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NOV 07 2013

Chandler

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Chandler All-America City 2010

MEMORANDUM **Transportation & Development – CC Memo No. 13-136**

DATE: NOVEMBER 7, 2013

TO: MAYOR AND COUNCIL

THRU: RICH DLUGAS, CITY MANAGER
MARSHA REED, ASSISTANT CITY MANAGER
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR
JEFF KURTZ, PLANNING ADMINISTRATOR
KEVIN MAYO, PLANNING MANAGER

FROM: SUSAN FIALA, CITY PLANNER

SUBJECT: DVR13-0029 WISE FAMILY HOME
Introduction and Tentative Adoption of Ordinance No. 4509

Request: Request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for construction of one single-family residence with Preliminary Development Plan (PDP) approval for site layout

Location: 4711 South Tower Avenue, north of Chandler Heights Road and west of Cooper Road

Applicant: Wendy and Kevin Wise

RECOMMENDATION

Planning Commission and Planning Staff, finding consistency with the General Plan and the Southeast Chandler Area Plan, recommend approval subject to conditions.

BACKGROUND

The approximate 0.7-acre parcel is located at 4711 South Tower Avenue, north of Chandler Heights Road and west of Cooper Road. The parcel to the north is the Calabria single-family subdivision to be developed by Blandford Homes. To the east is a vacant Agricultural District zoned parcel. To the south are rural residential properties under Maricopa County jurisdiction, and west is the Symphony Estates single-family subdivision.

The site was recently annexed into the City of Chandler. The initial city zoning to Agricultural District (AG-1) will receive final adoption of the ordinance at the October 21, 2013, City Council meeting.

The parcel is located within the Southeast Chandler Area Plan (SECAP) and designated as Traditional Suburban Character. Development within this character area is to convey a rural/agrarian theme.

The request is for rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for construction of one single-family residence with Preliminary Development Plan (PDP) approval for site layout. The parcel is currently undeveloped. The PAD will allow the construction of one custom single-family home on the parcel. The requested setbacks are 30 ft. for the front yard; 8 ft. for the north side yard, 12 ft. for the south side yard; and 40 ft. for the rear yard. The parcel is about 370 feet in depth, after the dedication of 30 ft. toward the Tower Ave. right-of-way, and 82.5 feet in width. The total parcel is approximately 30,525 sq. ft. or 0.7 acres in area.

The subject parcel area of 30,525 sq. ft. more closely aligns with the Single-Family 33 District (SF-33) lot size requirement of 33,000 sq. ft. than the AG-1 lot size of one acre. The applicant requests to maintain the permitted uses as classified under the SF-33 District as outlined in Section 35-501 of the Zoning Code. The SF-33 District permits the standard uses such as accessory buildings and fences and also allows agrarian uses. The agrarian uses which the applicant requests to be permitted include the following:

> (a) Livestock raising and grazing, excluding hogs, pigs, burros, donkeys or roosters, is permitted for a maximum of one (1) animal per ten thousand (10,000) square feet of lot area.
>
> (b) Excluding household pets, the raising of poultry, rabbits and other small domesticated animals provided they are contained within a fence or cage.
>
> (c) All animals must be contained in a stock-tight fence and/or corral. Such fence or corral shall not be permitted closer than one hundred (100) feet to the front property line. For corner lots, no such fence or corral shall be located closer to the side right-of-way line than the principal building.
>
> (d) Field crops, including vegetables and fruit trees.
>
> (e) Accessory buildings used specifically for animals and fowl authorized under paragraphs a. and b. above, provided they are located within the area fenced for animals and maintain the same front, side and rear yard requirements as provided for the principal building.

The property is accessed from Tower Avenue via Brooks Farm Road to the north or from the south through the Creekwood Ranch subdivision via Chandler Heights Road. Tower Avenue

fronts the west property line and is currently constructed as a half-street; thus the remaining dedication is required as part of the parcel's development.

The new home will be a one story, custom built home with a basement. The home will be approximately 4,400 sq. ft. in floor area with 2,800 sq. ft. on the main level and 1,600 sq. ft. in the basement. The home will have a 450 sq. ft. rear covered patio, a 40 sq. ft. front covered porch, and an 810 sq. ft. garage. Lot coverage will comply with SF-33 at 40 percent.

The architectural style will be a southwestern theme. The design is not complete at this time and is not part of this application. The front yard will have desert themed landscape.

DISCUSSION

Planning Staff supports the request, finding the proposed development of a single-story custom home on the approximate 0.7-acre property is appropriate and compatible with surrounding uses. The SECAP promotes the historic agrarian nature of southeast Chandler and this one story, custom home on a large parcel will continue to create the rural nature that is consistent with the surrounding area.

The site's north property line will be adjacent to a proposed drainage tract for a length of approximately 121 ft. and the remaining length borders the rear property lines of four lots of the Calabria single-family subdivision. During the neighborhood notification process, as noted in the following section, the Calabria homebuilder voiced concerns about the north setback of the subject site. The applicant has worked pro-actively with the Calabria homebuilder to reach a compromise on the setback.

The applicant's initial request was for a 5 ft. north side yard setback, however, the homebuilder wanted a greater separation from the rear yards of their development. The Calabria rear yard setbacks will be 20 ft. for one-story and 30 ft. for two-story homes. The compromise was to increase the north side yard setback to 8 ft. and decrease the south side yard setback to 12 feet for the subject site.

Planning Staff supports the requested setbacks and agrarian land uses as suitable for the 30,000 sq. ft. parcel size. The new home will be one-story and custom built and will embody the SECAP Traditional Suburban Character land use.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed according to the provisions of the City of Chandler Zoning Code.

- A neighborhood meeting was held on September 19, 2013, at the Veteran's Oasis Environmental Education Center. The homebuilder of the site to the north, Calabria, attended the meeting. The concerns voiced related to the north side yard setback and the detached accessory structure. The applicant also received one phone call from the President of the Chandler Heights Estates Homeowners Association who voiced support of the request.

- At the time of this writing, Planning Staff has received no phone calls or letters in opposition to this request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.
In Favor: 6 Opposed: 0 Absent: 1 (Donaldson)

RECOMMENDATIONS

Rezoning

Planning Commission and Planning Staff, upon finding consistency with the General Plan and SECAP, recommend approval of DVR13-0029 WISE FAMILY HOME, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD), subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR13-0029 WISE FAMILY HOME, except as modified by conditions herein.

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, per the standards of the Chandler Transportation Plan.

4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

5. Permitted uses shall be those allowed in Article V. Section 35.501. Single-Family District (SF-33).

6. Building setbacks shall be a minimum of a 30 ft. front yard, an 8 ft. north side yard, a 12 ft. south side yard, and a 40 ft. rear yard.

Preliminary Development Plan

Planning Commission and Planning Staff, upon finding consistency with the General Plan and SECAP, recommend approval of DVR13-0029 WISE FAMILY HOME, Preliminary Development Plan for a single-family residence, subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR13-0029 WISE FAMILY HOME, except as modified by conditions herein.

2. Approval by the Director of Transportation & Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.

3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.

4. The perimeter wall design shall be compatible with the adjacent Calabria perimeter walls.

PROPOSED MOTIONS

Rezoning

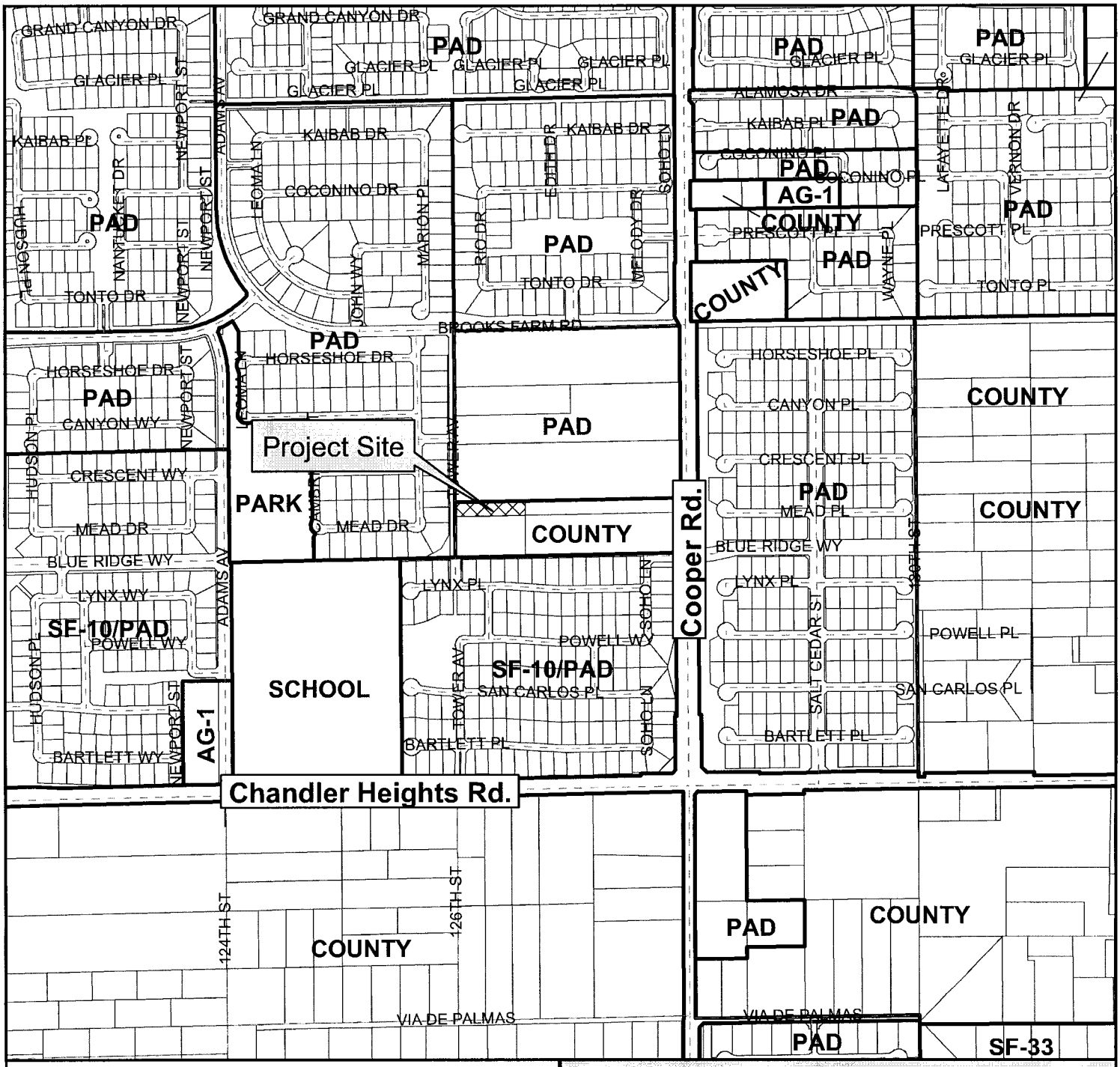
Move to introduce and tentatively adopt Ordinance No. 4509, approving DVR13-0029 WISE FAMILY HOME, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD), subject to the conditions as recommended by Planning Commission and Planning Staff.

Preliminary Development Plan

Move to approve DVR13-0029 WISE FAMILY HOME, Preliminary Development Plan for a single-family residence, subject to the conditions as recommended by Planning Commission and Planning Staff.

