The Ville - Single-Family Residential Neighborhood

Northeast Corner of 73rd Avenue and Thunderbird Road

APNs: 200-68-020G, L, M, N, P, Q, R, S, T & U



Z2022068

First Submittal: March 28, 2022

Second Submittal: May 26, 2022

Third Submittal: July 12, 2022

Fourth Submittal: July 22, 2022

Fifth Submittal: August 14, 2023





Attorneys at Law

Ashley Z. Marsh, Esq. / Michelle Santoro 40 N. Central Ave., 20th Floor Phoenix, AZ 85004

Phone: 602-256-4443 / 602.256.4486

amarsh@gblaw.com/ msantoro@gblaw.com

INTRODUCTION & HISTORY

Since 2010, Capital Allocation Partners and its Arizona-native principals have successfully executed various value-add, redevelopment, and ground-up construction on close to 100 projects in Arizona and Utah. As of the date of filing, Capital Allocation Partners is currently under construction on more than 1,000 residential units with an additional 650 units slated to commence in 2023. Capital Allocation Partners is very familiar with this submarket and has been amongst the most active investors in the metro Phoenix area over the past 10 years.

In early 2022, Capital Allocation Partners applied to rezone the property at the northeast corner of Thunderbird Road and 73rd Avenue, as shown on the aerial to the right (the "Property") from RU-43 to R-4 RUPD to develop an 80-unit townhome multi-family project. At this time, Capital Allocation Partners has reimagined the Property to accommodate a single-family residential subdivision. This revised application seeks to rezone the Property to R1-6 RUPD in order to develop a quality, single-family residential neighborhood, consisting of nineteen (19) residential lots. The proposed community will be constructed on approximately 5 acres of land and will have two drive



approaches for ingress/egress to divert future homeowners to Thunderbird Road while meeting safety and subdivision requirements. Capital Allocation Partners is dedicated to bringing a quality project to this site in unincorporated Maricopa County near the City of Peoria area.

THE PROPOSAL

The proposal by Capital Allocation Partners is to rezone the approximately 6.23 gross / 5.23 net acre site from RU-43 (Rural Residential) to R1-6 RUPD (Single Family Residential with Residential Unit Plan of Development overlay) to allow for a unique development to be known as "The Ville." This request to rezone the subject site to R1-6 RUPD is an appropriate zoning category and will also contain a residential overlay that allows for a slight variation to the R1-6 zoning base development standards to meet the unique needs of the project given its unique size and shape.

The Ville is a small, residential community of 19 lots. The proposed density is approximately 3.12 du/acre (gross), which will allow the development of a small neighborhood to provide housing opportunities for the existing employment in the area, such as the Peoria Sports Complex, the Banner Thunderbird Medical Center and Arizona State University West Campus.

With that said, Capital Allocation Partners is excited to complete the rezoning and ultimate development of this property and expand housing opportunities for residents in an established and mature area of the county (City of Peoria) where resources and infrastructure are in currently place to facilitate orderly and efficient growth. The utilization of the existing infrastructure for new developments aligns with Maricopa County Vision 2030 comprehensive plan's development strategies and ultimately the site is planned for annexation into the City of Peoria. There are several parcels along the southern portion of the subject Property that are currently within the jurisdiction of the City of Peoria, for strip annexation, that are not a part of this subject rezoning request.

They are however under the same ownership and will be included in the development when annexed into the City of Peoria.

RELATIONSHIP TO SURROUNDING PROPERTIES

The Property is vacant, agricultural with two (2) homes and accessory structures, as shown on the aerial to the right. The property fronts Thunderbird Road, a major arterial thoroughfare and bus route. It is also close to commercial/retail/office users to the west at the intersection of 75th Avenue and Thunderbird Road. The Property is a county island with a mix of residential zoning and densities surrounding it. Most of the land surrounding the Property is zoned and located within the City of Peoria.

As stated, the Property is within the county with a Comprehensive Plan designation of "Rural Densities (0-1 du/ac)" and is also within the Peoria Planning Boundary with a



General Plan designation of "Estate Residential (0-2 du/acre; target density 1.0)." However, the Property has become an infill opportunity with a mix of zoning districts and uses (e.g., agricultural, church, water tank/utilities, commercial, etc.) that have developed around it. Additionally, the Property is ideally located at an intersection and fronts Thunderbird Road, which further supports the proposed density and style of residential development.

