



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: April 5, 2017

CASE NUMBER: PZ-1-17 / PZ-2-17

OWNERS: Evelyn and Hughes Place Subdivisions
Property Owners/Residents

APPLICANTS: City-initiated

REQUEST: City-initiated corrective rezoning from RS-10 (Medium Density Single-Family Detached Residential, Conventional Housing Permitted on 10,000 sq. ft. minimum lots) to RS-5/PD (Medium High Density Single-Family Detached Residential by Planned Development; Conventional Housing Permitted) for properties in the Evelyn and Hughes Place Subdivisions that have been incorrectly zoned dating back to the city's incorporation.

LOCATION: Evelyn Subdivision- S. Main Drive between W. 1st Ave and W. Broadway Avenue.

Hughes Place- S. Ocotillo Drive between W. 1st Avenue and W. Broadway.

**GENERAL PLAN/
ZONING DESIGNATION:** Medium Density Residential; Maximum of 6 dwelling units/acre.

SURROUNDING USES: North: Commercial (zoned B-2; Old West Commercial);
South: Residential (zoned RS-7; Medium High Density Single-Family Residential)
East: Residential (zoned RS-10);
West: Residential (zoned RS-20 and RS-20M; Medium Density Single-Family Residential, and RS-10)

BACKGROUND

Since the adoption of the city's new zoning ordinance, it has come to staff's attention that Evelyn and Hughes Place Subdivisions have been given the wrong zoning designation. The properties have been incorrectly zoned dating back to city's incorporation. The Evelyn Subdivision original plat dates back to May 19, 1948, and Hughes Place plat was signed March 19, 1951. Before the new zoning ordinance was adopted in May of 2014, both subdivisions were zoned CR-3 (Medium Density Single-Family Residence Zone, Conventional Housing Permitted). The CR-3 zoning district allowed a minimum lot size of 7,000 square feet for pre-existing subdivisions. Under the new zoning ordinance, these two subdivisions were rezoned to RS-10, a zoning designation for lots with a minimum lot size of 10,000 square feet, even though the majority of lots on these streets are well less than 10,000 square feet. Even under the CR-3 zoning district, the lots did not meet the minimum lot size of 7,000 square feet. Essentially, almost every lot is a non-conforming lot whether it was zoned CR-3, under the previous zoning ordinance, or RS-10. Over the years this has become problematic for owners wanting to do home additions and replacements because the lots were non-conforming and because of the inability to meet setbacks under the RS-10 zone. Staff offered to process a City-initiated corrective rezoning and on January 17th, the City Council gave direction to staff to proceed.

PROPOSAL

This is a city-initiated request to rezone the neighborhoods from RS-10 to RS-5/PD (Medium High Density Single-Family Detached Residential by Planned Development; Conventional Housing Permitted). The RS-5/PD zoning district requires a minimum lot size of 5,000 square feet, a more suitable lot size requirement for the current lots in these subdivisions. However there are many lots, especially in Hughes Place subdivision, that are less than 5,000 square feet and do not meet the minimum lot size even with an RS-5 zoning designation. To remedy this situation, city staff is including the Planned Development Overlay which can allow flexibility in setbacks, lot size, and lot widths.

The circumstances with Evelyn's Subdivision are quite similar with Hughes Place in that many lots are approximately 6,000 square feet in size and do not meet the 10,000 square foot minimum requirement of the RS-10 zoning district.

Staff is recommending two separate corrective rezoning ordinances, one each for Hughes Place and Evelyn's Subdivision even though we are recommending RS-5/PD for both because there are some unique characteristics for each of them.

PLANNING STAFF ANALYSIS AND FINDINGS

Relationship to General Plan:

The General Plan designates the subdivisions Medium Density Residential (maximum 6 du/ac). The adjacent properties to the west, east and south are all zoned residential. The rezoning is in compliance with the General Plan.

