



MINUTES
REGULAR MEETING
QUEEN CREEK PLANNING & ZONING COMMISSION
Virtual Meeting
December 9, 2020
6:00 PM

1. Call to Order

The meeting was called to order at 6:03 p.m.

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

Alex Matheson	Chair	Present via WebEx
Troy Young	Vice Chair	Present via WebEx
Steve Sossaman	Commissioner	Absent
Lea Spall	Commissioner	Present via WebEx
Matt McWilliams	Commissioner	Present via WebEx
David Gillette	Commissioner	Present via WebEx
Bill Smith	Commissioner	Present via WebEx

3. Public Comment: Members of the public may address the Planning Commission on items not on the printed agenda and during Public Hearings. Please observe the time limit of (3) minutes. Comments may also be sent to via email to PublicComment@queencreek.org by 5:30 p.m. on December 9, 2020 (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record). Members of the Commission may not discuss, consider, or act on any matter raised during public comment.

A public comment was received from Tyler Vanvleet on an item not on the agenda via email. (See attached).

4. Consent Agenda: *Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote.*

A. Discussion and Possible Action on the November 10, 2020 Planning Commission Meeting Minutes.

B. Discussion and Possible Action on P20-0164 Maracay at Madera Parcel 1B Residential Design Review. Maracay Homes is requesting approval of five (5) new standard plans with three (3) elevations each to be constructed on 91 lots at Parcel 1B of the Madera subdivision, located south of the southeast corner of Signal Butte and Queen Creek Roads. (Steven Ester, Planner II)

Motion: To approve the Consent Agenda

1st: McWilliams

2nd: Spall

RESULT: Approved (5-0)

Agenda items were taken out of order. Item 8A was discussed after the Consent Agenda.

8. Administrative Items:

A. Discussion and Possible Action on Setting the 2021 Planning Commission Meeting Dates (Erik Swanson, Planning Administrator)

Mr. Swanson presented the tentative schedule for 2021 meeting dates. He asked the commissioners to check the March and July meetings dates for any conflicts and recommended continuing the vote to the January 13 meeting. Mr. Swanson also discussed a possible General Plan Amendment submittal in 2021 and briefly outlined the General Plan Amendment process which requires one alternative meeting location. Mr. Swanson will check if a remote meeting will satisfy these requirements.

MOTION: To continue this item to the January 13, 2021 meeting

1st: Spall

2nd: Gillette

RESULT: Approved (5-0)

Chair Alex Matheson joined the meeting after Item 8A.

5. Public Hearing:

A. Public Hearing and Possible Action on P20-0037 Sossaman Farms West Rezone, a request by W. Ralph Pew (Pew & Lake) to rezone approximately 147 acres from PRC, R1-9, R1-12, R1-35, and R1-43 to R1-5, R1-9, R1-12, Medium Density Residential (MDR), and C-1 for future residential and commercial development located at the southwest corner of Power and Ocotillo roads. (Steven Ester, Planner II)

Planner Steven Ester acknowledged the neighbors and abutting properties owners for their interaction and cooperation throughout the public meeting process.

He introduced the Sossaman Farms West Rezone located at the southwest corners of Power and Ocotillo roads and outlined the surrounding properties and future Sossaman properties to be developed. The 147-acre subject site is currently vacant and the proposed rezone is for a combination of single family residential, multi-family residential and light commercial uses. Mr. Ester noted that it is a conventional rezone with no deviations from the Zoning Ordinance and the request is to establish specified zoning districts.

The General Plan land use designations for the site include commercial, neighborhood and open space. Mr. Ester summarized the surrounding properties which are located in Queen Creek, Town of Gilbert and on County Islands and their respective zoning designations in comparison with the proposed zoning being requested. Mr. Ester explained that one element of the General Plan is Growth Areas which highlight where future development is needed to accommodate growth. Mr. Ester said that Sossaman Farms is a identified as a Growth Area in the General Plan and the applicant provided justification on how the project complies with goals outlined in the General Plan

Mr. Ester reviewed the existing zoning which consists of R1-9, R1-12, R1-35, R1-43 and PRC (the Sonoqui Wash). He said the applicant is proposing to rezone 147 acres to R1-5, R1-9, R1-12, MDR and C-1 and pointed out that the applicant is proposing oversized lots which will factor out to an average of 3.9 dwelling units per acre of overall density across the entire development.

Mr. Ester reviewed the conceptual development plan; primary and secondary entrances; Sonoqui Wash trail improvements; zoning transitions and landscape buffers. He said detailed plans will be submitted with the site plan at a later date.

Mr. Ester discussed the public participation process and outlined the public meetings that were held by the applicant and the Town and the notification process and timeline for each. Some of the concerns raised by residents during this process included 1) MDR density and location; 2) height of the MDR portion (2-3) stories; 3) use of Brooks Farm Rd and its connection to other local streets.

Staff received twenty-one (21) letters of opposition from separate parties. Additionally a petition against the project was also sent to staff by the Brooks Farm Property Owners Association representative with 154 valid addresses out of 214 votes in opposition to the proposal.

Mr. Ester said the next step is the Town Council meeting on January 20, 2021 at 6:30 pm. (The January 6, Town Council Meeting was canceled). Mr. Ester said letters will be sent to all parties with the change of date.

Chair Matheson asked if the 3.9 dwellings per acre include the MDR portion. Mr. Ester replied yes, it is all factored into that calculation

Applicant Ralph Pew presented the Sossaman Farms West Project on behalf of Sossaman Holdings. He voiced respect to surrounding property owners and commented that everyone has been professional and courteous despite disagreement on the project.

Mr. Pew provided an overview of the site and entire Sossaman plan that has been evolving since the 1990's. He provided history on the different phases of development and said everything developed thus far have been quality projects. The next phase of the overall 1100 acres is Sossaman Farms West (17 acres). Mr. Pew said this area is identified as a Growth Area in the Town's General Plan and will be developed with creativity and diversity and include offices, retail, services and agritainment as part of a comprehensive plan. Mr. Pew said Sossoman Farms West is a very unique property that is surrounded by three different jurisdictions and five different land use categories of occupied land including Trilogy, Dorado Estates, and rural community known of Brooks Farms.

Mr. Pew provided a brief history of the property as it relates to the General Plan over the last twenty years. He said since 1999 the property has been designated for MDR and has never been designated for rural or low density. He explained that the General Plan establishes policy and the intentions of the Town and is statutorily required to be updated every 10 years. The General Plan designates uses, density, and land use categories and governs the property even though it may differ from what neighbors might want.

Mr. Pew clarified the Neighborhood category of the General Plan and gave details on the buffering and the use of oversized lots. He explained the good neighbor policy and said if a use from a different town or county was different we have to buffer and be respectful but are not required to have the same zoning as other towns abutting us. He said the Sossaman property has been zoned MDR for 20 years and Commercial for 12 years and the plan complies with the General Plan, Growth Areas and meets buffering, goals and objectives. Mr. Pew outlined how the project satisfies the goals of the Growth Areas and discussed

potential for agritainment opportunities and the completion of trail connections. Sossaman Farms Growth Areas in urban areas are not located in rural areas.

Mr. Pew gave an overview of the concept plan for development including landscaping, buffering, access points, road improvements and wash improvements to be performed by applicant. He addressed multifamily concerns in relation to surrounding areas and the proposed transitioning. He added that overall all density is consistent with Trilogy. Mr. Pew discussed the 9-acre commercial corner and outlined uses and buffering. He said the neighborhood questions regarding traffic will be handled in final plat.

Commissioner Smith inquired about the south exit on to the existing county road and what is driving the need for the third entry point for this development and the value point. Mr. Pew said that improvement of Brooks Farm Rd is a requirement from the Town and it is a point of safety for access rather than just two entries on major arterials. Additionally, the number of units generally requires a third access and is helpful. He said a traffic impact analysis has been completed and was reviewed by the Town and a final study will also be performed.

Commissioner Gillette thanked all the residents for their input. He commented that he called every apartment complex in a five mile radius and they are all at 96% - 99% occupancy which shows the need for multifamily housing. He inquired about volume of students and impact on the school system. Mr. Pew said the school district has confirmed they have the capacity. He referenced a study by the school district confirming that multifamily yields less students than single family homes. He also said there are more charter schools in the area as well, to accommodate more capacity. Commissioner Gillette asked Mr. Pew to address fears from residents in regards to property values and the impact of MDR. Mr. Pew responded that we found no evidence that new well-managed and designed projects will have a derogatory effect on property values.

Commissioner Spall had a question on the conceptual drawing for multifamily in regards to the three story buildings. Mr. Pew explained that the exhibit is a concept and they will keep the density below 14 units per acre. He said it is not high density and is a mix of buildings that will have a unique design. It could be condos or townhomes but is not known at this time.

Chair Matheson opened the Public Hearing and provided instructions for commenting virtually. The following comments were heard:

- Heather Stevens, 22915 S 180th Street, Gilbert, spoke in opposition to Multi-Density Residential. She said it is not compatible with our area and had concerns about protecting the equestrian community. She was opposed to the Brooks Farm Road exit in regards to safety for the children and proximity to schools.
- Tyler Bennett, 22439 S. 178th Place, Maricopa County Island, was concerned about the high density residential in proximity to the trail and an increase in traffic and speeding in the neighborhood with the addition of more residences and no improvements to the road on the County side.
- Shawnalea Shelly, 23015 S 182nd Street, Maricopa County, was concerned about safety on the access point at Brooks Farms and cut through traffic and would prefer it to be an emergency egress only. She was opposed to MDR and would like less density per acre (2.5 to 3.0 per acre) vs. the excessive amount being proposed. She had concerns about an apartment complex without supporting services.

- Tracy Warren Hein, 17920 E Sonoqui Blvd, Maricopa County Island, commented that Rancho Jardines is also in proximity to the proposed project. She was opposed to apartments, spot zoning and the lack of gradual step-downs to rural areas. She wants Queen Creek to maintain rural character and was concerned about school overcrowding. She asked the number of houses that would be required to eliminate the Brooks Farm Road entrance.
- Sharon Coffini, 22183 S. 197th Way, Queen Creek, resides in Dorada Estates and her home faces the land. She said she is speaking on behalf of the neighborhood in opposition to multi-density three story apartments. She is requesting apartments be restricted to two stories and also homes bordering Dorada restricted to single level homes on the first row (rather than two stories) in order to be more compatible with surrounding area.
- Brianne Casper, 23005 S 182nd Street, Gilbert (Maricopa County Island), spoke about a survey she performed with 428 concerned citizens on a dedicated Facebook page related to the project. All comments from the survey opposed MDR. There were 118 votes opposed to the project and 1 yes vote for the project.
- Joshua Prickett, 22614 S. 178th Place, Maricopa County Island was opposed to the project and MDR and said it is not compatible with the surrounding areas. He spoke on discrepancies in the MDR density calculations and the process of inaccurate information through the neighborhood meeting process. He spoke about lack of community involvement with the General Plan for nonresidents.
- Jodiann Garrett, 17912 E. Avenida Valley Drive, Maricopa County Island had safety concerns with traffic at Brooks Farm Road. She was opposed to apartments in a rural area. She spoke about the lack of notification for some neighborhood meetings.

Additional public comments were read into the record for those who did not wish to speak. (See attached).

Chair Matheson closed the Public Hearing. Mr. Pew was given the opportunity to address questions and/or comments raised during the Public Hearing. Mr. Pew responded as follows:

- **Comparisons to the Trilogy subdivision in Gilbert:** Trilogy has almost the exact density as the proposed project. Trilogy has high 3.0 – 4.0 du/acre and our density is 3.9 du/acre over the whole project.
- **Elimination of arterial corner in C-1 District and MDR:** It is zoned in the General Plan as commercial and is a busy arterial corner that will support commercial uses.
- **MDR and C-1 is blocking the paid views in Trilogy:** We are following the height restrictions for C-1 and MDR. The views promised to homeowners in Trilogy at time of purchase over the Sossaman land is not our responsibility. Property owners could have contacted Mr. Sossaman at time of purchase if they had questions/concerns about his land. We are developing consistent with the Queen Creek General Plan.
- **This is a Rural Area:** This land ever since it came to Queen Creek has never been designated as rural or designated for low density uses. It has always been designated as medium density and the proposal fits in with that designation.

- **Calculation of density:** Math is correct for maximum density. What we have done is limited the number of multi-family units to 240 (lower than the number allowed) which causes the differences in the calculations.
- **County resident input for Queen Creek General Plan:** Maricopa county residents to the south and west are allowed to participate in the General Plan. All comments are considered but the Plan is designed in the best interests of the Town of Queen Creek.
- **Restriction request for property abutting Dorado:** In regards to the request to restrict the Dorado boundary to single story, we have a 95-foot setback to the nearest house with 30 feet of landscaped trails with bushes and trees in that buffer. Additionally, two story homes are very common and are allowed throughout the Town.
- **Step down density comments:** A majority of comments were from outside of town limits. This is very typical in land use planning when going from a rural neighborhood to an area that is more urbanized. We are providing transitions with two rows and landscape buffers.
- **School drop off location:** Our access point on Brook Farms Rd will mitigate this problem and will create safe traffic movement for the school without the need to go any further west on Brook Farms Road for school purposes.
- **Brooks Farm Road comments:** This is common throughout the Valley when municipal boundaries are adjacent to unincorporated county land. The land in Queen Creek should be developed to Queen Creek standards and the owner has the right to use the southern part of his property in Queen Creek as a road.
- **Equestrian Community:** The concern that the residents that will occupy the single family homes or the medium density units at Sossaman Farms West will impede the equestrian lifestyle of their neighbors to south is unreasonable.
- **MDR – Land Use Element:** The General Plan recognizes that in the future lifestyles may evolve, and the change in demographics as town matures requires more multi family. We should not assume that multifamily residents would not be amicable to current resident lifestyles.

Commissioner Gillette was in favor of the single family residential but had concerns regarding the lack of clarity on the number of stories that might be constructed on the apartments. He said there was a big difference from one to three stories.

Vice Chair Young recognized the need for rental property and condos and said many rentals are upscale and demand high rents. He trusted that the Sossaman family would choose wisely in regards to the multifamily.

Commissioner Smith asked for clarification on the 3.9 density calculation and if the commercial was included. Mr. Pew explained the calculation and said the 3.9 uses the total 578 units including commercial as a general metric and he agreed that it is actually a little higher if you take out the commercial. Commissioner Smith was in support of the project but thought some requests could be reconsidered such as single story house transition on the first row and some adjustments to the Brooks Road entrances to the site.

Commissioner Spall thanked the residents for their input and said she would be in favor of project without the three stories in MDR. She said the small commercial lot probably won't have three story buildings, therefore she did not see the need for a three story MDR product.

Commissioner McWilliams had concerns regarding the lack of definition in the MDR portion. He said higher density housing is needed but more clarity would be appreciated.

Chair Matheson summarized the Commission's responses and said the major concerns are the MDR and the number of stories along with the buffering with one-story homes on the boundaries. Chair Matheson stated that we are considering a rezone only tonight and there is no specifics presented for MDR at this time and that would come before us later.

Mr. Pew acknowledged the concerns and spoke on behalf of the applicant and stated that after hearing the comments they will agree to single stories in the first row and agree to a two-story MDR product.

Commissioner Smith asked Mr. Pew to still consider a right in/left out transition on the Brooks Road entrance to the site. He said the left out only option would prevent some shortcuts through the neighborhood. Mr. Pew said traffic issues can be resolved and will be discussed with the Town during the process. Commissioner Smith recommended a traffic study and further discussion on Brooks Farm Road to investigate traffic when future plans come through.

Commissioner Gillette asked Mr. Pew if a one-story project might be considered. Mr. Pew replied that we are simply asking for a rezone tonight and we need flexibility to create something very unique and will still have the site plan process to further address this.

MOTION: To approve P20-0037 Sossaman Farms West Rezone with the stipulation that future MDR development is limited to two-story and the first row of structures on outer western and southern perimeter are limited to one-story.

1st: Smith

2nd: Young

AYES: Matheson, Young, Spall, McWilliams, Smith

NAYES: Gillette

VOTE: Passes (5-1)

6. Final Action:

- A. Discussion and Possible Action on the Annual Organizational Meeting Notification** (to set Chair and Vice-Chair appointments for the upcoming year) (Erik Swanson, Planning Administrator)

Chair Matheson asked for nominations for the Chair and Vice Chair positions. The Commission discussed their interest for the upcoming year. Based on the discussion Commissioner McWilliams made a motion.

MOTION: To nominate Troy Young as Chair and David Gillette as Vice-Chair of the Planning & Zoning Commission for 2021.

1st: McWilliams

2nd: Spall

VOTE: Passed (6-0)

7. Items for Discussion: *These items are for Commission discussion only and no action will be taken. In general no public comment will be taken.*

None.

8. Administrative Items:

A. Discussion and Possible Action on Setting the 2021 Planning Commission Meeting Dates (Erik Swanson, Planning Administrator)

Addressed earlier in the meeting.

B. Overview of 2020 Department achievements and statistics (Erik Swanson, Planning Administrator)

Mr. Swanson reviewed 2020 year-end processes and applications that were completed throughout the year. He thanked staff for their hard work especially working remotely during Covid-19. He reported an increase in activity compared to last year and reviewed projects that were extended or relaxed to accommodate customers and maintain customer service levels. He commended Town leadership for their ability to adapt and provide staff and customers with the support needed during the pandemic.

Mr. Swanson extended appreciation to the Commission for their ability to deliberate and work through hard issues, to work remotely and for their flexibility throughout the year.

C. Recent activity update.

None.

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.*

None.

10. Adjournment

The meeting adjourned at approximately 9:00 p.m.

TOWN OF QUEEN CREEK

Alex Matheson, Chair

ATTEST:

Joy Maglione, Deputy Town Clerk

I, Joy Maglione, do hereby certify that to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Regular Session Minutes of the December 9, 2020 Regular Session of the Queen Creek Planning Commission. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on: January 13, 2021