MEMO

TO: Planning and Zoning Commission

FROM: Ray Erlandsen
Acting Community Development Director

DATE: June 8, 2009

SUBJECT: Rezone R1-90 to R1-44 **P-355-09**
1601 E. Underwood Lane

Background

The applicant is requesting approval of a zone change request from R1-90 to R1-44 for the development of a 14 lot residential subdivision, Tuscany Estates, on 15.04 acres. Surrounding properties include Juniper Ridge to the north, zoned R1-90; Payson 3 Unit 1 to the east and west, zoned R1-90; to the south unsubdivided property, zoned R1-175 and Sienna Creek, zoned R1-18-PAD.

In April 2004, the Planning and Zoning Commission recommended approval of this rezoning to the Town Council. On June 10, 2004, the Town Council approved Ordinance #653 rezoning this property from R1-90 to R1-44). On July 8, 2004, the Town council voted unanimously to rescind Ordinance #653 leaving the zoning at R1-90. On August 12, 2004, the Council unanimously approved Resolution #1981 denying Application Number P-305-04, the original rezoning application, and provided a waiver of fees for any future zone change application for the property located at 1601 E. Underwood Lane. The resolution further provided that Patrick and Barbara Underwood might again apply for a zone change for this property in the future when a new, adequate water supply became available for the property. Since that time, the Town has acquired wells to expand the Town's water portfolio and has suspended the "20 ERU" policy.

Analysis

The Land Use Element (Chapter 3) of the Town of Payson General Plan designates this property for Rural Residential development. As the net density proposed is 0.97 dwelling units per acre, the proposed R1-44 zoning district would be appropriate and meets the criteria of the Land Use Element.

The proposed lot sizes range from 44,000 to 46,381 sq. ft. Although lots have been platted to minimize encroachment into environmentally sensitive areas, building envelopes should be kept off ridgelines and out of drainage ways.

Although this property is not contiguous with current or proposed trail way systems, it is reasonable to foresee that future residents would utilize the proposed trail/pathway on N. Tyler Parkway. Therefore it would be reasonable to request the developer to contribute to pedestrian circulation in the area. This property must meet normal drainage/detention requirements, which may include drainage easements once the civil improvement plans are completed and approved. A new cul-de-sac would be constructed to meet current Town Standards and dedicated to the Town.

Public sanitary facilities would be required for R1-44 zoning. The property is currently within the Northern Gila County Sanitary District.

A Citizens Participation Meeting was held on May 29, 2009. The report and related materials are enclosed for review.

Staff Recommendation:

Approval with conditions listed below.

