

**STAFF REPORT****CASE # GPA21-03**

To:	Mayor and City Council
Through:	Rodolfo Lopez, Development Services Director
Meeting Date:	November 16, 2021

REQUEST SUMMARY

PUBLIC HEARING: Major General Plan Amendment, GPA21-03. A request by Iplan Consulting on behalf of W Holdings, request to amend the General Plan Future Land Use Map for approximately 995 +/- acres from undesignated land use to Master Planned Community (MPC). Generally located at the northeast corner of Anderson Rd and Miller Road, within the unincorporated area of Pinal County **DISCUSSION AND ACTION.**

APPLICANT

Iplan Consulting
 Greg Davis
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 Gilbert, AZ 85297
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PROPERTY OWNER

W Holdings
 1121 W. Warner Rd. Suite 109
 Tempe, AZ 85284

PROJECT DATA

- | | |
|-----------------------------------|--|
| • Site Acreage: | 995 +/- Acres |
| • Parcel #: | 510-17-011G and 005B |
| • Site Address: | N/A |
| • Existing Zoning: | CR-3 (single residence) PAD
<i>**Pinal County Zoning **</i> |
| • General Plan Land Use: | Undesignated |
| • Proposed General Plan Land Use: | Master Planned Community |

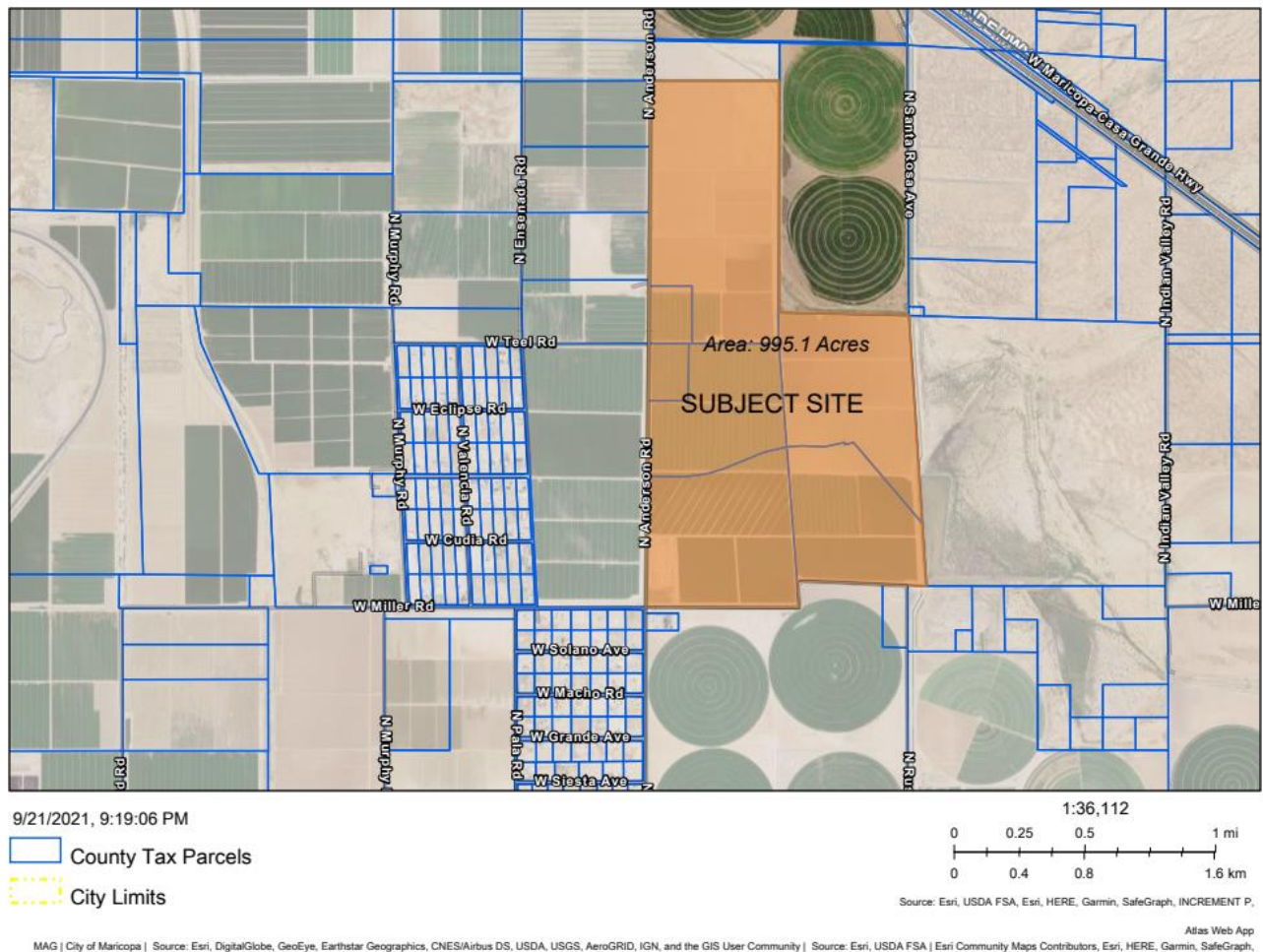
HISTORY SUMMARY

- 2005 - The site was rezoned from GR General Rural to CR-3 (single residence) PAD (Pinal County case #PZ-012-05).

SURROUNDING USES

Direction	Existing Zoning	Existing Use
North	State Land	Vacant Land
South	Single Family Residence (CR-3 PAD)	Agriculture
East	General Rural (GR)	Vacant Land
West	Single Family Residence (CR-3 PAD)	Agriculture

Santa Cruz Ranch GPA21-03



ANALYSIS

The city's General Plan is intended to provide a framework for all of the interrelated functions of the City of Maricopa. The General Plan is an expression of the preferences of residents and property owners, a statement of City policy designed to achieve the citizen's vision, a framework for future decision making and a means of enhancing the quality of life of the citizens. The General Plan is not a tool to promote special interests, not a rigid document so it is adaptable, it is not a detailed policy or ordinance for specific properties or areas, it is not a Capital Improvement Plan and it is not a zoning map. Refer to www.planningmaricopa.com for further information.

The applicant is requesting a Major General Plan Amendment to the Future Land Use Map for 995 acres from currently undesignated land use to Master Planned Community (MPC). The subject site currently is outside the city's incorporated limits and is also outside the city's current planning area.

