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STAFF REPORT

Cases Numbers: GPA19-03, ZON19-09, DRP19-17

To: Planning and Zoning Commission
Through: Rodolfo Lopez, Economic & Community Development Deputy Director
From: Ryan Wozniak, Senior Planner
Meeting Date: March 9, 2020

REQUESTS

PUBLIC HEARING: GPA19-03 Bungalows on Bowlin Minor General Plan Amendment: A request by Mark Reddie of RVi Planning and Landscape Architecture to amend the General Plan Future Land Use Map of approximately 16.95 acres, a portion of Pinal County parcel number 510-27-016L and -016P, from existing Employment (E) to High Density Residential (H) located near the northwest corner of Bowlin Road and John Wayne Parkway (SR-347). **Discussion and Action.**

PUBLIC HEARING: ZON19-09 Bungalows on Bowlin Zoning Map Amendment: A request by Mark Reddie of RVi Planning and Landscape Architecture to rezone approximately 16.95 acres, a portion of Pinal County parcel number 510-27-016L and -016P, from existing General Business (CB-2) to Multi Unit Residential (RM) located near the northwest corner of Bowlin Road and John Wayne Parkway (SR-347). **Discussion and Action.**

DRP19-17 Bungalows on Bowlin Major Development Review Permit: A request by Mark Reddie of RVi Planning and Landscape Architecture to seek review and approval of proposed Multi Unit Development on approximately 16.95 acres, a portion of Pinal County parcel number 510-27-016L and -016P, on existing vacant land located near the northwest corner of Bowlin Road and John Wayne Parkway (SR-347). **Discussion and Action.**

APPLICANT

RVi Planning + Landscape Architecture
Contact: Mark Reddie
120 South Ash Avenue
Tempe, AZ 85281

Phone: 480-994-0994
Email: mreddie@rviplanning.com

DEVELOPER

Advanced Acquisitions, LLC
15300 N. 90th St. STE 200
Scottsdale, AZ, 85260

COUNCIL PRIORITIES CONSIDERED

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

PROJECT DATA

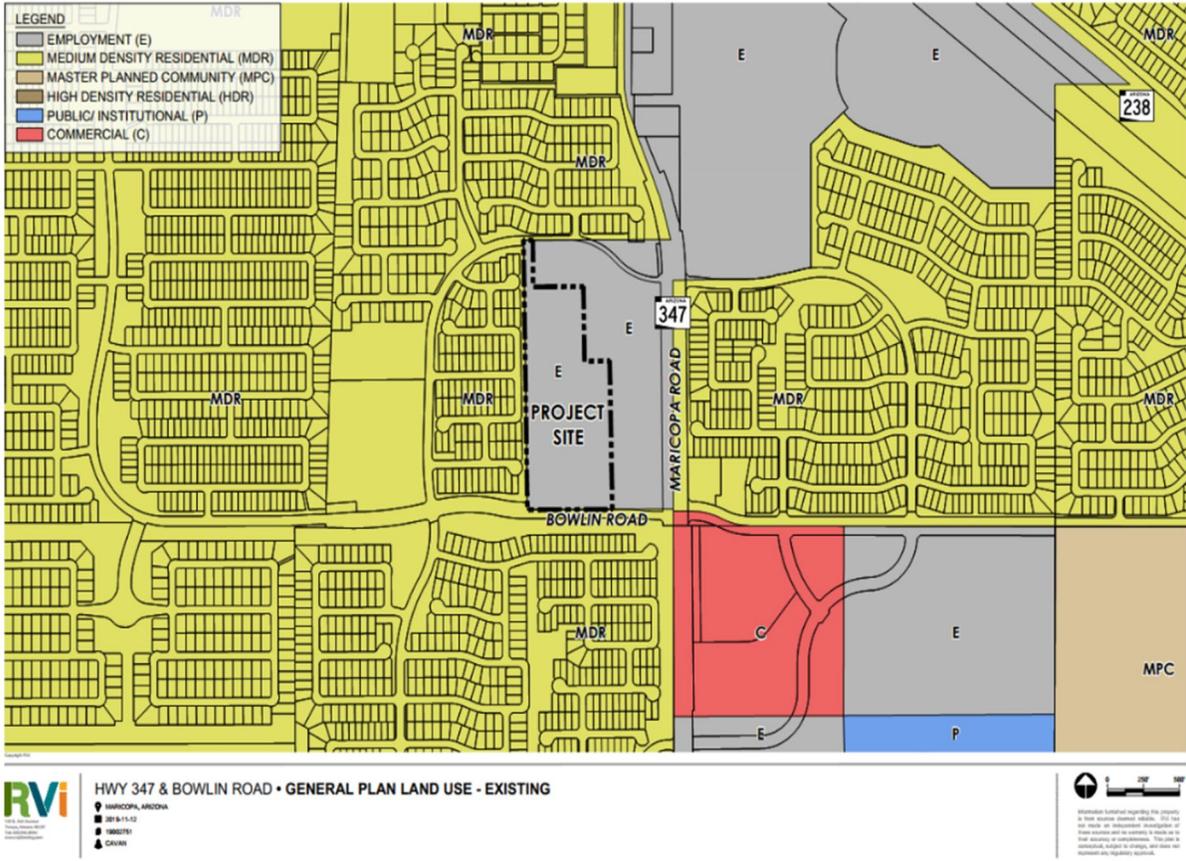
Site Gross Acres	16.95 acres, a portion of a 30 acre parcel
Parcel #	510-27-016L (partial) and 510-27-016P (entirety)
Site Address	N/A (western portion of NWC of Bowlin Road & SR-347)
Site Use	Vacant Land, not previously developed
Existing General Plan, Land Use	Employment – E
Proposed General Plan, Land Use	High Density Residential – HDR (<i>GPA19-03</i>)
Existing Zoning	General Business – CB-2
Proposed Zoning	Multiple Unit Residential – RM (<i>ZON19-09</i>)
Overlay Zoning	None
Total Dwelling Units	196 (mix of one-, two-, & three-bedroom units)
Proposed Density*	12.11 Dwelling Units per Net Acre (DU/acre)
Allowed Density, per RM	12 DU/acre (net acre, per code)
Parking Required/Provided	426/426 spaces (196 covered req./270 covered provided)

