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**STAFF REPORT**

**Cases Number: PAD22-08**

To: Planning and Zoning Commission  
Through: Richard Williams, Development Services, Planning Manager  
From: Derek Scheerer, Development Services, Planner II  
Meeting Date: September 26, 2022

**REQUESTS**

**PUBLIC HEARING: PAD22-08 Murphy and Farrell Zoning Map Amendment:** A request by Angela Carmitchel of DR Horton, on behalf of property owner HBE Farms, LLC, to rezone approximately 325.93 acres, more specifically a portion of Pinal County parcel numbers 502-07-002T, 502-07-002E, 502-07-002F, and 502-07-002T, from existing General Rural (GR) to Planned Area Development (PAD) located at the southeast corner of N. Murphy Road and W. Farrell Road.  
**Discussion and Action.**

**APPLICANT**

DR Horton  
Developer  
Contact: Angela Carmitchel  
2525 W. Fry Road, Suite 100  
Chandler, AZ 85224  
  
Phone: 480-791-1614  
Email: [acarmitchel@drhorton.com](mailto:acarmitchel@drhorton.com)

**PROPERTY OWNER**

HBE Farms, LLC  
34621 W. La Brea Road  
Maricopa, AZ 85138

**COUNCIL PRIORITIES CONSIDERED**

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

**PROJECT DATA**

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Site Gross Acres	325.93 acres
Parcel #	502-07-002T, 502-07-002E, 502-07-002F, and 502-07-002T
Site Address	N/A
Site Use	Agricultural
Existing General Plan, Land Use	Master Planned Community (MPC)
Proposed General Plan, Land Use	Master Planned Community (MPC)
Existing Zoning	General Rural (GR)
Proposed Zoning	Planned Area Development – PAD - RM PAD, RH PAD, RS-3 PAD RS-4 PAD, RS-5 PAD, NC
Overlay Zoning	None
Total Dwelling Units	1,642
Proposed Density	5.28 Dwelling Units per Net Acre (DU/acre)
Allowed Density, per PAD	5.28 Dwelling Units per Net Acre (DU/acre)
Parking Required/Provided	TBD at platting

**SURROUNDING ZONING/LAND USE**

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Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Master Planned Community (MPC)	Industrial (CI-2)	Volkswagen of America Test Facility
East	Master Planned Community (MPC) / General Rural (GR)	Planned Area Development (PAD) & General Rural (GR)	Vacant / Single-Family Residential
South	Master Planned Community (MPC)	Single-Family Residence (CR-3)	Agricultural
West	Master Planned Community (MPC) / Medium Density Residential (MDR) / Commercial (C) / Low Density Residential (LDR)	Single-Family Residence (CR-1) / Planned Area Development (PAD) / Industrial (CI-2)	Desert Sunrise High School / Agricultural

**HISTORY SUMMARY**

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- Property zoned General Rural (GR) by Pinal County (date unknown)

**ANALYSIS**

The applicant is requesting:

1. A rezone from General Rural (GR) zoning to Planned Area Development (PAD) with RM PAD, RH PAD, RS-3 PAD, RS-4 PAD, RS-5 PAD, and NC subdistricts. This zone change request will allow the applicant to pursue a subdivision (Preliminary Plat SUB22-19) of the northern 111.4 acres of the site under RS-5 PAD single-family zoning. The remaining 200+ acres of the site will be developed at an unknown future date.

Murphy and Farrell is a proposed mixed-use project that will permit a variety of land uses that may include single-family residential, multi-density multi-family residential, and neighborhood commercial uses across an approximately 325-acre site bounded by W Farrell Road, the N Pala Road alignment, W Steen Road, and N Murphy Road in the southeast area of the City. (Refer to **Exhibit B**:

General Plan Future Land Use and Zoning Maps for the existing and proposed zoning maps). The subject site is proposed to be divided into twelve (12) conceptual parcel areas under a “Conceptual Master Plan” (Refer to **Exhibit D: Conceptual Master Plan**) that will accommodate the various PAD subzones noted above. The applicant further proposes, under a separate application (SUB22-19), to subdivide and develop a single-family residential subdivision across the northern 111 acres of the site utilizing the development standards of the proposed RS-5 PAD subzone.

In addition to the planned residential parcels noted in the Conceptual Master Plan, the applicant proposes to reserve the southwest corner of the site (northwest corner of Murphy Road and Steen Road) for future neighborhood commercial development. This proposed commercial area will provide for the goods and services necessary to support the planned residential community and other surrounding communities.

Land uses and development standards for the site will be regulated by the Development Standards Table section of the Planned Area Development (PAD) booklet (Refer to **Exhibit C: PAD Narrative and Booklet**). The proposed PAD subzone structure found in the PAD booklet is flexible in nature and will permit ultimate development of the site that will optimize the City’s interests while allowing the applicant and future interests to develop the property to its highest and best use in conjunction with market conditions and market demand. Approval of this PAD will permit the applicant to bring further development opportunities to the underdeveloped southeast area of the City.

