



**City of Phoenix**  
 Planning Department

**Staff Report Z-12-08-5**  
 May 19, 2008

**Maryvale Village Planning Committee Meeting Date** May 27, 2008  
**Planning Commission Hearing Date** June 11, 2008  
**Request From:** R1-6 SP (7.48 Acres), C-2 (.49 Acres)  
**Request To:** R-3A PRD (7.97 Acres)  
**Proposed Use** Condominium Homes  
**Location** Approximately 450 feet west & 1050 feet north of the northwest corner of Indian School Road & 103rd Avenue  
**Owner** BP AZ 6 LLC  
**Applicant/Representative** Welker Development Resources, LLC  
**Staff Recommendation** Approval, subject to stipulations  
**DSD KIVA #** 07-5303

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Residential 3.5 to 5 du / acre	
<b>Street Map Classification</b>	103rd Ave	Minor Collector	40 feet
<p><b><i>Land Use Element, Goal 9, Policy 1: Provide residents an opportunity to live and work in the village of their choice by offering a variety of housing, such as apartments, town homes, single-family detached homes, accessory units, and mobile homes, to respond to changing family size, health or income.</i></b></p> <p>The proposed development of attached residential units will enhance residents' choices in the variety of housing types offered in the area.</p>			
<p><b><i>Housing Element, Goal 2: A diverse choice of housing should be provided in all villages of the City to meet the needs of all households.</i></b></p> <p>The proposed condominium project will provide additional housing options to prospective residents.</p>			

**Land Use Element, Goal 3, Policy 5: Encourage the development or redevelopment of vacant and underutilized parcels within the urbanized area that is consistent with the character of the area or with the area transitional objectives.**

The proposed project will redevelop an underutilized parcel within the Villa De Paz Golf Course.

Area Plan
N/A

Surrounding Land Uses/Zoning		
	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Golf Course, Club House	R1-6 SP, C-2
<b>North</b>	Golf Course, Apartments	R1-6 SP, R-3
<b>South</b>	Golf Course, Single-Family Homes	R1-6 SP, R1-6, R-2 PRD
<b>East</b>	Single-Family Homes, Golf Course	R1-6
<b>West</b>	Golf Course	R1-6 SP

Multi-Family		<i>*if variance required</i>
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Gross Acreage	N/A	9.66
Total Number of Units	210 units	Met (118 units)
Density	23.1; 26.4 with bonus	Met (15 units/acre)
Lot Coverage	45%	Met (19%)
<b>BUILDING HEIGHT/STORIES</b>	40 feet/3 stories	Met (38 feet/3 stories)
<i>Setbacks</i>		
Front	20 feet	Met (45 feet)
Side	15 feet	Met (15 feet)
Rear	15 feet	Met (15 feet)
<i>Landscaping</i>		
Front	20 feet	Met (20 feet)
Side	5 feet	Met
Rear	5 feet	Met
Open space	.4 acres	Met (.6 acres)
Amenities	2 Amenities	Met
Parking	252 spaces	Met (264 spaces)

### **Background/Issues/Analysis**

1. The applicant is requesting to rezone the subject property to allow 118 three and two-story multifamily units on what is currently a driving range within the Villa De Paz golf course. The driving range is 35 years old and has seen a decrease in use over the last decade. Approval of this request will allow the redevelopment of the driving range for condominiums.
2. The General Plan designates the area as Residential 3.5 to 5 dwelling units per acre. The request is not consistent with this designation, but a General Plan amendment is not required because the parcel is less than 10 acres.
3. The property to the south of the subject site was rezoned (Z-28-04-5) from R1-6, R1-6 SP, R-4A, C-2 to R-2 PRD in 2004. This request was to redevelop an underutilized portion of golf course and vacant land into 33 single-family units. It was unanimously approved by the Maryvale Village Planning Committee and the City Council.
4. A parcel to the west of the subject site was rezoned (Z-59-03-5) from R1-6 SP to R1-6 to allow the construction of two single-family homes. The parcel was an underutilized portion of the golf course and parking lot. It was unanimously approved by the Maryvale Village Planning Committee and the City Council in 2003.
5. The proposed redevelopment of the existing driving range is adding significant density to the area. To reduce the impact of the additional density on the surrounding properties, additional landscaping will be provided in all landscape areas.
6. The Villa De Paz Apartments, the property to the north of the subject site, were originally constructed with a setback of less than 5 feet from the property line. In order to provide a sufficient buffer between the two properties, a thirty-foot, heavily landscaped setback will be provided.
7. The applicant is requesting to develop the subject site at a density of 15 units per acre, which would be permitted under the R-3 zoning district. However, the requested height of 38 feet would not be allowed with the setback proposed. Due to site constraints, the applicant is requesting to develop the site under the R-3A PRD option to allow the additional height. R-3A district allows the site to be developed at a density of 26.4 units per acre with a maximum of 210 units allowed. To limit the impact of the new development on surrounding properties, the maximum units on site should be limited to 118.