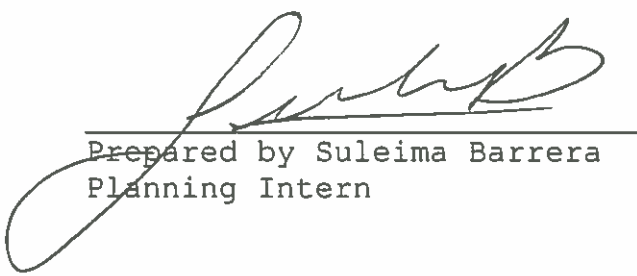
Zoning/Site Context:

The proposed RS-5/PD zoning is compatible with the subject properties on Ocotillo Drive and Main Drive. Each subdivision has been looked at differently due to the original lot configurations on the Hughes Place and Evelyn Subdivision recorded plats, Hughes Place (Ocotillo Drive) had original lot sizes of 100 feet wide by 60 feet deep; Evelyn Subdivision (Main Drive) had original lot sizes of 50 feet wide and 135 feet deep. While both streets will have a zoning designation of RS-5/PD, the conditions and setback regulations will be different (see new setback table attached). Lots with multiple units, parcels that are smaller than the new minimum lot sizes and setback encroachments for main structures and accessory structures will also need to be recognized and mitigated through these rezonings. The purpose of connecting the zoning for these two older neighborhoods is to encourage future redevelopment of aging structures; this will help make the permit process easier for owners and contractors.

