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**STAFF REPORT**

**Cases # ZON22-08, ZON22-09, ZON22-10**

To: Planning and Zoning Commission  
Through: Rick Williams, Planning and Zoning Manager  
From: Derek Scheerer, Planner II  
Meeting Date: December 12, 2022

**REQUEST**

**PUBLIC HEARING, ZON22-08 Rezoning: Commercial Rezone** – A request by Rogelio Arrieta, of Ware Malcomb, on behalf of S3 BioTech, LLC, and Riggins Investment Properties, Inc. to rezone approximately +/- 19.35 acres from existing General Rural (GR) to General Commercial (GC). The site is generally located at the northeast corner of N. White and Parker Road and W. Farrell Road. **Discussion and Action.**

**PUBLIC HEARING, ZON22-09 Rezoning: Artisan Villas** – A request by Rogelio Arrieta, of Ware Malcomb, on behalf of S3 BioTech, LLC, and Riggins Investment Properties, Inc. to rezone approximately +/- 24.26 acres from existing General Rural (GR) to Multiple Unit Residential (RM). The site is generally located at the northeast corner of N. White and Parker Road and W. Farrell Road. **Discussion and Action.**

**PUBLIC HEARING, ZON22-10 Rezoning: Allure Apartments** – A request by Rogelio Arrieta, of Ware Malcomb, on behalf of S3 BioTech, LLC, and Riggins Investment Properties, Inc. to rezone approximately +/- 16.31 acres from existing General Rural (GR) to High Density Residential (RH). The site is generally located at the northeast corner of N. White and Parker Road and W. Farrell Road. **Discussion and Action.**

**APPLICANT/PROPERTY OWNER**

Rogelio (Roy) Arrieta  
Ware Malcomb  
2777 E. Camelback Rd., Ste 325  
Phoenix, AZ 85016

Owner:  
Riggins Investment Properties, Inc.  
39209 W. Bowlin Rd.  
Maricopa, AZ 85138

S3 BioTech, LLC  
7144 E. Stetson Rd., Ste 425  
Scottsdale, AZ 85251

**COUNCIL PRIORITIES CONSIDERED**

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

**PROJECT DATA**

**ZON22-08 Commercial Rezone**

Site Gross Acres +/- 19.35 acres  
 Parcel # 502-03-013R  
 Site Address 39209 W. Bowlin Rd.  
 Existing Site Use Agriculture  
 Proposed Site Uses Commercial  
 Existing General Plan Land Use Employment (E)  
 Existing Zoning General Rural (GR)  
 Proposed Zoning General Commercial (GC)

**ZON22-09 Artisan Villas**

Site Gross Acres +/- 24.26 acres  
 Parcel # 502-03-013R  
 Site Address 39209 W. Bowlin Rd.  
 Existing Site Use Agriculture  
 Proposed Site Uses Multi-Family Residential  
 Existing General Plan Land Use High Density Residential (HDR), Medium Density Residential (MDR)  
 Proposed General Plan Land Use High Density Residential (HDR)  
 Existing Zoning General Rural (GR)  
 Proposed Zoning Multiple Unit Residential (RM)

**ZON22-10 Allure Apartments**

Site Gross Acres +/- 16.31 acres  
 Parcel # 502-03-013R  
 Site Address 39209 W. Bowlin Rd.  
 Existing Site Use Agriculture  
 Proposed Site Use Multi-Family Residential  
 Existing General Plan, Land Use High Density Residential (HDR), Medium Density Residential (MDR), Employment (E)  
 Proposed General Plan, Land Use High Density Residential (HDR)  
 Existing Zoning General Rural (GR)  
 Proposed Zoning High Density Residential (RH)

**SURROUNDING ZONING/LAND USE**

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Employment (E), High Density Residential (HDR), Medium Density Residential (MDR)	General Rural (GR)	Agriculture
East	Medium Density Residential (MDR), Master Planned Community (MPC)	CR-3 PAD Single-Family Residential	Agriculture, Vacant
South	Commercial (C), Mixed-Use (MU), Master Planned Community (MPC)	CB-2 PAD Commercial, Transitional (TR)	Agriculture
West	Mixed-Use (MU)	Transitional PAD	Agriculture

## ANALYSIS

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The applicant is requesting:

1. Three (3) rezones (**ZON22-08, ZON22-09, ZON22-10**) from existing General Rural (GR) to General Commercial (GC), Multiple Unit Residential (RM), and High Density Residential (HR) zoning to allow for development of a commercial site and two (2) multi-family residential sites. The commercial rezone request will allow for development of a three-story mini-storage facility with RV storage and office/retail space, an office center that includes various one-story office buildings and outdoor areas, and a retail/commercial pad for future development. The multi-family rezone requests will allow for development of a multi-family detached unit development consisting of one-, two-, and three-bedroom duplex and four-plex units and a multi-story garden style apartment complex. Both multi-family developments will include clubhouses and various amenities.

