



Planning Commission Staff Report

TO: PLANNING COMMISSION / DESIGNI PEV/IE/A/ ROARD

FROM: NOAH SCHUMERTH, PLANNER II

(480) 503-6729, NOAH.SCHUMERTH@GILBERTAZ.GOV

THROUGH: ASHLEE MACDONALD, AICP, PRINCIPAL PLANNER

(480) 503-6748, ASHLEE.MACDONALD@GILBERTAZ.GOV

MEETING DATE: SEPTEMBER 13, 2023

SUBJECT: S23-02, EMERALD ACRES

STRATEGIC INITIATIVE: Exceptional Built Environment

Construct private neighborhood street improvements with 13 lots for residential development adjacent to schools and community facilities.

RECOMMENDED MOTION

Approve the Findings of Fact and Approve S23-02, Emerald Acres: Preliminary Plat for A.M. Properties and Investments, for 13 home lots (Lots 1-13) on approx. 12 acres located near the northeast corner of Lindsay Road and Galveston Street in the Single-Family Residential (SF-35) zoning district, subject to conditions.

APPLICANT

Company: Millett Engineering and Cons.

Name: Kyle Millett

Address: 1216 S Williams Circle

Mesa, Arizona, 85204 Phone: (480) 258-3566

Email: kyle@millettengineering.com

OWNER

Company: A.M. Properties and Invest.

Name: Robert Jarman Phone: (480) 265-1455

Email: aaronliddle@gmail.com

BACKGROUND/DISCUSSION

History

Date	Description
June 20, 2006	Town Council approved A06-32, an annexation for approximately 20 acres of agricultural land, bounded by Lindsay Road, Galveston Street, and the alignments of 142 nd Street and Del Rio Street.
September 26, 2006	Town Council approved Z06-32 (Ordinance No. 1837) to rezone approximately 20 acres of agricultural land from Maricopa County Rural-43 (R-43) to Town of Gilbert Single-Family Residential (SF-43).
April 26, 2022	Town Council approved Z21-13 (Ordinance No. 2823) to rezone approximately 13.3 acres of agricultural land from Residential (SF-43) to Residential (SF-35).

Overview

The applicant has proposed a preliminary plat for a new subdivision near the northwest corner of Lindsay Road and Galveston Street. The subdivision will include 13 lots ranging from approximately 35,031sf to 39,728sf, creating a gross site density of 1.06 dwelling units per acre. The site is zoned SF-35, and the proposed lots are appropriately sized for the SF-35 district. The SF-35 zoning on the site is pre-existing and appropriate for the General Plan designation of Residential > 0-1 DU/Acre. All lots maintain a minimum width of 140' and a minimum depth of 150' in accordance with the SF-35 standards.

The 13 proposed lots will be located along a new cul-de-sac ("E Loma Vista Court") which will be maintained as a private drive within a private street tract. The proposed drive will be located on a small portion of the site extending to frontage with Lindsay Road which is the current location of an easement and driveway

serving two existing homes at the intersection of Lindsay Road and the proposed private street. The two existing homes will be integrated into the design of the subdivision. The site is designed to maintain home privacy will providing complementary neighborhood design with surrounding residential areas.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Residential > 0-1 DU/Acre (R > 0-1)	Single-Family Residential (SF-35), Single-Family Residential (SF-43)	Single-Family Residential
South	Residential > 0-1 DU/Acre (R > 0-1)	Single-Family Residential (SF-43)	Single-Family Residential
East	Residential > 2-3.5 DU/Acre (R > 2-3.5)	Single-Family Residential (SF-15)	Single-Family Residential, Agricultural
West	Residential > 0-1 DU/Acre (R > 0-1)	Single-Family Residential (SF-43)	Single-Family Residential
Site	Residential > 0-1 DU/Acre (R > 0-1)	Single-Family Residential (SF-35)	Agricultural

Pre-Plat Summary

The proposed preliminary plat is for a 13-lot subdivision, with lots ranging from 0.8 acres to 0.9 acres in area. The 13 lots are to be located along a 34' wide private street (E Loma Vista Court) ending in a cul-de-sac and extending from Lindsay Road to near the 142nd Street alignment. This private drive will extend across an existing driveway located on the subject property, connecting two existing homes relying on this driveway and integrating the two existing homes into the design of the subdivision. All proposed lots in the subdivision are pursuant to the standards set forth in the SF-35 zoning district. All lots in the subdivision are required to maintain 40' front setbacks, 30' side setbacks and 40' rear setbacks (see Project Data Table below).

The primary improvements within the proposed subdivision are located within the private street tract designed to provide access for all 13 lots and the two existing homes on the eastern boundary of the subdivision. This private street tract is 28' wide abutting the two existing home sites, and expands to 34' through the remainder of the length of the private drive. This drive will be developed to an agrarian street standard. Parking will be permitted on both sides of the private drive. The private drive will terminate at a cul-de-sac bulb with a landscape island. A minimum of 33.5' of drive lane will be maintained around the circumference of the

landscape island, and the cul-de-sac bulb will have a total radius of 55', meeting all Public Works and Engineering Standards.

The proposed plat includes two additional 8' tract areas on either side of the private street tract buffering the new private street improvements from existing homes. These tract areas provide a landscaping theme to the neighborhood to increase neighborhood distinctiveness as required by Town of Gilbert Residential Design Standards (see Landscape). Theme walls will be provided on the site borders facing Lindsay Road adjacent to the two existing homes, and builder walls will be constructed on all borders of the site.

The project is planned to develop as a single phase, including all roadway, landscaping, and screening improvements.

Project Data Table

Site Development Regulations	Required per LDC	Proposed
Minimum Lot Area (sq. ft. per DU)	35,000 s.f.	35,031 s.f.
Minimum Lot Dimensions (width x depth)	140' x 150'	141' x 155'
Maximum Height (ft.)/Stories	30'/2	30'/2
Minimum Building Setbacks (ft.)		
Front	40'	40'
Side	20'	20'
Rear	40'	40'
Maximum Lot Coverage (%)		
One Story	30%	30%
Two Story	30%	30%

Open Space Plan

The open space and landscaping planned for the subdivision is deemed appropriate for the scale of proposed development. There are two open space tracts parallel to the private street tract near the entrance of the proposed subdivision. These areas provide landscape relief separating the two existing lots from new improvements supporting the proposed subdivision. These tracts also provide theme landscaping at the entrance of the subdivision. A third landscape area is provided in the center of the bulb of the cul-de-sac through the subdivision, providing additional landscape accents and continuing the theme landscaping throughout the proposed subdivision.

To the west of the property boundaries of the subject site, the Town controls 30' ROW, including the boundaries of an abandoned canal. The site will require an additional 25' of ROW dedication to support the extension of access along the 142nd Street toward Galveston St. This additional dedication creates 55' of total ROW to allow for future long-term access, which will improve pedestrian and/or vehicle circulation in the surrounding area and follow transportation plans to improve connectivity in this area of the Town. This arrangement of access may mirror the access provided with neighboring streets in the same residential area (140th and 141st St.). The addition of 25' will also improve visibility and safety within the existing ROW dedicated through this area. The area dedicated by the developer will be graded during development and maintained by the homeowner's association (HOA), but will not be landscaped or improved beyond minimum Town standards for property maintenance.

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 Section 6.2.6.

To date, no comments have been received from the public.

STAFF RECOMMENDATION

Approve the Findings of Fact and Approve S23-02, Emerald Acres: Preliminary Plat for A.M. Properties and Investments, for 13 home lots (Lots 1-13) on approx. 12 acres located near the northeast corner of Lindsay Road and Galveston Street in the Single-Family Residential (SF-35) zoning district, subject to conditions.

a. The Final Plat and Open Space Plans for S23-02: Emerald Acres and construction of the project shall be in substantial conformance with Exhibit

- 5, Preliminary Plat, and Exhibit 6, Landscape Plan, and Exhibit 7, Wall and Fence Plans approved by the Planning Commission/Design Review Board at the September 13, 2023 hearing.
- b. As identified in Exhibit 6, Landscape Plan Plan and Exhibit 7, Wall and Fence Plans, any walls which are to be replaced by new wall structures shall be reconstructed in a manner consistent with the Open Space Plan. Construction of double walls shall not be permitted. Reconstruction of walls shall be coordinated with the adjoining property owner to mitigate disturbance during construction. All costs associated with said reconstruction shall be the responsibility of the developer.
- c. Any future proposed signage complying with the Land Development Code shall be approved administratively by Planning Staff prior to submitting for sign permits.

Respectfully submitted,

Noah Schumerth

Planner II

Attachments and Enclosures:

Moule J. Schemits

- 1) Findings of Fact
- 2) Notice of Public Hearing
- 3) Aerial Photo
- 4) Applicant Narrative
- 5) Preliminary Plat
- 6) Landscape Plan
- 7) Wall and Fence Plan
- 8) Colors and Materials Board
- 9) Grading and Drainage Plan

FINDINGS OF FACT S22-01, NWC LINDSAY AND ELLIOT

- 1. The project is consistent with the Residential Design Guidelines;
- 2. The project conforms to the General Plan and specifically to the Land Use, Community Design, and Environmental Planning Elements;
- 3. The project is consistent with all applicable provisions of the Zoning Code;
- 4. The project is compatible with adjacent and nearby residential development; and
- 5. The project design provides for safe and efficient provision of public services.

Notice of Public Her Attachment 2: Notice of Public Hearing

PLANNING COMMISSION DATE:

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

LOCATION: Municipal Building I

Council Chambers

50 East Civic Center Drive

*Call Case Planner to verify date and time: (480) 503-6729

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:

S23-02 EMERALD ACRES: Request to approve Preliminary Plat for A.M. Properties and Investments, for 13 home lots (Lots 1-13) on approx. 12 acres located near the northwest corner of Lindsay Road and Galveston Street in the Single-Family Residential (SF-35) zoning district.

SITE LOCATION:



APPLICANT: Millett Engineering & Consulting LLC

CONTACT: Kyle Millett

ADDRESS: 1216 S Williams Cir.

Mesa. AZ 85204

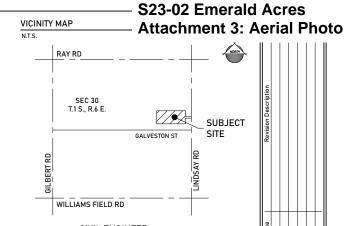
TELEPHONE: (480) 258-3566

E-MAIL: kyle@millettengineering.com

Parcel Map Emerald Acres Subdivision

Gilbert, Arizona

LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 6 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

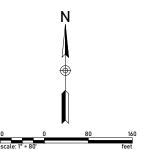


OWNER:

OWNER:
AM PROPERTIES AND INVESTMENTS, LLC
1817 S HORNE STE 7
MESA, ARIZONA 85204
PHONE: 480-217-2388
CONTACT: MIKE JARMAN
EMAIL: mikearman119@hotmail.com

CIVIL ENGINEER:
MILLETT ENGINEERING & CONSULTING, LLC
1216 S. WILLIAMS CIR.
MESA, AZ 85204
PHONE: 480-258-3566
CONTACT: KYLE MILLETT, PE





Designed by: KDM Checked by: KDM Date: February 2023 Sheet Title: ME&C Project No.:

22 – 008

Sheet No.

of 1

Emerald Acres Subdivision

Parcel Map Exhibit

Millett Engineering & Consulting, LLC

Project Narrative: Emerald Acres

APN: 304-44-946

The proposed subdivision Emerald Acres is located northwest of the intersection of Lindsay Road and Galveston Street, APN 304-44-946. The site is approximately 12.1 acres and is currently undeveloped farmland.



Figure 1: Perspective Aerial Image (sourced from Eagleview Technology Corporation)

The property was rezoned per Town of Gilbert Ordinance 2823 on April 26, 2022 to Town of Gilbert Single Family-35 (SF-35). The proposed development meets this zoning requirements. Also, this development as an SF-35 zoning fits the Town of Gilbert General plan for the area as a Residential > 0-1 DU/Acre (SF-43, SF-35) as this area in the General Plan defines SF-35 as a typical corresponding zoning district to this area.

The proposed subdivision comprises of 13 lots in a single cul-de-sac. Each lot will be a minimum of 35,000 square feet. The intent is to create custom home lots where a future buyer can purchase a lot and design their dream home on their property. The length of the cul-de-sac exceeds the maximum allowable length provided in the Town of Gilbert Public Works and Engineering Standards 2022. A Technical Variance was requested to allow for the increased length of the cul-de-sac and an email dated April 20, 2022 from Dan Songer approved the request. This email will be provided as a part of the Preliminary Plat submittal as supplemental information.

Lots within the subdivision are proposed to have septic for wastewater. Per a letter dated January 12, 2023, the Town of Gilbert has approved the use of septic systems for the lots in lieu of connecting to the Town of Gilbert sewer system. The letter will be attached as a part of the Preliminary Plat submittal as supplemental information.

The proposed subdivision will utilize a private agrarian street section based on Fig No. 4-14 in the Town of Gilbert Public Works and Engineering Standards 2022. This street section will have ribbon curb on edge of the roadway and no sidewalks. This will amplify the agrarian feel of the subdivision and fit in with the surrounding neighborhood to the north and west that has similar street sections throughout. The cul-de-sac at the west end of subdivision will have a planter in the center to enhance the feel of the subdivision and break up the roadway visually while driving in the subdivision.

The subdivision will have HOA maintained landscaping at the entrance of the subdivision where the property is 50' wide and at the planter in the cul-de-sac. Other landscaping will be installed and maintained by the future homeowners as is typical in the area for custom home lots.

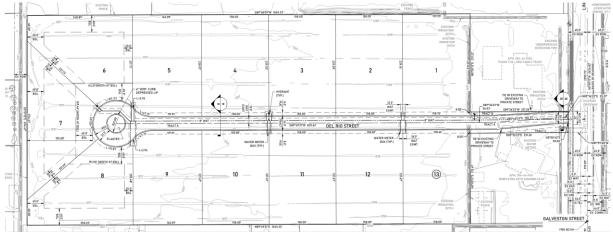
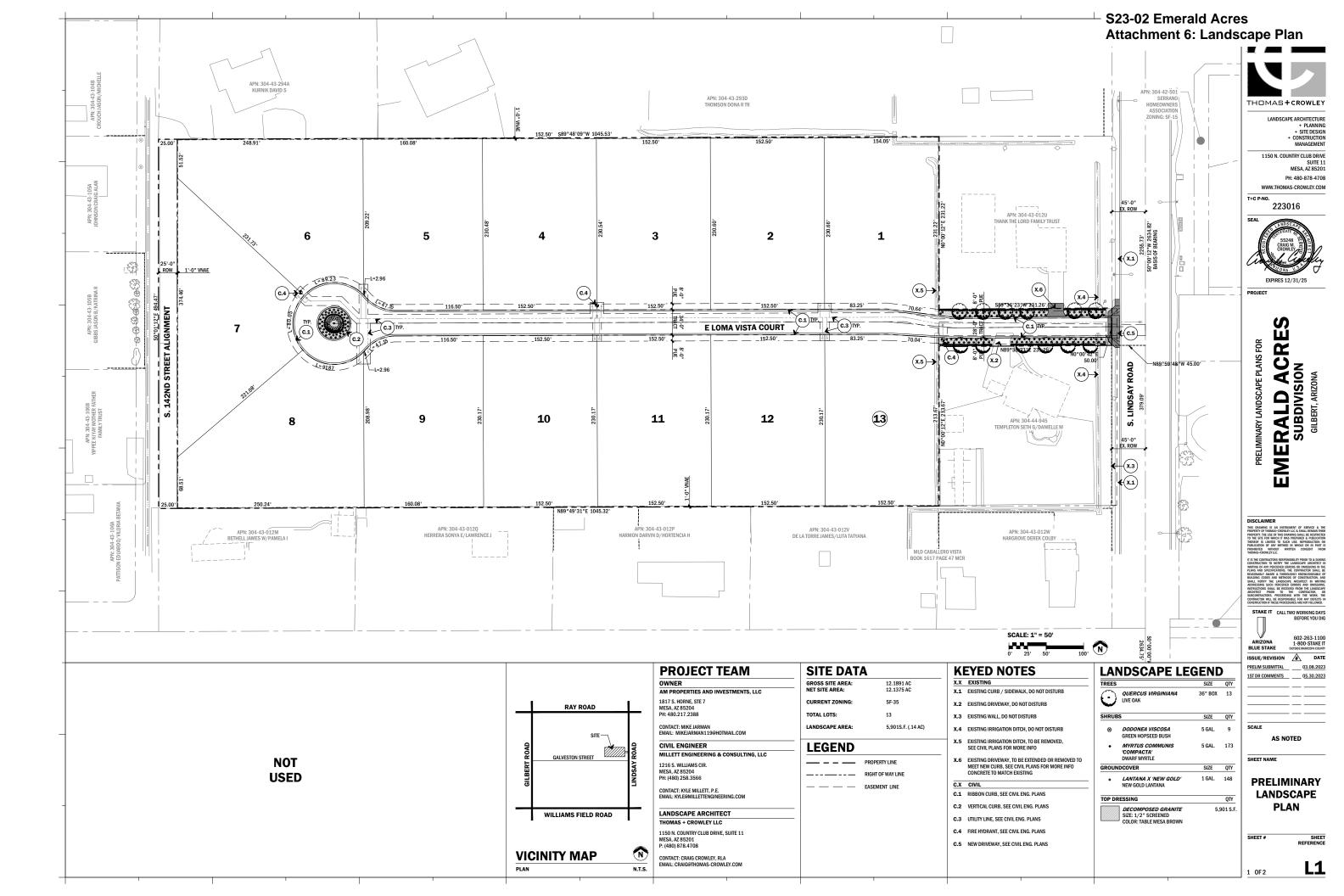


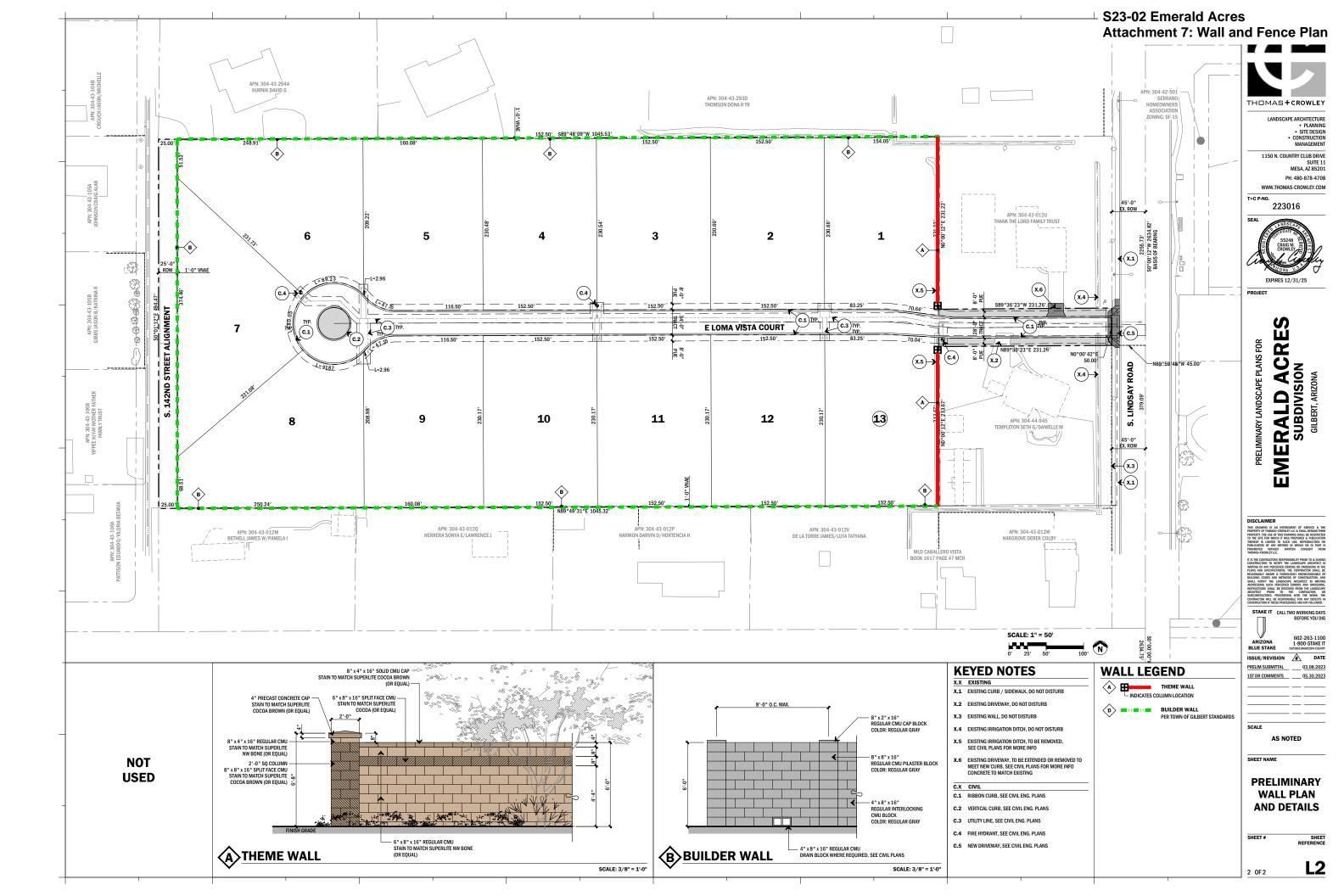
Figure 2: Pre Plat Layout

To maintain consistency with the agrarian theme of the area the landscape trees will be live oaks and theme walls will have split face harvest brown block. No gateway sign is proposed at the entrance. With the existing neighbors at the east end of the property that will share in frontage with the private road it is felt that adding a sign will awkwardly forcibly include them or exclude them from the subdivision depending on the placement of a sign. Therefore, we feel that it will be better to exclude a sign and make the subdivision more consistent with the surrounding neighborhoods.

The lot will provide on lot retention consistent with the Town of Gilbert requirements, see the Preliminary Hydrology Report for more details and information.

The subdivision is proposed to be developed in a single phase.