*Zoning Code, Sec. 103.03 Rules of Measurement (Subsection B) *allows fractions of less than half to round down to the nearest whole number.* Thereby, 12.11 DU/acre meets the standard in a district with a maximum of 12 DU/acre.

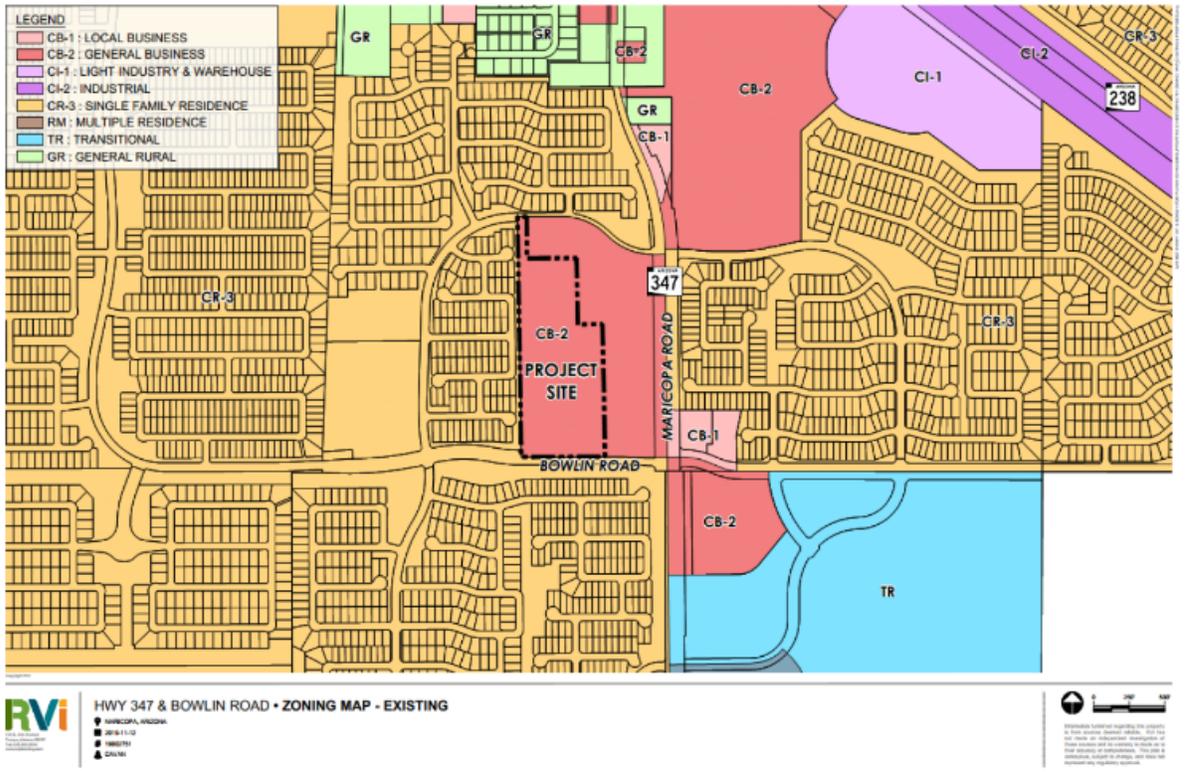
Surrounding Zoning/Use:

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Medium Density Residential (MDR) & Employment (E)	CR-3 PAD & CB-2	Single Family Residential & City's Firestation 574
East	Employment (E)	CB-2	Vacant
South	MDR	CR-3 PAD	Single Family Residential
West	MDR	CR-3 PAD	Single Family Residential

General Plan Future Land Use Map (Existing)



Zoning Map (Existing)



HISTORY SUMMARY

- General Business Zone (CB-2) is a Zoning District that dates back to the previous Zoning Code the City adopted from Pinal County as a model of the code in place at the time of the City's incorporation.
- Best records indicate the property was last zoned under the County's jurisdiction.

ANALYSIS

The applicant is requesting:

1. A Minor General Plan Amendment to the Future Land Use Map from Employment (E) to High Density Residential (HDR).
2. A rezone from General Commercial (CB-2) Zoning to Multiple Unit Residential (RM). This zone change request will allow the applicant to pursue a Development Review Permit requiring site plan and architectural reviews to comply with the Zoning Code.
3. A Major Development Review Permit for 196 units on 16.95 acres, with on- and off-site improvements.

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.

Refer to Attachment A1, A2, and A3 for project narratives for thorough descriptions of the proposals to that met staff's satisfaction for clarity and completeness. Within the narrative, rationale for the change of land use reads: *Based on recent market trends for commercial properties, the overall 30-acre site is larger than necessary to meet the market demand for the area, and a compatible mix of high-density residential and employment/commercial land uses is not only appropriate for the site and surrounding area, but will spur more immediate development of this vacant parcel, providing substantial benefits to the surrounding community and the City.*

Amending the General Plan Land Use Map Amendment require consulting the Plan Administration section of the General Plan. Criteria 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 do not meet or exceed the thresholds of a Major Plan Amendment (as defined in Table 1 – Major Plan Amendment Land Use Criteria within City Limits) are defined as Minor. This proposal, refers to the line for current designation of Employment to proposed designation of Residential, which set the trigger (or threshold) at 40 acres, where as this proposal is below the trigger at 16.95 acres.
 2. Infrastructure Criteria is also listed as an independent consideration to acreage. The context of the site requires no expansion of infrastructure that warrants costly capital improvements.

In accordance with this criteria, staff classifies the proposed General Plan Land Use Map Amendment as Minor. 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 made to City Council, holding a Public Hearing before 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 will be listed under the GPA19-03 Minor General Plan Amendment Findings later in this report.

With a favorable recommendation for the General Plan Land Use Map Amendment, the Commission can consider the concurrent Zoning Map Amendment (rezone) to a Zoning Districts. Under the Land Use Element, Table 8 – Land Use Designations lists the Future Land Use Designations with the corresponding Zoning Districts suited. With High Density Residential (HDR) designation, the Multiple Unit Residential (RM) District is listed as an allowable potential zone. The RM Zone is defined within the Zoning Code under Article 202; therein lists land use permissions and development standards. Table 202.02, for the RM District, lists Multiple Unit Dwelling as a permitted use (“P”).

Development Standards of the RM District allow the dimensional standards of the proposal. A list of additional standards are listed below and apply to the specific proposal details the the Development Review Permit (DRP19-17):

- A. Transition standards have been observed for building setbacks from Single-Family Residential.
- B. Architectural renderings provided show articulation and roof variation.
- C. Building entrance orientation are provided exception due to the gated community delineating a community wall between the units and the public right-of-way. No new public right-of-way is proposed through the development, all circulation requirements are met with walkways and parking drive aisles.
- D. Surface parking meets distance requirement of 40-feet away from a street, as well as being screened from the public view.
- E. Outdoor living space has been exceeded for common and private open space standards.
- F. Pedestrian walkways have been provided for throughout the project. Two (2) walkways connecting to Bowlin Road are required either side of the driveway entry, an additional walkway to the north connecting to Alterra Parkway, and a connection to the future commercial site are required to meet this standard. Staff has offered a **condition of approval** to address this concern.
- G. Private storage requirements appear to be met in closet space, and additional enclosed garages are also offered on-site.
- H. Compliant shared amenities are proposed, private to the residents, include a pool, clubhouse, seating with firepit, and dog park.