CONSISTENCY WITH THE INTENT OF THE COMPREHENSIVE PLAN

The requested rezone is in conformance with the goals and policies of the Comprehensive Plan. Listed below are a few of the goals and policies that demonstrate the proposed land use compatibility with and conformance to the various elements of the Comprehensive Plan.

Land Use

"The Land Use element maintains that sensible, functional, balanced, fiscally efficient, and economically viable land use patterns are important priorities. This element also reinforces the county's support for its area plan program and includes updated land use categories."

Land Use Goal #1: Achieve balanced and efficient development patterns.

Land Use Policy #17: Maricopa County supports balanced land use patterns that include various residential, retail, non-retail employment, and public and civic land uses.

Response:

The proposed rezoning will help to achieve a balanced land use pattern in the area by providing a new residential opportunity. The diversity of the surrounding uses and existing nearby infrastructure supports the residential use in the area, which will provide a balance to other nearby and surrounding land uses (e.g., retail). This use acts as a part of the greater area providing a balanced and efficient network of residential developments.

Transportation

"The Transportation element establishes Maricopa County's support for coordinating future growth with an efficient transportation system. The Transportation element also emphasizes the importance of an efficient transportation system to the region's economy and air quality."

Transportation Goal #2: Contribute to a safe, seamless and effective transportation system.

Transportation Goal #3: Coordinate land use decisions with transportation investments to help the county exercise sound financial management and build the county's fiscal strength.

Transportation Policy #9: Maricopa County supports balanced and efficient land use patterns that reduce the number and length of vehicle trips.

Response:

The proposed rezoning contributes to a safe, seamless, and effective transportation system that locates the residential land use in close proximity to an existing major arterial street and bus line (i.e., Thunderbird Road), providing effective and sustainable transportation access for residents to the immediate and greater surrounding area. Moreover, the property is also within proximity to the freeway systems (i.e., the US-60/Grand Avenue is approx. 1.5 miles to the east; 101-freeway is approx. 2.5 miles to the west), which will broaden the attractiveness of these units to a larger market due to transportation options/access. Both 73rd Avenue and Thunderbird Road are under the jurisdiction of the City of Peoria and will be improved per its standards.

Economic Growth

"The Economic Growth element includes strategies that Maricopa County can use to help create a diverse and resilient economy. Opportunities focus on locating employment proximate to where people live, supporting small and start-up businesses, and supporting industries that require a lot of land but not urban services or infrastructure."

Economic Growth Goal #1: Contribute to an effective regional economy.

Response:

The contribution of a well-located land use/development within a desirable community that provides easy access to the surrounding freeway/bus systems supports and encourages regional economic activity.

Energy

"The Energy element is the newest in this plan and includes policies to promote renewable energy, energy conservation and overall more efficient energy use."

Energy Goal #3: Have balanced and efficient development patterns.

Response:

The proposed development provides for an efficient land use pattern that locates shared, diverse, and unique housing options within close proximity (i.e., walkable) to services that reduces the overall energy consumption.

Cost of Development

"The Cost of Development element specifies ways to help ensure that new development pays its fair share towards the cost of additional infrastructure and services needed to serve new development. The Cost of Development element also identifies current cost sharing methods, recommends future cost sharing strategies, and includes ways to ensure reasonable application of the recommended strategies."

Cost of Development Goal #2: New development pays its proper and reasonable share of the costs of new infrastructure, services, and other public improvements.

Response:

The development proposal will ultimately pay its fair share of infrastructure and services needed, which will help sustain/maintain the infrastructure. The developer will work with both Maricopa County and the City of Peoria to determine cost allocation and/or infrastructure improvements as necessary.

Access and Circulation

The Ville is situated at the northeast corner of 73rd Avenue and Thunderbird Road and within the future annexation area for the City of Peoria. The proposed development will be accessed from both Thunderbird Road and 73rd Avenue. There will be coordination with the County Department of Transportation and the City of Peoria regarding all necessary street dedications and improvements. With that said, access will circulate throughout the site for ease of movement for both vehicles and pedestrians.

