



Minutes
Regular Meeting
Queen Creek Planning & Zoning Commission
May 11, 2022

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 - Web EX
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. Comments may also be sent to via email to PublicComment@queen creek.org by 5:30 p.m. the day of the meeting (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 April 13, 2022 Planning Commission Meeting Minutes.

B. Discussion and Possible Action on P21-0256 North Creek Phase 2 Preliminary Plat. A request by David Hughes of EPS Group, Inc. for a Preliminary Plat consisting of 374 lots for Phase 2 of the North Creek community. The 75± acre project site is generally located at the southeast corner of Meridian Road and Germann Road. (Evan Balmer, Senior Planner)

C. Discussion and Possible Action on P22-0021 Alexan Queen Creek Site Plan. A request from Greg Davis of IPlan Consulting for Site Plan approval of a 495-unit multi-family development on a 19.51 acre site, located south of the southwest corner of Signal Butte and Germann roads. (Laney Corey, Planning Consultant/Erik Swanson, Planning Administrator)

MOTION: To approve the Consent Agenda

1st: Spall

2nd: Young

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

RESULT: Approved unanimously (7-0)

5. **Final Action:** *Matters listed under the Final Action Agenda are considered to be routine and are discussed to ensure compliance with the Zoning Ordinance and any other applicable guidelines. These items are not public hearing items.*

- A. Discussion and Possible Action on P22-0101 Project Alpha Site Plan.** This is a request by Kevin Evernham, Ware Malcomb, for Site Plan approval for the development of approximately 120-acres of a 340-acre site located at the southeast corner of Ironwood Road and the future Pecos Road alignment. (Erik Swanson, Planning Administrator)

Planning Administrator Erik Swanson briefly explained the difference between a public hearing and a final action item. He this is a final action item which is routine in nature and the applicant is already zoned for the use and the development is required to meet all adopted Code requirements. It is a final review by the Commission to assure compliance with the Zoning Ordinance, design guidelines and other applicable standards and it is not a public hearing.

Mr. Swanson said the request is for approval of an advanced manufacturing campus on a 120-acre site that includes 1.5 million square feet of building area for 11 buildings. Mr. Swanson outlined the site location and surrounding areas. It is located on the Arizona State Land Department (ASLD) property and has the Urban Employment Designation which is zoned for industrial uses and excludes any residential development.

Mr. Swanson reviewed the allowed uses in the Urban Employment category and said the request is in compliance with the underlying zoning. He explained that the focus is on employment uses and ancillary commercial centers are also allowed in this zone. However, that is not what it in tonight's site plan.

Mr. Swanson presented the site plan and discussed setbacks, access points and presented conceptual renderings of the eleven buildings and how they are being used and where they are located on the site. He discussed outdoor areas, parking and setbacks. He said the intent is to develop the site in one phase. He provided further detail on the setbacks on the overall 600 acre site (which this project is a portion of) and outlined the dimensions from the actual buildings to surrounding neighborhoods and schools.

Mr. Swanson addressed architectural building design, materials and heights for each building and said they are consistent with the zoning and adopted design standards. He said that each building will have a cohesive design and significant landscaping and retention areas and buffers will be provided throughout the site.

Vice Chair Smith asked about the setbacks on the east and south. Mr. Swanson the south setback is approximately 60 feet from the property line for this phase to the building and on the east side it is about 235 feet from the property line of the site.

The following representatives were in attendance on behalf of the applicant LG Energy Solutions:

- Brian Sandstrom, Ware Malcomb (Lead Senior Project Architect)
- Tom Whitton & Danielle Jordan, Quarles & Brady LLP
- Kevin Evernham, Ware Malcomb
- Stan Barnes, Copperstate Consulting Group
- Ian Calkins, Copperstate Consulting Group
- Kevin Kim, Gansam Architects Co., Ltd

Tom Whitton provided a background on LG Energy Solutions, which has 30 years of experience in advanced battery technology and is well established across the world. He said the Queen Creek facility will be the company's first cylindrical-type battery facility in the US, making QC the hub for electrical vehicles. Mr. Whitton said the project will be a \$1.4B initial investment and will be ready to go in 2024. He gave a brief overview of the zoning history of the site and said the use is permitted by right.

Brian Sandstrom said that LG will be a catalyst for the area and will bring in additional tech jobs to Queen Creek. He provided site plan details including the visible buffers from the street, entry points and security and parking. He said there will be landscaping to further buffer any equipment from Ironwood.

