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STAFF REPORT

CASE # SUB22-46

To: Honorable Mayor and City Council
Through: Rodolfo Lopez, Development Services Director
From: Rick Williams, Planning Department Manager
Meeting Date: September 5, 2023

REQUEST

Subdivision Final Plat (SUB22-46) Moonlight Parcel P: A request by Atwell, LLC, on behalf of Forestar USA Real Estate Group, Inc, requesting approval of the Moonlight Parcel P Final Plat. The property is generally located at the northwest corner of SR-238 and Green Road. **DISCUSSION AND ACTION.**

APPLICANT

Atwell, LLC
4700 E. Southern Ave.
Mesa, AZ 85206
[Email: mikepark@atwell-group.com](mailto:mikepark@atwell-group.com)

PROPERTY OWNER

Forestar
1661 E. Camelback Road
Phoenix, AZ 85016

COUNCIL PRIORITIES CONSIDERED

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

PROJECT DATA

- **Parcels:** Parcel A (4.18 acres)
- **Existing Zoning:** Planned Area Development.
- **General Plan Land Use:** Master Planned Community (MPC)
- **Proposed Density:** Single-family Residential – 4.3du/ac
- **Allowed Density:** 2.0 – 6.0 DU/AC
- **Lot Size:** 45’ x 120’
- **No. of Lots:** 13-lots (Includes Model Homes)

HISTORY

- 2021 - Zoned Moonlight Ridge PAD (PAD21-06)
- 2022 – Preliminary Plat Approved (SUB21-22)
- 2023 – Moonlight Master Plan Approved (SUB22-44)
- 2023 – Moonlight Parcels A and B Final Plat approved (SUB22-45 and SUB22-47)

SURROUNDING USES

Direction	Existing Zoning	Existing Use	Direction
North	Gila River Indian Reservation	Gila River Indian Reservation	North
South	Industrial (CI-2)	Dairy Farm	South
East	Pinal County (GR)	State Land	East
West	Undesignated	Ak Chin Southern Dunes Golf Club	West

ANALYSIS

The approved Moonlight development consists of approximately 349 acres and is comprised of both single and multi-family residential and commercial/retail. The development of the property is in line with the General Plan, GPA20-05, as previously approved on September 14, 2020. The General Plan Land Use designates the land as a Master Planned Community. The proposed land use distribution includes a net total acreage of 489 acres with approximately 54% of land being designated for single-family residential development.

Primary access to the development will be provided via Smity Enke Road (SR-238), with secondary access from Green Road to the east. Green Road will be constructed north as a minor arterial roadway to the intersection of W. Nightingale Drive. Additionally, two right-in/right-out access points are proposed along Smith Enke Road (SR-238). All other access points are proposed as full access.

Moonlight Parcel P:

Parcel P is comprised of a 13 single-family residential lots on 4.18 acres of land. The minimum proposed lot size is 45’ x 120’ (5,400sf) resulting in density of 3.11 du/ac. In addition to necessary rights-of-way, the final plat dedicates three (3) open space, landscape tracts, and retention basins to maintained by the community HOA. All the lots and design elements of the Moonlight Subdivision conform to the approved PAD and/or City of Maricopa Development Standards.

The submittal of the final plat includes the plat map of the parcel, pavement plans, grading plans, drainage plans, and landscaping plans. If granted approval of the final plat, the applicant will be responsible of obtaining required signatures and approval from all applicable agencies that includes but not limited to local utilities, state agencies and the City Engineer, as prescribed in the City’s Subdivision Code.

In reviewing the final plat request, the following items are reviewed to assure adequacy with the City’s Subdivision Design regulations for residential subdivisions:

1. Lot size, dimensions:

Lot size and width dimensions meet minimum requirement as set forth in the approved Planned Area Development (PAD21-06) and Preliminary Plat (SUB21-22)

2. Setbacks:

Noted setbacks adhere to the RS-5 Zoning District and the approved Moonlight Planned Area Development.

3. Wall Boundary Design:

Theme wall, view fence and standard wall designs is proposed. Wall design and features meet minimum design requirements set forth in the City’s Subdivision Code and the approved Moonlight Planned Area Development.

