



Requesting Department:
Development Services

TO: PLANNING AND ZONING COMMISSION

THRU: BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR

FROM: ERIK SWANSON, PLANNING ADMINISTRATOR

RE: Public Hearing and Possible Action on P21-0047 Arizona State Land Department Specific Plan Amendment, a request from Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, to Rezone approximately 950 acres of the State Land Specific Plan creating a new zoning designation of Urban Employment located north and east of the northeast corner of Germann and Meridian roads.

DATE: March 24, 2021

STAFF RECOMMENDATION

Staff recommends approval of P21-0047, Arizona State Land Department Specific Plan Amendment, subject to the Conditions of Approval outlined in the staff report.

PROPOSED MOTION

Move to recommend approval of P21-0047 Arizona State Land Department Specific Plan Amendment, subject to the Conditions of Approval outlined in the staff report.

RELEVANT COUNCIL GOALS

 Effective Government

 Secure Future

SUMMARY

The request is for an amendment to the previously approved ASLD Specific Plan rezoning approximately 950 acres of State Trust Land from the Urban and Neighborhood category to Urban Employment. The subject site is generally bounded by Germann Road to the south, approximately 750 feet east of Meridian Road along the western boundary, extends north to the future SR 24, and extends east to Ironwood Road.

HISTORY

- Sept., 2008:** Queen Creek General Plan, which expanded the Town's Planning area to include the subject property, was approved by Town of Queen Creek voters.
- May 15, 2018** The 2018 Queen Creek General Plan Update was ratified by voters. The 2018 General Plan designated the subject property as "Special District". The "Special District" land use is set aside for development that requires greater flexibility and must be governed by a Master Plan.
- April 17, 2019** The Town Council approved the Pre-Annexation Development Agreement.
- Aug. 7, 2019** The Town Council approved Ordinance No. 705-19, P19-0101 ASLD Specific Area Plan.

DISCUSSION

Background

With the establishment of the ASLD Specific Plan in 2019, it was anticipated that the approximate 4,100-acre area would develop over many decades based on market demand. As was anticipated with the initial zoning, it was expected that modifications would be sought as market demands change throughout the years. Language was provided in the original development plan that granted administrative authority for minor modifications to the plan, lying with the responsibility of the Planning Administrator. For changes that exceed the qualification of a minor amendment, requests would be required to go through the public hearing process.

The approximate 4,100-acre ASLD property was approved with two zoning designations, Urban and Neighborhood, encompassing 19 development areas termed as Planning Units. The Urban category established land-uses accommodating all types of zoning districts with a focus on development patterns with greater intensity including all commercial zoning districts, Employment A and B districts, High-Density and Medium-Density Residential, and the R1-5 and R1-4 single-family residential districts.

The location and focus of the Urban category flanks the future SR 24 freeway extending approximately one-half mile from the future freeway and establishes a development pattern that includes freeway and arterial roadway interchanges providing for development that produces greater development density. The Neighborhood category occupies the remaining area of the ASLD property and provides for development opportunities that are less intense than the Urban category. Zoning districts within the Neighborhood category includes the C-1, C-2, and Mixed-Use zoning districts, both HDR and MDR districts, and the R1-4, R1-5, R1-7, R1-9, and R1-12 single-family residential districts. The request seeks to add a third zoning designation, Urban Employment, allowing for all Commercial and Employment zoning districts, and prohibiting all residential categories. The proposed Urban Employment category occupies the state land area bounded by Ironwood Road on the east, Germann Road on the south, the SR 24 alignment along the northern boundary, and extends approximately 750 east of Meridian Road, encompassing Planning Units 1, 2, 16, 17, 18, and 19.

Request

As previously noted, development of the ASLD Specific Plan is anticipated to take many years, however due to the construction of the SR 24 with an anticipated completion date to Ironwood Road in August of 2022, the State Land Department is receiving heightened interest in the subject area for development of employment uses prompting the State Land Department to seek a rezoning to better position the property for development. As such, the ASLD is proposing along with the rezoning, development standards for future employment uses. The proposed development standards maintain general consistency with the Town's current development standards with some exceptions relating to *Performance Criteria* where limitations are placed on manufacturing and office activities occupying percentages of buildings, all activity being conducted within enclosed buildings, and vehicular access being restricted to a primary driveway. In short, the established *Performance Criteria* were developed for smaller business/industrial parks, and not large-scale employment users. All design standards outlined within the Zoning Ordinance relating to setbacks, site improvement standards, parking and loading, and lighting remain. It is important to note that with the design criteria proposed for this request includes additional building heights for both occupied and unoccupied structures. Occupied structures can achieve a height of 80-feet and may include varying stories. Unoccupied structures are intended to be cooling towers or similar appurtenances and may achieve a height of 185-feet. The applicant and State Land Department has worked with the Arizona Commerce Authority to better understand the needs of large-scale employment users thus prompting the additional building heights. Staff has discussed the potential for increased building heights with the Phoenix Mesa Gateway Airport and has received a response of no concern with the additional heights.

Lastly, with the approval of the initial Specific Plan, residential units were established with a maximum number of residential units allowed within the entire Specific Plan area at 17,083 units, incorporating both multi-family and single-family residential. With the proposed request removing the residential land use from Planning Units 1, 2, 16, 17, 18,

and 19, the maximum number of units has been reduced to 13,102 residential units for the remaining Specific Plan area. Below is a table outlining the three zoning districts.

Land Use Designation Summary			
Land Use Designation	Urban	Neighborhood	Urban Employment (UE)
Total Planning Units	7	6	6
Total Area	1,589 acres (appx.)	1,601 acres (appx.)	950 acres (appx.)
General Location	Urban Planning Units are generally located within one-half mile of the expected SR 24 extension	Neighborhood Planning Units are generally located at least one-half mile from the expected SR 24 extension	UE Planning Units are bounded by the SR 24, Ironwood Road, Germann Road, and appx. 750-foot east of Meridian Road
Zoning Districts Permitted	R1-5 Urban Residential R1-4 Urban Residential MDR Medium Density Residential HDR High Density Residential C-1 Light Commercial C-2 General Commercial C-3 Regional Commercial NC Neighborhood Commercial / Office Mixed-Use MU Mixed-Use EMP-A Office / Industrial Park EMP-B Office / Industrial Park	R1-12 Suburban Residential R1-9 Urban Residential R1-7 Urban Residential R1-5 Urban Residential R1-4 Urban Residential MDR Medium Density Residential HDR High Density Residential C-1 Light Commercial C-2 General Commercial NC Neighborhood Commercial / Office Mixed-Use MU Mixed-Use	EMP-A Office / Industrial Park EMP-B Office / Industrial Park C-1 Light Commercial C-2 General Commercial C-3 Regional Commercial

ANALYSIS

General Plan Review: The General Plan Land Use designation for this project is Special District, a land use designation that applies to areas to be governed by a Master Plan requiring greater flexibility. The Amendment to the Specific Plan is in conformance with its General Plan designation and it furthers the goals, policies, and action items detailed in the 2018 General Plan.

