



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

Wednesday, April 11, 2012 7:00 P.M.

Council Chambers, 22350 S. Ellsworth Road, Queen Creek, AZ 85142

1. **CALL TO ORDER** The meeting was called to order at 7:01 p.m. by Chairman Sossaman in the Council Chambers of the Town Hall.
2. **ROLL CALL** (one or more members of the Commission may participate by telephone).

Present

Chairman Steve Sossaman
Vice-Chairman Steve Ingram
Commissioner Jason Gad
Commissioner Alex Matheson
Commissioner Ryan Nichols
Commissioner Debbie Reyes
Commissioner Kyle Robinson

Absent

Staff

Present

Planning Administrator Wayne Balmer
Senior Planner Dave Williams
Development Services Assistant Laura Moats

Absent

3. **PUBLIC COMMENT**
There were no public comments.
4. **Consent Agenda:** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (*). Prior to consideration of the Consent Agenda, the Chairman will ask whether any member of the public wishes to remove a Public Hearing item for separate consideration. Members of the Commission and/or staff may remove any item for separate consideration.
 - a. **Consideration and Possible Approval of March 14, 2012 Work Study and Regular Session Minutes;**
 - b. **Consideration and Possible Approval of DR12-017, "Blandford Homes at The Pecans"**, A request from Christa Walker on behalf of Blandford Homes for approval of four model homes, with fourteen elevations total, to be constructed on 32 lots at The Pecans. The subdivision is located on the south side of Chandler Heights Road, between Ellsworth and Hawes roads.

- c. **Consideration and Possible Approval of DR12-028, “Maracay Homes at Montelena”**, A request by Alex Holmquist of Maracay Homes, for approval of six new floor plans with three elevations each, to be constructed on the 56 remaining lots in the Montelena Subdivision, located at the northeast corner of Chandler Heights and Hawes roads.

Commissioner Nichols requested Item b. be removed from the Consent. The Commissioners agreed.

Motion: Vice-Chairman Ingram

To approve the Consent Agenda, as presented, without Item No. b

2nd: Commissioner Gad
Vote: All Ayes. Motion carried 7-0.

- b. **Consideration and Possible Approval of DR12-017, “Blandford Homes at The Pecans”**, A request from Christa Walker on behalf of Blandford Homes for approval of four model homes, with fourteen elevations total, to be constructed on 32 lots at The Pecans. The subdivision is located on the south side of Chandler Heights Road, between Ellsworth and Hawes roads.

Planning Administrator Balmer presented the staff report, illustrating the lot layout and site plan.

This subdivision was originally approved in 1972 by Maricopa County. In 2001 Town Council approved Ordinance 204-01 establishing the current PAD . Mr. Balmer reviewed all previous Council action taken in 2004, emphasizing Council required Old World Architecture. He showed photos displaying this architecture.

This specific request proposes 38 lots on the west side of the project, however, a letter was received from Blandford Homes today requesting an additional 44 lots in future phases (phases 3, 4 and 5) also be approved with the models and elevations recommended for approval tonight.

The proposed elevations include: Old World Architecture; Country French, Italian Farmhouse, English Country, Tuscany and Vintage.

Mr. Balmer pointed out the boundaries for Phases 3, 4, 5 and 6.

Mr. Balmer illustrated the four proposed home models and elevations for each model, and the Town’s 35 percent Pecan Tree Retention requirement. He showed a plan for retaining 60 percent of the trees on this parcel, as opposed to the 35 percent requirement. The reason for this is that there is a substantial setback and large amount of space on these lots, even with the large homes.

Staff is recommending approval of the proposed floor plans and elevations, subject to the conditions presented in the staff report. Mr. Balmer pointed out the plans for the accessory

structures included in the agenda packet. The RV garage is simply a building with a garage door, but no other door accesses. There are additional accessory structure elevations.

Paul Dugas (Sp?) with Blandford Homes made a presentation. He noted Christa Walker, Blandford Homes Development/Design, is here as well to answer any questions by the Commission.

