

TOWN OF FLORENCE	COMMUNITY DEVELOPMENT STAFF REPORT	AGENDA ITEM 4C
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TO: PLANNING AND ZONING COMMISSION

**FROM: MARK ECKHOFF, AICP
COMMUNITY DEVELOPMENT DIRECTOR**

MEETING DATE: SEPTEMBER 15, 2011 AND OCTOBER 6, 2011

**SUBJECT: PZC-38-11-MGPA
(TOWN OF FLORENCE MGPA)**

REQUEST:

This is a request by the Town of Florence for approval of the following application:

PZC-38-11-MGPA. A Major General Plan Amendment to the Town of Florence 2020 General Plan. More specifically, this application requests an amendment to the Town of Florence 2020 General Plan Land Use Element and the Future Land Use Map contained within the Land Use Element to adjust the Town's conceptual alignment of the proposed North-South ADOT Freeway Corridor based on information collected and analysis completed since the adoption of the 2020 General Plan in 2010. This change may have some resultant changes to the supporting roadway network, including potential roadway changes considered within the North End Framework Vision Plan. This request also intends to modify the language for the Freeway Mixed Use (FMU) land use category per page 2-20 of the 2020 General Plan in that this land use designation will require a Major General Plan Amendment to be applied to property and will not be applied until the actual alignment of the North-South ADOT Freeway with Interchanges has been adopted and is reflected upon the Town of Florence General Plan Future Land Use Map.

RECOMMENDED MOTION:

Motion for a favorable recommendation to the Mayor and Town Council for case number PZC-38-11-MGPA, a Major General Plan Amendment submittal by the Town of Florence, subject to any conditions recommended by the Planning and Zoning Commission.

APPLICANT:

Town of Florence
Community Development Department
600 N. Main Street
Florence, AZ 85132
(520) 868-7575

BACKGROUND:

The Town began the substantial process of updating the 2002 Town of Florence General Plan in 2007 and Major Amendments were processed to update the Town's General Plan in 2007, 2008 and 2009. In March of 2010, the significantly updated Town of Florence 2020 General Plan went to the voters of Florence and the 2020 General Plan was approved by a significant majority. A Major General Plan Amendment was approved by the Town of Florence in September of 2010 to reflect an updated Employment/Light Industrial land use designation on property owned by SRP that was concurrently being planned for a 20 Megawatt photovoltaic solar facility. In September of 2010, the Town also approved a Major General Plan Amendment to change the land use designation on approximately 38 acres located east of the current CCA correctional facility from Employment/Light Industrial (E/LI) to Prison/Employment/Light Industrial (P/E/LI) to allow for a future expanded or new correctional facility.

New growth, in the form of increased corporate limits and development, warranted the substantial update of the 2002 General Plan. Changes with proposed transportation corridors also necessitated the update as the Town needed the 2020 General Plan to reflect the Florence-Coolidge Small Area Transportation Study (SATS) that had recently been completed and the limited progress that had been made in identifying a future North-South Arizona Department of Transportation (ADOT) Freeway Corridor. This is a future freeway corridor intended to link to US 60 and/or SR 24 (formerly known as SR 802) and extend to I-10 in the Eloy area. SR 24 is a planned route that would generally connect from the Loop 202 near Phoenix-Mesa Gateway Airport to US 60. Thus, the current Future Land Use Map reflects, what was at the time, the best conceptual representation of the North-South ADOT Freeway Corridor and such was done with the knowledge that this Corridor would change over time as ADOT conducted further studies and outreach on this project.

In 2010, ADOT's planning effort for the North-South Freeway Corridor project picked up momentum and ADOT began to start defining more refined options for the planned Corridor, including some options that could have been quite detrimental to the Town. Over the last year, the Town has attended many ADOT agency meetings, ADOT public meetings and meetings with stakeholders, developers, builders and property owners in an effort to ultimately identify an appropriate North-South ADOT Freeway Corridor. The Town has also worked

closely with Pinal County, the State Land Department and all municipalities impacted by the Corridor. Furthermore, the location of the Corridor was a critical consideration of the North End Framework Vision Plan. Once the Corridor is approved, the intent is then for ADOT to identify alternatives for actual centerlines or roadway alignments through the Corridor. ADOT's typical process will likely require that they consider a no-build option.

