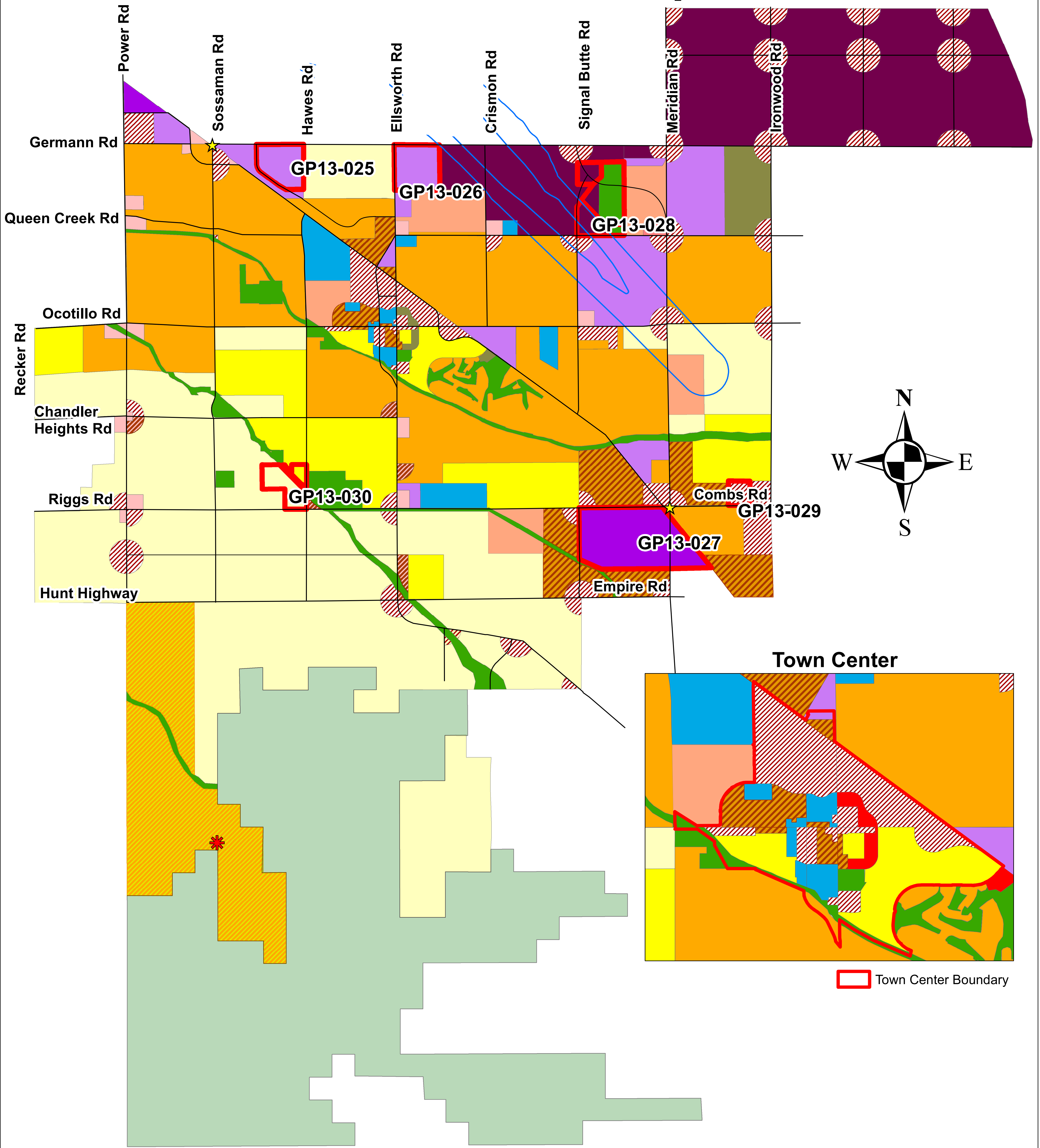


Town of Queen Creek 2008 General Plan Map



General Plan Land Use Legend

	Very Low Density Residential (0-1 DU/AC)		Mixed Use		Employment Type B		Future Intersection Modification
	Low Density Residential (0-2 DU/AC)		Neighborhood Commercial		Public/Quasi-Public		Resort / Tourism / Entertainment
	Medium Density Residential (0-3 DU/AC)		Community Commercial		Open Space		General Plan Amendments 2013
	Master Planned Community (0-1.8 DU/AC)		Office/Services		Regional Commercial Center		
	Medium High Density Residential Type A (0-5 DU/AC)		Commercial		San Tan Regional Park		
	Medium High Density Residential Type B (0-8 DU/AC)		Employment Type A		Noise Contours		

Modified by Resolutions 813-09, 814-09, 824-10, 924-12 and 934-13

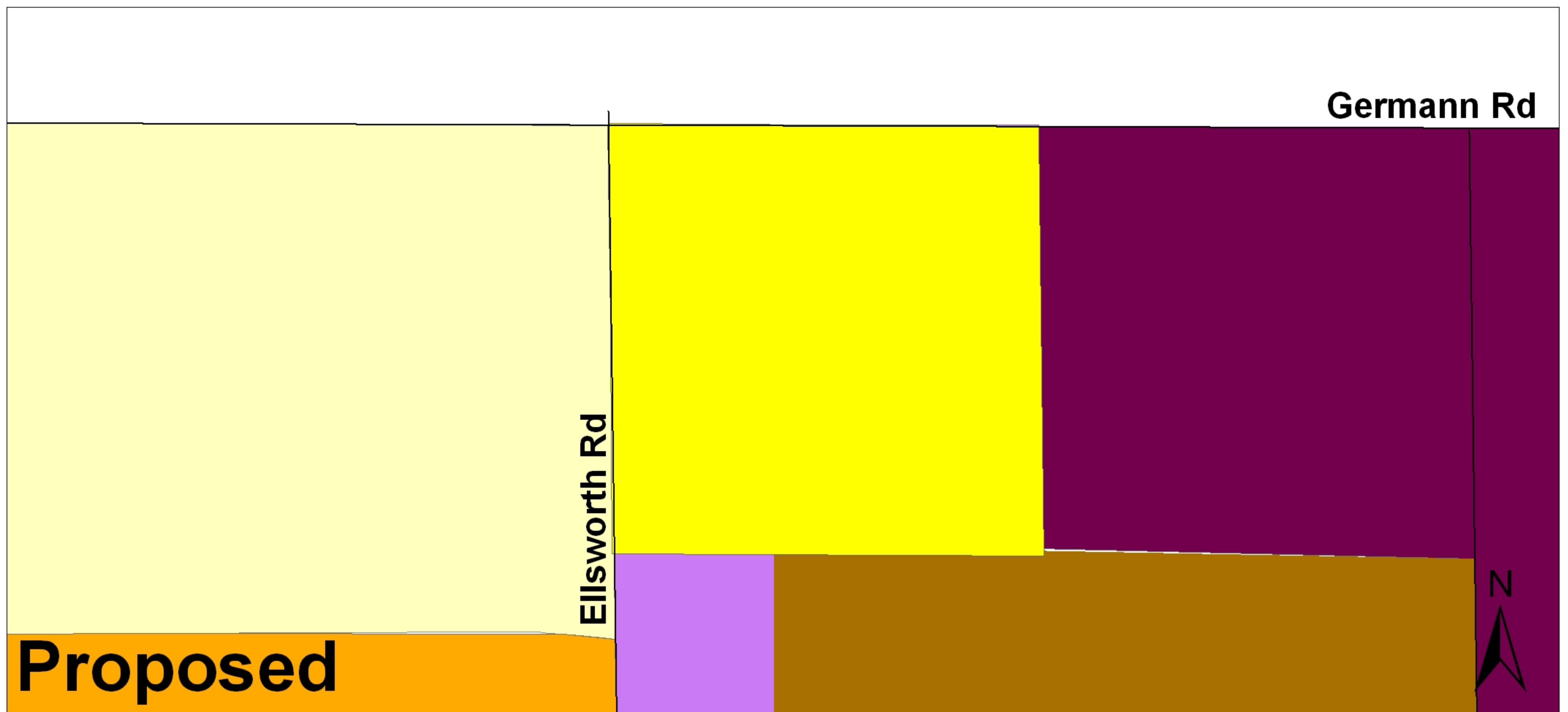
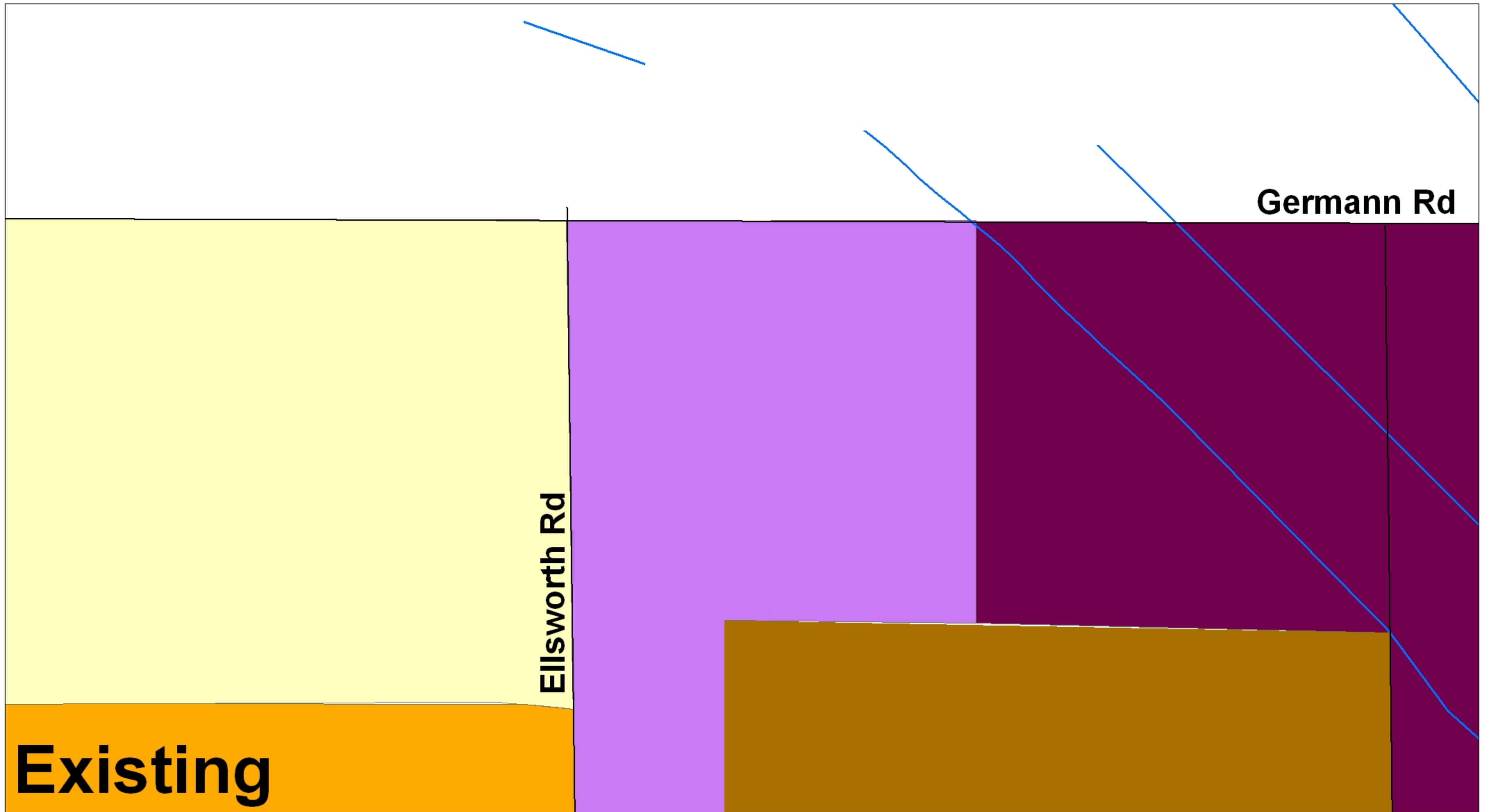
All information is believed to be accurate as the date of publication, however is not guaranteed.



