



# *City of Apache Junction*

*Development Services Department*



## **PLANNING AND ZONING COMMISSION PUBLIC HEARING STAFF REPORT**

**DATE:** September 14, 2021

**CASE NUMBER:** P-21-51-MPC "Retained Property at Superstition Vistas"

**OWNERS:** Arizona State Land Department

**APPLICANT:** Arizona State Land Department

**REQUEST:** Approval of Master Planned Community Rezoning for approximately 5,307 acres from RS-GR (General Rural Low Density Single-Family Detached Residential) to MPC (Master Planned Community).

**LOCATION:** The Retained Property is generally bounded by Baseline Avenue to the Frye Road alignment and from Meridian Drive to the Central Arizona Project Canal (see "Retained Property" Exhibit).

**GENERAL PLAN/  
ZONING DESIGNATION:** Master Planned Community ("MPC") currently zoned RS-GR (General Rural Low Density Single-Family Detached Residential).

**SURROUNDING USES:**

North: Existing residential and light industrial developments;

South: Town of Queen Creek;

East: Vacant State Land;

West: Residential subdivisions in the City of Mesa.

## **BACKGROUND :**

On November 4, 2020, the Arizona State Land Department ("ASLD") conducted an auction of 2,783 acres ("Auction Property"). As the successful bidder of the auction, D.R. Horton was tasked by ASLD to rezone and master plan approximately 8,090 acres known as "The Site". The Site is made up of two parcels, the first is approximately 2,783 acres ("Auction Property"), and the second parcel consists of approximately 5,307 acres ("Retained Property"), which is being retained by the State Land Department for future disposition.

At the time of the auction, portions of the Site south of Elliot Avenue were situated in an unincorporated area of Pinal County. D.R. Horton on behalf of ASLD accepted the responsibility to rezone and request annexation of the Auction and Retained Properties into the municipal limits of the City of Apache Junction. Portions of the Retained Property north of Elliot Avenue are already inside of the city limits. The annexation process began with the filing of a blank annexation petition with the Pinal County Recorder on December 22, 2020.

## **PROPOSALS :**

P-21-51-MPC seeks Master Planned Community zoning for the 5,307 acres of the Retained Property. The Retained Property is generally bounded by Baseline Avenue to the Frye Road alignment and from Meridian Drive to the Central Arizona Project Canal (see Retained Property Exhibit).

The purpose of the MPC plan is to provide base level entitlements for the Retained Property. This includes establishment of a Land Use Budget for each Development Unit as well as parameters for future Development Unit Plans. The regulatory framework outlines a creative approach for the planning of communities and neighborhoods in order to provide for a desirable development as the Arizona State Land Department disposes of property through future auctions.

The MPC plan for the Retained Property is comprised of a blend of land uses including residential, commercial, and other non-residential uses, distributed via the Land Use Budget. As the Arizona State Land Department auctions property, more detailed Development Unit Plans will be prepared for each Development Unit that will address the entire Development Unit and further

detail the location of permitted uses and demonstrate conformance with the MPC plan and the Infrastructure Master Plans.

The MPC plan contains the criteria by which the City will administer and regulate the zoning and development of the Retained Property. The MPC includes procedures and guidance regarding Amendments, Land Use Budgets, reference to Infrastructure Master Plans, and conformance to the Apache Junction 2020 General Plan's goals and policies.

Furthermore, The MPC plan will replace the existing Apache Junction Zoning Ordinance and will help guide the planning and design of any development located within the bounds of the Retained Property.

#### **DEVELOPMENT UNIT PLANS:**

The Retained Property is divided into six (6) Development Units which are generally configured along primary roadways, drainage areas or land use transitions (see Development Unit Exhibit).

As the Arizona State Land Department auctions property within the Retained Property, future developers will be required to prepare Development Unit Plans. The Development Unit Plans shall include a series of exhibits with supporting narratives, which generally describe the location of residential and non-residential uses, vehicular transportation plans and bicycle and pedestrian connections, parks and open space plans, permitted uses, lighting plans, signage plans, architectural guidelines, development standards, landscape guidelines, as well as propose an overall aesthetic character for the Development Unit.

Furthermore, within each Development Unit, a maximum residential unit count and non-residential gross floor area are outlined in the Land Use Budget and supported by the Infrastructure Master Plans. The aggregate of all subdivision plats or site plan submittals within a Development Unit cannot exceed the maximum residential units or non-residential gross floor area as established by the Land Use Budget in the MPC plan.

