

Z97-07

APPROVED COPY		
L 95-49	BOS Hearing of 3-20-96	
	By: BMM/jw	Date: 5-10-96

**SPRINGER RANCH
DEVELOPMENT NARRATIVE**

**RESIDENTIAL UNIT
PLAN OF DEVELOPMENT**

95TH AVENUE AND PEORIA

November 15, 1995

Developer: Stardust Development, Inc.
5090 N. 40th Street, Suite 148
Phoenix, AZ 85018

Zoning Counsel: Michael J. Curley
Earl, Curley & Lagarde
3101 N. Central Avenue, Suite 1090
Phoenix, AZ 85012

Engineer: American Engineering Company
21442 N. 20th Avenue
Phoenix, AZ 85027

RECEIVED

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MARICOPA COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
BY _____

Z. 95-49

Purpose of Request

This request seeks a change in zoning from Rural-43 to R1-6 Residential Unit Plan of Development (RUPD) to permit the development of a single family subdivision. The subject property is bounded on the south by a single family subdivision, on the west by a duplex development and on the east by the Agua Fria Freeway. To the north is a vacant parcel that has been set aside for commercial development. This request for an R1-6 RUPD development will allow for a single family development with varied lot sizes to allow the appropriate integration of the site between the Freeway and the existing single family homes.

Description of Proposal

The subject property is approximately 120.81 acres in area. The site is an ideal location for single family development due to the existing residential development to the south and the west. Although the site is designated for Business Park/Industrial development on the City of Peoria Comprehensive Master Plan, the configuration of the property, with limited access to Peoria and Olive Avenues, is not an appropriate Business Park/Industrial location. Furthermore, increased traffic associated with Business Park/Industrial uses could adversely impact the single family homes to the west and south.

The development proposal for this site consists of five phases of single family home development. The minimum lot sizes in these phases range from 5,280 square feet to 7,480 square feet. A total of 520 lots are proposed for this 120.81 acre parcel. This results in an overall density of approximately 4.30 units per acre. This density is commensurate with the surrounding densities of the existing single family subdivisions in the area.

Two large open space/retention areas have been provided at the interior of the development. An approximately 2.6 acre recreation area is provided in the northern portion of the site and an approximately 4.3 acre recreation area is located towards the southern end of the property. The purpose of these areas is to provide a combination retention and open space amenity for the residents of this area. The amenities planned for these open space areas will include features such as a lighted children's play area, ramada, picnic tables, bicycle racks, drinking fountain, turf and landscaping.

The subdivision has been designed with landscape tracts along both 95th Avenue and Hatcher Road. The depth of these landscape tracts is approximately ten (10) feet. The purpose of this perimeter treatment is to provide a pleasant aesthetic appearance from the surrounding properties. The plan also provides for a 25 foot landscape tract adjacent to the Agua Fria Freeway, with an eight foot masonry wall separating the subdivision from the Freeway. This landscaping and wall, together with the adjacent residential street, provides a freeway buffer for the homes in this subdivision.

The RUPD has been limited to three access points to 95th Avenue. These access points will efficiently distribute the trips created by future residents. The interior street system of the subdivision is characterized by curvilinear streets, with numerous cul-de-sacs. The curvilinear streets and the cul-de-sacs serve to both reduce the vehicle speed in this area and to create larger lots by virtue of the changing street configurations. More typical linear subdivisions do not allow for creative site design, reduction of vehicle speed and pleasant streetscapes. We believe that the interior street design and lot layout of this RUPD will contribute towards creating a very pleasant residential environment and neighborhood atmosphere.

As part of this RUPD, various development standards have been developed. These development standards are commensurate with the City of Peoria development standards for similarly zoned properties. The following table identifies the development standards.

Front Yard Setback:	20'	
Rear Yard Setback:	15'	
Side Yard Setback:	13' Total; 5' Minimum	R1-6
Minimum Lot Size:	48' x 110'; 5,280 s.f.	LC 45%

Permanent subdivision entry signage will be provided on the subdivision entry walls at the three street entrances on 95th Avenue. These signs will be placed on the portions of the perimeter walls that have been angled in response to the traffic visibility requirements. The signs placed on these walls will not exceed eight feet in area or a height of five feet.

All on-site lighting will comply with Section 2318 of the Maricopa County Zoning Ordinance.