Town of Queen Creek

2013 General Plan Amendment

GP13-026 The Estates at Queen Creek Station



General Plan Land Use Legend			
Very Low Density Residential (0-1 DU/AC)	Mixed Use	Employment Type B	Future Intersection Modification
Low Density Residential (0-2 DU/AC)	Neighborhood Commercial	Public/Quasi-Public	Resort / Tourism / Entertainment
Medium Density Residential (0-3 DU/AC)	Community Commercial	Open Space	
Master Planned Community (0-1.8 DU/AC)	Office/Services	Regional Commercial Center	
Medium High Density Residential Type A (0-5 DU/AC)	Commercial	San Tan Regional Park	
Multifamily	Employment Type A	Noise Contours	

Modified by Resolutions 813-09, 814-09, 824-10, 924-12 and 934-13
 All information is believed to be accurate as the date of publication, however is not guaranteed.
 Created by Sidney Urias 480-358-3094





Queen Creek Gateway

SRP

70' x 140'

70' x 140'

Ellsworth Road

Park

90' x 140'

110' x 150'

165: 70' x 140'
81: 90' x 140'
78: 110' x 150'
324 Total Lots

The Estates at Queen Creek Station

GREY|PICKETT
7051 East 5th Avenue
Suite 200
Scottsdale, AZ 85251
480.609.0009
www.greypickett.com

Major General Plan Amendment

for 156 acres known as The Estates at Queen Creek Station

Narrative

SEC of Germann and Ellsworth Roads

Submitted by:

Bowman Consulting

Troy Peterson
3010 S. Priest Drive, Suite 103
Tempe, AZ 85282

and

Pew & Lake, P.L.C.

W. Ralph Pew
1744 South Val Vista Drive, Suite 217
Mesa, AZ 85204

Submitted on Behalf of:

RSF Property, LLC

1121 West Warner Road, Suite 109
Tempe, AZ 85284

Submitted to:

Town of Queen Creek

22350 South Ellsworth Road
Queen Creek, AZ 85242

Prepared: June 12, 2013

THE ESTATES AT QUEEN CREEK STATION

Major General Plan Amendment Narrative

Table of Contents

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Tables and Exhibits

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Exhibit A - Aerial Vicinity Map

Exhibit B - Queen Creek General Plan Land Use Plan (Existing)

Exhibit C - Queen Creek General Plan Land Use Plan (Proposed)

Exhibit D- Conceptual Site Plan

1. REQUEST

The Owner is pleased to submit for your consideration an application for a Major General Plan Amendment for approximately 156 acres of what is referred to as The Estates at Queen Creek Station (the "Amendment"), as described in this narrative.

AMENDMENT TO LAND USE PLAN

The Amendment is for approximately 156 acres, generally located at the southeast corner of Ellsworth and Germann Roads. The Amendment will result in a *decrease* in the overall land use intensity by changing the Land Use Plan classification from Employment Type A to Low Density Residential (0-2 DU/AC).

2. DESCRIPTION OF PROPOSAL

OVERVIEW

The amendment area was part of the proposed Queen Creek Station and designated for Employment Type A uses. In 2008, the Town initiated a Town wide amendment to the General Plan to provide for the future development and goals of the Town. In the Amendment, this property was determined to be suited for employment use in order to promote business and economic benefits to the Town. Since 2008, both the local real estate market and the ownership of the property in this area have changed dramatically. The previously contemplated Queen Creek Station has been significantly modified and no longer exists as a unified development plan.

The Owner and its experienced real estate development associates have concluded that because the land area surrounding the Phoenix-Mesa Gateway Airport contains thousands of acres planned for employment, mixed-use and commercial development purposes, the Amendment area is not well situated to compete for Employment Type A uses and that absorption of this property for employment development is unlikely to occur for decades to come. The Owner and its predecessor have patiently and with determined effort attempted to market and develop this property for employment purposes and have had no success. Consequently, the Owner does not envision that this land will be developed under its current general plan designation in the foreseeable future. The Owner feels that it has shouldered its reasonable share of the Town's expectations for employment development on this site and has now decided to sell the property for residential development purposes. The amendment area is zoned R1-43 and the development of a one-acre residential subdivision is an allowed use under this zoning district. While technically, the issue presented by the Amendment is a change in land use from Employment Type A to LDR, the practical reality and real question for the Town is whether or not the Amendment area should be developed as a one-acre lot residential subdivision or a more fully improved and integrated Master Plan with entry monumentation, open space, landscape and appropriate thematic design in the LDR land use category.

The Owner and Toll Brothers, Inc. ("Toll") are working together to develop this property. Toll is a well-respected quality builder of executive home communities and is prepared to develop this site for a one-acre lot subdivision. Toll is very experienced with this type of development, has confidence in the large acre-lot product and is very patient in its absorption plan for a project and product of this type. For the

reasons expressed in this narrative, the Owner and Toll would prefer to develop the site under the LDR land use designation and provide a high quality, well designed and amenitized Master Planned Community for executive housing.

Nearly concurrent with this Amendment, the Owner will be processing a request for Rezoning/PAD on the property, proposed for residential uses on the entire site. This Rezoning /PAD application will represent the initial implementation and development in this area under this Amendment. It will provide a detailed depiction of how the proposed Low Density Residential (0-2 du/ac) land use designation will be implemented to establish a unique character and presence at the Town’s northern “Gateway”. The Rezoning/PAD will allow the Town to see a detailed example of the quality with which the property will develop. In addition to the items shown on the Conceptual Site Plan presented with this application, the Owner is also committed to providing the Town with a significant entry feature on the southeast and southwest corners of Ellsworth and Germann roads, providing a fabulous landscape area with a unique monumentation that will serve to welcome residents and visitors proceeding south on Ellsworth road into the Town.

GENERAL PLAN LAND USE PLAN AMENDMENT

This request consists of a modification from the existing Employment A land use designation, generally located at the southeast corners of Ellsworth and Germann Roads to a land use designation of Low Density Residential (0-2 DU/AC).

This Amendment of the existing land use will provide a development plan that is achievable in today’s real estate market and today’s Town, while still maintaining a unique land use asset for the Town at its northern “Gateway”. The existing and proposed General Plan Land Use Plan exhibits are included with this narrative.

The following table (**Table 1**) identifies the existing General Plan Land Use designation that would be changed by this request:

Table 1 - Proposed Changes to General Plan Land Use Designations

Existing General Plan Land Use	Acreage	Proposed General Plan Land Use	Acreage
Employment A	156	Low Density Residential (0-2 DU/AC)	156
Total Amended Acreage	156		156

Despite increasing the total acreage available for residential development, the Amendment will result in a *DECREASE* in the land use intensity for the area from Employment to a Master Planned Community of approximately 320 homes at approximately 2 du/ac.

The Amendment responds to the General Plan’s Vision of “Keeping Queen Creek Unique” and specifically addresses a number of its Goals and Policies, including the following:

Land Use Element Goals & Policies

Goal 1 - Policy 1a

This Amendment will protect and promote the Town’s rural history and development potential to develop a unique, attractive, desirable and economically sustainable community by providing for land uses and infrastructure that respond to the current vision and development landscape of the Town.

Goal 1 – Policy 1c

This Amendment will maintain and strengthen the ambiance and character of the Town’s low-density residential development.

Goal 3 – Policy 3b

This Amendment will provide housing opportunities within the Town for lower density residential areas near the Town Center and near future shopping and employment areas.

Goal 3 – Policy 3d

This Amendment will help ensure compatibility between new projects and existing neighborhoods by providing appropriate transitional treatments. The Amendment for LDR is compatible with the VLDR, MDR, and MHDR existing and proposed development in the area and complete the range of single-family residential uses provided for in the Town’s General plan along Ellsworth Road between Germann and Queen Creek Roads.

Growth Areas Element Goals & Policies

Goal 5 – Policy 5b

This Amendment will use available infrastructure capacity to accommodate new development consistent with the land use goals and provisions of the General Plan.

Parks, Trails & Open Space Element Goals & Policies

Goal 6 – Policy 6b

This Amendment will allow the Town to begin to emphasize the need for safe pedestrian linkages between neighborhoods, open spaces and recreational opportunities in the design and development of new residential neighborhoods in the area formerly known as Queen Creek Station. This will be accomplished through the Owner’s Rezoning/PAD application that will be processed concurrently with this Amendment.

Economic Development Element Goals & Policies

Goal 1 – Policy 1a

This amendment proposes building an economically and environmentally attractive community utilizing the Town’s unique rural image for new development.

Goal 1 – Policy 1c

This Amendment proposes the opportunity for a variety of executive housing to enhance the Town’s attractiveness to senior level management of companies locating in the southeast valley and the Phoenix-Mesa Gateway Airport area.

Cost of Development Element Goals & Policies

Goal 1 – Policy 1a

This Amendment will help the Town to designate areas and land uses in the General Plan which are appropriate in size and location for future revenue or employment generating land uses. By scaling back the Employment designations in the area, this Amendment provides for future revenue generating uses that are much more appropriate in size given the existing development that has occurred within the Town over the past 5 years.

GENERAL PLAN LAND USE PLAN IMPLEMENTATION

As previously indicated, nearly concurrent with this Amendment, the Owner will be processing a request for Rezoning/PAD for The Estates at Queen Creek Station. This Rezoning /PAD application will represent the initial implementation and development in this area under this Amendment. It will provide a detailed depiction of how the proposed Low Density Residential land use designation will be implemented and will set the tone for the establishment of a unique character and presence at the Town’s northern “gateway”. The unique entry and monument features welcoming residents and visitors into the Town will be provided at a later date as a conceptual design to supplement this application.

3. RELATIONSHIP TO SURROUNDING PROPERTIES

This site is bound on the north by Germann Road, on the south by the Ryan Road alignment, on the west by Ellsworth Road and on the east by agricultural property.

The General Plan Land Use classifications, along with the existing zoning and uses for the adjacent parcels, are listed in the table below (**Table 2**):

Table 2 – Adjacent Land Uses

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Light Industrial (City of Mesa)	LI (City of Mesa)	Agriculture
South	Medium High Density Residential (3-5 DU/AC) and Employment Type A	R1-43	Agriculture
East	Employment Type B	R1-43	Agriculture
West	Very Low Density Residential (0-1 DU/AC)	R1-43	Residential (Ellsworth Suburban Mini-Farms)

IMPACT ON SURROUNDING PROPERTIES

The Amendment to LDR will be compatible with the three residential land use categories surrounding the site (VLDR, MDR and MHDR). This Amendment will provide an improvement over the land use plan for the existing adjacent low density residential and employment uses. Appropriate transition and buffering adjacent to these existing residential uses will be accomplished through the Rezoning/PAD process.

4. PUBLIC UTILITIES AND SERVICES

Utilities and services will be provided as follows:

Water:	Town of Queen Creek
Sewer:	Town of Queen Creek
Electric:	Salt River Project
Gas:	Southwest Gas
Cable:	Cox Communications
Telephone:	Qwest/Century Link
Police:	Maricopa County Sheriff
Fire:	Town of Queen Creek
School:	Queen Creek Unified School District

Water

Potable water is proposed to be provided by the Town. A 12" waterline will be extended along Ellsworth Road to the southwest corner of the property by the adjacent Fulton Homes project. This line will then be extended north to supply water to the project area.

The proposed water system improvements will be designed and developed in accordance with the Town and Maricopa County Environmental Services Department (MCESD) requirements.

Wastewater

Sewer service will be provided by the Town's sewer system. Per the Town's Wastewater Masterplan, a gravity sewer line will be extended along Ryan Road to the southern boundary of the referenced property. The land owner will coordinate with the Town and determine, at the time of preliminary plat approval, if an interim alternative sewer connection is needed for this property.

Schools

Efforts will be coordinated with the Queen Creek Unified School District throughout the entitlement process to ensure that our responsibilities for adequate educational facilities are accomplished for the District.

5. PUBLIC PARTICIPATION

The Owner and project team will be implementing significant neighborhood outreach efforts and conducting neighborhood meetings with adjacent property owners to address any questions they may have and bring them to the attention of the Town. The project team is committed to continuing public participation efforts throughout the entire GPA and entitlement processes.

