



**DRAFT MINUTES**  
**REGULAR MEETING**  
**QUEEN CREEK PLANNING & ZONING COMMISSION**  
**April 13, 2022**  
**6:00 PM**

1. **Call to Order:**

The meeting was called to order at 6:00 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
Leah Gumm	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@queencreek.org](mailto:PublicComment@queencreek.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.

Planning Administrator Erik Swanson read an email submitted by Vicki Baack, 1756 E Loveland Lane, San Tan Valley 85140. See attached.

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 March 9, 2022 Planning Commission Meeting Minutes.**

**B. Discussion and Possible Action on P21-0253 Empire Pointe Residential Design Review.** Mattamy Homes is requesting approval of eighteen (18) new standard plans with three (3) elevations per plan to be constructed on 533 lots at the Empire Pointe subdivision, located at the northwest corner of Gary Road and Empire Boulevard. (Mallory Ress, Planner I)

**MOTION: To approve the Consent Agenda**

**1<sup>st</sup>: Spall**

**2<sup>nd</sup>: Matheson**

**AYES: Gillette, Smith, Spall, Gumm, Nielsen, Young, Matheson**

**RESULT: Approved unanimously (7-0)**

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

- A. **Public Hearing and Possible Action on P22-0032 Minimum Residency Requirement for Planning Commissioners Text Amendment,** a staff initiated request for a Zoning Ordinance and Town Code Text Amendment to enact a minimum 1-year residency requirement for Planning Commissioner appointments. (Sarah Clark, Senior Planner)

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

**MOTION: To approve the Public Hearing Consent Agenda**

**1<sup>st</sup>: Matheson**

**2<sup>nd</sup>: Nielsen**

**AYES: Gillette, Smith, Spall, Gumm, Nielsen, Young, Matheson**

**RESULT: Approved unanimously (7-0)**

6. **Public Hearing:**

- A. **Public Hearing and Possible Action on Take 5 Instant Oil Conditional Use Permit P21-0150 and Site Plan P21-0149,** a request by Jesse Macias (M3 Design) for a Conditional Use Permit and Site Plan to allow the construction of a new 1,315 square foot drive-thru oil change facility on an approximate one (1) acre parcel within the Pecan Plaza development, located north of the northwest corner of Ellsworth and Riggs roads. (Laney Corey, Planning Intern)

Planning Intern Laney Corey introduced the Conditional Use Permit and Site Plan for Take 5 Instant Oil located on the northwest corner of Riggs & Ellsworth in the C-2 zoning district. The request is for a drive through oil change facility on a one-acre parcel in Pecan Plaza. A neighborhood meeting was held with no attendees and no public input was received to date.

Ms. Corey presented a brief overview of the site plan, which includes a shared driveway with Tractor Supply with queuing to be located along the north side. The applicant is providing 40% landscape coverage which exceeds the 15% requirement and it is compatible with the area. Ms. Corey displayed the elevations which will feature architectural enhancements to complement surrounding development.

Chris Webb, Rose Law Group, provided a brief presentation on behalf of the applicant. He said this is a unique drive-thru oil change concept that takes 10 minutes and the customer does not leave the car. There is no auto repair services and they have over 500 locations. He said this is a low intensity use with approximately 3 to 4 vehicles per hour. Hours of operation are 8 AM to 9

PM daily and he noted that previous uses planned for this site were much more intense (gas station and carwash) in comparison. Mr. Webb highlighted the landscaping and building design features.

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

**MOTION: To approve Take 5 Instant Oil Conditional Use Permit P21-0150 and Site Plan P21-0149**

**1<sup>st</sup>: Nielsen**

**2<sup>nd</sup>: Smith**

**AYES: Gillette, Matheson, Smith, Spall, Gumm, Nielsen, Young**

**RESULT: Approved unanimously (7-0)**

## **7. Final Action:**

- A. Discussion and Possible Action on P21-0216 Avanterra Madera Site Plan**, a request from Konrad Roznik of Continental Properties Company, Inc. for Site Plan approval of a 130-unit multi-family development on a 16.35 acre site, located east of the southeast corner of Signal Butte and Queen Creek roads. (Mallory Ress, Planner I)

Planner Mallory Ress reviewed the site plan request for a 130-unit multi-family development and outlined the surrounding properties. She said the project will include one and two story homes that are generally detached units. There are five (5) three-unit attached buildings. She said the developer has agreed to distribute the units throughout the parcel in the same manner that is consistent with single-family residential requirements and will not put the same building type and elevation adjacent or across from each other.

Ms. Ress reviewed parking, open space requirements and buffers and said no deviations were requested. The walls and monument signs blend with the nearby residential design in Madera. The units will have covered front porches and covered rear patios.

Commissioner Spall asked if the project will use the same two entrance points as the future commercial site and if it is a gated community. Ms. Ress said yes, the project will share access with the commercial development and no, it is not gated.

Applicant Konrad Roznik of Continental Properties said his company is a national multi-family developer with nine (9) communities constructed in metro Phoenix. He presented a brief overview of the site location, site plan and color schemes for the project. He said it is a unique product with great amenities such as spa areas, fire pits, outdoor kitchens, tot lots and pedestrian walkways. Mr. Roznik noted that each home includes sizeable private yard space with options for courtyards with extended patio or artificial turf.

Commissioner Young asked what the price point is for rentals. Mr. Roznik replied \$1600 – \$2600 rental per month.

Commissioner Gillete asked about the construction timeline. Mr. Roznik said they hope to break ground in mid-summer with a completion date in early 2023. The clubhouse and the first 12-15 homes will be started first.

**MOTION: To approve P21-0216 Avanterra Madera Site Plan**

**1<sup>st</sup>: Young**

**2<sup>nd</sup>: Spall**

**AYES: Gillette, Matheson, Smith, Spall, Gumm, Nielsen, Young**

**RESULT: Approved unanimously (7-0)**

- B. Discussion and Possible Action on P21-0191 Acero Harvest Site Plan**, a request from Brian Anderson of BMA Architecture for Site Plan approval of a 204-unit multi-family development on a 12.58 acre site, located at the southeast corner of Riggs and Gary roads. (Laney Corey, Planning Intern)

Planning Intern Laney Corey provided an aerial view of the site and surrounding properties and said it is zoned High Density Residential (HDR). The request is for a 204-unit multi-family apartment development. Since the site is already zoned HDR a neighborhood meeting was not required. Ms. Corey noted that zoning allows for 25 du/acre, however the applicant is proposing significantly less with 16.21 du/acre.

Ms. Corey reviewed the site plan including access, parking and amenities. She said there will be 10 apartment buildings strategically located around the site and they are providing more parking than is required. The landscaping, building elevations and overall design will have an agrarian feel intended to complement and connect with the Harvest Commercial Center to the west and the elements of the South Specific Area Plan.

Commissioner Smith asked if the projects meets the active open space requirements. Ms. Corey replied yes it meets requirements.

Sean Lake, Pew & Lake, presented on behalf of the development group, IDM Companies. He explained that this parcel was rezoned with the Harvest Commercial project and said the applicant is also available for additional questions.

Commissioner Young asked about the price point for rentals. Brandy Wilson, IDM Companies, said the price is market driven but may range from \$1800 - \$2500 per month.

Commissioner Gillete asked about the construction timeline. Mr. Lake said they hope to break ground as soon as possible.

**MOTION: To approve P21-0191 Acero Harvest Site Plan**

**1<sup>st</sup>: Spall**

**2<sup>nd</sup>: Nielsen**

**AYES: Gillette, Matheson, Smith, Spall, Gumm, Nielsen, Young**

**RESULT: Approved unanimously (7-0)**

- 8. 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.

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

**A. Recent activity update.**

Planning Administrator Erik Swanson reported 122 single-family home permits for March 2022 and said we are on track to hit our highest month in April.

Mr. Swanson provided an update from the Town Council meeting. Council approved the Hudson Station annexation; the Public Notification Process Text Amendment; and the Neighborhood Meeting Text Amendment.

- 10. 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. Swanson informed the Commission of the upcoming 2022 National Planning Conference. He said they are offering an online option and he will send information to those who are interested in attending.

**11. Adjournment:**

The meeting adjourned at 6:45 p.m.

**MOTION: To adjourn**

**1<sup>st</sup>: Young**

**2<sup>nd</sup>: Matheson**

**AYES: Gillette, Smith, Spall, Gumm, Nielsen, Young, Matheson**

**RESULT: Approved unanimously (7-0)**

TOWN OF QUEEN CREEK

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David Gillette, Chair

ATTEST:

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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 March 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:



Erik Swanson &lt;erik.swanson@queencreekaz.gov&gt;

## Fwd: Public comment for 4/13/22 Public Hearing

1 message

Sarah Clark &lt;sarah.clark@queencreekaz.gov&gt;

Wed, Apr 13, 2022 at 4:20 PM

To: Brett Burningham &lt;brett.burningham@queencreekaz.gov&gt;, Erik Swanson &lt;erik.swanson@queencreekaz.gov&gt;

Sarah Clark, AICP

Senior Planner/Project Manager

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Office hours: Monday – Thursday, 7 a.m. – 6 p.m., closed on Fridays



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**QUEEN CREEK**  
 ARIZONA

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----- Forwarded message -----

From: Vicki Baack &lt;vbaack@hotmail.com&gt;

Date: Wed, Apr 13, 2022 at 4:13 PM

Subject: Public comment for 4/13/22 Public Hearing

To: PublicComment@queencreek.org &lt;PublicComment@queencreek.org&gt;

Vicki Baack

1756 E Loveland Lane

San Tan Valley, AZ 85140

Please add to the public record and read my comments in their entirety at the public hearing tonight.

[https://www.fox10phoenix.com/news/3000-residents-evacuated-in-morris-after-warehouse-fire?fbclid=IwAR31rZiRC0sQjDIOTaS0SscWpIbl\\_NhCEFsVI0AQ7H9Vpqt68GHQI80zo#l1v22pyy23kzjdsqbbc](https://www.fox10phoenix.com/news/3000-residents-evacuated-in-morris-after-warehouse-fire?fbclid=IwAR31rZiRC0sQjDIOTaS0SscWpIbl_NhCEFsVI0AQ7H9Vpqt68GHQI80zo#l1v22pyy23kzjdsqbbc)

It only takes 1 disaster like this to ruin our community!