Attachments

1. Vicinity Maps
2. Applicant Narrative
3. Site/Plot Plan
4. Ordinance No. 4509



Vicinity Map

DVR13-0029

Wise Family Home

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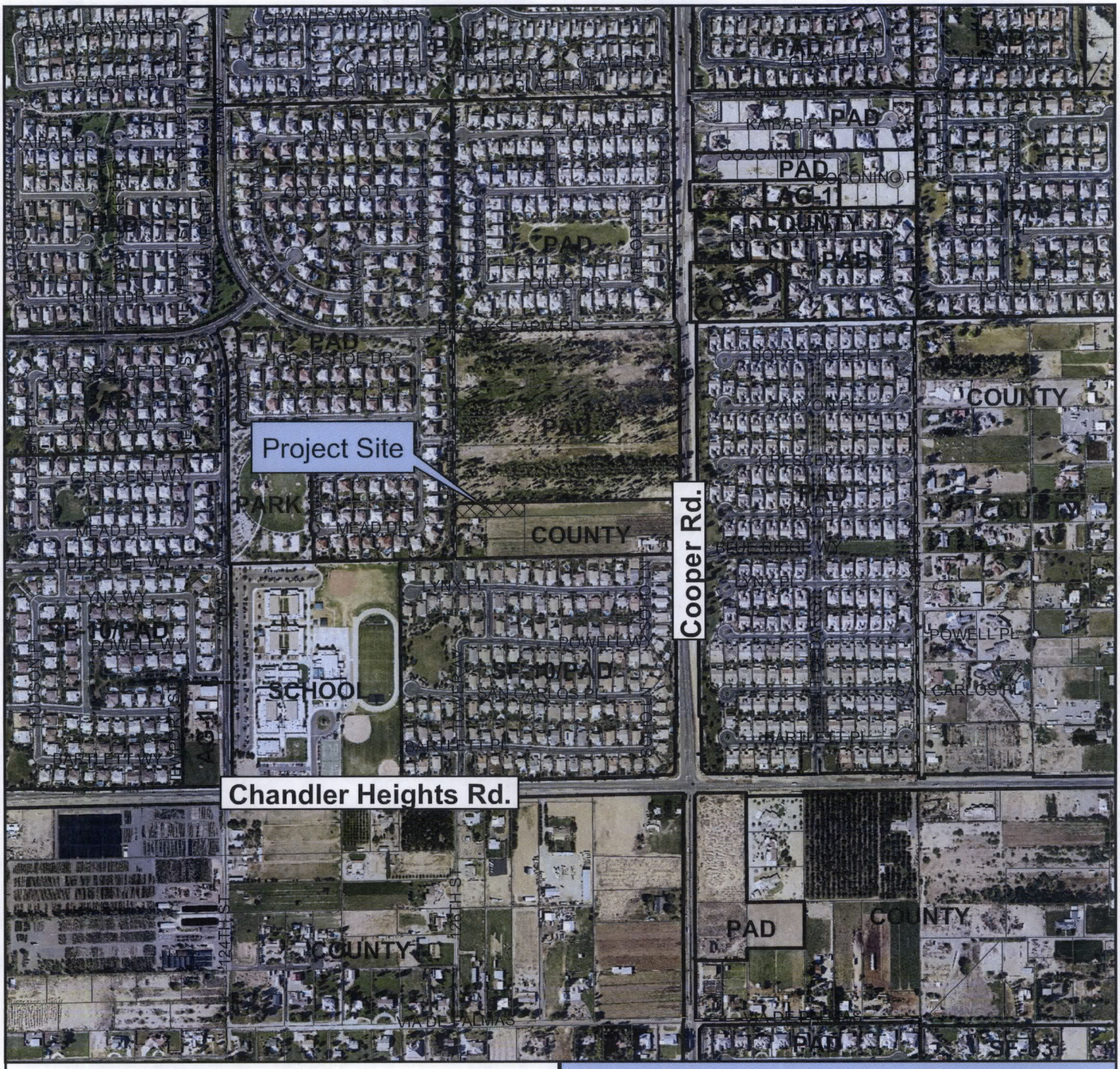
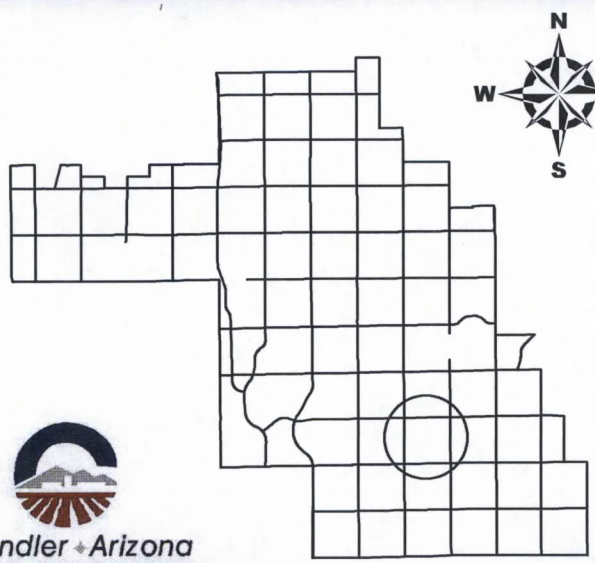
CITY OF CHANDLER 7/15/2013





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Vicinity Map

DVR13-0029

Wise Family Home

CITY OF CHANDLER 7/15/2013

Narrative

Wise Family Home

We, Kevin and Wendy Wise, are proposing to build a custom single family home on a 0.7 acre property near Cooper & Chandler Heights at 4711 S Tower Ave (AN: 303-45-002Y).

The purpose of this proposal is to rezone said property from AG-1 to PAD and determine setbacks, to allow construction of one single family home in compliance with Southeast Chandler Area Plan.

The home will be single story with a basement and 3 car garage, southwestern-themed with a tile roof.

This home will have minimum side setbacks of 8 and 12 feet. These side setbacks are greater than or equal to the setbacks of surrounding neighborhoods. The 8 foot setback will be on the north side of the property next to the proposed Calabria neighborhood, where the minimum side setbacks are planned to be 5 feet. The 12 feet southern setback will be next to the agricultural property to the south. Front setback will be a minimum of 30 feet. Rear setback will be a minimum of 40 ft.

Optional block fence surrounding back yard, if built, would be designed to coordinate with Calabria.

The front yard will have desert landscaping designed to coordinate with neighboring homes.

Drainage will be addressed when final site plans are finalized and submitted to the city for building permits.

Site plan has yet to be finalized. The proposed home will be approximately 4400 sq ft: 2800 sq ft on the main floor and 1600 sq ft in the basement. A 450 sq ft covered patio will be attached at the rear of the house. An 810 sq ft 3 car garage will be attached at the front of the house, facing Tower Ave as well as a 40 sq ft covered front porch. A 320 sq ft detached storage building will be located in the back yard. Lot coverage is currently planned at 15% and will not exceed 40%. Access to the home will be off Tower Ave, via a driveway as shown on the proposed site plan.

The lot size is 82.5' x 400' (33,000 sq ft, 0.75 acres) including the 30' Tower Ave right of way. The Tower Ave frontage width is comparable to homes in neighboring communities, roughly: Calabria (north) 60 ft, Creekwood Ranch (south) 80 ft and Symphony II (west) 90 ft.

We request the same permitted uses as zoning classification SF-33 in section 35-501- "Uses permitted" of the city code. This is consistent with the lot size and in keeping with the surrounding land use. The property to the east is currently zoned AG-1. The property to the south is zoned RU-43, Maricopa County; agricultural use. No homes have been built yet on the properties to the north. Any homes to the west back up to Tower Ave across the street and are at least 120 ft from our property line.

