



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case:	Z2019123 - Trethan Farms
Hearing Date:	July 23, 2020
Supervisor District:	4
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Applicant:	Adam Baugh, Withey Morris PLC
Owner:	Jewel Investment Company LP/ETAL
Request:	Rezone from Rural-43 and C-3 to R1-6 RUPD
Site Location:	Generally located at the southwest corner of Olive Ave. & Cotton Ln.
Site Size:	Approx. 18.7 acres
Density:	4.06 d.u./ac.
County Island:	No
County Plan:	White Tanks Grand Avenue Area Plan – Rural (0-1du/ac)
Municipal Plan:	Glendale – MDR 3.5 – Medium Density Residential (2.5-3.5 d.u./ac.)
Scenic Corridor:	Olive Avenue Scenic Corridor
Municipal Comments:	None received
Support/Opposition:	None known
Recommendation:	Approve with conditions

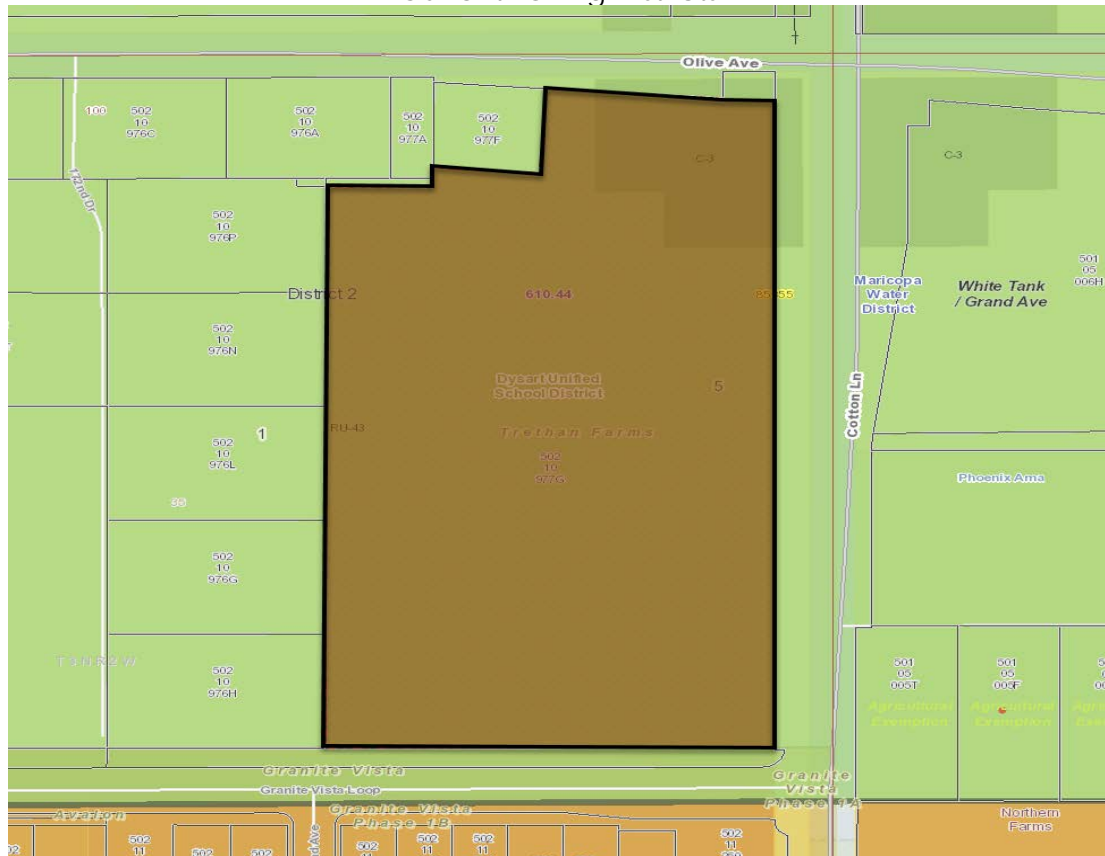
Project Summary:

- Adam Baugh of Withey Morris, on behalf of the Jewel Investment Company LP, requests a zone change from Rural-43 and C-3 to R1-6 RUPD on approximately 18.7 acres, located on the southwest corner of Olive Avenue and Cotton Lane in the Glendale area. A concurrent preliminary plat containing 76 single-family lots and 3 tracts is in process with the county as case S2020008.
- The applicant has applied for an RUPD as part of this zone change to obtain a R1-6 RUPD designation for the entire property and to implement certain variations to the R1-6 base zone development standards. The following table lists the development standards to be varied under the R1-6 RUPD in **(bold)**.