Chairman Sossaman asked about the accessory building (RV garage or accessory dwelling) noting there is no man door; only an overhead garage door. He asked if this has been discussed, or intentionally left off the plan. Mr. Dugas stated he would be agreeable to having an additional stipulation that the accessory structure/RV garage be architecturally enhanced, with administrative approval by Planning Staff.

Commissioner Nichols asked if there is a plot plan showing where accessory structures would be located. Mr. Balmer responded by showing the Pecan Tree retention slide and where the structures would sit on those lots.

Commissioner Nichols asked if the developer would have flexibility. Ms. Walker responded there would be some flexibility depending on the lot size and entry point of garages/side garages. They would like it to mainly be a structure behind the main home, so it does not overpower the home front.

Commissioner Gad asked about the walls separating the lots, and asked what neighbors would see specific to the accessory structures. Ms. Walker responded that's where the four-sided architecture comes in. She has discussed with Kevin Petersen the placement of the homes so that the neighboring lot would not have an aversion to the placement of the RV structure. It would be reviewed by the HOA on a case-by-case basis to ensure all neighbors agree to the location and placement of the RV structure.

Chairman Sossaman asked if there is flexibility as to the location of the garages on the homes, and whether or not the homes would be flip-flopped alternately. Chairman Sossaman suggested the developer decide up-front at the beginning exactly where an accessory structure is allowed to be built for each lot, to alleviate any problems in the future with subsequent homeowners. He asked that staff encourage this.

Chairman Sossaman asked Commission to propose a motion to include the correct verbiage to include all the items and additional stipulations discussed tonight:

- RV garages – design, placement and enhancement of the design of the RV garage. Placement of RV garage to be shown at time of building permit issuance, regardless of whether RV structure is built with home or not; that an additional door be put on the RV garage, and at least one window be added to the RV garage.
- Address the letter dated 4/11/12 from Christa Walker, requesting 44 additional lots include the Design Review approval tonight.

Motion: Commissioner Gad

To recommend approval of DR12-017, “Blandford Homes at The Pecans”, with following amendments:

- 1) Request from developer as stipulated in April 11, 2012 letter to include additional 44 lots along with the original 38 lots. Commissioner Gad would like to amend approval to include modification to the adjacent structures to include architectural styling consistent with elevation decided by the homeowner, to include an additional door and windows alongside the adjacent structure, and stipulating possible placement of the accessory structure at the time of building permit issuance for the primary structure.

Mr. Balmer stated between now and then, staff will ask for a redesign of the RV structures, and a letter stating developers’ agreement to the specific placement of RV buildings.

Seconded by: Vice-Chairman Ingram

All ayes. Motion carried 7-0.

PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION

5. **Public Hearing, Discussion and Possible Action on RZ12-006/SP12-007, “Banner Health Center – Queen Creek”**, A request from C. Dale Willis on behalf of Victoria Lund Investment Group, LLC to rezone approximately 11.78 acres on the west side of Ellsworth Loop Road, south of Victoria Lane from R-2 PAD to C-2 PAD, and a Site Plan approval for Banner Health Center – Queen Creek.

Planning Administrator Balmer presented the staff report. He showed the Town Center map, pointing out the project in relation to other Town Center developments. This is a small part of a much larger project, Victoria, which was originally approved in 1973 by Maricopa County. In 1999 the Town Council approved the revised plan for residential areas. In 2006, Council approved a 255-lot subdivision for this area. Mr. Balmer showed the plan for the 2006 Council-approved project. He noted a parcel that had originally been set aside for an elementary school. Staff has just received notice from the Queen Creek Unified School District today that they will not need that parcel for an elementary school.

The proposed medical center only takes up a portion of the larger parcel. Staff has been in discussions with the property owners of the larger parcel regarding potential future uses, which could include additional retail, mixed use and re-planning the original school site.

Mr. Balmer explained the Proposition 207 waiver, which states if something happens to the zoning, the property owner cannot come back to the Town. Since only a portion of the property is being rezoned, the Town Attorney is concerned with future lawsuits from property owners who may state they cannot develop their property the way they want to.