Public Input:

City staff have conducted Neighborhood Meetings on January 25, 2017, and April 5, 2017 informing the neighborhood of what the city proposes to do. We had about 15 property owners show up at the first meeting with some concerns and questions of how the rezoning will affect current properties. Staff answered that the rezoning will not affect existing structures, only future construction. We had one property owner wondering if the property lines would be altered. Staff informed the property owner that the property lines would not be altered. We had one other property owner ask if there are existing structures in the setbacks, do they have to be moved. Staff made the property owner aware that we do recommend they be moved, but we will not require it. We will be conducting our 2nd

neighborhood meeting April 5th allowing the property owners to see the new proposed setbacks for RS-5/PD.



Prepared by Suleima Barrera
Planning Intern

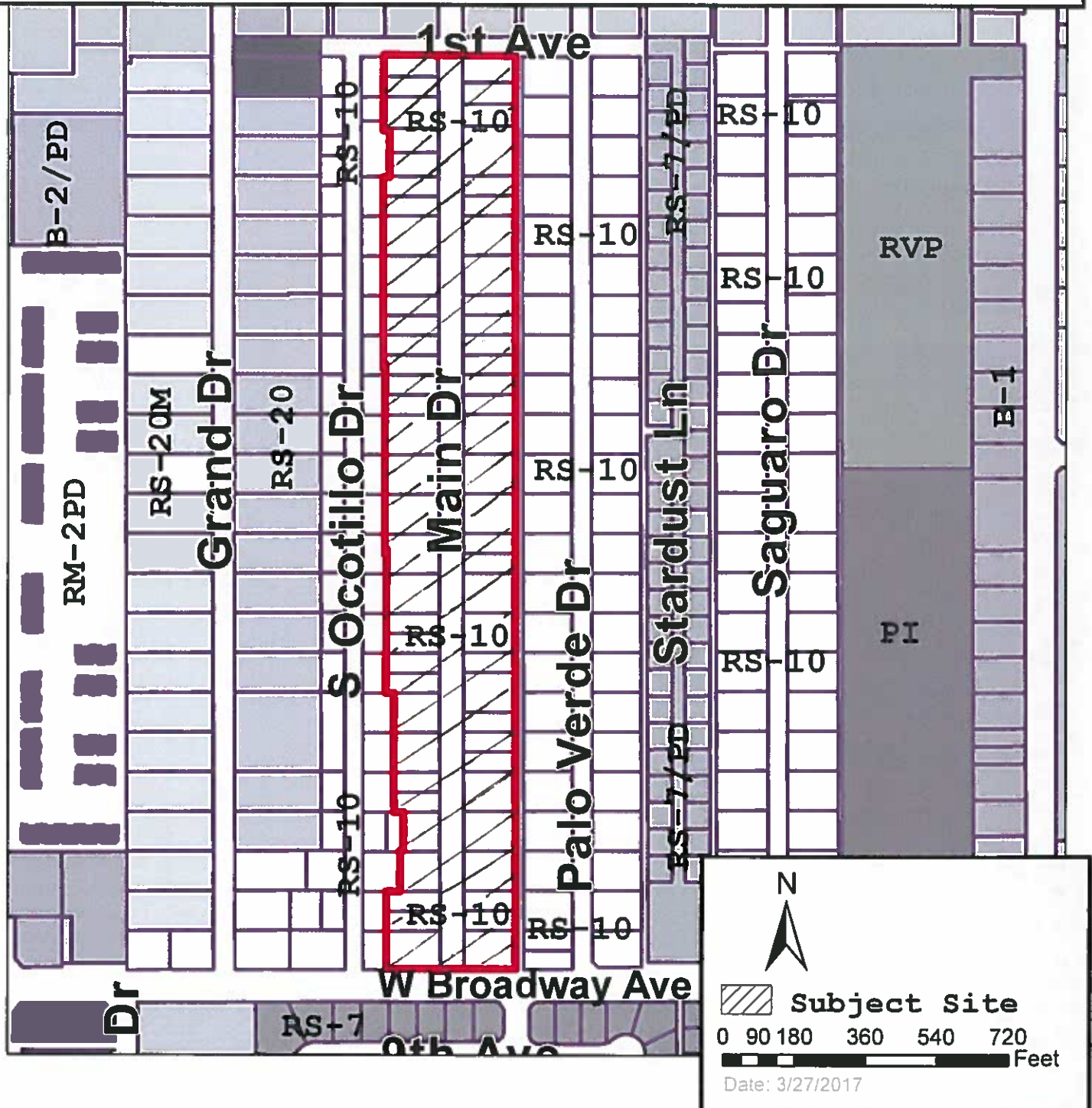
Attachments:

- Exhibit #1 - PZ-1-17 Evelyn Subdivision Vicinity Map
- Exhibit #2 - PZ-2-17 Hughes Place Vicinity Map
- Exhibit #3 - PZ-1-17 Aerial Map
- Exhibit #4 - PZ-2-17 Aerial Map
- Exhibit #5 - Evelyn Subdivision Original Plat
- Exhibit #6 - Hughes Place Original Plat
- Exhibit #8 - Evelyn and Hughes Place subdivision Bulk Regulations



Vicinity Map Evelyn Subdivision

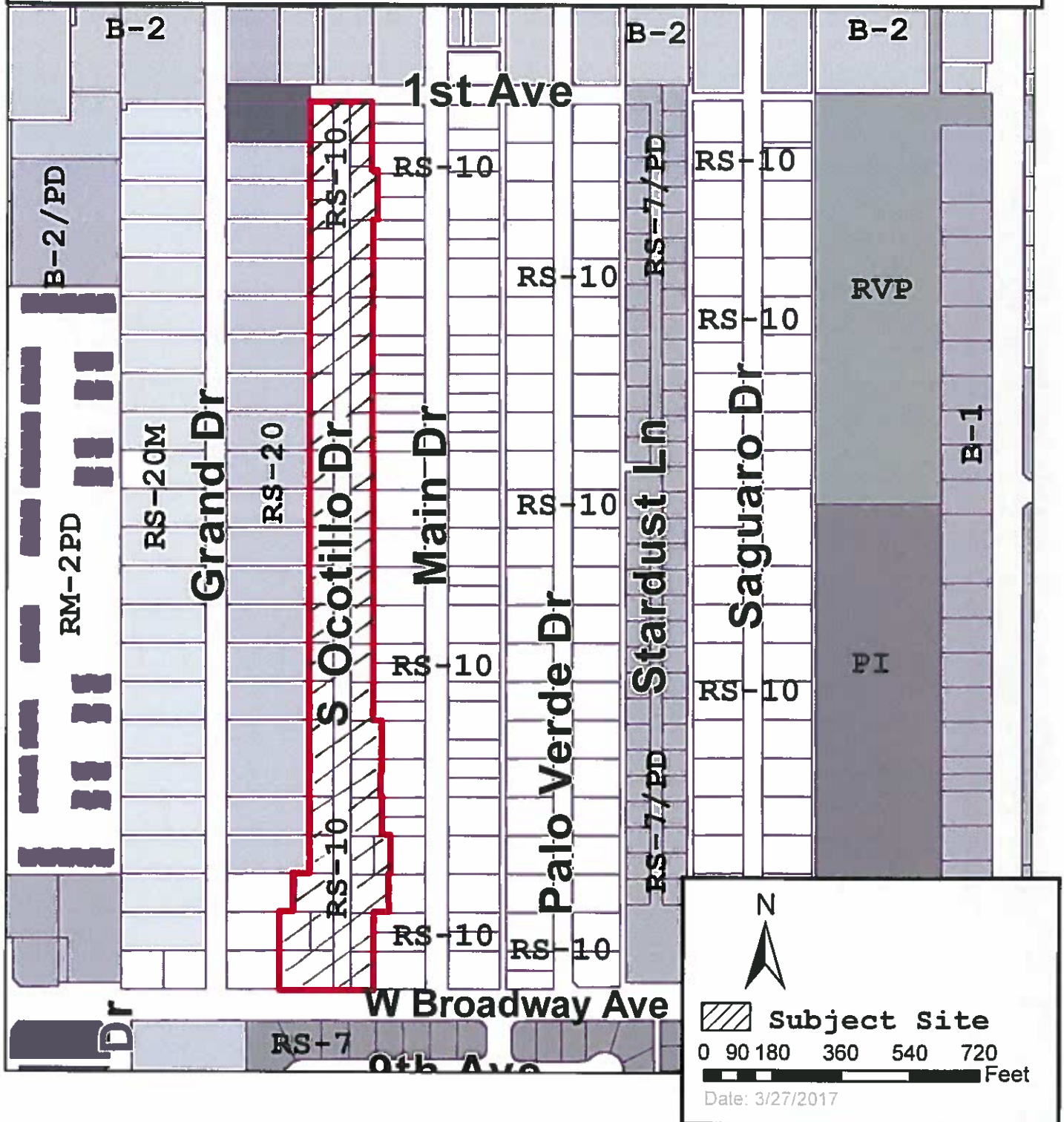
City-Initiated Corrective Rezoning Request from RS-10
(Medium Density Single-Family Residential) to RS-5/PD
(Medium High Density Single-Family Residential by
Planned Development)