The Town is now in a position to refine the conceptual location of the North-South ADOT Freeway Corridor on the 2020 General Plan Future Land Use Map. The revised location is generally consistent with many of ADOT's findings to date and reflective of the following key guiding principles staff contends are critical to this project:

1. The North-South ADOT Freeway Corridor must be planned in a manner that enhances regional and local circulation and accessibility.
2. The North-South ADOT Freeway Corridor should be planned in a manner that considers the potential for this to be one of the first truly multi-modal transportation corridors in the State of Arizona.
3. The North-South ADOT Freeway Corridor can not be planned as a bypass for the Town of Florence.
4. The North-South ADOT Freeway Corridor must be planned in manner that enhances the long term sustainability of the historic core of Florence, while also not being too close as to damage the integrity and character of historic Florence.
5. The North-South ADOT Freeway Corridor must be planned in a manner that would offer substantial economic advantages to the Town of Florence.
6. The North-South ADOT Freeway Corridor should be planned in a manner that avoids existing development and limits the potential impacts to key natural or man-made features, such as, but not limited to, Magma Dam, Poston Butte, the Gila River, CAP canals and the Florence Retarding Structure.
7. The North-South ADOT Freeway Corridor must be planned in a manner that recognizes Florence as the County Seat and the heart and core of Pinal County.

Though staff has sought the greatest consensus possible on how the Town will show the updated conceptual North-South ADOT Freeway Corridor on our Future Land Use Map, some property owners and representatives of property owners have expressed their concerns regarding the Town's conceptual alignment of the North-South ADOT Freeway Corridor. A couple of written objections have been filed with the Town as of this writing and staff is aware that at least three property owners, two of which have undeveloped land holdings in Florence (Sunbelt Holdings and Southwest Value Partners) and a third with holdings outside of the Florence corporate limits (Wolfcor, LLC/Wolfkin Farms, LLC), have recently asked ADOT to reconsider a corridor option known as "4E" that ADOT had previously

eliminated and that staff is opposed to for a wide variety of reasons. Attorney Jordan Rose, who appears to be formally and/or informally representing some property owners in the Florence area, and attorney John DiTullio, who appears to represent the current owner of the Mesquite Trails project (McRae Group) have expressed their concerns to Town staff regarding the proposed conceptual Corridor. Town staff has worked to address all comments to the greatest extent possible and some minor map and text edits were made as a result of the concerns expressed.

Staff contends that the updated conceptual North-South ADOT Freeway Corridor shown on our Future Land Use Map is now the best representation as to the location of the conceptual Corridor from information gathered as of this writing. As such, this Corridor should be supported and the Town should continue to work with all parties to move this conceptual Corridor option forward. From there our efforts can be focused on helping to identify the optimum centerline alignments within the final approved Corridor. In addition to showing a revised conceptual North-South ADOT Freeway Corridor on our Future Land Use Map, staff has also shown a Main Street crossing of the Gila River consistent with the Town Council endorsed North End Framework Vision Plan. No other changes have been made to the 2020 General Plan Future Land Use Map.

This application also seeks to modify the language for the Freeway Mixed Use (FMU) land use category per page 2-20 of the 2020 General Plan in that this land use designation will require a Major General Plan Amendment to be applied to property and will not be applied until the actual alignment of the North-South ADOT Freeway has been adopted and is reflected upon the Town of Florence General Plan Future Land Use Map. This change, as described in the proposed conditions of approval, will offer the Town greater discretion in identifying and/or encouraging the most appropriate locations of freeway-oriented land uses along the North-South ADOT Freeway.

ANALYSIS:

When the Planning and Zoning Commission and Town Council are considering an Amendment to the General Plan, the applicant must justify the need for a Major Amendment to the General Plan through a series of questions:

1. Why is the current land use/circulation classification not suitable?

This Major General Plan Amendment is intended to keep the 2020 General Plan up-to-date with the evolving ADOT North-South Freeway Corridor study and other related studies and plans that will impact future plans for major roadway corridors in this region. The intent of this Major General Plan Amendment is to adjust the proposed alignment of the conceptual North-South ADOT Freeway Corridor based on information collected and analysis completed since the adoption of the 2020 General Plan in 2010. This

change also considered roadway changes presented within the North End Framework Vision Plan.

Working to refine the final alignment of the North-South ADOT Freeway Corridor will allow the Town, property owners and potential developers impacted by the North-South ADOT Freeway Corridor to more effectively plan for future land uses and developments.

This application also seeks to modify the language for the Freeway Mixed Use (FMU) land use category per page 2-20 of the 2020 General Plan in that this land use designation will require a Major General Plan Amendment to be applied to property and will not be applied until the actual alignment of the North-South ADOT Freeway has been adopted and is reflected upon the Town of Florence General Plan Future Land Use Map. This change, as described in the proposed conditions of approval, will offer the Town greater discretion in identifying and/or encouraging the most appropriate locations of freeway-oriented land uses along the North-South ADOT Freeway.

