



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

**February 8, 2006 7:00 P.M.**

**Town of Queen Creek – Council Chambers  
22350 S. Ellsworth Road, Queen Creek, AZ 85242**

1. **CALL TO ORDER**

2. **ROLL CALL**

**Present**

Chairman Schweitzer  
Vice-Chairman Shifman  
Commissioner Trapp-Jackson  
Commissioner Ingram  
Commissioner Atkinson  
Commissioner Perry

**Absent**

Commissioner Sossaman

**Staff**

**Present**

Planning Manager Brittingham  
Principal Planner Cady  
Senior Planner McCauley  
Plans Examiner/Inspector Ramos  
Administrative Assistant Moats

**Absent**

3. **CONSIDERATION OF MINUTES**

- Consideration of the January 11, 2006 Work Study and Regular Session Minutes.

**Motion:**                    **Commissioner Atkinson**

**To approve the January 11, 2006 Work Study and Regular Session Minutes, as presented.**

**2<sup>nd</sup>:**                            **Commissioner Trapp-Jackson**

**Vote:**                        **All ayes. Motion carried (6-0)**

4. **PUBLIC COMMENT** Members of the public may address the Commission on items not on the printed agenda. Please observe the time limit of three minutes. Speakers' cards are available at the door, and may be delivered to staff prior to the commencement of the meeting

There were no public comments.

### **PUBLIC HEARINGS**

5. **PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON PLANNED AREA DEVELOPMENT (PAD) AMENDMENT, PRELIMINARY PLAT AND LANDSCAPE PLAN APPROVAL FOR CIELO NOCHE SUBDIVISION (RZ16-05/S10-05)**. A request by Lisa Gage for KB HOMES for a PAD amendment to adjust or exclude certain development standards, i.e., alleyway development, transition landscape buffer, roadway tangents, fencing, and height limit for entry monument signs; and approval of a preliminary plat for a 149 lot residential subdivision on 62.6 acres and. The parcel has an R1-8 zoning designation (minimum 8,000 square feet lot size) and is designated as a Medium Density Residential area (2-3 homes per acre) on the General Plan Land Use Map with a proposed density of 2.76 homes per acre. The parcel adjoins the southwest corner of Queen Creek and Hawes Roads. **This request was originally continued at the request of the applicant at the January 11, 2006 Planning Commission Public Hearing. Staff is requesting an indefinite continuance.**

There was no staff report to present. The staff recommendation is to move for an indefinite continuance.

Chairman Schweitzer opened the Public Hearing opened at 7:10 P.M. There were no public comments. The Public Hearing was closed.

**Motion:** **Commissioner Trapp-Jackson**

**To continue indefinitely RZ16-05/S10-05, PAD Amendment, Preliminary Plat and Landscape Plan approval for Cielo Noche Subdivision.**

**2<sup>nd</sup>:** **Commissioner Ingram**

**Vote:** **All ayes. Motion carried. (6-0)**

6. **PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON A PLANNED AREA DEVELOPMENT (PAD) AMENDMENT, PRELIMINARY PLAT AND LANDSCAPE PLAN APPROVAL FOR VICTORIA PAD PARCELS 5 AND 9 (RZ 09-05/S 02-05)**. A request from Dale Willis of Victoria Land Investment Group LLC for a PAD amendment to exclude the 25 ft. development transition landscape buffer between the school site (Parcel 7) and adjacent residential lots; allow view fencing with 33% openness overall when abutting large open space tracts; allow 6 ft. solid side yard fencing abutting open space tracts; allow entry signs to exceed the maximum 5 ft. height to 6 ft.; and, allow 10 ft. front yard setback to porch/living area and 20 ft. rear yard setback; and approval of a preliminary plat for a 255 lot residential subdivision on approximately 54.5 acres. The two parcels have a zoning designation of PAD R-2 (PAD minimum lot size 4,000 s.f.). The property is located at the northwest corner of the future Ellsworth Loop Road and Ocotillo Road.

