



Minutes
Planning & Zoning Commission
Community Chambers, 20727 E. Civic Parkway
Wednesday, March 27, 2024
6:00 PM

REGULAR SESSION

1) Call to Order:

The meeting was called to order at 6:00 p.m.

2) Roll Call:

PRESENT:

David Gillette
Spencer Hale
Leah Gumm
Aaron Ballard
Troy Young
Alex Matheson

ABSENT:

Jeff Nielson

3) Pledge of Allegiance:

4) Public Comment:


None.

5) Consent Agenda:

Chairman Gillette proposed to move item 6a from the public hearing agenda to the consent agenda. It was moved. Chairman Gillette requested a presentation from staff on item 5b on the Consent Agenda.

5.A) Discussion and possible approval of the January 10, 2024 Planning Commission meeting minutes.


Department: Development Services


[Minutes 01-10-24.pdf](#) 

- 5.B) Discussion and Possible Action on P23-0187 Merion Grove Residential Design Review. Morgan Fisher, of Toll Brothers, is requesting approval of three (3) new standard plans with three (3) elevations each to be constructed on 19 lots in the Merion Grove subdivision, located at the northeast corner of Ocotillo and Sossaman roads.


Department: Development Services

Staff Report 


Merion Grove - Project Narrative Plan Matrix v2 

Merion Grove - Elevations Submittal v2 

Merion Grove - Floor Plans Submittal v2 

Merion Grove - Typical Plot Plans Submittal v2 

Merion Grove - Lot Fit Analysis Submittal v2 

Merion Grove - Color Schemes v2 

Nathan Warren, Planner I, provided a presentation on the case. The request includes approval of three new standard plans with three elevations per plan to be constructed on 196 lots in the Merion Grove development near the northeast corner of Ocotillo and Sossaman. He presented an aerial of the site, summarized the project zoning and lot composition, and presented the proposed product elevations.

- 6.A) A CONTINUANCE ON THIS CASE HAS BEEN REQUESTED. Public Hearing and possible action on Cases P23-0020 and P23-0165, Home Depot CUP and Site Plan Amendment, a request from Cassandra Permenter, Scott A Mommer Consulting, to amend the existing Site Plan and for a Conditional Use Permit to accommodate additional display areas, storage areas, and rental equipment, including rental trucks, within the existing parking lot, located within Power Marketplace, east of the southeast corner of Power and Rittenhouse roads. The applicant requests a continuance to the April 10, 2024 Planning Commission hearing.

Department: Development Services

Staff Report 

MOTION: To approve the Consent Agenda.

RESULT: Approved unanimously (6-0)

MOVER: Alex Matheson

SECONDER: Spencer Hale

AYES: David Gillette, Spencer Hale, Leah Gumm, Aaron Ballard, Troy Young,
Alex Matheson

ABSENT: Jeff Nielson

6) Public Hearing:

- 6.B) Public Hearing and Possible Action on Beckett Power Ranch Rezoning (P23-0141) and Site Plan (P23-0142). The request is to Rezone the approximate 16.8 acre site from C-2 (General Commercial) to HDR (High Density Residential) along with Site Plan approval for the development of a 340-unit multi-family development. The subject site is located east of the northeast corner of Germann and Power roads.

Department: Development Services

Planning Manager Erik Swanson presented an aerial of the project site, identifying the project location and surrounding properties. Mr. Swanson noted the General Plan Land Use Category for the project site is Commercial, and stated that because the site is under 20-acres in size, a General Plan Amendment application is not required.

Mr. Swanson said the request is to rezone the property to High Density Residential for a 340 unit multifamily development. The applicant is proposing a maximum building height of 35-feet, where the max allowed height in HDR is 40-feet.

Mr. Swanson presented the proposed site plan and provided history on the project site. He noted that a previous application for the site was submitted in 2022 for multi-family development and staff received a lot of neighborhood input and emails in opposition to the request. In response, the applicant put the project on pause and changed the layout of the development and reduced the building height from three-story to two-story buildings.

Mr. Swanson summarized the proposed building types on site, site access, amenity areas and presented building renderings of the development. He noted that the applicant is requesting one deviation to the Zoning Ordinance standards: the deviation being proposed is to reduce the rear-yard setback to 5-feet in order to provide additional setbacks at Germann Road. He noted that staff is comfortable with the proposed deviation.