6. FINDINGS OF FACT

The Town's General Plan Amendment Application process instructs the Applicant to respond to four (4) Findings of Fact concerning the approval of a General Plan Amendment application. The four (4) findings are listed below with the Applicant's response:

1. *The development pattern contained in the Land Use Plan inadequately provides appropriate optional sites for the use proposed in the amendment.*

According to the "Queen Creek Future Land Use Plan", shown as Table 1 of the Town's General Plan, the LDR land use category contains the least amount of acreage for residential development in the Town. Approximately 4% of the Town's acreage is designated for LDR development. Overall, the mix of residential land uses in the Town indicates that LDR is inadequately provided for and increasing that acreage by 156 acres begins to create more diversification of residential land uses in the Town.

Development patterns for residential land uses north of Ocotillo Road do not provide for any LDR development. Consequently, this specific reference to the approximately 26,500 acres of land in the Town north of Ocotillo Road and the lack of any LDR in that acreage, demonstrates that the current land use pattern inadequately provides optional locations for LDR land uses.

Considering this amendment and its contribution to positive planning techniques and sustainability, affords a unique opportunity for the Town to allow all four residential land use categories along the Ellsworth Road corridor in such a way that creates a harmonious and diversified relationship among these residential land uses.

2. *That the amendment constitutes an overall improvement to the Queen Creek General Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.*

The question presented by this finding is whether or not the Amendment is solely for the benefit of the Owner at this point in time. Typically, General Plan Amendments benefit the owner either by enhanced development potential or quicker absorption possibilities for its property. In this Amendment, the Owner is benefitted by having a land use designation that is more economically advantageous to the owner, however, and importantly, the Owner is not the sole beneficiary of the Amendment. The Town benefits from approving this Amendment in the following ways:

- A) Retaining the Employment Type A land use designation on this property will ensure that it remains undeveloped in any meaningful way and therefore vacant and

unproductive in the foreseeable future. The fiscal impact study submitted with this application estimates that over a 25 year period, only 9% of the site would be built out and productive as Employment Type A uses. The clear benefit to the Town by approving this amendment is to have a high quality, well-designed, executive housing Master Planned Community developed at its principal Gateway entry on Ellsworth Road.

- B) While the property could be developed today for a one-acre single family subdivision, the approval of the LDR land use and ultimate development of a 324-lot Master Planned Community would provide a greater annual impact to the Town, and approximately \$2.7 million in one-time impact fees and a greater surge in sales tax through retail spending trends by the residents of The Estates at Queen Creek Station. (see fiscal impact study)
- C) The net economic benefit to the Town of Employment Type A development on this property would be positive if the entire 156 acres instantaneously developed tomorrow with high occupancies and good-paying jobs. The reality is that the type of development expected under Employment Type A land use designations will not occur on this site in the near future and as indicated by the fiscal impact study, full absorption of such uses on this site will require decades of time and, in the Owner's opinion, perhaps never fully occur.
- D) The Owner, together with Toll, is committed to developing the property under the existing R1-43 zoning; however, the Owner and Toll believe that the LDR land use category is better for the Town for the following reasons:
 - i) Approval of the amendment will provide a unique demonstration of how all single family residential land use categories can be developed in close proximity to each other and provide greater diversification.
 - ii) The Master Planned Community design as conceptually illustrated on the attached "Conceptual Site Plan", which may be refined and improved during the rezoning/PAD process, results in a more aesthetically sustainable community than an unimaginative acre-lot subdivision. The master-planned community will provide entry features, open-space, thematic design and harmonious product elevations thereby creating an executive housing environment at the Gateway entry to the Town. This Master Planned Community, together with the Fulton Homes project to the south, will create a high standard of residential development that will be impressive to residents and visitors in the Town.
 - iii) A beautiful one-of-a-kind entry feature including signage monumentation for the Town can be created at the southwest and southeast corners of Ellsworth and Germann Roads as part of the LDR Master Planned Community known as The Estates at Queen Creek Station.

3. *That the amendment will not adversely impact the community as a whole or a portion of the community by:*

a. *Significantly altering acceptable existing land use patterns.*

The Amendment does not significantly alter the land use patterns in the area because the property is surrounded by three different residential land uses (VLDR, MDR, and MHDR) and the addition of the LDR land use in this pattern will be consistent and harmonious with existing uses.

b. *Requiring larger and more expensive improvements to roads, sewer or water systems than are needed to support the prevailing land uses and which, if not ameliorated properly, may negatively impact development of other lands.*

As indicated in section 4 of this narrative, the Amendment will not have an adverse impact on the Town's infrastructure.

c. *Adversely impacting existing uses due to increased traffic on existing systems.*

The Amendment will actually enhance the existing roadway systems in the area by constructing half-street improvements to Ellsworth and Germann Roads. As indicated in the traffic letter submitted with this application, no additional improvements to the Town's existing roadway systems will be necessitated by this Amendment.

d. *Affecting the livability of the area or the health and safety of the residents.*

The Amendment will not adversely affect the livability of the area or affect the health or safety of the residents. Conversely, the development of the area, coupled with the associated infrastructure improvements, will serve to substantially increase the livability of this area for Queen Creek residents.

4. *That the amendment is consistent with the overall intent of the General Plan.*

As demonstrated in Section 2 of this narrative, the Amendment is consistent with the overall intent of the General Plan, its vision, goals and policies.

7. CONCLUSION

The Amendment is consistent and compatible with the vision, goals and policies of the Queen Creek General Plan and satisfies the findings of fact required by the Town's application process. For the reasons articulated in this narrative report, the Owner respectfully requests the Town's approval of this Amendment.

EXECUTIVE SUMMARY

This analysis demonstrates the potential socioeconomic and fiscal impacts of the proposed General Plan Amendment for The Estates at Queen Creek Station on the Town of Queen Creek. This 156 acre property is located at the southeast corner of Germann Road and Ellsworth Road. The proposal for The Estates at Queen Creek Station property involves changing the General Plan land use from Employment Type A (Current General Plan) to Low Density Residential (Proposed Alternative). However, since the site is currently zoned for Very Low Density Residential (Current Zoning), this alternative is also included. The analysis covers a 25 year period from 2014 to 2033 at which point the residential alternatives would be fully built out, but the current general plan alternative of Employment Type A would only be 9 percent built out, based on the assumptions used in this analysis. Impact results include the General Fund, Transportation and Emergency Services Funds.

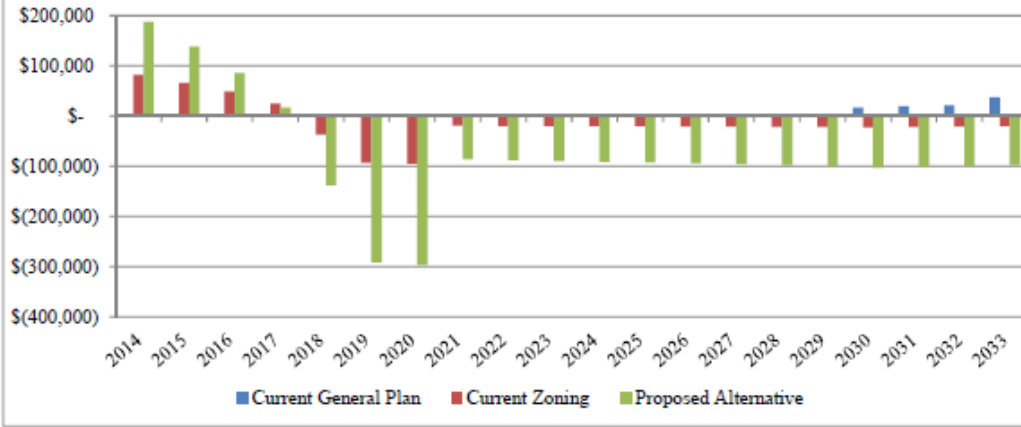
The impact calculation for the current, zoned and proposed land uses for The Estates at Queen Creek Station reveal that the currently zoned very low density land use would have an annual net impact (revenues less expenditures) of about (\$20,000) by 2033, with expenditures exceeding revenues by 6 percent. This can be compared to an annual net impact under the proposed low density land use of (\$97,000), with expenditures exceeding revenues by about 12 percent. In both cases, the magnitude of the impacts is very small in comparison to the Town's overall budget. The current general plan land use of Employment Type A, which would have a much longer development timeline, would have an estimated annual net impact of \$37,000 in 2033 at which point it would only be 9 percent built out. However, since the property is already zoned for residential use, it is highly unlikely that it will develop as light industrial.

It is typical given the local tax structure in Arizona that residential land uses in isolation do not create positive net fiscal impacts. However, under both the currently zoned and the proposed alternatives the small negative annual impact is more than offset by the retail demand created by the households. Average income for these households would be about \$86,000 for the proposed alternative and \$107,000 for the currently zoned alternative, given the expected housing prices. Based on typical consumer expenditure patterns for purchases made within a local trade area and the number of housing units in each alternative, the households in this development would generate about \$52,000 in annual sales tax revenues from local purchases under the currently zoned alternative versus \$118,000 under the proposed alternative.¹ These sales tax revenues are not included in the impacts shown here since the land use based model used for this analysis attributes all retail sales to commercial development, but they help to balance the cost of providing municipal services to residents. The current general plan land use of Employment Type A could generate a small amount of on-going taxable sales in addition to non-recurring construction sales tax, however none of these tax revenues would accrue in the next 20 years..

Finally, the project would generate close to \$4.2 million in total impact fees under the proposed alternative versus only \$1.5 million under the currently zoned alternative. While impact fee funds are not included in this analysis, these one-time revenues, they would provide funding for infrastructure that would not only benefit this property but could also encourage development on surrounding commercial properties. It is difficult to estimate impact fees under the current general plan land use of Employment Type A because the number of connections for the wastewater fees will depend on the specific configuration of industrial development on the site. However, the very lengthy timeline for industrial development would significantly lessen any impact fee revenues in net present value terms.

¹ Based on the Consumer Expenditure Survey, households in the \$80,000 to \$100,000 income range spend about 20 percent of their pre-tax income on items that could be purchased within the local trade area.

FIGURE 1
ANNUAL NET IMPACTS



Executive Summary

Introduction

Tres Points, LLC is proposing a 324-dwelling-unit, 160-acre single-family residential development, named The Estates at Queen Creek Station. The site is located in the Town of Queen Creek on the southeast corner of Ellsworth Road and Gemann Road.

Results

The Estates at Queen Creek Station proposed residential development is anticipated to generate the following entering and exiting weekday and Saturday daily and peak hourly traffic volumes.

Time Period	Day			AM Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
Weekday	1,549	1,548	3,097	61	182	243	204	120	324
Saturday	1,606	1,605	3,211	-	-	-	151	150	301

The level-of-service for the study intersections did not significantly decrease with the addition of the proposed site. The intersection of Ellsworth Road and Superstition Drive does experience a level-of-service "F" with stop control. A traffic signal is not warranted at this intersection and is not recommended due to the less than ideal one-quarter mile distance from the adjacent signalized intersection of Ellsworth Road / Gemann Road.

Recommendations with The Estates at Queen Creek Station

The recommended 2020 lane configuration and traffic control is depicted in **Figure 1**. A right-turn deceleration lane is warranted for the northbound right-turn movement at the Ellsworth Road / Superstition Drive intersection. Separate right and left turn-lanes are also recommended for both site access egress movements.

Neighborhood Meeting
Sign-In Sheet

Applicant:

Pew & Lake, PLC

Property Location:

SEC Germann & Ellsworth Roads
Queen Creek, AZ

Date:

September 23, 2013

Meeting Location:

Queen Creek Library- Edward Abbey Room

Time:

6:00 PM

Case:

GP13-026

#	NAME	ADDRESS	ZIP	Email	PHONE
1	ERIC KEER	20202 E. Superstition Dr	85742		(602) 541-4997
2	KD STEILL	20550 E RYAN RD.	85142		
3	Seth Keeler	1121 West Warner Rd 109	85284		
4	Melanie Rethler	20134 E. Ryan Rd	85142		480 296-9320
5	DANTE PROTO	20646 E Superstition	85142	dproto1@msn.com	
6	BRYCE HAGEN	20633 E SUPERSTITION DR	85142	brycehagen@hotmail.com	562-810-5808
7	Max & Barbara Butcher			mbbutcher@cox.net	480-963-0705
8					
9					
10					
11					
12					
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14					

The Estates at Queen Creek Station

SEC of Germann & Ellsworth Roads

Queen Creek, Arizona

Minutes of Neighborhood Meeting

September 24, 2013

Queen Creek Public Library- Edward Abbey Room

Public Notification Area:

- a. Property owners within 1,200 feet from the site.
- b. All registered neighborhood associations within one mile of the project.
- c. Homeowners Associations within one half mile of the project.
- d. Addresses were obtained using the Maricopa County Assessor's parcel information.

