



Minutes
REGULAR MEETING
QUEEN CREEK PLANNING & ZONING COMMISSION
June 9, 2021
6:00 PM

1. Call to Order

The meeting was called to order at 6:03 p.m.

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

Troy Young	Chair	Present
David Gillette	Vice Chair	Present
Matt McWilliams	Commissioner	Present
Alex Matheson	Commissioner	Present
Bill Smith	Commissioner	Present
Steve Sossaman	Commissioner	Absent
Lea Spall	Commissioner	Present

3. Public Comment: Members of the public may address the Planning Commission on items not on the printed agenda and during Public Hearings. Please observe the time limit of (3) minutes. Comments may also be sent to via email to PublicComment@queencreek.org by 5:30 p.m. on June 9, 2021 (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record). 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 May 12, 2021 Planning Commission Meeting Minutes.

B. Discussion and Possible Action on P21-0074 David Weekley Homes at Harvest Queen Creek Residential Design Review. David Weekly Homes is requesting approval of eight (8) new standard plans with four (4) elevations per plan to be constructed on 91 lots at Parcel 2-1 in the Harvest Queen Creek subdivision, located south of the southwest corner of Gary and Riggs roads. (Erik Swanson, Planning Administrator)

Motion: To approve the Consent Agenda

1st: Matheson

2nd: McWilliams

RESULT: Approved unanimously (6-0)

5. Public Hearing:

- A. Public Hearing and Possible Action on P21-0051 Queen Creek 14**, a request by Jessica Sarkissian (Upfront Planning & Entitlements) to rezone approximately 13.9 acres from R1-43 (Rural Estate) to R1-18 (Suburban Residential Type B) for a 19-lot residential subdivision, located east of Sossaman and north of Ocotillo roads (193rd Way alignment). (Christine Sheehy, Principal Planner)

Principal Planner Christine Sheehy introduced the Queen Creek 14 rezone for 13.9 acres from R1-43 (Rural Estates) R1-18 (Suburban Residential Type B) for a 19-lot gated residential subdivision located east of Sossaman and north of Ocotillo roads. She outlined the surrounding properties and said the rezone is consistent with the Neighborhood General Plan designation and surrounding subdivisions. This case is a classic buffer transitional case from one density to another.

Ms. Sheehy said density for the subdivision will be 1.45 dwelling units per acre and the applicant is proposing average lot sizes that are larger than the minimum R1-18 zoning standards. They are also proposing 12.1% active open space, which exceeds the required 7.5% in that zoning district. Ms. Sheehy provided details on the site and landscaping plans, which include a gated entrance, connections to the trail system, and tree-lined streets that terminate into a cul-de-sac that will have amenity features for the residents.

Ms. Sheehy outlined the public participation with a virtual meeting held on April 28, 2021 with 6 attendees. Questions regarding two-story homes, trails and buffers and perimeter walls were addressed. She said the applicant will have two story homes (which are allowed in all residential zoning districts) and they will work with adjacent residents for a continuous perimeter wall.

Applicant Jessica Sarkissian from Upfront Planning & Entitlements provided a brief presentation addressing site location, proposed zoning and community features. She said they are not requesting any deviations and are exceeding standards. Ms. Sarkissian said they are building 4000 – 8000 square foot semi-custom homes on larger lots starting at \$1.5M. She presented the different themes (European, Victorian, Cottage, Santa Barbara, & Modern Farmhouse) and said there will be many options and features available to the buyer.

Commissioner Gillette asked who the builder would be. Ms. Sarkissian said it is a subsidiary of Patterson Enterprises, who builds custom homes and are actively involved in the Arizona market.

Commissioner Spall inquired about buffers and asked if the east side chain link fencing would be double walls. Ms. Sarkissian said there will be a mix of walls, the west side has a 30' buffer trail and on the east side there will be a temporary fence that will be replaced with a brand new theme wall to be installed all the way down, with no double walls.

Commissioner Young asked if the 30-foot buffer easement would go all the way around (including the east side). Ms. Sarkissian said no, not on the east side. She explained that larger lots, which are significantly larger and deeper, are planned on the east side.

Public comments received via Web Ex:

Kaja-Anne Jezycki, 21920 S 195th Street, Queen Creek AZ. She said her home is on the east side of the proposed development and commented on the absence of a buffer on the east side of the development. She requested a restriction to one-story homes on the east side of the proposed street due to concerns regarding privacy.

Commissioner Gillette asked if the applicant would consider one-story homes on the east side and asked why there is not a 30-foot buffer on the east as well. Ms. Sarkissian said the 30-foot buffer was actually put in by the adjacent developer when it was built and said our builder does not have a one-story product. She said the lots on the east side are much larger, the houses will be pushed toward the front and will have deep back yards, and we will be putting in the wall as discussed earlier. She added that other areas surrounding the project are not restricted to one-story homes.

Commissioner Matheson asked what the minimum rear setback is for the project. Ms. Sarkissian said it is 30' and we are following code.

Commissioner Matheson asked what the set back is for the existing neighborhoods on the east side. Ms. Sheehy said it would be the standard R1-43 with a 40' rear setback and for R1-35 it is a 40' rear setback.

Commissioner Matheson asked if the development on the east has any restrictions regarding one-story homes. Ms. Sheehy said no, there is not a restriction and all residential developments allow two-story homes. Ms. Sheehy gave an example of the only time there was a restriction on a controversial case (West Park Estates) which involved a denser project with small lots. She said in that particular case, the developer agreed to limit some homes to one-story. Mr. Matheson asked, for the record, if anyone on the east could have a two story if they wanted to. Ms. Sheehy said yes, that is correct.

Commissioner Smith asked additional questions about project setbacks distances on the east and west sides. He asked if on the larger lots where you have more room would the applicant consider increasing the rear 30' setback (to 45') to allow for more space in case someone puts in an accessory structure so it will not be right on the property line.

Ken Wallace, Patterson Enterprise, 3210 Coral Bell, Mesa, AZ 85204 said in regards to the west side a home will have a 10 foot easement, plus the 30 feet, plus our 30 feet making it effectively 70 feet on the west side. Mr. Wallace said on the east side it is expected to be more than 100 feet

from any dwelling. There will be 30-40 feet on that side, plus our 30 feet, and then with the depth of the lots we anticipate no home will be closer than 100 feet from another dwelling. He said he could not comment on future outbuildings, which would follow the normal permitting process.

Commissioner Smith asked if the applicant would consider locking in and increasing the 30-foot setback to guarantee the effective 100 feet so it is equal on both sides.

Ms. Sarkissian conferred with Mr. Wallace and she said if they wanted to increase the east side to a 40' setback, it would be fine. Commissioner Smith said this would increase the setback by 10 feet but would create a bigger buffer in the case of a secondary structure. Ms. Sarkissian commented that accessory structures follow different setbacks per code.

Commissioner Gillette asked if there are any two-story structures on the east side. Ms. Sarkissian said they are older homes and she thinks they may be all one-story.

Commissioner Matheson pointed out that anyone in the existing developments could also build an accessory structure and asked about the setback restrictions. Ms. Sheehy said that accessory structures could be built 5 feet from the rear property line provided they are no taller than 15 feet. Taller structures (over fifteen feet) such as RV garages, would then need to follow the rear setbacks in that district.

Motion to recommend approval of P21-0051 Queen Creek 14 subject to the Conditions of Approval.

1st: Spall

2nd: Matheson

RESULT: Approved unanimously (6-0)

- B. Public Hearing and Possible Action on P20-0141 and P20-0143 Speedway Conditional Use Permit and Site Plan**, a request from Todd Leslie (EPS Group, Inc.) for a Conditional Use Permit (CUP) for fuel sales and Site Plan approval on approximately 1.80 acres located at the southwest corner of Empire Blvd. and Ellsworth Road. (Christine Sheehy, Principal Planner)

Principal Planner Christine Sheehy introduced the Speedway Conditional Use Permit and Site Plan for a convenience store and fuel sales on 1.80 acres located at the southwest corner of Empire Blvd. and Ellsworth Road across from the Earnhardt car dealership. She outlined the surrounding properties and said the Town annexed the property from Pinal County in 2018 and applied the equivalent zoning of C-2 (General Commercial). The proposed 1.8 acres is part of a larger 3-acre parcel that is not part of this request. The remaining parcel will require a site plan approval when it is developed in the future.

Ms. Sheehy explained that fuel sales require a Conditional Use Permit and the request is consistent with the General Plan Commercial designation. There are no deviations being requested by the applicant and the project meets all the C-2 requirements.

Ms. Sheehy provided Site Plan and landscaping information. The open space requirement is 15% and the applicant provided 40% and they landscaped most of the 3-acre site. The elevations

include 4-side architecture with stone and wainscoting to add interest and is compatible with commercial buildings in the area.

Ms. Sheehy said a virtual public meeting was held on February 23, 2021 with no attendees. Staff received one email in opposition to project citing concerns with further urbanization and loss of “dark sky” Ms. Sheehy said that lighting is always addressed in the site plan process to prevent spillage on the edges of property.

Ms. Sheehy said the applicant is available via WebEx for a presentation or questions if needed. There were no comments from the public or the Commission.

Motion to recommend approval on P20-0141 and P20-0143 Speedway Conditional Use Permit and Site Plan.

1st: Gillette

2nd: McWilliams

RESULT: Approved unanimously (6-0)

6. Final Action:

None.

7. Items for Discussion: *These items are for Commission discussion only and no action will be taken. In general, no public comment will be taken.*

None.

8. Administrative Items:

A. Recent activity update

Planning Intern Laney Corey reported 149 single-family home permits for May 2021 and said in comparison there were 97 permits in May 2020. Year-to-date 985 single-family home permits have been issued compared to 783 total permits for 2020.

Ms. Corey reported that Town Council approved the Acero Queen Creek Site Plan; Power and Chandler Heights Center Rezone; and the Costco Fuel Station Conditional Use permit at the May 19 meeting. She said Council approved the Barney Farms North Orphan Rezone; Mobile Food Vendor Text Amendment; Residential Design Review Text Amendment; and the Jorde Farms South PAD Rezone (6-1) at the June 2 meeting.

9. 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.*

None.

10. Adjournment

The meeting adjourned at 6:42 p.m.

TOWN OF QUEEN CREEK

Troy Young, Chair

ATTEST:

Joy Maglione, Deputy Town Clerk

I, Joy Maglione, do hereby certify that to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Regular Session Minutes of June 9, 2021 Regular Session of the Queen Creek Planning Commission. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on: July 14, 2021