



Requesting Department:

Development Services

TO: Planning and Zoning Commission

THRU: Brett Burningham, Development Services Director

FROM: Erik Swanson, Planning Administrator

RE: Public Hearing and Possible Action on P22-0009 The Knotty Barn at Rockin R Farms Conditional Use Permit, a request by Ralph Pew, Pew & Lake, PLC, for a Conditional Use Permit for Public Assembly and Outdoor Recreation and Events, located at the southwest corner of 204th Street and Superstition Drive.

DATE: February 9, 2022

STAFF RECOMMENDATION

Staff recommends approval of P22-0009 The Knotty Barn at Rockin R Farms Conditional Use Permit, subject to the Conditions of Approval outlined in this report.

PROPOSED MOTION

Move to recommend approval of P22-0009 The Knotty Barn at Rockin R Farms Conditional Use Permit, subject to the Conditions of Approval outlined in this report.

RELEVANT COUNCIL GOAL



Secure Future

SUMMARY

This proposal consists of a request by Ralph Pew for a Conditional Use Permit to allow Public Assembly and Outdoor Recreation and Events, located at the southwest corner of 204th Street and Supersition Drive, within the Ellsworth Mini-farms community.

HISTORY

May 31, 1990: Town Council approved the adoption of the Zoning Ordinance and associated Zoning Map, designating the subject site and surrounding properties as Rural Estate (R1-43).

DISCUSSION

This proposal consists of a request by Ralph Pew for a Conditional Use Permit to allow Public Assembly and Outdoor Recreation and Events, located at the southwest corner of 204th Street and Superstition Drive, within the Ellsworth Mini-farms community. The subject site is approximately 4-acres, with Superstition Drive running the length of the northern boundary, and 204th Street running the length of the eastern boundary. Residential acreage properties are adjacent to the site's eastern and southern boundaries.

According to the applicant, the Knotty Barn provides a venue for weddings, baby showers, corporate events, and other public assembly operations primarily between mid-September through Memorial Day. All activities take place in the rear of the property inside: 1) an approximate 3,600 square foot barn, 2) a small outdoor gathering area that separates the barn from the southern property boundary that is approximately 3,500 square feet in area, and 3) a bride's "getting ready" house located at the northeast corner of the site. Designated parking is provided onsite in one of two pastures. The eastern pasture is the main parking area, allowing for at least 60 parking stalls. The western pasture is reserved for the keeping of livestock, but may be used in the event additional parking is needed (per code 72 stalls may be required with 1 stall per 50 sq. ft.). However, capacity of the facility would prevent both pastures being utilized at a any given time. Additionally, the opportunity for angled parking along both Superstition Drive and 204th Street is available. The pastures are only utilized for parking during events. Visitors and interested parties may either park adjacent to the barn or along the street frontages. The pastures currently provide a grass area that limits need for dust mitigation. In the event that dust generation is an issue, the property owner will need to provide dust attenuation.

Events are primarily conducted on weekends, with an end time of 10 p.m. that is strictly enforced by the property owner. Following any event, after guests leave, clean-up of the site occurs to bring the site to it's normal condition and residential appearance. Furthermore, according to the applicant, while events are in operation, the property owner monitors sounds emittance using a decibel reader to ensure adjacent residents are not disturbed, and that the site will remain in compliance with the Queen Creek noise ordinance. It is worth noting that the nearest residence is approximately 250' northwest of the barn, 460' northeast of the barn, and separated by 204th Street, and approxaimtely 700' south of the barn.

Staff is recommending a three-year timing condition which will require a new application, public review and hearing process and reapproval of the Conditional Use Permit by Town Council. If any future expansion or change of use were to occur, the existing Site Plan (see attachment) would serve as the basis to enforce the parameters as depicted, and a new Conditional Use Permit with a Site Plan would be required.

PROJECT INFORMATION	
Project Name	The Knotty Barn at Rockin R Farms
Site Location	SWC of Superstition Drive and 204 th Street
Current Zoning	R1-43 (Rural Estate District)
General Plan Designation	Rural
Surrounding Zoning Designations:	
North	R1-43
South	R1-43
East	R1-43
West	R1-43
Site Area	4 acres (net)
Parking Required	72 (1 stall per 50 square feet)
Parking Provided	Appx. 120 with both pastures

ANALYSIS

Conditional Use Permit Review:

Conditional Uses are those land uses that may be desirable in a community, but may by their nature, require special site and design considerations in order to ensure that they are compatible with adjacent uses and community standards. The Planning Commission, and ultimately the Town Council are charged with determining whether or not a proposed location is suitable for such uses. The purpose of the Conditional Use Permit is to have an additional tool to maintain development standards.

As outlined in the Zoning Ordinance, the following approval criteria for evaluating a proposed Conditional Use is provided, applicant responses are provided in italics:

1. The proposed Conditional Use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 5 of this Ordinance, and any applicable performance standards as set forth in Article 6 of this Ordinance.