Along shared property lines, the applicant proposes to continue to work on the specifics of the community’s surrounding wall of the gated community. This will require coordination with the adjacent Alterra Homeowners Association and the City. The nuisance and hazards that come from having parallel walls with 12 to 18 inches of separation are to be avoided if at all feasible. In the event the shared walls cannot be demolished and reconstructed to suit the project’s need, a plan to mitigate potential hazards of unkempt, inaccessible land strips. Staff has offered a **condition of approval** to address this concern.

General Site Regulations provide various regulations generally applicable to all zoning districts. Section 401.02 for Accessory Structures requires separation between main buildings (the dwelling units) and accessory structures (garage structures) of minimum of six feet, roof eave to roof eave. The proposed site plan is deficient in this respect, with an eave to eave dimension of approximately three feet. The applicant is advised to find code-compliant solutions to attach the structures, providing connected roof structures and/or direct access to the dwelling units while meeting the building safety codes. Staff recommends a **condition of approval** to resolve this at building permit review.

Photometric plans show adequate lighting per code.

On-site parking requirements are met, including parking stall dimensions, drive aisle widths, turning radii, covered spaces, and landscaping. However, Section 407.03.J of the Zoning Code asks multiple unit residential developments with 20 or more parking spaces to allocate at least five percent (5%) of spaces be served by electric vehicle (EV) charging stations, clearly marked with controls for public use. A **condition of approval** has been provided to enforce this at the time of on-site improvement permit review.

The proposal does not appear to impose any risk to violating the performance standards in place for nuisance control.

CITIZEN PARTICIPATION:

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 Minor General Plan Amendment, rezoning, and Development Review Permit 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).

- Jan 30, 2020 - Notification letters sent
- Jan 31, 2020 - Legal notice published (newspaper)
- Feb 3, 2020 - Sign posted
- Feb 19, 2020 - Neighborhood Meeting held

PUBLIC COMMENT:

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

GPA19-03 MINOR GENERAL PLAN AMENDMENT FINDINGS:

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

Goal B1.4: Minimize conflicts between land uses.

Staff Analysis: A transition between medium density to commercial/office uses is improved with the transition zone of Multiple Unit Residential (RM) use, consistent with the HDR Future Land Use proposed.

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

Staff Analysis: Housing diversity is improved in both dwelling type and density with the proposal.

Goal E3.1: Create safe and functional pedestrian ways and bicycle routes as an alternative mode of travel throughout Maricopa.

Staff Analysis: Providing adequate and safe walkways to Bowlin Road, Alterra Parkway, and future commercial, as the proposal will do (per conditions and planned commitments) demonstrate compliance with this goal.

Housing Element: A Housing Needs Assessment study is necessary to clearly define areas of need and implementation plan to expand housing options in Maricopa.

Staff Update/Analysis: The Housing Needs Assessment and Housing Plan was completed in July 2018 defining the need for rental housing was in high demand and short supply. More than 99% of the housing stock consists of single-family, detached homes (p. 11). This is comparatively over-represented in comparison to the Phoenix MSA where only 65% of housing stock consists of single-family, detached homes (p. 12). To accommodate the next 10 years of growth, approximately 22,000 new buyers and renters will not be interested in single family homes (p. 16). Additionally, the benefits of higher density housing adjacent to commercial land use supports neighborhood retail (p. 16).

ZON19-09 ZONING MAP AMENDMENT REQUIRED FINDINGS:

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 RM adheres to the General Plan's future land use designation, pending approval of the High Density Residential 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 the applicant to continue its development plan for a proposed residential development in support of the housing plan's goal to diversify the housing options within the City.

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.

DRP19-17 MAJOR DEVELOPMENT REVIEW REQUIRED FINDINGS:

As required by Sec. 505.07 of the City's [Zoning Code](#), the Planning & Zoning Commission shall make the following findings in their review and decision of DRP19-17:

1. The overall design of the project, including its scale, massing, site plan, exterior design, and landscaping, will enhance the appearance and features of the project site and surrounding natural and built environment.

Staff Analysis: The proposal conforms with the intent of the RM Zoning District, maximizing on density with minimal building height, and is functionally compatible with the surrounding natural and built environment.

2. The project site plan is appropriate to the function of the project and will provide a suitable environment for occupants, visitors, and the general community.

Staff Analysis: The proposal meets the intent of a community designed with adequate shared amenities, circulation, and parking to accommodate residents and guests alike in a gated community.

3. Project details, colors, materials, and landscaping, are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.

Staff Analysis: *The variety of elevations and color combinations appear well integrated and complementary.*

4. The project is compatible with neighboring development by avoiding big differences in building scale and character between developments on adjoining lots in the same Zoning District and providing a harmonious transition in scale and character between different Districts.