**LAND USE BUDGET :**

Land Use Budget							
Description	Development Unit 3	Development Unit 4	Development Unit 5	Development Unit 6	Development Unit 7	Development Unit 8	Retained Property Total
Gross Acreage	1,355 AC.	638 AC.	1,169 AC.	714 AC.	899 AC.	532 AC.	5,307 AC.
Minimum Required Open Space (15%)	203 AC.	96 AC.	175 AC.	107 AC.	135 AC.	80 AC.	796 AC.
Units	6,400 D.U. <sup>3</sup>	2,730 D.U. <sup>4</sup>	3,790 D.U.	2,170 D.U.	1,340 D.U.	0 D.U.	16,430 D.U. <sup>1</sup>
Maximum Density Transfer In (30%)	1,920 D.U.	820 D.U.	1,140 D.U.	650 D.U.	400 D.U.	810 D.U.	
Units With Maximum Transfer In	8,320 D.U.	3,550 D.U.	4,930 D.U.	2,820 D.U.	1,740 D.U.	810 D.U.	
Maximum Density Transfer Out (30%)	1,920 D.U.	820 D.U.	1,140 D.U.	650 D.U.	400 D.U.	0 D.U.	
Units With Maximum Transfer Out	4,480 D.U.	1,910 D.U.	2,650 D.U.	1,520 D.U.	940 D.U.	0 D.U.	
Non-Residential Gross Floor Area	0 S.F.	2,733,600 S.F.	195,300 S.F.	0 S.F.	2,295,600 S.F.	4,332,100 S.F.	9,556,600 S.F. <sup>2</sup>
Maximum Non-Residential Gross Floor Area Transfer In	217,800 S.F.	790,100 S.F.	58,600 S.F.	54,450 S.F.	688,700 S.F.	1,299,600 S.F.	
Non-Residential Gross Floor Area With Maximum Transfer In	217,800 S.F.	3,523,700 S.F.	253,900 S.F.	54,450 S.F.	2,984,300 S.F.	5,631,700 S.F.	
Maximum Non-Residential Gross Floor Area Transfer Out	0 S.F.	790,100 S.F.	58,600 S.F.	54,450 S.F.	688,700 S.F.	1,299,600 S.F.	
Non-Residential Gross Floor Area With Maximum Transfer Out	0 S.F.	1,943,500 S.F.	136,700 S.F.	0 S.F.	1,606,900 S.F.	3,032,500 S.F.	
1. Maximum combined number of units allowed within Development Units 3-8							
2. Maximum combined non-residential gross floor area allowed within Development Units 3-8							
3. Of the 6,400 DU permitted, up to 3,200 DU shall be permitted to be developed at 8+ DU/AC.							
4. Of the 2,730 DU permitted, up to 2,730 DU shall be permitted to be developed at 8+ DU/AC.							

The Retained MPC plan provides maximum densities for each of the Development Units within the Retained Property. Residential and Non-Residential Densities are distributed throughout Development Units 3-8.

Residential Units for the Retained property are limited to a maximum of 16,430 units. Maximum density transfers from one development unit to another are limited to thirty (30) percent.

Maximum Non-Residential square footage for the Retained Property is 9,556,600 square feet.

#### **PLANNING STAFF ANALYSIS:**

##### **Relationship to General Plan:**

The subject site is designated by the city's General Plan as "Master Planned Community". The overall proposed density for the Retained Property will not exceed 3.09 du/acre.

##### **Zoning/Site Context:**

The 5,307 acres are surrounded by vacant land to the south and east. To the west, the Retained Property is immediately contiguous to residential subdivisions located in the City of Mesa. The Retained Property is positioned near several major transportation corridors with the US-60 Superstition Freeway to the north, Arizona State Route 202 to the west, Arizona State Route 88 to the northeast, and the State Route 24 corridor to the south.

##### **Infrastructure Improvements:**

As part of the development of the Retained Property, future developers will be responsible for infrastructure improvements including but not limited to the construction of the water and sewer lines, streets and possible booster stations and a possible sewer treatment plant as determined by the Master Infrastructure reports.

Furthermore, all other necessary on-site and off-site improvements, such as community amenities, retention basins, accessible routes and trails, and landscape buffers, will be built at the time of development for individual subdivisions or parcels.

### **Public Input:**

Approximately 950 neighborhood open house notification letters were sent to all property owners within a 300-foot radius of the Site. D.R. Horton held three (3) in person open house meetings on June 14, 2021, June 23, 2021 and August 4, 2021 at the Apache Junction Multi-Generational Center. The applicant also held a virtual meeting on June 16, 2021. Approximately sixty (60) people attended the meetings and generally expressed support of the proposed project. Attendees inquired on a range of topics including timing of development, required infrastructure improvements, timing of the SR-24 completion, proposed community amenities, expected home prices and the location of schools and other public facilities to name a few. Details of the meetings are summarized in the final public participation report (attached).

