

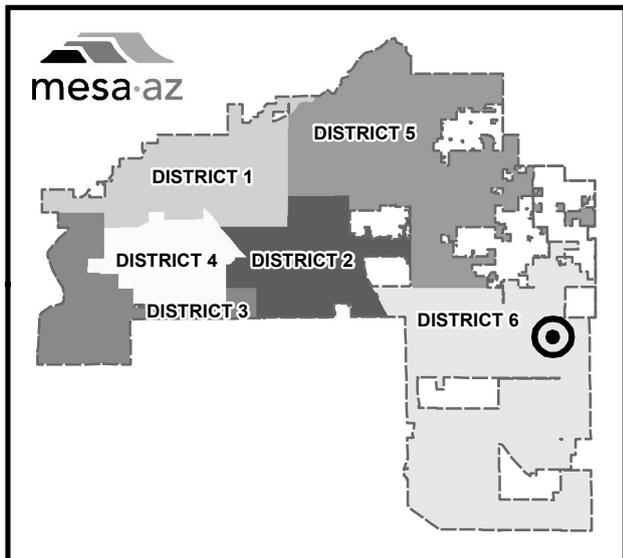
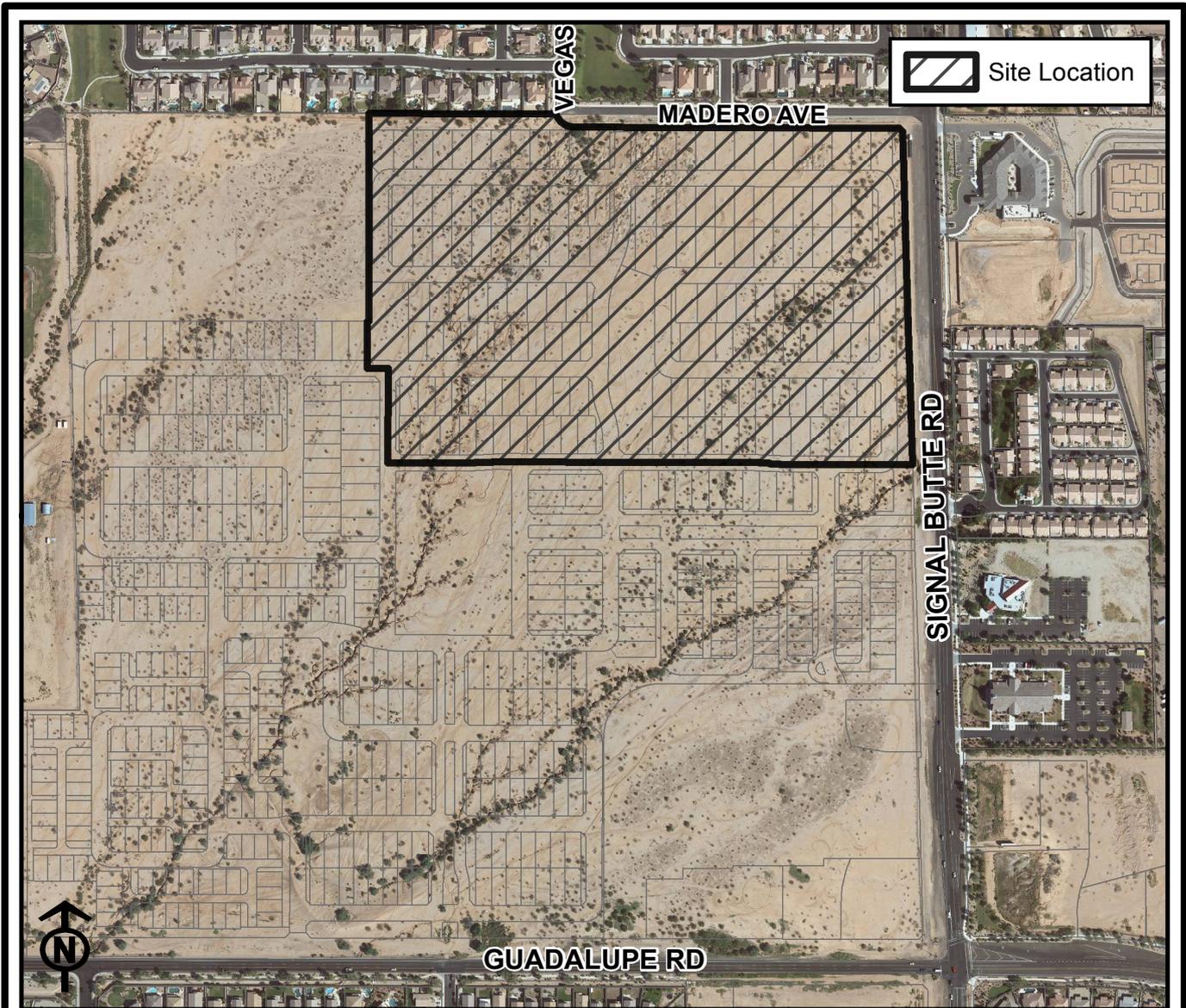
Z15-008

