field. Access to the softball field is provided from the streets system within the Sunland Village East PAD. There is no direct access to the softball field from Sossaman Road or Guadalupe Road.

Surrounding Zoning Designations and Existing Use Activity:

Northwest (Across East Baseline and South Sossaman Roads) NC Convenience Market and Service Station	North (Across East Baseline Road) LC, RM-3-PAD, RS-6, RM-2-PAD RS-6 and RSL-2.5 Commercial, multiple residences, Place of Worship and Single Residences	Northeast (Across East Baseline and South Hawes Roads) LC-PAD Vacant
West (Across South Sossaman Road) RS-7, RS-6-PAD and LC Single Residences and Commercial	Subject Properties Sunland Village East RS-7-PAD Single Residences and Multiple Residences and Commercial	East (Across South Hawes Roads) OC, RS-6-PAD, RM-2, AG, and RS-7 Office, Single Residences, Vacant, Place of Worship, Public Park,
Southwest (Across South Sossaman and East Guadalupe Roads) NC Utility	South (Across East Guadalupe Road) LC, RS-6-PAD, RS-7-PAD Commercial and Single Residences	Southeast Across South Hawes and East Guadalupe Roads) RM_2 Single Residence and Duplexes

Mesa Zoning Ordinance Requirements and Regulations:

Per Section 11-22-5(E) of the MZO, Conformance with Approved Plan – Modification after Initial Construction: When a project has been completed, the use of the land and the construction, modification, or alteration of any buildings or structures within the development is required to remain in conformance with the approved development plan except that any minor extension, alteration, or modification of an existing building or structure may be reviewed and approved by the Board of Adjustment, if the request is found to be consistent with the purpose and intent of the approved development plan.

The purpose and intent of a PAD Overlay District is to allow for innovative design and flexibility

in the application of MZO development standards to provide creative, high-quality development. The Sunland Village East PAD includes a variety of housing types is designed around a variety of recreational amenities to create a unique and sustainable, development catering to the retirement community. Allowing the softball field net fence to exceed 50-feet in height will help keep softballs within the boundary of the softball field and protect vehicles and people utilizing the Guadalupe Road public right-of-way improvements. In addition, the 50 foot tall safety net will contribute to the continued use of the softball field recreational amenity, which adds value to the Sunland Village East properties, and contributes to the sustainability of the Sunland Spring Village PAD.

Findings:

- A. The approved Sunland Village East PAD developments standards limit the maximum height of fences and freestanding walls within or along the exterior boundary of the required side or rear yards to six feet.
- B. The Sunland Village East softball field is at the northeast corner of Sossaman and Guadalupe Roads, within the Sunland Village East PAD at 7731 East Nopal Avenue.
- C. In 2001, the Board of Adjustment approved a similar modification to the Sunland Village East PAD to allow golf net fences to exceed a height of six-feet in the RS-7-PAD District
- D. Allowing the proposed softball field net to exceed the maximum allowed fence height of six feet will help keep softballs within the boundary of the softball field and protect vehicles and people utilizing the Guadalupe Road public right-of-way improvements.
- E. The 50 foot in height safety net will contribute to the continued use of the softball field recreational amenity, which adds value to the Sunland Village East properties, and contributes to the sustainability of the Sunland Spring Village PAD.
- F. The request is consistent with the purpose and intent of the Sunland Springs Village PAD approved development plans.

Neighborhood Participation Plan and Public Comments:

The applicant sent the required notification letters to all property owners within the Sunland Village East PAD. As of writing this report, staff has not been contacted by any resident to express support or opposition to the request.

Staff Recommendation:

Based on the application received and preceding analysis, staff finds that the request to modify an existing Planned Area Development (PAD) to allow a 200-foot long, 50-ft tall safety net along the south side of the Sunland Village East softball field in the RS-7-PAD District meets the modification criteria of 11-22-5(E) of the MZO, and therefore recommends approval with the following conditions:

Conditions of Approval:

- 1. Compliance with Sunland Village East PAD as approved by Z83-126 and subsequent modifications, except as modified by the request.
- 2. Compliance with all applicable City of Mesa Development Codes and regulations.
- 3. Compliance with all requirements of the Development Services Department regarding the issuance of building permits.

Exhibits:

Exhibit 1 – Vicinity Map

Exhibit 2 – Staff Report

Exhibit 3 – Narrative and Justification Statement

Exhibit 4 – Site Plan

Exhibit 5 – Sunland Village East PAD parcel numbers