

TOWN OF FLORENCE
PLANNING AND ZONING COMMISSION
REGULAR MEETING AGENDA
CORRECTED

Chairman Lonnie Frost
Vice-Chair Kathleen DeRosa
Commissioner Duane Proulx
Commissioner Gordon Leaman
Commissioner Jeffrey Wooley



Florence Town Hall
775 N. Main Street
Florence, AZ 85132
(520) 868-7575
www.florenceaz.gov
Meets 1st and 3rd
Thursdays

Thursday, April 3, 2025

6:00 PM

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Town of Florence Planning and Zoning Commission and to the general public that a Regular Meeting of the Florence Planning and Zoning Commission will be held on Thursday, **April 3, 2025**, at 6:00 p.m., in the Florence Town Council Chambers located at 775 N. Main Street, Florence, Arizona.

Members of the public may submit written comments relating to this meeting to Planner Maricella Benitez by emailing maricella.benitez@florenceaz.gov at any time no later than one hour before the posted start time for the meeting. Please be sure to include your name and address for the record as well as the meeting date (and Agenda Item #, if applicable) in the subject of your email.

To attend the meeting noticed below by technological means, members of the public may:

Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/82441672778?pwd=6ec52zQjS1okCHzpbEry9mSzcefp3A.1>

Join via Telephone:

Phone: (346) 248 7799 or (669) 900 6833

Webinar ID: 824 4167 2778

Passcode: 121865

If any member of the public has difficulty connecting to the meeting, they are invited to contact the Town of Florence Information Technology Helpdesk at (520) 868-7543.

1. CALL TO ORDER:

2. ROLL CALL: Chairman Frost___, Vice-Chair DeRosa___, Commissioner Proulx___, Commissioner Leaman___, Commissioner Wooley___.

3. PLEDGE OF ALLEGIANCE:

4. CALL TO THE PUBLIC/COMMISSION RESPONSE:

Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may respond to criticisms made, may ask staff to review a matter raised, or may ask that a matter be put on a future agenda. However, members of the Commission shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

5. MINUTES:

- A. APPROVAL/APPROVAL WITH CONDITIONS/DISAPPROVAL** of the minutes from the Regular Meeting held on March 6, 2025.
- B. APPROVAL/APPROVAL WITH CONDITIONS/DISAPPROVAL** of the minutes from the Work Session held on March 17, 2025.
- C. APPROVAL/APPROVAL WITH CONDITIONS/DISAPPROVAL** of the minutes from the Regular Meeting held on March 20, 2025.

6. UNFINISHED BUSINESS:

- A. DISCUSSION/APPROVAL/DISAPPROVAL** reconsideration of the action taken at the March 20, 2025, Planning and Zoning Commission Meeting regarding the Preliminary Plat for the Planned Unit Development known as Anthem at Merrill Ranch located east of Felix Road and north of Hunt Highway (PZ-24-37).
- B. APPROVAL/APPROVAL WITH CONDITIONS/DISAPPROVAL** of a Preliminary Plat for the Planned Unit Development known as Anthem at Merrill Ranch located east of Felix Road and north of Hunt Highway (PZ-24-37). This is a continuation from the February 20, 2025, meeting.

7. DIRECTOR'S REPORT:

- A. General Plan Work Session Calendar**

B. Development Impact Fees

8. CALL TO THE COMMISSION- CURRENT EVENTS ONLY:

9. ADJOURNMENT:

THE PLANNING AND ZONING COMMISSION MAY GO INTO EXECUTIVE SESSION AT ANY TIME DURING THE MEETING FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE TOWN'S ATTORNEY(S) ON ANY OF THE AGENDA ITEMS PURSUANT TO A.R.S. § 38-431.03(A)(3). ONE OR MORE MEMBERS OF THE COMMISSION MAY APPEAR FOR PART OR ALL OF THE MEETING, INCLUDING EXECUTIVE SESSION, TELEPHONICALLY.

POSTED ON MARCH 31, 2025 BY PATRICIA BUCHANAN, DEPUTY TOWN CLERK, AT 775 NORTH MAIN STREET, FLORENCE, ARIZONA, AND AT WWW.FLORENCEAZ.GOV.

*****PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (ADA), THE TOWN OF FLORENCE DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY REGARDING ADMISSION TO PUBLIC MEETINGS. PERSONS WITH A DISABILITY MAY REQUEST REASONABLE ACCOMMODATIONS BY CONTACTING THE TOWN OF FLORENCE ADA COORDINATOR, AT (520) 868-8300 OR 711 TDD. REQUESTS SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE ACCOMMODATION. *****

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FLORENCE MEETING HELD ON THURSDAY, MARCH 6, 2025, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Chairman Frost called the meeting to order at 6:00 PM.

ROLL CALL:

Chairman Frost	Present
Vice-Chair DeRosa	Present
Commissioner Proulx	Absent
Commissioner Leaman	Present
Commissioner Wooley	Present

Note: Council Liaison Adam was present.

Staff: Andrew Birkelbach, Maricella Benitez, AJ Monroe, Cliff Mattice, and Bruce Walls.

PLEDGE OF ALLEGIANCE

Vice-Chair DeRosa led the Pledge of Allegiance.

CALL TO THE PUBLIC/COMMISSION RESPONSE:

Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may respond to criticisms made, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Commission shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

Courtney Ramirez, Florence resident, stated that she would like to see all development stopped until roadway improvements are completed. She expressed her disappointment that nobody showed up for the neighborhood meeting regarding the new development coming in on Butte Avenue. She stated that the neighborhood meeting notices should be sent to the entire Town.

DISCUSSION/APPROVAL/DISAPPROVAL of the minutes of the regular meeting conducted on February 20, 2025.

On a motion by Commissioner Wooley, seconded by Vice-Chair DeRosa, and carried by a 4-0 vote, to approve the meeting minutes from February 20, 2025, as amended.

NEW BUSINESS

PRESENTATION/PUBLIC HEARING/RECOMMENDATION OF APPROVAL/APPROVAL WITH CONDITIONS/DENIAL of a rezoning from Rural Agricultural (RA-10) to Planned Unit Development (PUD) known as Westland Village (PZ-24-36).

Maricella Benitez, Senior Planner, stated that the proposed site is on the southwest corner of Butte Avenue and Centennial Park Avenue and contains 40 acres currently zoned Rural Agriculture (RA-10). She stated that the applicant would like to re-zone the area to Planned Unit Development (PUD) with 27 acres dedicated to single-family homes and 13 acres dedicated to multi-family units. She stated that the application was reviewed by the Technical Advisory Committee (TAC) before the neighborhood meeting that was held on February 19, 2025. She stated that the area is bordered by Residential Ranchettes (R1-R) to the north, Sun Rise Estates (Single Family Residential; R1-6) to the east, a drainage channel & the Bisbee Ranch residential community to the south, and undeveloped land zoned Territory Square (TS) to the west. She stated that the applicant had modified their plans based on input from the TAC to provide more access to the community.

Vice-Chair DeRosa inquired who owned the Territory Square property.

Ms. Benitez stated that the owner of the property is Harold Christ, owner of the Windmill Winery.

Greg Davis, Land Planner at iPlan Consulting, stated that the project may not be ready for development today, but that this was a step to lay out the groundwork for the development. He stated that this development could be a catalyst for the development of Territory Square and the downtown area. He stated that there will be a mix of single-family units and multi-family units in the development, and it will add to the variety of housing in the region. He stated that the single-family residential development would be along the eastern portion of the property and that the multi-family units would be on the western portion. He stated that the development will be surrounded on three sides by roadways as well as a landscape buffer around the border. He stated that a full traffic study was completed for the development and recommended right-of-way dedications for Butte Avenue, Centennial Park Place, and a new road on the western boundary as well as road improvements in the surrounding area and a median/center turn lane for the entrances. He stated that the report shows the surrounding intersections all operate at a level of service B or higher during peak traffic but noted that the level of service would be reduced with current roadway conditions at the buildout of the development.

Commissioner Wooley inquired about the timeline for the development's buildout.

Mr. Davis stated that the single-family homes could be developed in three to four years with the multi-family units being contingent upon the growth of Territory Square.

Commissioner Wooley expressed his skepticism about the way traffic studies are compiled, stating that the worst times for traffic are very early in the morning and late at night. He stated that the roads are not adequate for the current amount of traffic in town. He inquired if the developer would be willing to assist in roadway improvements before the buildout of the development.

Mr. Davis stated that he has not had discussions with staff regarding that but noted that the developer will be responsible for the mitigation of the traffic they bring.

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Commissioner Leaman inquired why the multi-family units would be developed later in the project.

Mr. Davis stated the timeline is based on feedback from developers and that rezoning the land is the first step in determining the timeline.

Commissioner Leaman inquired what the usage of the Territory Square property adjacent to this property would look like.

Ms. Benitez stated that the proposed uses for that part of Territory Square include bridal cottages, an event center, or a community center.