Mr. Balmer stated, based on the square footage, staff requires 437 parking spaces. The applicant is proposing 454 spaces.

Mr. Balmer showed the Phase One elevations. He also showed the Site Plans and building elevations for Phase One and Two, noting the main building would be an L-shaped building, rather than rectangular. Parking would be on all sides of the building. He noted the maximum height of the building is 42 feet to cover screening of roof-top mounted equipment.

Mr. Balmer explained the PAD modifications being requested, as follow:

- **Buffer yard landscaping to the west:** Mr. Balmer noted since there is no single-family proposed to the west, a buffer wall is not required. Landscaping will be provided. Staff supports this change.
- **Parking lot landscaping:** code requires 15% and 35,000 square feet minimum. The applicant is proposing 10 percent and 21,150 square feet. There will be ample landscaping on the south and east sides of the project, in the retention areas to the north, and landscape islands within the project. Staff supports this request.
- **Parking lot light pole heights:** code requires poles in Town Center area to be no more than 15 feet; however applicant is proposing security cameras on the poles, with poles to be 25 feet. Since this building is two stories on the south side, staff feels the 25-foot poles in this location would be consistent. Staff supports this request.
- **Width of Parking lot spaces:** code requires 10 feet by 19 feet. In Town Center and some other larger developments within Town Center, there has been concern that parking spaces may be too large. The applicant is proposing narrower spaces (9.5 feet wide), and to provide 12 handicapped spaces near the entrance. Staff supports this request.
- **Parking in front of the building:** In the Town Center, the library's front elevation faces Ellsworth Road, with no parking on this side of the building. This project proposes parking in front of the building, as opposed to behind the building, two street frontages, and building design limits parking alternatives. Staff supports this request.
- **Building Height:** code requirement is 30 feet. Proposing 45 feet to the top of parapet on second story. Staff supports this request.

Staff is recommending approval of the request, subject to the Conditions of Approval as set forth in the Staff Report. Two Prop 207 waivers will be signed.

Commissioner Nichols stated Town Ordinance requires one tree for every eight parking spaces. He asked if this requirement is being met with the reduced landscaping in the parking lot.

Mr. Balmer responded staff has not gone into specific detail of the landscape design at this point. The landscape plan shown is schematic only. By the time it is completed, it will meet Zoning Requirements.

Commissioner Nichols stated one of the PAD requests was the setback on the west side of the project. He asked if this is only for Phase 1 where there is a temporary turn-around, or also Phase 2. Mr. Balmer responded it includes Phase 2.

Commissioner Nichols asked about the setback, to which Mr. Balmer responded there is a 30 foot setback shown on the site plan.

Commissioner Nichols asked if there is a requirement for the number of handicapped spots as a ratio to the number of total spaces. Mr. Balmer deferred to the applicant to answer this question.

Commissioner Gad asked staff about the position to not have the wall on the western side, as would normally be required. He noted one issue is the longer turn-around time, or future development of the area to the west. He noted if people are living to the west of this development, a wall would protect that residential area from the sound and site of vehicular traffic traveling on this side of the development. If thoughts were to encourage some sort of walking space, he suggested the possibility of installing a wall with some undulating breaks that could easily be turned into sidewalks at a later time. He stated he is concerned with this area being completely open.

In response, Mr. Balmer stated two options were discussed: not knowing what will go in to the west, and having people living to the west, those homeowners would be required to install the wall. Can either have Banner design or if Banner didn't want cross access, then do wall at that time. The wall would be done as part of the development plan for the property owners to the west, if an integrated plan could not be reached with Banner and the western property owners.

Commissioner Robinson asked if there is potential for vehicular connectivity/access from parcel on the west through to Banner. Mr. Balmer responded that is possible. Commissioner Robinson asked whose decision that is. Mr. Balmer responded it would be the landowners to the west and Banner. Commissioner Robinson asked if signals would be installed on the main roads to Victoria Lane and Ellsworth Loop. Mr. Balmer pointed out the existing signal. He added, as the university moves into the area to the east, that signal will be used more, but it will be adequate.

