



TOWN OF
QUEEN CREEK
ARIZONA

6.E

TO: PLANNING & ZONING COMMISSION

THROUGH: BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR

FROM: ERIK SWANSON, PLANNING ADMINISTRATOR

RE: PUBLIC HEARING AND POSSIBLE ACTION ON BOSMA FARMS REZONING (P23-0168). THE REQUEST IS TO REZONE THE SUBJECT SITE FROM R1-18/PAD (SUBURBAN RESIDENTIAL) TO R1-5 (URBAN DEVELOPMENT) AND MDR/PAD (MEDIUM DENSITY RESIDENTIAL) FOR AN APPROXIMATE 136-ACRE RESIDENTIAL DEVELOPMENT. THE SUBJECT SITE IS LOCATED NORTH AND EAST OF THE NORTHEAST CORNER OF COMBS AND MERIDIAN ROADS.

DATE: April 10, 2024

Suggested Action:

Move to recommend approval of P23-0168 Bosma Farms Rezone, subject to the Conditions of Approval outlined in this Staff Report.

Introduction / Summary:

The request is to Rezone the subject site from R1-18/PAD (Suburban Residential) to R1-5 (Urban Development) and MDR/PAD (Medium Density Residential) for an approximate 136-acre residential development. The subject site is located North and east of the northeast corner of Combs and Meridian roads.

History:

November 1993: The Town Council approved Ordinance No. 36-93, annexing the subject site into the Town

June 2005: The subject site was Rezoned from R1-43 to R1-18

Project Information:

Project Name: Bosma Farms Rezone

Site Location: North and east of the northeast corner of Combs and Meridian roads

General Plan Designation: Neighborhood/Growth Node

Existing Zoning: R1-18/PAD (Suburban Residential)

Proposed Zoning: 55.45 acres of R1-5 (Urban Development) and 80.24 acres of MDR/PAD (Medium Density Residential)

Surrounding Zoning:

- North: Queen Creek Wash; R1-5 (Ovation at Meridian)
- West: Meridian Road; Agritainment (Queen Creek Olive Mill)
- South: Combs Road; CR-3 (Pinal County - The Parks)
- East: County Island SR and R-7 (Pinal County)

Gross/Net Acreage: 136 acres/131.33 acres

Proposed # Units: 785

Proposed Density: 5.97 du/ac

Potential Town Park: 30.08 acres

Discussion:

Background

The request is to Rezone the approximate 136-acre site from R1-18/PAD to R1-5 and MDR/PAD for the development of a 785 lot residential development. The subject site is located north and east of the northeast corner of Combs and Meridian roads. The 136-acre subject site is bounded by Meridian Road along the west, Combs Road along the south, the unincorporated Pinal County along the west, and the Queen Creek Wash along the northern boundary. The General Plan designates the site as Neighborhood, which allows for the consideration of a variety of housing types and densities. Additionally, the subject site is within one of the Town's Growth Area Overlay's. Per the General Plan, the Growth Area Overlay "provides guidance for areas where new development is needed to accommodate future population." The Growth Area Element provides the specific goal to "Plan for and prepare to guide development within growth areas." The request is consistent with the General Plan. The subject site was annexed into the Town in 1993 and zoned to it's current designation in 2005.

Site Layout

The proposed development seeks to Rezone the property into two zoning districts: R1-5 and MDR/PAD. Within the MDR/PAD designation three sub-categories are provided. These include MDR for townhomes, alley loaded homes, and general MDR. The development proposes seven parcels for development. At the site's northwestern boundary, adjacent to Meridian Road and Queen Creek Wash is a potential future park site, labeled as Parcel 1. A separate development agreement provides the Town with the option to purchase the approximate 30-acre site, however in the event the Town does not acquire the park site, the proposed underlying zoning is R1-5. Conceptual plans would allow for 135 single-family homes to be developed Parcel 1. Parcel 2, located in the site's northeast corner and occupying approximately 23-acres is proposing R1-5 zoning. No development standard deviations are proposed for Parcels 1 and 2. Parcels 3, 4, and 6 are proposed as MDR-2 and account for 27, 15, and 19 acres, respectively. The MDR-2 designation is to signify that while the underlying zoning is MDR, specific standards are proposed in Exhibit E of the Development Book with conceptual examples of product types in Exhibit F. Conceptual housing product types could include rear facing, forward facing, single-family detached hammerhead, and single-family attached housing product. Parcel 7 is proposed as MDR-1, is approximately 15 acres in area, and located at the site's southeast corner sandwiched between an existing MDR development (VLUX at Queen Creek and the eastern portion of the Queen Creek Olive Mill). Development Standards for the MDR-1 parcel are also included in Exhibit E, with conceptual plans and elevations provided in Exhibit F. It is important to note that within the Development Standards table the MDR-2 category allows for a variety of single-family style product, whereas the MDR-1 category allows for multi-family type product. It is also important to note that vertical (multi-story) multi-family development is prohibited in the MDR-1 category. With the proposed MDR zoning, development standards needs to be provided establishing setbacks, height, and lot coverage. Given the wide range of product types, conceptual product layout, and exhibits, Staff is supportive of the various Development Standards. Parcel 5 is designated as a community park. A Development Agreement associated with this the potential park purchase case is currently being drafted and will further detail the specifics of the potential land purchase.

At this time, a homebuilder is not proposed for the development; however the Development Book provides sufficient detail to account for overall theming of the development including the conceptual plans as previously mentioned, as well as conceptual theming for the landscaping, outdoor amenity areas, and pedestrian connectivity. In the Development Booklet *Community Design Character* is discussed highlighting that future development will have design component relating back to the historical agricultural elements in the area. Although not part of the South Specific Area Plan (the plan boundaries include the Olive Mill properties and Schnepf Farms, but excludes the subject site), the theming of the development will lend itself to keeping the agricultural heritage of the area.

Access

Full design design of the various parcels along with access networks will be designed at the time of platting. However, at this time the primary entrance is proposed along Meridian Road, bisecting

Parcels 3 and 4. The access drive will then splinter to the various parcels. Development of the first parcel will require a transportation plan and future traffic impact analyses to evaluate the necessary roadway improvements. The project proposes a 10-foot multi-use trail and six-foot sidewalk along the length of Meridian Road. Paths will be provided adjacent to the future Town park, along the wash, and along the site's eastern boundary. As individual parcels are designed connections to the pedestrian network will be provided. Of particular note, the streetlight theming that has been established on the western side of Meridian Road will continue along the property frontage.

Public Participation:

A neighborhood meeting was conducted on Thursday, March 7, 2024. Four neighbors attended the meeting and asked general questions of the applicant including anticipated home sizes, whether there would be a connection to Red Fern Road, landscape buffering, and wildlife preservation. The attendees were from the adjacent county island east of the subject site and generally did not want to see development in the area.

Analysis:

General Plan Review:

The current General Plan designation for this property is Neighborhood. The Neighborhood designation allows for the consideration of a variety of housing types and densities. Additionally, there is a Growth Area Overlay for the entire subject site. Per the General Plan, the Growth Area Overlay "provides guidance for areas where new development is needed to accommodate future population." The Growth Area Element provides the specific goal to "Plan for and prepare to guide development within growth areas." The request is consistent with the General Plan.

Zoning Review:

The current zoning designation of the property is R1-18. The applicant is requesting R1-5 and MDR/PAD zoning. The PAD Overlay is to allow for design flexibility of various housing types. The Development Standards associated with the MDR product is required to be provided at the time of zoning. No deviations are proposed for the R1-5 parcels.

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.

Engineering, Utilities and Transportation Review:

The project has been reviewed by the Engineering, Utilities and Transportation departments. Conditions of Approval have been added accordingly for any applicable items.

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. Future Preliminary Plat and Site Plan applications will be required for review and approval. Each application will demonstrate compliance with its corresponding standards per the Town's Zoning Ordinance and Design Standards and PAD deviations outlined in the Development Standards Table of the Bosma Farms narrative.
3. The Town requires all poles less than 69kV to be relocated underground. SRP may require easements outside of Public Right-of-Way. The applicant shall contact SRP for specific requirements that they may have in addition to the Town requirements.
4. Full ½ street improvements including all related sidewalk, curb and gutter, streetlights, landscaping, applicable water and sewer lines, landscaped medians, drainage facilities, and power pole relocation shall be designed and constructed adjacent to the proposed development at the time or approved phasing plan.
5. Provide bank stabilization for the Queen Creek Wash within the limits of the project. Bank stabilization shall be designed as part of the drainage report.
6. For offsite public improvements the Town requires cash, irrevocable letter of credit (IRLOC), or a bond to cover the costs for construction assurance. The IRLOC and bond are required to be approved

by the Town Attorney. The assurance amount shall be determined by an engineer's estimate during the construction document review phase. Construction assurance shall be deposited with the Town prior to any permits being issued.

7. For onsite public improvements the Town requires cash, irrevocable letter of credit (IRLOC), a bond to cover the costs for construction assurance, or signed Certificate of Occupancy Hold Agreement. The IRLOC and bond are required to be approved by the Town Attorney. The assurance amount shall be determined by an engineer's estimate during the construction document review phase. Construction assurance shall be deposited with the Town prior to any permits being issued.

8. The design of all pedestrian and multiuse trail crossings shall be incorporated into the design of the Preliminary and Final Plats to ensure adequate safety.

9. Mechanical equipment, electrical meter and service components, and similar utility devices, whether ground level, wall mounted, or roof mounted, shall be screened and painted to match the main color of the building or to blend in with adjacent landscaping.

10. The developer is responsible for installing and maintaining all landscaping within the public right-of-way including all median landscaping within the arterial, collector, and local roads.

11. The developer shall submit an Engineers Cost Estimate for all onsite public improvements and offsite public improvements. All Engineers Cost Estimates are required to be submitted to the Town during the Final Plat review phase of the project.

12. All construction documents submitted to the Town for review during the final plat review phase shall be in accordance with Town Ordinances, Town checklists, Town design standards & guidelines, and requirements, except as superseded by these conditions of approval.

13. All utility and irrigation conflicts shall be resolved prior to recordation of the Final Plat including any relocations, removals, or easement abandonment.

14. If warranted, the developer will be responsible for their proportional share of a traffic signal at Meridian Road. Traffic signal warrant shall be determined via a TIA at the time of subsequent Preliminary Plat submittals.

15. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

16. The same elevation shall not be built side-by-side or directly across the street from one another.

17. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the Town of Queen Creek for receiving such notice.

18. The applicant shall ensure the proposed multi-family residential development will actively participate in the Crime Free Housing program, including Crime Prevention through Management.

19. Properties located within Phoenix Mesa Gateway Airport Overflight Area 3 shall implement the following:

a. Final plats shall note the potential for objectionable aircraft noise. Specifically, the plat shall note the following:

i. This property, due to its proximity to Phoenix-Mesa Gateway Airport, is likely to experience aircraft overflights, which could generate noise levels which may be of concern to some individuals. The mix of aircraft consists of cargo, commercial, charter, corporate, general aviation and military aircraft."

b. Sales offices for new single family residential projects shall provide notice to prospective buyers that the project is located within an Overflight Area. Such notice shall consist of a sign at least two foot by three foot (2' x 3') installed at the entrance to the sales office or leasing office at each residential project. The sign shall be installed prior to commencement of sales and shall not be removed until the sales office is permanently closed. The sign shall state the following in letters of at least one inch (1") in height:

i. "This subdivision, due to its proximity to Phoenix-Mesa Gateway Airport, is likely to experience aircraft overflights, which could generate noise levels which may be of concern to some individuals. The mix of aircraft consists of cargo, commercial, charter, corporate, general aviation and

military aircraft. For additional information contact the Arizona Department of Real Estate at: (602) 468-1414 or Phoenix-Mesa Gateway Airport Public Relations Office at: (480) 988-7600.”

c. Leasing offices for new multi-family residential projects shall provide notice to prospective lessees that the project is located within an Overflight Area. Such notice shall consist of a sign at least two foot by three foot (2’ x 3’) installed at the entrance to the sales office or leasing office at each residential project. The sign shall be installed prior to commencement of leases and shall not be removed until the leasing office no longer leases units in the new project. The sign shall state the following in letters of at least one inch (1”) in height:

i. “This subdivision, due to its proximity to Phoenix-Mesa Gateway Airport, is likely to experience aircraft overflights, which could generate noise levels which may be of concern to some individuals. The mix of aircraft consists of cargo, commercial, charter, corporate, general aviation and military aircraft. For additional information contact the Arizona Department of Real Estate at: (602) 468-1414 or Phoenix-Mesa Gateway Airport Public Relations Office at: (480) 988-7600.”

d. Public reports filed with the Arizona Department of Real Estate shall disclose the location of the Airport and potential aircraft overflights. The following statement shall +be included in the public report:

i. The construction, alteration, moving, and substantial repair of any human occupied building or structure in the new project shall achieve an exterior to interior Noise Level Reduction (NLR) of 25 decibels (dB) or an exterior to interior NLR that results in an interior noise level of 45 DNL or less. The developer shall submit a signed and sealed letter from a registered architect or engineer certifying that construction materials, methods, and design were employed to achieve the required noise reduction. A copy of the certification shall be submitted with the application for a building permit.

e. The owners of the new project, including mortgagees, other lien holders and easement holders, shall execute an aviation easement prior to or concurrently with the recordation of any final plat or approval of a final site plan for the new project. The easement shall be in a form approved by the Director of Planning.

Attachment(s):

1. [Aerial Exhibit.pdf](#)
2. [Aerial Existing Zoning.pdf](#)
3. [Aerial Proposed Zoning.pdf](#)
4. [General Plan Map.pdf](#)
5. [A- Conceptual Master Plan_BF.pdf](#)
6. [F- Illustrative Product Diagrams.pdf](#)
7. [PAD Narrative- Bosma Farms- COMPLETE- 3-20-24.pdf](#)