



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: April 19, 2017

CASE NUMBER: PZ-2-17

OWNERS: Hughes Place Subdivision 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 Hughes Place Subdivision that have been incorrectly zoned dating back to the city's incorporation.

LOCATION: S. Ocotillo Drive between W. 1st Avenue and W. Broadway.

**GENERAL PLAN/
ZONING DESIGNATION:** Medium Density Residential; Maximum of 6 dwelling units/acre. Current Zoning RS-10.

SURROUNDING USES:

- North: Commercial (zoned B-2; Old West Commercial);
- South: Residential, Apache Villa Subdivision (zoned RS-7; Medium High Density Single-Family Residential)
- East: Residential, Evelyn Subdivision (zoned RS-10);
- West: Residential, Grand View Place Subdivision (zoned RS-20 and RS-20M; Medium Density Single-Family Residential)

BACKGROUND

Since the adoption of the city's new zoning ordinance, in May of 2014, staff has determined that Hughes Place Subdivision has been given the wrong zoning designation. The properties have been incorrectly zoned dating back to city's incorporation. The Hughes Place original plat dates back to March 19, 1951 (see Exhibit #5). Before the new zoning ordinance was adopted in May of 2014, the subdivision was zoned CR-3 (Medium Density Single-Family Residence Zone, Conventional Home Permitted). The CR-3 zoning district established a minimum lot size of 7,000 square feet for pre-existing subdivisions.

Under the new zoning ordinance, Hughes Place Subdivision was rezoned to RS-10 (Medium Density Single-Family Detached Residential; Conventional Home Permitted). This zoning designation has 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 old 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 for Hughes Place Subdivision, case PZ-2-17, and the neighborhood immediately to the east on S. Main Dive, Evelyn Subdivision, which is an older subdivision facing similar problems (see also case PZ-1-17). On January 17th 2017, the City Council gave direction to staff to proceed with a city-initiated rezoning.

PROPOSAL

This is a city-initiated request to rezone the neighborhood on Ocotillo Drive between 1st Avenue and Broadway Avenue 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 the subdivision. However; there are four lots, 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.

PLANNING STAFF ANALYSIS AND FINDINGS

Relationship to General Plan:

The General Plan designates the area 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. The original lot configurations on the Hughes Place recorded plat consisted of 100 feet wide by 60 feet deep lot sizes. Lots with multiple units or non-compliant unit types (manufactured homes, RV's, duplexes etc.), parcels that are smaller than the proposed minimum lot sizes and setback encroachments for main structures and accessory structures will also need to be recognized and mitigated through the rezoning. All structures that are not meeting setbacks and properties with multiple dwelling units are considered non-conforming and are allowed to remain. Staff is encouraging owners to move structures out of setbacks. Any new structures must meet the proposed new setbacks. The purpose of correcting the zoning for this older neighborhood is to encourage future redevelopment of aging structures; this will help make the permit process easier for owners and contractors.

Public Input:

City staff conducted two Neighborhood Meetings on January 25, 2017, and April 5, 2017 informing the property owners and residents of what the proposed rezonings for cases PZ-1-17 and PZ-2-17 hope to accomplish. Approximately 15 property owners were present at the first meeting with some concerns and questions of how the rezoning will affect current properties. Staff responded that the rezoning will not affect existing structures, only future construction and recommend that any existing structures in the proposed new setbacks be moved, but that the city will not require it. Staff informed the property owners that the property lines would not be altered as part of the rezoning.

The second neighborhood meeting was conducted on April 5th allowing the property owners to view the new proposed setbacks for RS-5/PD on large scale maps. Approximately eight residents from three different properties attended. Staff received several

phone calls from residents and neighbors in the 300 foot notification radius who requested a detailed explanation of the rezoning. None of the inquiries, or the residents who attended the neighborhood meetings, have expressed opposition to the rezoning.

Planning Division Recommendation

Planning Staff recommends approval of the proposed rezoning. The neighborhood is within a redevelopment area with aging infrastructure that will soon need updating. The Planned Development Overlay is tailored to this subdivision in hopes to bring the neighborhood closer to conformance. The structures and units that will still be non-conforming under the RS-5/PD zoning district can remain.

