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## STAFF REPORT

**CASE NUMBERS: GPA22-14 & PAD22-20**

To: Honorable Mayor and City Council

Through: Rodolfo Lopez, Development Services, Director

From: Derek Scheerer, Development Services, Planner II

Meeting Date: December 5, 2023

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## REQUEST SUMMARY

**PUBLIC HEARING: Minor General Plan Amendment, GPA22-14 Seven Ranches Estates:** A request by Pounders Engineering, on behalf of David C Morgan 401k Profit Sharing Plan, to amend the General Plan Future Land Use Map for approximately 20 +/- acres from existing Mixed Use (MU) to Low Density Residential (LDR) for development of a single-family residential subdivision, generally located at the northwest corner of W. Santi Road and N. Gunsmoke Road. **DISCUSSION AND ACTION.**

**PUBLIC HEARING: Planned Area Development, PAD22-20 Seven Ranches Estates:** A request by Pounders Engineering, PLLC, on behalf of David C Morgan 401k Profit Sharing Plan, to amend the Zoning Map for approximately 20 +/- acres from the existing General Rural (GR) to Planned Area Development (PAD) for development of a single-family residential subdivision, generally located at the northwest corner of W. Santi Road and N. Gunsmoke Road. **DISCUSSION AND ACTION.**

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## APPLICANT/PROPERTY OWNER

**Pounders Engineering, PLLC**  
Tyler LaRue  
435 W. Powell Drive  
San Tan Valley, AZ 85140

**David C Morgan 401k Profit Sharing Plan**  
Dayv Morgan  
43954 W. Palo Abeto Drive  
Maricopa, AZ 85138

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## COUNCIL PRIORITIES CONSIDERED

- Quality of Life
- Economic Sustainability
- Managing the Future

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## PROJECT DATA

Site Gross Acres	20 +/- gross acres
Site Addresses	Unassigned
Existing Site Uses	Vacant
Proposed Site Uses	Single-Family Residential
Existing General Plan, Land Uses	Mixed Use (MU)
Proposed General Plan, Land Uses	Low Density Residential (LDR)
Existing Zoning	General Rural (GR)

## **SURROUNDING ZONING/LAND USE**

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Mixed Use (MU)	General Rural (GR)	Vacant
East	Mixed Use (MU)	General Rural (GR)	Vacant
South	Master Planned Community (MPC)	Planned Area Development (Our Lady of Grace PAD)	Vacant/Church
West	Master Planned Community (MPC)	CR-3 PAD Single-Family Residential (Glennwilde PAD)	Single-Family Residences

## **ANALYSIS**

A healthy local economy provides a mixture of various residential opportunities for its residents. As Maricopa continues to grow, there has been an exponential increase in single-family residential home sites on smaller approx. 5,000 +/- square foot lots with an under supply of areas designated or developed on larger sites. To challenge this, the applicant is proposing to meet the various housing needs for the citizenry and provide a development that provides half-acre homesites for custom built homes. The applicant has initiated a Minor General Plan Amendment in coordination with a zone change request to establish zoning entitlements for a 20 +/- acre private subdivision consisting of twenty-six (26) residential lots.

The proposed Minor General Plan Amendment to the Future Land Use Map and Rezone request is to convert 20 +/- acres of land designated as Mixed Use (MU) to Low Density Residential (LDR). The subject property is located at the northwest corner of W. Santi Road and N. Gunsmoke Road.

The City of Maricopa General Plan states that the purpose of the Low Density Residential (LDR) designations is as follows:

- **Low Density Residential** land use designation accommodates semi-rural large lot development with generous distances to streets and between residential dwelling units and a viable semi-rural character setting. Limited livestock privileges may be a part of this character for areas where lot sizes are a minimum of one acre. Areas in this category are generally larger lots with accessory structures that may be used for animals. The maximum density for this land use category is 2.0 dwelling units per acre (du/ac).

The considerations for the General Plan Land Use Map Amendment considers the Plan Administration section of the General Plan itself. Criteria include the following:

- **Land Use Criteria**

**Staff Analysis:** Per the General Plan's Land Use Criteria, any land use change that moves from a Mixed Use designation to a less intense residential category shall result in a Minor Amendment to the city's General Plan. As presented, the proposed change of approx. 20 +/- ac. from Mixed Use (MU) to the less intense Low Density Residential (LDR) is considered a Minor Amendment.

Per the applicant's Narrative (see Exhibit B – GPA22-14 Narrative) and Land Use Analysis (see Exhibit D), the proposed land use change to Low Density Residential (LDR) is to allow for an environment

that promotes large lot residential development. Per the General Plan and Seven Ranches Area Plan, residential growth is encouraged within the Seven Ranches area, which includes the subject property.

Details of the request:

Seven Ranches Estates PAD is a proposed residential development that will include up to twenty-six (26) residential homesites on half-acre minimum lots that includes a community park and greenbelts for recreation. The purpose is to create a unique gated community, providing an upscale gated living experience for residents.

