



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

**WHEN:** WEDNESDAY, SEPTEMBER 12, 2012

**WHERE:** TOWN HALL COUNCIL CHAMBERS

**TIME:** 7:00 p.m.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Queen Creek Planning and Zoning Commission and to the general public that the Queen Creek Planning and Zoning Commission will hold its Regular Meeting open to the general public on **WEDNESDAY, SEPTEMBER 12, 2012 AT 7:00 P.M.** in the Town Hall Council Chambers located at 22350 South Ellsworth Road, Queen Creek, Arizona.

**AGENDA**

1. **Call to Order:** Chair Sossaman called the meeting to order at 7:09 p.m.

2. **Roll Call** (one or more members of the Commission may participate by telephone)

**PRESENT**

Chairman Steve Sossaman  
Vice-Chairman Steve Ingram  
Commissioner Debbie Reyes  
Commissioner Ryan Nichols  
Commissioner Kyle Robinson  
Commissioner Alex Matheson  
Commissioner Gregory Arrington

**ABSENT**

**CITIZENS**

Keith Pharr  
Jeff Watson  
John Flores  
Karen Penfold Gardner

**TOWN STAFF**

Wayne Balmer  
Dave Williams  
Laura Catanese

Planning Administrator  
Senior Planner  
Senior Administrative Assistant

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 the August 8, 2012 Work Study and Regular Session Minutes.

- \* b. **Public Hearing and Possible Action on RZ12-057/SD12-058, Ocotillo Heights, Phase II**, a request for rezoning and subdivision plat approval of an approximate 64-acre residential subdivision to contain 174 lots. The property is currently zoned R1-43, and includes a request for design review approval of 5 floor plans with 3 elevations each. The property is located at the northwest corner of Signal Butte and Rittenhouse roads.
- \* c. **Public Hearing and Possible Action on RZ12-061/DR12-066, Cielo Noche**, a request for preliminary plat and design approval for 164 lots zoned R1-7 PAD with design review for 5 floor plans with 3 distinct elevations. The property is located at the southwest corner of Queen Creek and Hawes roads. There are approximately 63.3 acres of land for this property.
- \* d. **Public Hearing and Possible Action on RZ12-054/DR12-069, “The Estates at Hastings Farms”**, a request for preliminary plat and design approval for 344 lots to be zoned R1-7 PAD and R1-9 PAD, and includes seven new residential standard plans. The proposed plans include four single level designs ranging from 2,279 to 2,997 square feet and three two story designs ranging from 3,608 to 4,154 square feet. The property is located at the northeast corner of Ellsworth and Cloud roads, and includes approximately 147 acres.
- e. **Consideration and Possible Action on DR12-067, Villagio by Maracay Homes**, a request for design review for 135 lots with three elevations each for single and two-story plans. Single level designs range from 2,339 square feet to 2,632 square feet. Two-story plans range from 3,389 to 4,012 square feet. The property is located on Queen Creek Road, east of Sossaman Road.

\* Item C was removed from the Consent Agenda for presentation and further discussion.

**Motion:**        Vice-Chairman  
                      **To approve the Consent Agenda, as presented, without Item C**

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

**Vote:**            **All Ayes. Motion carried 7-0.**

### **Cielo Noche Presentation**

Dave Williams, Senior Planner presented this case to the Commission. The applicant proposes a gated community subdivision with 2 access points onto Queen Creek Road. When the case first was submitted and known as Emperor Estates, this property was to connect with the street network to Roman Estates on the south and Villagio on the west side. Both subdivisions have expressed a desire to eliminate these connections to minimize pass through traffic and support the K Hovanian proposed design for Cielo Noche. The proposed density for the subdivision is 2.6 DU/AC (consistent with the General Plan Land Use Map for Emperor Estates). The applicant’s request proposes:

- 1) To decrease from the R1-7 standard lot width of 70’ to 65’.
- 2) To increase the lot depth from the standard 100’ to 125’ (minimum lot size of 8,125 sq. ft).
- 3) To maintain the standard 20’ setback to a front facing garage with a 15’ setback to the covered porch, living area and/or a side entry garage (Staff is supportive of these deviations).
- 4) To increase lot coverage to 48% for Plan 5003 only (the largest single story floor plan).
- 5) To increase the garage face percentage from 40% to 43% for all floor plans.
- 6) A deviation from the Town’s standard policy of no more than one in three homes along an arterial street to be two story homes with no more than 2 two story homes side by side. Staff

recommends an alternative of no more than 9 two story homes with no two 2 story floor plans side by side.

7) An amenity package designed to appeal to all ages.

Staff has advertised the public hearing in the Arizona Republic (Gilbert Edition), posted 3 large public hearing signs on the property in conspicuous locations and mailed letters to all property owners within 1200' of this proposal. Staff has received some questions related to the case, all of which resulted in positive comments about the proposal. Staff supports approval of this request as presented.

#### **QUESTION/COMMENTS FROM THE COMMISSIONERS:**

**Commissioner Nichols: Will the builder finish the northeast roadway that has curb returns?**

No, the builder will not be required to finish the roadway. It will become open space.

**Commissioner Nichols: Will there be a third connection point along this roadway?**

**We normally do not allow a long roadway without some type of roadway. Is there a reason for not abandoning this right-of way?**

The Town does not want to abandon this right-of way because there are water and sewer lines underneath the roadway.

**Commissioner Nichols: Installing scuppers would redistribute the water and sewer lines.**

Yes, scuppers could be installed but the Town does not want to risk damage to the existing sewer/water lines by tearing up the asphalt.

**Commissioner Nichols: Asphalt deteriorates quickly without usage (traffic on it). Will this increase maintenance costs for the Town?**

Town Engineering staff looked at the pros and cons concerning this roadway and concluded that fog sealing the roadway every 5 years would sufficiently maintain the street.

**Commissioner Nichols: What about leaving the roadway as is and creating a cul-de-sac?**

**Chair Sossaman: The roadway is part of a private community and residents of the subdivision may not want to give the public access (to parks).**

**Vice-Chair Ingram: All models are 50' wide. Does it matter so much if some exceed the 40% garage frontage standard? From looking at the elevations, I really cannot discern which model exceeds the standard.**

**Commissioner Arrington: Model 5003 has the 43% garage frontage.**

Applicant Greg Davis addressed the Commission explaining that the planned project is a 2.76 dwelling unit per acre case. Lot sizes vary from 8,000 square feet to 10,000 square feet. The 43% garage frontage is an enhancement feature that brings uniqueness to the subdivision, a more "elegant" product to Queen Creek. Design took privacy issues into consideration by only having single story homes built in the front. This product is currently being offered in some Town of Gilbert subdivisions.

Associate Kristen Howe addressed why the builder decided to offer the 43% garage frontage. Better construction (2 x 6 garage frontages vs. the typical 2 x 4 construction) "boosts" the builders profile and allows a higher end product to be offered in Queen Creek. If the embellishments are removed from the garage frontage the ratio is 42%. The benefits of the 43% garage frontage include:

- A better constructed end product
- More articulate elevations
- Extra frontage is not detrimental to design
- More practical interior space (more storage area)

## **PUBLIC HEARING**

Chair Sossaman opened the Public Hearing at 7:45 p.m.

**Keith Pharr, 24607 S. 213h Way, Queen Creek, AZ 85142**

Mr. Pharr wanted to comment on Item 4D but didn't realize it had been approved with the Consent Agenda. Chair Sossaman informed Mr. Pharr that he could attend the October 3 Council meeting to share his comments/concerns. Dave Williams, Senior Planner, discussed this case with Mr. Pharr privately while the meeting was in progress.

**Jeff Watson, 20814 S. Claudius Road, Queen Creek, AZ 85142**

Mr. Watson purchased his current residence because of the large park behind the house. Since purchasing the residence, the park has been cut by two-thirds, and with the development of Cielo Noche, the park will diminish further resulting in less than 100 square feet. As there has been no formal process approval for this proposed subdivision, Mr. Watson will make a request to his HOA to make a formal presentation at the October 3 Council meeting.

**John Flores, 20892 S. Claudius Road, Queen Creek, AZ 85142**

Mr. Flores also purchases his home because of the large park in back of the house and also because there were no two-story homes behind the home. Mr. Flores is also concerned that leaving the existing roadway in place will invite an unwelcomed element into the neighborhood.

**Karen Penfold Gardner, 20840 S. Claudius Road, Queen Creek, AZ 85142**

Mrs. Gardner was concerned about privacy issues should any two-story home be built behind her home, stating that her privacy would be violated should a two-story home be built behind her house, and have an open view to her back yard through the open fence.

**John Flores, 20892 S. Claudius Road, Queen Creek, AZ 85142**

Mr. Flores was recalled to the podium by Commissioner Nichols to point on the overhead map the location of his home. Mr. Flores asked if the proposed 6 foot view fence will allow pedestrian access to the park. Chairman Sossaman responded that no, the gate will not have pedestrian access due to liability issues and because the park is actually a part of the Cielo Noche subdivision and its' residents will be paying the HOA fees that maintain it.

Chair Sossaman closed the Public Hearing at 7:58 p.m.

After presentation by staff and the applicant, the Commission recommended approval of RZ12-061/SD12-066 "Cielo Noche", with the following additional stipulations:

**Motion: Commissioner Robinson**

To approve RZ12-061/DR12-066, "Cielo Noche" with the following stipulations:

**"To accept the 43% garage frontage, to modify the southwest roadway to be more "aesthetically pleasing" and to allow only single story homes be built on lots 48-50".**

**1<sup>st</sup> Amendment: Commissioner Nichols**

To amend the main motion to include:

**"To add lot 29 to the stipulation regarding the single story home stipulation, to change the roadway stipulation to read that the existing asphalt be removed up to the point of the gate and to continue the curb, gutter, and sidewalk for the entirety of Claudius Road".**

**2<sup>nd</sup> Amendment: Vice-Chair Ingram**

Approval of all previously stated amendments and to amend the stipulation concerning single story homes to read: **"To allow only single story homes to be built on lots 1-7, 108-116, and 121-130. To change item 4 under "Conditions of Approval" to read "No more than 10 two-**

story homes be built along Queen Creek Road with no more than two (2) two-story homes side-by-side”.

**Motion:** Vice-Chairman Ingram  
To modify the Main Motion to include all Proposed Amendments.

**2<sup>nd</sup>:** Commissioner Gregory Arrington

**Vote:** All Ayes. Motion carried 7-0.

**Main Motion FINAL:** Chair Sossaman

To approve RZ12-061/DR12-066, “Cielo Noche” with the following stipulations:

“To accept the 43% garage frontage, to allow that only single story homes be built on lots 29, 48, 49, & 50. To remove the existing asphalt/roadway up to the point of the gate and to continue the curb, gutter, & sidewalk for the entirety of Claudius Road. To only allow single story homes built on lots 1-7, 108-116, and 121-130. To change item 4 under “Conditions of Approval” to read that “No more than 10 two-story homes be built along Queen Creek Road with no more than two (2) two-story homes side-by-side”.

**2<sup>nd</sup>:** Vice Chair Ingram

**Vote:** All Ayes. Motion carried 7-0.

#### **PUBLIC HEARINGS AND FINAL ACTION**

\*Item 5, was moved up in the agenda prior to Item 4.

**5. Discussion and possible action** on the appointment of a Chair and Vice Chair for the Planning & Zoning Commission.

**Motion:** Commissioner Matheson

To re-appoint Chair Sossaman and Vice-Chair Ingram to their respective office and duties.

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

**Vote:** All Ayes. Motion carried 7-0.

#### **ITEMS FOR DISCUSSION**

**6. Discussion on 40% garage frontage requirements for single family homes**

Current design standards (40% garage frontage) were adopted in 2009. Some standards are more “resolutions and guidelines” rather than strict requirements and some standards became actual ordinances/requirements. Council policy is to use the 40% garage standard to measure compliance when deciding a case, unless presented with something unique. Vice-Mayor Benning would like to discuss 40% garage frontage standards at the September 19 Council and would value the Commissions’ input.

#### **QUESTION/COMMENTS FROM THE COMMISSIONERS:**

**Commissioner Robinson:**

More flexibility should be included in the standards so as to keep pace with market trends.

**Commissioner Nichols (referring to garage picture handout):**

The picture shows a garage with a larger return. Generally, expanded garages do not usually have architectural embellishments.

**Chair Sossaman:**

Architectural embellishments are subjective to the individual and subject to interpretation, so how does a builder comply with the standard?

**Commissioner Robinson:**

By using the garage door that faces the street (side garages do not matter as much).

**Chair Sossaman:**

The architectural enhancements are not prominent on Model 5005 which has the 43% double recessed garage door. Narrower/deeper lots are harder to design. We need to set a firm standard. Put the onus on the builder to explain non compliance to the standard.

**Commissioner Nichols:**

How is the 43% garage frontage more “architecturally enhanced” than the 40% garage frontage?

**Dave Williams, Senior Planner:**

The 43% garage frontage is a double recessed garage; 12” on each garage side is taken from the livable square footage of the home. A double recessed garage adds the enhanced feature of more storage space.

Currently, the dominant garage in the design is used to create the basis for comparison when deciding compliance to standard. Wayne Balmer suggested making the garage door width the standard for compliance. The Commission agreed that adopting the garage door width as the new garage frontage standard was reasonable.

**7. Presentation and discussion on Home Construction – Soon and Sooner**

Wayne Balmer, Planning Administrator gave the presentation on this item. Permit issuance for Single Family Homes has increased nearly 100% as compared to the same period in 2011. There are currently 883 existing lots still available in the Towns’ active subdivisions, and all these subdivisions have active builders. There are 2,410 upcoming lots in subdivisions that total to 3,293 lots. The Town is also updating its’ General Plan Amendments (2012). Building on this scale can increase the Queen Creek population total to 31,337 within a short period of time. The estimated population for Queen Creek in 2020 is 41,970.

**UPCOMING LOTS**

- Victoria Estates, Parcels 10, 11, & 11A (Taylor Morris, 421 lots)
- Hastings Farms East (William Lyon Homes, 342 lots)
- Ocotillo Heights, Phase II (Dr. Horton, 170 lots)
- Cielo Noche (K Hovanian Homes, 161 lots)
- Emperor Estates, Phase 4 East (K Hovanian Homes, 92 lots)
- Emperor Estates, Phase 4 West (Lennar Homes, 104 lots)
- Villagio (Maracay Homes, 135 lots)
- The Pecans (Blanford Homes, 44 lots) – Phases 4, 5, & 6 coming soon
- Montelena (Maracay Homes, 58 lots remaining)
- Sossaman Estates, Three A (in escrow, 123 lots)
- La Jara Farms (VIP Homes, 96 lots)
- Ash Creek, Phase II (Fulton Homes, 50 lots)
- Charleston Estates (Standard Pacific Homes, 347 lots)
- La Siento (KB Homes, 267 lots remaining)

**2012 GENERAL PLAN AMENDMENTS**

- Church Farms, 2,300 lots
- Queen Creek Station
  - Fulton Homes, 630 lots
  - San Tan Settings, 380 lots
- Bellero, 200 lots
- Box Canyon, 3,000 lots

Gilbert is quickly approaching build out. Builders are hesitant to construct in San Tan Valley. Mesa is building the first leg of the SR 24 to Ellsworth Road. DMB and Pacific Proving are starting construction on the former GM property. Phoenix-Mesa Gateway Airport/ASU is continuing to grow and renewed interest in commercial building will increase with Queen Creek’s rise in population. Finally, most dormant residential subdivisions are now owned by builders. The Town already has 800+ “shovel ready” lots with 3,000+ new lots now in the pipeline. Queen Creek has the potential for 6,500+ lots in the very near future and increasing population will spur an increasing interest in new commercial uses.

**8. Presentation and discussion on Population Growth**  
Population growth was covered in Item 7.

**ADMINISTRATIVE ITEMS**

**9. Review of next month’s agenda items.**

**10. Report of Town Council Action.**

**11. Summary of Events** from members of the Commission and Staff. *The Commission may not propose, discuss, deliberate or take action on any matter in the “summary” unless the specific matter is properly noticed on the Regular Session agenda.*

a. **ULI Boards and Commissions Conference**  
Friday, December 7, 2012  
Black Canyon Conference Center, Phoenix

b. **Designated seat on Town Center Committee**  
Jason Gad was the designated P&Z representative at the Town Center Committee meetings and can no longer sit on the committee now that he is a Council Member. Chair Sossaman asked interested Commissioners contact Wayne Balmer directly for more information.

**12. Adjournment**

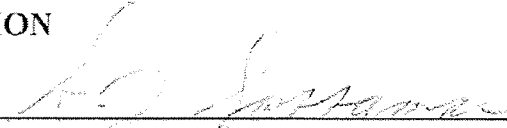
**Motion:** Commissioner Matheson  
**To adjourn.**

**2<sup>nd</sup>:** Vice Chair Ingram

**Vote:** All Ayes. Motion carried 7-0.

The meeting adjourned at 8:48 p.m.

**PLANNING AND ZONING COMMISSION**

By:   
Chairman Sossaman

ATTEST:  
  
Laura Catanese, Senior Administrative Assistant

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I, Laura Catanese, 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 September, 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 13<sup>th</sup> day of September 2012.  
Passed and Approved this day of 10/10/12