

**CITY OF ELOY  
REQUEST FOR PLANNING & ZONING COMMISSION ACTION**

Agenda item VI. A&B

Date: 10/19/16

**Date submitted:**  
10/11/16

**Date requested:**  
10/12/16

**Action:**  
 Resolution  
 Ordinance  
 Formal  
 Other

**Subject:** Staff sponsored application for a Major General Plan Amendment on a total of approximately 1,135 acres from General Industrial (GI) and Estate Density Residential (EDR) to Mixed Use (MU), Community Commercial (CC), Low Density Residential (LDR), Medium Density Residential (MDR) and High Density Residential (HDR). Subject parcels are located in the northeast portion of the Planning Area; Assessor's Parcel Numbers: 401-48-026A, 401-48-026B, 401-48-026C, 401-48-702, 401-48-705 and 401-75-001B in a portion of Sections 17,20, and 21 of T7S, R8E of the G&SRB&M, Pinal County, Arizona).

**TO:** Planning & Zoning Commission

**FROM:** Jon Vlaming, Community Development Director

**RECOMMENDATION:** Staff recommends that the Planning and Zoning Commission recommend the approval of Case No.: GPA16-010 for a Major General Plan Amendment on approximately 1,135± acres from General Industrial and Estate Density Residential to Mixed Use (MU), Community Commercial (CC), Low Density Residential (LDR), Medium Density Residential (MDR) and High Density Residential (HDR).

**DISCUSSION:**

The subject parcels are currently part of the existing City of Eloy General Plan. The City of Eloy worked with one of the parcel owners (JLC Family Investments LLC, Pinal County Assessor's Parcel Number: 401-75-001B) to annex it into the City. As such, the property owner identified that the presence of a significant amount of General Industrial use within this region (with the presence of a substantial amount of General and Light Industrial designated land between Interstate 10 and Frontier Street to the south) allowed for a critical reevaluation of the appropriate uses for this area. The Community Development



Department staff subsequently made contact with several of the property owners (as identified on the list below) to determine their level of interest in joining the Major General Plan effort of JLC FAMILY INVESTMENTS LLC to reevaluate the designation(s) of their respective properties.

The properties that are subject to this request are located within an area bounded by Highway 87 to the east, Cornman Road to the north, Houser Road to the south and Sunshine Boulevard to the west. These parcels are identified by Pinal County Assessor's Numbers: 401-48-026A, 401-48-026B, 401-48-026C, 401-48-702, 401-48-705 and 401-75-001B.

APN	NAME	CURRENT LAND USE	PROPOSED LAND USE
401-48-026A	OLAF LLC	ESTATE DENSITY RESIDENTIAL	MEDIUM DENSITY RESIDENTIAL
401-48-026B	OLAF LLC	ESTATE DENSITY RESIDENTIAL	MEDIUM DENSITY RESIDENTIAL
401-48-026C	OLAF LLC	ESTATE DENSITY RESIDENTIAL	MEDIUM DENSITY RESIDENTIAL
401-48-702	STATE LAND	GENERAL INDUSTRIAL	LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL
401-48-705	STATE LAND	GENERAL INDUSTRIAL	MEDIUM DENSITY RESIDENTIAL
401-75-001B	JLC FAMILY INVESTMENTS LLC	GENERAL INDUSTRIAL	HIGH DENSITY RESIDENTIAL, MEDIUM HIGH DENSITY RESIDENTIAL, MIXED USE AND COMMUNITY COMMERCIAL

This request, if approved, would amend the Eloy General Plan Land Use Plan from approximately 1,135± acres of General Industrial and Estate Density Residential to Mixed Use (MU), Community Commercial (CC), Low Density Residential (LDR), Medium Density Residential (MDR) and High Density Residential (HDR). The intent of this request is to adjust the future land use pattern to reduce the amount of General Industrial identified in this portion of the City's Planning Area. Due to the extensive amount of general and light industrial designated property within the Interstate 10 and Frontier Street Corridor to the south, the presence of master planned communities to the south and the future location of the North-South Freeway to the east, it was deemed to be prudent to shift the land use pattern to leverage these land use and transportation improvements.