RUPD COMPARISON CHART

The table below illustrates the deviation from the base zone district standards regulations in comparison to the proposed development standards.

| Regulation | Base R1-6 Zoning District | Proposed Zoning District Regulations (R1-6 RUPD) |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Height | 30′ | 30′ |
| Front Yard (Individual Lot) | 20' | 20' (10' for any side entry garage or forward living product) |
| Interior Side Yard (Individual Lot) | 5′ | 5′ |
| Street-side Yard (Individual Lot) | Yards along each street side of corner lots shall have a width equal to not less than half the depth of the required front yard. Yards along each street side of corner lots shall otherwise conform with regulations applicable to front yards. | 10' (Abutting ROW / Roadway Tract) |

| Regulation | Base R1-6 Zoning District | Proposed Zoning District Regulations (R1-6 RUPD) |
|----------------------------|------------------------------|--------------------------------------------------------|
| Rear Yard (Individual Lot) | 25′ | 15' |
| Lot Area | 6,000 sq. ft. | 6,000 sq. ft |
| Lot Width | 60′ | 50' |
| Lot Area per Dwelling Unit | 6,000 sq. ft. | 6,000 sq. ft. |
| Lot Coverage | 50% | 55% |
| Common Open Space | N/A | 15% |
| Parking Spaces | 2 per dwelling unit | 2 per dwelling unit |
| Maximum Privacy Wall | 8' | 8' |
| Flag Lots (Minimum Width) | N/A | 20' |

JUSTIFICATION

The RUPD table proposed seeks minor deviations from the development standards, while simultaneously creating an open space requirement where one would not exist with baseline zoning. These modifications under the RUPD are minor and promote the development of a premier community that features first-rate amenities, private open space, and sophisticated modern design. The increased open space standards set the tone for a high-quality development while also blending with the existing single-family residential surrounding the property. The deviations requested reduce the required rear setback and lot width, while increasing the lot coverage allowed. Again, all are minor deviations but are needed in order to fit the single-family residential lots on this small, odd-shaped property. This will allow for better product placement of individual homes and provide for additional square footage to be allotted to circulation and open space requirements to serve the future community. These deviations also mirror nearby adjacent residential developments.

To offset these deviations, 15% open space is proposed to allow for active and passive open space areas where no open space requirement exists for the baseline R1-6 zoning district.

DEVELOPMENT SCHEDULE

It is anticipated that The Ville will be developed as a single phased project, upon annexation into the City of Peoria with necessary requisite building permits. This development proposal will not adversely affect municipal and private facilities or services and will not have an adverse effect on existing or future public and private open space, recreation, schools or library facilities.

COMMUNITY FACILITIES AND SERVICES

Schools

The proposed development is located within the Peoria Unified School District. Students from this development are anticipated to attend either Oakwood Elementary School (K-8) or Pioneer Elementary School as Well as Cactus High School.

Amenities

The Ville will provide significant open space areas throughout the development for passive and active recreation and enhanced landscaping.

Refuse

Refuse will be provided by a private waste management company or via the City of Peoria.

Sanitary Sewer Service

The Ville will annex into the City of Peoria, which will connect to the existing city sewer system.

Water Service

The Ville will annex into the City of Peoria, which will connect to the existing city water system.

Police and Fire

The Ville will annex into the City of Peoria, which will provide city police and fire services.

Dry Utilities

The Ville coordinate with Arizona Public Service (APS) for electricity and Southwest Gas for natural gas (as needed). In addition, internet and phone services will be provided to the project via the many companies and options available.

CONCLUSION

In conclusion, the proposed development will allow for the construction of a high quality, unique, and desirable single family residential community within this area. The requested zoning is an appropriate transition and buffer from the existing single-family residential homes and unique, diverse uses within and abutting the property. The request will not have an adverse impact on the livability of the area, health, or safety of the current or future residents. Furthermore, the development will not adversely impact the built environment or residential/agricultural quality of the area. In fact, the proposed land uses should be considered an asset and buffer with the surrounding area than the existing more intense, impactful non-residential uses. With that said, Capital Allocation Partners and their team are committed to ensuring the creation of a high-quality development

| and look forward to working with Maricopa County and the City of Peoria on realizing this exciting housin development. | g |
|------------------------------------------------------------------------------------------------------------------------|---|
| The Capital Allocation Partners and team respectfully requests your favorable consideration of this request. | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| The Ville _Single-Family Residential Neighborhood Rezoning to R1-6 RUPD | |