



PINAL COUNTY
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**PINAL COUNTY PLANNING AND ZONING COMMISSION
REGULAR MEETING
MINUTES OF July 18, 2013**

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

ABSENT: Mr. Anderson, Member Mr. Del Cotto, Member

LEGAL STAFF PRESENT:
Ms. Grieb, Deputy County Attorney

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

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

The meeting was called to order at 9:04 a.m., this date by Chairman Hartman in the Pinal County Administration Building A., Florence, Arizona.

Chairman Hartman asked to have the Code Compliance update from Mr. LaCrosse moved to the September 19, 2013 meeting.

DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES: June 20, 2013

Commissioner Salas made a motion to approve the minutes of June 20, 2013. Commissioner Grubb seconded the motion. Motion passed unanimously.

PLANNING DIRECTORS DISCUSSION ITEMS

Mr. Stabley discussed the room audio equipment issues.

Chairman Hartman asked for an update on the Public Works department. Mr. Stabley stated that Mr. Stanley is the interim County Manager. Mr. Stabley added that the Board of Supervisors has said that Mr. Stanley can still apply for the County Manager position. Chairman Hartman asked who the Public Works director is. Mr. Stabley stated that Himanshu Patel, the former Town of Florence Town Manager, is the interim Public Works Director.

REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES

Mr. Stabley gave an update on the cases heard by the Board of Supervisors.

CONTINUED CASES:

PZ-PD-002-13 – PUBLIC HEARING/ACTION: Skyridge Lending, LLC landowners/applicants, United Engineering Group Christopher Lenz, agent, requesting approval of an amendment to a Planned Area Development (PAD) Overlay District (**PZ(PD)006-06**) on 10.0± acres within the **Bella Villagio PAD** to plan and develop the 35 unit Bella Villagio single-family residential lots; situated in a portion of the NE¼ of Section 12, T3S, R7E G&SRB&M, a portion of tax parcel 509-02-002J (legal on file)(located south of West Skyline Drive and east of North Village Lane, approximately one mile southeast of the Town of Queen Creek). (**Continued from the June 20th, 2013 Planning Commission meeting**)

Mr. Ashbaugh read a portion of the staff report and used a PowerPoint. Mr. Ashbaugh stated that the applicant had addressed the open space concerns expressed previously by the Commission.

Vice-Chairman Riggins asked what stipulation was removed. Mr. Ashbaugh stated that stipulation fifteen (15) was removed and the remaining stipulations were renumbered. Mr. Stabley stated that the motion can be made reflecting the revised stipulations as presented. Mr. Ashbaugh added that stipulation twenty-four (24) would need to be added into the motion.

Chairman Hartman called the applicant forward.

Chris Lenz, 3205 W Ray Road, Chandler, Arizona came forward to address the Commission.

Chairman Hartman asked what was changed on the plan to allow the second access to the open space. Mr. Lenz stated that the original proposal included emergency access of twenty (20) feet, and the revised plan adds a stipulation that there will be no landscaping or any obstructions in this area.

Commissioner Gutierrez asked if there would be water runoff in the emergency access area. Mr. Lenz stated that the street would drain to a retention basin at the edge of the property. Commissioner Gutierrez asked how much water would go through the area. Mr. Lenz responded that there is minimal water due to no impervious area. Commissioner Gutierrez stated that he has concerns regarding problems with the emergency access area being full of water. Commissioner Gutierrez asked if it would be a granite road. Mr. Lenz stated that it would be a flat, open area of decomposed granite.

Commissioner Moritz asked if the stipulation for road width would be an issue, since the emergency access road is only twenty-five (25) feet wide instead of thirty-two (32) as in stipulation 5. Mr. Lenz stated that this is not a problem, as this is for emergency access only.

Chairman Hartman opened the public portion of the meeting. Hearing none, he closed the public portion.

MOTION – PZ-PD-002-13

Vice-Chairman Riggins made a motion to forward case PZ-PD-002-13 to the Board of Supervisors with a favorable recommendation, along with its 43 stipulations, including the amendment to stipulation 24. Commissioner Moritz seconded the motion. Motion passed 7-1, with Commissioner Smyers in opposition.

Chairman Hartman asked Ms. Grieb to introduce the new Deputy County Attorney. Ms. Grieb introduced Mark Langlitz, stating that he would start dealing with zoning matters. Mr. Langlitz gave a brief introduction and listed his work experience.

