

BACKGROUND

Context

The subject property is vacant and comprises 4.55 gross acres located north of the NWC of 67th and Olive Avenues. The property is bounded by mini-storage directly north, a developed commercial site to the south, existing multi-family residential to the west, and in the vicinity north of the mini-storage there are additional multi-family apartments. To the east is the City of Glendale with their corporate boundary beginning on the project side of 67th Avenue. (Exhibits A & B)

General Plan

The subject property is designated on the General Plan Land Use Map as *Medium Density Residential (5-8 du/acre, target of 6 du/acre)*. This land use designation denotes areas where single-family attached and detached residential homes are desirable. The density range given above is intended to provide areas suitable for single-family, townhome, patio home, and multi-family homes. Suitability is determined on the basis of location, access, availability of existing or proposed public facilities and utilities, existing land use patterns and natural or man-made constraints. (Exhibit C)

Zoning

The subject property has retained its initial zoning of Intermediate Commercial (C-2) since 1971. The purpose of the Intermediate Commercial Districts is to provide a shopping center for the sale of convenience goods and personal services. The subject property has never developed under this zoning designation.

Adjacent Uses and Zoning

Tables 1 and 2 summarize the existing land use, general plan, and zoning designations for the surrounding areas. (See Exhibits B, C & D)

Table 1 – Existing Land Use and Adjacent Ownership Table

	Land Use	Development Project / Agency
North	Commercial	StorQuest Mini-storage
South	Commercial	Pollack Olive Retail Center
East	Major Arterial (67 th Ave)	City of Glendale
West	Multi-family residential	Haciendas Del Sol Home Owners Association

Table 2 – General Plan Land Use and Zoning

	General Plan Designation	Zoning
North	Medium Density Residential (5-8 du/ac, Target = 6 du/ac)	Central Commercial (C-3)
South	Medium Density Residential (5-8 du/ac, Target = 6 du/ac)	Intermediate Commercial (C-2)
East	City of Glendale	Single-Family Residential (R1-6)
West	Medium Density Residential (5-8 du/ac, Target = 6 du/ac)	Multi-Family Residential (RM-1)

*Related Policies and Project History****Annexation:***

In November of 1971, the City Council adopted Ordinance 71-121 annexing the subject property into the City of Peoria. Subsequently, the initial zoning of Intermediate Commercial (C-2) was affixed to the property.

General Plan Amendment:

No history on record.

Zoning:

In 2005, a request was submitted by the same owner (Case Z05-21) to rezone the property to a Mixed Use PAD, consisting of 72 multi-family units with a density of 15.8 du/acre. The Planning and Zoning Commission voted to 4-1 in favor, with one email of opposition recorded from the public. This rezoning case was withdrawn by the applicant before the Council hearing for economic reasons.

APPLICANT'S PROPOSAL

Goal / Purpose of Request

The applicant is requesting to rezone the property from Intermediate Commercial (C-2) to Multi-Family Residential (RM-1) to permit a two-story multi-family residential development called *Landmark on 67th Apartments*, comprising 56 two-bedroom units, resulting in a gross density of 12.3 dwelling units per acre. (Exhibit J)

The proposed development concept is to be a gated community with primary access from 67th Avenue. The main gate will have a decorative entry monument identifying the project and decorative pavers through the throat of the entry area. Once through the gate, an inner drive will loop through the interior of the site and back to the main gate. (Exhibit K)

The applicant has designed Landmark on 67th to provide a total of 21,059 sq. feet of usable open space in compliance with Chapter 4 of the City of Peoria Design Review Manual, which requires the project to have a minimum 150 sq. feet of usable open space per bedroom (16,800 sq. feet). The development concept is proposed to provide the following amenities:

- Large pool and deck area (2,000 sq. feet);
- Heated spa with seating area (90 sq. feet);
- Large fenced dog park (2,000 sq. feet);
- Shaded structure with BBQ grill & picnic tables (265 sq. feet);
- Play Station area with safety ground cover (3,500 sq. feet);
- Park bench seating along connective pathways throughout the open space areas

All the usable open space can be found extending between Buildings C – G, throughout the heart of the development proposal. The applicant has designed this area to have connectivity with walking trails and pathways extending to each amenity. The main pool and shade structure amenities centralized to this general area. Directly south of the pool area is a large dog park

and in the southwest corner of this area, is the large playground amenity referred to as a *Play Station*. (Exhibit L)

The Landmark on 67th proposal shall be subject to the Zoning Ordinance, Engineering, and Building requirements. The typical RM-1 zoning standards are listed below:

Categories	Applicable Standards (RM-1 Zoning for Multi-Family structures)
Arterial Street Buffer (Olive Avenue)	15 foot tract
Minimum Lot Area	N/R
Minimum Lot Width	N/R
Maximum Height	48 feet*
Maximum Accessory Building Height	20/30**
Maximum Lot Coverage	50%
Min. Front Setback	20 feet
Min. Interior Setbacks (min./total)	20 feet
Min. Rear Setback	15 feet
Min. Side Setback	15 feet
Required Usable Open Space	150 sq. feet/bedroom
Open Space Amenities	Three (3) minimum

* Three (3') of additional setback is required for each foot of height above 30 feet.

