Vicinity Map

Subject Property

Case(s) - SPR-18-06 - Galloway Ridge - Site Plan Review
& P-18-01 - Galloway Ridge - Preliminary Plat
Applicant - Coe & Van Loo Consultants on behalf of Cave Creek Project LLLP
# Galloway Ridge

## Water Demand Calculations

The calculations shown below utilize the demand, flow and peak factors found in the Arizona Department of Water Resources (ADWR) Project Demand Calculator rev. 11.24.15.

### Water Demand Calculations*

<table>
<thead>
<tr>
<th>Land Use</th>
<th>DU's</th>
<th>Area (Ac.)</th>
<th>Population</th>
<th>Demand Factor</th>
<th>Average Day Demand (gpd)</th>
<th>Avg. Day Demand (AF-Yr)</th>
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</thead>
<tbody>
<tr>
<td>SFR</td>
<td>70</td>
<td>210</td>
<td>98 gpcd</td>
<td>20,580</td>
<td>23.05</td>
<td></td>
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<tr>
<td>Amenity Center**</td>
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<td>2</td>
<td>102 gpcd</td>
<td>204</td>
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<td>1.84 Ac</td>
<td>4,090</td>
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<td>142</td>
<td>24,874</td>
<td>27.86</td>
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*Per attached ADWR Demand Calculator*

**The amenity center consists of a private pool, two bathrooms and a shower. It was assumed that the demands would be equivalent to a single MF unit with low water use landscaping.*
Galloway Ridge

Sewer Calculations

The calculations shown below utilize the demand, flow and peak factors provided in the Town of Cave Creek Water Master Plan and Wastewater Master Plan, dated November 2013.

### Sewer Flow Calculations

<table>
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<th>Land Use</th>
<th>DU's</th>
<th>Area (sf)</th>
<th>Population</th>
<th>Average Daily Flow Factor</th>
<th>Average Daily Flow (gpd)</th>
<th>Peak Factor</th>
<th>Max Day Demand (gpd)</th>
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<td><strong>Total</strong></td>
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<td></td>
<td></td>
<td><strong>48,000</strong></td>
<td></td>
<td><strong>254,285</strong></td>
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CONDITIONS OF APPROVAL
P-18-01 Galloway Ridge – Preliminary Plat

1. Any commercial development on Tract E must be approved by the Town Council upon recommendation of the Planning Commission under a separate application.

2. All improvements, including landscaping, shall be completed prior to issuance of a final Certificate of Occupancy for the first unit.

3. The applicant shall allow a local archeological survey crew to be present during site grading.

4. In the event that sub-surface cultural remains or burial goods are encountered during construction activities, construction must stop and the Arizona State Museum (ASM) shall be notified per ARS 41-865.

5. Prior to final inspection an “as-built” of the sewer line and on-site grading plan must be provided by the project Engineer for review and approval.

6. A Right-of-Way permit is required by the Engineering Department for any work within Town Right-of-Way.

7. Prior to approval of the building permit, a Wastewater Treatment Facility Connection Application must be submitted to the Engineering Department and the appropriate Capacity Charges must be paid for the sewer connection.

8. The Galloway Ridge Homeowner’s Association will be responsible for maintenance of landscaping and trails in tracts on site as well as within the adjacent public right-of-way. This requirement will be noted in the CC&R’s.

9. The site plan will not be approved until a development agreement between the Town and the property owners(s) has been approved by the Town Council.

10. The northwestern cul-de-sac will be developed as an exit only access point. If supported by a Traffic Impact Analysis, in concurrence with Town staff and consulting staff, the cul-de-sac will be developed for ingress and egress at Basin Road.

11. All landscape areas and materials, including those located in public right-of-way shall be maintained in a healthy, neat, clean and week-free condition. This shall be the responsibility of the Homeowner’s Association and will be recorded in their CC&R’s.
12. The Homeowner's Association will be required to contract with a single trash removal vendor.

13. Saguaro's that are salvaged shall be relocated along the northern property boundary.

* Conditions 8 thru 13 were added by the Planning Commission within its recommendation motion at the Thursday, November 15, 2018 Public Hearing.
LETTER OF RECOMMENDATION
TO THE
TOWN OF CAVE CREEK TOWN COUNCIL

CASE NO.: P-18-01 – Galloway Ridge – Preliminary Plat

Applicant: Coe & Van Loo Consultants on behalf of Cave Creek Project LLLP

Parcel No's.: 211-09-970B, 211-09-970A, 211-09-007G, 211-09-007N

Location: +/- 650 ft. north of the northwest corner of Cave Creek Road and School House Road.

Request: To consider a recommendation of approval for Case No. P-18-01 Galloway Ridge - Preliminary Plat, subject to the attached conditions.

RECOMMENDATION

At the Planning Commission Hearing held on Thursday, November 15, 2018, the Town of Cave Creek Planning Commission, by a vote of 7-0, voted to RECOMMEND APPROVAL of Case P-18-01 – Galloway Ridge, subject to the attached conditions.

Ilan E. Cordwell, AICP
Director of Planning

[Signature] [Signature] 11/21/18

Date
CONDITIONS OF APPROVAL
P-18-01  Galloway Ridge – Preliminary Plat

1. Any commercial development on Tract E must be approved by the Town Council upon recommendation of the Planning Commission under a separate application.

2. All improvements, including landscaping, shall be completed prior to issuance of a final Certificate of Occupancy for the first unit.

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4. In the event that sub-surface cultural remains or burial goods are encountered during construction activities, construction must stop and the Arizona State Museum (ASM) shall be notified per ARS 41-865.

