



Exhibit 8

City of Peoria
PLANNING AND COMMUNITY
DEVELOPMENT

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Preliminary Application Information

Meeting Date/Time	April 13, 2022 at 8:00 a.m.
Pre-App Number	PA22-0032
Project Name	9002 W Monroe St / Parcel 142-39-051
Location	9002 W Monroe St
Proposal Description	Request for variance to side and rear yard setbacks on two lots to allow development of new single-family homes.

Staff Contact Information

Planning & Zoning	Chris Jasper	Chris.Jasper@peoriaaz.gov	623-773-7603
Site Development	John Nepa	John.Nepa@peoriaaz.gov	623-773-7532
Fire Prevention	Ron Beene	Ron.Beene@peoriaaz.gov	623-773-7217
Building Development	Tom Fierros	Tom.Fierros@peoriaaz.gov	623-773-7590
Traffic Division	Brandon Forrey	Brandon.Forrey@peoriaaz.gov	623-773-7201

Intent of the Pre-App

The purpose of the pre-application meeting is for the applicant and City Staff to discuss the proposed project. This does not constitute a formal development application to the city.

Comments generated during this process represent only a cursory look at the proposal given the information provided, and in no way constitutes a comprehensive evaluation of the project. Additionally, city comments may be refined or modified during the formal application process as additional information is provided subsequent to the pre-application meeting.

Should modifications to the land use(s) or site layout occur subsequent to the pre-application meeting, or considerable time has lapsed, the applicant is encouraged to contact the planner to discuss the changes and/or consider submitting for another pre-application meeting.

Should you have any questions please reach out to the Planning Department representative listed above.

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The comments are organized into the following areas:

1. Existing Entitlement, Development Standards, and Related Cases
2. Required Process
3. Specific Comments
4. Waiver Information
5. Submittal Materials and Noticing Fees

1. EXISTING ENTITLEMENT, DEVELOPMENT STANDARDS, AND RELATED CASES

- | | |
|-------------------------------------|---|
| A. <u>Existing Land Use.</u> | Existing non-conforming residential structure |
| B. <u>General Plan Designation.</u> | Old Town Peoria Specific Area Plan – Office Mixed Use |
| C. <u>Current Zoning.</u> | RMH-1 |
| D. <u>Development Standards.</u> | Section 21-431 of the City of Peoria Zoning Ordinance |
| | Front Yard Setback: 25 feet |
| | Rear Yard Setback: 30 feet |
| | Side Yard Setback: 4 feet minimum / 13 feet total |

2. REQUIRED PROCESSES

Entitlement Process:

- A. **Variance.** Board of Adjustment Decision
Submit a completed Variance application to the Planning Counter using the [Variance Process Guide checklist](#). Staff will route and review the submittal. After all comments have been implemented and/or addressed, staff may schedule the item for the next available Board of Adjustment (BoA) meeting. BoA meetings are typically held on the second Tuesday of the month. Appeals may be made to the Board of Adjustment.

Construction Documents:

- B. **Building Permits & Civil Improvement Plans.** Administrative (staff-level) Action
After Planning Division approval(s) are received, the applicant may file for any required building permits and site improvement (civil) permits. Contact the Building Development Division at 623-773-7225 and the Site Development Division at 623-773-7210 for specific review times and application procedures.

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3. SPECIFIC COMMENTS

Planning – Chris Jasper

Given the unique nature of and requirements related to the RMH-1 Zoning District, additional information about required processes will be provided at the time of the preliminary application meeting.

1. **Existing non-conformity.** The existing lots were platted in 1964, and the property appears to have been illegally constructed across the property boundaries in 1970 and has operated as a non-conforming use since.
 - a. Improvements to the site must bring it into greater conformity with current standards associated with the RMH-1 Zoning District and existing lots.
2. **Setbacks.** The front yard setback shall be measured from the southern lot line, and the rear yard setback shall be measured from the northern lot line.
3. **Parking.** Single-family dwellings must provide at least two paved, off-street parking spaces per section 21-825.B.1 of the Zoning Ordinance. An improved driveway must be provided between the right of way and the garage, carport, or other parking space. The required dimensions of the driveway will depend on whether it is front-facing (minimum 20 feet in length) or side-facing (minimum 10 feet in length).
4. **Variance criteria.** A Variance request requires that an applicant demonstrate that strict enforcement of the development standards contained in the Zoning Ordinance would cause undue hardship owing to circumstances unique to the individual property for which the variance is granted. The Variance request must be specific and must represent the minimum deviation from established development standards as possible to provide the relief sought.
 - a. The applicant will be required to submit an application package that provides a response to the following prompts:
 - Describe the unique conditions and circumstances (including size, shape, topography, locations or surroundings) which are peculiar to the land, structure or building which are not applicable to other lands, structures, or buildings in the same zoning district in other locations.
 - Describe how the provisions of the zoning ordinance deprive you of development rights commonly enjoyed by other properties in the same zoning district.
 - Describe how the alleged hardships caused by the literal interpretation of the provisions of the zoning ordinance include more than personal inconvenience and financial hardship and that the alleged hardships were not created or self-imposed by the property owner.
 - Describe why granting the requested variance will not result in any special privileges that are denied by the zoning ordinance to others owning lands, structures or buildings in the same zoning district.
 - Indicate why granting the variance will not interfere with or injure the rights of other properties in the same zoning district.