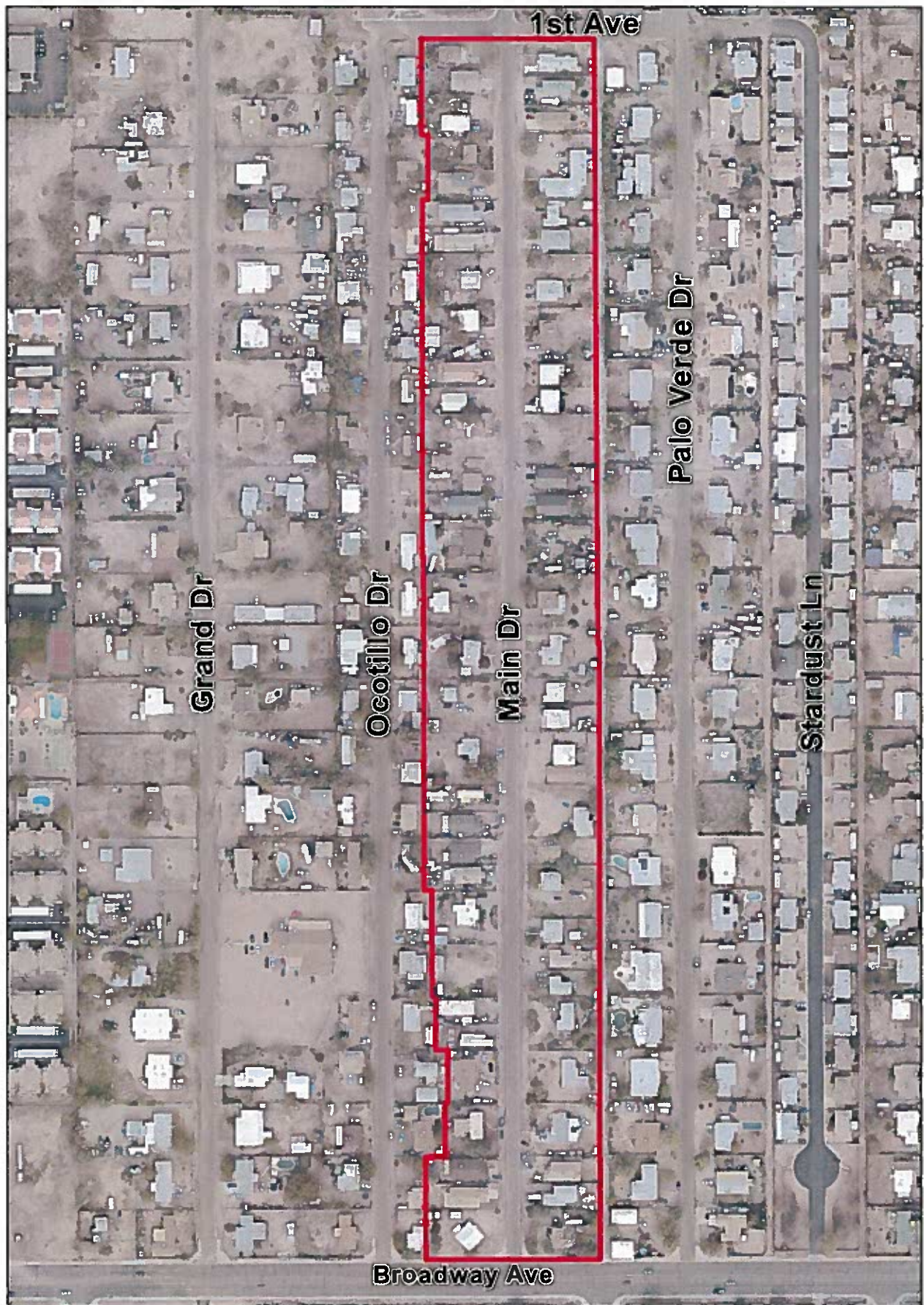




Vicinity Map Hughes Place

City-Initiated Corrective Rezoning Request from RS-10
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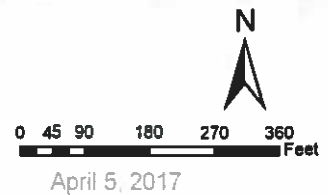