2. **Does the proposal conform with land use goals? Will the proposed change in land use or circulation do the following:**
 - a. **Support the goals and policies of the General Plan;**
 - b. **Conform to the proposed range of land uses, densities, and intensity of uses, hierarchy of transportation systems; and**
 - c. **Avoid creation of isolated uses that will cause incompatible community form and a burden on services and circulation systems?**

Yes, by comprehensively anticipating and planning for future development and major roadway corridors, the Town will be able to continue to fulfill the goals, objectives and strategies of the 2020 General Plan. The designation of the conceptual North-South ADOT Freeway Corridor on the updated Future Land Use Map is based on a structured analysis of existing conditions, ongoing ADOT studies, planned developments, natural impediments, infrastructure planning and commonly accepted planning principles.

3. **What unique physical characteristics of the site present opportunities or constraints for the development under the existing classification?**

Factors such as existing developments, planned developments, existing roadways, planned roadways, the Magma Dam, Gila River, Central Arizona Project canal, desert washes, irrigation canals, railroads, state highways, the Florence Military Reservation, topography and other natural and human made features have been taken into consideration in this planning effort.

4. What is the ability and capacity of the water and sewer system to accommodate development that may occur as a result of the General Plan Amendment without system extensions or improvements?

The Water and Wastewater, Growth Areas and Cost of Development elements of the 2020 General Plan address the requirements for water and sewer extensions, in addition to the related costs and impacts of such as a result of new development. Other 2020 General Plan Elements also address these issues to ensure the Town's growth is sustainable and fiscally responsible. New developments are required to provide their share of infrastructure improvements and also contribute impact fees that go toward infrastructure development.

5. What is the ability of existing police and fire department personnel to provide adequate emergency services according to acceptable response standards set by the community?

The ability of Police and Fire Department personnel to provide adequate emergency services needs to be considered prior to the approval of any new developments. This consideration is routine when considering new developments, especially those furthest away from the Town core. New police and fire stations will be strategically placed around Town within new developments as growth occurs to provide adequate emergency services.

6. What is the ability of the proposed public and private open space, recreation, schools, and library facilities to meet the projected demand of future development without reducing services below community standards?

The Parks, Trails, and Open Space Master Plan was approved and adopted by the Town Council on July 21, 2008 and the future demand for recreation centers, parks and open space was addressed through the Parks, Trails and Open Space Element of the 2020 General Plan. Larger developments that will directly influence school enrollment will continue to work with the Florence Unified School District and/or Coolidge Unified School District to ensure that there continues to be adequate educational facilities available for residents.

7. **What is the proposed fiscal impact of future development based on evaluation of projected revenues and the additional cost of providing public facilities and services to accommodate projected increases or decreases in population and development that could occur as a result of the General Plan amendment?**

Great efforts were made as part of the 2007-2010 General Plan planning process to create a more sustainable mix and balance of land uses and to ensure adequate land is provided for employment centers, services and retail development. Such provision encourages a positive fiscal result. However, as with other jurisdictions, substantial residential growth will likely occur prior to rapid development of additional non-residential land uses. The future development of major transportation corridors, including the North-South ADOT Freeway, will facilitate appropriate development patterns and assist in the delivery of Town services and infrastructure planning.

8. **How will the proposed amendment affect the ability of the community to sustain the physical and cultural resources, including air quality, water quality, energy, natural and human-made resources necessary to meet the demands of present and future residents?**

Specific goals, objectives and strategies in the 2020 General Plan address the protection of open space and resources. The 2020 General Plan has an Environmental Element that addresses the identification and conservation of natural resources and seeks to protect public health and prevent the destruction of significant natural areas. Topics covered include: climate, water quality and supply, air quality, soils, biological habitats, cultural resources, energy efficiency and other environmental factors. The 2020 General Plan also introduced an Energy Element that enhances the Town's commitment towards sustainability.

9. **What changes, if any, in Federal or State laws or policies substantiate the proposed amendment?**

This Amendment is not in response to any changes in Federal or State laws, but is proposed to take a pro-active stance in suggesting the proper alignment of the proposed North-South ADOT Freeway Corridor in the Florence region.

On a more comprehensive basis, the 2020 General Plan considers recent State efforts towards actively managing growth, preserving open space, promoting energy conservation, increasing sustainability and providing better transportation options.

