



39700 W. Civic Center Plaza
Maricopa, AZ 85138
Ph: 520.568.9098
Fx: 520.568.9120
www.maricopa-az.gov

STAFF REPORT

CASE # PAD22-03

To:	Honorable Mayor and City Council
From:	Rodolfo Lopez, Development Services Director
Meeting Date:	September 20, 2022

REQUEST

PUBLIC HEARING: PAD22-03 District 3: A request by S3 BioTech LLC represented by Mr. Britton Lee, Chairman and CEO of S3 BioTech, is proposing to a rezone approximately 28.3 acres of land from existing General Mixed Use (MU-G) and Transitional (TR) Zoning District to Planned Area Development (PAD) District, for a proposed a Medical and Innovation Campus. The property is generally located at the southeast corner of N. John Wayne Pkwy and W. Bowlin Rd.
DISCUSSION AND ACTION.

COUNCIL PRIORITIES CONSIDERED

- Quality of Life
- Economic Sustainability
- Managing the Future
- Public Safety

APPLICANT

S3 Bio Tech LLC
7014 E. Camelback Rd, Suite B 100A-59
Scottsdale, AZ 85251
Email: bl@s3gllc.com

PROPERTY OWNER

City of Maricopa
39700 W. Civic Center Plaza
Maricopa, AZ 85138

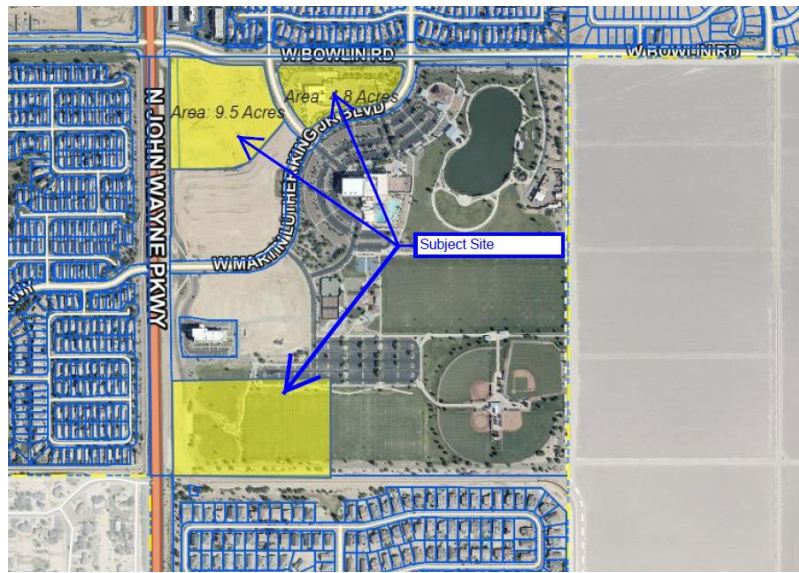
PROJECT DATA

- | | |
|--------------------------|--|
| • Site Acreage: | 28.3 +/- Gross Acres |
| • Parcel #: | 510-12-014E, 014G, & 014M |
| • Site Address: | N/A |
| • Existing Zoning: | General Mixed Use (MU-G) & Transitional (TR) |
| • Propose Zoning: | Planned Area Development (PAD) |
| • General Plan Land Use: | Mixed Use |

HISTORY SUMMARY

- 1999 – Rezone from General Rural (GR) to Planned Area Development (PAD), Pinal County case # PZ-014-099 and PZ-PD-014-099.
- 2011 – Rezone from PAD to Transitional (TR), City of Maricopa case # ZON11-02.
- 2019 – Rezone from TR to Mixed Use General (MU-G), City of Maricopa case # ZON19-02.

SUBJECT SITE



SURROUNDING USES

Direction	Existing Zoning	Existing Use	General Plan
North	CR-3 PAD	Desert Cedars Subdivision	Medium Density Residential (MDR)
South	CR-3 PAD	Palo Brea Subdivision	Medium Density Residential (MDR)
East	N/A	State Land (Agriculture Use)	Employment (E) & Public Institution (P)
West	CR-3 PAD	Alterra Subdivision	Medium Density Residential (MDR)