### **ZON22-08 Commercial Rezone**

This zone change request is to accommodate a proposed development of a variety of commercial uses at the northeast corner of the N. White and Parker Road and W. Farrell Road intersection. The area surrounding this intersection has been designated for commercial and employment activities under the City's General Plan Future Land Use Map (GPFLUM). The request assists in satisfying the City's need for additional commercially zoned property that will accommodate and provide services for its residential growth.

There is currently a major Development Review Permit under review for the proposed development. This major DRP will be presented to the Planning and Zoning Commission, as required by Code, upon completion of staff review.

### **ZON22-09 Artisan Villas**

This zone change request is a companion request to Minor General Plan Amendment application GPA22-12 to accommodate the City's need for a variety of additional multi-family residential development opportunities. The applicant is proposing this rezone request, ZON22-08, along with rezone requests ZON22-08 (Commercial Rezone) and rezone request ZON22-10 (Allure Apartments) to develop the area at the northeast corner of N. White and Parker Road and W. Farrell Road with a variety of commercial and multi-family developments.

The proposed rezone from General Rural (GR) to Multiple Unit Residential (RM) will be compatible for the site in context with the land use requests noted above and with the City's General Plan Future Land Use Map (GPFLUM) designation for the site. The subject site is located directly east of the area under consideration in rezone application ZON22-10 and seeks to provide a stepdown in zoning and development intensities moving eastward from the northeast corner of N. White and Parker and W. Farrell Roads. Rezone application ZON22-08 seeks to rezone its site area from General Rural (GR) to General Commercial (GC) and rezone application ZON22-10 seeks to rezone its site area from General Rural (GR) to High Density Residential (RH) as this application seeks to continue the stepping down of development intensity to Multiple Unit Residential (RM) for its subject area. This proposed cascading of zoning and development intensities will serve as buffers for future development east of the site that is planned to be less intense (Eagle Shadow single-family residential development).

The majority of the subject site falls under the GPFLUM designation of High Density Residential (HDR) while a small sliver along its northern boundary falls under the designation of Medium Density Residential (MDR). (See Exhibit C). As such, the applicant has submitted the Minor General Plan Amendment application GPA22-12 to tidy up and unify the GPFLUM designation for the site. As noted in the GPA22-12 staff report, the application of the High Density Residential map designation for the area was applied with a broad brush to encourage higher intensity residential development surrounding the planned major intersection of N. White and Parker and W. Farrell Roads (section line roads) and did not necessarily follow existing parcel boundary lines or potential development sites. It

was anticipated that as development proposals for the area formulated adjustments to the GPFLUM lines would be needed to accommodate proposed developments.

There is currently a major Development Review Permit (DRP) under review for the multi-family development proposed on the site. The proposed development will meet all the requirements of the City's Zoning Ordinance and will be presented to the Planning and Zoning Commission, as required by Code, upon completion of staff review.

### **ZON22-10 Allure Apartments**

This zone change request is a companion request to General Plan Minor Amendment application GPA22-12 to accommodate the City's need for a variety of additional multi-family residential development opportunities. The applicant is proposing this rezone request, ZON22-10, along with rezone requests ZON22-08 (Commercial Rezone) and rezone request ZON22-09 (Artisan Villas) to develop the area at the northeast corner of N. White and Parker Road and W. Farrell Road with a variety of commercial and multi-family developments.

The proposed rezone from General Rural (GR) to High Density Residential (HR) will be compatible for the site in context with the land use requests noted above and with the City's General Plan Future Land Use Map (GPFLUM) designation for the site, as amended by companion case GPA22-12. The subject site is located between the areas under consideration in rezone applications ZON22-08 and ZON22-09 and seeks to provide a stepdown in zoning and development intensities moving eastward from the northeast corner of N. White and Parker and W. Farrell Roads. Rezone application ZON22-08 seeks to rezone its site area from General Rural (GR) to General Commercial (GC) and rezone application ZON22-09 seeks to rezone its site area from General Rural (GR) to Multiple Unit Residential (RM) as this application seeks to serve as the middle ground between the stepping down of development intensity. This proposed cascading of zoning and development intensities will serve as buffers for future development east of the site that is planned to be less intense (Eagle Shadow single-family residential development).