Since 1973, all municipalities and counties in Arizona have been required to develop plans looking at issues such as: land use; circulation; housing;

public services, facilities and conservation; and rehabilitation and redevelopment. As growth rates significantly increased in the mid 1990s, a critical mass of political support emerged to provide more tools to assist in responding to the consequences of rapid growth.

In 1998 the Arizona Legislature passed the Growing Smarter Act. The purpose of this act was to more effectively plan for the impacts of population growth by:

- Creating a more meaningful and predictable land planning process;
- Increase citizen involvement in the land planning process;
- It clarified and strengthened planning elements in the required plans of municipalities and counties with the addition of new required elements: Open Space, Growth Areas, Environmental Planning and Cost of Development;
- Acquire and preserve additional open space areas within the state through necessary reforms to the master planning and open space conservation programs of the State Land Department; and
- Establish a growth planning analysis process to consider and address various statewide growth management issues so that the future development of land in the State will occur in a more rational, efficient and environmentally sensitive manner that furthers the best interests of the State's citizens by promoting the protection of its natural heritage without unduly burdening its competitive economy.

In 2000, the Arizona Legislature passed the Growing Smarter Plus Act to further enhance land use planning statutes in Arizona that:

- Required larger and fast-growing cities to obtain voter approval of their General Plans at least once every ten years;
- Added an additional required element, water resources;
- Required mandatory rezoning conformance with General and Comprehensive Plans;
- Required more effective public participation in the planning process;
- Required towns, cities and counties to exchange plans, coordinate with regional planning agencies, and encourages comments between entities prior to adoption to encourage regional coordination;
- Required full disclosure to property buyers of the lack of available services and facilities;
- Required land-owner permission for plan designation and rezoning of private property to open space;

- Authorized cities and counties to designate service area limits beyond which services and infrastructure are not provided at public expense;
- Permitted counties to impose development fees consistent with municipal development fee statutes; and
- Allowed towns and cities to create infill incentive districts and plans that could include expedited process incentives.

FINDINGS:

The following findings have been made on this request and are provided for the consideration of the Planning and Zoning Commission and the Town Council:

- The proposed Major General Plan Amendment is in overall compliance with the goals, objectives and strategies of the Florence 2020 General Plan. Specifically, the Amendment is consistent with Goals One and Two of the Circulation Element that support a safe, efficient, balanced and comprehensive transportation system and Goal One of the Economic Development Element that states “Develop a sustainable economy in order to maintain a vibrant and healthy community”;
- The proposed Amendment does not impact the overall balance and mixture of land uses within the Town’s Planning area;
- The proposed change is consistent with the Town Council endorsed North End Framework Vision Plan; and
- The proposed Amendment is consistent with the guiding principles Town staff has followed with the North-South ADOT Freeway Corridor project in order to protect the long-term vitality, sustainability and character of Florence.

PUBLIC PARTICIPATION:

The Town has reached out to Town citizens and other property owners through a significant public participation process that includes:

- “Sixty Day” Major General Plan Amendment review packets were forwarded to all appropriate and interested parties per State requirements. In all, 69 Sixty Day packets were distributed to various agencies, property owners, elected officials, appointed officials and Town staff;
- A Press Release for the 2011 Major General Plan Amendment cycle was provided on the Town’s webpage and also forwarded to the local Press;
- Legal advertisements in the local Town paper;

- Meetings with property owners and representatives of property owners;
- Two public hearings for the Town of Florence Planning and Zoning Commission at two different locations; and
- Town Council public hearing.

Per State and Town of Florence regulations, public hearings are required for Major General Plan Amendments and Major General Plan Amendments may only be acted on by a jurisdiction one time per year.

The 2011 Major Amendments to the General Plan Process hearing schedule for the Planning and Zoning Commission/Town Council is as follows:

*September 15, 2011, 5:30 p.m. Planning and Zoning Public Hearing

**October 6, 2011, 5:30 p.m. Planning and Zoning Public Hearing

**November 7, 2011, 6:00 p.m. Town Council Public Hearing

*Anthem at Merrill Ranch Sun City Union Center
3925 N. Sun City Blvd., Florence, Arizona 85132

**Town Hall Council Chambers
775 North Main Street, Florence, Arizona 85132

It is noted that the Town of Queen Creek, the only municipal governmental entity to comment on this year's applications, provided a neutral response on all of our 2011 Major General Plan Amendment requests under consideration. CAAG (Central Arizona Association of Governments) also provided a comment of "no comments" on all of our 2011 Major General Plan Amendment requests under consideration.

