



City of Apache Junction

Development Services Department



PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT

DATE: September 28, 2021

CASE NUMBERS: P-21-68-PZ "The Residences at Apache Trail"

OWNERS: Kalevala Investment LTD

APPLICANT: Sonoma Communities represented by Adam Baugh and Stephanie Watney of Withey Morris, PLC

REQUEST: Proposed rezoning of approximately 22.77 acres from B-1 ("General Commercial") and RM-2 ("High Density Multiple-Family Residential") to RM-2/PD ("High Density Multiple-Family Residential by Planned Development").

LOCATION: The property is generally located near the Southwest corner of Broadway Avenue and Tomahawk Road.

**GENERAL PLAN/
ZONING DESIGNATION:** High Density Residential ("MDR") and Commercial ("COMM"); currently zoned B-1 and RM-2.

SURROUNDING USES: North: B-1 (General Commercial), PI (Public and Institutional) and MHP (Manufactured Home Park);

South: B-1;

East: RS-20M (Medium Density Single-Family Detached Residential);

West: B-1/PD.

BACKGROUND

The property has historically been vacant, no development history is available.

Most recently Sonoma Communities has formally expressed interest in the 22.77 acre property for a 201-lot, for-rent, single-family residential community.

PROPOSALS

P-21-68-PZ is a proposed rezoning of two properties, which total approximately 22.77 net acres, and which are generally located near the Southwest corner of Broadway Ave. and Tomahawk Rd.

The west parcel (102-02-002B) is being rezoned from High Density Multiple-Family Residential ("RM-2") to High Density Multiple-Family Residential by Planned Development ("RM-2/PD"). Part of the east parcel (the north +/- 55 feet of 102-02-001B) is being rezoned from General Commercial ("B-1") to High Density Multiple-Family Residential by Planned Development ("RM-2/PD"). The PD plan proposes to develop a 201-lot residential rental community.

PLANNING STAFF ANALYSIS

Relationship to General Plan:

The subject site is designated by the city's General Plan as "High Density Residential" (APN 102-02-002B) and "Commercial" (a portion of APN 102-02-001B).

The proposed use constitutes a minor General Plan amendment of a portion of APN 102-02-001B from the land use type "Commercial" to "High Density Residential".

Zoning/Site Context:

The approximate 22 acre property is surrounded by residential properties on the East, a mix of commercial and residential properties on the North, and commercial on the West and South.

Planned Development Zoning:

There is one (1) Zoning Ordinance deviation being requested as a part of the proposed planned development rezoning. The RM-2 zoning district normally requires a setback of 20 feet in the rear. The PD plan proposes a rear setback of 10 feet. The southerly sides of the proposed development are considered the rear.

| Residential Development Standards Table | | |
|--|-------------|---|
| | RM-2 | PD Proposal |
| Density | 22 du/ac | 10.1 du/ac |
| Min. lot area per dwelling unit | 1,980 sf | 4,935 sf |
| Min. Development Area | 7,000 sf | - |
| Min. Lot Width | 60' | - |
| Max. Height | 40' | Single-Story Units: 25' Garage/Carriage Units: 30' Leasing Office/Clubhouse: 25' Stand-alone Garage: 16' |
| Max. Lot Coverage | 50% | 27% |
| Min. Setbacks | | |
| Front | 20' | 20' |
| Side | 10' | 10' |
| Rear | 20' | 10' |
| Street Side | 10' | 10' |
| Open Space | | Usable Common OS: 6.7% (1.35 ac) Private Rear Yard OS: 10.7% (2.15 ac) Total Open Space 50% |

Infrastructure Improvements:

Two (2) full access driveway entrances are proposed to access Broadway Road, one from the main (west) portion of the site and one from the east portion. The driveways will allow movements in all directions. No access is proposed to Tomahawk Road due to the drainage improvements anticipated along Tomahawk Road. Proposed improvements consist of widening the existing pavement to provide the required roadway half width, curbing & sidewalk along both roads.