Mr. Sandstrom said the project meets all the development standards with the ASLD Specific Plan and the Town's Zoning Ordinance. He addressed screening, walls and fences and said the buildings will have architectural elements and landscaping to minimize the extent of metal surface visible from the street. The project meets all the design guidelines and the buildings will have a clean tech and timeless design appearance. He showed renderings of the different buildings and landscaped areas.

Mr. Sandstrom concluded with the economic benefits the project will bring to the Town including jobs and the ripple effect with additional investments to diversify the economy. He said it will help attract additional companies and new dining and shopping opportunities.

The Commissioners had the following questions which were answered by the team of representatives:

1. Chair Gillette asked where their existing plant is located and the impacts it had on the community; and are they supplying batteries to GM or Ford.

Mr. Sandstorm said it is located in Holland, MI and additional expansion plans in other states are underway. The plant in MI is well integrated into the community and no significant problems were experienced. The community has accepted the development and it has brought many jobs.

Kevin Kim, Gansam Architects, said the batteries for GM and Ford are locally supported.

2. Commissioner Young asked how big the batteries are.

Mr. Kim said they are cylindrical-type batteries used to power cars or for power tools.

3. Commissioner Spall asked if they intend to hire local.

Mr. Kim responded yes, we intend to hire mostly local. The project will generate 1600 jobs and will bring more jobs and employers to the area.

4. Commissioner Smith asked about the circulation regarding parking and shipping entrances.

Mr. Sandstrom outlined the employee and visitor parking on the site plan and said the west side has the bus bays used for commuters and tours.

5. Commissioner Smith asked about the watershed running through the site and if it will require improvements across the road.

Mr. Sandstrom said there is discussion about bringing in a culvert and our civil engineer has been in contact with Town's engineers on this matter.

Mr. Swanson confirmed that the Town has discussed this and he said the applicant will provide more retention than required.

Chair Gillette explained that this it is not a public hearing but out of respect we are allowing public comment:

- No comments were received by phone/WebEx.
- Chris Clark, Queen Creek Chamber of Commerce attended the meeting and spoke in favor of the project.
- Assistant Town Manager Bruce Gardner read a letter of support from Mark Schnepf, 22601 E Cloud Rd, Queen Creek, 85142 into the record (attached).

MOTION: To approve P22-0101 Project Alpha Site Plan

1st: Young

2nd: Nielsen

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

RESULT: Approved unanimously (7-0)

6. Public Hearing:

- A. **Public Hearing and Possible Action on P21-0054 Hudson Station PAD Rezone and P21-0164 Hudson Station Commercial Site Plan.** A request from Sean Lake (Pew and Lake, PLC) to rezone approximately 95-acres from R1-43 to R1-18, R1-7, R1-5, MDR, and C-2 with a PAD overlay and a request for Site Plan approval of a 24-acre (approx.) commercial site anchored by a Fry's Marketplace and Pharmacy and Eos Fitness Facility. The project site is located generally at the southwest corner of Queen Creek and Signal Butte roads. (Sarah Clark, Senior Planner/Project Manager)

Senior Planner Sarah Clark presented the Hudson Station PAD Rezone and Commercial Site Plan located at the southwest corner of Queen Creek and Signal Butte Road. The request is to rezone 95-acres in unincorporated Maricopa County (with a concurrent annexation request) and a site plan approval for a 24-acre commercial center anchored by Fry's and EOS Fitness.

Ms. Clark outlined the site location and surrounding areas. She said the existing zoning is R1-43 and the proposed zoning is R1-18, R1-7, R1-5, MDR, and C-2 with a PAD overlay to allow for a single-family and MDR development and a commercial center.

Ms. Clark explained the transitions that will be provided between the zoning districts for the single-family homes, commercial and multifamily developments that includes walls, landscaping and buffer trails.

Ms. Clark said as part of the request the applicant is requesting one deviation for MDR building separation from fifteen (15) feet to ten (10) feet. She said this is consistent with other developments in Town. They

are also proposing to modify the lot dimension by increasing the minimum lot standards for R1-18; R1-7 and R1-5 zoning districts and limit the height of the MDR development to 24-feet from 36-feet to accommodate single-story development.

Ms. Clark said that four public meetings were held and concerns were in regards to buffers to the south; traffic; public safety and property values. The neighbors to the south met with the applicant and requested 1/2 acre minimum lots along the southern portion of the project with a single story restriction on the boundary; multifamily or medium density housing is restricted to single story, particularly on the shared southern boundary; rebuild the block wall to code for safety and security; and bring fiber to the community.