Arizona Revised Statutes (ARS) (§9-461.06) allows for the amendment of the City's General Plan through a minor and a major procedure, with such procedures identified in the general plan. For the Planning and Zoning Commission, the major amendments are presented at a single public hearing at a regularly scheduled meeting within the calendar year the proposal is made.

ARS (§9-461.05) also prescribes a 60-day review period for all Major General Plan Amendments. This year, the 60-day review period occurred between August 4th and October 3rd, 2016. The proposed changes were transmitted to all of the entities prescribed under ARS. The existing and proposed maps and narrative were also posted for review on the City's website and at the Eloy Library. An open house was also publicized and held on September 7th, 2016 at the Eloy Library to provide an opportunity for the public to attend and have any

questions answered. A total of two residents attended. At the conclusion of the 60-day review period, the City did not receive any formal comments on these proposed changes.

**STAFF FINDINGS:** Staff has reviewed these proposed uses and finds them to be compatible with the adjacent future land uses of the surrounding area based on the fact that this request is compliant with the following Eloy General Plan Goals and Objectives:

- Goal 1. Provide a range of land uses to encourage and maintain a sustainable community.
- Objective 1. Maintain transitional buffers between high and lower impact land uses.
- Objective 4. Maintain land use designation target ratios when amendments are proposed.

This request also conforms with the General Plan Amendment Guidelines:

1. That the City has not provided adequate land uses designated that would allow for the proposed use to be sited as proposed. *In this case, the City had an abundance of general industrial designated land that is challenged by lack of transportation access and visibility; incompatibility with recommended uses to the south, and an extensive inventory of General Industrial designated land located between Frontier Street and Interstate 10.*
2. That the amendment constitutes an overall improvement to the General Plan and will not solely benefit a particular landowner or owners at any particular point in time but will be of benefit to the City in general. *The ability to guide an area that is under consideration for annexation allows for the recommended land use pattern to foster a compatible, functional and fiscally beneficial land use pattern for the subject area.*
3. The amendment will not adversely impact any portion or entirety of the community, by:
  - Significantly altering acceptable existing and planned land use patterns, *(The uses recommended for these parcels are compatible with the existing and recommended future land use pattern of surrounding properties and the proposed uses are supported by the parcel owners)*
  - Require additional and more expensive infrastructure improvements to roads, sewer, or water delivery systems than are needed to support the prevailing land uses and may impact developments in other areas, unless otherwise negotiated through a development agreement, or other mitigation plan, and demonstrated to be of benefit to the City, *(The City currently does not have water and sewer service to the parcels. The nearest water line is at the intersection of Battaglia Road and Sunshine Boulevard, approximately five (5) miles to the south.)*

- Adversely impact existing or previously planned uses through an unreasonable increase in traffic generated on existing systems by the proposed use, or *(State Route 87 (SR87) is designated as a State Highway on the General Plan Circulation Map. The City has also identified that SR87 is its preferred location for North-South Corridor, and is also identified on the General Plan Circulation Map. As such, SR87/North South Corridor is expected to easily accommodate the anticipated traffic generated by these residential and non-residential uses.)*
- Adversely affect the livability of an area within the City or the health and safety of the residents. *(The transition of General Industrial to residential uses enhances the livability of the area and the transition of Estate Density Residential to Medium Density Residential provides opportunities to continue the MDR pattern to north in an effort to provide more affordable housing opportunities and population that enhances retail expenditures.)*

4. That the amendment is consistent with the General Plan's overall intent and other adopted plans, codes, and ordinances. *(These recommended uses support the intent of the General Plan and are consistent with the existing and planned uses on the parcels).*

**2016 Major General Plan Narrative**

**Project Name:** Major GPA HWY 87 300 WEST

**Case No.:** GPA16-010

**Request:** To amend the land uses within a portion of the City’s Planning Area to the west of State Route 87 (SR 87) with Mixed Use, Community Commercial, Low Density Residential, Medium Density Residential and High Density Residential land use designations.

