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STAFF REPORT

Case # ZON23-05

To: Honorable Mayor and City Council
 Through: Rodolfo Lopez, Development Services Director
 From: Derek Scheerer, Planner II
 Meeting Date: October 3, 2023

REQUESTS

PUBLIC HEARING ZON23-05 Rezoning – JWP East – A request by Desert Cedars Equities, LLC, to rezone approximately 2.38 acres from the existing General Mixed-Use (MU-G) zoning district to General Commercial (GC). The site is generally located on the southeast corner of N. John Wayne Pkwy. and W. Honeycutt Ave. **Discussion and Action.**

APPLICANT/PROPERTY OWNER

Applicant: Desert Cedars Equities, LLC
 Contact: Marian McKersie
 RKA Architects, Inc.
 2233 E. Thomas Rd.
 Phoenix, AZ 85016

Owner: Desert Cedars Equities, LLC
 5346 E. Calle del Norte
 Phoenix, AZ 85018

COUNCIL PRIORITIES CONSIDERED

- Quality of Life
- Economic Sustainability
- Managing the Future

PROJECT DATA

Site Gross Acres	+/- 2.38 acres
Parcel #	510-25-009T
Site Address	N/A
Existing Site Use	Vacant
Proposed Site Uses	Commercial
Existing General Plan Land Use	Employment (E)
Existing Zoning	General Mixed Use (MU-G)
Proposed Zoning	General Commercial (GC)

SURROUNDING ZONING/LAND USE

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Employment (E)	Shopping Center (SC)	Vacant
East	Employment (E)	General Mixed Use (MU-G)	Vacant
South	Employment (E)	General Mixed Use (MU-G)	Vacant
West	Employment (E)	General Commercial (GC)	Vacant

HISTORY

- January 9, 2015 – Heritage Overlay District: The City of Maricopa initiated a zoning map amendment which created the Mixed Use Heritage Overlay District.
- April 4, 2023 – Rezoning: This site was rezoned from Pinal County General Business (CB-2) zoning to the City of Maricopa’s General Mixed Use (MU-G) zoning district.
- July 18, 2023 – Heritage Overlay District Revision: This site was removed from the Mixed Use Heritage Overlay District.

ANALYSIS

Desert Cedars Equities, LLC, is requesting to rezone approximately 2.38 acres of land from General Mixed-Use (MU-G) to General Commercial (GC) for a future commercial development.

The subject site was a part of a larger rezone application which was approved by Council on April 4, 2023. ZON23-01, was comprised of multiple land owners, totaling 67 acres of land that were located on both the east and west sides of John Wayne Parkway and north and south of W. Honeycutt Ave. The ultimate goal of the Rezone proposal was to foster future commercial/retail/residential development and unify the area under a single zoning code for property owners and potential developers. With the approval, the subject properties east of John Wayne Parkway were rezoned to Shopping Center (SC) and General Mixed Use (MU-G) which provide for regional large-scale retail and vertical mixed-use development. The properties west of the parkway were zoned General Commercial (GC) which provides for retail and service-oriented business surrounding a residential trade area.

Subsequent to the April 4th approval, it was determined that concentrating all of the General Commercial (GC) land uses on the west side of the parkway limited potential land uses for future development on the east side. Although Shopping Center (SC) and the Mixed-Use (MU-G) zoning districts are appropriate given the size and scale of the area, the addition of General Commercial (GC) zoning provides for single-use pad buildings to be constructed without the intent of mixed-use buildings with ground-floor retail and upper-floor residential. This would be appropriate given the central location in the City and the close proximity to the recently approved multi-family/senior living development to the east. As proposed, the request will allow this site to accommodate future retail and service-oriented businesses east of John Wayne Parkway and south of the railroad tracks. Refer to Exhibit D, preliminary conceptual site plan for the proposed rezoning subject site.

PLANNING MARICOPA (GENERAL PLAN) IMPLEMENTATION:

The land use designation per the General Plan calls out the area as Employment. The Employment category is a broad designation intended to accommodate numerous types of development including office, industrial and commercial, allowing for varying scale and intensity of land uses.

The following General Plan Objectives are being 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 B1.1.4: Promote commercial and office development in close proximity to neighborhood nodes, along arterials, and other appropriate locations.
3. Objective B1.4.6: Transition all property zoning designations from pre-existing districts to existing zoning districts in a manner that best achieves the goals of this General Plan.
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 Public Participation Plan included a neighborhood meeting, notification letters to all property owners within **600 feet** of the subject area, a public notice sign within the subject area, and legal notices in the local newspaper circulator. A timeline of the participation events are shown below (refer to Exhibit E – Citizen Participation Report).

- Legal Notices mailed out on 08/23/2023
- Sign Posting on 08/24/2023
- Sign Posting Revised on 08/28/2023
- Website Posting on 08/28/2023
- Legal Notices mailed out on 08/31/2023
- Newspaper Notice in the Casa Grande Dispatch on 09/02/2022
- Neighborhood Meeting was held on 09/08/2023
- Public Hearing was held on 09/25/2023

PUBLIC COMMENT:

As of the writing of this report, staff has not received any public comment on the proposal.

On September 25, 2023, the Planning and Zoning Commission voted unanimously to approve the requested rezone. The Commission did not receive public comment during the public hearing portion of the meeting.

CRITERIA FOR APPROVAL

As required by Sec. 18.175.040 of the City's Zoning Code, the Planning & Zoning Commission made 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 activity in the area.*

CONCLUSION:

The Planning and Zoning Commission recommended **approval** of case **ZON23-05 Rezoning – JWP East**, subject to the conditions of approval stated in this staff report, and as amended by the City Council:

1. Prior to the City Council approval of the ZON23-05, the applicant shall submit to the City a signed waiver pursuant to Proposition 207 as applicable.
2. The applicant shall continue with the development process of submitting a Development Review Permit as prescribed within the City’s Zoning Code.
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 by 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. Access to the development is subject to review and approval by City Engineer. Interaction with future developments and their accesses must be analyzed by applicant’s traffic engineer and City Staff.

ATTACHMENTS:

Exhibit A: Legal Description

Exhibit B: Narrative

Exhibit C: Zone Change Map

Exhibit D: Conceptual Site Plan

Exhibit E: Citizen Participation Report

-- End of staff report --