Commissioner Robinson suggested having two access points. Mr. Balmer responded there is no signalization there due to spacing between that point and Ocotillo Road. Commissioner Robinson asked what the timing is for Phase 1 and 2. Mr. Balmer deferred to the applicant to answer that question.

Applicant's Presentation

Paul Klumb, 2520 S. Balla Drive, Tempe and Bill Smith, 19952 E. Sunset Drive, Queen Creek Arizona, addressed the Commission to make a presentation.

Mr. Klumb stated Banner Health Center integrates all health care specialties into one center – including, but not limited to pediatrics, family practice, imaging, and labs. Having all specialties available in one facility mitigates filling out several forms for each visit. The facility will be limited in Phase One, but as the project grows, various levels of imaging, specialist care, labs, pharmacy, etc. will be available all in one trip and one location. This will enhance the patient experience and outcome. This will be a community enhancement in combination with Banner Ironwood Hospital. Mr. Klumb stated he agrees with the concerns regarding the wall to the west. Once Banner knows exactly what those property owners want to develop, they will work with them to come up with a screening wall. However, if it is another medical facility, they would not want to have a wall, or barrier. On the other hand, if that adjacent use was not architecturally compatible with Banner, then

they would want a wall separation. But for now, to put the wall up will just attract more problems, such as maintenance with the collection of tumble weeds, etc.

Commissioner Gad voiced his excitement over this project, and the momentum it will generate in Town Center. He asked for the applicant's input on the ingress/road coming in on the north side which splits off. He stated he is curious, from a traffic safety standpoint, because there is no traffic circle designed. He questioned if they have thought about traffic flow in and-out. He feels if it's not a one-way loop, people will be trying to come in from different points at the same time.

Mr. Klumb stated the philosophy of the organization behind the site, stating it is critical from a patient perspective, to have way-finding. Patients will drive in from the north. Because of conflicts and stacking requirements for left-turns into the shopping center, another ingress further west was decided against. The building has one entrance point, which remains throughout both Phase I and Phase II.

The front parking feel of the building is for the patient visitor use. All staff parking is around the back of the building. There will be directional signs for the main entrance. Mr. Smith stated they have had discussions regarding having an entrance on the east side, and a service entrance across the back. Through standard traffic impact analysis, the one entrance has to be shared, and pushed to the west. The architecture will be designed to draw people to the front of the building. This building is also meant for services by appointment, as opposed to an urgent care use.

Commissioner Gad asked if a traffic signal is not something that would fit, stating the proposed entrance looks like a "Y", and he thinks there may be some issues with who has the right-of-way. Mr. Smith responded there will be a stop sign approaching the shared part of the "Y". The circular drive will also be angled out a bit more, and one of the corners will be shaved off.

Commissioner Gad asked if the number of proposed parking spaces the applicant's proposal or staff's requirement. He added that he'd like to see the number of spaces increase on the east side.

Mr. Smith referred to the landscape plan and asked for clarification. Commissioner Gad stated the number of spaces being provided/proposed is above the required number. Did the applicant design it this way because of an ordinance?

Mr. Klumb explained the reason they are above the requirement, stating they analyzed the parking requirements in the concept design, noting this building accommodates 36 physicians and 100 support staff. The number of spaces refers to patient spaces (within the facility); they analyzed at a maximum key using 80% utilization factor of the facility; their required metric is slightly over the 5 per 1,000, so they provided a few additional spaces. They never want to have a situation where patients need to drive around several times to find parking spaces. The parking is segregated between staff parking and patient parking.

Commissioner Robinson asked about the service entrance areas, stating he is concerned it will be busy during shifts, and asked if it is a two-shift operation.

Mr. Smith stated it could be up to a 12-hour shift, but the exact hours of operation are not yet set. It might possibly be an 8-hour shift, with reduced hours on Saturday.

Commissioner Robinson noted there is no loading dock and asked if one is required for this large of a facility. Mr. Smith responded, "no". He pointed out where the service entrance and drop-off will be. Day-to-day operations would normally only include UPS or Fed Ex. No semi-trucks would be coming in or out.

Commissioner Reyes asked about the timing of Phase II. Mr. Smith responded a lot has to do with the utilization of Phase one and the Queen Creek population. Phase I will house 12 doctors (start at 6 in Phase I, 3 the following year, and 3 the year after). He stated it is approximately a four-year process if the demand is there. Mr. Klumb noted if demand shows up in Phase I, then Phase II will be built sooner. Phase I will continually operate unobstructed by construction of Phase II and Phase III.

Commissioner Gad asked if there is anything that potentially would be a hazardous material the Town is not aware of, such as radioactive, chemical hazards. Mr. Smith responded nothing hazardous goes in the main trash. This would be no different than the medical facilities in the Utaz facility, or near the Queen Creek Café on Ocotillo Road.

Commissioner Gad asked if there have been any discussions on the public art piece, and whether it will be a statue or water feature.

Mr. Smith responded they have had a lot of discussions on the type of art to put in front of the building, or installing something in Phase II. Mr. Klumb stated if they can put it in the northeast corner of the Phase II building, it will be more aligned with the main entrance, it will be closer to Ellsworth Road, and it would then be the best location to play against the scale of the building as well as bringing it out to the corner of the building. They do not want it tucked in, but they also do not want it out at the entrance because that will create maintenance and security issues.

Mr. Smith stated they have talked about art that will be compatible with the architecture. Most of their facilities have water features; however, those facilities are larger and have a facilities staff. Putting a water feature on this site would be problematic, due to the fact that this health center will not have that type of staff. The facilities staff would be a smaller number of people. Banner's policy also states water features cannot be more than four inches deep due to the safety risk to children.

Mr. Klumb noted the Commission's concern over the height of the lighting poles. He explained the importance of the 25-foot height of these poles to Banner, both from a security issue during non-operating hours, and the fact that there will not have to be a parking light pole every 8-10 spaces. This height will give them a better distribution of light levels, and they will have cameras on them to constantly monitor parking fields. These light poles are the standard used with all of their health centers in the Valley. The poles are not taller than the building height in Phase I. Mr. Klumb explained the design of the light poles, being cement based and square lights. Chairman Sossaman asked for the applicant to provide a schematic for the light poles. The applicant concurred.

Chairman Sossaman asked if the applicant is meeting and exceeding the standard for handicapped spaces. Mr. Klumb stated most jurisdictions do not have a required number of handicapped spaces. It is driven by Americans with Disabilities Act (ADA). The guidelines state eight are required. The applicant is providing ten.

Chairman Sossaman asked what relief staff is giving the applicant on the landscape standard. Mr. Klumb responded the code is for 15 percent of the area of the parking lot, and the applicant is providing slightly above 10 percent. However, there is excessive open space all around the building. All of the open space will be landscaped at the edge of the parking lot. The applicant thinks they are also in excess of the tree requirements. The entire nine-foot buffer will carry additional trees throughout the parking lot.

Chairman Sossaman stated the standard speaks only to parking lot area, and asked if the entire facility is surrounded by landscaping, to which Mr. Klumb responded, "yes".

Chairman Sossaman stated there should be more detail, that is some type of performance based, for the art. He stated there are many types of water features that do not require four inches of water. Mr. Klumb stated he will get some concepts sent to the Planning Staff. Chairman Sossaman stated that in exchange for all the relief from Town requirements that Banner is getting, the Commission and Town Council will want to see some ideas for public art, such as creative water features, etc.

Commissioner Nichols stated he has quite a bit of experience with site planning and parking. He believes in some concepts put forth in the book, "the High Cost of Parking". He does understand the person who knows best is the applicant on how many spaces they need. He supports the waiver of the 15% landscape requirement going down to 10%, especially with the amount of landscaping around the perimeter. From an engineering standpoint, he would want the landscape retention pushed out to the perimeter. He wants to insure this condition is met. The ordinance says one tree should be placed for every 8 spaces. Trees around the perimeter are great, but they do not provide shade for people who are parking. He wants this requirement met by the applicant. He thinks the site plan makes this feasible. Commissioner Nichols suggested the Zoning Ordinance be changed to state that one tree per 8 spaces be exclusive of covered parking. The second part to this parking is that it is important to retain a maximum of 10 consecutive spaces without a landscape island. He does not feel this will be a significant impact to the site plan. Commissioner Nichols asked if applicant is agreeable to his suggested changes.

Regarding one tree per 8 spaces exclusive of perimeter spaces, Mr. Smith responded they already exceed one tree for every 8 spaces. Mr. Klumb stated they are trying to preserve as many of their spaces from a patient standpoint. They may be able to delete one space on each end.

Commissioner Robinson asked if they eliminate staff parking, would they be able to keep them out of the perimeters. This seems anti-productive. Mr. Klumb responded they may need to add one island; they would lose four spaces total. Commissioner Robinson said as long as it does not violate their desire for adequate staff parking, there should not be a problem.

Mr. Balmer summarized the discussion that just took place, stating art will be in phase I; the design of the light pole will be brought to Council. Additionally, maybe some benches could be included as part of the art work. That would allow some type of art in both Phases.

Chairman Sossaman opened the public hearing at 8:45 p.m. There were no public comments and the public hearing was closed.

COMMISSION DISCUSSION:

Commissioner Robinson asked why the plans for the final design of the light poles cannot be administratively approved at submittal, rather than worrying about light pole designs at this point. This can be submitted, approved or rejected at that point, but not right now. He would like to agree to an art feature, but not have the Commission be part of that decision on what the art feature will be. This should be approved by the architectural design staff. Chairman Sossaman asked for clarification on when that should come back to the Commission, if at all. Commissioner Robinson stated he does not think this is a decision to be made by the Commission.

Chairman Sossaman responded he would at least like to see the design of the pole as long as staff is granting relief from the height of the pole. The other issue is the landscaping relevant to parking spaces. The third issue is public art. Chairman Sossaman stated he wants more detail, at least wanting to know what the scale of the art work is, how it integrates, what is its purpose, and he wants to be convinced this qualifies for a public art piece in exchange for relief of the PAD requirements. If the Town gives relief to an applicant in this scale, there needs to be some more specific information, plans and details provided. He wants the applicant to come back with more detailed ideas. Chairman Sossaman added that if the Commission wants to leave these issues up to the Council's discretion, than that's fine too.

Commissioner Robinson questioned whether or not the detailed plans need to be presented at the time of Building Permit issuance. Chairman Sossaman stated the Commission would recommend approval tonight and Council would give final approval, but agreement needs to be received at this point.

Vice-Chairman Ingram provided background information on a previous project that was granted substantial relief, and in exchange the applicant was to provide a public art piece. To this day, there is no public art piece. It has never been provided. He pointed out Chairman Sossaman's point is that something performance based be provided relating to the art piece.

Commissioner Gad stated he would like to see this built out as soon as possible. He does not want to be a bureaucratic slow down to this. However, as a Commissioner, he wants to send a solid recommendation to the Council. He does not feel the aesthetics of a light pole should be decided at the Commission level. But he does want the art piece to be an aesthetic draw for the community.

Commissioner Nichols stated he does not feel as strongly as many of the Commissioners. After reviewing each of the PAD variances that were requested, he is in support of the requested variances. He would not vote to deny it based on the public art; however, he does feel it is wishy-washy to grant variances without seeing what will be provided in return. He feels this should be flushed out more

before a recommendation is made. If there is an option that this single public art item be brought back to Commission prior to a Certificate of Occupancy being granted, where this project could otherwise move forward, he would also support that. He does not think the light poles are that significant. His concern is it is a minimal component of this project and he would not let that hold up this project.