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11. All landscape areas and materials, including those located in public right-of-way shall be maintained in a healthy, neat, clean and week-free condition. This shall be the responsibility of the Homeowner’s Association and will be recorded in their CC&R’s.

12. The Homeowner’s Association will be required to contract with a single trash removal vendor.

13. SaguAROs that are salvaged shall be relocated along the northern property boundary.
A meeting of the Planning Commission of the Town of Cave Creek, Arizona, was held on Thursday, November 15, 2018 at 37622 N. Cave Creek Road in Cave Creek, Arizona. The meeting was called to Order at 7:00PM.

PLANNING COMMISSION MEMBERS PRESENT:  Chairman Bob Voris, Vice Chairman Paul Eelkema, Commissioner Dan Baxley, Commissioner Ted Bryda, Commissioner Tom Davenport, Commissioner Reg Monachino and Commissioner John Patton.

STAFF PRESENT:  Ian Cordwell, Director of Planning, Luke Kautzman, Sr. Planner; Gary Hayes, Town Water Issues

ROLL CALL:  Roll Call taken; seven (7) Commissioners present; Quorum attained

ACTION ITEMS:

1. ANNOUNCEMENTS –

Chairman Voris addressed those attending: The Planning Commission is the advising and recommending body to the Town Council on matters relating to zoning, land use, the General Plan and the Town Core Plan. Our recommendations to the Town Council on matters are just that – recommendations. The Town Council is responsible for making the final determination. Regardless of how you feel about any matter passing from the Planning Commission with a recommendation to the Town Council – in favor, opposed or neutral – and you want your opinion considered, it is your responsibility to attend Town Council meetings and express yourself. Your responsibility does not end with the Planning Commission.

Chairman Voris noted that the Town Council of the Town of Cave Creek is currently seeking applications from citizens wishing to serve on the Town of Cave Creek Planning Commission. Currently there are two positions up for appointment with a term ending December 31, 2021. Applications are available at Town Hall and must be submitted to the Town of Cave Creek on or before noon, Monday, December 3, 2018. Letters should be submitted to Jane Fuller, Deputy Town Clerk, Town of Cave Creek, 37622 N Cave Creek Rd, Cave Creek, AZ 85331. Town Council will review all letters of interest and conduct interviews at the December 17, 2018 regular Town Council meeting. The meeting will begin at 7:00PM at Town Hall Council Chambers, 37622 N Cave Creek Rd, Cave Creek, AZ 85331.
2. Approval of Draft Minutes of the Planning Commission Meeting held on October 25, 2018.

Chairman Voris called for any corrections to the Minutes of October 25, 2018. There being none, by voice motion and vote, minutes passed unanimously.

3. OLD BUSINESS – There is no OLD BUSINESS continued to this evening’s agenda.

4. NEW BUSINESS –

1. Case Number: SPR-18-06 Galloway Ridge - Site Plan Review
   Applicant: Coe & Van Loo Consultants on behalf of Cave Creek Project LLLL
   APN Number(s): 211-09-970B, 211-09-970A, 211-09-007G, 211-09-007N
   Location: +/- 650 ft. north of the northwest corner of Cave Creek Road and School House Road

REQUEST: To recommend approval of Case Number SPR-18-06 Galloway Ridge - Site Plan Review for a mixed use commercial and single family residential community containing 70 residential units and +/- 3.50 acres of commercial in a Town Core Commercial (Town Core Commercial) Zone.

MOTION: To recommend approval of Case No. SPR-18-06 Galloway Ridge - Site Plan Review for a mixed use commercial and single family residential community containing 70 residential units and +/- 3.50 acres of commercial in a Town Core Commercial (Town Core Commercial) Zone subject to the Recommended Conditions of Approval.

Chairman Voris noted that the Commission is not considering the Phase 2, 3.5-acre commercial piece tonight, even though it is mentioned in several places. We are considering the 70 residential units. He also noted differences in the staff report regarding surrounding zoning and a problem with the assessor’s parcel numbers listed in the staff report (4 APN’s) compared with Exhibit B (lists only 3 APN’s). The last APN should be omitted from the staff report.

Mr. Cordwell noted that the parcel number that Chairman Voris recommended omitting was not included in the application for the Site Plan Review and the Preliminary Plat but it is included on the Site Plat as a future part (it’s the commercial piece and is referenced as Phase 2). That’s why it is included. It will come to the Planning Commission at a later time for whatever commercial use that is.

Chairman Voris clarified that the Commission is not considering the Phase 2, 3.5 acre commercial piece tonight even though it is mentioned in several places. Mr. Cordwell
said that is correct; he wanted to bring it to the Commission’s attention as it appears on
the Plan.

Mr. Cordwell presented a summary of the Plan. The underlying land use is commercial
in the Town Core Plan. The zoning is Town Core Commercial which allows for mixed
use: residential and commercial on the same parcel which is why the property is shown
as one parcel, two phases. The Commission is looking at Phase 1 for a Site Plan and a
Preliminary Plat for 70 residential units. He noted he called them units because they
refer to the residential units (the homes themselves); there are actually 35 buildings
that are shown. Each of those buildings is divided in two and has a parcel assigned to
it. The Development Agreement, which is not completed at this time (it is very close),
addresses the Town’s contract with the applicant and Mr. Kite (it’s a three-way
agreement with regard to water, sewer service, access, off-site improvements and
other issues relative to the zoning of the property and how it’s handled. The
Development Agreement calls out those units as parcels and that’s how they will be
recorded with the County Assessor. This project through the Zoning Ordinance is
treated as one lot so the setbacks are treated around the perimeter of the parcel; the
applicant has done that relative to the adjacent properties.