35-501. Uses permitted

(1) Single-family dwellings.

(2) One (1) accessory building as defined by Article II.

Narrative

Wise Family Home

(3) Home occupations as defined by Article II.

(4) Storage shed as defined by Article II.

(5) Signs in accordance with the Chandler Sign Code [Chapter 24].

(6) Fences, walls, landscape screens not exceeding seven (7) feet in height adjacent to rear and side property lines and not to exceed three (3) feet in height adjacent to front yard.

(7) Swimming pools, private, in accordance with Article XXII, section 2204 [2205] of this Code.

(8) Agrarian subdivisions, subject to:

(a) Livestock raising and grazing, excluding hogs, pigs, burros, donkeys or roosters, is permitted for a maximum of one (1) animal per ten thousand (10,000) square feet of lot area.

(b) Excluding household pets, the raising of poultry, rabbits and other small domesticated animals provided they are contained within a fence or cage.

(c) All animals must be contained in a stock-tight fence and/or corral. Such fence or corral shall not be permitted closer than one hundred (100) feet to the front property line. For corner lots, no such fence or corral shall be located closer to the side right-of-way line than the principal building.

(d) Field crops, including vegetables and fruit trees.

(e) Accessory buildings used specifically for animals and fowl authorized under paragraphs a. and b. above, provided they are located within the area fenced for animals and maintain the same front, side and rear yard requirements as provided for the principal building.

In closing we look forward to building our home in South East Chandler. Should any other questions arise in the future feel free to call us at 480-710-5554 or email us at wendy@wisefam.net.