TENTATIVE PLATS

S-026-05 - DISCUSSION/APPROVAL/DISAPPROVAL: Meridian Land Holdings, LLC, landowner, Coe & Van Loo Consultants, Inc., engineer, requesting approval of a tentative plat extension for **Santa Cruz Ranch**, 4,157 lots on a 1,237± acre parcel in the CR-3/PAD zone; situated in portions of Sections 26, 27, 34 & 35, T5S, R4E, G&SRB&M, Tax Parcel 502-14-002A et al. (parcel list on file) (located along Anderson Road bisecting Ruben Drive and Teel Road approximately 1 mile west of the City of Casa Grande). **(Continued from the July 19, 2012 Commission Meeting)**

Mr. Denton informed the Commission that the applicant is requesting another continuance.

Chairman Hartman called the applicant forward.

Seth Keeler, 1121 W Warner Road, Suite 109, Tempe, Arizona 85284, came forward to address the Commission. Mr. Keeler gave the Commission an update on the annexation into Maricopa. Mr. Keeler asked for more time to work with the different entities involved.

Commissioner Aguirre-Vogler asked how much more time the applicant will need. Mr. Keeler responded that the city recommended three (3) years, and when staff asked for a timeline, it came out to be twenty-five (25) months.

Chairman Hartman asked which stipulation addresses the time limit. Ms. Grieb stated that there are no stipulations; this is a request for tentative plat approval that has never been voted on. Ms. Grieb added that staff recommends a twenty-five (25) month continuance to allow additional time. Ms. Grieb also stated that Mr. Stanley suggested the twenty-five (25) month extension, but it is up to the Commission to agree on twenty-five months or three (3) years. Vice-Chairman Riggins stated that the Commission should see the case again, to make sure it keeps moving forward, and ensure progress is being made. Commissioner Aguirre-Vogler stated that this case was originally heard in 2005, and has been given a long time already.

MOTION S-026-05

Vice-Chairman Riggins made a motion to continue case S-026-05 to August 20, 2015 at 9:00 am. Commissioner Salas seconded the motion. Motion passed 7-1 with Commissioner Moritz in opposition. Commissioner Moritz stated that this is a complex case with many entities involved, and she would like to have given the applicant a longer time frame to better suit the needs of everyone involved.

S-033-06 - DISCUSSION/APPROVAL/DISAPPROVAL: SCR, LLC, landowner, Coe & Van Loo Consultants, Inc., engineer, requesting approval of a tentative plat extension for **Santa Cruz Ranch Units 4&5**, 2,030 lots on a 674± acre parcel in the CR-3/PAD & CB-1/PAD zones; situated in portions of Sections 26, 34, & 35, T5S, R4E, G&SRB&M, Tax Parcel 502-23-001 et al. (parcel list on file) (located along Anderson Road bisecting Teel Road and Miller Road approximately 1½ mile west of the City of Casa Grande). **(Continued from the July 19, 2012 Commission Meeting)**

MOTION – S-033-06

Vice-Chairman Riggins made a motion to continue case S-033-06 to August 20, 2015 at 9:00 am. Commissioner Salas seconded the motion. Motion passed unanimously.

S-016-13 - DISCUSSION/APPROVAL/DISAPPROVAL: Robson Ranch Mountain, LLC, landowner, B&R Engineering, Inc., engineer, requesting approval of a tentative plat for **SaddleBrooke Ranch Units 16A & 16B**, 165 lots on a 56± acre parcel in the CR-3/PAD zone; situated in a portion of Section 4, T10S, R14E, G&SRB&M, Tax Parcel 305-31-014 (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.

Chairman Hartman called the applicant forward.

Todd Fitzgerald, 9666 E Riggs Road, Sun Lakes, Arizona came forward to address the Commission. Mr. Fitzgerald gave a brief history of the proposal.

MOTION – S-016-13

Vice-Chairman Riggins made a motion to approve case S-016-13. Commissioner Salas seconded the motion. Motion passed unanimously.

S-020-13 - DISCUSSION/APPROVAL/DISAPPROVAL: SaddleBrooke Development Company, landowner, B&R Engineering, Inc., engineer, requesting approval of a tentative plat for **SaddleBrooke Unit 50A**, 86 lots on a 19.84± acre parcel in the CR-4/PAD zone; situated in portions of Sections 33 & 34, T10S, R14E, G&SRB&M, Tax Parcel 305-12-698 et al. (parcel list on file) (located approximately 2 mile east of State Route 77 and .3 miles north of Edwin Road).

