



**TO:** Planning and Zoning Commission

**THROUGH:** Brett Burningham, Development Services Director

**FROM:** Sarah Clark, Senior Planner/Project Manager

**RE:** Introduction and Public Hearing on Case P19-0048 “Zimmerman Dairy Major General Plan Amendment”, a request by Zimmerman Dairy LLC, for a Major General Plan Amendment for 191 acres from Industrial to 14 acres of Commercial and 177 acres of Neighborhood. This project is generally located at the southeast corner of Meridian Road and Queen Creek Road.

**DATE:** August 28, 2019

**STAFF RECOMMENDATION**

Staff recommends continuing Case P19-0048 “Zimmerman Dairy Major General Plan Amendment” to the September 11, 2019 Planning Commission Meeting.

**PROPOSED MOTION**

Move to continue Case P19-0048 “Zimmerman Dairy Major General Plan Amendment” to the September 11, 2019 Planning Commission Meeting.

**RELEVANT COUNCIL GOALS**



Secure Future



Effective Government

**SUMMARY**

This proposal consists of a request by Zimmerman Dairy LLC for a Major General Plan Amendment for 191 acres of Industrial to 14 acres of Commercial and 177 acres of Neighborhood. This project is generally located at the southeast corner of Meridian Road and Queen Creek Road.

Major Amendments to the General Plan may be considered annually by the Planning Commission and Town Council and are considered within the same calendar year they are submitted. The 2019 Major General Plan Amendment public hearing schedule is summarized below (State Law requires major amendments to the General Plan to be heard at two Planning Commission public hearings):

- Special Planning Commission Public Hearing (Introduction): August 28, 2019
- Planning Commission Public Hearing: September. 11, 2019
- Town Council Public Hearing: October 2, 2019

This is an introduction to the Major General Plan Amendment request a more detailed analysis will be provided with the second Planning Commission public hearing staff report.

**HISTORY**

May 15, 2018            The current General Plan was adopted  
 April 9, 2018            The property was annexed into the Town of Queen Creek  
 August 28, 2019        Planning Commission 1<sup>st</sup> Public Hearing (Introduction)  
 September 11, 2019    Planning Commission 2<sup>nd</sup> Public Hearing  
 October 2, 2019        Town Council Public Hearing

**PROJECT INFORMATION**

Project Name	Zimmerman Dairy Major GPA
Site Location	Generally located at the southeast corner of Meridian Road and Germann Road.
Current Zoning	AT (Agritainment)
Current General Plan Designation	Industrial
Proposed General Plan Designation	Commercial (approximately 14 acres) Neighborhood (approximately 177 acres)
Surrounding General Plan Land Use Designations:	
North	Industrial & Special District #3 State Land
South	Neighborhood
East	Neighborhood
West	Industrial & Neighborhood
Gross Acreage:	191 acres (approximately)

**DISCUSSION**

The applicant is requesting a Major General Plan Amendment for 191 acres of Industrial to 14 acres of Commercial and 177 acres of Neighborhood. This project is generally located at the southeast corner of Germann and Meridian roads and currently operates as an active dairy.

The Property is currently surrounded by vacant land to the north and east, and agricultural land currently being farmed to the south and west. Residential development is underway on the property to the southwest (Fulton Homes at Barney Farms). The parcel to the south and east was annexed into the Town and was subsequently rezoned to R1-5 in October 2018. To the north, the site is primarily bound by State Trust Land. Through the ASLD Specific Plan, the area along the Zimmerman property is primarily designated as Neighborhood, with a 745-foot strip designated for non-residential uses. Just west of the State Trust Land is a 715-foot strip of property that runs along Meridian Road and is designated as Industrial on the General Plan Land Use Map. West of the Zimmerman Dairy includes an approximate 715-foot of property which runs along Germann Road zoned EMP-A. Northwest of the site, located at the northwest corner of

Germann and Meridian roads is an existing steel mill (CMC Steel). Additional existing industrial developments including TRW Vehicle Safety Systems and Fujifilm are located further northwest.

A summary of the area surrounding the site is provided below:

	General Plan Land Use Designation	Zoning	Land Use
<b>North</b>	Industrial & Special District #3 State Land	General Rural & Specific Plan	Vacant
<b>Northwest</b>	Industrial (City of Mesa)	Employment (City of Mesa)	Steel mill
<b>South</b>	Neighborhood	R1-5	Agriculture
<b>East</b>	Neighborhood	R1-5	Vacant
<b>West</b>	Industrial & Neighborhood	R1-5/PAD EMP-A/PAD	Active Residential Construction Agriculture

This application does not include an accompanying rezone application. The applicant has indicated that a subsequent rezone application will be filed following the Major General Plan Amendment, which would include 171-acres of property zoned R1-5 and at least 12 acres of C-2 General Commercial.

**ANALYSIS**

**General Plan Review:** The project site is currently designated as Industrial on the General Plan Land Use Map. The applicant is proposing to change the Land Use Designation to 14 acres of Commercial at the intersection of Germann and Meridian roads and 177 acres of Neighborhood surrounding the commercial corner.

A summary of the Land Use Designations included in the requested amendment is provided below:

- The **Industrial** General Plan Land Use Designation is reserved for employment focused development including warehouses, manufacturing, and office buildings. Zoning districts appropriate for the Industrial Land Use Designation include EMP-A (Office/Industrial Park) and EMP-B (General Industrial).
- The **Neighborhood** General Plan Land Use Designation is predominantly residential with a range of densities. The Neighborhood Category also allows for 20-acre commercial sites located at arterial and collector streets. Zoning districts that are permitted in the Neighborhood Land Use Designation include all residential zoning districts (with conditions for appropriate transitions), C-1 (Light Commercial), C-2 (General Commercial), and NC (Neighborhood Commercial).
- The **Commercial** General Plan Land Use Designation is focused around commercial development consistent with conventional suburban shopping centers and office parks. Appropriate zoning districts include C-2 (General Commercial), C-3 (Regional Commercial Center), and NC (Neighborhood Commercial).

