



Planned Area Development Rezoning Planning and Zoning Commission Staff Report

CASE NUMBER: OV914-005 Verde Catalina

MEETING DATE: December 1, 2015

AGENDA ITEM: 2

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Applicant: Verde Catalina Townhomes Homeowners Association

Request: Rezoning from R1-144 to Planned Area Development (PAD)

Location: Northeast and Southeast corners of Mountain Vista Drive and Oracle Road

Recommendation: Approve requested Rezoning from R1-144 to Planned Area Development (PAD)

SUMMARY:

The purpose of this application is to create zoning standards that reflect the existing conditions within a 43 year old townhome development. Due to the zoning issues related to building expansions, the Verde Catalina Townhomes Homeowners Association proposes to rezone a 26.3 acre subdivision from R1-144 to Planned Area Development, located on the northeast and southeast corners of Mountain Vista Drive and Oracle Road.

The Planning and Zoning Commission held the first of two required public hearings on October 5, 2015. The draft minutes from the October 5th Planning and Zoning Commission meeting are provided as Attachment 1. No action was taken at that hearing. The discussion at the meeting focused on:

- Development standards of the R-4 zoning and the proposed Planned Area Development
- Permitted building expansions
- History of the development

This agenda item is for discussion and possible recommendation to Town Council.

BACKGROUND:

The Verde Catalina townhome subdivision was built under Pima County's jurisdiction in 1972. The property was subsequently annexed into Oro Valley and the zoning translated to R1-144 (3.3 acre lots). This R1-144 translational zoning reflected the Pima County Suburban Ranch (SR) zoning which existed in the County upon annexation, but did not reflect the existing townhome development on the property, which consists of less than 4,000 square foot townhome lots.

To resolve the conflict between the large lot R1-144 zoning and the small lot townhome use of the property, staff has been working with the Verde Catalina townhomes homeowners association to develop standards for the existing project which reflect the small lots on of the property. These standards have been reviewed by the homeowners association and presented to the residents at several meetings.

The proposed rezoning would use the Planned Area Development (PAD) zoning district with tailored development standards for townhome development. The proposed rezoning would not allow 1) new uses 2) expanded boundaries 3) taller buildings and 4) additional lots. The proposed PAD would only allow additions and remodels to the existing townhomes. The homeowners association has requested and endorses the proposed PAD standards.

The Location Map is provided as Attachment 2. The proposed Planned Area Development (PAD) standards are provided as Attachment 3.

APPROVALS TO DATE:

- 1972 Verde Catalina Townhomes plat recorded and subdivision constructed
- 2003 Property annexed into Oro Valley
- 2003 Translational zoning from Pima County SR to Oro Valley R1-144
- 2011, 2013 and 2015 Variances granted for awning / building additions

Land Use Context

The existing 149 units were built under Pima County's jurisdiction in 1972. The zoning and surrounding land uses are provided below and depicted on the General Plan (Attachment 4) and the Zoning Map (Attachment 5):

	EXISTING LAND USE	GENERAL PLAN (Attachment 4)	ZONING (Attachment 5)
SUBJECT PROPERTY	Townhome Development	High Density Residential (5+ homes per acre)	Single-Family Residential R1-144
NORTH	Townhome Development	High Density Residential (5+ homes per acre)	Multi-family Residential R-6
SOUTH	Retail and Office	Neighborhood Commercial Office	Commercial C-2
EAST	Single-family Residential	Low Density Residential (0.4 – 1.2 homes per acre)	Single-Family Residential R1-36
WEST	Retail, Office and Apartments	Neighborhood Commercial Office – High Density Residential	Residential Service R-S and Commercial C-2

DISCUSSION / ANALYSIS:

Prior to annexation in 2003, the property was zoned Suburban Ranch (SR) under Pima County's jurisdiction. State law requires that the Town change or "translate" the zoning on the annexed property from its original zoning designation to the closest comparable Oro

Valley zoning designation. The translational zoning cannot permit greater densities or intensities than existed under County jurisdiction. Although the property contained an existing townhome development with less than 4,000 square foot lots, the Town translated the zoning to R1-144 (3.3 acres lots), to meet the requirements of State law.

At the time of annexation it was noted in the staff report that a subsequent rezoning would be required to better match zoning standards to the existing development. The subsequent zoning case was never processed and the property has remained zoned R1-144. This has resulted in a number of variance cases being supported and approved over the past several years to allow for small building additions which do not conform to the larger setback requirements of the R1-144 zoning.

To resolve the discrepancy in the zoning versus land use, the planning staff has been working with the homeowners association to develop zoning standards to reflect the existing site conditions (e.g., smaller lot sizes and building setbacks) and allow typical room additions (e.g., porches, carports, awnings, etc.). The attached PAD reflects the proposed standards for development, which were patterned after the Town's R-4 (Townhome Residential) zoning district.

Planned Area Development Policy & Finding Analysis

Section 24.4 of the Zoning Code provides the requirements for new PADs, including General Plan conformance and specific criteria required for PAD approval. The following is a discussion of the proposed underlying zoning district and proposed modifications.

I. UNDERLYING ZONING DISTRICT

According to the Zoning Code, all PADs shall include underlying zoning designations. The underlying, or base, zoning districts are to be derived from existing Oro Valley zones and reflect the most logical designation in consideration of the proposed land use for a particular parcel. Further, "The development standards of the underlying zoning districts will prevail where the PAD does not specifically modify said standards."

The PAD proposes a single zoning district based on a modified R-4 (Townhouse Residential) zone. Following is the purpose of the zoning district:

- The R-4 district is intended to provide for relatively low-density development having individual ownership and built-in privacy, either in the form of party wall construction or enclosed courtyards.

The PAD proposes to include all those uses permitted in the R-4 zoning district. These uses are consistent with a residential townhome development.

II. MODIFICATIONS TO DEVELOPMENT

According to the Zoning Code, "Modifications to the development standards of the underlying district may be permitted if they are found to offer a desirable improvement over the conditions produced by conventional zoning standards.

The proposed PAD was patterned using the Town’s Townhome Residential R-4 as a base zoning. Modifications were made to reflect the existing conditions by providing the following development standards:

Lot Size	Front	Side	Rear	Between Buildings	Building Height	Coverage	Perimeter R1 District	Perimeter (all others)
3,400 sq. ft.	0	0	0	10 feet	18 feet	See Notes *	25 feet	10 feet

*Expansions into front yard may be permitted by Planning and Zoning Administrator

*Each Lot must maintain 250 square feet of uncovered living space in the rear yard

The proposed perimeter and building setbacks are generally consistent with the R-4 zoning standards, with several modifications to address specific issues related to site coverage.

III. GENERAL PLAN ANALYSIS

The subject property is designated High Density Residential (5+ homes per acre) on the General Plan Future Land Use Map. The proposed rezoning to Planned Area Development is consistent with this land use designation.

The proposed rezoning is subject to the PAD criteria outlined in the General Plan. These criteria along with staff comment are provided on Attachment 6. In summary, as the development is an existing project built under County jurisdiction prior to adoption of the General Plan, many of the criteria are not applicable to a new PAD which are intended for an existing development.

IV. ZONING ANALYSIS

The proposed PAD is subject to the specific findings outlined Section 24.4.H of the Oro Valley Zoning Code. The staff analysis of these findings is provided on Attachment 7. In summary, Zoning Code provides that the specific findings are optional and shall be applied on a case-by-case basis.

The proposed PAD pertains to an existing townhome development constructed in 1972. Based on the timing of development, the PAD is general conformance with all of the applicable specific findings.

PUBLIC PARTICIPATION:

Neighborhood Meetings

Two formal neighborhood meetings were held on October 8, 2014 and October 28, 2014 with 5 residents and 9 residents attending respectfully. Discussion topics focused on the purpose of the PAD rezoning and possible additions which could be made to the existing units as a result. The summary notes from the neighborhood meeting are provided as Attachment 8. Staff also was in attendance at several homeowners association meeting where the proposal was explained to residents within this community. Staff has worked extensively with the Verde Catalina Homeowners Association, who has provided a letter of support (Attachment 9). To date, staff has received one letter of concern (Attachment 10).

SUMMARY / CONCLUSION

The proposed rezoning to Planned Area Development (PAD) will provide zoning standards which reflect the existing site conditions. The PAD will resolve a long standing issue related to inconsistent zoning standards on the property. A number of variances have been supported and approved in recent years, illuminating the need for the rezoning to resolve the discrepancy and allow for future additions to these units consistent with typical townhome development standards.

RECOMMENDATION:

As the proposed Planned Area Development meets the required findings of Section 24.4.H, is consistent with the General Plan land use map and will provide standards which reflect existing development patterns, it is recommended that the Planning and Zoning Commission recommend approval of the requested rezoning from R1-144 to Verde Catalina Townhomes Planned Area Development (PAD).

SUGGESTED MOTIONS:

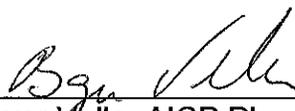
I move to recommend approval of a rezoning from R1-144 to Verde Catalina Townhomes Planned Area Development (PAD), based on the findings that it is consistent with Section 24.4.H, the land use map of the General Plan and will provide standards which reflect existing development patterns

OR

I move to recommend denial of the Verde Catalina Townhomes Planned Area Development, as the request does not meet _____.

ATTACHMENTS:

1. PZC Draft Minutes
2. Location Map
3. Verde Catalina Planned Area Development
4. General Plan Land Use Map
5. Zoning Map
6. Planned Area Development Criteria Analysis
7. Planned Area Development Findings Analysis
8. Neighborhood Meeting Summary Notes
9. Letter from Homeowners Association
10. Letter of Concern



Bayer Vella, AICP Planning Division Manager