



**PINAL COUNTY PLANNING AND ZONING COMMISSION
REGULAR MEETING
MINUTES OF April 19, 2012**

PRESENT: Mr. Hartman, Chairman
Ms. Aguirre-Vogler, Member
Mr. Brown, Member
Ms. Moritz, Member
Mr. Riggins, Vice-Chairman
Mr. Salas, Member
Mr. Gutierrez, Member
Mr. Faucette, Member

ABSENT: Mr. Ellis, Member

LEGAL STAFF PRESENT:
Ms. Grieb, Deputy County Attorney

PLANNING STAFF PRESENT:
Mr. Stabley, Planning Director
Ms. Bruninga, Secretary II
Ms. MacDonald, Planner II
Mr. Abraham, Planning Manager
Mr. Denton, Planner II
Ms. Sarkissian, Planner I

PUBLIC WORKS STAFF PRESENT:
Mr. Chow, Development Section Chief

The meeting was called to order at 9:02 a.m., this date by Chairman Hartman in the Emergency Operations Center (EOC) Hearing Room, Building F, Florence, Arizona.

DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES: March 15, 2012

Commissioner Moritz stated that on page six (6) the second paragraph from the bottom of the page is incomplete for the intention of the statement, and should include the wording: within shopping centers and strip malls.

Chairman Hartman stated that the discussion in case PZ-PA-010-11 regarding the Comprehensive Plan Designation of employment was left out of the minutes. Chairman Hartman asked that staff listen to the recording again, and bring the minutes back in May.

PLANNING DIRECTORS DISCUSSION ITEMS

Mr. Stabley informed the Commission that he would be leaving the meeting early, and Mr. Abraham would be available in his place.

Mr. Abraham stated that staff passed out the final version of the economic benefits of the open space and trails in Pinal County from the Trust for Public Land. Mr. Abraham stated that this was for informational purposes only.

NEW CASES:

PZ-PD-002-12 - PUBLIC HEARING/ACTION: Cholla Ridge L.L.C., and Gold Canyon Holdings #2, LLC landowners/applicants, KSE Design Group c/o Craig Smith, agent, requesting approval of an amendment to a Planned Area Development (PAD) Overlay District (**PZ(PD)029-98**) on 6.59± acres within the **Tesoro/Coyote Call/Purple Sage PAD** to plan and develop the 46 unit Cholla Ridge Townhomes; situated in a portion of the NW¼ of Section 9, T1S, R9E G&SRB&M, a portion of tax parcels 104-57-002E and 104-66-200 (legal on file) (located east and west of Gold Canyon Drive, approximately ¼ mile north of Kings Ranch Road in the Gold Canyon area)

Ms. MacDonald read a portion of the staff report and used a Power Point.

Commissioner Brown asked when the last plat extension was, and if this case was reviewed by Kent Taylor to check the effect this proposal has on the Open Space Plan. Ms. MacDonald responded that the information was routed to Mr. Taylor and there were no comments from him. Ms. MacDonald stated that the site was initially rezoned in 1998 to CR-5, allowing a greater number of units (64), in 2001, the number of lots were decreased to thirty (30). Ms. MacDonald stated the applicant is now looking to increase the number back up to forty six (46) units. Commissioner Brown stated that there was a reason for the plat extension, and the prior rezone predates the Trails Plan and RSRSM and asked if the trails plan is given the same weight as Public Works concerns. Ms. MacDonald stated that the proposal was routed to Public Works, Mr. Taylor, and staff received no comments back from him. Ms. MacDonald stated that she reviewed the Trails Plan and it was not impacted by the applicant's proposal. Ms. MacDonald also noted that this proposal is not a plat, but a PAD amendment. Commissioner Brown stated that even if there is no comment from Public Works, there is evidence that they were asked for it, and he would like the security of knowing that it is being looked into.

Chairman Hartman stated that this is not a request for extension, but a request for a change in the number of units. Ms. MacDonald responded that this is not a plat; it is the request for approval of a development plan.

Chairman Hartman asked why trails are being abandoned instead of being provided.

Chairman Hartman called the applicant forward.

Craig Smith, KSE Design Group, 2525 N. Greenway, Phoenix, Arizona came forward to address the Commission. Mr. Smith gave a brief history of his request.

Chairman Hartman stated that his concerns are mostly with ingress/egress. Chairman Hartman stated that the applicant's plans show an eight (8) foot road width chip sealed, but in the Public Works comments, it states "any roadway section alignment and accessed shown on the plat are conceptual only and have not been approved by the County Engineer". Mr. Chow responded that is a standard stipulation for PAD's, as most of the applications for PAD come in as a conceptual design. Mr. Chow stated that the engineering has not been completed at this point, and this stipulation is to inform the applicant that no road widths or alignments have been approved. Chairman Hartman asked if there would be a requirement to replace the chip sealed surface. Mr. Chow responded that the applicant would be required to provide asphalt pavement on access roads. Mr. Smith stated that he met with Public Works staff to discuss the proposal, and was given guidelines. Mr. Smith stated that it is a twenty-five (25) foot tract for ingress/egress to the site.

Chairman Hartman stated he has concerns on the turnaround shown on the site plan, and asked what direction the flow of traffic would go. Chairman Hartman asked if a fire truck could safely turn around in this area. Mr. Smith stated that the standard fire lane is twenty four (24) feet in width, and he is

proposing a twenty-five (25) foot width from lip of gutter to lip of gutter. Mr. Smith stated that the cul-de-sac was designed so it could handle a turnaround for emergency vehicles and trash trucks.

Chairman Hartman asked why the thirty (30) foot trail was being removed from the site. Mr. Smith stated that currently it is an orphaned easement and it was an easement for the benefit of the property owners of the PAD. Mr. Smith stated the thirty (30) foot trail is a left over piece from that easement. Mr. Smith stated that if there was a requirement to have a trail easement, they would not be opposed to it, but it is inappropriate in this location, as it is on steep slopes.

Commissioner Brown stated that our trails plan is opportunistic, as there is a general goal desired, but if a better opportunity comes along, it is taken. Commissioner Brown stated that the trail may have merit. Mr. Smith stated that the owner would not have any issues with participating in location of a trails system, but he is unaware of any plan that provides trails through this particular piece of property. Commissioner Brown stated that it is a good idea to keep this option open. Mr. Smith stated that one concern is the properties to the North of the site would need to have an arrangement to continue the trail through this property and onto those individual lots. Commissioner Brown stated he was not on the Commission in 1998, or even when the case was continued, but he believes that the trail was put there for a reason. Chairman Hartman stated that there was a vision that there would be all sorts of trails in that area, and he would hate to give up an easement that is already established. Mr. Smith responded that the applicant has no problem reconfiguring, but the location of this easement effects how this corner of the property is developed.

Commissioner Moritz asked how much of the open space being allowed is the golf course. Mr. Smith responded none, except for the golf cart path on the perimeter. Commissioner Moritz asked how much space is there from the setback and the property line. Mr. Smith stated that the distance from the lots to the perimeter varies from ten (10) feet to sixty (60) feet depending on the location on the site. Commissioner Moritz asked where the closest existing residence is. Mr. Smith showed the location on the map.

Chairman Hartman asked what type of landscaping would be used. Mr. Smith responded that the applicant's intent is to use natural desert landscaping to remain consistent with the area and blend in with the mountainside.

Vice-Chairman Riggins asked what the setback is for vertical improvements on the lots at the North boundary. Mr. Smith responded that there is a zero (0) setback on the individual smaller lots. Each unit has its own lot and the setbacks would be zero (0) as the townhouses are attached to one another. Vice-Chairman Riggins stated that the effect of that on the northern boundary is that there is a ten (10) foot setback from boundary line to vertical improvement. Mr. Smith responded that is correct.

Vice-Chairman Riggins stated that there is no turnaround on the East/West secondary drive. Mr. Smith stated that there isn't room for a cul-de-sac, and they are proposing a hammer head turnaround style. Vice-Chairman Riggins stated that this is not large enough for any large vehicles to utilize. Vice-Chairman Riggins stated that from the northern boundary it is a quarter mile to the North before any secondary access roads. Mr. Smith responded that the access for this site has not had a continuation, and there are tee boxes in the area, blocking any way to continue. Vice-Chairman Riggins asked if there has been any discussion on having an emergency easement with breakaway gates on the southern portion of the site. Mr. Smith responded that there has been no discussion on this that he is aware of.

Commissioner Moritz stated that the fire department only questioned the distance between hydrants, and if they thought there was a problem with access they would have discussed it. Commissioner Moritz asked how long the drive is from the road to the end of the hammerhead ending. Mr. Smith responded that it is roughly five hundred (500) feet.

Vice-Chairman Riggins stated the hammerhead was placed due to lack of room, but the lack of space is because of the number of lots being established. Vice-Chairman Riggins stated that if some lots were removed, there would be enough room for a roundabout. Mr. Smith agreed and stated that the fairway and lake wrap around there, and they wanted to limit the amount of asphalt in that area, so that it blends into the golf course.

Commissioner Brown agreed that the fire department would look at the access. Commissioner Brown asked if there would be children needing school buses. Commissioner Brown also asked how the turning radius of a school bus compares to that of a fire truck. Mr. Smith responded that he is unsure of the relationship between a fire truck length and the length of a school bus. Mr. Chow stated that when a development comes in requesting a nonstandard roadway width, a length of five hundred (500) feet is the maximum length allowed before they must request a variance from the County Engineer. Mr. Chow stated that a letter would be required from the fire department stating if they grant approval, approval with stipulations, or denial. The fire department will look at their ability to move throughout the development. Mr. Chow stated that the applicant's plans will not be approved without this letter.

Vice-Chairman Riggins asked if density impacts the five hundred (500) foot length. Mr. Chow responded that at this point density is not factored in, five hundred (500) feet is the maximum cul-de-sac length.

Mr. Smith stated that the fire department and school districts were given copies of the proposal, and have provided letters of approval so far. Mr. Smith stated that the applicant has no problem working with them on their requirements.

Chairman Hartman asked how many vehicles will be parked on site. Mr. Smith stated that each unit gets a two (2) car garage, and there are twenty-five (25) additional parking spaces for guests. Chairman Hartman asked what the garage door width would be. Mr. Smith responded that the garage door width would be eighteen (18) feet.

Commissioner Moritz stated that the Commission is here to make a decision as to whether the request for change in zoning is appropriate.

Commissioner Faucette stated that he was confused about setbacks. Mr. Smith stated that the zero setback is measured from the individual lot line. Commissioner Faucette stated that there are multiple homes on the North side of the property, and asked how far those existing homes are from the property line. Mr. Smith stated that he did not have the exact numbers, but the closest house is in close proximity to the lot line.

Chairman Hartman asked how land exchange takes place. Mr. Smith responded that there is a piece of land in the fairway that they are giving to the golf course in exchange for a piece at the south end of the property.

Commissioner Gutierrez stated that there is a structure on the property line at the Northeast corner. Mr. Smith responded that the lot lines would begin ten (10) feet south of that with, and the zero setbacks beginning from there. Ms. MacDonald stated that a ten (10) foot distance between buildings is also listed in the PAD narrative.

Vice-Chairman Riggins stated that as it stands now, if the lot lines were against the property line, there would still be a thirty-five (35) foot setback, and the applicant is proposing to take that thirty-five (35) foot setback and making it a ten (10) foot setback.

Chairman Hartman opened the meeting to the public.

Dale Gall, 5387 Gold Canyon Drive, Gold Canyon, Arizona 85118, came forward to speak in opposition of the proposal. Mr. Gall stated that he has concerns with a zero (0) setback and he would like to see a minimum setback of ten (10) to twenty (20) feet. Mr. Gall stated that there are power problems in the area, and asked adding the proposed units would make the power shortage in the area worse. Mr. Gall expressed his concerns of a fire risk with a zero foot setback. Mr. Gall stated that he would like to see the drainage issue addressed, as the burden of potential flooding would be put on his property. Mr. Gall stated that gates would be noisy and affect the quiet neighborhood.

Commissioner Moritz asked if Mr. Gall was a year round resident. Mr. Gall replied yes. Commissioner Moritz asked if Mr. Gall was looking for a reconfiguration so that the end of the unit was farther away from his property. Mr. Gall responded that he wants to make sure there isn't a zero setback so the new buildings are not on top of his property.

Vice-Chairman Riggins stated that the zero setback in this case concerns where vertical improvements can be made on an individual lot, there would be a ten (10) foot setback from the lots to the property line. Vice-Chairman Riggins stated that the vertical improvement would be ten feet from the Gall's property. Mr. Gall stated that ten feet would be acceptable as long as the water runoff is addressed.

Commissioner Moritz asked if the proposed ten foot setback is ok with Mr. Gall. Mr. Gall responded that a ten foot setback would be ok with him.

Jim Sobek, 8772 E Greenview Dr, Gold Canyon, Arizona, came forward to speak in favor of the proposal.

Wayne Bouvert, 5155 S Overlook Trak, Gold Canyon, Arizona came forward to speak in favor of the proposal

Commissioner Aguirre-Vogler stated that she has many concerns with the proposal, and asked if Elise Moore was present in the room to discuss the flood issues. Mr. Chow stated that Ms. Moore was attending the hearing as a supervisor. Mr. Chow stated that there will be a drainage report and have a drainage plan, if there is a wash going through the property, the applicant will have to address how to handle that, and ensure that there will be no adverse affects on the surrounding property owners. Commissioner Aguirre-Vogler stated that there are lots of problems just looking at the topography. Mr. Chow stated that the applicant will have to comply with the Drainage Ordinance, and the plans will be reviewed as submitted.

Mr. Smith stated that they do not intend any harm or damage to neighboring properties. Mr. Smith stated that there is a lot of runoff to deal with, and openings are proposed to allow drainage to pass through.

Chairman Hartman closed the public portion of the meeting.

Vice-Chairman Riggins stated that the northern boundary is the only place that would create an issue with open space. Vice-Chairman Riggins stated that there are four lots on the northern boundary that have a thirty-five (35) foot setback, and they are being asked to reduce that to ten (10) feet.

Commissioner Moritz stated that she is in favor of the proposal, and asked if there is a possibility that modifications could be made to the northern lots to provide a greater setback.

Chairman Hartman stated that he is also concerned with the potential drainage issues.

Vice-Chairman Riggins stated there are many aspects of this plan that are good, and he understands that details that will be taken care of as the process moves forward. Vice-Chairman Riggins stated that the hammerhead design will not work; people will park in that place, not allowing for emergency or

turnaround. Vice-Chairman Riggins stated that there are existing large rural lots that are to the North and the applicant is proposing to put vertical improvements within ten feet of them.

Commissioner Aguirre-Vogler asked if Mr. Smith would appreciate if there were vertical encroachment on his own neighboring property. Mr. Smith responded that it would depend on what research was done before purchasing his home. Mr. Smith stated they would have to eliminate six (6) units to make room by moving South.

Commissioner Moritz asked what relation the Gall's home is to the units proposed. Mr. Smith responded that the southeast corner of the house is adjacent to the property line. Commissioner Moritz stated that it is unfortunate that the Gall's did not know what the configuration for adjacent properties would be.

Commissioner Brown stated that density affects how he looks at a project. Commissioner Brown stated that there are many factors involved that affect the commission's vote.

Vice-Chairman Riggins stated that the Gall's had a thirty-five (35) foot setback for vertical improvements, there was not a lack of knowledge, but the basis was changed. Vice-Chairman Riggins stated that there are large lots to the North that will have two story buildings, placed ten feet away from their lot lines.

Mr. Smith responded that the structures are developed in pairs, and would be removed in pairs as well.

Chairman Hartman stated that the Commission is a recommending body to the Board of Supervisors, and stipulations are made, but the applicant can go to the Board of Supervisors and explain why they do not agree with the recommendation of the Commission.

Commissioner Aguirre-Vogler asked if there was going to be a variance on the road. Mr. Chow responded that if the cul-de-sac length is in excess of the limit, the applicant will be required to submit a variance to the County Engineer. Mr. Chow also stated that the applicant would be requesting a variance on the roadway width, as they are requesting a twenty-nine (29) foot width and the county minimum is thirty-two (32).

Mr. Smith stated that the initial approval included the twenty-nine foot roadway, and this was modeled after that approval.

Commissioner Gutierrez asked if the setbacks could be increased on the North side of the property, and decreased on the Southwest corner of the property, to shift the development down and alleviate the problem. Mr. Smith stated that the sewer easement has to be taken into consideration as well. Mr. Smith explained that if the development was moved along the easement, it would force the development higher up the hill.

Vice-Chairman Riggins stated that there is an issue against adjacent large property owners and what the applicant is asking to do. Vice-Chairman Riggins stated if the applicant was willing to extend the setback to twenty feet it would be a start to accommodate the realities of the area. Vice-Chairman Riggins stated that he agrees this is a nice development, but he will vote against it without discussion on the northern boundary. Mr. Smith responded that not all of the units make it to the rear lot line. Vice-Chairman Riggins stated that a stipulation was added stated that along the northern boundary no vertical improvements would be closer than twenty feet to the lot line, and if this stipulation were inserted, there would be no problem. Mr. Smith stated that he would work with the owners. Vice-Chairman Riggins asked if the applicant would be willing to insert this stipulation today. Mr. Smith responded no.

Commissioner Faucette stated that from his view, the ten foot setback will not be approved by the Commission.

Carlo Karim, 6100 S. Kings Ranch Road, Project Developer, came forward to address the Commission. Mr. Karim stated that the current side yard setback requirement is seven (7) feet, and the applicant is proposing a ten foot setback, exceeding the requirement by three feet. Vice-Chairman Riggins stated that the area in question is the northern boundary. Mr. Karim stated that the Gall's side yard is at the rear property line. Vice-Chairman Riggins stated that there are four properties adjacent to this site.

Commissioner Moritz asked if Mr. Smith could identify units nine (9) and ten (10), and asked if they face the Gall's side yard or back yard. Mr. Smith responded that those units face part of the back yard, and the next unit over would face the side yard. Mr. Smith stated that it also depends on what is considered to be side and/or rear yards. Vice-Chairman Riggins responded that the issue at hand is that an existing limit of thirty-five (35) feet for vertical improvements is being reduced to ten.

Commissioner Aguirre-Vogler asked for staff's opinion. Ms. MacDonald responded that the setbacks in the PAD book are the setbacks from the subject property, not taking into consideration the existing buildings. Ms. MacDonald stated that the setbacks being discussed do not apply to adjacent properties, just to the subject property.

Vice-Chairman Riggins stated that the change in setbacks only affects the internal configuration and how it affects the site's open space, which is more than adequate. Vice-Chairman Riggins stated that the discussion is truly about the northern property boundary.

Commissioner Moritz stated that she asked Mr. Gall if a ten (10) foot setback would be ok, he responded yes. Commissioner Moritz asked if the decision of the Commission would be easier to make if the adjacent property owners were ok with a ten foot setback.

Vice-Chairman Riggins stated that he would like to have a twenty foot minimum setback, as this could set a precedent allowing two story condominiums to push that close to large open rural lots. Commissioner Faucette stated that the Commission has never come close to allowing something like this to happen in the past, and the Commission protects people from this exact thing happening.

MOTION

Commissioner Salas made a motion to forward case PZ-PD-002-12 to the Board of Supervisors with a recommendation of denial. Vice-Chairman Riggins seconded the motion.

Vice-Chairman Riggins stated that he is regretful to make this motion, and if the applicant were willing to make minor changes in the proposal, it would have a different outcome. Commissioner Moritz agreed.

Motion passed by a vote of seven to one (7-1) with Chairman Hartman in opposition of the motion.

Chairman Hartman stated that he believes the case would have been forwarded with a recommendation of approval with one more stipulation to satisfy the concerns of the Commission.

Break: 10:31 a.m.

Reconvened: 10:42 a.m.

TENTATIVE PLATS:

S-017-06 - DISCUSSION/APPROVAL/DISAPPROVAL: RJ2 Investments, LLC, landowner, Chris Clonts, Rose Law Group pc, agent, requesting approval of a tentative plat extension for **Maricopa Opus**, 725 lots on a 226.13± acre parcel in the CR-3/PAD zone; situated in portion of the E½ of Section 26, T5S, R2E, G&SRB&M, Tax Parcel 510-31-009E (located adjacent to the west side of Ralston Road, east side of Thunderbird Road, north side of Teel Road, and approximately ¼ mile south of Val Vista Road; 5 miles southwest of the City of Maricopa).

Mr. Denton read a portion of the staff report and used a PowerPoint.

Court Rich, 10846 N Sundown, Scottsdale, Arizona 85260, came forward to address the Commission and gave a brief explanation of the request for an extension.

Commissioner Aguirre-Vogler stated there is an ongoing problem with the road and railroad intersection. Mr. Rich responded there is a problem where State Route 347 crosses the railroad, but this property would have primary access off of Ralston and should not add to the issue in the area. Chairman Hartman asked if people coming from the North would not cross the railroad. Mr. Rich responded that it is possible, but people coming to this site would primarily be using Ralston, not 347, avoiding the center of the problem.

Chairman Hartman asked how far the applicant has come with the stipulations. Mr. Rich stated that the applicant has submitted a final plat and is currently on third review. Chairman Hartman asked if Ralston is paved past this property. Mr. Chow responded that he is unfamiliar with the area. Mr. Chow stated the requirement is paved access to the site, and this would be verified through the review process.

MOTION

Vice-Chairman Riggins made a motion to approve the extension of case S-017-06 along with its attached 53 stipulations and modification to stipulation 50, to June 29, 2014. Commissioner Salas seconded the motion. Motion passed unanimously.

S-002-06 - DISCUSSION/APPROVAL/DISAPPROVAL: SaddleBrooke Development Company, landowner, B&R Engineering, Inc., engineer, requesting approval of a tentative plat extension for **SaddleBrooke Unit 51**, 7 lots on a 10.0± acre parcel in the GR zone; situated in portion of Section 23, T10S, R14E, G&SRB&M, Tax Parcel 305-50-001 (located approximately 3½ miles east of State Route 77, SaddleBrooke area).

Mr. Denton read a portion of the staff report and used a PowerPoint.

Mark Maloney, 9666 E Riggs Road, Sun Lakes, Arizona, came forward to address the Commission and gave a brief explanation of the request for an extension.

Commissioner Salas asked if this is part of SaddleBrooke West, which is west of Highway 77. Mr. Maloney stated this site is primarily part of the overall SaddleBrooke project. Mr. Maloney stated the area Commissioner Salas is referring to is the SaddleBrooke Ranch project.

MOTION

Vice-Chairman Riggins made a motion to approve the extension of case S-002-06, along with its attached 35 stipulations, modifying stipulations 22 and 35, to extend the tentative plat to June 17, 2014. Commissioner Moritz seconded the motion. Motion passed unanimously.

S-003-11 - DISCUSSION/APPROVAL/DISAPPROVAL: Robson Ranch Mountain, LLC, landowner, B&R Engineering, Inc., engineer, requesting approval of a tentative plat extension for **SaddleBrooke Ranch Unit 46**, 132 lots on a 59± acre parcel in the CR-3/PAD and GR/PAD zones (**PZ-PD-033-00**); situated in portions of Sections 4 & 5, T10S, R14E, G&SRB&M, Tax Parcel 305-31-015E (legal on file) (located approximately a ½ mile northwest of the intersection of SaddleBrooke Ranch Boulevard and State Route 77).

Mr. Denton read a portion of the staff report and used a PowerPoint.

Mark Maloney, 9666 E Riggs Rd, Sun Lakes, Arizona came forward to address the Commission and gave a brief explanation on the extension request.

MOTION

Vice-Chairman Riggins made a motion to approve the extension of case S-003-11, along with its attached twenty-six (26) stipulations, modifying stipulation 26 to April 21, 2014. Commissioner Salas seconded the motion. Motion passed unanimously.

S-001-12 - DISCUSSION/APPROVAL/DISAPPROVAL: DTD-Devco 1, LLC, landowner, Land Development Services, LLC., agent, requesting approval of a tentative plat for **Skyline Ranch Marketplace**, 15 lots on a 63± acre parcel in the CB-2/PAD zone (**PZ-PD-025-99A**); situated in portion of Section 7, T03S, R08E, G&SRB&M, Tax Parcel 210-08-017F, 017G, 017H, & 017K (legal on file) (located at the northeast corner of Gary Road & Hunt Highway).

Mr. Denton read a portion of the staff report and used a PowerPoint.

Vice-Chairman Riggins stated the large map had the incorrect site identified. Mr. Denton responded that he caught this mistake after the packets were distributed.

David Gulino, 7525 E Camelback Rd #104, Scottsdale, Arizona, 85251, came forward to address the Commission and gave a brief history of the project.

Chairman Hartman asked if the applicant agreed to the stipulations attached to the case. Mr. Gulino responded yes, the applicant concurs with all stipulations. Chairman Hartman asked how many of the attached stipulations have been completed at this time. Mr. Gulino responded that the center is ready to go and there are several tenants waiting for the approval of the project and this will accelerate the build out of the center.

Commissioner Brown asked if there have been conversations with Home Depot as to when they anticipate building. Mr. Gulino stated there is no date set as of yet.

MOTION

Vice-Chairman Riggins made a motion to approve findings 1-7 as set forth in the staff report and the tentative plat in case S-001-12 with its attached 11 stipulations as presented. Commissioner Salas seconded the motion. Motion passed unanimously.

WORK SESSION

PZ-PA-001-12, PZ-005-12 and PZ-PD-005-12 – Work Session: To discuss cases **PZ-PA-001-12, PZ-005-12 and PZ-PD-005-12**; A Non-Major Comprehensive Plan Amendment request from Employment to High Density Residential on 19.6± acres and from Very Low Density Residential to High Density Residential on 19.7± acres; and a rezone request from RVP (Recreational Vehicle Park)(**PZ-033-84**) to MHP (Mobile Home Park) and a PAD Overlay District request to allow recreational vehicles, park models and manufactured housing within the 41.5± acre Picacho RV Resort parcel; Tax Parcel 410-05-015A (west of Interstate 10, south of Picacho Peak Road in the Red Rock area).

Ms. Sarkissian read a portion of the staff report and used a PowerPoint.

Lyle Richardson, 5310 N Camino Real, Tucson, Arizona, 85718, came forward to address the Commission, giving a brief history of the site and the applicant's request with a PowerPoint.

Vice-Chairman Riggins asked if HUD homes are stick built. Mr. Richardson responded that they are manufactured off site. Vice-Chairman Riggins stated that they are just a different type of a park model. Mr. Richardson responded they are upgraded.

Commissioner Salas asked if the prefabricated homes are for permanent residences. Mr. Richardson stated that there are changes in the industry and some would be full time residences. This project allows people the option to have a permanent location.

Commissioner Salas asked how close this project is to the Union Pacific project. Mr. Richardson responded he is unsure of the distance, but it is Northeast to the site opposite of I-10.

Commissioner Aguirre-Vogler asked how many units are existing. Mr. Richardson stated that three hundred and eleven (311) units are approved. Commissioner Aguirre-Vogler asked how many units are in at this time. Mr. Richardson responded that the number fluctuates, but there are forty-five (45) units in now. Commissioner Aguirre-Vogler stated that originally this was not designed for fulltime residents due to water and sewer problems. Mr. Richardson stated that there were improvements made to the water and sewer systems that facilitated longer stays. Commissioner Aguirre-Vogler stated that recently the park was out of water, and there were a lot of nitrates in the water. Mr. Richardson stated that there had been a change recently by which the nitrates are measured, and there are issues that need to be addressed. Mr. Richardson stated that the applicants are working with the water company as well as their own engineers to determine the best approach. Commissioner Aguirre-Vogler stated that there is a long history of problems in this location, including the water company being unable to provide for full time residents. Mr. Richardson responded that there have been discussions with ADEQ and the Corporation Commission, and everything indicates that the units approved can be handled.

Commissioner Aguirre-Vogler asked if the perk test on the sewer proved that the system can hold that many residents. Mr. Richardson stated at this point there are no issues, but they have not begun the engineering process at this point.

Commissioner Aguirre-Vogler stated that RV's are part time people. Mr. Richardson stated that there are more part time people in December than other months of the year. Mr. Richardson stated that the infrastructure and all of the improvements are planned based on the overall build out of the project.

Vice-Chairman Riggins asked if all units were rental units, or if individual lots would be sold. Mr. Richardson responded that there would be no transfer of real estate.

Chairman Hartman stated that he would like to continue to see a buffer for the residential lots around the site. Mr. Richardson responded that the wall would remain earth tone, and the only sign is at the entry point. Mr. Richardson stated that on the inside there is a lot of landscaping, including mature trees. On the outside there is a 4:1 slope from the base of the wall to the top of the access road. Mr. Richardson stated that the mesquite trees from the inside hang over the wall to the outside.

Mike Wirth came forward to address the Commission. Mr. Wirth provided more information on the Park and his request, explaining that full time occupancy has been permitted by the County. Mr. Wirth stated his request is to allow a slightly larger unit.

Chairman Hartman asked what happens to the Park Models when the renter decides not to rent anymore. Mr. Wirth responded that typically there is sales staff on site that sells the units.

Mr. Abraham started that staff would like to have more information on what is classified as a HUD product. Mr. Richardson responded they would get with staff to provide any additional information needed. Vice-Chairman Riggins asked if a HUD home was a park model with a façade in front of it. Mr. Wirth responded that park models and HUD homes have different stamps. A park model is built to the

same standards as a HUD product, but must remain under 400 square feet. Mr. Wirth also stated that over 400 square feet, you have to go to a HUD product, despite the fact that there is no difference in the quality of construction.

Chairman Hartman asked if there is an increase in the need for fire protection with the additional units requested. Mr. Wirth is unsure at this time.

Commissioner Brown stated the applicant is looking to allow people to come and go without having to move the unit. Mr. Wirth stated that people may want a little more room, and this allows them this luxury.

Mr. Richardson stated that the work session allows the applicant to know what the Commission and staff will require, and he will do research on the water and wastewater to bring this information back for the hearing.

Commissioner Gutierrez stated theoretically, there could be three hundred (300) full time residents in the park. Mr. Richardson stated that is correct. Commissioner Gutierrez asked if the park can handle that capacity. Mr. Richardson responded that they believe it will, but they are also bringing up the standards for the overall project, and wanted to understand what the entitlement allows them to do.

Commissioner Salas stated that there would be an influx of workers and residents once the railroad project comes through. Mr. Richardson agreed.

Commissioner Aguirre-Vogler stated that her problem is the water and sewer. Mr. Wirth responded that the area was out of water three weeks ago for a week due to a broken well pump which has since been repaired, but they had water hauled in temporarily. Commissioner Aguirre-Vogler stated that the wells are old and have many problems.

Chairman Hartman stated that he appreciates the chance to have a work session to get these questions answered before the hearing.

LUNCH 11:44 a.m.
RECONVENED 12:50 p.m.

PZ-PA-002-12 - DISCUSSION/APPROVAL/DISAPPROVAL: The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with PCDSC 2.170.110, a major amendment of the **Pinal County Comprehensive Plan** to amend the **Open Space and Trails Map** to realign the location of **Juan Bautista de Anza Trail** within the Pinal County.

Ms. Sarkissian read a portion of the staff report and used a PowerPoint.

Vice-Chairman Riggins asked which would be a worse scenario, having a noncontiguous trail that follows the real trail, or a total false trail to remain contiguous. Chairman Hartman asked how the trail would continue through the reservation. Vice-Chairman Riggins stated that the route has been completely moved; they took the alignment in Pinal County and made it false to make it contiguous. Commissioner Aguirre-Vogler stated that she liked when the trail went through the fairgrounds. Commissioner Aguirre-Vogler stated that she has been working on an interpretive site to put in Pinal County, and just received a letter of approval for this. Commissioner Aguirre-Vogler stated that the National Park Service and the Anza Trail Coalition are working on a template to put up something at the fairgrounds. Ms. Sarkissian stated that staff went out and met with the National Park Service as well as the Anza Trail Coalition to ground truth the area. Ms. Sarkissian stated that there are issues with following the actual trail, one being the reservation, crossing railroads, the interstate, and various intersections. They want to maintain the rural feel for the trail. Commissioner Aguirre-Vogler stated that **this is a trail, not the auto route**. Ms. Sarkissian responded **this is correct; the auto route would follow**

after this is completed. Commissioner Aguirre-Vogler stated that she wants the auto route to go through the Pinal County Fairgrounds.

Commissioner Brown asked if this route is doable. Ms. Sarkissian responded that staff went out to ground truth the trail area, one concern was crossing Interstate 8, and it was verified that a crossing could be located there without having to do any additional overpass or trail crossings.

Ms. Sarkissian stated that the trail goes through Arizona and California, and many areas had to deviate from the exact trail to accommodate developments in certain areas.

Commissioner Brown asked if right of way can be obtained. Ms. Sarkissian responded that some areas fall within parks and trails systems of municipalities who are in agreement with this alignment.

Vice-Chairman Riggins asked how many signs would go up to say nothing happened at this exact site, and direct them to where it actually happened. Vice-Chairman Riggins asked why continuity was more important over reality. Vice-Chairman Riggins also stated that the Casa Grande Ruins are huge on the trail map, and this trail is nowhere near it. Ms. Sarkissian responded that the wide map alignment shown was designated by the National Park Service as a historic corridor area. Vice-Chairman Riggins stated if there were pieces of the trail that are unworkable, that's a different story, but connectivity is not more important than actual historical placement, and not many people will be interested in walking the trail.

Commissioner Aguirre-Vogler stated that she had gotten permission from Eloy, the Pinal County Fairgrounds, and Casa Grande, and she prefers the trail to go through Eloy, to the fairgrounds, off the 287 into Casa Grande.

Vice-Chairman Riggins stated that this alignment is basically the Maricopa-Casa Grande highway. Ms. Sarkissian responded it is in a portion, and adjustments may be made due to reservation acquisitions. Ms. Sarkissian also stated that there are a lot of PAD's on the route that do not have any designated trails. Commissioner Salas asked what happens if the Commission does not approve the request. Ms. Sarkissian stated this is an initiation. Chairman Hartman stated that the Commission is to decide whether further research is done. Ms. Sarkissian responded yes, and to begin creating the preferred alignment.

Chairman Hartman stated that there are many dedicated easements that can be used for trails. Vice-Chairman Riggins stated that those dedicated easements are for the use of the power companies, not for public use.

Mr. Abraham stated that the Commission is looking at whether they want to amend the Comprehensive Plan and start the process. If the Commission feels the Comprehensive Plan is better off without an Anza trail, the Commission would vote against the initiation.

Vice-Chairman Riggins stated he is all for having trails, and asked how many people would walk the Maricopa-Casa Grande Highway to say they walked a trail that wasn't the real trail. Mr. Abraham responded that Kent Taylor has said that trails like this have regional and local implications. Mr. Abraham stated that there are a lot of PAD's in the area that may have people wanting to use those trails. Vice-Chairman Riggins stated that people use trails where the area is pretty, not in highway areas. Vice-Chairman Riggins stated to have a historic trail to honor a historic event, where it happened is more important than connectivity. Chairman Hartman stated that there has to be connectivity.

Commissioner Gutierrez stated that this trail is to document a historic event, and if the trails aren't established now, we will lose the ability to establish them later, as the county grows. Commissioner Gutierrez stated we may lose the ability to document the event if we wait too long.

Commissioner Aguirre-Vogler stated that this area is heavily traveled by illegal immigrants, and people may avoid the area because of this. Vice-Chairman Riggins stated that there is a large part of the trail that will never have people on it, because this is not the kind of place that people go to walk.

MOTION

Commissioner Brown made a motion to initiate case PZ-PA-002-12. Commissioner Gutierrez seconded the motion. Chairman Hartman called for a roll call vote.

Commissioner Moritz	No
Commissioner Salas	No
Commissioner Gutierrez	Yes
Commissioner Brown	Yes
Commissioner Faucette	Yes
Commissioner Aguirre-Vogler	Yes, as long they reconsider the alignment
Vice-Chairman Riggins	No
Chairman Hartman	Yes

Vice-Chairman Riggins stated that the closeness of the vote gives a message to staff to reconsider the items that were discussed.

PZ-PA-003-12 - DISCUSSION/APPROVAL/DISAPPROVAL: The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with PCDSC 2.170.110, a major amendment of the **Pinal County Comprehensive Plan** to amend the **Open Space and Trails Map** to realign and further clarify the locations of the Regional Trails within the Pinal County. Ms. Sarkissian read a portion of the staff report and used a PowerPoint.

Vice-Chairman Riggins asked if this process would result in closure of any roads to vehicular traffic. Ms. Sarkissian responded no.

Commissioner Brown stated that the trails plans are opportunistic. Ms. Sarkissian stated staff would like something more concrete, and have something to negotiate with developers about in the future. Commissioner Brown stated that staff is looking for things that are likely to be achievable through stipulations during the zoning process. Ms. Sarkissian responded yes.

Chairman Hartman asked if Ms. Sarkissian works with the Pinal Partnership on the trail development. Ms. Sarkissian responded that she has not met with Pinal Partnership since the maps have been revised, however Ashlee MacDonald has discussed the trail alignments with them in the past and attends their monthly meetings regarding Parks and Trails. Commissioner Brown stated the next meeting of Pinal Partnership is May 1, 2012.

Commissioner Aguirre-Vogler asked to strike the word “de” from de Anza trail.

MOTION

Vice-Chairman Riggins made a motion to initiate case PZ-PA-003-12. Commissioner Salas seconded the motion. Motion passed unanimously.

PZ-PA-004-12 - DISCUSSION/APPROVAL/DISAPPROVAL: The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with PCDSC 2.170.110, a major amendment of the **Pinal County Comprehensive Plan** to amend **Chapter 10: Implementation, Plan Amendments**, to add criteria establishing when regional trail realignment requests are processed as Major Comprehensive Plan Amendments or Non-Major Comprehensive Plan Amendments.

Ms. Sarkissian read a portion of the staff report and used a PowerPoint.

The Commission had no additional comments on the case.

MOTION

Vice-Chairman Riggins made a motion to initiate case PZ-PA-004-12. Commissioner Salas seconded the motion. Motion passed unanimously.

PZ-PA-005-12 - DISCUSSION/APPROVAL/DISAPPROVAL: The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with PCDSC 2.170.110, a major amendment of the **Pinal County Comprehensive Plan** to amend the text of Chapter 3: Sense of Community and Chapter 7: Environmental Stewardship by:

- Amending the opening paragraph regarding **Mixed Use Activity Centers** in Chapter 3 Sense of Community (pg. 72) to address urban heat island effect;
- Adding a new **Mixed Use Activity Center Planning Guideline** in Chapter 3 Sense of Community (pg. 78) regarding underground, understructure and multi-level parking structures.
- adding a new policy **7.2.2.3** concerning rainwater harvesting techniques (pg 265);
- amending policy **7.4.1.5** concerning energy efficiency (pg 278)
- renumbering policy **7.4.2.3** to **7.8.1.1** and renumbering policy **7.4.2.4** to **7.4.2.3** for formatting purposes;
- adding a new goal **7.8**, a new objective **7.8.1** and two new policies **7.8.1.2** and **7.8.1.3** (pg 283);
- Adding three sidebars to Chapter 7 by describing and highlighting the terms: **Urban Heat Islands, Cool Pavements, Cool Roofs and Green Roofs** (pg. 283);

Mr. Abraham read a portion of the staff report and used a PowerPoint.

Vice-Chairman Riggins asked if there will be incentives in the process, creating a higher cost to residents than conventional costs. Mr. Abraham stated that the language used will be: suggest construction of energy star, encourage rainwater harvesting, encourage underground, understructure, and multilevel parking. Vice-Chairman Riggins stated there is no incentivizing or mandating. Mr. Abraham responded no.

Vice-Chairman Riggins stated that rainwater is really good to harvest in places where it rains a lot, but other places will have structures that never pay for themselves.

Mr. Abraham stated that the task force was created by the Board of Supervisors, and looked at a wide range of topics. The Board accepted the recommendations of this group. Mr. Abraham stated that the Comprehensive Plan is policy and has no "mandatory" requirements. Vice-Chairman Riggins stated that it is also policy to provide the nudge to get things to go in a certain direction. Vice-Chairman Riggins asked if anyone has vetted this for economics in the situation. Vice-Chairman Riggins stated he hopes that when this is brought before the Commission, the economic impact of people in Pinal County is looked at.

Chairman Hartman stated that water harvesting is available throughout the desert, by growing flowers along the major arterials, where the water hits the asphalt and runs off on the side of the road.

Commissioner Moritz stated that it is difficult to make a decision on these items without knowing how they read, and asked if it makes sense to ask the Commission to make a decision without having supporting documentation.

Vice-Chairman Riggins asked if this initiation could be continued and the information brought back to the Commission with ideas and examples that are already in place.

Commissioner Brown stated that this case would eventually come back before the Commission for approval.

Vice-Chairman Riggins stated that there are two (2) bullet points that state goals and policies will be added, and asked what that means. Commissioner Brown stated that means verbiage will be added and brought back before the Commission. Vice-Chairman Riggins stated he would like to see the verbiage before they start. Vice-Chairman Riggins would like to see more information about what is being asked to initiate.

Commissioner Moritz asked if the next hearing would be a public hearing or a hearing for the Commission. Mr. Abraham responded that with all major Comprehensive Plan amendments there has to be at least one work session, a public hearing, a meeting with the citizen advisory committee, and stakeholder involvement. Mr. Abraham stated he would bring draft language to the Commission for review. Mr. Abraham read an example of topic area C, a suggestion for sustainability, encourage rainwater harvesting. Mr. Abraham stated this can mean a variety of different things, and he is looking to refine the general goals.

MOTION

Vice-Chairman Riggins made a motion to continue case PZ-PA-005-12 to the May 17, 2012 hearing. Commissioner Faucette seconded the motion. Motion passed 7-1 with Commissioner Brown in opposition.

WORK SESSION

PZ-C-001-12 – Work session to discuss a Zoning Ordinance Text Amendment to **Title 2** of the **Pinal County Development Services Code**, amending **Chapter 2.166 Rezonings**, to consider adding language to require legal descriptions for each zoning district in a rezone request.

Ms. MacDonald read a portion of the staff report and used a PowerPoint. Ms. MacDonald informed the Commission that this would come back before the Commission for the May hearing.

The Commission had no additional comments on the case.

ADJOURNMENT

Commissioner Salas made a motion to adjourn. Commissioner Aguirre-Vogler seconded the motion. Chairman Hartman accepted the motion. Meeting adjourned at 1:51 p.m.

RESPECTFULLY submitted May 17, 2012.



Jerry Stabley, Planning Director