The applicant is preparing an update to the Economic and Fiscal Impact Analysis to evaluate the short and long term impacts of eliminating the 191 acres of land designated for employment uses. Staff will conduct a review and analysis of the updated report and will provide additional analysis with the second Planning Commission Public Hearing staff report.

## GENERAL PLAN AMENDMENT FINDINGS

The applicant has provided a response to the findings of fact detailed in the General Plan, which include factors in which the Commission and Town Council determine whether the proposed amendment should be approved.

- 1. Whether this change in the General Plan land use map will result in a shortage of land for other planned uses (for example and not limited to, will this change result in a substantial and undesirable reduction in the amount of available land for employment or higher density housing development?)**

**Applicant Response:** *“The proposed land use change from Industrial to Commercial and Neighborhood will not result in a shortage of land designated for industrial uses within Queen Creek and the immediate surrounding areas. In fact, by focusing the future planning and growth of industrial uses in areas where it is most suitable, the employment growth section has a much better opportunity to succeed and thrive. Specifically, there is a substantial amount of industrial land use approximately 1-mile west of the Subject Site within the vicinity of the flight path of the Phoenix-Mesa Gateway Airport. This accounts from anywhere from 650-1,000 acres of industrial land use within the Town of Queen Creek, most of which is still available for future development. This industrial use designation is highlighted both in the Town’s General Plan Land Use Map and within the Town’s North Ares Specific Plan. See Figure 7: Existing Queen Creek Industrial Uses and Figure 8: 2008 General Plan Land Use Map for North Area Specific Plan.*

*Additionally, while not yet located within the Town of Queen Creek, there are thousands of acres of land along the future State Route 24 approximately 1 mile north of the site that are ideally suited for industrial uses due to the exceptional visibility and access to this future State Highway. The Town is processing an application at the moment that will create hundreds of acres of Mixed Use and Urban designated lands, as a prelude to annexation by the ASLD. The Arizona State Selection Board has already conceptually approved annexation into the Town. These properties, along with the areas within Queen Creek mentioned above, are the areas where industrial and employment uses are most likely to develop in the future. This land collectively represents decades of future industrial development, which will generate thousands of jobs and economic opportunities for residents of Queen Creek and surrounding areas.”*

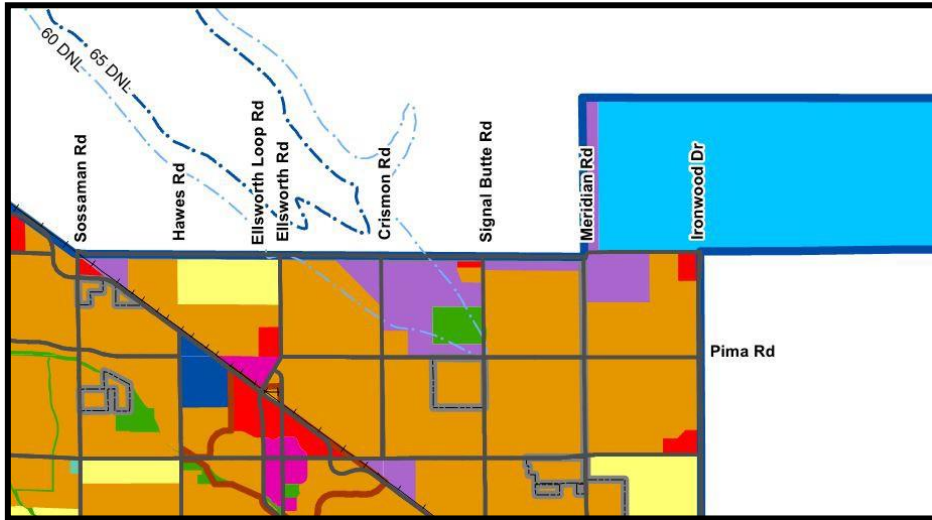


Figure 7: Existing Queen Creek Industrial Areas

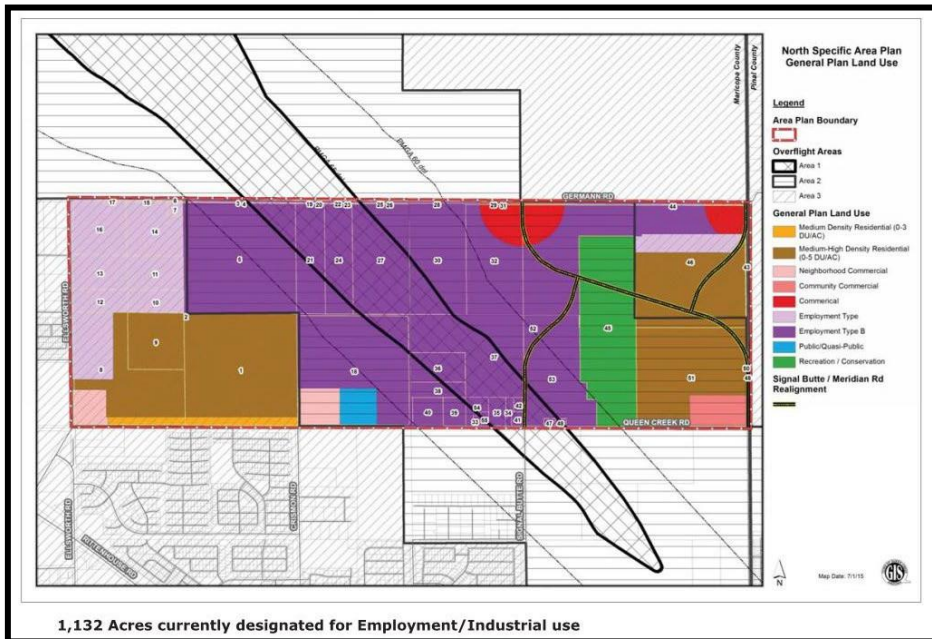


Figure 8: 2008 General Plan Land Use Map for North Specific Area Plan

2. Does the proposed amendment constitute 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?

**Applicant Response:** *“The proposed amendment constitutes an overall improvement to Queen Creek and its residents. Currently, the properties to the east, south, and west, all within the Town of Queen Creek, are designated as Neighborhood within the 2018 Queen Creek General Plan Land Use Map. Barney Farms, a large residential master planned community is planned immediately to the west of the site and includes a variety of single-family residential*

neighborhoods. Additionally, in 2018, the Germann 516 property immediately to the south and east was rezoned to R1-5 by the Queen Creek Town Council for a residential planned community.

*The property to the north includes a large amount of State Trust land which is designated as a Special District on the General Plan Land Use Map and will likely be developed with future employment uses due to its immediately proximity to the future State Route 24 freeway corridor and the designation within the Regional and Industrial Growth Map in the Queen Creek North Area Specific Plan. Based on the existing development pattern immediately surrounding the Subject Site, and the desire to focus industrial growth within the vicinity of the Phoenix-Mesa Gateway Airport to encourage its vitality and growth, this proposed amendment will provide an overall improvement to Queen Creek and its residents while maintaining opportunities for substantial industrial growth in more appropriate and nearby locations.”*

**3. The degree to which the proposed amendment will impact the whole community or a portion of the community by:**

**a. Significantly altering acceptable existing land use patterns in a way that is contrary to the goals, strategies and actions identified in the adopted General Plan:**

**Applicant Response:** *“The proposed amendment does not significantly alter existing land use patterns in a way that is contrary to the goals, strategies and actions defined within the adopted General Plan. In fact, the proposed amendment furthers the goals of the general plan by providing compatibility among various land uses and focusing industrial and employment growth in areas most suitable based on current growth patterns, access, accessibility, etc. It should also be noted that the proposed Commercial corner at Germann and Meridian will offer compatible non-residential land uses at the hard corner of the property and to serve as a buffer between the proposed residential area and the remaining industrial uses to the northwest of the Site. The proposed commercial area will offer a mix of uses, including retail and commercial services to area residents.”*

**b. Requiring larger or more extensive improvements to roads, sewer, or water systems than are needed to support the prevailing land uses and which may negatively impact development of other lands. The Commission and/or the Town Council may also consider the degree to which the need for such improvements will be mitigated pursuant to binding commitments by the applicant, a public agency, or other sources when the impacts of the uses permitted pursuant to the General Plan amendment will be felt.**

**Applicant Response:** *“Generally, a residential development will not require larger or more extensive improvements to roads, sewer or water systems than an industrial development would require, depending on the type, density and/or intensity of uses proposed. This General Plan Amendment application will include an analysis of the water and sewer infrastructure, as well as a traffic statement to evaluate the overall impacts to the adjacent and surrounding infrastructure to serve the future development. These studies will confirm the impacts and availability to serve the development without negatively impacting surrounding developments.”*

- c. **Resulting in adverse impacts on existing uses due to increased traffic congestion that will not be accommodated by planned roadway improvements or other planned transportation improvements such as and not limited to non-motorized transportation alternatives, transit, or self-driving vehicles.**

**Applicant Response:** *“The Proposed General Plan Amendment, if successful, will be followed by a request to rezone the project to residential zoning and corner commercial/mixed use zoning. As part of the rezoning process, a detailed development plan with projected density will be prepared, and a traffic impact analysis (TIA) will be provided to support the proposed development plan. This TIA will identify all roadway and traffic improvements that will be required to accommodate the proposed development, and to ensure that overall traffic impacts are at acceptable levels based on all existing, proposed and planned development in the area. All required improvements associated with the proposed development will be provided by the developer in accordance with Town requirements at the time of development to ensure no adverse impacts on the transportation system that may be created by this development.”*

- d. **Affecting the livability of the surrounding area or the health and the safety of present or future residents.**

**Applicant Response:** *“The proposed General Plan Amendment will enhance the livability, health and safety of the surrounding area since all the existing development adjacent and immediately surrounding the property is planned as residential use. The current dairy, while in the past was compatible with the more rural character of the areas, is now located in a growth area of Queen Creek with current or planned residential development surrounding it on three sides. The dairy’s noise, odor and other inherent impacts may negatively affect the livability of the surrounding planned residential uses. Since the property is currently designated as Industrial, and there is no current demand for alternative industrial uses on this Site now or in the immediate future, it is likely the property will remain a dairy farm for the foreseeable future if this amendment is not approved. With approval of this amendment, the property will be planned for development of a residential community which will enhance the livability, health and safety of all present and future residents in the area while providing appropriate buffers to the industrial uses to the northwest.”*

4. **Consistency of the proposed amendment with the vision, goals, strategies and actions of the adopted general plan.**

**Applicant Response:** *“This amendment is consistent with the vision, goals, strategies and actions described within the 2018 Town of Queen Creek General Plan. Descriptions of how the amendment is in conformance with the 10 elements of the General Plan are provided in Section 4a above.”*

5. **Whether there was an error or oversight in the original General Plan adoption in that the Council did not fully consider facts, projects or trends which could reasonably exist in the future.**