Commissioner Leaman inquired if the community would be gated.

Mr. Davis stated that the multi-family residential development would be gated but noted that the single-family residential community would not be gated.

Commissioner Leaman inquired about access "C" to the property and if that was through Centennial Park Avenue or 16th Street.

Mr. Davis stated that the development will connect to Centennial Park Avenue but will not connect to 16th Street. He noted that the plans do not currently have Centennial Park Avenue going through their south boundary but also noted that the land is dedicated to the future development of Centennial Park Avenue.

Commissioner Leaman inquired if the side-entry garages discussed in the packet are for single-family residential or multi-family residential units and inquired about public safety access to the gated multi-family residential community.

Mr. Davis stated that those are for single-family residential units and that there are many options for the end developer to go with. He stated that the gated community will allow public safety access via the Opticon system used by the Town.

Vice-Chair DeRosa inquired if the multi-family residential units would be part of an HOA and who would be responsible for maintaining the streets in that community.

Mr. Davis stated that both the single and multi-family unit communities will have an HOA. He stated that the HOA/POA would maintain the entrance and driveway surfaces for the multi-family units, with the single-family units being on public streets that are maintained by the Town.

Vice-Chair DeRosa requested an explanation on the waiver of claims for diminution in value.

Cliff Mattice, Town Attorney, stated that is a standard waiver in Arizona, noting that the property owner could claim that the re-zoning caused their property value to change. He stated that this is standard practice to ensure developers won't make a statutory claim against the Town related to the property value change.

Chair Frost expressed his hesitancy to move forward on a PUD, noting the issues that the Town has had recently with PUDs approved in the past, locking in outdated development standards that cannot be changed.

Mr. Davis stated that it is not the intent to have this parcel sit undeveloped for years and noted that the PUD zoning was chosen to allow for the unique combination of multi-family units and single-family units.

Ms. Benitez stated that the Town did discuss different zoning options with the PUD applicant and noted that the “hard” zoning codes did not fit what the applicant was seeking to do.

Mr. Mattice stated that PUD allows for flexibility in density and design and helps the developer avoid having to seek one or multiple variances.

Vice-Chair DeRosa inquired if this is the best option for the Town.

Albert Monroe, Community Development Director, stated that the PUD allows for flexibility from the Town’s side in setting requirements and working with the developer on items like buffering and setbacks.

Commissioner Wooley inquired what protection the Town would have to prevent the developer from changing the scope of this project to include more high-density housing than initially discussed.

Mr. Monroe stated that there would have to be trust that the developer would be bringing the same proposal before Council if the Commission were to recommend the zoning change. He stated that the minutes showing what was discussed and agreed to would be forwarded to Council for their review. He stated that there are staff recommendations that relate to density that would also be included as stipulations.

Commissioner Wooley expressed his worry that the PUD will strictly benefit the developer and that the developers may change what was originally agreed upon.

Vice-Chair DeRosa inquired whether the Town Code or General Plan takes precedence when staff are negotiating a PUD with a developer.

Mr. Monroe stated that the ultimate precedence that will govern this development will be the finalized PUD document. He stated that the PUD document may refer to the Town Code but noted that the final document will be what governs the development.

Mr. Mattice stated that the General Plan guides the general principles and policies for the creation of a PUD. He stated that staff have confirmed that this PUD is consistent with the General Plan, and noted that if it was not, there would be a process to amend the General Plan to fit this PUD.

Mr. Monroe stated that the PUD is not being “negotiated” but rather a PUD has been proposed, and that the developer will create the PUD based on the requirements laid out within the Town Code.

Vice-Chair DeRosa expressed concern that there are no avenues for the Town to negotiate for more amenities or other needed items within the PUD and inquired how those items could be obtained.

Mr. Mattice stated that the Town is limited in what it can ask for during the preliminary and final plat processes. He stated that this item is a rezoning, and that the developer is not at the preliminary plat stage, noting that discussion on items related to the preliminary plat is not part of the agenda. He noted that any negotiations would tend to fall under a development agreement and not a basic PUD. He cautioned the Commission against bringing up their frustrations with other issues that are not related to the current agenda item.

Chair Frost opened the public hearing.

Harold Christ, Owner of the Windmill Winery, stated that he feels the proposal for the PUD does not fit the unique character of the area, and noted that he had attempted to purchase the property to join it with the 40 acres he owns on the western border of the property. He stated that there are archeological issues with the property that need to be addressed as well as questions regarding roadway infrastructure improvements. He suggested entering into a development agreement with the property developer.

Courtney Ramirez expressed her concern with the PUD and suggested changing the General Plan as well as forcing developers to pay for roadway improvements before any development occurs and that taxpayers should not pay for any roadway improvements.

Bonnie Bariola, Maricopa County resident, stated that the developer's language regarding the timeline for roadway improvements was vague and did not provide a clear timeline.

Mr. Davis stated that the traffic study does not dictate the timeline and that the timeline for improvements would come from the Town and that the improvements would have to be completed before any certificates of occupancy are issued. He suggested the use of Development Impact Fees for infrastructure issues.

Chair Frost closed the public hearing.

On a motion by Commissioner Leaman, seconded by Vice-Chair DeRosa, and carried by a 3-1 vote with Commissioner Wooley opposed, to forward a recommendation of approval to the Town Council for the rezoning from Rural Agricultural (RA-10) to Planned Unit Development (PUD) with the following conditions:

1. This development shall comply with all applicable regulations within the Town of Florence, including but not limited to Chapter 150.069 Planned Unit Development of the Town's Code.
2. The maximum number of dwelling units within the Westland Village PUD shall not exceed 271, which provides for an overall maximum density of 7.0 gross dwelling units per acre.
3. Any development issues not specifically addressed within the Westland Village PUD shall be governed by the prevailing Florence Development Code as amended from time to time.

4. The Developer/Owner of the Westland Village Planned Unit Development (PUD) agrees to waive claims for diminution in value pursuant to Proposition 207 (A.R.S. §12-1134) by executing an agreement in form and substance acceptable to the Florence Town Attorney.
5. All park and open space/drainage tracts and amenities shall remain privately owned and maintained by an HOA, unless otherwise approved by the Town Council.

PRESENTATION/APPROVAL/APPROVAL WITH CONDITIONS/DENIAL of a Design Review for model homes in the Mesquite Trails Planned Unit Development (PZ-25-27).

Andrew Birkelbach, Planner, stated that Mesquite Trails is located on the southeast corner of Felix Road and Heritage Road and that the proposed homes for the neighborhood come in seven different plans (all single story) on three different elevations with three color schemes per elevation. He stated that the sizes would range from 1,369 square feet to 2,342 square feet.

Michelle Uhan, owner of M. Architectural Consulting, stated that the same home styles were recently approved for Anthem Merrill Ranch.

Commissioner Leaman inquired if there would be a mixed style of roofing tiles within the community.

Ms. Uhan stated that there will be two types of roof tiles and that their use will be based on the selected style of home.

Commissioner Leaman inquired how the utility boxes on site will be painted to match the homes if each home has a different color scheme.

Ms. Uhan stated that the utility boxes will be painted in a color that blends with the body of the homes.

Vice-Chair DeRosa expressed her appreciation of the different color styles being used.

Chair Frost requested a tweaking of the landscape design plans to better fit the end product. He inquired about the material being used on the side gates of the homes.

Ms. Uhan stated that the gates would be painted wood slats.

On a motion by Commissioner Wooley, seconded by Vice-Chair DeRosa, and carried by a 4-0 vote, to approve the Design Review for model homes in the Mesquite Trails Planned Unit Development with the following conditions:

1. Never build the same home/elevation/color combination next door or across from one another.
2. The Project shall comply with all applicable Town codes, including, but not limited to, building, fire, and engineering codes and requirements.

3. All utility boxes, back-flow preventers, and similar equipment shall be painted to match the surrounding buildings.

PRESENTATION/INFORMATION SESSION on the American Planning Association's (APA's) online Planning Officials Training Program: Roles and Responsibilities.

Mr. Monroe stated that the original plan was to share a training video during the meeting but noted that it was scrapped due to potential copyright issues. He stated that there will be a slideshow review of the content in the training video.

Mr. Monroe presented the slideshow that covered topics from the training video including what the American Planning Association is, what a Planning & Zoning Commission is, the basics of being on the Commission, the purpose of Commission meetings and hearings, preparation for Commission meetings, and the responsibilities of Commissioners.

Chair Frost inquired what an Ex Parte disclosure would involve.

Mr. Mattice stated that Ex Parte is something for the Board of Adjustments relating to their capacity as a quasi-judicial board and prevents the Board from discussing the cases they are hearing with those involved in the case. He noted that the Town Council serves as the Board of Adjustments.

Mr. Monroe continued with the slide show discussing conduct during meetings, the professional duties of Commissioners, what a good meeting entails, meeting procedures, the importance of fair meetings, and the standards for Commissioners' votes.

