



## Legislation Text

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**File #:** 15-229, **Version:** 1

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**REZONING (ZON) APPLICATION ZON14-04 (ORDINANCE): CARMEL ESTATES - 19268 NORTH 54<sup>TH</sup> AVENUE  
(PUBLIC HEARING REQUIRED)**

Staff Contact: Tabitha Perry, Assistant Planning Director

**Purpose and Recommended Action**

This is a request for City Council to conduct a public hearing, waive reading beyond the title, and adopt an ordinance for ZON14-04 subject to the stipulations as recommended by the Planning Commission.

Mandalay Communities is requesting to amend the development standards for approximately 10 acres of land in the R1-6 PRD (Single Residence, Planned Residential Development) zoning district.

**Background**

This request is to amend the development standards for the Carmel Estates Planned Residential Development to decrease from 15 feet and 23 feet front yard setbacks to 10 feet and 20 feet front yard setbacks, eliminate the required 3 foot stagger between adjacent homes, decrease the required rear yard setback from 20 feet to 15 feet, increase the maximum permitted lot coverage from 40 percent to 48 percent, allow the required 10 foot corner lot setback to be measured from the right-of-way, and include the width of the adjacent landscape tract in the 10 foot side yard setback.

The property is designated as Medium Density Residential (MDR), 3.5 to 5 dwelling units per acre on the General Plan. The approximately 10 acre site is located at the northwest corner of Skunk Creek and 54<sup>th</sup> Avenue. The housing products proposed by Mandalay Homes have been submitted for Design Review (DR15-06) and will be considered concurrently with the rezoning application.

The subdivision consists of 39 new single family residential lots. Lot sizes vary from 6,818 to 13,254 square feet with an average lot size of 7,376 square feet. The minimum lot width is 62 feet and the minimum lot depth is 110 feet. Improvements to the property are under construction with new public streets and infrastructure. Currently, no homes have been constructed. The applicant intends to submit plans for a model home complex in advance of selling new houses.

Mandalay Communities was not the original developer of Carmel Estates at the time the property was rezoned in 2006 with the current development standards. Mandalay Homes now proposes to build homes which require modification of the existing PRD standards.

The rezoning approval is necessary for the modifications to be approved. If approved the subdivision would be able to develop with the new PRD standards identified below:

<b>DEVELOPMENT STANDARDS</b>	<b>EXISTING R1-6 PRD Standards</b>	<b>PROPOSED R1-6 PRD Standards</b>
Minimum Lot Area	6,800 square feet	6,800 square feet
Minimum Lot Width	62 feet	62 feet
Minimum Lot Depth	110 feet	110 feet
Minimum Front Yard Setback	15 feet to living area; 23 feet to front loaded garage; 3 foot stagger between lots	10 feet to living area, porch, or side loaded garage; 20 feet to front loaded garage
Minimum Side Yards	5 and 10 feet (10 foot separation between buildings on adjacent lots) (bay windows and entertainment center may project 2 feet into the 10 foot side yard setback)	5 feet and 10 feet (10 foot separation between buildings on adjacent lots) (bay windows and entertainment center may project 2 feet into the 10 foot side yard setback)
Minimum Distance Between Buildings on Adjacent Lots	10 feet	10 feet
Maximum Street Side Yard Setback	10 feet	10 feet (Street side yard setback is measured from right-of-way and includes adjacent landscape tract)
Minimum Rear Yards	20 feet	15 feet
Maximum Lot Coverage	40%	48%
Maximum Building Height	30 feet	30 feet

### **Analysis**

The proposed amendment is consistent in substance and location with the development objectives of the General Plan. The proposed amendment furthers the public health, safety, and general welfare of the citizens of Glendale. As the amendment is to the official Zoning Map, the proposed change will include any conditions necessary to mitigate any adverse impacts on the businesses, persons, or properties adjacent to the requested amendment. A finding is made that Section 3.812 (Adequate School Facilities) of the Zoning Ordinance was met at the time of the previous zoning case.

The proposal will be compatible with other existing and planned developments in the area. The modifications of the proposed development standards will allow Mandalay Communities to develop lots with a specific house product for the subdivision. The inclusion of the adjacent landscape tract in the street side yard setback will still require the houses to have 5 foot and 10 foot side yard setbacks on the lot.

### **Previous Related Council Action**

A Final Plat for Carmel Estates (FP12-01) was approved by the City Council on October 23, 2012. Carmel

Estates was rezoned from A-1 (Agricultural) and R1-6 PRD (Single Residence, Planned Residential Development) to R1-6 PRD by case ZON05-01 approved by City Council on January 10, 2006.

### **Community Benefit/Public Involvement**

This rezoning application will not be increasing the number of lots in the subdivision; therefore, no new certificate of adequate school facilities is required. As part of the prior rezoning action the Deer Valley Unified School District determined that adequate facilities to support this development existed.

On January 12, 2015, a total of 214 notification letters were mailed to adjacent property owners and interested parties. The applicant did not receive any response regarding the request. The applicant's Citizen Participation Final Report (without mailing labels) is attached.

Planning received three public comments to the request. The first was from a resident along 54<sup>th</sup> Avenue east of the subdivision. The resident was opposed to the 10 foot front yard setbacks. He said approval of this request will add more people into the neighborhood. He wanted sidewalks along 54<sup>th</sup> Avenue, south of Carmel Estates. A second comment (attached) was concerned about traffic on 54<sup>th</sup> Avenue. A third comment (attached) was concerned about the reduction in the rear yard setback for lots adjacent to or backing up to the existing homes along Topeka Drive. The applicant has agreed to leave the rear yard setback for lots backing up to the existing homes along Topeka Drive at 20 feet, and a stipulation reflecting this has been added.

A Notice of Public Hearing was published in *The Glendale Star* on March 26, 2015. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on March 27, 2015. The property was posted by the applicant on January 26, 2015.