The subject site was previously within the Casa Grande Planning Area however, the City of Casa Grande amended its planning boundaries to allow the City of Maricopa to include the subject area within its planning boundaries. This request is solely for an amendment to the General Plan; no annexation of the land is being requested. The subject site does have an active Planned Area Development zoning through the County for a proposed Master Planned Community, refer to Exhibit A for further information. The purpose for MPC land use, according to the City of Maricopa General Plan states the following:

- **Master Planned Community:** The designation provides for large-scale (160 acres or more) master planned developments that include a true variety of residential products, including larger lots and smaller, attached housing, along with supporting commercial and employment land uses to meet the daily needs of the residents. Residential areas are to include adequate open space, schools, churches and neighborhood facilities. Overlay zoning in combination with comprehensive site planning provide for supporting infrastructure. MPC developments are expected to provide off-site infrastructure enhancements as necessary to offset development impacts including needed roadway, bridge and overpass capacity. The overall density is flexible to allow appropriate urban design for properties designated for Village Center. Overall densities for all residential dwellings in MPCs without a Village Center designation can range from 3.0 to 10.0 dwelling units per acre.

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

- **Number of acres for land use change and/or**

Staff Analysis: Per the General Plan's Land Use Criteria, any designation of 40 acres or more from undesignated land use designation to Master Planned Community (MPC) requires a major amendment to the city's General Plan;

- **The capital cost burdens to the City when classifying an amendment as either Major or Minor.**

Staff Analysis: The context of the site expansion of infrastructure warrants capital improvements to the area, such as half and full street improvements to Anderson Rd, Miller Rd alignment, and Santa Rosa Ave. A preliminary Traffic Report Analysis shall be conditioned as part of the formal rezoning and or platting submittal and shall be accepted by the City Engineer prior to approval. A condition will be proposed to this effect.

