



DRAFT MINUTES

Planning & Zoning Commission Regular Session and Possible Work Study

Community Chambers, 20727 E. Civic Parkway September 14, 2022

6:00 PM

REGULAR SESSION

1. Call to Order:

The meeting was called to order at 6:02PM.

2. Roll Call: *One or more members of the Commission may participate electronically or telephonically.*

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|-----------------|--------------|---------|
| David Gillette | Chair | Absent |
| Leah Gumm | Commissioner | Present |
| Alex Matheson | Commissioner | Present |
| Matt McWilliams | Commissioner | Present |
| Jeff Nielsen | Commissioner | Present |
| Lea Spall | Commissioner | Present |
| Troy Young | Commissioner | Present |

3. Pledge of Allegiance:

4. 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@QueenCreekAZ.gov 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.

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

Chairman Gillette moved Items E (P22-0116 Meridian Rezone) and F (P22-0133 Barney Farms Industrial Rezone) on the Public Hearing Agenda to the Consent Agenda.

A. Discussion and Possible Action on July 27, 2022 Planning Commission Meeting Minutes.

B. Public Hearing and Possible Action on P22-0116 Meridian Rezone, a request by Dorothy Shupe, Sketch Architecture Company, to rezone 17.69 acres from R1-54 to C-3, located immediately south of SR24 at the southeast corner of Meridian Road and SR24.

- C. Public Hearing and Possible Action on P22-0133 Barney Farms Industrial Rezone, a request by Greg Davis of Iplan Consulting, to rezone a 14.3 acre (approx.) site from C-2/PAD to EMP-A/PAD, located generally 350-feet west of the southwest corner of Signal Butte and Germann roads.

MOTION: To approve Consent Agenda

1st: Matheson

2nd: Nielsen

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

RESULT: Approved unanimously (7-0)

6. Public Hearing:

- A. Public Hearing and Possible Action on P22-052 Arizona State Land Department Specific Plan Supplement 3, a request from Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, to Request for Rezoning for an Amendment of approximately 1,600 +/- acres to the State Land Specific Plan by amending the zoning designations for Planning Units 5, 6, 7, 8, 9 and 13 from Neighborhoods and Urban to Urban Employment, and defining development guidelines for the remainder of the property as it relates to the Urban Employment designation.

Katrina Pint, 437 E Germann Road Unit #134, spoke in opposition to the ASLD case request. Ms. Pint referenced the rural properties near the proposed rezoning cases and referenced the uses in the urban employment district.

Brett Burningham, Development Services Director, provided a general overview of the proposed request. Mr. Burningham presented the existing and proposed land use plan, identifying the area of the proposed land use change. Mr. Burningham summarized the proposed increase in building height in the identified area. Mr. Burningham summarized the neighborhood meeting held for this case and noted that Staff has not received any calls or inquiries on the case but have received opposition related to the LG development which already received site plan approval.

Carolyn Oberholtzer, spoke on behalf of the applicant, the Arizona State Land Department. Ms. Oberholtzer summarized the amendments to the Specific Plan since its original approval. Ms. Oberholtzer highlighted the 300-foot residential compatibility buffer along the north side of Germann, where no buildings could be located. Ms. Oberholtzer summarized the requested height allowances proposed for the specific plan area.

Commissioner Nielsen inquired that the request removes residential from the existing Urban category and changes Planning Unit 6 and 7 to Urban Employment. Ms. Oberholtzer stated that was correct.

Commissioner Young requested clarification on the 300-foot buffer. Ms. Oberholtzer noted that within the 300-foot buffer there may be parking, entry gates, retention, walls, but no functional buildings of the business.

Commissioner Spall inquired what the height of the LG buildings for reference. Ms.

Oberholtzer believes it was only portions of the LG building reached the 90-foot in height. Ms. Oberholtzer noted that buildings within the Urban Employment already allows for 185-feet in height for non-habitable space already.

Chairman Gillette confirmed that the proposal wouldn't accommodate for a 185-foot office building.

MOTION: To recommend approval of P22-052 Arizona State Land Department Specific Plan Supplement 3

1st: Matheson

2nd: Young

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

RESULT: Approved unanimously (7-0)

- B. Public Hearing and Possible Action on P22-0102 Queen Creek Olive Mill Phase II Agritainment PAD Rezone, a request to PAD Rezone approximately 32 acres from R1-43 (Rural Estate District) to AT/PAD (Agritainment) for future residential and commercial development located at the northeast corner of Meridian and Combs roads.

Steven Ester, Planner II, presented the proposed request. Mr. Ester presented the project location and the general plan land use exhibit for the site. Mr. Ester presented the current and proposed zoning exhibits. Mr. Ester summarized the request for a PAD Rezone from R1-43 to AT/PAD (Agritainment). Mr. Ester noted that the application includes a conceptual development plan which includes 3 land use category lists that contain a variety of uses containing mixture of commercial and for-sale residential uses. Mr. Ester noted that character boards have been included to set the overall design theme. Mr. Ester noted that the PAD establishes the dimensional standards for the site. Mr. Ester presented the proposed Development Plan, identifying the landscape buffer along Meridian and Combs Road and highlighted the Hawk Crossing to the Olive Mill west of Meridian Road.

Mr. Ester summarized the anticipated land uses allowed in each Land Use Category. Mr. Ester presented the character imagery board.

Mr. Ester noted that a neighborhood meeting was held on June 2, 2022 with 9 residents in attendance. Mr. Ester noted that there was general support for the project. Mr. Ester added that the case is scheduled for the September 21, 2022 Town Council agenda.

Commissioner McWilliams noted that the proposed site should reflect the landscaping images shown in the presentation.

Sean Lake, of Pew and Lake provided a summary of the Olive Mill and Agritainment history and briefly summarized the request.

Commissioner Nielsen inquired if the applicant has spoken to the Traffic Division about the Hawk traffic crossing, given that Meridian is an arterial road. Mr. Lake responded, stating that the traffic engineering will be evaluated and the location of the Hawk signal will be determined at a later date.

Commissioner Nielsen stated that there is the temporary signal at Combs and Meridian and asked: is there going to be access from the south side of Combs Road to the north of Meridian to the Olive Mill? Mr. Lake stated he could not recall, but there is pedestrian access to the north at the Gary and Riggs roads intersection.

Commissioner Nielsen inquired: what is the requested height limit? Mr. Lake stated that 40-50 feet was requested for the hotel building.

Commissioner Nielsen inquired how many keys will there be for the hotel? Mr. Lake responded, stating that it is unknown how many rooms the hotel will have at this time.

Chairman Gillette expressed his support for the project.

MOTION: To recommend approval of P22-0102 Queen Creek Olive Mill Phase II Agritainment PAD Rezone

1st: McWilliams

2nd: Gumm

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

RESULT: Approved unanimously (7-0)

- C. Public Hearing and Possible Action on Volare Estates PAD Rezone and Site Plan (Cases P22-0089 & P22-0091), a request from Sean Lake, Pew and Lake PLC, to rezone approximately seven acres of property in Pegasus Airpark from R1-43 to MU PAD, and approval of the associated site plan, to allow for the construction of 34 hangars, located east of the northeast corner of Empire Blvd and Ellsworth Road.

Mallory Ress, Planner II, provided a summary of the proposed request. Ms. Ress summarized the project location, which is located within the Pegasus Airpark. Ms. Ress presented the current and proposed zoning exhibits for the site. Ms. Ress summarized the request to rezone approximately 7 acres of property at Pegasus Airpark from R1-43 to MU PAD and the approval of an associated site plan to allow for the construction of 34 hangars.

Ms. Ress noted that a Neighborhood Meeting was held on July 18, 2022 with 15 members of the public in attendance. Ms. Ress noted that staff has received 16 letters of support and two letters of opposition. Ms. Ress summarized the proposed layout of the proposed hangars, noting that hangars 13 - 17 and 30-34 could be converted to allow for a portion of the hanger to be built with a residential component. Ms. Ress noted there is a maximum aircraft count of 225 aircraft in Pegasus Airpark and the request is consistent with the total aircraft allowed.

Ms. Ress presented the proposed building elevations.

Commissioner McWilliams inquired: what is the count at the total aircraft today? There are 79 existing hangars and there are 82 residential flight lots, which includes six residential flight lots included in the subject site. Taking the existing hangars, the existing residential flight lots, and the proposed development, that would amount to 155 hangars.

Commissioner Spall requested clarification on the landscape setback. Ms. Ress summarized the request to reduce the required landscaped setback between residential and employment uses to 0-feet on the east, west, and north boundary of the subject site.

Sean Lake, of Pew and Lake, summarized the request. Mr. Lake summarized the proposed conceptual Site Plan and noted that the 10 premium units along the southern boundary have the option to reconfigure the hangar to be permitted for a residential unit. Mr. Lake summarized the proposed elevations and building configurations.

Chairman Gillette inquired: how are the hangars acquired by residents? Mr. Lake responded, stating that the developer would develop the hangars and then buyers would buy the hangar. Chairman Gillette inquired about the range of square footage of residences proposed. Mr. Lake noted that the 10 units are 80-feet by 80-feet and would be required to be maintained as hangars. Mr. Lake noted that the hangars could be retrofitted to also allow for a residential component.

Chairman Gillette inquired: would the units be custom built residences? Mr. Lake noted that the developer is only building the hangar, but if the buyer chooses to do a tenant improvement to allow for residential be built, they would hire their own builder to acquire permits.

Chairman Gillette inquired if there would be a minimum square footage for the residential units. Mr. Lake noted that they had not considered minimum square footage.

Chairman Gillette inquired if there are examples of how this type of product has been developed. Mr. Lake noted that this type of approach is popular for these types of communities.

Commissioner Nielsen asked to confirm that the tenant improvement will not change the exterior elevations. Mr. Lake responded, stating that was correct.

Commissioner Spall inquired how the residential units would interplay with the HOA. Mr. Lake noted that these units would be separate from the existing HOA.

Commissioner Spall inquired if you had to live in Pegasus Airpark to have a plane at the airpark. Mr. Lake responded, stating no you do not have to live in Pegasus Airpark to have a hangar or plane.

Commissioner Spall inquired if you could store other things in a hangar. Mr. Lake noted that the idea is that the hangars are for an aircraft but it can also be used for other storage, but the primary use is for aircraft.

Commissioner McWilliams inquired: Do you have to be a homeowner in Pegasus to have a hangar? Mr. Lake noted that this is a private airpark, but theoretically the units could be rented out; there is no restriction.

Commissioner Spall inquired about what happens to the fees for these previous residential

lots that the HOA would lose? Mr. Lake noted that the developer has worked this out with the HOA to cover those costs.

Chairman Gillette inquired that the request to allow for residential component within the hangars does not extend to the other existing hangars in the airpark. Mr. Lake stated that was correct.

Brian Fox, resident of Pegasus Airpark at 21935 E Orion Way, spoke in opposition of the proposed request. Mr. Fox stated that additional community outreach is needed to provide the appropriate safety measures. Mr. Fox highlighted noise concerns to adjacent residents and the existing limit on the number of aircraft.

Jim Fox, resident of Pegasus Airpark at 21950 E. Stacey Road, expressed opposition to the request and referenced concerns with the maximum aircraft count, noise, and the type of aircraft.

Lynn Fox, resident of Pegasus Airpark at 21950 E. Stacey Road, expressed concerns of the visual impacts of the hangars and the noise impacts of the proposed aircraft.

Todd Nuttall, resident of Pegasus Airpark at 21326 E. Stacey Road, spoke on the case and referenced his support for the request after working with the applicant on the case.

John Panfil, developer, spoke in support of the case, noting that this proposal is consistent with the original vision for this area of Pegasus Airpark.

Chris Beginski, resident of Pegasus Airpark at 21874 E. Diana Way, spoke in support of the case.

Jarvis Hooper owner of lot 21386 E Diana Way in Pegasus Airpark, spoke in support of the case.

Nelson Garrison, 34026 Chuckwalla Trail, who operates the Flight Association, spoke in support of the case, noting that the aircraft number is kept on close track on the number of aircraft within each hangar and commercial aircraft is not permitted in Pegasus.

Chairman Gillette noted that the comments provided and the additional letters of support will be added to the record.

Commissioner Matheson provided his involvement in the case history at Pegasus Airpark. He also referenced his support for the hangar elevations.

MOTION: To recommend approval of Volare Estates PAD Rezone and Site Plan (Cases P22- 0089 & P22-0091)

1st: Matheson

2nd: Young

AYES: Nielsen, Gillette, Gumm, McWilliams

NAYS: Spall

RESULT: Approved (6-1)

Commissioner Spall explained her nay vote, stating that the request is pre-mature as discussions with the HOA have not yet been satisfied.

- D. Public Hearing and Possible Action on P22-0061 and P22-0062 Sparrow SFG PAD Rezone and Site Plan, a request for a PAD Rezone from C-2 (General Commercial) to MDR/PAD (Medium Density Residential) and Site Plan approval of a 110-unit, multi-family development located on approximately 11 acres west of the northwest corner of Ironwood and Ocotillo roads.

Steven Ester, Planner II, presented the propose case. Mr. Ester summarized the site aerial and general plan land use exhibit and proposed zoning. Mr. Ester summarized the proposed request. Mr. Ester presented the proposed site plan and highlighted the requested deviations. Mr. Ester presented the proposed landscape plan and building elevations.

Mr. Ester noted that a Neighborhood Meeting was held on May 27, 2022 with 12 residents in attendance. Topics discussed included resident support of the 30-foot wide landscaped buffer between the Ironwood Crossing development and general questions on the project. Staff had not received any additional comments or calls.

Sean Lake, Pew and Lake PLC, provided a brief history of the site and the surrounding area.

MOTION: To recommend approval P22-0061 and P22-0062 Sparrow SFG PAD Rezone and Site Plan

1st: Young

2nd: McWilliams

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

RESULT: Approved (7-0)

7. Final Action:

None.

- 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.*

9. Administrative Items:

A. Recent activity update.

Brett Burningham, Development Services Director, noted that in August there were 78 single family permits approved in the month. Mr. Burningham also highlighted the ground breaking for Frontier Family Park.

- 10. Summary of Events from Members of the Commission and Staff:** *The Commission may not deliberate of take action on any matter in the "Summary" unless the specific matter is properly*

noticed on the Regular Session Agenda.

None.

11. Adjournment of the Regular Session.

MOTION: To adjourn the Regular Session

1st: Young

2nd: McWilliams

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

RESULT: Approved unanimously (7-0)

Meeting adjourned at 7:58 pm

