



**MINUTES
REGULAR MEETING
QUEEN CREEK PLANNING & ZONING COMMISSION
QUEEN CREEK COMMUNITY CHAMBERS
20727 E. CIVIC PARKWAY
FEBRUARY 13, 2019
6:00 PM**

1. Call to Order

The meeting was called to order at 6:00PM.

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

Commissioners in attendance: Chairman Alleman, Commissioner Sossaman, Commissioner Matheson, Commissioner Young, Commissioner Spall, and Commissioner Benson. Commissioner Ehmke was absent.

3. Public Comment: Members of the public may address the Commission on items not on the printed agenda. Please observe the time limit of (3) three minutes. Request to Speak Cards are available at the door, and may be delivered to staff prior to the commencement of the meeting. Members of the Commission may not discuss, consider, or act on any matter raised during public comment.

None.

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

A. Discussion and Possible Action on the January 9, 2019 Planning Commission Meeting Minutes.

B. Discussion and Possible Action on Case P18-0258 "Spur Cross Phase 2: Parcel 5 Residential Design Review." Richmond American is requesting approval of five (5) new standard plans with three (3) elevations each to be constructed on 71 lots on Parcel 5 in the Spur Cross Development, located at the northeast corner of Signal Butte and Ocotillo roads. (Kyle Barichello, Planner II)

Motion to approve Consent Agenda:

1st: Matheson

2nd: Benson

Vote: 6-0 (Commissioner Ehmke was absent for the vote)

PUBLIC HEARING:

5. Public Hearing and Possible Action on Case P18-0166 “Ranchos Legante Planned Area Development”, a request from Sean Lake, Pew and Lake PLC, to rezone from R1-43 to R1-12/PAD for a 116-lot subdivision on approximately 58.52 acres located at the southwest corner of Ellsworth and Riggs roads. (Kyle Barichello, Planner II)

Kyle Barichello, Planner II, presented a summary of the location of the project site. Mr. Barichello presented the General Plan Exhibit and zoning exhibit for the project site. Mr. Barichello presented the proposed zoning request and presented the proposed development plan for the project. Mr. Barichello noted that the applicant proposed a single story restriction on the lots on the south side of the development. Mr. Barichello summarized the flood control channels surrounding the subject site.

Mr. Barichello summarized the requested Zoning Ordinance Deviations which included a request to increase the maximum lot coverage of the R1-12 zoning district from 35% (40% with a front porch) to 40% (45% with a front porch) and reduce the minimum lot width of the R1-12 zoning district from 100-foot to 90-foot. Mr. Barichello presented a table of the proposed dimensional standards.

Mr. Barichello stated that there was a Neighborhood Meeting held on September 20, 2018 with 11 attendees. Questions discussed at the meeting included topics such as:

- Lot sizes
- Density
- Home product
- Traffic
- Dirt road tract/trail usage
- Walls
- Single-story restrictions/RV garage detail

Mr. Barichello noted that staff received a letter from a resident highlighting concerns regarding the proposed project.

Commissioner Matheson inquired: how will the existing trail along Riggs Road be accommodated with the proposed entrance? Mr. Barichello presented the development plan, showing how the trail will move towards the development entrance and be reincorporated back into the existing trail.

Commissioner Benson asked for more detail related to the maintenance of the 21-foot unimproved dirt road. Mr. Barichello responded, deferring the question to the applicant.

Sean Lake, of Pew and Lake LLC and representative of the applicant, provided a summary of the project site and the characteristics of the project site. Mr. Lake noted that 21-foot dirt road is currently actively used by the properties to the south for vehicular and equestrian access. The applicant is proposing that the road will be maintained by the Ranchos Legante Home Owner's Association.

Mr. Lake presented the proposed development plan, highlighting the larger lots at the south perimeter of the development with the single-story restriction. Mr. Lake presented an exhibit of the main entrance, park, and amenity areas. Mr. Lake noted that the development will be gated. Mr. Lake presented the proposed amenities at the central park and the potential residential product.

Mr. Lake noted that the applicant has worked with the neighbors following the Neighborhood Meeting to address their concerns. Mr. Lake presented a comment card provided by a neighbor who attended the Neighborhood Meeting, which thanked the applicant for maintaining their access at Mewes Road.

Commissioner Spall inquired: is the proposed 21-foot road Mewes Road? Mr. Lake, responded, stating that it is a dirt path is not actually Mewes Road, but it is referred to as such by some.

Mr. Lake noted that the annexation request is only regarding the subject property and not any other surrounding properties.

Betsy Kohr, resident of Queen Creek (19229 Via de Arboles), expressed concerns with not proposing horse property in Queen Creek generally and adjacent to the Horse Park and Equestrian Center.