During the first scheduled public hearing on September 27, 2021, several residents raised concerns on the propose land use change. See list of concerns below or refer to Exhibit E:

- **Ak Chin Airport**
 - Concern that future home owners of the area will experience nuisance noise from the nearby Ak-Chin airport.
 - **Applicant Response:** Property does not currently have avigation easements recorded on it for overflights nor has the ownership group been approached to provide them. This is a common tool used around airports, when necessary. If notification of potential noise nuisances is required for area residents at a later date, the developer will comply with such notification as necessary.
 - **Staff Response:** Through the process, AK Chin were notified of the request and has requested disclosure of the airport proximity. Staff recommends a stipulation be added to this affect.
- **Drainage and Flood Plain**
 - Concern that the property is in floodplain and may impact adjacent properties.

- ***Applicant Response:*** Proposed grading improvements were already reviewed in Pinal County through its prior approvals, but will be submitted newly to the City of Maricopa through rezoning and platting. Proposed improvements to the property to protect against flooding and manage drainage will include a below grade drainage channel adjacent to the levee that contains the western edge of the Santa Cruz Wash. This improved channel will capture potential overflows along its western boundary, protecting the property to its west, which includes the proposed Santa Cruz Ranch Master Planned Community and additional down hill properties adjacent to it (See “SCR Exhibit A – Proposed Flood Solution Facilities Below Grade Channels”). The master planned community will not be allowed to drain into adjacent properties such as Santa Rosa Ranchos. All proposed grading and drainage civil plans will be developed during the platting phase of the project and reviewed and approved by the City of Maricopa Engineering Department prior to construction.
- ***Staff Response:*** Drainage standards of the city requires developments to be removed entirely from any flood zone impact and shall not impact adjacent properties with any proposed improvements. The development standards of the city will be enforced if any and when this property is annexed into the city and a plat application has been submitted for review.
- **Water Resources**
 - Concern that the project will use up the ground water and lower the water table of the area and impact individual wells.
 - ***Applicant Response:*** Global Water is anticipated to provide water services to the project. New residential water needs in AZ are less than 1/3 that of agricultural production on an acre-to-acre comparison basis, meaning that the residential project is anticipated to use less water than current agricultural uses of the property. Global Water’s water sources are spread out over a much larger area than this property for their overall distribution network. Nearby residential wells are not anticipated to have any discernable impact from the master planned community as the source of water for the new residences is not anticipated to be drawn from the immediate area’s water table.
 - ***Staff Response:*** Before platting and approval is given, the development will be required to provide to the city and state a service agreement from a water distribution facility that can provide a 100-year assured water supply certificate.
- **Wastewater Treatment**
 - Concern on how service could be provided to the project as Global has been rumored to be in financial trouble.
 - ***Applicant Response:*** This master planned community anticipates providing a wastewater treatment facility onsite that will service the project that Global Water will ultimately operate. The wastewater treatment facility will bring sewer services in much closer proximity to our neighbors than currently exist, which may allow them an ability to connect at a nearer date than would otherwise be possible without the facility proposed with this project. The area water table may be partially replenished by water that has been treated and put back in the ground by our facility. This will ultimately be at the discretion of Global Water and ADWR.
 - ***Staff Response:*** None
- **Roadway Improvements and Traffic**
 - Concern that traffic will overwhelm nearby communities.
 - ***Applicant Response:*** Most traffic trips related to this project are anticipated to travel north and east, away from nearby ranchette properties, towards the Maricopa-Casa Grande Highway and I-10 for access to City of Maricopa, Casa Grande, and metropolitan Phoenix. The ranchette properties are located in the opposite direction, to the west and southwest of the project. The project will develop all onsite streets and adjacent half-street arterial rights-of-way, in

conjunction and conformance with the preparation of a Traffic Impact Study, to be reviewed and approved by the City of Maricopa. Area transportation plans, like the Pinal County East-West Corridor Study, have contemplated major roadway improvements to improve traffic circulation between SR 347 and the I-10. with the closest major improvements anticipated for the interchanges of Farrell Road and Val Vista Road with the Maricopa-Casa Grande Hwy (see Exhibit B – Pinal County East-West Corridor Study Figures)

