



**MINUTES OF THE REGULAR SESSION MEETING OF THE QUEEN CREEK
PLANNING AND ZONING COMMISSION**

Wednesday, August 12, 2009 7:00 P.M.

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

1. **CALL TO ORDER** The meeting was called to order at 7:00 p.m.

2. **ROLL CALL**

Present

Chairman Trapp-Jackson
Commissioner Ingram
Commissioner Atkinson
Commissioner Perry

Absent

Vice-Chairman Fehlan
Commissioner Sossaman
Commissioner Moore

Staff

Present

Community Development Director Condit
Planning Manager Balmer
Principal Planner McCauley
Engineer Marc Palichuk
Community Development Assistant Moats

Absent

Others in attendance

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

3. **PUBLIC COMMENT**

Members of the public may address the Commission on items not on the printed agenda. Please observe the time limit of three minutes. Speakers' cards are available at the door, and may be delivered to staff prior to the commencement of the meeting. There were no public comments.

4. **Consent Agenda:** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (*). Prior to consideration of the Consent Agenda, the Chairman will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Commission and/or staff may remove any item for separate consideration.

a. **Consideration and Possible Approval of July 8, 2009 Work Study and Regular Session Minutes;**

Motion: Commissioner Atkinson

To approve the Consent Agenda, as presented.

2nd: Commissioner Ingram

Vote: All ayes. Motion carried 4-0 (Moore, Fehlan, Sossaman absent).

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

5. **Public Hearing, Discussion and Possible Action on Zoning Ordinance Update**

Wayne balmer reminded Commission this item was brought to them at the July Planning and Zoning Commission meeting. He stated staff has received several comments since that meeting suggesting the full document be divided into two separate documents: 1) the Ordinance, and; 2) Guidelines and Development Applications. Due to the fact that there is a Major General Plan Amendment application requesting MHDR-A and MDHR-B, Mixed Use and Regional Commercial land uses, with R1-4 and R1-5 zoning, it will be necessary to process a Zoning Text Amendment prior to October to include these categories. This text amendment will be presented to the Commission at its September 9 meeting.

Chairman Trapp-Jackson opened the Public Hearing at 7:03 p.m. There were no public comments, and the public hearing was closed.

Motion: Commissioner Ingram

To continue the Public Hearing on the Zoning Ordinance Update/Text Amendment to September 9, 2009.

2nd: Commissioner Perry

Vote: All ayes. Motion carried 4-0 (Moore, Fehlan, Sossaman absent).

6. **Public Hearing, Discussion and Possible Action on Saving Grace Lutheran Church, CU08-103/SP08-102** A request by Dean Hodges of Saving Grace Lutheran Church for Site Plan, Landscape Plan, Building Elevation Plan and Conditional Use Permit approval for a church to be located on approximately 12 acres at the southwest corner of Cloud and Ellsworth roads (24414 S. Ellsworth Road).

Principal Planner Mike McCauley presented the staff report, stating the request proposes a church compound to be built in several phases, including a daycare center, multi-purpose building, and an existing home which will remain and be used as administrative office. Staff supports the request, subject to the stipulations listed in the staff report, which include resolving the issue of who will be responsible for right-of-way improvements. Staff hopes to resolve this issue prior to Town Council final action.

Mr. McCauley stated future phases will include a sanctuary that seats up to 700 members, at which time complete Site Plan, Landscape Plans and Building Elevations will be submitted for approval.

Ralph Pew, 1744 S. Val Vista Road, Suite 217, Mesa, Arizona, 85204, addressed Commission on behalf of Dean Hodges of Saving Grace Lutheran Church. He stated the applicant concurs with staff's recommendation concerning design and architectural features; and also recognizes the need to address the landscaping issue discussed during Work Study. The applicant does have concerns about Stipulations 1 and 2 and will continue to work with staff and legal counsel to address these issues prior to Town Council action.

Chairman Trapp-Jackson opened the Public Hearing at 7:08 p.m.

- 1) Jack Reed of 24760 S. Ellsworth Road, Queen Creek, addressed the Commission. He stated he has no opposition to this application; however, he would like to be able to know what will happen between the church property and his property. He is located just south of the church site. He irrigates, and is concerned about potential drainage problems. He is hopeful something can be worked out regarding potential drainage issues.

There were no further public comments; the Public Hearing was closed at 7:10 p.m.

Responding to Mr. Reed's comments, Ralph Pew again addressed the Commission, stating the site plan provides a retention basin; per Town standards, there is a landscape buffer on the southern boundary which will take care of the transitional issues.

Motion: Commissioner Perry

To recommend approval of Saving Grace Lutheran Church, CU08-103/SP08-102, as presented, subject to the Conditions of Approval outlined in the staff report

2nd: Commissioner Ingram

Vote: **All ayes. Motion carried 5-0 (Moore, Fehlan, Sossaman absent).**

7. **Public Hearing, Discussion and Possible Action on Heritage Square, SP08-170/SD09-032**
A request by Stephen Hatch of ER 15, LLC for Site Plan, Landscape Plan, Building Elevation Plan and Preliminary Plat approval for Heritage Square, a 14.5-acre retail development located at the northeast corner of Ellsworth and Heritage Loop roads.

Principal Planner Mike McCauley presented the staff report, stating the application proposes 10 buildings; one of which will be a big box user. He stated the proposed architecture, Site Plan and Landscape Plan complements this center and the surrounding area. It includes shared parking with access to Queen Creek Crossroads, located adjacent to this center on the south.

Staff has included a stipulation pertaining to the big box user as follows: #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."*

Ralph Pew of Pew and Lake, 1744 South Val Vista Drive, Suite 217, Mesa, Arizona 85204, addressed the Commission on behalf of ER15 LLC. He stated the applicant concurs with staff and agrees with their analysis and the conditions listed in the staff report.

Chairman Trapp-Jackson opened the Public Hearing at 7:14 p.m. There were no public comments, and the Public Hearing was closed.

Motion: **Commissioner Perry**

To recommend approval of Heritage Square, SP08-170/SD09-032, subject to the Conditions of Approval outlined in the staff report.

2nd: **Commissioner Atkinson**

Vote: **All ayes. Motion carried 4-0 (Moore, Fehlan, Sossaman absent).**

ADMINISTRATIVE ITEMS

All Administrative Items were discussed during Work Study Session.

8. **Review** of next month's agenda items.
9. **Report** on Town Council Action.
10. **Summary of Current Events** from members of the Commission.
11. **Adjournment**

Motion: **Commissioner Perry**

To adjourn.

2nd: **Commissioner Ingram**

Vote: **All ayes. Motion carried 4-0 (Moore, Fehlan, Sossaman absent)**

The meeting adjourned at 7:15 p.m.

PLANNING AND ZONING COMMISSION

By: _____
Kathy Trapp-Jackson, Chairman

ATTEST:

Laura Moats, Community Development Assistant

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 Regular Session Meeting 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 9th of September, 2009.