

STAFF ANALYSIS

REQUEST

PUBLIC HEARING, ZON14-01: A request by Christy Hashisaki of CCMC and acting Community Manager of Tortosa NW HOA to rezone 5.018 acres of the Tortosa NW Parcel 4 Park Site portion of parcel number 502-56-764B, generally located at the northeast corner of Honeycutt Road and Costa Del Sol Boulevard within City limits, from existing CR-3 PAD (former Zoning Code) to proposed Privately Owned Open Space (OS-POS), as identified in the current Zoning Code. **Discussion and Action.**

RECOMMENDATION

On January 9, 2017, the Planning & Zoning Commission recommended approval of zone change request, **re-zoning case # ZON14-01**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

COUNCIL PRIORITIES AND/OR THEMES ADDRESSED

- Quality of Life
- Managing the Future

APPLICANT AND PROPERTY OWNER INFORMATION

Applicant:

Christy Hashisaki
CCMC for Tortosa NW HOA
36340 W Picasso St.
Maricopa, AZ 85138
www.torosahoa.net

Property Owner:

Tortosa NW HOA
36340 W Picasso St.
Maricopa, AZ 85138

SITE DATA

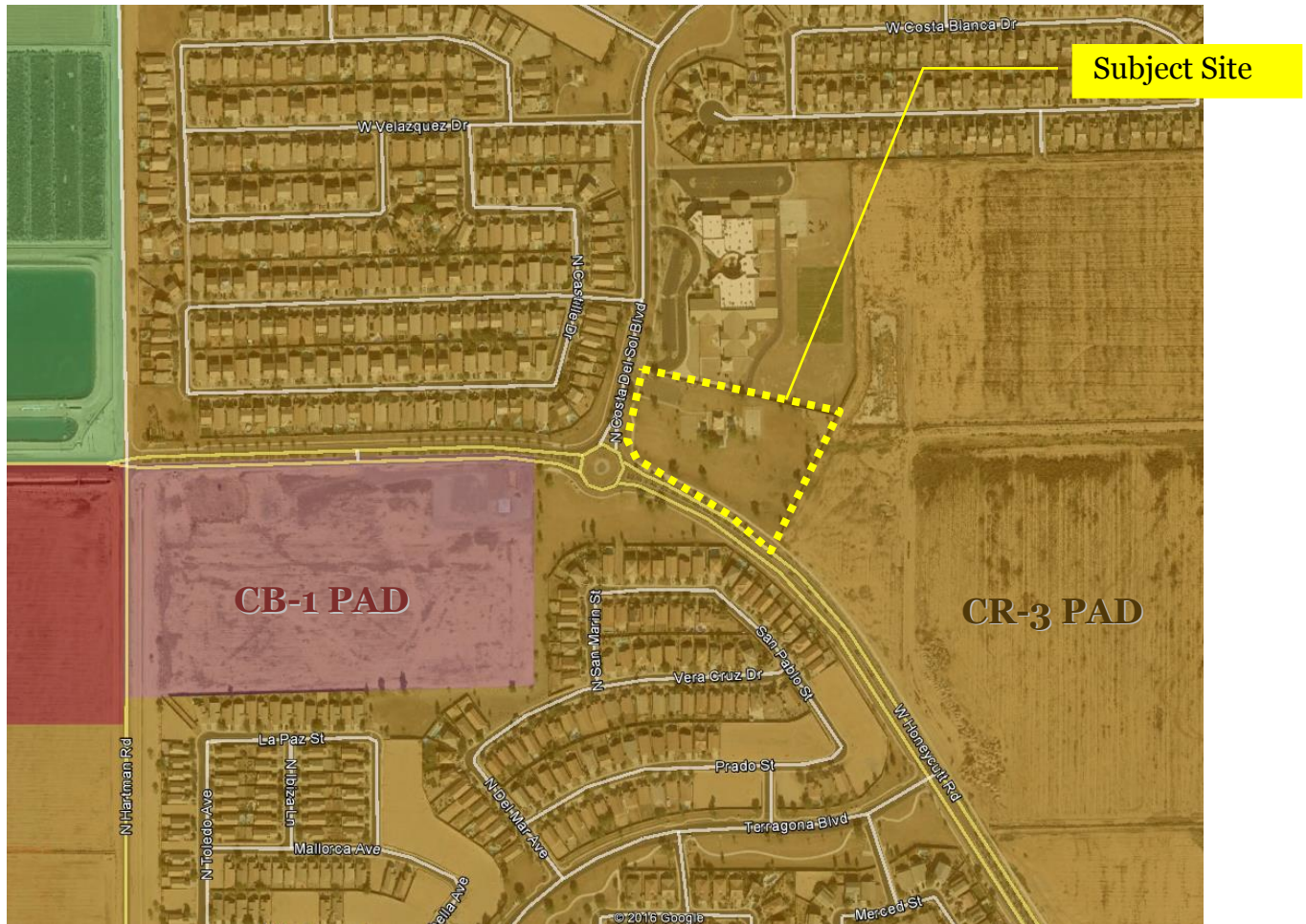
Parcel #:	502-56-764B (a portion of, specifically Parcel 4 Park Site)
Parcel Size:	5.018 acres
Existing Zoning:	CR-3 PAD, open space (former Zoning Code)
General Plan Designation:	Medium Density Residential