- **Staff Response:** The development will require a Traffic Impact Analysis to be completed and submitted by a registered traffic engineer of the state. If supported by the City Engineer, the proposed roadway recommendations and improvements shall be imposed as part of the platting process. Roadway analysis and recommendation will adhere to the ultimate build-out design per the city's Regional Transportation Plan (RTP).
- Native Resources and Environmental Protection
 - Concern about protection of burrowing owls
 - **Applicant Response:** All owls are protected by Arizona state law (ARS Title 17) and by Federal law under the Migratory Bird Treaty Act (MBTA). Fines and other penalties may result if these laws are violated. The City will require a native species inventory/environmental report to be prepared by a license professional to be reviewed and approved prior to construction of impacted areas. These animals will need to be carefully transferred to a new natural habitat per state law. This study will occur during the platting and civil studies phase of the project and all protected species will be relocated prior to site grading.
 - **Staff Response:** The information that the applicant stated is corrected, at platting submittal the city will require an environmental report that from a licensed third party recommendation any remedial action prior to disturbing the land.
- **Buffering to Adjacent Land Uses**
 - Concern about lots being too close to the larger ranchette lots.
 - **Applicant Response:** Open space and density transition buffering is anticipated during the zoning and platting phase of the project to help ease these concerns. Higher density residential and non-residential land uses are expected to be clustered at the center of the proposed master planned community, away from the ranchette neighbors.
 - **Staff Responses:** Further, the city design standards require adequate landscape buffer tracts which will be reviewed at the platting stage.

MINOR GENERAL PLAN AMENDMENT FINDINGS:

As required by the General Plan, the goals and objectives are of consideration for the proposed request. The proposal of Master Planned Community seeks to ensure the community's needs for a balance of land uses that are met through expanding quality development with a mix of residential, commercial, open space, and public facility land uses throughout its planning area. The applicant has justified the following for the requested land use change, refer to Exhibit B for Land Use Analysis:

1. Santa Cruz Ranch is surrounded by property that is also designated for Master Planned Communities and is in close proximity to important transportation corridors like the Maricopa – Casa Grande Highway.
2. The development will help ensure ease of access to the larger Phoenix metropolitan area as well as the City of Casa Grande and Interstates I-8 and I-10.

CITIZEN PARTICIPATION:

Before recommending the General Plan Amendment's approval, the applicant provided a public participation plan to demonstrate the materials used to inform surrounding property owners of the proposed General Plan Major Amendment required per the city's Zoning Code. A timeline of the participation event is shown below.

- August 7, 2021 - Neighborhood Newspaper legal notice published
- August 11, 2021 - Notification letters sent
- August 11, 2021 - Meeting Signs posted
- August 26, 2021 - Neighborhood Meeting held
- August 28, 2021 - Public Hearing Newspaper legal notice published
- September 27, 2021 - P&Z Commission (Public Hearing only)
- October 25, 2021 - P&Z Commission (Public Hearing and Action)
- November 16, 2021 - City Council (Discussion and Action)

Furthermore, the Major General Plan Amendment has state statutes that further enhance the outreach to include neighboring jurisdictions and state agencies. Please refer to Exhibit C, Citizen Participation Report for additional information.

PUBLIC COMMENT

At the time of writing this report, staff has received a formal comment from Ak-Chin Reservation and a private property owner. Refer to Exhibit D. Additional comments were made at the September 27th, Public Hearing meeting. Refer to Exhibit E for comments and responses from the applicant.

STAFF RECOMMENDATION

The Planning and Zoning Commission recommends approval of Major General Plan Amendment case # GPA21-03, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

1. Prior to the City Council approval of the Major General Plan Amendment, the applicant shall submit to the city a signed waiver pursuant to Proposition 207.
2. Future Zoning cases, 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 including, but not limited to submitting a Traffic Impact Analysis to the satisfaction of the City Engineer.
3. At the time of the formal platting submittal, the property owner shall be responsible for any off-site and on-site improvements identified by the City of Maricopa.
4. At the time of the formal platting submittal, the developer shall add disclosure statements on the plat and CC&R's of the nearby airport.

Exhibit A – Project Narrative

Exhibit B – Land Use Analysis

Exhibit C – Citizen Participation Report

Exhibit D – Public Comments

Exhibit E – 1st Public Hearing Comments and Responses

-- End of staff report --