

### BACKGROUND

The subject site is currently undeveloped and zoned Rural-43 in the County. The site is bordered by a church to the north and existing rural residential homes to the east. The Chandler Land Use Element of the General Plan designates the site as residential. However, being located at the corner of two arterial streets, the General Plan also allows other uses such as commercial and office. As such, the property owner intends to submit a rezoning application following annexation to allow the development of a convenience store and gas station.

### UTILITY SERVICES

Existing municipal water service, reclaimed water and sewer service are available in Gilbert Road.

### PLANNING STAFF COMMENTS

Planning Staff circulated this request among City Departments and received no negative comments relative to the property's annexation.

- 13. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: La Valenciana Ord. #4491

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4491, DVR13-0001/PPT12-0001, La Valenciana, rezoning from Planned Area Development (PAD) Commercial to PAD (Single-Family Residential) for a single-family residential subdivision. (Applicant: Bowman Consulting for Ryland Homes (formerly Trend Homes))

APPROVED Preliminary Development Plan (PDP) for site and housing products design.

APPROVED Preliminary Plat (PPT) on approximately 18 acres located at the NEC of Pecos and Cooper roads.

### BACKGROUND

The subject site was zoned Planned Area Development (PAD) for neighborhood commercial, allowing C-1 zoning district uses, as part of the larger Kempton Crossing single-family subdivision in 1997. The commercial use was conceptual requiring a separate PDP. The surrounding Kempton Crossing subdivision is approximately 160 acres with 435 homes. Single-family residential lots abut the north side of the site. The site is bounded by Pecos Road on the south, Cooper Road on the west, and Cottonwood Street on the east. Single-family residential also exists east of Cottonwood Street. The property is located at the intersection of two arterial streets, which in 1997 was considered a feasible intersection corner for neighborhood commercial development.

The application includes rezoning approximately 18 acres from Planned Area Development (PAD) Commercial to PAD (Single-Family Residential) for a gated single-family residential subdivision. The property is currently two separate parcels including an approximate 2-acre parcel at the immediate corner. The corner parcel was formerly owned by Exxon/Mobil and sold to a private developer in 2010. Both parcel owners have been working on an agreement whereby the 2 acres is developed as part of Ryland Homes' residential development. However, the commercial corner has a deed restriction in place from Exxon/Mobil prohibiting residential development. If the new property is not successful at having this restriction removed, the 2-acre commercial parcel will remain zoned PAD for neighborhood commercial C-1 uses as represented in Option 2 of the development booklet. The application also includes a Preliminary Development Plan (PDP) for the entire 18 acres as single-family residential. The Preliminary Plat approval is

for the 18-acre single-family subdivision; however, a new plat will be required if the immediate corner remains commercial.

The La Valenciana subdivision will include 70 single-family residential lots developed as a low-medium density residential community at approximately 3.85 du/ac. If the commercial corner remains, the residential development will have 58 lots at a density of 3.56 du/ac on approximately 16 acres. A zoning condition is included regarding the commercial corner maintaining its original neighborhood commercial zoning entitlements if not developed for single-family residential.

The subdivision offers a traditional lot layout with a variety of housing plans. The subdivision is gated and includes private streets. The main entry/exit off of Pecos Road is designed with a landscaped median, concrete pavers, decorative wrought iron gates and Date Palm trees along the perimeter. The secondary access off of Cooper Road is for exit only and includes the same quality of decorative wrought iron gates as the main entrance area. The exit off of Cooper Road is for right turn movements only. The main entrance/exit off of Pecos Road allows for full-movement access with an existing median break in alignment with the Santan Crossing offices south of Pecos Road.

The development's decorative perimeter walls range in height from 7 to 9 feet with architectural elements, integrated bench seating, wrought iron fencing, and decorative columns. The intersection corner landscape area is highlighted by a decorative subdivision name sign matching the features of the entry design along with several Date Palm trees. A mix of Mondel Pine, Mesquite and Chitalpa trees enhance the arterial streetscapes along with a variety of shrubs. Three open space areas are provided within the community including a playground area.