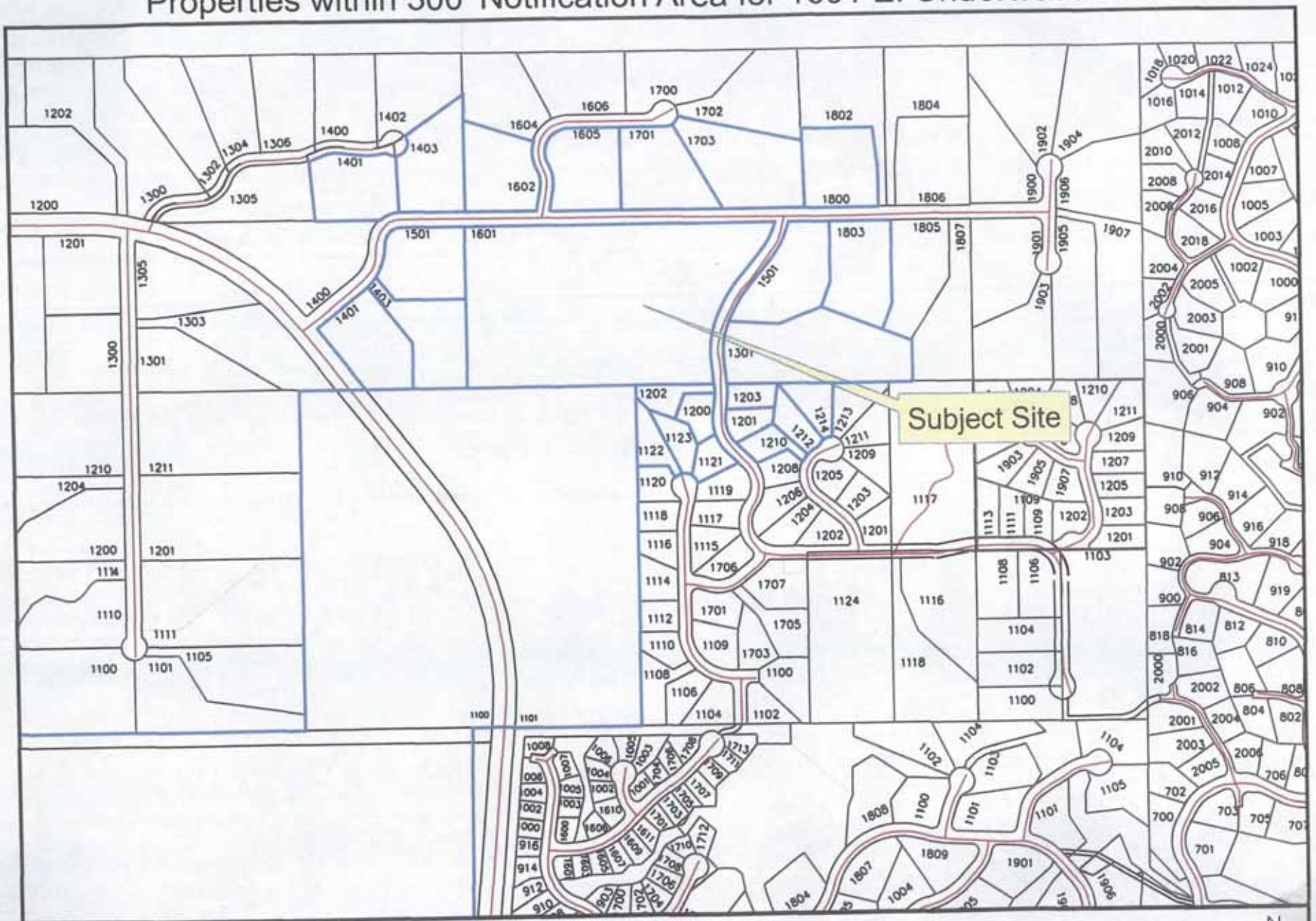
1. The development shall be in substantial conformance with the Rezoning Site Plan, dated May 19, 2009 and shall not exceed a total of 14 lots.
2. A note shall be added to the final plat stating "Areas outside the designated building envelopes shall not be disturbed in any manner except for defensible space thinning/maintenance. Any accessory structures, including fences, shall be located within the designated building envelope. Driveway widths outside the building envelope, on all lots, shall be limited to a maximum of 14 feet wide unless a greater width is needed to meet Fire Department requirements."
3. Building envelopes will be kept off the ridgelines and sensitive environmental areas.
4. Adequate sanitary facilities shall be designed in accordance with Northern Gila County Sanitary District standards prior to submittal of the Final Plat.
5. Storm water detention/retention shall be provided in accordance with the Town of Payson Requirements.
6. If a subdivision sign is planned, a sign easement shall be created on the lot where the subdivision sign will be placed.
7. The developer shall submit a proposal outlining their contribution to the pedestrian circulation in the area prior to Council consideration of the rezoning.
8. All applicable Town standards for development shall be met.
9. If any conditions above, cannot be met or the applicant does not have an approved Final Plat within two (2) years of the approval date of the zoning change, then the R1-44 rezoning may revert to the original R1-90 zoning, pending Council action.

Any other condition the Commission deems necessary.