ANALYSIS

District 3 at Copper Sky is a proposed mixed-use medical and innovation campus that will permit such uses as a hospital, surgery center, hotel, apartments, medical offices and other ancillary type uses. Exhibit B: Conceptual Land Use Plan shows the conceptual locations for these uses. Land uses and development standards will be regulated by the Permitted Uses & Development Standards section of the Planned Area Development document (henceforth known as the “PAD”). The PAD district structure is flexible and will both optimize the City’s interests and allow the applicant to develop the property to the highest and best use. The development of this PAD enables the applicant to bring a vital and vibrant, village-scaled development to the City of Maricopa. As it relates to the regional context and land use compatibility, the proposed uses of health, residential, hotel, and sports academy is in general conformity with the City’s General Plan of a Mixed Use, Public Institution and Employment land use designation. Further the existing uses and planned developments such as the City’s regional park, multi-generational center, planned assisted living facility, and a conceptual proposed mixed-use development along Martin King Jr Blvd. will complement the area and in creating a vibrant sports entertainment destination center.

The PAD proposes two campuses, the Medical and Innovation Campus. The campuses will allow the potential of 1.6 million building square feet on approximately 28.3 acres of land. Per the submitted narrative and proposed conceptual land use plan, the development goal is to create a vibrant community development built around health, education, and sports entertainment. See the excerpt below from the PAD Narrative:

To create an active community centered around health, education, innovation, sports and entertainment, walkability, mixed use, diversity and expanded open space, several key factors were considered:

1. Urban form matters as a way to deliver high-quality, publicly accessible open spaces and balance increased density and building height.
2. Vibrant and livable neighborhoods are sustained by a mix of uses that feed the Park's streets with activity throughout the day.
3. The layout of buildings around open spaces provides the foundation for the layering of buildings and mix of uses that gives D3 a vibrant identity.
4. A major expansion of the public realm will open to the community.
5. Smart City infrastructure is crucial for economic growth, to allow people to live and work anywhere, by providing superior digital connectivity.

The applicant also provides several key benefits to the proposed PAD plan. See excerpt below.

The D3 PAD will result in significant community benefits while involving community leadership in the PAD process in a substantive and meaningful way. The D3 PAD will foster significant community benefits:

1. It will ensure significant state-of-the-art improvements and facility upgrades to the existing Copper Sky Park, ensuring its long-term role in providing quality medical and education services to the entire City of Maricopa and surrounding regions.
2. It will provide emergency services care 24/7 to the Community. Attracting high paying healthcare jobs and improve the overall health of the Community.
3. It will improve Copper Sky Park significantly by adding Medical and Innovation Campuses integrated with the current Park and recreational facilities in a coherent Master Plan.
4. It will ensure the long-term financial stability and sustainability of the Park.
5. It will significantly expand employment opportunities in skilled and professional positions with salary ranges above the median Maricopa income level.
6. It will provide certainty to the surrounding residential neighborhoods by establishing defined limits on the ultimate D3 PAD build-out; this certainty creates an environment that fosters neighborhood stabilization and vitality by attracting more commercial businesses to the area.
7. It will result in significant improvement or sustained management of the historical downstream stormwater flow within the Park and along the John Wayne Parkway (SR-347) frontage through larger retainage and attractive landscaping.
8. It will ensure an ultimate development and campus environment that is a significant community amenity, notable in its architectural quality including an iconic water feature along John Wayne Parkway (SR-347), operational efficiency, inviting exterior spaces, and overall aesthetics and character.
9. The Park will significantly expand a number of sports programs and recreational uses including a variety of sports leagues, tournaments, camps and events.

There are three parcels that will be included in this PAD request. The larger parcel south of Martin Luther King Jr Blvd is approximately 12 acres, the vacant parcel on the southeast corner of Bowlin and John Wayne Pkwy, and the existing Police Station parcel.

This PAD will also establish its own development standards such as land use permitted uses, setbacks, height restrictions, architectural, signage standards, and minimum parking regulations. The PAD also presents a general concept on how traffic circulation, open space and pedestrian linkages will be provided throughout the site. As each development application is submitted, this PAD document will be utilized as a guiding document to ensure the goals and vision of the PAD are adhered to.

The applicant is also requesting a deviation in height requirements to what is currently allowed in the Mixed Use-General Zoning of 60 feet to a maximum height of 150 feet high. The PAD regulates the location of various uses and its maximum height which will be utilized for conformity as the development application(s) are submitted for each development use. Below is a breakdown of the proposed uses and its maximum height allowed. See the excerpt below or refer to Exhibit C, p. 62 for more detailed information.

5.4 Height Analysis

Medical Campus (Phase 1A):	Square Feet	Floors	Height
1. Maricopa ER Hospital	51,000	3	60'
2. MOB/Outpatient Surgery Center	108,000	3	60'
3. Select-Service Hotel	120,000/150 Rooms	7	100'
4. Condominiums/Extended Stay	205,000/100 Units	7	100'
5. Smart Parking Structure		2	30'
6. Extended Care & Physical Therapy Center	75,000	3	50'
Innovation Campus (Phase 1B):			
1. Behavioral Health & Sports Psychology	75,000	3	50'
2. Life Science & Innovation Center	100,000	5	75'
3. Condominiums/Extended Stay	185,000/90 Units	12	150'
4. Apartments	375,000/375 Units	5	75'
5. Sports & Science Academy	270,000	3	50'
6. Makers Shop/Movie Studio	30,000	1	15'
7. Smart Parking Structure			

Flood Zone Analysis:

The Bowlin corner parcel and the southern parcel south of Martin Luther King Blvd are located in the FEMA Flood Zone, AE and the applicant intends to improve flood drainage and remove the properties out of the flood zone. The Maricopa Flood Control District has submitted a Conditional Letter of Map Revision(CLOMR) to remove properties in Desert Cedars and portions of these properties from the floodplain. The CLOMR contains required grading elevations for the property to be developed by S3 Biotech. Drainage reports and grading plans must include considerations to remove areas from the floodplain as planned by the CLOMR prepared by Wood Patel and The Maricopa Flood Control District. Prior to issuance of any improvement or building permit approval from external agencies such as Maricopa Flood Control District will be required.

Traffic Analysis:

A Traffic Impact Analysis study was submitted as part of the application process. The purpose of this study is to assess traffic and transportation impacts of the proposed development on the surrounding streets and intersections in accordance to the city's Traffic Impact Analysis Guidelines. Initial assessment of the study is considering several improvements to existing access points and a proposal of additional access points along John Wayne Pkwy. Traffic analysis and improvements requested by the City and proposed by the traffic engineer include:

1. Deceleration lane with a right-in/right-out access on John Wayne Pkwy at approximately 650ft south of the intersection of John Wayne Pkwy and Bowlin Rd.
2. Access point off of Bowlin Rd with a deceleration lane.
3. Two new access points to the site located at approximately 225' and 400' south of Bowlin Rd and Greythorn Dr. intersection.
4. Construction and striping of crosswalk on Greythorn Dr.
5. The developer to contribute 25% minimum and 50% maximum of the cost estimate for a traffic signal, design, equipment purchase and installation at John Wayne Pkwy and Martin Luther King Jr Blvd intersection.
6. Potential adjustment in timing at the intersection of Bowlin and John Wayne Pkwy.
7. The intersection of Martin Luther King Jr and Greythorn Dr. will be analyzed to evaluate the performance and level of service of the current configuration with the additional traffic produced by this development and full at buildout of the Copper Sky area.

The applicant will be conditioned to continue to work with the City Engineer and ADOT for final acceptance of the Traffic Impact Analysis before Building Permit and/or Site Improvement Issuance.

The proposed PAD District 3 meets the goals, policies, and intent of the City's General Plan and demonstrates compatibility between new development and existing by incorporating a compatible land use that will help achieve the city's goal of a destination sport entertainment district. Below are several goals that the proposed development is meeting. Refer to Exhibit D, p. 32, for additional information regarding conformity to the city's adopted General Plan.

- General Plan Goal F4.2: PLAN AND FACILITATE A JOINT PUBLIC-PRIVATE VENTURE TO DEVELOP THE COPPER SKY COMMERCIAL SITE.
- General Plan Goal B1.3: ENCOURAGE MIXED-USE DEVELOPMENT.
- General Plan Goal H2.D.5: ENCOURAGE THE DEVELOPMENT OF AN ARRAY OF HEALTHCARE FACILITIES.
- General Plan Goal H2 H1: ESTABLISH MARICOPA AS A "TOP TIER" SMART CITY.
- General Plan Goal F2.1 RECRUIT HIGH PERFORMING AND HIGH-QUALITY COMPANIES THAT MATCH THE LABOR PROFILE IN THE COMMUNITY AND/OR COMPLEMENT EXISTING INDUSTRIES.

CITIZEN PARTICIPATION:

Prior to recommending approval of the rezoning, the applicant submitted a public participation plan to inform residents of the proposed PAD zoning change, as required per the city's Zoning Code. The Public Participation Plan included a neighborhood meeting, notification letters to all property owners within 600 feet of the subject area, public notice signs within the subject area, and legal notices in the local newspaper circulator. A timeline of the participation event is shown below (refer to **Exhibit D** for the **Citizen Participation Report**). The Citizen Participation Report also provides a summary of the neighborhood meeting, including all comments made by attendees.

- July 2, 2021 - Newspaper legal noticed published
- July 12, 2022 - Notification letters sent
- July 12, 2022 - Sign posted
- July 28, 2022 - Neighborhood meeting held

- August 22, 2022

- Planning and Zoning Commission

PUBLIC COMMENT:

On August 22, 2022 at the Planning and Zoning Commission, staff received public comments during the public portion of the meetings. Comments varied between traffic concerns and the impact of the existing land uses, such as the softball/baseball fields and dog park area. The Commission clarified that the comments were welcomed and will be acknowledged and addressed when the formal Development Review Permit is reviewed. The Commission did not request any responses from city staff or the applicant as the request is for land use change and not operational or logistics in terms of the existing uses at the park.

FINDINGS:

As required by Sec. 18.140.060 of the City's Zoning Code, the Planning & Zoning Commission made the following findings in their recommendation to the City Council:

1. The proposed development is consistent with the General Plan, the Subdivision Ordinance, and any applicable specific plan or master plan, including the density and intensity limitations that apply;

Staff Analysis: Approval of the proposed project will advance the goals and objectives of the General Plan and is consistent with the policies of the General Plan and any other applicable plan and/or policies that the City has adopted.

2. The subject site is physically suitable for the type and intensity of the land use being proposed;

Staff Analysis: The proposed PAD will be required to be developed and designed to be in compliance with applicable design standards.

3. Adequate transportation facilities and public services exist or will be provided in accordance with the conditions of PAD plan approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;

Staff Analysis: The proposal will mitigate all potential vehicular and pedestrian traffic that will impact public health, safety, and welfare. A Preliminary Traffic Impact Analysis was completed as part of the application process and will require an updated report or addendum at the time of platting or submittal of a development review permit application.

4. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;

Staff Analysis: The proposed PAD will be compatible with the existing planned land uses within the surrounding area; the use itself will complement neighborhood area that has already been established and further advances goals and objective of the city's General Plan for a village type development pattern.

5. The development complies with applicable adopted design guidelines; and the proposed development carries out the intent of the Planned Area Development provisions by providing a more efficient use of the land and an excellence of architecture and site design greater than that which could be achieved through the application of the base district regulations.

***Staff Analysis:** The proposed PAD is planned to have exceptional architectural and design elements that is not typically permitted by right by conventional standards.*

CONCLUSION:

On August 22, 2022 the Planning and Zoning Commission recommended approval of **PAD case #PAD22-03**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

1. The PAD request case #PAD22-03 will be fully subject to all applicable development standards of the Maricopa Zoning Code, Subdivision Ordinance and all provisions thereof.
2. The development shall be responsible for any offsite and onsite improvements identified by the City's Engineering Division at the time platting or the submittal of a Development Review Permit.
3. 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 City Engineer and installed by the developer.
4. Zoning development standards shall be in accordance to the District 3 PAD booklet. All other development standards not listed in the PAD booklet shall adhere to the City of Maricopa Zoning Code and Subdivision Code.
5. Prior to preliminary plat or site plan submittal, the applicant/property owner 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.
6. Prior to the City Council approval of the PAD22-07, the applicant shall submit to the city a signed waiver pursuant to Proposition – 207, as applicable.
7. Prior to issuance of a building permit, the applicant or property owner 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.
8. The applicant/property owner shall have met and complied with all applicable fire codes as well as related National Fire Protection Agency (NFPA) guidelines to the satisfaction to the City of Maricopa.
9. The development and operation of the proposed Facility shall be in accordance with all applicable Arizona Department of Environmental Quality (ADEQ), if applicable and other regulatory agencies rules and regulations.

ATTACHMENTS:

Exhibit A: Project Narrative
Exhibit B: PAD Land Use Plan
Exhibit C: PAD Booklet
Exhibit D: Citizen Participation Report
Exhibit E: Zone Change Map
Exhibit F: Legal Descriptions

-- End of staff report --