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**PLANNING AND ZONING  
VICINITY MAP**

**CASE:**  
Z15-008

**PROJECT:**  
MULBERRY

**ADDRESS:**  
2400 TO 2500 BLOCKS OF S SIGNAL BUTTE RD  
(DISTRICT 6)

**REQUEST:**  
MODIFICATION OF THE EXISTING PAD OVERLAY FOR  
PARCELS 1 AND 2 AT MULBERRY. THIS REQUEST WILL  
MODIFY AN EXISTING PAD TO ALLOW  
ENCROACHMENTS INTO THE 10' REQUIRED  
VEHICULAR ACCESS SET BACK.



## Planning and Zoning Board

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### *Case Information*

**CASE NUMBER:** Z15-008 (PLN2015-00019)  
**LOCATION/ADDRESS:** The 2400 through 2500 blocks of South Signal Butte Road (west side).  
**GENERAL VICINITY:** Located north of Guadalupe Road and west of Signal Butte Road.  
**REQUEST:** Modification of the existing PAD overlay to eliminate the 10' vehicular access setback for lots 1-89 in Mulberry Parcel 1 and lots 114-117 and 152-154 in Mulberry Parcel 2 (30± acres).  
**PURPOSE:** This request will modify an existing PAD will allow encroachments into the 10' required setback thus eliminating the required vehicle access.  
**COUNCIL DISTRICT:** District 6  
**OWNER:** Phoenix Land Division, LLC  
**APPLICANT:** Desert Vista, 100, LLC-Paul Dugas  
**STAFF PLANNER:** Lisa Davis

#### SITE DATA

**PARCEL NUMBER(S):** 312-02-250 to 338; 374 to 377 and 412 to 414  
**PARCEL SIZE:** 30± acres  
**EXISTING ZONING:** Residential (RS-6 PAD)  
**2040 GP CHARACTER AREA:** Neighborhoods  
**CURRENT LAND USE:** Vacant (under construction)

#### SITE CONTEXT

**NORTH:** Existing single residences – zoned RS-7 PAD (Villages at Eastridge)  
**EAST:** (across Signal Butte Road) Existing nursing home, small lot residential project, existing church sites – zoned RM-4 PAD, RM-2 PAD and AG  
**SOUTH:** (across Guadalupe Road) Existing single residences – zoned RS-6PAD (Santa Rita Ranch) and vacant 12.5 acres-zoned AG, Mesa 2025 land use designation is NC and MDR 4-6  
**WEST:** Vacant site and existing school

**STAFF RECOMMENDATION:** Approval with Conditions

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

**PROP 207 WAIVER:**  Signed  Not Signed

### HISTORY/RELATED CASES

- December 7, 1983:** Annexed into the City of Mesa (ordinance 1752).
- July 16, 1984:** Comparable zoning approved from Maricopa County Rural-43 to City of Mesa AG, Z84-091.
- August 28, 2006:** City Council approved GPMinor06-03 to revise the Mesa 2025 General Plan designation from MDR 4-6 to MDR 6-10 and Z06-45 for rezoning of 175± acres from AG to R1-9 PAD, R1-6 PAD and R-2 PAD, ordinance 4589, for the Desert Vista Development Master Plan.
- August 25, 2014:** City Council approved GP Minor14-10 and Z14-037 for the development of a 1,056 lot, five parcel development for Mulberry (172± acres).
- November 3, 2014:** City Council approved the final plats for Mulberry Parcels 1 through 4.

### PROJECT DESCRIPTION/REQUEST

This request is to amend the PAD for lots 1 through 89 of Mulberry Parcel 1 and lots 114-117 and 152-154 of Mulberry Parcel 2, currently zoned RS-6 PAD, for a previously approved subdivision titled "Mulberry" (Z14-037). The request includes a change in the development standards approved for this portion of the project. The request is to eliminate the 10' vehicular access requirement, section 11-5-3.D.3 of the Zoning Ordinance, for the 60' wide RS-6 PAD lots.

With the elimination of the 10' wide vehicular access setback the air conditioning units, pool equipment, gas fireplaces and gas meters would be allowed to be placed in the 10' side yard setback. The placement of this equipment would still leave a 7' wide area for access. Pool and landscaping construction only require 5' clearance in order to access the rear yard. A 5' wide clear setback will be maintained on the driveway side each of the homes. In addition, according to the Blandford Homes letter dated January 12, 2015, the Mulberry CC&R's and architectural guidelines will restrict gates to rear yards and side yards to a maximum width of 48". This restriction will remove the ability for vehicular access and/or parking in the side or rear yards.