Suggested Motion to recommend Approval:

"I move the Planning & Zoning Commission recommend to the Town Council approval of P-355-09, a request to rezone a 15.04 acre property located at 1601 E. Underwood Lane from R1-90 to R1-44 for the purpose of a 14 lot single family development with the conditions listed in the staff report."

Properties within 300' Notification Area for 1601 E. Underwood Ln.



Payson

303 North Beeline Highway
Payson, Arizona 85541
(928) 474-5242 www.ci.payson.az.us
GIS/PaysonGIS_Master.mxd 11/28/2007

0 175 350 700 1,050 1,400 Feet

1:6,035

This map has been provided for informational purposes only and is not accurate for engineering design. Every effort has been made to ensure this map is as accurate as possible. The Town of Payson shall assume no liability for the base information contained in this map.

N

REZONING
SITE PLAN
FOR
TUSCANY ESTATES

LOT 20B OF PAYSON THREE – UNIT ONE, A SUBDIVISION AS SHOWN ON MAP 655 GILA COUNTY RECORDS, LOCATED IN THE SE 1/4 OF SECTION 26, T. 11 N., R. 10 E. OF THE GILA AND SALT RIVER MERIDIAN, TOWN OF PAYSON, GILA COUNTY, ARIZONA

OWNER & APPLICANT

PATRICK AND BARBARA UNDERWOOD
P.O. BOX 1356
PAYSON, ARIZONA 85547
PHONE (928) 474-5338

LEGEND

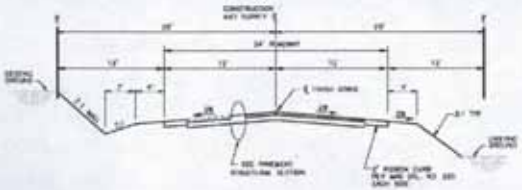
- LPS — LOW PRESSURE SEWER
- LOTS WITH GRINDER PUMPS
- WATER MAIN
- FIRE HYDRANT

TYPICAL PUBLIC UTILITY, DRAINAGE, AND SLOPE EASEMENT

N.T.S.

VICINITY MAP

N.T.S.



TYPICAL ROADWAY SECTION

MARISSA COURT

N.T.S.

AREA COMPUTATIONS

GROSS AREA	15.04 ac.
PUBLIC STREETS	0.65 ac.
LOTS	14.39 ac.
AVERAGE LOT SIZE	44,808 s.f.
MINIMUM LOT AREA	44,000 s.f.

SITE INFORMATION

EXISTING ZONING	R1-80
PROPOSED ZONING	R1-44
NUMBER OF DWELLING UNITS	14
DWELLING UNITS PER ACRE	0.93

UTILITY SERVICES

WATER	PAYSON WATER DEPARTMENT
SEWER	N.G.C.S.D.
TELEPHONE	CWEST
POWER	ARIZONA PUBLIC SERVICE
CaTV	NPG CABLE
TRASH COLLECTION	WASTE MATTERS
TRASH DISPOSAL	BUCKHEAD MESA LANDFILL, GILA COUNTY
POLICE	PAYSON POLICE DEPARTMENT
FIRE PROTECTION	PAYSON FIRE DEPARTMENT
SCHOOLS	PAYSON UNIFIED SCHOOL DISTRICT
GAS	ENERGY WEST