The proposed use complies with the Articles 4 and 5 of the Queen Creek Zoning Ordinance and the applicant has worked with staff to implement measures that will bring about compliance with sections of article 6 pertaining to accessory uses and home based occupations.

2. The proposed Conditional Use shall conform to the character of the neighborhood, within the same zoning district, in which it is located. In making such a determination, consideration shall be given to the location, type and

height of buildings or structures and the type and extent of landscaping and screening on the site.

The property is, first and foremost, a residential property that is the full-time residence of the Property Owners, Ray and Robyn Epps. This primary use is in complete conformance with the character of the surrounding properties and uses. The Knotty Barn is a part-time, accessory use on the same property that is similar to the business uses of many of the surrounding properties. In the immediate vicinity there are plant nurseries, contractor yards, an exotic animal farm, sewing shop, plumbing business and others. These secondary uses provide the neighborhood character within which the Knotty Barn is located. The building type, height, location and landscaping is consistent with those found on surrounding properties.

3. Adequate utilities, access roads, drainage, fire protection, and other necessary facilities shall be provided.

There are adequate utilities, access roads, drainage, and other facilities necessary to serve this use. The Property Owner will implement fire protection measures as may be required by the Town during the summer months when the Knotty Barn does not host any events so that during the 2022-2023 event season there will be adequate fire protection measures in place.

4. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.

As shown on the parking plan provided in the submittal materials, the east pasture will serve as the primary parking area for the venue. When required, the overflow parking may take place in the center drive aisle of the facility.

5. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

The Knotty Barn does not produce odor, dust, smoke or gas. When an event includes music (and not all of them do), there is a ban on sub-woofers that minimizes vibrations, and a strict sound policy that requires that any amplified sounds stay within the Queen Creek noise ordinance limitations.

6. The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.

The Knotty Barn is limited in its operation to the coolest months of the year—from after Labor Day to Memorial Day. Events are mainly on weekends and there is a strict end time for all events of 10:00 p.m. Moreover, an event manager continuously monitors the noise levels on the property and there is a maximum

allowed decibel level of 85dB, which is consistent with the Queen Creek Zoning Ordinance. With all of these measures in place, the use is not injurious to the use and enjoyment of surrounding properties and does not adversely affect property values within the neighborhood.

7. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

The Knotty Barn in no way restricts the development or improvement of surrounding properties.

8. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

The event venue accommodates assemblies such as corporate events, family reunions, weddings, baby showers, church, civic and charitable events. These tasteful events are not detrimental to the surrounding properties and in no way endanger the public health, safety, morals, comfort or welfare of the community. On the contrary, The Knotty Barn is a contributor to the sense of community and provides a safe, tasteful and unique place to gather in the Town of Queen Creek.

9. The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.

The Knotty Barn, with its elegance and rustic charm, has developed a strong base of support at this location. As with the other businesses in the immediate vicinity, it is a creative use of a property that celebrates the unique agricultural heritage of Queen Creek. The Property Owner has worked with the neighbors to ensure that any concerns about the operations of the venue have been addressed in order to minimize any adverse impact to adjacent property owners.

Staff has reviewed the request to ensure the proposal meets the above-listed approval criteria for evaluating a conditional use, as outlined in Article 3.5 of the Zoning Ordinance.

General Plan Review: The 2018 General Plan Land Use Designation for this project is Rural. The proposed project is in compliance with the General Plan, and fits the characteristics of the Rural designation.

Zoning Review: The zoning designation of the property is R1-43. No changes to the zoning are proposed, as a place of public assembly and outdoor recreation and events is allowed in the R1-43 zoning district with approval of a Conditional Use Permit. The existing site is in compliance with Zoning Ordinance standards.

Site Plan Review: The site plan maintains its residential character and layout, no changes are proposed at this time. Any subsequent expansion or change of use to the current site will require a separate Conditional Use Permit and Site Plan approval through the Town Council.

PUBLIC COMMENTS

A neighborhood meeting was conducted on November 15, 2021, in the Community Chambers with approximately 26 neighbors attending. While a majority of attendees generally supported the request, three families opposed the request citing concerns with traffic, the change to the agrarian nature of the neighborhood, noise, clean-up of the property following events, and that the approval of this use would open the door to other uses. The applicant responded to the concerns by ensuring that the surrounding residents that traffic would be directed to Germann Road using 204th Street or to Ellsworth Road using Supersition Drive which are direct connections to the arterial streets, the events would not impact the agrarian nature of the community as all activities are contained on the property and within buildings and conducted on a limited basis, that the Town’s noise ordinance would be strictly enforced along with clean-up of the property, and that any other use that is generally not allowed would have to go through the same public hearing process, including a neighborhood meeting, and reviewed on its own merits. Residents in support of the request responded that the property owner has done an acceptable job in ensuring the use does not negatively impact the surrounding community.

Staff has had a couple of phone conversations with a resident in the area expressing concerns regarding the use. The resident attended the neighborhood meeting.