Zoning Review: The Amendment to the Specific Plan further refines the Planning Units and Specific Plan zoning districts and densities and intensities of land use of the subject property. The proposed Amendment complies with the General Plan Land Use designation of Special District.

Engineering, Utilities, and Traffic Review: The Engineering Division, Traffic Division, and Utilities Department have been involved throughout the development and review of the Amendment to the Specific Plan. All Divisions will continue to be involved in the review of the Master Plans required as part of Secondary Planning Phase and in subsequent development applications.

PUBLIC NOTIFICATION/PARTICIPATION

Per State statute amendments to Specific Plans are do not require a neighborhood meeting, as such a neighborhood meeting was not conducted, however notification of the scheduled public hearings was sent to all property owners within a 1,200-foot radius. As of the writing of this memo, Staff has received a call from one resident seeking general information. Staff is unaware of any opposition to the request.

CONDITIONS OF APPROVAL

1. This project shall be developed in accordance with the plans and exhibits attached to this case and case P19-0101 Arizona State Land Specific Plan, and all the provisions of the zoning ordinance applicable to this case, except as modified herein.

ATTACHMENTS

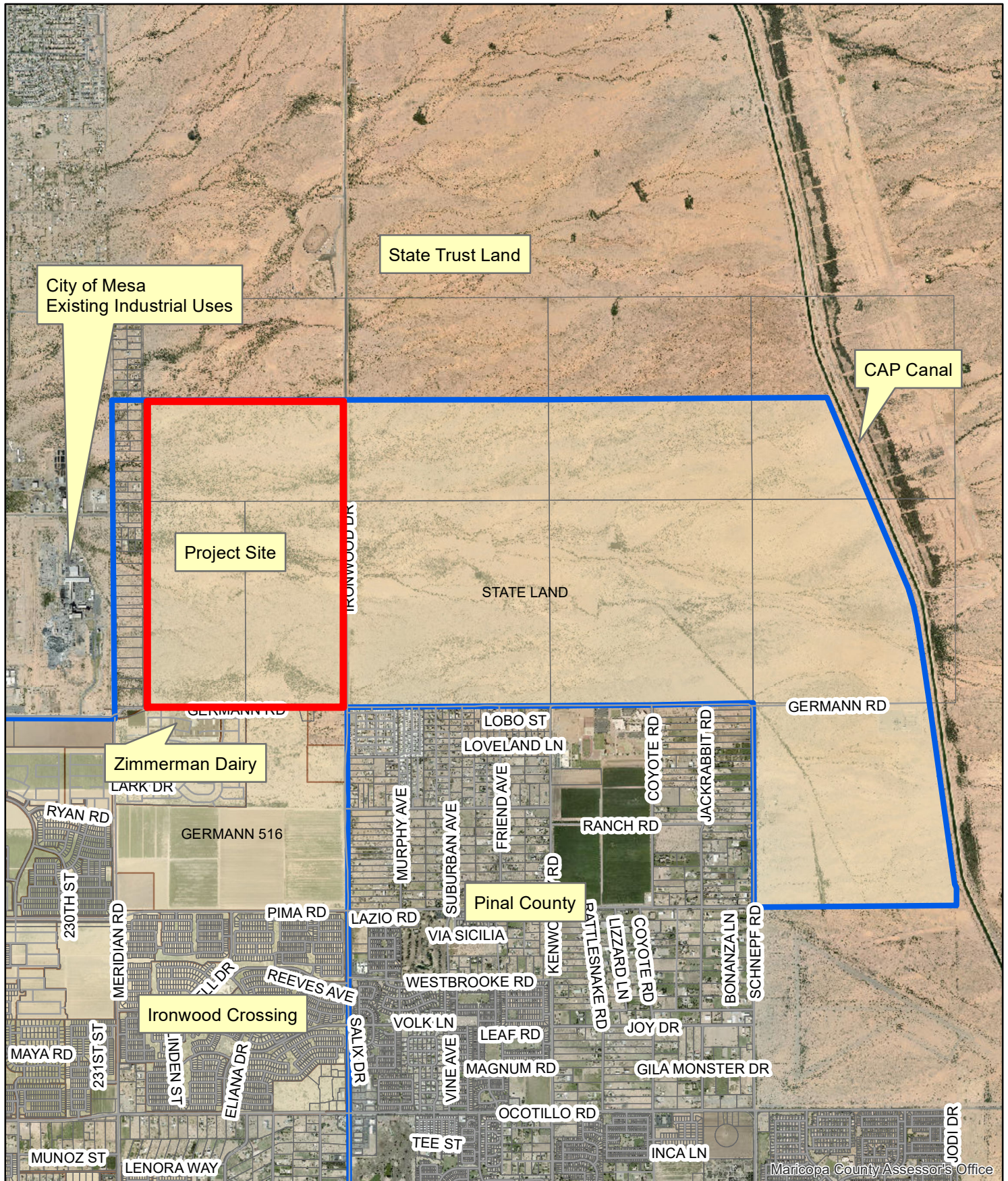
1. Aerial Exhibit
2. Zoning Exhibit
3. General Plan Exhibit
4. Existing Specific Plan Map
5. Proposed Specific Plan Map
6. Specific Plan Amendment Supplemental

Project Name: ASLD Specific Plan Amendment - Aerial Exhibit



Case Number: P21-0047

Hearing Date: March 24, 2021 (Planning Commission) & April 7, 2021 (Town Council)

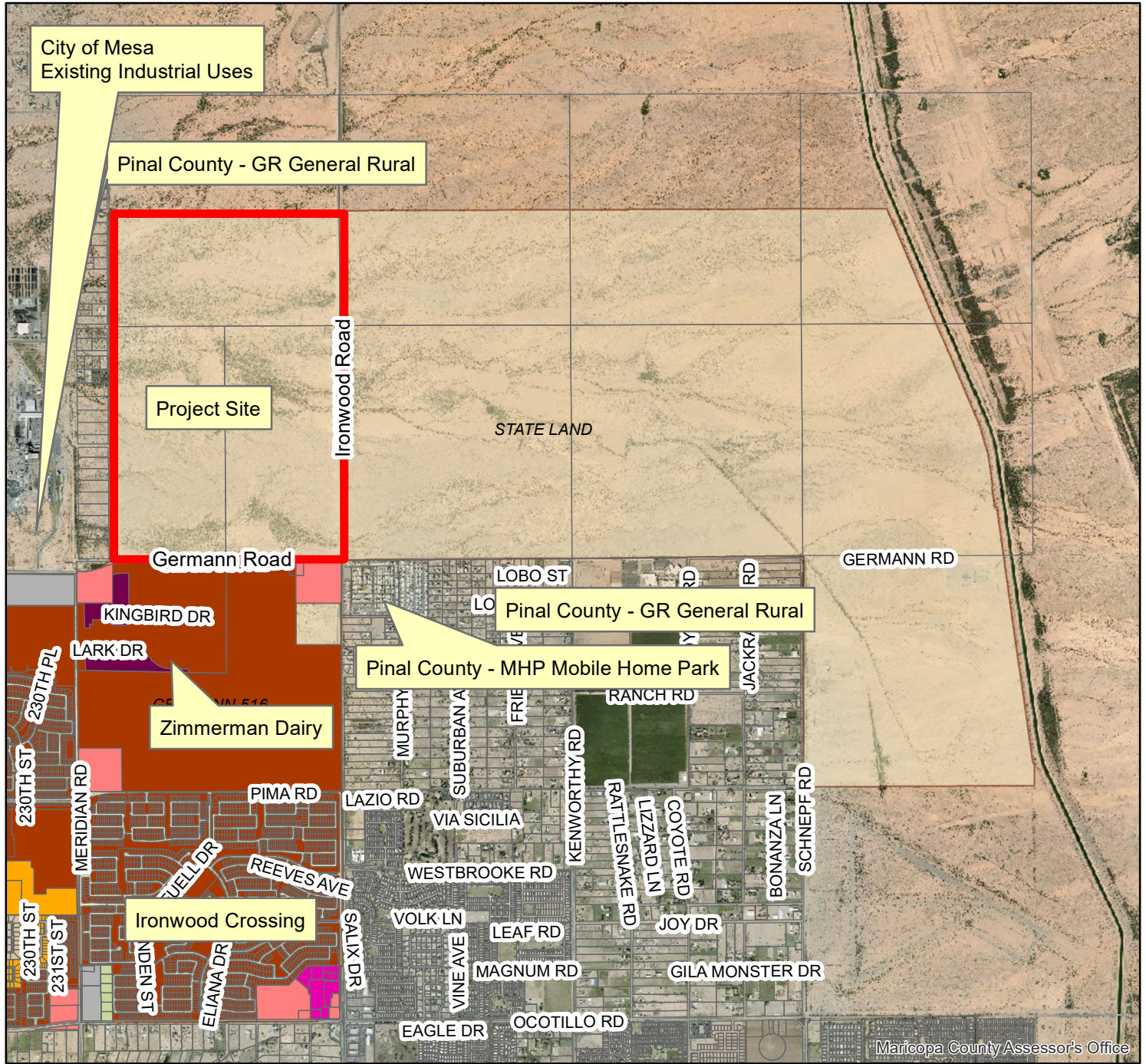


Project Name: ASLD Specific Plan Amendment - Zoning Exhibit



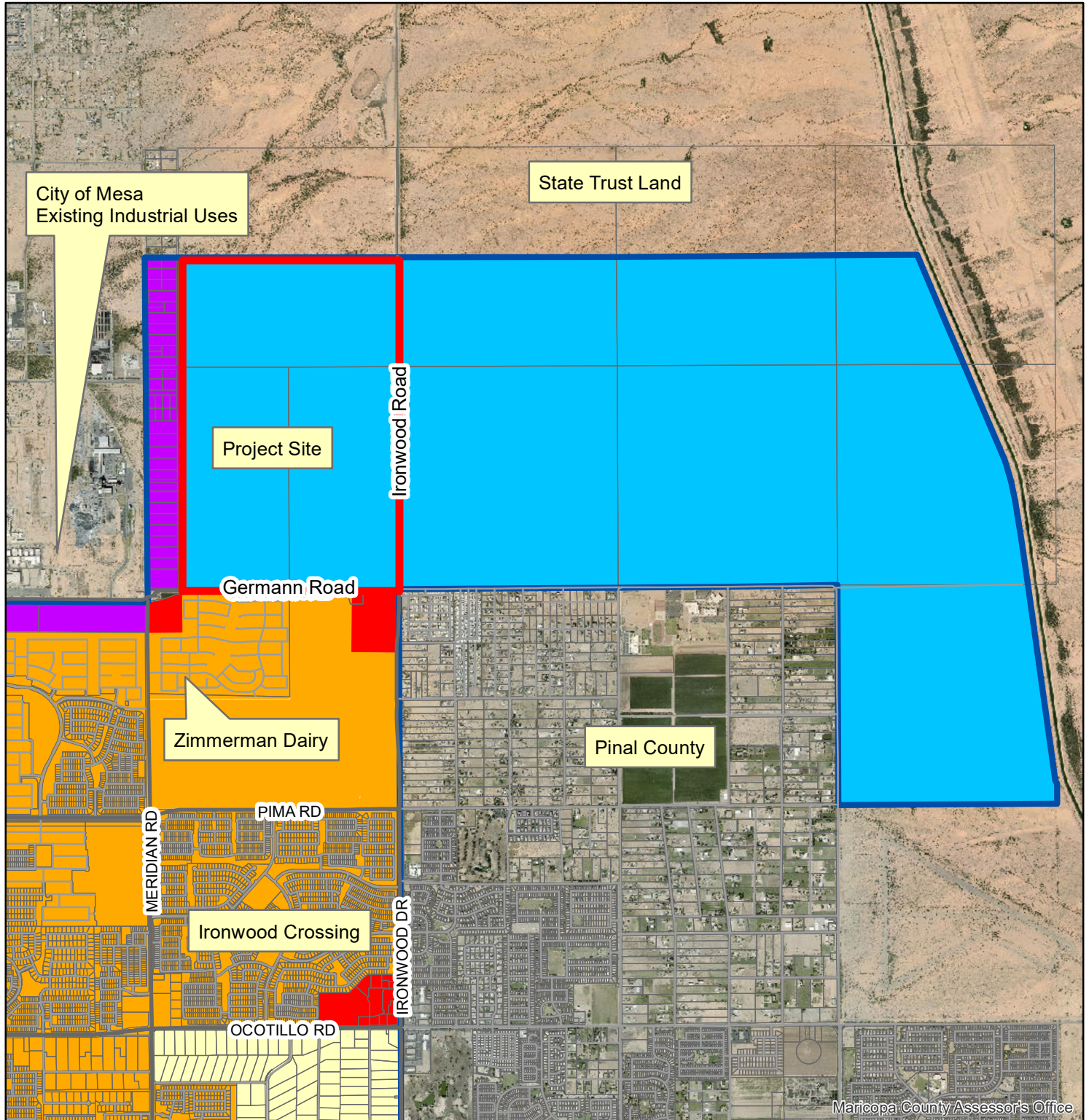
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Zoning Districts

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



General Plan Land Use

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

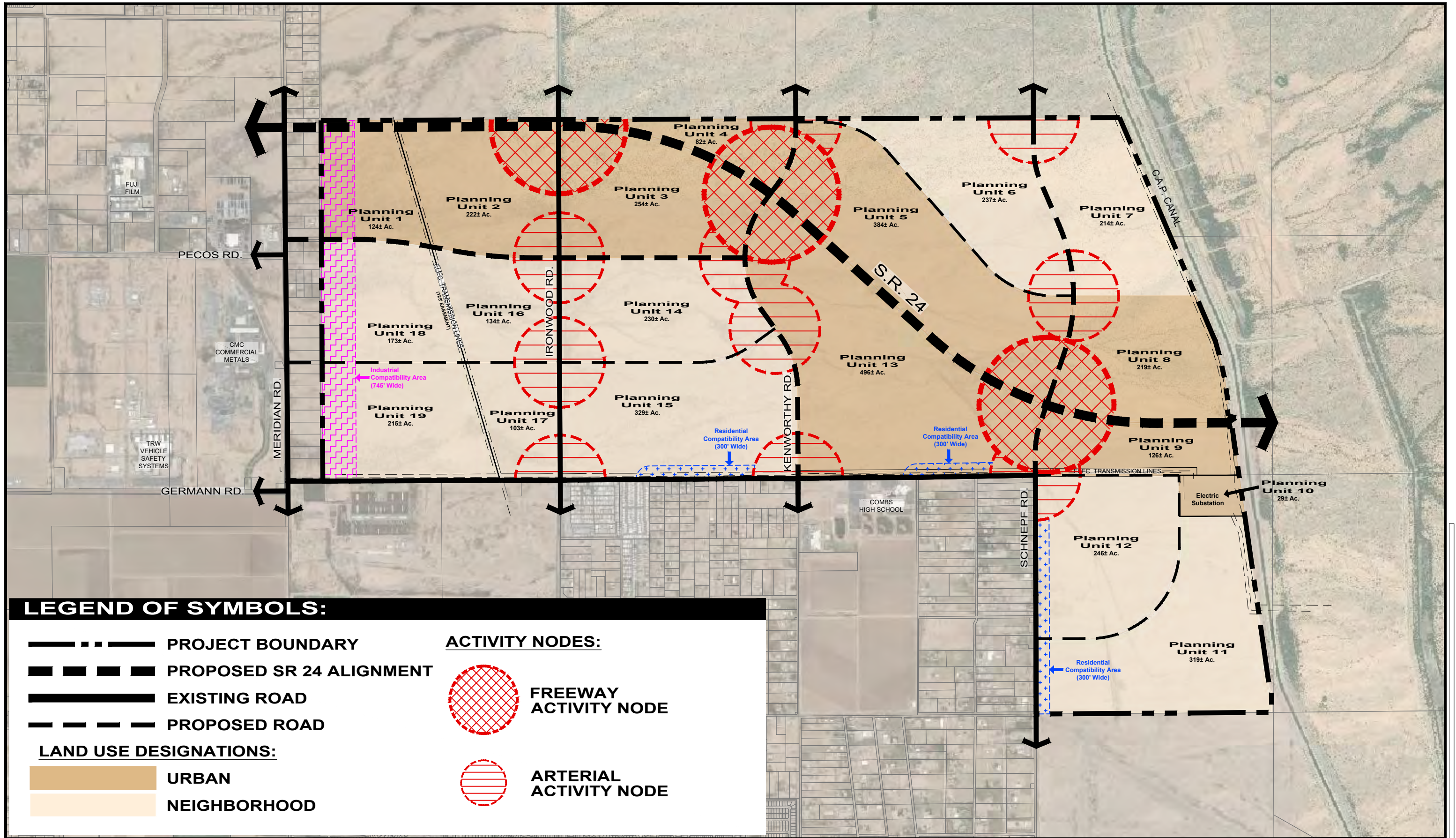
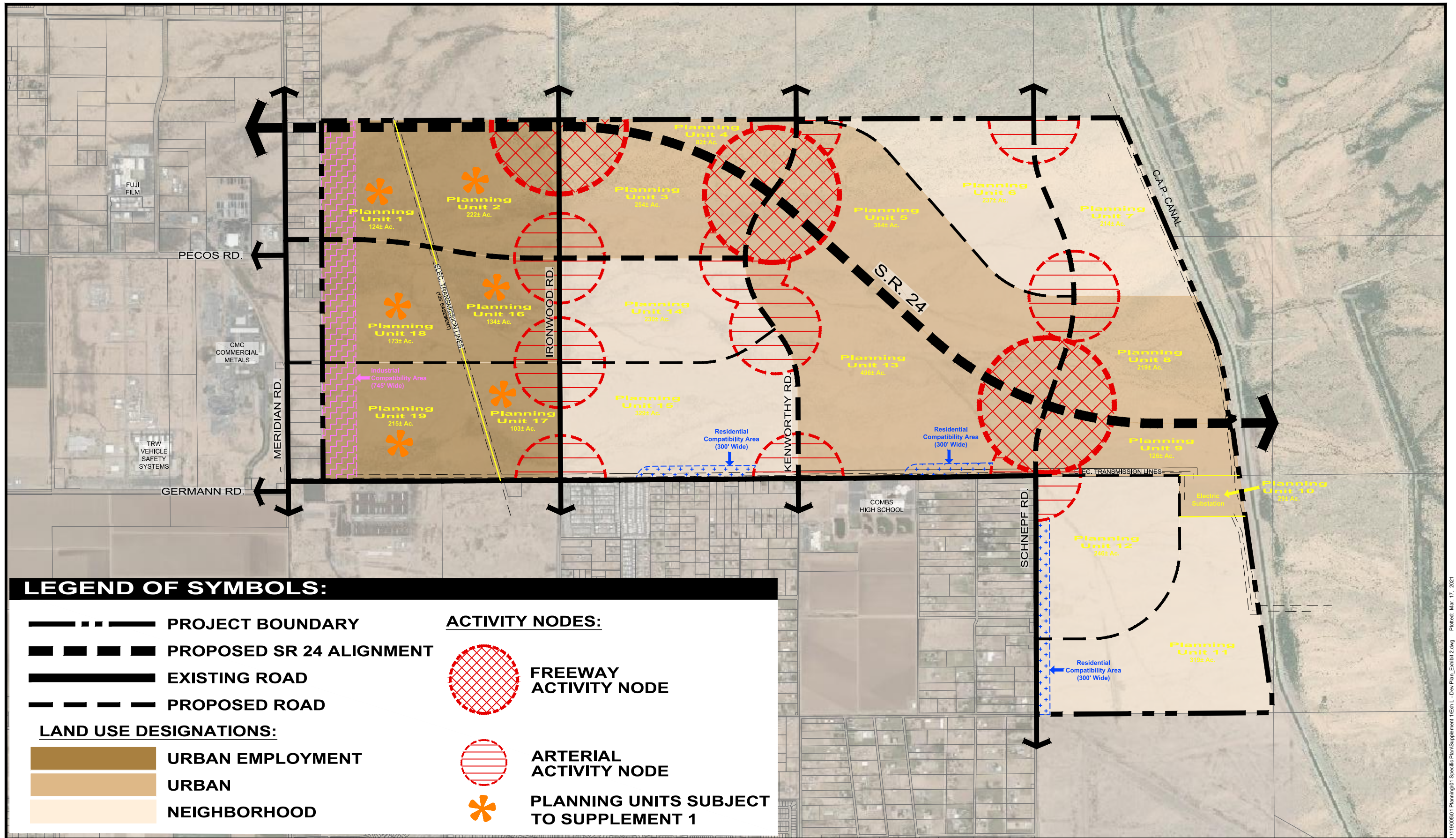


Exhibit L: Development Plan



LEGEND OF SYMBOLS:

- PROJECT BOUNDARY
- PROPOSED SR 24 ALIGNMENT
- EXISTING ROAD
- PROPOSED ROAD

LAND USE DESIGNATIONS:

- URBAN EMPLOYMENT
- URBAN
- NEIGHBORHOOD

ACTIVITY NODES:

- FREEWAY ACTIVITY NODE
- ARTERIAL ACTIVITY NODE
- PLANNING UNITS SUBJECT TO SUPPLEMENT 1

Exhibit 2: Planning Units Subject to Supplement 1

3.17.2021



Arizona State Land Department Queen Creek Specific Plan Queen Creek, AZ

Supplement 1

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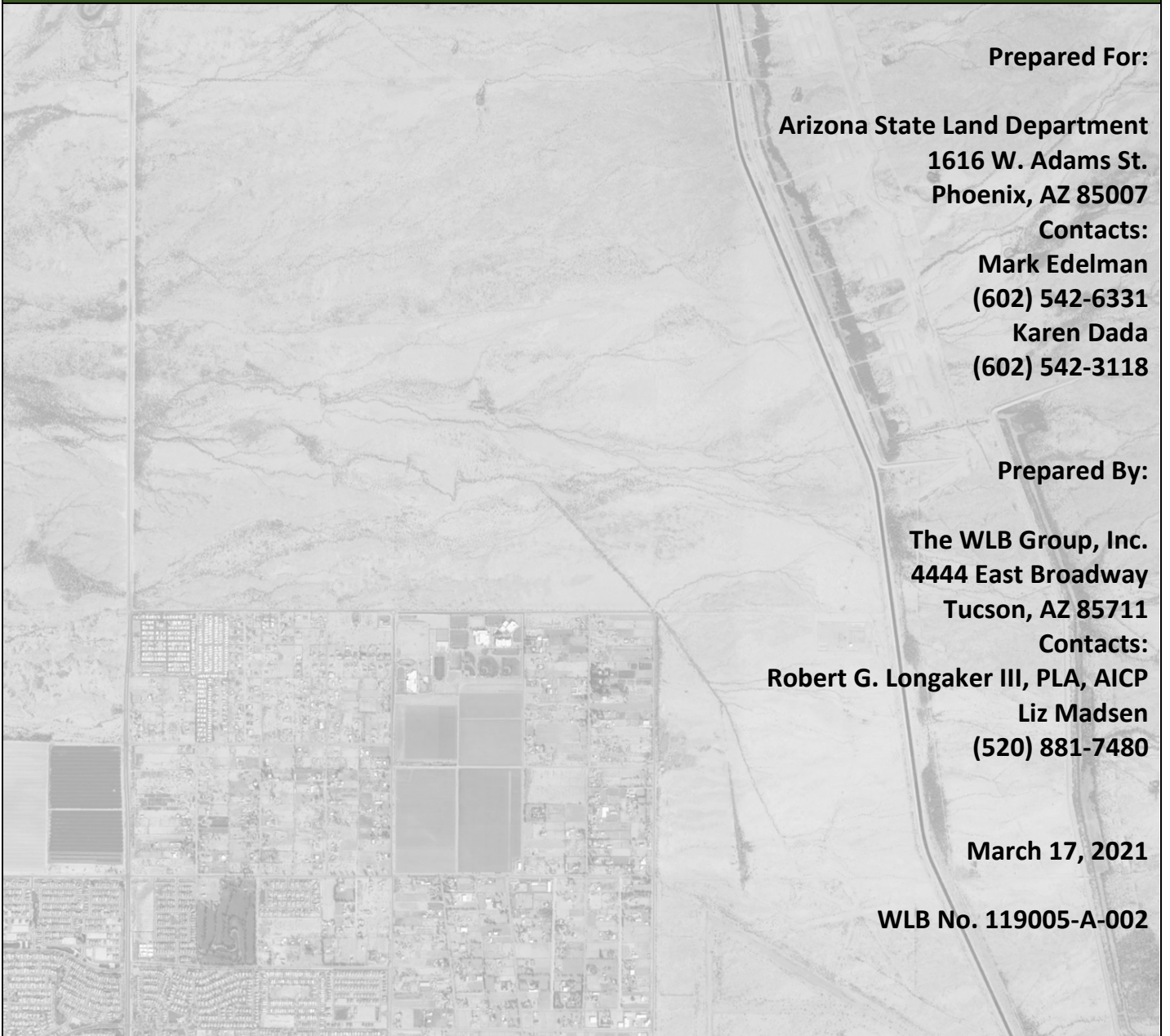
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March 17, 2021

WLB No. 119005-A-002



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Introduction

This Supplement 1 to the previously approved Arizona State Land Queen Creek Specific Plan (“Specific Plan”) primarily serves to create a new land use designation named Urban Employment within this Specific Plan. This land use designation would only apply to Planning Units 1, 2, 16, 17, 18 and 19 that are located west of Ironwood Road. This Supplement 1 also addresses modifications to the development standards and regulations specific to the aforementioned Planning Units, which comprise 950+/- acres. Please refer to *Exhibit 1* for the location of the Planning Units subject to this Supplement.

The following development standards and regulations apply to the Urban Employment Land Use Designation in this Specific Plan.

A. Permitted Zoning Districts

Development in Urban Employment is permitted according to the regulations of the following Town of Queen Creek zoning districts:

- EMP-A Office / Industrial Park
- EMP-B Office / Industrial Park
- C-1 Light Commercial
- C-2 General Commercial
- C-3 Regional Commercial

B. Land Use Budget

The Land Use Budget on the following page shows the permitted Queen Creek zoning districts for the Land Use Designations in the Specific Plan, including Urban Employment.

		LAND USE DESIGNATIONS								BUFFER AREAS	
		URBAN (URB)			URBAN EMPLOYMENT (UE)			NEIGHBORHOOD (NBH)		Industrial Compatibility Area	Residential Compatibility Area
		Freeway Activity Node	Arterial Activity Node	Outside of Activity	Freeway Activity Node	Arterial Activity Node	Outside of Activity	Arterial Activity Node	Outside of Activity Nodes		
EMP-B	Office / Industrial Park	T	X	X	P	P	P	X	X	P	X
EMP-A	Office / Industrial Park	T	P	P	P	P	P	X	X	P	X
MU	Mixed Use	T	T	P	X	X	X	P	P	X	X
C-3	Regional Commercial	T	P	P	T	P	P	X	X	P	X
C-2	General Commercial	P	T	P	P	T	P	T	P	T	X
C-1	Light Commercial	P	P	T	P	P	T	T	P	T	T
HDR	High Density 25 DU/Ac. Max.	T	P	P	X	X	X	X	X	X	X
MDR	Medium Density 14 DU/Ac. Max.	P	T	T	X	X	X	T	P	X	X
R1-4	Urban 4,000-SF Min. Lot Size 8 DU/Ac. Max.	P	P	T	X	X	X	P	T	X	X
R1-5	Urban 5,000-SF Min. Lot Size 5 DU/Ac. Max.	P	P	T	X	X	X	P	T	X	X
R1-7	Urban 7,000-SF Min. Lot Size	X	X	X	X	X	X	P	T	X	T
R1-9	Urban 9,000-SF Min. Lot Size	X	X	X	X	X	X	P	T	X	T
R1-12	Suburban 12,000-SF Min. Lot Size	X	X	X	X	X	X	P	T	X	T

LEGEND

T	Targeted permitted land use.
P	Permitted land use.
X	Prohibited land use. Other land uses allowed by underlying land use designations are permitted.

C. Allowable Residential Units

This Supplement reduces the total number of residential units in this Specific Plan from 17,083 to 13,102.

D. Development Standards and Regulations

The rules and regulations of the underlying Queen Creek zoning districts apply to development within the subject property according to the development type and intensity proposed, and as assigned from the Land Use Budget, with the following exceptions:

The following Queen Creek Zoning Code Articles shall not apply to the EMP-A and EMP-B zoning districts in the Urban Employment Land Use Designation in this Specific Plan.

- Article 4.9.G Specific Employment A District Performance Criteria.
- Article 4.9.H Specific Employment B District Performance Criteria.
- Articles 5.1, 5.2, 5.3 and 5.4 of Site Improvement Standards. Article 5.5 (Lighting) and Article 5.6 (Parking and Loading Standards) shall apply.
- Article 6 Supplemental Use Regulations.

The below development standards and regulations shall apply to the EMP-A and EMP-B zoning districts in the Urban Employment Land Use Designation:

A. Dimension Requirements

1. Minimum Site Area: None.
2. Minimum Lot Width: 100 ft.
3. Minimum Lot Depth: 150 ft.
4. Maximum Lot Coverage: 80%.
5. Maximum Height: 80 feet and 185 feet for non-habitable structures.
6. Minimum Setbacks for Habitable Buildings:
 - a. Front: 0 ft.
 - b. Side: 0 ft.
 - c. Rear: 0 ft.
7. Minimum Setback for Non-Habitable Structures: Non-habitable structures shall be set back from the property line a distance equivalent to their height.
8. Minimum Landscape Buffers:
 - a. Arterial Roadway: 30 ft.
 - b. Collector Roadway: 15 ft.
 - c. Non-Roadway Site Perimeter: 20'
 - d. Commercial: 20'.

B. Development Standards

1. All new buildings and uses of land or substantial additions to or remodeling twenty percent (20%) or more of the total building area of existing buildings shall be subject to Site Plan review.
2. Parking and maneuvering area shall not be permitted within landscaped areas.
3. Performance Standards. No use shall be established, maintained or conducted within any which may cause any of the following:

- a. Dissemination of smoke, gas, dust, noxious odor or any other atmosphere pollutant outside the building in which the use is conducted; or with respect to a use that is not conducted within a completely enclosed building, any dissemination whatsoever.
 - b. Noise perceptible beyond the property boundaries of the immediate site.
 - c. Discharge of any waste material into any water course or ditch.
 - d. Dissemination of glare or vibration beyond the immediate site.
 - e. Potential hazards (fire, explosion, radioactive or any similar cause) to property in the same or any adjacent district.
 - f. Conditions detrimental to the health, safety and general welfare of the community, as determined by the Development Services Director or his designee.
4. All principal buildings and all accessory buildings or structures, including loading and unloading facilities shall be located at least one hundred (100) feet away from any existing or planned residential use, except where adjoining a railroad right of way.
 5. A mobile home, recreational vehicle, or similar vehicle shall be prohibited as a facility for any industrial use permitted in this Specific Plan except construction trailers and offices may be allowed while construction of the primary structure is being completed.
 6. Manufactured buildings would be permitted if their architecture complies with Queen Creek staff-approved exterior materials.
 7. Walls and Fences:
 - a. Walls, if utilized fronting onto a public street, shall be constructed of colored masonry block, masonry with stucco, slump block, or brick designed to match the main building on the site. Maximum height is ten (10) feet.
 - b. Fences, if utilized fronting onto a public street, shall be constructed of wrought iron or other decorative iron or similar material. Maximum height is ten (10) feet.
 - c. Open wire fences, including chain link fences are only permitted in internal areas of the project that are not highly visible from public areas. Chain link fencing shall be maintained in good condition and free from wear and decreased aesthetic quality.
 - d. Walled areas for storage of materials and equipment may include three (3) strand barbed wire or barbed tape for maximum security.
 8. Screening standards shall be observed as follows:
 - a. All outdoor storage areas for materials, trash, equipment, vehicles or similar items shall be screened from view along all street frontages by a minimum six (6) foot wall or maximum ten (10) foot wall constructed of slump block, brick, colored masonry block or masonry with a stucco or mortar wash finish designed to match the main building on the site.
 - b. Loading, delivery, roll-up/dock doors, and service and wash bays may front onto a public street or a limited access highway, provided all of the following circumstances are met:
 - i. There is no existing or planned residential use within 500 feet of the right-of-way line on the opposite side of the public street or limited access highway;

- ii. The loading, delivery, roll-up/dock doors, and service and wash bays occupy a maximum of 50% of the building width facing the public street (50% may be increased to 75% if the site is a corner lot);
 - iii. The loading, delivery, roll-up/dock doors, and service and wash bays shall be screened from public view with a combination of a two (2) foot berm and a minimum six (6) foot wall or maximum ten (10) foot wall. Either wall is to be constructed of brick, slump block, or masonry with a stucco or mortar wash finish, or a similar finish, designed to match the main building on the site;
 - iv. Other than along a road designated as a scenic arterial, a minimum of two (2) continuous offset rows of 24 inch box trees are planted twenty feet on center along the frontage of the public street or limited access highway, within the required 30-foot wide landscape area; and
 - v. When loading, delivery, roll-up dock doors, and service and wash bays front on an arterial road, a 30-foot wide landscaped area shall be required, and a minimum of two (2) continuous offset rows of trees shall be planted twenty feet on center along the frontage of the scenic arterial with the external of the two (2) rows being 24 inch box trees and the interior of the two (2) rows being 36 inch box trees. Clustering of trees to provide better screening may be approved at site plan review and approval.
- c. The storage of materials, trash, equipment, vehicles, or other items within an enclosed storage area should not be substantially visible from adjoining streets or properties.
 - d. Dismantling, servicing or repairing of vehicles and/or equipment shall be within completely enclosed building or within an area enclosed by brick, block or masonry walls.
 - e. All outdoor refuse enclosures shall be located a minimum of 50 feet from any existing or planned residential use, or a minimum of 30 feet if a 30-foot wide landscape is established and maintained between the enclosure and the existing or planned residential use along the entire length of the industrially designated property, as measured from the exterior wall of the refuse enclosure to the nearest residential property line.
9. Buildings with metal or steel exteriors shall be architecturally altered through the construction of veneers, facades, or other architectural treatments and installation of landscaping to minimize the extent of metal surfaces visible from the street.
 10. All buildings located within a unified, planned industrial park development shall be architecturally styled to achieve harmony and continuity of design. Building elevations shall be coordinated with regard to color, texture, materials, finishes, and form.
 11. Electrical utility, cable TV and all other utility lines for buildings shall be placed underground. Overhead lines are permitted only for 69kV or greater electrical transmission facilities.
 12. Mechanical equipment, whether ground-level or roof mounted, and other fixtures such as, but not limited to, telephones, vending machines and ice machines shall be screened from street view and be so located to be perceived as an integral part of the building.
 13. All four sides of a building shall receive consistent architectural treatment.
 14. Any part of the silos, tanks, and other similar structures visible from the public way shall be painted to match the primary building and shall be located at the side or rear of the primary building so as to be partially screened by the primary building.
 15. Modifications to these development standards that are consistent with the character and intent of said development standards may, upon written request, be reviewed and approved by the Development Services Director or his designee.

E. Design Guidelines

The EMP-A and EMP-B zoning districts in the Urban Employment Land Use Designation shall comply with the Queen Creek Design Standards.

F. Secondary Planning and Preparation of Master Plans

The initial purchase of property within this Specific Plan carries with it a requirement to prepare Master Plans in accordance with Section V.B of the ASLD Queen Creek Specific Plan. The Master Plans shall be prepared by registered professionals licensed to practice in the State of Arizona. The Master Plans shall be prepared in coordination with the Arizona State Land Department and the Town of Queen Creek prior to a formal application starting the Town's development review process of the individual development proposal.

Applicants shall submit a pre-application and attend a pre-application meeting with ASLD and Queen Creek staff prior to the submittal of the Master Plans to discuss the intent and scope of these Master Plans. The scope of the Master Plans will likely vary depending on the amount of land purchased and the land area to be included in the Master Plans will be determined during the pre-application meeting. The overall intent of these Master Plans is to ensure that infrastructure constructed in the PAD is designed and sized to accommodate development of the PAD at entitled densities and intensities. The Master Plans are intended to be preliminary in nature.

Please refer to the ASLD Queen Creek Specific Plan for additional information on the Master Plans.

EXHIBITS

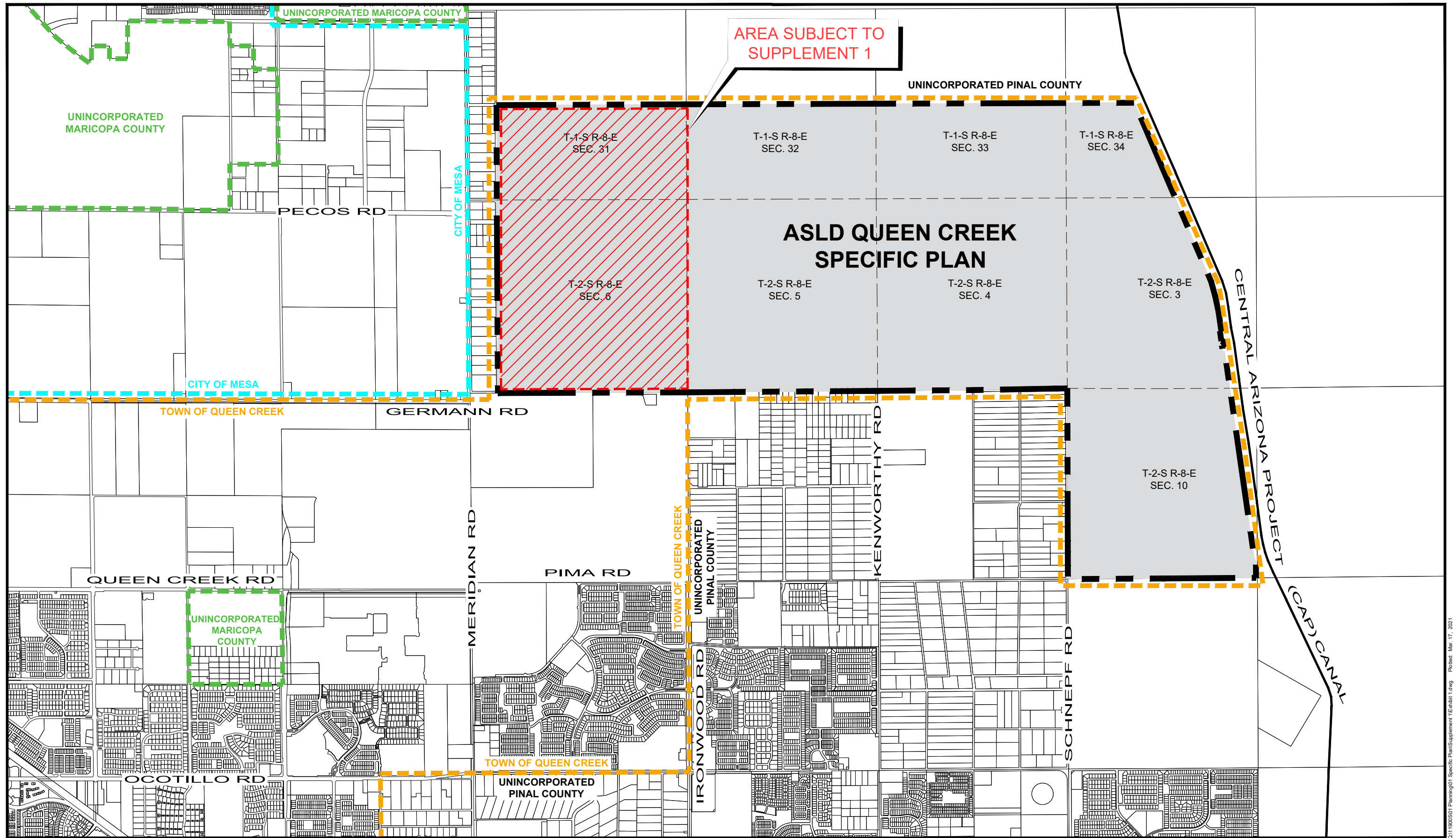


Exhibit 1: Area Subject to Supplement 1

3.17.2021



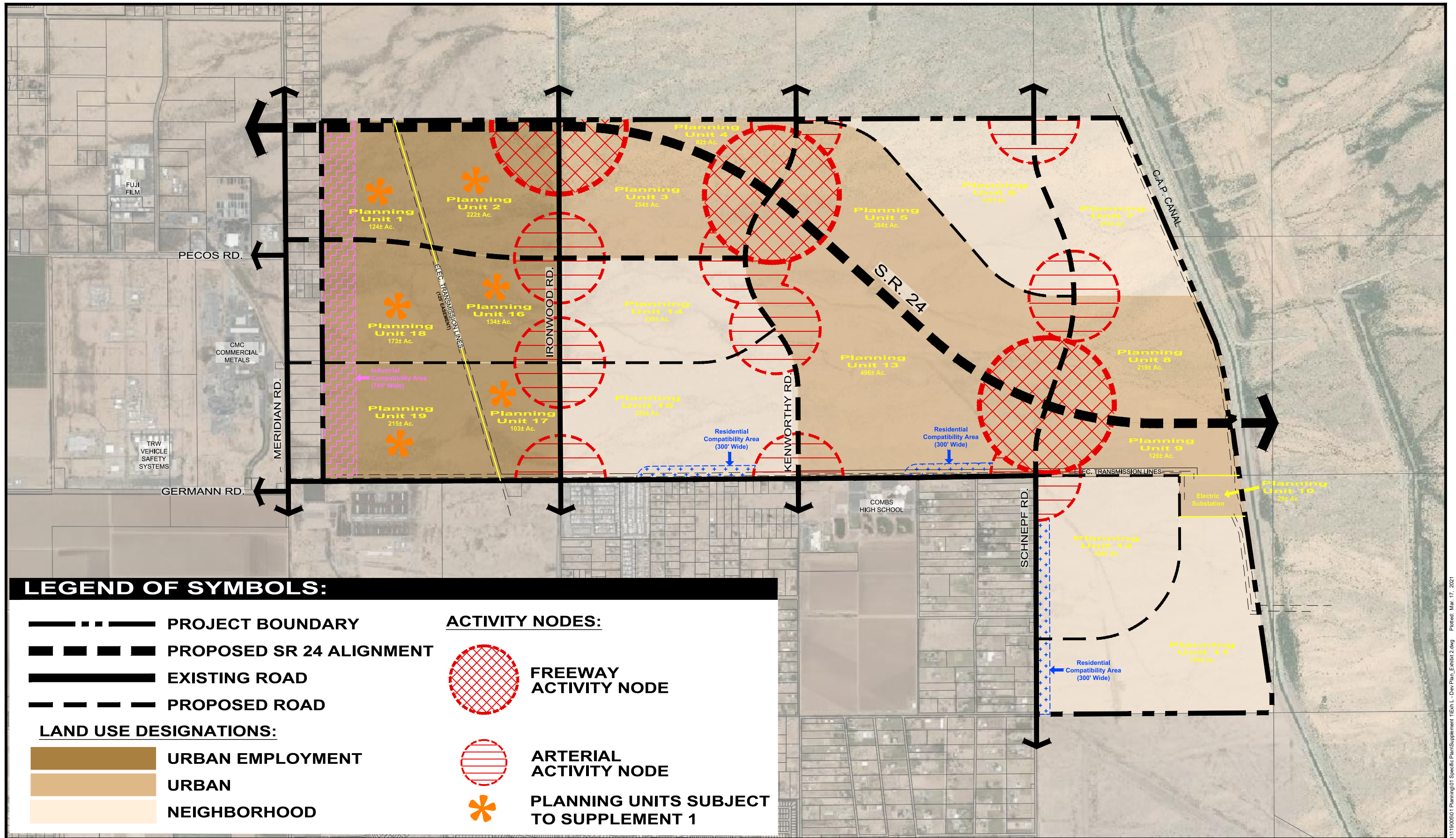


Exhibit 2: Planning Units Subject to Supplement 1

3.17.2021

