

STAFF ANALYSIS

Cases Numbers: GPA19-03 and ZON19-09

To: Honorable Mayor and City Council

Through: Rodolfo Lopez, Economic & Community Development Deputy Director

From: Ryan Wozniak, Senior Planner

Meeting Date: April 21, 2020

REQUESTS

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.**

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.**

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

PLANNING & ZONING COMMISSION RECOMMENDATIONS

On March 9, 2020, the Planning & Zoning Commission recommended:

- 7-0 Approval with Conditions for GPA19-03 Bungalows on Bowlin Minor General Plan Amendment
- 7-0 Approval with Conditions for ZON19-09 Bungalows on Bowlin Zoning Map Amendment

PROJECT DATA

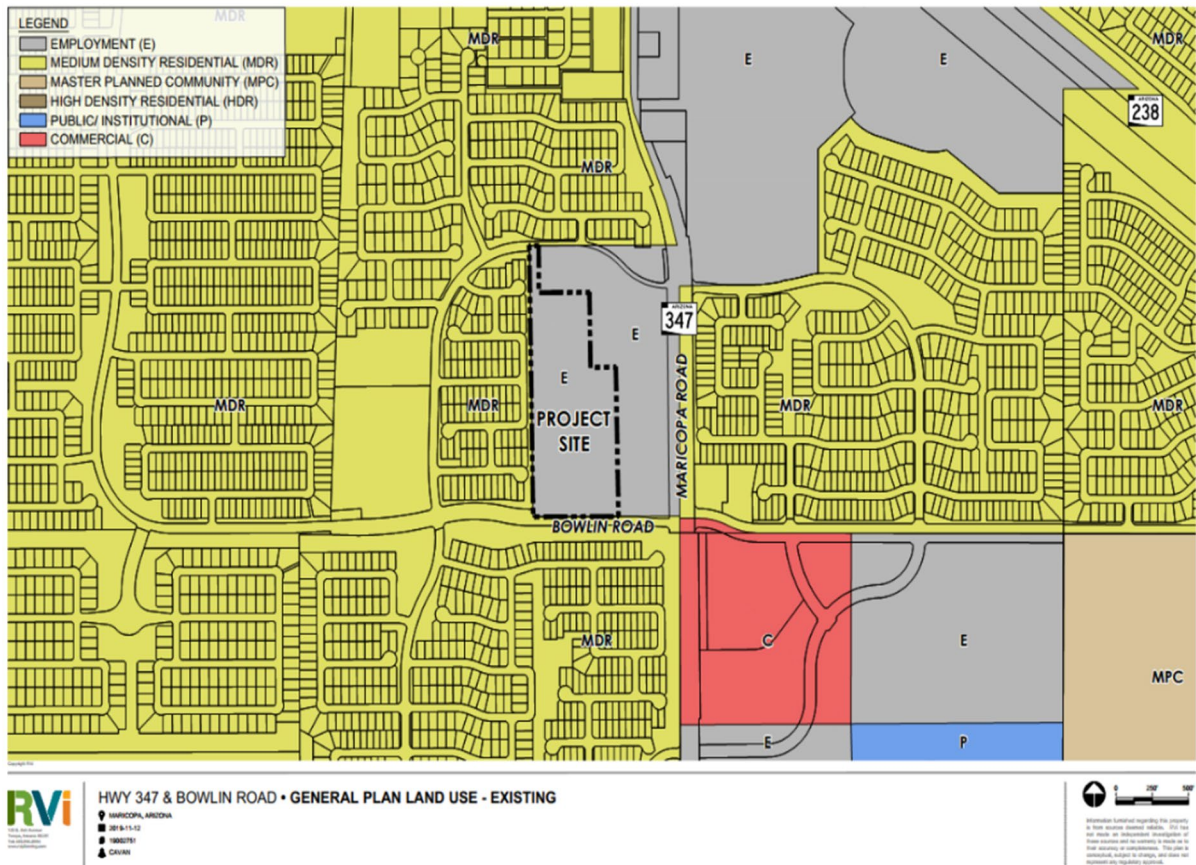
Site Gross Acres	16.95 acres, a portion of a 30 acre parcel
Parcel #	510-27-016L (partial) and 510-27-016P (entirety)
Site Address	N/A (western portion of NWC of Bowlin Road & SR-347)
Site Use	Vacant Land, not previously developed
Existing General Plan, Land Use	Employment – E
Proposed General Plan, 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.

