

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL

97-0248309 04/16/97 11:45

KATHERINE 2 OF 3

RETURN TO: CITY CLERK
8401 W. MONROE ST.
PEORIA, AZ 85345

ORDINANCE NO. 97-14

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA INITIALLY ZONING PROPERTY FROM COUNTY R1-7/RUPD ZONING DISTRICT TO PEORIA PLANNED AREA DEVELOPMENT(P.A.D) ZONING DISTRICT; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Peoria Planning and Zoning Commission held a public hearing on March 20, 1997 in zoning case Z-97-02 in the manner prescribed by law for the purpose of considering an amendment to the district boundaries of property within the City of Peoria, Arizona to provide for initial rezoning of parcels of property as described below from County R1-7/RUPD zoning district to Peoria Planned Area Development (P.A.D.) zoning district as provided in Section 14-4-3 of Chapter 14 of the Peoria City Code (1977 edition);

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in the Daily News Sun on March 5, 1997; and

WHEREAS, the City of Peoria Planning and Zoning Commission has recommended to the Mayor and the Council of the City of Peoria, Arizona, the initial zoning of property as aforesaid and the Mayor and the Council of the City of Peoria, Arizona desires to accept such recommendation and rezone the property as described below as aforesaid.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona that:

SECTION 1. A parcel of land in Peoria, Maricopa County, Arizona is more accurately described as follows:

Being the West Half of the Southeast Quarter of Section 27, Township 3 North, Range 1 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;
EXCEPT the East 300 feet thereof.

is hereby initially zoned from County R1-7/RUPD zoning district to Peoria Planned Area Development (P.A.D.) zoning district.

SECTION 2. The zoning herein provided for be conditioned and subject to the development of the property within the P.A.D. areas in conformance with the Fairmont P.A.D. Standards and Guidelines Report dated March 20, 1997, as provided in Attachment A to this Ordinance.

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SECTION 3. Amendment of Zoning Map. The City of Peoria zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

SECTION 4. Effective Date. This Ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED by the Mayor and Council for the City of Peoria, Arizona this 1st day of April, 1997.

Ken C Forgia
Mayor

4/14/97
Date Signed

ATTEST:

Jamie L Graziano
City Clerk

APPROVED AS TO FORM:

StoLMKE
City Attorney

Published in: Daily News Sun Pub. Dates: 4/4 & 4/8/97

Effective Date: 5/7/97

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Ord. No. 97-14

ATTACHMENT "A"
PAGES 3 THROUGH 11
IS ON FILE IN THE
CITY OF PEORIA
CITY CLERK'S OFFICE

ATTACHMENT A

Development Plans

for

Fairmont

Z97-02

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Owner:

Beazer Home Holding Corporation
2005 West 14th Street, Suite 110
Tempe, Arizona 85281

Applicant:

City of Peoria
8401 West Monroe Street
Peoria, Arizona 85345

Engineer:

Sage Engineering Corporation
3414 South 48th Street, Suite 8
Phoenix, Arizona 85040



**Explanatory Narration
FAIRMONT**

Explanatory Narrative:

The subject property contains a gross area of 62± acres, and is the western portion of an 80± acre property bounded by Olive Avenue, Mountain View Road, 85th and 87th Avenues. The subject 62± acre parcel was recently annexed into the City of Peoria. The overall 80± acre property is proposed for development by Beazer homes, as a single-family detached residential subdivision to be entitled "Fairmont".

Purpose of this Request:

The overall 80± acre property is comprised of the recently annexed 62± acre parcel and the easternly 18± acres which has been within the City of Peoria boundary since 1960.

In 1996, Beazer Homes entered into escrow on the entire 80± acre property. Based upon timing, Beazer Homes submitted a rezone application to the City of Peoria for the easternly 18± acres and to Maricopa County for the westerly 62± acres. The easternly 18± acres was rezoned to P.A.D. by the City and the westerly 62± acres was rezoned to RUPD/R1-7 by Maricopa County. Although two separate applications, the zoning standards were essentially the same. During this time, the annexation procedures for the westerly 62± acres was initiated. The property was annexed into the City on February 18, 1997.