Sincerely,

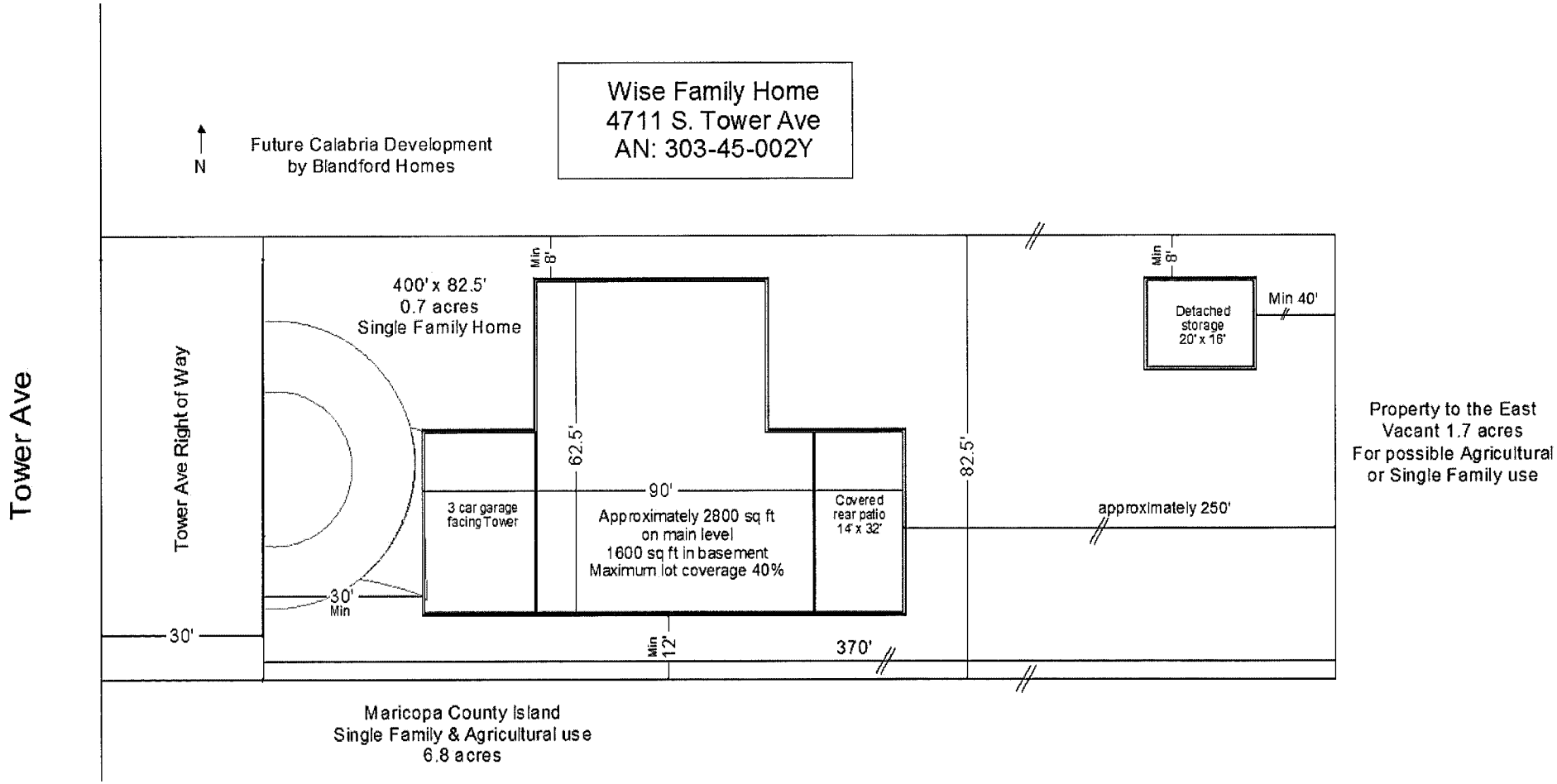
Kevin Wise

Kevin Wise

Wendy Wise

Wendy Wise

Rev. 3
10/8/2013


Wise Family Home
4711 S. Tower Ave
AN: 303-45-002Y
N
Future Calabria Development
by Blandford Homes
Tower Ave
Tower Ave Right of Way
400' x 82.5'
0.7 acres
Single Family Home
Min 8'
62.5'
90'
3 car garage facing Tower
Approximately 2800 sq ft on main level
1600 sq ft in basement
Maximum lot coverage 40%
Covered rear patio 14' x 32'
82.5'
Min 8'
Detached storage 20' x 16'
Min 40'
approximately 250'
Property to the East
Vacant 1.7 acres
For possible Agricultural or Single Family use
30'
Min
30'
Min 12'
370'
Maricopa County Island
Single Family & Agricultural use
6.8 acres

ORDINANCE NO. 4509

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT FOR A SINGLE-FAMILY RESIDENCE (DVR13-0029 WISE FAMILY HOME) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Legal Description of Property:

A portion of the Southeast Quarter of Section 23, Township 2 South, Range 5 East, Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

The West 400 feet of the following described property:

The North Half of the North Half of the South Half of the South Half of the Northeast Quarter of the Southeast Quarter of Section 23, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, records of Maricopa County, Arizona;

Except the West 30 feet thereof.

Said parcel is hereby rezoned from Agricultural District (AG-1) to Planned Area Development (PAD) for a single-family residence, subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR13-0029 WISE FAMILY HOME, except as modified by conditions herein.

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, per the standards of the Chandler Transportation Plan.

4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

5. Permitted uses shall be those allowed in Article V. Section 35.501. Single-Family District (SF-33).

6. Building setbacks shall be a minimum of a 30 ft. front yard, an 8 ft. north side yard, a 12 ft. south side yard, and a 40 ft. rear yard.

SECTION II. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION III. The Transportation & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Maricopa County, Arizona, this _____ day of _____, 2013.

ATTEST:

_____ _____
CITY CLERK MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2013.

ATTEST:

_____ _____
CITY CLERK MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 4509 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2013, and that a quorum was present thereat.

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY GAB

PUBLISHED: