

Requesting Department:  
Development Services



**TO: Planning and Zoning Commission**

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

**FROM: Erik Swanson, Interim Planning Administrator**

**RE: Public Hearing and Possible Action on Case P18-0193 Empire Point,**  
a request from Sean Lake, Pew and Lake PLC, to Rezone from R1-43 to R1-5/PAD and C-2 for a 533 lot single-family residential subdivision on approximately 180 acres located at the northwest corner of Empire Boulevard and Gary Road.

**DATE: May 13, 2020**

**STAFF RECOMMENDATION**

Staff recommends approval of P18-01193 Empire Point, subject to the Conditions of Approval included in this report.

**PROPOSED MOTION**

Move to recommend approval of P18-0193 Empire Point, subject to the Conditions of Approval included in this report.

**RELEVANT COUNCIL GOALS**



Secure Future

**SUMMARY**

This proposal consists of a request to rezone approximately 180 acres from R1-43 to R1-5/PAD and C-2. The property is located at the northwest corner of Empire Boulevard and Gary Road, with the arterial streets serving as the dividing line between Maricopa and Pinal counties. Three vacant properties that are not a part of this rezoning request are located at the site’s southwest corner. The future Signal Butte Road alignment runs the length of the property at the northwest corner, with the Sonoqui Wash and the Harvest at Queen Creek master-planned community along the site’s northern boundary.

The request includes rezoning and proposed development of a 533 lot community, proposed in three phases. Three lot sizes are provided throughout the community with 50'x115' (5,750 sq. ft.), 55'x120' (6,600 sq. ft.), and 65'x125' (8,125 sq. ft.) lots with an overall density of 2.95 du/net acre.

**HISTORY**

May 6, 2020: Annexation Public Hearing was heard before the Town Council.

**PROJECT INFORMATION**

Project Name	Empire Point
Site Location	NWC of Empire Boulevard and Gary Road
Current Zoning	R1-43 (Rural Estate District – upon annexation)
Proposed Zoning	R1-5/PAD and C-2
General Plan Designation	Neighborhood
Surrounding Zoning Designations:	
North	R1-5 Harvest at Queen Creek
South	Morning Sun Farms SFR – Pinal County
East	Circle Cross Ranch SFR – Pinal County
West	Jorde Farms RU-43 (County)
Gross Acreage	180 acres
Total Lots/Units	533
Proposed Density	3.49 dwelling units/net acre 2.95 dwelling units/gross acre
Open Space Acreage:	
Provided	43.45 acres (29%)
Required	30.50 acres (20%)

**DISCUSSION**

The subject property is currently zoned RU-43 and exists within unincorporated Maricopa County and follows a proposed annexation application. The request is to rezone the subject site to R1-5/PAD and C-2. The request for the PAD designation is to provide the Town with a level of expectation for the proposed project, ensuring that development will be consistent with the proposed development plan. The C-2 zoning designation is requested for an approximately 15-acre parcel located at the immediate northwest corner of Empire Boulevard and Gary Road. The rezoning request meets all requirements as outlined in the Zoning Ordinance.

Four access points are provided for the subdivision with access provided along each arterial street. The Sonoqui Wash bisects the western third of the development from the eastern two-thirds. A long tree-lined boulevard entry is provided off of Empire Boulevard terminating at the development's primary outdoor amenity area. Landscaping with pedestrian paths run the length of the development along an east/west axis providing connections to the future Sonoqui Wash. Phasing of the subdivision will be conducted in three phases, with phase 1 including 204 lots, offsite improvements for Empire Boulevard and Gary Road and Sonoqui Wash, phase 2 consisting of 216 lots, and phase 3 consisting of 113 lots and the Signal Butte Road improvements.

The proposed development plan at 3.49 du/acre complies with the current density allowed in the Neighborhood designation (0-20 du/ac) of the General Plan, as well as maintains consistency with the adjacent Harvest at Queen Creek (3.39 du/ac) master-planned community located directly north and adjacent to the subject site. The areas north and west of the subject site are also designated as Neighborhood in the General Plan. South of Empire Boulevard is the Morning Sun Farms master-planned community, and east of Gary Road is the Circle Cross Ranch master-planned community. Both communities are within the jurisdiction of Pinal County and provide a density range between 4.8-5.0 du/ac.

## ANALYSIS

**General Plan Review:** The current General Plan designates the subject site as Neighborhood with a density range of 0-20 du/ac. Overall density for a site is based on the surrounding context and development in the area. Directly north is the Harvest at Queen Creek master-planned community with an overall density of 3.39 du/ac. The Morning Sun Farms and Circle Cross Ranch single-family residential subdivisions south and east of the subject site within the jurisdiction of Pinal County range in density for 4.8-5.0 du/ac. The request is consistent with the General Plan.

**Zoning Review:** The zoning designation of the property will become R1-43 (Rural Estate District) upon annexation (currently completing the process). The applicant is requesting R1-5/PAD and C-2 zoning designations as provided in the development plan. The request for the PAD designation is to provide the Town with a level of expectation for the proposed project, ensuring that development will be consistent with the proposed development plan. The rezoning request and development plan maintain consistency with the Zoning Ordinance in regards to development standards.

**Adequate Public Facilities:** In accordance with Article 5.1 (Adequate Public Facilities) provision of the Zoning Ordinance, the applicant has provided information regarding the project's potential impact on public facilities. Staff's review of those reports indicates that adequate public facilities will be provided by the project. A Condition of Approval has been added to require the applicant to provide a signed agreement with the School District prior to approval of the Final Plat.

**Engineering, Utilities and Transportation Review:** The project has been reviewed by the Engineering, Utilities and Transportation departments. Conditions of Approval have been added to address Engineering and Utilities requirements for this project.

**Landscape / Open Space Review:** A total of 43.45 acres of open space is provided, which includes both the common and active open space area. For the R1-5 zoning district a total of 20% (30.5 acres) of open space is required, 29% (43.45 acres) is provided. The amenities provided within the main amenity area include a basketball court, pickle ball court, bocce ball court, playground equipment, and ramada areas.

**Wall/Fencing Plan:** Five wall designs are provided depending on the purpose of the wall. Two theme wall styles are provided incorporating tiled or stucco columns. Where adjacent to trails and open space areas view fencing is provided. Rail fencing is provided adjacent to the main amenity area. Accordingly, the walls, fences and entry features meet the Zoning Ordinance and Design Standards requirements.

**Public Notification/Participation:** The applicant held one (1) neighborhood meeting on September 26, 2019 with 3 residents, the development team, and Town staff present. General comments were asked regarding the project and process. Notification of the meeting was mailed to property owners within 1,200 feet of the project, as required by the Zoning Ordinance. No additional public input has been received. Staff is unaware of any opposition to the request.

#### CONDITIONS OF APPROVAL

1. This project shall be developed in accordance with the plans attached to this case and all the provisions of the Zoning Ordinance applicable to this case.
2. For the onsite improvements the Town requires cash, irrevocable letter of credit (IRLOC), bond, or a signed certificate of occupancy hold agreement to cover the costs for construction assurance. The IRLOC and bond are required to be approved by the Town Attorney. The assurance amount will be determined by an engineer's estimate during the Final Plat review. Construction assurance shall be deposited with the Town prior recording of the Final Plat.
3. For the offsite public improvements the Town requires cash, irrevocable letter of credit (IRLOC), or bond, to cover the costs for construction assurance. The IRLOC and bond are required to be approved by the Town Attorney. The assurance amount will be determined by an engineer's estimate during the Final Plat review. Construction assurance shall be deposited with the Town prior recording of the Final Plat.
4. Development of this property will require an Arizona Department of Water Resources (ADWR) Certificate of Assured Water Supply (CAWS). Obtaining a CAWS may be accomplished by transferring a current CAWS, converting an existing Analysis of Assured Water Supply associated with the proposed development, or by applying for a new CAWS.



5. In conjunction with obtaining a CAWS, the development will also need to be enrolled as a member in the Central Arizona Groundwater Replenishment District ("CAGRDR") program with ADWR.
6. 55' of half street of Right-of-Way for Signal Butte Road and Empire Road shall be dedicated on the Final Plat.
7. Full ½ street improvements shall be required to be designed and constructed for Signal Butte Road and Empire Road for all portions of the Right-of-Way adjacent to the property frontage.
8. The Developer shall provide a roadway connection from Empire Road to the project's Signal Butte Road entry location.
9. All improvements and Right-of-Way requirements for Empire Boulevard and Gary Road shall be coordinated with Pinal County.
10. The Developer shall design and construct a box culvert at the Sonoqui Wash crossing of Empire Road. The box culvert shall be the type and size that was agreed upon with Town Staff.
11. When warranted, the developer shall provide 1/2 cost share (\$200,000.00) for the traffic signal at Empire Road and North Village Lane intersection.
12. When warranted, the developer shall provide 1/2 cost share (\$200,000.00) for the traffic signal at Gary Road and Belmont Red Trail intersection.
13. The Sonoqui Wash shall be channelized and improved for all portions adjacent to the project. The Developer's Engineer shall perform a detailed hydraulic analysis of the wash as part of the improvement plan submittal.

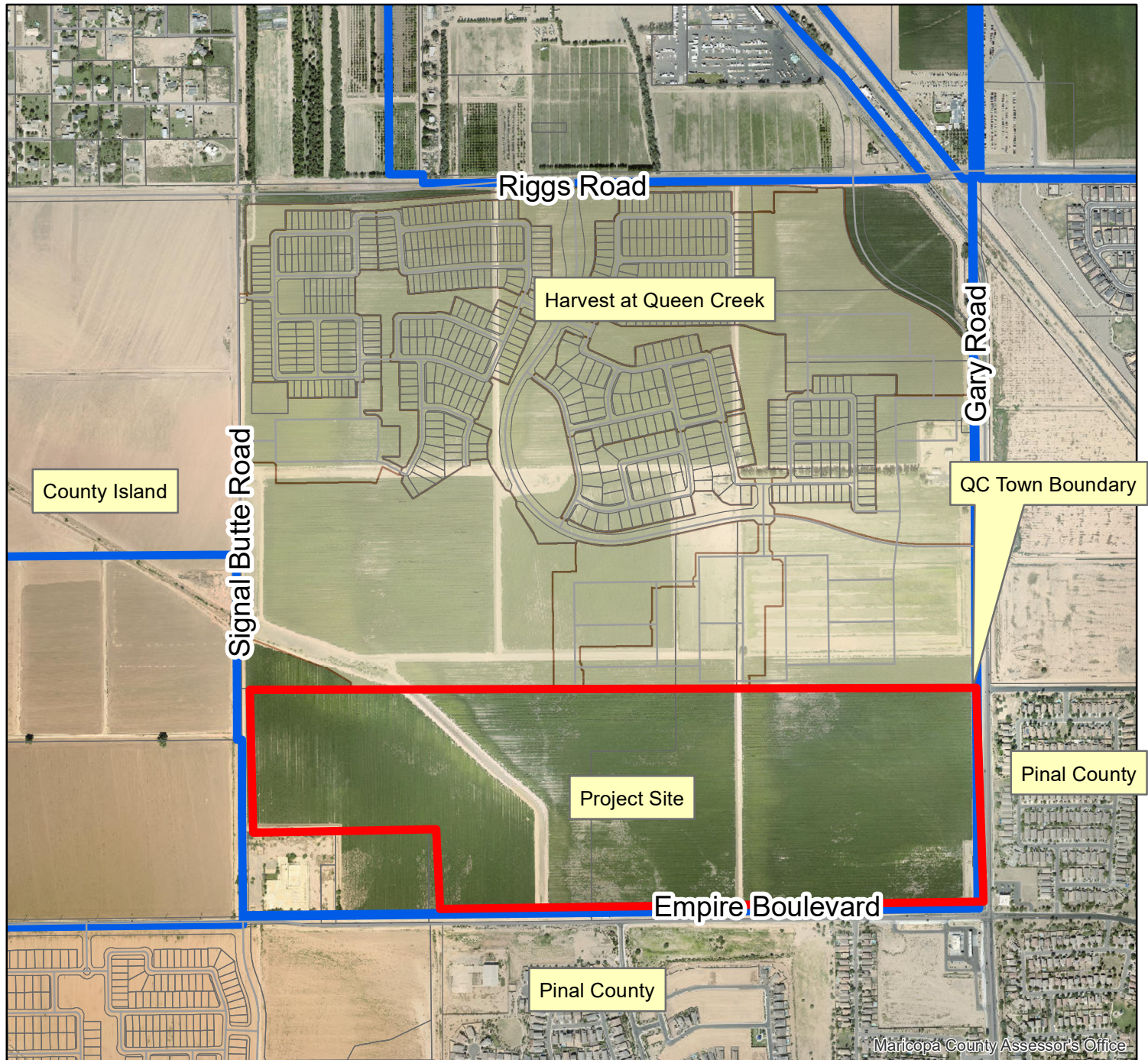
## **ATTACHMENTS**

1. Aerial Exhibit
2. General Plan Exhibit
3. Zoning Map Exhibit
4. Proposed Zoning Exhibit
5. Development Plan
6. Landscape Plan
7. Narrative

**Project Name: Empire Point Aerial Exhibit**

**Case Numbers: P18-0193**

**Hearing Date: May 13, 2020 (Planning Commission)**

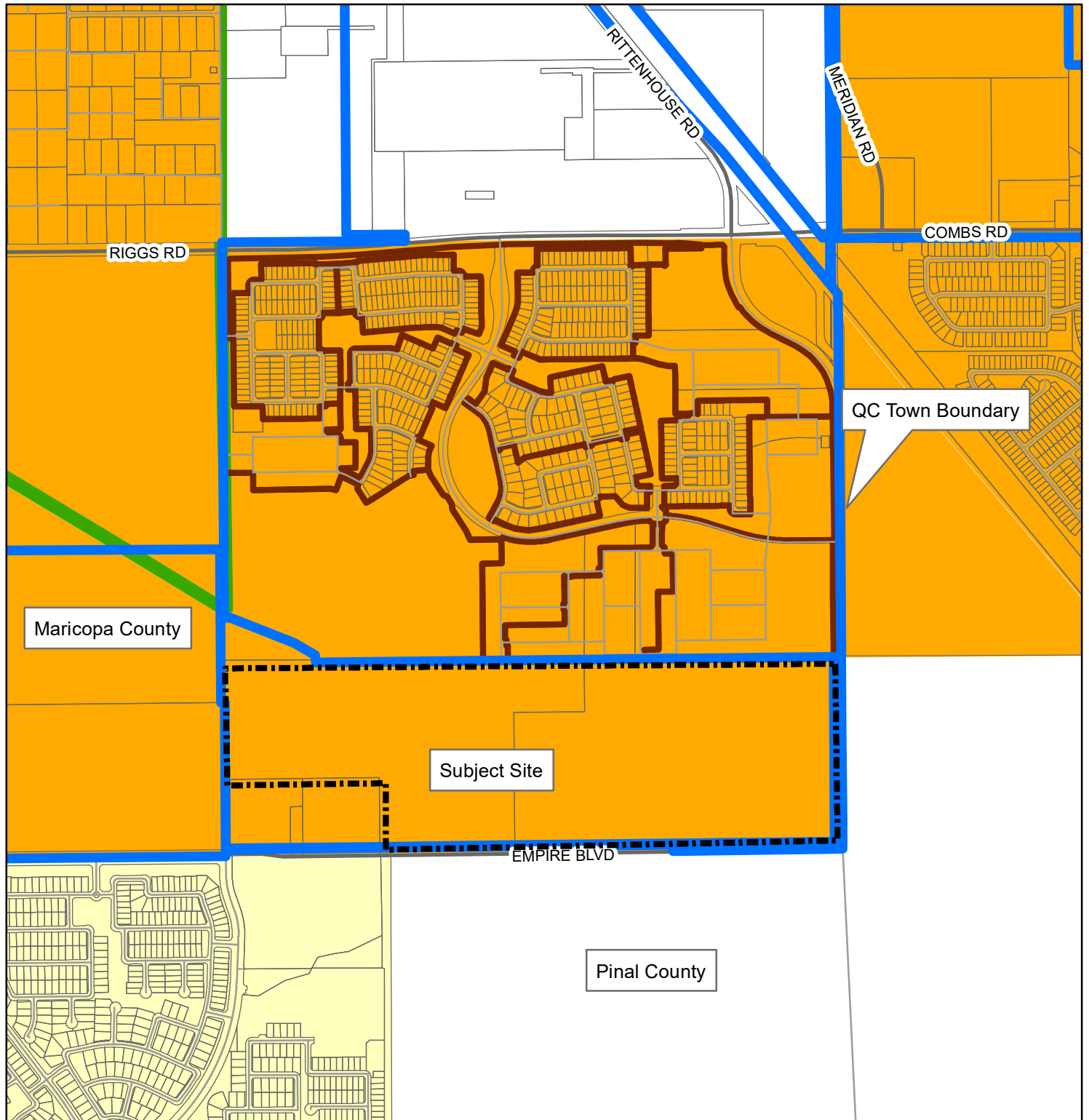


**Zoning Districts**

**Project Name: Empire Point**

**Case Number: P18-0193**

**Hearing Date: May 13, 2020 (Planning Commission)**



**General Plan Land Use**

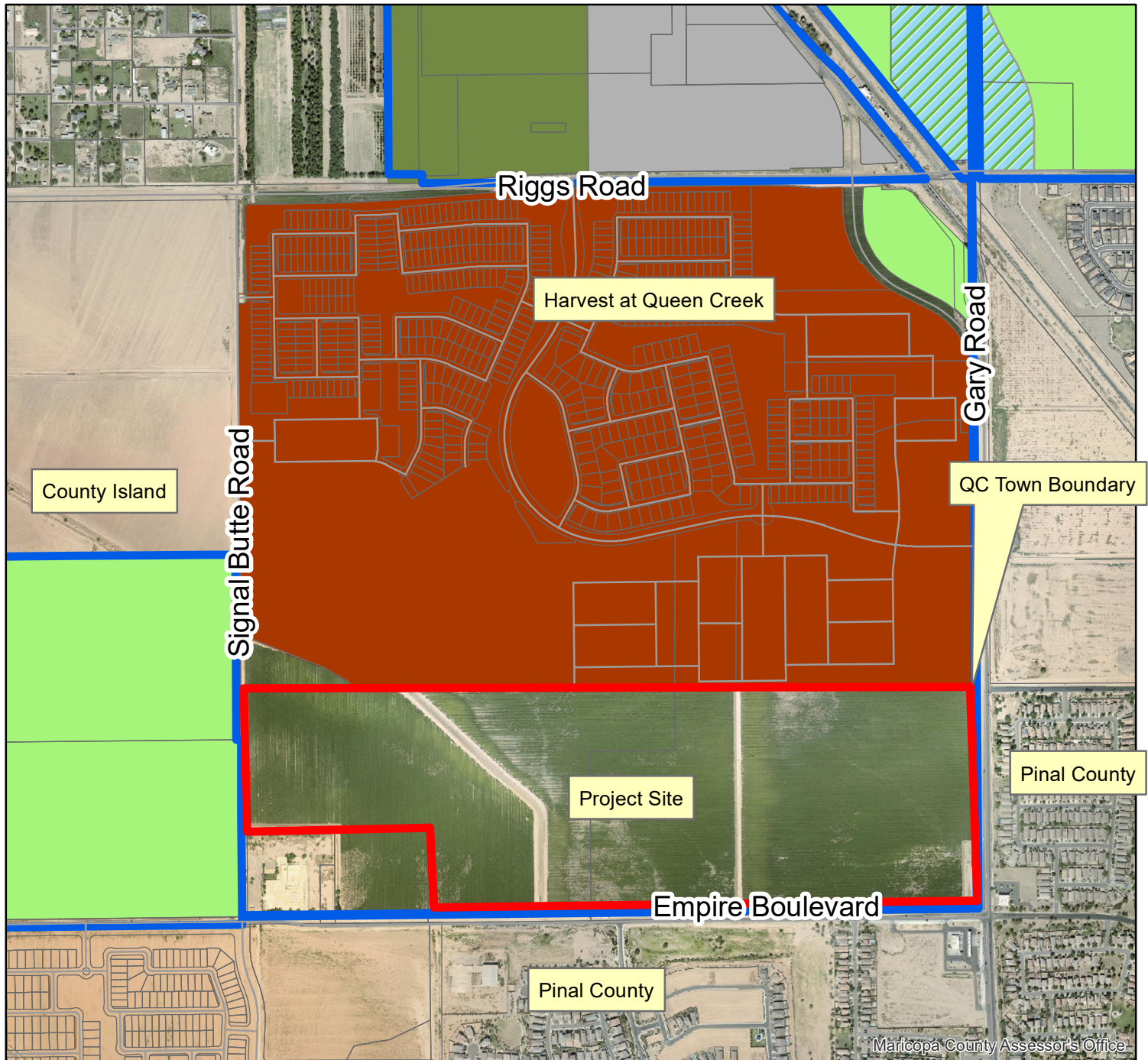
- |              |            |                    |                    |
|--------------|------------|--------------------|--------------------|
| Rural        | Commercial | Special District 1 | Special District 4 |
| Neighborhood | Industrial | Special District 2 |                    |
| Urban   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



**Project Name: Empire Point Current Zoning Exhibit**

**Case Numbers: P18-0193**

**Hearing Date: May 13, 2020 (Planning Commission)**



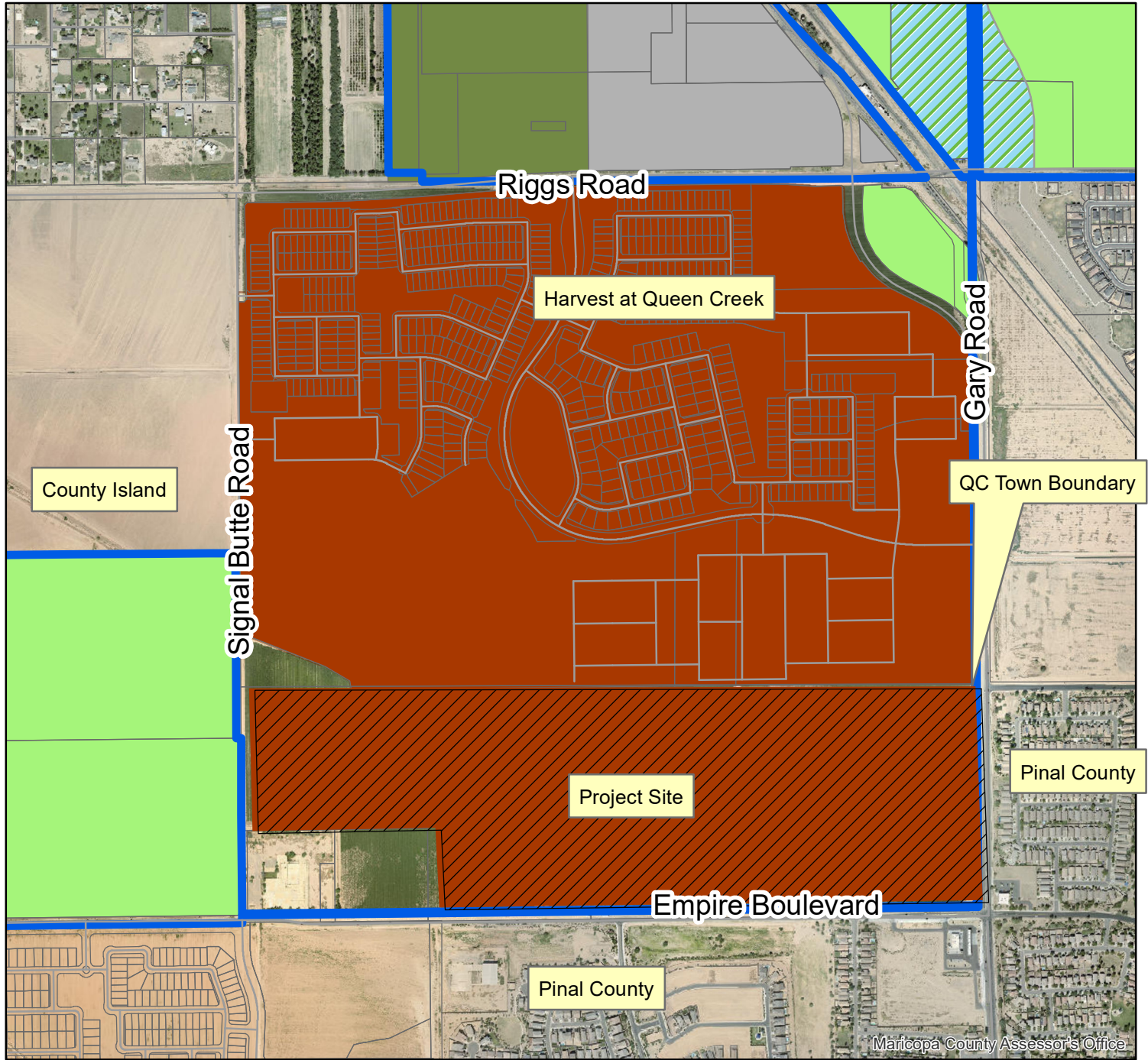
**Zoning Districts**

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

























**Project Name: Empire Point Current Zoning Exhibit**

**Case Numbers: P18-0193**

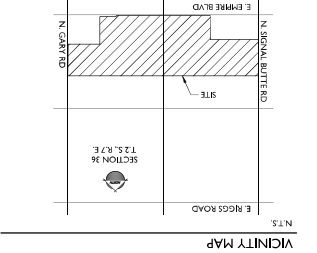
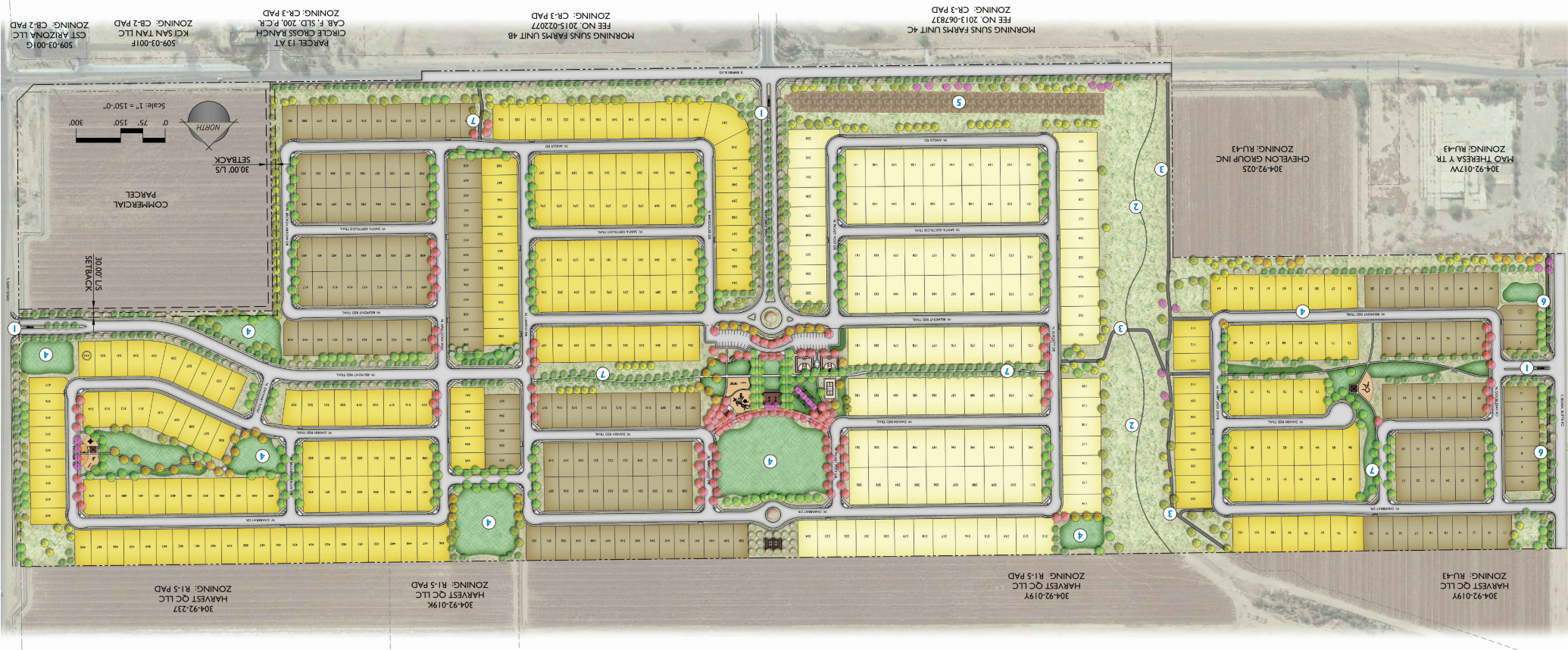
**Hearing Date: May 13, 2020 (Planning Commission)**



**Zoning Districts**

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 C-3 - Commercial	 MDR - Residential	 R1-9 - Residential	 R1-54 - Residential
 TC - Commercial	 R1-4 - Residential	 R1-12 - Residential	 R1-190 - Residential
 EMP A - Office/Industrial Park	 R1-5 - Residential	 R1-15 - Residential	 PCD - Planned Community
 EMP B - General Industrial	 R1-6 - Residential	 R1-18 - Residential	 AT - Agritainment





PROJECT DATA

APN	304-92-026, 027, 028, 029A, 030A, 030B, 030C, 031
EXISTING ZONING	RU-43
PROPOSED ZONING	RU-43
GROSS AREA (A):	+/- 180.16 AC
ARTERIAL & COLLECTOR R/W (a):	+/- 13.64 AC
TOTAL NET AREA:	+/- 152.49 AC
RIGHT OF WAY AND COMMERCIAL AREA:	D = 132.49 AC
RESIDENTIAL NET DENSITY:	D = 180.16 - (14.61 + 13.06) = 152.49
A - TOTAL AREA (ACRES)	180.16 - (14.61 + 13.06)
D - MAXIMUM NET DENSITY	D = 152.49 AC
DU - TOTAL NO OF DWELLING UNITS PERMITTED	DU = 555
C - TOTAL COMMERCIAL LAND AREA (ACRES)	14.61 AC
B - ARTERIAL AND COLLECTOR RIGHTS-OF-WAY (ACRES)	13.06 AC

RESIDENTIAL DENSITY CALCULATION

OPEN SPACE AREA	33.00 ACRES (21.6% OF NET)
WASH AREA	10.76 ACRES (7.1% OF NET)
OPEN SPACE & WASH AREA	43.76 ACRES (28.7% OF NET)
OPEN SPACE	29% OF NET AREA
REQUIRED (R)	38.56 ACRES
PROVIDED (P)	43.5 ACRES
ACTIVE OPEN SPACE	20% OF NET AREA
REQUIRED (R)	30.5 ACRES
PROVIDED (P)	31.1 ACRES
ASSISTIVE OPEN SPACE	10% OF NET AREA
REQUIRED (R)	15.25 ACRES
PROVIDED (P)	14.65 ACRES
PASSIVE OPEN SPACE	29.11 ACRES

OPEN SPACE SUMMARY

OPEN SPACE AREA	33.00 ACRES (21.6% OF NET)
WASH AREA	10.76 ACRES (7.1% OF NET)
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ASSISTIVE OPEN SPACE	10% OF NET AREA
REQUIRED (R)	15.25 ACRES
PROVIDED (P)	14.65 ACRES
PASSIVE OPEN SPACE	29.11 ACRES

- KEYNOTES
- 1 ENTRY MONUMENT
  - 2 2 FT. EQUUS TRAIL
  - 3 10 FT. ASPHALT TRAIL
  - 4 ACTIVE OPEN SPACE
  - 5 DRAINAGE CHANNEL
  - 6 10 FT. SIGNAL BUTTE TRAIL
  - 7 PEDESTRIAN PATH

DEVELOPER:  
 THROUGHBRED TRAINING CENTER, INC.  
 5000 N. 40TH STREET, SUITE 305  
 PHOENIX, AZ 85018  
 CONTACT: JACOB DAVIS

DESIGNER:  
 EPS GROUP, INC.  
 2005 S. WINDRICO, SUITE 101  
 MESA, AZ 85210  
 TEL: (480) 227-9850  
 EMAIL: info@epsdesign.com

PLANNING & LANDSCAPE:  
 CASON TYLER VENTURES  
 1000 S. WINDRICO, SUITE 101  
 MESA, AZ 85210  
 TEL: (480) 503-2150  
 CONTACT: JOSE HANNON

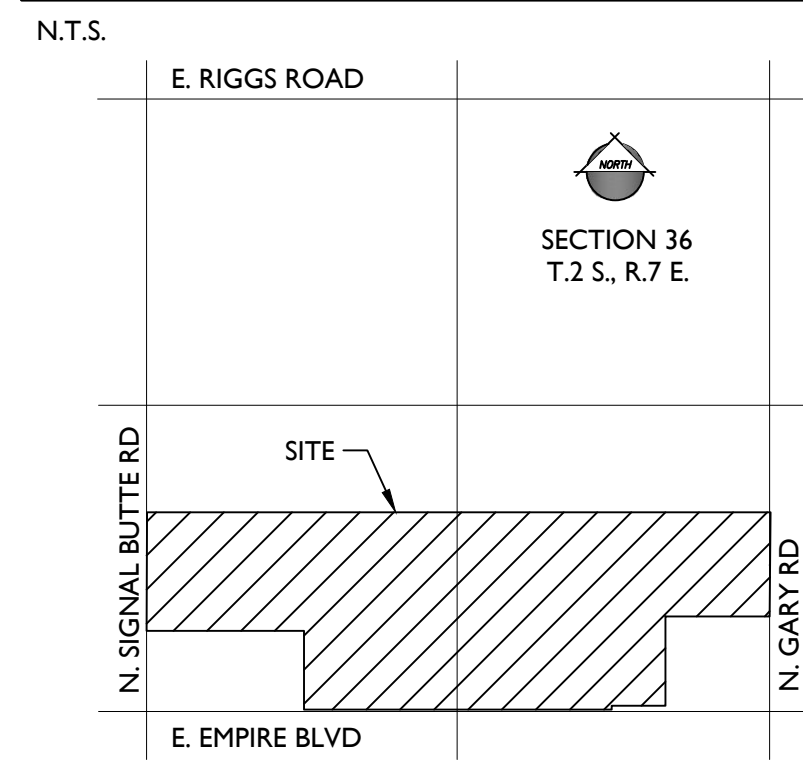
PROJECT TEAM

A PORTION OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 7 EAST,  
 GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

FOR  
**EMPIRE POINTE**  
 DEVELOPMENT PLAN



VICINITY MAP



PROJECT DATA

APN	304-92-026; 027; 028; 029A; 030A; 033A; 039		
EXISTING GENERAL PLAN:	NEIGHBORHOOD		
EXISTING ZONING:	RU-43		
PROPOSED ZONING:	R1-5 PAD		
GROSS AREA:	(A) +/- 180.16 AC		
ARTERIAL & COLLECTOR R/W:	(a) +/- 13.06 AC		
COMMERCIAL:	(c) +/- 14.61 AC		
TOTAL NET AREA:	(NET) +/- 152.49 AC (EXCLUDING ARTERIAL & COLLECTOR ARTERIAL & COMMERCIAL)		
LOT COLOR	LOT SIZE		
	50'x115'	178	33%
	55'x120'	235	44%
	65'x125'	120	23%
TOTAL		533	100%
DENSITY:		3.49 DU/AC	

OPEN SPACE SUMMARY

OPEN SPACE AREA	33.00 ACRES (21.6% OF NET)
WASH AREA	10.76 ACRES (7.1% OF NET)
OPEN SPACE & WASH AREA	43.76 ACRES (28.7% OF NET)
OPEN SPACE REQUIRED (%)	20% OF NET AREA
PROVIDED (%)	29% OF NET AREA
REQUIRED (AC.)	30.50 ACRES
PROVIDED (AC.)	43.45 ACRES
ACTIVE OPEN SPACE REQUIRED (%)	30% OF REQUIRED O/S
PROVIDED (%)	48% OF REQUIRED O/S
REQUIRED (AC.)	9.15 ACRES
PROVIDED (AC.)	14.65 ACRES
PASSIVE OPEN SPACE	29.11 ACRES

KEYNOTES

- 1 ENTRY MONUMENT
- 2 2 FT. EQUESTRIAN TRAIL
- 3 10 FT. ASPHALT TRAIL
- 4 ACTIVE OPEN SPACE
- 5 DRAINAGE CHANNEL
- 6 10 FT. SIGNAL BUTTE TRAIL
- 7 PEDESTRIAN PATH

PLANT LEGEND

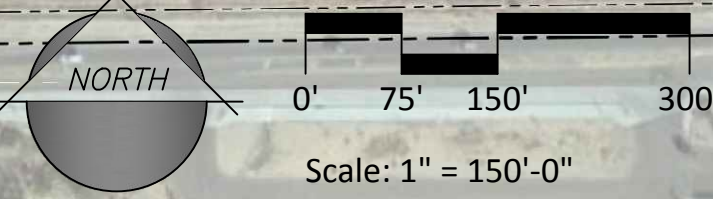
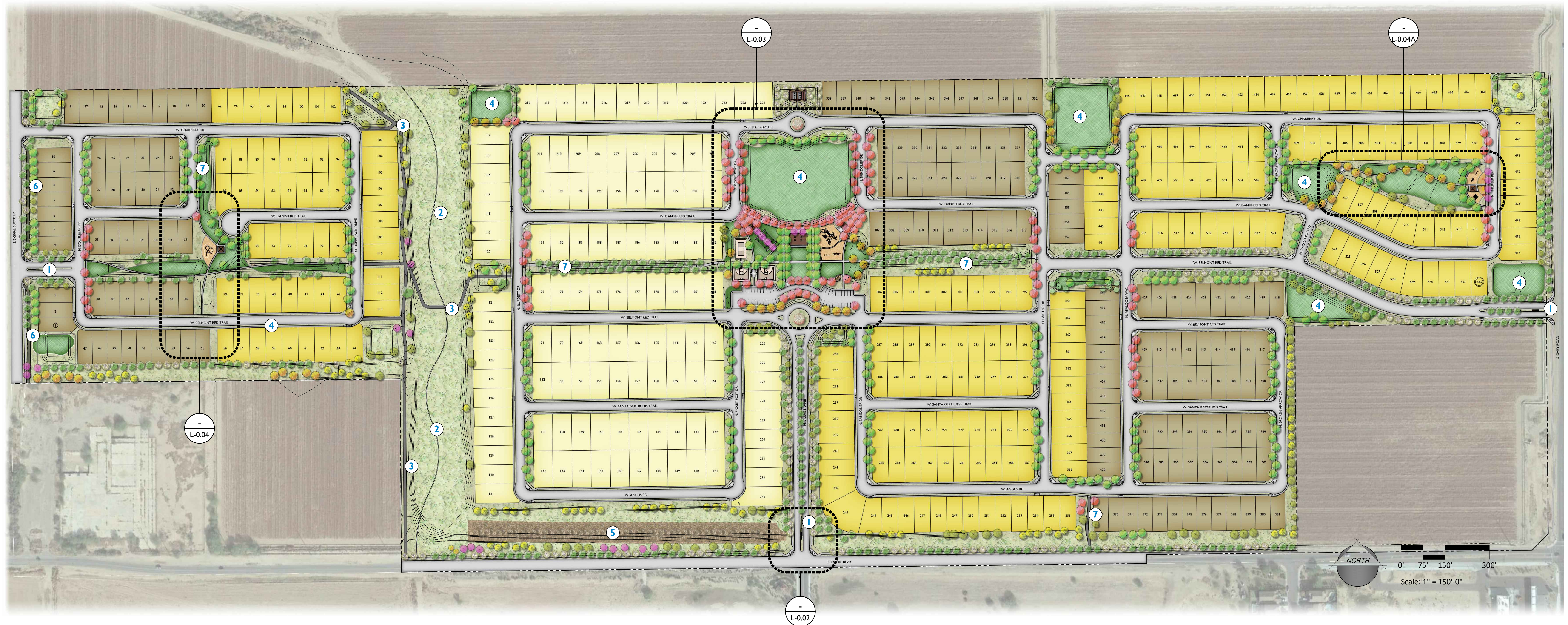
SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
<b>TREES</b>			
	Acacia salicina	Willow Acacia	24" Box
	Chitalpa tashkentensis 'Pink Dawn'	Chitalpa	24" Box
	Eucalyptus Papuana	Ghost Gum	24" Box
	Fraxinus velutina 'Fan West'	Fan West Ash	24" Box
	Olea europaea 'Swan Hill'	'Swan Hill' Olive	24" Box
	Olneya tesota	Ironwood	24" Box
	Parkinsonia x 'Sonoran Emerald'	Sonoran Emerald Palo Verde	24" Box
	Pinus eldarica	Mondel Pine	24" Box
	Pistacia X 'Red Push'	Red Push Pistacia	24" Box
	Platanus wrightii	Arizona Sycamore	24" Box
	Prosopis hybrid 'Phoenix'	Thornless Mesquite	24" Box
	Quercus virginiana	Live Oak	24" Box
	Ulmus parvifolia	Chinese Evergreen Elm	24" Box

TURF & INERT MATERIALS

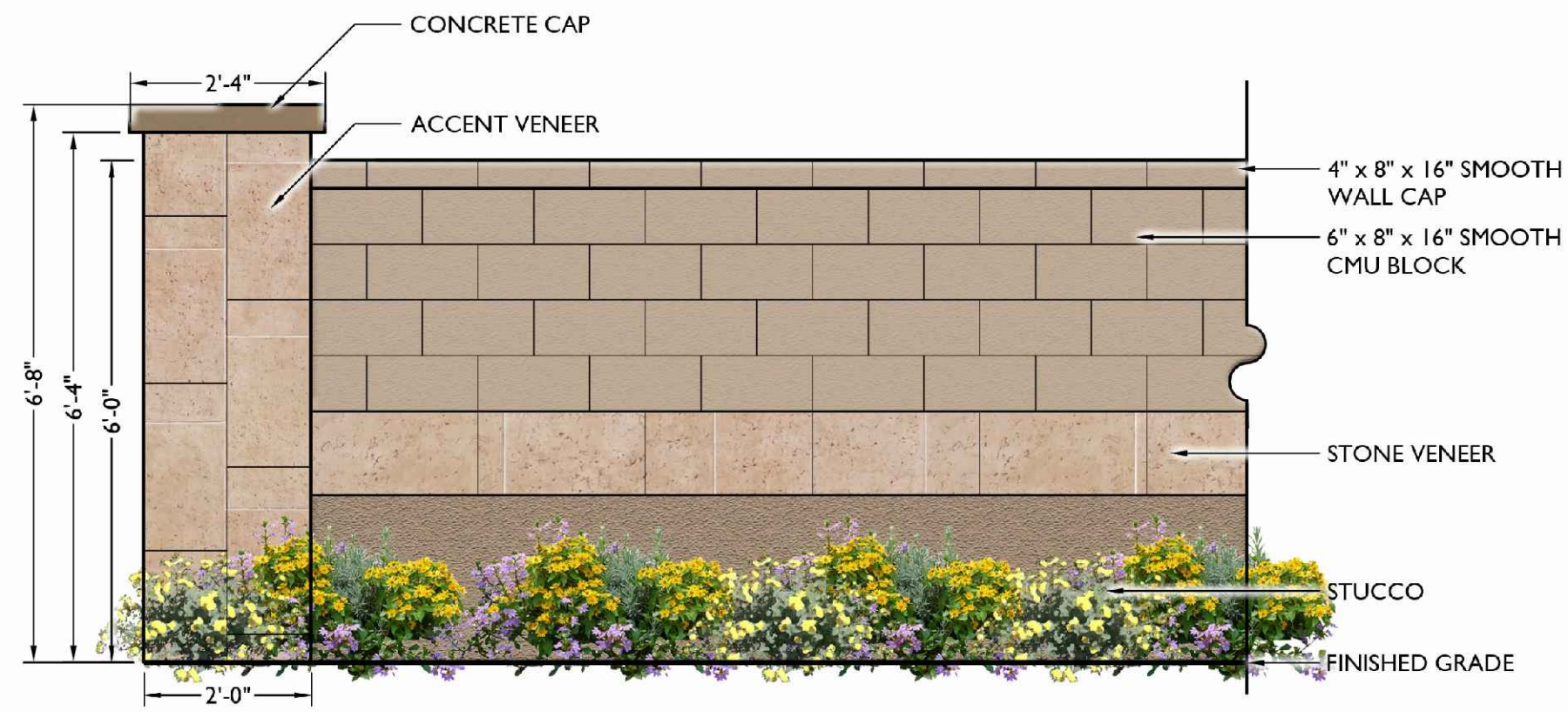
	Cynodon dactylon 'Midiron'	Midiron Bermuda	Hydeseed
	3/4" Screened Decomposed Granite, in all planting areas. Apache Brown or Equal, 2" Depth Min.		
	Stabilized Decomposed Granite Apache Brown or Equal		

NOTE:

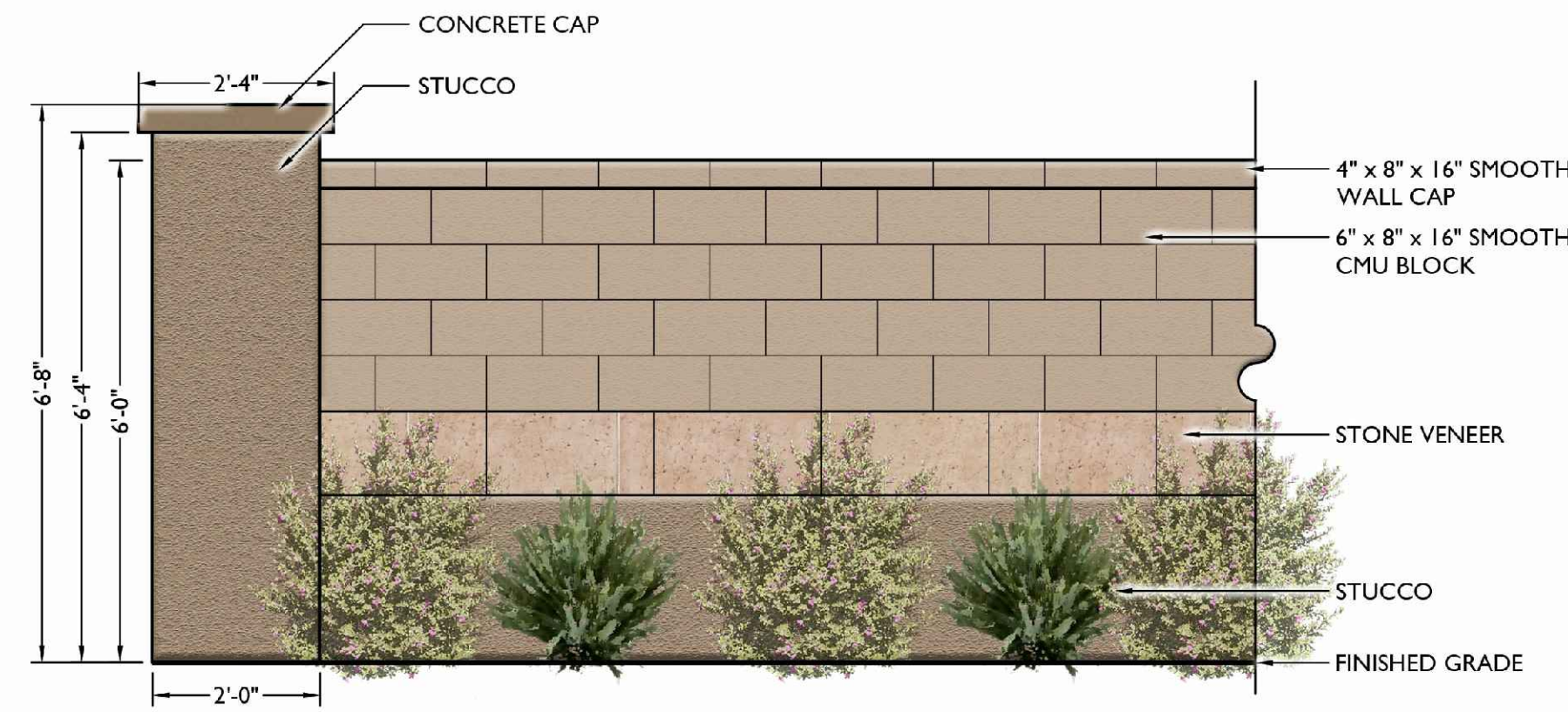
ALL SITE FURNISHINGS INCLUDING RAMADAS, PLAYGROUND, SPORT AREAS, ETC. SHALL BE OF EARTHTONE COLORS.



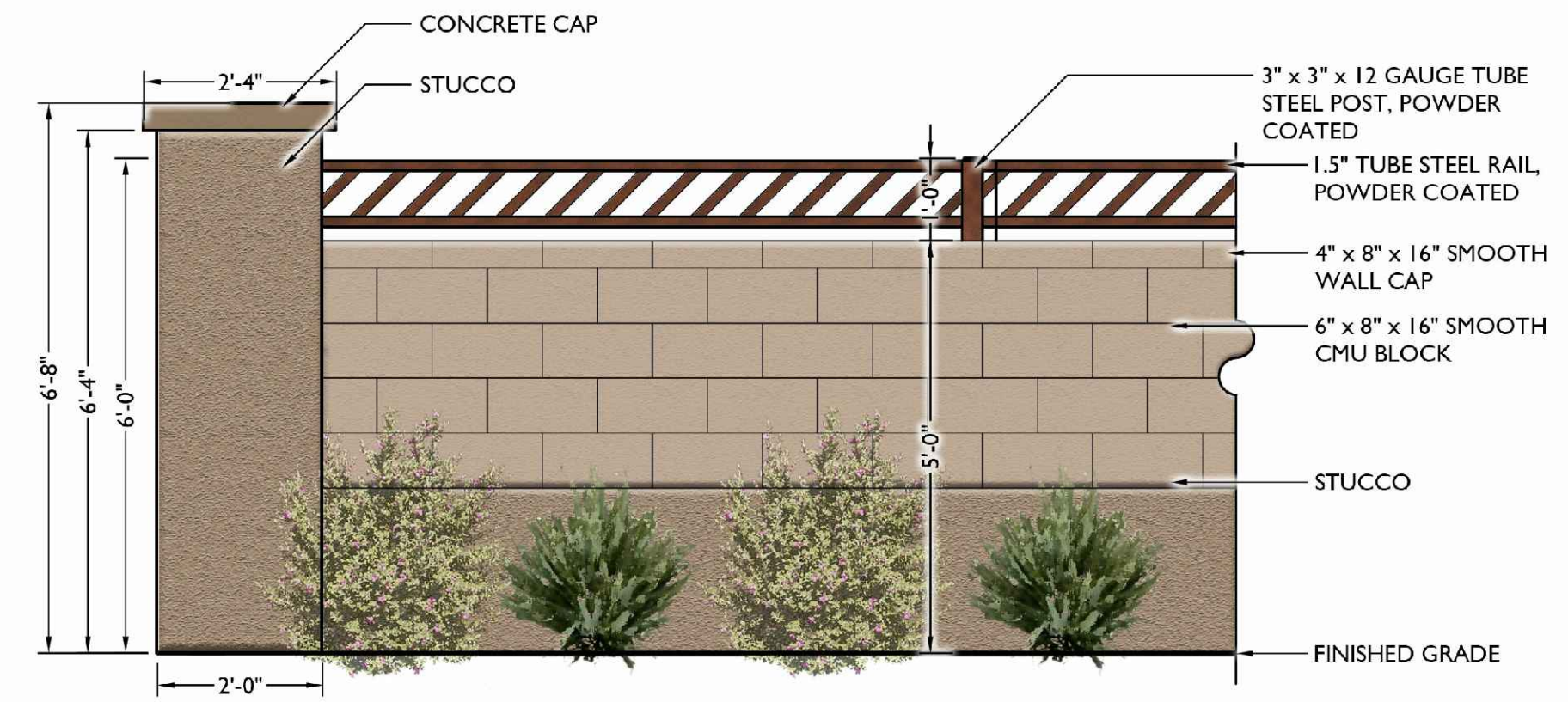




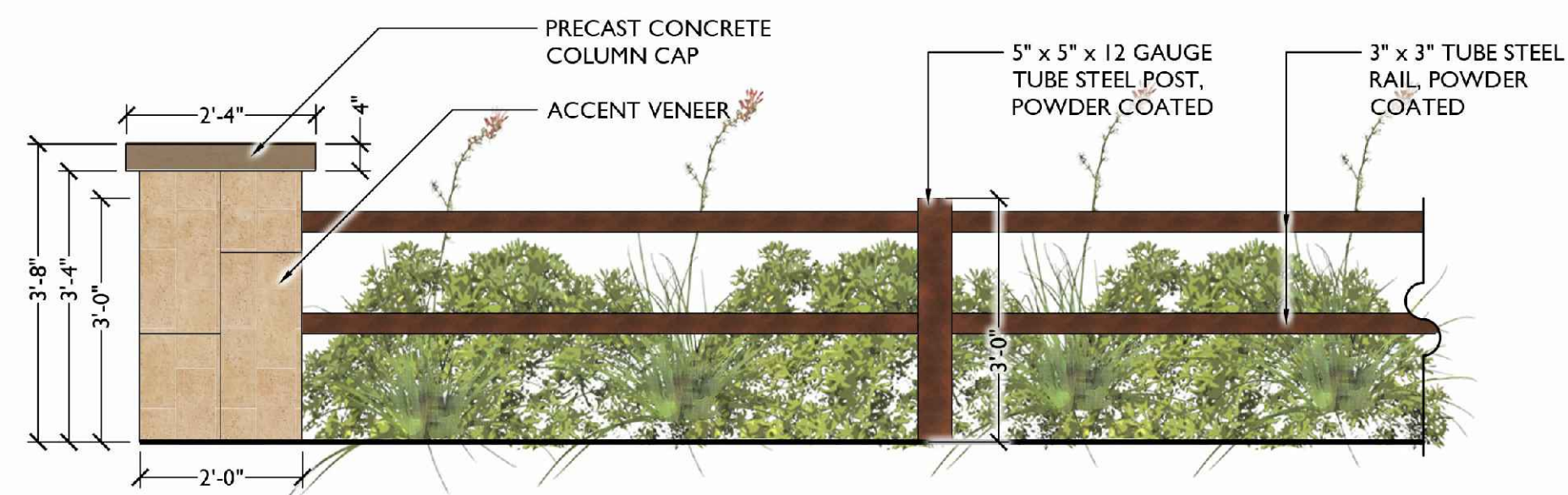
**1** THEME WALL WITH COLUMN TYPE A  
Scale: 1/2" = 1'-0"



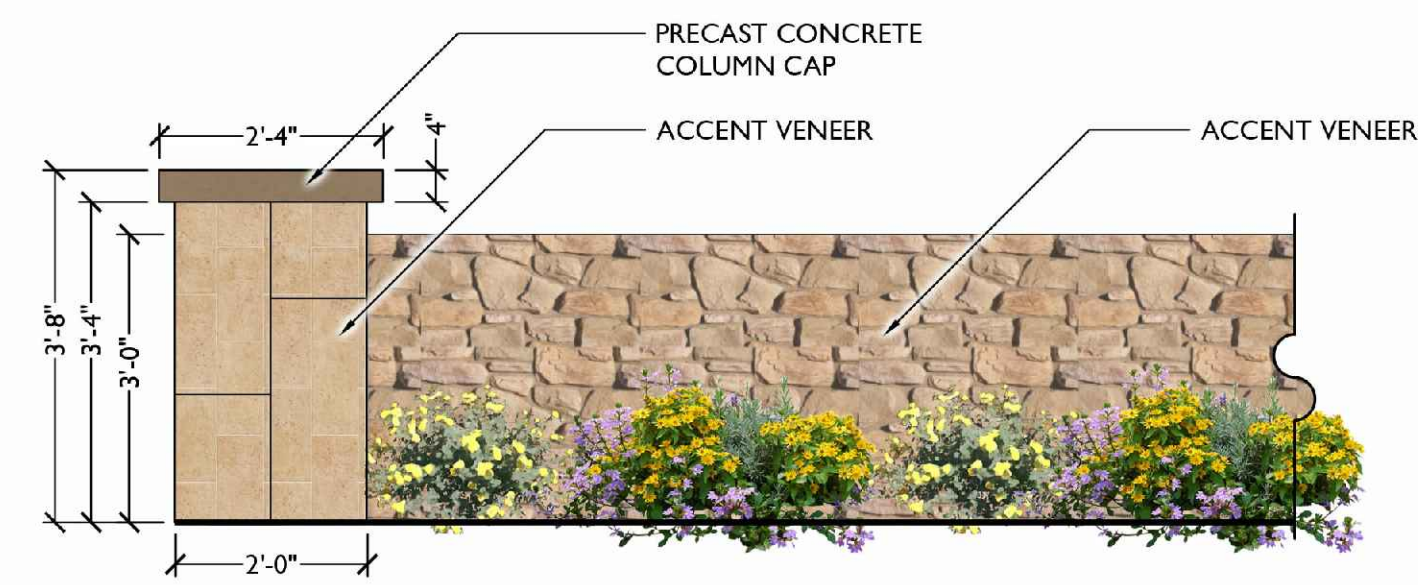
**2** THEME WALL WITH COLUMN TYPE B  
Scale: 1/2" = 1'-0"



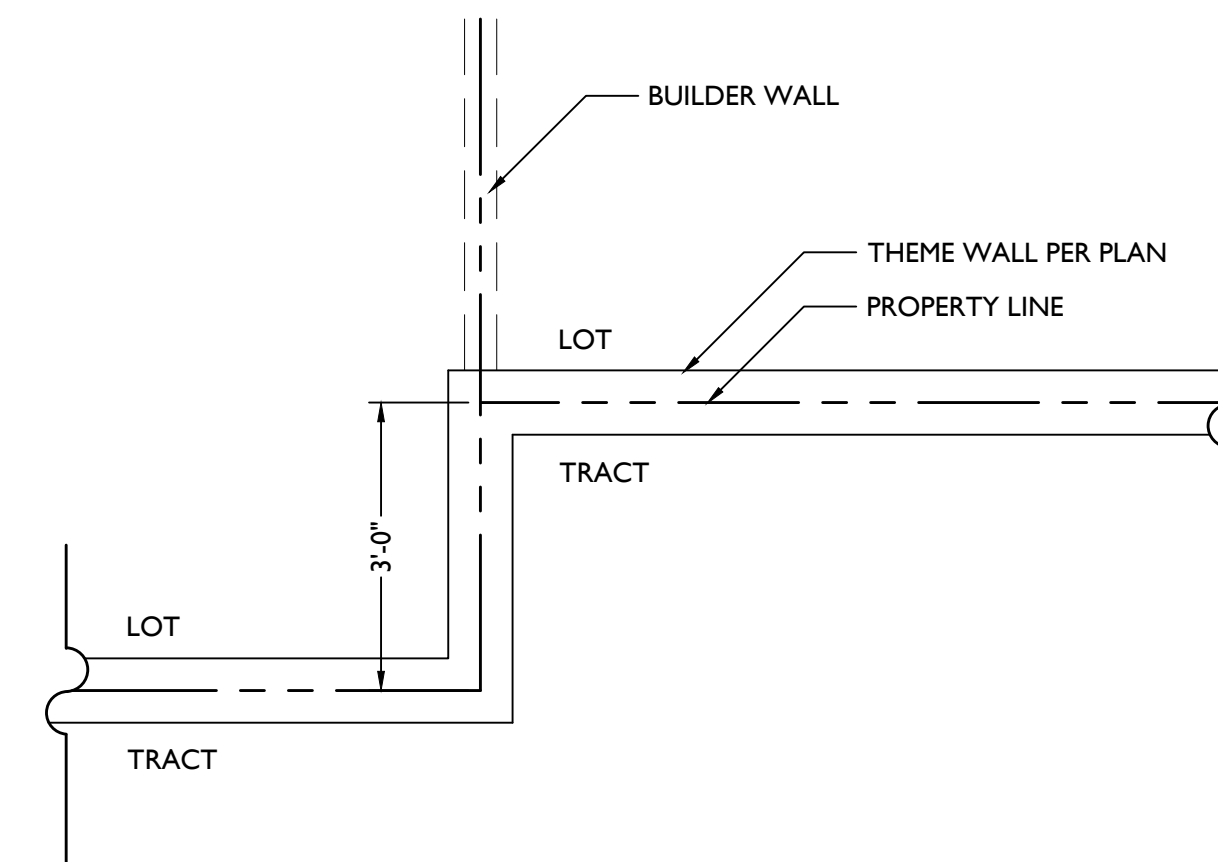
**3** PARTIAL VIEW WALL  
Scale: 1/2" = 1'-0"



**4** RAIL FENCE  
Scale: 1/2" = 1'-0"



**5** DECORATIVE LOW WALL  
Scale: 1/2" = 1'-0"



**6** 3' WALL OFFSET ENLARGEMENT  
Scale: 1/2" = 1'-0"



**PAD REZONING  
DEVELOPMENT NARRATIVE**

**EMPIRE POINTE**

**NWC | EMPIRE AND GARY ROADS  
QUEEN CREEK, ARIZONA**

Submitted to:  
**TOWN OF QUEEN CREEK  
PLANNING DEPARTMENT**  
22358 South Ellsworth Road  
Queen Creek, AZ 85242  
480-358-3003

Submitted on Behalf of:  
**ARIZONA THOROUGHBRED TRAINING CENTERS INC.**  
701 S. 7<sup>th</sup> Street  
Phoenix, AZ 85034



Prepared by:  
**IPLAN CONSULTING**  
3317 S. Higley Road, Suite 114-622  
Gilbert, AZ 85297  
480-227-9850

Prepared: August 2019

## DEVELOPMENT ADVISORS

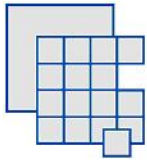


### IPLAN CONSULTING

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Pew & Lake, P.L.C.  
Real Estate and Land Use Attorneys

PEW AND LAKE P.L.C.  
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V: (480) 461-4670  
E: Sean.Lake@pewandlake.com



CASON TYLER  
c o m m u n i t i e s

CASON TYLER  
Perry Mathis  
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V: (602) 957-1799  
E: Mathis@casontyler.com

### PREPARED FOR:

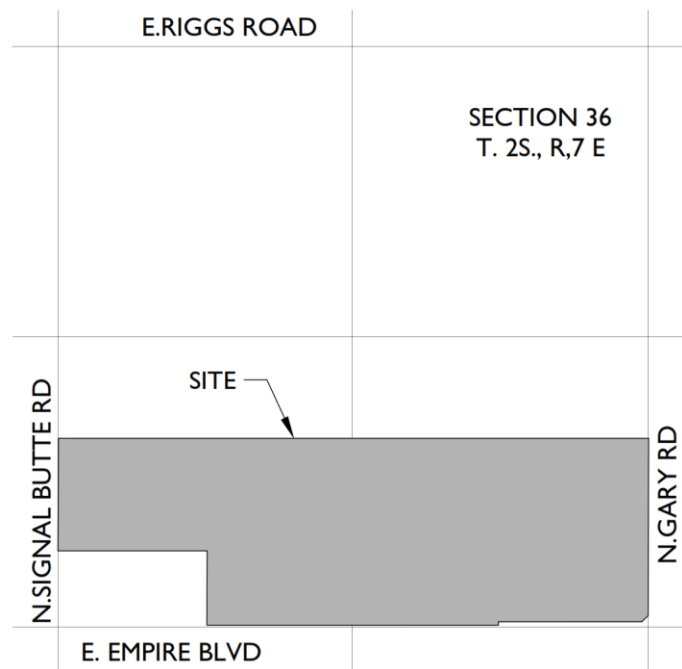
### ARIZONA THOROUGHBRED TRAINING CENTERS INC.

701 South 7<sup>th</sup> Street  
Phoenix, AZ 85034

## REQUEST

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Iplan Consulting, on behalf of Arizona Thoroughbred Training Centers Inc. is pleased to submit for your consideration a Planned Area Development (PAD) Rezoning request concerning an approximate 180 gross acre property known as Empire Pointe. Empire Pointe is located at the northwest corner of Empire Road and Gary Road (Meridian Road alignment) in southeast Queen Creek. Empire Pointe is currently under Maricopa County jurisdiction with a zoning category of Rural-43. It is our intent to annex the property into the Town of Queen Creek concurrent with this zoning request. The Town's newly adopted General Plan identifies the site as Neighborhood which is consistent with the proposed zoning categories of R1-5 and C-2.



## OVERVIEW

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Empire Pointe has a very unique location at the far southeast corner of Maricopa County, bordering Pinal County to the south and east. The project benefits from its proximity to Queen Creek's "agritainment" center at Riggs and Rittenhouse, but it also is on the far edge of the Town's boundary and is adjacent to many higher density Pinal County communities. As such, we are designing the residential portion of this project to provide a smooth density transition from the adjacent Pinal County developments (4.0-5.0 DU/acre) to the approved Harvest Queen Creek project to our north. While providing this transition, Empire Pointe will exhibit the character, theming, and design quality that has come to define desirable Queen Creek neighborhoods.

The land use planning concept for Empire Pointe centers on *five primary elements*: transitional and appropriate residential densities, open space use and connections, appropriate commercial development, implementation of the General Plan vision, and facilitation of key infrastructure improvements for the contiguous arterial level streets: Signal Butte, Gary and Empire Roads.

This land use concept is implemented by strategically transitioning intensity and balancing complementary land uses – commercial and residential -- to provide for a successful and sustainable project for the Town of Queen Creek and the region as a whole. Implementation of these elements is further accomplished through the provision of quality open space linkages to memorable active and passive open space and connections to a planned regional trail system.

Implementation of the proposed PAD zoning will set forth the necessary framework for expediting the major transportation corridor improvements for the contiguous arterial level streets as desired by the Town to address current traffic volumes as well as serve as a catalyst for future development.

## **EXISTING CONDITIONS | RELATIONSHIP TO SURROUNDING PROPERTIES**

The project area is bound on the north by the recently approved Meridian Crossing / Harvest Queen Creek project. Gary Road lies contiguous to the eastern project boundary, with the unincorporated and higher density Circle Cross Ranch Planned Area Development further east and within the jurisdictional boundaries of Pinal County. Empire Road comprises the southern boundary of the project, again with an unincorporated and higher density residential project on the south side of Empire Road. To the west is the Signal Butte Road alignment (no road currently exists) with vacant farm land beyond. There are two parcels along our south and west boundary that are not a part of this project and are vacant.

The General Plan land use classifications, along with the existing zoning and uses for the adjacent parcels, are listed below:

<b>DIRECTION</b>	<b>GENERAL PLAN LAND USE CLASSIFICATION</b>	<b>EXISTING ZONING</b>	<b>EXISTING USE</b>
<i>On-Site</i>	Neighborhood	Rural-43 (Maricopa County)	Agriculture
<i>North</i>	Neighborhood	PAD: R1-5	Agriculture
<i>East</i>	Circle Cross Ranch Medium Density Residential (0 – 5 DU/AC) (Pinal County)	CR-3 (Pinal County)	Single family residential
<i>South</i>	Morning Sun Farms Medium Density Residential (0 – 5 DU/AC) (Pinal County)	CR-3 (Pinal County)	Single family residential
	General Commercial (Pinal County designation)	C-2 (Pinal County)	Gas Station / Vacant
<i>West</i>	Neighborhood	Rural-43 (Maricopa County)	Agriculture
	Neighborhood	Rural-43 (Maricopa County)	Vacant
	Neighborhood	Rural-43 (Maricopa County)	Vacant

## **GENERAL PLAN COMPLIANCE**

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Queen Creek's current General Plan Land Use Map classifies the entire property as Neighborhood, which land use classification is intended to serve as a primarily residential area with a range of densities and an allowance for commercial land uses where appropriate. We believe the proposed PAD zoning request contains several notable features that respond to the 2018 General Plan vision through:

### ***LAND USE ELEMENT GOAL 1: Maintaining the Town's unique community character by:***

- Protecting the Town's development potential and enhancing economic sustainability by providing a commercial parcel and residential lots sizes that reduce the ratio of public service costs to revenue generation as compared to existing zoning (Strategy 1.A);
- Incorporating access from the project into the Sonoqui Wash (Action 1.A.3);
- Ensuring compatibility between this project and existing/approved projects adjacent to the site (Action 1.A.4);
- Implementing the Town's high-quality design standards throughout the project (Action 1.C.1).

### ***LAND USE ELEMENT GOAL 2: Effectively managing the Town's growth by:***

- Providing both commercial and residential in the project which maximize the land use opportunities (Strategy 2.A);
- Proposing a mix of residential lot sizes and densities in the project which is classified as Neighborhood in the Town's 2018 General Plan (Action 2.A.2).

### ***LAND USE ELEMENT GOAL 3: Ensure long-term employment diversity and economic stability by:***

- Including a commercial parcel in the project will help develop a diversified and robust economic development base to ensure the Town's long-term economic stability (Strategy 3.A).

### ***LAND USE ELEMENT GOAL 4: Promote seamless development between the Town and adjacent jurisdictions by:***

- Planning a project that serves as an effective transition between the development requirements of the Town and the existing development conditions of the Pinal County projects that border this site on the east and south sides (Strategy 4.A).

### ***HOUSING ELEMENT GOAL 1: Provide a diverse range of quality housing options for current & future residents by:***

- Designing a neighborhood project that meets and/or exceeds the Town's design standards and regulations, resulting in a healthy, safe, and attractive place to live (Strategy 1.A).

- Providing a variety of housing options that meet the socioeconomic needs of people who live and work in Queen Creek (Strategy 1.C).
- Providing a portion of the project that will offer entry-level housing opportunities for Queen Creek's work force.

***CIRCULATION ELEMENT GOAL 1: Develop a multi-modal transportation system for all users by:***

- Providing the impetus and funding for the continued development of the Town's Arterial road system as per the Town's 2025 and 2035 transportation plan (Action 1.A.2).
- Using a hierarchy of streets to promote safe and efficient circulation for current and future residents that include local, collector, and arterial level streets (Action 1.B.2).
- Exploring the use of a Development Agreement to facilitate a public/private partnership in solving the regional road crossing of the Sonoqui wash corridor along Empire Road (Action 1.B.7).
- Providing a Traffic Impact Analysis to help Town officials assess both existing and future traffic needs in this area (Action 1B.9).
- Incorporating sidewalks and bicycle lanes that meet or exceed the Town standards within and adjacent to our project (Action 1.C.2).

***OPEN SPACE ELEMENT GOAL 1: Develop a comprehensive park system to provide open spaces and recreation opportunities appropriate to a community the size of Queen Creek by:***

- Including both park and trail elements in the project that will be able to connect to the Town wide trail and open space plan (Strategy 1.A.2).
- Installing a section of the Sonoqui Wash trail as identified in the Town's Parks, Trails, and Open Space Plan (1.B.3).

***OPEN SPACE ELEMENT GOAL 4: Coordinate with other jurisdictions and public and private entities to expand recreation opportunities for Queen Creek residents and visitors by:***

- Designing the project's primary park to feature larger amenities such as turf fields and sport courts (Action 4.A.3).
- Incorporation of both private parks and trail connectivity to the Town's existing and planned regional open space system (Action 4.A.7).

***OPEN SPACE ELEMENT GOAL 5: Design Parks and trails that are safe by:***

- Designing all access to parks and trails to be safe for pedestrians and bicyclists Action 5.A.2)

## ZONING

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Implementation of the General Plan is based on fostering the overall vision, specific goals, objectives and policies adopted by the community. Zoning of real property is the legal tool frequently used to implement the General Plan vision. To successfully and sustainably facilitate the ownership's vision for this property, PAD zoning is proposed. We are using the PAD overlay solely to illustrate the unique qualities of the project that include the treatment of the Sonoqui Wash as it moves through the project, the integration of the commercial parcel into the proposed neighborhood, and the mix of single-family residential lot sizes. We are currently not proposing any deviations to the Town's Zoning Code. Even so, Section 4.10 of the Town's Zoning Code describes the purpose and intent of the PAD overlay and below is a summary of how we believe we meet the PAD criteria.

***Promote the most appropriate use of parcels:***

- Single family residential with a small commercial corner is the most appropriate use for this property.

***Allow diversification of use:***

- With a mix of residential lot sizes and the commercial corner land use, the project exhibits a diversification of uses.

***Facilitate the adequate and economical provision of streets, parks, open space, schools, storm drainage, and sewer and water utilities.***

- Although this property is on the edge of the Town, transportation and utilities exist in the area and the development of this property will improve the Town infrastructure systems.

***Preserve and utilize open space.***

- This project will have two types of open space. The 11 acres of the Sonoqui Wash which will be preserved in its natural state; and 33 acres of active and passive open space for the use and benefit of the residents.

***Offer recreational opportunities close to residential uses.***

- We have designed the project to offer recreational opportunities within the 880-feet as required by the Town Code.

***Enhance the neighborhood's appearance.***

- Enhanced park amenities, landscaping, and perimeter theme walls will ensure the project is attractive.

***Counteract adverse effects of urbanization.***

- By developing this project, we are infilling part of the region that was leapfrogged by the growth in San Tan Valley, thus reversing the negative impacts of that those actions.

***Provide for the unified control of land development.***

- With development already existing to the south, east and soon to the north (Harvest Queen Creek project), the development of this land will be more uniform with the adjacent properties.

In addition to the PAD criteria, the Town's Zoning Code requires that each PAD rezoning request meet the Findings of Fact. These findings are an important tool that the Town can use to assess the tenants of the proposal and ultimately recommend support because of them. Below are how we believe this proposal meets the PAD Findings of Fact:

- 1. That the requested modifications to the requirements of the Zoning Ordinance and the underlying Zoning Districts are in the best interests of the Town and are beneficial to the Town in that a higher quality or more appropriate design, or economic benefits (such as employment) can be achieved by not requiring strict adherence to the terms and regulations of the zoning ordinance;***

At this time, we are not proposing any deviations to the Town's Zoning Code and strongly believe the project is of a higher quality than other projects in this area and thus is in the best interest of the Town to support.

- 2. That strict adherence to the requirements of the Zoning Ordinance is not required in order to ensure the health, safety and welfare of the future occupants of the proposed development;***

Since we comply with the requirements of the Zoning Code, the project does not jeopardize the health, safety, and welfare of the future residents of this neighborhood.

- 3. That strict adherence to the requirements of the Zoning Ordinance is not required in order to ensure that property values of adjacent properties will not be reduced;***

Property values will not be detrimentally affected as this project is complimentary to the existing adjacent neighborhoods.

- 4. That the proposed development is consistent with the goals, objectives and policies of the General Plan.***

With a proposed density of 3.49 DU/acre, and the inclusion of a small commercial parcel we believe the project is consistent with the General Plan's vision for this property.



**PAD Site Data Table**

DESCRIPTION		ACREAGE (AC.)	PERCENTAGE OF GROSS AREA
Total Area (gross):		+/- 180.16	100%
Arterial & Collector Roadways:		+/- 13.06	7%
Commercial Parcel Area (net):		+/- 14.61	8%
Total Area (net):		+/- 152.49	85%
OPEN SPACE SUMMARY		ACREAGE (AC.)	PERCENTAGE OF NET AREA
Total Area - Open Space REQUIRED:		+/- 30.04	20%
Total Area - Open Space PROVIDED:		+/- 43.76	29%
Total Area – Active Open Space Required:		+/- 9.15	30%
Total Area – Active Open Space Provided:		+/- 14.65	48%
Total Number of Lots/Dwelling Units:	+/- 533	100%	
Overall Density (net) <sup>1</sup> :	3.49DU/AC		

<sup>1</sup> – Density is calculated using Queen Creek’s net density formula for PAD projects which is detailed below for both Empire Pointe and Meridian Crossing / Harvest.

PAD Density formula:

$$\text{Density} = \frac{\text{Number of units}}{\text{Gross Area} - (\text{R/W} + \text{Non-Residential land area})}$$

**Empire Pointe (Proposed):**

$$\text{PAD Density} = \frac{533}{180.16 - (13.08 + 14.61)} = 3.49 \text{ DU/acre}$$

**Meridian Crossing / Harvest (2016 PAD Approval):**

$$\text{PAD Density} = \frac{1,245}{414.27 - (46.02 + 1.44)} = 3.39 \text{ DU/acre}$$

The above calculations compare the proposed Empire Pointe net density with that of the adjacent Meridian Crossing/Harvest project as originally approved in 2016. The density map exhibit on the next page reflects the approved NET densities of all of the neighborhoods adjacent to Empire

Pointe. When the project is viewed in this existing context, it becomes obvious that Empire Pointe only being 0.1 DU/acre higher than the Meridian Crossing / Harvest development but still 1.2 – 1.5 DU/acre lower than the other surrounding adjacent developments, provides a very *reasonable* and *compatible* transition between these existing neighborhoods.

### Density Map Exhibit



The General Plan category for the site is Neighborhood which allows for a great range of development opportunities. This property’s location on Gary Road and near the higher density communities of north Pinal County make it a great location for commercial land uses. Our proposal includes a 15-acre (gross) commercial parcel at the intersection of Gary Road and Empire Road just for that reason. The proposed zoning is C-2 and the parcel is designed to accommodate a range of users including retail anchors, shop space and pad users, and office employers. To help determine the impacts of a commercial parcel on the Town, an economic study has been prepared and accompanies this proposal. The economic study found that the inclusion of a commercial

parcel in the proposal results in a net fiscal benefit to the Town of approximately \$226,000 on an annual basis. This fiscal benefit, combined with the convenient provision of goods and services for the area residents, validates the inclusion of the commercial component to the overall development.

The residential portion of the project is proposed to be zoned R1-5 PAD, incorporating a mix of residential lot sizes accommodating a range of housing and lifestyle options is an important component to create sustainable and desirable neighborhoods. To this end, the project will offer three different single-family typical lot sizes ranging from 5,750 sq. ft. to 8,125 sq. ft. in area. All combined, the Development Plan proposes 533 units and a net project density of 3.49 dwelling units per acre (du/ac) which is in substantial conformance with proposed densities afforded by the Neighborhood General Plan land use classification and is consistent, and significantly lower, than the adjacent neighborhoods to the south and east making this an appropriate transitional land use proposal. At this time, no deviations from the Zoning Code are proposed.

**Zoning Standards Table**

<i>STANDARD</i>	<i>R1-5 CODE</i>	<i>C-2 CODE</i>
Minimum Lot Area (sq. ft.):	5,000 <sup>1</sup>	-
Minimum Lot Width (ft.):	50	50
Minimum Lot Depth (ft.):	100 <sup>1</sup>	100
Maximum Height (ft.)	30	48
Minimum Building Setbacks (ft.)		
Front:	20 <sup>2</sup>	-
Side:	5 <sup>3</sup>	0
Rear (Dwelling/Building):	15 <sup>5</sup>	15
Rear (Covered Patio):	10	-
Maximum Lot Coverage:		
1-Story (%):	55	60
2-Story (%):	50	60

1. Except to accommodate cul-de-sacs, knuckles, and other street designs that encroach into the typical lot depth.
2. 20-feet to front of garage (front entry)/10-feet to garage (side entry) and living area/10-feet to covered front porch.
3. Side yard setbacks may be 0-feet for attached housing products
4. 15-feet for two-story homes/10-feet for single-story homes and / or covered patios.
5. 20-feet for two-story homes/15-feet for Single-story homes and / or covered patios.

## **DEVELOPMENT PLAN**

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The Development Plan acts as the site plan for the PAD Zoning. The design philosophy and intent are shown on the Development Plan for Empire Pointe to ensure that the Town and the Developer have a mutual understanding of how the project is proposed to be built. In addition to project conceptual layout, the Development Plan includes important site data including the underlying zoning districts, the proposed typical lots sizes, and of course the number of lots and resulting density. Estimated open space data is also included on the Development Plan to demonstrate compliance with the Towns requirements.

### **LAYOUT:**

The land use planning concept for Empire Pointe centers on the neo-traditional philosophy by centralizing the primary open space area and having a grid road system with detached sidewalks provide efficient access connecting the primary park to the homes. This design philosophy fits the long linear shape of the property as well as the agriculturally influenced design tenants of the projects to the north (i.e. Harvest Queen Creek, Schnepf Farms, The Olive Mill, etc.).

The resulting layout provides for the central amenity area to be surrounded by smaller neighborhood groupings that are intermixed with the three proposed typical lot sizes proposed for the project. These typical lot sizes are 50' x 115', 55' x 120', and 65' x 115'. Each neighborhood has close proximity to an amenitized park area and is connected via the aforementioned detached sidewalks to the centralized primary amenity area .

The proposed commercial parcel is strategically placed at the intersection of Empire Road and Gary Road to provide maximum exposure to by-passing traffic as well as focus the more intense commercial traffic away from the residential development. That said, it is important for us to allow both vehicular and pedestrian connection between the commercial and residential portions of the project so the project functions as one cohesive neighborhood.

### **ACCESS AND CIRCULATION:**

The perimeter arterial roadways of Gary Road and Empire Road share jurisdiction with Maricopa County and Pinal County but once the project is annexed, it is expected the Town of Queen Creek with have jurisdiction to improve and maintain both roadways. Gary Road and Empire Road have limited existing improvements and as part of this project, it is expected that the frontages of both roads will be improved to better accommodate the existing traffic as well as the additional traffic produced by this project. The Signal Butte Alignment is along the west boundary of the project and is unimproved to date.

Gary Road is currently the larger traffic carrier of the adjacent arterials and is proposed to have one of the two primary entrances to the eastern portion of the project. The Gary Road entrance will provide ingress and egress to both the residential and commercial portions of the project as we anticipate this access to be the only full-motion intersection for the project along that frontage. To accommodate the mixed traffic for this access road, we have designed a wider road section with a raised center median that stretches from Gary Road to the access drive for the commercial parcel. Once passed the commercial parcel access point, the raised center median goes away and the road section reduces to the typical residential collector street section.

Empire Road is quickly becoming a major traffic corridor as one of the only east-west alignments that runs from one end of town to the other. We have positioned our second point of primary access about midway along our Empire Road frontage. This access road serves only the residential portion of the project and will ultimately be the marketing window for the project. As such, we have designed the access road with a raised center median that will feature a soldier line of theme trees. This colonnade focuses the driver's attention to the round-about and primary park area which is the terminus of the road.

The western portion of the project, which is all residential, fronts onto Signal Butte Road. Since Signal Butte does not currently exist, we are proposing to improve our half-street along our frontage which will connect to a half-street that the Town will construct south to Empire Boulevard. Signal Butte will eventually connect north to Riggs road but until it does, we are proposing an emergency access easement that connects to Empire on the west side of the Sonoqui Wash. This emergency access will meet the Fire Code's requirements for access and will allow this parcel of the project to be built in our third phase.

The proposed internal public street layout uses a hierarchy of collector streets and local streets to facilitate both vehicular and pedestrian circulation throughout the site. We have purposely directed all three of the collector level streets into the middle portion of the project where the primary amenity area is located as these streets and their detached sidewalks will serve as the direct path for the residents to connect to the central open space. The detached sidewalks along the collector and local streets will also provide pedestrians safe and efficient access to the project's commercial parcel.

**OPEN SPACE:**

At 29% (of the net area), the project easily exceeds both the minimum amount of total open space required for the project as well as the minimum amount of active open space required. The large amount of open space is enhanced by a uniquely designed plan that offers three parks with three different themes and amenity packages. The centralized primary amenity area is the largest of the three parks and will be a highly active game center for kids and adults of all ages as well as a gathering space for the whole neighborhood. The amenities include a half basketball court, a pickle ball court, a bocce ball court, multi-purpose turf area, playground equipment, and a large and small ramada area. Just north of the turf field area is a more secluded area with tree shaded game tables. The easternmost park features a set of swings, climbing boulders, and a smaller turf area for recreational use. The westernmost park features a children's tot lot, a ramada, tree-shaded seating, and another turf play area.

Another important aspect of the open space plan is the trail system. The Sonoqui wash bifurcates the property running in the northwesterly direction. Because the Sonoqui Wash is also a regional trail corridor, the Town of Queen Creek has identified the need for a 2-foot wide soft material trail running along or near the bottom of the wash channel. This trail can accommodate a range of non-motorized users and facilitates regional travel as it runs throughout the Town. In addition to this regional trail, Empire Point is proposing a paved trail system throughout the project that provides trail connections to the wash trail corridor, to all three amenity areas, and to the commercial parcel.

## **PUBLIC UTILITIES AND SERVICES**

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Utilities and services will be provided as follows:

- Water: Town of Queen Creek
- Sewer: Town of Queen Creek
- Electric: Salt River Project
- Gas: City of Mesa
- Telecommunications: Cox Communications; CenturyLink
- Police: Maricopa County Sheriff
- Fire: Town of Queen Creek
- School: Queen Creek Unified School District

### **WATER**

Potable water is to be provided by future Town of Queen Creek facilities, which a portion of these facilities were designed and installed along Signal Butte and Empire Roads as part of a 2017 Capital Improvement Project within the Town.

Discussions with the Town indicate that existing water lines near the project boundaries can be extended with the development to serve the project's requirements adequately. The proposed water system improvements will be designed and developed in accordance with Town of Queen Creek and Maricopa County Environmental Services Department requirements.

The water demand for Empire Pointe has been calculated per Town of Queen Creek Design and Construction Standards Manual for Water, Wastewater, and Irrigation Systems, December 2013. Section 2.1, Table 2.1.1. Calculations assume:

- 533 single family units
- 475 Average Day Demand per Person (GPD)
- 3.1 Persons Per Dwelling Unit

Based on the above stated assumptions the water demand for Empire Pointe is as follows:

- Average Day Demand: 784,843 GPD
- Average Year Demand: 880 acre-feet / year
- Max Day Demand: 1.26 MGD
- Peak Hour Demand: 2.19 MGD

### **WASTEWATER**

Wastewater from Empire Pointe will be serviced by future Town of Queen Creek facilities. Empire Pointe is currently within the Town of Queen Creek Sewer Service Area, per map dated November 01, 2016. The project area is illustrated as "Developable Area" in the current Town of Queen Creek Sewer Master Plan, which Plan also indicates a future 12-inch sewer line along the project's western boundary and a 12-inch sewer line along the E. Riggs Road.

The project will install utility improvements to adequately connect to existing infrastructure improvements. Empire Pointe is committed to working with the Town of Queen Creek to determine the overall system needs to provide sewer service for this proposed PAD.

The Wastewater demand for Empire Pointe has been calculated per Town of Queen Creek Design and Construction Standards Manual for Water, Wastewater, and Irrigation Systems, December 2013. Section 5.1, Table 5.1.1. Calculations assume:

- 533 single family units
- 54.4 Gallons per Day per Capita
- 3.1 Persons Per Dwelling Unit

Based on the above stated assumptions the wastewater demand for Empire Pointe is as follows:

- Cumulative Day Flow: 89,885 GPD

## **PUBLIC PARTICIPATION**

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A neighborhood meeting will be held prior to the project being scheduled for a Planning and Zoning Commission hearing in accordance with the Town of Queen Creek Public Participation requirements.

## **CONCLUSION**

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Given the marketing challenges that come with being on the “edge” of Town, the Development Plan for Empire Pointe successfully finds a balance between the density driven market of the Pinal County properties to the east and south, and the elevated design that is expected of all Queen Creek neighborhoods. The neo-traditional design philosophy has resulted in a very efficient and free-flowing land plan that incorporates the linear shape of the property while complimenting the agrarian heritage of the greater area. We expect this project will be highly sought after by families wanting to locate in this area of Town as not only do you have the agritainment attractions nearby, but the project itself is designed to promote an outdoor active lifestyle through its numerous amenity areas, neighborhood trails, and of course, connection to the Town’s regional trail network. Lastly, the ability to have retail services that are within walking distance is not something most neighborhoods in this part of the valley have and will be a welcome asset to the neighborhood. We look forward to working with the Town of Queen Creek to bring this proposed project into the community known for its uniqueness and quality of life for its residents.