The Mulberry Development is located north of the northwest corner of Signal Butte and Guadalupe. The subdivision plats for Parcels 1 through 4 recorded December of 2014 and are currently under construction. Parcel 5 will develop in the future and is required to return to the Planning and Zoning Board for site plan approval. The 20± acre corner at the northwest corner of Signal Butte Road and Guadalupe Road is zoned LC PAD. The site plan and design review application has been approved and includes a 123,000 SF Fry's Marketplace with 12,040 SF of shops attached to the south.

### NEIGHBORHOOD PARTICIPATION

The applicant has completed 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.

At the time of writing this report Staff has not received any inquiry regarding the proposal. In addition, the applicant has not reported that they have received any inquiries.

### CONFORMANCE WITH THE GENERAL PLAN

The Mesa 2040 General Plan Character area designation – Neighborhoods. The primary focus of the neighborhoods character type is to provide safe places for people to live where they can feel secure and enjoy their surrounding community. The overall development, as previously approved establishes a unique neighborhood character that is consistent with the goals and objectives of the Plan. The proposed modification to allow encroachments into the vehicular side yard does not create any significant deviation from the previous approval. This project is still consistent with the General Plan.

## STAFF ANALYSIS

### SUMMARY:

Parcels 1 through 4 have a total of 545 lots with four lot sizes. The four sizes include 40' x 79' (Green Court), 45' x 115', 52' x 120', and 60' x 125'. The 60' x 125' sized lots are the largest lots offered within the development and the only size required to have the 10' vehicular access side yard setback. This request is specifically to amend the RS-6 PAD (60' x 125' typ.) development standards for lots 1 through 89 at Mulberry Parcel 1 and lots 114-117 and 152-154 at Mulberry Parcel 2, a total of 96 lots, to eliminate the 10' vehicular access side yard setback required by the Zoning Ordinance

The applicant does not believe that the 10' access side would be needed because of the restrictions of the size of the gate allowed per the CC&Rs of the project. The CC&R's will restrict the gate size to a maximum of 48" wide which would not accommodate vehicular access. They have also taken into consideration that placement of this type of equipment on the 5' setback side would limit access to the backyard from the garage side door. The request is consistent with previously approved requests by this home builder in Las Sendas and Mountain Bridge development. The plot plans provided show the placement of the A/c units within the 10' vehicular access side yard. In reviewing the overall design of the project this 60' wide lot is the only size that would require the 10' vehicular side yard setback. It is not provided or required for the other 458 lots within the project. Therefore, staff believes the impact of eliminating this requirement would be minimal.

### CONCLUSIONS:

The overall design of the project with the grid street pattern, dispersed open space, architectural entry features, the community park, landscaped boulevards, tree lined streets, and the connection to the commercial corner will all work together to create a unique Mesa neighborhood. This is a large project and has had many moving pieces along the way as they have developed. Staff believes that this is a good project and the elimination of the required 10' vehicular access setback will have no impact on the overall design for the project. Planning staff is recommending approval of the Mulberry PAD amendment subject to the following conditions.

