



## PLANNING COMMISSION REPORT

**CASE:** ZON21-28- Sun Rise Apartments Rezone Application  
**CASE #:** ZON21-28  
**MEETING DATE:** 03/24/2022  
**FROM:** Christina Lavelle, Planner, Planning, CLavelle@glendaleaz.com, 623-930-2553

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### SUBJECT

**ZON21-28- Sun Rise Apartments Rezone Application** - A request by Francisco Soto-Revueltas on behalf of Soto Design Studio, LLC, representing H & M One Real Estate Holdings to rezone 10 acres from C-2 (General Commercial) to R-4 (Multiple Residence) to allow for a 120-unit multifamily development. The site is located at the northwest corner of Missouri Avenue and 59th Avenue (5544 North 59th Avenue) and is in the Ocotillo District. Staff Contact: Christina LaVelle, Planner, 623-930-2553.

### REQUEST

This request is to rezone the property from C-2 to R-4.

### APPLICANT/OWNER

Francisco Soto- Revueltas / H & M One Real Estate Holdings

### REQUIRED ACTION

The Planning Commission must conduct a public hearing and determine if this request is in the best long-term interest of the neighborhood and consistent with the General Plan.

### SUMMARY

The applicant intends to develop a 120 unit-multifamily development within nine two-story buildings.

### BACKGROUND INFORMATION

#### General Plan Designation:

The property land use designation is MHDR 12 (Medium to High Density Residential 8.0-12.0 du/ac).

#### Property Location and Size:

The property is located at the northwest corner of Missouri Avenue and 59th Avenue and is approximately ten (10) acres in size.

#### Adjacent Zoning and Land Uses:

East: The properties are zoned C-2.

West :Existing mobile home park which is zoned R-4 MH (Multi-Family, Mobile Home).

North Exists multifamily developments which are zoned R-4

South:The zoning is R-4 (Multiple Residence) and C-2 (General Commercial)

#### Project History:

The property was annexed into the City limits on October 5, 1962.

**Project Details:**

The property is currently vacant and unimproved. The applicant intends to develop a multifamily community of one hundred and twenty (120) apartments, consisting of 30 one-bedroom and 90 two-bedroom apartments within nine two-story buildings using R-4 development standards. Each unit will provide a 100 square feet balcony area. The primary access (ingress and egress) is along 59th Avenue. The site provides two gated access points, one at the northwestern boundary on to Montebello Avenue, the second at southwestern boundary on to Missouri Avenue. The project offers a centrally located clubhouse, pool, and amenity area with multiple landscaped courtyards and walking trails.

**CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:**

Sun Rise Luxury Apartments is located within Glendale Unified School District. The applicant sent the Certification of Adequate Schools form to the school district on January 11, 2022. The City did not receive the form within the 30-day period, and it is deemed that the schools have the capacity for the potential additional students.

**CITIZEN PARTICIPATION TO DATE****Applicant's Citizen Participation Process:**

On January 7, 2022, the applicant mailed notification letters to adjacent property owners and interested parties. A virtual neighborhood meeting was held on January 19, 2022. The attendees of the meeting consisted of City staff and the applicant. No other attendees were present. Planning received one response by phone regarding the request. The neighbor expressed concern that changing the zoning from C-2 (General Commercial) to R-4 (Multiple Residence) would not benefit the City because it is not compatible with adjacent commercial uses, would not generate tax dollars for the City like commercial uses, and would increase a strain on City services such as police, fire, and schools. The applicant's Citizen Participation Final Report is attached.

**Planning Commission Public Hearing:**

A Notice of Public Hearing was published in The Arizona Republic on March 2, 2022. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on March 4, 2022. The property was posted on March 4, 2022.

**STAFF FINDINGS AND ANALYSIS****Required Finding of Planning Commission:**

Section 3.809 of the zoning ordinance states that an amendment to the zoning ordinance and official zoning map of the City of Glendale shall be approved only if:

1. The amendment is consistent with the policies and objectives of the Glendale General Plan;
2. The proposed amendment furthers the public health, safety and general welfare of the citizens of Glendale; and
3. If the amendment is made to the official Zoning Map, the proposed change will include any conditions necessary to mitigate any adverse impacts on the businesses, persons, or properties adjacent to the requested amendment.
4. A finding is made that there are adequate school facilities, if the amendment is to the Official Zoning Map, and if Section 3.812 (Adequate School Facilities) is applicable.

**ANALYSIS**

- The General Plan Designation for this property is MDHR (Medium-High Density Residential) 12 (8.0-12.0 du/ac). This General Plan designation allows for a combination of single family attached and detached dwellings, duplexes, and multifamily dwellings. The applicant is proposing to develop a 120-unit apartment complex over approximately 10 acres (12.0 du/ac). The proposed density and use are consistent with the MDHR 12 General Plan designation.

- The proposed amendment furthers the health, safety, and general welfare of the citizens of Glendale. To the west of the property, the properties are zoned R-4 (Three Fountains Mobile Home Park). Land Use Goal (LU-2.4) of the General Plan, states that the City shall ensure that, “adequate buffers between residential and non-residential uses are included.” Rezoning the property from C-2 to R-4 provides a transition between the lower density mobile home park to the south and the commercial properties to the north. In addition, the current zoning of C-2 encourages intensive commercial uses that are not compatible or complimentary to the existing single family and multifamily uses within the vicinity. Housing Element (HE-3.6) of the General statute states, “The City shall encourage planned residential communities to provide a range of housing options and promote socioeconomic balance in the Glendale housing supply.” Providing a new luxury apartment community, contributes to the variety of affordable housing options within the City and furthers the health, safety, and general welfare of the citizens of Glendale. Rezoning this property will allow a currently underutilized property to be developed to its highest and best use while enhancing the surrounding neighborhood.
- Based on not receiving written communication from the school district city staff concluded that there are adequate school facilities to accommodate the request.
- Any adverse impacts from the rezoning of the property, to R-4, are addressed in the development regulations of the zoning district. These include, but are not limited to, building setbacks, increased landscape buffers, and screen walls. This will provide substantial buffering between incompatible uses and will mitigate any negative impacts between uses.

## RECOMMENDATION

Should the Planning Commission recommend approval of ZON21-28, it should be subject to the stipulations in the staff report.

## PROPOSED MOTION

The Planning Commission should recommend approval of request ZON21-28, subject to the following stipulations:

1. Development shall be in substantial conformance with the applicant’s site plan dated November 10, 2021, and the applicant’s narrative date stamped January 21, 2022.
2. All sidewalks on public roadways shall be placed within public right-of-way. If additional R/W is required to accommodate sidewalk within turn lanes, it will need to be dedicated as public right-of-way.

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### Attachments

Narrative

Site Plan

Citizen Participation Plan Final Report

Prop 207 Waiver

TIA Executive Summary

Vicinity Map

Aerial Photograph

Presentation

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