



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case:	Z2018068 – Seasons at Riverside
Hearing Date:	January 17, 2019
Supervisor District:	4
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Applicant:	Richmond American Homes
Owner:	Maryland 40, L.L.C.
Request:	Zone change from R1-10 RUPD to R1-6 RUPD
Site Location:	Southwest corner of El Mirage Rd. and Maryland Ave. in the Glendale area
Site Size:	36.7 acres
Density:	3.43 d.u. /ac
County Island:	Glendale
County Plan:	White Tank/Grand Ave Area Plan–Rural Densities (0-1 d.u./ac)
Municipal Plan:	Glendale General Plan – Medium Density Residential 3.5 (2.5 – 3.5 d.u. /ac)
Municipal Comments:	None received to date
Support/Opposition:	6 items of opposition received (petition and e-mails)
Recommendation:	Approve with conditions

Project Summary:

1. This request involves the rezoning of approx. 36.7 acres from R1-10 RUPD to R1-6 RUPD for a 126 lot, single-family residential subdivision with an overall density of 3.43 d.u./ac. The site is located at the SWC of Maryland Ave. & El Mirage Rd. in the west Glendale area on vacant land. The site is essentially a collection of 6 parcels totaling just under 37 ac. in size bounded on the east by El Mirage Rd. and on the north by Maryland Ave. El Mirage Rd. is an existing 2-lane paved arterial located within an existing 66' full-width right-of-way (ROW), while Maryland Ave. is a 2-lane paved road with an existing 40' full-width ROW. Primary access to the subdivision will be directly from El Mirage Rd. with secondary access from Maryland Ave.

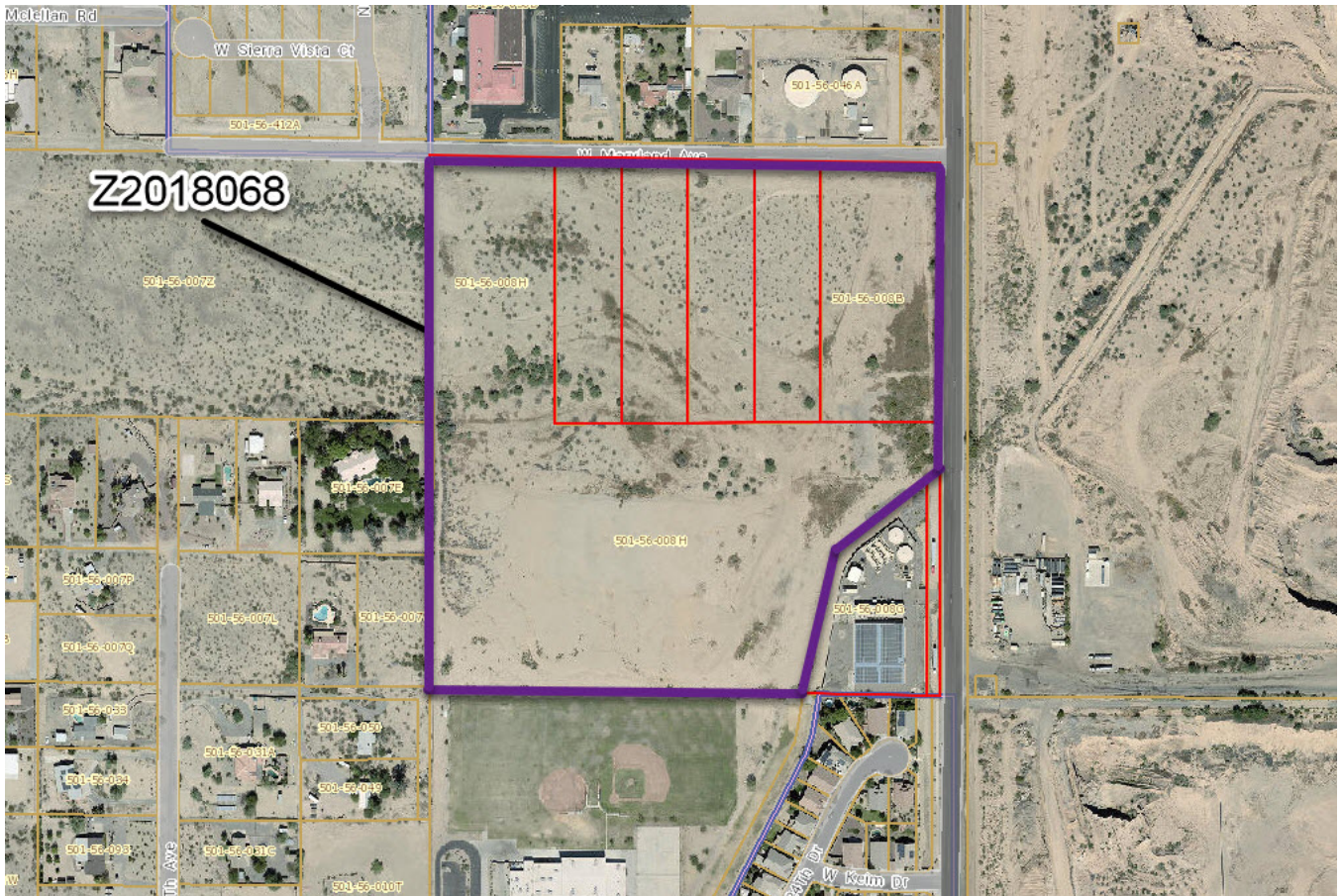
2. The applicant requests an RUPD overlay that will allow an increase in lot coverage, decreased lot width, decreased lot area, and decreased front and rear setbacks, along with increased sign area, monument height, and wall columns. The two lot sizes are proposed, with 45' x 115' lots along El Mirage, the south boundary, and within the interior. Much wider 90' x 115' lots are proposed along the north and west boundaries.

3. The general area is characterized by eclectic development patterns. Dysart Ranch is a 29-lot R1-18 gated subdivision located west of the subject site. Northwest of the subject site is Capistrano South, an R1-18 subdivision, while Capistrano North is to its north and is an R-2 RUPD subdivision. To the southwest of the subject site are existing site-built homes on large-lots zoned Rural-43 and large tracts of vacant land. The master-planned community of Wigwam Creek North is located south of Bethany Home Rd. A sparse scattering of industrial uses is located along the south side of Glendale Ave. Luke Air Force Base (LAFB) is located approx. one-mile to the west of the site, while Glendale Municipal Airport is located approx. 1 mile to the east of the site. While the site is located within the state-defined Territory in the Vicinity of a Military Airport, the subject site lies outside of the 65 Ldn and meets the Graduated Density Concept established by LAFB.

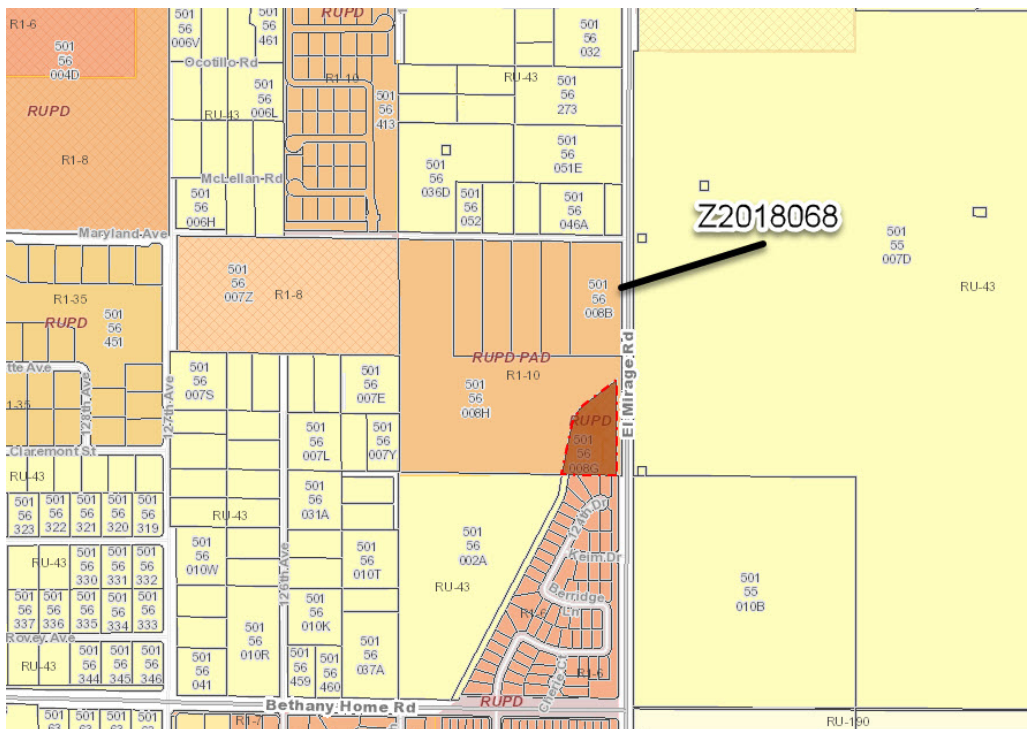
R1-6 RUPD Development Standards Comparison
Items in bold are changes from the base zoning

REGULATION	BASE ZONING DISTRICT REGULATIONS (R1-6)	PROPOSED ZONING DISTRICT REGULATIONS (R1-6 RUPD)
Max. Height	30' or 2 stories	30' or 2 stories
Min. Front Yard	20'	18' front facing garage, 10' for side loaded garage or livable area of dwelling unit
Min. Side Yard	5'	5'
Min. Street Side Yard	10'	10'
Min. Rear Yard	25'	15'
Lot Area (min)	6,000 sq. ft.	5,175 sq. ft.
Min. Lot Width	60'	45'
Lot Area per Dwelling Unit (min)	6,000 sq. ft.	6,000 sq. ft.
Max. Lot Coverage	50%	55%
Max. Privacy Wall Height	6'	6' privacy wall w/max. 6'- 8" column
Maximum Height of Subdivisions Monument	6'	8' Primary 6' Secondary
Maximum Subdivision Sign Area (sign area as defined by MCZO 1408.1)	32 sq. ft., 6' high with the base at least ½ the width	40 sq. ft. Primary 32 sq. ft. Secondary

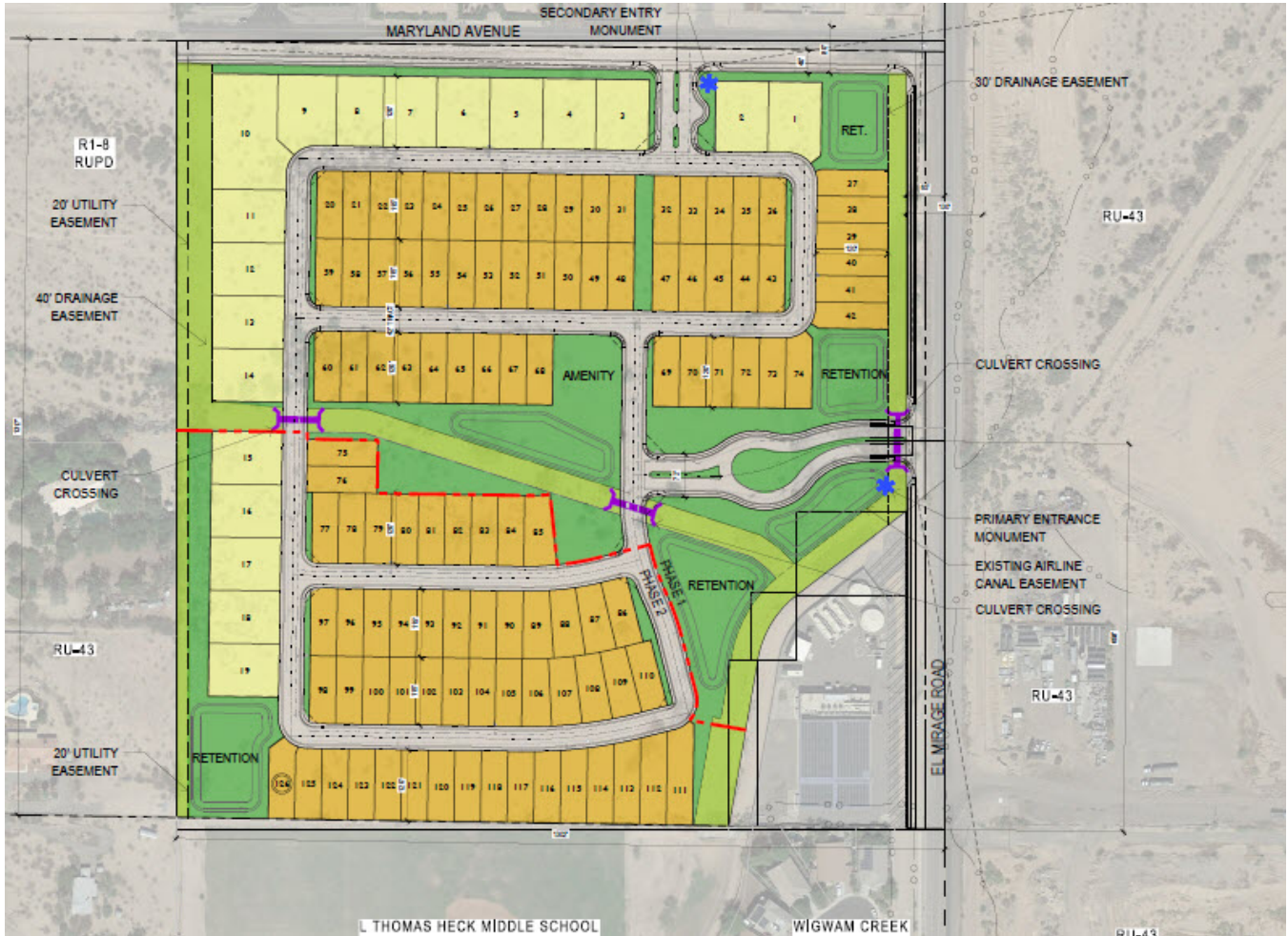
Aerial-photo of site



Zoning Map



Conceptual Site Plan



Existing On-Site and Adjacent Zoning / Land Use:

- 4. On-site: R1-10 RUPD PAD / Vacant
- North: Rural-43 / Single-family residence
- South: Rural-43 / School
- East: El Mirage Road / Rural-43 / Mining
- West: Rural-43 / R1-6 / Vacant / Single-family residence

Utilities and Services:

- 5. Water: Valley Utilities Water Company
- Wastewater: Liberty Utilities
- School District: Litchfield School District
- Fire: Rural Metro
- Police: MCSO

Right-of-Way:

- 6. The following table includes existing and proposed half-width right-of-way and the future classification based upon the Maricopa County Department of Transportation (MCDOT) Major Streets and Routes Plan.

Street Name	Half-width Existing R/W	Half-width Proposed R/W	Future Classification
El Mirage Road	33-feet	65-feet	Urban Principal Arterial
Maryland Avenue	40-feet	40-feet	Urban Major Collector

Adopted Plans:

- 7. **White Tank/Grand Avenue Area Plan (Adopted 2000):** The Area Plan designates the site for Rural Densities (0-1 d.u./ac.) Appropriate uses include low-density single-family residential development and agricultural uses. This request, at 3.43 d.u./ac., does not comply with the County Area Plan. However, while the proposed density is greater than that identified in the County Area Plan, the proposed R1-6 RUPD zoning is similar to the approved land uses and existing development patterns in the immediate area. A Comprehensive Plan Amendment (CPA) is not required as the subject request is less than 40 acres.
- 8. **City of Glendale General Plan:** The General Plan designates the subject site as Medium Density Residential (2.5 – 3.5 du/ac.)

Public Participation Summary:

- 9. Staff mailed out Commission and Board hearing notification postcards to property owners within 300'. Significant opposition materialized very early on with the application and the applicant has had meetings with the opposition. The applicant was apparently unsuccessful in assuaging the concerns of surrounding property owners. Opponents of the project cite the increased density, assuaged RUPD standards, and increased traffic. RUPD The applicant also posted 2 signs along Maryland Ave. and El Mirage Rd. on July 27, 2018. The signs were updated to show the hearing dates on December 17, 2018.

Outstanding Concerns from Reviewing Agencies:

- 10. N/A.

Staff Analysis:

- 11. The applicant is requesting variations to the proposed R1-6 zoning district standards. The site would include approximately 6.6 acres as open space, which accounts for approximately 18% of the gross acreage. The applicant states the request for smaller lots is to allow Richmond American Homes to develop the infill site as a high quality residential community that is in conformance with the County's Comprehensive Plan. In response to opposition to the higher density lots, the applicant modified the proposed plat to include larger lots along the north and west boundaries.
- 12. The subject site is located approximately a mile outside of the 65 Ldn contour. Luke Air Force Base's graduated density concept establishes graduated densities in order to

reduce residential concentrations around the base. The subject site is located within a graduated density which allows for 6 d.u./ac from ½ mile to 1 mile of the 65 Ldn. Luke Air Force Base issued a letter dated July 17, 2018 which indicates the request is compatible and consistent with high noise and accident potential of Luke Air Force Base (LAFB). Due to LAFB's letter in support of the proposed change in land use designation staff is supportive of the request as the proposed 3.43 d.u./ac is well below the graduated density concept standards.

13. The subject site is within the future municipal planning area of Glendale which has a land use designation of Medium Density Residential (2.5 – 3.5 d.u./ac). To date, staff has not received comments from the City on the request. Staff is supportive of the request to change. Staff notes the reviewing county agencies have no objections to the request.

Recommendation:

14. For the reasons outlined in this report, staff recommends the Commission motion for **Approval** of Z2018068, subject to conditions 'a' – 'h'.

- a. Development of the site shall comply with the Narrative and Zoning Exhibits entitled "Seasons at Riverside", consisting of 8 full-size sheets, and stamped received December 17, 2018, except as modified by the following conditions.

- b. The following R1-6 RUPD standards shall apply:

1. Front Yard: 18' front facing garage, may be reduced to 10' for side entry garages or living area of dwelling unit.
2. Rear Yard: 15'
3. Lot Area: 5,175 sq. ft.
4. Lot Width: 45'
5. Lot Coverage: 55%
6. Walls: 6' (h) privacy wall w/max. 6'- 8" column
7. Maximum Height of Subdivision 6' Monument: 8' (h) Primary – 6' Secondary
8. Maximum Subdivision Sign Area: 40 sq. ft. Primary - 32 sq. ft. Secondary

- c. The following Planning Engineering conditions shall apply:

1. Right-of-way dedications for perimeter streets will be required as follows with plat approval, unless otherwise waived by MCDOT:

El Mirage Road:	65 Feet
Maryland Avenue:	40 Feet

2. A Traffic Impact Study to address traffic impacts and (additional) roadway improvements required to support the proposed development must be submitted with the Preliminary Plat application.

3. If required, submission of a CLOMR application to the Flood Control District must be made prior to or concurrent with the application for Preliminary Plat.

- d. The applicant/property owner shall submit a 'will serve' letter for fire protection services for the project site. A copy of the 'will serve' letter shall be required as part of the initial construction permit submittal.
- e. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.
- f. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with conditions.
- g. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.
- h. All habitable buildings constructed within this subdivision shall be constructed to attain a noise reduction level as per ARS § 28-8482(B).

Presented by: Glenn Bak, Planner
 Reviewed by: Matthew Holm, AICP, Planning Supervisor

Attachments: Case Map (1 page)
 Vicinity Map (1 page)
 Site Plan/Land Use Plan (reduced 8.5"x11" (1 page)
 Narrative Report/Ex. Summary (7 pages)
 Engineering comments (2 pages)
 MCESD comments (1 page)
 LAFB comments (2 pages)
 Opposition (49 pages)