#### HOUSING PRODUCT

The seven housing products include 3 one-story, 4 two-story and 1 one-story home with a two-story element option (Plan 210.2). This two-story option is a small area of the home integrated into the one-story roofline as a 4<sup>th</sup> bedroom and dormer/storage area. This plan is considered a one-story home. Plans range in size from approximately 2,059 to 4,600 livable square feet. Each housing plan is designed with three architectural elevation styles providing a total of 21 housing plan options.

The homes are designed primarily with forward facing 2-car garage doors and an optional 1-car side entry garage which can be converted to livable or storage space. One plan has a standard 1-car side entry garage. Most of the forward facing garages are recessed behind a livable component. Standard features include rear yard covered patios, covered front door entries, and a variety of stone veneer patterns standard on at least one elevation. One plan has a porch and another has a front courtyard area. Housing plan exteriors include four-sided architectural elements, a variety of window moldings and roof tiles, window shutters, decorative brackets, decorative vents, wrought iron accents, corbels and grid pattern window designs.

There are various roof tile and paint color scheme options. Two-story homes are designed to avoid a box-on-box appearance with the introduction of one-story components on rear elevations and/or front elevations, varied rooflines and varied wall plane elements. Elevation style details include arch elements, decorative trim above garage doors and enhanced bases and/or banding elements on columns. Additionally, homes include varied column designs, decorative corbels, extended roof overhangs and some have a balcony with metal railing.

The housing products design complies with the Residential Development Standards architectural diversity elements. The homes meet all 9 required elements and provide 10 minimum optional elements where 7 are required.

#### SUBDIVISION DIVERSITY

The subdivision design includes a sense of arrival into the neighborhood with open space and landscaping at the main entry. Fifteen homes back up to Pecos Road, no homes along Cooper Road and six homes back up to Cottonwood Street. The development provides staggered rear walls along street frontages, a centrally located usable retention basin and an amenity area with tot lot, seating and useable open space.

Lot standards include a minimum front yard building setback of 10 feet for side-entry garages or livable space and 18 feet for forward facing garage doors. Rear yard building setbacks are a minimum of 20 feet for one- and two-story homes; however, patio covers can encroach 10 feet into the rear yard setback. Side yard building setbacks are a minimum of 5 feet and 7 feet, with the larger side yards grouped together to achieve a 14-foot setback between homes. The maximum lot coverage is 60%.

Additionally, the development restricts corner lots to one-story homes or the 210.2 plan with the one-story element on the street side. The same front elevation will not be built side-by-side or directly across the street from one another. No more than two identical side-by-side roof slopes will be constructed along Pecos Road. In response to concerns from residential homeowners to the north, the developer agrees to limit lots 1 through 22 to one-story homes only. Furthermore, the developer agrees to limit the number of two-story homes along Pecos Road to no more than two, two-story homes built side-by-side.

The subdivision layout design complies with the intent of the Residential Development Standards subdivision diversity elements. The development meets 6 of 8 required elements and provides 6 of the minimum required 10 optional elements. The property's character limits meeting all of the subdivision diversity elements with the proposed lot sizes. The property is in part infill with the surrounding area mostly developed other than the remaining commercial corners at the intersection of Pecos and Cooper roads.

#### GENERAL PLAN CONFORMANCE

The General Plan designates this property under the Residential category, which allows a range of residential densities from low to high density. The proposed 3.85 du/acre falls within the Medium Density Residential category, 3.5 to 12 du/ac. Medium density residential is considerable adjacent to arterial streets. This corner was initially zoned for a neighborhood commercial development as part of a growing single-family residential area in the 1990s. The Residential category also allows consideration for commercial at arterial street intersections. The arterial street intersection of Cooper and Pecos roads has historically been zoned PAD for commercial with some PDP approvals, except the SWC which has approximately 1.5 acres zoned for single-family residential use. The commercial corner parcels have yet to develop. This three corner commercial intersection warrants evaluation as to the need to maintain all three corners for commercial development. City Staff has discussed this property and determined it is in the best interest of the City to move forward with a residential land use. The residential land use serves as a transitional use to existing single-family homes.

#### DISCUSSION

Planning Staff is of the opinion that the single-family residential development furthers the City's goal to promote new development and a compatible land use adjacent to existing single-family

residential. The development meets the intent of the Residential Development Standards including architecture, site design and landscaping, while incorporating attractive site wall and entry monument features. The proposed lot sizes and density transition well with the abutting Kempton Crossing single-family residential which has lots 8,500 square feet and greater within the 3.0 density range.

Planning Staff has reviewed an exhibit conceptually showing development of the 2-acre commercial corner if not included with the single-family residential subdivision. The corner has the potential to develop with a standalone building. Option 2 in the Development Booklet represents access limited to Cooper Road only, landscape buffering along the residential with a pedestrian access gate from the subdivision. At the time of writing this memo, Planning Staff was made aware that Option 2 is more likely to occur. About one year has passed and the commercial parcel owner has not presented removal of the residential restriction on the corner 2 acres to Ryland Homes.

#### PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held April 30, 2013. There were over 20 residents in attendance. Concerns were raised regarding not building two-story homes next to the existing one-story home only subdivision, timing of construction and why smaller lots are proposed.

Planning Staff has received phone inquiries on this request wanting to know the homebuilder and number of lots. A member of the Kempton Crossing HOA Board called wanting to know if Ryland Homes was proposing all one-story homes. Kempton Cross is all one-story homes and would prefer the same be built.

Planning Staff is not aware of any opposition.

#### PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 7 – 0.

An attorney representing one of the two property owners for the subject site spoke before the Commission expressing concern with future impacts his client may have with single-family residential use abutting his parcel if Option 2 came to fruition. The rezoning application filing includes two property owners that have worked together on this proposal for over a year. The day of the Commission hearing, Planning Staff was made aware that the property owner of the commercial parcel was having second thoughts about being a part of this development request. Ultimately, the attorney did not rescind the standing 'letter of authorization' authorizing the applicant to proceed with the rezoning request, and the Planning Commission forwarded a recommendation of approval.

#### RECOMMENDATIONS

##### **Rezoning**

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

##### **Preliminary Development Plan**

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "LA VALENCIANA", kept on file in the City of Chandler Planning Division, in File No. DVR13-0001, except as modified by condition herein.
2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or association.
4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
5. The total lot shall be a minimum of 20 total play stations.
6. All homes built on corner lots within the residential subdivision shall be single-story or a combination of one-and two-story with the one-story portion on the street side.
7. The same elevation shall not be built side-by-side or directly across the street from one another.
8. Lots 1 through 22 shall be constructed with single-story homes only.
9. No more than two, two-story homes shall be built side-by-side along Pecos Road.
10. No more than two identical side-by-side roof slopes should be constructed along the arterial street, Pecos Road.

#### **Preliminary Plat**

Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following condition:

1. Approval by the City Engineer and Director of Transportation & Development with regard to the details of all submittals required by code or condition.

#### **14. INTERGOVERNMENTAL AGREEMENT: Maricopa County Library District Res. #4702**

ADOPTED Resolution No. 4702 authorizing an Intergovernmental Agreement (IGA) with the Maricopa County Library District (MCLD) for The Library Assistance Program.

#### **BACKGROUND/DISCUSSION**

On June 28, 2001, Council approved renewal of the IGA between MCLD and the City of Chandler for participation in the Reciprocal Borrowing Program for fiscal years 2001-2006. Since that time, Council has approved six amendments to the renewal of the IGA. The Sixth Amendment, approved on July 26, 2012, extended the agreement through June 30, 2013. That amendment included a reduction in the reimbursable rate from \$28.50 to \$25.00 which resulted in a decreased reimbursement of \$39,030.00 from the previous year. The total value of reciprocal and other support provided by MCLD for FY 12/13 is estimated at \$236,775.00.

In FY 13/14, MCLD is implementing a new program, The Library Assistance Program, as a replacement to the reciprocal borrowing program. Beginning with a budget of \$2,600,000.00, the formula consists of 40% (of total budget) allocated by assessed valuation and 60% (of total budget) allocated by gross eligible non-resident cards issues. Under this agreement, in FY 13/14, the Chandler Public Library is estimated to receive an allotment of \$219,914.00 as a credit for the purchase of library materials through a vendor that is on contract with the Library District. Rather than receive reimbursement funds directly from MCLD, Staff will order library materials from the vendor who will be paid directly by MCLD. Additional support will be provided through the provision of Freegal downloadable music (estimated value of \$8,000.00), Rocket Languages