Mr. Monroe inquired what the duties of the Chair are.

Chair Frost stated that the duty of the Chair is to set the tone for the meeting.

Mr. Monroe inquired what the duties of the Planning & Zoning Commission are.

Vice-Chair DeRosa stated that Commissioners need to study the packet and ask good questions.

Commissioner Leaman stated that the duty of the Commission is to explain technical issues in layman's terms.

Chair Frost stated that the Commission can also ask questions based on their perspective to help provide further clarity on issues being discussed.

Commissioner Wooley stated that it is important for the Commission to stay focused on what the specific agenda item is.

Mr. Monroe stated that there is a refresher on professional duties in the meeting packet to review as well. He stated that the training provided to the Commission is highly valuable and noted that there was state-based training but that they are over 20 years old.

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Bruce Walls, Town Manager, stated that the Town would like to supplement the Commission’s training by having an experienced attorney come and speak with them.

Members of the Commission and staff discussed the scheduling of the training.

DIRECTOR’S REPORT

Mr. Monroe stated that staff have been working to bring forward both preliminary and final plats and reviewing the information and recommendations from the Technical Advisory Committee. He stated that work is progressing on the various improvement projects along Hunt Highway.

CALL TO THE COMMISSION- CURRENT EVENTS ONLY.

Commissioner Wooley apologized for texting during the meeting, noting he was responding to a text regarding technical difficulties of the meeting broadcast. He requested that a General Plan update be placed on the next agenda.

Commissioner Leaman reminded everyone to attend the upcoming FloFest and Pinal County Fair events.

Vice-Chair DeRosa stated that the Technical Advisory Committee reports are extremely helpful. She inquired as to why the public notice radius has not been increased to 600 feet and requested that it be placed on the next agenda. She inquired about the zoning item on the agenda for the meeting not being in the General Plan and asked for that to be reviewed. She suggested an item relating to transportation funds be placed on a future agenda.

Chair Frost expressed his agreement with the transportation funding discussion. He requested to be informed of public meetings so he could attend. He inquired if all the questions relating to the preliminary plat approval item at the next meeting have been answered.

ADJOURNMENT

On a motion by Commissioner Leaman, seconded by Commissioner Wooley, carried by a 4-0 vote, to adjourn the meeting at 8:10 pm.

Lonnie Frost, Chairman

Date

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FLORENCE WORK SESSION HELD ON MONDAY, MARCH 17, 2025, AT 6:30 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Chairman Frost called the meeting to order at 6:35 PM.

ROLL CALL:

Chairman Frost	Present
Vice-Chair DeRosa	Present
Commissioner Proulx	Present
Commissioner Leaman	Present
Commissioner Wooley	Present

Note: Council Liaison Adam was present.

Staff: Maricella Benitez, AJ Monroe, Cliff Mattice, and Bruce Walls.

CALL TO THE PUBLIC/COMMISSION RESPONSE:

Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may respond to criticisms made, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Commission shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

WORK SESSION TO RECEIVE TRAINING ON LAWS, RULES, AND PHILOSOPHIES THAT PERTAIN TO THE BUSINESS OF THE PLANNING AND ZONING COMMISSION.

Darin Sender, President of Sender & Associates, introduced herself and stated that her firm works in zoning law and brings 25 years of experience with zoning laws in the state of Arizona. She stated that she holds a degree in architecture as well as her Law degree and has experience in the field of development. She stated that she has served as a Planning & Zoning Commissioner for over 10 years.

Jen Boblick, Attorney at Sender & Associates, introduced herself and stated that she has a degree in Urban Planning from Arizona State University as well as a Law degree.

Ms. Sender expressed the importance of training for Commissioners and noted that some Planning & Zoning Commissions only get one training per year. She stated the powers and duties of the Commission tend to be recommendations to the Council but noted that the Commission also has the final say regarding a few items. She stated that statutes (zoning enabling acts) on items such as PUDs, rezoning, design review, etc. are made at the state level, and those determine what cities and towns can and cannot do regarding zoning.

Chair Frost inquired if zoning enabling acts are the same for both cities and towns.

Ms. Sender stated that they are mostly the same and only have minor differences. She stated that there are county-level zoning enabling acts that are completely different than the cities and towns' zoning enabling acts. She stated that cities and towns will have different elements based on their size and General Plans. She stated that General Plans are not necessarily hard and fast rules but noted that zoning ordinances would be hard and fast rules for what can and cannot go in certain areas.

Vice-Chair DeRosa inquired how often the General Plan needs to be updated per Arizona state statute.

Ms. Sender stated that for most cities it is once every 10 years. She stated that the General Plan provides more information than just land use but can include up to 17 unique items for planning such as pedestrian pathways and energy efficiency. She stated that the zoning ordinances of cities and towns are put in place to enable the vision of the General Plan to take place. She stated that zoning items like PUDs are different in each city and town and are reliant on the local zoning ordinance of that municipality.

Vice-Chair DeRosa expressed her frustration with the PUDs within the Town that are older and based on outdated standards. She inquired about the need to have a Planning & Zoning Commission if they cannot change or amend PUDs and what the Commission could do when a PUD comes before them for approval or recommendation.

Ms. Sender stated that the ability of the Commission is dependent on what is coming before the Commission. She stated that the Commission has a unique and understandably frustrating situation with the older PUDs coming back before them after 20+ years.

Commissioner Leaman inquired how the Commission could convey necessary changes to the Council regarding PUDs that were approved long ago.

Ms. Sender stated that any changes to the PUD would have to be mutually agreed upon by Council and the developer.

Ms. Boblick stated that all the concerns the Commission has regarding these old PUDs can help influence how the Commission handles future PUDs when they come for approval.

Chair Frost requested an explanation of the diminution of value for properties and the standard waivers in agreements related to that.

Ms. Sender stated that this comes from Proposition 207 which allows for the filing of a lawsuit if a municipality does something that diminishes the value of your property. She stated that it is standard practice to have a developer sign something saying that they will not sue the municipality for enacting the changes they requested.

Council Liaison Adam noted that Proposition 207 has had a chilling effect on historic preservation, noting that no new historic districts have been created since the adoption of Proposition 207.

Ms. Boblick stated that Proposition 207 also affects how cities and towns view rezoning in order to not mess with the already-existing buildings and uses and vested rights.

Ms. Sender stated that Arizona has strong property rights protections and noted that those are beneficial to property owners. She stated the way for the current Commission to enact the change it would like to see, they need to look to future developments and put that vision into practice with them. She stated that many changes are being made at the state level with new bills impacting zoning and legislative power over developments.

Council Liaison Adam inquired about the role of development agreements, who negotiates those agreements, and what the Commission is allowed to request of developers under a development agreement.

Ms. Sender stated that development agreements tend to be negotiated through city/town managers (or Council) and the developer and that a city/town can request a development agreement but noted that it must be mutually agreed upon.

Council Liaison Adam inquired if a development agreement could include improvements to a full street as opposed to half-street improvements.

Ms. Sender stated that could be asked as part of the development agreement negotiations by the town manager or Council but noted that existing PUDs and development agreements lay out what can be done. She stated that most cities and towns will not initiate the development agreement process, noting that they want the development to go through the standard process laid out in the code.

Vice-Chair DeRosa inquired if the Council could direct staff to seek specific items when negotiating future development agreements. She noted that she will push for additional asks from developers in old PUDs and that the Town Attorney has been wary of those asks.

Ms. Sender stated that care needs to be taken when making asks regarding the PUDs and that there is a potential for an ask to be seen as a “taking” and incur legal issues. She stated that the context in which an item is being asked for is very important for determining if the item is ok to be requested. She stated that each application the Commission has brought before it will have a standard of what can and cannot be asked from the applicant.

Commissioner Wooley asked why the Commission would have development agreements and PUDs come before them if they don’t really have a say in those items.

Ms. Sender stated that the Commission essentially does not have a say in those items and noted that most plats are done through administrative processes now as well.

Ms. Boblick noted that if a developer was seeking to amend a PUD, that could open up the ability for negotiating on that PUD.

Chair Frost inquired if time limits can be placed on PUDs, or if a PUD has an unlimited timeframe once approved.

Ms. Sender stated that a timeline could be placed on PUDs but cautioned that might not be the best course of action. She stated it can create a chilling effect on future development in the area.

Ms. Boblick stated that one issue with placing time limits on a PUD is Proposition 207, noting that reverting from the PUD zoning would be done entirely by the city or town and that she would not advise undertaking that process.

Council Liaison Adam inquired what options are available for saying no to a developer who would like to move forward with a PUD that meets the requirements of the General Plan.

Ms. Sender stated that the ability to deny a PUD would come from policy dictated by the Council. She stated that the tools to manage growth come through the General Plan and from the Town Council. She stated that another way to manage growth is by attracting the best development groups to work on projects in the Town.