Staff received one (1) call regarding the MPC plan. The resident expressed support of the development, but had questions regarding infrastructure and the timing of the first homes for sale.

### **FINDINGS OF FACT:**

As required by the Apache Junction Zoning Ordinance, a Master Planned Community request may be approved by the City Council after consideration has been given to the criteria outlined below:

1. The development proposed is in conformance with the General Plan.

*Applicant Response: The City of Apache Junction General Plan Land Use Map has designated the Retained Property as "Master Planned Community" (max 20 du/ac). This area was designated as Master Planned Community to provide general guidance for the development of vacant State Trust Land. The Master Planned Community designation ensures that a variety of uses are planned and developed in a comprehensive manner to facilitate a high quality of life and vibrant local community in conformance with the General Plan policies and goals.*

2. The streets and thoroughfares proposed are in harmony and conformance with the General Plan.

*Applicant Response: A Master Transportation Plan has been developed for the Site which contains the requirements for*

*construction of streets and thoroughfares based on the proposed land use budget which supports the goals and policies as described within the General Plan.*

3. The proposed development will be compatible with the character of the surrounding area.

*Applicant Response: The proposed MPC District contains a land use budget that provides for a variety of uses to be planned and developed ensuring compatibility with the surrounding character of the area.*

4. The conceptual site locations proposed for the public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks, are adequate to serve the anticipated population within the MPC District.

*Applicant Response: The proposed MPC District has developed Infrastructure Master Plans for water, wastewater, non-potable water, drainage and transportation which supports the proposed land use budget. A tentative location for public facilities such as schools, parks, a fire station, a library or other public services are shown within the development unit plan for each MPC district.*

#### **PLANNING DIVISION RECOMMENDATION**

Staff acknowledges the purpose of the Retained MPC plan is to provide an overall vision and a regulatory framework for the development of the Retained Property. The Retained MPC zoning provides for an array of development options to ensure high-quality development of residential, commercial and non-residential uses. In addition, the regulatory framework found in the MPC encourages a more creative approach to the planning of communities and neighborhoods in order to provide for a desirable development.

As such, staff is supportive of the proposed project due to the regulatory framework which will guide future Development Units Plans and infrastructure improvements outlined in the MPC, and respectfully recommends to the Commission that they include the following conditions of approval as part of a favorable recommendation to the City Council.

## **RECOMMENDED MOTION FOR MASTER PLANNED COMMUNITY REZONING**

I move that the Planning and Zoning Commission recommend to the Apache Junction City Council the (APPROVAL/DENIAL) of the Retained Property MPC Rezoning request, case P-21-51-MPC, a request by Arizona State Land Department (owner/applicant) to facilitate the future development of six (6) Development Units, known as the Retained Property, generally bounded by Baseline Avenue to the Frye Road alignment and from Meridian Drive to the Central Arizona Project Canal, from RS-GR (General Rural Low Density Single-Family Detached Residential) to MPC (Master Planned Community), subject to the following conditions of approval:

- 1) The Auction Property shall be developed in accordance with the MPC, future Development Unit Plans, Infrastructure Master Plans and the corresponding Development Agreement.
- 2) Street improvements include but are not necessarily limited to, the construction of new streets and street networks, extension of pavement and the provision of sidewalks, curb, gutter, traffic signals, streetlights, underground utilities, fire hydrants, landscaping and shall be required as part of this planned development project, and subject to review and approval by the City Engineer.
- 3) All applicable permits shall be applied for and plans shall be designed to current City codes. Inclusively, all applicable development fees shall be paid at the time of permits issuance.
- 4) All common areas, amenity areas, and tracts within and immediately adjacent to the proposed development, including perimeter walls and fences, and interior and exterior common area landscaping, shall be owned and maintained in good condition at all times by the homeowners association(s).
- 5) The developer's engineer shall meet the civil engineering improvement plans and document requirements, as outlined in the MPC plan and in accordance with the city's approved engineering standards that are in effect at the time of plan submittal.



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Prepared by Sidney Urias  
Principal Planner

Attachments:

- Exhibit #1 - Retained Property MPC
- Exhibit #2 - Site Exhibit
- Exhibit #3 - Development Unit Exhibit
- Exhibit #4 - Public Participation Report