- 4. Pedestrian Connectivity:** The applicant/developer is proposing a well-connected pathway system through the subdivision that will tie into the urban trail system planned per the City's Planning Maricopa General Plan. Satisfying the connectivity requirements as set forth in the City's Subdivision Code, Sec.
- 5. Landscape Plans:**
The development is providing the minimum percentage of landscaping as set forth within the City's Subdivision Code.
- 6. Civil Plans (Paving, Grading and Drainage):**
Engineering Division has approved design plans contingent upon final review by local utilities and state agencies (ADEQ). A condition is proposed to this effect.
- 7. Final Drainage Report:**
Engineering Division has reviewed the final report and is satisfied with methods of retaining and maintaining drainage within the parcel.
- 8. Final Traffic Report:**
Engineering Division has reviewed the traffic report for compliance with City's analysis and design standards. The report and the City's engineer office concluded that the following improvements are to be constructed as part of this subdivision:
 1. Improve SR238 to a 4-lane major arterial facility.
 2. Installation of traffic signal on Green Rd and SR238.
 3. Provide one (1) dedicated eastbound left turn lane and one (1) dedicated westbound right turn lane on SR238.
 4. Installation of a right turn deceleration lane
 5. Installation of one (1) dedicated southbound left turn lane and one (1) dedicated southbound right turn lane.
 6. Construction of a roundabout or one-way stop-controlled at main Collector and SR238.
 7. Improve Green Rd to a 3-lane facility from SR238 to Nightingale Drive (collector B).
 8. Installation of one-way stop-controlled intersection, which provides full access to the internal roadway network. It is recommended that as traffic volumes increase, this intersection be monitored and considered for possible traffic signal installation when warranted by demand.

Additionally, the City's CIP plan includes improvements of 2 miles of SR238 from Smith Enke to the west. Other CIP projects will also increase the capacity of the surrounding roads.

CONCLUSION

Staff recommends approval of case SUB22-46, Moonlight Parcel P Final Plat, subject to the conditions of approval stated in this staff report:

1. The improvement plans shall be constructed in accordance with plans approved by the City Engineer, State agencies and utility companies.
2. Changes/amendments not included with this application request and or addressed during the city's review shall require separate review and approval by staff and if deemed necessary, review and approval by the same approving body for this application as determined by the City Engineer and Zoning Administrator.

3. In accordance to the City's Subdivision Code approval of the final plat is valid for a period of twelve (12) months from the date of City Council approval. If the developer fails to provide the required material or perform the necessary work that includes the required improvement plan approval within the twelve (12) month period, the final plat approval by City Council shall become null and void. Any further action on said plat, after the expiration of the approval, shall require a complete re-submittal of the plat.
4. Human remains and artifacts have been found in the Maricopa area. "Public law 101-601, Native American Graves Protection and Repatriation Act" and "Public law 41-865 disturbing human remains or funerary objects; rules; violation; classification; definitions", A person can be guilty of a class 5 felony if he/she intentionally possess, sells or transfers any human remains or funerary objects that are excavated or removed. In the event that human remains and/or artifacts are discovered during construction, Ak-Chin has requested that the developers stop immediately and contact the Ak-Chin Cultural Resources Office before any further construction continues.
5. After recordation of the plat and Pinal County has assigned an assessor parcel number, the applicant shall be responsible of applying for an address request for all single-family residential lots.
6. Prior to recordation of the final the applicant shall record the proposed CC&R's and the recording number shall be noted within the approval final plat.
7. Public disclosure of potential noise impacts – constructive knowledge of potential railroads/agricultural/industrial impacts shall be made to future purchasers, mortgagees, renters, occupier and users of the property.
8. Prior to issuance of any building permits for model homes/sales office/buildings, the Developer/applicant shall provide evidence that the above disclosures have been included and disseminated to the best of their ability as notes on the final plat, or as a separated recorded document.
9. Prior to the recordation of the final plat, the applicant/developer shall address any and all remaining Planning and Engineering issues.
10. Prior to building permitting for any single-family homes, a Design Review application shall be submitted for the review and approval of the proposed housing products.
11. Housing products shall be designed in accordance to current City of Maricopa standards and/or subsequent standards at the time of submittal.

ATTACHMENTS

Exhibit A – Moonlight Parcel P Final Plat Narrative

Exhibit B – Moonlight Vicinity Map

Exhibit C – Moonlight Parcel P Final Plat

-- End of staff report --