Commissioner Robinson asked if the Commission can recommend approval, but that a stipulation be included that the Commission must approve the public art work prior to building permit issuance.

Commissioner Gad stated originally this would be a recommendation to Council at its May 2 meeting. What would Council be able to take final action on? Would the Commission's recommendation enable the applicant to move forward with anything? Would anything take place within the next 30 days based on what Commission just recommended/discussed?

Mr. Balmer responded it would depend on meetings with applicant. He noted staff was remiss in not providing schematics for the light poles. He spoke about the differences between the existing light poles at Target versus what is proposed for Banner. Regarding the art, staff thought some type of art feature would be done in the first phase at the least. Staff would like to see some type of art feature when the project is first built. Staff could ask the applicant to get this approved by the Commission and Council prior to building permit issuance, however, he cautioned whether this one item should hold up the building and opening of the facility. There would also be a question as to who would ultimately be responsible for approving the art work.

Chairman Sossaman stated his concerns: is the art compatible with the building, does it serve its function, what is the budget for that piece, and why/how they're doing it. What function does it serve? Chairman Sossaman's concern is that this not be totally incompatible with the architecture of building. He wants to see something more than a park bench. He requested it be memorialized with one piece of paper detailing everything he asked for. Mr. Balmer asked when Chairman Sossaman wants to see this done. Chairman Sossaman responded that can be discussed.

Mr. Balmer asked how this should be performance based. Chairman Sossaman responded with the following questions: how does it integrate architecturally, what is it to be used for (sitting on, standing under, etc.); and what is the budget for this piece. Mr. Balmer asked if Chairman Sossaman wants to tie the cost of the art piece into the cost of the building. Chairman Sossaman responded, "no". He wants to see ranges, size and scope, and allow creativity on the part of the architect.

Commissioner Gad agreed with Chairman Sossaman that the concept of the artwork needs to be seen before this goes to Council because Council will have the same requirement in wanting to see something more specific and detailed.

The applicant agreed to have the artwork details presented to the Commission in May. To be compatible and enhance the character of the building, Commissioner Gad does not want to force the artwork to be tied to the character of Queen Creek.

Motion: Commissioner Robinson

To recommend approval RZ12-006/SP12-007 as presented, subject to the Conditions of Approval set forth in the staff report, with following additional stipulations:

- 1) **Commission receives prior to building permit issuance in writing an art concept with an explanation and budget for the Commission's review;**
- 2) **Spacing of parking spaces be within Town standards: one landscaped island for every 10 spaces.**

Second: Commissioner Nichols

Commissioner Gad amended the motion to include that the applicant redraw or factor the egress for safety such that there is not a 45-degree Y-shaped intersection; making it more of a right angle.

Second on the amendment to the main motion: Vice-Chairman Ingram

Discussion on the amendment: Commissioner Nichols stated he appreciates the intent and does not disagree that it is one way to proceed. From his engineering background, he feels there are a number of ways to proceed with the Y-shaped intersection the way it is already shown on the site plan, so he feels it is not necessary, but he will support the amendment.

Vote on amendment:

Aye: Sossaman, Reyes, Gad, Nichols.

Nay: Ingram, Robinson, Matheson.

Motion passed: 4-3

Voting on main motion: All ayes. Motion carried 7-0.

ADMINISTRATIVE ITEMS - all Administrative Items were concluded during the Work Study.

7. **Review** of next month's agenda items:
8. **Report** on Town Council Action.
9. **Communication** from members of the Commission and Staff
10. **Adjournment**

Motion: Commissioner Gad

To adjourn.

2nd: Commissioner Reyes

Vote: All ayes. Motion carried.

The meeting adjourned at 9:20 p.m.

PLANNING AND ZONING COMMISSION

By: _____
Steve Sossaman, Chairman

ATTEST:

Laura Moats, Development Services Assistant

I, Laura Moats, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the April 11, 2012 Regular Session Meeting of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 11th day of April, 2012.

Passed and Approved this 9th day of May, 2012.