Planning Staff offers the following Recommended Motion, to correct the zoning of Hughes Place to better suit the needs of lots and residents, should the Commission wish to forward a recommendation of approval to the City Council.

RECOMMENDED MOTION

I move that the Planning and Zoning Commission recommend to the City Council the (APPROVAL/DENIAL) of rezoning case PZ-2-17, a city initiated corrective rezoning request, for Hughes Place Subdivision located on S. Ocotillo Drive between W. 1st Avenue and W. Broadway Avenue, from RS-10 (Medium Density Single-Family Detached Residential, Conventional Home Permitted) to RS-5/PD (Medium High Density Single-Family Detached Residential by Planned Development; Conventional Home Permitted), subject to the following conditions of approval:

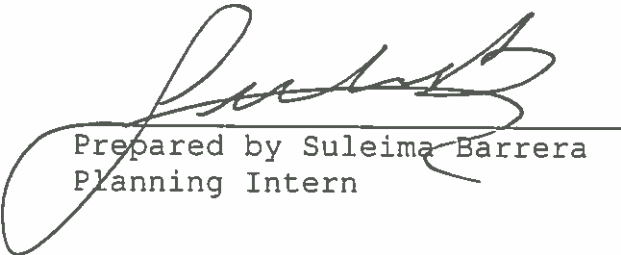
1. The bulk regulations for RS-5 found in Apache Junction City Code, Volume II, Land Development Code, Chapter 1 Zoning Ordinance, Article 1-5: Zoning and Use Regulations, Section 1-5-2 Residential Bulk Regulations, Table 5-2 Residential Bulk Regulations, shall be modified as depicted in Table 1 below to allow for 8 foot Minimum Front Setbacks (Main Structure), 8 foot Minimum Front Setbacks (Accessory Structure), 3 foot Minimum Interior Side Setbacks (Main Structure), 3 foot Minimum Side Setbacks (Accessory Structure > 120 square feet), 3 foot Minimum Rear Setbacks (Main Structure), and 3 foot Minimum Rear Setback (Accessory Structure > 120 square feet).

Table 1: Bulk Regulations

USE TYPE	Existing RS-5 Bulk Regulations	Hughes Place (Ocotillo Drive) Proposed RS-5/PD
Minimum Lot Area per Dwelling Unit	5,000 sf.	5,000 sf.
Maximum Density (Dwelling Units per Acre)	8.71 units/ac	8.71 units/ac
Minimum Development Area	N/A	N/A
Minimum Lot Width	50 ft.	50 ft.
Minimum Front Setback (Main Structure)	20 ft.	8 ft.*
Minimum Front Setback (Accessory Structure)	20 ft.	8 ft.*
Minimum Interior Side Setback (Main Structure)	7 ft.	3 ft.*
Minimum Street Side Setback (All Structures)	10 ft.	10 ft.
Minimum Side Setback (Accessory Structure > 120 sf.)	5 ft.	3 ft.*
Minimum Rear Setback (Main Structure)	15 ft.	3 ft.*
Minimum Rear Setback (Accessory Structure > 120 sf.)	5 ft.	3 ft.*
Maximum Lot coverage	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.
Maximum Height for Accessory Structure > 120 sf.	15 ft.	15 ft.

2. For any non-conforming lots or structures Apache Junction City Code, Volume II, Land Development Code, Chapter 1 Zoning Ordinance, Article 1-2: Types of Uses, Section 1-2-5 Nonconforming Uses, Structures and Lots shall apply.
3. On lots that are non-conforming with multiple units Apache Junction City Code, Volume II, Land Development Code, Chapter 1 Zoning Ordinance, Article 1-2: Types of Uses, Section 1-2-5 Nonconforming Uses, Structures and Lots shall apply.
4. A non-conforming use structure cannot expand beyond the 50% rule, as found in Apache Junction City Code, Volume II Land Development Code, Chapter 1: Zoning Ordinance, Article 1-2: Types of Uses, Section 1-2-5 Nonconforming Uses, Structures and Lots.
5. Rear property lines shall not be altered unless to follow original subdivision lot lines.
6. All regulations from the Apache Junction City Code, Volume II Land Development Code, Chapter 1: Zoning Ordinance, and Chapter 2: Subdivision Regulations shall apply to all lots in the subdivision.
7. All applicable permits shall be applied for and plans shall be designed to current city codes for any structures over 120 square feet and new homes or remodels.
8. The following lots less than 5,000 square feet (the minimum square footage) shall be in conformance, but cannot become smaller.