Based upon A.R.S. 9-462.04D and Peoria City Code, the City must assign City zoning to the annexed land within 6 months of the annexation. The intent of this application is to provide City zoning in accordance with State Statute. The requested P.A.D. will provide the nearly identical standards that existed within the County and the easternly 18± acres. The area is designated as Low Density n(LD 1.5 to 4.0 d.u./a.c.) on the City's Comprehensive Master Plan. The overall density of the project is 3.99 d.u./a.c., in conformance with the LD designation.

Existing site Conditions:

This overall 62± acre property consists of cultivated and irrigated farmland, is adjoined along its south boundary (across Olive Avenue) by an existing subdivision entitled "Westgreen Estates 6", and by a small area of unsubdivided farmland. The property is adjoined along its southerly portion of its west boundary (across 87th Avenue) by a few unsubdivided acre size home sites, along the central portion of its west boundary by an existing subdivision entitled "Westgreen Estate 3 & 8", and along the northerly portion of its west boundary by an existing public elementary school. The property is adjoined along its north boundary (across Mountain View Road) by an existing subdivision entitled "Wood Tract.", and by a small area of unsubdivided farmland. The proposed use of this overall property conforms with the aforesaid adjoining uses.

Open Space and Drainage:

Almost 12 percent of the gross area of the overall subject project will be provided as improved and landscaped open space, which will include three large area sites, plus 10' wide landscaped "Buffer tracts adjoining the perimeter road rights-of-way around the north, east and west sides of the project. The three large area sites will include drainage retention functions, and will also be designed to be usable as recreational areas for the residents of the project. A Home Owners Association will be formed for the subject project, which will own and have maintenance responsibility for all of the aforesaid open space and right-of-way landscaping adjacent to same. The portions of the three large area sites that are depressed for retention will be turfed, and will include improvements that will provide for the percolation of low volume "nuisance" drainage flows without flooding the turfed areas. In other words, these areas will be available for recreational use except during high volume rain storms.

As is mentioned above, the subject property is cultivated farmland, and has in the past been graded to provide for flood irrigation. As a result, it is elevated above the surrounding terrain by 1 to 3 feet, and flows from up stream off-site tributary areas are therefore directed around the site in the adjacent perimeter roads. It is not anticipated that run-off from tributary areas will be transmitted through the interior of the subject project. The subject project will be designed in compliance with the City of Peoria's drainage standards, criteria and regulations.

Public Street improvements:

Olive Avenue, adjoining the subject property, is fully improved as a section line arterial highway, including an existing underground storm drain culvert. The west half of 87th Avenue and the north half of Mountain View Road, adjoining the subject property, are improved as mid-section collector roads. The public street improvements for the subject project will include the construction to full width of the perimeter roads, together with all of the local and collector streets within the interior of the development. The existing unimproved right-of-way of Hatcher Road (traversing east to west through the subject property) will be abandoned, and a new curvilinear right-of-way will be dedicated for same upon the Final Plat of the subdivision. All of these road improvements will be designed and constructed in conformance with City of Peoria standards and specifications. An exhibit of the typical cross-sections of all these roads is attached hereto. A Class II bike land along 87th Avenue in accordance with the City of Peoria Comprehensive Master Plan will be provided.

Public Water and Wastewater Service:

Domestic water and sanitary sewer services will be provided to the subject development by the facilities of the City of Peoria, by means of extensions from the existing systems located in the rights-of-way of the public road adjoining the perimeter of the project. It will not be necessary to extend such improvements off-site from the perimeter of the subject property, in order to obtain these services.