Senior Planner Michael McCauley presented the staff report, outlining the requested PAD Amendments, preliminary plat and landscape plan. A Z-lot configuration is being proposed in this subdivision. The entire subdivision includes an overall density of 2.17 dwelling units per acre. The applicant is providing 16% total open space (25 ½ % on this particular phase). Mr. McCauley outlined the surrounding zoning designations.

The applicant is requesting the following PAD amendments:

- 1) Eliminate 25-foot transitional landscape buffer bordering rear lots
- 2) View fencing with 33% openness, with open space tract.
- 3) 6-foot solid side yard fencing as opposed to 50% openness.
- 4) Two entry monument signs to allow monument signs to exceed maximum allowable height from 5 feet to 5 feet 8 inches.
- 5) 20-foot and 10 foot rear and side yard setbacks, applied to side entry garages.

Mr. McCauley noted that the staff report reflects the applicant's request for removal of the rubberized asphalt stipulation; however, the applicant has indicated they will not include this as part of the PAD amendment request and will comply with the rubberized asphalt requirement.

Also, referring to Stipulation #16, staff is now requesting that lots 218-221 be omitted from Stipulation #16, due to the fact that the applicant is providing a sufficient setback for homes adjoining the wash. (The School District has presented concerns against the 25-foot landscape buffer and want a solid fencing instead). Staff recommends support for the applicant's request to not install a fence at the transitional buffer near the school site.

Staff supports the relief being sought for fencing and entry monument signs, but is not supportive to lots exceeding allowable lot coverage; staff will not support the request for reduction in rear and front yard setbacks. Staff has received one e-mail in opposition to the applicant's request. The preliminary plat and landscape plat conform to the Subdivision and Zoning Ordinance, and the originally approved PAD. Staff is recommending approval of this, as well as the PAD amendment request, with the exception of the request for the 10-foot and 20-foot rear and side yard setbacks for side entry garage designs.

### **Questions from the Commission**

Commissioner Atkinson questioned if the Town has previously allowed 10-yard setbacks for side entry garages?

Mr. McCauley responded that he thought there were some allowances in the past, and added that these are relatively small lots to begin with.

Mr. Brittingham added that if the Town had granted allowances, it would've had to been in The Village where there is higher density, smaller lot sizes; however, he did not know positively.

There were no further questions.

Applicant, Ralph Pew, Pew and Lake, 1930 E. Brown Road, Mesa, Pew and Lake, addressed the Commission on behalf of Mr. Dale Willis of the Victoria Lund Group.

Mr. Pew addressed the following:

- 1) The applicant is requesting deviations due to the design of this project;
- 2) Applicant has agreed to rubberized asphalt;
- 3) Narrative addresses the reasons for the request for 10-foot setbacks in the front yard (placement of home on a relatively small lot);
- 4) Applicant is requesting deletion of Stipulation #3 on page 6 of staff report, which is a restatement of stipulation #25 on original Victoria approval. The concept was to provide decorative walls around the SRP substation and the Queen Creek Water company site; however, the parcels are now zoned R02 and a significant amount of landscaping buffers is included. SRP and Queen Creek Water Company will each construct their own walls or landscape buffer.
- 5) Applicant is requesting deletion of Stipulation #6 on page 6 of the staff report because this stipulation refers to small pocket parks, which could not accommodate the amenities stated in this stipulation. The recreation area, basketball court, soccer and baseball fields will be provided in the community park, approved as part of parcels 10 & 11.
- 6) Applicant is requesting deletion lots 218 through 221 on Stipulation #16 now that an 80-foot landscape buffer exists.
- 7) There is no specific product or builder on this project at this time.

Chairman Schweitzer requested staff direction on Stipulation #3 (page 6 of staff report). Mr. McCauley responded that the original PAD required the developers to provide screening for both of these tracts. Chairman Schweitzer asked what will be between the decorative wall and the wall SRP will provide? Mr. Brittingham responded that typically SRP will have their own security standards; however, the intent is not to have a double wall. Staff is only executing the screening requirement provided for in the original PAD approval.

Discussion took place on the height of the decorative wall and what type of wall SRP would most likely install.

Community Development Director Tom Condit stated that SRP will only build a chain link fence unless there are developer contributions through the Town. The intent is to allow the developer to participate in funding the additional cost of better wall.