Within the proposed PAD, the request utilizes the Single-Family Residential (RS-1) zoning district of the city's zoning ordinance as the base zone for the PAD. The proposal increases several development standard requirements of the district, such as increased minimum lot sizes, increased minimum lot widths, decreased maximum lot coverages, and increased yard setbacks, etc. The proposal only seeks to vary (provide less than the RS-1 standards) for maximum height of residences (specific to certain architectural elements). In essence, the proposed PAD seeks to create a unique zoning district with overall development standards that lay between the RS-1 and GR district standards, thus creating a unique "rural estate" PAD zoning district.

The applicant is requesting:

1. A Minor General Plan Amendment to the Future Land Use Map from Mixed Use (MU) to Low Density Residential (LDR).
2. A rezone from General Rural (GR) to Seven Ranches Estates PAD. This zone change request will allow the applicant to pursue Preliminary/Final Plat Permits.

Each request builds upon land use and development entitlements to make the proposal possible. Each approval is dependent upon the subsequent approval. The development proposal cannot move ahead without the rezoning, nor can the rezoning move ahead without the approval of the General Plan Land Use change.

Minor General Plan Amendment:

Currently, the site falls under various General Plan Future Land Use designation (as noted above) that does not support the proposed development pattern as described in the PAD Narrative (Exhibit A). As such, an amendment to the General Plan designation is required. Amending the General Plan Land Use Map requires consulting the Plan Administration section of the General Plan. Criteria for approval include the following:

- (1) number of acres for land use change and/or
  - (2) the capital cost burdens to the city when classifying an amendment as either Major or Minor.
1. Proposed land use changes that exceed the thresholds of a Minor Plan Amendment (as defined in Table 1 – Major Plan Amendment Land Use Criteria within City Limits) are defined as Major. As noted, the proposed Plan amendment does not meet the requirements for a Major Amendment and is being processed as a Minor Amendment.
  2. Infrastructure Criteria is also listed as an independent consideration to acreage. The context of the site may require expansion of infrastructure that warrants capital improvements. However, these improvements will be part of the off-site development requirements that will be the responsibility of the applicant and not the city.

The application was made with a Public Participation Plan that met state statutes and the standards prescribed within the Zoning Code, as outlined later in this report. The remaining public process includes holding a public hearing before the Planning & Zoning Commission, a recommendation by

the Commission to the City Council, holding a Public Hearing before the City Council, and a decision by City Council. A recommendation should be made as to whether the amendment achieves, on balance, the goals and objectives as defined within the text of the General Plan Elements. A review of the goals and objectives are listed under the GPA22-14 *Minor General Plan Amendment Findings* section of this staff report.

#### Planned Area Development:

With a favorable recommendation for the General Plan Land Use Map Amendment, the Council can consider the concurrent Zoning Map Amendment (rezone). Under Section B. Land Use Elements, subsection D. Land Use Plan – Land Use Designations of the City’s General Plan, future land use designations are listed (as previously noted). The Planned Area Development (PAD) zone is defined within the Zoning Code under Chapter 18.60.010 and states that “the specific purpose of the Planned Area Development (PAD) District is to provide opportunities for creative and flexible development approaches that accommodate, encourage, and promote innovatively designed developments involving a mixture of residential and/or nonresidential land uses not prescribed within the zoning districts of the city.” As presented, the proposed Minor General Plan Amendment and rezone fall within the criteria of these code sections.

The proposed PAD seeks to use the RS-1 Single-Family District as a base zones for the project. Within the PAD Narrative and Booklet, rationale for the change of land use and the PAD variations are provided.

As noted, the PAD standards proposed by the applicant closely follow the standards of the RS-1 District with several variations that provide a unique PAD zoning district tailored to the proposed development of the site. Per Section 18.60.060 PAD Design Elements of the Zoning Ordinance, PAD applications requesting variations to the standards of the Zoning Ordinance must provide a certain number of required design elements, as listed under Section 18.60.060(C) PAD Design Elements Table, to offset the requested variations. In accordance with the Design Elements Table, the proposed PAD, as presented, must provide a minimum of score of six (6) elements. As noted in the PAD Booklet, the proposal provides a total of nine (9) design elements and exceeds this requirement.

#### Density

Under Section 18.60.040.A Residential Unit Densities of the Zoning Code, land use and development regulations for the PAD zone “shall not exceed the maximum number permitted by the general plan density for the total area of the planned area development designated for residential use.” The General Plan does not specify density limitations specifically for PAD zones but restricts density under the Low Density Residential (LDR) land use designation to 2 du/ac. The proposed maximum density of the the PAD is 2 du/ac, which falls within this allowable range.

#### Building Height

The proposed PAD seeks to amend the maximum height allowable for single-family residences to 40’ from the RS-1 base zone limitation of 20’. Additionally, the PAD proposes to allow certain architectural elements of residences to have heights of 50’.