Mr. Swanson said the applicant held two neighborhood meetings for this project with approximately 15 residents (11 households) in attendance. Concerns raised included increased traffic, impact on schools, parking and the change from Commercial. Mr. Swanson noted that the applicant submitted a market study for the change from commercial to residential which is a Town requirement. He said staff has received approximately 100 emails in opposition

to the previous case, 26 emails in opposition of the current case and 8 emails in support of this case.

Brennan Ray spoke on behalf of the applicant. Mr. Ray reviewed the site in context of the surrounding area. He provided history on the input surrounding the case and said the plan reflects the feedback that was received. Mr. Ray summarized the reasons behind proposing the project which includes a market trend which desires downsizing and rental options. He presented the initial site plan and building elevations submitted with the Pre-application in 2022, comparing it with the current proposed project.

Mr. Ray summarized the elements of the site plan and presented renderings of the buildings located on Germann Road which features a modern farmhouse theme. He presented an exhibit, highlighting the building height in comparison with the building height of the surrounding existing buildings and summarized the proposed setback deviations.

Mr. Ray summarized project strategies to buffer the development to the surrounding areas using the Town Buffer and Transition Manual, including building height, setbacks, landscape, roadways, line of site, and building design.

Mr. Ray discussed the neighborhood outreach conducted for the project, including door to door outreach, HOA meeting, and two neighborhood meetings. He highlighted three main issues heard from the neighbors, including commercial viability, resident demographics, safety, crime, and traffic.

Mr. Ray summarized the history of the project site related to commercial viability. Mr. Ray summarized the analysis and findings from the market demand study developed for the site and proposed project and said that there was no interest from commercial developers.

Mr. Ray discussed crime prevention through Environmental Design and highlighted five elements employed in the project related to crime prevention principals. Mr. Ray summarized the resident screening and approval process and noted the lease provisions related to crime, policies, and rules.

Mr. Ray summarized the trip generation for the site compared to the existing commercial zoning, noting that there are 75% fewer trips for residential compared to the allowed commercial uses. Mr. Ray summarized the vehicular capacity of Germann and Power Roads road and highlighted the Rittenhouse and Germann intersection project that is currently in design.

The Commission had the following questions:

Commissioner Ballard inquired about the entrance gates for the development. Mr. Ray said that there are gates into the development, but there is no gate on Germann in order to allow prospective residents to enter and to allow for vehicles to turn around. Commissioner Ballard inquired: do you foresee any vehicular backup as a result of the gates? Mr. Ray responded no, it was designed to allow sufficient space to prevent backup.

Commissioner Hale asked if there is only one entrance into the site and asked

how far away is the project from the intersection to the east. Mr. Ray responded, stating yes, there is only one entry into the site off of Germann. Mr. Ray stated it is approximately 500-600 feet from the intersection.

Commissioner Hale inquired how long is the right-hand turn lane that the development is constructing? Mr. Ray responded, stating there is approximately 100-feet of storage for queuing and stacking.

Commissioner Hale asked for clarification regarding traffic at peak times in comparison between the existing zoning and proposed zoning. Mr. Ray summarized the AM and PM peak hour trips showing that commercial developments generate more trips.

Commissioner Hale inquired when was the most recent activity in which an email blast was sent out to solicit this property as commercial. Mr. Ray responded, stating 2021 was when the blast was sent out and there was no interest received for commercial use.

Commissioner Hale had questions about monthly income requirements and the amount of the monthly rent? Mr. Ray responded, stating they are not certain about the rent, but from an income profile, they're looking at an annual income of \$75k - \$100k though that may change.

Commissioner Hale asked staff if the 60% design completion reference is fairly accurate regarding the Germann and Rittenhouse intersection project. Mr. Swanson responded, stating he believes that it is accurate.

Chairman Gillette asked if the 26 emails received are new opposition and are the initial 100 emails still in opposition of the case. Mr. Swanson stated that there were 100 emails submitted in opposition to the case submitted in 2022. This current project was submitted and following two neighborhood meetings, staff sent out an email to the original 100 emails notifying them of the new project and new public hearing dates. Mr. Swanson said the emails in this packet tonight are in direct response to staffs recent email. Prior to sending the email blast there were 6-8 emails in opposition.

Commissioner Young asked if the Cortina HOA indicated support of the new plan? Mr. Swanson responded, stating he has not heard directly from the Cortina HOA. Mr. Ray also added that they have not received any feedback positive or negative from the Cortina HOA.

Mr. Ray amended a previous response, the entrance is approximately 700-feet from the power and Germann intersection and the storage length of the right-turn in is 125-feet.

Commissioner Hale had questions in regards to the Germann and Rittenhouse intersection restriping, and asked how long have you been in that process with that proposal? Mr. Ray responded, stating that though this area does not touch the proposed project, they heard from residents regarding this intersection and they started looking at the intersection to see if something could be done. They received a response back from the Town staff and they plan to continue this effort to work together.

Commissioner Hale had questions about the proposed amenities included in the site plan. Mr. Ray stated that there may be subtle refinements that will take place in regards to the amenities shown so the applicant can ensure they have the right amenities in place for the project.

Chairman Gillette asked how many lanes does Germann have. Mr. Ray responded by outlining the existing travel lanes and decel lanes in the area. He said there will still be three westbound traffic lanes in front of the development and a right turn decal lane will be carved out.

Chairman Gillette asked if this is going to be a higher end product. Mr. Ray responded, yes, stating this is a market rate development.

Chair Gillette opened the public hearing. He said that all emails sent in will be part of the public record.

The following spoke at the public hearing:

Victoria Obenour, 18646 E Seagull Drive spoke in opposition of the case.

Joe Kolnick, 18585 E Raven Drive, owner of the Coldstone Creamery near the site, expressed opposition and said there is desire for commercial on the site.

Marilia Kiki Kingsley, 4468 E Cabrillo Drive, Gilbert expressed opposition for the project.

Kyle Robinson, 18551 E Ranch Road, Queen Creek, expressed support for the development.

Commissioner Ballard expressed his appreciation for the residents who spoke on the case and noted the due diligence by the applicant to address concerns.


Commissioner Matheson, Commissioner Hale, and Chairman Gillette expressed understanding for the concerns raised by residents but expressed support for the application.


Commissioner Gumm expressed appreciation for the work done by the applicant however believes the development should remain commercial and Germann was designed to accommodate the commercial development.

[Staff Report](#) 

[Aerial Exhibit.pdf](#) 

[General Plan Map.pdf](#) 

[Current Zoning Map.pdf](#) 

[Proposed Zoning Exhibit.pdf](#) 

[Development Booklet.pdf](#) 

MOTION: To approve P23-0141 and P23-0142, Beckett Power Ranch Rezone and Site Plan, subject to the Conditions of Approval outlined in this Staff Report.

RESULT: Approved (5-1)

MOVER: Spencer Hale

SECONDER: Aaron Ballard

AYES: David Gillette, Spencer Hale, Aaron Ballard, Troy Young, Alex Matheson

NAYS: Leah Gumm

ABSENT: Jeff Nielson

7) Final Action:

None.

8) Items for Discussion:

None.

9) Administrative Items:

Planning Manager Swanson reported 144 single family home permits during the last month. He said the Magma Engineering property that was presented at a prior meeting was recently approved by Council.

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

None.

11) Adjournment of the Regular Session.

The meeting was adjourned.

WORK STUDY SESSION

12) Call to Order:

Chair Gillette called the Work Study Session to order.

13) Roll Call:

PRESENT:

David Gillette

Spencer Hale

Leah Gumm

Aaron Ballard

Troy Young
Alex Matheson

ABSENT:

Jeff Nielson

14) Items for Discussion:

14.A) 2024 Council Strategic Planning Session Update (Brett Burningham, Development Services Director)

Workstudy Presentation 

Planner Sarah Clark provided an update on a project staff is working on concerning major amendements to General Plan in regards to commercial development in rural areas. This topic was discussed at the Council Stragetic Planning Session. She said the Town has received 12 inquiries for projects just outside of town boundaries that are viable for potential annexation due to the planning boundaries. All are identified as Rural in the Town's General Plan Land Use Category. Ms. Clark noted that commercial zoning is not allowed in the Rural category.

Ms. Clark said staff is looking to see if there are opportunities in the rural areas that would support commercial while still maintaining the rural vision. She said a planning consultant was hired to assist in this effort and establish criteria that would allow for compatability with the area. Ms. Clark said there will be additional Work Study Sessions with Planning Commission and Council to report on progress and solict feedback. At this point, Ms. Clark said staff is seeking initial feedback to see if we are headed in the right direction.

15) Adjournment of the Work Study Session.

The meeting was adjourned.

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 Planning & Zoning Commission Minutes of the March 27, 2024 Planning & Zoning Commission. I further certify that the meeting was duly called and a quorum was present.

Passed and approved on: May 8, 2024