Landscaping and Amenities Improvements:

A tract shall be sited around the entire perimeter of the subject property, usually having a

ATTACHMENT A

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width of 20 feet, which will be fully landscaped including the area extending to the back of sidewalk in the adjoining public road rights-of-way. A decorative masonry perimeter wall will be constructed along the interior line of the said perimeter tracts, which will include decorative entry monument at the main entrances to the project. The wall height along Olive Avenue where adjacent to proposed homes will be increased from the standard six feet height to eight feet for sound attenuation purposes. In addition, the masonry wall along Olive Avenue and 87th will include undulations at a minimum intervals of 100 feet or every other lot line. Three large area tracts, which will include drainage retention facilities, will be landscaped in a manner that will make them attractive and useable for recreational uses. Amenities for the homeowners will include a tot-lot, bench seating, barbeque grill and picnic benches. The total open space within the development (all of which will be landscaped) very nearly approximates 12 percent of the gross project area. It is anticipated that the criteria for these landscaping improvements will be provided to the Developer by the City of Peoria staff. As is discussed herein above, all of these tracts and landscaping improvements will be owned and maintained by a Home Owners Associations to be incorporated for the "Fairmont: project. A "Maintenance Improvement District" will be entered into with the City of Peoria, that will provide for ongoing maintenance of open space in the event the Home Owners Association fails in the future.

Development Standards, and P.A.D. Variances Requested:

The Developer intends to subdivide the subject project with five (5) different lots sizes, within which three (3) different housing products will be offered. The minimum nominal dimensions of those five lot sizes are: 48' wide by 105' deep; 53' wide by 105' deep; 63' wide by 105' deep; 95' wide by 110' feet deep; and 110' wide by 182' deep. The total number for the entire 80± acres will be 320, and therefore the gross development density for the project will be 3.99 dwelling units per acre. The nominal area of the smallest of each of these lots types will be: 5,040 sq. ft.; 5,565 sq. ft.; 6,615 sq. ft.; 10,450 sq. ft.; and 14,080 sq. ft. The largest lot in the project will exceed 15,000 sq. ft.. in areas, and the average area of all of the lots within the project (including an allocation thereto of the open space in the project) will be 7,785 sq.ft. Attached hereto, and annotated upon the Preliminary P.A.D. Site Plan, are exhibits that describe the specific Development Standards that are requested for each of the five lot size types proposed for this project.

Summary and Conclusion:

Several exhibits are appended to this "Narrative Statement: which illustrate the points discussed herein above. This Zone Change application conforms with the City of Peoria General Plan, is similar to and consistent with the land use existing and/or proposed for adjoining properties.

Lot Development Standards

R1-8
Standard Requirements

Setbacks			Lot Width	Lot Coverage	Minimum Lot Size	Distance Between Buildings	Maximum Height
Front	Rear	Side					
20'	15'	15'	70'	40% of the total lot excluding patio	8,000 sq. ft.	10'	25'
total							

48' Wide Lots
Development Standards

Setbacks			Lot Width	Lot Coverage	Minimum Lot Size	Distance Between Buildings	Maximum Height
Front	Rear	Side					
20'	15'	13'	48'	40% of the total lot including patio	5,040 sq. ft.	10'	25'
total							

53' Wide Lots
Development Standards

Setbacks			Lot Width	Lot Coverage	Minimum Lot Size	Distance Between Buildings	Maximum Height
Front	Rear	Side					
20'	15'	13'	53'	40% of the total lot including patio	5,565 sq. ft.	10'	25'
total							

63' Wide Lots
Development Standards

Setbacks			Lot Width	Lot Coverage	Minimum Lot Size	Distance Between Buildings	Maximum Height
Front	Rear	Side					
20'	15'	13'	63'	40% of the total lot including patio	6,615 sq. ft.	10'	25'
total							

95' Wide Lots
Development Standards

Setbacks			Lot Width	Lot Coverage	Minimum Lot Size	Distance Between Buildings	Maximum Height
Front	Rear	Side					
20'	15'	15'	95'	40% of the total lot including patio	10,450 sq. ft.	10'	25'
total							

110' Wide Lots
 Development Standards

Setbacks			Lot Width	Lot Coverage	Minimum Lot Size	Distance Between Buildings	Maximum Height
Front	Rear	Side					
20'	15'	15'	110'	35% of the total lot excluding patio	14,080 sq. ft.	10'	25'
total							

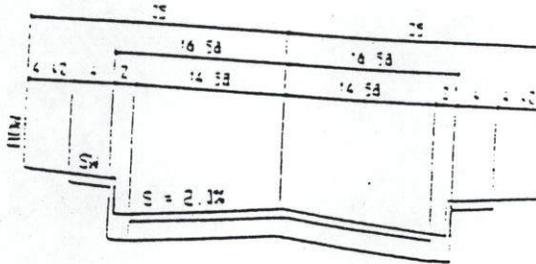
Notes:

The front setback for side entry garages shall be a minimum of 15 feet; the front setback for front entry garages, front/side entry garages on corner lots and living areas of the home shall be a minimum of 20 feet. Further, on all lots adjacent to the non-entry side of a side entry garage, the driveway shall be located on the opposite side from the side entry lot.