Mr. Cordwell stated Chairman Voris pointed out to him that he omitted or mis-called a
few designations around the property. One actually changed: to the east it was Multi-
Family at one time; now it is Commercial Buffer. There is multi-family to the south (the
Mini Storage). Because this is one lot with multiple parcels, there are private streets
that are considered tracts. You may have seen 3 different cross-sections for those
tracts for the streets and those are 32’, 45’ and 50’. The project does meet the parking
in that it requires 2 spaces per residential unit a with a 2-car garage. There are aprons
in front of each of those. In all of the units, one is front-loading and the other is side-
loading. The front loading does not meet the typical 20’ typical parking space; it is not a
requirement of the Town it is just a normal function of how we are today with our
vehicles. A number of Commissioners had an issue with that.

Another issue had to do with the access that was required for this as part of the
subdivision process. The property has one entrance along School House Road and an
emergency access onto Basin Road. The Subdivision Ordinance requires two points of
access, alternate point of access and he only required that to be an emergency access.
There is an exhibit showing cross sections through each of the buildings and each of
them meets the height requirement from original, natural grade. With regard to the
traffic study, he put comments whether this considered other projects in the area. The
same company that did this study did the one for Hampton Inn. They were made
aware of other projects that were coming in at the same time. The Town’s traffic
consultant reviewed the report and had some comments which were given to the
applicant. They addressed those comments. There was one comment which the
applicant did not address which was the length of queuing into the project along School
House Road. I sent those comments to them and they are good with making that
change. So you can ask that question of the applicant because that is a concern coming into the project.

The summary of the traffic impact analysis is that it wouldn't be an impact to the intersection (Cave Creek and School House).

Commissioner Davenport said he was unclear about the two points of egress....there is one entry and one is an emergency access and it is up to you to accept? Mr. Cordwell said that is correct.

Commissioner Monachino asked if the exit on Basin was gated or locked. Mr. Cordwell said it was a gate and would be accessible to emergency services.

Vice Chairman Eelkema asked what rationale was used for a single point of entrance and exit. Mr. Cordwell said he didn't want the access going onto Basin Road because of Family Residential zone along Basin Road with Habitat for Humanity homes there and a number of kids there. He thought it was better to leave it as emergency access going out onto Basin but if the Planning Commission sees differently, the Commission can ask the applicant for a change.

Commissioner Davenport asked about the request for Mixed Use. Mr. Cordwell said the commercial would come at a later point. Commissioner Davenport commented that, following the letter of law by saying we will have residential and commercial mixed in on what is Town Core Commercial property and what we have here is a proposal for residential and maybe someday commercial going in. Mr. Cordwell said the commercial phase is tied in to the Development Agreement so it is a contract with the Town; but the Commission does not have the commercial component at this time. Commissioner Davenport asked if the commercial component will be 16% of the land. Mr. Cordwell said yes. Commissioner Davenport asked if this falls within the normal mix of mixed use. Mr. Cordwell said there is no actual ratio required in the Ordinance; the commercial phase will have to meet its own requirements for undisturbed, open space, parking, landscaping and height and setback requirements for that piece.

Commissioner Bryda asked if the fire department has given approval for the emergency access. He commented that if something happens on the one side, i.e. lot 9, those people can't get out; the emergency gate is only on one side – what is going to be done about that? Mr. Cordwell said the Building and Fire Safety Official plus the Fire Chief have been made aware of the plan. They will review it. They have not been given any other conditions than what has been presented. Chairman Voris said that Chief Kraetz of Rural Metro has not reviewed it. He is concerned about the diameter of the cul-de-sac. He wanted to know about the ability to turn a fire engine around without having to jockey. The Town's building Official noted the code requires 96' diameter and it does meet. Mr. Cordwell said it will be reviewed during the permit process as well. Chairman Voris referenced #6, pg 37/89 – says there is no signage proposed, but
signage is proposed and listed on the landscape sheet. It looks to be 7’ tall. Mr. Cordwell said it will be a monument sign that would meet Zoning code requirements. Chairman Voris asked if it would be freestanding. Mr. Cordwell said that is correct.

Applicant:

Court Rich, with Rose Law Group, representing the applicant, Chuck Chisholm and other consultants here as well. He then presented slides for review. He agreed that this is a site plan review, not a zoning review. Why is this good for the Town of Cave Creek...provides housing option availability to a high-quality home but has less land to maintain. This is a well-thought out, higher end option for people who want to live in the Town. They are improving the existing trail on the eastern side of the property and will create, establish and maintain a trail along the north side of the property. The site was scraped a long time ago, it is not natural landscape (about 54% of the site). They will be Revegetating, improving aesthetics along School House Rd, landscaping with desert plants and according to codes. There will be 21% undisturbed open space which is required by the Code plus a little more; 46% open space. This will comply with the Town Core – it serves the Town Core and serves to activate the own core area. This adds to town core businesses. Pedestrian friendly within the town core.

They are working with staff on a development agreement that will go to the Town Council for consideration. Phase 1 of this development – the water which is allotted for use on this site today will be about 50% less water usage per capita on this acreage on Phase 1. They are happy to stipulate that they can’t develop without the Development Agreement.

Lastly, it is a great design for these homes which reflect Cave Creek. He confirmed information in the traffic impact analysis that was done – there was a comment to lengthen the left turn lane into the community and they agree they will be doing that. That can also be stipulated if the Commission requests. Regarding ingress/egress – they have designed it to have the focal point at the entry at the monument sign. The crash gate/fire exit on the west side of the property meets code but the flow is better makes more sense to welcome people through the main entrance and it is in compliance with code. From a design standpoint that is more desirable.