**Legal Description:** The properties that are subject to this request are located within an area bounded by Highway 87 to the east, Hanna Road to the north, Houser Road to the south and Sunshine Boulevard to the west. These parcels are identified by Pinal County Assessor’s Numbers: 401-48-026A, 401-48-026B, 401-48-026C, 401-48-702, 401-48-705 and 401-75-001B.

<b>APN</b>	<b>NAME</b>	<b>CURRENT LAND USE</b>	<b>PROPOSED LAND USE</b>
401-48-026A	OLAF LLC	ESTATE DENSITY RESIDENTIAL	MEDIUM DENSITY RESIDENTIAL
401-48-026B	OLAF LLC	ESTATE DENSITY RESIDENTIAL	MEDIUM DENSITY RESIDENTIAL
401-48-026C	OLAF LLC	ESTATE DENSITY RESIDENTIAL	MEDIUM DENSITY RESIDENTIAL
401-48-7020	STATE LAND	GENERAL INDUSTIRAL	LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL AND COMMUNITY COMMERCIAL
401-48-7050	STATE LAND	GENERAL INDUSTRIAL	MEDIUM DENSITY RESIDENTIAL
401-75-001B	JLC FAMILY INVESTMENTS LLC	GENERAL INDUSTRIAL	HIGH DENSITY RESIDENTIAL, MEDIUM HIGH DENSITY RESIDENTIAL, MIXED USE AND COMMUNITY COMMERCIAL

**Introduction and Background:** The subject parcels are currently part of the existing City of Eloy General Plan. Due to the attempts of our neighboring city to the northeast of our city limits (City of Coolidge) to increase their incorporated area into the City of Eloy’s existing and adopted Planning Area, the City of Eloy worked with one of the parcel owners (JLC FAMILY INVESTMENTS LLC, Pinal County Assessor’s Parcel Number: 401-75-001B subject to an annexation petition, Case No.: A15-002) to potentially annex it into the City. As such, the property owner identified that the presence of a significant amount of General Industrial use within this region (with the presence of a substantial amount of General and Light Industrial designated land between Interstate 10 and Frontier Street to the south) allowed for a critical reevaluation of the appropriate uses for this area. The Community Development Department staff subsequently made contact with several of the property owners (as identified on the list above and on the attached exhibit) to determine their level of interest in joining the Major General Plan effort of JLC FAMILY INVESTMENTSLLS to reevaluate the designations of their respective properties.

For the annexation Case No. A15-002, City Staff received a verbal/mutual agreement of approval from JLC FAMILY INVESTMENTS LLC, Pinal County Assessor's Parcel Number: 401-75-001B. For the purpose of this Major General Plan Amendment staff initiated a request by OLAF LLC, ARIZONA STATE LAND and JLC FAMILY INVESTMENTS LLC to authorize the City of Eloy to act on their behalf to amend the General Plan designations as noted above.

**Existing General Plan Land Use:** Currently the subject properties are designated as General Industrial and Estate Density Residential.

**Proposed General Plan Land Use:** Mixed Use (MU), Community Commercial (CC), Low Density Residential (LD), Medium Density Residential (MDR) and High Density Residential (HDR).

**Basis for Request:**

**Compliance with General Plan Goals and Objectives:**

This request is compliant with the following Eloy General Plan Goals and Objectives:

Land Use Element

Goal 1. Provide a range of land uses to encourage and maintain a sustainable community.

Objective 1. Maintain transitional buffers between high and lower impact land uses.

Objective 4. Maintain land use designation target ratios when amendments are proposed.

