



12

Planning Commission Staff Report

TO: PLANNING COMMISSION / DESIGN REVIEW BOARD

FROM: NICOLE RUSSELL, SENIOR PLANNER *NR*
(480) 503-6716, NICOLE.RUSSELL@GILBERTAZ.GOV

THROUGH: VERONICA GONZALEZ, PRINCIPAL PLANNER *VG*
(480) 503-6720, VERONICA.GONZALEZ@GILBERTAZ.GOV

MEETING DATE: SEPTEMBER 13, 2023

SUBJECT: Z23-03, GILBERT SAN TAN

UPDATE

This case was heard by the Planning Commission at the August 2, 2023 hearing and is being re-heard due to a property posting error.

STRATEGIC INITIATIVE: Exceptional Built Environment

This rezoning proposal is intended to ensure a high-quality development of single-story homes within a single family residential subdivision.

RECOMMENDED MOTION

For the reasons set forth in this staff report, move to recommend to Town Council approval of Z23-03 Gilbert San Tan, a request to rezone approximately 30.6 acres of real property generally located east of the southeast corner of Higley Road and San Tan Boulevard from Single Family-15 (SF-15) to Single Family-15 (SF-15) with a Planned Area Development overlay zoning district (PAD) to modify lot coverage, setbacks, and building height.

APPLICANT

Company: Pew & Lake, PLC
Name: Reese Anderson

OWNER

Company: Bela Flor Enterprises
Name: Hudd Hassell

Address: 1744 S. Val Vista, Suite 217
Mesa, AZ 85204
Phone: 480-461-4670
Email: reese.anderson@
pewandlake.com

Address: 1635 N. Greenfield Road
Gilbert, AZ 85205
Phone: 480-553-7236
Email: hudd@belafior.com

BACKGROUND/DISCUSSION

History

Date	Description
<i>May 9, 2006</i>	Town Council annexed 351.78 acres in A06-02 from Maricopa County into the Town of Gilbert.
<i>September 26, 2006</i>	Town Council approved Z06-03 (Ordinance No. 1830) a rezone from Maricopa County Rural-43 to SF-15 zoning district.
<i>June 4, 2014</i>	Planning Commission approved S13-09 a preliminary plat for Bordeaux on approximately 31.4 acres for 45 single family lots located east of the southeast corner of Higley Road and San Tan Boulevard.
<i>June 12, 2014</i>	Design Review Board approved S13-09 the site plan, landscape plan, entry monument plan details, planting plan, streetscape, amenity plan, wall plan, colors and materials for Bordeaux located east of the southeast corner of Higley Road and San Tan Boulevard.
<i>September 25, 2014</i>	Town Council upheld an appeal AP14-02 (S13-09) of the Planning Commission decision of June 4, 2014, for the Bordeaux Preliminary Plat.
<i>July 13, 2022</i>	Preliminary Plat & Open Space plan (S20-11) approved by the Planning Commission for a 42-lot single family subdivision in a SF-15 zoning district.
<i>June 19, 2023</i>	Administrative Preliminary Plat Amendment per case S23-01 (S22-11-B) to accommodate new public utility easements.
<i>August 1, 2023</i>	Final Plat & Open Space plan (S20-11) approved by the Planning Commission for a 42-lot single family subdivision in a SF-15 zoning district.
<i>August 2, 2023</i>	Planning Commission recommended approval of Z23-03 to the Town Council.

Overview

The applicant is requesting approval of a rezone involving approximately 30.6 acres located east of the southeast corner of Higley Road and San Tan Boulevard. The proposal is to change the current zoning on the site from Single Family-15 (SF-15) to Single Family-15 (SF-15) with a Planned Area Development (PAD) overlay. The purpose of the PAD is to reduce front and side yard building setbacks, increase lot coverage, and limit building height to one story. The primary

access to the site will be from San Tan Blvd, which is a paved Town maintained roadway. Secondary access will be from 172nd Street, also a paved Town maintained roadway.

The project area is currently undeveloped. An approved preliminary plat for a 42-lot single family residential development was approved in 2022. The final plat was approved by the Town Council on August 1, 2023.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Residential>0-1 DU/AC	RU-43 (County)	San Tan Blvd., then undeveloped and single family residential
South	Residential>0-1 DU/AC	Single Family-15 and RU-43 (County)	Single family residential
East	Residential>0-1 DU/AC	Single Family-35 and RU-43 (County)	172 nd St., then single family residential
West	Residential>0-1 DU/AC	Single Family-15	Single family residential
Site	Residential>0-1 DU/AC	Single-Family-15	Undeveloped

DISCUSSION

The proposed single-family development is within an area that is developed with single family, one-story homes. The proposed PAD overlay for the subdivision would include deviations from code requirements for the reduction of front building setbacks from 30 ft. to 25ft., side yard building setbacks from 15 ft. to 10ft., and an increase in lot coverage from 35% to 45% to accommodate custom single-story homes while maintaining the required rear setbacks of 30 ft. on all lots.

The applicant indicates that the proposed deviations of code requirements came about during the citizen participation portion of the rezoning process. Surrounding neighbors expressed concerns that the current zoning would allow for two story homes which they were opposed to as a large majority of the homes in the area are single story. Therefore, the applicant has brought the request forward with the agreement of limiting the homes within the subdivision to single story, with deviations as mentioned above.

Planning staff is supportive of the creation of a PAD overlay district on the site to allow for the proposed reductions of front and side yard setbacks, increase in lot coverage, and a limitation for one story homes. The proposed deviations would allow the applicant to provide a range of options for prospective residents within the subdivision.

REZONE REQUEST AND PLANNED AREA DEVELOPMENT

The applicant is requesting a set of modified development standards as part of the PAD overlay zoning for the proposed development.

The proposed deviations to development standards are listed in the table below in **bold**.

Project Data Table

Site Development Regulations	LDC Standard	Proposed
Minimum Lot Area (sq. ft. per DU)	15,000	15,000
Maximum Building Height (ft.)/(Stories)	30'/2	One-story
Minimum Building Setback (ft.)		
Front	30'	25' (front facing garage) 15' (Side entry, patio, & livable area)
Side	15'	10'
Rear	30'	30'
Maximum Lot Coverage (%)	35	45

Maximum Building Height:

According to the applicant, the proposed single-story height limitation will present a development that provides a housing product that maintains unique features such as side-entry garages and multi-generational units, while also conforming with the general characteristics established in the San Tan Character Area of Gilbert. Restricting homes to single-story is a creative design feature in a zoning district that allows two-story homes by-right.

Front and Side Building Setbacks:

According to the applicant, the modified front and side setbacks are to accommodate this single-story limitation. There will not be a change to any rear yard setback standards. The applicant states that additionally, the project itself will be afforded development standards which allow more building options, alternative layouts, larger building footprints, and better architecture.

Maximum Lot Coverage:

According to the applicant, the increase in lot coverage allows for a creative home footprint that is comparable to the existing built environment and accomplishes this buffering objective while also ensuring that the overall building square footage is commensurate with the area.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 6.2.6.

The applicant held a virtual neighborhood meeting on November 30, 2022. According to the applicant, neighbor feedback varied between a consensus of support for the height reduction and lingering opposition from Brekanwood residents regarding the placement of a previously approved secondary access on 172nd Street. As a result of the neighborhood meeting, the applicant altered the request to accommodate comments from the residents regarding the possibility of two-story homes within the development and has agreed to single-story homes within the entire development.

As of this writing, staff has received a petition of support from the 8 neighbors along the western boarder of the site. This case is being reheard due to an error in posting the site.