Commissioner Bryda regarding a fire gate on other side....people may be trapped at the south side. Mr. Rich said the thought is generally in development you don’t have an exit on every street to other streets to allow additional traffic through multiple accesses. Commissioner Bryda said they are landlocked.

Commissioner Davenport asked if the elevation distance is 8’. Mr. Rich agreed the elevation would be pretty steep and added that if the fire department wants this, they will do it. If the fire department requires it, they will do it. He feels it is a short street to worry about having its own exit.
Chairman Voris said the subdivision ordinance requires two points of access. A secondary point has been provided in the form of an emergency access to Basin Rd at the west. In the subdivision code chapter 2, section 2.6, E Access 2...“all subdivision containing 8 or more lots and/or parcels shall provide for an alternative vehicle access in addition to the development’s primary access.” If you look at the definition of alternative, it is not “emergency.” He stated that notwithstanding what Commissioner Bryda is mentioning, it does not meet our code. Emergency is exclusive; alternative means it is open to a choice. Chairman Voris would submit this does not meet the Town’s code. He agrees with the concern for activity on Basin but noted there are children all over Town, and is not unique to Basin. His preference would be to follow the Code in this particular case and provide an alternative means of access apart from the development’s primary access (where you have the emergency access now).

Mr. Rich understood the worry reflected in the comments about Basin Road but they do not want to turn it into a main access so perhaps it could be an exit only and available as an emergency access. That might be a good result for everyone. Mr. Cordwell said the traffic impact analysis should address how that would affect Basin Road. Chairman Voris noted that Basin Road is not a main access and with lots of traffic in downtown this gives an alternative when activities are in Town to reduce that traffic. He believes it will be a benefit for those who want to come home and avoid the traffic as well as provide convenience to those residents. Mr. Rich suggested we agree to make it an exit only now as well as emergency access and update information through the traffic analysis report. Their goal is to have the main entry point serve as the main access but can commit now to Basin Road as an exit only and will work with their engineer and the Town of Cave Creek’s traffic consultant to see if Basin Road would support this. They are trying to be responsive to this request.

Commissioner Baxley asked if they had considered an exit only into the proposed commercial area. Mr. Rich said since the commercial area is not built yet and they don’t own that piece of land, so they can’t do it that way. Commissioner Baxley stated it could be a possibility for an exit only into the commercial retail area. This may address the concern of people being trapped in difficult situations. He asked if there will be a perimeter wall around tract D. Mr. Rich stated tract D is not part of this and the Town will make that decision when the site plan comes forward to the commercial. Commissioner Baxley asked if the applicant is going to have a perimeter wall around the subdivision facing tract D. Mr. Rich responded yes. Chairman Voris stated that is actually a code requirement and Mr. Cordwell said yes, it is required to separate different zones, not the actual uses. Commissioner Baxley urged that the applicant think about that as they move through the process. It might be a solution because he isn’t sure that an 8’ grade separation makes a lot of sense when you’re coming out onto a street. Mr. Rich stated we can talk about that.

Chairman Voris stated there is a note on Exhibit B, No. 8, that says “the owner is responsible for landscaping on public right-of-way and multi-use non-motorized pathways adjacent to the project.” He asked is the HOA the owner? Mr. Rich said yes.
Chairman Voris asked how this information would get transferred to the HOA informing them that they are responsible for maintaining the landscaping on the public right-of-way as well as maintaining the landscaping on the non-motorized pathways adjacent to the project. Mr. Rich said yes, it would be included as a note on the plat. Chairman Voris commented that this information does not always get transmitted to the ultimate owner; the developer is aware of it, it gets put on the plat but at some point in time the responsibility for the project transfers to a new owner. In this case it is the HOA. His concern is that agreements that are made it get transmitted to the proper people and how that does occur? Do you have CC&R’s? Mr. Rich said yes, and that will include that the fees will go toward maintenance of public and quasi-public amenities.

Chairman Voris asked if CC&Rs will make provisions for the maintenance of public ROW and maintenance of the multi-use pathway and landscaping. Mr. Rich said yes.

Commissioner Bryda cautioned that the CC&R’s can be amended by the HOA with a vote of 75% of the members of the HOA. Mr. Rich stated that the people who would be living there will want to keep the area looking nice. Cave Creek residents will make up the board as well. He noted that landscaping goes toward maintaining their property values as well. Chairman Voris said this is important to this piece of property relative to its position in Town. It is an issue for the Town regarding the maintenance of the pathway. Commissioner Bryda asked if this can be part of the permanent HOA documents. Mr. Rich agreed if you make this a stipulation then the HOA not maintaining it would be a code violation. He commented that it will look a lot better than it does today, and they would accept this stipulation.

Vice Chairman Eelkema regarding natural desert piece, noted there is a collection of saguaros along the ridge and a gaping hole where the vegetation has been torn off as you look from Galloway Ridge north and south. The landscaping plans show a great quantity of 5-gal plants so when you begin to move saguaros, please include finishing out that saguaro ridge to finish off the view shed. He said it will take thinking about how to put the cactus there and have non-motorized trails. He would like to include something about that in a stipulation. Mr. Rich said there are laws about moving saguaros that they will have to follow, but anything that will be relocated they will try to locate in areas that you’ve commented on. Chairman Voris asked Mr. Cordwell if staff can put something together as a stipulation. Mr. Cordwell said he is working on a list of additional stipulations.