Commissioner Leaman expressed his concern with the current roadway infrastructure in Town and noted that is a key factor in the Commission's concerns about growth.

Commissioner Wooley stated that the new growth has to be managed properly and inquired how future development agreements can favor both the Town and the developer equally.

Ms. Sender stated that there is a lot of give and take with development agreements and that the negotiation of the development agreement is where benefits to both parties are hammered out.

Council Liaison Adam stated that the Council wants to learn how to best provide staff with guidance on how to approach development agreement negotiations.

Mayor Eaton acknowledged the frustration of dealing with items that were decided in the past and cannot be changed. He stated that staff need to be given clear direction on what is needed from these development agreements.

Chair Frost inquired if the Town needs to be sure that a new PUD has sufficient water rights before approval, noting that final plats must have approval from the Arizona Department of Water Resources.

Ms. Sender stated that she had not analyzed the Town's ordinances and policies relating to PUDs enough to determine the answer.

Vice-Chair DeRosa inquired about legislation that the Town should be aware of that may be making changes to the development world in the near future. She also inquired about how to change the speed limit on roadways.

Ms. Sender stated that speed limits could potentially be changed through a simple resolution but noted that she is not fully aware of the process as she is coming from the development side.

Ms. Boblick noted that in cities where speed limits have been changed, there are traffic studies that have been done in conjunction with the speed limit changes to show the reasoning for the speed limit change. She stated that development bills going through the legislature are for cities and towns with larger population sizes but encouraged everyone to follow those bills as the Town is growing.

Council Liaison Adam noted that there are many bills in the current legislature that deal with development, specifically calling out a bill that would reduce the requirements a city or town could place on developers for amenities and other items.

Vice-Chair DeRosa inquired if the Town would be able to require amenities if the law is changed at the state level.

Ms. Sender stated that she couldn't say for certain but noted that it would appear that the state's law would supersede the Town's law.

Commissioner Wooley expressed his feeling that the Commission can get caught in the weeds on items like preliminary plats and requested an explanation of the Commission's responsibilities regarding these items.

Ms. Sender stated that preliminary plats are highly technical and tend to be approved administratively and noted that they should be approved if the staff report recommends it. She stated that a good practice would be to bring potential issues with the preliminary plat up to staff before the meeting.

Commissioner Proulx expressed his concern with the roadway infrastructure as a public safety issue. He inquired if there truly is no recourse for existing PUDs.

Ms. Sender stated that if there is a preexisting PUD and the PUD developer is coming forward for a preliminary plat, there is not much if anything the Commission can do.

Vice-Chair DeRosa inquired if the Commission can ask questions such as would the developer be willing to move forward with the timeline for some roadway improvements.

Ms. Sender stated that questions can be asked but noted that the Commission has to be careful about what questions are being asked and ensure that the Commission is dealing with what is in front of them at the time.

CALL TO THE COMMISSION- CURRENT EVENTS ONLY.

ADJOURNMENT

On a motion by Vice-Chair DeRosa, seconded by Commissioner Leaman, carried by a 5-0 vote, to adjourn the meeting at 8:06 pm.

Town of Florence Planning & Zoning Work Session Minutes

March 17, 2025

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Lonnie Frost, Chairman

Date

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FLORENCE MEETING HELD ON THURSDAY, MARCH 20, 2025, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

CALL TO ORDER

Chairman Frost called the meeting to order at 6:00 PM.

ROLL CALL:

Chairman Frost	Present
Vice-Chair DeRosa	Present
Commissioner Proulx	Present
Commissioner Leaman	Present
Commissioner Wooley	Present

Note: Council Liaison Adam was present.

Staff: Andrew Birkelbach, Maricella Benitez, AJ Monroe, Cliff Mattice, and Bruce Walls.

PLEDGE OF ALLEGIANCE

Commissioner Leaman led the Pledge of Allegiance.

CALL TO THE PUBLIC/COMMISSION RESPONSE:

Call to the Public for public comment on issues within the jurisdiction of the Planning and Zoning Commission. Individual Commission members may respond to criticisms made, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Commission shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

Bob Duvery, Florence resident, expressed his opposition to the proposal of new development in Anthem Merrill Ranch east of Felix Road. He inquired if there are any laws that could be used to restrict the access of individuals to the current Anthem Merrill Ranch amenities.

Cathy Prince, Florence resident, expressed her disappointment with the developer's responses to questions asked at the previous Commission meeting. She stated that the developer is prioritizing profit over the quality of life for the residents. She stated that the area's roadway infrastructure is inadequate and requested that the Commission stipulate the turn lanes for the development east of Felix Road be placed at an angle. She expressed her frustration at the lack of amenities and noted that current residents have difficulty reserving tee times at the golf course or spots in the community programs. She questioned whether the developer was correct in their assessment that there are only 300 lots left in the all-ages, single-family community of Anthem Merrill Ranch (Parkside).

Dianna Z, Florence resident, sent an email to the Commission that Chair Frost read aloud. She stated that she moved to the community in 2008, drawn by the previous developer (Del Webb), and expressed her frustration with the current developer (Pulte). She noted that other retirement communities are receiving

additional amenities and expressed frustration that additional homes are being built with no new amenities. She stated that residents are leaving because it is difficult to get tee times and attend community events.

Joanie Svedman, Florence resident, sent an email to the Commission that Chair Frost read aloud. She expressed frustration and concern that new homes are being developed without the development of additional amenities, specifically additional golf courses.

Roni Halvorson, Florence resident, sent an email to the Commission that Chair Frost read aloud. They expressed concern about additional homes being constructed without the construction of additional amenities. They expressed concern about the traffic in the area and the noise caused by the traffic.

Mike Ames, Florence resident, expressed his frustration at the difficulty to get tee times at the golf course as well as the crowded community events. He stated that the quality of life in the community is a concern and expressed frustration with the response from the current developer and the HOA.

Doug Lowe, Florence resident, stated that he is not against the growth or expansion but noted that if the growth is going to occur, there needs to be work done by the developer in the form of additional amenities and infrastructure improvements.

Tom Minder, Florence resident, expressed his frustration that the quality of the amenities has gone down in the three years he has been an Anthem Merrill Ranch resident. He expressed his concern with the traffic safety on Felix Road. He expressed his frustration with drag racing taking place along Felix Road and reiterated the importance of smart growth.

Bob Shelby, Florence resident, stated that he was told by Pulte Vice President Scott Turner that there would only be 10,000 homes in Anthem Merrill Ranch and no new amenities would be built. He expressed frustration that residents have to book tee times at the golf course and that there is crowding at the community facilities. He stated that the Council should not allow any new homes to be built until new amenities are built.

Chair Frost closed the Call to the Public. He stated he is also a resident of Anthem Merrill Ranch and noted that there is land set aside south of the soccer fields for additional amenities. He stated that there is a community survey being conducted to gauge the needs of the community. He stated that there is already infrastructure in place to facilitate pedestrian traffic crossing Felix Road, noting the pedestrian underpass on the south end of the development.

MINUTES from the March 6, 2025, Planning and Zoning Commission meeting are not available for action at this time.

OLD BUSINESS

PRESENTATION/APPROVAL / APPROVAL WITH CONDITIONS / DENIAL of a Preliminary Plat for the Planned Unit Development known as Anthem at Merrill Ranch located east of Felix Road and north of Hunt Highway (PZ-24-37). This is a continuation from the February 20, 2025 meeting.

Maricella Benitez stated that the preliminary plat is for land south of the Copper Basin Railroad and east of Felix Road and covers 943 acres of land. She stated that the land falls under the Anthem Merrill Ranch

PUD and is currently undeveloped outside of an APS substation. She stated that the preliminary plat proposes 3,137 lots varying in size from 4,600 to 7,200 square feet. She stated that the Technical Advisory Committee met in November 2024 regarding this application and the issues discussed included lot dimensions being omitted, lack of amenities, and comments from Florence Fire & Medical regarding secondary site access. She noted that no lots are being transferred from the eastern development to the western development and clarified the surface material for the pathways. She noted that the school agreement for the PUD has reached its sunset date and that the land dedicated for a new school can be reverted back to land for residential development. She stated that the density of the entire development would be 2.82 dwelling units per acre and noted that there are no set home prices at this time. She stated that the new wastewater system will service future developments as well as the eastern development.

Joshua Robinson, Project Manager at Colliers Engineering & Design, stated that the PUD from 2008 allowed for a total of 11,172 lots to be developed in Anthem Merrill Ranch and that the total lot count across the eastern and western developments is forecast to be 8,987. He stated that there are 328 all-ages units left in the western development as well as 1,010 active adult (55+) units available. He stated that there are no units in the eastern development that will have rear-to-rear conditions and noted the use of multiple 30-50 foot wide paseos. He stated that the proposed preliminary plat contains 233.29 acres of open space as opposed to the 221.13 acres of open space proposed in the PUD, noting that this allows the placement of a landscape buffer along Felix Road. He stated that two traffic signals are proposed for Felix Road and will be installed in Phase I. He stated that the developer is in talks with Copper Basin Railway for the eventual crossing at Merrill Ranch Parkway and noted that the buildout of the southern portion of Felix Road will be the responsibility of the landowners along that southern portion. He displayed the potential locations of the water campus and wastewater treatment facility and noted the difficulties in development stemmed from securing water rights for the development.