### CONDITIONS OF APPROVAL:

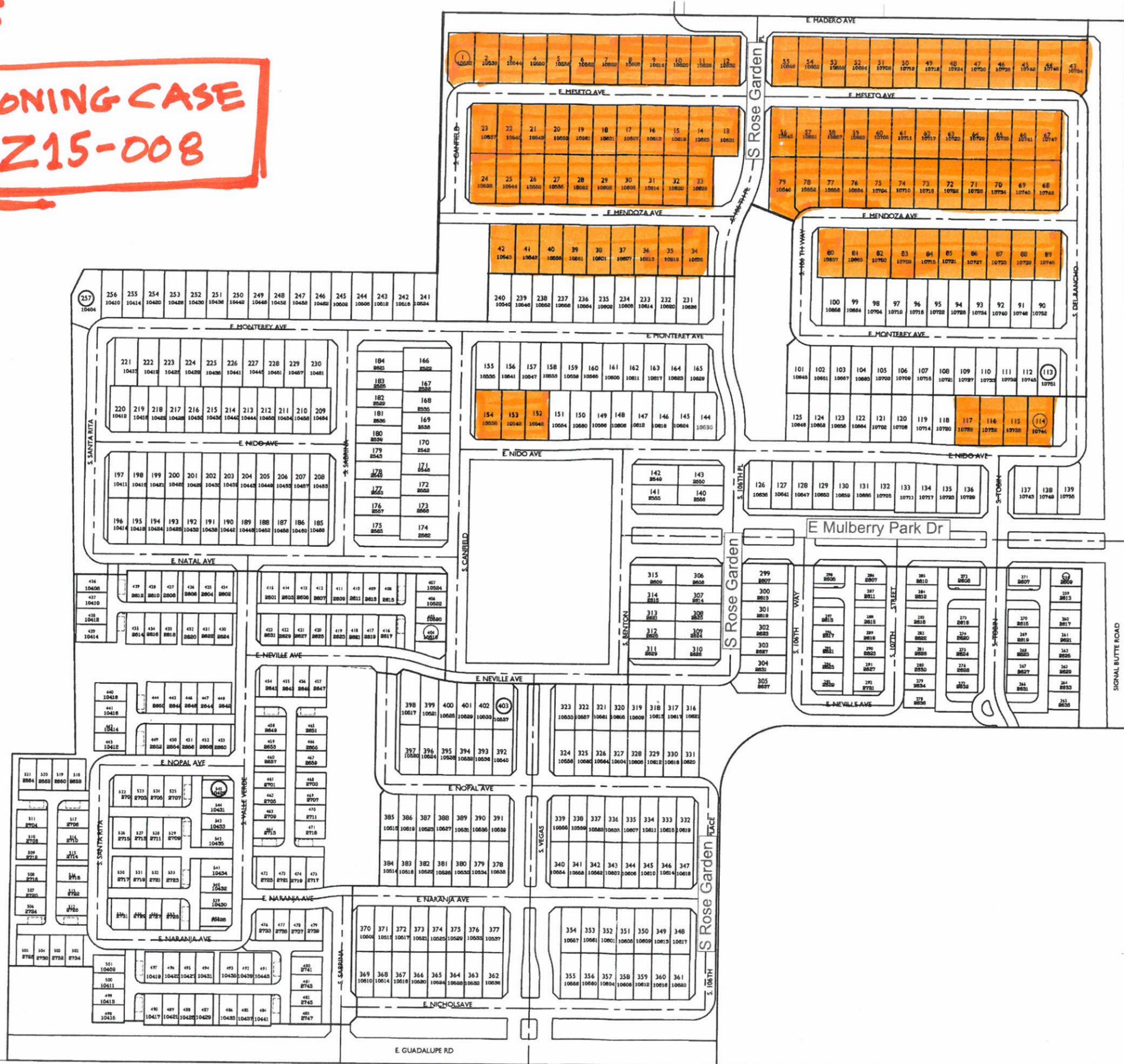
1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, (without guarantee of lot yield, building count, or lot coverage).
2. Development in conformance with Ordinance #5247, (Z14-037), except as modified by this case.
3. Compliance with all City development codes and regulations.

2/4/15

ZONING CASE  
Z15-008

13-316

Nov\_03\_2014\_12:43pm\_S:\Projects\2013\13-316\Legal\_Survey\Draws\Final\_Plot\13-316\_OVERBALL\_PLATADDRESSING.dwg



**LEGEND**

— PARCEL BOUNDARY LINE

0 120 240  
feet

2045 S. Vineyard Ave, Suite 101  
Mesa, AZ 85210  
T: 480.503.2250 | F: 480.503.2258  
www.epsgroupinc.com

**EPS GROUP**

Project: **MULBERRY**  
MESA, AZ

Revisions:

Arizona State Surveyor License No. 11023  
MARY F. KENNEDY  
MESA, AZ  
EXPIRES: 6/30/15

Job No. **13-316**  
**EX01**  
Sheet No. **1**  
of **1**

# BLANDFORD HOMES

January 12th, 2015

John Wesley  
 Planning Director  
 City of Mesa Planning Division  
 55 N Center Street  
 Mesa, AZ 85201

**RE: Rezoning Request to Amend Section 11-5-7 A 2 of the Zoning Ordinance for Parcel # 1 & 2 at Mulberry, To Allow Air Conditioning Units, Gas Fireplaces, Pool Equipment and Gas Meters in the 10' Side Yard Setback of the 45' Wide Product/ Heritage Collection.**

John,

Blandford Homes is respectfully requesting an Approval from City Council for the above.

Pursuant to previously approved request at Las Sendas and Mountain Bridge for the same we are requesting to be allowed to place air conditioning units, gas fireplaces, pool equipment and gas meters within the 10' side building setback for the above Home Collection in Parcel #1 and Parcel #2.

Parcel #1 Lots consist of Lots 1-89 at Mulberry and Parcel #2 Lots consist of Lots 114-117 and 152-154 at Mulberry.

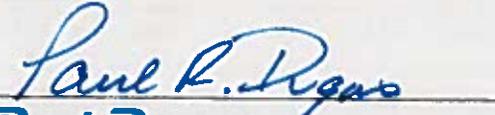
Our request is based on the fact that the Mulberry CC&R's and Architectural Guidelines will restrict gates to rear yards and side yards to a maximum width of 48". This restriction removes the ability for vehicular access and or parking in the side or rear yards.