CONDITIONS OF APPROVAL

1. This project shall be developed in accordance with the plans attached to this case and all the provisions of the Zoning Ordinance applicable to this case.
2. Any additional expansion or change of the location of the assembly/events on-site shall require a new Conditional Use Permit and Site Plan approval.
3. The Conditional Use Permit shall be valid for three (3) years, at which time a new Conditional Use Permit application shall be required.
4. The property owner shall work with the Fire Marshall to obtain approval and installation for a fire sprinkler system to be installed in the barn during the off-season of the business operations between July and August of 2022.
5. Until an approved fire sprinkler system is installed, a “fire watch” person shall be appointed to watch over each event to ensure no fires occur.

ATTACHMENTS

1. Aerial Exhibit
2. General Plan Exhibit
3. Zoning Map Exhibit
4. Narrative
5. Site Plan
6. Parking Plan

Project Name: The Knotty Barn CUP Aerial Exhibit

Case Number: P22-0009

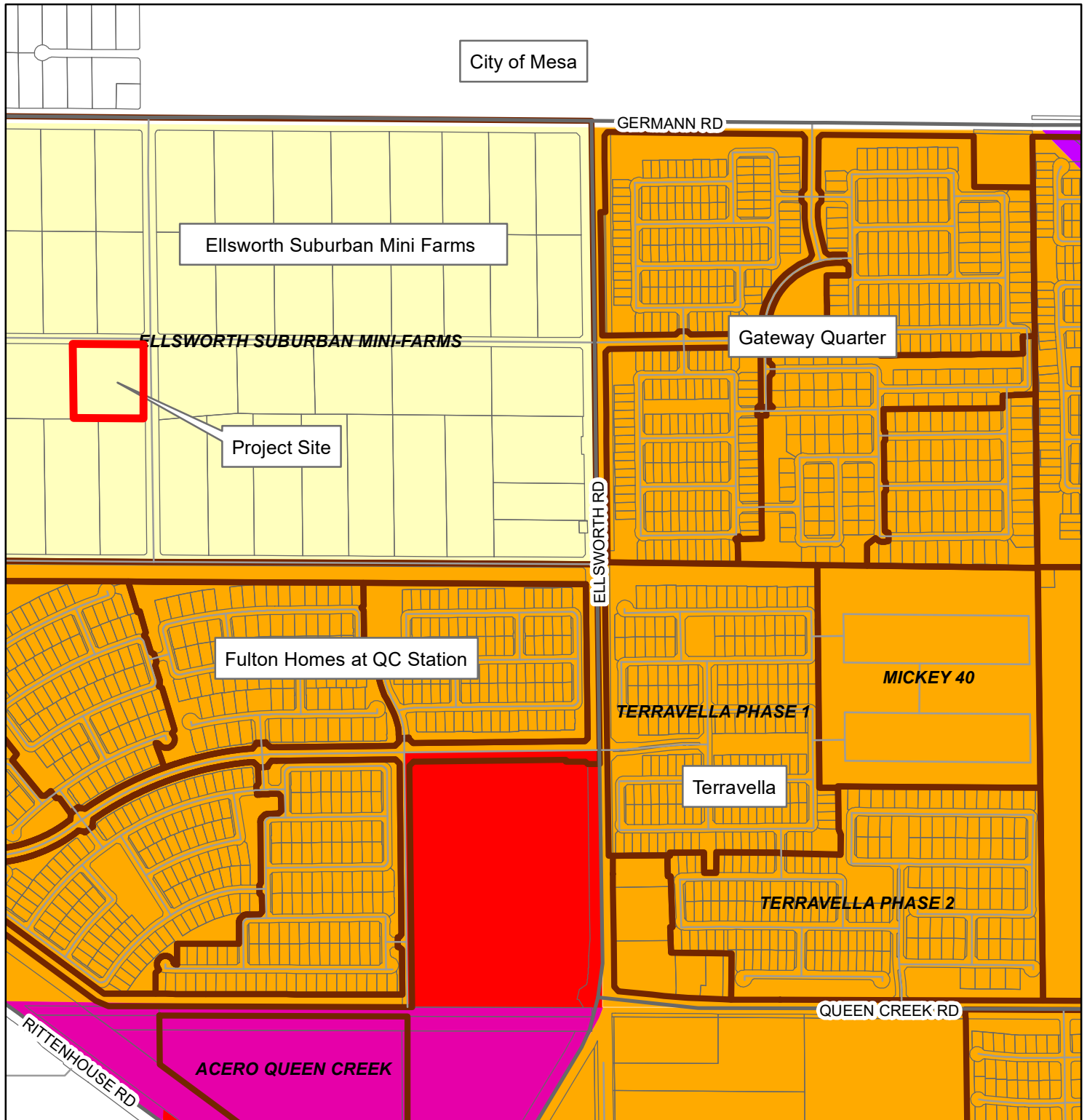
Hearing Date: February 9, 2022 (Planning Commission)