**Conforms to General Plan Amendment Guidelines:**

1. That the City has not provided adequate land uses designated that would allow for the proposed use to be sited as proposed. *In this case, the City had an abundance of general industrial designated land that is challenged by lack of transportation access and visibility; incompatibility with recommended uses to the south, and an extensive inventory of General Industrial designated land located between Frontier Street and Interstate 10.*

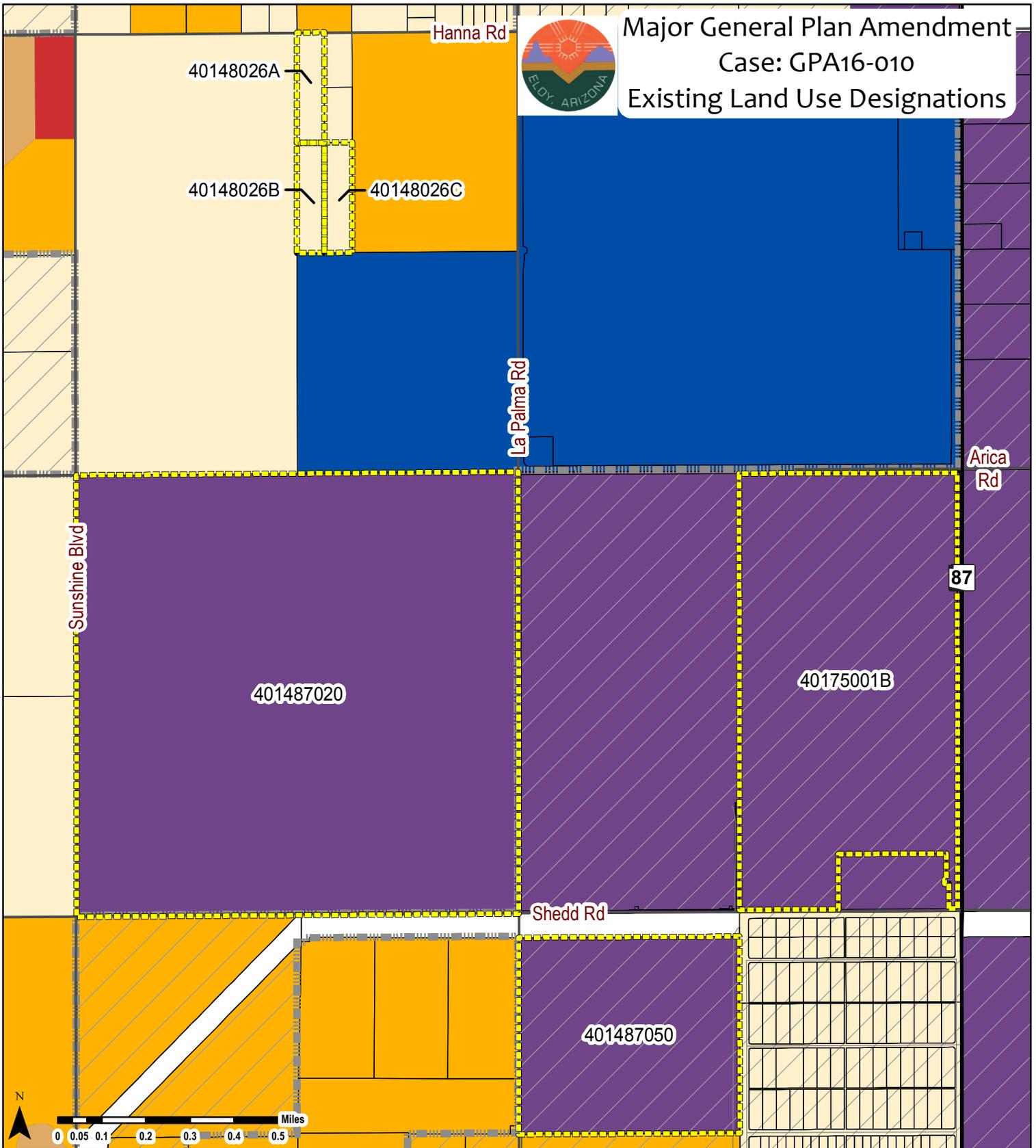
2. That the amendment constitutes an overall improvement to the General Plan and will not solely benefit a particular landowner or owners at any particular point in time but will be of benefit to the City in general. *The ability to guide an area that is under consideration for annexation allows for the recommended land use pattern to foster a compatible, functional and fiscally beneficial land use pattern for the subject area.*