1150 N. COUNTRY CLUB DRIVE SUITE 11 MESA, AZ 85201

PH: 480-878-4708 WWW.THOMAS-CROWLEY.COM

223016



ARIZONA BLUE STAKE

ISSUE/REVISION # DATE PRELIM SUBMITTAL 03.08.2023

1ST DR COMMENTS _____ 05.30.2023

AS NOTED

SHEET NAME

COLOR AND MATERIAL

BOARD

CM





DECOMPOSED GRANITE

SIZE: 1/2" SCREENED
COLOR: TABLE MESA BROWN
FROM PIONEER ROCK & SAND (OR EQUAL)
2" MIN DEPTH IN ALL LANDSCAPE AREAS



SPLIT FACE CMU

COLOR: STAIN TO MATCH SUPERLITE COCOA BROWN (OR EQUAL)



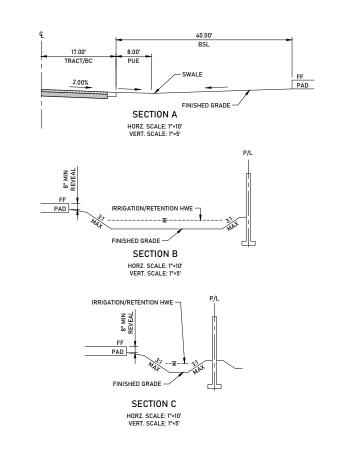
PRECAST CONCRETE CAP COLOR: STAIN TO MATCH SUPERLITE COCOA BROWN (OR EQUAL)



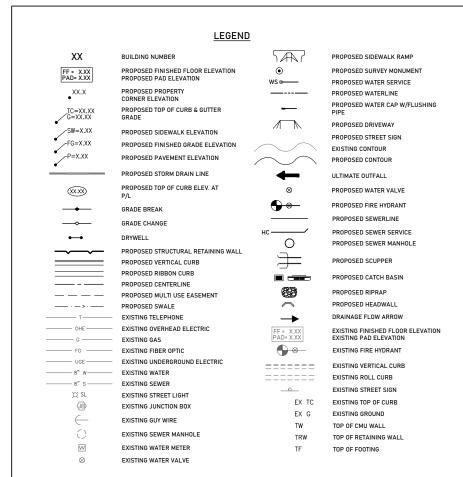
SPLIT FACE CMU COLOR: STAIN TO MATCH SUPERLITE NW BONE (OR EQUAL)



S23-02 Emerald Acres Attachment 9: Grading and Drainage Plan



BC=10.53 -





Subdivision

Detail Sheet

Emerald Acres

esigned by: KD

Drawn by: KDM Checked by: KDM Project No.:

22-008

Sheet No. 3 of 3