Though staff has sought the greatest consensus possible on how the Town will show the updated conceptual North-South ADOT Freeway Corridor on our Future Land Use Map, some property owners and representatives of property owners have expressed their concerns regarding the Town's conceptual alignment of the North-South ADOT Freeway Corridor. A couple of written objections have been filed with the Town as of this writing and staff is aware that at least three property owners, two of which have undeveloped land holdings in Florence (Sunbelt Holdings and Southwest Value Partners) and a third with holdings outside of the Florence corporate limits (Wolfcor, LLC/Wolfkin Farms, LLC), have recently asked ADOT to reconsider a corridor option known as "4E" that ADOT had previously eliminated and that staff is opposed to for a wide variety of reasons. Attorney Jordan Rose, who appears to be formally and/or informally representing some property owners in the Florence area, and attorney John DiTullio, who appears to

represent the current owner of the Mesquite Trails project (McRae Group) have expressed their concerns to Town staff regarding the proposed conceptual Corridor. Town staff has worked to address all comments to the greatest extent possible and some minor map and text edits were made as a result of the concerns expressed.

STAFF RECOMMENDATION:

It is noted that the Commission is holding two hearings on the Major General Plan Amendment cases this year. Action, in a form of a recommendation to the Town Council, shall only be provided at the second meeting on October 6, 2011.

In accordance with the findings presented on this request, staff recommends that the Planning and Zoning Commission forward a favorable recommendation to the Mayor and Town Council on case number PZC-38-11-MGPA, a General Plan Amendment submittal by the Town of Florence, subject to the following conditions:

1. The Freeway Mixed Use (FMU) Overlay shall be changed in the 2020 General Plan to the Freeway Mixed Use (FMU) land use and this land use shall be categorized as a Mixed Use land Use Designation and be defined as follows:

The Freeway Mixed Use (FMU) land use category provides a unique land use category related to the development of Florence's first freeway corridor. The FMU designation is designed to provide for a high intensity mix of large scale retail development, low-to-mid-rise offices, visitor-serving development (e.g., hotels and restaurants) and hospital and health care facilities in locations where excellent, accessible transportation and transit service is anticipated. High-density residential development in a mixed use setting is also appropriate for this designation. Because the uses that will locate within this designation are typically those that seek high visibility, the quality of design and image presented by development in this area will be critical. Key elements in this category include the encouragement of high-density commercial, office and residential uses and creating attractive views from the freeway and along streets through building placement, quality architecture, pedestrian-oriented design and pleasant landscaping. Visual emphasis is to be placed on buildings and plaza/open space areas through strategic site planning efforts. Multi-modal connectivity should be emphasized throughout this land use area. Development projects in this category will be approved for size and scale on a project-by-project basis to allow for flexibility and uniqueness in the district.

Typical uses include lodging, restaurants, entertainment, specialty and general retail, large-scale regionally-oriented commercial uses (e.g., shopping malls, power centers, lifestyle centers, auto malls), high-intensity office complexes and high-density residential projects in a mixed use

setting. Public/governmental facilities and other supportive and ancillary land uses may occur within this land use category.

A General Plan Amendment, either Minor or Major per Tables 14-2 and 14-3 of the 2020 General Plan, shall be required to apply the FMU land use category to any property along the designated North-South Arizona Department of Transportation (ADOT) Freeway alignment and this land use category will only be considered once the Town of Florence has updated the General Plan Future Land Use Map to reflect an approved North-South ADOT Freeway alignment. The application of this land use may be considered subsequent or concurrent with zoning requests that support commercial and employment projects, mixed use development or other land uses designed to capitalize on the anticipated transportation and transit service along the freeway alignment in such a manner that is consistent with recognized planning principles and with full consideration of the compatibility of adjacent land uses.

2. Table 14-3 of the 2020 General Plan shall be updated to include the Freeway Mixed Use (FMU) land use category and said Table shall reflect that a proposed General Plan Amendment to FMU shall be considered a Major Amendment when the FMU land use will be adjacent to RRR, HI, P and/or MR land uses.
3. The Town of Florence General Plan Future Land Use Maps shall reflect a new conceptual North-South ADOT Freeway Corridor and Gila River Main Street crossing as depicted per Exhibits A and B.

Exhibit A: Town of Florence 2020 General Plan Future Land Use Map

Exhibit B: Town of Florence 2020 General Plan Future Land Use Map - Downtown