Staff Analysis: *Transitions from existing Single-Family Residential to the proposed Multiple Unit Residential are very compatible with a single-story building height offering a gentle transition to the active frontage on John Wayne Parkway (SR-347) planned for commercial/employment/retail uses.*

5. The project contributes to the creation of a visually-interesting built environment that includes a variety of building styles and designs with well-articulated structures that present varied building facades, rooflines, and building heights within a unifying context that promotes increased pedestrian activity and compatibility among neighboring land uses within the same or different Districts.

Staff Analysis: *The variety of façade materials and colors provide interest on articulated structures. Building heights are very uniform and compatible with the different districts either side of the proposed site. Pedestrian access to the future commercial site offers increased activation for future prospects.*

CONCLUSION:

Staff recommends approval of **cases GPA19-03, ZON19-09, and DRP19-17**, 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 Commission:

1. To apply the Minor General Plan Amendment to the Future Land Use Map (GPA19-03) and the Zoning Map Amendment (ZON19-09) will require a parcel to conform to the proposed site by applying for a Minor Land Division/Lot Split.
2. Construction of the project shall be in conformance to the exhibits submitted with this Development Review Permit (DRP19-17) application for site plan, elevations, photometric and landscape plans, and as amended by the Planning and Zoning Commission.
3. In accordance to Section 505.09 of the City's adopted Zoning Code, the Development Review Permit shall expire if a building permit has not been issued within two years of the date of Planning and Zoning Commission approval. A one-time extension may be approved by the Planning and Zoning Commission, upon recommendation by the Zoning Administrator after a completed application to extend, and fee is submitted.
4. Future modifications of the existing plans, if any, shall be subject to set procedures within the City's Zoning Code and other adopted policy documents at the time of the request.
5. Review of on-site improvement plans will enforce pedestrian walkways connecting residents to Bowlin Road are required either side of the driveway entry, an additional walkway to the north connecting to Alterra Parkway, and a connection to the future commercial site are required to meet safe and efficient pedestrian travel.
6. Review of on-site improvement plans will enforce EV charging stations to meet the standard of Section 407.03.J of the Zoning Code.

7. Along shared property lines, the applicant shall coordinate on the specifics of the community's surrounding wall of the gated community to avoid potential nuisances and hazards that may occur from onerous voids between community walls.
8. This project is within the City of Maricopa Regional Transportation Plan boundaries. As such, improvements shall be made in accordance with all recommendations included in the Final Implementation Plan and as approved by the City of Maricopa.
9. Prior to issuance of the final Certificate of Occupancy, the applicant shall submit and secure all required applications, plans supporting documents submittals, approvals and permits from the applicable federal, state, county and any other agencies as applicable.
10. The development shall be responsible for any offsite and onsite improvements identified by the City's Engineering Department.
11. Prior to the City Council approval of the ZON19-09, the applicant shall submit to the city a signed waiver pursuant to Proposition 207 as applicable.
12. Prior to the approval of a Building Permit, the applicant shall coordinate with staff regarding Section 401.02 for Accessory Structures requiring separation between main buildings (the dwelling units) and accessory structures (garage structures) of minimum of six feet.
13. Prior to issuance of Certificate of Occupancy, site inspections will be required and approved by relevant City Departments (Fire, Building Safety, Engineering and Planning).
14. As submitted, refuse areas shall be enclosed and shall correspond to the design and color palette of the development. Gates shall not open into vehicular drive aisles.
15. Prior to beginning of site construction, or issuance of any building permit, a consent letter from the State Historic Preservation Office (SHPO) is obtained for archaeological and historical preservation information.
16. 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.
17. The development and operation of the proposal shall be in accordance with all applicable Arizona Department of Environmental Quality (ADEQ) requirements, if applicable, and other regulatory agencies rules and regulations.
18. The applicant/property owner shall have met and complied with all applicable fire codes under the IFC 2012, including amendments, as well as related National Fire Protection Agency (NFPA) guidelines, to the satisfaction of the Maricopa Fire Department.
19. The proposed sign rendered in the landscape plans is not approved as part of the DRP19-17 Exhibits. The sign concept shall be reviewed and approved by separate Sign Permit.

ATTACHMENTS:

Exhibit A.1: GPA19-03 Narrative; Ex. A.2: ZON19-09 Narrative; Ex. A.3: DRP19-17 Narrative

Exhibit B.1: GPA19-03 Future Land Use Change Map & Ex. B.2 Zone Change Map

Exhibit C: Citizen Participation Report

Exhibit D: Rendered Site Plan combined with Landscaping Plans

Exhibit E: Rendered Elevations

-- End of staff report --