Commissioner Baxley asked Mr. Rich to describe what the retention basins will look like. Mr. Doug Chubin, Cee and Van Loo engineer, pointed out the areas of landscape on slides and noted the basins with retaining walls between the basins. He said all discharge will go into the existing wash so they will not be drilling any dry wells.

Commissioner Monachino asked, if this is affecting the wash, do you have 404 approvals? Mr. Chubin said they will not be disturbing the wash; they will be releasing water into its natural drainage course which is the wash. They will slow water down and let it trickle out, so this should improve the drainage downstream. Commissioner Baxley asked what the final exit point would be. Mr. Chubin said there is an existing
culvert that goes under Basin Road, midway on Basin Road. Chairman Voris asked if
there was a culvert on the drainage plan; it just shows where it exits. Mr. Chubin yes
and pointed out the location on the map. Commissioner Baxley asked what the
retention walls will look like. Mr. Chubin said they would be masonry walls and they
have cross sections to show where walls are located. Commissioner Baxley said he is
concerned with what’s going to be there and what’s it going to be like. When creating
a livable environment, he is concerned with masonry walls and asked if they considered
maybe stone walls. He also commented that retention basins can be wandering areas.
Mr. Chubin said they are landscaping those areas and the wall aesthetics haven’t been
determined at this time. Commissioner Baxley said this is our opportunity to do so.
Vice Chairman Eelkema added that textures and colors could be considered so it will not
look like a freeway wall. Mr. Chubin said the intent is to mimic fencing materials that
will be there as well. He noted that they are generally not seen. Commissioner Baxley
noted that those areas sometimes slip out of consciousness when the developer is gone
and urged them to consider alternative materials; masonry walls may not be very
beautiful.

Chairman Voris re: where the natural wash drains, is it on the plan? Does it drain into a
culvert? Mr. Chubin said it drains into an existing culvert on Basin Road in the ROW.
Commissioner Baxley asked where the water goes after leaving Basin Road. Mr. Chubin
approached the dais and they viewed presentation documents to all Commissioners so
they all could review plan for retention basins, culverts and water flows. Group
discussion was held at the dais. Mr. Rich summarized that this is where the water exits
today, and they have where it leaves currently but are reducing the amount of water
that will flow off through that channel.

Commissioner Baxley said comments have been made previously regarding 5-gallon vs
24” box sizes and noted they haven’t got a whole lot of large trees planned. He said
we have your list of what is proposed. Mr. Rich commented that it is in the builder’s
interest to make this a beautiful community and they have a shared goal in regard to
making this development beautiful. If the Commission has a specific mix, please
provide it. Commissioner Baxley asked for more bushes and more large trees. He
commented it will take time to develop the landscape. He sees only a few 24” box
trees and the rest are 5-gallon bushes but would like to see better consideration to size
of vegetation. Mr. Rich said they will do it. Commissioner Baxley would like to stipulate
it.

Commissioner Monachino regarding HOA/CC&R’s and traffic, reference pg 39, Sec 9 – it
is assumed that each home will have trash pick up. Will this be on private or public
streets? Mr. Cordwell said they are private. Commissioner Monachino noted you can
have multiple garbage trucks throughout the week and may want to consider a contract
with one firm for the entire development which will help with traffic and maintenance of
the roads. Mr. Rich said this is a good suggestion and they plan to do that. It could
also be stipulated, if that is what the Commission desires.
Commissioner Patton regarding traffic patterns; are there left and right turns into the entrance? Mr. Rich said that north bound on School House Rd there will be a left turn lane, with 100’ queuing space is required. They will widen School House Rd.

Commissioner Patton asked the location. Mr. Rich said the widening will be on our property. Commissioner Patton asked if there is a right turn going south. Mr. Rich said there is no right turn south bound. Commissioner Patton said on their study it’s shown as Figure 8. Their traffic engineer said this is a shared through right turn lane with a left turn into the library. Mr. Chubin commented that there is a detailed plan which he showed to the Commissioners at the dais and said the road widening will be to the west on School House Rd.

Chairman Voris asked Garry Hays if he could speak on Grading & Drainage issues. Mr. Hays said it is not his area of expertise but was authorized to answer to best of his ability.

Chairman Voris asked Mr. Hays to address the Development Agreement. Mr. Hays said that Development Agreements are not under the purview of the Planning Commission; they are under the Town Council. All have been meeting several times, some contentious, but making great progress. He has a draft of the Agreement and it should be ready fairly quickly and coming to Council soon. This is a 3-party document (the developer, Mr. Kite and the Town).

Chairman Voris regarding State of Arizona, Department of Water Resources, Certificate of Assured Water Supply Exhibit E – in applicant’s narrative – for Cave Creek Resort LLC – it was originally a 252-lot subdivision with a water demand estimated to be 55.51 acre ft. required. Mr. Hays said that is correct. Chairman Voris noted that the certificate is not valid to anyone not named above. It notes subsequent owners may apply within 90 days of change of ownership. and a new certificate issued. Chairman Voris stated it seems a new certificate has not been issued, so this Exhibit really doesn’t mean anything. Mr. Hays said there will not be a new certificate issued until after the Development Agreement. That piece of property has 55.51 acre ft. associated with it as it relates to our records as it relates to ADWR. Mr. Kite could build 252 lots and take 55.51 acre ft. of water. What would occur is, we would have the development agreement go through, then a new certificate would be issued by ADWR and then whatever (after we went through with the commercial which doesn’t get a certificate and the residential parcel) then whatever would be left over from the 55.51 acre ft. would go back into the Town’s un-allocated water bucket. Chairman Voris said the net benefit would be through decreased acre footage required for this project as opposed to the 252 lots. Mr. Hays said this will be a significant amount of acre ft.