3. The amendment will not adversely impact any portion or entirety of the community, by:

- Significantly altering acceptable existing and planned land use patterns, *(The uses recommended for these parcels are compatible with the existing and recommended future land use pattern of surrounding properties and the proposed uses are supported by the parcel owners.)*
  - Require additional and more expensive infrastructure improvements to roads, sewer, or water delivery systems than are needed to support the prevailing land uses and may impact developments in other areas, unless otherwise negotiated through a development agreement, or other mitigation plan, and demonstrated to be of benefit to the City, *(The City currently does not have water and sewer service to the parcels. The nearest water line is at the intersection of Battaglia Road and Sunshine Boulevard, approximately five (5) miles to the south.)*
  - Adversely impact existing or previously planned uses through an unreasonable increase in traffic generated on existing systems by the proposed use, or *(State Route 87 (SR87) is designated as a State Highway on the General Plan Circulation Map. The City has also identified that SR87 is its preferred location for North-South Corridor, and is also identified on the General Plan Circulation Map. As such, SR87/North South Corridor is expected to accommodate the anticipated traffic generated by these residential and non-residential uses.)*
  - Adversely affect the livability of an area within the City or the health and safety of the residents. *(The transition of General Industrial to residential uses enhances the livability of the area and the transition of Estate Density Residential to Medium Density Residential provides opportunities to continue the MDR pattern to north in an effort to provide more affordable housing opportunities and population that enhances retail expenditures in the City.)*
4. That the amendment is consistent with the General Plan's overall intent and other adopted plans, codes, and ordinances. *(These recommended uses support the intent of the General Plan and are consistent with the existing and planned uses on the parcels).*



Major General Plan Amendment  
Case: GPA16-010  
Existing Land Use Designations



**Land Use Designations**

**Residential**

- Estate Density Residential (0.2 - 1.0 du/ac)
- Med-High Density Residential (6.0 - 12 du/ac)
- Medium Density Residential (3.0 - 6.0 du/ac)
- Low Density Residential (1.0 - 3.0 du/ac)
- High Density Residential (10 - 24 du/ac)