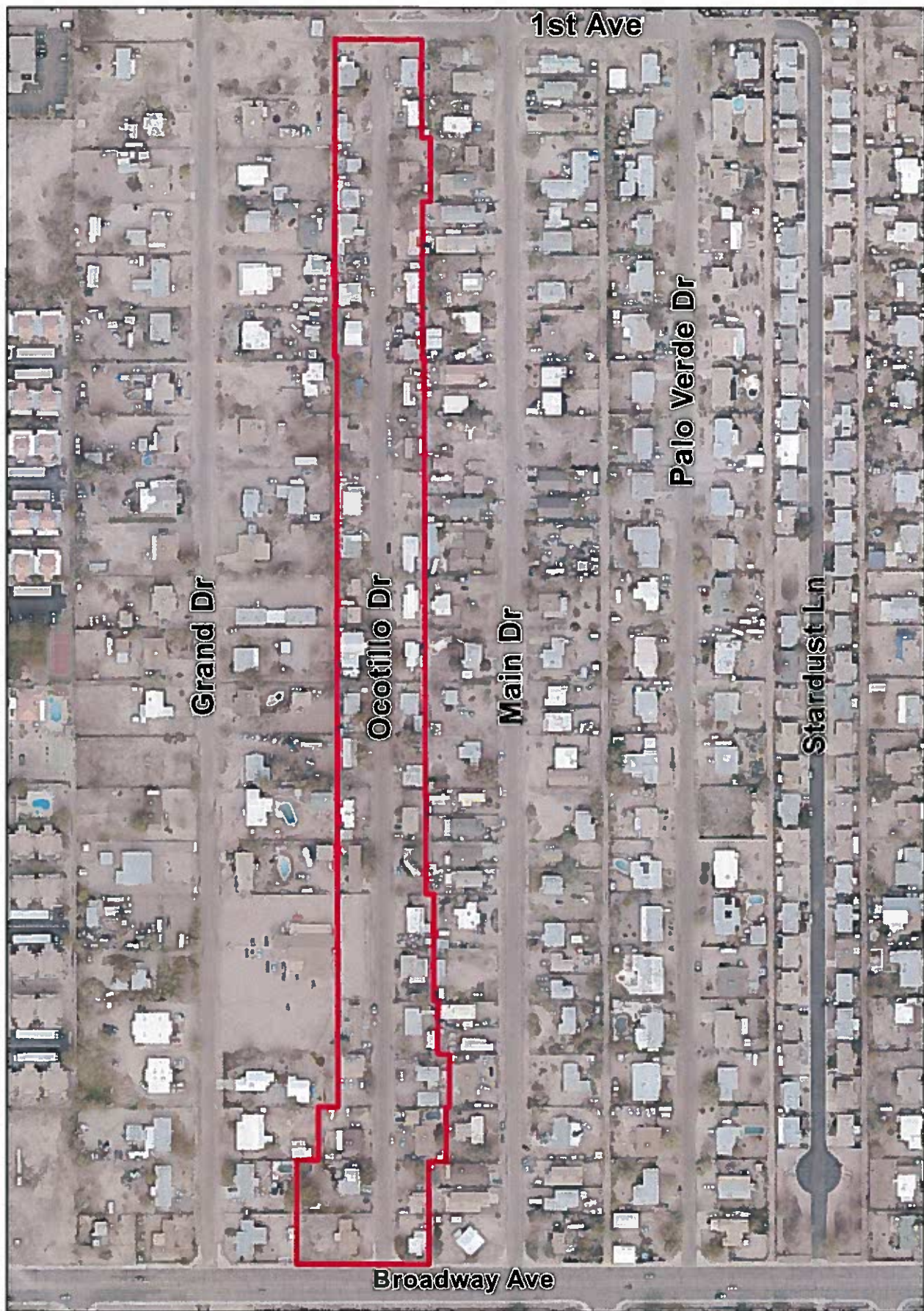


Legend
 **Subject Site**



PZ-1-17
Evelyn Subdivision
Aerial Exhibit






Legend

 **Subject Site**



PZ-2-17
Hughes Place
Aerial Exhibit

 N

0 50 100 200 300 400 Feet

April 5, 2017

DEDICATION

STATE OF ARIZONA
COUNTY OF MARICOPA

KNOW ALL MEN BY THESE PRESENTS, That Evelyn Senedick, a single woman, owner of Lots 5 and 6, of Davis Tract, as recorded in L. of Maps, at Page 26, Pinal County Records, has caused the premises to be surveyed and subdivided under the name of EVELYN SUBDIVISION, and hereby publish this plat as and for the plat of said EVELYN SUBDIVISION, and hereby declare that said plat sets forth the location and gives the dimensions of the lots and streets constituting same. That each lot and street shall be known by the name given to each, respectively on said plat, and hereby dedicate to the public for use as such the streets as shown on said plat and included in the above described premises.

IN WITNESS WHEREOF I hereunto set my hand and seal this 19 day of May, 1948

Evelyn Senedick
Evelyn Senedick

ACKNOWLEDGE

STATE OF ARIZONA
COUNTY OF MARICOPA

On this, the 19 day of May, 1948, before me, the undersigned officer, personally appeared Evelyn Senedick, known to me to be the person whose name is subscribed to the accompanying instrument and acknowledged that she executed the same for the purpose therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

My commission expires: 24 October 1950

Elmer Rangel
Notary Public

CERTIFICATE OF SURVEY

This is to certify that the survey and subdivision of the premises as described and platified herein was made under my direction by H. A. Short during May, 1948.

Hugh A. Jones
Registered Civil Engineer



STATE OF ARIZONA
County of Pinal

I, Sophie M. Smith, Recorder in and for the County of Pinal, State aforesaid, do hereby certify that the annexed instrument was filed and recorded at request of

Evelyn Senedick
On the 19 day of May
A. D. 1948, at 1:00
o'clock P. M., in Book No. 5
Page 41
Witness my hand and official seal the day and date first above written.