Chairman Schweitzer referred to Stipulation #6, stating his agreement that soccer, baseball, and basketball amenities should not be in the pocket parks. Mr. McCauley responded that this stipulation/requirement is intended for the northwestern community park. Mr. Brittingham stated that staff will delete Stipulation #6.

There were no further questions from Commission.

Chairman Schweitzer opened the Public Hearing at 7:35 P.M. There were no public comments. The Public Hearing was closed.

Commissioner Atkinson requested something be worked out for additional height of the solid fencing. Commissioner Atkinson also voiced his agreement with Mr. Pew's view on the 10-foot front yard setback, citing allowing this will provides texture to the front of the lots. Mr. Atkinson concurs with the two-story homes near the 80-foot buffer yard; however, he feels the remaining requests from the applicant need to be studied further.

Commissioner Perry summarized his opinion on the requested amendments as follows:

- 1) In agreement with the 25-foot transition;
- 2) Not in favor of increasing sign heights;
- 3) 10-foot vs. 20-foot setback: he may consider; he may consider, however cannot decide without seeing the product.

Mr. Pew stated, since the timing of the product is dependent upon site interest, he cannot anticipate when the product will be presented.

Chairman Schweitzer referred back to staff for guidance on Stipulation #3 on page 6. Mr. Brittingham responded that staff can restructure this stipulation to include that the applicant shall work jointly with SRP. If this becomes an issue later, it will be necessary to return to Council for an amendment.

**Motion:**            **Commissioner Perry**

**To approve RZ09-05/S02-05, the preliminary plat, landscape plan and PAD amendment for Victoria PAD, Parcels 5 & 9, subject to all conditions set forth in the staff report and the following stipulations:**

- 1) including staff recommended stipulations 1,2, and 3; and a modified stipulation of the conditions of approval #3 : the decorative screening walls for the area to be coordinated with SRP, the developer and staff; Strike Stipulation #6; and modify Stipulation #16 to remove one-story requirements on lots 218-221.**

**2<sup>nd</sup>:**                **Commissioner Ingram**

**Planning Manager Brittingham clarified the motion to include no allowances for the requested 10 foot setback deviation for front-yard setbacks.**

**Commissioner Perry clarified his motion: He restated that he is not approving the setback request, nor the monument sign request.**

**Vote:**                **All ayes. (6-0) motion carried.**

**7. PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON REZONING, PRELIMINARY PLAT, PLANNED AREA DEVELOPMENT (PAD) AND LANDSCAPE PLAN FOR QUAIL CREEK SUBDIVISION (RZ 16-04/S17-04).**

**A request from Mark Pugmire of Highland Homes for a PAD approval to eliminate the required landscaped islands for cul-de-sacs, and rezoning approximately 29.8 acres from R1-43 (minimum lot size 1 acre) to R1-18 (minimum lot size 18,000 square feet) for 32 lots; and approval of a preliminary plat for a 37 lot residential subdivision on 37.4 acres, The property is located at the southeast corner of the Queen Creek Wash and Sossaman Road.**

Senior Planner McCauley presented the staff report. Mr. McCauley noted this had been presented to the Planning & Zoning Commission last summer, with a higher density. Due to staff and public concern, the plat has been revised.

The applicant is providing a 10-foot equestrian tract to the immediate east for the five adjoining one-acre lots for access to the wash. The preliminary plat and the zoning request are consistent with similar developments in the area, as well as the Zoning Ordinance and General Plan. The proposed density is 1.17 dwelling units/acre. The overall open space for entire project is approximately 30%.

Staff has not received any public comments on this request, and therefore, recommends approval of the request subject to the conditions set forth in the staff report.

Chairman Schweitzer asked about whether or not a two-story home is proposed on Lot 26 located on the far northeast corner? There is no buffer, and this is immediately adjacent to the wash. Mr. McCauley responded that typically, no two-story would be allowed along the wash, but since this is a one-acre lot and the wash is deep at this point, staff is agreeable to allowing a two-story home on this lot. Mr. Brittingham added that the Town policy on this issue is on homes "backing" to the wash. With a lot that has a home siding the wash, there is typically no restriction or stipulation.