**Commercial**

- Neighborhood Commercial
- Community Commercial

**Industrial**

- Light Industrial
- General Industrial

**Other**

- Parks/Open Space
- Mixed Use
- Public/Institutional

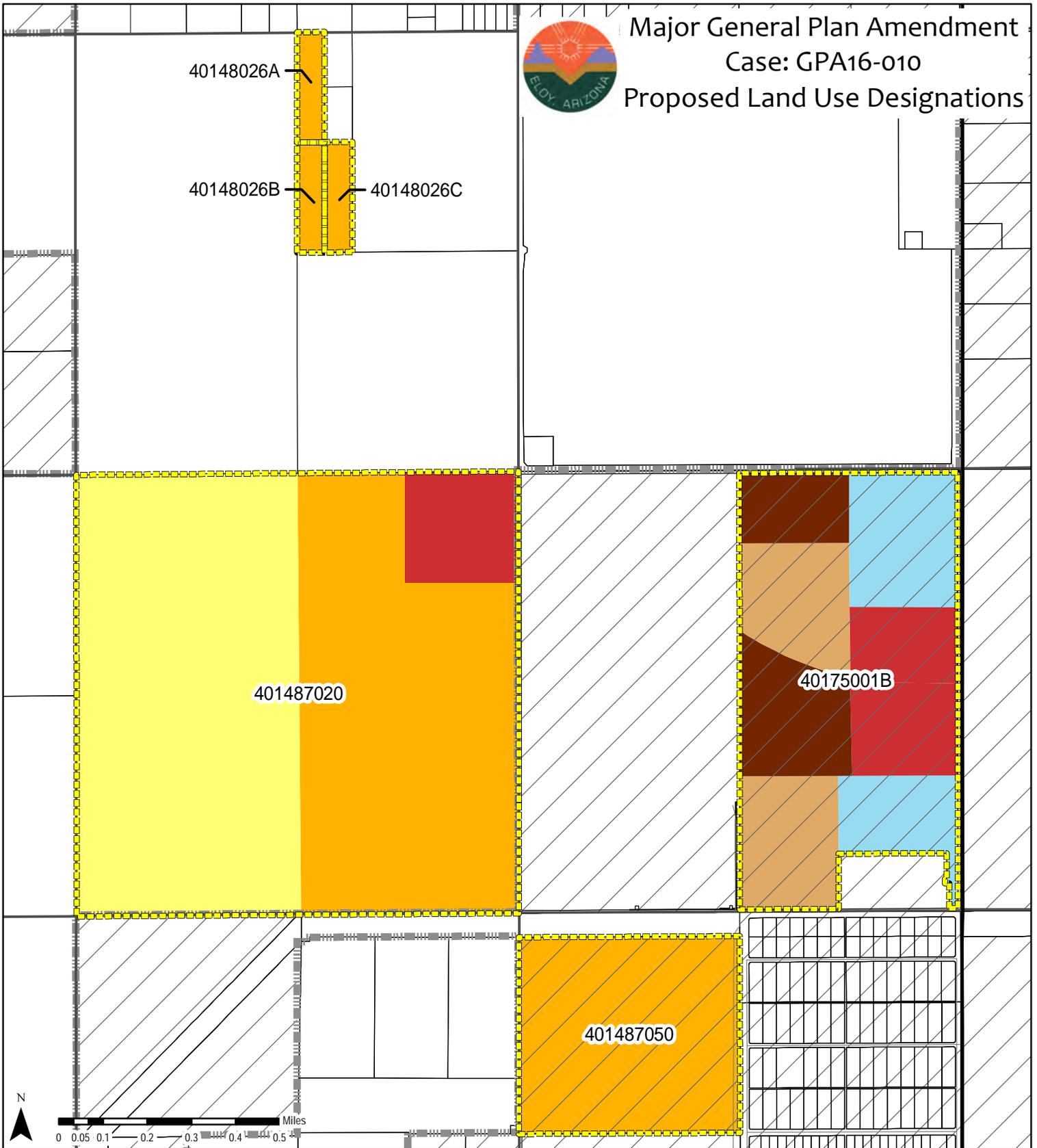
**Reference**

- Subject Parcels
- Eloy City Limits
- Outside City Limits

The City of Eloy furnishes this map "as is", and assumes no liability or responsibility for errors, omissions, or inaccuracies presented. While every effort has been made to ensure its accuracy and completeness, the City of Eloy furnishes this map "as is", and assumes no responsibility for errors, omissions, or inaccuracies presented. Any conclusions derived from this map are the responsibility of the user, as this map is for reference purposes only.



Major General Plan Amendment  
Case: GPA16-010  
Proposed Land Use Designations



**Land Use Designations**

**Residential**

- Estate Density Residential (0.2 - 1.0 du/ac)
- Med-High Density Residential (6.0 - 12 du/ac)
- Medium Density Residential (3.0 - 6.0 du/ac)
- Low Density Residential (1.0 - 3.0 du/ac)
- High Density Residential (10 - 24 du/ac)

**Commercial**

- Neighborhood Commercial
- Community Commercial

**Industrial**

- Light Industrial
- General Industrial

**Other**

- Parks/Open Space
- Mixed Use
- Public/Institutional

**Reference**

- Subject Parcels
- Eloy City Limits
- Outside City Limits

The City of Eloy furnishes this map "as is", and assumes no liability or responsibility for errors, omissions, or inaccuracies presented. While every effort has been made to ensure its accuracy and completeness, the City of Eloy furnishes this map "as is", and assumes no responsibility for errors, omissions, or inaccuracies presented. Any conclusions derived from this map are the responsibility of the user, as this map is for reference purposes only.



