



**MINUTES
REGULAR MEETING
QUEEN CREEK PLANNING & ZONING COMMISSION
QUEEN CREEK COMMUNITY CHAMBERS
20727 E. CIVIC PARKWAY
APRIL 11, 2018
7:00 PM**

1. Call to Order

This meeting was called to order at 7:00PM.

2. Roll Call: One or more members of the Commission may participate by telephone.

Commissioners in attendance: Chairman Arrington, Vice-Chairman Alleman, Commissioner Sossaman, Commissioner Matheson, Commissioner Ehmke, Commissioner Young, and Commissioner Spall.

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 March 14, 2018 Planning Commission Meeting Minutes.

Motion to approve Consent Agenda:

1st: Matheson

2nd: Ehmke

Vote: 7-0 (unanimous)

PUBLIC HEARING:

5. Public Hearing and Possible Action on Case P18-0011 "Fulton Homes at Barney Farms PAD Amendment", a request from Norm Nicholls, of Fulton Homes, for a PAD zoning amendment to revise the previously approved Barney Farm PAD (Case RZ16-043) to allow for an updated development plan with a lake community. This project site is generally bounded by Meridian Road to the east, Queen Creek Road to the south, the Signal Butte Road alignment to the west, and approximately 770 feet south of Germann Road to the north.

Sarah Clark, Planner II, provided a brief summary of the proposed project and explained that the request by Fulton Homes involves amending a previously-approved PAD in order to accommodate a new lake-centric development. Ms. Clark summarized the location of the project, the current zoning of the project site, and noted that the applicant is not requesting any changes to the original R1-5 PAD zoning. Ms. Clark presented the previously approved development plan for Barney Farms, followed by the new proposal for this project, which includes a 24-acre lake in the center of the

community. Ms. Clark explained that the lake will be used to accommodate the community's landscaping and irrigation needs. The lake will be stocked with fish and managed by an aquatic biologist through the HOA, and will also be used for various aquatic sports such as kayaking and paddleboarding. Ms. Clark outlined that the lake will have three docks to be used by the public for boat launching and fishing.

Ms. Clark outlined the proposed development plan, which includes a large 15-acre central community park, with a 4-component pool made up of a "kiddie-pool", leisure pool, a lap pool, and a sports pool. Ms. Clark added that there will also be a large open turf area suitable for various sports such as soccer or baseball, and a multitude of sports courts to accommodate tennis, basketball, bocce ball, corn hole, and pickle ball. The community park will also feature a large playground and a 99-space parking lot. There will also be a large shade ramada and an event gathering space in the center of the park, which will include restrooms, an HOA office and a kitchen. Ms. Clark presented a 3D exhibit provided by the applicant of the proposed open space and recreation areas within the community. Ms. Clark then presented the proposed elevations for the central event ramada, which is of an agrarian architectural theme, with elements such as a barn silo, metal cupolas, and stable doors, which are consistent with the agricultural theme of the Town's North Specific Area Plan.

Ms. Clark noted that the applicant is proposing to make minor modifications to the lot sizes for the development, increasing some of the lot size and lot widths, and also adding a larger lot series. Ms. Clark then presented one of the PAD amendment requests, which is to include two 30-foot tall cisterns as community entrance monument features, one of Queen Creek Road and one of Signal Butte Road. The entry monuments are cisterns that will feed water through an irrigation canal system. The Town's Zoning Ordinance requires that subdivision entry monuments be of a maximum height of 20-feet, and the applicant is requesting that the requirement be modified to allow for these 30-foot tall entry monuments. Ms. Clark presented a plan view of the proposed entry monuments to show the many levels of water basins that the cistern will be feeding water into, as well as the concentration of Red Push Pistache trees that will flank the entry monuments at both entrances.

Ms. Clark presented the applicant's request to allow for solid fencing on the side lot lines of properties that neighbor an open community space area. The Zoning Ordinance requires that view fencing be placed on all lot lines that abut community open space. The applicant is requesting to maintain the view fencing requirement on the rear of the properties, but to allow for solid fencing on the side lot lines, citing privacy and community aesthetic concerns.

Ms. Clark then presented the applicant's last PAD amendment request, which is to allow for an HOA office to be located within the barn feature at the central community park. The HOA office is proposed to be located on the second story of the building and will provide administrative and management services for the community and the lake.

Ms. Clark noted that two neighborhood meetings were held by the applicant. The first one was on February 12, 2018 and had 10 members of the public in attendance, who had questions on traffic, traffic control, the proposed lake concept as well as transitions from the community to the industrial development to the north. The second neighborhood meeting was on March 27, 2018 and had no members of the public in attendance.

Ms. Clark concluded her presentation and thanked the applicant, Norm Nicholls, for being the first applicant to submit his application fully digitally on the Town's new digital system, and helping the Town with its transition to go paperless by 2020.

Greg Davis from iPlan Consulting spoke on behalf of the Barney Family and Fulton Homes. Mr. Davis expressed his team's excitement to be bringing this project before the Planning Commission and the public, as well as their expectation that this will be a highly sought-after development due to the amenities and livability offered. Mr. Davis thanked the Commission for their time and consideration of this proposal.

Commissioner Spall highlighted her approval of the HOA office being on site.

Commissioner Matheson commended the proposal as a quality project.

Motion to approve Case P18-0011 “Fulton Homes at Barney Farms PAD Amendment”, a request from Norm Nicholls, of Fulton Homes, for a PAD zoning amendment to revise the previously approved Barney Farm PAD (Case RZ16-043) to allow for an updated development plan with a lake community. This project site is generally bounded by Meridian Road to the east, Queen Creek Road to the south, the Signal Butte Road alignment to the west, and approximately 770 feet south of Germann Road to the north.

1st: Matheson

2nd: Young

Vote: 7-0 (unanimous)

- 6. Public Hearing and Possible Action on Cases P17-0134 (PAD Rezone), P17-0137 (Site Plan) and P17-0136 (Conditional Use Permit) “Queen Creek Crossing”, a request from Sean Lake, Pew and Lake, to rezone from R1-43 to C-2 (General Commercial) with a Planned Area Development (PAD) overlay for a commercial shopping center on approximately 36 acres located at the northwest corner of Queen Creek and Ellsworth Roads.**

Christine Sheehy, Principal Planner, provided a brief summary of the project location. Ms. Sheehy presented the General Plan exhibit for the project site, noting that the current designation for the area is Mixed Use (MU). Ms. Sheehy then presented the existing zoning of the project site, which is R1-43. Ms. Sheehy then presented the proposed zoning for the project site, which the applicant is requesting to be General Commercial (C-2) with a PAD overlay to amend the outdoor display storage requirements.

Ms. Sheehy presented the proposed development plan, which will be comprised of approximately 370,000 square feet of commercial uses, including components such as a home improvement store, in line shops, a two-story office/retail building, three in-vehicle service stores, and three pad sites for shops. Ms. Sheehy described the exact location of the project, with Fulton Parkway bordering it to the north and Ellsworth Road to the east, and noted the proposed location of the Lowe’s home improvement store to the north of the site, along with its Garden Center.

Ms. Sheehy presented the applicant’s request to modify the requirements for outdoor display. The Town’s Zoning Ordinance allows for 60% of the store frontage to be used for outdoor display, and the applicant is requesting additional outdoor display (5,200 square feet) to line the entrance driveway with outdoor permanent display. The Town’s Zoning Ordinance requires that merchandise be taken inside the store in the evenings. The applicant is requesting for those outdoor display items to be kept outside permanently, which has been allowed in other commercial developments in the Town. Ms. Sheehy expressed that staff is not in support of the entry driveway permanent outdoor merchandise display, as there is already sufficient display area along the perimeter of the store front, which is more consistent with similar developments in the Town.

Ms. Sheehy presented the applicant’s request for a Conditional Use Permit to allow for three in-vehicle service facilities. Ms. Sheehy explained that a previous iteration of the proposed project had the drive aisles to the north of each pad site, however, after a neighborhood meeting where residents of the adjacent subdivision expressed their concern for this type of use, the applicant moved the drive aisles to the south of the buildings. Ms. Sheehy noted that the applicant’s request meets all Zoning Ordinance requirements for in-vehicle service facilities.

Ms. Sheehy presented the proposed elevations of the main anchor building, the main shade plaza, and an exhibit of one of the shaded public rest areas. Ms. Sheehy then presented the proposed wall plans for the development. Ms. Sheehy explained that the applicant revised the proposed walls after some concerns were raised by residents at the neighborhood meeting. The perimeter along 206th St will have no driveway access, will be screened with eight-foot to ten-foot walls, and will also have

two rows of trees to further help screen the development from the adjacent residential subdivision. The applicant provided on pedestrian access point to connect residents from the west side of 206th Street to the commercial development.

Ms. Sheehy noted that a neighborhood meeting was held on October 17, 2017, in 27 members of the public were in attendance. During this meeting, residents expressed concerns regarding truck access to the site through 206th Street, as well as concerns regarding light pollution on the side that abuts the residential development. The applicant addressed these concerns by limiting access to the site to only the Ellsworth Road side, and the Fulton Parkway side, as well as providing lower parking lot lighting and wall lighting. Ms. Sheehy noted that some residents also expressed concern over the delivery hours for the commercial development. Ms. Sheehy then explained that the Town's Zoning Ordinance automatically restricts delivery activities in commercial development from 10:00pm to 7:00am.

Sean Lake, the applicant's representative, introduced himself to the members of the Commission and expressed his excitement to bring this commercial project to the Town of Queen Creek. Mr. Lake provided a history of the project site and its association with the Queen Creek Station Master Plan, its General Plan land use designation of Commercial, and its location within one of the Town's Targeted Growth Areas. Mr. Lake outlined the applicant's development requests which include a rezone from the R1-43 designation to a C-2 designation with a Planned Area Development overlay, as well as a Site Plan approval for approximately 337,000 square feet of retail and mixed use office buildings, and Conditional Use Permit approval for the proposed drive-thru uses.

Mr. Lake presented the proposed Site Plan for the project and outlined the different uses proposed on site. Mr. Lake discussed the changes made to the project after hearing residents' concerns at the neighborhood meeting, such as eliminating any signage from the rears of the buildings and providing lower level lighting around the perimeter of the site. Mr. Lake then described the measures employed to properly screen the loading dock, which include a four-foot recessed loading dock and a twelve-foot-high screen wall, which will provide sufficient screening for a standard semi-truck. Mr. Lake also noted that the applicant will provide a double row of trees to screen the development from adjacent residential neighborhoods along 206th Street and Fulton Parkway.

Mr. Lake presented the proposed elevations for the project. Mr. Lake then presented the Site Plans of the drive-thrus involved in the proposed Conditional Use Permits.

Mr. Lake summarized the revised condition requesting to allow fully shielded lights above the loading docks to be at 12-feet, and for accent lighting on the north side to be at a height of 22-feet. Mr. Lake then discussed the request to allow for outdoor display along the garden center and to allow outdoor display along the internal driveway access.

Commissioner Ehmke inquired if Mr. Lake and his team have been in contact with the owners of the property to the south of the project site and if the applicant has discussed with that owner the possibility of shared access to the sites. Mr. Lake stated that his team has been in touch with the property owner to the south and that both parties have been working on developing a shared access agreement.

Commissioner Matheson asked the applicant to provide a better discussion on the outdoor display of goods to help visualize the request. Mr. Lake described the types of materials which would be located within the individual outdoor storage areas identified on the Site Plan. Mr. Lake explained that the typical types of goods that are displayed along the store frontage are flowers and mulch for the Garden Center, and heavier equipment such as lawn mowers and barbecue grills, among other typical home improvement merchandise. Mr. Lake then described the type of goods that would be displayed along the proposed interior drive lane display area, which would include trailers that are for sale, sheds, and a variety of bulkier items that take up more space.

Vice-Chairman Alleman asked for clarification on the exact location of the proposed outdoor storage areas. Mr. Lake described the location of the proposed outdoor display areas, noting that they will be along the storefront on the north and east side, and along a row of parking spaces on the main drive aisle.

Vice-Chairman Alleman inquired if the final plan for the proposed outdoor storage will be more detailed, including clear stipulations and exact locations. Mr. Lake explained that he will be working with staff to provide a scaled, more detailed drawing of the proposal to ensure compliance with Town requirements prior to the Town Council meeting.

Commissioner Young expressed his slight support for the location of the drive aisle outdoor storage area. Commissioner Young also expressed his support for the accent lighting pointed at the building rather than pointed out towards the adjacent neighborhood. Commissioner Young asked if the lighting would be able to be turned down if light pollution to the neighboring residences became an issue in the future. Mr. Lake confirmed that the lighting can be adjusted in the future if needed.

Commissioner Young inquired if the trees would be similar to those used in the Queen Creek Station project. Mr. Lake noted that the trees will be similar to maintain a cohesive transition. Mr. Lake also added that the development will have two traffic signals to provide safe access to the site from the adjacent arterial roads.

Chairman Arrington inquired if the Town has allowed similar outdoor storage in any other developments in the area. Ms. Sheehy explained that the Town has allowed some outdoor display of merchandise in other developments, but not to the extent that this applicant is requesting. Ms. Sheehy noted that the existing home improvement store in the Town has outdoor trailer display that takes up 12 to 15 parking spaces, but not the entire length of the entry drive, as is being requested by the applicant.

Chairman Arrington inquired if the proposed outdoor storage area along the driveway was adjacent to a sidewalk through the site. Ms. Sheehy confirmed that there is a sidewalk along the proposed outdoor storage.

Chairman Arrington asked how tall the merchandise to be displayed along the drive entry will be. Mr. Lake explained that the merchandise to be displayed is typical to any other Lowe's home improvement store display items. Mr. Lake also outlined the main walkways on the Site Plan, the location of the main shade plaza, and the general location of the proposed public art components. Mr. Lake then noted that the applicant is requesting 24 internal spaces for outdoor storage.

Commissioner Matheson inquired if the nearest Lowe's has similar outdoor storage to what is being requested. Commissioner Alleman stated that a nearby Home Depot store has similar storage. Mr. Lake noted that almost all home improvement stores in the region have outdoor display along the store frontage, and that some of them have outdoor storage located in the parking lot, as is being proposed. Mr. Lake also noted that the applicant would be willing to relocate the parking lot storage area to the northern perimeter along Fulton Parkway, as was originally intended. Mr. Lake explained that the location had changed due to concerns of neighborhood sensitivity.

Commissioner Sossaman inquired if the proposed motion is to approve the project as the applicant is requesting it, or if it is to approve the project subject to the Town's Zoning Ordinance requirements. Ms. Sheehy clarified that the motion includes two requests from the applicant that deviate from the Zoning Ordinance, the lighting and the outdoor storage. Ms. Sheehy noted that staff is supportive of the lighting adjustment request as well as the outdoor storage areas being proposed. Ms. Sheehy also noted that the only part of the request that staff is not supportive of is using the entire length of the entry driveway for outdoor merchandise display.

Commissioner Alleman asked for further clarification for the proposed motion, as the Town has a stipulation that an outdoor storage plan will be required for approval of such a request. Ms. Sheehy explained that the motion includes staff's recommendation to approve the lighting request and the store front outdoor storage, and that the members of the Commission would have to decide which stipulations to put on the possible approval of this project. Ms. Sheehy reinforced that staff is not supportive of the amount of parking lot storage being proposed and that staff will be working with the applicant to produce a detailed plan of the proposed storage areas once a decision has been made regarding how much they will be allowed to include.

Commissioner Sossaman clarified that the motion will exclude approval of the outdoor storage areas being proposed in the parking lot.

Commissioner Ehmke asked how many parking spaces are taken up by outdoor storage at the other home improvement store in the Town. Ms. Sheehy noted that there are approximately 8 to 10 spaces, between two parking lot islands, being used for merchandise display at that location. Ms. Sheehy further noted that these designated spaces are off to the side of the site and are restricted to trailer display only. The store in question also has outdoor display outside of its Garden Center.

Commissioner Ehmke asked why staff is not supportive of the proposed parking lot merchandise display, since it is allowed in another center. Ms. Sheehy explained that staff would be supportive of the request if the amount of parking spaces designated for outdoor storage were more limited than what the applicant is requesting.

Vice-Chairman Alleman asked what the discussion between staff and the applicant had been regarding a detailed outdoor storage plan, and why one was not provided for the meeting. Ms. Sheehy explained that the reason for the lack of a concrete plan on this date is because staff has been in disagreement with the applicant on the matter. Mr. Lake noted that his team will be providing a very detailed and scaled plan in order to ensure compliance with the Zoning Ordinance. Mr. Lake asked for some flexibility for his request to allow for the outdoor storage in the parking lot, whether it be on the inside or along the perimeter of the project.

Commissioner Spall noted that outdoor storage on the north side of the property, adjacent to Fulton Parkway, might not be aesthetically pleasing. Mr. Lake noted that landscaping would shield that area, along with a parking lot screen wall. Mr. Lake also noted that the applicant would be willing to provide even more landscaping and additional screening measures if the Commission prefers to have the parking lot storage on that northern edge of the project site.

Commissioner Spall inquired if the project would you lose parking spaces if the outdoor storage were moved to the north side. Mr. Lake responded that no parking would be lost.

Commissioner Sossaman moved to approve the case, subject to staff conditions, and with additional changes to allow sconce lighting on the north side of the building, and to limit the storage to the north side of the parking lot and trailer only storage area of only two parking islands.

Commissioner Matheson asked what the requirement of two parking lot islands means. Commissioner Sossaman explained that it is the parking spaces located between two parking lot islands. Commissioner Sossaman also noted that he added the requirement of trailers only to this storage area because trailers have a low profile which are less obtrusive.

Commissioner Matheson inquired why the north side is preferred over the interior storage area. Commissioner Sossaman noted that the north side outside storage area is more aesthetically pleasing and more fair for other tenants of the development. Commissioner Ehmke noted that the landscaping along Fulton Parkway would serve to sufficiently screen the outdoor storage and would be less of an impact on the other tenants.

Motion to approve Cases P17-0134 (PAD Rezone), P17-0137 (Site Plan) and P17-0136 (Conditional Use Permit) "Queen Creek Crossing", a request from Sean Lake, Pew and Lake, to rezone from R1-43 to C-2 (General Commercial) with a Planned Area Development (PAD) overlay for a commercial shopping center, subject to the Conditions of Approval detailed in the Staff Report with the addition to allow outdoor display in 17 parking spaces along the south side of Fulton Parkway and display is limited to trailer storage only.

1st: Sossaman

2nd: Ehmke

Vote: 7-0 (unanimous)

Motion to recess at 8:00pm.

Motion to readjourn at 8:07pm.

7. Public Hearing and Possible Action on Case P17-0149 "West Park Estates", a request from Sean Lake, Pew and Lake, to rezone from R1-43 to R1-7, R1-12 and R1-18/Planned Area Development (PAD) for 120 lots on approximately 51 acres located at the northeast and northwest corners of the 196th Street alignment and Ocotillo Road.

Christine Sheehy, Principal Planner, presented the location of the project site. Ms. Sheehy then presented the General Plan exhibit of the project site, which designates the property as Medium Density Residential (MDR), as well as the existing Zoning exhibit, which currently designates the property as R1-43. Ms. Sheehy outlined the proposed zoning for the site, which is comprised of R1-18, R1-12, and R1-7. Ms. Sheehy noted that the applicant has removed three lots from the southern perimeter of the property, making the lots remaining a size of 18,000 square feet, which will be restricted to one-story buildings along Ocotillo Road. Ms. Sheehy also noted that the applicant has offered to require all lots in the R1-18 zoning districts to be restricted to one-story homes. Ms. Sheehy presented the proposed development plan. Ms. Sheehy then presented the applicant's proposed zoning standards modifications. The applicant is asking to amend some of the zoning districts' requirements, such as increasing the minimum lot size for the R1-7 lots, reducing the minimum lot width for those lots, reduce the minimum lot sizes for the R1-12 lots, and increasing minimum lot sizes for the R1-18 zoned lots.

Ms. Sheehy presented the Open Space and Trails Plan for the project site and noted that the development has total open space of 7.63 acres, three neighborhood parks, and multi-use trails along 196th Street and Ocotillo Road. Ms. Sheehy noted that 196th Street will be used as a second primary entrance to the future Mansel Carter Oasis Park, which is currently under construction to the north of the project site. The developer will be including a landscaped median along this road. Ms. Sheehy then presented the proposed Wall Plan for the project.

Ms. Sheehy noted that three neighborhood meetings were held for this project. The first was on March 27, 2017, and 35 members of the public were in attendance. The second, on June 12, 2017, had 25 members of the public in attendance. The third was on October 19, 2017, and had 27 members of the public in attendance. Ms. Sheehy also noted that there has been significant opposition to this project, with neighbors expressing concerns over lot sizes, density, and compatibility with adjacent properties. The original proposal had more density than its current iteration, as the developer has taken into account public comments and made modifications to the project accordingly. Ms. Sheehy also noted that, to date, staff has received the following public input: 82 members of the public in support, and 125 members of the public in opposition.

Sean Lake, the applicant's representative, provided a brief history of the project's progression. Mr. Lake discussed the applicant's work on modifying the development plan to address neighbor concerns. Mr. Lake presented an aerial exhibit of the project site, and noted that the developer will be improving 196th Street, per the Town's request, as well as adding a traffic signal at the intersection of 196th Street and Ocotillo Road. Mr. Lake outlined that, with the new park to the north, there will be an increase in the frequency of individuals bisecting the proposed community to access the park, as well as lighted sports fields surrounding the property.

Mr. Lake presented the General Plan Land Use exhibit as well as the Zoning Map exhibit for the site. Mr. Lake then outlined the proposed request, which include the three zoning categories of R1-18, R1-12, and R1-7. Mr. Lake presented a series of exhibits identifying how the development plan and lot sizes have evolved. Mr. Lake noted that the lots along Ocotillo Road are similar in size to the lots in the existing Lucia development to the west of the project site. Mr. Lake also outlined the buffer of larger sized lots along the perimeter of the development.

Mr. Lake explained the neighborhood outreach that the applicant has conducted to collect petition signatures in support of the proposed development. Mr. Lake then summarized the applicant's request of approval, stating that the project is consistent with the Town's General Plan and that it complements the neighboring future park.

Commissioner Alleman inquired if there was a General Plan Amendment request when the development plan included the 60 additional lots that have been ultimately removed. Mr. Lake

responded that the original development plan was in conformance with the General Plan Update, and that the applicant had hoped that their development timeline would allow for approval once the General Plan Update had already been voted on and thus would not require a General Plan Amendment. Mr. Lake also clarified that the current development plan is in compliance with both the old General Plan as well as the General Plan update.

Chairman Arrington opened the meeting for public comment.

Don Blount, resident of Queen Creek in La Princesa Ranchitos, expressed his support for larger lots, and expressed concern with increased traffic. Mr. Blount stated his opposition to the project.

Tammy Blount, resident of Queen Creek in La Princesa Ranchitos, expressed concerns with increased traffic with the proposed traffic light as well as her desire to maintain the rural character of her neighborhood. Ms. Blount expressed the existing market desire for acre-lots and expressed disdain for the additional light pollution that will be caused by both the Town park and the proposed subdivision. Ms. Blount asked that the Commission vote down the project.

Ryan Delnoce, resident Queen Creek in Arroyo de la Reina, expressed his opposition to the project's proposed lot sizes in the R1-7 portion. Mr. Delnoce noted that the R1-7 lots surrounding the Town's other park are actually closer to 9,000 square feet, and that the proposed R1-7 lots for this project are too small to be compatible with surrounding areas. Mr. Delnoce noted that he understands that development will continue to come to the Town, but expressed his lack of support for this project as it does not honor the unique, agricultural character of the Town.

Calvin Johnson, resident of Queen Creek, noted that he led an effort to gather signatures against the subdivision when the project was initially proposed. Mr. Johnson noted that the applicant had worked with him and other neighbors to include larger lots and expressed his support for the project.

Corey Bosold-Littleton, resident of Queen Creek in Circle G, expressed her concern with the smaller lots and additional children in the area, which will put a strain on the existing school system. Ms. Bosold-Littleton highlighted the need to make the lots as big as possible and expressed strong opposition to the project. Ms. Bosold-Littleton also noted that property values in the area would be adversely affected if the school system were to go over capacity.

Jane Alford, resident of Queen Creek in Circle G, stated that the west side of Queen Creek maintains the rural character of the Town and stated that she does not support the size of lots proposed in the area. Ms. Alford expressed her opposition to the project.

Jack Pechur, resident of Queen Creek in Lucia, expressed his support for living in Queen Creek, but objected to the smaller lot sizes when other lots in the area are considerably larger. Mr. Pechur also noted that the concern over the light pollution is unnecessary, but that he is still opposed to the project.

Joanne Jarmin, resident of Queen Creek, expressed her opposition to the proposed development. Ms. Jarmin noted that the applicant did not reach out to them during their neighborhood outreach, which was mentioned in Sean Lake's presentation. Ms. Jarmin also noted that a number of petition signatures in support of the project that were collected by the applicant came from residents in Montelena, over a mile away from the project site. Ms. Jarmin expressed that she did not think that those residents are as heavily impacted by the proposed development. Ms. Jarmin also expressed that she did not think that the proposed R1-7 lots were compatible with the surrounding area. Ms. Jarmin suggested that the developer include R1-35 lots in the "horseshoe buffer" and that the R1-7 lots be changed to R1-18 or R1-12. Ms. Jarmin asked that the development be postponed in order to discuss it further.

Chairman Arrington noted that there were comment cards from members of the public who did not wish to speak. Those were from Rick Annis, Scott Hannan, and Heather Hiland, all of whom are opposed to the project.

Richard Hiland, resident of Queen Creek, expressed that all residents who drive on Ocotillo Road daily will be affected by the increased traffic due to this development as well as the park. Mr. Hiland

also noted that the justification for smaller lots next to the park is invalid, as the lots next to Desert Mountain Park are not as small. Mr. Hiland expressed his strong opposition to the project.

Kelly Jarmin, resident of Queen Creek, stated that the proposed plan does not fit with the surrounding areas. Mr. Jarmin pointed out that the area does not have any R1-7 lots nearby, and that traffic will increase significantly with this development, negatively impacting the residents to the south of Ocotillo Road. Mr. Jarmin expressed his adamant opposition to the project.

Angie Couden, resident of Queen Creek in Queen Creek Ranchettes, expressed concern with the negative impacts her and her neighbors will face with the increased traffic on 196th Street. Ms. Couden also expressed her objection to the smaller lots. Ms. Couden stated her opposition to the subdivision and noted that Mr. Lake and the developer had not contacted her or her neighbors south of Ocotillo Road.

Rick Schultis, resident of Queen Creek on 199th Way, noted that his property is one of the most affected as he is directly adjacent to the proposed project site and is also in clear view of the upcoming park. Mr. Schultis expressed his concerns with the visit he received from the applicant. Mr. Schultis stated that the applicant visited with him for an hour and a half to try to convince him to sign a petition in support of the project and. Mr. Schultis refused and asked the applicant what would happen to the property if the project does not get approved. Mr. Schultis informed the Commission that the applicant had stated that the Town would rezone the property in coming years to allow for high-density development such as condos. Mr. Schultis expressed his belief that the applicant had used this tactic to convince other residents to sign the petition in support of the project.

Chairman Arrington closed the public comment portion of the public hearing and allowed the applicant's representative to address the public comments.

Mr. Lake responded to the public's comments regarding what it is in the area surrounding the project site, noting that there are R1-7 zoned properties to the east, west, and north of the project site. Mr. Lake also addressed the public's concerns with traffic, stating that Ocotillo Road is already a main east-west traffic carrier, and that the developer will be improving the north side of the road, while the Town's Capital Improvement Project on Ocotillo will make further improvements to the whole corridor. Mr. Lake then addressed comments regarding the property's R1-43 zoning designation, noting that this designation is a "placeholder" for eventual rezone in many properties throughout the Town to bring them to the purposes outlined for them in the General Plan. Mr. Lake then stated that he and his team have been working with schools to enter into a donation agreement.

Mr. Lake explained that the R1-7 lots and the homes to be built on them will not be "starter homes," but instead quality executive housing. Mr. Lake stated that the development is compatible with surrounding uses, and asked for approval of the project, subject to Staff's Conditions of Approval.

Chairman Arrington inquired if the Town would construct 196th Street if the project is not developed.

Brett Burningham, Planning Administrator, noted that the Town will be building 196th Street to connect to the park if the project is not developed.

Commissioner Sossaman expressed his appreciation for the comments provided by the public during the hearing. Commissioner Sossaman also noted that the lot sizes proposed are not small, but are smaller than those in the adjacent neighborhoods, and that he understands the reasoning for putting the smaller lots next to the park, as those lots have less of their own open space, a practice fundamental to land planning. Commissioner Sossaman clarified that he is not defending the lot sizes, that he shares the public's concerns with increased traffic, and that it will be difficult to support the density being proposed. Commissioner Sossaman then commended the applicant for providing the buffer of larger lots along the perimeter of the property but noted that the development is different than what is nearby and expressed the need for balance. Commissioner Sossaman noted that the proposed density is not out of line but that the development needs to be considerate of the existing neighborhoods.

Commissioner Ehmke noted that he believes that the developer has been willing to work with the neighbors to reduce density and establish buffers so that the smaller lots proposed are interior to the

site and will have less of an impact on surrounding neighborhoods. Commissioner Ehmke expressed his belief that it is important to be willing to work with developers when they have been willing to work with Staff and residents to provide a more compatible project.

Commissioner Young noted that he was initially opposed to the project when the smaller lots were proposed along Ocotillo Road because there wasn't a proper transition to surrounding properties. Commissioner Young noted that the properties to the south of the site are 6 acre lots, and the ones to the north are 1-acre lots, which means there is a huge transition between the two. Commissioner Sossaman then noted that the applicant had increased the perimeter lot sizes and that the development provides a proper transition from the lots to the south to those to the north.

Commissioner Matheson noted that he understands that it is difficult to see the Town's open spaces being filled in with higher density developments. However, Commissioner Matheson expressed his appreciation for the developer being willing to reduce the density of the project.

Vice-Chairman Alleman expressed his appreciation for the developer working with the neighbors to create a transition and reach a compromise.

Commissioner Spall asked if there is another neighborhood in the Town that has so many different sized lots in it. Mr. Lake stated that he cannot think of one that is this small and has this variety in lot size.

Sarah Clark, Planner II, provided clarification regarding the 2008 General Plan Land Use designation of 0-3 dwelling units per acre and the 2018 General Plan designation for the property in question. Ms. Clark explained that the 2008 General Plan provides no discussion on buffering requirements from one designation to another, which means that a 0-1 dwelling units per acre neighborhood such as La Princesa Ranchitos could be next to a 0-3 dwelling units per acre neighborhood. Ms. Clark then explained that, with the 2018 General Plan Update, while it does allow for 0-20 dwelling units per acre in a neighborhood, there are significant constraints to be able to provide a neighborhood of high density. Ms. Clark outlined some of these constraints, which include buffering requirements between rural neighborhoods and adjacent neighborhoods to provide adequate transitions between subdivisions. Opportunities for such buffering include, but are not limited to, landscape buffering, comparable lot sizes, comparable lot widths, and other buffering methods.

Chairman Arrington noted that the proposed project is consistent with the General Plan and the applicant has provided adequate lot size transition. Chairman Arrington further noted that there have been three iterations of the proposal due to the public's active involvement, which is what the process is all about. Chairman Arrington expressed his appreciation for the public's involvement in the process.

Motion to approve Case P17-0149 "West Park Estates", a request from Sean Lake, Pew and Lake, to rezone from R1-43 to R1-7, R1-12 and R1-18/Planned Area Development (PAD) for 120 lots on approximately 51 acres located at the northeast and northwest corners of the 196th Street alignment and Ocotillo Road.

1st: Matheson

2nd: Young

Vote: 5-2 (Sossaman and Spall voted against)

8. **Public Hearing and Possible Action on Case P18-0051 "R1-43 Side Yard Building Setbacks Zoning Ordinance Text Amendment"**, a staff initiated text amendment to the Zoning Ordinance, Article 4, Table 4.7-3, Dimensional Standards, to amend side yard building setbacks in the R1-43 zoning district from thirty feet (30') to twenty feet (20').

Steven Ester, Planner I, provided a presentation of a staff-led Text Amendment request to modify side yard setback requirements for R1-43 zoning districts. Mr. Ester presented the Town's current yard setback standards for R1-43 and R1-35 zoning districts, as well as the Zoning Ordinance provision for detached accessory structures which allows for structures under 15-feet in height to be

5-feet from the rear lot line. Mr. Ester summarized the setback standards of comparable municipalities in the Greater Phoenix region. Mr. Ester presented the Staff recommendation to change the side yard setback requirement in R1-43 zoning districts from 30-feet to 20-feet.

Motion to approve Case P18-0051 "R1-43 Side Yard Building Setbacks Zoning Ordinance Text Amendment", a staff initiated text amendment to the Zoning Ordinance, Article 4, Table 4.7-3, Dimensional Standards, to amend side yard building setbacks in the R1-43 zoning district from thirty feet (30') to twenty feet (20').

1st: Sossaman

2nd: Matheson

Vote: 7-0 (unanimous)

FINAL ACTION:

None.

ITEMS FOR DISCUSSION:

None.

ADMINISTRATIVE ITEMS

9. **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.

10. Adjournment

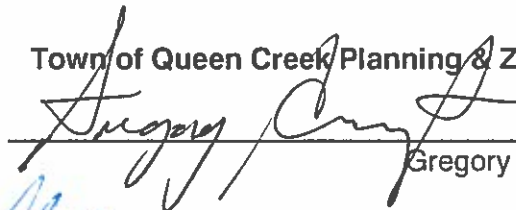
Motion to adjourn at 9:27PM

1st: Alleman

2nd: Young

Vote: 7-0 (unanimous)

Town of Queen Creek Planning & Zoning Commission



Gregory Arrington, Chairman

ATTEST:


Sarah Clark, Planner II

I, Sarah Clark, do hereby certify that, to the best of my knowledge and belief, the forgoing Minutes are a true and correct copy of the Minutes of the April 11, 2018 Regular Meeting of the Queen Creek Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.


Sarah Clark, Planner II

Passed and approved on May 9, 2018.