



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**Staff Report Z-122-14-2**  
**February 23, 2015**

**Desert View Village Planning Committee Meeting Date** March 3, 2015

**Planning Commission Hearing Date** March 10, 2015

**Request From** S-2 (5.03 Acres)  
RE-35 (2.49 Acres)

**Request To** R1-10 (7.52 Acres)

**Proposed Use** Single-Family Residential

**Location** Southeast corner of 44th Street and Peak View Road

**Owner** Rich Zacher

**Applicant** Empire Residential Communities Fund II

**Representative** Adam Baugh/Withey Morris PLC

**Staff Recommendation** Approval, subject to stipulations

General Plan Conformity			
<b>General Plan Land Use Designation</b>		Residential 2 to 5 du/ac	
<b>Street Map Classification</b>	44th Street	Local	30-foot east half street
<p><b>LAND USE ELEMENT, GOAL 1, URBAN FORM, NEIGHBORHOOD POLICY 2: PROTECT AND ENHANCE THE CHARACTER OF EACH NEIGHBORHOOD AND ITS VARIOUS HOUSING LIFESTYLES THROUGH NEW DEVELOPMENT THAT IS COMPATIBLE IN SCALE, DESIGN, AND APPEARANCE.</b></p> <p><b>NEIGHBORHOOD ELEMENT, GOAL 2 COMPATIBLE NEIGHBORHOOD DEVELOPMENT, POLICY 3: CREATE NEW DEVELOPMENT OR REDEVELOPMENT THAT IS SENSITIVE TO THE SCALE AND CHARACTER OF THE SURROUNDING NEIGHBORHOODS AND INCORPORATES ADEQUATE DEVELOPMENT STANDARDS TO PREVENT NEGATIVE IMPACT(S) ON THE RESIDENTIAL PROPERTIES.</b></p> <p>The proposed project is consistent with the scale and density of the surrounding area. The Tatum Ranch PCD is located to the north and east of the subject site.</p> <p><b>LAND USE ELEMENT, GOAL 11, GENERAL PLAN LAND USE MAP AND ZONING CONFORMITY: THE GENERAL PLAN LAND USE MAP SHALL SHOW THE GENERALIZED LAND USE PLAN FOR THE CITY AND THE PROPOSED STREET SYSTEM WITH THE EXCEPTION OF LOCAL STREETS. ZONING GRANTED SUBSEQUENT TO THE ADOPTION OF THE GENERAL PLAN OR ANY AMENDMENTS SHALL BE IN CONFORMITY WITH THE LAND USE CATEGORY SHOWN AND DEFINED ON THE GENERAL PLAN, AS FURTHER EXPLAINED BELOW.</b></p>			

Both the residential density and the zoning district proposed for this site conforms to the General Plan Land Use Map and to the North Area Land Use Plan.

**Area Plan**

**North Land Use Plan**

The North Land Use Plan designates this area as Residential 2-5 du/ac. The plan recognizes the importance that the rural character and lifestyle play in determining appropriate land use densities. The proposed 4.12 du/ac project meets the intent of the North Land Use Plan density cap of 5 du/ac.

**Surrounding Land Uses/Zoning**

	<u>Land Use</u>	<u>Zoning</u>
<b>On Site</b>	Equestrian Center	S-2, RE-35
<b>North</b>	Single-Family Residential (Tatum Ranch PCD)	R1-6 PCD
<b>South</b>	Large Lot Single-Family	RE-35
<b>East</b>	Single-Family Residential (Tatum Ranch PCD)	R1-6 PCD
<b>West</b>	Large Lot Single-Family (Maricopa County)	S-1/County Rural-43

**Single-Family**

<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed site Plan</u>
Development Option		PRD
Gross Acreage	N/A	7.52
Total Number of Units	26; 34 with bonus	31
Density	3.5 du/ac; 4.5 du/ac with bonus	4.12 du/ac (MET)
Minimum Lot Width	45-feet	50-feet (MET)
Typical Lot Size		6,000 square feet (50-feet by 120-feet)
Subject to Single Family Design Review	10% or more of the lots are equal or less than 65 feet in width	Yes
Open Space	Minimum 5%	13.97% (MET)

**BACKGROUND/ISSUES/ANALYSIS**

**SUBJECT SITE**

1. This request is to rezone a 7.52-acre site located at the southeast corner of 44th Street and Peak View Road from S-2 and RE-35 to R1-10 for a single-family residential development.
2. The General Plan designation for this property is Residential 2 to 5 du/ac. The proposal is consistent with the General Plan designation and the land uses in the area.

### **SURROUNDING USES & ZONING**

3. The subject site was rezoned in 2006 for an equestrian center, which included several barns, horse stalls and a single-family residence. To the north and east are single-family home subdivisions in the Tatum Ranch PCD and zoned R1-6 PCD. To the south and west is an area where large estate lots exist and were developed in the county. To the south the zoning is RE-35. The west side of 44th Street remains in unincorporated Maricopa County and zoned County Rural-43.

### **PROPOSAL**

4. The site plan depicts a total of 31 lots (4.12 du/acre) on the 7.52-acre site. The minimum lot size is 6,000 square feet (50-foot by 120-foot lots) with 13.97% open space.
5. Elevations were not submitted as part of this request; however, the development is subject to Single-Family Design Review, which will require a variety of subdivision, and housing designs to create visual interest, distinctive character and identity to the community.

### **STREETS**

6. The Street Transportation Department has indicated that there are right-of-way improvements needed for this site. Stipulations have been added to address these improvements.

### **OTHER**

7. It has been determined that this parcel is not in a Special Flood Hazard Area (SFHA), but is located in Shaded Zone X, on panel 1305L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
8. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements and other formal actions may be required.

### **FINDINGS**

1. The request is consistent with the General Plan Land Use map and the North Land Use Plan which designates this area as Residential 2 to 5 du/ac.
2. The proposed zoning will compliment uses in the surrounding area.
3. The proposal will add to the diverse housing mix in the Desert View Village.

### **STIPULATIONS**

#### **SITE PLAN**

1. The development shall be in general conformance with the site plan date stamped January 12, 2015, as approved or modified by the Planning and Development Department with specific regard to the following:

- a. The development shall not exceed 31 lots.
  - b. A minimum of 13% open space shall be provided.
  - c. A pedestrian path shall be provided along the southern property line between 44th Street on the west and Peak View Road on the east.
2. Tract D as depicted on the site plan date stamped January 12, 2015 shall include a minimum 50%, 2-inch caliper trees and 50%, 3-inch caliper trees caliper trees planted at a minimum of 20 feet on center or in equivalent, as approved by the Planning and Development Department. Landscaping shall include plants selected from the North Black Canyon Corridor Overlay District plant list (Section 654 of the Phoenix Zoning Ordinance).
  3. The developer shall install and construct a gated vehicular ingress/egress, as approved by the Planning and Development Department.

#### STREET IMPROVEMENTS

4. A right-of-way totaling 30 feet shall be dedicated and constructed for the east half of 44th Street with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

#### **Writer**

2/23/15

TG

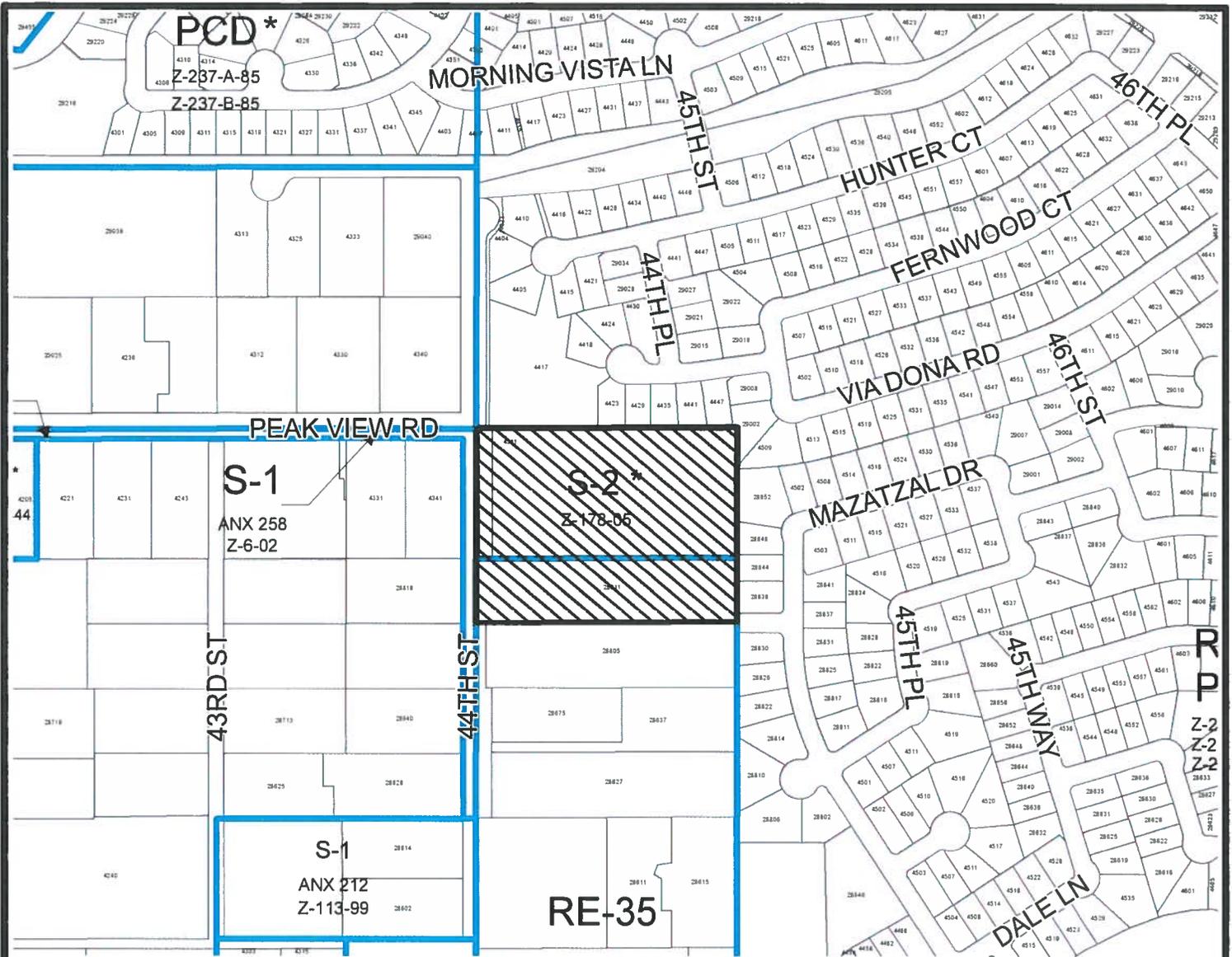
JB

#### **Attachments**

Zoning Sketch

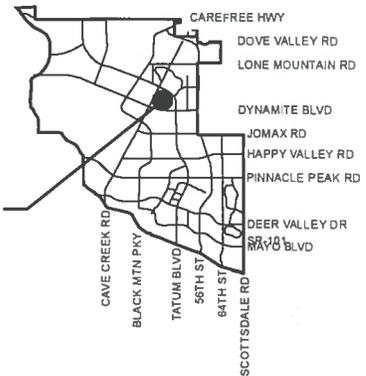
Aerial (2 pages)

Site Plan date stamped January 12, 2015



400 200 0 400 Feet

CITY OF PHOENIX PLANNING DEPARTMENT  
**DESERT VIEW VILLAGE**  
 CITY COUNCIL DISTRICT: 2

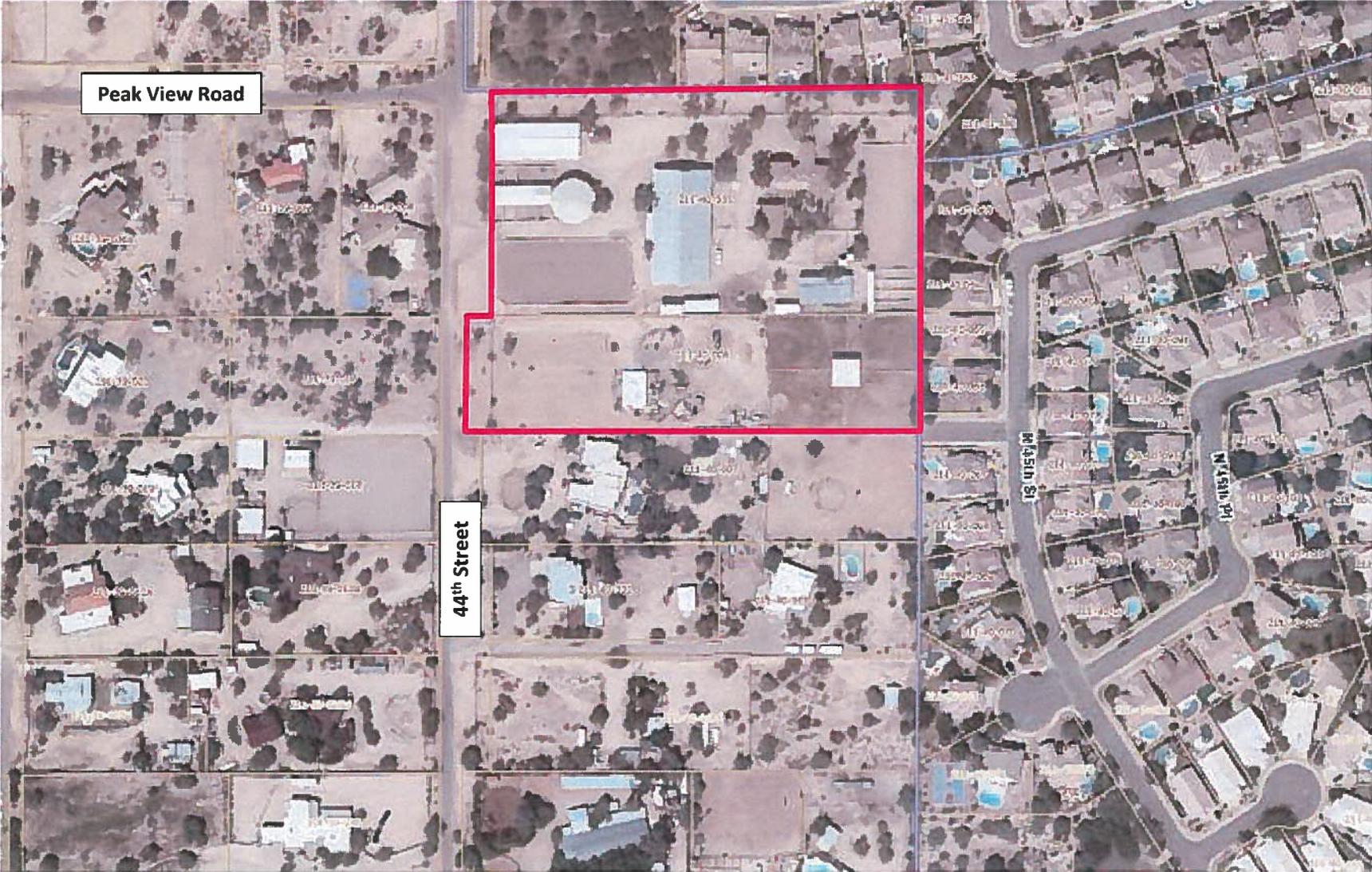


Z-122-14

<b>APPLICANT'S NAME:</b> Empire Residential Communities Fund II		<b>REQUESTED CHANGE:</b> FROM S-2, (5.03 a.c.) RE-35, (2.49 a.c.)  TO R1-10, (7.52a.c)	
<b>APPLICATION NO.</b> Z-122-14	<b>DATE:</b> 11/25/14 <small>REVISION DATES:</small>		
<small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small> <b>7.52 Acres</b>	<small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small> QS 51-38	<small>ZONING MAP</small> P-11	
<b>MULTIPLES PERMITTED</b> S-2, RE-35 R-10	<b>CONVENTIONAL OPTION</b> 1, 2 22		<b>* UNITS P.R.D. OPTION</b> N/A, 3 33

\* Maximum Units Allowed with P.R.D. Bonus

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