Douglas A. Ducey  
Governor

Lisa A. Atkins  
Commissioner

## Arizona State Land Department

June 23, 2016

1616 West Adams, Phoenix, Arizona 85007  
(602) 542-4631

Jon Vlaming  
Community Development Director  
City of Eloy  
1137 W. Houser Road  
Eloy AZ 85131

RE: Major General Plan Amendment (GPA16-010) State Trust Land Shown on Attached Map

Dear Mr. Vlaming:

The Arizona State Land Department (the "Department" or "ASLD") received a request from you for permission to act as authorized agent for the Department to amend the City of Eloy General Plan. The amendment changes the land uses for State Trust land from General Industrial to community Commercial, Medium and Low Density Residential as depicted in the attached map.

**The City of Eloy, its employees, representatives, agents, and/or consultants (hereinafter "Applicant") therefore, has the Department's consent to file for the Entitlements as required by the Jurisdiction, subject to the following conditions and understandings.**

1. Applicant shall pay all costs associated with the Entitlements and shall not be reimbursed by the Department or by any subsequent purchaser at auction.
2. Applicant, their employees, representatives, agents, and/or consultants shall be permitted to act as the Department's agents to procure the Entitlements and any related permits or approvals which may be required (the "Entitlement Process"), subject to final review and approval by the Department.
3. Applicant shall diligently pursue the satisfaction of all Entitlements. Further, it shall respond to all inquiries by the Department as to the status of the Entitlement Process, and provide regular updates without formal request.
4. Prior to beginning the Entitlement Process, the Applicant shall provide the Department with an outline of the proposal and a timeline for the process which identifies key dates with the Jurisdiction or other jurisdictional agency staff and project hearing dates with any agency or jurisdiction. All documentation, including, but not limited to: land use plans, engineering drawings, application materials and development agreements, shall be submitted to the Department for approval prior to the date the documentation is filed with the approving jurisdiction. A copy of the application shall be submitted to the Department on the same day it is filed with the Jurisdiction or other jurisdictional agency.

5. The Department staff shall be invited, but not required to attend, all meetings with the various agencies, elected officials, and the Jurisdiction as the Entitlements are processed through relevant hearings. A minimum of five (5) business days' notice shall be provided to Department staff in advance of any meeting.
6. Applicant shall submit to the Department all staff reports and draft stipulations that will be considered by the Jurisdiction on the day they are received by the Applicant, and at least ten (10) business days before each public meeting or hearing, if possible.
7. As additional consideration for the grant of this permission, all Entitlements and/or rights and permits obtained pursuant to the described applications are the property of the Department and will only be transferred to the successful bidder, if any, at the time the land is auctioned for sale or lease at some point in the future.
8. The Jurisdiction is authorized to enter and inspect the subject property.
9. This authorization may be revoked at any time without notice and in no way creates an obligation on the part of the Department of any kind.

All information will be provided to Michelle Green, Planning and Engineering Section.