Regulation	Existing R1-6 Base Standards	Proposed R1-6 RUPD Standards
Maximum Structure Height	30' / 2 Stories	30' / 2 Stories
Minimum Front Yard	20'	15'
Minimum Side Yard	5'	5'
Minimum Street Side Yard	10'	10'
Minimum Rear Yard	25'	20'
Minimum Lot Area	6,000 sq. ft.	4,378 sq. ft.
Minimum Lot Width	60'	45'
Lot Area Per Dwelling Unit (D.U.)	6,000 sq. ft.	7,000 sq. ft.
Maximum Lot Coverage	50%	55%
Parking Spaces	2	2

- The attached zoning map on the next page shows the current Rural-43 and C-3 zoning designations of the subject property, which would be revised to the R1-6 RUPD zoning designation upon approval of the zone change.
- The proposed subdivision is Trethan Farms, a new, single-family residential subdivision of 76 lots and 3 tracts. The subdivision will have a maximum gross density of 4.06 dwelling units per acre (d.u./ac.). Approximately 5.1 acres or 27% of the approximately 18.7 acre property will be dedicated open space, including minimum 30 ft. wide buffers along all property boundaries and 82 ft. between the west property boundary and the nearest residence proposed on the subject property. External ROW dedications have been made previously and no further dedications are anticipated to be necessary. The subdivision will likely be developed in a single phase.

Current Zoning Districts



2020 Aerial Image



Existing On-Site and Adjacent Zoning / Land Use:

- 5. On-site: Rural-43 & C-3 / Vacant
- North: Rural-43 & C-3 (South of Olive Ave.), Rural-43, C-3 & IND-3 (North of Olive Ave.) / Vacant & Single Family Residential (South of Olive Ave.), Vacant & Commercial (North of Olive Ave.)
- South: R1-8 RUPD / Vacant (North of Granite Vista Loop.), R1-6 RUPD / Granite Vista DMP (South of Granite Vista Loop.)
- East: Rural-43 & C-3 (East of Cotton Ln.) / Commercial & Single Family Residential (East of Cotton Ln.)
- West: Rural-43 / Vacant & Single-family Residential

Utilities and Services:

- 6. Water: EPCOR
- Wastewater: EPCOR
- School District: Dysart Unified School District #89
- Fire: Rural Metro
- Police: MCSO

Right-of-Way:

- 7. 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
Olive Avenue	Varies 122'-145'	No Change	Principal Arterial
Cotton Lane	83'	83'	Principal Arterial
Granite Vista Loop	40'	40'	Local

Adopted Plans:

- 8. **White Tank Grand Ave. Area Plan (adopted December 2000):** The property is designated for Rural Densities (0-1 d.u./ac.).
- 9. **Olive Avenue Scenic Corridor:** The project is enacting some provisions of the OASC guidelines such as; installing vegetation/revegetation, keeping the landscape palette consistent with the surrounding area, and limiting homes to 30' in height adjacent to Olive Avenue.
- 10. **Glendale General Plan (adopted September 2016):** The parcel is designated for Medium Density Residential (2.5-3.5 du/ac).

Public Participation Summary:

- 11. The applicant complied with the Maricopa County Citizen Review Process with the required posting of the property and notification by first class mail to adjacent property owners within 300' of the subject parcel and interested parties. After submitting both applications on November 12, 2019, the applicant held a neighborhood meeting on

January 27, 2020 at Mountain View Elementary. Attendees had general questions regarding setbacks, building height, and privacy concerns. As a result of the meeting the applicant replaced residential lots on the western boundary with a 30' landscaped tract. To improve privacy the applicant is limiting dwellings to a single-story on the western boundary. The applicant posted the property on December 4, 2019 and revised the posting to identify a revised hearing dates.