The PAD incorporates and applies the City’s existing RM, RH, RS-3, RS-4, RS-5, and NC zoning districts and development standards with slight modifications to the RS-5 District development standards. These modifications will be utilized in the site’s initial residential subdivision (SUB22-19). The proposed modifications to the RS-5 standards include a reduction of the minimum lot area standard from 5,000 square feet to 4,000 square feet; a reduction of the minimum lot width standard from 50’ to 40’; and a change to the permitted maximum lot coverage area of 55% for one-story residences and 50% for two-story residences to a maximum only limited by the District’s setback requirements, which are not proposed to be changed from the base standards. The proposed RS-5 PAD zone will cover the initial residential subdivision (SUB22-19, located in Area 1, Parcels 1 - 4) while the remaining portions of the site (Area 2, Parcels 5 – 12) can be developed under the other proposed PAD subdistricts. To combat over development of single-family uses within the site, the PAD limits overall density to 5.28 dwelling units per acre (du/ac) with 4.52 du/ac reserved for the initial subdivision in Area 1 and 5.67 du/ac for remainder of lands in Area 2. As proposed, the overall maximum residential development of the site is capped at 1,642 dwelling units.

The PAD incorporates and enhances the City’s existing landscape and open space standards, requesting slight modifications to the minimum landscape area depths along arterial and collector roadways to permit a less rigid application of the standards. In lieu of the required minimum landscape widths of 25’ along arterial and collector roadways, the PAD proposes minimum landscape widths of 18’ along arterial and 15’ along collector roadways in conjunction with a requirement that the average landscape width along these roadways be no less than 30’. This proposal will permit more innovative development as it will allow for undulations in the depth of landscaped areas in response to varying development designs with an overall increase in the ultimate landscaped area. Additionally, the PAD proposes to go above and beyond the City’s base standards for subdivision neighborhood parks by requiring an increase in the minimum number of amenities for both pocket parks and amenity parks. As noted in the PAD booklet, parks with the site must provide a variety of amenities from a prescribed list.

Please see **Exhibit E: Pedestrian Circulation Plan** and **Exhibit F: Opens Space Plan** for a preliminary look at amenity locations, pedestrian connections, and trail connections. The PAD site will provide a total of 68.45 acres (22% of total site area) dedicated to open space. The proposal calls for a minimum of three (3) main amenity parks, two (2) pocket parks and seven (7) accessible open space areas that include various passive and active amenities. Additionally, the site is providing dedicated multi-use trails along its eastern and northern boundaries as part of the City’s Parks, Trails and Open Space Master Plan. The proposed trails will consist of 10’ wide concrete paths bordered by 4’ wide soft paths

that will include shade trees, sitting areas, and other amenities. The proposed trail will ultimately connect to the west of the site and become a part of the City's overall trail system.

The subject site and PAD area is located within area designated as Master Planned Community on the City's General Plan Future Land Use Map (See **Exhibit B**). As required in the proposed zoning ordinance for PAD's, a mixed-use land use component will be designated at the southwest corner of the site. The mixed-use land use designation will provide for potential commercial and medium to high density residential mix of uses to provide for alternative land uses to serve the primarily residential community. By designating the commercial area on the land use map as Commercial within the PAD, the proposal is consistent with the General Plan and no amendment is necessary. Based upon the entire PAD submittal, the PAD complies with the current General Plan.

The Murphy and Farrell PAD meets the goals, policies, and intent of the City's General Plan and demonstrates compatibility between the site, existing neighborhoods, and future development in the area by incorporating compatible residential scale. The Property is currently zoned General Rural (GR) (See **Exhibit B**). Specifically, the PAD rezoning addresses the following:

- Goal B1.2.1: Proactively manage future development and partner with developers to create distinctive communities.
- Objective B1.2.2: Establish entryways, gateways, streetscapes, and other features that distinctively delineate the various village neighborhoods.
- Objective B1.3.5: Establish guidelines for the appropriate inclusion of green spaces, paths and other people-oriented amenities.
- Goal B1.4.1: Address land use compatibilities and incompatibilities when considering zone changes and development approvals.

A Traffic Impact Analysis/Study was completed as part of the application process. The purpose of this study is to assess traffic and transportation impacts of the proposed development on the surrounding streets and intersections. This study was prepared in conformance with the City of Maricopa Improvement Requirements and the format for Traffic Impact Analysis Guidelines (2018).

### **CITIZEN PARTICIPATION**

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Prior to recommending approval of the rezoning, 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 sent to all property owners within 600 feet of the subject site, a public notice sign within the subject site, and a legal notice published in the local newspaper circulator. A timeline of the participation is shown below (Refer to **Exhibit G: Citizen Participation Report**).

- Aug. 22, 2022 - Notification letters sent
- Aug. 22, 2022 - Sign posted
- Aug. 23, 2022 - Legal notice published (newspaper)
- Sept. 7, 2022 - Neighborhood Meeting held
- September 26, 2022 - Planning and Zoning Commission hearing

## **PUBLIC COMMENT**

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Staff received two (2) telephone inquiries requesting additional information about the proposal and the neighborhood meeting notification letter that was received. The inquiries did not oppose or support the proposal.