Commissioner Wooley inquired about the timeline for roadway improvements.

Mr. Robinson stated that the roadway improvements will be concurrent with Phase I.

Commissioner Wooley inquired about a timeline for the construction of the first home and for the full buildout.

Todd Knape, Vice President of Land Development at Pulte Group, stated that the goal is to begin infrastructure improvements associated with Phase I in early 2026, with the first homes coming in 2028 at the earliest and full buildout expected by 2040.

Commissioner Wooley inquired if there is a timeline for the completion of local roadway improvements around the proposed development.

AJ Monroe stated that the Town will begin the Hunt Highway/Attaway Road improvements in Q3 of 2025 but noted that he does not have a timeline for the buildout of the southern portion of Felix Road

Commissioner Leaman inquired if the improvements to Hunt Highway and Attaway Road include the curve going north to Fire Station No. 2.

Mr. Monroe confirmed that the area is included in the improvements.

Commissioner Leaman inquired if the lots in the eastern development will be members of the Anthem HOA and if the El Dorado portion of the development east of Felix Road will be included in an HOA.

Mr. Knape confirmed they will be part of the Anthem HOA. He stated that the El Dorado portion will fall under a separate HOA.

Commissioner Proulx inquired about the additional amenities that will be provided.

Cliff Mattice, Town Attorney, stated that the item being discussed is a preliminary plat and the scope of the Commission's review is limited, noting the recent training the Commission received regarding the scope of their work.

Vice-Chair DeRosa stated that she had no questions and noted that the developer has heard the criticism of the current residents and that they hope that their voices will be heard. She stated that the developer has vested rights granted to them through the PUD that cannot be changed.

Chair Frost thanked the developer for adjusting the roadway improvements on Felix Road to be done in Phase I of construction. He reiterated the statements of Vice-Chair DeRosa regarding the vested rights and encouraged the Anthem Merrill Ranch residents to fill out the community survey.

Commissioner Leaman stated that he believes that the developer is holding true to the requirements of section 150 of the Town Code as well as the approved PUD.

On a motion by Commissioner Leaman, seconded by Commissioner Proulx, to approve the Preliminary Plat for the Planned Unit Development known as Anthem at Merrill Ranch located east of Felix Road and north of Hunt Highway (PZ-24-37) with two additional conditions.

1. Felix Road shall be 4 lanes wide (with appropriate turning lanes) and have no median.
2. Felix Road be returned to a speed limit of 35 miles per hour.

Mr. Mattice stated that the condition to change the speed limit would need to be warranted by a traffic study, citing the Manual on Uniform Traffic Control Devices. He stated that the condition to remove the median would be contrary to the engineering design plans and noted that the preliminary plat has been created within the scope allowed within the Town Code, additionally stating that he does not believe these conditions fall under the purview of the Commission's approval of the preliminary plat. He stated that the conditions would not be enforceable.

Commissioner Leaman stated that he respects the opinion of the Town Attorney but that the Town Code gives him the duty to make recommendations to the Council.

Commissioner Wooley called a point of order regarding action on the motion on the floor.

No vote was taken. Motion rescinded.

Vice-Chair DeRosa noted that the speed limit on Felix Road is unrelated to the developer and is a Town issue.

Commissioner Leaman stated that the developer will have to inform residents that they cannot use golf carts to cross Felix Road.

Mr. Mattice stated that this is not an issue related to the preliminary plat.

Commissioner Leaman stated that he wants to prevent unnecessary roadway maintenance costs and increased HOA fees.

Mr. Mattice stated that those are not issues related to the preliminary plat.

Vice-Chair DeRosa inquired if staff could discuss these items with the developer outside of the meeting.

Mr. Mattice stated that he could not speak about that but noted that the developer would not have any requirement or obligation to do so.

On a motion by Chairman Frost, seconded by Vice-Chair DeRosa, to approve the Preliminary Plat for the Planned Unit Development known as Anthem at Merrill Ranch located east of Felix Road and north of Hunt Highway (PZ-24-37) with the conditions provided by staff.

1. Development of the subdivision shall comply with all applicable Town codes, including all applicable planning, building, fire, and engineering requirements.
2. Final plans for right-of-way and easement dedications and/or abandonments, which may be provided via the Final Plat or other means, are subject to the review and approval of the Town Engineer prior to the Final Plat approval by the Town Council.
3. Developer/Property owner may reduce the number of lots or widen lots within the subject preliminary plat area prior to submittal of a final plat without requiring additional Town approvals, provided there is no net increase in the subdivision density, no reduction in open space.
4. All turf in common areas is to be usable and playable, and a Homeowner's Association (HOA) shall be responsible for the maintenance of all park and open space tracts within Anthem at Merrill Ranch.

A roll call vote was taken:

Proulx: Nay
DeRosa: Aye
Frost: Aye
Leaman: Nay
Wooley: Nay

On a vote of 2-3, the motion failed to pass.

Mr. Mattice stated that the applicant does have the right to appeal this decision to the Town Council.

NEW BUSINESS

A. General Plan Update Discussion

Ms. Benitez stated that the General Plan is a long-term, broad policy for the Town's future development and was approved by voters in the 2022 election.

Commissioner Wooley inquired about the process for updating the General Plan.

Ms. Benitez stated that small technical errors can be corrected administratively but that land use changes would be a minor/major General Plan Amendment.

Vice-Chair DeRosa inquired if changes would have to be approved by the voters.

Ms. Benitez stated that it would not require voter approval but noted that the change would be a public process going through the Commission and through the Town Council. She stated that staff are currently researching items related to the General Plan and will deliver their report to the Council. She stated that if Commissioners would like to pass along things they would like Council to consider regarding the General Plan they can submit them to her to be forwarded to Council.

Vice-Chair DeRosa stated that the Commission has not had an opportunity to review the General Plan and discuss items for consideration amongst themselves.

Mr. Monroe stated that a review of the General Plan and discussion on changes can be placed on a future agenda.

Vice-Chair DeRosa requested a work session to discuss the General Plan.

Chair Frost suggested going through the General Plan section by section over multiple meetings to make it easier to digest.

B. Neighborhood Meeting Notification Ordinance

Andrew Birkelbach, Planner, stated that an ordinance is being drafted to increase the notification radius for neighborhood meetings.

Vice-Chair DeRosa requested clarification on the notification radius.

C. Impact Fees

The Commission inquired if the Town has Development Impact Fees (DIF), are they being used, how much they were, and when they were last updated. They also requested an overview of what other municipalities do for Development Impact Fees.

Mr. Monroe stated that the Town charges DIFs for public safety, parks, and transportation and noted that they are charged when an applicant submits a building permit. He stated that he does not know the last time the Town's DIF rates were increased but noted that rate increases are done via a study.

Commissioner Leaman inquired if the DIF for large developments could be paid ahead of time so that the Town could get a head start on infrastructure improvements.

DIRECTOR'S REPORT

A. General Plan Designation for Westland Village

Mr. Monroe stated that the General Plan designates the area Westland Village falls into as "Town Center". He noted that staff have been receiving multiple final plats and are in the process of reviewing them.

CALL TO THE COMMISSION- CURRENT EVENTS ONLY.

Commissioner Wooley requested access to development agreements. He stated that he asked three legitimate questions regarding the preliminary plat and that his vote to deny was based on public safety concerns and noted that the current roadways do not support the plat. He reminded staff that he has been a resident for 25 years with 14 years served on the Commission and that members of the Commission are volunteers and requested that staff respect them as volunteers.

Vice-Chair DeRosa reminded everyone of the upcoming Third Friday event.

Commissioner Proulx echoed the sentiments of Commissioner Wooley regarding the vote for denial.

Commissioner Leaman reminded everyone of the upcoming events in Town.

ADJOURNMENT

Vice-Chair DeRosa inquired if there is a formal appeal process for the developer to follow regarding the denial vote.

Mr. Mattice stated there is an appeal process to the Council and that it is part of the PUD.

On a motion by Commissioner Wooley, seconded by Commissioner Leaman, carried by a 5-0 vote, to adjourn the meeting at 7:27 PM.

Lonnie Frost, Chairman

Date



**TOWN OF FLORENCE
P & Z COMMISSION
ACTION FORM**

AGENDA ITEM

6A

MEETING DATE: April 3, 2025

DEPARTMENT: Community Development

STAFF PRESENTER: AJ Monroe, Community Development Director

SUBJECT: Reconsideration of the action taken at the March 20, 2025, Planning and Zoning Commission Meeting regarding the Preliminary Plat for the Planned Unit Development known as Anthem at Merrill Ranch located east of Felix Road and north of Hunt Highway (PZ-24-37).