Relationship to Surrounding Properties

The subject parcel is an elongated piece of property, located between an existing RM-1 duplex development on the west and the Agua Fria Freeway. To the south of the subject property is an R1-8 single family subdivision. The site has been designed to provide an appropriate interface between the existing subdivisions by creating landscape tracts along the perimeter of the property. The only access points to the subdivision are from 95th Avenue, which functions as a collector street for the residential developments west of 95th Avenue and south of the subject property. We have limited our subdivision to three access points to 95th Avenue in order to provide for the efficient distribution of interior traffic, while not creating any negative impacts on the functioning of 95th Avenue.

The property to the north is in the rezoning process with a request for C-2, Commercial zoning. This site is ideally suited for commercial development, located at the intersection of the Freeway and an arterial street. This commercial development will be providing a 25 foot landscape buffer adjacent to the subject property. In order to provide an additional buffer for the

residential property, an eight foot wall will be constructed along the north property line adjacent to the commercial site.

Location and Accessibility

The site is located with its primary access to 95th Avenue, which currently functions as a collector street between Peoria Avenue and Olive Avenue, west of the Agua Fria Freeway. Currently, 95th Avenue provides access to these major streets for the subdivisions on the west side of 95th Avenue and the subdivision to the south of the subject property. Both Peoria Avenue and Olive Avenue connect with downtown Peoria and the rest of the Metropolitan Valley to the east. Additionally, the site is immediately adjacent to the Agua Fria Freeway, which provides direct, convenient access to the Arrowhead Towne Center regional mall area. This Freeway will ultimately connect with Interstate 17 to the east and Interstate 10 to the south. This proposed development should create no additional traffic on the local streets in the adjacent neighborhoods and will only cause an increase in traffic on the collector street, 95th Avenue.

Development Schedule

See attached schedule.

Circulation System

As described earlier, a majority of the streets within the proposed RUPD are curvilinear in nature to minimize vehicle speeds within the subdivision. The interior subdivision streets are interconnected to provide for complete integration within this neighborhood. Three points of access are provided from the subdivision to 95th Avenue, which functions as the collector street between Olive Avenue and Peoria Avenue. The three access points to 95th Avenue will provide sufficient ingress and egress points to the subdivision to avoid any stacking problems or turn conflicts to and from 95th Avenue. 95th Avenue provides convenient and safe access to both Peoria Avenue and Olive Avenue.

Community Facilities and Services

The subject property is in a County Island of Peoria that is removed from the majority of home-building activity that is currently occurring within the City of Peoria limits. Most of the new homes under construction in Peoria are north and east of Grand Avenue. The area of Peoria that is south and west of Grand Avenue is predominantly characterized by large parcels that are currently used for agricultural purposes. There are some older subdivisions in this area of Peoria, but a majority of the land appears to be devoted to agricultural purposes at this time.

We do not believe that the proposed subdivision will create any significant future demand on the community facilities and services in the area. The closest school to the site is the Sun Valley Elementary School located on 95th Avenue, south of Olive Avenue. The subject site is also approximately 1.5 miles away from downtown Peoria and the municipal complex. The site's location adjacent to the Agua Fria Freeway provides convenient access to the Peoria Sports Complex and the Arrowhead Towne Center and North Valley Power Center located north and south of Bell Road, east of the Agua Fria Freeway.

Public Utilities and Services

Water - Water will be provided to this site via a 8" water line located in 95th Avenue.

According to our research, there is sufficient capacity in these water lines to serve the proposed single family subdivision.

Sewer - Sewer service to the site will be provided by tapping into the 36" sewer line, currently located in 95th Avenue.

As with the water, it is our understanding that there is sufficient capacity in this sewer line to handle the discharge from the proposed single family subdivision.

Fire Department - Fire services for this property will be provided by Rural Metro.

Police - Police services for this subdivision will be provided by Maricopa County Sheriff's Department.



**Department of Planning &
Infrastructure Development**

May 10, 1996

Michael J. Curley
3101 N. Central Avenue, #1090
Phoenix, AZ 85012

SUBJ: Maricopa County Zoning Case Number Z 95-49

Dear Mr. Curley:

On March 20, 1996 the Maricopa County Board of Supervisors voted to approve your request to rezone from Rural-43 to R1-6 RUPD Zoning District.

This change involves 120.8 acres of land as described in the above-referenced zoning case.

Approval is subject to the stipulations listed on the attached minutes of the Board of Supervisors meetin.

Please remember that this approval will still require obtaining all necessary building permits.

Enclosed are copies of your Plan of Development and Narrative Report stamped approved.

If you have any questions, please contact our office at 506-3301.