#### Circulation

Access to the site will be from two (2) points; a main entrance off of N. Gunsmoke Road (west side of site), and an emergency access only connection to N. Whisker Road (northwest corner of the site). The developer is required to work with the Glennwilde HOA to obtain an easement to access their site from Whisker Road and provide an acceptable surface for emergency vehicles and dust control. Internal circulation will be proved along a loop private road. Additionally, half street improvements and dedication will be required on N. Gunsmoke Road per City standards.

*Open Space and Amenities*

In the PAD Narrative and Booklet the applicant has indicated that the proposed development will contain a community park and greenbelt area. Location, size, and amenitization of the park and greenbelt will be determined at the Preliminary Plat stage of development.

*Architecture*

Although currently in the conceptual design phase, the applicant has noted through the PAD Development Standards certain regulations what will guide the overall architectural and site design themeing of the development. Additionally, the applicant has indicated that ultimate development of the site will include variations in building designs with more distinct character and stricter design parameters that will be applied through the developments CC&R's than what is codified within city code or the proposed PAD.

**CITIZEN PARTICIPATION**

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Prior to recommending approval of the rezoning, the applicant submitted a public participation plan to inform residents of the proposed PAD zoning change, 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, 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 E for the Citizen Participation Report). The Citizen Participation Report also provides a summary of the neighborhood meeting, including all comments made by attendees.

- October 10, 2023                      -        Site sign posted
- October 10, 2023                      -        Notification letters sent
- October 27, 2023                      -        Neighborhood meeting
- October 28, 2023                      -        Newspaper notice published
- November 13, 2023                   -        Planning and Zoning Commission meeting
- December 5, 2023                   -        City Council meeting

**PUBLIC COMMENT**

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At the time of writing this report, staff has received no public comment.

**GPA22-14 MINOR GENERAL PLAN AMENDMENT FINDINGS**

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As required by the General Plan, its goals and objectives are of consideration for the proposed request. Refer to Exhibit A – Project Narrative and Exhibit D – Land Use Analysis, for comparison to the listed elements applicable to this request. Through staff review of the project many aspects of this amendment were analyzed. These aspects included surrounding land uses, circulation, as well as impacts on the surrounding areas and region. Staff finds that the proposed minor amendment would have no adverse impact and will meet and fulfill the various goals and objectives stated in the city's adopted General Plan.

As required by the General Plan, the following goals and objectives are of consideration:

**Goal B2.2.: Assure the development of a diverse housing stock in both dwelling type and density.**

*Staff Analysis: The proposed PAD establishes a unique housing option of large lot sites for custom home development that will fill a gap within the current housing stock of the City. For well planned development of the city, a full breadth of housing options ranging from multi-family to small lot single-family to large lot single-family development are needed to meet the needs of all citizens.*

**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.**

*Staff Analysis: The companion PAD rezone request seeks to change the current Old Pinal County zoning of the site from General Rural to a PAD district that is comparative to the current RS-1 Single-Family district.*

### **PAD22-20 ZONING MAP AMENDMENT REQUIRED FINDINGS**

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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 to PAD adheres to the General Plan's future land use designation, pending approval of the Low Density Residential (LDR) designation.*

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 for additional residential opportunities not typically found in the area or other subdivision developments.*

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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On November 13, 2023, the Planning and Zoning Commission recommended **approval** of **case #GPA22-14 Seven Ranches Estates**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

On November 13, 2023, the Planning and Zoning Commission recommended **approval** of **case #PAD22-20 Seven Ranches Estates**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission. Each case will require an independent motion by the City Council:

1. The applicant shall continue with the development process of submitting a Development Review Permit as prescribed within the City's Zoning Code.
2. Prior to the City Council approval of the PAD22-20, the applicant shall submit to the city a signed waiver pursuant to Proposition 207, as applicable.

3. The applicant shall work with the Glennwilde HOA to obtain an easement to access the site from Whisker Road. Ultimate development of the access shall consist of an acceptable surface for emergency vehicles and dust control.
4. 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 to the 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. Offsite improvements shall include, but are not limited to, half street improvements and dedication of right-of-way for N. Gunsmoke Road per City standards.
5. If the development is to be built and occupied by residents in phases, a phasing plan must be submitted to the City for review and approval. Construction of offsite improvements shall be included with first phase of construction unless approved by City Engineer to be built with future phases.
6. Access to the development is subject to review and approval by City Engineer. Interaction with future developments and their accesses must be analyzed by the applicant's traffic engineer and City Staff.
7. Any amendments to the PAD District shall be processed in accordance with Section 18.180.060 of the City's Zoning Code.
8. All zoning and development standards not expressly enumerated within this PAD shall comply with the applicable standards delineated in the City's Zoning Code.

## **ATTACHMENTS**

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**Exhibit A:** PAD22-20 Narrative and Booklet

**Exhibit B:** GPA22-14 Narrative

**Exhibit C:** Site Context Study

**Exhibit D:** Land Use Analysis

**Exhibit E:** Citizen Participation Report

**Exhibit F:** Zoning Maps

**Exhibit G:** General Plan Land Use Maps

**Exhibit H:** Legal Description

-- End of staff report --