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

Todd Fitzgerald, 9666 E Riggs Road, Sun Lakes, Arizona came forward to address the Commission. Mr. Fitzgerald gave a brief history of the proposal. Mr. Fitzgerald stated that there are some concerns with stipulation eleven (11), he would like to see the PAD as the governing density driver as opposed to the Comprehensive Plan, to avoid any issues in the future. Mr. Denton stated that the total number of dwelling units is below the max allowed by the Comprehensive Plan.

Vice-Chairman Riggins stated that there has been concern expressed by the applicant, but there is not a density problem. Mr. Denton stated that is correct.

Mr. Fitzgerald stated that he has concerns with unit fifty A (50A) having this specific stipulation. Ms. Grieb stated that it should be worded “unit fifty A (50A) as part of the PAD”.

MOTION – S-020-13

Vice-Chairman Riggins made a motion to approve findings 1-7 as set forth in the staff report and approve S-020-13, along with its 20 stipulations, deleting stipulation 14, and amending stipulation 11 to include the words “as part of the PAD”. Commissioner Aguirre-Vogler seconded the motion. Motion passed unanimously.

NEW CASES

SUP-004-13 – PUBLIC HEARING/ACTION: Heather Clark, applicant/landowner requesting a Special Use Permit to operate a dog boarding facility on a .94± acre parcel in the GR Zone; situated in a portion of the NE¼ of Section 8, T2S, R8E G&SRB&M, tax parcel 104-23-119C (legal on file) (located at the northeast corner of Ironwood Drive and Ranch Road in the San Tan Valley area).

Mr. Denton read a portion of the staff report and used a PowerPoint. Mr. Denton stated that there was an additional letter in support of the proposal that was received after packets were sent out.

Commissioner Smyers asked if someone came into the office seeking to conduct this type of business, what zoning would they be required to have. Mr. Denton responded that this type of use without an SUP would need commercial zoning.

Chairman Hartman called the applicant forward.

Heather Clark, 43311 N. Ironwood Drive, San Tan Valley, Arizona came forward to address the Commission. Ms. Clark presented pictures of her home and her rating with the Better Business Bureau. Ms. Clark gave a brief explanation of her business and explained how her business is operated.

Commissioner Smyers asked how long Ms. Clark has owned the property. Ms. Clark responded that she has owned the property for two and a half (2 ½) years. Commissioner Smyers asked how long Ms. Clark has been in business. Ms. Clark stated that she has been in business since 2007. Commissioner Smyers asked if there is signage displayed on site. Ms. Clark responded that she had a banner at one time, but it was taken down when she was told that it was not allowed. Commissioner Smyers asked how many dogs are kept at the home. Ms. Clark stated that there are currently nine (9) dogs that she boards. Ms. Clark added that her clients fill out an information sheet about the animals, and their temperament, and how they tolerate other animals. Commissioner Smyers asked if there are any inspections required by the Board of Health since the animals are inside the home. Ms. Clark stated that there are no requirements that she is aware of. Commissioner Smyers asked what Ms. Clark would do if the Board of Supervisors reject her proposal. Ms. Clark stated that she would have to sell the house as this is the main reason she bought the home.

Chairman Hartman asked if anyone lives in the home. Ms. Clark stated that she stays there during the day, but she lives next door. Chairman Hartman asked if there have been any problems with the dogs barking excessively. Ms. Clark responded that she has never had a noise complaint in two and a half years. Her neighbors have stated that they cannot even hear the dogs during the day.

Chairman Hartman stated that he thinks there should be a limit on the amount of dogs that should be allowed at one time. Ms. Clark stated that she limits herself at twelve (12) dogs, because they are in bedrooms, and she likes to keep families of dogs together. Chairman Hartman asked if the applicant was here because of a citation. Ms. Clark responded yes, and she was unaware that a permit was needed for her business.

Commissioner Moritz asked if the neighbor that sent in their letter of opposition has expressed their concern in the business.

Vice-Chairman Riggins stated that stipulation five (5) addresses odor control, and he would like to have noises added to the stipulation, as dogs can make a lot of noise. Ms. Clark stated that she has no problems with that addition.

Commissioner Moritz stated that the noise issues are addressed in the Zoning Ordinance, and should cover the concerns of the Vice-Chair. Vice-Chairman Riggins stated that there is a need for the stipulation, as this is the largest complaint that may come of this type of business.