## **FINDINGS**

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As required by Sec. 18.140.060 of the City's Zoning Code, the Planning & Zoning Commission shall make the following findings in their recommendation to the City Council:

1. The proposed development is consistent with the General Plan, the Subdivision Ordinance, and any applicable specific plan or master plan, including the density and intensity limitations that apply;

**Staff Analysis:** *Approval of the proposed project will advance the goals and objectives of the General Plan and is consistent with the policies of the General Plan and any other applicable plan and/or policies that the City has adopted.*

2. The subject site is physically suitable for the type and intensity of the land use being proposed;

**Staff Analysis:** *The subject site will be required to be developed and designed in compliance with all applicable development and design standards of the PAD and other City plans and policies. The subject site is over 325 acres in size and is located along major thoroughfares which permit development and access at the levels proposed in the PAD.*

3. Adequate transportation facilities and public services exist or will be provided in accordance with the conditions of PAD plan approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;

**Staff Analysis:** *The proposal will mitigate all potential vehicular and pedestrian traffic that will impact public health, safety, and welfare. A Traffic Impact Analysis was completed as part of the application process and will require an updated report or addendum at the time of platting or submittal of a development review permit application(s) as determined by the City Engineer.*

4. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;

**Staff Analysis:** *The proposed PAD will be compatible with existing planned land uses within the surrounding area. The proposed use(s) of the site will complement the surrounding existing neighborhoods and advances the goals and objective of the City's General Plan for master planned community development.*

5. The development complies with applicable adopted design guidelines; and the proposed development carries out the intent of the Planned Area Development provisions by providing a more efficient use of the land and an excellence of architecture and site design greater than that which could be achieved through the application of the base district regulations.

**Staff Analysis:** *The proposed PAD will comply with all applicable design guidelines and establishes a baseline criterion for development and open space requirements that are superior to the base standards found within the City's various development regulations.*

## **CONCLUSION**

Staff recommends **approval** of PAD case # **PAD22-08 Murphy and Farrell**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission:

1. The PAD request case #PAD22-08 will be fully subject to all applicable development standards of the Maricopa Zoning Code, Subdivision Ordinance and all provisions thereof.
2. The development shall be responsible for any offsite and onsite improvements identified by the City's Engineering Division at the time platting or the submittal of a Development Review Permit.
3. All public roadway and infrastructure improvements shall be in accordance with the current City of Maricopa standards and/or subsequent standards that are developed by the City, as approved by the City Engineer and installed by the developer.
4. 30 days after approval by City Council, the applicant/property owner shall submit a final version of the PAD booklet and shall address all comments per the final recommendations and approval by the Planning and Zoning and City Council, if any.
5. Zoning development standards shall be in accordance to the Murphy and Farrell PAD booklet. All other development standards not listed in the PAD booklet shall adhere to the City of Maricopa Zoning Code and Subdivision Code.
6. Prior to issuance of any building permit, a clearance letter from the State Historic Preservation Office (SHPO) for archaeological and historical preservation information shall be submitted, as applicable.
7. Prior to preliminary plat or site plan submittal, the applicant/property owner shall submit and secure all required applications, plans, supporting document submittals, approvals and permits from the applicable and appropriate federal, state, county and local regulatory agencies.
8. If a different builder is ultimately responsible for the construction of housing product, elevations and floor plans shall be submitted to the City for review and approval prior to issuance of any building permits. This will be accomplished through the City Administrative Design Review Permit process.
9. Prior to the City Council approval of the PAD22-08, the applicant shall submit to the city a signed waiver pursuant to Proposition – 207, as applicable.
10. Prior to issuance of a building permit, the applicant or property owner shall submit and secure all required applications, plans, supporting document submittals, approvals and permits from the applicable and appropriate Federal, State, County and Local regulatory agencies.
11. The applicant/property owner shall have met and complied with all applicable fire codes as well as related National Fire Protection Agency (NFPA) guidelines to the satisfaction to the City of Maricopa.
12. The development and operation of the proposed Facility shall be in accordance with all applicable Arizona Department of Environmental Quality (ADEQ), if applicable and other regulatory agencies rules and regulations.
13. A local connection between Farrell Road and this development must be built at the time that any development occurs on Area 2.

14. The developer will provide a cash-in-lieu for half street roadway improvements on Farrell Road from Murphy Road to the east of the property limits. Improvements include sidewalk, curb, gutter, pavement, drainage channel and irrigation canal undergrounding, and streetlights.

## **ATTACHMENTS**

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**Exhibit A:** Legal Description

**Exhibit B:** General Plan Future Land Use and Zoning Maps

**Exhibit C:** PAD Narrative and Booklet

**Exhibit D:** Conceptual Master Plan

**Exhibit E:** Pedestrian Circulation Plan

**Exhibit F:** Open Space Plan

**Exhibit G:** Citizen Participation Plan

-- End of staff report --