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FEB 22 2007



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**MEMORANDUM                      Planning and Development – CC Memo No. 07-019a**

**DATE:**            FEBRUARY 8, 2007

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER  
                     DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR  
                     JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR  
                     BOB WEWORSKI, PRINCIPAL PLANNER

**FROM:**            BILL DERMODY, CITY PLANNER

**SUBJECT:**        PDP06-0050 MONTAGE BY CHARLEVOIX HOMES

**Request:**        Preliminary Development Plan (PDP) approval for housing product for a 92-lot single-family residential subdivision on approximately 35 acres

**Location:**        Approximately ¼ mile north of the northeast corner of Chandler Heights and Lindsay Roads

**Applicant:**        Perlman Architects (Bryan Celius)

**Project Info:**    Six plans—two single-story floor plans and four two-story floor plans with three elevations each, ranging in size from 2,631 to 5,297 square feet

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan and Planned Area Development (PAD) zoning, Planning Commission and Staff recommend approval of the Preliminary Development Plan (PDP) for housing product subject to conditions.

**BACKGROUND**

Request is for single-family housing product approval within a previously approved single-family residential subdivision. The development is approximately 35 acres and includes 92 lots that average approximately 10,663 square feet in area. The property was rezoned from Agricultural (AG-1) to PAD zoning in September 2004. The land use, lot sizes, landscaping, street standards, setbacks, and subdivision diversity standards were addressed through a

subdivision layout PDP that was approved at the same time as the development's rezoning application.

The subject site is bordered on the north by several single-family ranchettes that are unincorporated and are adjacent to Brooks Farm Road. To the east is a parcel zoned AG-1 that is currently used for farming, and west across Lindsay Road is a dairy in unincorporated Maricopa County that is proposed for annexation and eventual development of Phase II of the subject development, Montage by Charlevoix Homes. South of the subject site, at the northeast corner of Chandler Heights and Lindsay Roads, is planned for a City water recharge facility.

Housing plans range from approximately 2,631 to 5,297 square feet, including six floor plans with three elevations each for a total of 18 elevation options. There are two single-story plans and four two-story plans. Architectural styles include Monterey, Mission, Hacienda, Mediterranean, and Revival (not all styles are available on all floor plans). The housing plans offer side entry and tandem garages, a variety of roof tile types, and color choices that enhance the diversity of the subdivision. All plans also offer rear yard covered patios and front yard porches or courtyards.

The housing product meets the current Residential Development Standards including all nine required standards and seven of the optional diversity standards. The housing product provides three distinctive elevations per floor plan, variation in roof planes, color variations, de-emphasized garage fronts, standard front porches/courtyards (often generous in size), and a variety of single-story and two-story housing products.

The various architectural styles each feature several distinctive elements. The Monterey style contains decorative shutters and window covers, carriage-style garage doors, multi-colored tile accents, and concrete S-tile roofing. The Mission style contains rounded Spanish-style parapets, adobe brick veneer, and concrete S-tile roofing. The Hacienda style contains brick veneer, carriage-style garage doors, rough sawn window headers, and flat concrete roofing. The Mediterranean style contains a substantial amount of stone veneer, arched front door entries, carriage-style garage doors, decorative window shutters, and concrete S-tile roofing. Finally, the Revival style contains decorative wrought iron, decorative rafter tails, carriage-style garage doors, tile and recessed stucco around the front door frames, and concrete S-tile roofing.

Additional project details, diversity analysis, and housing product can be found in the provided Development Booklet.

The established zoning restricts two-story homes in several ways. Two-story homes along the northern boundary (Lots 4 through 18) are limited to no more than every third lot. No two two-story homes may be located adjacent to each other along the northern boundary (Lots 4 through 18). Only one home backing to Lindsay Road (Lots 1-4) may be two-story. When two-story homes are built on adjacent lots, the two-story elements must be separated by at least 20 feet. Lots 16 and 17 must be built with single-story homes only. Additionally, the zoning approval stipulates that the same front elevation not be built on adjacent or opposite lots and that staggered front and rear building setbacks for adjacent homes occur throughout the subdivision.

**PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on December 27, 2006 at the Chandler Library—Basha Branch. No citizens attended.
- At the time of this writing, Staff has received no telephone calls or letters from citizens opposed to this request.

**COMMISSION VOTE REPORT**

Motion to approve.

In Favor: 6    Opposed: 0    Absent: 1 (Anderson)

**RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval of PDP06-0050 MONTAGE BY CHARLEVOIX HOMES subject to the following conditions:

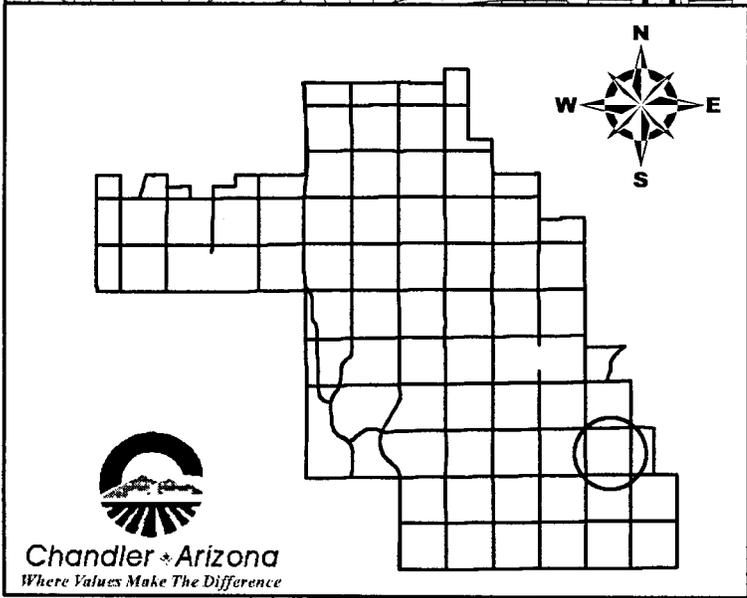
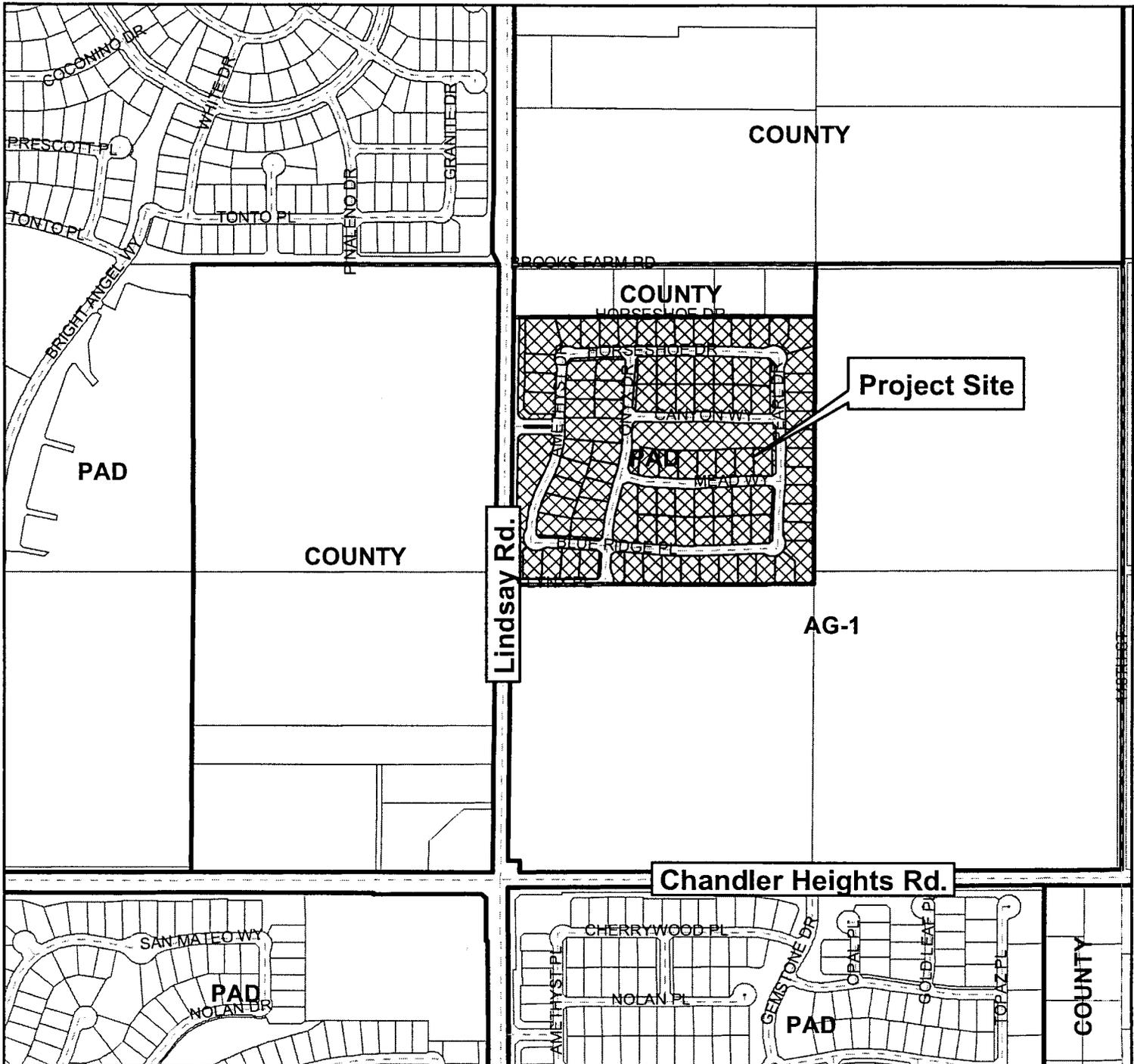
1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3607, in case DVR04-0013 AVIAN TRAILS, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled “MONTAGE BY CHARLEVOIX HOMES” kept on file in the City of Chandler Current Planning Division, in file No. PDP06-0050, except as modified by condition herein.
3. Plan 6 shall include a low courtyard wall in front of the house to provide private outdoor open space.
4. A minimum of two trees at a minimum of 2-inch caliper each shall be planted in all front yards.

**PROPOSED MOTION**

Move to approve Preliminary Development Plan in case PDP06-0050 MONTAGE BY CHARLEVOIX HOMES subject to the conditions recommended by Planning Commission and Staff.

**Attachments:**

1. Vicinity Map
2. Development Booklet, Exhibit A
3. Site Plan
4. Housing Plans Street Scene
5. Ordinance No. 3607



## Vicinity Map

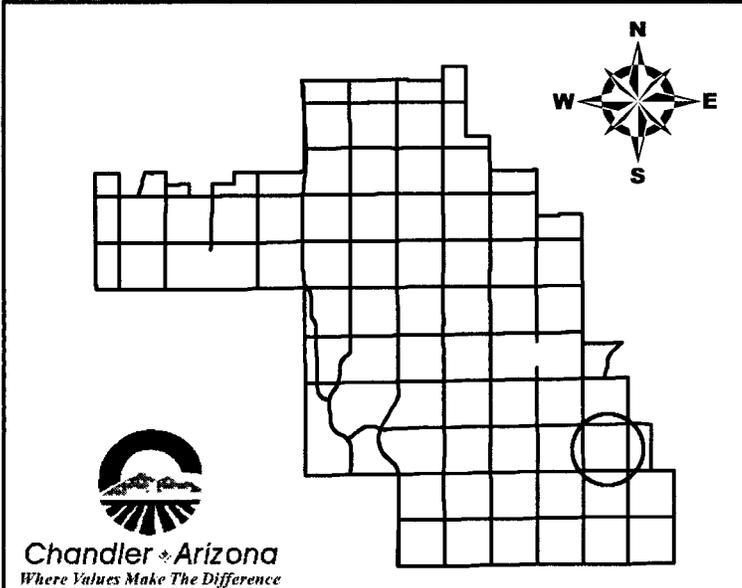
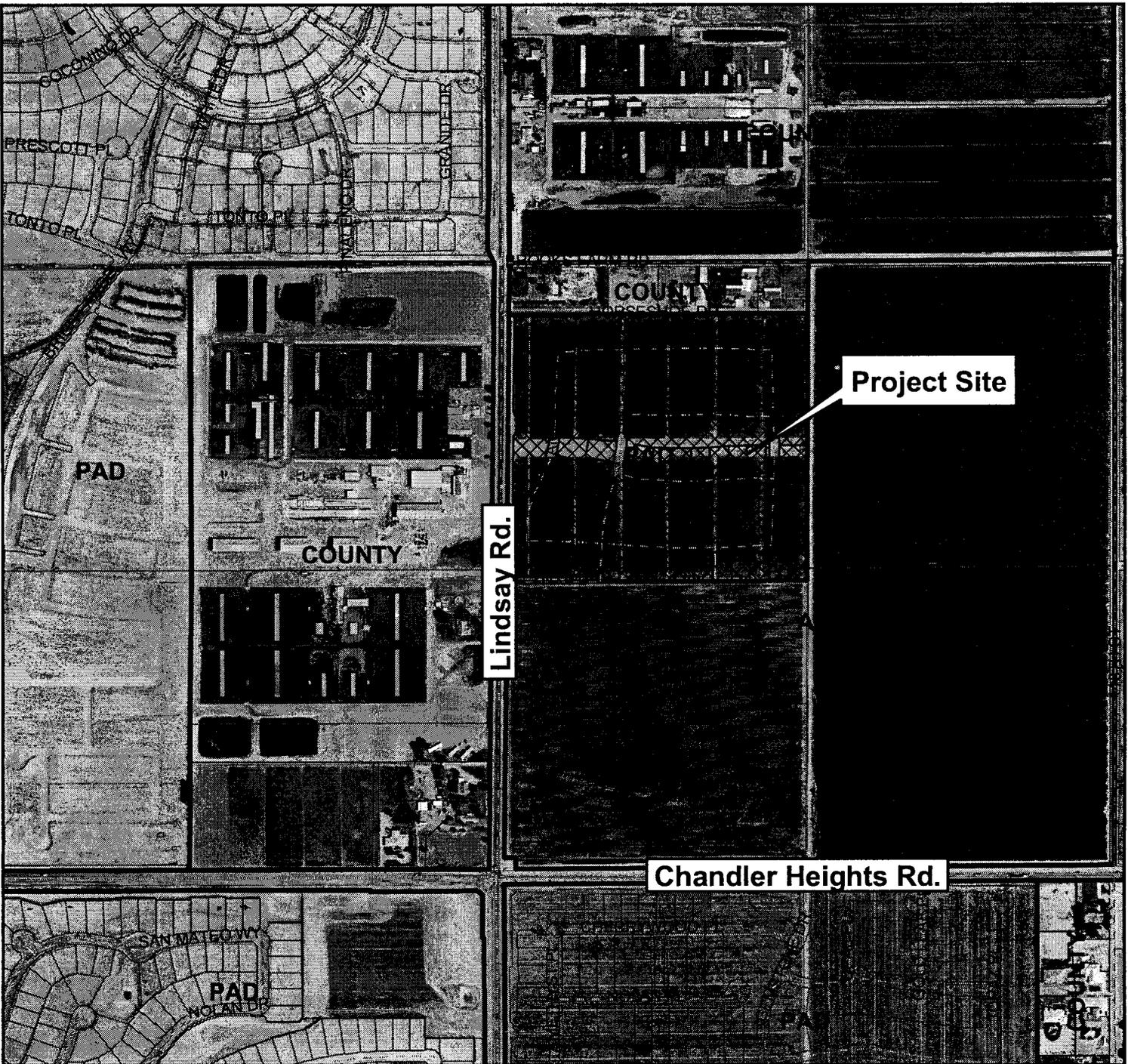
PDP06-0050

Montage by Charlevoix Homes



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CITY OF CHANDLER 10/4/2006



## Vicinity Map



PDP06-0050

Montage by Charlevoix Homes







Plan 5 Hacienda

Plan 1 Revival

Plan 4 Monterey

Plan 3 Mission

# Montage by Charlevoix Homes Chandler, Arizona

Street Scene

©Perlman Architects of AZ

**Perlman**

Architects of Arizona  
November 29, 2006 #306010

**ORDINANCE NO. 3607**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY PLACING ON A PARCEL THE INITIAL CITY ZONING OF PAD -- PLANNED AREA DEVELOPMENT (DVR04-0013 AVIAN TRAILS) 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 Southwest Quarter of Section 20, Township 2 South, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the West Quarter corner of said Section 20;  
Thence South 00 degrees 49 minutes 00 seconds West, along West line of the Southwest Quarter of said Section 20, a distance of 224.02 feet;  
Thence departing said West line, South 89 degrees 59 minutes 55 seconds East, a distance of 55.00 feet to the Point of Beginning;

Thence continuing South 89 degrees 59 minutes 55 seconds East, a distance of 1260.05 feet;  
Thence South 00 degrees 31 minutes 27 seconds West, along the East line of the West half of said Southwest quarter, a distance of 1152.67 feet;  
Thence departing said East line North 89 degrees 59 minutes 55 seconds West, to said West line, a distance of 1265.93 feet;  
Thence North 00 degrees 49 minutes 00 seconds East, along said West line, a distance of 1152.74 feet to the Point of Beginning.

Said parcel is hereby zoned PAD (Planned Area Development) subject to the following conditions:

1. Right-of-way dedications to achieve full half widths for Lindsay Road, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
2. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
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. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
6. Off-site improvements for Lindsay Road shall include full, half-width right-of-way including two northbound traffic lanes, raised landscape median, and one southbound traffic lane.
7. 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.
8. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Avian Trails" kept on file in the City of Chandler Current Planning Division, in file no. DVR04-0013, except as modified by condition herein.
9. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.

10. The landscaping in all open spaces and rights-of-way as well as all perimeter fences and view walls, shall be maintained by the adjacent property owner or homeowners' association.
11. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.
12. The homes shall have all copper plumbing lines for those lines under pressure.
13. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, and the total landscapable area is 10 acres in size or greater, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. If the total landscapable area is less than 10 acres in size, the open space common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, when the City of Chandler has effluent of sufficient quantity and quality, which meets the requirements of the Arizona Department of Environmental Quality for the purposes, intended available to the property to support. In the event the owner sells or otherwise transfers the development to another person or entity; the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners. The Public Report, Purchase Contracts, and Final Plats shall include a disclosure statement outlining that the development shall use treated effluent to maintain open space, common areas, and landscape tracts.
14. The "Public Subdivision Report", "Purchase Contracts", and CC&R's shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely.

15. No more than two adjacent homes along arterial streets or public open spaces shall have identical roof ridgelines.
16. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at [www.chandleraz.gov/infomap](http://www.chandleraz.gov/infomap), or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.
17. The tot lot shall be a minimum of 20 total play stations.
18. The same front elevation shall not be built on adjacent or opposite lots.
19. Out of the four lots backing to Lindsay Road (lots 1-4) only one lot can have a two-story home on it.
20. Staggered front and rear building setbacks for adjacent house locations shall occur throughout the entire subdivision.
21. When two-story homes are built on adjacent lots, a 20-foot separation of the two-story elements shall be provided between homes.
22. The side yard setbacks shall be a minimum of 5 feet and 10 feet.
23. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to an existing dairy farm and animal privileged properties that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", and CC&R's shall include a disclosure statement outlining that the site is adjacent to an existing dairy farm located directly west of the subject property as well as other agricultural properties that have cow, horse, and other animal privileges, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.
24. Prior to the time of making any lot reservations or subsequent sales agreements, the home builder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby an aircraft engine testing facility and an airplane aerobatic training area that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report",

"Purchase Contracts", and CC&R's shall include a disclosure statement outlining that the site is adjacent to or nearby an aircraft engine testing facility and an airplane aerobatic training area, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

25. The developer shall create on the final plat and install an approximate seven-foot wide landscaped tract along the northern boundary of the Avian Trails subdivision. The Avian Trails homeowner's association shall have the responsibility to maintain this landscaped tract. This landscaped tract will be provided only if all of the property owners immediately to the north of the Avian Trails subdivision record an irrevocable easement of adequate size to the developer and the Avian Trails homeowner's association to be used solely for access to install improvements on and maintain this landscaped tract. This easement must be executed by all of the property owners within forty-five days of their receipt thereof. If these conditions are not satisfied this landscaped tract area shall be platted as additional lot area.

26. Two-story homes along the north boundary of the subdivision (lots 4 through 18) shall be limited to no more than every third lot, and no two two-story homes shall be built adjacent to each other.

27. Lots 16 and 17 shall be built with single-story homes only.

SECTION II.

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

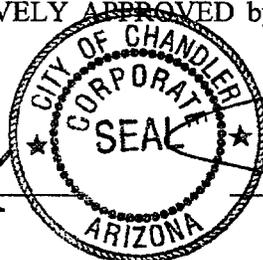
SECTION III.

The Planning & 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 this 9<sup>th</sup> day of September 2004.

ATTEST:

  
CITY CLERK



  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, on the 23<sup>rd</sup> day of September 2004.

ATTEST:

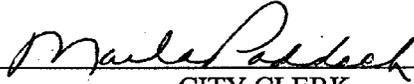
  
CITY CLERK



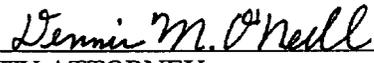
  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 3607 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 23<sup>rd</sup> day of September 2004, and that a quorum was present thereat.

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY

Published in the Tribune on September 29 & October 6, 2004