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowner of the subject site, in conformance with Section 6.2.2 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

REASONS FOR THE RECOMMENDATION

1. The proposed rezoning conforms to the General Plan as amended and the San Tan Character Area.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

STAFF RECOMMENDATION

For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z23-03 Gilbert San Tan, a request to rezone approximately 30.6 acres generally located east of the southeast corner of Higley Road and San Tan Blvd. from Single Family-15 (SF-15) to Single Family-15 (SF-15) zoning district with a Planned Area Development overlay zoning district (PAD) subject to the following conditions:

- a. Dedication to Gilbert and Maricopa County for San Tan Boulevard and to Gilbert for 172nd Street rights-of-way that are adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification.
- b. Dedication of San Tan Boulevard Road shall extend 40 feet from the monument line and dedication of 172nd Street shall extend 10 feet from the monument line (from Flintlock Drive to the south property line), and 25 feet from the monument line (north of Flintlock Drive).
- c. Construction of off-site improvements to San Tan Boulevard and 172nd Street adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property or at the time requested by Gilbert, whichever is earlier.
- d. Prior to issuance of the first building permit or at the time of recordation of the final plat, Developer shall enter into an Amended and Restated Agreement for Deferral of Installation of Off-site Improvements (Agreement), related to Instrument No. 2014-0654723 in the Official Records of Maricopa County, agreeing that Developer will reimburse Gilbert for the costs of design and construction of off-site improvements that are required by this ordinance and will be constructed by Gilbert in the future. Failure by Developer to execute the Agreement may result in reversion of the zoning to the prior zoning classification. If Developer constructs the improvements, Gilbert shall release Developer from its obligations under the Agreement.
- e. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
- f. Developer shall create a Homeowner's Association (HOA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas and landscaping within the rights-of-way.
- g. Developer shall record easements to be owned by the HOA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat,

at the time of final plat recordation, or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.

- h. The Project shall be developed in conformance with Gilbert’s zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

Site Development Regulations	Required per LDC SF-15	Proposed
Minimum Building Setback (ft.)		
Front	30'	25' (front facing garage) 15' (Side entry, patio, & livable area)
Side	15'	10'
Maximum Lot Coverage (%)	35	45

Respectfully submitted,

Nicole Russell
Senior Planner

Nicole Russell

Attachments and Enclosures:

- 1) Notice of Public Hearing
- 2) Aerial Photo
- 3) Zoning Exhibit
- 4) Legal Description
- 5) Development Plan
- 6) Applicant’s Narrative (9 pages)
- 7) Petition of Support (9 pages)

Notice of Public Hearing **Z23-03 Gilbert San Tan** Attachment 1: Notice of Public Hearing

PLANNING COMMISSION DATE:
LOCATION: Council Chambers
50 East Civic Center Drive

Wednesday, September 13, 2023* TIME: 6:00 PM

TOWN COUNCIL DATE:
LOCATION: Council Chambers
50 East Civic Center Drive

Tuesday, September 19, 2023* TIME: 6:30 PM

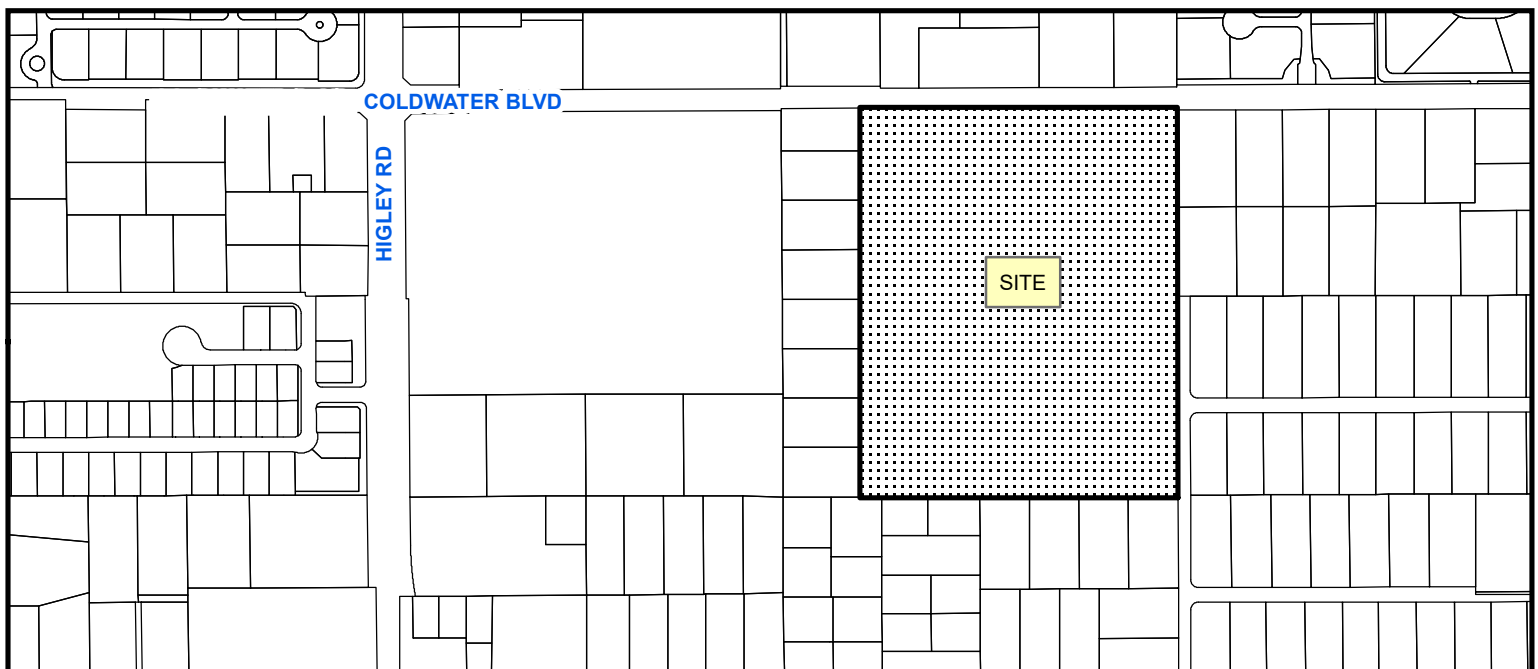
*Call Planning Division to verify date and time: (480) 503-6716

The application is available to the public for review at the Town of Gilbert Planning Division Monday - Thursday 7AM - 6PM. Staff reports and the agenda are available prior to the meeting at www.gilbertaz.gov/departments/development-services/planning/planning-commission

REQUESTED ACTION:

Z23-03 GILBERT SAN TAN: Request to rezone approximately 30.6 acres of real property generally located east of the southeast of the corner of Higley Road and San Tan Blvd. from Single Family-15 (SF-15) zoning district to Single Family-15 (SF-15) zoning district with a Planned Area Development overlay zoning district (PAD) to modify lot coverage and setbacks. The effect will be to reduce setback requirements and increase lot coverage requirements. This case is being reheard.

SITE LOCATION:



0 215 430 860 Feet



APPLICANT: Pew & Lake, PLC
CONTACT: Reese Anderson
ADDRESS: 1744 S Val Vista DR Unit: 217
Mesa, AZ 85204

TELEPHONE: (480) 461-4670
E-MAIL: reese.anderson@pewandlake.com

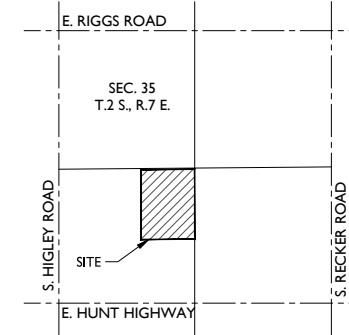
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juarez



VICINITY MAP



PROJECT TEAM

DEVELOPER:
BELA FLOR
1635 N. GREENFIELD ROAD,
SUITE 115
MESA, AZ 85205
TEL: (480)-553-7236
CONTACT:HUDD HASSELL
email:hudd@belafior.com

PLANNER/ENGINEER:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD
SUITE 120
MESA, AZ 85201
TEL: (480)-503-2250
CONTACT: JOSH HANNON
email:josh.hannon@epsgruoinc.com

PROJECT DATA

APN: 304-87-020W, 304-87-020Y, 304-87-020Z
EXISTING ZONING: SF-15
GROSS ACRES: ± 32.24 ACRES
NET ACRES: ± 31.44 ACRES

1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2250
www.epsgruoinc.com



Gilbert San Tan
GILBERT, AZ

PARCEL / AERIAL EXHIBIT

Revisions:

No.	Description



Designer: JH
Drawn by: JAJ

Preliminary
Not For
Construction
Or
Recording

Job No.
20-0786

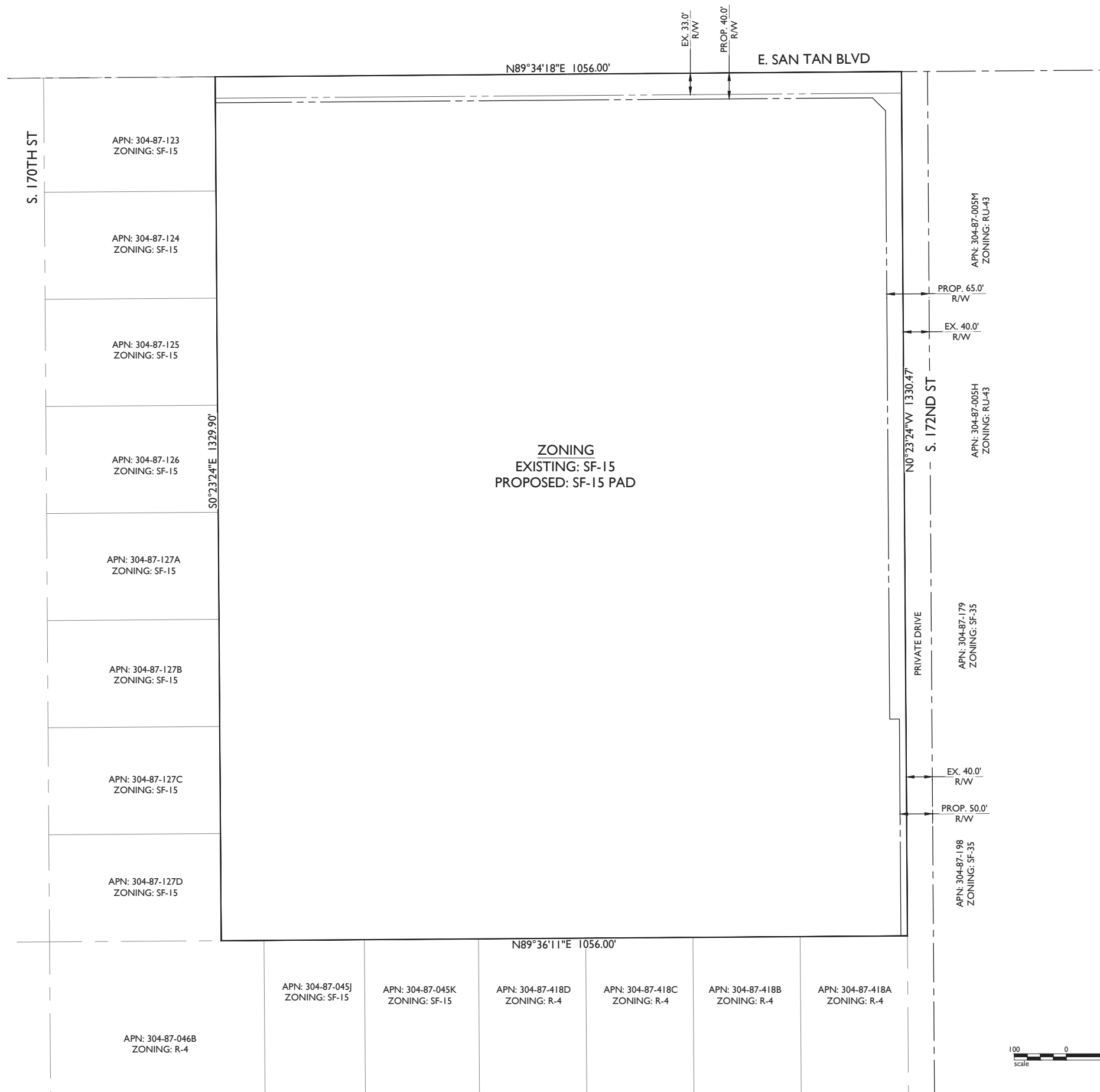
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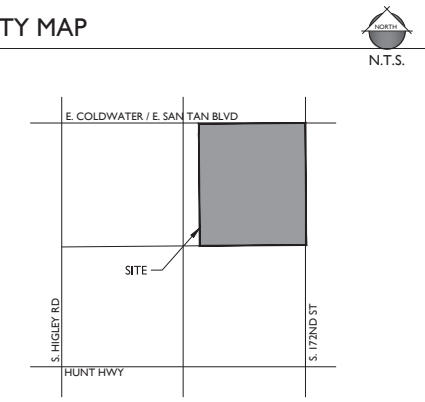
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VICINITY MAP



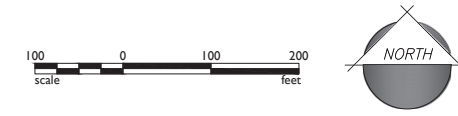
PROJECT TEAM

DEVELOPER:
BELA FLOR
1635 N. GREENFIELD ROAD,
SUITE 115
MESA, AZ 85205
TEL: (480) XX
CONTACT:HUDD HASSELL
email:hudd@belafior.com

PLANNER/ENGINEER:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD
SUITE 120
MESA, AZ 85201
TEL: (480)-503-2250
CONTACT: BRIAN NICHOLLS
email:brian.nicholls@epsgruoinc.com

PROJECT DATA

APN: 304-87-020W, 304-87-020Y, & 304.87-020Z
EXISTING ZONING: SF-15
PROPOSED ZONING: SF-15 PAD
GROSS AREA: ± 32.25 ACRES
NET AREA: ± 30.64 ACRES



Project: Gilbert San Tan
GILBERT, AZ
ZONING EXHIBIT

1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T: (480) 503.2250 | F: (480) 503.2250
www.epsgruoinc.com

Revisions:

No.	Description

Call or text me before you start working on this before you begin preparation.
ARIZONA
State Seal of Arizona
Designer: JH
Drawn by: JAJ

Preliminary
Not For
Construction
Or
Recording

Job No.
20-0786

ZX01

Sheet No.
1
of **01**



**Legal Description
Gilbert San Tan
Zoning Boundary**

Job No. 20-0786

June 20, 2023

A portion of the Southwest Quarter of Section 35, Township 2 South, Range 6 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Center of said Section 35, being marked by a brass cap in hand hole, from which the West Quarter Corner of said Section 35, being marked by a brass cap in hand hole, bears South 89 degrees 34 minutes 10 seconds West, 2640.34 feet;

thence along the East line of said Southwest Quarter, South 0 degrees 23 minutes 24 seconds East, 1330.47 feet to the North line of that property described in Document No. 2013-0591361, Maricopa County Recorder;

thence South 89 degrees 36 minutes 11 seconds West, 1056.00 feet to the East line of that property described in Document No. 2016-0446864, Maricopa County Recorder;

thence North 0 degrees 23 minutes 24 seconds West, 1329.85 feet to the north line of said Southwest Quarter;

thence along said north line, North 89 degrees 34 minutes 10 seconds East, 1056.00 feet to the **POINT OF BEGINNING**.

Said portion of land containing 1,404,654 square feet, or 32.2464 acres, more or less, and being subject to any easements, restrictions, and/or rights-of-ways of record or otherwise.

This description shown hereon is not to be used to violate subdivision regulations of the state, county and/or municipality, or any other land division restrictions.



EXHIBIT "A"

WEST 1/4 COR,
SEC 35, T2S, R6E
FND BRASS CAP
IN HANDHOLE

POINT OF BEGINNING
CENTER 1/4 COR,
SEC 35, T2S, R6E
FND BRASS CAP
IN HANDHOLE

E SAN TAN BLVD
(BASIS OF BEARINGS)
S89°34'10"W 2640.34'

S HIGLEY RD

33' COUNTY ROADWAY,
BOOK 7, PAGE 25, MCR

1584.34'

1056.00'

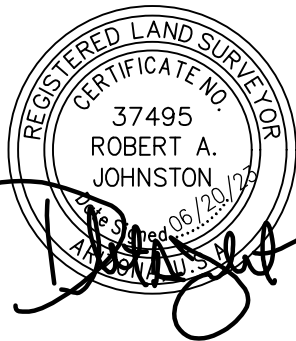
N00°23'24"W 1329.85'

TOTAL LAND AREA:
1,404,654 SQUARE FEET
32.2464± ACRES,
MORE OR LESS

S00°23'24"E 1330.47'

S I 172ND ST

S89°36'11"W 1056.00'



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cjimenez

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GILBERT SAN TAN
EXHIBIT "A"

ZONING BOUNDARY



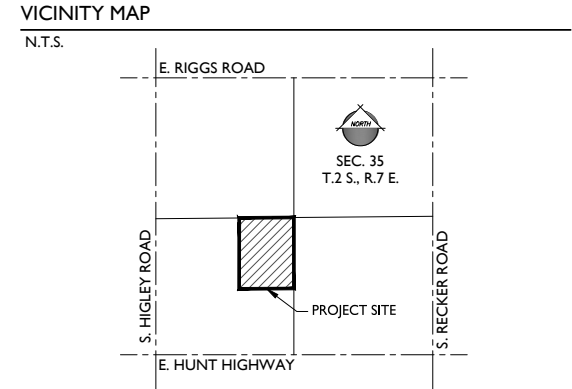
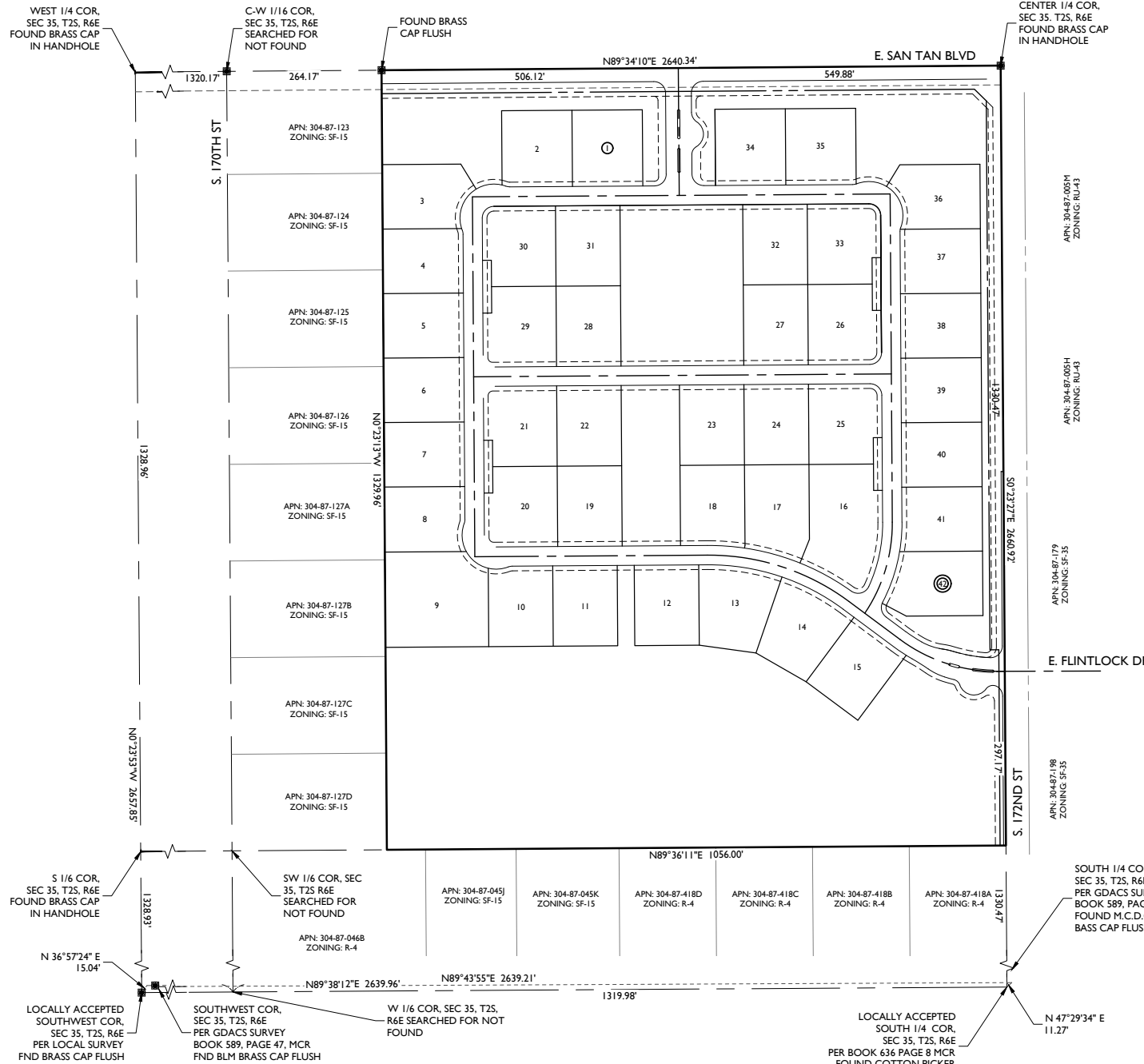
1130 N. Alma School Rd.
Ste. 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

PRELIMINARY PLAT AMENDMENT MINOR FOR GILBERT SAN TAN

A PORTION OF THE NORTHEAST QUARTER (NE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 6 EAST, GILA AND SALT RIVER MERIDIAN GILBERT, MARICOPA COUNTY, ARIZONA

Lot Table		Lot Table	
Lot #	Area	Lot #	Area
1	15601.42	24	15070.00
2	15587.13	25	16364.12
3	15582.89	26	16364.20
4	15060.05	27	15070.00
5	15062.10	28	15070.00
6	15059.72	29	16357.21
7	15057.34	30	16357.28
8	15043.05	31	15070.00
9	27919.64	32	15070.00
10	14928.81	33	16364.12
11	15070.00	34	15584.71
12	15070.00	35	15598.00
13	16911.07	36	15550.92
14	16763.37	37	15529.53
15	15078.46	38	15076.16
16	24194.04	39	15077.99
17	16748.74	40	15079.81
18	15174.19	41	15155.52
19	15070.00	42	16893.88
20	16357.20	TOTAL 674,540 SQ. FT.	
21	16357.30		
22	15070.00		
23	15070.00		

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE / OPEN SPACE / ENTRY MONUMENT / RETENTION	40625	0.933
B	LANDSCAPE / OPEN SPACE / ENTRY MONUMENT / RETENTION	61404.73	1.410
C	LANDSCAPE / OPEN SPACE	1350.00	0.031
D	LANDSCAPE / OPEN SPACE / RETENTION / AMENITY	57403	1.318
E	LANDSCAPE / OPEN SPACE	1350.00	0.031
F	LANDSCAPE / OPEN SPACE	1350.00	0.031
G	LANDSCAPE / OPEN SPACE / RETENTION	27263	0.626
H	LANDSCAPE / OPEN SPACE	1350.00	0.031
I	LANDSCAPE / OPEN SPACE / RETENTION / AMENITY	336887	7.734
TOTAL OPEN SPACE AREA		528983	12.15
K	PRIVATE STREET TRACT / PUBLIC WATER & SEWER	131863	3.02
TOTAL TRACT AREA		660,846	15.17



PROJECT TEAM	
DEVELOPER: BELA FLOR 1635 N. GREENFIELD ROAD, SUITE 115 MESA, AZ 85205 TEL: (480)-553-7236 CONTACT:HUDD HASSSELL hudd@belafloor.com	PLANNER/ENGINEER: EPS GROUP, INC. 1130 N ALMA SCHOOL RD SUITE 120 MESA, AZ 85201 TEL: (480)-503-2250 CONTACT: JOSH HANNON josh.hannon@epsgruoinc.com

PROJECT DATA	
A.P.N.:	304-87-020W; 020Y; 020Z
EXISTING GENERAL PLAN:	RESIDENTIAL > 0-1 DU/AC.
EXISTING ZONING:	SF-15
GROSS ACRES:	± 32.25 ACRES
NET ACRES:	± 30.64 ACRES
MIN. LOT SIZE:	110' x 137' (15,070 SF)
NO. OF UNITS:	42 UNITS
GROSS DENSITY:	1.30 DU/AC
OPEN SPACE:	12.15 ACRES (40% OF NET AREA)

- GENERAL NOTES**
- THIS PLAN IS NOT A CONSTRUCTION DOCUMENT.
 - LOT DIMENSIONS ARE APPROXIMATE, FINAL LOT DIMENSIONS SHALL BE PER THE FINAL PLAT.
 - ALL ROADS WILL BE CONSTRUCTED TO TOWN OF GILBERT MINIMUM STANDARDS AS MODIFIED HEREIN.
 - THE HOMEOWNERS' ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF ALL LANDSCAPE TRACTS AND ALL STREET IMPROVEMENTS AND FACILITIES OUTSIDE OF THE RIGHT OF WAY.
 - THIS DEVELOPMENT WILL PROVIDE FOR INSTALLATION AND MAINTENANCE OF REQUIRED STREET LIGHTS OUTSIDE OF THE RIGHT OF WAY.
 - DRAINAGE CONCEPTS ARE SHOWN IN THE PRELIMINARY GRADING PLAN.
 - FISURES ARE LOCATED WITHIN THE SOUTHERN +/- 300 FEET OF THE PROPERTY. PLEASE REFER TO ARIZONA GEOLOGICAL SURVEY FOR EXACT LOCATION OF CONFIRMED EARTH FISURES. NO RESIDENCES WILL BE CONSTRUCTED WITHIN THE KNOWN FISURE AREA.

UTILITIES AND SERVICES	
WATER	TOWN OF GILBERT
SEWER	TOWN OF GILBERT
GAS	SOUTHWEST GAS
ELECTRIC	SALT RIVER PROJECT
TELEPHONE	CENTURYLINK / COX
REFUSE	TOWN OF GILBERT
CABLE TV	CENTURYLINK / COX

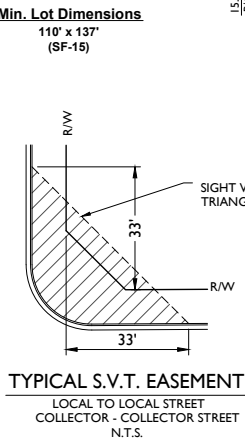
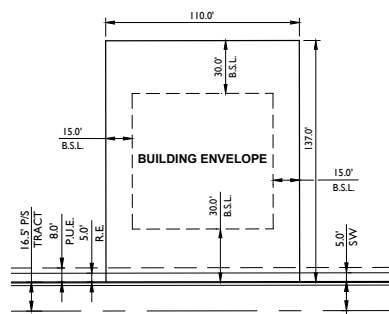
BASIS OF BEARING
THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA
THE BEARING OF WHICH IS:
SOUTH 00 DEGREES 23 MINUTES 24 SECONDS EAST

SHEET INDEX		
SHEET 1	CS01	COVER SHEET
SHEET 2	PP01	PRELIMINARY PLAT
SHEET 3	PP02	PRELIMINARY PLAT
SHEET 4	PP03	CROSS-SECTIONS

BENCHMARK
GDACS POINT NO. 20614-1, BEING A 3" MCDOT BRASS CAP IN HANDHOLE AT THE INTERSECTION OF HIGLEY ROAD AND SAN TAN BOULEVARD, MAKING THE WEST QUARTER CORNER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA
ELEVATION: 1353.398' (NAVD' 88)

20-0786

May 10, 2023 10:14am S:\Projects\2020\20-0786\Planning\Drawings\Preliminary Plat\20-0786 - CS01.dwg



1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T: (480) 503-2250 | F: (480) 503-2251
www.epsgruoinc.com

Gilbert San Tan
GILBERT, AZ

COVER SHEET

Project:

Revisions:

02.13.2023	1ST AMENDMENT MINOR SUB.	
05.10.2023	2ND AMENDMENT MINOR SUB.	

02:13:2023 - 1ST AMENDMENT MINOR SUB. BEFORE YOU BEGIN WORK!
AZ 85201
05:10:2023 - 2ND AMENDMENT MINOR SUB. BEFORE YOU BEGIN WORK!
AZ 85201

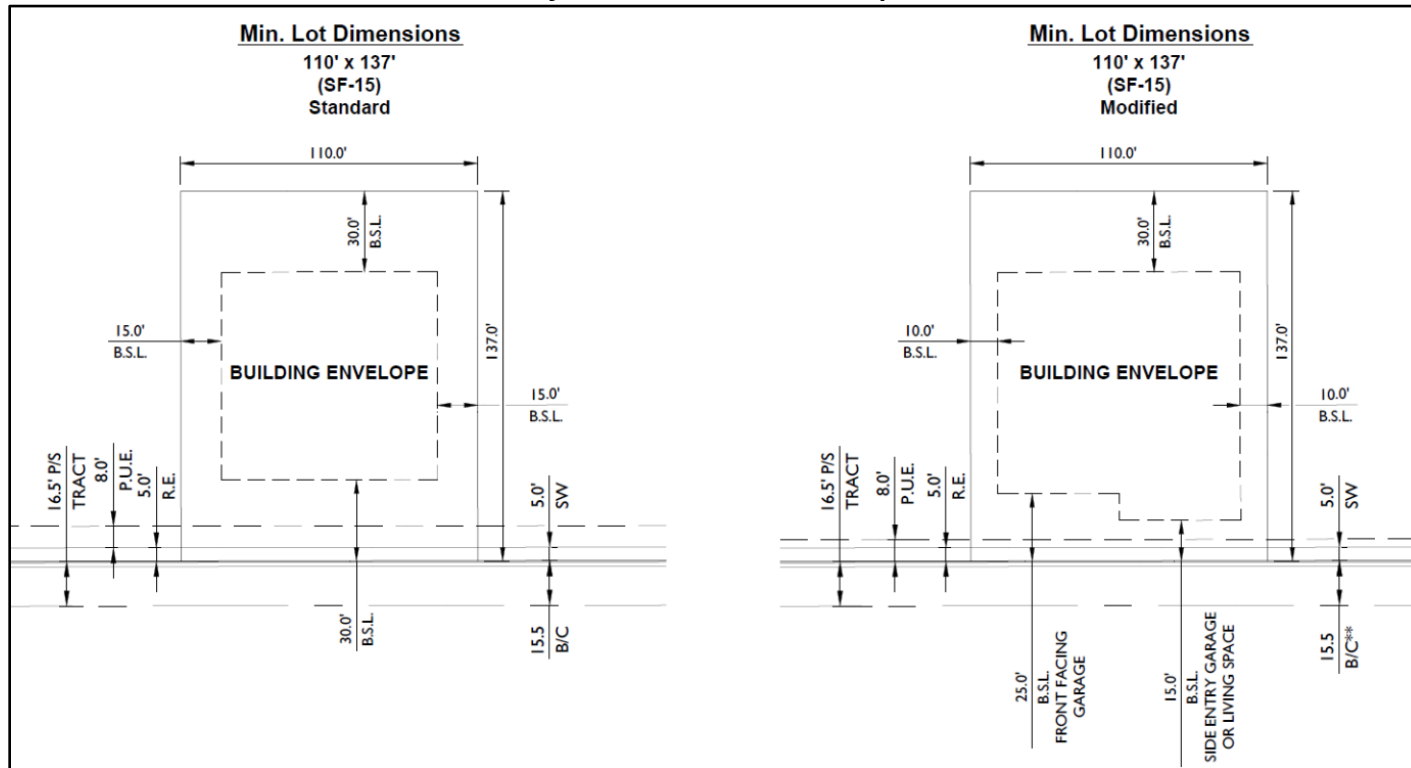
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Sheet No.
1 of 4

Development Standards

Standard	Current SF-15	Proposed SF-15-PAD
Minimum Lot Area (sf.)	15,000	15,000
Minimum Lot Dimensions (ft.)	Width – 110 Depth – 120	Width – 110 Depth – 120
Maximum Building Height (Stories)	2	1
Maximum Lot Coverage (%)	35	45
Minimum Building Setbacks		
Front (ft.)	30	25 (Front Facing Garage) 15 (Side Entry Garage, Patio, & Livable Area)
Side (ft.)	15	10
Rear (ft.)	30	30

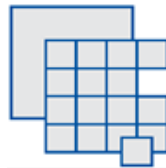
Modified Lot Standards Description



Gilbert Farms

1,500 feet east of SEC of Higley Rd. & San Tan Blvd.
a Bela Flor Community
PAD Project Narrative

Submitted By:



Pew & Lake, PLC
Real Estate and Land Use Attorneys

Pew & Lake, PLC.
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1744 South Val Vista Drive, Suite 217
Mesa, AZ 85204
480-461-4670

On Behalf of:



Bela Flor
COMMUNITIES

Bela Flor Communities, LLC

May 15, 2023

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Introduction

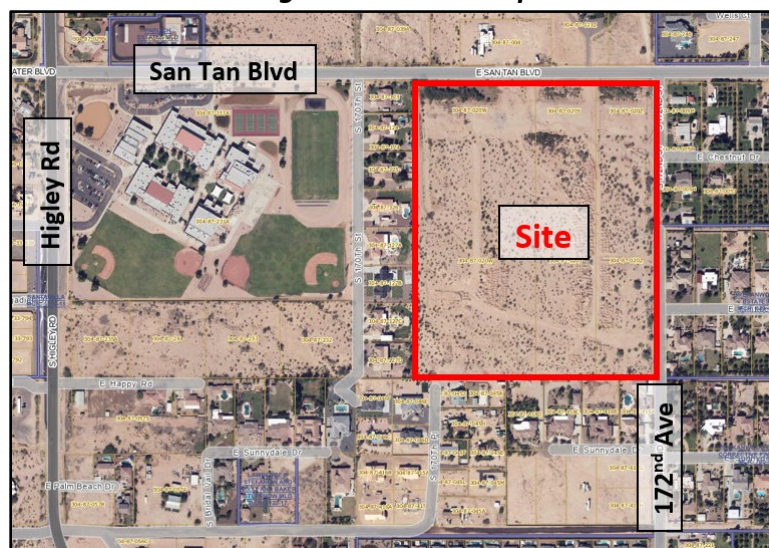
Pew & Lake, PLC, on behalf of Bela Flor Communities (“Applicant”), is pleased to submit this project narrative and related exhibits in support of a PAD Rezoning request for the Gilbert Farms subdivision (formerly referred to as “Gilbert San Tan”). The Gilbert San Tan Preliminary Plat was approved on July 13, 2022 (See Case No. S20-11). The developer is proposing to utilize a PAD to facilitate a superior single-story housing product which benefits the adjacent neighbors and the Town of Gilbert by providing a home size and design which is commensurate with the surrounding built conditions, namely an area of the Town which is developed with large, single-story homes.

There are three minor deviations sought under the PAD, which are, (i) an increase in lot coverage, (ii) a reduction to the front setback, and (iii) a reduction in the side yard setbacks. These small deviations will allow similar sized, similar quality, and similar height homes more consistent with the with the existing homes in this area.

The subject site is approximately 32.25 gross acres (30.64 net acres) and is located at 17103 E. San Tan Blvd., approximately 1,500 feet east of the SEC of Higley Rd. & San Tan Blvd. (the “Property”). The Property is further identified as Maricopa County Assessor Parcel Numbers 304-87-020W, 304-87-020Y, and 304-87-020Z. An aerial of the site and surrounding area is below in Figure 1.

The technical request is for a Planned Area Development Overlay (PAD) overlay on top of the existing SF-15 zoning district which zoning has existed since 2006. This request, if approved, will allow for development of the site in conformance with the already approved Site Plan but with slightly altered development standards, as explained in more detail below. It should be stated, *with emphasis*, that Gilbert Farms will remain a 42-lot, single-family, residential, gated community with a total density of 1.3 du/acre (gross).

Figure 1 - Aerial Map



Existing General Plan, Zoning, and Relationship to Surrounding Property

The subject site is located nearby residential and public service uses. Abutting the property north of San Tan Blvd. are rural properties and vacant parcels. West, east and south of the site are residential properties with low-density, rural residential uses. Payne Junior High School is further west of the site. The surrounding uses, zoning, and general plan designations are shown on Table 1 below and Figure 2 on the next page.

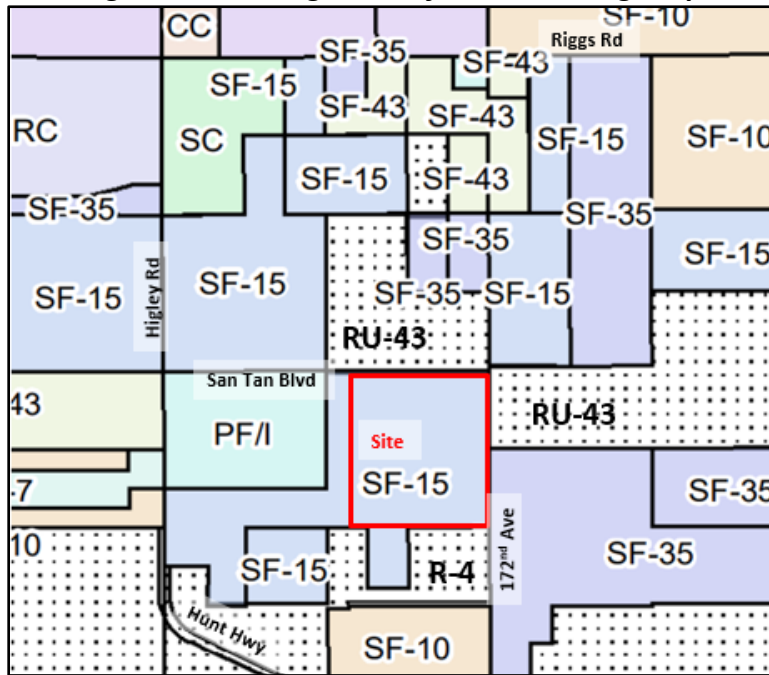
As shown in Figure 2, the Property is zoned SF-15, which zoning has existed since 2006. The abutting properties to the north are zoned Maricopa County RU-43. West of the site there is both Maricopa County RU-43 and Town of Gilbert SF-35. Property to the south contains both Maricopa County R-4 (a multi-family designation) and Town of Gilbert SF-15. Properties directly west of the site are zoned SF-15.

The Property is currently designated in the Town of Gilbert General Plan as Residential, 0-1 du/acre within the San Tan Character Area. Placing the PAD Overlay on the project will not change the Town's zoning map and does not change the density or impact of the approved preliminary plat on the surrounding area in any material way. The directly abutting parcels on all sides are categorized under this same general plan designation. Payne Junior High School further to the west is classified as Public Facility/Institutional (PF/I).

Table 1 – Relationship to Surrounding Property

Direction	General Plan Land Use	Existing Zoning	Existing Use
Project	Residential, 0-1 du/ac	SF-15	Vacant
North	Residential, 0-1 du/ac	RU-43 (County)	San Tan Blvd., then Vacant & Single-family residential
South	Residential, 0-1 du/ac	SF-15 & R-4 (County)	Vacant & Single-family residential
East	Residential, 0-1 du/ac	SF-35 & RU-43 (County)	172 nd Street, then Brekanwood Single-family residential
West	Residential, 0-1 du/ac	SF-15	Single-family residential

Figure 2 – Existing Town of Gilbert Zoning Map



Project Description – Existing Approved Preliminary Plat

The approved Gilbert San Tan Preliminary Plat envisions an upscale residential development which benefits from generously sized lots and abundant common area open space. The approved preliminary plat provides for 42 homes with a minimum lot size of 15,043 square feet (1.3 du/acre overall density). The lots are arranged along a looped street system which gains gated access from both San Tan Blvd and 172nd Street, to provide both emergency vehicle access and connectivity to adjacent public streets, neighborhoods, and public services.