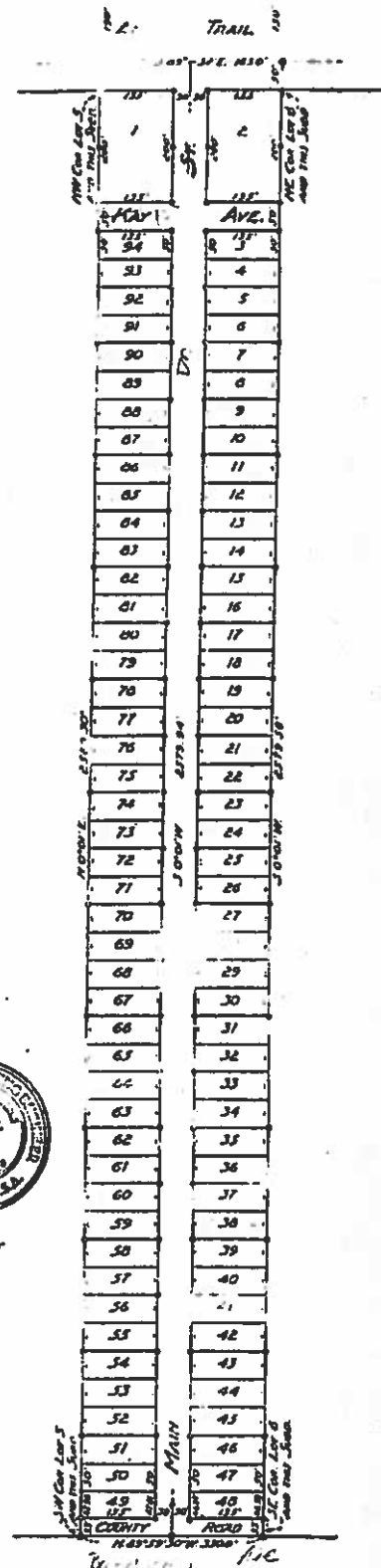
Sophie M. Smith
Recorder

Edith M. Smith
Deputy



EVELYN SUBDIVISION

A SUBDIVISION OF LOTS 5 & 6, DAVIS TRACT,
BEING PART OF THE SE 1/4, SECTION 19, T11N, R8E
PINAL COUNTY, ARIZONA
SURVEY NO 48505 BY HARRY E. JONES



STATE OF ARIZONA
County of Pinal
I, Sophie H. Smith, Recorder in and for the County of Pinal, State of Arizona, do hereby certify that the annexed instrument was filed and recorded at request of
William W. Hughes
on the 19th day of March 1951
at 10 o'clock A. M. in Book No. 10 of Range Page 27
Witness my hand and official seal this 19th day of March 1951
SOPHIE H. SMITH Recorder
Deputy

HUGHES PLACE

A SUBDIVISION OF THE EAST 163 FT. OF THE WEST 99 FT.
OF THE SE 1/4 SEC. 19, T. 1 N., R. 4 E.
PINAL COUNTY ARIZONA
SURVEY NO. 51306 BY: HARRY E. JONES

DEDICATION

STATE OF ARIZONA
COUNTY OF MARICOPA

KNOW ALL MEN BY THESE PRESENTS: That William W. Hughes, and Dollie A. Hughes, his wife, have subdivided under the name of HUGHES PLACE, the East 163 ft. of the West 99 ft. of the SE 1/4, Sec. 19, T. 1 N., R. 4 E., G. & S. R. B. & L. M. Pinal County, Arizona, and hereby publish this plat as and for the plat of said HUGHES PLACE and hereby declare that said plat sets forth the location and gives the dimensions of the lots, streets, and easement constituting same, and that each lot and street shall be known by the number or name given to each respectively on said plat and we hereby dedicate to the public for use as such the streets and the use of the easement as such for public utilities as shown on said plat and included in the above described premises.