Project Name: The Knotty Barn CUP General Plan Exhibit

Case Number: P22-0009

Hearing Date: February 9, 2022 (Planning Commission)



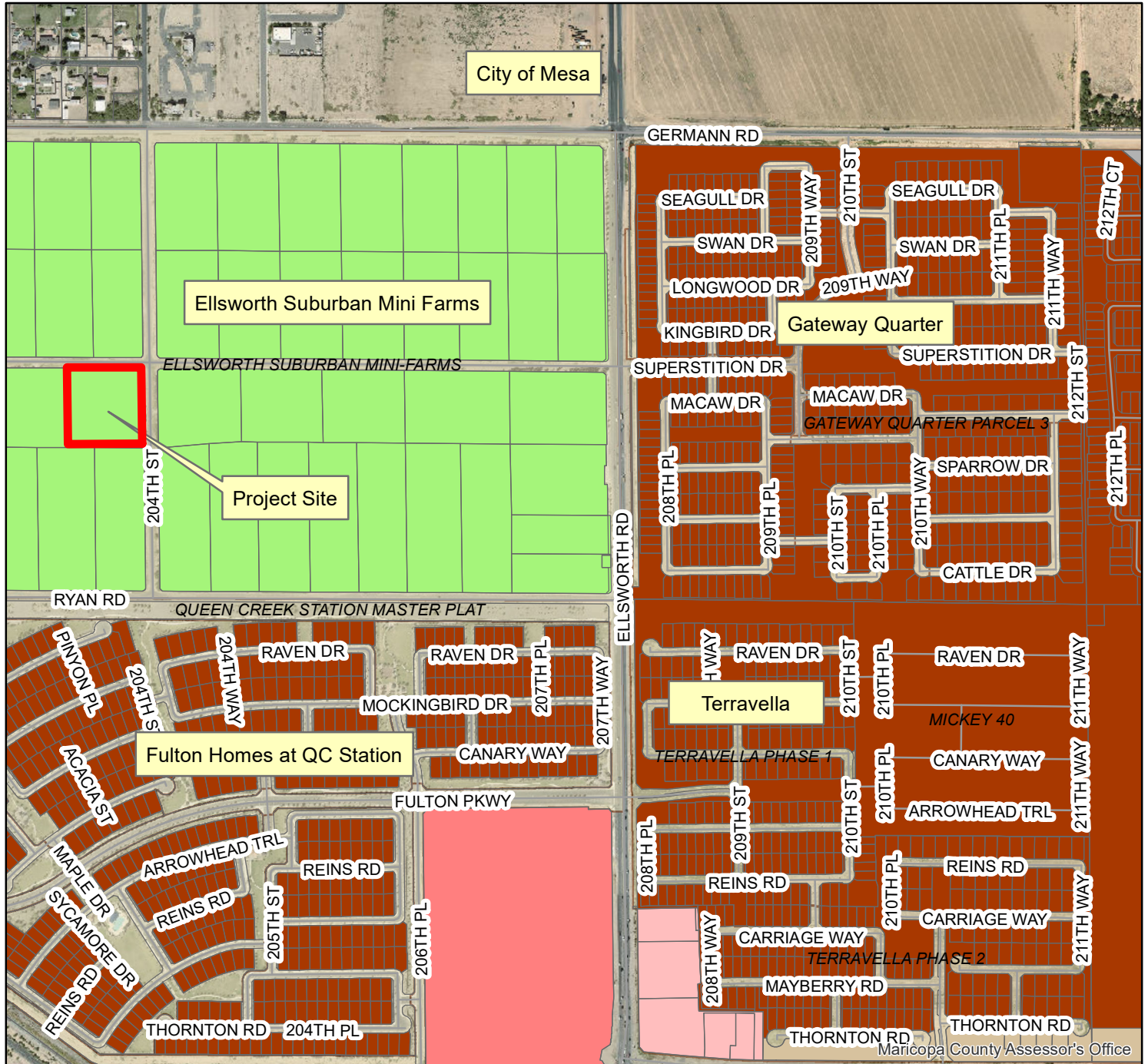
General Plan Land Use

- | | | | |
|--------------|------------|--------------------|--------------------|
| Rural | Commercial | Special District 1 | Special District 4 |
| Neighborhood | Industrial | Special District 2 | |
| Urban | Open Space | Special District 3 | |

























Project Name: The Knotty Barn CUP Zoning Map Exhibit

Case Numbers: P22-0009

Hearing Date: February 9, 2022 (Planning Commission)



Zoning Districts

 C-1 - Commercial	 PQP - Public/Quasi-Public	 R1-7 - Residential	 R1-35 - Residential
 C-2 - Commercial	 RC - Recreation/Conservation	 R1-8 - Residential	 R1-43 - Residential
 C-3 - Commercial	 MDR - Residential	 R1-9 - Residential	 R1-54 - Residential
 TC - Commercial	 R1-4 - Residential	 R1-12 - Residential	 R1-190 - Residential
 EMP A - Office/Industrial Park	 R1-5 - Residential	 R1-15 - Residential	 PCD - Planned Community
 EMP B - General Industrial	 R1-6 - Residential	 R1-18 - Residential	 AT - Agritainment

The Knotty Barn at Rocking R Farms

Queen Creek, Arizona Conditional Use Permit Project Narrative



Submitted by:

W. Ralph Pew

Pew & lake, PLC

1744 South Val Vista Drive, Suite 217

Mesa, AZ 85204

480-461-4670

January 19, 2022

Introduction

Pew & Lake, PLC, on behalf of Ray and Robyn Epps, dba The Knotty Barn, hereby submits this project narrative and related documents in support of an application to the Town of Queen Creek for:

- A Conditional Use Permit for a Place of Public Assembly and Outdoor Recreation and Events.

Site Description

The 4+acre site is located at 20331 East Superstition Drive. It is at the southwest corner of 204th Street and Superstition Drive and is also known as Maricopa County Assessor parcel number 304-62-057. The property is shown below outlined in red.



The property is zoned R1-43, a zoning district that allows for indoor assembly and outdoor recreational uses upon the approval of a Conditional Use Permit, as shown in table 4.6-1 of the Queen Creek Zoning Ordinance.

Adjacent Zoning Districts and Existing Uses

As previously noted, the site is currently zoned R1-43, and is within the 2018 General Plan Land Use designation of "Rural." It is part of the Ellsworth Suburban Mini-Farms subdivision that includes properties ranging from three to six-acres in size. Many of the properties within the subdivision are used for business purposes, including an exotic animal farm, plant nurseries, dog training facilities, RV/Trailer storage and contractor yards.

Direction	Current Zoning	2018 General Plan Designation	Current Use
North	R1-43	Rural	Residence
South	R1-43	Rural	Residence
East	R1-43	Rural	Desert Sky Nursery and Landscape
West	R1-43	Rural	Residence
Project Site	R1-43	Rural	Residence and Assembly

About The Knotty Barn

Ray Epps has farming in his blood. One side of his family raised dairy cows and the other raised range cattle. He worked on the farm beside his parents and grandparents much of his adolescent life. While working in Las Vegas as a contractor, Ray met Robyn, while he was working on a property owned by her employer. Not long after their first date, Ray and Robyn married. One of their joys in life is sharing their happiness and helping couples plan their special day.

In 2010, Ray and Robyn purchased their farm in Queen Creek and named it Rocking R Farms. Ray brought cattle to the farm along with horses, pigs, chickens and emus. Their adorable dwarf Nigerian goat, Angel, delights children and adults alike.

In 2012, Rocking R Farms was the chosen venue for the Epps family reunion. This event was the genesis for Ray's idea to provide a great backdrop for other families to have their reunions. Ray deferred his dream as he began a new beef business selling grass-fed beef,

eggs, greens, and tomatoes at farmer's markets. In 2016, the American grass-fed beef market cooled off, and Ray and Robyn re-evaluated their priorities. They realized that what brings them the most joy is in helping others find the same in their lives. Family is important to the Epps, and they envisioned a place for families, friends and colleagues to relax, play and celebrate important moments in their lives. The idea that Ray and his dad discussed years earlier became reality and the idea for family reunions grew to include weddings, corporate events, parties, and community gatherings. The Epps' dream to use their farm to bring joy to others moved them to design and build the Knotty Barn, modeled after the barn at Ray's grandfather's rustic farm, built in the 1800s.

The Knotty Barn opened its doors in 2019 and has been quietly holding events at the farm since then. The Epps understand the need to obtain approval of a Conditional Use Permit to allow the barn's continued use as a place for public assembly and outdoor recreation.

How it works?

The Knotty Barn is a structure on the residential property owned by Ray and Robyn. Recently, it has hosted public assemblies that take place between mid-September, through Memorial Day weekend, the coolest months of the year. Examples of these assemblies include weddings, baby showers, corporate events, family reunions and gatherings of civic and charitable organizations. The Knotty Barn has tables and chairs available for rent and there are two ADA-compliant restrooms, and a small prep kitchen with refrigerators, but no cooking equipment. When events are held at the Knotty Barn, it is the responsibility of the meeting organizer or event coordinator to arrange for outside food or entertainment. The gatherings are mostly held on the weekends, and there is a 10:00 p.m. end time for all events that is imposed and strictly enforced by the owners. After the music is turned off at 10:00, guests leave the site and clean-up takes place so that the property is restored to its normal condition.

As shown on the aerial photo provided with this narrative, the 3,600 square-foot barn is setback from Superstition Road by approximately 350 feet. There is a small gathering space at the very rear of the property that serves as an outdoor gathering area, and it is where the wedding ceremonies are typically held. It can be arranged with rows of chairs for the ceremony, after which the guests retreat to the interior of the barn for the reception. This small gathering space is not typically used for corporate events, or in the cases where a wedding is held offsite with a reception held at the Knotty Barn. This outdoor space is enclosed by a wall that is 6-1/2 feet high, which serves to buffer the surrounding properties from noise. It is worth noting that the closest residential structure

to this outdoor area is approximately 350-feet away from the back wall. Nevertheless, the Epps are committed to mitigating noise from the site whenever possible and use a decibel reader to ensure that noise or music that emanates from the building is at a reasonable level and compliant with the Town's noise ordinance.

Parking is provided in the east pasture and when required, overflow parking may take place in the center drive aisle of the facility. There are golf carts available to transport guests from the parking area to the barn.

Conditional Use Permits

As defined in the Town of Queen Creek's Zoning Ordinance, a Conditional Use is one which is generally compatible with the land uses permitted by right in a zoning district, but which requires individual review to ensure that the use can be designed, located and operated in a manner that will not interfere with the use and enjoyment of surrounding properties. Through the Conditional Use Permit process, a use is evaluated to discover possible adverse impacts and to minimize them, where possible, through the imposition of specific conditions of approval.

Inherent in this definition is the underlying assumption that each of the uses may be permitted in the underlying zoning district, but for any number of reasons a higher level of scrutiny is required to ensure that adjoining property owners who may be potentially impacted by a proposed use can have those impacts evaluated thoroughly by an approving body after careful review of physical and operating characteristics of the proposed use.

Examples of other uses that require Conditional Use permits in the R1-43 zoning district include Miniature Golf facilities, Bed & Breakfast Inns, Assisted Living Facilities, Daycare for 6-12 children, Boarding Schools, Colleges and Universities, Outdoor Guest Ranches and Outdoor Commercial Amusements. Upon examination, it is clear that each of these uses require a higher level of evaluation due to their potential to generate excess traffic, noise, odor, dust or vibration.

Evaluation of Council Use Permit Criteria

Shown below in bold text is the Conditional Use Permit approval criteria outlined in Section 3.5(B) of the Queen Creek Zoning Ordinance. Responses to each are shown in *italics*.

- 1. The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 4 and Article 5 of this (the Town's) Ordinance, and any applicable performance standards as set forth in Article 6 of this ordinance.**

The proposed use complies with the Articles 4 and 5 of the Queen Creek Zoning Ordinance and the applicant has worked with staff to implement measures that will bring about compliance with sections of article 6 pertaining to accessory uses and home based occupations.

- 2. The proposed conditional use shall conform to the character of the neighborhood, within the same zoning district, in which it is located. In making such a determination, consideration shall be given to the location, type, and height of the buildings or structures and the type and extent of landscaping and screening on the site.**

The property is, first and foremost, a residential property that is the full-time residence of the Property Owners, Ray and Robyn Epps. This primary use is in complete conformance with the character of the surrounding properties and uses. The Knotty Barn is a part-time, accessory use on the same property that is similar to the business uses of many of the surrounding properties. In the immediate vicinity there are plant nurseries, contractor yards, an exotic animal farm, sewing shop, plumbing business and others. These secondary uses provide the neighborhood character within which the Knotty Barn is located. The building type, height, location and landscaping is consistent with those found on surrounding properties.

- 3. Adequate utilities, access roads, drainage, fire protection, and other necessary facilities shall be provided.**

There are adequate utilities, access roads, drainage, and other facilities necessary to serve this use. The Property Owner will implement fire protection measures as may be required by the Town during the summer months when the Knotty Barn does not host any events so that during the 2022-2023 event season there will be adequate fire protection measures in place.

- 4. Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.**

As shown on the parking plan provided in the submittal materials, the east pasture will serve as the primary parking area for the venue. When required, the overflow parking may take place in the center drive aisle of the facility.

- 5. The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke, or gas.**

The Knotty Barn does not produce odor, dust, smoke or gas. When an event includes music (and not all of them do), there is a ban on sub-woofers that minimizes vibrations, and a strict sound policy that requires that any amplified sounds stay within the Queen Creek noise ordinance limitations.

- 6. The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair the property values within the neighborhood.**

The Knotty Barn is limited in its operation to the coolest months of the year—from after Labor Day to Memorial Day. Events are mainly on weekends and there is a strict end time for all events of 10:00 p.m. Moreover, an event manager continuously monitors the noise levels on the property and there is a maximum allowed decibel level of 85dB, which is consistent with the Queen Creek Zoning Ordinance. With all of these measures in place, the use is not injurious to the use and enjoyment of surrounding properties and does not adversely affect property values within the neighborhood.

- 7. The establishment of the proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.**

The Knotty Barn in no way restricts the development or improvement of surrounding properties.

- 8. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare; and,**

The event venue accommodates assemblies such as corporate events, family reunions, weddings, baby showers, church, civic and charitable events. These tasteful events are not detrimental to the surrounding properties and in no way endanger the public health, safety, morals, comfort or welfare of the community. On the contrary, The Knotty Barn is a contributor to the sense of community and provides a safe, tasteful and unique place to gather in the Town of Queen Creek.

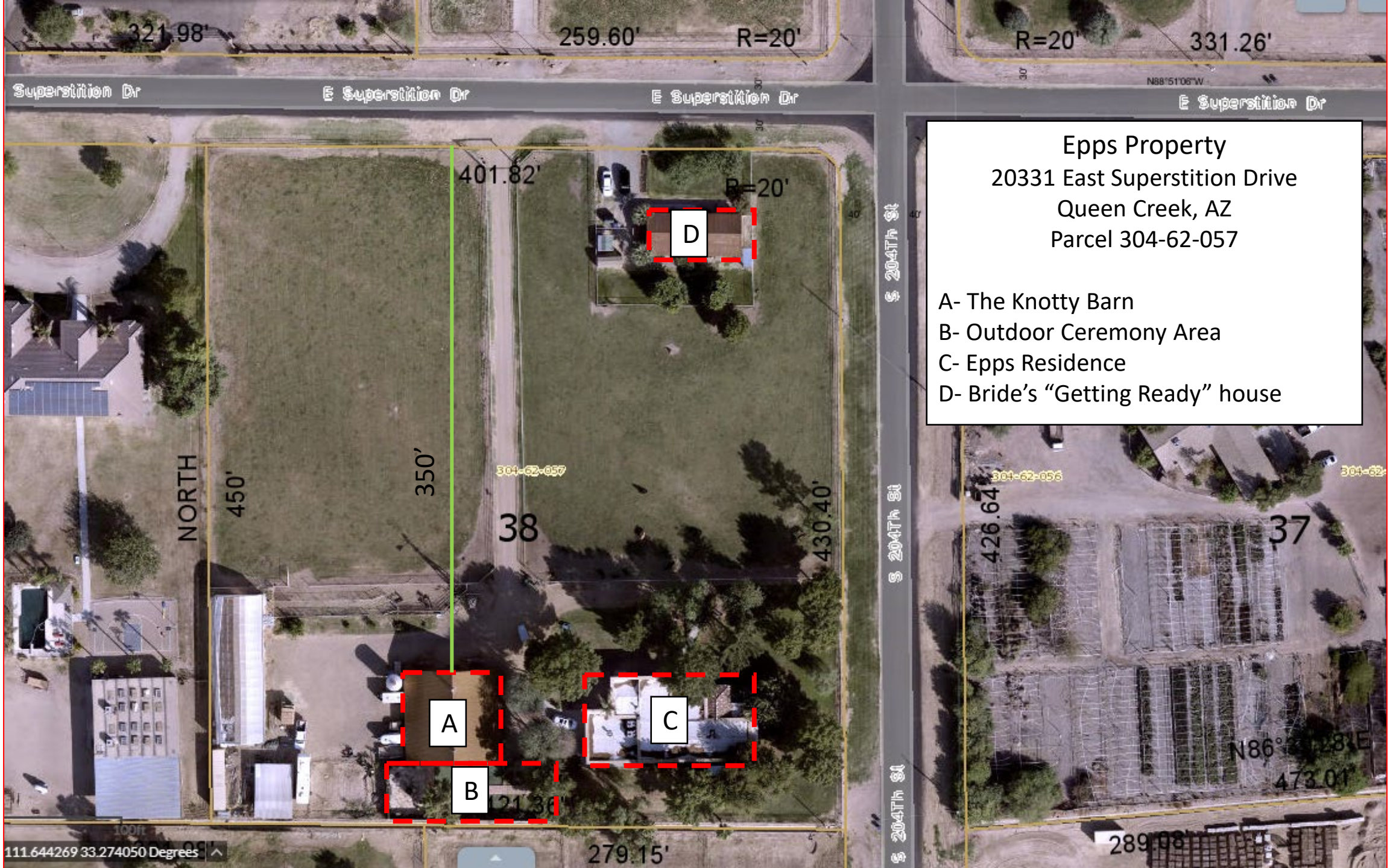
9. The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.

The Knotty Barn, with its elegance and rustic charm, has developed a strong base of support at this location. As with the other businesses in the immediate vicinity, it is a creative use of a property that celebrates the unique agricultural heritage of Queen Creek. The Property Owner has worked with the neighbors to ensure that any concerns about the operations of the venue have been addressed in order to minimize any adverse impact to adjacent property owners.

Conclusion

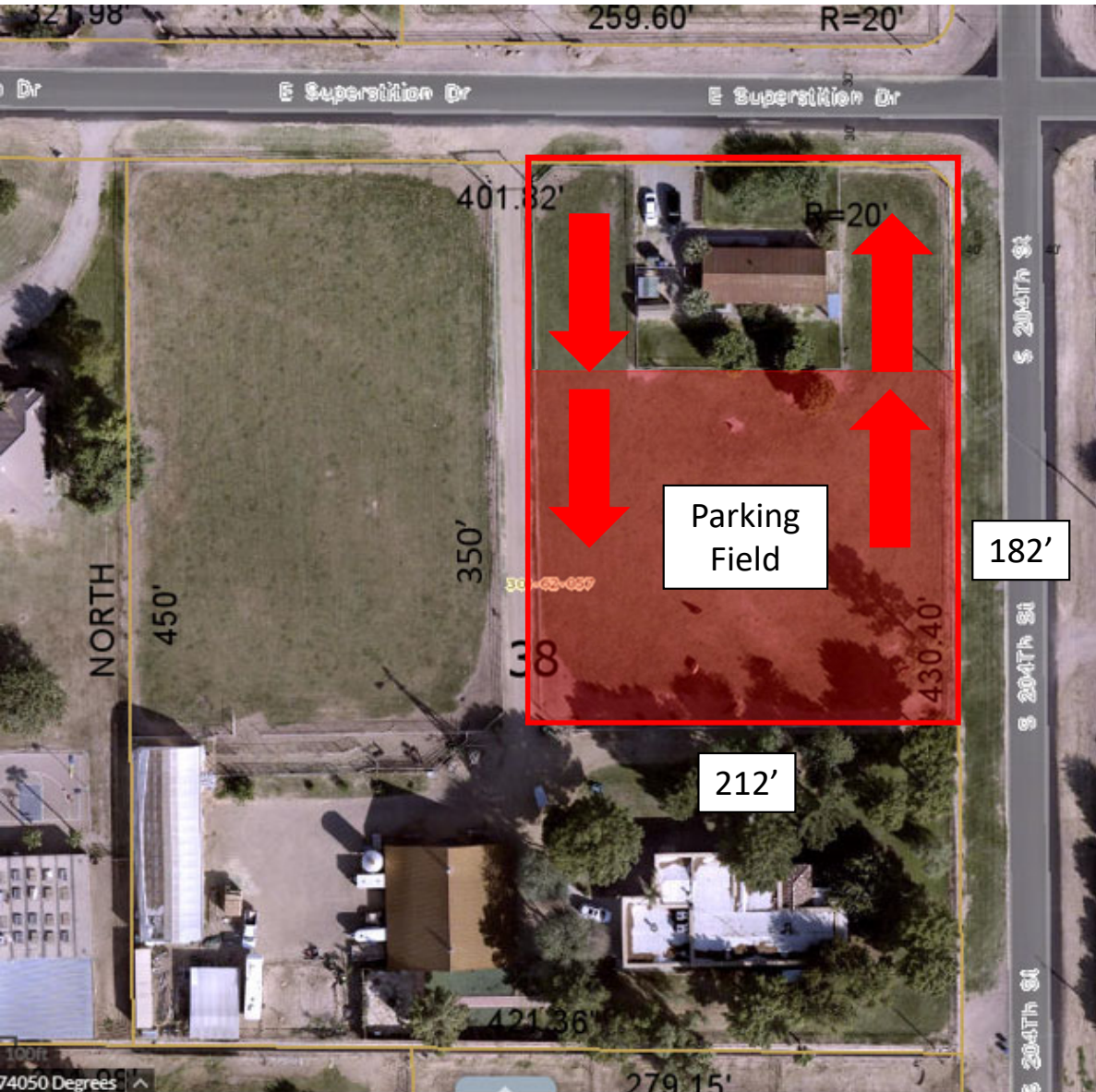
The Knotty Barn is an asset to the Town of Queen Creek. It is proposed as a well-planned and well-designed facility that will not impede the orderly development of surrounding properties and fits in with existing uses of nearby properties. The proposed use will not be injurious to the neighborhood or general welfare of the Town of Queen Creek, and there are adequate public services and infrastructure to serve this project. The applicant and Property Owner encourage support of this Conditional Use Permit to allow the continued operation of the Knotty Barn and allowing the Property Owners to make their dream for this property a reality.



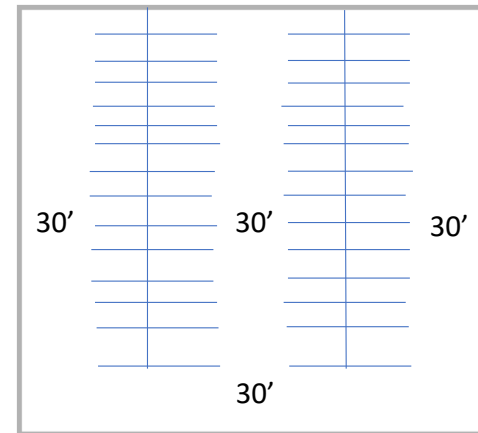


Epps Property
20331 East Superstition Drive
Queen Creek, AZ
Parcel 304-62-057

A- The Knotty Barn
B- Outdoor Ceremony Area
C- Epps Residence
D- Bride's "Getting Ready" house



The Knotty Barn Parking Plan



Typical Parking Space: 10' x 20'
 Parks approximately 60 cars