



PINAL COUNTY
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**PINAL COUNTY PLANNING AND ZONING COMMISSION
REGULAR MEETING
MINUTES OF March 20, 2014**

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

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

LEGAL STAFF PRESENT:
Ms. Grieb, Deputy County Attorney

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

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

The meeting was called to order at 9:07 a.m., this date by Chairman Hartman in the Pinal County Administration Building A., Florence, Arizona.

DISCUSSION/APPROVAL/DISAPPROVAL OF MEETING MINUTES:

February 20, 2014

Commissioner Aguirre-Vogler stated that on page four (4) she asked for more information from staff on the transportation fund and wanted to know when that information would be provided. Mr. Chow stated that he would have the information available at the next Commission meeting.

MOTION

Commissioner Aguirre-Vogler made a motion to approve the minutes of February 20, 2014. Commissioner Gutierrez seconded the motion. Motion passed unanimously. (8-0)

PLANNING DIRECTORS DISCUSSION ITEMS

Maricopa Area Subdivision Maps

Mr. Abraham stated that he had prepared a map of the active subdivisions in the Maricopa area and provided a copy for each Commissioner. Mr. Abraham also instructed the Commission on how to access the GIS map on the Pinal County website, allowing each active case to be viewed.

Commissioner Aguirre-Vogler asked how hard it would be for staff to prepare a map of each Supervisor district and the growth in each area. Mr. Abraham responded that staff could work on these maps, adding that the GIS website has this information readily available. Mr. Abraham also added that staff will work on an information sheet listing the existing zoning and the new zoning districts available.

REPORT ON BOARD OF SUPERVISORS ACTION ON P & Z CASES

February 20, 2014

March 12, 2014 – No Cases

Mr. Stabley discussed the cases that were heard by the Board of Supervisors, adding that the Board approved the cases as the Commission recommended.

NEW CASES:

PZ-001-14 – PUBLIC HEARING/ACTION: Patrick Erickson, applicant, landowner, requesting approval of a zone change from SR (Suburban Ranch) to R-43 (Single Residence Zoning District) on 3.35± acres; situated in a portion of the SW ¼ Section 16, T2S, R8E G&SRB&M, tax parcel 104-46-078C (legal on file) (located on the east side of Kenworthy Road north of Ocotillo Road in the San Tan Valley area)

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

Chairman Hartman asked if there are CC&R requirements in the subdivision. Ms. MacDonald responded that she is unsure, adding that the County does not get involved with or enforce CC&R's.

Chairman Hartman asked how many letters staff has received in support and opposition. Ms. MacDonald responded that she has not received any additional letters since packets went out, but there were two (2) letters from within the notification area in opposition and sixteen (16) in opposition from outside of the notification area. Ms. MacDonald added that two (2) letters have been received in support of the proposal.

Chairman Hartman called the applicant forward.

Patrick Erickson, 40797 N Kenworthy Rd, San Tan Valley, Arizona, came forward to address the Commission. Mr. Erickson gave a history of the property and his request. Mr. Erickson discussed the varying lot sizes in the area and the Comprehensive Plan designation.

Chairman Hartman asked if there are CC&R requirements in the subdivision. Mr. Erickson stated that there are no CC&R's. Mr. Erickson added that the existing CC&R's only apply to the utilities and the properties owned by the Schnepf family.

Chairman Hartman asked if the water company is able to support additional homes in the area. Mr. Erickson stated that the CAP provides the irrigation water.

Chairman Hartman asked what impact this will have on the ingress and egress in the area. Mr. Erickson responded that there is an existing thirty (30) foot wide driveway and he is open to leaving one (1) access point for both properties if that is the Commission's decision.

Commissioner Aguirre-Vogler asked Mr. Erickson to address staff's comment in the staff report stating that this request is out of context with the area. Mr. Erickson responded that is a subjective analysis.

Vice-Chairman Riggins asked how long Mr. Erickson has owned the property. Mr. Erickson stated he has owned the property for ten (10) years. Vice-Chairman Riggins asked what zoning the property had when it was purchased. Mr. Erickson responded that it was zoned Suburban Ranch (SR). Vice-Chairman Riggins asked if Mr. Erickson understood the zoning when he purchased the property. Mr. Erickson stated he did understand.

Commissioner Grubb asked how many flag lots there are in the area. Mr. Erickson stated that in the 1970's there were CC&R's allowing two residences per lot. Commissioner Grubb stated that he is not referring to the CC&R's, he is worried about creating a precedent by allowing flag lots to be created.

Commissioner Grubb added that he is concerned about the amount of driveways doubling, easement problems, and property line disputes. Mr. Erickson stated that this property is deeded and there are no easements. He added that he plans on having his parents move onto the property and there will be no property line disputes.

Commissioner Moritz asked if the request is approved how long it will be before construction begins. Mr. Erickson responded that he anticipates within two (2) to five (5) years his parents would begin construction of their home. Commissioner Moritz asked what Mr. Erickson would do if his parents decide not to build. Mr. Erickson responded that he has no plans to move, so he would occupy the property by himself.

Vice-Chairman Riggins stated that the Commission packet shows no flag lots in the area. Mr. Erickson stated that there are many homes in the area with two (2) residences on them.

Commissioner Gutierrez asked where the second home would be located. Mr. Erickson showed the location, identifying the center of the 2.2 acre parcel.

Chairman Hartman opened the public portion of the meeting.

Cathy Worthington, 42283 N Jackrabbit Rd, San Tan Valley, Arizona, came forward to address the Commission in opposition of the request. Ms. Worthington stated that the area is zoned Suburban Ranch (SR) and require a minimum of 3.3 acres, allowing the applicants request will create many more neighbors and many problems.

Sharon Heiney, 40850 N Rattlesnake Rd, San Tan Valley, Arizona, came forward to address the Commission in opposition of the request. Ms. Heiney stated that approval of the request will put the Commission in a bad position, causing many property owners to come forward with the same request.

Greg Jack, 40859 N Kenworthy Rd, San Tan Valley, Arizona, came forward to address the Commission in opposition of the request. Mr. Jack stated that there is a well that he and eight (8) other property owners own and maintain, and it is primarily used to water stock. Mr. Jack added that he brings in irrigation to his property and allowing the lot splits will impede on his ability to drive pipes to bring water in.

Kim Williamson, 43607 N. Jackrabbit Rd, San Tan Valley, Arizona, came forward to address the Commission in opposition of the request. Ms. Williamson expressed her concern as a real estate agent that a reduction in the lot size will create problems in the future. Commissioner Gutierrez asked how much lots in the area are sold for. Ms. Williamson responded that the average is fifty to sixty thousand (\$50,000-\$60,000) per acre. Commissioner Gutierrez asked if there are one acre parcels in the area. Ms. Williamson stated that there are very few properties of this size, adding that the small parcels create large amounts of traffic.

M. Rodriguez, 43607 N Jackrabbit Rd, San Tan Valley, Arizona, came forward to address the Commission in opposition of the request.

Chairman Hartman asked the applicant to return to address the concerns of the public.

Mr. Erickson stated that since he sent the notices out, he has heard nothing by phone or in person from anyone in opposition. Mr. Erickson added that the majority of those in opposition come from outside of the notification area. He also stated that the Comprehensive Plan has designated this area as a targeted area for growth.

Chairman Hartman closed the public portion of the meeting.

MOTION PZ-001-14

Vice-Chairman Riggins made a motion to forward case PZ-001-14 to the Board of Supervisors with a recommendation for denial. Commissioner Salas seconded the motion. Motion passed unanimously (8-0).

BREAK 10:27
RECONVENED 10:35

PZ-002-14 - PUBLIC HEARING/ACTION: Keith and Karen Spaulding, applicant/landowner requesting approval of a zone change from CB-2 (General Business Zone) to C-3 (General Commercial Zoning District) on 4.81± acres to plan and develop the Edera Wedding and Event Venue; situated in a portion of the NW ¼ Section 11, T01N, R08E G&SRB&M, tax parcel 100-01-001S (legal on file) (located on the south side of Highway 88, west of Mountain View Rd in the Apache Junction area)

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

Chairman Hartman called the applicant forward. Keith Spaulding, 2166 E. Saddle Butte, Apache Junction, Arizona, came forward to address the Commission. Mr. Spaulding gave a brief history of the property and explained that there will soon be new property owners. Mr. Spaulding introduced the new owners to the Commission.

Shawn Goetzinger, 820 N. 3rd St., Phoenix, Arizona, came forward to address the Commission. Mr. Goetzinger explained the reason for the request. Commissioner Smyers asked if the property is still pending sale. Mr. Goetzinger responded yes, and added that the use is consistent with the current zoning. Mr. Goetzinger added that there was a stipulation on the last zoning case that stated the property could only be used for a restaurant. He also stated that all food would be catered in.

Becky Frasier, 1333 W. Gila Lane, Chandler, Arizona came forward to address the Commission. Ms. Frasier gave more information on the specifics of operations at the site. Commissioner Moritz stated that she feels this project will be a nice addition to the area.

Commissioner Grubb stated that the venue looks excellent and asked for more information on the parking spaces. He understands that there are 71 parking spaces, but the venue will hold 211 people. Mr. Goetzinger responded that they are able to address the need for additional parking later in the future. Adding that up to 97 parking stalls can be configured on the site. Commissioner Grubb asked if they are within the Apache Junction Fire District. Mr. Goetzinger responded that they are within the district and they are also providing additional infrastructure including fire hydrants and other improvements.

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

Vice-Chairman Riggins stated that his only concern is the access to the property off of Highway 88, but he understands that it will be dealt with in the stipulations of the case.

MOTION – PZ-002-14

Vice-Chairman Riggins made a motion to forward case PZ-002-14 to the Board of Supervisors with a favorable recommendation along with its attached 17 stipulations. Commissioner Salas seconded the motion. Motion passed unanimously (8-0).

PZ-PD-013-13 – PUBLIC HEARING/ACTION: Trilogy Encanterra Construction, LLC, landowner/applicant, Pew & Lake, PLC, agent, requesting approval of an amendment to the Trilogy Encanterra Planned Area Development (PAD) Overlay District (PZ-PD-006-13) to modify the development standards for Parcel 1.9 to allow 121 duplexes on 242 lots in the CR-5 zone; situated in a portion of Section 32, T2S, R8E G&SRB&M and Section 5, T3S, R8E, G&SRB&M, tax parcel 109-52-533 (legal on file) (located east of Gantzel Road and south of Combs Road, San Tan Valley area).

PZ-PD-014-13 – PUBLIC HEARING/ACTION: Trilogy Encanterra Construction, LLC, landowner/applicant, Pew & Lake, PLC, agent, requesting approval of an amendment to the Trilogy Encanterra Planned Area Development (PAD) Overlay District (PZ-PD-006-13) to delete stipulation #34, modify the development standards for Parcel 1.2, and create a Use and Benefit Easement for Parcel 1.2, and allow for an 82 lot single family dwelling unit development in the CR-5 zone; situated in a portion of Section 32, T2S, R8E G&SRB&M and Section 5, T3S, R8E, G&SRB&M, tax parcels 109-52-532 (legal on file) (located east of Gantzel Road and south of Combs Road, San Tan Valley area).

Mr. Denton read a portion of the staff report and used a PowerPoint. Mr. Denton stated that he has received two (2) letters from those opposed wishing to withdraw their opposition.

Ralph Pew, 1744 S Val Vista Dr, Mesa, Arizona, came forward to address the Commission. Mr. Pew used a PowerPoint to discuss the changes associated with the request, including the decreased density, increased lot size, and increased open space.

Chairman Hartman stated that the project originally had a zero setback in parcel 1.9, and now the applicant is proposing duplexes. Mr. Pew responded that the lots have a zero setback and share a common wall, but the distance between structures is ten (10) feet.

Chairman Hartman asked if there are any windows that face neighboring home windows. Mr. Pew stated that where the buildings come together, there would be a solid wall.

Commissioner Moritz asked what the walls are made out of.

Rob Izer, 32650 Kenworthy Rd, San Tan Valley, Arizona, came forward to address the Commission. Mr. Izer stated that the walls would be a combination of block walls with typical frame construction and will meet the fire code. Commissioner Moritz asked if the walls would be soundproof. Mr. Pew responded yes.

Commissioner Aguirre-Vogler asked the applicant to address the letters in opposition that were withdrawn. Mr. Pew stated that the opposition letters were regarding a subject not related to the land use. Commissioner Aguirre-Vogler expressed her concerns that the roads cannot handle this amount of increased traffic. Mr. Pew stated that contributions have been made to roadway and transportation improvements. Mr. Pew added that he believes this has since been replaced with impact fees. Commissioner Aguirre-Vogler asked about improvements to Combs Rd. Mr. Chow stated that Combs Road has been improved to Gantzel Road. Mr. Chow added that he is unsure how the funds are dispersed, but they are collected via impact fees.

Commissioner Smyers expressed his concerns of the possible encroachment issues and repairs if the air conditioner is on the ground in the five (5) foot setback between the wall and the property line. Mr. Pew responded that this encroachment is an allowed encroachment in that area. Repairs are a temporary event, and not a permanent problem.

Commissioner Salas asked if the property is surrounded by golf course. Mr. Pew responded that parcel 1.2 is completely surrounded by golf course. Commissioner Salas asked how the site gets water. Mr. Pew responded that the water is provided to the site through the roadway system. Commissioner Salas

expressed his concern that there is a water shortage. Mr. Pew responded that potable and golf course water is available into the site.

Commissioner Smyers asked if the property was zoned CR-5 when it was purchased. Mr. Pew confirmed that it was. Commissioner Smyers stated that people would have been informed when they purchased lots that there was the potential for multifamily residences.

Chairman Hartman asked if there are any two (2) story lots. Mr. Pew responded that there is the potential for a two (2) story option, with the second story containing a loft.

Commissioner Grubb stated that he lives in Encanterra and though he was not informed that there may be multifamily residences, this proposal is much better than those from 2005.

Chairman Hartman opened the public portion of the meeting.

Melinda Kornblum, 1681 E Amaranth Trail, came forward to address the Commission. Ms. Kornblum expressed her concerns about the project, and the potential lower level housing.

Mr. Pew responded that there were multiple neighborhood meetings held. Mr. Pew added that the product is much better than it was originally proposed.

Commissioner Moritz asked what the average age of the target homebuyer is. Mr. Pew responded that there is no target age other than the active adult. Commissioner Moritz asked if this is seasonal housing. Mr. Pew responded that some will be for seasonal residents. Commissioner Moritz asked for the price of the duplex homes. Mr. Izer stated that preliminary studies suggest \$180,000 to 250,000 is a good price point for the area, as it is comparable in square footage to others being sold. Commissioner Moritz stated that there is a need for this type of housing and this helps to meet the needs for this and addresses economic changes. Mr. Pew stated that duplexes often have a poor image because of what they were in the past.

Commissioner Grubb asked if the homes will be built similar to those in the 55+ area. Mr. Izer responded that the homes will be targeted for year round residents.

Chairman Hartman asked if there are amenity restrictions. Mr. Izer stated that there will be no restrictions, but there will be additional options that a buyer may opt to pay for.

Commissioner Smyers asked about stipulation thirty five (35) on PZ-PD-013-13. Mr. Denton stated that this stipulation was carried over from the previous amendment.

MOTION – PZ-PD-013-13

Vice-Chairman Riggins made a motion to forward case PZ-PD-013-13 to the Board of Supervisors with a favorable recommendation along with its 43 stipulations. Commissioner Grubb seconded the motion. Motion passed unanimously (8-0).

MOTION – PZ-PD-014-13

Vice-Chairman Riggins made a motion to forward case PZ-PD-014-13 to the Board of Supervisors with a favorable recommendation along with its 42 stipulations, modifying stipulation 41 to also include unit 1.2. Commissioner Grubb seconded the motion. Motion passed unanimously (8-0).

LUNCH 11:57

RECONVENED 1:02

Commissioner Aguirre-Vogler returned at 1:04

TENTATIVE PLATS:

S-004-14 - DISCUSSION/APPROVAL/DISAPPROVAL: Skybridge Quail, LLC, landowner, United Engineering Group, engineer, requesting approval of a tentative plat for **Quail Ranch**, 955 lots on a 272.91± acre parcel in the CR-3 and R-7/PAD (**PZ-PD-007-13**) zones; situated in a portion of Section 2, T3S, R8E G&SRB&M, Tax Parcels 210-02-002A, 002D, 002E, 002H, 002M, 002N & 002P (located at the southwest corner of Hash Knife Draw Road alignment and Quail Run Lane alignment, approximately 2½ miles north of the Town of Florence).

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

Chairman Hartman called the applicant forward. Chris Lenz, 3205 W. Ray Road, Chandler, Arizona, came forward to address the Commission. Mr. Lenz gave a brief history of the property and added that they are proposing 21.9% open space.

Chairman Hartman asked when construction will start. Mr. Lenz responded that the construction will be market driven, adding that they are still finalizing the water and sewer connections. Mr. Lenz stated that in six to nine (6-9) months they plan to come forward with the final plat. Chairman Hartman asked if there is a stipulation requiring final plat approval within five (5) years. Mr. Denton confirmed that stipulation is included in the zoning case.

MOTION – S-004-14

Vice-Chairman Riggins made a motion to approve findings 1-7 as set forth in the staff report and approve case S-004-14 along with its attached 28 stipulations. Commissioner Salas seconded the motion. Motion passed unanimously (8-0).

S-006-14 - DISCUSSION/APPROVAL/DISAPPROVAL: BVF Land, LLC, landowner, Dana Belknap, Gallagher & Kennedy, agent, requesting approval of a tentative plat for **Harvard at Bella Vista Farms**, 1,214 lots on a 366.35± acre parcel in the CR-2 and CR-3/PAD (**PZ-PD-012-11**) zones; situated in a portion of Sections 15 & 16, T3S, R8E G&SRB&M, Tax Parcels 210-15-002B and 210-16-001B (located adjacent to the east side of Union Pacific Railroad and approximately .6 mile north of Bella Vista Road, San Tan Valley area).

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

Chairman Hartman called the applicant forward.

Tim Brislan, 17700 Pacesetter Way, Scottsdale, Arizona, came forward to address the Commission. Mr. Brislan gave a brief history of the project and the site.

Commissioner Aguirre-Vogler asked what road the college is on. Mr. Brislan responded that the college is on Bella Vista Rd.

MOTION – S-006-14

Vice-Chairman Riggins made a motion to approve findings 1-7 and approve the tentative plat in case S-006-14 with 26 stipulations as presented in the staff report. Commissioner Salas seconded the motion. Motion passed unanimously (8-0).

WORK SESSION:

Proposed San Tan Valley Economic Development Special Area Plan

Mr. Stabley shared and discussed the presentation that was given to the Board of Supervisors.

Vice-chairman Riggins asked if San Tan Valley is larger than Casa Grande. Mr. Stabley responded that it is larger in population.

Commissioner Aguirre-Vogler asked if they would seek bids from a few consultants to get the best price. Mr. Stabley stated that is correct.

Commissioner Moritz asked if there are economic development teams available to utilize. Mr. Stabley stated that our only resource is Tim Kanavel. Commissioner Aguirre-Vogler asked about the economic development teams at the state level. Mr. Stabley responded that these are no longer offered.

Commissioner Grubb suggested having Mr. Kanavel return to the Commission to help identify the development priority order.

Commissioner Aguirre-Vogler asked what the San Tan Valley area has to offer, with current transportation problems and lacking infrastructure. Commissioner Grubb stated that people are drawn into the workforce.

Commissioner Gutierrez asked if there are plans for the County to organize a committee to prioritize the economic development in San Tan Valley. Commissioner Gutierrez also asked if the County can partner with the college on these efforts. Mr. Stabley responded that a committee will likely be formed in the future, and stated that Central Arizona College focuses more on freshman and sophomore students.

Commissioner Grubb stated that most of the Banner employees already live in the San Tan Valley area, adding that we need these types of companies.

Vice-Chairman Riggins stated that although San Tan Valley has local commercial interest, it lacks industry. Commissioner Gutierrez stated that sometimes government gets in the way of expansion.

Commissioner Moritz suggested that Commission members might volunteer to work with Mr. Kanavel to help him identify locations of distribution centers, production, etc. She would like to see the money put to work, adding that infrastructure is critical. Mr. Stabley stated he agrees, and he added that infrastructure is very expensive.

Commissioner Grubb stated that the Pinal Partnership has an economic development committee, and he would like to know if they plan to focus on San Tan Valley.

ADJOURNMENT

Commissioner Salas made a motion to adjourn the meeting. Chairman Hartman accepted the motion. Meeting adjourned at 1:58.

RESPECTFULLY submitted April 24, 2014.


Jerry Stabley, Planning Director