PAD Request

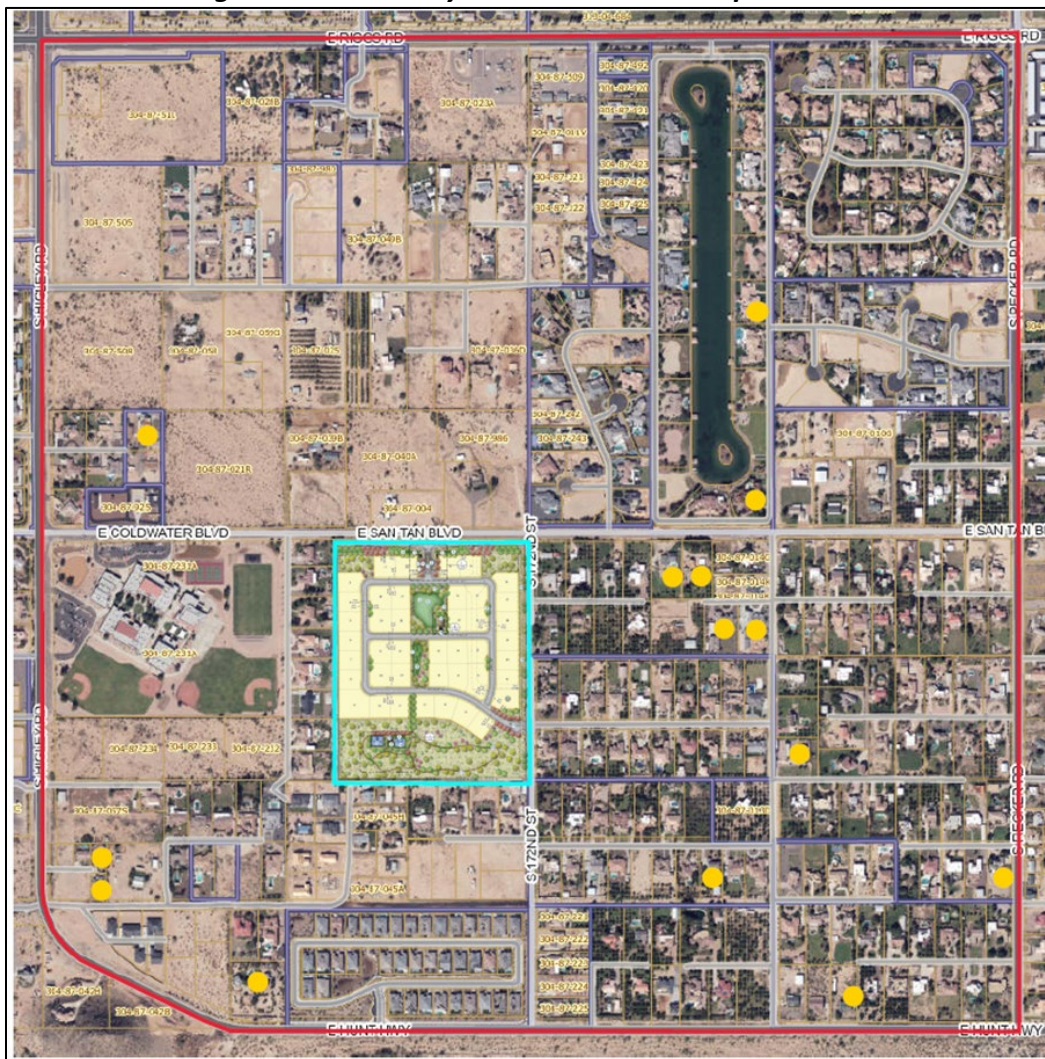
As noted earlier, the approved Preliminary Plat (S20-11) will not change with the PAD request. The proposed lot standard and building height changes are purely internal to the project. The lot sizes, number of lots, perimeter landscape standards, and overall lot layout will not be affected by this request.

The intent of the PAD is to secure one-story building heights on all lots within the already approved project. To accommodate this single-story limitation, we are proposing minor deviations to the allowed lot coverage, and the front and side yard setback standards. There will not be a change to any rear yard setback standards. Therefore, the existing surrounding adjacent residents and the travelling public, will benefit from less visual impediment and better architectural presentation. Additionally, the project itself will be afforded development standards which allow more building options, alternative layouts, larger building footprints, and better architecture, such as side entry garages. This increases the value of the homes within the community and yields public benefits such as higher tax revenue, increased standards of living for Town residents, and increased property values for existing homes in the area that now will benefit from a new comparable sale.

The Gilbert Farms site design offers a key benefit for residents of the community by providing 40% common open space and an extensive amenity package. This open space and amenity package includes a tot lot, multiple ramadas, half basketball court, pickleball, turf play areas, and a sophisticated trail system including within the large southern open space area. These accessible open space areas are beneficial to the project and the surrounding area and exceed the Town's standards for common open space.

The proposed single-story height limitation will present an outstanding development that provides a housing product that maintains unique features such as side-entry garages and multi-generational units, while also conforming with the general characteristics established in this area of Gilbert. Restricting homes to a single-story is a creative design feature in a zoning district that allows two-story homes by-right. Figure 3 below illustrates that currently only 2.86% of parcels within a square mile of the site have two-story homes (the figure marks in yellow the 14 homes which are two-stories out of the 489 parcels). Thus, ensuring that a single-story restriction is maintained within Gilbert Farms, constitutes a public benefit.

Figure 3 – Two Story Homes within the Square Mile

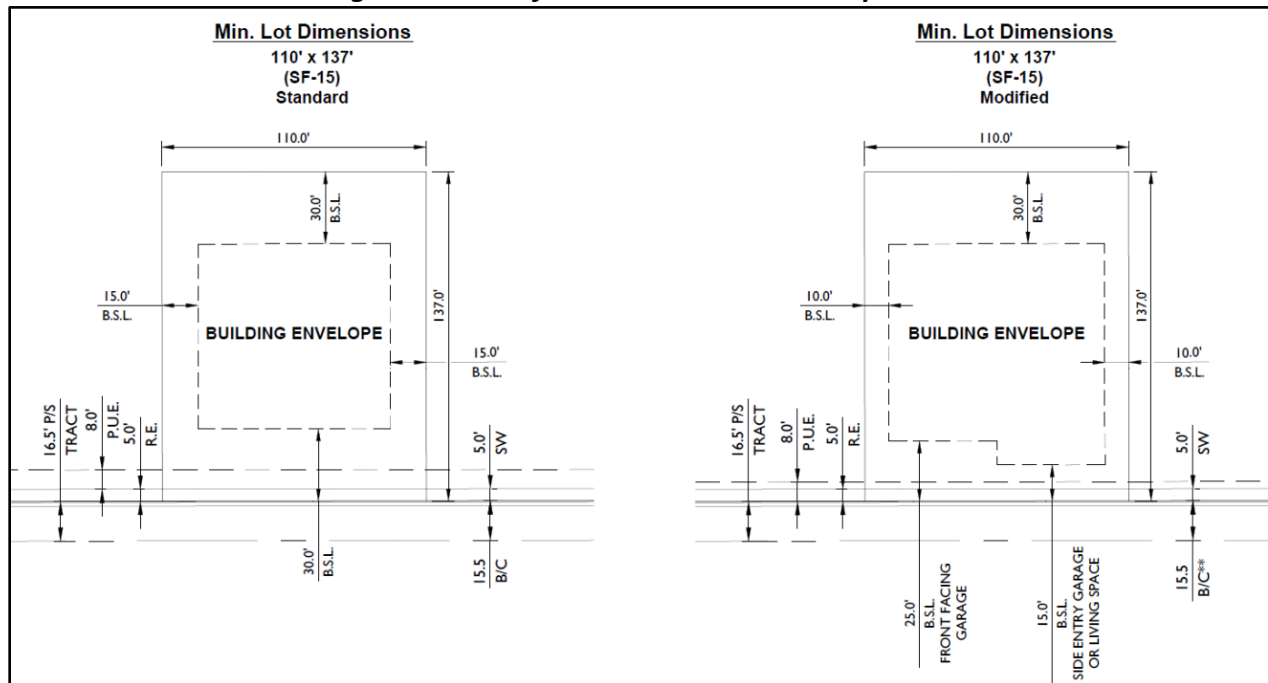


We believe this simple request will create an overall better project for future and existing owners both within the community, those living on adjacent properties, and the general public. Please see Table 2, on the next page, which summarizes the proposed development standards. Anticipated zoning ordinance deviations are bolded in red for reference. Figure 3, on the next page, illustrates the currently approved lot setbacks compared to the proposed lot standards.

Table 2 – Development Standards

Standard	Current SF-15	Proposed SF-15-PAD
Minimum Lot Area (sf.)	15,000	15,000
Minimum Lot Dimensions (ft.)	Width – 110 Depth – 120	Width – 110 Depth – 120
Maximum Building Height (Stories)	2	1
Maximum Lot Coverage (%)	35	45
Minimum Building Setbacks		
Front (ft.)	30	25 (Front Facing Garage) 15 (Side Entry Garage, Patio, & Livable Area)
Side (ft.)	15	10
Rear (ft.)	30	30

Figure 4 – Modified Lot Standards Description



Public Utilities and Infrastructure

The utility and service providers will not be affected by this PAD request and will continue as shown on the approved Preliminary Plat. Namely, Town of Gilbert for water, sewer, and refuse; Southwest Gas for gas; SRP for electric; and Cox and CenturyLink for internet, telephone and television.

General Plan Compliance

The proposed PAD Overlay will not change the density of the approved Preliminary Plat or negatively impact the surrounding area in any material way. As such, the projects overall compliance with the RS-15 zoning, as already existing on the property, is the primary consideration for entitlement of the project. Importantly, the height restriction serves to accomplish objectives of the General Plan including by improving the transition between the 43,000 +/- square foot lots developed around the site and the 15,000 square foot lots permitted on the subject property (See Land Use Policy 6). This new development, with the proposed height restriction, will complement the surrounding area by providing homes which are better scaled to the surrounding residential environment and yield a well-balanced community fabric.

Santan Character Area Compliance

The project recognizes the importance of the rural agricultural heritage of South Gilbert and complies with the Santan Character Area. The primary objective of the PAD request is to lower building height which is in keeping with a rural lifestyle and contributes to the sense of place established in the area. Lessened building height also contributes to preservation of scenic views to the Santan Mountains, which mountains are a key heritage of the Santan area.

The already approved Preliminary Plat includes a trail to be installed east of the residences which supports pedestrian connections between neighbors and schools and contributes to a rural lifestyle.

The proposed Site Plan maintains open space on 40% of the total acreage, where the Santan Character Area Plan proposes a minimum of 10%. This 40% open space presentation, in conjunction with single-story homes, provides a community which emphasizes open space areas and transitions the site to adjacent properties which have larger lot sizes.

The Santan Character Area Plan encourages peripheral lots to existing 1 acre lots to utilize subdivision design to buffer between the larger and smaller lots. Ensuring lower building heights at Gilbert Farms, while also using increased lot overage standards which create a home footprint which can be compared to the existing as-built environment, accomplishes this buffering objective while also ensuring that the overall building square footage is commensurate with the area.

Citizen Participation

The applicant has engaged with neighbors to this project by providing a formal neighborhood meeting held on November 30, 2022 and facilitating subsequent in-person, email and phone correspondence. A detailed record of the applicant's efforts to engage with the community is attached in the "Citizen Participation Report" exhibit. Primary interest in the project has come from neighbors along 170th Street to the west and within the Brekanwood Estates to the southeast. Neighbor feedback has varied with a consensus of support for the height reduction and lingering opposition from Brekanwood residents with regard to the placement of an already approved secondary entrance on 172nd Street.

Traffic Analysis

The applicant has completed extensive discussion with neighbors, Town of Gilbert Transportation Reviewers, and traffic consultants, it has determined that the traffic impacts from a secondary entrance onto 172nd Street do not lead to unsafe traffic conditions. While this topic is not germane to the PAD analysis, it is a consideration poised by neighbors and therefore warrants some discussion.

The approved 42-lot subdivision is a low trip generator. Peak hour trips are 34 or 44 in the AM/PM peak hour. Typical traffic engineering practice in the Town is to not even study traffic when peak hour trips are under 100. Approximately ninety percent of the traffic will flow west and north to go to work or school in the AM peak hour and back in the PM peak hour. Therefore approximately 3-5 additional cars are expected to travel along 172nd Street during an entire peak hour of the day (with less cars travelling during non-peak hours). There are very few trip attractions to the east or south with conceivable attractions being limited to Empire & Ellsworth where San Tan Flat and the car dealership are located. A person working in Pinal County or at Johnson Ranch may want to go this way as well. It is conceivable that, over time, perhaps a few cars will proceed east on Flintlock Drive to get to 174th Street to get to Hunt Highway; however, because 174th Street is a mix of private and public streets, and portions are unpaved, this route will quickly be abandoned by such drivers because it will be slower. Cars from this development will want to get to work or the store on the shortest route possible, just like the Brekanwood Estates residents do. Of course, there will always be one or two cars, maybe an Amazon delivery truck, that visits the new homes and then visits the Brekanwood homes. However, the applicant agrees with the Town of Gilbert transportation department that the secondary access gate does not present an unsafe condition.

Conclusion

The proposed changes to a few of the development standards are consistent with the community goals and objectives of the General Plan and are complimentary to the surrounding area. The applicant looks forward to receiving input on this application and working with Town staff to bring this quality project to fruition in the Town of Gilbert.

PETITION IN SUPPORT

RE: Case Number PZN-2023-00003, PAD Rezoning Request for the Gilbert Farms Subdivision, 17103 E. San Tan Blvd.

We, the undersigned surrounding property owners, sign this petition in favor of Bela Flor Communities request for a PAD Rezoning for the Gilbert Farms subdivision to allow for homes with a maximum single-story height. We understand that Bela Flor Communities is proposing conformance with the already approved Site Plan but with slightly altered development standards including (1) an increase in lot coverage, (2) a reduction to the front setback, and (3) a reduction in the side yard setbacks. These small deviations will allow for a housing product that is complementary to the existing single-story homes in the area. We urge your support of the PAD Rezone request.

	NAME	ADDRESS	PHONE	DATE
1.	Greg Erks Peggy Erks <i>Greg Erks</i> <i>Peggy Erks</i>	7615 S. 170th Street Gilbert, AZ 85142	██████████ ██████████	7/26/2023
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	NAME	ADDRESS	PHONE	DATE
1.	THOMAS & TAMARA PROFFITT	7645 S. 170 TH ST. Q.C. 85142	■■■■■■■■■■	7/25/23
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	NAME	ADDRESS	PHONE	DATE
1.	<i>Mart & Lydia White</i>	<i>7665 S. 170th St Lot #3</i>		<i>7/25/2023</i>
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	NAME	ADDRESS	PHONE	DATE
1.	Nathan + Sarah Tani's	7715 S 170 th ST	[REDACTED]	7/25/2023
2.	Greg + Becky Fisher	7695 S 170 th ST	[REDACTED]	7/28/23
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	NAME	ADDRESS	PHONE	DATE
1.	Nathan + Sarah Tanis	7715 S. 170 th ST	██████████	7/25/2023
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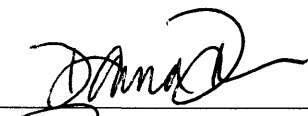

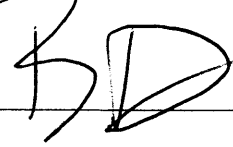

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	NAME	ADDRESS	PHONE	DATE
1.	Tom Lassen 	7735 S. 170th St Queen Creek, AZ 85142		7/26/23
2.				
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PETITION IN SUPPORT

RE: Case Number PZN-2023-00003, PAD Rezoning Request for the Gilbert Farms Subdivision, 17103 E. San Tan Blvd.

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	NAME	ADDRESS	PHONE	DATE
1.	Danna Davy 	7765 S. 170 th St Queen Creek AZ		7/27/23
2.	Brian Davy 	7765 S. 170 th St 85142 Queen Creek AZ 85142		7/28/23
3.				
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PETITION IN SUPPORT

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	NAME	ADDRESS	PHONE	DATE
1.	<i>Diana Weislow</i>	<i>7785 S. 170th St</i>		
2.				
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