Ms. Clark said the applicant addressed all their concerns but said the fiber to the community is not in their control. Following the meetings staff received seven emails in opposition to Hudson Station and two emails in support of the Fry's center.

Ms. Clark gave a brief overview of the 24.3-acre commercial center site plan request. She said Pads A and B and Shop C will require separate site plan applications. The site plan exceeds the parking requirement and the open space requirement and the project will include trail connections, enhanced walkways, shaded gathering areas, outdoor seating and art features.

Commissioners discussed dual drive thru lanes and the transitional space to the south.

Sean Lake, Pew & Lake presented on behalf of the applicant. He said they met with the surrounding neighbors and said all commitments will be followed through with and they will replace the 8-foot neighborhood wall that was in disrepair. In regards to the fiber optic request, they have agreed to work with Cox Internet.

Mr. Lake said that in regards to the drive thru the double lane stack is now a standard in the industry and we anticipate that this will be a request in the commercial center as well. He said the pedestrian circulation plan connects with regional trails and trails within the site and there is plenty of open space throughout the pathways. He commented on the resort style amenities in the MDR and said the transitional zoning negotiations with the neighbors will occur.

The Commission commented that they appreciated the oversized lots.

Commissioner Smith asked for clarification on the site plans vs. conceptual plans. Mr. Lake said the site plan before you is for the commercial piece. The Preliminary Plats and Site Plans for the single family and MDR parcels are conceptual and will come at a later date.

Commissioner Nielsen had concerns with elimination of sidewalks in Parcel 3.

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

MOTION: To approve P21-0054 Hudson Station PAD Rezone and P21-0164 Hudson Station Commercial Site Plan.

1st: Spall

2nd: Nielsen

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

RESULT: Approved unanimously (7-0)

- B. Public Hearing and Possible Action on P21-0163 Fry's Fuel Center Conditional Use Permit.** A request from Sean Lake (Pew and Lake, PLC) for Conditional Use Permit approval for a Fry's Fuel Center, located generally at the southwest corner of Queen Creek and Signal Butte roads. (Sarah Clark, Senior Planner/Project Manager)

Senior Planner Sarah Clark introduced the Conditional Use Permit for Fry's Fuel Center located within the proposed Hudson Station Commercial Center at the southwest corner of Queen Creek and Signal Butte roads. She said the site plan for the commercial center is running concurrently with this proposed request.

The request includes a 1,066 square foot kiosk, a 6,800 square foot canopy, 10 fuel pumps and 16 parking stalls. Ms. Clark said landscaping will be provided to screen the fuel station from the development and the hours of operation will be consistent with Fry's. The elevations are consistent with the Fry's project.

Neighborhood meetings were held and there were no questions or comments concerning the proposed fuel station. Two emails of support for the Fry's development were received.

Commissioner Spall commented that the kiosk looked big and asked if it is a walk-in store. Ms. Clark said yes, customers can walk in to pay.

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

MOTION: To approve P21-0163 Fry's Fuel Center Conditional Use Permit.

1st: Smith

2nd: Gumm

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

RESULT: Approved unanimously (7-0)

- C. Public Hearing and Possible Action on P21-0169 Mayberry on Rittenhouse PAD Rezone and P21-0171 Site Plan.** A request from Sean Lake (Pew and Lake, PLC) to rezone approximately 15.88 acres (net) from RU-43/R1-43 to MDR with a PAD overlay, and a request for Site Plan approval of a 186 unit residential condominium development, located east of the southeast corner of Sossaman and Rittenhouse roads. (Mallory Ress, Planner I)

Planner Mallory Ress introduced the Mayberry on Rittenhouse PAD Rezone and Site Plan and outlined surrounding properties. She said the current zoning is RU-43 (upon concurrent annexation it will be R1-43) with a request to rezone to MDR with a PAD overlay. The site plan is for a 186-unit residential condominium with attached and detached one and two-story homes in a gated community.

The plan meets open space and land requirements and the applicant is requesting one deviation for a reduction in building separation from 15 feet to 10 feet. Staff supports the deviation. Ms. Ress discussed the access points, landscaping plan and elevations. She said there will be four building types with a central amenity area and private yards.

Ms. Ress said two neighborhood meetings were held and questions were in regards to increased density in the area; traffic; ingress/egress from the adjacent Rittenhouse Ranch subdivision; parking; rent prices and emergency access. The applicant provided solutions to address the traffic concerns and there were no letters of opposition and one letter of support received.

Sean Lake, Pew & Lake, presented on behalf of the applicant. He said there were several changes made as a result of neighborhood meetings and the project now has a lot of support. He said these are gated townhomes and patio homes with a lot of amenities and common open space. Mr. Lake addressed the

neighbor's list of concerns and said the homes were pushed to the north to create a large separation to the south because of neighborhood feedback. He added that the project exceeds the parking requirements.

The Commissioners discussed traffic concerns regarding ingress/egress and Mr. Pew confirmed that there will be a right turn only coming out of the community and there is a median to prevent left hand turns.

Chair Gillette asked if the condominiums are for rent or for sale. Mr. Lake said the condominiums are for sale and are platted. He said the developer intends on selling the units, however he cannot guarantee that some units would not be rented at some point.

Commissioner Smith asked about the PAD deviation and if they considered keeping the 15-foot building separation for the two story area. Mr. Swanson said two story homes can have a 10 foot separation of 5' and 5'. Commissioner Smith asked if they were bound by the PAD and will this prevent them from building three-story homes. Ms. Ress said yes.

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

MOTION: To approve P21-0169 Mayberry on Rittenhouse PAD Rezone and P21-0171 Site Plan.
1st: Smith
2nd: Nielsen
AYES: Gillette, Smith, Spall, Gumm, Nielsen, Young, Matheson
RESULT: Approved unanimously (7-0)

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.

Mr. Swanson reported 219 new single-family home permits in the month of April. He said Town Council approved the text amendment for Minimum Residency Requirements.

Mr. Swanson announced that Planning Intern Laney Corey graduated from ASU with a dual degree.

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 7:40 p.m.

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 May 11, 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: June 8, 2022

Please read this letter into the record at the Planning and Zoning meeting. on May 11, 2022. It is the same letter I asked to be read at last weeks Council Meeting.

Thank you,
Mark

May 4, 2022

PUBLIC COMMENT LG

From: Mark Schnepf 22601 E. Cloud Rd Queen Creek, AZ 85142

Subject: LG Project.

Position: Support

Please read into the record

Dear Mayor Barney and Council Members:

I regret that I cannot be at the meeting in person but would like this read into the record. I am writing in support of the LG Project. I am aware that it has become controversial and I am sure my position will be the opposite position from friends I have known for decades.

For those who are unaware I served as the first Mayor of Queen Creek and finished my service in 2000. When I left office I decided that I would refrain from making local candidate endorsements or taking a public position on an issue unless I felt that the community was going to be harmed or damaged in some way. In the 22 years since I left office this is only the third time I have waded into a Queen Creek issue publicly.

When we created the first General Plan for the Town we envisioned a community that offered different types of housing for future residents. A strong commercial downtown and employment in the planned industrial area along our northern boundary of the Town. We chose not to be just a bedroom community. Over the decades, the town's general plan has had changes made to it and the Town's boundaries have expanded. But the plan to site Industrial type jobs in the north has never changed. The north area of Queen Creek has always been the only logical location to site large employers and even more so with the extension of the 24 freeway.

It has always been the vision for Queen Creek to attract good, higher paying jobs to the community. This supports the tax base and means that residents have job opportunities within the community instead of having to commute long distances. LG is the first big success with this 30 year vision. I congratulate the Council on their accomplishment.

I have read some of the concerns and criticisms from those opposed and it is not my job to respond to those....that is the job of the Town and LG, but I would like to make a comment on one aspect.

One of the criticisms is that tax abatements have been offered to LG. I don't like tax abatements myself but I also don't like good paying jobs all going to Texas, or other states, or

even other communities within AZ. Communities compete for employers; that's the system we live in. Just last year we lost a Samsung Factory to Austin Texas.

Regarding the abatements, The Town has offered to pay for road improvements, extend utility services and waive development fees that would normally be charged. The road improvements are going to be made anyway whether now or in the future. Germann is a designated road of regional significance. The utilities would be extended by the town anyway, whether now or in the future. I think that is well worth waiving some development fees for 2800 long term, local, good paying jobs.

Schnepf Farms can't provide 2800 good paying jobs, neither can Olive Mill, or Frys, or Fat Cat's, or Botanical Gardens, or Hayden Flour Mill or any other retail business in the town including all those in the downtown area. Homebuilders can't provide long term good paying jobs because they leave the community as soon as the neighborhoods are built. I wish I had more time to comment on other aspects of this project but I don't.

I will close by saying The Town's only opportunity to create long term, good paying, industrial type jobs is to attract major employers to the north side of our community close to the 24 freeway. That's what the Town has done, that is one of their jobs, they finally got it done after 30 years, and I support that.