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**STAFF ANALYSIS**

**CASE # ZON19-01**

<b>To:</b>	Honorable Mayor and City Council
<b>Through:</b>	Kazi Haque, Acting Development Services Director
<b>From:</b>	Rodolfo Lopez, Planning and Zoning Manager
<b>Meeting Date:</b>	August 6, 2019

**REQUEST**

**ZON19-01 Anderson Farms:** A request by EPS Group, Inc on behalf of Marbella Homes for property generally located south of the southeast corner of Bowlin Road and Hartman Road, to rezone 28.65 acres of land from General Rural - GR (former Zoning Code) to Medium Density Residential - RS-5 as identified in the current Zoning Code. **DISCUSSION AND ACTION.**

**APPLICANT**

**DEVELOPER/OWNER**

EPS Group, Inc.  
Contact: Dan Auxier  
20455 Vineyard Ave, Suite 101  
Mesa, AZ 85210  
  
Phone: 480-503-2250  
Email: [david.hughes@epsgroupinc.com](mailto:david.hughes@epsgroupinc.com)

Marbella Homes  
18825 N. Thompsn Peak Parkway, Suite 215  
Tempe, AZ 85284

**COUNCIL PRIORITIES CONSIDERED**

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

**PROJECT DATA**

- Site Gross Acreage: 28.65 acres
- Parcel #: 502-03-015H
- Site Address: N/A
- Existing Zoning: General Rural – GR
- Proposed Zoning: Medium Density Residential – RS-5
- Overlay Zoning: None
- General Plan Land Use: Master Planned Community (MPC)
- Proposed Density: 4.0 dwelling units per acre (du/acre)
- Allowed Density: 3.0 – 10.0 du/acre

**Surrounding Zoning/Use:**

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	MPC	GR Zoning	Agricultural
East	MPC	GR Zoning	Agricultural
South	MPC	RS-5 Medium Density Residential Zoning	Agricultural
West	MPC	Single Family Residence CR-3 PAD	Sorrento Residential Development

*(REFER TO FIGURE 1, SUBJECT SITE FOR FURTHER INFORMATION)*

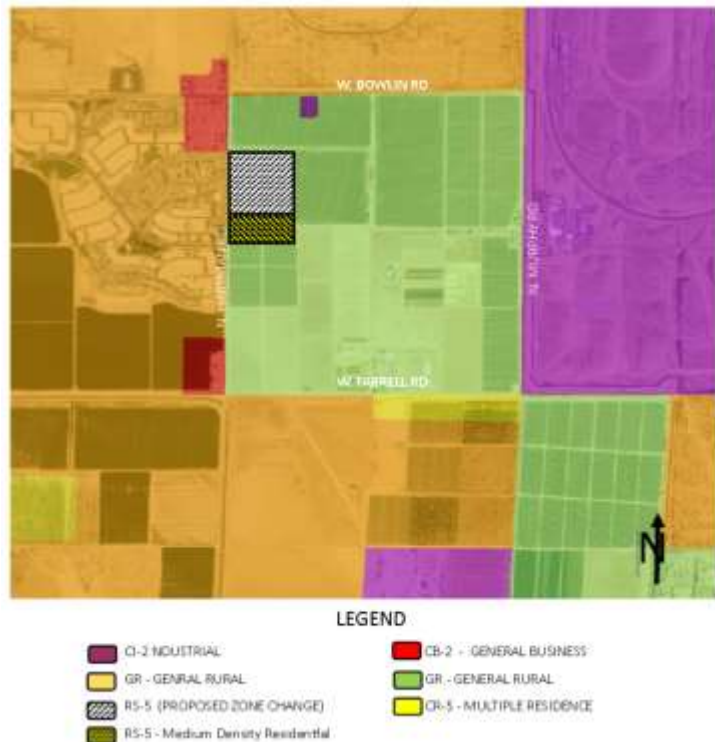
**HISTORY SUMMARY**

- No previous zoning entitlements exist, the land is an active farming area for agriculture.

**ANALYSIS**

The applicant is requesting a rezone from General Rural (GR) Zoning to Medium Density Residential (RS-5). This zone change request will allow the applicant to develop a proposed residential subdivision which the applicant is concurrently pursuing a preliminary plat for approval of an 111 lot residential subdivision, currently under review with the City (refer to figure 1 and Exhibit B for Zone Change map).

The scope of this review is for land use conformity/compatibility to the General Plan and does not include an in-depth analysis of the proposed subdivision design. Refer to Attachment A for project narrative. The property and the surrounding area is designated as a Master Planned Community (MPC). Per the General Plan, a MPC designation provides for large-scale (160 acres or more) master planned developments that includes a variety of residential products, including larger lots and smaller, attached housing, along with supporting commercial and employment land uses to meet the daily needs of the residents. Residential areas are to include adequate open space, schools, churches, and neighborhood facilities. MPC developments are expected to provide off-site infrastructure enhancements as necessary to offset development impacts including needed roadway, bridge, and overpass capacity, as applicable.



*Figure 1 Subject Site*

In a previous application, the applicant was granted a rezoning of 20 acres from General Rural (GR) zoning to RS-5 Medium Density Residential, which was described as phase 1A. This request, phase 1B

is for 28.65 acres with the intentions of developing the remaining section of land (340 acres of land approximate) as a potential master planned type community (see figure 2), and Exhibit C Proposed Development Plan. However, due to cost constraints beyond the applicant’s control, a small subdivision development is being sought out for as the second phase to the area. The applicant is accepting the obligation to develop the remaining section of land as a MPC type community to adhere to the City’s General Plan Land Use map, which is reflected under a separate development agreement.



Figure 2 Potentail Master Planned Community

**CITIZEN PARTICIPATION:**

Prior to recommending approval of the rezoning, the applicant (City staff) submitted a public participation plan to inform residents of the proposed rezoning, as required per the city’s Zoning Code. The Public Participation Plan included a neighborhood meeting, notification letters to all property owners within 300 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 C for Citizen Participation Report).

- June 3, 2019 - Notification letters sent
- June 3, 2019 - Legal notice published
- June 3, 2019 - Sign posted posted
- June 20, 2019 - Neighborhood Meeting held
- July 8, 2019 - Planning and Zoning Commission (PUBLIC HEARING)

**PUBLIC COMMENT:**

Staff did not receive any public comment at the time of writing this report.

**FINDINGS:**

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As required by Sec. 509.14 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 to RS-5 adheres to the General Plan’s future land use designation of Master Planned Community*

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; and

*Staff Analysis: The zone change amendment will allow the applicant to continue its development plan for a proposed residential development.*

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 not impact the health, safety and general welfare of the area and will promote growth in an orderly manner.*

**CONCLUSION:**

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As required by Sec. 509.14 of the City’s Zoning Code, the Planning & Zoning Commission made the following findings in their recommendation to the City Council:

1. The zone change request case # ZON19-01 will be fully subject to Article 202 Residential Districts of the Maricopa Zoning Code, Subdivision Ordinance and all provisions thereof.
2. The applicant shall continue with the development process by submitting a preliminary and final plat as prescribed within the City’s Subdivision Ordinance.
3. The development shall be responsible for any offsite and onsite improvements identified by the City’s Engineering Department.
4. Prior to the City Council approval of the ZON19-01, the applicant shall submit to the city a signed waiver pursuant to Proposition – 207 and as applicable.

**ATTACHMENTS:**

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Exhibit A: Narrative

Exhibit B: Zone Change Map

Exhibit C: Proposed Development Plan

Exhibit D: Citizen Participation Report

-- End of staff report --