Parcel Number	Square Footage
101-10-106	3,049.2
101-10-104	4,356
101-10-103	4,356
101-10-061	3,484.8
101-10-083	3,920



Prepared by Suleima Barrera
Planning Intern

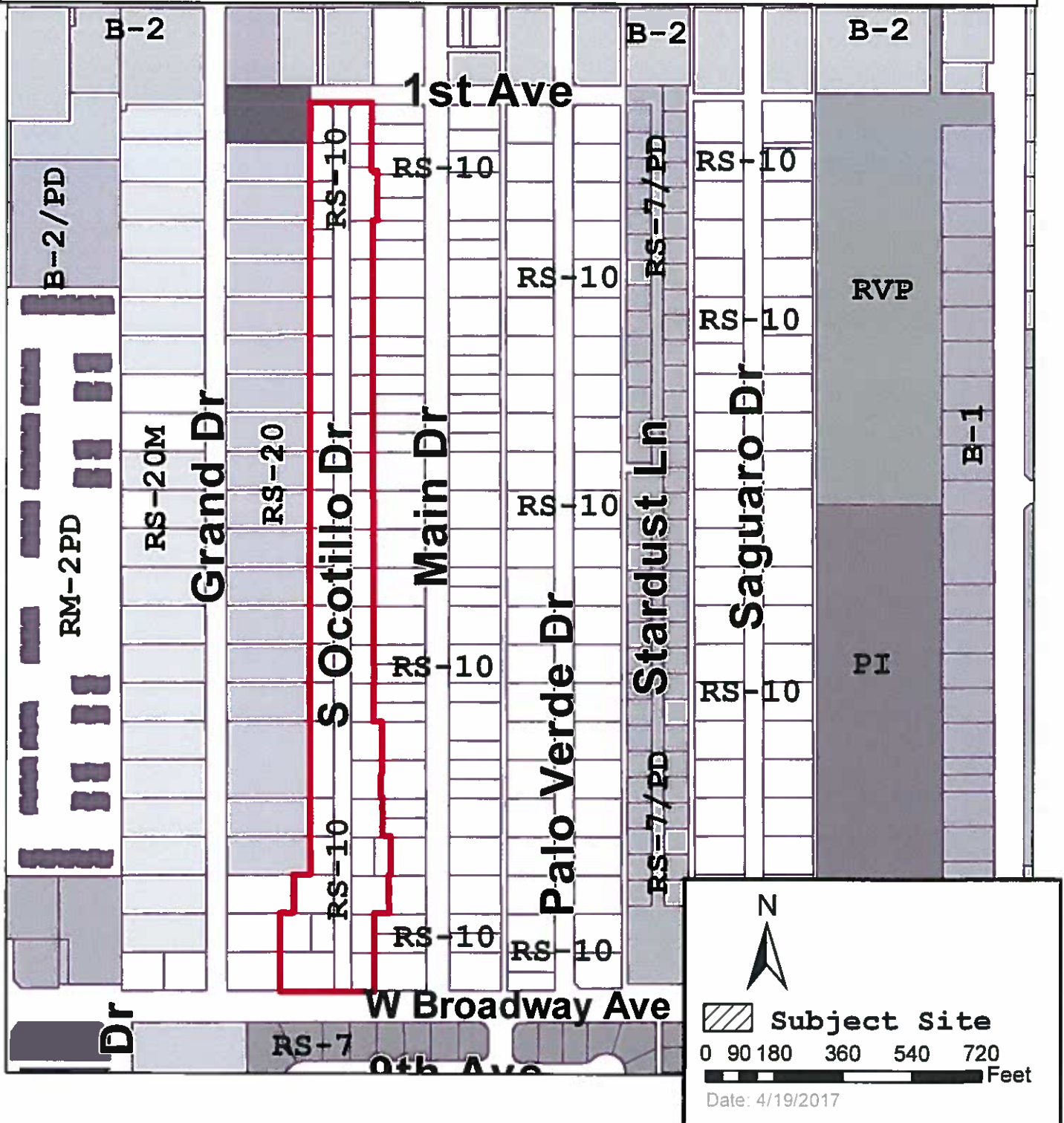
Attachments:

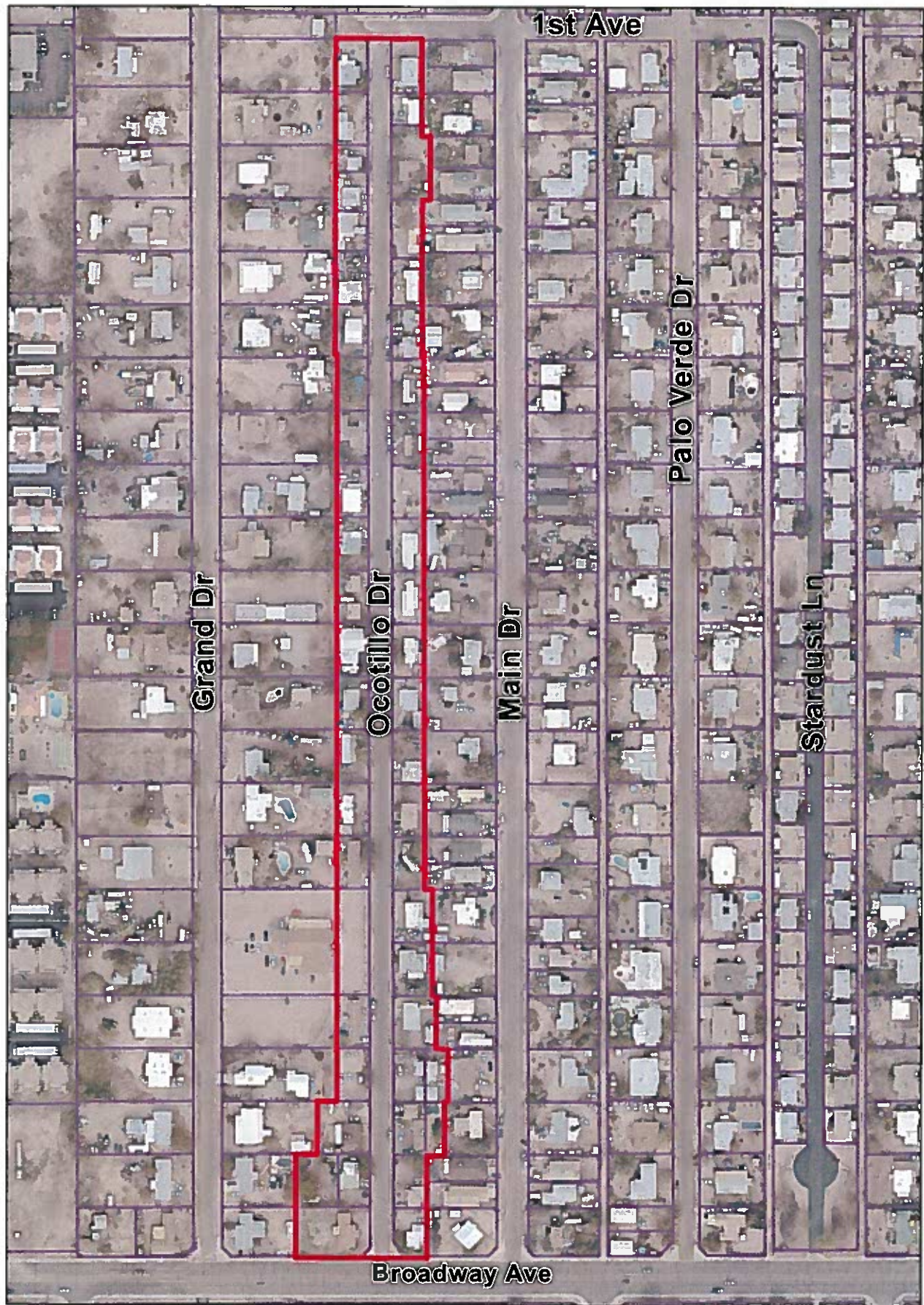
- Exhibit #1 - PZ-2-17 Hughes Place Vicinity Map
- Exhibit #2 - PZ-2-17 Aerial Map
- Exhibit #3 - Parcel Map #101-10_1
- Exhibit #4 - Parcel Map #101-10 2/2
- Exhibit #5 - Hughes Place Original Plat
- Exhibit #6 - Hughes Place RS-5/PD Proposed Setbacks Excerpts Exhibit