Ms. Grieb stated that there are two (2) procedure options, if the stipulations are violated, a hearing goes to the Board of Supervisors, if the Zoning Ordinance is violated, there is a citation made, and the case goes before the Hearing Office, and then to the Board of Supervisors if the decision is appealed.

Commissioner Aguirre-Vogler stated that she feels that there should be a limit on the amount of dogs allowed.

Commissioner Grubb asked how large the home is. Ms. Clark responded that it is a little over 1500 square feet.

Commissioner Grubb stated that he feels that this is a necessary addition to the community.

Commissioner Gutierrez asked if other areas with commercial property have been looked at by the applicant. Ms. Clark responded that she has not, as her clients like that their animals are in a home with a yard and acreage to exercise in.

Commissioner Smyers asked if the intent was to operate the business when the home was bought. Ms. Clark responded yes.

Commissioner Salas asked if there was a limit to the number of dogs allowed who would inspect to ensure she is under the limit. Mr. Stabley responded that if there is a complaint, staff will go make sure the stipulations are being met. Chairman Hartman stated that Special Use Permits used to have a stipulation stating that staff has the right to access the property to make an inspection. Mr. Stabley responded that this stipulation was removed due to SB1598 setting procedures for property access. Mr. Stabley added that if a complaint came in, staff would contact the property owner and they would allow us to access the property.

Chairman Hartman opened the meeting to the public. Hearing none, he closed the public portion of the meeting.

Commissioner Smyers stated that he has concerns that the applicant bought this residential property with the intent to conduct a commercial business. Commissioner Smyers added that this may encourage people to bypass the Ordinance and procedures already in place. He also asked if the applicant sells the home in the future, would potential homebuyers know that this house was used strictly to house animals?

Chairman Hartman stated that he has concerns with the permit being issued to the land. Vice-Chairman Riggins stated that the stipulations remain regardless of the landowner, and they will protect the surrounding landowners. Commissioner Salas stated that a new owner would be held to the same stipulations.

Commissioner Moritz stated that she doesn't feel that it is appropriate to purchase a residential property to be used for a commercial use. Vice-Chairman Riggins stated that the SUP process recognizes that there are times when a neighborhood might need a service, and the applicant has made many good points. Vice-Chairman Riggins added that there is a reason that the applicant has not considered a commercially zoned property. Vice-Chairman Riggins stated that this area houses livestock, and this use is appropriate in the area.

Commissioner Grubb asked if an SUP can be limited. Ms. Grieb stated that an SUP is almost a type of zoning, and every once in a while there is a use that may fit in a zoning designation if additional conditions are attached. Ms. Grieb stated that because the permit stays with the land, it should be a compatible use, regardless of the owner.

MOTION – SUP-004-13

Commissioner Moritz made a motion to forward case SUP-004-13 with a recommendation of denial. Commissioner Gutierrez seconded the motion. There was a tie motion with four (4) in favor and four (4) opposed.

Ms. Grieb stated that with a tie vote, there is nothing to recommend to the Board of Supervisors. Ms. Grieb added that the case could be continued until there were more Commissioner Members in attendance.

Commissioner Grubb made a motion to continue SUP-004-13 to September 19, 2013 at 9:00 am. Commissioner Moritz seconded the motion. Vice-Chairman Riggins asked if the applicant could continue business until the next hearing. Mr. Stabley stated that she could continue. Motion passed 6-2, with Vice-Chairman Riggins and Commissioner Salas in opposition.

Chairman Hartman asked Ms. Clark to bring letters of neighbors in support of her business operations. Ms. Clark responded that she has many neighbors that use her services, but they are outside of the three hundred (300) foot boundary.

SUP-005-13 – PUBLIC HEARING/ACTION: Psalm 91, LLC, landowner, Lyle Richardson, agent, requesting a Special Use Permit to operate a private airstrip/heliport landing field on a 40± acre parcel in the GR Zone; situated in a portion of the NE¼ of Section 29, T4S, R2E G&SRB&M, tax parcel 510-10-002C and 002E (legal on file) (located at the northwest corner of Sage Street and Dasher Road in the Maricopa area).

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

Chairman Hartman called the applicant forward.

Lyle Richardson, 5310 N. Camino Real, Tucson, Arizona 85718 came forward to address the Commission. Mr. Richardson gave a brief history of the property and the request for the SUP, explaining that ownership had changed.

Chairman Hartman stated that he has a problem with the limit of seven (7) flights. He stated that a crop duster in the area that would need more than one takeoff. Mr. Richardson stated that there have been conversations about the limitation, and this is sufficient for the first year. Mr. Richardson suggested an annual review to address any issues or concerns by staff, and to allow a gradual increase in the flight limit.

Chairman Hartman asked if the property is used for private flights only. Mr. Richardson stated that the ownership and operation are for private use only. Chairman Hartman asked if this is the same for helicopters. Mr. Richardson stated yes. Chairman Hartman expressed concern that the proposed numbers are not realistic. Mr. Richardson responded that this is an amenity to a residential area.

Commissioner Moritz asked if stipulation twelve (12) should include notification to Davis Monthan upon landing also. Mr. Richardson stated that the facility is the Air Force facility in El Paso, Texas, and added that the FAA has a protocol for the pilots as part of the flight planning. Mr. Stabley stated that the stipulation should be reworded to say "The pilot shall place a clearance call in conformance with FAA regulations before taking off from the air strip".

Commissioner Moritz asked if there is a requirement to file flight plans, and if there are FAA flight logs of outbound and inbound flights. Mr. Richardson stated that there is no log that he is aware of, but the pilots are required to follow the visual flight rules.

Vice-Chairman Riggins stated that the original SUP has a limitation to daylight hour operations only. Mr. Richardson stated that it will remain that way. Mr. Denton recommended that the stipulation of only daylight hour operation be included in this case.

Commissioner Smyers asked if someone would be allowed to use a twin engine aircraft on the air strip. Mr. Richardson stated that there is a stipulation prohibiting this, and there is no room for a longer runway. Commissioner Smyers asked if the runway would be paved. Mr. Richardson responded that it wouldn't make a difference in the ability to operate in single engine or twin engine aircrafts.

Chairman Hartman asked if neighboring properties fly over this property in their regular flight pattern. Mr. Richardson stated he doesn't believe so. Chairman Hartman asked if Dasher Road is paved. Mr. Richardson stated that there are no paved roads, and the applicant would prefer to keep it that way. Mr. Richardson added that the applicant understands that there will eventually be paving, and as the area develops, the applicant will pay their share.

Chairman Hartman asked if there is anything regulating the dust control of the site. Mr. Richardson stated that the next step will be Site Plan Review, and there will be some on site improvements to look at.

Commissioner Grubb asked who handles emergency response in the area. Mr. Richardson stated that Thunderbird would respond to fire and medical emergencies. Vice-Chairman Riggins stated that there was a discussion concerning changes in stipulations, and asked how the applicant proposed to amend these stipulations. Mr. Richardson stated that the applicant proposed the initial limit of seven (7) and up to a maximum of twenty-eight (28) at the end of the fourth annual review, increasing by increments of seven (7) every year.

Vice-Chairman Riggins stated that there is a simple narrative included in the staff report, but the details of functionality are not included. Commissioner Moritz stated that it is hard to make a decision on this case, as there are so many changes that are not easily seen in the staff report. Commissioner Moritz stated that stipulations nine, ten, and eleven (9, 10, 11) would be changed so far.

Commissioner Gutierrez asked if planes or fuel will be stored on site. Mr. Richardson stated that there will be no storage onsite. Commissioner Gutierrez asked how maintenance is conducted. Mr. Richardson stated that they are working through CC & R's for the future. Mr. Richardson added that it will be up to future potential buyers, as the parcel may be sold to one or many owners for the land to be split.

Ms. Grieb asked for clarification on where the airstrip will end up if the parcels are split. Ms. Grieb stated that this has caused problems in the past with other landing strips, and creates an enforcement issue. Ms. Grieb added that this has the potential to create a problem if smaller parcels are created, where will the airstrip end up. Mr. Richardson stated that the intent is to sell the property, and if the property is split, it will not be subdivided. Mr. Richardson stated that there will be a legal lot split, with each lot having access to the runway. Mr. Richardson suggested creating a 3rd parcel, for just the airstrip. Mr. Richardson added that there is no way to tell if a single owner will buy the property, or split it into multiple parcels.

Ms. Grieb stated that this is a first for the Commission, where an applicant is asking for an SUP on a parcel that may be split into multiple parcels, and the SUP remains though the lot split. Mr. Richardson stated that this is the exact same proposal that came through the Commission with the previous owner. Ms. Grieb stated that she was under the impression that this was one parcel. Vice-Chairman Riggins asked if it would be easier to split the runway from both existing parcels, and issue the SUP to the runway parcel. Mr. Richardson stated that the runway goes across the tops of both existing parcels, and they would prefer not to create another parcel. Ms. Grieb stated that she has concerns with this scenario at this point, as staff has seen problems with other airstrips in the county with the same problems.

Mr. Stabley stated that a number of issues have been raised by the applicant, and staff needs time to sit down and review. Mr. Stabley stated that staff may be able to have a recommendation after lunch. Vice-Chairman Riggins stated that there are technicalities that are a major issue with this project as it is

proposed. Mr. Richardson responded he thought the issues were taken care of, and he requested a continuance to allow issues to be addressed.

Commissioner Moritz asked if the applicant is seeking the SUP approval so the land can be marketed for sale. Mr. Richardson responded yes.

MOTION – SUP-005-13

Vice-Chairman Riggins made a motion to continue case SUP-005-13 until September 19, 2013 at 9:00 am. Commissioner Grubb seconded the motion. Mr. Richardson stated that a two (2) month continuance and the costs associated would put a burden on the property owner. Vice-Chairman Riggins stated that he would prefer to put a limit on the number of flights instead of the gradual release. Commissioner Aguirre-Vogler asked if staff could settle the issues over the lunch break. Mr. Stabley responded that there are so many issues; a continuance is the best option. Motion passed 5-3, with Commissioners Grubb, Moritz, and Aguirre-Vogler in opposition.

LUNCH 11:35

RECONVENED 12:30

PZ-001-13 – PUBLIC HEARING/ACTION: Landmark Property Holdings, LLC et. al., landowners/applicants, Iplan Consulting Greg Davis, agent, requesting approval of a Rezone request from 54.86± acres of SR (Suburban Ranch) (**PZ-341-72**) to 34.85± acres of R-7 (Single Residence Zoning District) and 20.01± acres of C-3 (General Commercial) to allow single-family residential housing and commercial; situated in a portion of the NW¼ of Section 17, T2S, R8E G&SRB&M, a portion of tax parcels 104-24-003E, 104-24-003F, and 104-24-003G (legals on file) (located in the southeast corner of N. Ironwood Drive and E. Pima Road).

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

Commissioner Smyers asked what the setbacks and zoning are on the property to the South. Mr. Ashbaugh stated that the neighboring property is CR-3, but he isn't sure what the PAD setbacks are for that particular case.

Chairman Hartman called the applicant forward.

Jason Sanks, 387 Capricorn Pl, Chandler Arizona 85249, came forward to address the Commission.

Commissioner Salas asked what roads provide access to the site. Mr. Sanks stated that Westbrook and Pima Roads both allow access to the site.

Chairman Hartman stated that he has a concern about the high density proposed. Mr. Sanks stated that the proposal is in conformance with the Comprehensive Plan, adding that the design of the site is set up to provide more open space.

Chairman Hartman opened the public portion of the meeting.

Rory Van Poucke, Apache Sun Golf Course, came forward to speak in favor of the proposal. Mr. Van Poucke stated that he has concerns about how long the golf course will be there, and he wants to make sure the homebuilder knows it may always be there. Mr. Van Poucke would like to ensure that potential homeowners know that golf balls will fly toward properties. He added that there was a small easement that goes along the fence line that was previously used for irrigation, and it is not needed anymore.

Chairman Hartman asked if the easement was for private irrigation. Mr. Van Poucke stated it was.

Mr. Van Poucke stated that the Golf Course has a directional sign on the corner of Pima and Ironwood, and he would like to keep it there. Chairman Hartman asked if the golf course is for the public. Mr. Van Poucke stated that the golf course has been open since 1985, and is closed during the summer.

Mr. Sanks stated that the builder would like to abandon the easement as well, to extend the depths of the lots, and put up a property line wall. Mr. Sanks stated that the builder recognized the nuisances associated with a golf course, and a public report is in the process. Mr. Sanks added that he has not heard any concerns of incorporating a sign and that shouldn't be a problem as a golf course is considered an amenity.

Commissioner Grubb asked if there was a disclosure included on the airports' influence on this property. Mr. Sanks responded that this is in a required reporting area, but he is unsure if it is in a disclosure point. Mr. Van Poucke stated that this is not in an overlay area.

Commissioner Smyers asked to have the side setbacks increased, as he has concerns about fires spreading since the homes are so close.

Chairman Hartman asked if there has been a variance requested to reduce the setbacks. Mr. Ashbaugh stated that there is a minimum of fifteen (15) total feet, one house could have a five, and the next house would have ten. Mr. Ashbaugh added that it is possible for two neighboring lots to have ten feet between them, if they both chose a five foot setback for those sides adjacent to one another. Commissioner Smyers stated that the information provided shows five feet on all properties.

