

From: [NA Brewer](#)
To: [Adam Cannon \(PND\)](#)
Subject: Z2020015
Date: Wednesday, July 15, 2020 7:32:40 PM
Attachments: [Opposition Letter.docx](#)

Mr. Cannon.

Attached is my letter of opposition for Z2020015.

I want to thank you again for taking the time to speak to me regarding my concerns. I do feel much better after speaking with you and no longer have any concerns about the retention basin. However, I still do have a few other concerns about the light location and times of operation.

I do appreciate Sun American Development LLC being open to moving the interior West light further west so that it would align with my side yard and not the view from my great room.

When I spoke with you yesterday you only mentioned that someone wanted to participate in the phone call on 7/23 but no mention of any other opposition letters. When I spoke to Chris today I questioned the 4:00 a.m. start time and pointed out that their site plan clearly states they will follow MCZO Section 112 and that his contractors would have no lights. His response was I guess they will use their headlights or flashlights. He did not mention concerns about security or another resident wanting to have them on 24/7?

I did add in my opposition letter about their business sign. I personally think is obnoxiously big for that location and that type of business. I understand that you said it is zoned commercial but did voice my personal concern.

I understand they will receive a copy of my opposition letter and they can contact me if needed to discuss.

I am also emailing a copy to pdplanner@mail.Maricopa.gov

Here is my information for your record

Kim and Daniel Brewer

993 E. Stottler Court Gilbert 85296

Cell 602-370-7675

Thank You,

Kim Brewer

July 15, 2020

To Whom It May Concern:

I am writing to you regarding Z2020015 Special Use Permit. My name is Kim Brewer and my husband Dan Brewer and I will be the new owners of property APN 304-89-074K also known as 19041 E. Mary Anne Way, Queen Creek 85142.

We have a signed contract and gave a secured deposit to the builder Outback Custom Homes. Currently our home is under construction and we anticipate a move in date November-December of this year.

We have several concerns with the above Special Permit use for a construction yard. All the homes on the North lot are sold or are under contract. The letter dated February 26, 2020 that's on file showing support for a special permit was signed by the investors and not the new or future homeowners. Two of the 5 homes are currently occupied by new homeowners. The other two are completed and under contract to close. Ours is the fifth house and is currently under construction with a secured deposit and legally-binding contract.

Our first concern is of the 30 ft. lights that will stay on 7 days a week/365 days a year and only turn off at midnight from sunrise per MCZO Section 112 on their site plan. If the facility was to close at 9:00 p.m. as outlined in their proposal would Sun American Development LLC be willing to turn timers off at 10:00 p.m. ? One of the reasons I fell in love with our new home is the beautiful 12 ft. sliding glass double doors in the great room with views of the San Tan Mountains. The 30 ft. interior light on the west side will be aligned with the middle of our great room. We would like to ask Sun American Development LLC if possible to move the 30 ft. interior light on the west side approximately 80 ft. west where it would not interfere/distract from our main room view. Relocating the light further West would line up with our side yard that has no view from our great room and will be further from our master bedroom.

Sun American Development LLC has submitted their hours of business from 4a.m.-9:00 pm.

MARICOPA COUNTY HOURS OF CONSTRUCTION ORDINANCE

SECTION 101. GENERAL PROVISIONS

It shall be unlawful for any person to pour concrete or perform construction work in the County, except within the time periods specified herein. As used in this section, "construction work" shall include (1) pouring concrete and idling of concrete mixing trucks, (2) operating construction-related equipment, (3) performing outside construction work for the purposes of erection (including excavating), demolition, alteration or repair of any building, structure or project, (4) operating a pile driver, power shovel, pneumatic hammer, derrick, power hoist or other construction-type device, and (5) loading and unloading of construction materials or idling of delivery trucks. For the purposes of this ordinance, "occupied" shall mean a habitable residential dwelling receiving electrical service. The distance to an occupied residence shall be measured from the exterior walls of the building or portions thereof.

2. Construction work (non-residential): All construction work in Commercial and Industrial zones not within 500 feet of Rural or Residential zones as per the Maricopa County Zoning Ordinance, or within any zone but not within 1,500 feet of an occupied residence, shall not begin prior to 5:00 a.m. and must stop by 10:00 p.m.

I believe Section (5) under General Provisions would constitute for appropriate starting hours of operation for their construction yard. On two separate letters (4/21/20 & 4/26/20) Maricopa County suggested their hours

of operations from 5:00 a.m.-8:00 pm because their construction yard abuts to residential homes. I would like to ask Maricopa County to enforce their original suggestion of 5:00 a.m. for start of business operations and have them comply with Maricopa County Hours of Construction Ordinance. Also, since their proposed site plan calls for them to follow MCZO Section 112 they would not have enough light for their contractors to operate safely in their construction yard as lights are on a timer from midnight to sunrise. I understand after speaking with Mr. Cannon that this is a request as part of their special permit and one that we currently oppose.

Sun American Development LLC also submitted proposal for their future business sign in detail A. Their sign would be a total of 17 ft. in height with a 5ft high x 10ft wide billboard advertising their business name that would be internally illuminated on both sides 24 hours a day/ 7 days a week. Again, this illuminated sign would take away from the beautiful night sky and feel it would encroach on the Maricopa County Dark Sky Ordinance. We are asking that their current sign approval be denied and ask Sun American Development LLC to design a sign of a smaller scale as part of their Special Use Permit.

As the future homeowner of APN 304-89-074K we ask that you please take into consideration suggested changes addressed above.

Sincerely,

Kim & Dan Brewer

From: [Ginny Clement](#)
To: [Adam Cannon \(PND\)](#)
Subject: Re: Z2020015
Date: Wednesday, July 15, 2020 8:29:56 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)

Thank you for confirming. I was able to find the email you copied below. I have reached out to Chris Webb. Unfortunately, the crime concern is not going to be addressed unless chosen by individual construction companies using the lot, but there will not be an overall security system in place. There are 3 known drug houses in the area and an uptick in crime in the area as a result. Having worked for a construction company in the past, I personally was placed in charge of obtaining security due to the crime activity on the sites after hours. I feel that placing large ticket items for thieves will only exacerbate the issue this area is already plagued with. We cannot even leave our mailboxes unlocked and some are being forced to put in cluster boxes just to keep their mail from being stolen. It's unfortunate that our city and county officials are not able to address and resolve this issue.

Thank you again for the link below. I appreciate your time.

From: Adam Cannon (PND) <Adam.Cannon@maricopa.gov>
Sent: Tuesday, July 14, 2020 8:23 AM
To: ginnyclement@msn.com <ginnyclement@msn.com>
Subject: Z2020015

Good morning Ms. Clement,
Your e-mail was responded to yesterday. Please see a copy of the e-mail that I sent to you below. Contact information becomes public record when it is submitted as part of a case and it is not anonymous. Applicants as part of their Citizens Participation Program are required to reach out to people with potential concerns to see if they can resolve those concerns prior to hearing. The applicant has received no concerns from anyone throughout the entire process thus far and contacted you to reach out to you to see if they can resolve any potential concerns that you have.

Responsibility

Next Action: [Planning](#) on 12-Jul-2020 10:37AM [details](#)

Solution: Sent meeting registration link - AC

Supporting Info

▼ Notes ▼

Cannon, Adam:
13-Jul-2020
7:02AM

Emailed copy of Issue to ginnyclement@msn.com

Good morning Ms. Clement,

In order to attend the Planning and Zoning Commission meeting for case Z2020015, you must register with GoTo Meeting. On the day of the meeting, please follow the instructions for the Planning and Zoning Commission Meeting at the following link: <https://www.maricopa.gov/Calendar.aspx?EID=2086>.

Thank you for your inquiry. Please let us know if you have any questions.

Best regards,

Maricopa County Planning and Development

Resolution Info

Thank you. Please let me know if you have any questions.

Best regards,



Adam Cannon
Planner

[Maricopa County Planning & Development Department](#)

501 N. 44th Street, Suite 200, Phoenix, AZ 85008

Desk: 602-372-0292

adam.cannon@maricopa.gov

Issue #: 184063

Citizen
Information:

Last Name: Barkley
First Name: Jeannette
Phone Number: 602.809.0134
Email Address: jhbarkley@q.com
Permit #: Z2020015

[details](#)

Organization: [Planning and Development](#) [history](#)
Submitted By: [Crawford, Roxanne](#) on 17-Jul-2020 9:25AM [history](#)
Division ID: PNDDevServ - Development Services
Subject: Case Z2020015 Letter of Opposition

Description:

Please see the attached letter opposing the above referenced project. Please submit for consideration at the 9:30 am July 23, 2020 meeting.
Thank you,

Jeanette Barkley
La Tierra LLC

Contact Type: Email

515 E Carefree Hwy #322
Phoenix, AZ 85085
602.809.0134 cell
866.481.0202 fax
jhbarkley@q.com

July 17, 2020

Maricopa Planning and Development
501 N. 44th Street, Suite 200
Phoenix, AZ 85008

RE: CASE Z2020015 – NWC Sossaman Rd & San Tan Blvd.
Construction Yard Facility

Attn: Mr. Adam Cannon

Mr. Cannon:

Our company owns parcel 304-89-058N located on the SW corner of San Tan Blvd and Grapefruit Drive in Queen Creek. We received a notice regarding the above project. We request that our correspondence be submitted at the Planning and Zoning Commission hearing on July 23, 2020 at 9:30am and also at the Board of Supervisors hearing scheduled for August 19, 2020.

We are writing to object to the request for a Special Use permit for a construction yard at the above location. Although the current zoning of the front portion of this parcel allows for this type of project, it is our opinion that such a project will cause the reduction in value of the surrounding properties and overall be a poor fit in the community. Even considering the proposed screening of the lighting and fencing, this type of project would be detrimental to the resale of homes built just north of this site. Homeowners to the north and west of the proposed project will be subjected to the noise from Tenants of the project generated during the early morning hours. Even with the “buffer” of the R35 parcel to the north of the site intended for use as water retention, proposed Buyers for these properties would consider the close proximity of this type business a negative. It would be an eyesore within the community.

Furthermore, we believe a construction yard will significantly increase the traffic in the area. There is a significant “stop and go” traffic in the area resulting from residents visiting the neighborhood centers serving the local community on both the north and south sides of San Tan Blvd., causing traffic to back up on San Tan Blvd. The residents of this area continue to enjoy somewhat of a rural lifestyle, with farm equipment often sharing the road with regular vehicular traffic as well as pedestrians, school children, and horseback riders sharing the shoulder. The addition of an entrance off San Tan Blvd would compound the problem and increase the possibility of a traffic accident occurring. Increased traffic will pose a danger to the local residents.

Over the past 20 years, we have been involved in the building and leasing of commercial properties along the San Tan Corridor. We know the area well and believe we understand the needs of the local residents living and working in the area. The majority of the C3 space along San Tan Blvd is leased to small businesses requiring office space and serving the local community. There are insurance companies, tax preparers, Salons and a barber shop, Florists, Café's, Church offices and small entrepreneurs who live nearby and leased space when their small businesses outgrew their second bedrooms and garage spaces. There are organizations serving the needs of young adults with disabilities, a Daycare Center and a Dance Studio for youngsters practically right across the street from the proposed project.

We strongly believe that this project would not be a good fit for the neighborhood. It would increase transient type traffic to the area that would not be beneficial to the surrounding homes and business. We are opposed to a special use permit being issued for a construction yard at this location and object to a construction yard being placed on this parcel.

Respectfully,

A handwritten signature in cursive script that reads "Jeanette Barkley".

Dennis and Jeanette Barkley

La Tierra LLC

Cc: Mr. Chris Webb: cwebb@roselawgroup.com