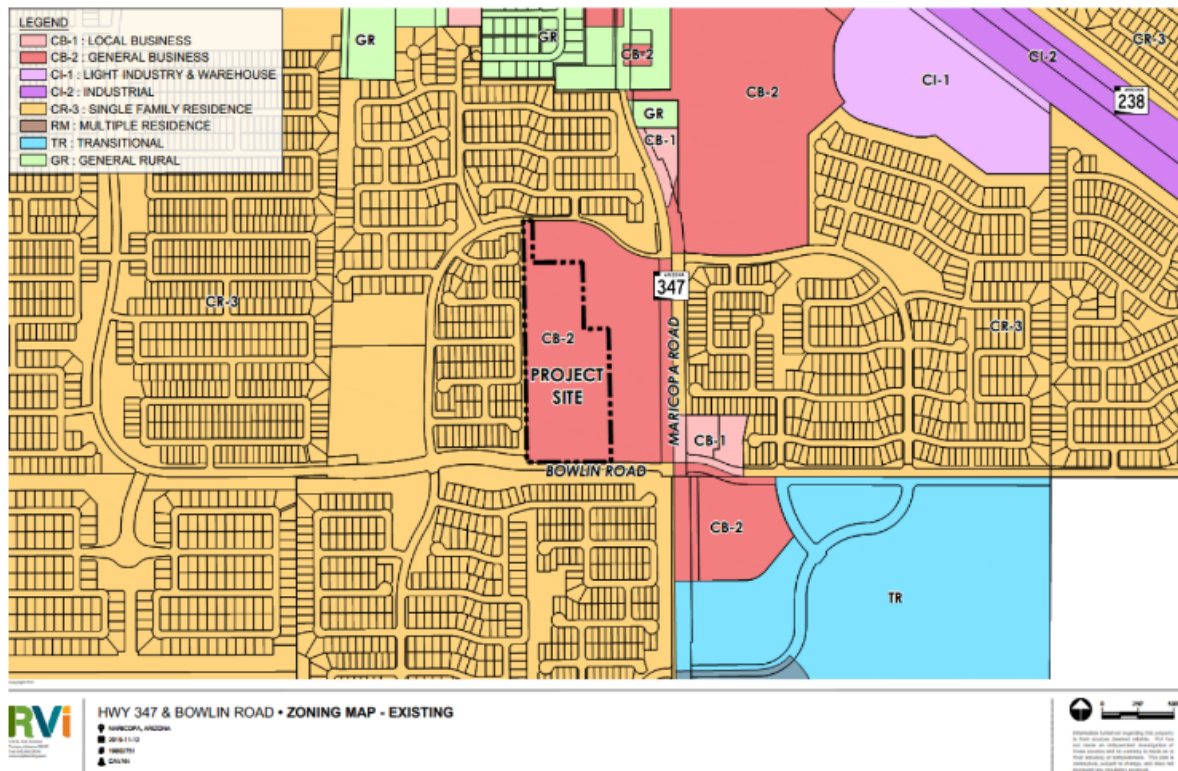
Surrounding Zoning/Use:

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 (GPA19-03) to the Future Land Use Map from Employment (E) to High Density Residential (HDR).
2. A rezone (ZON19-09) 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 (DRP19-17) for 196 units on 16.95 acres, with on- and off-site improvements. – *Previously heard by the Planning & Zoning Commission; Approved with Conditions and contingent upon Council approval of GPA19-03 and ZON19-09.*

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 Attachments A1 and A2 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, whereas 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 these 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 detailed in the related Development Review Permit (DRP19-17) authorized by Planning & Zoning Commission.

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.

No public comments were heard at the Public Hearing at the Planning & Zoning Commission meeting on March 9, 2020.

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 deliver (per conditions and planned commitments) to 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. 509.05 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 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.*

CONCLUSION:

The Planning & Zoning Commission recommends approval of **cases GPA19-03 and ZON19-09** 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. 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.
3. 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.
4. 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.
5. 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.
6. The development shall be responsible for any offsite and onsite improvements identified by the City's Engineering Department.
7. 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.
8. Prior to issuance of Certificate of Occupancy, site inspections will be required and approved by relevant City Departments (Fire, Building Safety, Engineering and Planning).
9. 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.
10. 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.
11. 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.
12. 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.

ATTACHMENTS:

Exhibit A.1: GPA19-03 Narrative; Ex. A.2: ZON19-09 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 (Reference Only – Approved with DRP19-17 by Planning & Zoning Commission pending land use changes)

-- End of staff report --