PROJECT INFORMATION

Tortosa NW is requesting a rezone of the subject property from CR-3 PAD – Residential use, allocated open space (former Zoning Code) to OS-POS – Privately Owned Open Space (current zoning code). This Zoning Map Amendment request will officially authorize the intended HOA management office to later be proposed on the site (refer to Exhibit A – Narrative). The proposed use of HOA management office can be seen as supporting the community center planned as part of the enhanced recreation facilities proposed, but will be evaluated under a separate review via a future Development Review Permit.

PROJECT LOCATION



CITIZEN PARTICIPATION

Prior to recommending approval of the rezoning, the applicant, Christy Hashisaki, submitted a public participation plan to inform residents of the proposed rezoning, as required per the city's Zoning Code. The Public Participation Plan included a neighborhood meeting, notification letters to all property owners within 300 feet of the subject area (plus, exceeding the Zoning Code by mailing letters to all the HOA members), public notice signs within the subject area, and legal notices in the local newspaper circulator. A timeline of the participation event is shown below (refer to Exhibit D for Citizen Participation Report).

- December 7, 2016 - Notification Letters, Sign Postings and Legal Notice
- December 22, 2016 - Neighborhood Meeting
- January 9, 2017 - Planning and Zoning Commission Meeting (Public Hearing)

FINDINGS

As required by Sec. 509.04 of the City's Zoning Code, the Planning & Zoning Commission shall (A) hold a Public Hearing, (B) make a recommendation to the City Council, and (C) make the following findings in making the recommendation:

1. The amendment is consistent with the General Plan;

Staff Analysis: *The Future Land Use designation for the area is Medium Density Residential. The proposed zone change and future use of the property is consistent with the General Plan. Enhanced open space amenities and community center is well recognized as an essential component of residential communities within Planned Area Developments with open space standards and requirements.*

*By formally designating the open space with a defined zoning designation, as offered by the current Zoning Code, this request implements **Goal B1.4**, to "minimize the conflicts between land uses" now with a better defined list of permitted uses as the space evolves over time. This is further emphasized in **Objective B1.4.6**, to "transition all property zoning designations from pre-existing districts to existing zoning districts in a manner that best achieves the goals of the General Plan."*

*Further implementation can be found in **Goal G4.a.3**, "parks and public buildings should function symbiotically." Further still, **Objective G4.a.3.1**, "seek to provide affordable meeting space within parks and public buildings as project opportunities arise." While HOA management is quasi-public, it may be worthy to consider this goal and objective. (Note: "Government Buildings" in the Zoning Code, Article 601 does not list Homeowner Association(s) as a potential user)*

2. Any change in District boundaries is necessary to achieve the balance of land uses desired by the City, consistent with the General Plan, and to increase the inventory of land within a given Zoning District; and

Staff Analysis: *The zone change amendment will allow Tortosa NW HOA to continue its development plan of providing essential services within the community. The property is already established as a park. The additional permitted uses to the site are consistent with a site this size, centrally located in a community.*

3. The amendment will promote the growth of the City in an orderly manner and protect the public health, safety, peace, comfort and general welfare.

Staff Analysis: *The zone change will not impact the health, safety and general welfare of the area and will promote growth in an orderly manner.*

PUBLIC COMMENT

Staff did not receive any public comment at the time of writing this report, nor was there any public statements made by the public during the Public Hearing held at the January 9 Planning & Zoning Commission Meeting.

As noted in the Citizen Participation Report, and minutes prepared by the applicant, there was no opposition to the request to rezone the subject property during the Neighborhood Meeting.

CONCLUSION

The Planning & Zoning Commission recommends approval of **Zoning Map Amendment request case # ZON14-01**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

1. The zone change request case # ZON14-01 will be fully subject to Article 206 Open Space and Public-Institutional Districts of the Maricopa Zoning Code and all provisions thereof.
2. The applicant/property owner shall be required to apply for a Development Review Permit in a timely manner to begin review of the proposed open space improvements and development of the community center that will house the HOA management office.
3. Unreasonable delay to apply for a Development Review Permit will require staff to revoke the Conditional Use Permit (CUP14-03) currently advantaging the HOA management operations as a temporary solution, conditioned by the expeditious development of a permanent office location.
4. Applicant shall sign a Proposition 207 waiver, agreeing to waive claims for diminution in value of property.

Exhibit A – Narrative

Exhibit B – Conceptual Site Plan

Exhibit C – Zone Change Map

Exhibit D – Citizen Participation Report

-- End of staff report --