- Action
- Information Only
- Public Hearing
- Resolution
- Ordinance
 - Regulatory
 - 1st Reading
 - 2nd Reading
- Other

RECOMMENDED MOTION/ACTION

The Planning and Zoning Commission may vote to approve or deny the ability to reconsider its action taken on March 20, 2025, to deny the Preliminary Plat for Anthem at Merrill Ranch East of Felix (PZ-24-37).

Approval of this item grants the Commission the ability to reconsider item 6B on this agenda.

BACKGROUND

During the Regular Meeting on March 20, 2025, the Planning and Zoning Commission voted to deny the application for a Preliminary Plat in Anthem at Merrill Ranch East of Felix Road. A request for reconsideration was submitted via email by Commissioner Jeffrey Wooley to Town Clerk Lisa Garcia on Friday, March 21, 2025.

Reconsideration is a motion that allows a deliberative assembly to revisit a decision made in the same meeting or at the very next meeting. Only a member who voted on the prevailing side of the original motion, the “nay” votes in this case, may move to reconsider. Commissioner Wooley voted “nay” in the original motion. The request for reconsideration must be made the day of the original vote, or for the next meeting. The motion to reconsider may be debated among the Commissioners during this meeting before a motion is made. A majority vote is required to adopt the motion to reconsider. Otherwise, item 6B on this agenda will be skipped. Should the motion to reconsider pass, then the original motion is reopened as though it had never been voted on. The Commission then votes again on the original motion.

Subject: Reconsideration of Anthem at Merrill Ranch East of Felix Preliminary Plat (PZ-24-37)
April 3, 2025



**TOWN OF FLORENCE
P & Z COMMISSION
ACTION FORM**

AGENDA ITEM

6B

MEETING DATE: April 3, 2025

DEPARTMENT: Community Development

STAFF PRESENTER: AJ Monroe, Community Development Director

SUBJECT: Preliminary Plat for the Planned Unit Development known as Anthem at Merrill Ranch located east of Felix Road and north of Hunt Highway (PZ-24-37).

- Action
- Information Only
- Public Hearing
- Resolution
- Ordinance
 - Regulatory
 - 1st Reading
 - 2nd Reading
- Other

RECOMMENDED MOTION/ACTION

This item is contingent upon the consideration of item 6A on this agenda which grants the Planning and Zoning Commission the ability to reconsider its action taken on March 20th to deny the Preliminary Plat for Anthem at Merrill East of Felix (PZ-24-37). Should the reconsideration be approved, the Planning and Zoning Commission may vote to approve/approve with conditions/or deny the Preliminary Plat for Anthem at Merrill Ranch East of Felix.

Staff recommends approval of the Preliminary Plat for the Planned Unit Development Anthem Merrill Ranch East of Felix with the conditions below. The Planning and Zoning Commission may move to approve or deny the application. If approved, Town Staff recommends the following conditions:

1. Development of the subdivision shall comply with all applicable Town codes, including all applicable planning, building, fire, and engineering requirements.
2. Final plans for right-of-way and easement dedications and/or abandonments, which may be provided via the Final Plat or other means, are subject to the review and approval of the Town Engineer prior to the Final Plat approval by the Town Council.
3. Developer/Property owner may reduce the number of lots or widen lots within the subject preliminary plat area prior to submittal of a final plat without requiring additional Town approvals, provided there is no net increase in the subdivision density, no reduction in open space.

Subject: Anthem at Merrill Ranch East of Felix Preliminary Plat (PZ-24-37)
April 3, 2025

4. All turf in common areas is to be usable and playable, and a Homeowner's Association (HOA) shall be responsible for the maintenance of all park and open space tracts within Anthem at Merrill Ranch.

BACKGROUND

No additional information is presented with the reconsideration of the Preliminary Plat. The staff report that was presented on March 20, 2025, with highlighted corrections that were verbally presented during the meeting, is attached to this staff report. Additional information, such as the Traffic Impact Analysis, can be found in the previously issued packets for the March 20, 2025, meeting and the February 20, 2025, meeting.

ATTACHMENTS

- March 20, 2025, Staff Report for PZ-24-37



**TOWN OF FLORENCE
P & Z COMMISSION
ACTION FORM**

AGENDA ITEM

6A

MEETING DATE: March 20, 2025

DEPARTMENT: Community Development

STAFF PRESENTER: Maricella Benitez, Senior Planner

SUBJECT: Continuation of the presentation and action for Anthem at Merrill Ranch (AMR) East of Felix Road Preliminary Plat (PZ-24-37).

- Action
- Information Only
- Public Hearing
- Resolution
- Ordinance
 - Regulatory
 - 1st Reading
 - 2nd Reading
- Other

RECOMMENDED MOTION/ACTION:

Staff recommends approval of the Preliminary Plat for the Planned Unit Development Anthem Merrill Ranch East of Felix with the conditions below. The Planning and Zoning Commission may move to approve or deny the application. If approved, Town Staff recommends the following conditions:

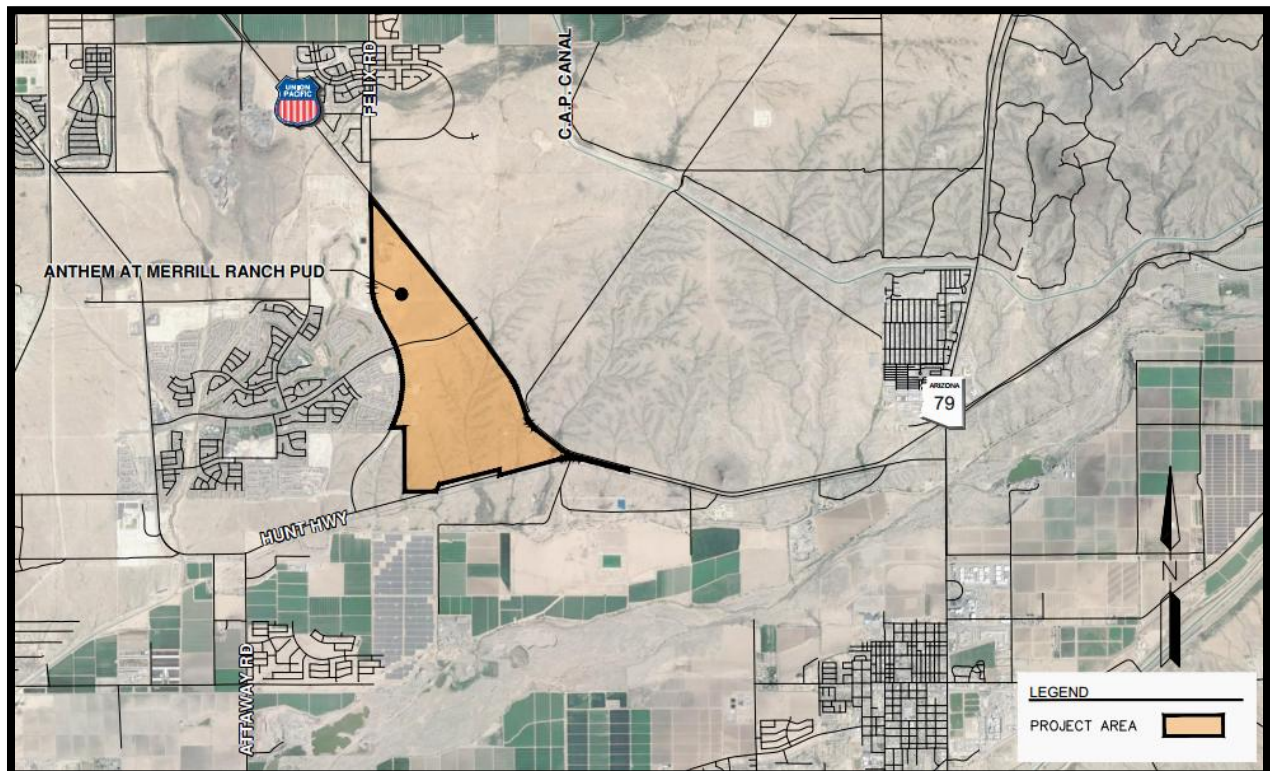
1. Development of the subdivision shall comply with all applicable Town codes, including all applicable planning, building, fire, and engineering requirements.
2. Final plans for right-of-way and easement dedications and/or abandonments, which may be provided via the Final Plat or other means, are subject to the review and approval of the Town Engineer prior to the Final Plat approval by the Town Council.
3. Developer/Property owner may reduce the number of lots or widen lots within the subject preliminary plat area prior to submittal of a final plat without requiring additional Town approvals, provided there is no net increase in the subdivision density, no reduction in open space.
4. All turf in common areas is to be usable and playable, and a Homeowner's Association (HOA) shall be responsible for the maintenance of all park and open space tracts within Anthem at Merrill Ranch.

BACKGROUND

The Anthem Merrill Ranch East of Felix Preliminary Plat is a residential development covering approximately 983 943 acres in the Town of Florence, located at the northeast corner of W. Hunt Hwy and N. Felix Rd. Figure 1 shows a vicinity map of the project. Currently, the site consists of undeveloped land with a natural slope to the south and southwest. Various existing physical features, such as a cell phone tower, gas line, APS power substation, and a powerline corridor along the eastern boundary, are part of the landscape. The property falls under the Anthem at Merrill Ranch Planned Unit Development (PUD) zoning from 2005 (amended in 2008), which allows flexibility in residential unit allocation.

On February 20, 2025, the Preliminary Plat went before the Planning and Zoning Commission for review and action. The Commission voted to continue the item on March 20, 2024, in order to get answers to some of the questions asked.

Figure 1: AMR East of Felix Vicinity Map



ANALYSIS

Per the Anthem at Merrill Ranch Planned Unit Development, all residential parcel developers will be required to submit preliminary plats to the Town of Florence for review. At the time of submittal, the plats must undergo the Town's current preliminary plat review process, which includes staff review, Technical Advisory Committee review, and Planning and Zoning Commission review. However, the Anthem at Merrill Ranch PUD also has an additional stipulation that master plats must have a public hearing. The Planned Unit Development document's Preliminary Plat process does not require the preliminary plat to go to the Town Council for final approval.

Technical Advisory Committee

The Technical Advisory Committee (TAC) met on November 20, 2024, to review this application. The applicants were also present at this meeting. Errors such as lot dimensions being omitted from some pages were covered in the discussion. Further, the discussion shifted to the available amenities and possible concerns regarding them. Comments from the Florence Fire Department were to address secondary access concerns as the site developed. This issue was remedied over several meetings with the Fire Chief and Fire Marshal. Lastly, a rough timeline and description of the approval process were discussed. The full meeting minutes from this session can be found as an attachment to this staff report.

Land Use

This project, part of the Anthem at Merrill Ranch community, aims to continue the single-family residential subdivision that started on the west side of Felix Road. The plat proposes 3,138 3,137 lots varying in size from 4,600 to 7,200 square feet. Typical lot dimensions range from 47'x100', 40'x115', 40'x120', 45'x115', 45'x120', 50'x115', 50'x120', 60'x115' and 60'x120'. The community will be designed with a gross residential density of 3.35 dwelling units per acre (du/ac) and will feature 239 acres of open space, including parks and pedestrian pathways that provide connectivity throughout the development and to the existing community west of Felix Rd.

The site is currently entitled to 3,193 units, requiring a transfer of 97 additional units. This transfer aligns with the PUD guidelines, as it does not exceed the overall plan capacity of 11,172 dwelling units.

The PUD land use map, found in the attached narrative, predominantly designates the site for R-1 residential zoning, though areas originally reserved for schools, parks, and places of worship can be converted into residential lots. The necessary approvals and documentation for such transfers have been provided, ensuring compliance with Town planning requirements. The development will adhere to R-1 zoning standards, though a 28.6-acre portion (Unit 81) zoned R-2 will also follow these guidelines for consistency. The R-1 Development Standards can be seen in the table below and the attached preliminary plat narrative.

Table 1: R-1 Development Standards

R-1 PUD ORDINANCE Low Density

Primary Building	Required (by Town Ordinance)	Proposed (by PUD Ordinance)	Difference
Maximum Building Height	30 feet	30 feet	None
Minimum Lot Area (S.F.)	6,000 sq. ft.	4,600 sq. ft.	1,400 sq. ft.
Maximum Lot Area (S.F.)	N/A	NA	N/A
Minimum Lot Width	60 feet	40 feet	20 feet
Minimum Front Yard	20 feet	18*/15 feet	2 ft./5 ft. decrease
Minimum Side Yard	6 feet	5 feet	1 ft. decrease
Minimum Rear Yard	25 feet	15 feet	10 feet

*to front face of garage

Circulation

Primary access to the development will be through N. Felix Rd and Merrill Ranch Parkway, with collector roads (80- and 60-foot Right of Way (ROW) widths) and local streets (42-foot ROW widths) facilitating traffic flow. Sidewalks are located along all local streets and detached sidewalks are along collector roads.

Stanley Consultants completed the Traffic Impact Analysis for this application. The existing intersection of Felix Road and Merrill Ranch Parkway operates at a Level of Service (LOS) A during AM and PM peak hours. Further, the existing intersection of Hunt Highway and Felix Road also operates at a LOS A during AM and PM peak hours. The intersection of Hunt Highway and Attaway Road operates at an overall LOS C during AM and PM peak hours with the westbound through/left lane operating at an LOS E. The developer will be responsible for the widening of Felix Road. The Town of Florence is currently in the process of working out designs for improvements to expand Hunt Highway and to improve the intersection at Hunt Highway and Attaway.

Several improvements, such as traffic signals at the intersections of Felix Road and Hunt Highway and the intersection at Felix Road and Merrill Ranch Parkway, are expected to be warranted. Other improvements recommended by the TIA include adding several turn lanes. Further information on circulation can be found in the attached Traffic Impact Analysis.

Amenities and Utilities

Residents will have access to pocket parks, recreational areas, and landscaped pedestrian pathways. Parks will feature open play turf, picnic tables, shade structures, and sports courts. The landscaping plan incorporates drought-tolerant native plants, strategically placed shade trees, and efficient irrigation systems, such as drip irrigation, to minimize water use. Additionally, native washes within the site will be preserved as natural features. The development will include thematic fencing and walls that continue the existing character of Anthem at Merrill Ranch.

The water system will feature 16-inch, 12-inch, and 8-inch water mains, with primary distribution via a 16-inch main along N. Felix Rd and Merrill Ranch Pkwy. Similarly, the wastewater system will use 8-inch to 24-inch gravity sewer mains, directing flow south to a planned treatment facility. Stormwater will be managed via engineered channels, retention basins, and street drainage networks, ensuring flood control while maintaining natural site topography.

Utility services will be provided by Arizona Public Service (APS) for electricity, Southwest Gas for natural gas, and the Town of Florence for water, wastewater, and public safety services. Communications will be handled by Century Link/Lumen and Cox Communications, while refuse collection will be managed by a third-party contractor.

ATTACHMENTS

- Application/Narrative
- AMR East of Felix Preliminary Plat
- AMR East of Felix Landscape Plans
- Technical Advisory Committee Minutes

-Traffic Impact Analysis (TIA)

-February 20th Meeting Minutes

STAFF REPORT ADDITION:

During the February 20, 2025 Planning and Zoning Commission meeting, Pulte Group presented a Preliminary Plat for the Anthem at Merrill Ranch Planned Unit Development East of Felix Road (Case PZ-24-37). Table 1. Questions and Answers from Regular Meeting - February 20, 2025 (below) lists questions (left column) raised by the Commission and Public during the meeting and answers (right column) provided by the applicant (unless noted).

Table 1: Questions and Answers from Regular Meeting - February 20, 2025

Questions	Answers
1. How many homes will be Active Adult vs. All Age?	Initial plans were approximately a 50/50 split between Active Adult and All Age, but the exact numbers are not known.
2. Are the homes part of the already-established HOA and will they have access to already established amenities?	The homes will be part of the Sun City and Parkside HOAs but the exact allocation of the homes is unknown.
3. Will there be a pedestrian tunnel under Felix Road?	There will be a pedestrian underpass under Felix Road at Independence Way leading to the community park.
4. How many lots were moved from Sun City on the west over to the eastern development?	The exact number is not known, but with the current pre-plat, they are more than 1,000 lots short of the total allowable density within the entire PUD.
5. How many total homes will be in the Sun City portion of Anthem Merrill Ranch?	Initial plans were approximately a 50/50 split between Active Adult and All Age, but the exact numbers are not known.
6. What are plans for expanded amenities?	The amenities for both groups will be determined later. These will be planned with the HOA teams at the appropriate times.
7. How many homes will the preliminary plat have?	(Town of Florence Staff) Total lots, per the Preliminary Plat: 3138 North of Merrill Ranch Parkway: 867 South of Merrill Ranch Parkway: 2,271
8. Is this Pulte development part of the El Dorado sale?	No, the El Dorado Holdings property is separate from this application.
9. How much of Felix Road is being widened?	The portion of Felix Road which Pulte previously dedicated to the Town of Florence for this project is being improved. Pulte's ownership does not continue all the way south to Hunt Highway. Their responsibility is to expand along their property line.
10. How will you know what amenities to place?	The 50/50 rule previously described dictates the amenity package. As adjustments are made, amenities will also be adjusted.
11. Why are commercial amenities not in the plan, and can the commercial space be expanded?	The primary commercial center is at Hunt Highway and Merrill Ranch Parkway, per the approved PUD.