** Clubhouse is allowed a maximum height of 30 feet.

The apartment buildings are to be two-story only, with the nearest building to be over 65 feet from the west property line that is shared with Haciendas Del Sol residential community.

The applicant is proposing a decorative theme wall and gates, both facing 67th Avenue. All other perimeter walls are existing, and the applicant has proposed to paint and repair their side of the wall to correspond with the new theme walls. The dog park amenity will have 5 foot tall view fence.

DISCUSSION AND ANALYSIS

Conformance with the General Plan

The multi-family residential proposal conforms to the proposed Medium-High Density Residential (8-15 du/ac, target of 12 du/ac) land use designation, which accompanies this Rezoning proposal, (case GPA16-0005). With a proposed density of 12.3 du/acre, the development concept does not conform to the current General Plan Land Use Map designation of Medium Density Residential (5-8 du/ac, target of 6 du/ac), and why the General Plan Amendment heard previous to this report is required as part of the overall proposal.

The General Plan allows the target density to be exceeded for projects located in designated infill areas. The following is the formula for infill development consideration found in the General Plan, page 2-18 of the Land Use chapter:

- Up to one (1) du/acre for projects less than 10 acres, and
- Up to two (2) du/acre for project equal to or greater than 10 acres in size.

Staff has confirmed that the subject property lies within the City's designated *Infill Incentive District*, as illustrated in Exhibit O, out of Resolution 02-122, and qualifies to use the formula in the second bullet item above. If approved, this allows the Landmark on 67th proposal to a maximum of 13.0 du/acre. The project proposal is well under that mark, as stated above.

In addition to the above formula, other General Plan criteria may also be considered for the target density to be exceeded. These may include, but are not limited to:

1. *Community character and sense of place:*
 - *Enhanced entry/gateway and overall theming; or*
 - *Capitalization on the location of assets to create destinations within a project;*
2. *Promotion of development diversity by providing substantial variation in product elevations, types, or lot sizes;*
3. *Open Space*
 - *A sizable percentage (%) of area set aside as open space, above the minimum required; or*
 - *Minimum required open space with enhanced amenities must be provided; or*
 - *Meaningfully enhanced landscaping treatments for common areas.*
4. *Preservation and retention of environmentally sensitive areas.*
5. *Reduced demand on new or existing infrastructure facilities:*
 - *Infill of vacant areas and/or redevelopment of underdeveloped property;*
6. *Community and Public Facilities (Schools, Public Facilities, Trails & active parks):*
 - *Dedication for municipal facilities such as fire/ police stations, and City parks;*
 - *Dedication of land for educational facilities; or*
 - *Dedication and improvement of additional trail segments above City requirements; etc.*
7. *A high level of connectivity throughout the community:*
 - *Increased multi-modal connectivity (connecting trails & open spaces where deficient)*

The development concept associated with this Rezoning request has exceeded the City standards above for open space, reduced demand on City infrastructure, and community connectivity.

Land Use Compatibility

Staff has determined that this request is consistent with other existing developments and zoning in the vicinity. The predominant zoning district in the vicinity is the Multi-Family Residential (RM-1). This zoning designation stretches from the west border of the commercial corner (67th & Olive Avenues) to the north side of Olive Avenue, to 75th Avenue. As indicated earlier in the report, the subject property's west neighbor (Haciendas Del Sol) has a higher overall density of approximately 13.3 du/acre, and north of the mini-storage is another apartment community with similar density.

Other considerations to be noted, the property has had the commercial designation for many years without realizing this development potential. The parcel is deeper than it is wide, and removed from the corner, so its commercial visibility is limited for its overall size. Mini-storage already exists to the north of the subject property, so as a true *in-fill* property, it is reasonable to have a more dense residential development here, which can support the commercial that already exists to the south. The proposal will also provide continued improvements to the area, and serve as a desirable transitional neighbor, in terms of land use.

Staff finds the zone change and development proposal are consistent and compatible with existing development patterns and a good fit for a parcel that is adjacent to an arterial roadway and a commercial shopping center. On the east side of 67th Avenue, is a mobile home park subdivision within the City of Glendale, with Residential/R1-6 zoning.

City Review

This request has been reviewed through the City's rezoning application review process. Applicable recommended conditions of approval have been provided by the Planning, Site Development / Engineering, Community Services, and Fire Safety Division as provided in the *Conditions of Approval* portion this report.

The applicant has identified goals and policies from the General Plan that support this request (Exhibit F). Staff finds the goals and objectives to be relevant and has outlined additional General Plan goals, policies, and objectives that support this proposal.

The proposal meets criteria outlined in the General Plan necessary for requesting consideration to exceed target density, and further qualifies as being in a designated *Infill Incentive District*.

The proposal is compatible with existing zoning and development patterns directly adjacent, and in the vicinity.