IN WITNESS WHEREOF we have hereunto set our hands and seals this 19th day of March 1951

William W. Hughes
William W. Hughes,

Dollie A. Hughes
Dollie A. Hughes,

ACKNOWLEDGEMENT

STATE OF ARIZONA
COUNTY OF MARICOPA

On this, the 19th day of March 1951, before me, the undersigned officer, personally appeared, William W. Hughes and Dollie A. Hughes, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF I hereunto set my hand and official seal

My Commission expires

March 1954

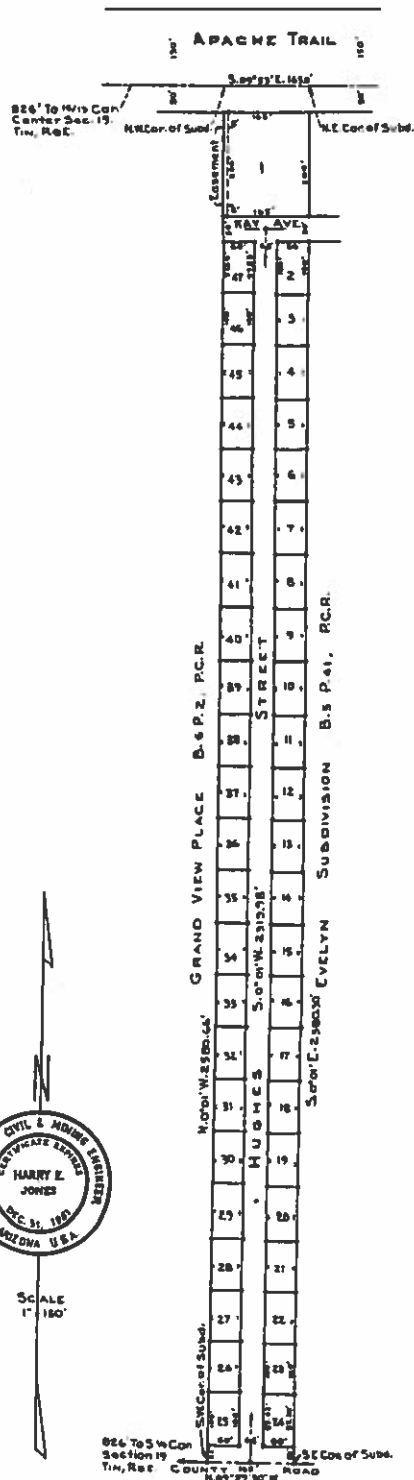
Notary Public

CERTIFICATE OF SURVEY

This is to certify that the survey and subdivision of the premises as described and plotted herein was made under my direction by J. R. Brown during March, 1951

Registered Civil Engineer

Approved 3/28/51
J. R. Brown
County Engineer



6-21.

Evelyn Subdivision (Main Drive)/ Hughes Place (Ocotillo Drive)

Bulk Regulations

USE TYPE	RS-10 & RS-10M	RS-5	Evelyn Subdivision (Main Drive) Proposed RS-5/PD	Hughes Place (Ocotillo Drive) Proposed RS-5/PD
Minimum Lot Area per Dwelling Unit	10,000 sf.	5,000 sf.	5,000 sf. (6,098 sf. – Smallest lot)	5,000 sf. (3,049 sf. – Smallest lot)
Maximum Density (dwelling units per acre)	4.36 units/ac	8.71 units/ac	2.29 units/ac	2.29 units/ac
Minimum Development Area	N/A	N/A	N/A	N/A
Minimum Lot Width	70 ft.	50 ft.	50 ft.	50 ft.
Minimum Front Setback (main structure)	20 ft.	20 ft.	20 ft.	8 ft.
Minimum Front Setback (accessory structure)	20 ft.	20 ft.	20 ft.	8 ft.
Minimum Interior Side Setback (main structure)	10 ft.	7 ft.	5 ft.	3 ft.
Minimum Street Side Setback (all structures)	10 ft.	10 ft.	10 ft.	10 ft.
Minimum Side Setback (accessory structure > 120 sf.)	10 ft.	5 ft.	3 ft.	3 ft.
Minimum Rear Setback (Main Structure)	20 ft.	15 ft.	10 ft.	3 ft.
Minimum Rear Setback (accessory structure > 120 sf.)	5 ft.	5 ft.	3 ft.	3 ft.
Maximum Lot coverage	40%	60%	60%	60%
Maximum Size for Accessory Structure	Limited to the floor area of the main building's first floor			
Maximum Height for Main Structure	30 ft.	30 ft.	30 ft.	30 ft.
Maximum Height for Accessory Structure > 120 sf.	20 ft.	15 ft.	15 ft.	15 ft.