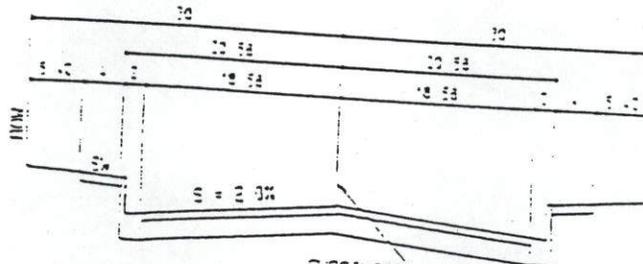
Recreational Vehicles shall not be stored within the front 20 feet of any lot unless stored in an enclosed garage. Further, any Recreational Vehicle stored in a side or rear yard shall be screened from view.

ATTACHMENT A

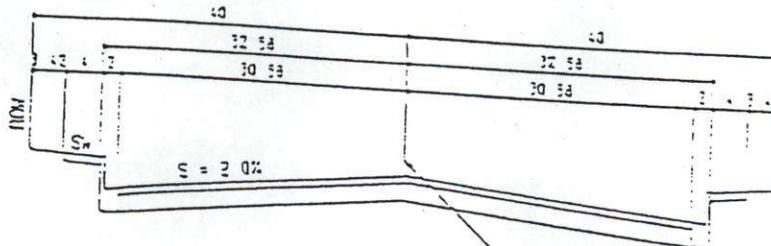
TYPICAL STREET CROSS SECTIONS
NOT TO SCALE



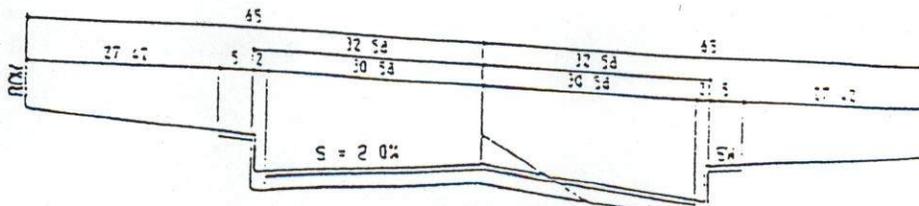
LOCAL STREETS



85TH AVE, MOUNTAIN VIEW AND HATCHER
SUBDIVISION BOUNDARY ON PERIMETER STREETS
OPPOSITE SIDE OF PERIMETER STREETS PARTIALLY DEVELOPED. SAWCUT TO MATCH HATCHER TO BE FULLY BUILT WITHIN SITE



