



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

**STAFF REPORT**

**CASE # SUB24-02**

**To:** Planning and Zoning Commission  
**Through:** Rick Williams, Planning and Zoning Manager  
**From:** Alexander Bosworth, Planner  
**Meeting Date:** August 12, 2024

**REQUEST**

**Subdivision Preliminary Plat (SUB) 24-02:** HILGARTWILSON, LLC, on behalf of DR Horton, requests approval of the Homestead Parcel 28 subdivision preliminary plat located at the southeast corner of W. Homestead Dr. and N. Continental Blvd. **DISCUSSION AND ACTION.**

**APPLICANT**

**PROPERTY OWNER/DEVELOPER**

HILGARTWILSON, LLC  
Contact: Tyler Wilson  
2141 E. Highland Ave. STE 250  
Phoenix, AZ 85016  
Phone: 602-490-0535  
Email: [TWilson@hilgartwilson.com](mailto:TWilson@hilgartwilson.com)

DR Horton  
7689 N. Pinnacle Peak Rd. STE 200  
Scottsdale, AZ 85255

**COUNCIL PRIORITIES CONSIDERED**

- Community Resources and Quality of Life Amenities
- Safe and Livable Community
- Well Planned Quality Growth and Development

**PROJECT DATA**

- Site Gross Acreage: +/- 10.9 acres
- Parcel #: 512-43-001B
- Site Address: Unassigned
- Existing Zoning: CR-3 Planned Area Development (PAD)
- Overlay Zoning: None
- General Plan Land Use: Medium Density Residential (MDR)
- Proposed Density: +/- 4.86 dwelling units per acre (du/ac.) on Parcel 28;  
+/- 3.31 du/ac. for the overall PAD
- Allowed Density: 3.74 du/ac. for the overall PAD
- Lot Size: 40' x 115', 40' x 120', and 40' x 125'
- No. of Lots: 53

**HISTORY**

2003: PZ-PD-017-03 – Rezoned to PAD by Pinal County

2016: PAD15-04 – Major amendment to the PAD by the City of Maricopa

2023: PAD22-21 – Minor amendment to the PAD by the City of Maricopa

2024: PAD24-03 – Minor amendment to the PAD by the City of Maricopa

**SURROUNDING ZONING/USES**

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Public/Institutional	PAD	Church
East	Medium Density Residential (MDR)	PAD	Single-Family Residential
South	Medium Density Residential (MDR)	PAD	Single-Family Residential
West	Medium Density Residential (MDR)	PAD	Single-Family Residential

**ANALYSIS**

HILGARTWILSON, LLC, on behalf of DR Horton, is requesting to subdivide approximately 10.9 acres of land for an infill residential subdivision. The subject site was reserved as a future elementary school site with the 2003 PAD approval and a school site donation agreement was established. The agreement expired, as the Maricopa Unified School District did not build a school within the established timeframe. As the community developed over time, alternate school sites were developed within the community (Saddleback, Leading Edge, and A+ Charter). Therefore, it was determined that the original site was no longer needed to service the educational needs of the community. Staff approved a Minor Amendment to the PAD on June 19, 2024 (Case #PAD24-03), which effectively redesignated the site as single-family residential.

As submitted, the preliminary plat (Exhibit B) proposes to subdivide the subject site into 53 single-family lots and 8 open space/retention tracts, resulting in a gross density of 4.86 du/ac and brings the overall density of the PAD to 3.31 du/ac. If approved, the additional 53 lots would bring the overall total for the development to 4,409 single-family lots, which is well below the maximum unit count of 4,988. A total of 2.80 acres is being reserved for a park and open space, accounting for 25.69% of the site and fulfilling the minimum requirements set forth by the City Code.

The internal local streets within this subdivision are proposed to be private, and will not be dedicated as public right-of-way to the City of Maricopa. This infill subdivision is to be gated, with main access being located off of W. Homestead Dr. to the northwest and an emergency access gate located off of W. Walker Way to the north. Additionally, the applicant is providing a textured entryway with specialty paving on the main access off of N. Homestead Dr., per the PAD requirements.

The intent of the preliminary plat process is to address all major issues related to the land development in accordance to the city policies, standards, codes, and requirements. Granting approval does not grant acceptance of streets nor authorizes plat recordation or sale of lots. Preliminary plat authorizes the developer to proceed with the next required step within Title 17 of the City’s Subdivision Ordinance. With approval of the preliminary plat, per Title 17 of the City’s Subdivision Ordinance, the developer will have the opportunity to pursue subsequent development steps.

In reviewing the preliminary plat request, the following items were reviewed to assure adequacy with the city’s development regulations for residential subdivisions:

**1. Lot size, dimensions and setbacks:**

The proposed lot size and dimensions meet minimum requirements of the CR-3 PAD zone as set forth in the PAD as approved by staff on June 19, 2024. The applicant is proposing 40’-wide lots with a minimum lot area of 4,600 sq. ft.

**2. Wall Boundary Design:**

Theme wall, view fence, and standard wall designs are proposed. Wall design and features meet minimum design requirements set forth in the approved PAD, and are consistent with the existing subdivision walls within the subdivision. Refer to Exhibit C, Landscape Plan.