Furthermore, all other necessary on-site and off-site improvements, such as community amenities, retention basins, accessible routes, and landscape buffers, will be built at the

time of development. Please see project narrative to see a detailed list of all proposed infrastructure improvements.

Public Input:

Neighborhood meeting notification letters were sent from the applicant to all property owners within a 300-foot radius. On September 14, 2021 a neighborhood meeting took place via zoom and one (1) person attended the meeting. Please see final participation report for additional details (attached).

Staff received one (1) email regarding the rezoning. The resident was in favor of the rezoning. The full email is attached.

FINDINGS OF FACT

As required by the Apache Junction Zoning Ordinance, a Planned Development request may be approved by the City Council after consideration has been given to three different criteria. The criteria is outlined in the text below:

1. That a better design cannot be achieved by applying the strict provisions of the underlying zoning district.

Applicant Response: In order to achieve the proposed medium density and accommodate private backyards, utilization of the Planned Development option is necessary to achieve some relief from RM-2 standards that are more commonly associated with traditional apartments.

2. That strict adherence to the provisions of the zoning ordinance is not required in order to ensure the health, safety and welfare of the inhabitants of the proposed development.

Applicant Response: The proposed development will conform with all provisions of the zoning ordinance and Apache Junction Codes to ensure health, safety and welfare of all inhabitants of the proposed development. The PD option is being requested to provide for a more livable housing opportunity for future residents.

3. That strict adherence to the ordinance is not required to ensure that property values of adjacent properties will not be reduced.

Applicant Response: The proposed development will be a quality development more akin to a single-family community. Given the surrounding land uses which consist primarily of vacant land, it is not anticipated that the proposed development will have an impact on property values.

FINDINGS OF FACT FOR MINOR GENERAL PLAN AMENDMENT

As required by the Apache Junction General Plan, a Minor General Plan request may be approved by the City Council after consideration has been given to specific criteria. The criteria is outlined in the text below:

1. Whether the amendment proposes a land use designation that the Land Use Plan Map does not adequately provide optional sites to accommodate.

Applicant Response: The requested amendment is to create uniformity for the larger Property and the proposed residential development. Because the proposed development includes contiguous parcels, there are no other optional sites to accommodate the proposal

2. Whether the amendment constitutes an overall improvement to the General Plan, will not solely benefit a particular landowner or owners at a particular point in time, and is consistent with the overall intent of the 2020-2050 General Plan.

Applicant Response: The proposed housing type that this development will offer is a unique niche that is becoming more popular across the Valley and attracts new residents including young professionals, millennials, and empty nesters who are looking for a "lock and leave" lifestyle. Additionally, the proposed infill development will provide new residents to support future employment and commercial uses within Apache Junction. Therefore, this amendment constitutes an overall improvement to the General Plan which will not be solely for the good or benefit of the owner.

3. Whether the proposed amendment is justified by an error in the 2020-2050 General Plan as originally adopted.

Applicant Response: No known errors exist with the designation of the Subject Site, however there are site constraints that limit development of the Subject Site which are overcome—in this case—only by inclusion of the Subject Site as part of a larger development.

4. Whether the proposed change is generally consistent with goals, objectives, and other elements of the 2020-2050 General Plan.

Applicant Response: This amendment is consistent with the goals, objectives and other elements of the General Plan as it will provide a framework for a quality development while diversifying the housing stock in Apache Junction to provide new housing options to residents. These are all goals of the General Plan, as noted below:

Goal 3.2 - Diversify housing stock and neighborhoods by incorporating a variety of housing types and associated values to allow for a diverse demographic of residents.

Goal 3.3 - Maintain and attract a quality housing stock in condition, design and construction standards.

Goal 4.8 - Provide a variety of housing options.

5. Whether the proposed change is justified by a change in community conditions or neighborhood characteristics since adoption of the Plan.

Applicant Response: There are no known changes to the community conditions or neighborhood characteristics since adoption of the Future Land Use Plan

6. Whether the amendment will adversely impact a portion of, or the entire community by:

- a. Significantly altering acceptable existing land use patterns, especially in established neighborhoods.