The residents of Queen Creek and San Tan Valley are using our voices (and our keyboards and mobile devices) to protest the auction, scheduled for next Tuesday, 4/19 at 11am. The subject property is the lot along Germann Rd, and bordered by Ironwood on one side and Kenworthy Rd. on the other. If this auction happens, LG Energy Solutions has made it clear that they intend to purchase the 300 acre lot,

and they will break ground on a 1 million square foot lithium ion battery manufacturing plant in Q2 2022 and be operational no later than 2024.

In fact - the Town of Queen Creek and Pinal County representatives plan to make this process easier for LG by already committing to a few things, according to the 3/16/22 QC Town Council Meeting Notes:

- The Town will expedite approvals/permitting of the Project
- The Town will defer all building/permitting fees for the Project. The deferral is tied to the expectation that construction is complete and they commence operation, with 2,800 employees by December 2024
- The Town will pay an estimated \$15 million in building permit and impact/capacity fees
- The Town will pay an estimated \$700k for employee training
- The County will expedite air quality permitting for the Project

Representatives of the Town of Queen Creek and Pinal County sure have put their best foot forward to court LG Energy Solutions and pave the way for a quick Project completion.

While at the same time, they've done nothing to look out for the residents of San Tan Valley, specifically those of us that live across the street from this land. Of the 19 commitments they've made to LG Energy - they've made no commitments, nor demonstrated any consideration, to the people that already live here. That says a lot about their motivation, doesn't it?

We were told in 2018, by Town of QC and ASLD representatives that this land would be zoned as 'Neighborhood' and 'Urban', and it would take decades for the land to be developed. Yet here we are, just 4 years later and much of the land has already been rezoned to 'Urban Industrial' with a 3rd request pending Town approval. This particular lot that LG plans to purchase was rezoned just 4 months ago (December 2021) - with the bare minimum done to notify the local land owners, and with no discussion by the Council members.

Without any discussion, 5 of the 7 Council members approved the rezoning!

And so now here we are.

5 QC Town Council members held the power to unilaterally impact thousands of lives with 1 decision. A decision that they couldn't spare the time to discuss before voting, nor bother to engage the local San Tan Valley community in advance of the vote. Thousands of residents were in the dark about this until the media broke the story about LG a couple of weeks ago. The administrators at Combs High School didn't know this was happening - and they have over 1,000 students across the street from the land!

The QC Town Council and ASLD were only obligated to notify residents by mail about the rezoning request, prior to approval, who own property within 1200 feet of the land (less than a .25 mile). There are hundreds of us in San Tan Valley that live within a mile of the land and were never notified, and thousands of people in STV and QC that live within 10 miles of the land that were never notified. All of us should have been notified and given the chance for transparent discussion about the future plans and share our concerns. They will say the land was posted, and they "can't help it if people don't stop and read the public notices". Let's be real here. It's itty, bitty font size, on a large board, and who dares to take their eyes off the road while driving on Ironwood or Germann, or even worse - dare to pull over on those roads to read a sign?!

The magnitude of this zoning change deserved more than the bare minimum public notification.

And why should they have notified residents within 10 miles?

Because that is the EVACUATION radius in towns where lithium ion batteries have recently exploded and caused factories to burn to the ground. But - only people living within a 1/4 mile of the land



should get advanced notice of the potential rezoning to bring the factory here in the first place. It makes no sense!

These batteries are extremely sensitive to high temperatures and are “inherently flammable” and that is why we're asking the ASLD to post-pone the auction and prevent LG Energy from gaining control of this land. They are currently under Federal investigation for the very batteries they plan to manufacture in QC, because of the amount of car fires their batteries have caused.

The residents of QC and STV love our communities and together we are pushing back and putting in a full effort to stop the auction next week. We want to work in partnership with the QC Town Council, the ASLD and Pinal County on the future of this land. None of the decision makers live near the land, and our voice should matter. By pausing the auction, everyone can take a step back, come to the table, and have time to find a solution that works for ALL. Not just the beneficiaries of the Land Trust and the QC revenue plan...but also the quality of life for the people that live here.

People need to keep speaking up!

Please submit an online grievance NOW - it takes less than 5 minutes. If everyone that lives within 10 miles of this land submits a grievance - it will matter!

Here's how:

<https://azland.tfaforms.net/4630115>

Select “Individual”

Complete your Contact Info

Check the box “Something Else” and a box will pop up.

Type: Grievance: and then start typing your comments. Be as specific as you can about your concern.

Thank you!

Vicki Baack

Get Outlook for iOS

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**Sarah Clark, AICP**

Senior Planner/Project Manager

t: (480) 358-3020

e: [sarah.clark@queencreekaz.gov](mailto:sarah.clark@queencreekaz.gov)

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4/13/22, 5:12 PM

Town of Queen Creek Mail - Fwd: Public comment for 4/13/22 Public Hearing

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