PZ-2-17
Vicinity Map
Hughes Place

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)



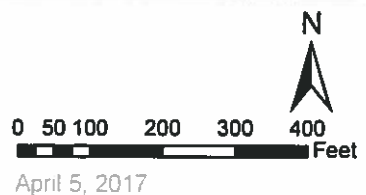


Legend

-  Parcels
-  Subject Site



PZ-2-17
Hughes Place
Aerial Exhibit



April 5, 2017

BOOK - MAP

101-10_1

NW SE SEC. 19 T.01N. R.08E.

GRAND VIEW PLACE

BK 06 - PG 02

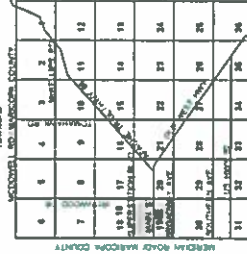
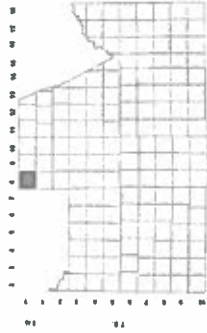
HUGHES PLACE

BK 06 - PG 21

EVELYN SUBDIVISION

BK 05 - PG 41

LOCATION MAPS



Revised: 4/27/2016

By: CM



PINAL COUNTY
Pinal County Assessor

under open opportunity

THIS MAP DOES NOT REPRESENT A SURVEY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREIN, EITHER EXPRESSED OR IMPLIED BY PINAL COUNTY OR ITS EMPLOYEES. THIS MAP IS COMPILED FROM OFFICIAL RECORDS INCLUDING PLATS, SURVEYS, RECORDED DEEDS AND CONTRACTS, AND ANY OTHER INFORMATION AVAILABLE TO THE PINAL COUNTY ASSESSOR'S OFFICE.

SEE MAP 101-03_1

APACHE TRAIL



SEE MAP 101-08_1

MAIN DR

OCOTILLO DR

GRAND DR

SEE MAP 101-10_2

HUGHES PLACE

EVELYN SUBDIVISION

GRAND VIEW PLACE

INDIAN SUMMER
CONDOMINIUMS
PHASES 1 - 6

SEE MAP 101-30_1

Subject Site

SEC. 19 SW-SE, TN.1N RG.8E

SEE MAP 101-10 1/2

101-10
2/2

GRAND VIEW PLACE
BK.06 - PG.02

HUGHES PLACE
BK.06 - PG.21

EVELYN SUBDIVISION
BK.05 - PG.41

THE ORIGINAL PLAT OF THIS SUBDIVISION IS
ON FILE WITH THE PINAL COUNTY RECORDERS
OFFICE.