The subject site is generally bisected by GPFLUM designations of Employment (E) and High Density Residential (HDR) with a small sliver along its northern boundary falling under the designation of Medium Density Residential (MDR). (See Exhibit C). As such, the applicant has submitted the Minor General Plan Amendment application GPA22-12 to tidy up and unify the GPFLUM designation for the site as High Density Residential (HDR). As noted in the GPA22-12 staff report, the application of the various map designations for the area were applied broad brush to encourage higher intensity development surrounding the planned major intersection of N. White and Parker and W. Farrell Roads (section line roads) and did not necessarily follow existing parcel boundary lines or potential development sites. This is especially evident with the application of the Employment (E) designation as viewed in the current GPFLUM. When the GPFLUM was drafted it was anticipated that as development proposals for the area formulated, adjustments to the GPFLUM lines would be needed to accommodate proposed developments.

There is currently a major Development Review Permit (DRP) under review for the multi-family development proposed on the site. The proposed development will meet all the requirements of the City's Zoning Ordinance and will be presented to the Planning and Zoning Commission, as required by Code, upon completion of staff review.

## **PLANNING MARICOPA (GENERAL PLAN) IMPLEMENTATION**

### **ZON22-08 Commercial Rezone**

The land use designation per the General Plan calls out the area as Employment (E). The Employment (E) category is a broad designation intended to accommodate numerous types of development including office, industrial and commercial, and allowing for a varying scale and intensity of land uses. The proposed rezoning of the site to General Commercial (GC) is consistent with the potential zoning

district categories under the Employment (E) land use category (Table 8 – Land Use Designations) of the City’s General Plan.

**ZON22-09 Artisan Villas**

The land use designation per the General Plan calls out the area as High Density Residential (HDR) and Medium Density Residential (MDR). The High Density Residential category provides for multi-family dwellings that may be multi-story buildings. This category also provides for townhouse, condominium, and apartment development. The Medium Density Residential category provides for a suburban lifestyle with planned, single-family residential neighborhoods, which is not consistent with the proposed rezone request without approval of Minor General Plan Amendment request GPA22-12.

With approval of the companion Minor General Plan Amendment request GPA22-12, the following General Plan Objectives will be met with this rezoning request.

1. Objective A2.1: Support land use requests that improve the balance between housing and employment within the Maricopa Planning Area.
2. Objective B1.1.2: Encourage certain areas of the City to rezone to mixed-use and higher density housing consistent with redevelopment plans, General Plan land uses, and transit corridor related goals and policies.
3. Objective B.2.2.2: Promote higher density infill housing, live/work, and mixed uses in proximity to transit corridors and other appropriate locations.
4. Objective G4.a.1.4: Promote social and cultural ties to the community through public gathering spaces, neighborhood theming, and well-connected communities.

**ZON22-10 Allure Apartments**

The land use designations, per the General Plan, call out the subject area as Employment (E), High Density Residential (HDR), and Medium Density Residential (MDR). The Employment (E) and Medium Density Residential (MDR) categories over the site do not provide for the proposed multi-family development while the High Density Residential (HDR) category does provide for townhouse, condominium, and apartment development. As such, the proposed rezone request cannot be approved without approval of Minor General Plan Amendment request GPA22-12.

With approval of the companion Minor General Plan Amendment request GPA22-12, the following General Plan Objectives will be met with this rezoning request.

1. Objective A2.1: Support land use requests that improve the balance between housing and employment within the Maricopa Planning Area.
2. Objective B1.1.2: Encourage certain areas of the City to rezone to mixed-use and higher density housing consistent with redevelopment plans, General Plan land uses, and transit corridor related goals and policies.
3. Objective B.2.2.2: Promote higher density infill housing, live/work, and mixed uses in proximity to transit corridors and other appropriate locations.
4. Objective G4.a.1.4: Promote social and cultural ties to the community through public gathering spaces, neighborhood theming, and well-connected communities.

**CITIZEN PARTICIPATION**

Prior to recommending approval of the proposal, the applicant submitted a public participation plan to demonstrate the materials used to inform surrounding property owners of the proposed rezoning,

as required per the city's Zoning Code. The Citizen Participation Plan included a neighborhood meeting, notification letters sent 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 Citizen Participation Report).