The applicant, Mr. Brent Pugmire with Highland Ranch Construction, addressed the Commission, stating that the applicant will agree to stipulate that Lot 26 be a one-story home.

Stipulation #2 requires the applicant to provide full view triple rail fencing on Lots 26 through 30. The applicant is requesting this be revised as follows: The fence along the southern boundary of Lot 30 should be continuous to the other fence being provided along Twin Acres Drive.

Commissioner Perry, referring to the Neighborhood Meeting Minutes, quoted, "*Residents were concerned about building height in the future subdivision, (sic) they do not want to see two-story homes in the subdivision, as it will diminish the rural environment of the surrounding areas.*" According to the minutes, the applicant stated, "*...there will be no two-story homes in the subdivision. He said, more then (sic) once, that he would either build one-story product or deed restrict the property to single story homes if sold to another developer.*"

Mr. Pugmire agreed to stipulate that the entire community be one-story homes, with optional basements.

Commissioner Atkinson referred to the neighborhood concerns about the fencing, as stated in the Neighborhood Meeting Minutes.

Mr. Brittingham clarified that if the Commission agrees to grant the request for solid fencing, then this will be a PAD Amendment

Commissioner Ingram asked if the fence is on the inside or outside of the buffer.  
Mr. McCauley stated the buffer is outside the fence.

Mr. Pugmire clarified that the applicant would like to add the PAD request on the fencing.

Commissioner Atkinson asked if the improvements about Twin Acres Drive being barricaded on the east entry had been discussed.

Engineering Manager Jim Leubner addressed the Commission, stating the Town will require half-street improvements. What's existing will need two lanes going both ways in and out. Half-street improvements do not provide enough pavement for this. This will be addressed and reviewed with the final construction document submittal. Staff is addressing this modification. A final decision has not been provided. Access is required.

It was questioned if the three-rail triple fence on Lot 30 is still being required by staff. Mr. Brittingham responded by stating there is a difference between the five lots on the east and the other 32 lots in that these lots are one-acre with horse privileges. Staff is stipulating a rail fence will be around the one-acre lots because of the rural non-urban environment. Staff is not opposed to the quality or design of the fence.

Chairman Schweitzer opened the Public Hearing at 8:00 pm.

- 1) **Daniel Stratton: 20808 S. 194<sup>th</sup> Place:** His property borders two one-acre lots. Would very much like to see R1-43 zoning remain in this area. "So much of Queen Creek has been eaten up into higher density housing. Queen Creek advertises itself as a rural community." Other concerns he has: along the back fence on eastern boundary: he understands that the horse path was going to be 15 feet instead of 10 feet. He's been to other Planning Commission meetings where this 15 feet has been upheld. The Commission has addressed the residents' concern over the road abutting Mr. Lamb's residence. Neighbors are concerned over the height of the road. There is a 10 ½ foot difference in height. The neighbors are concerned about height and transition onto the existing Twin Acres Road. He added that he's glad that there is a stipulation regarding no two-story homes.
- 2) **Amy Stratton: 20808 S. 194<sup>th</sup> Place:** She moved here because of the rural atmosphere a little over a year ago. She likes being close to businesses in town. She wanted to raise her large family on land in order to facilitate her childrens' participation in 4H and learn responsibilities. The family owns ducks, geese, birds, a cat, a dog, and horses. The property borders this subdivision on the east. They are on a County island. But please consider their views. Nothing less than an acre surrounding their property. "Queen Creek continues to say they want to maintain a rural atmosphere, yet bigger projects are getting in the way."
- 3) **Ryan McQuaid: 20726 S. 194<sup>th</sup> Place:** His property is adjacent to Lots 26 and 27. He is concerned about the width of the horse path, and also concerned that the three-rail fencing stays consistent with existing rail fence. Also, who takes care of the horse path? His horse arena backs up to Lots 26 and 27.

There were no further public comments.

Chairman Schweitzer closed the Public Hearing at 8:10 p.m.