Mr. Sanks stated that there is a five foot minimum, but fifteen feet total, to allow an owner to have a larger gate on one side. Vice-Chairman Riggins stated that he doesn't see how there could be a minimum of ten feet between two lots. Mr. Sanks stated that if two owners both choose a five foot setback on the same side, there would be ten feet between them, but this would provide a larger setback to the next homes. Mr. Sanks stated that this makes the streetscape more interesting.

Commissioner Gutierrez stated that the amended development standards show a ten foot setback, yet the proposal is for a five foot setback. Mr. Sanks stated that the packets contain the original proposals, as well as the updated information. Mr. Sanks added that the original request was for five feet, and amended to the minimum of five feet and a total of fifteen. Mr. Ashbaugh stated that the information would be amended to go before the Board of Supervisors.

MOTION – PZ-001-13

Vice-Chairman Riggins made a motion to forward case PZ-001-13 to the Board of Supervisors with a favorable recommendation along with its attached twenty-eight (28) stipulations. Commissioner Gutierrez seconded the motion. Motion passed unanimously.

PZ-PD-001-13 – PUBLIC HEARING/ACTION: Landmark Property Holdings, LLC et. al., landowners/applicants, Iplan Consulting Greg Davis, agent, requesting approval of a Planned Area Development (PAD) Overlay District to allow 34.85± acres for 122 single-family residential units and 20.01± acres of commercial within the parcels totaling 54.86± acres; situated in a portion of the NW¼ of Section 17, T2S, R8E G&SRB&M, a portion of tax parcels 104-24-003E, 104-24-003F, and 104-24-003G (legals on file) (located in the southeast corner of N. Ironwood Drive and E. Pima Road).

MOTION – PZ-PD-001-13

Vice-Chairman Riggins made a motion to forward case PZ-PD-001-13 to the Board of Supervisors with a favorable recommendation along with its attached twenty-eight (28) stipulations. Commissioner Salas seconded the motion. Motion passed unanimously.

PZ-C-001-13 - DISCUSSION/APPROVAL/DISAPPROVAL: The Planning and Development Department request that the Planning and Zoning Commission initiate in accordance with A.R.S Section 11-813(D) a zoning regulation amendment to **Title 2** of the **Pinal County Development Services Code (PCDSC)**, amending section 2.151.010 of **Chapter 2.151 Permits: Special Use, Special Density, Temporary Use and Special Event**; Section 2.165.040 of **Chapter 2.165 Zoning Regulations Amendments**; Sections 2.166.040 and 2.166.050 of **Chapter 2.166 Rezonings**; Section 2.170.110 of **Chapter 2.170 Comprehensive Plan, Specific Land Use Plans and Plan Amendments**; Section 2.176.230 of **Chapter 2.176 Planned Area Development (PAD) Overlay Zoning District on and After February 18, 2012**; and Sections 2.205.030 and 2.205.070 of **Chapter 2.205 Wireless Communications Facilities**, to consider adding language requiring a pre-application meeting prior to filing and establishing pre-application procedures and requirements.

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

Chairman Hartman asked how much time this would cut from the review process. Ms. MacDonald responded that PAD's would be reduced by two weeks, and zone changes would be reduced by approximately four (4) weeks.

Commissioner Moritz asked what the fee is that is associated with the reviews. Mr. Stabley stated that staff is in the process of amending the fees. Mr. Stabley stated that currently a parcel under five (5) acres would cost two hundred dollars (\$200) to go through concept review and a parcel over five (5) acres would be charged one thousand dollars (\$1,000). Mr. Stabley added that the actual cost to the county was found to be four hundred and ninety dollars (\$490) regardless of parcel size. Commissioner Moritz asked if this cost covers the concept review. Mr. Stabley stated that concept review will become optional with those applicants who are ready to submit not needing to attend a concept review meeting, but those who choose to attend a concept review meeting would be charged a three hundred dollar (\$300) fee.

MOTION – PZ-C-001-13

Vice-Chairman Riggins made a motion to approve PZ-C-001-13 to initiate the Ordinance amendment, and allow staff to proceed with the Zoning Ordinance amendment process to Title 2, Chapters 2.151, 2.165, 2.166, 2.170, 2.176, and 2.205 of the Development Services Code. Commissioner Salas seconded the motion. Motion passed unanimously.

PZ-C-002-13 - DISCUSSION/APPROVAL/DISAPPROVAL: The Planning and Development Department requests that the Planning and Zoning Commission initiate, in accordance with A.R.S. section 11-813(D) a zoning regulation amendment to **Title 2** of the **Pinal County Development Services Code**, amending **Chapter 2.145 Signs**, to consider adding language to address new types of portable and temporary signs as well as limiting staff powers and specifying Board hearing procedures under the flexibility provisions.

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

Chairman Hartman asked what the proposed area and height mean. Mr. LaCrosse stated that these are setting the new parameters for staff to be able to have an input in sign approvals.

MOTION – PZ-C-002-13

Vice-Chairman Riggins made a motion to approve PZ-C-002-13 to initiate the Ordinance amendment and allow staff to proceed with amending Chapter 2.145: Signs, Billboards, Name Plates, and other outdoor advertisements. To consider adding language to address new types of portable and temporary signs as well as limiting staff powers and specifying Board of Supervisors hearing procedures under the flexibility and provisions of the Development Services Code. Commissioner Moritz seconded the motion. Motion passed unanimously.

WORK SESSIONS

WORK SESSION: Discussion of the Pinal County 2012 Major Comprehensive Plan amendments:

PZ-PA-002-13 – WORK SESSION: A major amendment of the **Pinal County Comprehensive Plan** to amend the **Land Use Plan** to re-designate 1379± acres of land from **Major Open Space (or 1 DU/AC)** to other **residential land use categories** in the Queen Valley area; situated in portions of Sections 26, 33, 34, T1S, R10E G&SRB&M, and portions of Sections 3, 4, T2S, R10E G&SRB&M; located approximately 3.5 miles northeast of Florence Junction.

Mr. Abraham read a portion of the staff report and used a PowerPoint. Mr. Abraham commented that the sixty (60) day review period has started and recapped the public outreach efforts.

(The Commission had no additional comments)

PZ-PA-004-13 – WORK SESSION: A major amendment of the **Pinal County Comprehensive Plan** to amend the **Land Use Plan** to re-designate 243± acres of land from **Very Low Density Residential (0-1 du/ac)** to **Secondary Airport** in the Eloy area; situated in a portion of Section 12, T09S, R6E located on the west side of Sunland Gin Rd south of Harmon Rd.

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

Chairman Hartman asked what the original use was on the property. Ms. MacDonald responded that there is nothing on the property now, except for occasional parachute training.

Jackie Guthrie, 2045 S Vineyard Ave., Suite 101, Mesa, Arizona 85210, came forward to address the Commission. Jackie gave a brief history of the site, adding that the proposal is still in the research phase.

Vice-Chairman Riggins stated that there is a military byway in the area. Ms. Guthrie stated that she is currently trying to get maps that show the over flight patterns in the area.

Commissioner Gutierrez suggested looking into the operations being taken at nearby facilities that have flights occurring in the area. Ms. Guthrie stated that she is working with the FAA to see what information they can provide on the area.

Commissioner Moritz asked if there would be fuel storage.

Commissioner Aguirre-Vogler asked if the applicant was aware of the flooding issues in the area. Ms. Guthrie stated that the applicant is aware, and plans to have all buildings above the flood level.

Commissioner Grubb asked about the wires that used to be overhead on Sunland Gin Road and how emergency personnel would respond. Ms. Guthrie stated that she made note of all of the concerns expressed by the Commission and will have responses at the next meeting.

PZ-PA-005-13 (previously PZ-PA-001-13) – WORK SESSION A major amendment of the **Pinal County Comprehensive Plan** to amend the language of **Chapter 5: Economic Sustainability** adding a policy to support a tourism corridor for the Butterfield Stage Route in western Pinal County and to amend the **Economic Development Plan** to identify the Butterfield Stage Corridor.

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

Vice-Chairman Riggins asked if there will be a sign informing the public that this is not the exact original location of the corridor. Commissioner Aguirre-Vogler had the same concern. Mr. Stabley stated that the proposal does go by the fairgrounds. Commissioner Aguirre-Vogler stated that there are many different maps showing some differences.

ADJOURNMENT

Commissioner Moritz made a motion to adjourn. Commissioner Aguirre-Vogler seconded the motion. Motion passed unanimously.

Meeting adjourned at 1:44 pm.

RESPECTFULLY submitted September 19, 2013.



Jerry Stabley, Planning Director