SEE MAP 101-09 2/2



SCALE: 1" = 150'

10-31-2006

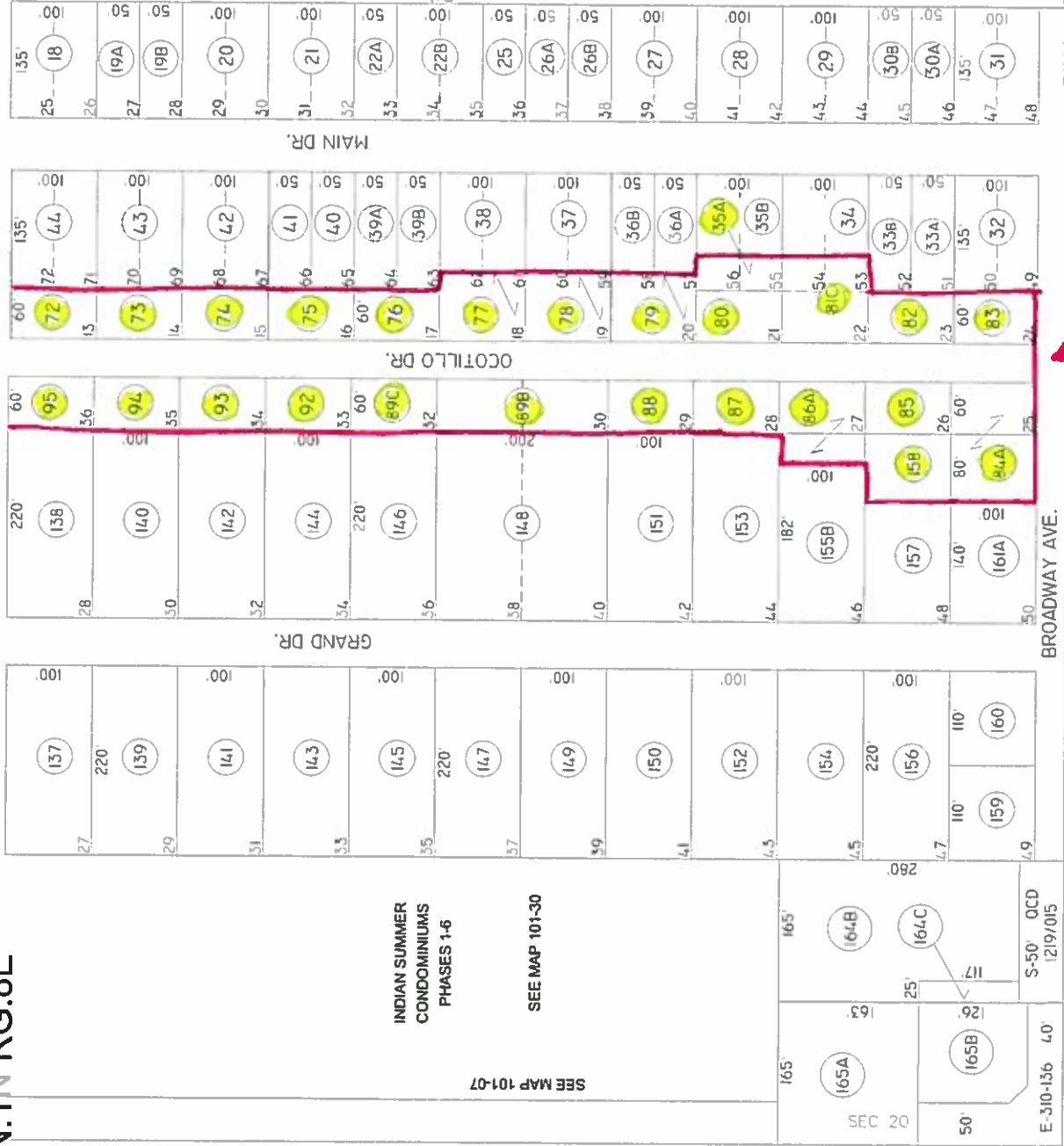
PINAL COUNTY ASSESSORS MAP

SEE BOOK 102

Subject Site

THIS MAP IS FOR TAX PURPOSES ONLY.
THIS OFFICE WILL NOT ASSUME LIABILITY FOR
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VICINITY MAP





Hughes Place RS-5/PD Proposed Setback Excerpt

101-10-099



S. Ocotillo Drive



Hughes Place RS-5/PD Proposed Setback Excerpt

101-10-102



S. Ocotillo Drive



Hughes Place RS-5/PD Proposed Setback Excerpt

101-10-066