Mr. McCauley referred to the 15-foot equestrian path versus the 10-foot, stating that typically they are 12 to 15 feet. There have been exceptions in the past. If they are part of the PTOS plan, there are different guidelines. This project includes a 10-foot equestrian path.

Staff is still requiring three-rail fencing of the applicant.

### **Questions from the Commission**

Chairman Schweitzer questioned who will be responsible for maintenance.

Mr. McCauley stated that all tracts (including equestrian tract to the east) will be owned and maintained by the HOA.

Commissioner Ingram asked if landscaping is included in the 10-foot equestrian path. Mr. McCauley stated yes, the landscaping has been designed with PTOS requirements.

Mr. McCauley added that residents adjacent to the large lots will have access to the equestrian path.

Vice-Chairman Shifman noted that the horse path will not be wide enough at 10-feet with vegetation. McCauley responded this will be noted.

Mr. Leubner addressed the issue of the difference in height of the street tying into the existing Twin Acres Drive. He stated this will be addressed to make sure there is not a safety problem. Chairman Schweitzer stated his preference that staff include this as an addition to Stipulation #9. Mr. Brittingham responded that Town standards would not allow an unsafe transition roadway.

Commissioner Ingram noted that if the trail were increased to 15 feet, lots 45-60 would be reduced by five feet, and therefore, would not be one-acre lots.

Commissioner Atkinson asked if the landscaping in the path could be moved.

Brittingham referred to the northwest corner of Circle G at Hawes and Chandler Heights (a quarter-mile north), stating the interior trail system (alley) is 10-feet wide, with no landscaping. He noted landscaping does not have to be included in the equestrian path, and agreed that landscaping obstructs the path when it becomes mature. Mr. Brittingham agreed with suggestion to move landscaping to another part of the site.

Mr. Pugmire noted the applicant has been working with the neighbors on this project. The Town's General Plan calls for 2-3 dwelling units per acre, and the applicant is barely at one dwelling unit per acre. The 10-foot equestrian trail is being provided so everyone can use it.

**Motion:** **Vice-Chairman Shifman**

To approve RZ16-04/S17-04, Preliminary Plat, Landscape Plan, Rezoning, and PAD requests for Quail Creek subdivision, subject to all conditions set forth in the staff report; and the following changes: Stipulation #5 will be changed as follows: “No two-story dwelling units shall be permitted on lots 1 throu 8 and 37 IN THE ENTIRE SUBDIVISION; and the addition of Stipulation #11: “LANDSCAPING PROPOSED IN THE EQUESTRIAN TRACT SHALL BE RELOCATED TO THE LANDSCAPE AREA ADJACENT TO THE WASH. DETAILS OF THIS STIPULATION WILL BE RESOLVED WITH STAFF AS PART OF THE FINAL PLAT PROCESS.”

**2<sup>nd</sup>:** **Commissioner Perry**

**Discussion:** Commissioner Perry stated, “ These cases are always difficult. The applicant did a good job of making the transition, and many of the issues have been addressed. The General Plan allows 170 units on this parcel; however, the applicant is providing a only 37 and making a large concession, which is appreciated.”

**Vote:** All ayes. Motion carried (6-0)

8. **PUBLIC HEARING, DISCUSSION AND POSSIBLE ACTION ON REQUEST FOR APPROVAL OF REZONING, PAD, PRELIMINARY PLAT, LANDSCAPE PLAN AND SITE PLAN FOR QUEEN CREEK PROFESSIONAL VILLAGE(RZ07-05/SP10-05/S09-05)** A request from Arch Ratliff of Utaz Development for rezoning, PAD, preliminary plat, site plan, landscape plan and building elevations for an approximate 10.26 acre site, with 73,136 square feet of office condominium spaces. The current zoning is R1-6 Urban Development Type A, (6,000 square feet per dwelling unit), and the proposed zoning is C-1 Light Commercial. The site is located at the southwest corner of Ocotillo Road and Rittenhouse Road. **This item has been continued from the January 11, 2006 and December 14, 2005 meetings.**

Planning Plans Examiner/Inspector Ramos presented an overview of the staff report. Ramos noted the issues presented at the last P&Z Commission meeting in January. One of the minor stipulations added was for architectural revisions, including increasing chimney height and adding horizontal scoring. The other improvement was made on the Type H elevation, with improvements being made mostly on the side elevation. Additional wainscoting and pop outs were added to the design.

Proposed PAD Requests:

1. Maintain parking along the frontage of Re-aligned Rittenhouse Road.
2. The applicant is requesting a deviation from the section of the parking code that calls for a landscaped island to occur every ten spaces. Their current site plan identifies three (3) parking rows of eleven (11) spaces and two (2) parking rows of twelve (12) spaces, allowing for a total of 362, ten foot wide parking stalls .

Staff supported PAD Requests

1. Parking along re-aligned Rittenhouse Road
2. Offset:
  - a. Staff recognizes that the parcel is a “through lot” containing two (2) frontages.
  - b. The existing drainage conditions will result in a 74ft wide, landscaped, parking buffer.
  - c. The addition of a public art piece to the southeast corner of the site.

Staff is recommending approval of this project, subject to the conditions set forth in the staff report, with the additional stipulation that the applicant or successors in interest shall not proceed with additional construction of parking until the abandonment of Rittenhouse Road.

Chairman Schweitzer asked who will remove the block to the left-hand turn when Rittenhouse Road is abandoned. Jim Leubner addressed this issue. He stated this will be removed through the use of an encroachment permit by the applicant or property owner. He added that another stipulation can be added to ensure the developer is responsible. A Right-of-Way permit will be done.

Commissioner Atkinson asked if the design for Ocotillo Road includes a median. Mr. Leubner responded there will be a “No-left Turn” sign at the median, as well as appropriate striping. Engineering will look into whether or not there is a median at this location.

Mr. Ralph Pew of Pew and Lake, 1930 E. Brown Road, Mesa, addressed the Commission on behalf of Utaz Development, stating the applicant is concurring with Mr. Ramos’ staff report, stating Mr. Ramos has covered all issues. Mr. Pew stated the applicant is aware of the fact that the Town will not be responsible for removal of the “no left-turn” sign.

Chairman Schweitzer clarified for staff that the Town will not be responsible for removal of the “no-left-hand turn” sign.

Commissioner Atkinson asked if the artist for the public art has been chosen. Mr. Pew responded, yes; however he does not know exactly what the art will be yet. It will be Queen Creek friendly.

Chairman Schweitzer opened the Public Hearing at 8:30 pm. There were no public comments. Chairman Schweitzer closed the Public Hearing.

**Motion:**                **Chairman Schweitzer**

**To recommend approval of RZ07-095/SP10-05/S09-05, Queen Creek Professional Village, subject to the conditions set forth in the staff report; and the addition of Stipulation #21 as stated by staff.**

**2<sup>nd</sup>:**                    **Commissioner Ingram**

**Discussion:**        **Perry on 9 ½ foot parking spaces versus 10-foot. Commissioner Perry would like to see this as an ordinance change, and not just a PAD Amendment in the future.**

**Vote:**                **All ayes. Motion carried (6-0).**

#### **ADMINISTRATIVE ITEMS**

9. **DISCUSSION AND POSSIBLE ACTION ON A PRELIMINARY PLAT (S14-05) AND LANDSCAPE PLAN FOR QUEEN CREEK EQUESTRIAN ESTATES:** A request from Rob Bigelow of Landmark Engineering for a Preliminary Plat (S14-05) approval and landscape plan for an approximate 14.62 gross acre, 12 lot custom home subdivision. It proposes a density of 0.82 homes per acre (gross). The site is located east of the southeast corner of Cloud and Power Roads.

Planner Lumpkin presented the staff report. This is unimproved vacant agricultural land, with a proposal for 12 one-acre lots, with maximum density of .82, conforming to the General Plan. Planner Lumpkin also noted that with the landscaping proposal, the project is required to provide 2% open space; the applicant is providing 11% (including a multi-use equestrian trail on the southern portion). This project meets or exceeds all Subdivision and Zoning Ordinance requirements.

Commissioner Ingram questioned where the access point is. Planner Lumpkin responded there is a temporary access point on the north. Commissioner Ingram requested verbiage drafted that this access will be abandoned at a later date.

Commissioner Atkinson asked about the access off of Cloud Road.

Mr. Leubner responded the access is temporary, and there will be a requirement for a bridge or ADOT culvert, to be constructed per Engineering designs. Once the access road is abandoned and the other road is constructed, this will be barricaded.

Vice-Chairman Shifman asked if there is a 10-foot equestrian trail? Planner Lumpkin answered yes. Vice-Chairman Shifman is requesting that the vegetation be excluded to provide maximum use of the 10-foot equestrian trail.

Commissioner Atkinson asked if a cul-de-sac will be required when the road is abandoned? Ms. Lumpkin responded there will be space allowed for turn-arounds at both ends respectively.

**Motion:**        **Vice-Chairman Shifman**

**To recommend approval of S14-05 Preliminary Plat and Landscape plan for Queen Creek Equestrian Estates, subject to the conditions set forth in the staff report; and the addition of stipulation #16: ALL VEGETATION AND LANDSCAPING ON THE EQUESTRIAN TRAIL SHALL BE ELIMINATED IN ORDER TO MAKE FULL USE OF THE 10-FOOT PATH FOR EQUESTRIAN USES.**

**2<sup>nd</sup>:**            **Commissioner Perry**

**Vote:**           **All ayes. Motion carried. (6-0)**

10.    **REVIEW** of the next agenda cases.

- 1)    Design Review William Lyons Homes NEC Cloud and Ellsworth Road
- 2)    Design Review Emperor Estates IV West.
- 3)    Charleston Estates 160 acres Rezoning and Subdivision On Ocotillo across from Queen Creek High School
- 4)    Bashas' Phase 2 Retail Center, south 7 acres;
- 5)    Text Amendment on Neighborhood Meeting Requirements
- 6)    Burger King at Power Marketplace

11.    **REPORT** on Town Council Action.

Community Development Director Condit reported on the January 18<sup>th</sup> Town Council action:

- 1) Equipment standards for construction of signalized intersections; nature of Town Center area.
- 2) Professional Services Contract \$1.15 million for design of Riggs Road.
- 3) Annexation request for Lucia – northeast corner of Sossaman and Ocotillo; has been annexed;
- 4) Approved Lucia Project;
- 5) Held Public Hearing and approved land exchange on Anglin Park Site, approximately 78 acres;
- 6) Santo Vallarta Development – Town Council discussion on flood wall system issue. Operations & Maintenance agreement to be approved by the County;
- 7) Discussion on Design Review for Pulte Homes at Emperor Estates, Phase IV.

February 1, 2006 Town Council Meeting:

- 1) Approval of contract for Horseshoe Park and Equestrian Trail, Phase I;
- 2) Approval of revised IGA with Maricopa County; three-way agreement with County and Allied Waste to extend closure date of landfill and allow for increased fees to Town and greater participation by County to lessen Town's exposure;
- 3) Discussion on new Development Fee Increase. HBA in favor of new fees; will be presented for final action on 2/15
- 4) Vaquero Estates - Discussion
- 5) Cottage at Queen Creek Boutique - Discussion
- 6) Sossaman Estates III A & B - Discussion
- 7) Emperor Estates, IV. – Discussion

12. **COMMUNICATION** from members of the Commission and Staff.  
Brittingham noted that the Agenda books will now be provided in Laura's cubicle at the Development Services Building.

APA Annual Conference in San Antonio – Planning Assistant Moats stated who she still needs information from Vice-Chairman Shifman, Chairman Schweitzer and Commissioner Atkinson.

13. **ADJOURNMENT**

**Motion:** Commissioner Atkinson

**To adjourn.**

**2<sup>nd</sup>:** Vice-Chairman Shifman

**Vote:** All ayes. Motion carried (6-0).

**The meeting adjourned at 8:52 p.m.**

**PLANNING AND ZONING COMMISSION**

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Paul Schweitzer, Chairman

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Laura Moats, Planning 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 October 12, 2005 Regular Session of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 9th day of March, 2006.

Passed and Approved this 9<sup>th</sup> day of March, 2006