

History – The Villas at Cheney Estates (Town Triangle)

During the early conversations with the applicant, they proposed a single-family residential subdivision for 11 lots between 10,000 square feet and 17,000 square feet. The applicant was made aware that the current provisions of the Town's Zoning Ordinance does not allow for such residential lot sizes by right and multiple application requests would be required to seek approval for such a development requiring Planning Commission recommendation and Town Council approval.

Since the proposed development more closely mirrored the R-10 single-family zoning district (minimum 10,000 square-foot lots), the applicant approached the proposed development as an R-10 zoned development. Based on this approach, six separate applications were filed. The Major General Plan amendment was filed on May 31, 2016. The remaining applications were filed on September 26, 2016. The submitted plan reduced the proposed number of lots from 11 to 8.

- A Major General Plan amendment to change the land use designation from "Low Density Residential" (0 to 1 home per acre) to "Medium Density Residential" (up to 4.5 homes per acre).
- A text amendment to the Town's Zoning Ordinance, including Section 201 and Section 801, to allow the "R-10 Single-Family Residential District" to apply to the subject property. This district presently only applies to three existing annexed subdivisions.
- A rezoning to change the zoning district from "R-43 Single Family Residential District" (minimum 43,560 square-foot lots) to the "R-10 Single-Family Residential District" (minimum 10,000 square-foot lots).
- A Conditional Use Permit to make the road(s) within the proposed subdivision private.
- A Special Use Permit (SUP) for private roadway gates off Scottsdale Road onto the main access road of the proposed subdivision.
- A Preliminary Plat for eight 12,000 square-foot to 35,000 square-foot lots.

Based on the above filed applications and the various timeframes the Town has to review certain applications, the applications moved forward to the Planning Commission and Town Council. There were ten public meetings held from June 2016 through June 2017 on all or some of the application requests as noted below. Detailed information and videos of these meetings are available at <https://paradisevalleyaz.legistar.com/Calendar.aspx>.

GPA TCM (Action: Approved Citizen Review Plan)	06/09/2016
All Applications PCWS	08/16/2016
All Applications PCWS	11/01/2016
All Applications PCPH (Action: All applications were continued)	11/15/2017
Gate SUP SOD TCWS	11/17/2016

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All Applications PCPH (Action: All applications were continued to a date uncertain, except the GPA was denied)	12/06/2016
GPA TCWS and TCPH (Action: Continued)	12/15/2016
GPA TCPH (Action: Continued)	02/23/2017
GPA Withdrawal Letter	05/24/2017
SUP Gate SOD TCWS	05/25/2017
Gate SUP SOD TCM (Action: Approved SOD)	06/08/2017

During the processing of these original-filed applications, there were many comments and concerns from the Planning Commission, Town Council, and residents. The main concerns raised during this process included the following:

- A philosophical concern that the proposed development required a Major General Plan amendment that is not in character with the predominant minimum one-acre residential character of the Town and it might create a precedent of similar requests within the Town.
- The importance of ensuring any development on the subject site is safe since it lies within and adjacent to the floodway of Indian Bend wash requiring a letter of flood map revision through the Federal Emergency Management Agency (FEMA).
- The nearby Cheney Estates homeowner association provided a letter of support since they have concerns that other less desirable uses could be approved on the subject property. In 2013, there was a request for a 3-story Continuing Care Retirement Community. Town staff also periodically receives requests for resort uses, churches, office uses, and other continuing care uses. These other uses would also require a General Plan amendment, text amendment, and/or rezoning.
- Approval of the General Plan amendment and/or rezoning may result in some other development going in should the proposed development not be built. As with other prior applications, the effective date of the rezoning and/or other related applications will be tied to the Town Council approval and/or recordation of the final plat. The effective date can also be tied to the approval of the flood map revision with FEMA, among other requirements.

Based on the above concerns, the applicant decided to work with the seller to get additional time to eliminate the need for the Major General Plan amendment. The applicant was able to secure an additional 5.2 acres of the Camelback Golf Club golf course property and withdrew their General Plan amendment request in May 2017. The golf course will operate the same and result in no major physical changes.

This added time also allowed them to file and continue to move through the flood map revision process with FEMA. The flood map revision was filed in fall 2016. This FEMA process can take 12 months or longer.

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With the added property, the applicant revised their application requests to pursue a cluster plan development, reserving the golf course area as the designated open space area for the cluster plan. This change in approach eliminated the need to amend the General Plan since the open space area to be preserved will remain as private open space. It requires a text amendment since the applicant is pursuing minimum lot sizes less than the 20,000 square feet required in the cluster plan district and setbacks less than the 40-foot front/rear yard and 20-foot side yard of the R-43 or R-35 zoning districts. The rezoning application was amended to reflect R-43 Cluster Plan zoning in lieu of R-10. The preliminary plat application was amended to reflect the dimensional changes of the proposed 8-lot layout with the added golf course property. The Special Use Permit application for the private roadway remained the same. A subdivision sign application was filed.