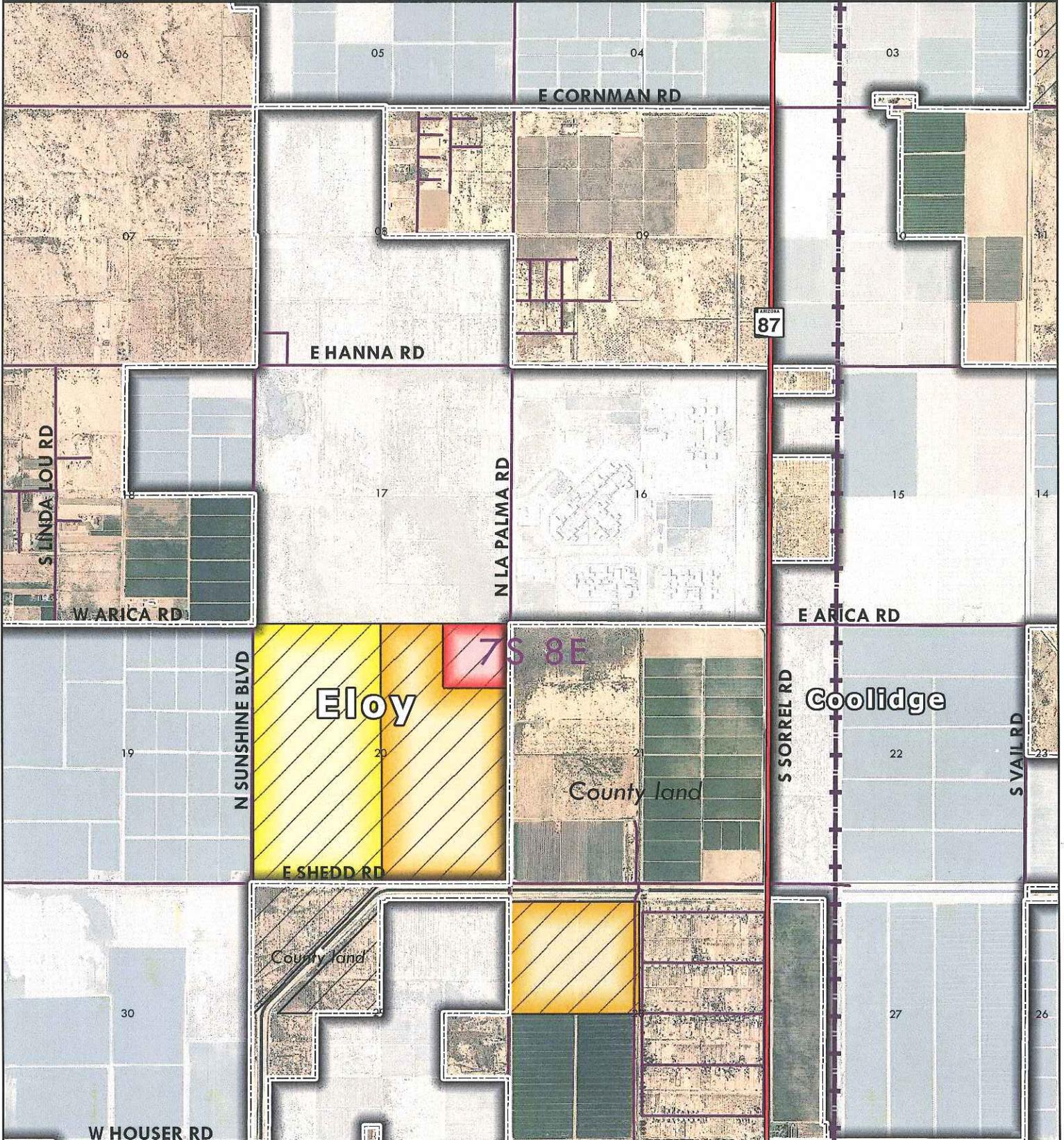
The Department appreciates your consideration in this matter, and looks forward to working with you through this process. Please contact Michelle Green at 602-364-2502 or [mgreen@azland.gov](mailto:mgreen@azland.gov) if you have any questions.

Sincerely,



Mark Edelman, AICP  
Manager  
Planning and Engineering Section

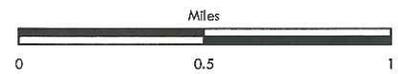
cc: Michelle Green, ASLD Planning & Engineering



-  State Trust Land
-  Cities
-  Railroads

### Land Use on State Lands

-  Community Commercial
-  Low Density Residential (1.0-3.0 du/ac)
-  Medium Density Residential (3.0-6.0 du/ac)



ASLD makes no warranties, implied or expressed, regarding information shown on this map.  
 Produced by Planning/IW 4/2016  
 K:\work8\asset\michelle\Eloy\Work2016\Area.mxd  
 Datum & Projection:  
 North American Datum 1983 HARN  
 UTM Zone 12 North - Meters