Chairman Voris asked if the 55.51 acre ft. figure is recognized in Madison Eden’s spreadsheet. Mr. Hays said yes; she keeps a master spreadsheet and that is the number reflected on the spreadsheet for these parcels. Chairman Voris asked if it is
Chairman Voris asked if once certificates are issued by ADWR, is there a tracking system in Town to know what portion of that assured water supply is being used each year? Mr. Hays said tracking is through the Utility Department, monthly bills and Madison tracks as well. Chairman Voris asked if there was anything in place in Town right now to track accurately. Mr. Hays answered that the Utility Department tracks all of that. Chairman Voris asked what happens if they exceed their allocation. There will be independent users in 70 residences. Mr. Hays said they have a model reflecting that usage and added in a safety factor. They are comfortable with numbers in the Development Agreement. We have a comfort level including the safety factor.

Chairman Voris said that's a good sales point, but what happens if they go over? Mr. Hays said they are working on some of those things in the Development Agreement. and the mechanics as to how as it relates to this.

Chairman Voris regarding landscaping, referencing Exhibit D – water demand calculations – he noted this project has sod (7312 sq. ft.) but did not see a drip system on the plans and no notations. There is a statement on Exhibit D that states: “all landscape areas and materials including those located in the Town’s right-of-way shall be maintained in a healthy, neat, clean, weed-free condition.” How do we assure this happens because there is nothing showing there is a drip system. He asked how many gallons for the pool; how was evaporation determined; how much water was calculated for irrigation in private areas, plus a drip system for low water use plants in landscaping. None of these water use issues was shown in the demand calculations. This is going to be the responsibility of the HOA. He sees these issues tied tightly to the HOA. All plants require water, even low water plants. How do we ensure this happens? There is nothing here to tell us there is any irrigation. Mr. Rich said they are planning to have water to the landscaping and that number will be built into the Development Agreement. This will be provided to the Town as part of the agreement.

Chairman Voris questioned how they would transmit this requirement to the ultimate owner. Mr. Rich said it is noted on the plat that says it is the responsibility of the owner to maintain, in the CC&R’s and with a stipulation, if the Commission, requests to maintain landscaping and failure to do so would trigger code enforcement. Mr. Kautzman added that this note is actually a requirement of the Town’s Technical Guidelines. Chairman Voris said he wants to make sure this information/requirement is transferred to the ultimate owner and is transmitted clearly. Vice Chairman Eekema concurred this is a really important piece. Mr. Rich said the new owners will be required to sign the CC&R’s where this will be noted clearly, and they will be paying a fee for this to be done. Mr. Rich added that the HOA will have a management company for the HOA who will be responsible for seeing to the maintenance of trails, irrigation, etc. Chairman Voris asked if this will all be a part of HOA verbiage. Mr. Rich said yes. The HOA will have a management company to oversee the overall functioning of the property.
Commissioner Monachino asked if this project will be done in phases; tract A then tract B, etc. Mr. Rich said there is one phase for residential (Phase 1) and it is to be done all at once.

Public Comment: (opened at 8:23 PM)

Kimett Strickland, owns property at 38467 N Basin Road, which is adjacent to the northwest corner, but has his address listed as their property; please correct. He is concerned with trail/pathway proposed and that horses can go across his property. It is not his responsible to police that. He commented he never has seen the wash run. As far as water for the desert, he thinks it should be captured, not let it sink in. It is very fine sand and becomes like quicksand after a storm. There is no major wash going across Basin Road. His main thing is the pathway which will impact his property.

(pointed out his property on maps for the Commissioners and had private conversations at the days with Commissioners while reviewing the maps). He is concerned also about fencing material and lighting that will be used. He said lighting has changed the way Cave Creek is now. Hopes there will be some restrictions. Mr. Kautzman explained the structures will have standard building mounted lighting around the garages and entrances which cannot exceed 10’ and must be downward facing. They do not want to do any interior lighting of the private streets, so the only lighting will be on the face of the buildings. Mr. Strickland said where he is they can have 8-10 lights pointed to his backyard. Mr. Kautzman said all garages would face south or east and there may be canned lighting on patios or ceiling fan lighting on back porches.

Chairman Voris asked about a fence/wall on the north side. Mr. Rich said there is no fence on the north side of the property; each home will have their own wall on the back side of their own property. There will be landscaping, trees along the north side and no street lights. Chairman Voris asked about the wall height. Mr. Rich said they are 6’ high. Chairman Voris cautioned the lighting be to code and trees to buffer it.

Mr. Strickland asked what the point of having a pathway is. Mr. Cordwell said it would not be motorized and is to connect School House Rd and Basin Road. Mr. Strickland said he is concerned with one on each side of me. Mr. Cordwell said they would be accessible to those in the subdivision. Mr. Strickland said his property is accessible to them as well. Mr. Rich said that if neighbors do not want the trail, they will try to accommodate. Chairman Voris suggested that Mr. Strickland obtain signs to indicate where trail is and where your property is, and it is his responsibility to protect his property. Chairman Voris noted that he has the same situation and he bought signs and learned to be vigilant.

Monique Pacurarriu, regarding drainage, she said that water patterns change the land constantly. Even though they may be creating less water in the drainage areas to flow down, where is the drainage for all the concrete areas and all the roofed areas to go to the School House Road area? Do they have drainage on the east side on School
House? Mr. Rich said there will be no improvements to the east side at School House Road. Chairman Voris said there is natural drainage that goes down on the east side of School House Road. Ms. Pacurariu said water flows fast to the wash and if it's now going to be concrete, where will the water flow? Mr. Chubin said School House Road is a crowned road with the east flow going exactly where it always has. On the west side – they are adding extra pavement, putting in a curb and will have one large scupper on the north end, it will be captured in the landscape area at the northeast corner of the site. Further south, the water from School House Road will come into the project and will be collected in the retention area. The west side becomes retained; the east side no change.