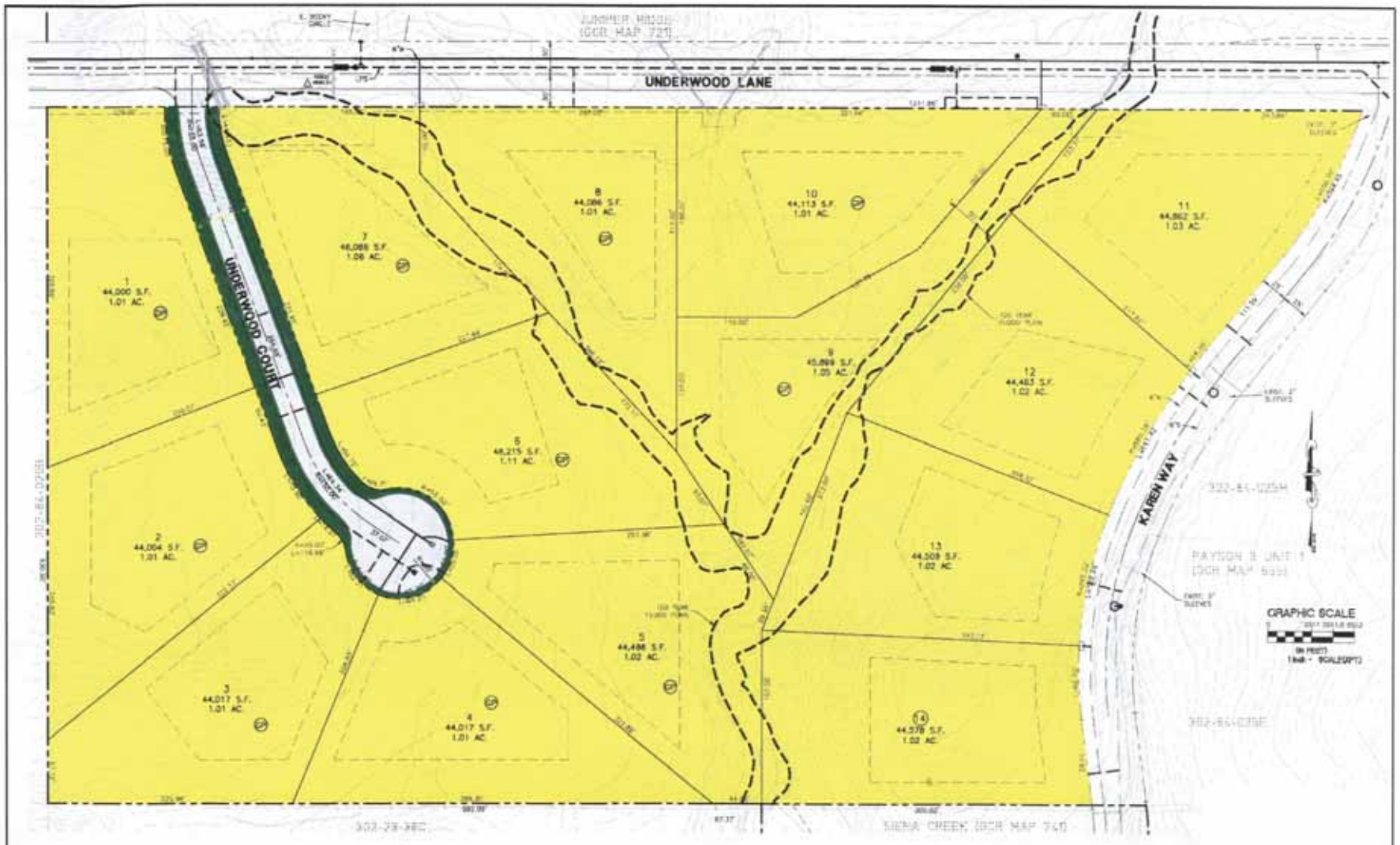
Prepared by

Verde Engineering Group PLLC
1109 North McLane Road
Payson, Arizona 85547
Ralph Bassett P.E. R.L.S.
(928) 978-4383
Don Fitzpatrick P.E.
(928) 980-2414

Project No.

DISCLAIMER

These documents have been prepared for a specific project and shall neither be altered nor reused for any other purpose. Also, these documents do not represent as-built conditions. If these documents are altered intentionally or unintentionally, or reused without the design engineer's written approval, it will be at the sole risk and responsibility of the user. The act of altering or reusing is construed as indemnifying and holding the design engineering firm and its employees harmless from all claims, damages, and expenses, including charting fees, arising out of such act.