Outstanding Concerns from Reviewing Agencies:

12. Reviewing agencies have raised no objections to the proposed project.

Staff Analysis:

13. Trethan Farms subdivision exceeds the County's (0-1 d.u./ac.) density target identified for the area under the White Tanks / Grand Avenue Area Plan, but with an area of only 18.7 acres, the requested zone change does not require an amendment to the Area Plan. The proposed density also exceeds the City of Glendale's 2.5 to 3.5 d.u./ac. designation under its General Plan. Glendale has made no comment about the proposal. County Engineering has signed off on this project with conditions. MCESD noted that approval to construct (ATC) may be needed at time of development; if applicable, prior to final plat approval, and raised no objections to the proposal.
14. Staff notes the proposed zone change consistent with the higher density development occurring in the area, which includes similar projects to the south (Granite Vista) and to the west (White Tank Foothills). The proposed rezone is in character with the existing residential development in the area.

Recommendation:

15. For the reasons outlined in this report, staff recommends the Commission motion for **Approval**, subject to conditions 'a'-'j':
 - a. Development of the site shall be in substantial conformance with the conceptual Site Plan entitled "Olive Avenue and Cotton Lane", consisting of 2 full-size sheets, dated May 6, 2020, and stamped received May 12, 2020, except as modified by the following conditions.
 - b. Development of the site shall be in substantial conformance with the Narrative Report entitled "Trethan Farms", consisting of 8 pages, dated April 3, 2020, and stamped received May 12, 2020, except as modified by the following conditions.
 - c. 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.
 - d. All buildings shall be subject to noise attenuation as per ARS § 28-8482(B) and Maricopa County requirements.
 - e. The following Planning Engineering comments shall apply:

1. Without the submittal of a precise plan of development, no development approval is inferred by this review, including, but not limited to drainage design, access and roadway alignments. These items will be addressed as development plans progress and are submitted to the County for further review and/or entitlement.
 2. Storm water retention for the development of this site shall be in accordance with MCZO 1205.7.6.2.
 3. A traffic impact study must be submitted with any future entitlement application (i.e. Preliminary Plat).
 4. An application for a CLOMR must be submitted to the Flood Control District of Maricopa County concurrent with any future entitlement application (i.e. Preliminary Plat).
 5. All development and engineering design shall be in conformance with Section 1205 of the Maricopa County Zoning Ordinance; Drainage Policies and Standards; Floodplain Regulations for Maricopa County; MCDOT Roadway Design Manual; and current engineering policies, standards and best practices at the time of application for construction
- f. The master developer shall notify future homeowners that they are located within the state-defined "territory in the vicinity of a military airport" with the following language:

"You are buying a home or property in the 'vicinity of a military airport' as described by State of Arizona statute ARS §28-8481. Your house should include sound attenuation measures as directed by State law. You will be subject to direct over flights and noise by Luke Air Force Base jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flight operations per year, at an average of approximately 170 overflights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

Such notification shall be recorded on all Final Plats, be permanently posted on not less than a 3 foot by 5 foot sign in front of all home sales offices, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, and be included in all covenants, conditions, and restrictions (CC&Rs) as well as the Public Report and conveyance documents.

For further information, please check the Luke Air Force Base website at www.luke.af.mil/ or contact the Maricopa County Planning and Development Department."

- g. Noncompliance with any Maricopa County Regulation shall be grounds for initiating a revocation of this Zone Change as set forth in the Maricopa County Zoning Ordinance.
- h. The following R1-6 RUPD standards shall apply:
 - 1. Front Yard Setback: 15 feet
 - 2. Rear Yard Setback: 20 feet
 - 3. Minimum Lot Area: 4,378 square feet
 - 4. Minimum Lot Area per Dwelling Unit: 7,000 square feet
 - 5. Minimum Lot Width: 45 feet
 - 6. Maximum Lot Coverage: 55%
- i. 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.
- j. 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.

Presented by:
Reviewed by:

Jose Castañeda, Planner
Matthew Holm, AICP, Planning Supervisor

Attachments:

Case Map (1 page)
Conceptual Site Plan (reduced 8.5"x11", 2 pages)
Narrative Report (8 pages)
MCESD comments (1 page)
DPR comments (1 page)