Move to approve Case P18-0166 “Ranchos Legante Planned Area Development”, a request from Sean Lake, Pew and Lake PLC, to rezone from R1-43 to R1-12/PAD for a 116 lot subdivision on approximately 58.52 acres located at the southwest corner of Ellsworth and Riggs roads.

1st: Spall

2nd: Young

Vote: 6-0 (Commissioner Ehmke was absent for the vote)

- 6. Public Hearing and Possible Action on “Dutch Brothers Coffee Shop Conditional Use Permit (P18-0136) and Site Plan (P18-0137)”**, a request by Matthew Rasmussen (Tectonics Design Group) for a Conditional Use Permit and Site Plan to allow construction of a new coffee shop with a drive-thru within the Shops at Terravella, located east of the northeast corner of Ellsworth and Queen Creek roads. (Steven Ester, Planner I)

Steven Ester, Planner I, presented a summary of the proposed request. Mr. Ester presented an aerial exhibit, the General Plan land use exhibit and the zoning district exhibit for the site.

Mr. Ester presented the proposed Site Plan, summarizing the building footprint and parking provided. Mr. Ester noted that the Site Plan meets the Zoning Ordinance requirement for vehicle stacking, where the Ordinance requires 160-feet for vehicle stacking and the Site Plan provides 211-feet with an escape lane.

Mr. Ester presented an exhibit of the proposed landscape plan and building elevations.

Mr. Ester noted that a Neighborhood Meeting was held December 10, 2018 with no members of the public in attendance.

Commissioner Sossaman expressed concerns with the exhibits not showing that adequate stacking on-site is being accommodated. Commissioner Sossaman requested an exhibit be provided to the Planning Commission.

Commissioner Young expressed concerns with vehicle stacking in comparison to the size of the site.

Commissioner Sossaman noted that a Dutch Brothers in another municipality had to get approval from the Property Owner's Association to keep stacking on site.

Bill Cantierri, applicant, stated that Dutch Brothers has been very popular, particularly in the southeast valley. Mr. Cantierri noted that 10 -11 cars could be held in the proposed lane, excluding the side-drive aisle. Mr. Cantierri noted that employees are required to park in the parking spaces adjacent to the drive-aisle. Mr. Cantierri summarized the ordering approach for Dutch Brothers, which includes runners who take orders in the drive-aisle and payment can be taken at the car. Mr. Cantierri noted that there is another side door for a staff member to exist the building to take and give customers' orders. The escape lane allows those customers to leave the queue.

Mr. Cantierri also noted that the goal is under 1 minute per car.

Commissioner Sossaman asked the applicant to show how drivers would access the site via the Queen Creek Road entrance. Commissioner Sossaman expressed concerns with vehicles stacking onto Queen Creek Road.

Chairman Alleman asked Staff to discuss the Traffic Impact Analysis completed for the project.

Mohamed Youssef, Deputy Public Works Director, noted that Staff requested a Traffic Impact Analysis (TIA) for the Dutch Brothers at this specific project location. Mr. Youssef noted that the applicant provided a TIA for another Dutch Brothers site. Chairman Alleman expressed his concerns with the lack of a TIA for the Dutch Brothers site, particularly in relation to the Conditional Use Permit aspect of the application.

Commissioner Matheson inquired: how many feet is does the driveway measure completely surrounding the building? Mr. Youssef noted that the entire drive aisle surrounding the building is approximately 400-feet, which amounts to approximately 18 to 20 cars. Mr. Youssef noted that the maximum queuing for Dutch Brothers is typically 14 cars.

Commissioner Benson requested a TIA specific to the Dutch Brothers at this location.

Mr. Cantierri noted that a sample TIA was provided to the Town, which was based on two of the busiest stores in Phoenix. Mr. Cantierri noted that a TIA for this site could be provided within two-weeks.

Chairman Alleman inquired: how would continuing the case impact the project schedule? Mr. Cantierri stated that it would not be detrimental to the project, so long as they may be able to submit building plans at risk.

Chairman Alleman inquired: what is the typical number of vehicles stacked during rush hour? Mr. Cantierri responded, stating that the demand varies by location, however the TIA requires space for 14 cars for stacking. Mr. Cantierri stated that some stores can see up to 18 cars at rush hour. Chairman Alleman posed the idea to include in analysis of queuing demand at Dutch Brother locations with similar markets to Queen Creek.

Commissioner Young inquired: is this the only driveway access along Queen Creek Road? Mr. Cantierri responded, stating that there is another driveway access at Ellsworth Road.

Chairman Alleman inquired: is there an option to revise the Site Plan to allow for two queueing lanes? Mr. Cantierri proposed removing a parking stall, which may allow for additional queuing space, however, the site would be have one less parking stall than required by the Zoning Ordinance.