Verde Engineering Group PLLC

TUSCANY ESTATES

PAYSON, ARIZONA

SITE PLAN
COLOR EXHIBIT

EX1

1 1

E UNDERWOOD LANE
TYLER PARKWAY
SIENA CREEK
SUBDIVISION

CASE NUMBER P-355-09

TOWN OF PAYSON
PLANNING AND ZONING COMMISSION OR BOARD OF ADJUSTMENTS APPLICATION

The undersigned Applicant(s) hereby applies for:

- ☐ Abandonment Request
- ☐ Administrative Appeal
- ☐ Code Amendment
- ☐ Conditional Use Permit
- ☐ Development Master Plan
- ☐ Devel. Agreement, PAD & SPD
- ☐ Final Subdivision Plat
- ☐ General Plan or Land Use Plan Amendment
- ☐ Minor Land Division
- ☐ P & Z Commission Appeals
- ☐ Preliminary Subdivision Plat
- ☐ Temporary Use Permit
- ☐ Variance
- ☒ Zone Change

May, 2007

Project Address: 1601 E. UNDERWOOD LANE Tax Parcel Number: 302-84-023
Subdivision: PAYSON THREE UNIT ONE Lot Number: 20B
Name of Applicant(s): PATRICK + BARBARA UNDERWOOD Phone #: 928-517-2272
Mailing Address: 1606 E. BECKY CIRCLE Town: PAYSON St: AZ Zip: 85541
Name of Property Owner(s): PATRICK + BARBARA UNDERWOOD
Mailing Address: 1606 E. BECKY CIRCLE Town: PAYSON St: AZ Zip: 85541
Contact Person: PATRICK UNDERWOOD Phone #: 928-474-5338 Fax #: 928-474-5338
Payson Business License # _____ Sales Tax # _____

Detailed Description of Request:
REZONE PROPERTY FROM R1-90 TO R1-44 TO ALLOW DEVELOPMENT OF 14 LOTS ON THE 15.04 ACRE PARCEL.

(Note: Additional Description area can be included in an attachment)

Certification: I hereby certify that the data submitted on or with this application is true and correct, that I am the Owner of the property at this address, or that for the purpose of obtaining this approval I am an authorized agent in his behalf.

PATRICK UNDERWOOD — Print Name
Patrick Underwood — Signature
5-19-09 — Date

STAFF USE ONLY - PERTINENT DATA

APPLICATION	DATE	INITIALS	APPLICATION FEE:
DATE FILED	5-19-09	RE	Zone Change Application See Res. # 1981
COMPLETED APPLICATION	6-1-09	SLd	
NEWSPAPER PUBLICATION	5-22-09	RE	
300' NOTIFICATION MAILOUT	5-20-09	RE	
POSTING DATE	5-20-09	RE	CHECK NUMBER: N/A DATE: N/A

RECOMMENDATION		DECISIONS	
By:	Date:	By:	Date:

Gila County Parcel Information Search

Assessor Information
302-84-023

Parcel/Tax ID	302-84-023
Tax Year	2009
Site Address	1601 E UNDERWOOD LN, PAYSON
Owner Name	UNDERWOOD PATRICK JAY TRUSTEE AND, UNDERWOOD BARBARA ANN TRUSTEE
Owner Address	1606 E BECKY CIR PAYSON, AZ 85541
Tax Area	1053
Land Value	$246,287.00
Improvement Value	$0.00
Full Cash Value	$246,287.00
Assessed Full Cash Value	$39,406.00
Limited Value	$246,287.00
Assessed Limited Value	$39,406.00
Value Method	Market
Exempt Amount	$0.00
Exempt Type	
Use Code	0004
Property Use	0004-VL-UNDET-RUR-NONSUBDIVID
Class Code	Vacant
Assessment Ratio	16.000000
Sale Price	
Sale Date	
Instrument Type	
Book	
Page	
Parcel Size	15.08
Township, Range, Section	11N, 10E, 26SE
Legal Description	LOT 20B PAYSON 3 UNIT ONE (PLAT 655) (OUT OF 302-23-049 & 302-35-044)
Property Type	REAL

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P-355-09 1601 E. UNDERWOOD LANE
302-84-023

LEGAL DESCRIPTION

LOT 20B PAYSON 3 UNIT ONE, TOWN OF PAYSON, GILA COUNTY, ARIZONA.