Sincerely,

Brian J. Marshall
Planner III

Enclosure

xc:

Dick Wallace, County Department of Transportation
Joe Jason, Environmental Management
David Johnson, Flood Control District
Assessor's Office

COUNTY OF MARICOPA
State of Arizona

Office of the Clerk



State of Arizona) ss.
County of Maricopa)

I, Ed Wolfe, Deputy Clerk of the Board of Supervisors do hereby Certify that the attached is a true and correct excerpt from the minutes of the meeting of the Board of Supervisors held March 20, 1996:

Z 95-49
Michael Curley for Clara Springer

(Attached)

*IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the Board of Supervisors. Done at Phoenix, the County Seat, on the following day:
April 18, 1996*



Ed Wolfe
Deputy Clerk of the Board of Supervisors

Debra Stark, Planning and Zoning
File

EXCERPT FROM THE MINUTES OF THE MEETING HELD MARCH 20, 1996

4. **Z 95-49 Michael Curley for Clara Springer (District 4) (Continued from meeting of March 6, 1996.)**

Location: Northeast corner of 95th Avenue and Hatcher Road

Request: To rezone from Rural-43 to R1-6 RUPD Zoning District (120.8 acres)

COMMISSION RECOMMENDATION: Recommended approval of case Z 95-49, a request to rezone from Rural-43 to R1-6 RUPD Zoning District, subject to the following stipulations:

- a) Development in accordance with the Plan of Development entitled "Springer Ranch Residential" consisting of one (1) sheet(s) dated November 9, 1995 and stamped received November 15, 1995.
- b) Compliance with the provisions in the Narrative Report entitled "Springer Ranch Development Narrative" and dated November 15, 1995".
- c) Prior to the issuance of any Occupancy Permit, the Department of Planning and Infrastructure Development will inspect the site to verify compliance with 1) all approved plans, 2) acceptance by all appropriate County Departments and 3) all stipulations and/or conditions attached to this Development. No Occupancy Permit shall be issued until the Department of Planning and Development has verified this compliance.
- d) Additional dedication to provide a total half width 40 feet for 95th Avenue and 30 feet for Hatcher Road within six (6) months of the approval of this application by the Board of Supervisors and prior to the issuance of Zoning Clearance.
- e) The applicant shall obtain the necessary Encroachment Permits from the County Highway Department for landscaping in the right-of-way prior to the issuance of Zoning Clearance.
- f) Approval by the Flood Control District of paving, grading and drainage plans prior to final plat approval.
- g) Major changes to this Residential Unit Plan of Development with regard to use and intensity must be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. Minor changes to the Residential Unit Plan of Development may be administratively approved by the Planning Division of the Department of Planning and Development.
- h) Submittal to and approval by the Planning Division of the Department of Planning and Development of a landscape plan prior to the issuance of Zoning Clearance. This plan shall indicate proposed plant materials, hardscape, walls, berms and method of maintenance according to "Guidelines for Information Required in the Submittal of Landscape Plans".
- i) An archaeological survey of the site shall be conducted by a qualified archaeologist and a summarizing the findings shall be submitted to the State Historic Preservation Officer. Prior to the issuance of Zoning Clearance, the Department of Planning and Development must receive written confirmation from the State Historic Preservation Officer that the report has been received.

- j) Noncompliance with the conditions of approval will be treated as a violation in accordance with Article XXIX (Violation and Penalty). Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with Article XXVIII, Section 2806 (Conditional Zoning).

Fred Galioto, former City of Peoria Councilman, spoke in reference to this item. He expressed his concern over approving greater density making it difficult to receive police and fire protection services. Mr. Galioto also spoke in reference to water issues affected by rezoning this parcel.

Arlene Seeton, former City of Peoria Councilwoman, spoke in reference to this item. She explained that there will be adequate fire protection and other services for this area. A citizen from the Sun Air Estates reported that the Assistant Chief of the City of Peoria Fire Headquarters had informed her that a new fire station is scheduled to be opened in the vicinity of Olive and 99th Avenue.

Rebecca Cody, City of Peoria Councilwoman, spoke in favor of the residential zoning. She explained the proposed zoning is based on the four (4) components listed below:

- There is the capability of land uses
- Ability to deal with negative impacts
- Ability to avoid spot zoning
- Provide opportunities to plan for the community

Ms. Cody explained that having the commerce industry in this area would have an impact on the neighborhoods and environment and requested it be kept residential.

Clerk's note: Additional comments, related to this case, were made under zoning case "Z 95-48 Michael Curley for Clara Springer".

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried to concur with the Commission recommendation subject to the stipulations.