



**Minutes**  
**Planning & Zoning Commission**  
Community Chambers, 20727 E. Civic Parkway  
Wednesday, October 11, 2023  
6:00 PM

**REGULAR SESSION**

**1) Call to Order:**

The meeting was called to order at 6:05 pm.

**2) Roll Call:**

**PRESENT:**

Jeff Nielson  
Troy Young  
David Gillette  
Leah Gumm  
Spencer Hale  
Aaron Ballard

**ABSENT:**

Alex Matheson

**3) Pledge of Allegiance:**

**4) Public Comment:**

None.

**5) Consent Agenda:**

5.A) Consideration and possible approval of the September 13, 2023 Planning Commission Meeting Minutes

**Department:** Economic Development

[Minutes Planning Commission 09-13-23.pdf](#) 


**MOTION:** To approve the Consent Agenda  
**RESULT:** Approved unanimously (6-0)  
**MOVER:** Jeff Nielson  
**SECONDER:** Spencer Hale  
**AYES:** Jeff Nielson, Troy Young, David Gillette, Leah Gumm, Spencer Hale, Aaron Ballard  
**ABSENT:** Alex Matheson


6) **Public Hearing:**


- 6.A) Public Hearing and Possible Action on P22-0148 Sossaman Legado Estates PAD Rezone. A request to rezone approximately 300 acres from R1-12, R1-15, R1-18, R1-35, R1-43, and PRC to C-1, MDR, R1-5, R1-7, R1-9, R1-12 and R1-18 with a PAD Overlay, for the development of a master planned community. The subject site is located at the southeast corner of Power and Ocotillo roads.

**Department:** Development Services


Staff Report 


Aerial Exhibit.pdf 

General Plan Exhibit.pdf 


Current Zoning Map Exhibit.pdf 

Proposed Zoning Map.pdf 

Legado Estates - Site Plan.pdf 

Legado Estates - Circulation Plan.pdf 

Legado Estates Project Narrative.pdf 

Emails - Complete.pdf 

Public Comment 

Planning Administrator Erik Swanson presented the rezone for Sossaman Legado Estates for the development of a master planned community. He reviewed the site location, surrounding properties and the current and proposed zoning. Mr. Swanson said the southeast corner of the site is designated as Commercial in the General Plan with the remainder of the site designated as Neighborhood. Mr. Swanson discussed the Growth Area Element of the site, which focuses on where development will occur and addresses growth patterns. He said this site falls within the Town's number one growth area and has been long been considered for residential growth in our General Plan.

Mr. Swanson outlined the various parcels in the MDR project and said they will all be single family oversized lots with a focus on a "lock and leave" community. The reason for the requested deviations is for setbacks and lot coverage and lot dimensions.

Parcel A - R1-18 -oversized lots averaging 35,000 square feet, custom, gated community

Parcel B - R1-7 - increased lot size averaging 8450 square feet, gated

Parcel C - R1-12 - oversized lots averaging 15,000 square feet, gated

Parcel D - R1-9 - oversized lots with a minimum 10,400 square feet, gated

Parcel E - R1-5 - average lot size of 5,750 square feet (not gated)

Parcel F - gated single family MDR with "villas" on 168 individual lots

Parcel G - seven (7) acres of light commercial, including an assisted living facility

Mr. Swanson provided information on landscaping, open space and the trails system to connect the Queen Creek Wash with the Sonoqui Wash. He discussed the neighborhood meetings and opposition included comments regarding density, traffic, and the way of life in the area.

Ralph Pew, Pew & Lake, presented on behalf of the Sossaman family. He thanked the staff and neighbors for their participation in the project. He said the 300 acre project complies with the General Plan and fits the growth area. Mr. Pew provided the history of the project dating back from 1996 and said it has been decades of planning.

He explained that Via del Jardine has always been the dividing line between medium and low density and everything south has always been low density and everything north of Via Del Jardine has always been medium density. He said the Sossaman land has always been planned for medium density and tonight the proposed case is 2.4 units per acre which is a modest density. He provided the following highlights of the proposed project:

1. The project complies with the General Plan, Town standards and Town design criteria
2. It is not a high density project
3. The project satisfies the Growth Area Element of the General Plan
4. They will connect the Sonoqui and Queen Creek Wash and complete the 11-mile loop at the expense of the Sossamans'.
5. The requested deviations are compatible with the neighborhood
6. Existing zoning planned for 700 units for the area and the proposed projects has 661 units

Mr. Pew discussed open space, lake features, equestrian accommodations, buffer zones on Via del Jardine, landscaping and amenities.

Commissioner Nielsen asked how many units to date have been developed since the original zoning. Mr. Pew said it is well under what was planned in the County at 3500 units; but he does not have an exact number. Mr. Swanson estimated it will be about 2300 units at build out total if this is approved tonight.

Commissioner Hale had questions regarding the layered zoning approach from 1999 in relation to today's zoning and could one-acre lots be designed. Mr. Pew said it would be difficult to design in today's zoning, but it could be done, however, he said it would not have the same look and feel. He explained the design features, open spaces and buffering, road improvements and home placement. Mr. Pew added that one-acre lots were never anticipated in the General Plan for this area and it would be difficult to integrate one-acre lots into the community and that is why the extra buffers were planned.

The Commissioners discussed the trail access, equestrian paths and there was additional discussion on one-acre lots and setbacks and transitioning.

Commissioner Gumm asked if there are any restrictions for single-story homes only on the 20,000 square foot lots on Parcel C. Mr. Pew said there are no restrictions but two-story homes are not expected. Mr. Nielsen asked if there are any restrictions for accessory structures on these lots that could impede on the setback. Mr. Swanson said that an encroachment of 15 feet or less in height can encroach up to 5 feet on the rear setback and has to maintain the side setback. He added that this also applies to R1-43 lots as well.

Chair Gillette asked about the agritainment component of the project. Mr. Pew said the site plan contains shops, restaurants, and a walkable destination with an agritainment theme that is planned on the southwest corner of Ocotillo and Sossaman in the vicinity of the existing Sossaman grainery building.

Chair Gillette opened the public hearing. The following residents spoke at the meeting in opposition to the project:

Tod Dennis, 18601 E Via Del Jardin, Queen Creek, AZ  
Gerry Klein, 19455 E Silver Creek Lane, Queen Creek, AZ  
Taylor Corbit, 18702 E Via Del Palo  
Barbara Schaffer, 19560 E Silver Creek Lane, Queen Creek, AZ  
Sonja Foster, 19338 E Silver Creek Lane, Queen Creek, AZ  
Don Atkinson, 18935 E Via Del Jardin, Queen Creek, AZ  
Candido Guevara, 19119 E Via Del Jardin, Queen Creek, AZ  
Sandra Cervie, 2849 W San Carlos Lane, San Tan Valley, AZ

Chair Gillette invited Mr. Pew back to the dias to address some of the comments and questions that were raised.

Mr. Pew said the trails are a multi-use trail system per Town Code and they will be built per town requirements and motorcycles will not be allowed.

Mr. Pew said a traffic study was done and reviewed by the Town. It was determined that a signal is not warranted on Sossaman and Sonoqui going into the subdivision and the separation from the main entrance on Sossaman complies with town traffic code requirements.

Mr. Pew said the density is not calculated by the applicant and the density is

2.4 which is not considered high density and is in line with what was planned by voters for over 25 years. He added that the applicant is dedicating land to the public for trails.

Mr. Pew stated that there are five locations in which the public can connect to equestrian trails.

Chair Gillette closed the public hearing and the Commission had additional discussion.

Commissioner Hale asked how many HOAs will be part of the project and if the applicant is dedicating the trails to the Town.

Mr. Pew said the CC&R's are not drafted yet and he assumes there will be one master association and sub-associations. Mr. Pew explained that the portion of the trail from Power to Via del Jardin at the Sonoqui Wash will be improved by the applicant and it will be deeded to the Town by the Sossamans. There are other portions of the trails open to the public that the applicant and the HOA will maintain and lastly there are other trails inside the community that will be private.

Commissioner Hale said he would prefer restrictions on the 20,000 square foot lots to be limited to single family homes.

Mr. Pew said he would agree on a stipulation for single story homes on the 20,000 square foot lots.

Mr. Swanson asked for clarification on which lots would be included in the stipulation. After additional discussion the Commission and Mr. Pew agreed that all lots with an asterik on the site plan would be included in this stipulation.

**MOTION:** To approve P22-0148, Sossaman Legado Estates PAD Rezone, subject to the Conditions of Approval outlined in the staff report and with the addition of Condition #25 to limit the 20,000 square foot lots located in Parcel C (indicated with an asterik on the Site Plan) to single story homes.

**RESULT:** Approved unanimously (6-0)

**MOVER:** Jeff Nielson

**SECONDER:** Leah Gumm

**AYES:** Jeff Nielson, Troy Young, David Gillette, Leah Gumm, Spencer Hale, Aaron Ballard


**ABSENT:** Alex Matheson


- 6.B) Public hearing and possible action on Cases P22-0095 Citrus Heights Rezoning, P22-0119 Citrus Heights Site Plan, and P22-0120 Citrus Heights Conditional Use Permit, a request to rezone approx. 4.7 acres from R1-43 to C-2 to allow for the construction of an approx. 5.8 acre (net) commercial center, for site plan approval for the commercial


center, and for conditional use permit approval to allow for the operation of two drive-thru restaurants during late night hours located within 300ft of a residential zoning district.


**Department:** Development Services

Staff Report 

Aerial Exhibit.pdf 

General Plan Exhibit.pdf 

Existing Zoning Exhibit.pdf 

Proposed Zoning Exhibit.pdf 

Project Narrative.pdf 

Site Plans.pdf 

Landscape Plan.pdf 

Building Elevations.pdf 

Neighborhood Meeting Summary.pdf 

Letters in Support.pdf 

Planner Mallory Ress presented the Citrus Heights project located at the southeast corner of Power and Chandler Heights roads. She said the project is three fold with 1) a rezone request 2) site plan for a commercial center and 3) conditional use permit for two drive-thru users. Ms. Ress reviewed the site location, surrounding properties and said the General Plan designation is Rural.

Ms. Ress said the general site is 6 acres and applicant is requesting to rezone approximately 4.7 acres from R1-43 to C-2 General Commercial and the remainder of the site is already zoned C-2. She reviewed the three proposed buildings with PAD A consisting of a drive thru quick service restaurant; PAD B will be a Dutch Brothers Coffee with a drive-thru; and PAD C Shops are for retail and restaurants. She said conditional use permits are required for the drive-thrus because of the proximity to residential and for after hours usage (6 am - 10 pm).

Ms. Ress addressed parking, landscaping and buffering, the layout of the drive-thru lanes and speaker boxes. She said the applicant will use an agrarian theme with enhanced design theme features and compatible materials throughout the project.

Public participation included informal meetings, door to door outreach and a neighborhood meeting with no public in attendance.

Shaine Alleman, Tiffany & Bosco, and Jeff Kost, Glenwood Development, were in attendance. Mr. Alleman thanked staff and the neighbors for their

participation throughout this project. He said the project will maintain the rural aspect of the Town and the area and summarized the public outreach in relation to a deed restriction on the CC&Rs. He said neighborhood support to remove the residential restriction was successful.

Mr. Alleman said the project is compatible with the area and will include walking trails, landscaping, buffering, lighting and have an agrarian theme. He discussed details of the drive-thru and said he received neighborhood support from those in the immediate area. He provided images depicting landscaping, signage and renderings of the site. He said that they will come back to the Commission with the signage plan.

Commissioner Gumm had questions relating to pest control and rodents that are attracted to citrus. Mr. Alleman said trees will be maintained and CC&Rs require landscape maintenance plans.

Commissioner Hale had questions in relation to the speaker boxes for the drive-thru in PAD A and asked if it faces the residential property. Mr. Alleman said it will be orientated toward the northeast and said there are plenty of landscaping buffers (trees and not bushes) and a wall to mitigate speaker boxes from the neighbors.

Mr. Jeff Kost confirmed that the adjacent neighbor supported the project and the location of the speaker box as presented. He said that they worked closely with the neighbors on this matter.

Mr. Swanson added that staff will evaluate the position of the speaker box to ensure sufficient distance and buffering when the permits come in.

Chair Gillette opened the public hearing. There were no comments from the public and the hearing was closed.

**MOTION:** To approve Cases P22-0095 Citrus Heights Rezoning and P22-0119 Citrus Heights Site Plan, subject to the Conditions of Approval outlined in this report and to approve P22-0120 Citrus Heights Conditional Use Permit, subject to the Conditions of Approval outlined in this report.

**RESULT:** Approved unanimously (6-0)

**MOVER:** Leah Gumm

**SECONDER:** Troy Young

**AYES:** Jeff Nielson, Troy Young, David Gillette, Leah Gumm, Spencer Hale, Aaron Ballard

**ABSENT:** Alex Matheson

**7) Final Action:**

None.

**8) Items for Discussion:**

None.

**9) Administrative Items:**

Mr. Swanson welcomed new commission Aaron Ballard, who is attending virtually tonight.

Mr. Swanson reported 134 new residential permits for September which is a 16% reduction from last year at this time.

**10) Summary of Events from Members of the Commission and Staff:**

None.

**11) Adjournment of the Regular Session.**

The meeting adjourned at 8:12 p.m.

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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 Planning & Zoning Commission Minutes of the October 11, 2023 Planning & Zoning Commission of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on: \_\_\_\_\_