The meeting began at 6:10. There were eight members of the public in attendance, along with the applicant, Ralph Pew, and two members of the development team.

Ralph Pew began the meeting by giving an overview of the project. Using the attached PowerPoint presentation, Mr. Pew discussed:

- 1) The site size and vicinity, and surrounding uses.
- 2) The existing land use designation: Mr. Pew defined Employment Type A as outlined in the General Plan, and gave examples of uses allowed in the Employment Type A category.
- 3) The proposed land use designation: Mr. Pew defined Low Density Residential as outlined in the General Plan, and also discussed the underlying residential zoning on the property.
- 4) The Conceptual Lot Layout: Mr. Pew discussed the various lot sizes and their configuration within the overall site. He also discussed the concept of monument signage at both the SE and SW corners of Germann and Ellsworth. The property owner controls both of those corners and would like to create a Town Entry at this location.
- 5) Toll Brothers Homes: Mr. Pew indicated that Toll Brothers would be the home builder for this project. Numerous examples of Toll Brothers homes from various sites around the Phoenix Metro area were shown to indicate the level of quality characteristic of a Toll Brothers development.
- 6) Upcoming public meetings: a schedule of all of the upcoming public meetings for the General Plan Amendment requests in Queen Creek was discussed.

Mr. Pew also addressed a few additional topics not included in the PowerPoint presentation:

- 1) Traffic: Traffic on Ellsworth is already functioning at an "F" level of service, according to the Traffic Impact Study submitted along with the General Plan Amendment application. Improvements definitely need to be made along Ellsworth from Germann to Ryan Road. With the approval of this project, improvements will be made to both Ellsworth and Germann which will be paid for by the developer.

- 2) Drainage: The property owner is aware that the Maricopa County Flood control District is examining this area and putting together a regional solution for storm drainage and storage. This development would be required to provide on-site retention for storm water and would be a contributor to this regional solution.
- 3) Commercial on West Side of Ellsworth: The property owner is aware of the commercial operations currently taking place on the west side of Ellsworth, in spite of the R1-43 zoning on the parcels.
- 4) Tischler-Bisce Study: The Town is currently engaging the services of an economic consulting firm to assess the economic impact of all of the General Plan Amendments on the Town of Queen Creek.

After Mr. Pew's presentation, the meeting was opened up to questions and comments from the neighbors. The questions are provided in **boldface**, and the answers are provided in *italics*.

Questions:

How many lots will there be?

We are proposing 324 lots on 156 acres.

How soon will this project develop?

It would be at least a year and a half from now.

What is the plan for Ellsworth?

We will be responsible for improving our side of Ellsworth Road from Germann to Ryan Road. This will likely entail the widening of the Road on our side, we are unable to make improvements on the west wide of Ellsworth since we don't own that property.

What about the airport? How do you handle aircraft noise?

This project is in Overflight Area #3, in which homes are allowed. There are certain guidelines to follow when developing in an overflight area, which include notification of aircraft noise to prospective homebuyers, and implementing certain noise mitigation techniques during the construction process.

Comment:

- **I like the idea of monumentation at the entry to the Town.**
- **I do prefer commercial rather than residential on major roadways.**
- **I wonder about the impact to the schools in this area.**

- **More rooftops generally don't make money for the town.**
- **I don't want a block wall butting up against Ellsworth Road.**

When a residential developer does a project in a municipality, the developer is required to make arrangements with the affected school district to provide for the increase in the student population. Typically this is done by preserving land for a school, or by donating money to the school district. We will work with the school district as the project moves forward to the zoning process.

Question:

- **Could the Ellsworth realignment be revisited?**

The Ellsworth Road realignment issue was discussed in last year's General Plan Amendment on both sides of Ellsworth Road south of this site. Ellsworth will remain in its current alignment.

Comments:

- **We really need noise mitigation on the west side of Ellsworth Road.**
- **If you move the road east, you'll just move the noise east.**
- **I would like to see Ellsworth Road reconfigured with a raised, landscaped berm in the middle of the road with three lanes of traffic on either side of it.**
- **I think that the conceptual lot layout you've shown has no creativity and you shouldn't proceed with the plan until you prepare a different plan that would justify a general plan amendment. Some ideas which could be looked at are:**
 - **Having the front yards face Ellsworth Road**
 - **Larger lots with the houses facing in different directions to provide a sense of community. Sort of like a pinwheel design.**
- **I don't think the people who live north of this project will want to come to Queen Creek to shop if there is too much traffic on Ellsworth, so we'll end up losing tax dollars to Mesa.**
- **The lot sizes should be increased and the overall density decreased.**

Mr. Pew indicated that he would discuss the ideas presented by the neighbors to the development team and engineers to see if any of the suggested changes could be implemented. He again reviewed the upcoming public meeting schedule.

The meeting adjourned at 7:20.

Attachments:

- PowerPoint Presentation
- Sign-In Sheet
- Notification Letter

2013 GENERAL PLAN AMENDMENT OPEN HOUSE PUBLIC COMMENTS

Below are the highlights from the comments received at the Open Houses held on August 28 and September 25, 2013 to discuss the Major General Plan Amendments proposed for 2013.

+Positive comments

- Negative comments

*Mentioned multiple times

The majority of the comments received were regarding Sonoqui Creek Village (GP13-030). Included is a table reflecting the main categories of concern to the residents. Generally they do not support the project, and are concerned with decreased property values, increased traffic flow, increased noise levels, and losing scenic views.

GP13-025, La Jara Farms:

- + Proposed GPA housing density is very low density.
- Properties are close the airport & has a potential to take away from Queen Creek's tax revenues
- + The existing General Plan is balanced

GP13-026, Estates at Queen Creek Station.

- + Proposed GPA housing density is very low density.
- Properties are close the airport & has a potential to take away from Queen Creek's tax revenues
- + Proposed GPA density is too high when changing employment to housing
- + Resident's neighborhood is not directly impacted by this project, just the Town
- + Existing GP does have balance and clusters
- Increased density to residential
- +/- Placement of employment & commercial areas vs. residential was well thought out & should be honored over time

GP13-027, Meridian Crossings

NO COMMENTS RECEIVED

GP13-028, Barney Farms:

- Proposed density to too high** (lot sizes, street widths, set-backs, and drive way lengths)
- Impact property/home values
- Close the airport & flight path

- Existing Plan is good overall, maintains property values
- Proximity of proposed new residential to CMC Steel could be an issue

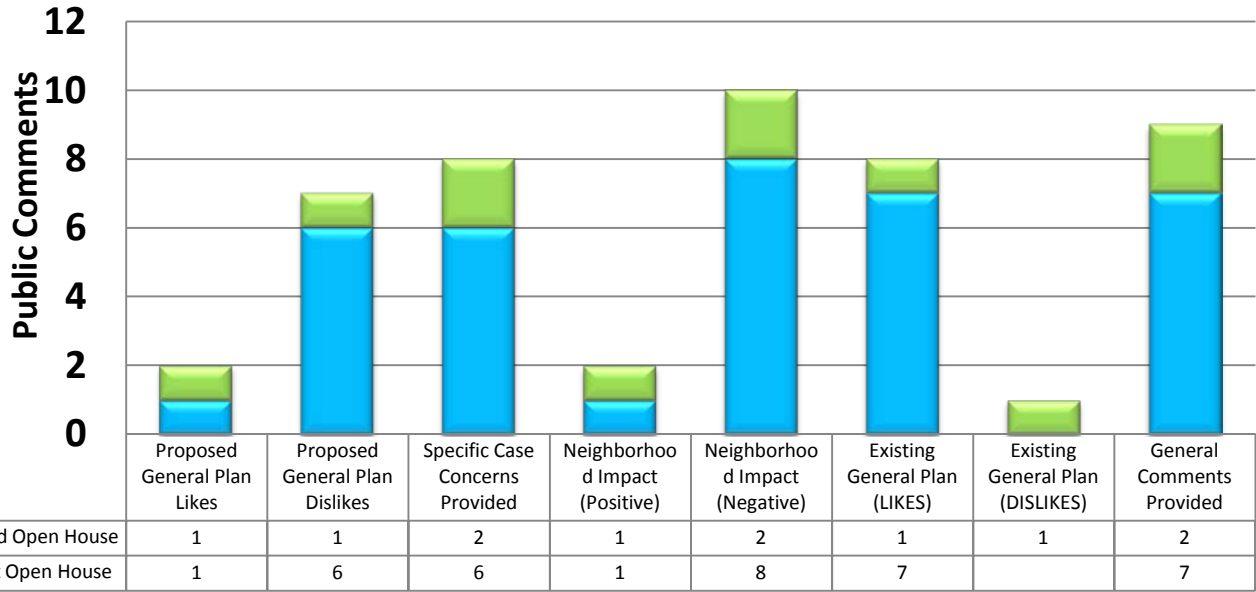
GP13-029, The Vineyards

NO COMMENTS RECEIVED

GP13-030, Sonoqui Creek Village

- Multiple residents expressed that they are not in favor*****
- + Supports land development as approved in the previous housing plan
- Decrease property/home values*****
- Increased traffic flow*****
- Increased noise levels*
- Concerned about safety for families*
- Concerned about local wildlife
- Opposed to (2) story homes****
- Concerned with losing scenic views*****
- Concerned Town's sense of a "Rural Community" will be lost* **
- Lot sizes*
- Track homes being integrated into custom lots
- + Existing GP has low density** transitions to higher density, and accommodates friendly equestrian areas
- + Economic Development
- + Existing GPA matches the surrounding area, it's more cohesive
- Proposed GPA density is too high* **
- Increased density to residential is too high**
- +/- Placement of employment & commercial areas vs. residential was well thought out & should be honored over time
- Attorneys representing this project suggest that there is no market for larger custom home lots
- Comments/concerns are not being heard or addressed
- Too much residential, not enough commercial
- Need to generate revenue for the Town

Public Comments Received Regarding Sonoqui Creek Village GP13-030





August 1, 2013

Mr. Wayne Balmer, AICP
Planning Administrator
Town of Queen Creek
Development Services Department
22350 S. Ellsworth Road
Queen Creek, Arizona 85142-9311

Re: *GP13-026, Estates at Queen Creek Station*
Description: *General Plan Amendment*
Location: *SEC Ellsworth and Germann Roads*

Dear Wayne:

Thank you for this opportunity to review this request. It is our understanding that this project will require changing the present land use designation of the development from *Employment Type A* to *Low Density Residential*.

This site is within the Phoenix-Mesa Gateway Airport Overflight Zone 3 (AOZ-3), as defined by our 2000 Federal Aviation Regulation (FAR) Part 150 Noise Compatibility Study and the 1995 Williams Regional Planning Study (WRPS), adopted by the Town of Queen Creek and incorporated in its current zoning ordinance. **Any development at this location, due to its proximity to Phoenix-Mesa Gateway Airport (the Airport) will be subject to frequent aircraft overflights and will be affected by noise. Occupants will hear and see aircraft landing and taking off from the Airport and will experience aircraft overflights that generate noise levels considered by many to be “annoying”.**

While residential development within this area is not prohibited, such should only be approved when adequate public disclosure of noise impacts is made. In order to achieve constructive and timely disclosure of potential noise impacts to the current and future occupants, we recommend that the developer be required to execute the following conditions as outlined in the Town’s zoning ordinance, and that all be adopted as a part of any motion for approval:

1. A fair disclosure agreement and covenant shall be recorded as a condition of development approval for all permitted uses within the Airport Planning Area (APA). We recommend that this agreement and covenant incorporate the provisions contained in the sample Aircraft Noise Disclosure Statement provided at Attachment 1.
2. All plats recorded shall be inscribed with the following: *“These properties, due to their proximity to the Phoenix-Mesa Gateway Airport, are likely to experience aircraft overflights which could generate noise levels that may be of concern to some individuals. The mix of air traffic consists of cargo, commercial, charter, corporate, general aviation and military aircraft.”*



3. An Avigation Easement shall be required and executed prior to or concurrently with the recordation of any subdivision final plat or issuance of any building permit, whichever occurs first. This Easement shall acknowledge that the Airport is located nearby, and that aircraft operating to/from the Airport have a right to fly over the property. Further, it shall hold the Town, the Phoenix-Mesa Gateway Airport Authority and the public harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles or any other effects that may be caused by aircraft landing, departing or operating at or near the Airport, not including the physical impact of aircraft or parts thereof. We suggest this Avigation Easement be prepared and executed in a form similar to the sample at Attachment 2.

Thank you for the opportunity to review this request. If you have any questions, please contact Craig Herget at (480) 988-7649.

Sincerely,

Jane L. Morris, A.A.E.
Executive Director

2 Attachments

- 1-Aircraft Noise Disclosure Statement (Sample)
- 2-Declaration of Avigation Easement and Waiver (Sample)

SAMPLE
AIRCRAFT NOISE DISCLOSURE STATEMENT

The land situated at _____ in Maricopa County and being more specifically described as _____, which is being purchased from _____ by _____ lies within the Phoenix-Mesa Gateway Airport Overflight Zone 3, as depicted on Figure 11-3 of the Williams Regional Planning Study (Appendix A) or within the five (5) mile Class D Airspace radius that surrounds the Airport. The purchaser(s) is/are hereby notified that:

“This land lies within Phoenix-Mesa Gateway Airport (Noise) Overflight Zone 3 or within the five (5) mile Class D Airspace radius surrounding the Airport, and is subject to noise that may be objectionable.”

The undersigned purchaser(s) of said land has read the above disclosure statement and hereby acknowledges the existence of the named Airport and the potential for objectionable noise.

Dated this _____ day of _____, 20____

_____, Buyer

_____, Buyer

State of Arizona
County of Maricopa

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the state of Arizona aforesaid, and in the County aforesaid to take acknowledgements, personally appeared _____, and _____ to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that _____ executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this ____ day of _____, A.D., 20____.

(NOTARIAL SEAL)

Notary Public

My Commission Expires

**SAMPLE
DECLARATION OF AVIGATION EASEMENT
AND WAIVER**

THIS DECLARATION OF AVIGATION EASEMENT AND WAIVER, made the _____ day of _____, 20____, (hereinafter referred to as the "Declaration"), by _____, _____, (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant represents that it is the sole record owner in fee simple of certain real property (hereinafter referred to as the "Property") located in Maricopa County, Arizona which is more particularly described in Exhibit "A" attached hereto, subject only to the mortgage(s) held by the lender(s) subscribing hereto; and

WHEREAS, Declarant plans to develop the Property in compliance with the _____ (hereinafter referred to as the Development Plan"), and

WHEREAS, the Property is located in the proximity of Phoenix-Mesa Gateway Airport (which, as it now exists or may hereafter be enlarged and/or developed, is hereinafter referred to as "the Airport"); and

WHEREAS, the Property is now and in the future will be subject to noise emanating from aircraft operating at or departing from or arriving at the Airport.

NOW THEREFORE, for good and sufficient considerations, the receipt and adequacy of which Declarant hereby acknowledges, Declarant hereby covenants and declares that all of the Property shall be held, sold, used and conveyed subject to the following avigation easement, covenants and waiver, which shall run with the property and be binding on all occupants thereof and on all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns, grantees, invitees and tenants.

DECLARANT HEREBY DECLARES, ESTABLISHES, GRANTS AND CONVEYS to Phoenix-Mesa Gateway Airport and all persons lawfully using the Airport, the right to operate aircraft in, and the right to cause in the airspace above or near the Property such noise as may be inherent in the operation of aircraft, now known or hereafter used, while landing on, taking off from, or operating at the Airport, as long as such operations are in compliance with applicable federal, state and local regulations concerning operation of aircraft and use of the Airport.

Declarant covenants and agrees that it, its successors, assignees, invitees, and tenants, shall not assert, initiate, join in or prosecute any claim, administrative proceeding, lawsuit, demand, grievance or other cause of action, and hereby expressly waives for itself, its successors, assigns, invitees, and tenants, any claim, administrative proceeding, lawsuit, demand, grievance or other cause of action it or they may now have, or that may arise in the future against Phoenix-Mesa Gateway Airport, the commercial air carriers now or hereafter operating at Phoenix-Mesa Gateway Airport, the (hereinafter are collectively referred to as the "Benefited Parties"), for any inverse condemnation, nuisance or other action of any nature whatsoever arising out of, or related to noise produced by aircraft operating on, within or over the Airport, or within airspace above or near the Property including without limitation noise produced by aircraft approaching the Airport for landing or

departing from the Airport. This waiver shall not be construed, however, to bar Declarant or any successor, assign, grantee, invitee or tenant of Declarant from any claims against any person or entity for personal injury or property damage caused by or resulting from the negligent operation of an aircraft or resulting from use of the airspace above the Property in a manner violative of applicable federal, state or local laws or regulations.

Nothing contained herein shall be construed to restrict Declarant from building any structure on the Property which complies with all applicable laws of the governmental agencies _____ having jurisdiction regarding said construction, so long as any such structure does not, because of its height or function, restrict or impede usage of the Airport by aircraft landing or taking off in the same manner as if the structure were not in existence.

This Declaration of Easement and Waiver shall bind Declarant, its successors, assigns, invitees and tenants, and their respective successors and assigns, and all persons from time to time occupying or using the Property or any portion thereof. The acceptance by any person or entity of any right of use, deed, lease, mortgage or conveyance of any interest in or privilege pertaining to the Property whatsoever shall constitute acknowledgment of the terms of this Declaration and agreement to be bound by all terms hereof.

This Declaration of Easement and Waiver shall be a covenant running with the land described in Exhibit A, and shall run to the benefit of the above described Benefited Parties, their successors and assigns.

ATTEST

DECLARANT

Secretary

By: _____

State of Arizona
County of Maricopa

PERSONALLY appeared before me, the undersigned authority _____ well known to me to be the _____ of _____

_____, and they acknowledged before me that that they executed the foregoing instrument on behalf of _____ as its true act and deed, and that they were duly authorized so to do.

WITNESS by my hand and official seal, this _____ day of _____, 20_____.

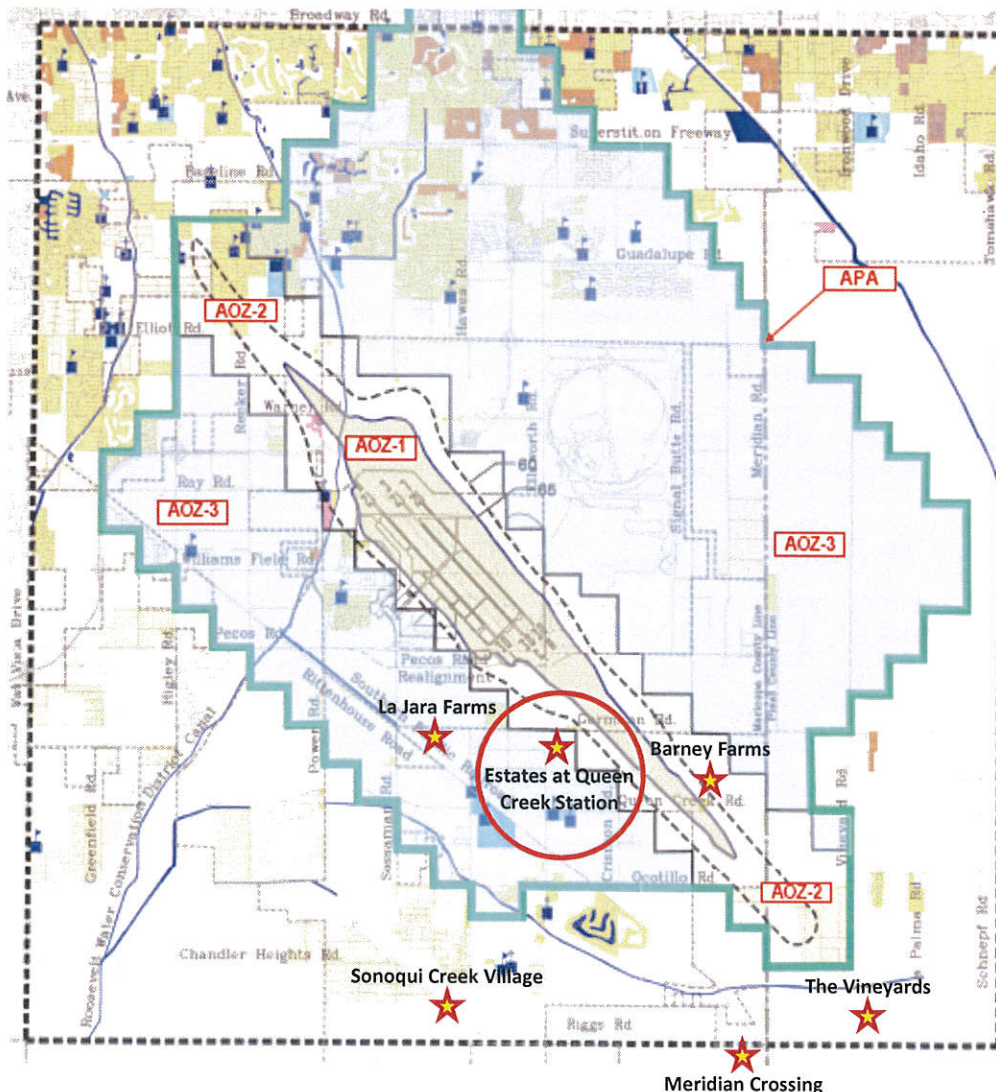
(NOTARIAL SEAL)