Applicant Response: This request will not result in a significant alteration of the existing land use patterns; rather, it will provide certainty for the surrounding area

- b. Significantly reducing the housing to jobs balance in the Planning Area.

Applicant Response: The Subject Site comprises 5.01-acres (+/-) and development of the site is limited due to the existing site constraints, including challenges associated with the existing wash. The proposed General Plan Amendment will not have an overall negative impact on the total City's current job-to-population ratio, as the Subject Site's attributes preclude meaningful activation of the Property with commercial uses. Additionally, it is anticipated that, with the addition of new residents, support for existing and future employment and commercial uses in the area will occur. The re-designation of the Property to a residential designation will be in accordance with the City's goals and policies

- c. Substantially decreasing existing and future water supplies.

Applicant Response: It is not anticipated that this proposal will create any issues for current or future water supplies. There is existing water infrastructure within Broadway Road and Old West Highway to service the community, which will be connected to and improved, as necessary, to service the development.

- d. Replacing employment with residential uses.

Applicant Response: As noted above, the Subject Site is a small 5.01-acre site that is-by itself- challenged. Given the site constraints, it is unlikely that the Subject Site would develop as a meaningful employment use.

- e. Requiring additional and more expensive improvements to infrastructure systems and/or proximity to municipal facilities and/or services than are needed to support the prevailing land uses and which, therefore, may impact the level of service for existing and proposed developments in other areas.

Applicant Response: Improvements for the development will be constructed, as required, to ensure that there are adequate infrastructure systems to service the Property. It is not anticipated that the level of service for existing or future development will be impacted by the proposed development.

- f. Increasing traffic (without mitigation measures) on existing roadways beyond the planned level of service, and that negatively impact existing and planned land uses.

Applicant Response: A Traffic Impact Analysis has been provided to the City under separate cover with the PD application. The TIA provides recommendations for mitigation of any impacts the Project may have on the adjacent street system. Ultimately, the developer of the Property will construct the adjacent half-street improvements, as required, and will continue to comply with the City's current engineering policies and standards, and work to provide solutions that will enhance the City's transportation networks.

- g. Affecting the existing character (i.e., visual, physical and functional) of the immediate area.

Applicant Response: The proposed development will not affect the existing character of the area, which consists of primarily vacant land to the west, south and east. With respect to the physical character, development of the Subject Site as part of the larger Residences at Apache Trail will provide for physical drainage solutions and preservation of a significant wash corridor.

- h. Increasing the exposure of residents to aviation generated noise, safety and/or flight operations.

Applicant Response: It is not anticipated that the proposed project will be affected by significant aviation impacts.

- i. Materially diminishing the environmental quality of the air, water, land, or cultural resources.

Applicant Response: The Project will not significantly impact the surrounding natural environment. The Project has been designed to preserve the existing wash corridor and significant improvements to the Property will be provided, including a meaningful amount of private open space, furthering several goals of the General Plan

- j. Significantly altering recreational amenities such as open space, parks, and trails.

Applicant Response: The Project will not significantly alter recreational amenities. Rather, it will provide a formalized frontage with landscaping and sidewalks, which will improve the pedestrian experience while providing visual access to the wash.

PLANNING DIVISION RECOMMENDATION

Staff acknowledges the proposed planned development deviation of the reduced rear setback requested for this community. The applicant is also asking for flexibility in the site layout/density due to the anticipated requirements of the Conditional Letter of Map Revision ("CLOMAR") process through FEMA.

As such, and within the context of trade-offs for the requested zoning deviations, staff is supportive of the proposed project due to the enhanced features such as the building elevations, community amenities and overall site design, and respectfully recommends to the Commission that they include the following conditions of approval as part of a favorable recommendation to the City Council. As always, Commissioners may recommend changes or additional conditions which they feel will improve the development plan.

