

MEMORANDUM

To: **Honorable Mayor and City Council**
From: **Eric Fitzer, Assistant Planner**
Amy Haberbosch-Arco, Planning Director
Meeting Date: **April 4th, 2006**
Subject: **PAD05.12 & ZON05.11 Daltessa Heights Planned Area
Development**

REQUEST

PAD05.12 & ZON05.11: Maracay Homes is requesting Rezoning and a Planned Area Development Overlay for Daltessa Heights a 326.43 acre subdivision to include 932 lots. The site is generally located: south of Steen Road, west of White & Parker Road, north of Peters & Nall Road and approximately one-half mile east of Porter Road; adjacent to the northern boundary of the Ak-Chin Reservation within the incorporated limits of the City of Maricopa. The applicant is requesting to rezone this property from its original designation of "CI-2" Industrial to a PAD rezoning to include "CR-3" (single family residential), "CR-4" (multiple residence) and "CB-2" (general business zone) underlying zoning districts.

RECOMMENDED MOTION

ZON05.11 and PAD05.12 Based on the previous analysis of the Daltessa Heights Planned Area Development; staff recommends **Approval with thirty eight (38) stipulations.**

1. The zoning shall be a PAD overlay district with underlying zoning consisting of CR-3 (single residence), CR-4 (multi residence) and CB-2 (general business zone).
2. Product elevations and floor plans will be submitted to the City for review and approval prior to issue of any building permits, to include commercial as well as residential buildings.
3. This project is located within the Small Area Transportation Study (SATS) and shall be developed in accordance to all recommendations of the final implementation plan and approved by the City of Maricopa.
4. All public roadway and infrastructure improvements shall be in accordance with the current City of Maricopa standards and/or subsequent standards that are developed by the City, as approved by the Director of Public Works or City Engineer and installed by the developer.

5. Staff requires that the Daltessa Heights Planned Area Development provide vehicular as well as pedestrian access to the adjacent development to allow access to schools site that will not be provided within but will serve the development.
6. Staff requires that all surrounding roadways be permanently dust-proofed, to an acceptable standard, by the developer prior to construction of the first unit.
7. The City of Maricopa Ordinance 05-08 requires 2 off-street parking spaces per dwelling unit.
8. Staff requires staggered front yard setbacks for all units within the development. The setbacks shall range from 19 feet to 21 feet. The applicant has submitted for 18 foot setbacks; these shall only be utilized for the Z-lot or 2-Pac configuration as submitted to the City of Maricopa. All front yard setbacks shall be measured from back of the Right of Way (ROW) to the front face of the garage.
9. Sidewalks on arterials and collectors shall be a minimum 6 feet wide; on local roads these sidewalks shall be a minimum of 5 feet wide. Sidewalks shall be located on both sides of all streets.
10. Staff requires that six and one-half foot bicycle lanes be striped on all arterials and collectors adjacent to and within the Daltessa Heights Planned Area Development to meet the Open Space Ordinance 05-07.
11. The internal trail system of the project shall connect to all parcels within the project as well as the City of Maricopa Urban Trail system. Design of the "Point of Challenge" shall be submitted for review by the Parks, Recreation and Libraries Department.
12. Trail cross-sections shall be submitted to the City of Maricopa for review and approval by staff prior to Final Plat approval.
13. Tot lots shall be turfed, shaded and located one foot above the 50 year two hour storm event. Tot lots shall also be located near or within the trail system for the development.
14. Staff requires submittal of product elevations and floor plans to be reviewed by staff and approved by the City of Maricopa Planning and Zoning Commission.
15. All eight foot (8') Public Utility Easements (PUEs) shall be located outside of the indicated rear and side yards of all lots, they shall be located within a tract adjacent to but not located within the side and rear yards of any lots. Each PUE shall have a dedicated easement on both sides of every street to allow access for repairs and maintenance at any time by the utility providers in the area.

16. Ordinance number 05-07 requires that all ground covering be hypoallergenic in all open spaces were this type of ground cover is utilized. Staff requests proof that this requirement is adhered to.
17. Staff requests a signed agreement with the Maricopa Unified School District prior to preliminary plat; this agreement shall be submitted to the City of Maricopa.
18. Prior to Final Plat approval, the applicant/owner shall provide written verification from the Maricopa Fire District that fire hydrant location and applicable fire service concerns/issue have been resolved to the satisfaction of the Fire District.
19. The applicant shall ensure that a minimum twenty percent (20%) of the approved Daltessa Heights Planned Area Development remains open space and shall limit the overall density not to exceed 3.15 units per acre.
20. All property included within the legal description of the PAD application shall be subject to a Declaration of Restrictions and Covenants acceptable to the City of Maricopa which shall, among other things, provide for; formation of a single “master” property owners association, assessment of all members of the association for the cost of maintaining all common areas, and specific notice of surrounding land uses. Approval of the Declaration must be obtained prior to the recordation of the first plat for any portion of the planned area development.
21. The applicant/owner shall grant an Agricultural Spray Easement to adjacent farm owners/operators. The Agricultural Spray Easement shall be referenced in the recorded CC&R’s and referenced in the notes section on the preliminary and final PAD plat(s).
22. Staff requests calculations of net open space included on all language tables with a per parcel breakdown to be located on the plats.
23. Staff requests dedication of the 70 feet of ROW and one-half street improvements on White and Parker Road (principal arterial 1); to include curb gutter and sidewalk adjacent to the site; dedication of 55 feet of ROW and one-half street improvements on Steen Road to include curb, gutter and sidewalk adjacent to the site.
24. Staff requests that the developer pull conduit and junction boxes; signalization at the intersection of Steen Road and White and Parker Road, once signal warrants are met. The developer shall share in the cost of such signalization with the surrounding development.
25. The Daltessa Heights Subdivision shall dedicate, to the City of Maricopa, 70 feet of right-of-way on the north side of the Peters and Nall Road alignment and provide half street improvements (Principle Arterial) in accordance with the adopted City of Maricopa Small Area Transportation Study (SATS) at the time of dedication, to include curb, gutter and sidewalk adjacent to the development.