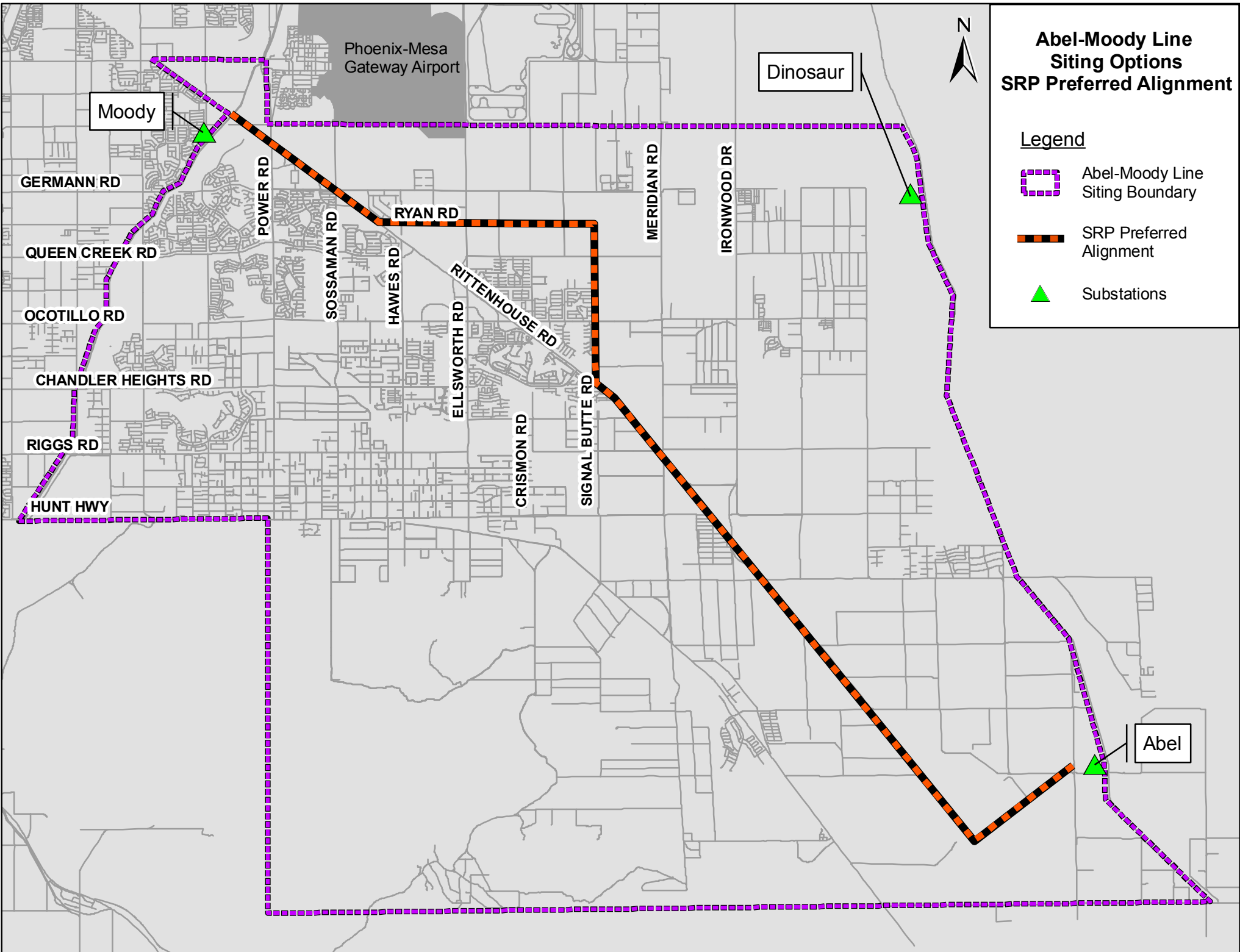
Notary Public

My Commission Expires

2013 QUEEN CREEK GENERAL PLAN AMENDMENT DEVELOPMENT LOCATIONS MAP

- ◆ GP13-025, La Jara Farms – **AOZ-3** – SWC Germann & Hawes Roads – 141 acres; change existing land use designation from *Employment Type A* to *Very Low Density Residential*; rezone 75 acres to *Suburban Residential Type B District* (18,000 sf per dwelling unit)
- ◆ GP13-026, Estates at Queen Creek Station – **AOZ-3** – SEC Ellsworth & Germann Roads – 156 acres; change land use designation from *Employment Type A* to *Low Density Residential* (0-2 dwelling units/acre)
- ◆ GP13-027, Meridian Crossings – *outside APA* – SWC Riggs/Combs & Meridian Roads – 446 acres; change land use designation from *Regional Commercial Center (RCC)* to *Medium Density Residential* (0-3 dwelling units/acre)
- ◆ GP13-028, Barney Farms – **AOZ-2** – NEC Signal Butte & Queen Creek Roads – 241 acres; change existing land use designation from *Employment Type B* (~121 acres) and *Recreation/Conservation/Parks* (~120 acres) to *Mixed Use* (~113 acres) and *Medium-High Density Residential B* (~128 acres....0-8 dwelling units/acre)
- ◆ GP13-029, The Vineyards – *outside APA* – NWC Combs & Gantzel Roads – 55 acres; change existing land use designation from *Commercial* and *Mixed Use* to *Medium Density Residential* (2-3 dwelling units/acre)
- ◆ GP13-030, Sonoqui Creek Village – *outside APA* – NWC Riggs & Hawes Roads – 107 acres; change existing land use designation from *Very Low Density Residential* to *Low Density Residential* (1.57 dwelling units/acre)

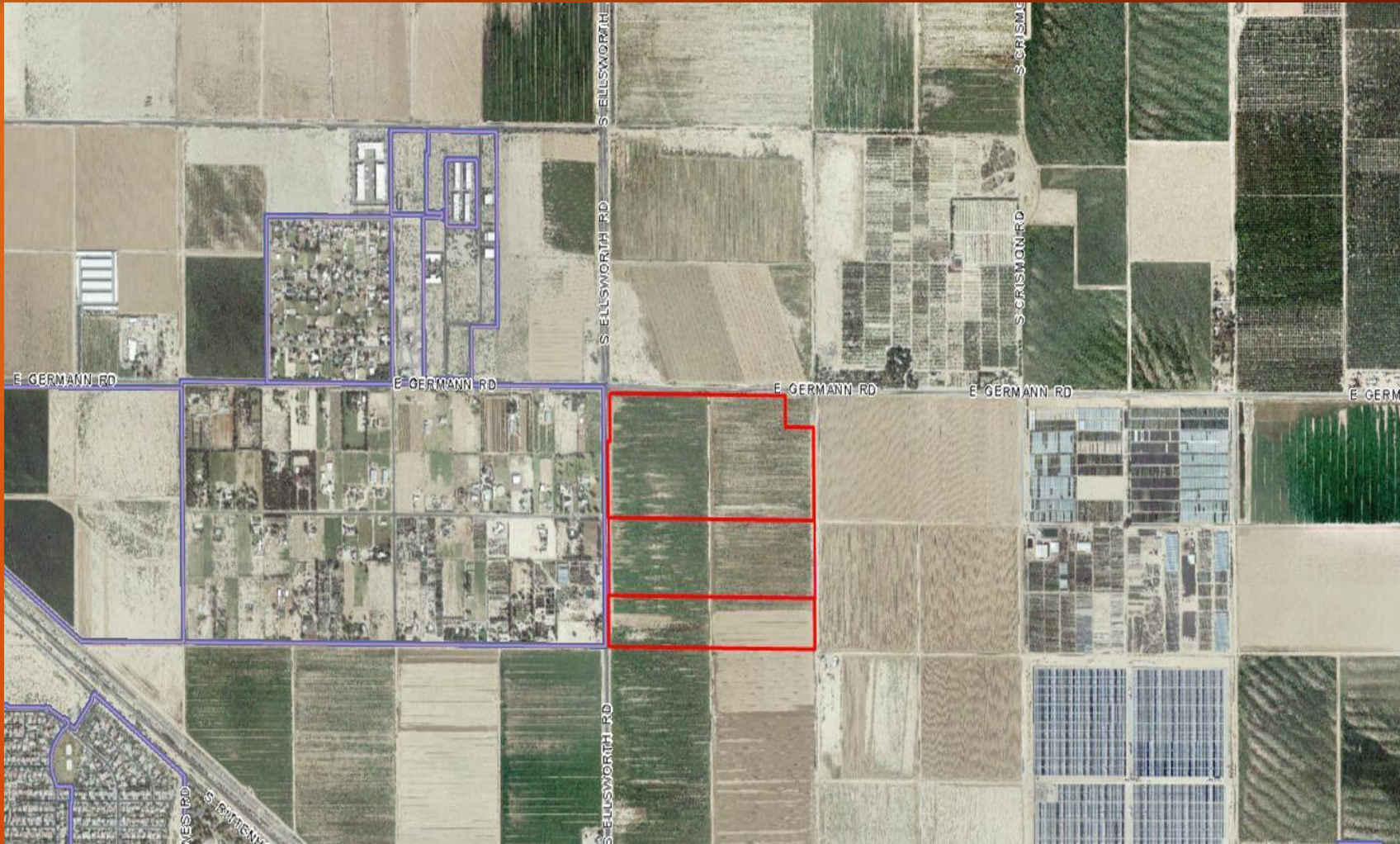




The Estates at Queen Creek Station GP-13-026 by RSF Property, LLC

Town of Queen Creek
First Planning Commission Meeting
October 15, 2013

Site Location and Data

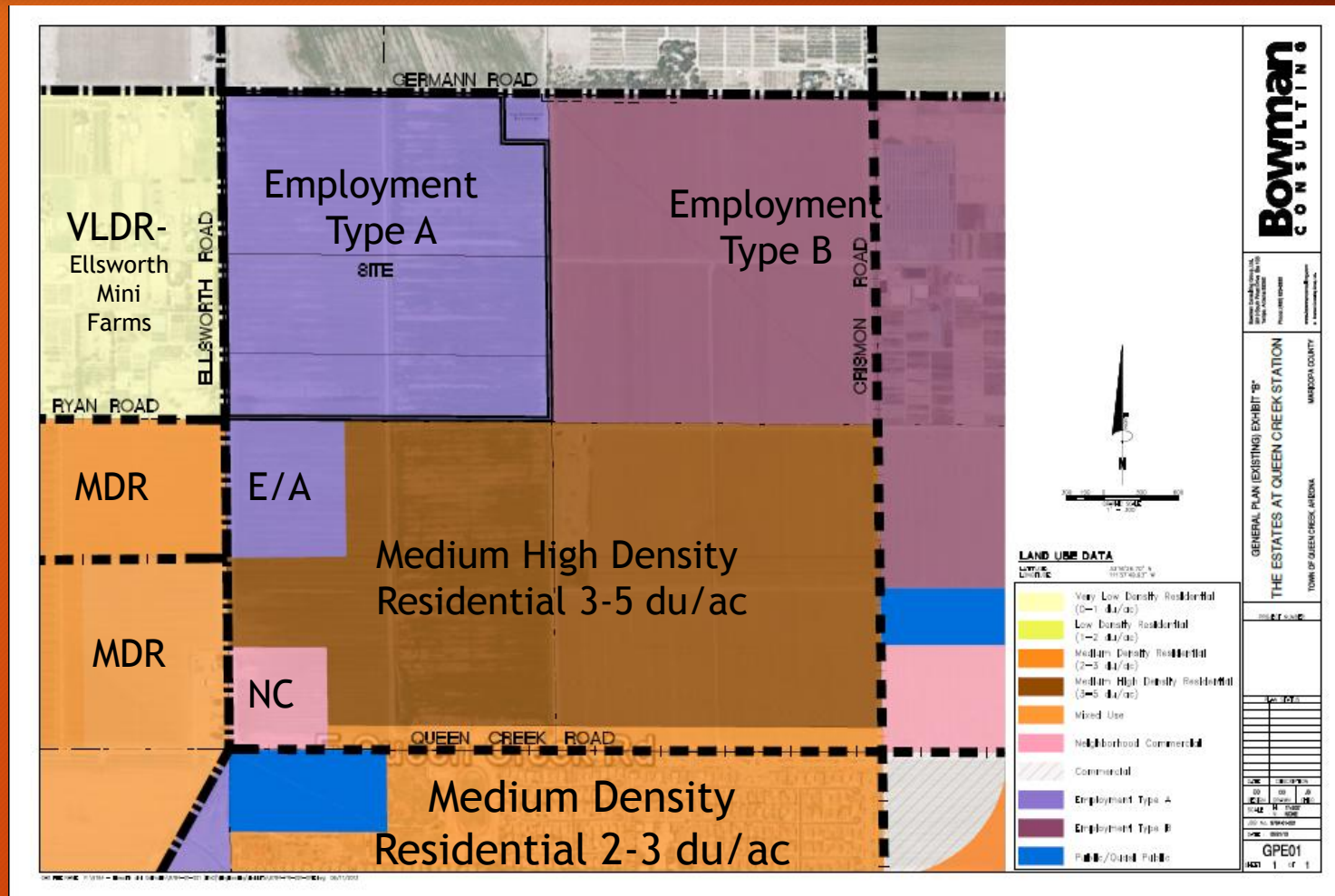


156 Acres

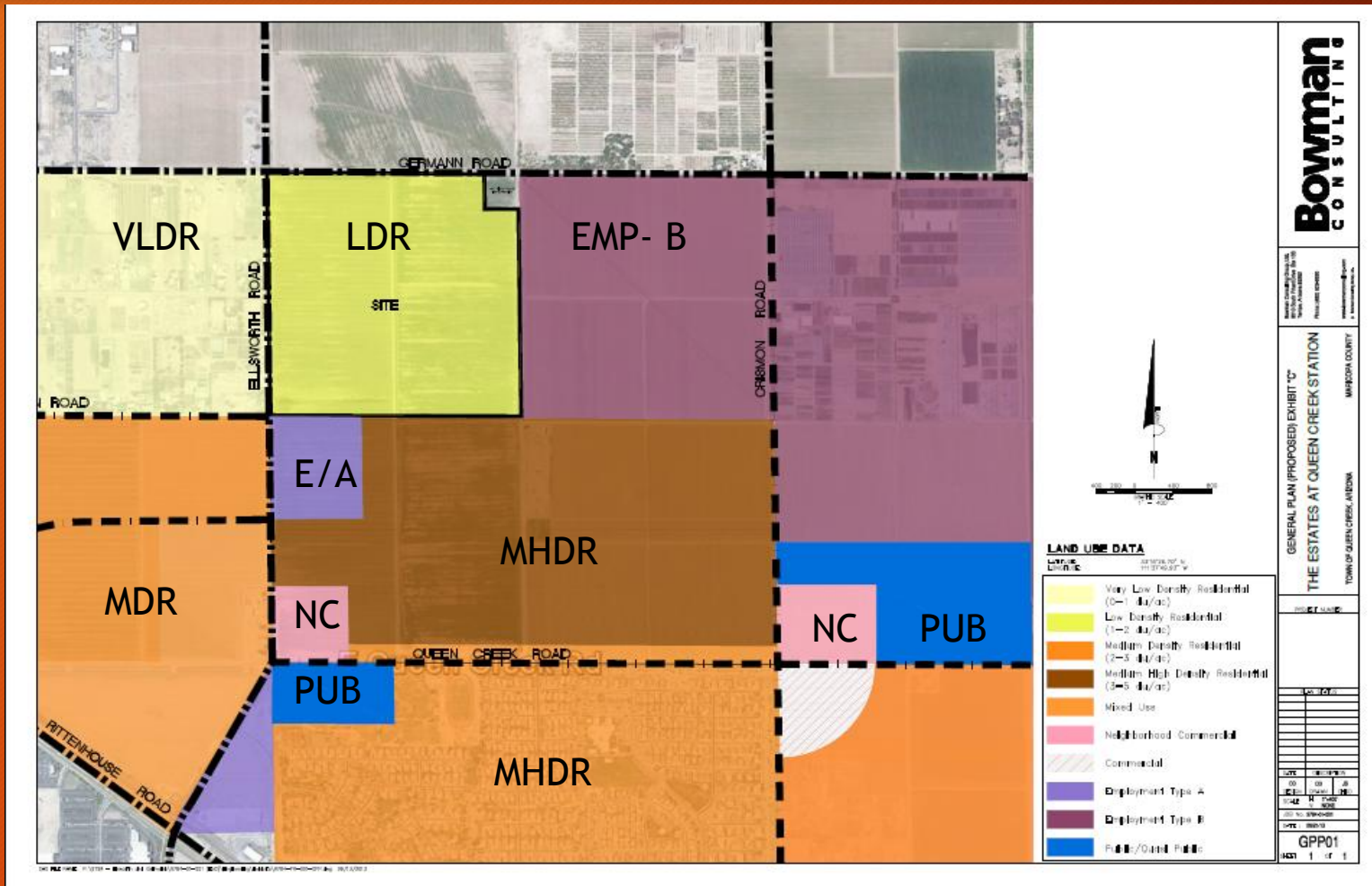
Zoned R1-43

General Plan:
Employment A

Existing Land Use:



Proposed Land Use



Note:

This is an example of how four different residential land use categories can effectively be developed together.

Conceptual Lot Layout



324 Total Lots
165 @ 9,800 s.f.
81 @ 12,600 s.f.
78 @ 16,500 s.f.

The Estates at Queen Creek Station
Conceptual Site Plan

GREY|PICKETT
7051 East 5th Avenue
Suite 200
Scottsdale, AZ 85251
480.609.0009
www.greypickett.com
SCALE: 1" = 200'

Town of Queen Creek General Plan

Planning Area Land Use Classifications

Land Use	Acreage and Percentage
▪ Very Low Density Residential (0-1 du/ac)	▪ 9,748 = 29%
▪ Low Density (0-2 du/ac)	▪ 2,060 = 6%
▪ Medium Density (0-3 du/ac)	▪ 7,367 = 22%
▪ Master Planned Community	▪ 2,167 = 6%
<hr/>	
	63%
▪ Commercial	▪ 3,862 = 12%
▪ Employment	▪ 5,861 = 17%
<hr/>	
	29%

- Total Planning Area: 43,700 acres
- Estates at Queen Creek Station= 156 acres
- This project impacts less than 1% of the Town's total planning area.
- This request affects 2.6% of the Town's Employment Acreage, while adding 7% to the Low Density Residential Category.

Neighborhood Outreach

- Neighborhood Meeting: September 24, 2013
- Comments/Suggestions:
 - Noise abatement on Ellsworth Road.
 - Inform residents of airport overflight zone.
 - Create an impactful entry to the Town.
 - Increase lot sizes; decrease density.
 - Improve overall subdivision design.
 - Work with schools to mitigate impact of increased student population.



**MINUTES
SPECIAL SESSION
QUEEN CREEK PLANNING & ZONING COMMISSION
QUEEN CREEK TOWN HALL, 22350 S. ELLSWORTH ROAD
COUNCIL CHAMBERS
December 5, 2013
7:00 PM**

1. **Call to Order:** The meeting was called to order at 7:06 p.m.
2. **Roll Call** (one or more members of the Commission may participate by telephone)

Commissioners present: Chair Ingram, Vice-Chair Arrington, Nichols, Robinson, Matheson, Sossaman
Commissioners absent: Turley
3. **Public Comment:** Members of the public may address the Commission on items not on the printed agenda. Please observe the time limit of (3) three minutes. Request to Speak Cards are available at the door, and may be delivered to staff prior to the commencement of the meeting. Members of the Commission may not discuss, consider, or act on any matter raised during public comment.

None
4. **Consent Agenda:** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote.

A. Discussion and Possible Action on the November 13, 2013 Minutes

Motion to approve the Consent Agenda as presented

**1st: Sossaman
2nd: Arrington
VOTE: Unanimous**

ITEM FOR DISCUSSION:

Mr. Anaradian stated the Proposed 2013 General Plan Cases that are being considered at this meeting will go before Council for their consideration on December 18, 2013. They are legally required by State Statute to have a hearing by December 31, 2013. If the Planning Commission chooses to take more time for their deliberations; The Town Manager and the Council have already laid out a contingency plan in which they could possibly take a final action on these cases February 5, 2014. If the Planning Commission chooses to make a recommendation during tonight's meeting, Council could consider their recommendation on December 18, 2013. Mr. Anaradian stated that the contingency plan is being discussed in case it is decided that more time is needed to consider the Financial Impact Analysis that was submitted.

Mr. Balmer stated that the Town is required by law to update their General Plan at least once every 10-years. He provided background on how the Town plans for future uses and what factors influence the Town's decisions.

- 1989 Town was incorporated
- 1990 first General Plan was created
- 1996 Plan was amended
- 2002 Plan included a hotel development and an employment area near Meridian and Gary
- 2008 State Land was included in the Plan; plans for proposed freeways; included rail lined access areas; transition from the Sonoqui Wash

The Town's Planning Area is 70 square miles, and Incorporated Town's limits are less than 40 square miles. Areas outside the Town's limits are in Pinal and Maricopa Counties; in order for the Town to have jurisdiction over the areas outside the Town, the Town would need to annex those areas.

Mr. Balmer stated that General Plans start with goals, missions and the community's vision. Those elements are then all combined in order to create a plan to determine where the land uses, roads, and public facilities should be. The results are then shown on a Land Use Map that is adopted by the citizens as part of the General Plan. All Amendments are proposed changes to the Land Use Map that are reflected in the Town's goals.

In order for an applicant to make changes to the General Plan, they must show that the proposed changes are consistent with intent of the General Plan, and the goals that were set by the citizens and Council when the plan was established.

Mr. Balmer stated that by State Law, Council has to take an action by the end of the year. The action does not have to be to approve or deny the case; the action can also be to continue the case. All the Proposed General Plan Amendments are scheduled to go before the Council on December 18, 2013.

- A. Discussion on GP13-025, La Jara Farms.** The applicant is Lindsay Schube; on behalf of VIP Homes. Request to modify the General Plan for 140.76 acres at the SWC of Hawes Road & Germann Road, from Employment Type A to Very Low Density Residential (up to 1 du/ac). Current Zoning is R1-43, Single Family Residential.

Mr. Balmer stated that Mr. Burningham will provide an overview of the proposed project and that the applicant has also filed a zoning case that will be processed apart from this application.

Mr. Burningham stated the property is located at the southwest corner of Hawes Road and Germann Road and is 140 acres. The property is currently designated Employment Type A. When the prior General Plans were adopted in 2002 and 2008, the property was designated for "Employment" use given its proximity to the Union Pacific Railroad. Since then, the subdivision has been developed for residential use. The applicant is requesting the Employment Type A land use designation be replaced with Very Low Density Residential (up to 1 dwelling unit per acre) to reflect the current use of the property.

Mr. Burningham stated in 2005 the Council approved the La Jara Farms subdivision which approved 96 1-acre lots. Adding that it is important to note this property had existing R1-43 (single-family residential) zoning.

- The La Jara Farms subdivision was recorded in 2 phases.
- Phase 1 is currently under construction with 49 lots.
- Phase 2 has been approved for 47 lots.

- Applicant recently filed an additional request for rezoning of 75 acres of this property (Phase 2) from R1-43 to R1-18 (in order to allow 83 lots).

Staff is recommending approval of this General Plan Amendment case, as described in the staff report.

Ms. Lindsay Schube, from the Law Firm of Whitney Morris; on behalf of VIP Homes stated this case is fairly simple based on the land use designation for employment with an approved final plat. Currently construction is underway in Phase I: The streets, utilities, and landscaping are being installed, a school has been constructed, and a monument sign has been installed. The applicant stated that staff is in support of this case and has asked that this case be approved.

No public comment.

Motion to approve GP13-025, La Jara Farms

1st: Matheson

2nd: Sossaman

VOTE: Unanimous

- B. Discussion on GP13-026, Estates at Queen Creek Station.** The applicant is Ralph Pew on behalf of RSF Property, L.L.C and RSF Queen Creek Property, L.L.C. The request is to modify the General Plan for 156 acres at the Southeast corner of Ellsworth and Germann Rd., from Employment Type A to Low Density Residential (up to 2 du/ac). Current Zoning: R1-43, Single Family Residential.

Mr. Balmer provided a brief overview of the project and stated that staff has found this case is not consistent with the General Plan Goals. Issues associated with the project are: The property is designated Employment Type A; and the reduction of available employment area within the community.

Mr. Balmer stated staff does not support this project. Staff has encouraged all the applicants to be a part of the Town's 2014 General Plan update process in order to evaluate the changes more comprehensively instead of case by case; and to retain or change as commercial and employment in these areas.

Staff recommends denial of this project.

Mr. Ralph Pew, on behalf of RSF Property, L.L.C and RSF Queen Creek Property, L.L.C., gave a brief presentation and requested that this case be continued to a meeting in January 2014. Mr. Pew stated that a continuance will allow time to:

- Reflect and review the TischlerBise study to determine how the findings in the report impact this project.
- Additional time to consider staff's recommendation included in the staff report and the suggestion to include this project as part of the Town's Update to the General Plan.
- Allow further discussions to take place with the neighbors of the Ellsworth Mini-Farms.

Mr. Pew stated that if a continuance is given to a Special Planning & Zoning Meeting in January that will allow everyone involved more time to review all of the details for this case and how it impacts this area.

No public comment.

Commissioner Nichols does acknowledge the issues for this project and agrees more time is needed to address the outstanding issues. Commissioner Robinson stated he was in support of staff's recommendation to deny this case. He agrees there are significant reasons why this area should remain designated as employment, stating there is currently a 10-year inventory of one acre lots available for residential and cautioned that careful consideration should be given when making decisions to switch land uses from employment to residential.

Motion to continue GP13-027, Estates at Queen Station to a Special Planning & Zoning Commission Meeting on January 22, 2014 at 7:00 p.m.

1st: Sossaman

2nd: Ingram

VOTE: 5-1

Aye- Ingram, Arrington, Nichols, Matheson, Sossaman

Nay- Robinson

MOTION PASSED

- C. **Discussion on GP13-027, Meridian Crossings Applicant.** The applicant is Mario Mangiamele on behalf of Westcor/Queen Creek L.L.C. Request: The request is to rezone 466 acres west of the Railroad Tracks on the South Side of Riggs Rd., from Regional Commercial to Medium Density Residential (up to 3 units to the acre). Current Zoning: The land is not located within Town Limits.

Mr. Balmer stated the current General Plan Land Use is for a regional employment center with more of a commercial use. This property is not located in the Town; it is under the jurisdiction of Maricopa County. Staff does not support this project based on the following issues:

- Lack of infrastructure available in this area. How will streets and utilities be extended to reach these properties?
- The need to construct Riggs Road and reconstruct the intersection on the northeast corner of this site where Riggs, Combs, Rittenhouse, Meridian and Gary Roads will meet in the future.
- Initial design of the intersection has been completed as shown on the Alternative D design; however, final design and funding for the project are still years away.
- The design and eventual construction of both Riggs and the intersection are complicated by the multiple issues involved and the multiple agencies involved in the design and eventual construction of the project.
- This property is currently under the jurisdiction of Maricopa County, but will need to be annexed in order to obtain access to the Town's water and wastewater systems prior to development of the property.
- Streets and intersections need to be designed and constructed to provide access to these areas. The Town needs to work with Pinal County, Maricopa County and the Railroad in order to design where the roads will be and how they will link up the private roads with the new interchange, and determine how they will be funded.
- The concept plan submitted by applicant is over the density allowed for this area.