12. Why were medical commercial lots made into residential lots?	There was an option in the PUD to develop those lots into houses if the hospital did not develop them in a certain time frame.
13. If the space set aside for school sites is vacated by the school district, can it then be used for amenities?	Answer pending Per page 38 in the PUD, Table I-1 in PUD & School Agreement, the sunset date has expired and underlying R1 zoning remains.
14. When will Felix Road improvements begin?	Felix Road Improvements are a phased approach. The roadway has already been dedicated and is not part of this preliminary plat. Improvements to the road will come with development. Street lights will be implemented to create safe crossings across the expanded roads.
15. Will there be a second powerline running through the area?	There is a powerline corridor that runs along the railroad to the APS substation. There is also an APS owned easement east of the railroad for additional powerlines.
16. Will Merrill Ranch Parkway on the east side be Town-owned?	The responsibility for Merrill Ranch Parkway is the same on the east side as it is the west side.
17. Will there be dedicated space for the HOA landscapers?	A discussion will be had with the landscaping companies.
18. Are any parks in the development to be assigned to Town?	The maintenance of the parks is the responsibility of the HOAs.
19. Are there any improvements to the west side of Felix Road scheduled?	Yes, the road will be restriped to match the additional lanes and the curb and gutter for the median are already in place. The median will need to be constructed.
20. What material will be used for trail paths and what contour?	The trail paths will use decomposed granite. The underpass on Felix Rd. and Independence will be roughly 8 to 10 feet wide and use concrete.
21. Will Merrill Ranch Parkway be continued all the way to the power lines?	The pavement will have to go all the way to the APS substation on the eastern side of the project.
22. Will access be given to APS off Merrill Ranch Parkway?	Yes, they would enter off Merrill Ranch Parkway. They are not encouraged to drive through the neighborhood.
23. Will there be a waterfall at the entrance?	There will not be any waterfalls at the entrance.
24. Will there be designated pet areas?	There are not currently, but there is an existing pet park within the community.
25. What playground material will be used?	All playground structures will have a safety surface and will be ADA accessible.
26. Will each neighborhood have a monument entry?	Yes, each neighborhood will have a monument entry sign.

27. What are the plans for reclaimed water? And why not use it?	There are no plans to use reclaimed water. The Town can receive credits for recharging the aquifers through injection wells.
28. What are the plans for interim safety on Felix Road?	The traffic signal at Merrill Ranch Parkway and Felix is warranted when phase 1 construction is completed.
29. Why is the development moving ahead?	Pulte has approximately 300 homes left in the Parkside part of the community. They need to continue development across the other side of Felix Road.
30. Does the Town have issues with the smaller lot sizes?	(Town of Florence Staff) Staff noted that lot sizes are governed by the approved PUD, and this development conforms to the requirements of the document.
31. Is there a timeline for knowing what the additional amenities will be?	Pulte is waiting for the results of a survey regarding the specifics of amenities.
32. What is modern massing?	The applicant stated that modern massing describes the alignment of plants presented at the entrance to the subdivisions.
33. Will the development east of Felix Road be done by Pulte?	All the development east of Felix Road is scheduled to be built by Pulte.
34. What is the reason for the design of Unit 69?	Unit 69 is designed for the smallest product type out of the nine available.
35. What is the purpose/usage of the well drilled near the planned wastewater facility?	That well was a test well, and it is no longer in production.
36. Why is EPCOR not supplying the development, and does it benefit the Town?	The development is not within EPCOR's service area. Felix Road is the boundary between the Town's service and EPCOR's.
37. What is the plan to keep natural features safe with flood prep?	The applicant stated that water would still flow into the wash corridor and that the developer could work with the Town regarding retention basins adjacent to the washes
38. Are there plans for a pathway underneath the power lines?	The powerline easement will have a trail, and it will be further analyzed as it crosses the wash.
39. What is a "channelized east-bound right turn lane"?	The adjective "channelized" describes the way that car stacking takes place in the lane.
40. Does the developer's traffic report match up with Town plans?	Answer pending
41. Where are the plans for connecting Merrill Ranch Parkway to the El Dorado development over the Railroad tracks?	Future development will include a railroad crossing to connect Merrill Ranch Parkway to connect the neighborhoods.
42. What are the collector road designs/plans for turn lanes off Felix Road?	There will be turn lanes placed on Felix Road for Sun City Boulevard. Also, smaller entrances will have turn lanes.
43. Is this application in compliance with the PUD?	(Town of Florence Staff) Town staff stated that this preliminary plat application is in

	compliance with the current Anthem at Merrill Ranch PUD.
44. Will Unit 69 be rental units or owner-occupied?	Unit 69 is slated to be owner-occupied.
45. What is the density of the development?	The density of the entire PUD is 3.5 dwelling units per acre and the current average density is 2.7 dwelling units per acre.
46. Will the home prices be lower due to smaller size?	Answer pending Not part of this Pre-Plat application
47. Who else will be using the wastewater system?	Answer pending Currently being sized for landowners participating in the design and construction, allowing for future expansions. Future expansions will be determined by the Town and future growth.
48. What grade will the wastewater facilities be built at?	The wastewater facility will be built to the Town’s requirements and is intended to be a permanent facility.
49. Will the wastewater facility be part of the Community Facilities District (CFD)?	Yes, the wastewater will be in the CFD which helps with funding the infrastructure.
50. Could the project be divided up?	(Town of Florence Staff) Clifford Mattice, Town Attorney, stated that the decision would be part of a discussion between the applicant and the Commission.

In addition to the answers provided in Table 1., the Staff like to add the following:

Preliminary Plat – Active Adult vs. Parkside. The Preliminary Plat proposes 3,138 lots: 867 lots north of Merrill Ranch Parkway and 2,271 south of Merrill Ranch Parkway. The Preliminary Plan does not identify how many will be developed as “Active Adult” vs. “Parkside”. The Anthem at Merrill Ranch Planned Unit Development (PUD) lists parcels proposed to be developed as “Active Adult” vs. “Parkside” in Table I-1: Land Use Table Anthem at Merrill Ranch (pages 13 – 15). The PUD discusses land uses “Active Adult” and “Parkside”, as well as others. The PUD states “In preparing the phasing plan, certain assumptions have been made: 1) the rate of growth for the project will remain constant and as calculated; 2) the rate of growth of other regional infrastructure and service will remain constant and as calculated; and 3) the market demand for proposed residential product type and mix will remain constant throughout the phasing intervals. These assumptions are necessary to establish a phasing plan for the Land Use Plan. However, should these assumptions become obsolete or invalid due to area growth dynamics during the build-out of Anthem at Merrill Ranch, the Phasing Plan provides the flexibility to accommodate such growth dynamics. If, for example, the build-out rate in an internal project accelerates, key infrastructure components may be re-phased” (Pages 16-17).

The PUD further explains that “While a project development/phasing program sequence is implied, there is nothing in the plan to preclude a different order of development or even a different combination of sub-phases, so long as the related infrastructure is adequately in place” (Page 39).

Felix Road Improvements. Improvements along Felix Road are not part of this Preliminary Plat Application. The Felix Road Paving and Drainage Plan (by Baxter Engineering) was approved by the Town of Florence in 2006. The plans propose a divided (median) roadway with three north-bound and three south-bound travel lanes, dedicated turn-lanes at certain intersections, bike lanes, pedestrian pathways/sidewalks, crosswalks, landscaping, lighting, and a pedestrian underpass south of the intersection of Felix Road and Independence Way. The petitioner is responsible for Felix Road Improvements across their respective frontage.

During the hearing on February 20, 2025, a Commissioner asked what interim safety steps would be taken on Felix Road while the development was underway. The Town of Florence and the Developer will study and make a determination on pedestrians at grade crossing on Felix Road.

The Town of Florence will not be responsible for the care of the parks or facilities per the *Maintenance of Streets and Common Areas* (Page 24) in the PUD. Care and maintenance of the open spaces are the responsibility of the HOA.

School/Park/Community Center and Utility Zone. Pulte Group has provided Staff with a letter from the Florence Unified School District that details per the Donation Agreement Section 1a. that a school site has not been built on the donated land and they “do not plan to build on these parcels in the immediate future”. The Town of Florence continues to work with the Pulte Group and El Dorado Holdings to site, design and construct water and wastewater facilities. The site identified below has been set aside in favor of other locations better positioned to serve the respective utility.



Under *Schools/Park/Community Center and Utility Zone Development Standards*, the document states “If relocation of the site is deemed necessary, it shall be located within an established residential zone. The previously designated location shall be zoned by this application to a residential zone with all accompanying uses and restrictions. Relocation, expansion, or removal of a School/Park/Community Center or Utility Zone shall be allowed within this PUD and shall not require a PUD amendment” (Page 39 38).