**3. Pedestrian Connectivity:**

The applicant is proposing a well-connected pathway system through the subdivision that is well integrated with the rest of the development and connects to the adjacent collector roadways. The development features three (3) main open space tracts with amenities, which provide pedestrian connections to N. Continental Blvd. Sidewalk connections are also provided to W. Homestead Dr. along the main entrance to the subdivision, and to W. Walker Way. To the north. This system satisfies the connectivity requirements as set forth in the City's Subdivision Code. Refer to Exhibit C, Landscape Plan.

**4. Residential Design Guidelines:**

Residential product design review will be deferred to the City's Single-Family Residential Design Guidelines and the approved PAD, as applicable, and will be processed and approved under procedures set forth in these documents prior to construction of residential homes.

**5. Conceptual Landscaping:**

The proposed landscaping exceeds the minimum requirements set forth in the approved PAD, the city Zoning Ordinance, and the city Subdivision Code. Refer to Exhibit C, Landscape Plan.

**6. Preliminary Drainage Report:**

The Engineering Division has reviewed the preliminary drainage report and is satisfied with the initial methods of retaining and maintaining drainage. A final drainage report and plans will be reviewed and approved as part of the next development step, final plat application.

**7. Road Design:**

Roadway design proposed in the preliminary plat (see Exhibit B, Preliminary Plat) adheres to, or advances the intent of, the City's roadway standards as specified in the City's Subdivision Ordinance and Design Standards Manual. The proposed local streets within this preliminary plat are to be private and will not be dedicated to the City of Maricopa.

**8. Preliminary Traffic Report:**

The Engineering division requested and reviewed a Traffic Impact Letter. It has been determined that traffic generated by the proposed development is less than the originally projected use and existing infrastructure is adequate to serve the residential parcel. Access locations are in compliance with Engineering Standards.

- One access point is located along W. Homestead Drive approximately 364 feet south of Walker Way and 235 feet north of N. Continental Blvd and will serve as full access. The second access point is anticipated to be located along W. Walker Way approximately 166 feet east of Homestead Drive and will serve as egress only. Although the access points are not consistent with the City of Maricopa – Design Standards Manual, the access points are placed as far away as practical from the existing streets and have been approved by the Engineering Division.

## CONCLUSION

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Staff finds the submittal items of case # **SUB24-02 Homestead Parcel 28** Preliminary Plat to be substantially compliant with the City of Maricopa Subdivision Code, Zoning Code, approved PAD, and other requirements set forth within the City Code.

Staff recommends **approval** of Preliminary Plat **case # SUB24-02 Homestead Parcel 28**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission:

1. Within 24 months (2 years) from the date of approval of the preliminary plat by the City of Maricopa, the Developer shall submit a final plat application. This development shall be subject to the approved PAD, case #PAD24-03.
2. Extension of the Preliminary Plat shall be processed in accordance to set procedures as prescribed in the City's Subdivision Code and as determined by the Zoning Administrator. Per Subdivision Code, Section 17.20.050-D.2, "Approval of a preliminary plat approved by the city of Maricopa shall be effective for two years in accordance with an approved phasing plan, but may be extended one time only, upon reapplication and review by staff and verification that the development is in compliance with all current applicable codes of the city, for an additional two years."
3. The applicant shall obtain final plat approval for Parcel 28 of the proposal prior to the expiration of this preliminary plat, or seek a preliminary plat extension, per Subdivision Code, Section 17.20.050.
4. Final plat application improvement plans shall be subject to the City's Subdivision Code applicable standards and subsequent standards as approved by the City of Maricopa.
5. Any changes/amendment to the preliminary plat not approved with this case, and or, addressed during this review shall require separate review and approval from staff and, if required, the City Council.
6. The development shall be responsible for any offsite and onsite improvements identified by the City's Engineering Division at the time of platting or the submittal of development permits.
7. All off-site improvements shall be constructed concurrently with construction of any portion of the development, including open space. Phasing of off-site improvements shall not be permitted, unless approved by the City Engineer and Zoning Administrator, or in accordance with a Development Agreement.
8. Developer shall create an HOA for the maintenance of all landscaping, street lighting within the arterial, collector and local rights-of-ways and open spaces, parks and/or tracts as shown on the Preliminary Plat.
9. In the event that the HOA plans to turn over the private local streets to the City of Maricopa, the HOA shall be responsible for improving the subject streets to meet the approved standards set forth in the adopted Design Standards Manual. These improvements shall be completed prior to the approval of a Map of Dedication.
10. CC&R's shall be resubmitted at the time of final platting for final review and approval by staff.
11. 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.

12. The applicant/property owner shall have met and complied with all applicable fire codes under the International Fire Code (IFC) 2018, including amendments, as well as related National Fire Protection Agency (NFPA) guidelines, to the satisfaction of the Maricopa Fire Department.

## **ATTACHMENTS**

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Exhibit A – Project Narrative

Exhibit B – Preliminary Plat

Exhibit C – Landscape Plan

-- End of staff report --