Staff recommends that this project not be approved at this time, and that the applicant consider revisiting this project at a later time as part of the Town's 2014 General Plan update process.

Mr. Greg Davis on behalf of Jason Barney and Westcor/Queen Creek L.L.C., requested that this case be continued to the January Planning & Zoning Commission Meeting.

Commissioner Sossaman asked if any decisions have been made regarding the alignment of the roadways. Mr. Jason Barney responded that he has been in recent discussions with the MCDOT and expressed some certainty that the alignment will occur, no specific dates were given for this project.

Commissioner Nichols asked how much of the previous concept for this site was associated with the previously proposed hospital project. Mr. Barney responded that this site was never envisioned by the developer as an employment center, it was envisioned as a retail employment center with high density housing, with a hospital and related uses. This is not a good site for employment, it is too far away from the freeway system, and an employment center is not feasible in this area. Commissioner Nichols asked how many acres were previously designated as employment areas. Mr. Barney stated a very small amount, less than 10 acres.

No public comment.

Motion to continue GP13-027, Meridian Crossings to a Special Planning & Zoning Commission Meeting on January 22, 2014 at 7:00 p.m.

1st: Sossaman

2nd: Nichols

VOTE: Unanimous

- D. Discussion on GP13-028, Barney Farms.** The applicant is Mario Mangiamiele; on behalf of Dane Chaffee, Ken Barney, Newell Barney, Gail Barney, and Pamela Barney. The request is to rezone 241 acres at the NEC of Signal Butte and Queen Creek Rd., from Employment Type B and Recreation/Conservation to Mixed Use and Medium High Density Residential (up to 8 du/ac). Current Zoning: I-1, Heavy Industrial.

Mr. Balmer stated the Town is located on the south side of the Phoenix-Mesa Gateway Airport and is affected by the aircraft approaching and departing the airport; adding that the Town's exposure to the noise generated by the airport is greater than what Mesa or Gilbert experience. That has resulted in a significant amount of acreage being designated for future employment (non-single family residential use) by the Town.

Mr. Balmer stated as the area surrounding the airport continues to grow, alternative compatible land uses will enter the area, and that the total amount of area designated for employment uses will be modified over time as the area continues to grow and the economy matures. The applicant had sold the Town a park site (the former East Park), then traded the property for an alternative location when it became clear that it was in mutual best interests to relocate the park. The park is currently designated Recreation/Open Space in the General Plan, but now that the property is in private hands, it needs to be given an alternative designation. The applicant has proposed the new designation be High Density Residential (up to 8 du/ac).

Mr. Balmer stated the AOZ II is a key issue in this request, as all the property proposed to change in this request is located within the AOZ II, and has been defined in the Part 150 Study. Adding that there are some residential areas in Gilbert that have been approved prior to the Part 150 Study being completed in 2000, that have since

been developed. Mr. Balmer asked whether a significant amount of residential developments should be approved within the AOZ II, even with noise attenuation measures being taken.

Mr. Barney stated that he is prepared to give a full presentation if needed, and requested that this case be continued to the January Planning & Zoning Commission Meeting.

Public Comment.

Jane Morris, the Executive Director of the Phoenix-Mesa Gateway Airport, stated that the airport is opposed to all forms of residential development within the AOZ II, and strongly recommending the case be denied. The Airport Authority has submitted an application to the FAA for grant money to update the Part 150 Study. Ms. Morris clarified that possible completion of the update would be April 2016, as it is a public process.

Commissioner Arrington inquired when last Part 150 Study was performed, and what the difference is on the types of aircrafts that currently utilize the airport since the last study was completed. Ms. Morris answered the last study was completed in 2000, and the specific types of aircrafts that utilize the airport were based on the assumptions and forecasts at that time.

Commissioner Arrington inquired how close the information included in the Part 150 Study come to the actual operations that take place at the airport. Ms. Morris responded that the airport is currently at the tail end of an economic downturn from 300,000 take-offs and landings to 150,000 annually.

Commissioner Sossaman stated that there is no guarantee that in two-years when the study is updated that it will be in compliance with the proposed uses surrounding the airport, and that is why he is in support of a continuance at this time

Motion to continue GP13-028, Barney Farms to a Special Planning & Zoning Commission Meeting on January 22, 2014 at 7:00 p.m.

1st Robinson

2nd Nichols

Vote: Unanimous

- E. **Discussion on GP13-029, The Vineyards.** The applicant is Ralph Pew for Healy Faulkner LLC. The request is to rezone 55 acres west of Ironwood Road at the north side of Combs Rd., from Commercial and Mixed Use to Medium Density Residential (up to 3 du/ac). Current Zoning: R1-43, Single Family Residential.

Mr. Balmer stated this project area designated as commercial/mixed use. The Concept Plan submitted by the applicant shows residential with the retention of some commercial. Adding that any outstanding issues that have been expressed by the Homeowners Association would not involve the Town; and those types of issues would need to be addressed separately on a civil matter, not by the Town.

Mr. Balmer stated staff does not believe the applicant has met the Finding of Fact requirement demonstrating this proposed change is consistent with the intent of the General Plan or sufficiently demonstrated that the proposed change is in the best interest of the community. Based on that reason staff has recommended this case be denied.

Ralph Pew, on behalf of Healy Faulkner LLC., and the Hatch Family is requesting that this case be continued to January 22, 2014 Planning & Zoning Commission Meeting. Stated that this case is very important to the Town and it is important how this project is viewed. Mr. Pew added that this corner is significant to the Town, and that additional time should be given to consider the issues that affect this property. Mr. Pew stated that neighbors from Pinal County that own land to the north of this project are present. Mr. Pew stated that they are aware of the Deed Restriction issue brought up by the homeowners association, and have started ongoing dialogue to address those issues as a civil matter.

Public Comment

Roxanne Taylor, resident of San Tan Valley stated that she does not have anything to add to what has already been presented and marked down that she is opposed to this case.

Commissioner Nichols asked what annexed portion of this area is limited as to what the Town has control over, asking staff to clarify if it was the north half of Combs Road. Mr. Balmer stated that the road itself is not within the Town's jurisdiction, adding that the Town has made an agreement with Pinal County to maintain the road until such time when it is annexed. Commissioner Nichols asked which portions of this project are located in Pinal County and whether or not the County has provided any feedback to the Town. Mr. Balmer answered that the only portion of this project located within the Town is on the west side near Meridian, the portions of the project area located in Pinal County are: the north side, the south side, and across Vineyard. Mr. Balmer stated to date no comments or feedback had been received from Pinal County.

Motion to continue GP13-029, The Vineyards to a Special Planning & Zoning Commission Meeting on January 22, 2014 at 7:00 p.m.

1st Sossaman

2nd Arrington

Vote: Unanimous

- F. **Discussion on GP13-030, Sonoqui Creek Village.** Applicant is Ralph Pew; on behalf of KEMF Hawes & Riggs, L.L.C. The request is to rezone 107 acres at the Northwest corner of Hawes and Riggs Roads, from Very Low Density Residential (up to 1 du/ac) to Low Density Residential (up to 2 du/ac). Current Zoning: R1-35, Single Family Residential.

Mr. Balmer provided an overview of the proposed project. He stated that the existing Concept Plan was approved in 2006. To date three neighborhood meetings have been held and many neighbors have expressed opposition and are present at the meeting. The Sonoqui Wash has been used as the dividing line in this area between Very Low Density Residential (up to 1 du/ac) to the south and Low Density Residential (up to 2 du/ac) to the north since the General Plan was first approved in 1990. This was done in order to recognize the equestrian areas and large lot developments located south of the Wash and provide a clear demarcation for future growth.

Mr. Balmer stated the property proposed for change in this request is the last larger vacant properties in this area south of the Sonoqui Wash. The zoning was changed in 2006 at the request of the property owner to allow a subdivision of R1-35 lots (35,000 s.f. +), consistent with other projects to the west, the overall density for the project would remain within the Very Low Density Residential (up to 1 du/ac) classification when the open space

areas are included. This property is the last large undeveloped property in the area southwest of Sonoqui Wash in this area.

Mr. Balmer stated all other properties to the south and west have already been developed and are consistent with the existing General Plan density of less than one dwelling unit per acre.

Staff is recommending denial, and does not believe the applicant has met the Finding of Fact requirement demonstrating this proposed change is consistent with the intent of the General Plan or sufficiently demonstrated that the proposed change is in the best interest of the community.

Staff recommends the applicant and the neighbors both participate in the Town's update to the entire General Plan scheduled to begin in 2014 and that this proposed land use change be evaluated as part of that larger discussion.

The applicant Ralph Pew; on behalf of KEMF Hawes & Riggs, L.L.C., and owner Jeff Garret requested that this case be continued to January 22, 2014 Planning & Zoning Commission meeting. By postponing this meeting it will provide additional time for the applicant to continue working with the neighbors and attempt to be responsive.

Commissioner Robinson asked what properties on the north side have been approved. Mr. Pew responded that the properties to the north have already been approved, and there is an existing subdivision.

Commissioner Robinson asked if they can they reach the 1-dwelling unit per acre requirement in the project design. Mr. Pew answered that they hope to slightly increase the lot size in the design, but until all the design issues are worked out, they are unable to confirm whether or not they will be able to meet all of the design criteria or not.

Public Comment

Chris Narancic, Queen Creek resident expressed opposition of this project. He would like to the Commission to understand where all of the neighborhood concerns are coming from. He stated that Sonoqui Creek Ranch, Phase III plan originally had included a Phase 4-A & 4-B. Since the design of Phase III, the developer has gone bankrupt. At the time when the residents moved in and purchased their properties the neighborhood bylaws indicated what the phased development for this area would be. When Garret came in and started outlining his new plan for the neighborhood development, a lot of concerns were raised as it proposed an increase in the density, proposing to break up the consistency in the neighborhood.

Mr. Narancic noted that everything south of the wash originally designed to be very low density, and the neighborhoods bylaws do outline what the properties are supposed to look like when they are developed. Adding that what is currently being presented is different from what was originally proposed.

Commissioner Sossaman asked if any of the original plans included 2-story homes. Mr. Narancic answered that none of the existing homes are 2-stories, as they are restricted.

Tammy Koon, Queen Creek resident expressed opposition of this project. She stated that Ralph Pew has been working with the residents, and feels that no resolution has been reached. She asked that the Commission not continue the case; she would like it to be denied.

Bill Smith, Queen Creek resident expressed opposition of this project. He stated that he is concerned with changing the General Plan. He feels that there is currently an abundant inventory available for development of smaller size lots in the community that are already properly zoned, outside of the Sonoqui Wash neighborhood.

Joyce Riggs, Queen Creek resident expressed opposition of this project. She stated that she is unable to attend the January meeting and would like the Commission to deny the case tonight.

Commissioner Nichols stated that he was in favor of continuing the case, but not for the same reasons as the previous cases. Commissioner Nichols would like the applicant to work closer with the residents to try and come closer to a compromise, not based on the Fiscal Study information.

Motion to continue GP13-030, Sonoqui Creek Village to a Special Planning & Zoning Commission Meeting on January 22, 2014 at 7:00 p.m.

1st Sossaman

2nd Robinson

Vote: 5-1

Aye- Ingram, Nichols, Matheson, Sossaman, Robinson

Nay- Arrington

MOTION PASSED

ADMINISTRATIVE ITEMS

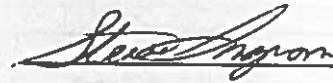
5. **Summary of Events from members of the Commission and staff.** The Commission may not deliberate or take action on any matter in the "summary" unless the specific matter is properly noticed on the Regular Session agenda.
6. **Adjournment Motion to Adjourn 8:43p**

1st Ingram

2nd Sossaman

Vote: Unanimous

PLANNING AND ZONING COMMISSION



Steve Ingram, Chair

Attest:



Amy Morales-Olea, Planning Assistant

I, Amy Morales-Olea, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the December 5, 2013, Special Session of the Queen Creek Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Amy Morales-Olea

Passed and approved on January 8, 2013