



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Case: CPA2020004 – Rose Estates

Hearing Date: January 28, 2021

Supervisor District: 4

Applicant: Jordan Rose, Rose Law Group, PC

Owner: Larry & Patricia Rose

Requests: Modification of Condition for a previously approved Comprehensive Plan Amendment (CPA) – to modify or delete condition 'c' of CPA2019013 regarding a maximum unit count for an area designed for Small Lot Residential (2-5 du/ac) land uses

Site Location: Northeast corner of the intersection of 115th Ave. (alignment) and Williams Dr. (alignment) in the Peoria area.

Site Size: 163 acres

Density: Approved as 2-5 du/ac with target of 2.7 du/ac per CPA2019013 / proposed 3.2 du/ac.

County Island: Yes (City of Peoria)

County Plan: White Tanks/Grand Ave. Area Plan – Open Space, and Small Lot Residential (2-5 du/ac)

Municipal Plan: City of Peoria – Park/Open Space, and Medium Density Residential (5-8 du/ac)

Municipal Comments: None

Support/Opposition: None known

Recommendations: **Approve** with conditions

Project Summary:

1. Rose Estates (CPA2019013 & Z2019112) was approved by the Board of Supervisors on September 16, 2020 after recommendation from the Commission on August 6, 2020. The site is 163 acres located at the northeast corner of 115th Ave. & Williams Dr. in the Peoria area. Case CPA2019013 was a Comprehensive Plan Amendment (CPA) that changed the White Tanks/Grand Avenue Area Plan's land use designation from Mixed-Use Employment, Open Space, and Small Lot Residential (2-5 du/ac) to Small Lot Residential (2-5 du/ac) and Open Space. Case Z2019112 rezoned the site from Rural-43 to R1-6 RUPD.
2. The subject request, CPA2020004, is an amendment to modify or delete condition 'c' of CPA2019013 regarding a maximum unit count for Rose Estates. The condition reads:

c. The total number of residential dwelling units on the site shall not exceed 440.
3. There was no public or municipal comment regarding CPA2019013 & Z2019112. There remains no known support or opposition.
4. The R1-6 RUPD zoning was approved concurrent with the CPA. The RUPD overlay zoning district was not approved subject to a maximum density, unit count, etc. The approved R1-6 RUPD zoning can accommodate a much greater range in unit count and remain consistent with the approved Small Lot Residential 2-5 du/ac:

163 acres @ 5 du/ac = 815 units
163 acres @ 2 du/ac = 326 units

The developer has an updated Conceptual Site Plan for Rose Estates, attached, illustrating 518 lots / 3.2 du/ac. This remains within the approved Small Lot Residential 2-5 du/ac land use designation.

Existing On-Site and Adjacent Zoning / Land Use:

- | | |
|-------------|---|
| 5. On-site: | R1-6 RUPD / vacant (previously mining and ranching) |
| North: | Rural-43 / vacant (inactive mining) |
| South: | Rural-43 / vacant (natural desert) |
| East: | Rural-43 / Agua Fria River |
| West: | Rural-43 / vacant (natural desert) |

Utilities and Services:

- | | |
|------------------|----------------------------------|
| 6. Water: | EPCOR |
| Wastewater: | EPCOR |
| School District: | Peoria Unified School District |
| Fire: | Arizona Fire & Medical Authority |
| Police: | MCSO |

Right-of-Way:

7. Primary access to the Rose Estates will be from Deer Valley Parkway, a future E/W connection between Williams Dr. to the west and Deer Valley Rd. to the southeast with a new bridge across the Agua Fria River. 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
Deer Valley Pkwy.	65'	65'	Principal Arterial
115 th Ave.	40'	40'	Major Collector
Pinnacle Peak Rd.	40'	30'	Major Collector

Adopted Plans:

8. **White Tanks/Grand Ave. Area Plan:** Small Lot Residential (2-5 du/ac). This category identifies areas where increased residential density is appropriate and urban services are readily available.
9. **City of Peoria General Plan 2010:** The Peoria General Plan designates the majority of the site as Medium Density Residential with a residential density of five to eight dwelling units per acre with a target density of six dwelling units per acre. This designation denotes areas intended to fulfill the need for small lot or attached single-family or multi-family residences which are compatible with abutting single-family residential districts. Moreover, this category supports a suburban lifestyle and provides an appropriate transition between less intense residential areas, more urban neighborhoods and non-residential uses. The rest of the site is designated as Park/Open Space in the Peoria General Plan. This category accommodates the full range of public, private, and semi-private passive or active recreational opportunities.

Public Participation Summary:

10. N/A

Outstanding Concerns from Reviewing Agencies:

11. N/A

Staff Analysis:

12. Staff supports the request to delete condition 'c' of CPA2019013. There was no maximum unit count or density applied to the companion R1-6 RUPD zoning and thus the approved zoning entitlement permits a much greater density range. The potential for increased residential density is appropriate where urban services and infrastructure will be available.

Recommendation:

13. For the reasons outlined in this report, staff recommends the Commission motion for **Approval** of CPA2020004, subject to conditions 'a' –'d':

- a. Development of the site shall be in substantial conformance with the CPA Land Use Exhibit, entitled "Rose Estates", consisting of one (1) full sized sheet, dated June 2020, and stamped date received on June 10, 2020, except as modified by the following conditions.
- b. Development of the site shall be in substantial conformance with the CPA Narrative Report, entitled "Rose Estates", consisting of 11 pages, dated June 2020, and stamp date received on June 10, 2020, except as modified by the following conditions.
- c. DELETED.
- d. 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 uses 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 land use designation 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 change of the land use. The land use enhances the value of the property above its value as of the date the land use change is granted and reverting to the prior land use designation results in the same value of the property as if the land use change had never been granted.

Presented by: Darren V. Gerard, AICP, Planning Manager
Reviewed by: Matthew Holm, AICP, Planning Supervisor

Attachments: CPA2019013 Case Map (1 page)
Conceptual Site Plan (1 page)