The Traffic Engineering Division has reviewed this proposal and addressed all concerns regarding site access. Additional review of the proposal will occur during the Site Plan review process.

There is existing water and wastewater infrastructure adjacent to the property with adequate capacity to serve the proposed development.

Public Safety

The nearest police station is at 8351 W. Cinnabar Avenue, near Peoria City Hall, and the nearest City of Peoria Fire station is Station 191 at 8065 W. Peoria Avenue.

COMMUNITY INVOLVEMENT

Citizen Participation Plan - Neighborhood Meeting

As a requirement of the Rezone application process, a neighborhood meeting to engage the public is required. The applicant conducted two neighborhood meetings, and provided a Citizen Participation Report. The first meeting was held at 7:00p.m. on November 9, 2016 at the Peoria City Library located at 8463 W. Monroe Street in Peoria. The second was held on February 1, 2017 at the same location.

Approximately fifteen (13) people including Councilwoman Vicki Hunt, were in attendance at the first meeting. The applicant presented the proposal to the public and then took questions regarding the proposed use(s), access, site design, and architectural standards. Most of the public were residents of the City of Glendale and then a few from the Haciendas Del Sol multi-family community. There was some discussion and concern with access to 67th Avenue and residents from Haciendas Del Sol had questions regarding the height of the proposed buildings and construction along the shared west boundary. There was no verbal opposition given by any party at the meeting. (Exhibit G) No members of the public attended the second meeting.

Public Noticing

Public notice was provided in the manner prescribed under Section 14-39-6 of the City of Peoria General Plan. Posting of the site was completed within the prescribed number of days prior to the Public Hearing.

The applicant notified all property owners within a 600 foot radius of the site and all registered homeowner's associations within one mile of the site prior to convening the neighborhood meeting.

Proposition 207

The applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

Support / Opposition

At the time of this writing, staff received one email correspondence in support to the proposal. (Exhibit I)

SCHOOL DISTRICT COMMENTS/REVIEW

The Peoria Unified School District (PUSD) has indicated their support of the proposal, and entered into a Developer Assistance Agreement (DAA). The owner of the property has signed this agreement committing to support the future students that will be living within the Landmark on 67th development. (Exhibit H)

STAFF RECOMMENDATION

Based on the following findings:

1. The proposed zoning district is in conformance with the goals and objectives set forth in the Peoria General Plan for a residential land use development;
2. This rezoning request is consistent with the General Plan land use designation of Medium-High Density Residential (5 - 8 du/acre, target of 12 du/ac) and adequately justifies the 0.3 du/ac density increase, based on the following:
 - Provide superior quality, design, and public benefit, for consideration to exceed the target density as outlined in this report; and
 - Location within a designated *Infill Area*, allowing up to one (1) additional du/acre above target, for project areas of ten acres or less;
3. The proposal is consistent with zoning and development patterns in the vicinity, as demonstrated by the following:
 - Development serves as a suitable transition from neighboring multi-family homes to the existing commercial shopping district (C-2) to the south, and existing mini-storage (C-3) to the north; and
 - Consistent with the existing residential density patterns in the vicinity, notably the multi-family residential community abutting to the west, at 13.3 du/acre.
4. The proposal includes frontage improvements, including additional sidewalk connections that provide increased pedestrian safety to the existing neighborhood, along 67th Avenue.

Staff recommends that the Planning and Zoning Commission make the following recommendation to City Council:

Approval of Case Z16-0010 subject to the following conditions:

1. The development shall be limited to a maximum of fifty-six (56) units comprising a gross density of 12.3 du/acre, and shall not exceed two (2) stories in height.
2. The Developer will be responsible to underground any overhead utilities rated less than 69 kV, which are adjacent to the subdivision.
3. The Developer will be responsible to relocate the existing streetlight that is in conflict with the proposed driveway.
4. The Developer shall dedicate 65' ROW along the frontage of the project on 67th Avenue.
5. The Developer shall dedicate an 8' PUE outside of the required ROW. No walls, trees, or retention shall be allowed within the PUE.
6. The developer shall be responsible to obtain all necessary permits for the main driveway entrance off 67th Avenue from the City of Glendale prior to being granted building permits from the City of Peoria.

REPORT PREPARED BY

Sean Allen
Senior Planner
623-773-7337
sean.allen@peoriaaz.gov

ATTACHMENTS:

Exhibit A:	Vicinity Map
Exhibit B:	Aerial Map
Exhibit C:	Current General Plan Map
Exhibit D:	Current Zoning Map
Exhibit E:	Proposed Zoning Map
Exhibit F:	Rezoning Justification
Exhibit G:	Citizen Participation Report
Exhibit H:	PUSD Letter of Support
Exhibit I:	Public Letter of Support
Exhibit J:	Development Concept & Summary
Exhibit K:	Entry Design Elements
Exhibit L:	Usable Open Space
Exhibit M:	Preliminary Landscape Plans
Exhibit N:	Architectural Design & Elevations
Exhibit O:	Peoria Infill Incentive District Map