Laura LaRue, lives adjacent to the north side of this proposed development. Regarding previous comments about the path on the north boundary, she has no problem with it. The Town of Cave Creek is supposed to be equestrian friendly, you can ride around and into Town. Occasionally people wander off the trails, that happens. She doesn't appreciate ATV's or motorized vehicles on trails. It is a part of living in Cave Creek to have access to trails; it’s quality of life. She is pleased that a non-motorized trail is going to be added to the development. There will always be people that take liberties, but for the most part, this is a big plus.

Greg Roebuck, with Ms. LaRue, agreed that they like this compared to other designs and believes it is good for Cave Creek. We have no problems with removing the eyesore that exists today.

Public Comment: (closed at 8:40 PM)

Chairman Voris moved to recommend approval of Case Number SPR-18-06 Galloway Ridge – Site Plan Review for a single family residential community containing 70 residential units and parcels in a Town Core Commercial (TCC) Zone subject to the Recommended Conditions of Approval. Commissioner Monachino seconded the motion.

Chairman Voris is in favor of this project; appreciates the work the applicant put in for the presentation and the documents submitted for review. It meets the 2005 General Plan in that it concentrates high density residential in the Town Core. It also satisfies a desire in the 2005 General Plan to provide a diverse mix of housing. This is available for people wanting to downsize from a large parcel, provides for younger people to buy a smaller property in Cave Creek. It will also provide 70 new sewer hookups that will increase plant efficiency and provides income to reduce subsidies that the Town provides for the sewer system and also income to satisfy part of the debt service. This has the potential for use of a desired multimodal transportation system for Cave Creek. Residents will not have to drive to Town, they can walk which will potentially decrease traffic in the town core. It can serve as a catalyst for new development in the Town core providing new customers and new businesses. For existing businesses it provides 70 households that can contribute to their income by availing themselves with goods
and services that are provided downtown.

Chairman Voris asked for Mr. Cordwell to provide additional Conditions of Approval as discussed and will amend his motion to include accepted additional conditions.

Mr. Cordwell stated that these new Conditions of Approval will be the same for both the site plan review and preliminary plat cases.

8,9,10 same for SPR and Preliminary Plat

#8 The Galloway Ridge Homeowner’s Association will be responsible for maintenance of landscaping and trails in Tracts onsite as well as within the adjacent public right-of-way. This requirement will be noted in the CC&R’s. – Chairman Voris to assist with final wording.

#9 The site plan will not be approved until a Development Agreement between the Town and the property owners has been approved by the Town Council. – agreed by all.

#10 The northwestern cul-de-sac will be developed as an exit only access point. If supported by a Traffic Impact Analysis, in concurrence with Town staff and consulting staff, the cul-de-sac will be developed for ingress and egress at Basin Road. Chairman Voris confirmed that the northwest cul-de-sac will be exit only unless the traffic impact study shows that Basin Road can handle the ingress/egress from that point. – agreed by all.

#11 – Chairman Voris wished to add the following regarding landscape maintenance:
All landscape areas and materials, including those located in public right-of-way shall be maintained in a healthy, neat, clean and weed free condition. This shall be the responsibility of the Homeowner’s Association and will be recorded in their CC&R’s. – agreed by all.

#12 – Commissioner Monachino requested the following addition regarding garbage vendors:
The Homeowner’s Association will be required to contract with a single trash removal vendor. – agreed by all.

#13 – Vice Chairman Eelkema requested the following:
Saguaro’s that are salvaged shall be relocated along the northern property boundary. – agreed by all.

Chairman Voris amended his motion to include the agreed to additional Conditions of Approval. Commissioner Monachino seconded the amended motion.
Commissioner Monachino said we finally have a project on this piece of property and he thinks it is going to be good project. He hopes that Phase 2 is not 10 years away. He supports this project.

Commissioner Davenport tended to agree in terms of the need to improve the road. We need to do something to improve the look of the property. His concern is that 18 acres of land in Town Core Commercial is moving into Residential. He doesn't know how much land is left in Town Core Commercial. The problem now with folks in Town is that they are against taking land out of Desert Rural and putting it into Commercial. He would like to get an inventory of how much remaining land is Town Core Commercial zoned property and get a sense of what the total percentage is. He believes this is a great project.

Chairman Voris regarding applicant's narrative – will there be a statement that was proposed for the Arizona State report about this property being located in an area that has noise, activity, disturbances, etc. Will this be in your Arizona report? Mr. Rich said this will be filed in a public report to the state and people will be on notice of that.

Commissioner Bryda - no comment

Commissioner Patton said it is a very good project; excellent use of that space; supports it.

Commissioner Baxley supports the project and welcome to Cave Creek. It is a great place to do business. Would like to add a condition of approval to see a proportional increase in the size of the plants, moving from the 5 gallon up to a larger size. He suggested 20% in 10 gallon and 20% in 15 gallon plants and additional large box trees. Mr. Rich said one thing to keep in mind is that that would require more water. They are willing to agree and stated the developer will install additional box trees as approved by staff. Then we can adjust numbers for the water usage. Commissioner Baxley agreed and those plants need to be kept alive; whatever water it takes will need to be provided.

Mr. Rich agreed with the concept but will work with staff to accomplish this. Perhaps staff can write something up that states, additional boxed trees, approved by staff will be planted. Commissioner Baxley agreed with that.