Commissioner Spall inquired: who parks at the parking stalls adjacent to Queen Creek Road? Mr. Cantierri responded, stating that those spaces are available for customers to park and order at the walk-up window.

Motion to continue the Dutch Brothers Coffee Shop Conditional Use Permit (P18-0136) and Site Plan (P18-0137) to the March 13, 2019 Planning Commission Meeting:

1st: Benson

2nd: Sossaman

Vote: 6-0 (Commissioner Ehmke was absent for the vote)

Commissioner Sossaman requested staff to provide an exhibit that looks at the entire shopping center and to provide an exhibit showing vehicle queuing. Additionally, if the TIA requires a right-turn lane, identify how many cars can queue in that right turn lane.

FINAL ACTION:

None.

ITEMS FOR DISCUSSION:

None.

ADMINISTRATIVE ITEMS

- 7. Summary of Events from members of the Commission and staff.** The Commission may not deliberate or take action on any matter in the “summary” unless the specific matter is properly noticed on the Regular Session agenda.

Sarah Clark notified the Commission of the upcoming National Planning Conference.

Motion to adjourn at 6:55PM

1st: Sossaman

2nd: Young

Vote: 6-0 (Commissioner Ehmke was absent)



**MINUTES
WORK STUDY SESSION
QUEEN CREEK PLANNING & ZONING COMMISSION
QUEEN CREEK COMMUNITY CHAMBERS
20727 E. CIVIC PARKWAY
FEBRUARY 13, 2019
IMMEDIATELY FOLLOWING THE 6:00PM REGULAR SESSION**

1. Call to Order

The meeting was called to order at 7:01PM.

2. Roll Call (one or more members of the Commission may participate by telephone)

Commissioners in attendance: Chairman Alleman, Commissioner Sossaman, Commissioner Matheson, Commissioner Young, Commissioner Spall, and Commissioner Benson. Commissioner Ehmke was absent.

ITEMS FOR DISCUSSION

These items are for Commission discussion only and no action will be taken. In general, no public comment will be taken.

3. Building Safety Division Overview (David Tallman, Assistant Building Safety Manager)

David Tallman, Assistant Building Safety Manager, provided a brief summary of himself and his background.

Mr. Tallman provided a presentation on the Building Safety Division, summarizing Building Codes and their purpose. Mr. Tallman noted that Building Codes establish minimum requirements for fire and life safety in the built environment. Mr. Tallman noted that Building Codes establish the minimum requirements for fire and life safety, structural strength, means of egress, sanitation, light and ventilation, accessibility, emergency conservation, and sustainability. Mr. Tallman summarized instances in which building permits are required, who is required to obtain them, and exceptions. Mr. Tallman provided a summary of construction documents and what is included on construction documents. Mr. Tallman summarized the online permitting and plan process offered by the Town. Mr. Tallman presented exhibits of current building construction in the Town.

Commissioner Sossaman inquired: What was the building shown in the photo that included a dirt floor? Mr. Tallman responded, stating that the building shown in the photo is the Palette Collective Tenant Improvement. Commissioner Benson inquired: Where is the building located? Mr. Birmingham responded, stating that the project is located at the Heritage Square Commercial Center, next to the existing Goodwill.

Commissioner Young inquired: does minor electrical work require a permit? Mr. Tallman responded, stating yes.

Commissioner Benson: which building codes is the Town currently using? Mr. Tallman responded, stating that the Town uses the 2011 National Electric Code, the 2012 codes for building, plumbing, mechanical, fuel gas, and residential, and the 2010 code for ADA.

Commissioner Spall inquired: what does a person do if they purchase a house and they find out that a structure was not permitted? Mr. Tallman responded, stating that the first step is for that person to go to the Town to speak with staff to discuss what is needed. This may include submitting plans for what was constructed to be reviewed and inspected by the Town. Inspections can range from non-invasive to invasive inspections based on the situation.

Commissioner Spall inquired: what is the risk of constructing without a permit. Mr. Tallman responded, stating that the initial risk is related to life safety, but subsequent risks may include issues with selling the house; claims or a disclosure agreement detailing the unpermitted work would need to be provided.

ADMINISTRATIVE ITEMS

4. Recent activity update.

None.

5. Summary of Events from members of the Commission and staff. The Commission may not deliberate or take action on any matter in the “summary” unless the specific matter is properly noticed on the Regular Session agenda.

Mr. Burningham provided an update on recent project activity, noting that at the February 6, 2019 Council Meeting, the Madera West PAD Rezone was tabled indefinitely. Brett Burningham provided a summary of the new single-family permits, where 84 permits were approved in January 2019.

6. Adjournment

Motion to adjourn at 7:13PM:

1st: Spall

2nd: Matheson

Vote: 6-0 (Commissioner Ehmke was absent for the vote)