- November 5 and 22 – Newspaper Notice published in the Casa Grande Dispatch
- November 4 – Neighborhood Notification Letters mailed
- November 4 – Site Sign Postings
- November 22 – Neighborhood Meeting

## **PUBLIC COMMENT**

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As of the writing of this report, no additional correspondence has been received by staff for ZON22-08, ZON22-09, or ZON22-10. There was no public attendance at the neighborhood meeting.

## **CRITERIA FOR APPROVAL**

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### **ZON22-08 Commercial Rezone**

As required by Sec. 18.175.040 of the City's Zoning Code, the Planning & Zoning Commission shall make the following findings in their recommendation to the City Council:

1. The amendment is consistent with the General Plan.

*Staff Analysis: The proposed zone change will be compatible with the current General Plan's future land use designation of Employment.*

2. Any change in District boundaries is necessary to achieve the balance of land uses desired by the city, consistent with the General Plan, and to increase the inventory of land within a given Zoning District.

*Staff Analysis: The zone change amendment will allow for additional commercial opportunities within the area and will increase the inventory of land within the proposed zoning district.*

3. The amendment will promote the growth of the city in an orderly manner and protect the public health, safety, peace, comfort, and general welfare.

*Staff Analysis: The zone change will protect the health, safety and general welfare of the area and will promote growth in an orderly manner. The zone change will provide further opportunity for commercial activities in the area to support the area's residential growth.*

### **ZON22-09 Artisan Villas**

As required by Sec. 18.175.040 of the City's Zoning Code, the Planning & Zoning Commission shall make the following findings in their recommendation to the City Council:

1. The amendment is consistent with the General Plan.

*Staff Analysis: The proposed zone change will be compatible with the current General Plan's future land use designation of High Density Residential under Minor General Plan Amendment case GPA22-12.*

2. Any change in District boundaries is necessary to achieve the balance of land uses desired by the city, consistent with the General Plan, and to increase the inventory of land within a given Zoning District.

*Staff Analysis: The zone change amendment will allow for additional multi-family residential development opportunities within the area and will increase the inventory of land within the proposed zoning district.*

3. The amendment will promote the growth of the city in an orderly manner and protect the public health, safety, peace, comfort, and general welfare.

*Staff Analysis: The zone change will protect the health, safety and general welfare of the area and will promote growth in an orderly manner. The zone change will provide further opportunity for multi-family development in the area.*

### **ZON22-10 Allure Apartments**

As required by Sec. 18.175.040 of the City's Zoning Code, the Planning & Zoning Commission shall make the following findings in their recommendation to the City Council:

1. The amendment is consistent with the General Plan.

*Staff Analysis: The proposed zone change will be compatible with the current General Plan's future land use designation of High Density Residential under Minor General Plan Amendment case GPA22-12.*

2. Any change in District boundaries is necessary to achieve the balance of land uses desired by the city, consistent with the General Plan, and to increase the inventory of land within a given Zoning District.

*Staff Analysis: The zone change amendment will allow for additional multi-family residential development opportunities within the area and will increase the inventory of land within the proposed zoning district.*

3. The amendment will promote the growth of the city in an orderly manner and protect the public health, safety, peace, comfort, and general welfare.

*Staff Analysis: The zone change will protect the health, safety and general welfare of the area and will promote growth in an orderly manner. The zone change will provide further opportunity for multi-family development in the area.*

### **CONCLUSION**

Staff recommends **approval** of **case ZON22-08 Rezoning – Commercial Rezone**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

1. The applicant shall continue with the development process of submitting a Development Review Permit as prescribed within the City's Zoning Code.
2. Prior to the City Council approval of the ZON22-09, the applicant shall submit to the city a signed waiver pursuant to Proposition 207 as applicable.
3. Prior to issuance of the final Certificate of Occupancy, the developer must provide all offsite improvements recommended by City's staff and a traffic impact analysis prepared to the City's

approved guidelines. Offsite improvements include infrastructure such as construction or improvements of roads, sidewalks, curb/gutter, stripping, signs, streetlights, landscaping and new installation or reconfiguration of existing traffic signals impacted by the development.

4. If the development is to be built and occupied by residents in phases, a phasing plan must be submitted to the City for review and approval. Construction of offsite improvements shall be included with first phase of construction unless approved by City Engineer to be built with future phases.
5. Access/ Circulation  
Farrell Road will provide the primary road to the residential main entrances. The Owner has agreed to create a new road between the residential developments to provide access to these developments and to the future development to the North (TBD by others). This collector road will be built per City's standards.

Access from White and Parker Road will consist of one (1) right-in/right out and one (1) full access. Access from Farrell Road will be provided as follows: one (1) access at 500' east of White and Parker Road (right-in/right-out and left-in), one (1) right-in/right-out between Lot 2 and Lot 3; full access between Lot 1 and Lot 2 and one (1) right-in/right-out for Lot 1.

6. Ultimate access to the development is subject to review and approval by City Engineer. Interaction with future developments and their accesses must be analyzed by the applicant's traffic engineer and City Staff.

Staff recommends **approval** of **case ZON22-09 Rezoning – Artisan Villas**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission:

1. The applicant shall continue with the development process of submitting a Development Review Permit as prescribed within the City's Zoning Code.
2. Prior to the City Council approval of the ZON22-09, the applicant shall submit to the city a signed waiver pursuant to Proposition 207 as applicable.
3. Prior to issuance of the final Certificate of Occupancy, the developer must provide all offsite improvements recommended by City's staff and a traffic impact analysis prepared to the City's approved guidelines. Offsite improvements include infrastructure such as construction or improvements of roads, sidewalks, curb/gutter, stripping, signs, streetlights, landscaping and new installation or reconfiguration of existing traffic signals impacted by the development.
4. If the development is to be built and occupied by residents in phases, a phasing plan must be submitted to the City for review and approval. Construction of offsite improvements shall be included with first phase of construction unless approved by City Engineer to be built with future phases.
5. Access/ Circulation  
Farrell Road will provide the primary road to the residential main entrances. The Owner has agreed to create a new road between the residential developments to provide access to these developments and to the future development to the North (TBD by others). This collector road will be built per City's standards.

Access from White and Parker Road will consist of one (1) right-in/right out and one (1) full access. Access from Farrell Road will be provided as follows: one (1) access at 500' east of



White and Parker Road (right-in/right-out and left-in), one (1) right-in/right-out between Lot 2 and Lot 3; full access between Lot 1 and Lot 2 and one (1) right-in/right-out for Lot 1.

6. Ultimate access to the development is subject to review and approval by City Engineer. Interaction with future developments and their accesses must be analyzed by the applicant's traffic engineer and City Staff.

Staff recommends **approval of case ZON22-10 Rezoning – Allure Apartments**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

1. The applicant shall continue with the development process of submitting a Development Review Permit as prescribed within the City's Zoning Code.
2. Prior to the City Council approval of the ZON22-10, the applicant shall submit to the city a signed waiver pursuant to Proposition 207 as applicable.
3. Prior to issuance of the final Certificate of Occupancy, the developer must provide all offsite improvements recommended by City's staff and a traffic impact analysis prepared to the City's approved guidelines. Offsite improvements include infrastructure such as construction or improvements of roads, sidewalks, curb/gutter, stripping, signs, streetlights, landscaping and new installation or reconfiguration of existing traffic signals impacted by the development.
4. If the development is to be built and occupied by residents in phases, a phasing plan must be submitted to the City for review and approval. Construction of offsite improvements shall be included with first phase of construction unless approved by City Engineer to be built with future phases.
5. Access/ Circulation  
Farrell Road will provide the primary road to the residential main entrances. The Owner has agreed to create a new road between the residential developments to provide access to these developments and to the future development to the North (TBD by others). This collector road will be built per City's standards.

Access from White and Parker Road will consist of one (1) right-in/right out and one (1) full access. Access from Farrell Road will be provided as follows: one (1) access at 500' east of White and Parker Road (right-in/right-out and left-in), one (1) right-in/right-out between Lot 2 and Lot 3; full access between Lot 1 and Lot 2 and one (1) right-in/right-out for Lot 1.

6. Ultimate access to the development is subject to review and approval by City Engineer. Interaction with future developments and their accesses must be analyzed by the applicant's traffic engineer and City Staff.
7. The developer shall provide a gated emergency vehicular access point between the Allure Apartments site and the Commercial Rezone site, subject to the review and approval of the City Engineer.

## **ATTACHMENTS:**

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Exhibit A: ZON22-08 Narrative, ZON22-09 Narrative, ZON22-10 Narrative

Exhibit B: Zone Change Map

Exhibit C: General Plan Future Land Use Map

Exhibit D: Conceptual Site Plans

Exhibit E: Citizen Participation Report

-- End of staff report --