Mr. Hays said he will make sure the Building Official gets a say and agreed that the applicant and staff can work together to agree to the increase of the size of landscaping plants. Suggested the following: The applicant and staff will work together to ensure the appropriate size of landscaping before it comes to Council. Commissioner Baxley said he wants to see an increase in size.
Mr. Kautzman said that in specifying 10/15 gallon this would be for shrubs and many plant materials are not sold in 10/15 gallon sizes. Staff and applicant hear you. We will work those details out. We have already identified some areas where the trail is proposed where a significant number of trees can remain in place and vegetation can remain in place. Commissioner Baxley agreed with this plan and withdrew his request for the additional condition of approval.

Vice Chairman Eelkema, in tagging on to Commissioner Baxley’s comments, we don’t want to forget the comment about losing saguaros along the ridge. He requested if saguaros are moved, spread them along the ridge so there isn’t a gap in the view shed. He likes the idea of bringing in this level of residential into the town core; it will be a benefit to the businesses; will enliven the Town; and appreciated the work done and the packet received.

Chairman Voris called for a vote:

| Commissioner Patton | Yes |
| Commissioner Bryda | Yes |
| Commissioner Baxley | Yes |
| Commissioner Davenport | Yes |
| Commissioner Monachino | Yes |
| Vice Chairman Eelkema | Yes |
| Chairman Voris | Yes |

Motion passed by a vote of 7-0.

2. Case Number: P-18-01 Galloway Ridge - Preliminary Plat
   Applicant: Coe & Van Loo Consultants on behalf of Cave Creek Project LLLP
   APN Number(s): 211-09-970B, 211-09-970A, 211-09-007G and 211-09-007N
   Location: +/- 650 feet north of the northwest corner of Cave Creek and School House Road
   REQUEST: To recommend approval of Case Number P-18-01 Galloway Ridge - Preliminary Plat for 70 residential units on +/- 18.57 acres in a Town Core Commercial (Town Core Commercial) Zone.
   MOTION: To recommend approval of Case Number P-18-01 Galloway Ridge - Preliminary Plat for 70 residential units on +/- 18.57 acres in a Town Core Commercial (Town Core Commercial) Zone, subject to the Recommended Conditions of Approval.
Mr. Cordwell noted that much of the previous presentation covered in the first case relate as well to this case and we have covered additional Conditions of Approval that will be applied to both cases.

Commissioner Bryda commented that with a preliminary plat, there are 12 months to approve. Is anything changed in the Development Agreement about this? Mr. Cordwell said this concerns timing. Mr. Hays said this is a good point and one which can be brought up with Mr. Kite. He said this timing starts when Phase 2 comes in with a site plan. Commissioner Bryda said it is part of this preliminary plat with a 12-month limit. He can't support it knowing there is a 12-month limit. Chairman Voris said we are not considering Phase 2 tonight; no commercial consideration tonight only the residential units. He noted that the staff report states “any commercial development on Tract E must be approved by the Town Council upon recommendation of the Planning Commission under a separate application.” We are only looking at residential tonight.

Mr. Cordwell said the assurance of development of the property will be covered in the Development Agreement. He said the timing of the commercial project will begin once the site plan is approved by the Town Council. Commissioner Bryda agreed as long as the assurance of it will be included in the Development Agreement.

Chairman Voris said that, according to the Subdivision Ordinance, the subdivider shall propose the names of the streets within the subdivision at the time of submittal of the preliminary plat to the Planning Department; do we have the street names? Mr. Cordwell said these are not dedicated public roads; they are private roads.

Chairman Voris asked if the overhead utilities will be underground. Mr. Cordwell said that is required per the Subdivision Ordinance; all will be underground.

Applicant:

Mr. Rich had no further comments and was happy with the same stipulations as previously discussed.

Public Comment: (opened at 9:06 PM)

Public Comment: (closed at 9:06 PM)

Chairman Voris called for a motion.

Commissioner Baxley moved to recommend approval of Case Number P-18-01 Galloway Ridge – Preliminary Plat for 70 residential units on +/- 18.57 acres in a Town Core Commercial (TCC) Zone, subject to the Recommended Conditions of Approval. Vice Chairman Eelkema seconded the motion.

Commissioner Baxley asked for confirmation that the Conditions of Approval for the
previous case will also be applied to this case. Mr. Cordwell said yes. Commissioner Baxley welcomed the project to Cave Creek.

Vice Chairman Eelkema said it is a positive move.

Commissioner Monachino this is an excellent project.

Commissioner Davenport agreed; it's a good project.

Commissioner Bryda – no comment

Commissioner Patton – no comment

Chairman Voris called for a vote:

Commissioner Patton  -  Yes
Commissioner Bryda  -  Yes
Commissioner Baxley  -  Yes
Commissioner Davenport  -  Yes
Commissioner Monachino  -  Yes
Vice Chairman Eelkema  -  Yes
Chairman Voris  -  Yes

Motion passed by a vote of 7-0.

3. Proposed Planning Commission Agenda Item entitled "Discussion".

Presented by Chairman Voris

REQUEST: To Approve a new Planning Commission agenda item entitled "Discussion", subject to the attached policy (Attachment 1)

MOTION: To Approve a new Planning Commission agenda item entitled "Discussion" to be added on an "as needed basis", subject to the attached Policy, as may be amended from time-to-time without a new motion to approve.

Chairman Voris explained the new Discussion Item and read the proposed Policy into the record. This was added as a place to discuss future items of mutual concern or interest. He was happy to go through his rationale and read each proposed Policy item into the record.

Rationale for each as follows: