



MINUTES
REGULAR MEETING
QUEEN CREEK PLANNING & ZONING COMMISSION
February 9, 2022
6:00 PM

1. Call to Order

The meeting was called to order at 6:06 p.m.

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

David Gillette	Chair	Present
Bill Smith	Vice Chair	Present
Matt McWilliams	Commissioner	Present
Alex Matheson	Commissioner	Present
Jeff Nielsen	Commissioner	Present
Lea Spall	Commissioner	Present
Troy Young	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@queen creek.org by 5:30 p.m. on January 12, 2022 (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 January 12, 2022 Planning Commission Meeting Minutes.

B. Discussion and Possible Action on P21-0200 Legado West Preliminary Plat, a request by Matthew Arneson of Pulte Homes for a Preliminary Plat consisting of 325 lots as the Legado West subdivision. The 116-acre project site is generally located south of the southwest corner of Sossaman and Power roads. (Steven Ester, Planner II)

MOTION: To approve the Consent Agenda

1st: Matheson

2nd: Nielsen

AYES: Gillette, Smith, Spall, Matheson, McWilliams, Nielsen, Young

RESULT: Approved unanimously (7-0)

5. Public Hearing:

- A. Public Hearing and Possible Action on case P21-0246 Desert UTV Conditional Use Permit**, a request from Jon Gillespie, Pew & Lake, PLC, for a Conditional Use Permit (CUP) to allow for the service and outdoor storage of Recreational Vehicles (RVs) in conjunction with the service of Utility Task Vehicles (UTVs) on approximately 1.14 acres, located within Power Marketplace Business Park, west of the northwest corner of Rittenhouse and Germann roads. (Mallory Ress, Planner I)

Planner Mallory Ress presented a request for a Conditional Use Permit to allow: 1) service of recreational vehicles and 2) outdoor storage of recreational vehicles. This is a secondary use in conjunction with the primary by-right use of automotive repair Ms. Ress said the site is located in the Power Marketplace Business Park with the Benjamin Franklin Charter School to the east.

Ms. Ress reviewed the Site Plan and said it was administratively approved and a Certificate of Occupancy has been issued for the building. She addressed overflow and employee parking and said it h will be behind rolling gates. She pointed out the vehicle storage area, adding that there will be no long-term storage.

A neighborhood meeting was held and no members of the public were in attendance and. Ms. Ress said to date staff has receive one email in support of the project.

Commissioner Spall asked if there would be sales or just service and repair. Ms. Ress said, that while sales are not prohibited and there may be an occasional sale, this is a service oriented business for small repair work that can be completed in a few days.

Chair Gillette opened the Public Hearing. There were no comments and the Public Hearing was closed.

MOTION: To approve P21-0246 Desert UTV Conditional Use Permit, subject to the Conditions of Approval

1st: Spall

2nd: Young

AYES: Gillette, Smith, Spall, Matheson, McWilliams, Nielsen, Young

RESULT: Approved unanimously (7-0)

- B. 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. (Erik Swanson, Planning Administrator)

Planning Administrator Erik Swanson presented a request for a Conditional Use Permit to allow public assembly and outdoor recreation events at the Knotty Barn, located within the Ellsworth Minifarms community. Mr. Swanson said it is a 4-acre site to be used for weddings, receptions and parties. He discussed the features of the site plan, which consists of a 3600 square foot barn; 3,500 sq. ft. outdoor area; a bride's "getting ready" house; and designated parking for 60+ vehicles. Mr. Swanson said all activities take place in the rear of the property.

Mr. Swanson said staff is recommending a three-year timing condition which will require a new application and review process and reapproval after three years. It also prohibits any expansion without coming back for the approval process.

Mr. Swanson said a neighborhood meeting was held with approximately 26 attendees. Concerns included traffic; change to the neighborhood; noise; clean up and concerns that it will set a precedent. Staff has received eight emails in support of the project with four in close proximity to the site. Mr. Swanson said staff worked with the applicant to address the traffic circulation and parking.

Mr. Swanson commented that it is not a common use in a traditional neighborhood but it is allowed with the Conditional Use Permit process and said any other use that may come would need this as well. Mr. Swanson briefly reviewed the Conditions of Approval.

Applicant Ralph Pew presented on behalf of applicants Ray and Robin Epps. He explained the CUP process and said it addresses uses that are allowed by right in a zoning district and provides more scrutiny or review so as not to interfere with surrounding properties. He also discussed enforcement by the Town if the applicant was to violate any of the conditions. Mr. Pew said it adds a layer of protection for the neighbors.

Mr. Pew discussed the hours of operation and details of the business. He said that the Epps live on-site and have strict guidelines for vendors and guests to make sure it is run properly. He said they are committed to mitigate noise from the site and are using a decibel reader to ensure compliance. He shared the Epps' vision for the property and gave more detail on the measures they are taking to be a good neighbor.

Commissioner Nielsen asked how zoning complaints are enforced. Mr. Swanson said it is a three-prong approach from Police, Code Enforcement and Planning. Warnings and citations can be issued through police or code enforcement and the CUP can be rescinded under strong enforcement measures.

The Commission asked about complaints; what triggered the CUP; and how long were they already in function. Mr. Pew said a complaint came and staff noticed that they did not have a CUP and then the Epps filed with the Town. He said they were operating for three years. Mr. Swanson said it was on complaint from a single household with concerns about noise, clean up and traffic.

The Commission asked about occupancy limits. Mr. Pew said it can accommodate 250 (but that is not typical) with 60 parking spaces and was approved by the Fire Marshall. Applicant Robin Epps said they would limit the occupancy to 150.

There was further discussion on noise levels, dust control, street parking, lighting; setting precedents and the vision for the business going forward.

Applicant Robin Epps addressed the Commission and said they have no intention on increasing the size of their business; they live on site and want to keep things in control. She said no events are scheduled in summer months. In regards to noise, Ms. Epps said the DJ's and bands are set up inside the barn only and the only outside PA system would be for a ceremony. She said they monitor noise levels and have strict guidelines.

Chair Gillette opened the Public Hearing. The following spoke in support of the The Knotty Barn at Rockin R Farms Conditional Use Permit and business owners Ray and Robin Epps:

- Connor Mayo, 11122 E Arbor Ave, Mesa
- Dennis Bowden, 20325 E Germann Rd, Queen Creek
- Ben Cloud, 20549 E Germann Rd, Queen Creek (WebEx)
- Ladell Call, 8660 E Waterford Circle, Mesa
- LeAnn Merkley, 8559 E Woodland Ave, Mesa
- Rosanne Casterton, 20396 E Superstition Dr, Queen Creek
- Debby Denton, 926 W Yellowstone Way, Chandler
- Julie Knapp, 20316 E Appaloosa Drive, Queen Creek
- Dan Sanderson, 20026 E Superstition Drive, Queen Creek
- Lauren Tuala, 8547 E Waterford Circle, Mesa
- Michelle Arnson, 8547 E Waterford Circle, Mesa
- Nicholas Baldwin, 20301 E Superstition Dr, Queen Creek
- Brittney Quigg, 19148 E Via de Palmas, Queen Creek
- Bryce Hagen, 20633 E Superstition Dr, Queen Creek
- Jordan Weeks, 20522 E Mayberry Rd, Queen Creek
- Kim Ferreira, 20026 E Superstition Dr, Queen Creek
- Whitney Wingfield, 6849 N 85th St, Scottsdale
- Codi Jean, Knotty Barn employee, no address provided
- Johanna Fradenburg, 12602 S Coconino Ct, Phoenix
- Amber Forwalk, 18611 E Cattle Drive, Queen Creek
- Shyla Baldwin, 19887 Eastmark Drive, Mesa (WebEx)
- Billy & Kerry Stevenson, 20646 E Ryan Rd, Queen Creek (comment card in favor/ did not speak)
- Henry Juan, 20402 E Superstition Dr, Queen Creek (comment card in favor/ did not speak)
- Eugene Tuala, 8547 E Waterford Circle, Mesa (comment card in favor/ did not speak)
- Monica Kochari, 20432 E Superstition Dr, Queen Creek (comment card in favor/ did not speak)
- Wayne Spinks, 15021 S. 47th St, Phoenix (comment card in favor/ did not speak)

The following spoke in opposition to the The Knotty Barn at Rockin R Farms Conditional Use Permit with concerns regarding traffic, parking and effect on the rural neighborhood.

- Erik Kerr, 20202 E Superstition Dr, Queen Creek
- Wendy Feldman-Ker, 20202 E Superstition Dr, Queen Creek

Chair Gillette closed the Public Hearing. A motion to approve was made by Commissioner Matheson and seconded by Commissioner Nielsen. Discussion on the motion:

Commissioner Spall was concerned that this would set a precedent for commercial in the neighborhood community if the applicant moved.

Commissioner Nielsen asked if the CUP is tied to the property or the business. Mr. Swanson said it is tied to the use and property.

MOTION: To approve P22-0009 The Knotty Barn at Rockin R Farms Conditional Use Permit

1st: Matheson

2nd: Nielsen

AYES: Gillette, Smith, Matheson, McWilliams, Nielsen

NAYES: Spall, Young

RESULT: Approved (5-2)

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

A. Discussion and Possible Action on Setting the 2022 Planning Commission Meeting Dates (Erik Swanson, Planning Administrator)

This item was discussed at the January meeting.

B. Recent activity update.

Planning Intern Laney Corey reported 131 single family home permits for January 2022. She said last year (January 2021) had 164 permits.

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 8:07 p.m.

MOTION: To adjourn

1st: McWilliams

2nd: Matheson

AYES: Gillette, Smith, Spall, Matheson, McWilliams, Nielsen, Young

RESULT: Approved unanimously (7-0)

TOWN OF QUEEN CREEK

David Gillette, 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 February 9, 2022 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: March 9, 2022