The placement of the above building equipment would still leave a 7' width for access in the 45' wide Heritage Collection to the rear yards for the construction of pools and landscaping. Pool construction and landscaping only require 5' to access the rear yard and this will be always free and clear of any obstructions and will be located on the 5' side yard that will be located on the driveway side of the home in all the Home Collections at Mulberry.

This gate size restriction compliments the neighborhoods and makes for a richer and classier streetscape with out unsightly vehicles, trailers and RV's being placed in side yards.

Enclosed is a copy of the previously approved request for the same in the Las Sendas and Mountain Bridge Master Planned Communities. Feel free to contact me should any additional information be needed to aid in this review process.

Sincerely,

  
**Paul Dugas**

Director of Land Development  
 Blandford Homes, LLC

# BLANDFORD HOMES

February 1, 2008

John Wesley  
Planning Director  
City of Mesa Planning Division  
20 E. Main Street, Ste. #130  
Mesa, AZ 85201

**RE: Request for Administrative Approval for Mountain Bridge  
To Allow Air Conditioning Units, Pool Equipment and Gas  
Meters in the 10' Side Yard Setback**

John,

Blandford Homes is respectfully requesting an Administrative Approval from your office for the above.

Pursuant to a conversation with Amy Shackelford we are requesting to be allowed to place air conditioning units, pool equipment and gas meters within the 10' side building setback on all the subdivisions that Blandford Homes is building within the master planned community of Mountain Bridge

Our request is based on the fact that the Mountain Bridge CC&R's and Architectural Guidelines will restrict gates to rear yards and side yards to a maximum width of 60". This restriction removes the ability for vehicular access and or parking in the side or rear yards.

The placement of the above building equipment would still leave a 7' width for access to the rear yards for the construction of pools and landscaping. Pool construction and landscaping only require 5' to access the rear yard.

This gate size restriction compliments the neighborhoods and makes for a richer and classier streetscape with out unsightly vehicles, trailers and RV's being placed in side yards.

Enclosed is a copy of the previously approved request for the same in the Las Sendas master planned community. Feel free to contact me should any additional information be needed to aid in this review process.

Sincerely,

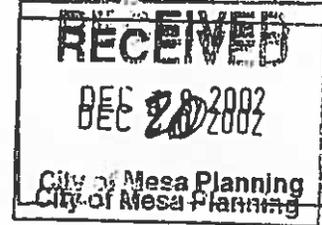
*Paul R. Dugas*  
Paul Dugas  
Blandford Homes

PLANNING DIVISION  
ADMINISTRATIVE APPROVAL  
DATE: 2/16/08  
WITH ST.PS: YES  NO   
PLANNING DIRECTOR *J. Wesley*



3321 EAST BASELINE ROAD • GILBERT, ARIZONA 85234 • (480) 892-4492  
Administrative FAX (480) 892-5106 • Construction FAX (480) 892-9066 • Customer Service FAX (480) 892-8885

# BLANDFORD HOMES



December 19, 2002

Jo Ferguson  
City of Mesa Planning Department  
55 N. Center  
Mesa, Az. 85211

Re: Air Conditioning/Pool Equipment within 10' B.S.L.

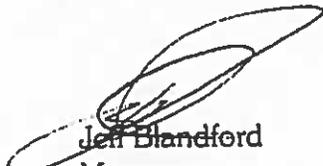
Dear Jo:

Pursuant to our conversation, this is my written request to allow air conditioning units and pool equipment to be located within the 10' side building setback on all subdivisions that Blandford Homes is building in within the master planned community of Las Sendas.

Our request is based on the October 1, 2002 Las Sendas Architectural Guideline Policy change which restricts the ability to have anything wider than 60" gates to rear and side yards, thus removing the ability to park vehicles in the rear and side yards. As discussed previously, there would still be approximately 7' in width for access space on 10' minimum side yards where there was air conditioning units or pool equipment. Landscaping and pools can still be constructed with 5' in width.

Thank you for your assistance on this matter.

Sincerely,

  
Jeff Blandford  
Manager

PLANNING DIVISION  
ADMINISTRATIVE APPROVAL  
DATE: 1-6-03  
WITH STIPS: YES  NO   
PLANNING DIRECTOR F.M.

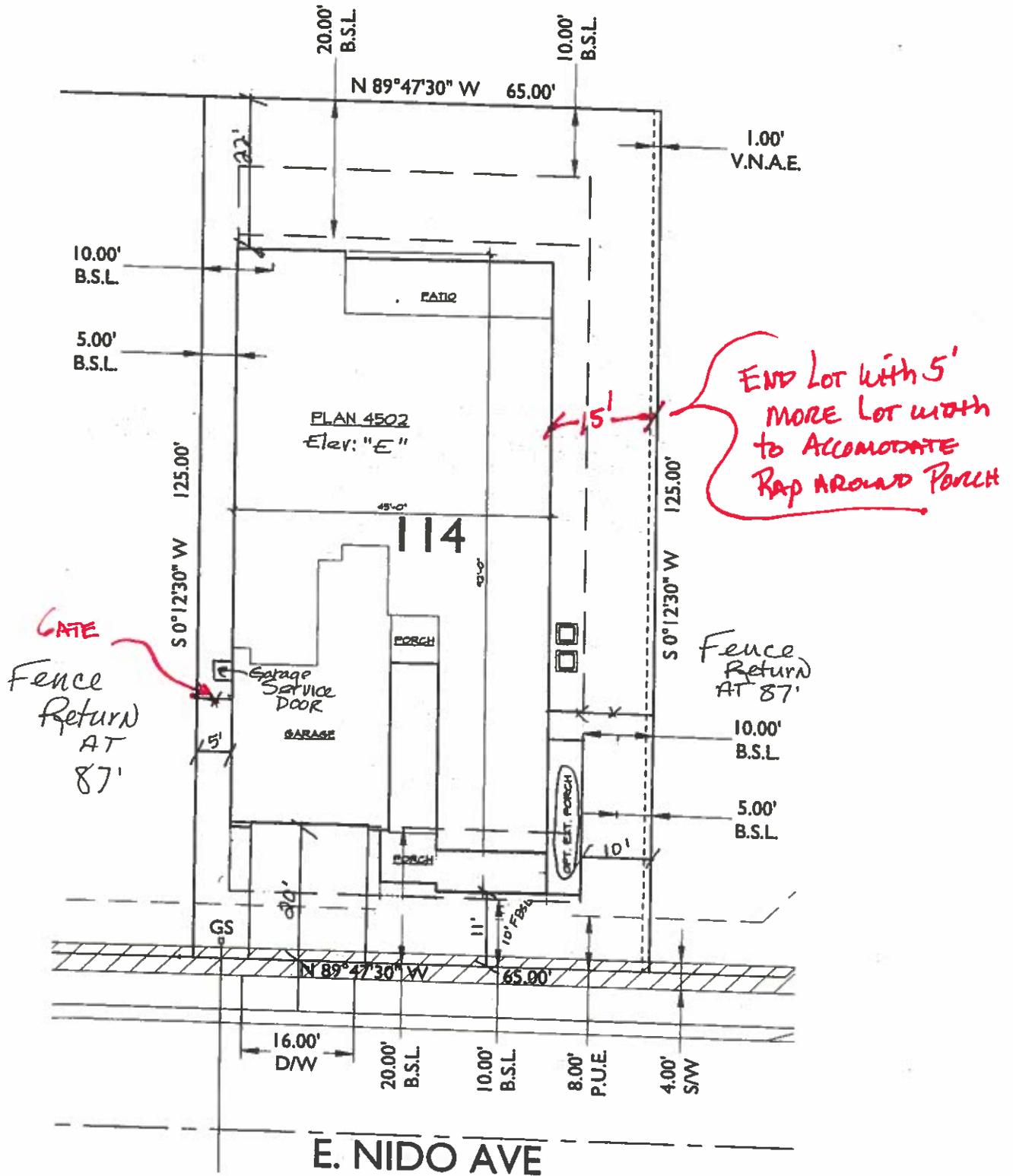


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Parcel 2  
10744 E. Nido Avenue  
Lot 114

**HERITAGE MODEL PERMITTED PLOT PLAN**  
TOTAL AREA = 8,125 SQ. FT.



**LEGEND**

B.S.L.	BUILDING SETBACK LINE
P.U.E.	PUBLIC UTILITY EASEMENT
V.N.A.E.	VEHICULAR NON-ACCESS EASEMENT
S.W.	SIDEWALK
D.W.	DRIVEWAY

**SETBACK LEGEND**

FRONT:	10' TO LIVABLE, SIDE LOAD GARAGE, PORCH 20' TO FRONT FACING GARAGE DOOR
SIDE:	5' TO LIVABLE 15' AGGREGATE 10' SIDE STREET
REAR:	10' TO COVERED PATIO 20' TO LIVABLE

**NOTE**

1. LOT GRADING TO REMAIN IN ACCORDANCE WITH GRADING PLANS.

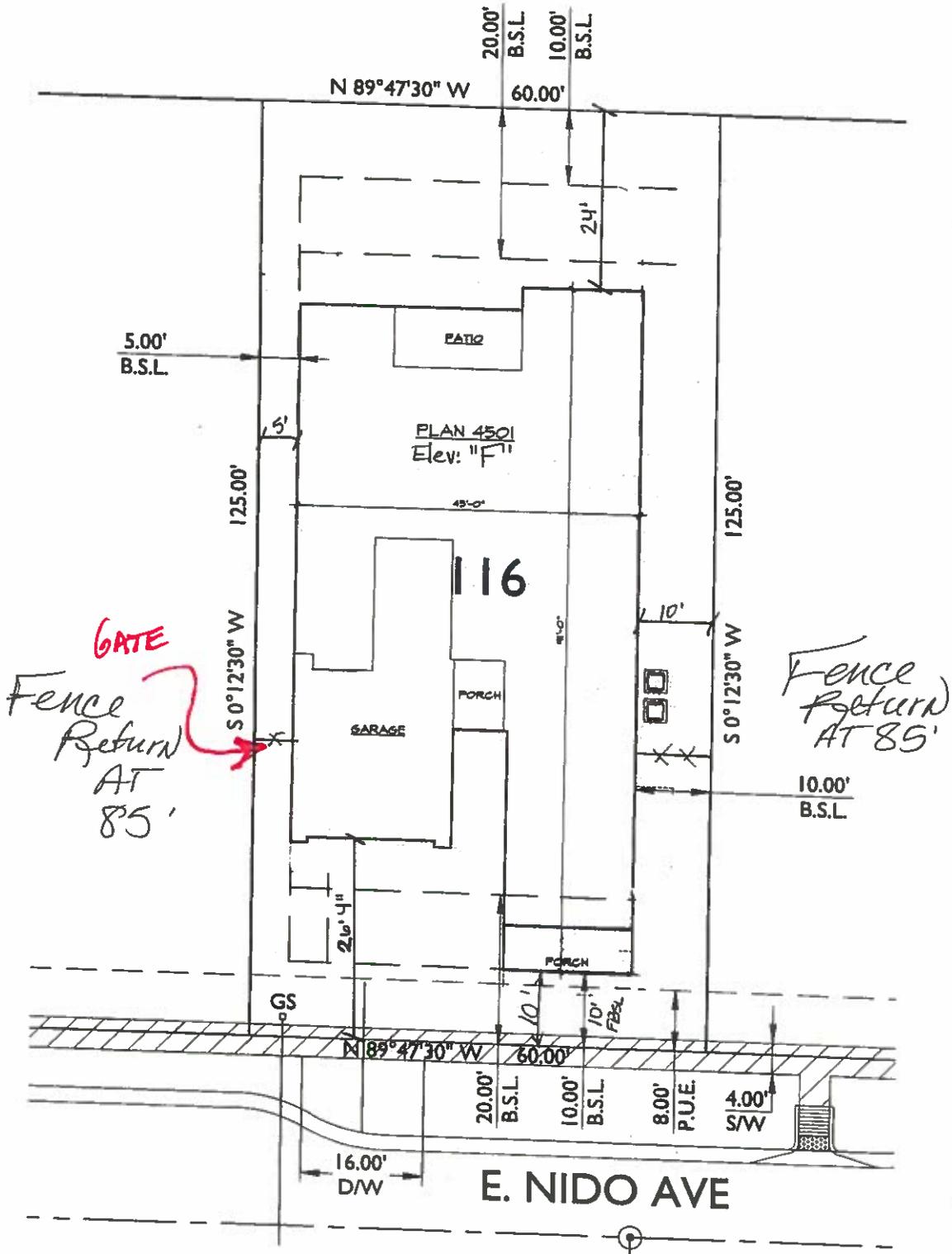
*Not to Scale*

Mulberry





Parcel 2  
10732 E. Nido Avenue  
Lot 116  
**HERITAGE MODEL PERMITTED PLOT PLAN**  
TOTAL AREA = 7,500 SQ. FT.



**LEGEND**

B.S.L.	BUILDING SETBACK LINE
P.U.E.	PUBLIC UTILITY EASEMENT
V.N.A.E.	VEHICULAR NON-ACCESS EASEMENT
S/W	SIDEWALK
D/W	DRIVEWAY

**SETBACK LEGEND**

FRONT:	10' TO LIVABLE, SIDE LOAD GARAGE, PORCH 20' TO FRONT FACING GARAGE DOOR
SIDE:	5' TO LIVABLE 15' AGGREGATE 10' SIDE STREET
REAR:	10' TO COVERED PATIO 20' TO LIVABLE

**NOTE**

- LOT GRADING TO REMAIN IN ACCORDANCE WITH GRADING PLANS.

*Not to Scale*

Mulberry

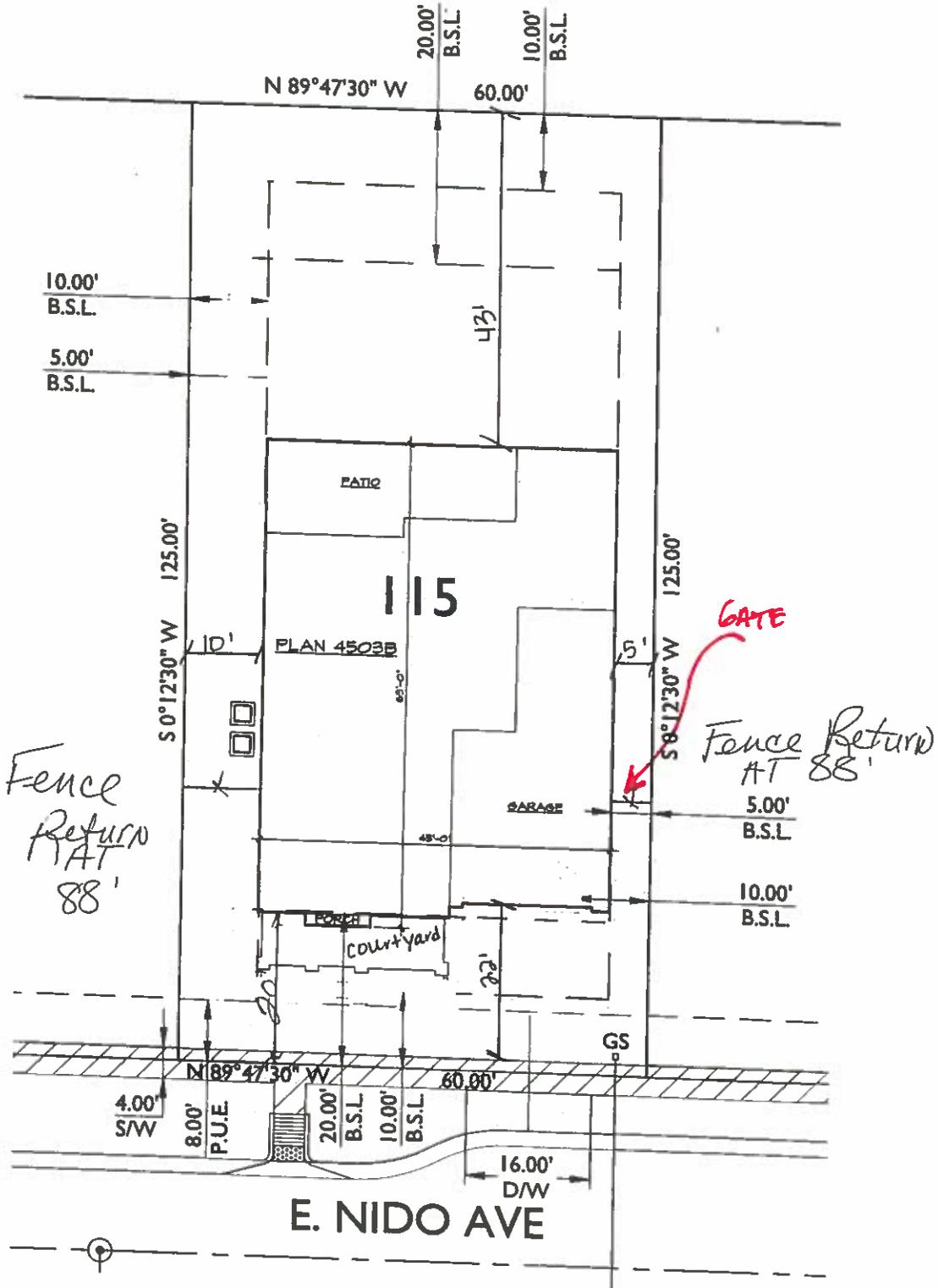




Parcel 2  
10738 E. Nido Avenue  
Lot 115

*HERITAGE MODEL PERMITTED PLOT PLAN*

TOTAL AREA = 7,500 SQ. FT.



**LEGEND**

B.S.L.	BUILDING SETBACK LINE
P.U.E.	PUBLIC UTILITY EASEMENT
V.N.A.E.	VEHICULAR NON-ACCESS EASEMENT
S/W	SIDEWALK
D/W	DRIVEWAY

**SETBACK LEGEND**

FRONT:	10' TO LIVABLE, SIDE LOAD GARAGE, PORCH 20' TO FRONT FACING GARAGE DOOR
SIDE:	5' TO LIVABLE 15' AGGREGATE 10' SIDE STREET
REAR:	10' TO COVERED PATIO 20' TO LIVABLE

**NOTE**

1. LOT GRADING TO REMAIN IN ACCORDANCE WITH GRADING PLANS.

*Not to Scale*

Mulberry

