



DRAFT MINUTES
Regular Session
Queen Creek Planning & Zoning Commission
Queen Creek Library, 21802 S. Ellsworth Rd.
Zane Grey Room
July 27, 2022
6:00 PM

1. Call to Order:

The meeting was called to order at 6:00PM

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. Comments may also be sent to via email to PublicComment@queencreek.org by 5:00 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 June 8, 2022 Planning Commission Meeting Minutes.

B. Discussion and Possible Action on P22-0108 Hudson Station Commercial Preliminary Plat, a request from Ali Fakh of SEG for preliminary plat approval to subdivide a 24-acre (approx.) C-2 zoned parcel into 6 lots to facilitate the development of a commercial center. The project site is located at the southwest corner of Queen Creek and Signal Butte roads. (Sarah Clark, Senior Planner)

C. Discussion and Possible Action on P22-0038 and P22-0039 Madera Ashton Woods Residential Design Review. Ashton Woods is requesting approval of twelve (12) new standard plans with a total of twenty-

eight (28) elevations to be constructed on 339 lots at the Madera subdivision, located south of Queen Creek Road and between Signal Butte and Meridian Road. (Evan Balmer, Senior Planner)

MOTION: To approve the Consent Agenda

1st: Matheson

2nd: Young

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

RESULT: Approved unanimously (7-0)

5. Public Hearing:

- A. A CONTINUANCE ON THIS CASE HAS BEEN REQUESTED Public Hearing and Possible Action on Case P22-0051 Barney Farms North Major General Plan Amendment**, a request by Greg Davis, Iplan Consulting, for a Major General Plan Amendment for 40± acres from Industrial to Neighborhood. This project is generally located south of Germann Road west of Signal Butte Road. (Evan Balmer, Senior Planner)

Chairman Gillette requested a brief presentation from Staff. Evan Balmer, Senior Planner, noted that the applicant a continuance to a date uncertain to allow for the preparation of a rezoning application to be processed concurrently with the requested major General Plan amendment.

Motion: To continue Case P22-0051 Barney Farms North Major General Plan Amendment to a date uncertain

1st: Spall

2nd: Gumm

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

RESULT: Approved unanimously (7-0)

- B. A CONTINUANCE ON THIS CASE HAS BEEN REQUESTED Public Hearing and Possible Action on cases P22-0020 and P22-0025 Carvana Conditional Use Permit and Site Plan**, a request from Dominic Ghaby, SimonCRE, for a Conditional Use Permit and Site Plan approval on approximately 4.47 acres for the construction of automotive distribution center with outdoor storage, located within Power Marketplace Business Park, east of the northeast corner of Power and Rittenhouse roads. (Mallory Ress, Planner I)

Motion: To continue cases P22-0020 and P22-0025 Carvana Conditional Use Permit and Site Plan to a date uncertain

1st: Spall

2nd: Gumm

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

RESULT: Approved unanimously (7-0)

- C. Public Hearing and Possible Action on cases P21-0258 and P22-0002 Empire Southwest Site Plan and Conditional Use Permit**, a request from Vince DiBella, Adaptive Architects, for a Conditional Use Permit and Site Plan approval on approximately 5.7 acres for the construction of an equipment rental company with outdoor display and outdoor storage, located within Power Marketplace Business Park, east of the northeast corner of Power and Rittenhouse roads. (Mallory Ress, Planer I)

Mallory Ress, Planner I, provided an overview of the project location and a summary of the adjacent properties. Ms. Ress summarized the request for a conditional use permit and the associated site plan for

a construction rental company with outdoor display and outdoor storage. Ms. Ress provided an overview of the proposed site plan, including the proposed buildings.

Ms. Ress noted that the purpose of the CUP request was for the outdoor display and storage areas. Ms. Ress provided a summary of the location and conditions of the outdoor display and outdoor storage areas on site. Ms. Ress noted that a condition of approval of the Power Marketplace Business Park restricts cherry pickers or fork lifts from being stored in the extended position. Ms. Ress noted that outdoor storage and display will be limited to the locations presented on the site and would not be permitted in customer spaces or within the Power Marketplace.

Ms. Ress presented the proposed building elevations. Ms. Ress noted that staff has received one letter of support for the project and has not received any other comments on the proposal.

Commissioner Smith inquired if condition of approval regarding the extension of equipment applies to the excavators or other uses on site. Vince di Bella, spoke on behalf of the applicant and stated that there is no intention to raise the equipment beyond the normal storage position.

Commissioner Young inquired if the stored equipment was light or heavy equipment? Mr. Di Bella responded, stating that the equipment includes general construction equipment, rather than heavy construction equipment.

Commissioner Smith inquired: where does the runoff of the wash system go? Mr. Di Bella responded, stating stating that the wash system is a recycled system so there is very little waste, but any waste will be appropriately treated.

Commissioner Matheson: Is the rental equipment intended for general public or contractors? Mr. Di Bella stated that customers primarily include general contractors but residents may also rent equipment.

MOTION: To to recommend approval of cases P21-0258 and P22-0002 Empire Southwest Site Plan and Conditional Use Permit.

1st: Young

2nd: Smith

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

RESULT: Approved unanimously (7-0)

- D. Public Hearing and Possible Action on P22-0157 Entertainment Activities Text Amendment**, a staff initiated text amendment to Article 4. Zoning Districts of the Zoning Ordinance recommending approval of entertainment activities when associated with a restaurant or bar (Erik Swanson, Planning Administrator)

Erik Swanson, Planning Administrator, introduced the proposed text amendment. Mr. Swanson noted that the proposed amendment gives the ability for restaurants and parks to have live entertainment and dancing. Mr. Swanson noted that staff has received feedback that the current code prohibits dancing and limits entertainers to one entertainer or a conditional use permit would be required and could potentially be revoked.

Mr. Swanson summarized the proposed text amendments for the different commercial zoning districts:

For Traditional Commercial Zoning Districts (C-1, C-2, and C-3), Mr. Swanson stated that the amendment allows for entertainment activities beyond what is currently provided in the Zoning Ordinance, but limits it indoors only without time limitation and so long as noise is not heard beyond the property boundary. Outdoor entertainment activities beyond 10 p.m. would require a Conditional Use Permit.

For the Mixed-Use District and commercial uses in the Town Center, Mr. Swanson noted that the amendment will allow for entertainment activities beyond what is currently provided in the Zoning Ordinance, but limit them to indoors only without time limitation. Outdoor entertainment is allowed until 11 p.m. so long as the outdoor entertainment activity is at least 300-feet from existing single-family residential homes. If an arterial street or railroad separates the use from existing single-family residential development then the 300-foot separation buffer does not apply. If entertainment activities occur closer than 300' feet or beyond 11 p.m., a Conditional Use Permit is required.

Mr. Swanson noted that the Downtown Core is the area visioned as the Town entertainment center and the proposed amendment provides less stringent restrictions to create a night life and provided a map of the Downtown Core area. Mr. Swanson stated that the amendment would for entertainment activities beyond what is currently provided in the Zoning Ordinance, however limiting them to indoors only without time limitation. Outdoor entertainment is allowed until 11 p.m. Sunday through Thursday and 12 a.m. Friday and Saturday. A separation buffer is not required. Mr. Swanson noted that staff worked with the Economic Development team, commercial developers, land use attorneys, and operators of restaurants and bars. Mr. Swanson noted that the feedback was relatively positive and incorporated into the proposed text amendment.

Chairman Gillett inquired why dancing was not allowed outdoors? Mr. Swanson was unsure but noted that the proposed amendment proposed to lift that restriction.

Commissioner Young inquired about parking and runoff in the Downtown Core area. Jennifer Lindley, Downtown Development Manager, noted that as part of the the deliverables that were established with the Downtown Core Plan, a preliminary drainage study was completed that enables the drainage to be placed underground for some of the larger parcels. A parking analysis was another deliverable to work on the shared parking model for the downtown core area.

Motion: To recommend approval of P22-0157 Entertainment Activities Text Amendment

1st: Spall

2nd: Smith

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

RESULT: Approved unanimously (7-0)

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

- A. **Discussion and Possible Action on P22-0077 and P22-0129**, Germann and Meridian Industrial Site Plan and Preliminary Plat, a request from Angie Grendahl, Thompson Thrift, for Site Plan and Preliminary Plat approval of a 65.9 acre industrial development located south of Germann Road west of Meridian Road. (Steven Ester, Planner II)

Evan Balmer, Senior Planner, provided a summary of the project location and an overview of the surrounding properties. Mr. Balmer presented an exhibit of the current zoning and an exhibit of the current General Plan land use of the property. Mr. Balmer summarized the proposed site plan. Mr. Balmer identified the proposed access onto Germann, landscape areas, and parking. Mr. Balmer presented the proposed elevations and the proposed building renderings.

Commissioner Spall inquired: are the proposed buildings warehouses? Mr. Balmer noted that the proposed buildings are shell buildings, but uses permitted in the EMP-A zoning district could be located within the buildings, which could include warehouses, office uses, and other similar uses.

Commissioner Gillette inquired: are there any known users? Mr. Balmer noted that the users are not known to staff at this point.

Commissioner Young inquired: Is there a noise restriction for the buildings on the south or is there a separation? Mr. Balmer noted that there is a 50-foot enhanced buffer. Mr. Balmer noted that the noise ordinance requirements would apply and traffic is situated internal and the south side of the building is customer entrances.

Commissioner Gillette inquired: what is the distance to the property line to the south from the buildings on the south side of the site? Mr. Balmer responded estimating 50-feet.

Commissioner Smith inquired: what signage is allowed per the Zoning Ordinance and are the signs facing the residential lots permitted to be internally illuminated? Mr. Balmer stated that the applicant has submitted a comprehensive sign plan that staff has reviewed, there are not any deviations that what is allowed by code; the proposed signage meets the requirements of the Zoning Ordinance. Commissioner Smith expressed concern with the illuminated signage facing residential lots and requested staff pay attention to signage.

Commissioner Smith inquired: how much does the site exceed parking requirements? Mr. Balmer responded, stating that because users are unknown at this time, the applicant went over the parking requirements to accommodate future users and their employees.

MOTION: To to approve P22-0077 and P22-0129, Germann and Meridian Industrial Site Plan and Preliminary Plat

1st: Young

2nd: Spall

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

NAYS: Smtih

RESULT: Apporved (6-1)

- B. Discussion and Possible Action on P22-0074 Rittenhouse Commons 1 Residential Design Review.** Greg Davis, of iPlan Consulting, is requesting approval of three (3) new standard plans with three (3) elevations each to be constructed on 81 lots in the Rittenhouse Commons 1 subdivision, located at the northwest corner of Rittenhouse and Germann roads. (Evan Balmer, Senior Planner)

Steven Ester, Planner II, presented the project location. Mr. Ester provided an overview of the surrounding properties. Mr. Ester provided an overview of the Rittenhouse Commons 1 development and summarized the proposed residential product. Mr. Ester provided an exhibit of the proposed elevations, noting that they are all two-story homes. Mr. Ester provided an exhibit of the development lot layout. Mr. Ester presented the proposed product elevations.

Commissioner Spall inquired if siding was proposed per the photo included in the presentation? Commissioner Nielsen, noted that the photo in the staff report is referring to the garage door detail which was on a different product not being proposed.

Commissioner Matheson inquired: is this a agated community? Mr. Ester responded, yes, it is a gated community.

Commissioner Gumm inquired: are these homes for sale? Mr. Ester responded, stating yes these homes are for sale.

Commissioner Spall inquired about pricing. The applicant, Greg Davis, responded, stating they won't know until they start building.

Chairman Gillette inquired when the development will break ground. Mr. Davis responded, stating as soon as possible.

MOTION: To approve P22-0074 Rittenhouse Commons 1 Residential Design Review

1st: Matheson

2nd: Gumm

AYES: Nielsen, Spall, Young, Smith, Gillette, Gumm, 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 noted that in June 133 single family permits were issued, which is slightly down from the previous year. Mr. Swanson announced Evan Balmer's, Senior Planner, departure from the Town of Queen Creek.

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**

MOTION: To Adjourn Regular Session at 6:51

1st: Young

2nd: Smith

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

RESULT: Approved unanimously (7-0)

The meeting adjourned at 6:51 p.m.

TOWN OF QUEEN CREEK

David Gillette, Chairman

ATTEST:

Sarah Clark, Senior Planner/Project Manager

I, Sarah Clark 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 July 27, 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: *Draft Minutes – not approved*