



**MINUTES OF THE WORK STUDY MEETING OF THE QUEEN CREEK  
PLANNING AND ZONING COMMISSION**

**Wednesday, August 12, 2009 6:30 P.M.**

**Council Chambers, 22350 S. Ellsworth Road, Queen Creek, AZ 85242**

1. **CALL TO ORDER** The meeting was called to order at 6:00 p.m.

2. **ROLL CALL**

**Present**

Chairman Trapp-Jackson  
Commissioner Perry  
Commissioner Ingram  
Commissioner Atkinson

**Absent**

Vice-Chairman Fehlan  
Commissioner Sossaman  
Commissioner Moore

**Staff Present**

Community Dev. Director Tom Condit  
Planning Manager Wayne Balmer  
Principal Planner McCauley  
Engineer Marc Palichuk  
Community Development Assistant Moats

**Others Present**

Ralph Pew, Pew and Lake  
Tyler Wright, Pew and Lake

3. **Discussion on Zoning Ordinance Update**

Planning Manager Balmer reminded the Commission this item had been brought before them at the July Planning & Zoning Commission Meeting as an introduction to the Public Hearing. He stated since the July meeting, staff has received several comments on the draft version of the Zoning Ordinance Update. One of the suggestions includes dividing the Ordinance into two documents: 1) the Ordinance itself; and, 2) Guidelines and Development Applications. Therefore, additional time will be needed to revise and complete the draft Zoning Ordinance Update. The full document will be brought back to the Commission in 2010.

Secondly, since one of the 2009 Major General Plan Amendment applications requests R1-4 and R1-5 zoning, which has not yet been added to the Zoning Ordinance, staff will present a separate Text Amendment to the Zoning Ordinance for the proposed MHDR-A and B, Mixed Use and Regional Commercial categories. This item will be on the September Planning & Zoning Commission agenda. There were no comments from the Commission.

4. **Discussion on Saving Grace Lutheran Church, CU08-103/SP08-102**

A request by Dean Hodges on behalf of Saving Grace Lutheran Church for Site Plan, Landscape Plan, Building Elevation Plan and Conditional Use approval for a church campus. The proposal includes a 700-seat sanctuary a daycare/pre-school, a multi-purpose building,

ball fields/courts and other ancillary buildings on a 12-acre site with existing R1-43 zoning, located at the southwest corner of the Ellsworth and Cloud roads intersection.

Principal Planner Mike McCauley presented the staff report, stating the church campus would be built in two phases and will ultimately include seven buildings, an outdoor amphitheater, various fenced playgrounds and gardens, landscaped outdoor gathering areas, an unlit grass athletic field and basketball and volleyball courts. The Conditional Use Permit application is to allow a daycare in an R1-43 zoning district. Mr. McCauley stated there is an existing home on the site, which will be used as an administrative building.

Mr. McCauley noted a letter from Ralph Pew, dated August 6, 2009, had been submitted to staff objecting to Stipulation #1 and requesting clarification of Stipulation #2. Stipulation #1 reads: *“The Developer shall be responsible to pay cash-in-lieu for the Ellsworth Road full half-street improvements. Improvements shall include three lanes of pavement, curb and gutter, sidewalk, street lighting, drainage features, one-half cost share of the median including median breaks or tapers, utilities, traffic signal interconnect, landscaping within the median, and landscaping for the entire frontage of the property along Ellsworth Road. Cash-in-lieu shall be paid prior to issuance of any building permits.”*

Stipulation #2 reads: *“For all offsite improvements, the Town requires cash, irrevocable letter of credit (IRLOC), or a bond to cover the costs for construction assurance. The IRLOC and bond are required to be approved by the Town Attorney. The provision of cash-in-lieu to the Town for most of the improvements is required; therefore, construction assurance would only be required for any offsite work not paid by the cash-in-lieu provision.”*

Mr. McCauley stated expects to have this issue resolved prior to the Town Council meeting on September 16, and is therefore supporting approval of this request, subject to the Conditions of Approval outlined in the Staff Report. He reminded the Commission the Site Plan will not change, regardless of which entity pays for the cost of the right-of-way improvements.

Commissioner Perry questioned why the Landscape Plan shows only 15 trees for an 800-foot area in Phase I. Mr. McCauley responded a Federal easement is on the property; therefore, no structures or plantings are allowed on that portion. Commissioner Perry then asked why the trees cannot be planted behind the easement. Mr. McCauley stated, with the required 30-foot transitional buffer, this would cut into the planned buildable area. Ralph Pew, representing the applicant, addressed the Commission and explained the easement being referred to is a Bureau of Land Management (BLM) Reclamation easement. Mr. Pew stated the required amount of trees is shown on the plan; however, the applicant will address the issue of relocating trees during Phase II. It is possible they may either add trees to Phase I or relocate some trees from Phase II to Phase I. Commissioner Perry stated he would be in agreement to either of those options.

Commissioner Atkinson questioned if an archaeological survey was required. Mr. McCauley stated the State Historic Preservation Office (SHPO) does not require this for farmland.

## **5. Discussion on Heritage Square, SP08-170/SD09-032**

A request by Stephen Hatch of ER 15, LLC for Site Plan, Landscape Plan, Building Elevation and Preliminary Plat approval for Heritage Square, which is a commercial development consisting of 10 buildings totaling 111,664 square feet on a 14.5 acre parcel located at the northeast corner of Ellsworth and Heritage Loop roads.

Principal Planner Mike McCauley presented the staff report, stating the request consists of single tenants, multi-tenants, and a big box user as occupants of the commercial center, including arrangements for drive-thru restaurants. There is ample shared parking with access to the Queen Creek Crossroads, located adjacent to this site. Mr. McCauley distributed a revised Staff Report which includes an additional Stipulation under the *Conditions of Approval*: “#24. In the event a superstore or big box retail building (Major A) is not developed, the Zoning Administrator may approve smaller buildings located in the building envelope that are substantially consistent with the building elevations and design criteria outlined in the Heritage Square design guidelines. If the Zoning Administrator finds that the proposal is not substantially consistent with the approved design guidelines, then the Zoning Administrator may review and recommend to the Planning Commission, as an administrative item and the Commission’s recommendation shall be forwarded to Town Council. The Town Council shall review the recommendation as an administrative item, and if the Council denies the approval of the site plan and elevation(s), the applicant may either resubmit to the Zoning Administrator or apply to amend the PAD through the required zoning procedures.”

Commissioner Perry noted the Design Guideline booklet submitted by the applicant states the first phase of construction will be built in phases. He asked what will be built in Phase I. Mr. McCauley stated the first phase will be built according to market demands. Commissioner Ingram asked what the minimum amount required to be constructed in Phase I is.

Ralph Pew, representing ER 15, LLC, addressed the Commission to respond. He stated the initial buildings will include completion of all landscaping, parking and all horizontal improvements, which will take place in Phase I. The vertical improvements will be constructed as demanded by the market, i.e. instead of building the entire center at once and possibly creating vacancies, buildings will be constructed one at a time according to demand.

There were no further questions from the Commission.

### **ADMINISTRATIVE ITEMS**

6. **Review** of next month’s agenda items.

Planning Manager Balmer reported on the following items, which are scheduled for the September 9 Planning & Zoning Commission Meeting:

- Barney 20, RZ07-099/SD07-100 – located at the northwest corner of Queen Creek and Signal Butte roads.
- Text Amendment to Zoning Ordinance for MHDR-A & B, Mixed Use and Regional Commercial uses

In addition to the above items, Mr. McCauley noted he is working on bringing Barney Park Estates (Phasing Amendment) to the Commission on either September 9 or October 12.

Mr. Balmer stated the proposed Amendment to the Sign Ordinance regarding temporary signage will be discussed at the Town Council's August 19<sup>th</sup> meeting. Depending on Council direction, this item may be on the Commission's October agenda. Brief discussion followed on temporary signs.

7. **Report on Town Council Action**

Director of Community Development Condit reported he had attended a meeting on the SRP 230 kV Line Siting. This Line siting Committee will begin meeting in late September or early October. The Town has not changed its earlier position. The FAA is still studying the issue.

Mr. Balmer stated the reappointment of Commissioners Sossaman and Ingram and Vice-Chairman Fehlan will be on the August 19 Town Council agenda. Mr. Balmer suggested the Commission talk with Commissioner Mike Moore about whether or not he wishes to continue on the Commission.

8. **Summary of Current Events** from members of the Commission

Commissioner Perry asked if staff is starting to see any prior-approved projects being resubmitted for revisions, due to the economy. Director of Community Development Condit responded representatives of Lucia subdivision on Sossaman and Ocotillo roads have been working with staff over the past several months to clean up the landscaping. They have been active in trying to get the three existing homes sold. Secondly, Fulton Homes has pulled several permits for their product located in the Cortina subdivision. Approximately 35 permits were pulled last month. In response to a follow-up question by Commissioner Perry, staff stated no prior-approved subdivisions have resubmitted for a smaller product. Mr. Balmer added the Town has been consistently standing by approved projects as originally submitted, as opposed to surrounding municipalities that are 'value-engineering' approved products to fit the changed market.

8. **Adjournment**

**Motion:** Commissioner Ingram

**To adjourn.**

**2<sup>nd</sup>:** Commissioner Atkinson

**The Work Study Session adjourned at 6:40 p.m.**

**PLANNING AND ZONING COMMISSION**

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Kathy Trapp-Jackson, Chairman

ATTEST:

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Laura Moats, Community Development Assistant

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I, Laura Moats, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the August 12, 2009 Work Study of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 13th day of August, 2009

Passed and Approved this day of September, 2009.

**These minutes have not yet been approved.**