Traffic Division – Brandon Forrey

1. The requirement for a Traffic Impact Analysis (TIA) will be waived for this development as proposed.
2. The access to each parcel should be provided by the adjacent local streets (90th Avenue and 90th Drive) rather than Monroe Street and will be addressed accordingly. If the property is replatted into a single lot,

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access onto Monroe Avenue will be permitted.

Site Development – John Nepa

1. Site Development review of pre-application cases is for conceptual designs only, based on the limited material provided with the application. It is the responsibility of the applicant and their consultant engineers to verify compliance with all engineering design standards and requirements prior to engineering plan submittal to the City for official review.
2. See traffic for driveway access comments.
3. You will need a grading and drainage plan for any construction on the lot, signed and sealed by an AZ registered Civil Engineer.
4. If this remains as a single residence, then the owner will need to combine the 2 lots into one lot through a final plat that will need to be submitted, reviewed and approved through Site Development, approved by council, and recorded through the City Clerk's office.
5. If the lot line needs to be adjusted in order to fit two homes, then a final plat would be needed to adjust the lot line.
6. If two homes are allowed then each home will need a separate water and sewer service.
7. For the driveway connection, regardless of 1 or 2 homes, any work within the right-of-way will require a separate permit for the concrete work. The permit will need to be pulled prior to the approval of the grading plan or the building plans. To obtain the permit, the work will need to be done by a licensed and insured AZ contractor, with a City of Peoria business license. The work will also need a performance bond.

Fire Prevention – Ron Beene

Information regarding specific questions will be provided at the meeting. All construction shall comply with applicable codes at the time of development. Contact Fire Prevention should you have any questions subsequent to the meeting.

Building Development – Tom Fierros

Information regarding specific questions will be provided at the meeting. All construction shall comply with applicable codes at the time of development. Contact Building Development should you have any questions subsequent to the meeting.

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4. WAIVER INFORMATION

Variance Process:

Proposition 207 Waiver.

As a consequence of Arizona voter approval of Proposition 207 in November of 2006, almost every land use decision made by the City after the effective date of that new law subjects the City to the risk of litigation and the risk of payment for “regulatory takings,” even when the land use decision is requested by a citizen. As a result of these risks and the potential damage to the citizens of the City if those costs were to be borne by the City, the legal staff of the City is requiring that all applicants for land use changes execute the attached waiver prepared and approved by the City Attorney.

If you or your client are willing to execute the waiver, please complete the attached waiver, have an agent of the property owner (often the applicant) execute and notarize it, and return the signed original to the Planning Division with the application submittal. Include a valid legal description under Exhibit A (Property Description). Exhibit B will be completed by staff and will consist of the Conditions of Approval as approved by the Planning and Zoning Commission.

If you or your client are not willing to fully execute the waiver, please provide a written statement to that effect. City staff would then review the application in light of the significantly greater risks imposed.

5. SUBMITTAL MATERIALS AND NOTICING FEES

A. Submittal Materials

Please ensure that all submittal materials for Planning cases refer to the attached checklist.

You can submit the following case types through the City’s Development Services portal at <https://devservices.peoriaaz.gov>: Conditional Use Permits, Pre-Apps, Preliminary Plats, Rezoning, and Site Plans. Ensure all files are flattened or the submittal will not be accepted. For questions regarding submitting online, contact the Planning Department via email at Planning.Applications@peoriaaz.gov or call 623-773-7200.

B. Entitlement / Conceptual Development Application and Noticing Fees

*These fees have been calculated based on rates and information provided at the time of this pre-application submittal. Fees are due at the time of application submittal. **Project acreages change, and fees may be adjusted from time to time, so please contact the Planner prior to submittal to verify current fees.***

Single-Family Residential Variance Application (2 or more lots)

<i>Fee Type</i>	<i>Calculation</i>	<i>Fee Amount</i>
Application fee	\$1,000 flat fee	\$1,000.00
Noticing fee	\$.91/postcard x 2 mailings x 86 postcards	\$156.52
	TOTAL:	\$1,156.52