87TH AVENUE
SUBDIVISION BOUNDARY
OPPOSITE SIDE OF PERIMETER STREET PARTIALLY DEVELOPED. SAWCUT TO MATCH



OLIVE AVENUE
SUBDIVISION BOUNDARY
OLIVE AVENUE EXISTING IMPROVEMENTS

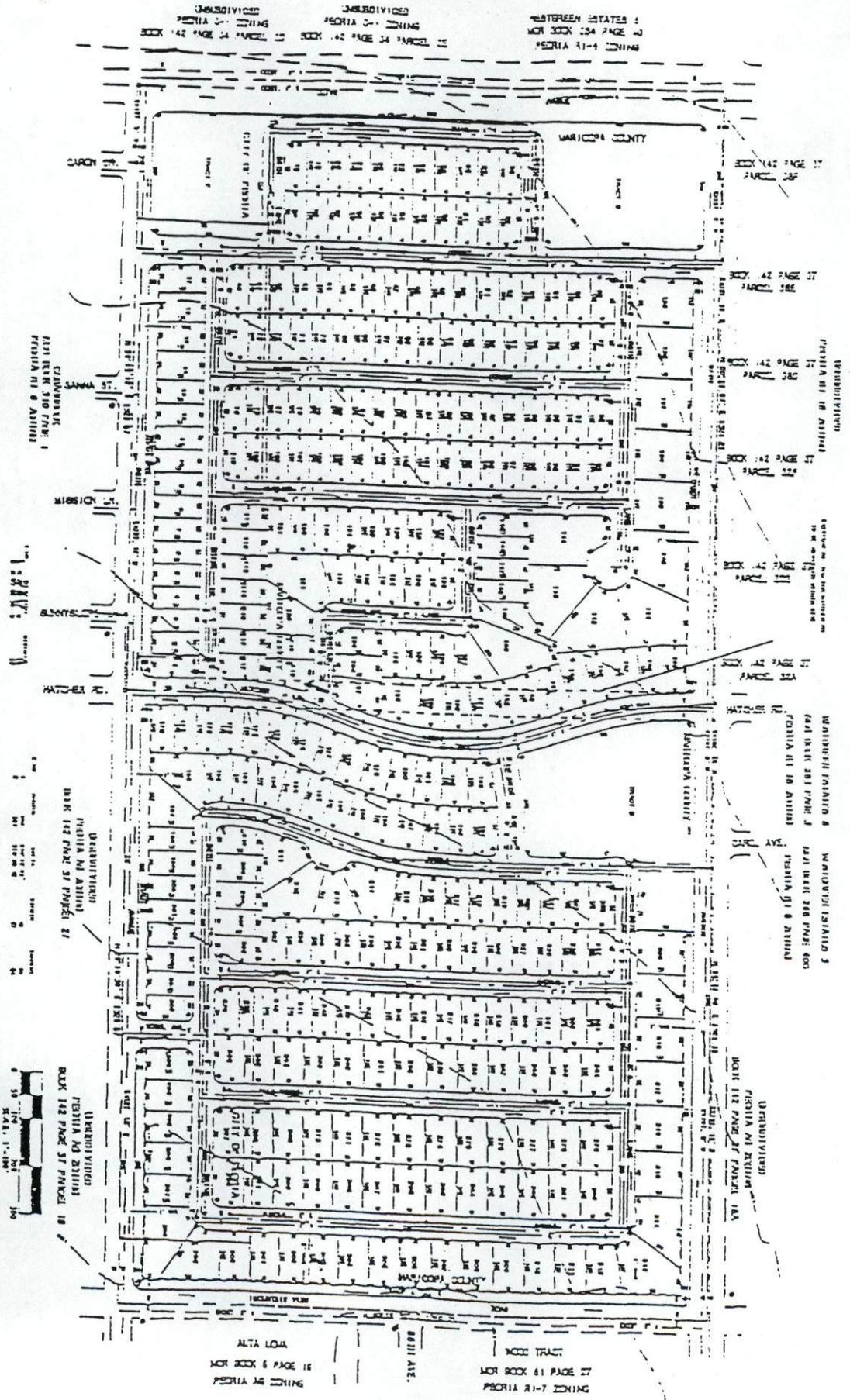
ATTACHMENT A
LEGAL DESCRIPTION

Being the West Half of the Southeast Quarter of Section 27, Township 3 North, Range 1 East, of
the Gila and Salt River Base and Meridian, Maricopa County, Arizona;
EXCEPT the East 300 feet thereof.

Containing an approximate gross area of 62 acres.

Prepared By: JWH
Sage Engineering Corporation
3414 South 48th Street, Suite 8
Phoenix, Arizona 85040
Job No. 1116096 - July 26, 1996

ATTACHMENT A



THE BOARD OF
 DEANER LYLES INC.
 2005 W. 11TH STREET
 SUITE 6110
 DENVER, COLORADO 80202
 (303) 733-8333

age engineering corporation
 1115 S. 4TH ST. SUITE 2
 DENVER, COLORADO 80202
 (303) 733-1111

SHEET 2 OF 2

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EXHIBIT "A"
IS ON FILE IN THE
CITY OF PEORIA
CITY CLERK'S OFFICE