8. The property surrounding the site is predominantly single story, single-family homes and two-story apartment complexes. To limit the impact of the new condominiums on the surrounding development, the height should be restricted to a maximum of 40 feet.
9. The wall elevations date stamped February 22, 2008, have the height of the walls over what is allowed by the zoning ordinance. The stipulation of general conformance to the wall elevation relates to the appearance of the walls and not the height. The applicant will either have to comply with the height requirement or seek a variance to allow the over height wall.
10. There is currently an existing pro shop and club house for the golf course on the western portion of the site. The applicant is proposing to relocate the existing pro shop to a location south of the subject site.
11. The Aviation Department indicates that the subject property is located within the Glendale Airport aircraft flyover zone and requests that the property owner be required by stipulation to notify prospective owners/occupants of the proximity of the property to the airport.
12. The Water Services Department indicates that there is an eight-inch water main adjacent to the site. The fire flow available in this main will need to be verified by conducting a fire flow test. This issue will be addressed by the Development Services Department during the site plan review process.
13. No archaeological sites are known to be located within the project area. A stipulation is recommended that if any archaeological materials are encountered during construction, all ground disturbing activities in the vicinity of the discovery shall cease immediately. If such materials are encountered, the City of Phoenix Archaeologist would need to be contacted immediately and provided with the time to properly assess the materials.
14. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Zoning adjustments, abandonments, or other formal actions may also be required.

### **Findings**

1. Approval of this request is consistent with prior rezoning approvals in the area.
2. Approval of this request would allow infill development on an under utilized parcel.

## **Stipulations**

1. That the development shall be in general conformance to the site plan date stamped March 26, 2008 with specific regard to the following, as approved by the Development Services Department:
  - a. That the exit to 105th Avenue shall be used for emergency access only.
  - b. That the maximum number of units on site shall be limited to 118.
  - c. That a minimum landscape setback of 30 feet shall be required along the northeastern property line abutting the Villa De Paz Apartments.
  - d. That the landscape setback adjacent to the northeastern property line of the Villa De Paz Apartments and 103rd Avenue shall be comprised of a minimum of 25 percent four-inch caliper trees, 25 percent three-inch caliper trees, and 50 percent two-inch caliper trees, planted 20 feet on center or in equivalent groupings.
2. That development shall be in general conformance to the conceptual elevations date stamped February 22, 2008 with specific regard to the building elevations and wall appearance, as modified by the following stipulations and approved by the Development Services Department:
  - a. That the maximum building height of Building 1 shall be 30 feet.
  - b. That the maximum building height of the remaining buildings shall be 40 feet.
3. That the property owner shall record documents that disclose the existence and operational characteristics of Glendale Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
4. That in the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 33-foot radius of that discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
5. That the Street Transportation Department indicates that the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City. All improvements must comply with all ADA accessibility standards.

## **Writer**

Lysistrata Hall

JH

02/22/2008

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**Attachments**

Zoning Sketch

Aerial

Site Plan date stamped March 26, 2008

Elevations date stamped February 22, 2008 (2 pages)

Wall Elevations date stamped February 22, 2008