26. The developer shall honor the 300 foot buffer requirement adjacent to the Ak-Chin Indian Community boundary as stated within the City of Maricopa General Plan unless written documentation is presented to staff from the Ak-Chin Indian Community waiving the requirement. If the 300 foot buffer is waived, a minimum of 200 feet clear-zone (measured from the section line or Ak-Chin boundary to the south side of all developable lots) shall remain on the south side of the property to facilitate future transportation improvements if deemed necessary.
27. Staff requests that the developer provide conduit and junction boxes at the intersection of White and Parker Road and Peters and Nall Road and other primary access points coincident with the design and construction of stipulated roadway improvements.
28. At the time of Preliminary Plat, the applicant shall submit and secure all required applications, plans, supporting document submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies.
29. Staff requests a clearance letter from the State Historic Preservation Office (SHPO) for Archaeological and Historical preservation prior to approval of the Final Plat of the Daltessa Heights PAD.
30. Staff requests submittal of a Phase 1 Environmental Report be submitted to the City of Maricopa for review prior to the recordation of the Daltessa Heights PAD.
31. Developer shall provide notice by way of C, C and R's, separate notice/ flyer information booklet and plats to future residents that the project is adjacent to the "**CI-2**" (**Heavy Industrial**), and in proximity to **Union Pacific Railroad** corridor and may experience light pollution, noise, odors, emissions and traffic congestion associated with Union Pacific Railroad, ethanol plant and other industrial uses. The following disclosures will required to be posted on site of the model/sales office to give future residents advance warning prior to purchase of their potential home:
 - a. Public Disclosure of Potential Noise Impacts – Constructive knowledge of potential railroad/ industrial plant impacts should be made to future purchasers, mortgagees, renters, occupiers and users of the property.
 - b. Notification on all Plats and Titles. It should be noted on the plat and the Title Report that there is a potential for objectionable noise, odors and emissions. The plat and title shall note the following: "These properties, due to their proximity to the Industrial sites, Union Pacific Railroads, are likely to experience

light pollution, noise, odors and emissions, traffic impacts which could generate levels which may be of concern to some individuals.”

- c. Additionally, some form of noise/sound attenuation measures shall be included with any future building permits for City of Maricopa approval.
 - d. A minimum of one sign shall be posted at each model home complex minimum area 32 square feet stating this project is within the vicinity of Industrial sites, Union Pacific Railroads and may be subject to light pollution, noise, odors and emissions, traffic impacts. Staff prior to issuance of any building permits shall approve specific sign language and design.
32. Staff requests that pilasters on the theme wall be located every 100 feet.
 33. Staff requests that eight (8) foot walls be utilized for properties adjacent to all arterials and the commercial site or as approved by staff.
 34. Applicant is to submit to the City preliminary water and sewer designs for the project in accordance with the design standards as a preliminary assessment of the designs for conformance to the area Master Water and Sewer Plans. This is to include preliminary elevations for the commercial parcels and a Benchmark for the project.
 35. Staff requests a minimum of three (3) different roof colored materials and six (6) different colors for exterior paint shall be provided as options to home buyers.
 36. Any major amendment to the PAD shall be processed by the City of Maricopa Planning Department as a new application in accordance with City regulations. A major amendment shall be defined as including, but not limited to: a substantial alteration of height, lot coverage, lot square footage, or use of any building or structure; any change in residential units’ density, or significant lot dimensions; any alteration of landscape areas, public access spaces, recreation area, or other amenities; any change in phasing or timing; any alteration to the utilities to be provided to the PAD. The Planning Department shall, in case of question, determine whether a change shall be designated as major or minor.
 37. The applicant shall develop this property, in accordance with the submitted Daltessa Heights Planned Area Development (PAD) application and supporting submittal documents approved by the Planning and Zoning Commission and the City of Maricopa City Council.
 38. Staff requests that the project submit a street lighting plan and a trail lighting plan for the development. These plans shall be submitted for review and approval by staff.