CITIZENS PARTICIPATION MATERIAL

Citizen Participation Meeting
For Tuscany Estates

Date: Friday May 29, 2009
Place: Payson Senior Center
Re: Tuscany Estates Citizen Participation Meeting

Patrick and Barbara Underwood held the citizens participation meeting as required. Approximately 28 property owners were notified using the list of names provided by the Town of Payson. There were a total of nine people in attendance. Patrick and Barbara Underwood, Ralph Bossert from Verde Engineering, Jeremy and Katie Hoff from Lot 6 in Siena Creek, Wayne and Carolynn Walter from 1501 E. Underwood Lane and Peter and Suzanne Menghini from 1801 E. Underwood Lane. Several neighbors were contacted by the Underwoods earlier and chose not to attend because they had no concerns.

Ralph had maps available and explained drainage and set backs on the different lots.

Attendants were given a brief history of the proposed subdivision.

The Hoffs and the Walters did not express any concerns. The Menghinis replied when asked if they had any concerns that they preferred that the lots remain two acre lots (90,000 sq. ft).

Please call with any questions or concerns.

Patrick or Barbara Underwood
474-5338 or 517-2272

RECEIVED
JUN 01 2009
COMMUNITY DEVELOPMENT
DEPARTMENT

NOTICE OF CITIZEN PARTICIPATION MEETING

Patrick and Barbara Underwood
Owners and Developers
1606 E. Becky Circle
Payson, AZ 85541
928-474-5338 Home
928-517-2272 Cell
barbaraunderwood@yahoo.com

May 12, 2009

Re: Proposed Tuscany Estates Subdivision on East Underwood Lane and North Karen Way (1601 E. Underwood Lane)
Request to rezone 15.04 acres from R1-90 (2 acre lots) to R1-44 (1 acre lots) for the purpose of subdividing 14 one acre lots

Dear Neighbor,

You are hereby notified of a Citizen Participation Meeting to be held on Friday May 29, 2009 at The Payson Senior Center located at 514 W. Main Street. Light refreshments will be served at 5:00 p.m. with a short presentation to follow.

The purpose of this meeting is to provide information to property owners adjacent to the subject property regarding the proposed subdivision. This is the time set aside to ask questions, so please try to attend. An 8 ½ x 11 copy of the proposed preliminary plat is attached.

If you cannot attend the meeting and/or have questions regarding the proposed Tuscany Estates subdivision, please call Patrick or Barbara at the above numbers and we will be happy to make arrangements for any other time to meet with you personally. You may also contact our engineer, Ralph Bossert @ Verde Engineering at 928-474-5717.

