Greg Stanley
Assistant County Manager

Development Services

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Fritz A. Behring
County Manager

PINAL COUNTY PLANNING AND ZONING COMMISSION
REGULAR MEETING
MINUTES OF October 18, 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. Tameron, Member

ABSENT: Mr. Ellis, Member

LEGAL STAFF PRESENT:
Ms. Grieb, Deputy County Attorney

PLANNING STAFF PRESENT:
Mr. Stabley, Planning Director
Mr. LaCrosse, Code Compliance Manager
Mr. Denton, Planner II
Mr. Abraham, Planning Manager
Ms. Bruninga, Secretary II

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

The meeting was called to order at 9:00 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: August 16, 2012

MOTION
Vice-Chairman Riggins made a motion to approve the minutes of August 16, 2012. Commissioner Aguirre-Vogler seconded the motion. Motion passed unanimously.

Commissioner Salas arrived at 9:03 am.

DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES: September 13, 2012

Chairman Hartman stated that on page seven (7), under the major Comprehensive Plan, it should be clarified that Salt River Project (SRP) was the authority that used to prohibit walking throughout the canals.

MOTION
Commissioner Salas made a motion to approve the minutes of September 13, 2012. Commissioner Aguirre-Vogler seconded the motion. Motion passed unanimously.

ELECT PLANNING COMMISSION CHAIR AND VICE CHAIR
Commissioner Aguirre-Vogler made a motion to have Chairman Hartman and Vice-Chairman Riggins remain in their positions. Commissioner Salas seconded the motion. Motion passed unanimously.

PLANNING DIRECTORS DISCUSSION ITEMS

Clarification of Commission comments for the minutes
Mr. Stabley stated that sometimes thoughts are not conveyed the way the speaker intends, and stated that staff may interrupt to get a clear understanding of the speakers comment.

Gila River/SRP News Release
Mr. Stabley discussed the news release information that was handed out to the Commission members.

Commissioner Brown arrived at 9:11 am.

Mr. Stabley stated that staff would be working on a potential motor route to be used for the Butterfield Trail and the Anza trail. Mr. Stabley stated that this would allow people the chance to explore both trails by way of motor vehicles.

Mr. Stabley stated that the Boards and Commissions Conference would be in December, and as soon as more information is available, staff would contact the Commissioners to sign up.

Commissioner Moritz stated that the APA conference was well worth the investment, and thanked staff for allowing her to attend the conference. Commissioner Aguirre-Vogler agreed and thanked staff for the experience and the information. Commissioner Gutierrez stated that the workshops were helpful and there was a lot of information.

REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES
September 5, 2012
September 19, 2012

Mr. Stabley discussed the cases that were heard by the board and the outcomes.

NEW CASES:

SUP-006-12- PUBLIC HEARING/ACTION: Casa Rhema, LLC applicant, Dorin Pitut, agent requesting approval of a Special Use Permit to allow a 24 person assisted living group home facility within the CR-5 zone on a 0.58± acre parcel; situated in a portion of the southeast quarter of Section 6, T5S, R7E G&SRB&M (legal on file) Tax Parcel 406-05-255 (west of Overfield Road, north of Alsdorf Road in the Arizona City area).

Mr. Abraham stated that staff received additional supporting information after the packets went out, and the Commission was given a copy.

Mr. Abraham read a portion of the staff report and used a PowerPoint. Mr. Abraham stated that additional letters in opposition have been received by staff from Paula Galavase, Jenny Carlson, Virginia Carlson, Jack and Sandra Stein, and Gary Coon, addresses withheld. Mr. Abraham also described to the Commission the difference between the various types of Group Homes allowed under the Zoning Ordinance. He stated that due to the number of individuals proposed to reside in the home that the Commission could review this along the lines of a commercial land use. Mr. Abraham advised the Commission not to discuss the residents or their conditions but rather the impacts associated with having a facility in this area and to weigh the merits of the proposal accordingly. Mr. Abraham also advised the Commission not to ask the applicant about the residents' mental health conditions, only that he could assure the Commission that this type of facility is not a "secure facility" as defined by state law, the facility cannot house sex offenders or individuals who have been declared a danger to self or others by a court, and further the residents will not have conditions that are contagious.

Florence Oladokun, 1142 E McMurray Blvd, Casa Grande, came forward to address the Commission. Ms. Oladokun gave a brief history of the project and the request for a group home.

Chairman Hartman stated that on the existing floor plan, in some units, you would have to go through one room to get to another, and expressed concern for private access to restroom areas. Ms. Oladokun responded that the state has requirements that the facility must comply with, and a secure bathroom is one of those requirements. Chairman Hartman asked what the ratio of bathing area to residents was. Ms. Oladokun responded that there must be one bath or shower room per four (4) people.

Commissioner Brown asked why this location was chosen. Ms. Oladokun responded that the building is beautiful and self contained. Commissioner Brown asked if there is another location in Arizona City that would work. Ms. Oladokun responded that the applicant has invested in this location already.

Commissioner Moritz stated that she appreciates projects such as this one, and stated that in one letter of opposition, a resident suggested using a site on Sunland Gin Road. Commissioner Moritz asked if this location could be used. Ms. Oladokun responded that there are issues with the Department of Health approval at that location.

Chairman Hartman opened the public portion of the meeting, adding that the three (3) minute rule may be utilized.

Brian Ludwig asked if a couple of people could speak as a spokesperson for the community to avoid the three (3) minute rule. Ms. Grieb responded that the Commission needed to determine what limit to give a spokesperson, as some individuals would still want to speak on their own behalf.

Candy Ludwig, 8323 W Royal Blackheath, Arizona City, came forward to address the Commission in opposition of the proposal. Ms. Ludwig stated that her home is directly across the street from the proposed property. Ms. Ludwig stated she has worked in this field, and this location is not the right place, the size is not adequate, and there is not enough open space. Ms. Ludwig asked where the residents would come from. Chairman Hartman stated that the Commission's duty is to decide if the Special Use Permit is warranted. Ms. Ludwig stated that the three (3) foot wall would not provide security or safety. She has concerns with the halfway house in the area that is already causing problems. Ms. Ludwig asked where visitors would park, if all ten (10) parking spaces were being utilized by staff. Ms. Ludwig stated that the residents of a group home need to be closer to acute care facilities.

Gloria Sheppard-Cummings, 8223 W Santa Cruz, Arizona City, came forward to address the Commission in opposition of the proposal. Ms. Sheppard-Cummings stated that there are already five (5) locations in the area that house people that need the help, and she doesn't believe that this is the right location. Ms. Sheppard-Cummings stated that it would take a lot of money being put into the area, with dust free parking and trees.

Lisa Reuter, 8464 Royal Blackheath, Arizona City, came forward to address the Commission in opposition of the proposal. Ms. Reuter stated that the area is unsafe and this location is not the right place for this type of request. Commissioner Salas asked how many halfway houses are in the area. Ms. Reuter responded that there is one across the street from her, which houses one (1) known sex offender, and numerous other sex offenders in the area. Commissioner Salas asked if there is more than one halfway house. Ms. Reuter responded that there are five (5) facilities that house people with all types of needs.

Chairman Hartman asked what zoning is needed for halfway houses. Mr. Abraham responded that there are a lot of variables, commercial zoning is preferred, but the state health department puts them wherever they decide.

Tom Hall, 14223 Glen Eagle Lane, Arizona City, came forward to address the Commission in opposition of the proposal. Mr. Hall stated that on many occasions, residents of the existing halfway house have come around the neighborhood to ask for cigarettes. Mr. Hall stated that the Sheriff's Office is in the area often, and there is a dust control problem as well.

Brian Ludwig, 8323 W Royal Blackheath, Arizona City, came forward to address the Commission in opposition of the proposal. Mr. Ludwig stated that he cannot even let his grandchildren go outside, without the fear that they will hear profanities and yelling coming from the halfway house. Mr. Ludwig stated that he has a commercial building, in a commercially zoned area, and that it would be beneficial to do it closer to home, but this is why there are zoning designations in place, residential areas are for residences.

Anita Hocking, 8453 Royal Blackheath, Arizona City, came forward to address the Commission in opposition of the proposal. Ms. Hocking brought a list of the rapists in the area to show that this is not a good location to put a group home.

Jessie Randolph, 8815 Avenida de Amigos #103, Arizona City, came forward to address the Commission in opposition of the proposal. Ms. Randolph asked what the residents would do for recreation as there are no parks in the area.

Kathy Sampson, PO Box 4914, Arizona City, came forward to address the Commission in opposition of the proposal. Ms. Sampson stated that Arizona City has a high crime rate already. Ms. Sampson stated that there are issues that need to be addressed, and adding a group home would only add problems.

Chairman Hartman called the applicant forward.

Ms. Oladokun stated that the people that are admitted to the home have a recreation program that they are currently following. Ms. Oladokun stated that some residents are working in the area as well; they are not confined to the home for twenty-four (24) hours a day. She added that no criminals are housed in the home; they are all individuals who need assistance with medication.

Commissioner Brown asked if the organization is out of Phoenix. Ms. Oladokun responded that it is out of her home in Casa Grande.

Commissioner Brown asked how many residents would come from Arizona City. Ms. Oladokun stated that there is a need for this type of facility in Arizona City. Commissioner Brown asked why the applicant would still choose this location when it is clear that there are so many residents in opposition. Ms. Oladokun responded that 220 letters were sent out, and there was opposition as well as support received. Ms. Oladokun also stated that the facility that is chosen has to be approved by the Department of Health. Commissioner Brown stated that a Special use Permit is needed when a use doesn't fit the zoning, and should require neighborhood support. Ms. Oladokun responded that they have been through this process multiple times before and she agrees. Commissioner Brown stated that the Commission has to protect the expectation of the people to utilize their property as zoned when they bought it, and to allow a Special Use Permit to go through would be a zoning killer, the zoning that was there would be destroyed and a new use would be brought in contrary to zoning and the neighborhood wishes. Commissioner Brown asked what is so necessary about this location that the Commission would approve the request. Ms. Oladokun responded that there would be no criminals or pedophiles housed in the home, it is not a halfway house and will not have the same residents that a halfway house would. Ms. Oladokun added that she is not here to fight with the citizens of Arizona City.

Chairman Hartman asked what recreation would be available to the residents. Ms. Oladokun responded that the residents would not be on the street, and daily exercises will be provided as approved by the state. Ms. Oladokun added that there would be a library and a unit that is designed to provide activities.

Chairman Hartman asked if twenty-four (24) residents would be the maximum amount. Ms. Oladokun responded that the maximum would be twenty (20), as one unit would be used for activities, get-togethers, and celebrations. Mr. Abraham stated that stipulation 3 would need to be modified from 24 to 20 residents. Mr. Abraham stated that the County would require the parking to be paved, and would also require the project to go through the Site Plan Review process.

Chairman Hartman asked what the visitor hours would be. Ms. Oladokun stated that the hours would be from 8:00 am-8:00 pm.

Commissioner Aguirre-Vogler asked if fencing would be required. Mr. Abraham responded that no fencing is required, but could be a stipulation by the Commission. Ms. Oladokun stated that there is an existing wall on the side where the parking area is, and the plan is to complete the wall and pave the parking. Commissioner Aguirre-Vogler asked if the wall would be higher. Ms. Oladokun stated that the wall height would not be raised.

Commissioner Aguirre-Vogler stated that Arizona City has had problems for a long time, and she doesn't believe that the residents of a group home would cause additional problems.

Commissioner Gutierrez asked how the internal units would be secured, to prevent residents from walking out of the facility. Ms. Oladokun responded that they could not be prevented from going outside, but there would be an ADT security system, and anytime a door or window opened, staff would be notified. Commissioner Gutierrez asked if there would be a common area. Ms. Oladokun responded that there will be a unit providing a common area, and in each unit there is a living room, kitchen, and a quiet space provided.

Chairman Hartman asked if there was a wall between this property and the apartments with a pool close by. Mr. Abraham started that there is a barrier fence around the pool.

Commissioner Moritz stated that she would not be in favor of placing the home in the area, based on the statements from the neighboring residents. Commissioner Moritz asked why the Commission would allow Arizona City to become more difficult to live in. Commissioner Brown agreed.

Commissioner Gutierrez stated that projects like this affect the resale value of the residences in the area, adding that it is a good project; this just might not be the right location.

Commissioner Tameron stated that he has businesses with ADT monitoring, and there is a gap in time in the notification process when doors are opened.

MOTION SUP-006-12
Vice-Chairman Riggins made a motion to forward case SUP-006-12 to the Board of Supervisors with a recommendation of denial. Commissioner Salas seconded the motion. Motion passed unanimously, 8-0.

BREAK 10:58
RECONVENED 11:10

TENTATIVE PLATS:

S-021-03 - DISCUSSION/APPROVAL/DISAPPROVAL: Palomino Ranch, LLC et al., landowners, Philip Miller, PM Consultants, LLC, agent, requesting approval of a tentative plat extension for **Palomino Ranch Unit 1**, 801 lots on a 293± acre parcel in the GR, CR-2/PAD, CR-3/PAD, CR-5/PAD, and CB-2/PAD zones; situated in portion of Section 18, T5S, R3E, G&SRB&M, Tax Parcels 510-85-003, 005,

006, & 008 (located adjacent to Amarillo Valley Road, White Road, and Papago Road approximately 2½ miles southwest of the City of Maricopa).

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

Kelly Hall, 16 Spur Circle, Scottsdale, came forward to address the Commission. Mr. Hall discussed the reason for the extension request.

Chairman Hartman stated that access to the site is a bottleneck at the crossing of the Union Pacific Railroad and State Route 347. It will become more difficult to access the site in the future. Mr. Hall responded that the applicant is aware of the potential issues. Chairman Hartman stated that in Maricopa, the Commission was responsible for the zoning requests prior to incorporation, and the county required the developers to work with the railroad. Chairman Hartman stated that it is important to have access, and even though Public Works has no stipulations, it is important to keep the improvements in mind.

Commissioner Aguirre-Vogler stated that this was the second request for an extension, and asked if there was any new information from the Union Pacific Railroad. Mr. Hall responded that he is unaware of any new information and his associates may have some information.

Chairman Hartman asked what kind of traffic would an 801 lot subdivision bring to the area. Mr. Chow stated that the average is ten (10) trips per day, per household.

Commissioner Aguirre-Vogler asked what happens if the Commission denies the extension. Mr. Denton stated that the applicant would be required to resubmit the tentative plat for the Commission's consideration or may appeal any decision to the Board of Supervisors.

Commissioner Moritz stated that building could have already begun if the economy had not taken a turn for the worst, and by the applicant asking for an extension, it does not have any greater impact than it did two years ago when it was approved. Chairman Hartman stated that these extension requests allow the Commission to put pressure on developers to get things done. Mr. Hall stated that they are working with the City of Maricopa, and the improvements associated with the crossing are a major responsibility for one developer to take on. Commissioner Brown stated that the Commission is trying to avoid a problem when the economy turns around, and houses aren't built without the infrastructure needed.

Chairman Hartman stated that in order to market lots in the future, improvements need to be made now.

Mr. Hall stated that millions of dollars have already been spent on this project. Denying the extension and requiring a new submittal would cause an extra burden on the property owner.

Commissioner Gutierrez asked if the adverse impacts have been discussed with other builders in the area. Mr. Hall stated that he has not had this discussion personally. Commissioner Gutierrez asked if there are plans to create a coalition of builders to work with the City, County, and State. Mr. Hall responded that he is unsure if his associates have made that move. Commissioner Gutierrez stated that a coalition could have a lot of influence on getting things moving.

Commissioner Aguirre-Vogler stated that the Commission hears the same thing when extensions are requested, nothing is being done, and no new information is available. Commissioner Aguirre-Vogler is looking for an incentive to get things done. Ms. Grieb stated that these issues are dealt with at the time of zoning. To try to stop the project at this point, and force the applicant to go back and do more work raises legal concerns. Commissioner Aguirre-Vogler asked if there was a stipulation in place to make the traffic better at the time of zoning. Chairman Hartman asked Ms. Grieb if the Commission knew that

the Union Pacific Railroad would increase rail traffic by doubling the tracks, and that the vehicular traffic on State Route 347 would increase.

Commissioner Brown stated that denial of the extension would cost the applicant money and not accomplish anything that the Commission wants to see happen. Commission Brown asked if the Commission could add a stipulation encouraging a coalition. Ms. Grieb responded that this is placing a burden on a single property owner with something that they have no control over. Commissioner Brown asked how long this is the case, and if there is a time limit when the zoning no longer makes sense the way it was approved. Ms. Grieb responded that developers come in for rezoning, allowing the opportunity to address these issues.

Vice-Chair Riggins suggested that until there is growth, there is no timeline to pledge funds to make anything happen. Vice-Chairman Riggins stated that the applicant is here for an extension, and has no control over the railroad crossing.

Commissioner Aguirre-Vogler stated that there was a traffic impact analysis requested at the beginning. Mr. Chow responded that it was submitted as part of the final plat submittal. Commissioner Aguirre-Vogler asked if there would be some knowledge to provide the Commission with. Mr. Chow stated that there would have been recommendations as to road improvements, but he wasn't sure if the railroad was included.

Commissioner Moritz stated that creating a coalition is hard to accomplish and when all the developers decide to move forward, the time will be right, and the sequence of events will take place.

Commissioner Gutierrez stated stipulation 41 addresses the traffic impact analysis being updated.

Chairman Hartman stated that this discussion has been put upon the Commission by regulations from the County. Ms. Grieb stated that the Commission is not prevented from discussing options and concerns, but that doesn't mean that the Commission can create anything into a stipulation and put requirements on the applicant.

Vice-Chairman Riggins asked if there have been traffic impact analyses done that require an applicant to provide improvements this far away. Mr. Chow stated that the farthest requirement is usually three (3) to four (4) miles.

Ms. Grieb stated that developers want to get their homes sold, and repairing bottlenecks is a push to get together and get things done.

MOTION – S-021-03
Vice-Chairman Riggins made a motion to approve stipulations 1-48, deleting stipulation 10, revising stipulation 33 to reference ARS 11-822, and modifying stipulation 39 to extend the tentative plat to October 21, 2014, as set forth in the staff report. Commissioner Salas seconded the motion. Motion passed unanimously, 8-0.

S-032-03A – DISCUSSION/APPROVAL/DISAPPROVAL: Palomino Ranch, LLC et al., landowners, Philip Miller, PM Consultants, LLC, agent, requesting approval of a tentative plat extension for **Palomino Ranch Unit 2 & 3**, 1,299 lots on a 379± acre parcel in the GR, CR-3/PAD, and CR-5/PAD zones; situated in portion of Section 18, T5S, R3E, G&SRB&M, Tax Parcels 510-85-003, 004, & 007 (located adjacent to Amarillo Valley Road, White Road, and Ak Chin Indian Community approximately 2 miles southwest of the City of Maricopa).

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

Kelly Hall, 16 Spur Circle, Scottsdale, came forward to address the Commission. Mr. Hall discussed the reason for the extension request.

Commissioner Aguirre-Vogler stated that she would like an update of the traffic impact analysis. Mr. Hall stated that one was submitted and approved as part of the process. Commissioner Aguirre-Vogler asked what was required for the initial study. Mr. Hall responded that trip generation and traffic signal warrants are calculated by traffic movement and he did not have a full recollection of the study.

MOTION - S-032-03A
Vice-Chairman Riggins made a motion to approve stipulations 1-47 deleting stipulation 10, revising stipulation 33 to reference ARS 11-822, and modifying stipulation 39 to extend the tentative plat to January 20, 2015 as set forth in the staff report. Commissioner Moritz seconded the motion. Motion passed unanimously, 8-0.

S-030-03 - DISCUSSION/APPROVAL/DISAPPROVAL: FIPC, LLC, landowner, Greg Sir, agent, requesting approval of a tentative plat extension for **Laco 80**, 80 lots on a 85± acre parcel in the CR-1A zone; situated in portion of the south half of Section 3, T6S, R7E, G&SRB&M, Tax Parcel 401-01-128 et al. (parcel list on file) (located adjacent to the west side of Curry Road and adjacent to the City of Coolidge).

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

Chris Lenz, 3205 W Ray Rd, Chandler, came forward to address the Commission. Mr. Lenz gave a brief history of the proposal and the request for extension.

MOTION – S-030-03
Vice-Chairman Riggins made a motion to approve stipulations 1-34, revising stipulation 23 to reference ARS 11-822, and modify stipulation 29 to extend the tentative plat to October 21, 2014. Commissioner Salas seconded the motion. Motion passed unanimously, 8-0.

S-018-05 - DISCUSSION/APPROVAL/DISAPPROVAL: VREO III, LLC, landowner, ECAS, engineer, requesting approval of a tentative plat extension for **Ashburn at Magic Ranch Units 1, 2, & 3**, 320 lots on a 79.7± acre parcel in the CR-2/PAD & CR-3/PAD zones; situated in portion of the east ½ of Section 2, T4S, R8E, G&SRB&M, Tax Parcels 200-58-007 & 200-58-011 (located ¼ mile south of Arizona Farms Road and adjacent to the east side of Southern Pacific Railroad approximately ¾ mile west of the Town of Florence).

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

Chris Lenz, 3205 W Ray Rd, Chandler, came forward to address the Commission. Mr. Lenz gave a brief history of the proposal and the request for extension.

MOTION – S-018-05
Vice-Chairman Riggins made a motion to approve stipulations 1-48 for Ashburn at Magic Ranch Units 1, 2, & 3, deleting stipulation16, revising stipulation 35 to reference ARS 11-822, and modifying stipulation 41 to extend the tentative plat to November 18, 2014 as set forth in the staff report. Commissioner Moritz seconded the motion. Motion passed unanimously, 8-0.

S-022-05 – DISCUSSION/APPROVAL/DISAPPROVAL: Skyline & Quail, LLC, landowner, UEG Group, engineer, requesting approval of a tentative plat extension for **Skyline Estates**, 1,017 lots on a 290± acre parcel in the CR-3/PAD zone; situated in portion of Section 11, T3S, R8E, G&SRB&M, Tax Parcel 210-11-001C (located adjacent to the west side of Quail Run Lane and adjacent to the south side of Skyline Drive, approximately 1 ½ miles north of the Town of Florence).

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

Chris Lenz, 3205 W Ray Rd, Chandler, came forward to address the Commission. Mr. Lenz gave a brief history of the proposal and the request for extension.

MOTION – S-022-05
Vice-Chairman Riggins made a motion to approve stipulations 1-56 for Skyline Estates, revising stipulation 41 to reference ARS 11-822, modifying stipulation 48 to extend the tentative plat to November 18, 2014, as set forth in the staff report. Commissioner Moritz seconded the motion. Motion passed unanimously, 8-0.

S-021-06 - DISCUSSION/APPROVAL/DISAPPROVAL: Robson Ranch Mountain, LLC, landowner, Todd Fitzgerald, B&R Engineering, Inc., engineer, requesting approval of a tentative plat extension for **Saddlebrooke Ranch Units 4 & 6**, 482 lots on a 231.54± acre parcel in the CR-3/PAD zone; situated in portion of Sections 5, 7, & 8, T10S, R14E, G&SRB&M, Tax Parcel 305-31-015E (located approximately ½ mile northwest of State Route 77, Oracle area).

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

Mark Maloney, 9666 E Riggs Rd, Ste 118, Sun Lakes, came forward to address the Commission. Mr. Maloney gave a brief history of the request for extension.

Commissioner Salas asked what is going on with the batch plant that is located near the site. Mr. Maloney responded that he is unaware of any current issues regarding the plant.

Commissioner Brown stated that infrastructure generally lags behind development. Mr. Maloney responded that they will make sure that infrastructure is in place when the lots are needed. Commissioner Brown stated that small developments are more complicated and harder to coordinate than the large master plans. Mr. Maloney responded that is due to the financial burden.

MOTION – S-021-06
Vice-Chairman Riggins made a motion to approve stipulations 1-36 for Saddlebrooke Ranch Units 4 & 6, modifying stipulation 36 to extend the tentative plat to October 19, 2014, as set forth in the staff report. Commissioner Salas seconded the motion. Motion passed unanimously, 8-0.

Commissioner Salas mentioned that there were significant flood plains in the area. Mr. Maloney responded that Big Wash is a regional wash going through the area, but the western boundary of the project is well outside of the flood plain.

S-023-06 - DISCUSSION/APPROVAL/DISAPPROVAL: Robson Ranch Mountain, LLC, landowner, Todd Fitzgerald, B&R Engineering, Inc., engineer, requesting approval of a tentative plat extension for **Saddlebrooke Ranch Unit 8**, 84 lots on a 49.07± acre parcel in the CR-3/PAD zone; situated in portion of Section 5, T10S, R14E, G&SRB&M, Tax Parcel 305-31-015D (located approximately ¾ mile northwest of State Route 77, Oracle area).

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

Mark Maloney, 9666 E Riggs Rd, Ste 118, Sun Lakes, came forward to address the Commission. Mr. Maloney gave a brief history of the request for extension.

MOTION – S-023-06
Vice-Chairman Riggins made a motion to approve stipulations 1-36 for Saddlebrooke Ranch Unit 8, modifying stipulation 36 to extend the tentative plat to October 19, 2014, as set forth in the staff report. Commissioner Salas seconded the motion. Motion passed unanimously, 8-0.

S-011-12 - DISCUSSION/APPROVAL/DISAPPROVAL: Whitewing IV, LLC, landowner, Terry Fitzgerald, Synergy Plus, agent, requesting approval of a tentative plat for **Encanto Tierra**, 72 lots on a 86.88± acre parcel in the CR-1A zone **(PZ-025-01 & PZ-026-01)**; situated in portion of Section 36, T3S, R7E, G&SRB&M, Tax Parcels 509-02-034A, 034B; 509-02-035A, 035B, and 035C (located approximately 3½ miles south of Hunt Highway and Gary Road, San Tan Valley area).

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

Bruce Hallstead, 2045 S Vineyard Ave, Mesa, came forward to address the Commission.

Chairman Hartman asked what the changes are. Mr. Hallstead responded that this project almost reached final plat previously, but now the density has been decreased and the lot sizes have been increased.

Chairman Hartman asked if horse property would be allowed. Commissioner Brown stated that there was an understanding that this would have animal privileges; allowing horses, llamas, pigs, and ostriches.

Chairman Hartman asked if there would be CC&R's. Mr. Hallstead responded that there would be CC&R's, and the development does not intend to have horse privileges.

MOTION – S-011-12
Vice-Chairman Riggins made a motion to approve findings 1-7 as set forth in the staff report and approve the tentative plat in S-011-12 along with its 24 stipulations as presented in the staff report. Commissioner Brown seconded the motion. Motion passed unanimously, 8-0.

LUNCH 12:32
RECONVENED 1:21

NEW CASES:

PZ-C-006-12 - DISCUSSION/APPROVAL/DISAPPROVAL: The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with A.R.S. 11-813 (D) a Zoning Ordinance Text Amendment to **Title 2** of the **Pinal County Development Services Code,** amending **Chapter 2.175 Planned Area Development (PAD) Overlay Zoning District** to consider adding language to allow previously approved PADs to make amendments following the requirements of Chapter 2.175 when rezoning to the Mixed Use Zoning District, subject to criteria, and to allow administrative PAD amendments when rezoning to the Mixed Use Zoning District, subject to criteria; amending **Chapter 2.176 Planned Area Development (PAD) Overlay Zoning District on or after February 18, 2012** to consider adding criteria for PAD amendments with mixed use zoning; and to consider adding **Chapter 2.360 Mixed Use Zoning District**, a new zoning district that will permit a mix of development types including residential, commercial and industrial and will provide flexibility in these development area boundaries.

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

Chairman Hartman stated that there were work sessions in August and September. Mr. Stabley responded that staff did not seek initiation in September because of all of the concerns the Commission had.

Vice-Chairman Riggins stated that this was brought up due to a desire to make RSRM realignments and allow some PAD's to maintain original density, yet still make changes to make regional transportation systems work. Vice-Chairman Riggins stated that this now encompasses everything, and every development will have mixed use zoning on it. Vice-Chairman Riggins stated that sometimes a small change can make a huge impact, and the citizens of the county expect to be able to have their voices heard, and acted upon. He added that the last thing the County wants to do is diminish transparency.

Commissioner Salas stated that this leaves room for a lot of abuse, and he is against it.

Commissioner Brown asked how the public meetings would be conducted. Mr. Stabley responded that the meetings would be held through the same process they are now. Commissioner Brown asked how much weight the public opinion will carry. Mr. Stabley responded that the public concern will have the same weight it has today, adding that the Commission pays close attention to the neighboring property owners.

Vice-Chairman Riggins stated that after the rezone, it is an administrative change, to move development lines, and there is no public meeting. Mr. Stabley stated that is correct.

MOTION – PZ-C-006-12
Vice-Chairman Riggins made a motion to deny case PZ-C-006-12. Commissioner Salas seconded the motion. Motion passed unanimously, 8-0.

ADJOURNMENT

Commissioner Aguirre-Vogler made a motion to adjourn. Chairman Hartman accepted the motion. Meeting adjourned at 1:40 p.m.

RESPECTFULLY submitted November 15, 2012.

Jerry Stabley, Planning Director