**Applicant Response:** *“While there was not likely an error or oversight in the original adoption of the General Plan, at the time of the adoption, the property was not located within the Town, and the Town Council did not hear from the owners of the dairy, so the Council was unable to fully consider a significant and relevant perspective on the future of the property. Since then, the land uses in the immediate surrounding area have changed significantly. In 2018, approximately 516 acres immediately surrounding the property to the south and east was rezoned to R1-5 residential and is planned for a residential master planned community. There are additional residential communities being planned and/or under construction to the west and south as well. These more recent changes have made the long-term viability of the dairy farm at risk, while also potentially negatively impacting the ability to develop quality residential within the areas now planned and zoned for it. Based on recent activities, it is appropriate to change the land use designation on this property from Industrial to Commercial and Neighborhood.”*

6. **Whether events subsequent to the General Plan adoption have superseded the Council’s original premises and findings made upon Plan adoption.**

**Applicant Response:** *“As discussed above, there have been events that have occurred subsequent to the General Plan adoption that have changed the compatibility of industrial use on the Subject Site. Specifically, the recent rezoning of the 516-acre property wrapping the southern and eastern boundaries of this site to primarily R1-5 has changed the long-term character of this particular location, rendering residential and commercial use of the site much more compatible than industrial, and placing more urgency to relocate the dairy further from the impending suburban residential uses.”*

7. **Whether any or all of the Council’s original premises and findings regarding the General Plan adoption we unsubstantiated.**

**Applicant Response:** *“See response to items 5 and 6 above.”*

8. **Whether events subsequent to the General Plan adoption may have changed the character and/or condition of the area so as to make the application acceptable.**

**Applicant Response:** *“As stated in item #6 above, the recent Town Council action to rezone the approximate 516-acre property immediately surrounding the Subject Site to the south and east has changed the character of this area, making the proposed request to change the land use from Industrial to Commercial and Neighborhood acceptable and much more compatible.”*

9. **The extent to which the benefits of the Plan amendment outweigh any of the impacts identified in the above subsections.**

**Applicant Response:** *“As documented throughout this narrative, there are various compelling reasons why the proposed Major General Plan Amendment request provides various benefits that outweigh the impacts of maintaining the Industrial land use designation on the property. The nearby Industrial land use designations provide ample*



*opportunities for future industrial uses at more appropriate locations within the vicinity of the Subject Site. Given the lack of access to primary freeway corridors, industrial land uses are more suitable in other areas. Also, locations within and near the flight path of the Phoenix-Mesa Gateway Airport where residential uses are not permitted are much more suitable for industrial uses. Finally, the Commercial corner offers an opportunity to provide an appropriate buffer and transition to the industrial uses to the northwest by providing commercial uses at the northwest corner of the Site.”*

## **PUBLIC COMMENTS**

The 60-day Inter-Agency Review process began on June 27, 2019 and will conclude on August 26, 2019. At the time of this report, Staff has received one letter from the Phoenix Mesa Gateway Airport on the proposed application. The letter identifies that the subject site is within Airport Overflight Area 3. The letter is included as an attachment to this report.

The applicant conducted a Neighborhood Meeting on Monday, August 12, 2019 with 4 members of the public in attendance. Questions from residents included future plans for the dairy and future plans for Meridian Road and SR-24. Members of the public in attendance were supportive of the proposed request. No opposition on the proposed amendment was expressed.

## **ATTACHMENTS**

1. Aerial Photo Exhibit
2. Existing General Plan Exhibit
3. Proposed General Plan Exhibit
4. Zoning Map Exhibit
5. Neighborhood Meeting Minutes
6. Letter from the Phoenix Mesa Gateway Airport

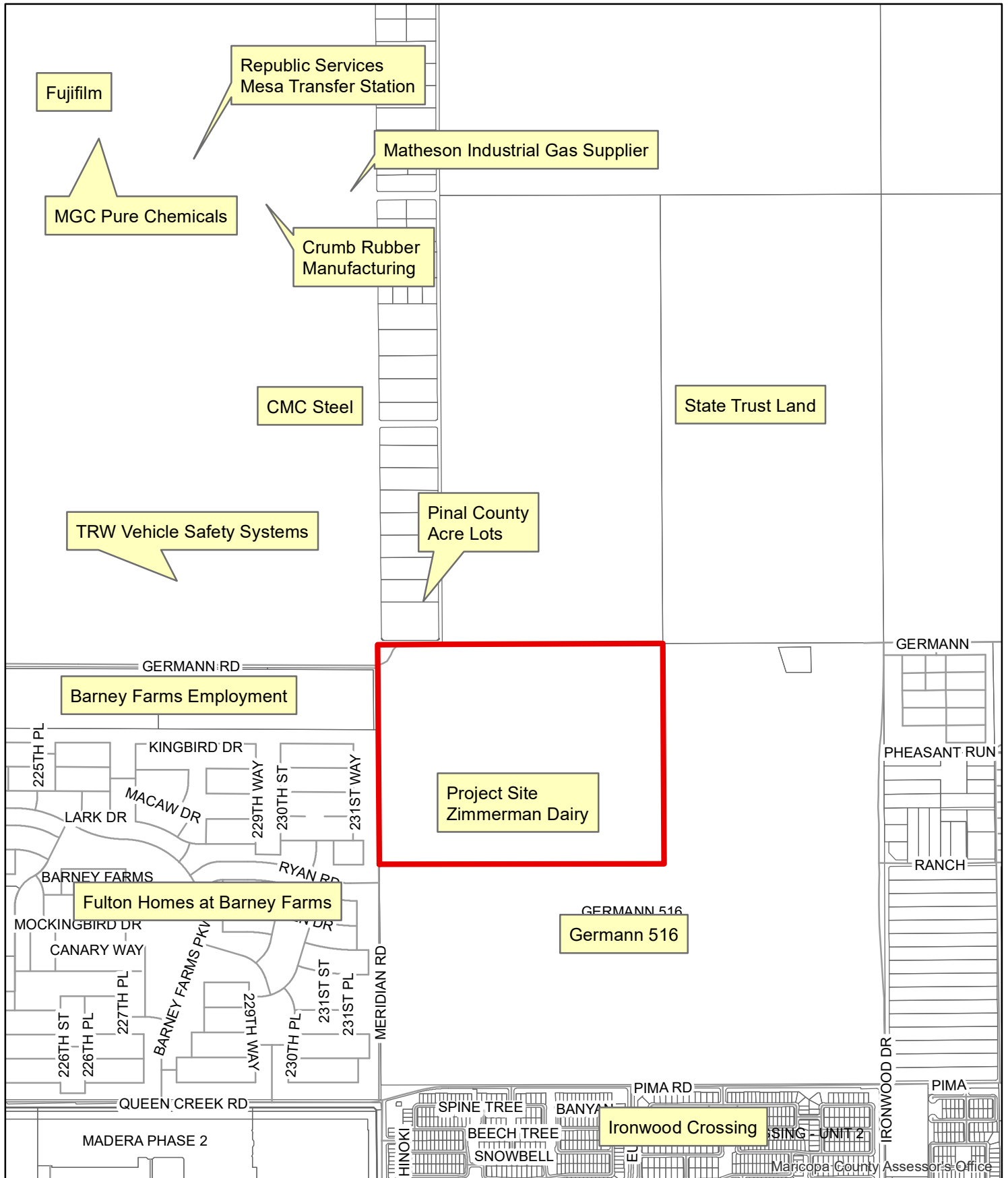
**Project Name: Zimmerman Dairy Major GPA Aerial Exhibit**

**Case Numbers: P19-0048**

**Hearing Date: August 28, 2109 (Planning Commission)**

**September 11, 2019 (Planning Commission)**

**October 2, 2019 (Town Council)**



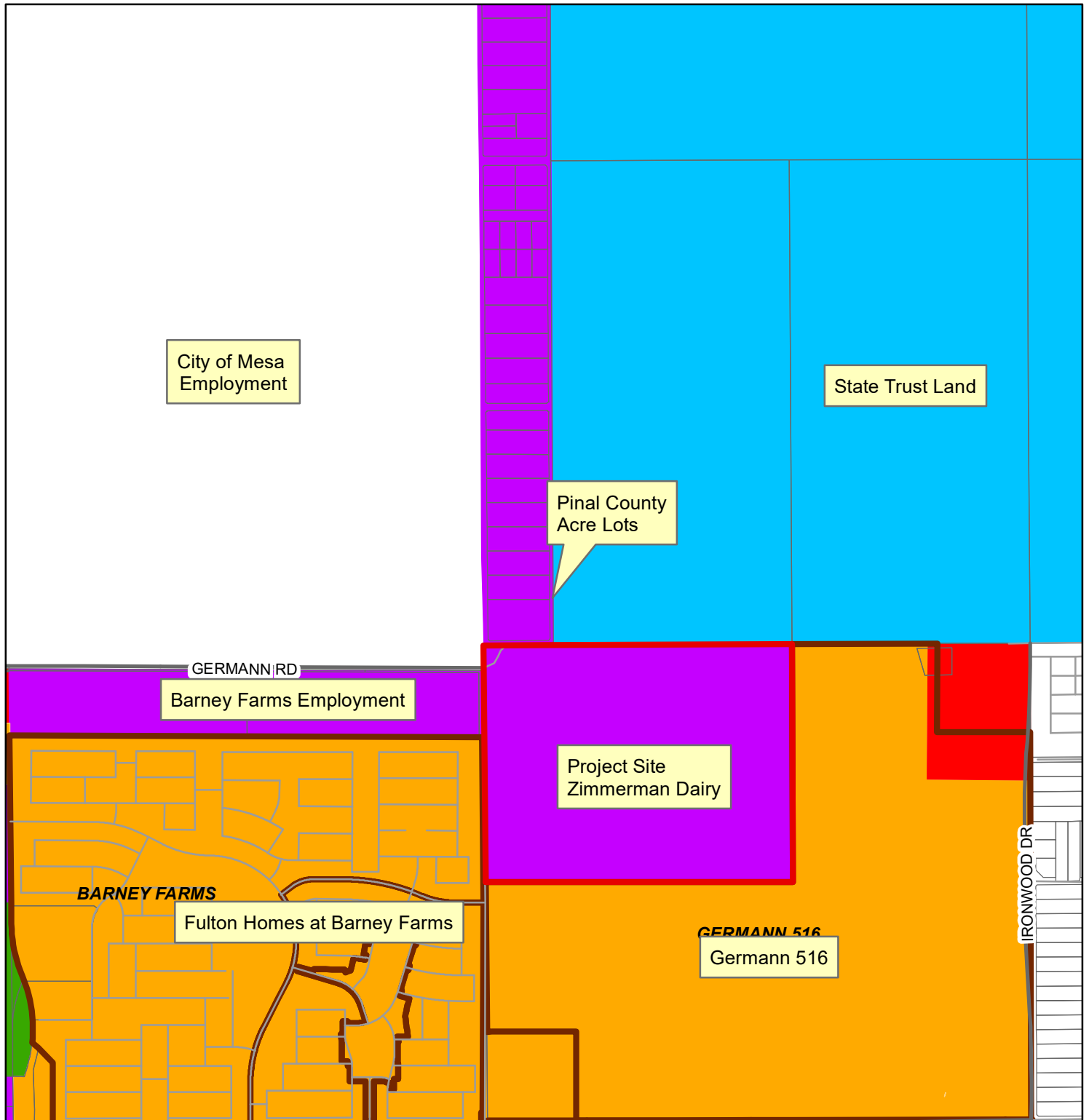
**Project Name: Zimmerman Dairy Major GPA Current General Plan**

**Exhibit Case Numbers: P19-0048**

**Hearing Date: August 28, 2109 (Planning Commission)**

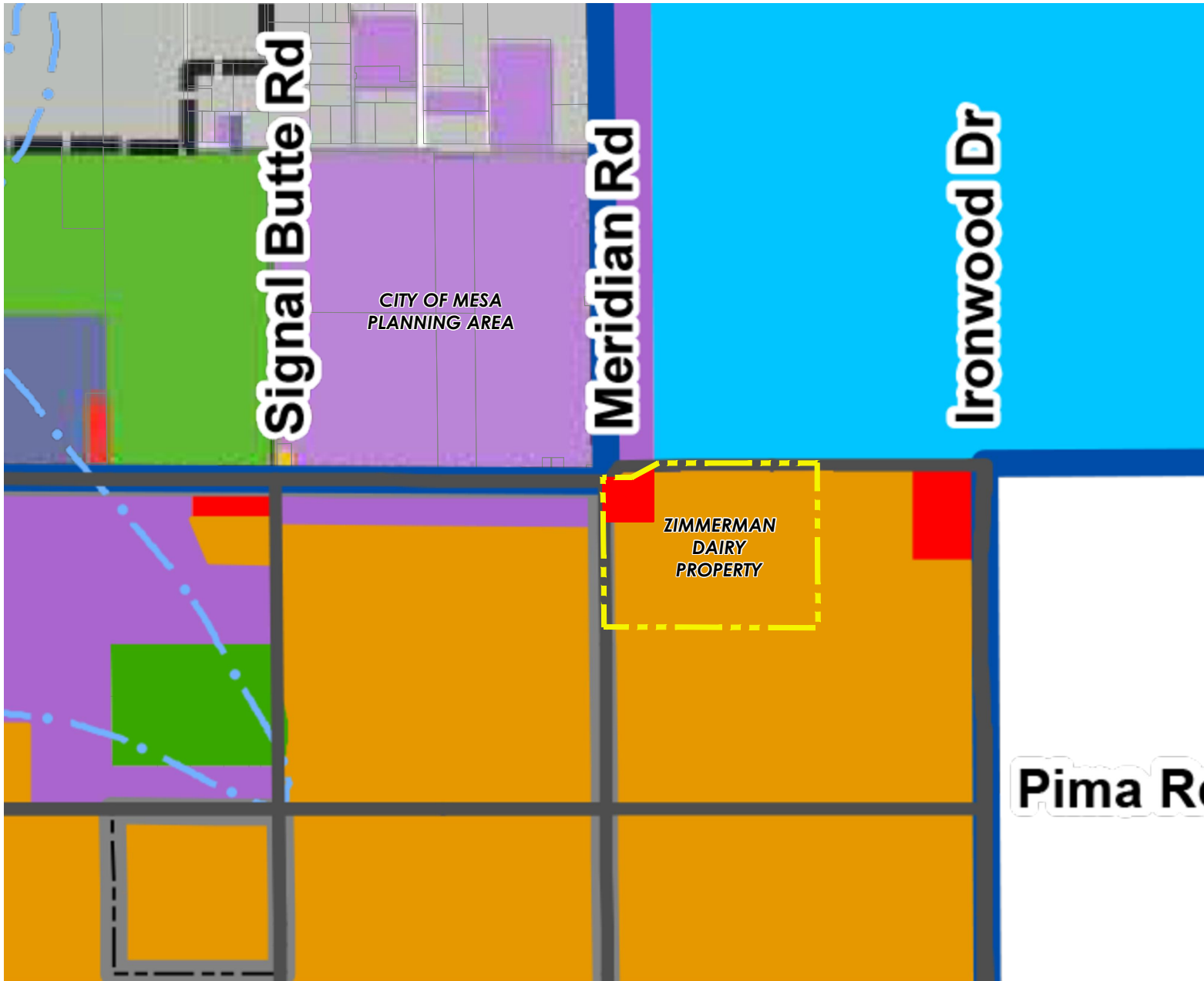
**September 11, 2019 (Planning Commission)**

**October 2, 2019 (Town Council)**



**General Plan Land Use**

- |                    |                    |            |            |
|--------------------|--------------------|------------|------------|
| Special District 1 | Special District 4 | Urban      | Open Space |
| Special District 2 | Rural              | Commercial |            |
| Special District 3 | Neighborhood       | Industrial |            |



**General Plan Land Use**

**Land Use**

- Rural
- Neighborhood
- Urban
- Commercial
- Industrial
- Open Space
- Special District 1: Agritainment
- Special District 2: Master Planned Community
- Special District 3: State Land
- Special District 4: Canyon State Academy
- Town Center Boundary
- Town Limits
- Planning Area
- 2035 Transportation Plan

L:\19001037-ZIMMERMAN DAIRY\QUEEN CREEKS-PLANNING\11-CAD\6-SUPPORTING EXHIBITS\FIGURE - GEN PLAN\_EXISTING & PROPOSED.dwg

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**RVI**  
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 Tempe, Arizona 85281  
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 www.rviplanning.com

**ZIMMERMAN DAIRY • GENERAL PLAN MAP-PROPOSED**

- QUEEN CREEK, ARIZONA
- 03/26/2019
- # 19001037
- 



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

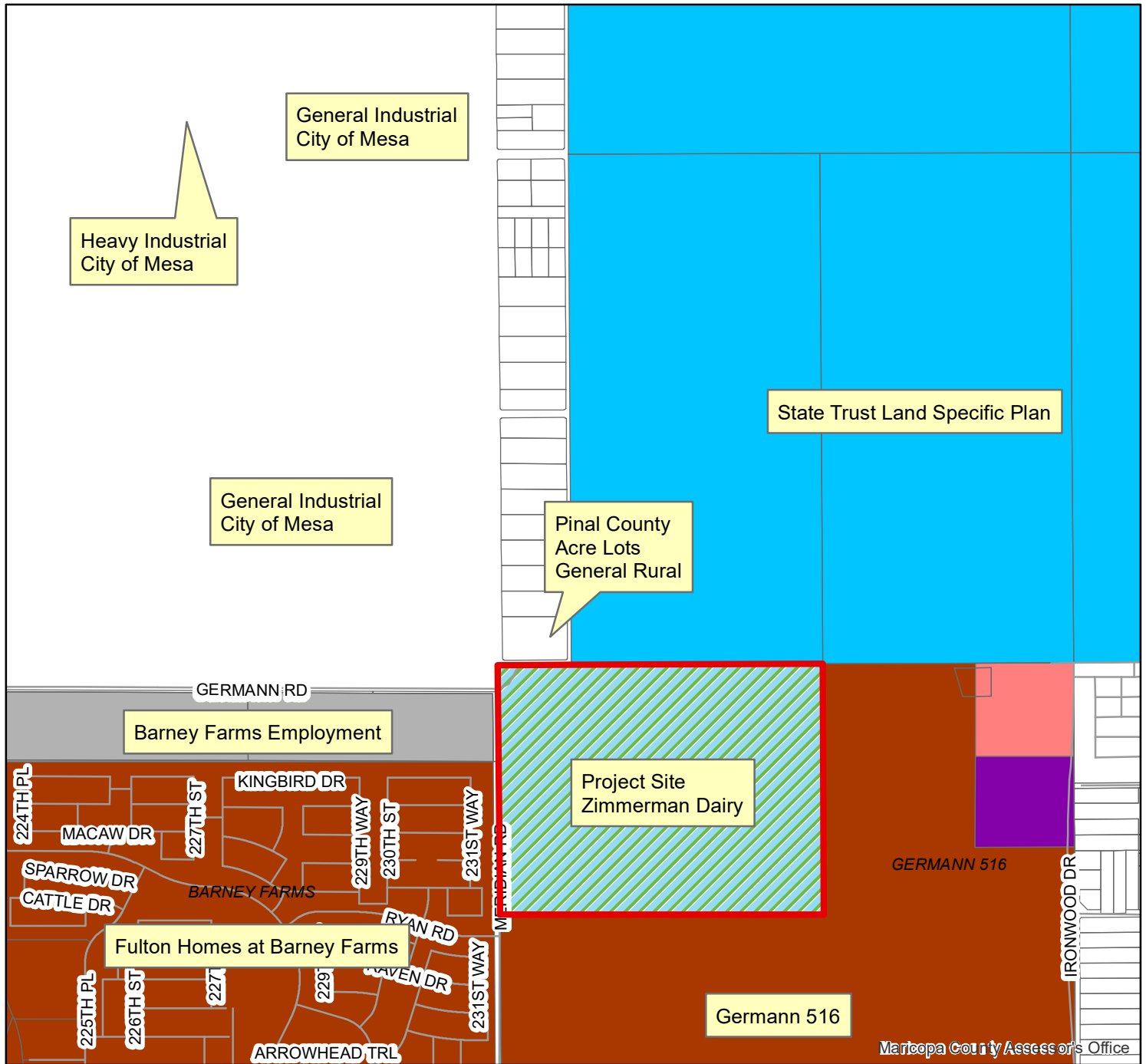
# Project Name: Zimmerman Dairy Major GPA Existing Zoning Exhibit

Case Numbers: P19-0048

Hearing Date: August 28, 2109 (Planning Commission)

September 11, 2019 (Planning Commission)

October 2, 2019 (Town Council)



## Zoning Districts

C-1 - Commercial	PQP - Public/Quasi-Public	R1-6 - Residential	R1-18 - Residential
C-2 - Commercial	RC - Recreation/Conservation	R1-7 - Residential	R1-35 - Residential
C-3 - Commercial	MDR - Residential	R1-8 - Residential	R1-43 - Residential
TC - Commercial	HDR	R1-9 - Residential	R1-54 - Residential
EMP A - Office/Industrial Park	R1-4 - Residential	R1-12 - Residential	R1-190 - Residential
EMP B - General Industrial	R1-5 - Residential	R1-15 - Residential	PCD - Planned Community
		AT - Agritainment	

**Citizen Participation Report / Neighborhood Meeting Summary**  
**Zimmerman Land LLC**  
**Major General Plan Amendment (P19-0105)**

**Neighborhood Meeting Notification**

The Neighborhood Notification Letter was mailed on July 26, 2019 to ten (10) property owners within 1,200 feet of the property. (See enclosed Neighborhood Notification Letter and Mailing List.) The site was posted on July 26, 2019. (See enclosed Affidavit of Sign Posting.) On July 30, 2019, the notarized Affidavits of Notification were transmitted to the Town of Queen Creek (the "Town"). On July 31, 2019, the Town acknowledged receipt of the Affidavits of Notification via electronic mail. (See attached e-mail correspondence with Sarah Clark.)

**Public Involvement**

No formal inquiries, petitions, phone calls, e-mails, or other written correspondence has been received by counsel for the applicant in response to the Neighborhood Notification Letter. Per the Town's request, Stephen Anderson had a phone conversation with the legal counsel for V&P Nurseries, Inc., located at 21919 W. Germann Road.

**Neighborhood Meeting**

The Development Team held a neighborhood meeting at the Queen Creek Community Chambers on August 12, 2019 from 6:00 p.m. to 6:31 p.m. Six (6) people attended: Mr. and Mrs. George Brenner, George Brenner, Jr., all three from Valley Honey Co., Drew Huseth from Woodside Homes, and Billy, Jr., and Heather Zimmerman from the Zimmerman Dairy. (See attached Neighborhood Meeting Sign-In Sheets.)

The Development Team included Mike Schwab (Land Advisors), Mark Reddie (RVI Planning), and Stephen Anderson and Cheryl Griemsmann (both from Gammage & Burnham). Sarah Clark and Erik Anderson from the Town staff also attended.

Stephen Anderson opened the meeting at approximately 6:05 p.m. Discussion:

- Brenners inquired as to what the Town's plans were regarding the Zimmerman Dairy. Stephen Anderson stated that the Dairy would be relocating, Germann Road widening has begun and SRP has started pre-construction work. Stephen stated that Queen Creek Planner Sarah Clark was also available to answer additional questions about development in Queen Creek from the Town's perspective.
  - Stephen explained the purpose of the General Plan amendment and stated that this case is following the lead of, and is not different from, the Arizona State Land Department (ASLD), Latter-Day Saints and Barney Farms planning and development efforts.
- George Brenner, Sr. stated "We think this is great...we're just trying to educate ourselves on what's going on."
- Stephen Anderson asked Sarah Clark to please provide her contact information to the Brenner family. Sarah replied that she would.
- Stephen informed the Brenner family that they are welcome to comment on the project through October.
- The Brenners inquired about the ASLD's development plans

- Stephen showed the conceptual ASLD Development Plan, and he stated that there is an intergovernmental agreement between the City of Mesa and the Town of Queen Creek, and that there will be an interchange at Meridian Road.
- The Brenners asked when SR 24 would develop
  - Mike Schwab replied that the development will depend on traffic studies and demographics

The meeting ended at 6:31 p.m.

**Status of Public Involvement**

As of August 13, 2019, no comment cards or other written comments have been received.

**NEIGHBORHOOD MEETING SIGN-IN**

Zimmerman Major General Plan Amendment (Queen Creek Case P19-0105)

Queen Creek Community Chambers  
20727 E. Civic Parkway | Queen Creek, AZ 85142

On Monday, August 12, 2019 at 6:00 p.m.

Please print

NAME	ADDRESS	TELEPHONE	E-MAIL ADDRESS
MIKE SCHWAB	4900 N. SCOTTSDALE RD. #3000	480-483-8100	MSCHWAB@CALADVISORS.COM
George Brenner	POB 30403 MESA AZ 85275	480-2061424	valleyhoneyco@aol.com
MARK RENNIE			MRRENNIE@RUPARTSINC.COM
George Brenner	775 W. DESERT MOUNTAIN DR	480-452-3676	georgebrenner4@yahoo







July 25, 2019

Sarah Clark, AICP  
Town of Queen Creek  
Development Services Department  
22358 S. Ellsworth Road  
Queen Creek, Arizona 85142

**Re:** *Zimmerman Dairy*  
**Description:** *Major General Plan Amendment & Rezoning*  
**Location:** *SEC of Meridian & Germann Roads*

Dear Sarah:

Thank you for this opportunity to review this request. It is our understanding that this is a Major General Plan Amendment request from Industrial to the Neighborhood classification on 191± acres located on the southeast corner of Meridian and Germann Roads. A rezoning request would follow for residential zoning (R1-5) on 171-acres with a maximum unit count of 855, and 20-acres for commercial zoning (C-2).

The area of this proposal lies within the recently updated Airport Overflight Area (AOA) III as identified in Phoenix-Mesa Gateway Airport Authority's (PMGAA) 2017 Airport Land Use Compatibility Plan Update. **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".**

For any new residential portion and development within AOA III the Airport recommends the following conditions as a part of any motion for approval:

- 1- A fair disclosure agreement and covenant, which would include the following disclosure, should be recorded as a condition of development approval: "This property, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals. The mix of aviation activities and types of aircraft expected to be located and operate at the Airport now and in the future include: scheduled and unscheduled commercial charters, commercial air carriers and commercial air cargo operations, all of which are expected to use large commercial aircraft; general aviation activity using corporate and executive jets, helicopters, and propeller aircraft; aviation flight training schools using training aircraft; and military activity using high performance military jets. The size of aircraft and frequency of use of such aircraft may change over time depending on market and technology changes."
- 2- All final subdivision plats and public reports filed with the Arizona Department of Real Estate should include the notice described in Condition 1 above.
- 3- Sales and leasing offices established for new subdivisions and residential development projects should provide notice to all prospective buyers and lessees stating that the project is located within an Aircraft Overflight Area. Such notice should consist of a sign at least 4-foot by 4-foot installed at



the entrance to the sales office or leasing office at each project. The sign should be installed prior to commencement of sales or leases and should not be removed until the sales office is permanently closed or leasing office no longer leases units in the project. The sign should state the disclosure in Condition 1 with letters of at least one (1) inch in height.

Thank you for the opportunity to comment on this proposal. If you have any questions, please contact me at (480) 988-7649.

Sincerely,

Anthony Bianchi, A.A.E.  
Planning Manager

Attachment

- 1- Recorded Avigation Notice & Public Airport Disclosure Map

Cc: Bob Draper, Engineering & Facilities Director, PMGAA