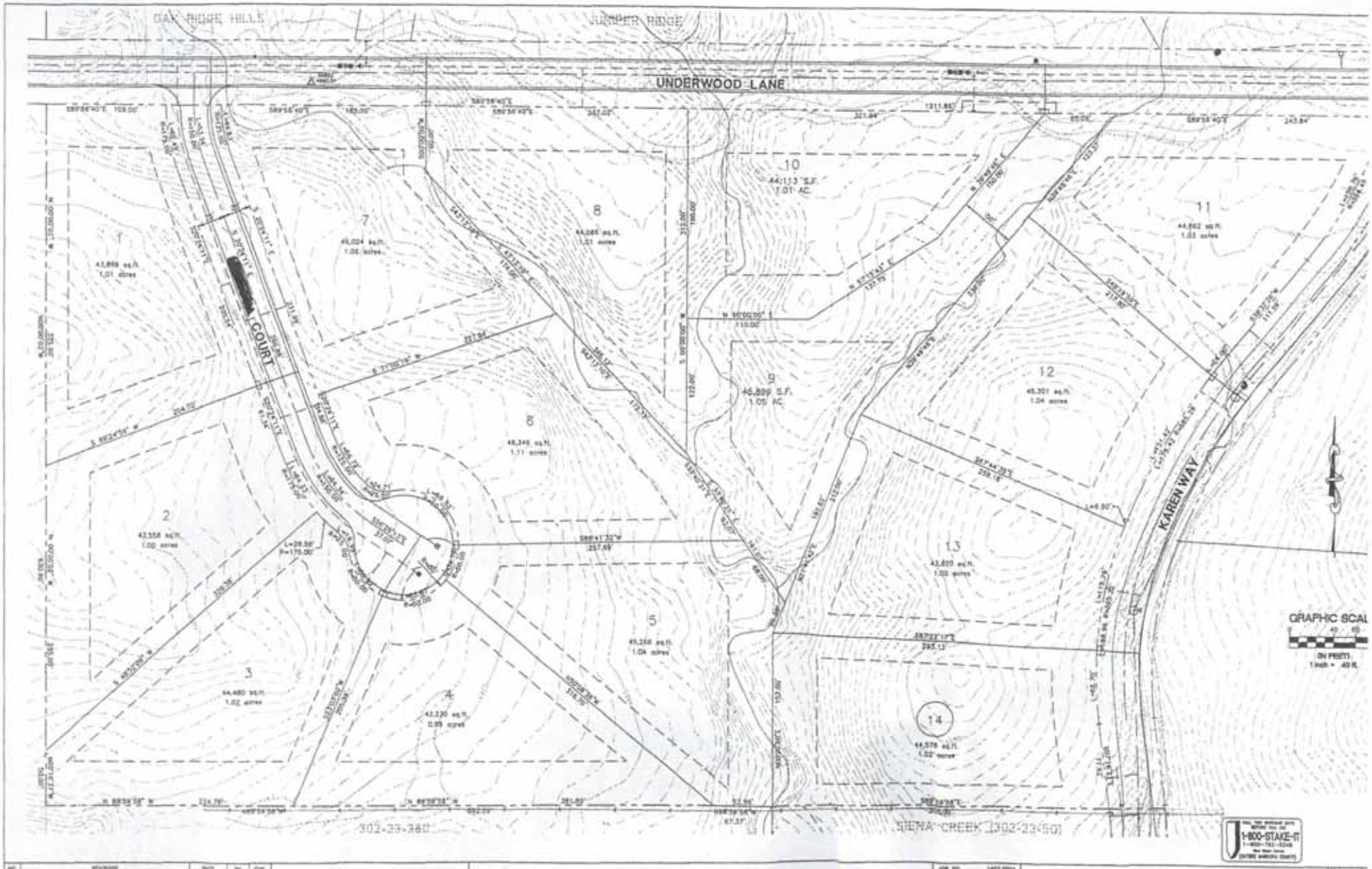
Respectfully,

Patrick Underwood
Barbara Underwood

Patrick and Barbara Underwood

RECEIVED
MAY 18 2009
COMMUNITY DEVELOPMENT DEPARTMENT

cc: Ray Erlandsen,
Sheila DeSchaaf, Planner II, Town of Payson
Ralph Bossert, Verde Engineering



NO.	REVISIONS	DATE	BY	CHK.

TETRA TECH, INC.

UNDERWOOD SUBDIVISION

PAYSON, ARIZONA

JOB NO.	
DESIGNED BY:	
DRAWN BY:	
CHECKED BY:	
APPROVED BY:	
DATE:	

SITE PLAN

SCALE: HOR
CONT. INTE
DRAWING NO.: SI
SHEET NO. 2