RECOMMENDED MOTION FOR PLANNED DEVELOPMENT REZONING

I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the (APPROVAL/DENIAL) of planned development rezoning case P-21-68-PZ, a request by Sonoma Communities (developer), represented by Adam Baugh of Withey Morris, PLC (applicant), for an approximate 201 for-rent single-family residential community to be named The Residences at Apache Trail, generally located near the Southwest corner of Broadway Avenue and Tomahawk Road, from General Commercial ("B-1") and RM-2 (High Density Multiple-Family Residential) to High Density Multiple-Family Residential by Planned Development ("RM-2/PD"), subject to the following conditions of approval:

- 1) All the provisions of the Zoning Ordinance are applicable to this case.
- 2) The development shall reflect substantial compliance and consistency with the Planned Development presented with case P-21-68-PZ, incorporated by reference herein, and

as otherwise specified through these conditions of approval, to include general layout, elevations, lot sizes, setbacks, reduced rear setback of 10', public and private rights-of-ways, easements and tracts, amenities (including proposed pool and clubhouse), perimeter and interior lot separation walls, model types, landscaping and other improvements.

- 3) All elevations shall include a uniform application of materials on all buildings. Different color palettes shall be used to differentiate and vary building elevations. Allocation of materials shall be consistent throughout the site.
- 4) Landscape, screening and irrigation improvements, planted within a minimum 10-foot deep strip inside the net property line (but outside of required walls) along the perimeters of the property, shall be provided in compliance with the city's landscape and screening requirements contained in Apache Junction City Code, Volume II, Land Development Code, Chapter 1, Zoning Ordinance, Article 1-8, Landscape Regulations. All required trees shall be 24" box and all required shrubs shall be 5-gallon in size and a decorative 6-foot-tall fence shall be constructed.
- 5) Street improvements include but not necessarily limited to, extension of pavement and the provision of sidewalk, curb, gutter, streetlights, underground utilities, fire hydrants, landscaping shall be required as part of this planned development project, and subject to review and approval by the City Engineer.
- 6) The developer shall meet the Traffic Impact Analysis, CLOMAR/LOMAR, drainage, and FEMA floodplain requirements, as outlined by the City Engineer in the previously provided pre-application and review comments.
- 7) The proposed development will not be age-restricted.
- 8) All applicable permits shall be applied for and plans shall be designed to current city codes prior to any lot grading or construction on the lots. Inclusively, all applicable development fees, including public art fees, shall be paid at the time of permit issuance. Development fees shall be paid on a per unit basis.

- 9) All common areas, amenity areas, and tracts within and immediately adjacent to the proposed development, including perimeter walls and fences, and interior and exterior common area landscaping, shall be owned and maintained in good condition at all times by the owners or homeowners association of the proposed subdivision.
- 10) The developer's engineer shall meet the civil engineering improvement plans and document requirements, as outlined in the previously provided pre-application and review comments and in accordance of the city's approved engineering standards that are in effect at the time of plan submittal.
- 11) A land division of the northern portion of the eastern parcel (102-02-001B), and subsequent lot combination of the newly created parcel and existing RM-2 zoned parcel (102-02-002B), shall be required.
- 12) Minor PD modifications or alterations of the approved architecture designs, floor plans, open space, unit mix, clubhouse location or development plan, shall be administratively reviewed and approved by the Director or designee.
- 13) Major deviations or proposed changes from the original plans associated with this case will require a Major PD Amendment. The Director or designee shall interpret the proposed modification to be significant/major if, in the Director or designee's opinion, the modified project density (i.e., units per acre) is proposed to be increased by more than 10%, the quality of project design is diminished, the types of proposed land uses are significantly altered and/or the overall character of the project is contrary to the intent and spirit of the original City Council PD ordinance approval.

Kelsey Schattnik

Prepared by Kelsey Schattnik
Planner

Attachments:

Exhibit #1 - P-21-68-PZ Project Narrative
Exhibit #2 - P-21-68-PZ Vicinity Map
Exhibit #3 - P-21-68-PZ Elevations
Exhibit #4 - P-21-68-PZ Preliminary Landscape Plan
Exhibit #5 - P-21-68-PZ Final Participation Report