



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

WHEN: MONDAY, NOVEMBER 5, 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 Special Session Meeting open to the general public on **MONDAY, NOVEMBER 5, 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:** Chairman Sossaman called the meeting to order at 7:03 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 Kyle Robinson
Commissioner Alex Matheson
Commissioner Ryan Nichols

ABSENT

Commissioner Gregory Arrington

TOWN STAFF

Wayne Balmer
Planning Administrator

Dave Williams
Senior Planner

Laura Catanese
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 October 10, 2012 Work Study and Regular Session Minutes.**

MOTION: Commissioner Robinson

To approve the Consent Agenda, as presented.

2nd MOTION: Commissioner Matheson

VOTE: All Ayes. Motion carried 6-0.

PUBLIC HEARINGS: If you wish to speak to the Commission on an item listed as a Public Hearing, please complete a ***Request to Speak Card*** and turn it in to Town Staff. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

- * *All General Plan Amendment presentations were given by Wayne Balmer, Planning Administrator.*
- ** *The Chairman pulled item #7 the agenda order and was the last item covered so as to give sufficient time for citizen's to arrive for the Public Hearing.*

5. Public Hearing and Possible Action on GPA12-047, Box Canyon, a Staff initiated request to amend the text and add a new Goal 6 to the Environmental Planning Element of the Queen Creek General Plan.

Under this proposal, overall density of 1 dwelling per acre is being proposed for increase to 1.8 dwellings per acre in recognition of the exceptional infrastructure and development constraints that will affect the future use of the property. There is not a specific development proposal available for review in conjunction with this request. In the future, additional information would be provided on how the proposed "Master Planned Community" would be developed, including the proposed uses, and the planned infrastructure system. The intent of this amendment is to provide an additional General Plan Goal to provide guidance for the future development process.

QUESTIONS/COMMENTS FROM THE COMMISSION

There were no questions or comments from the Commission.

PUBLIC HEARING

Chair Sossaman opened the Public Hearing at 7:17 p.m.

Troy Peterson, Queen Creek, AZ 85142

In Favor: Thanked staff for initiating the Box Canyon General Plan Amendment. The potential of the Box Canyon area is phenomenal.

Dan Reeb, Mesa, AZ

In Favor: This is a potential resort site, a real asset to the Queen Creek community. Box Canyon is a beautiful area to enjoy the desert Sonoran environment. Thanked staff for initiating this project.

Ruben Valenzuela, 20302 E. Superstition Drive, Queen Creek, AZ 85142

How stable is the ground in the Box Canyon area? In the 1960's there were numerous, large fissures in the area. Recommended a geological study be conducted before proceeding further. *Chairman Sossaman responded that Maricopa County has a map of all known fissures on their website, available to the public. The State of Arizona website has an interactive fissure map. No known fissures exist in the Box Canyon area being proposed. A geological study of the area is required from the developer when submitting a project for approval.*

MOTION: Commissioner Nichols

To approve GPA12-047, Box Canyon, as presented.

2nd MOTION: Vice-Chairman Ingram

VOTE: All Ayes. Motion carried 6-0.

6. Public Hearing and Possible Action on GPA12-048, Bello, a request by Greg Davis on behalf of Arcus Private Capital Solutions to amend the General Plan Land Use Map for 122 +/- acres at the northeast corner of Ellsworth and Empire roads from Very Low density Residential (0-1 dwellings per acre) to Low Density Residential (0-2 dwellings per acre).

Town Council approved the Pegasus Estates subdivision in 2004, which currently exists on this 122 acre property. The subdivision has 88 lots and is a rezoned R1-35 PAD, complying with the current General Plan designation of Very Low Density Residential (0-1 dwellings per acre). The applicant is proposing to modify the approved plan to develop a subdivision of 182 lots which will require both an amendment to the General Plan to authorize a change to Low Density Residential (0-2 dwellings per acre) and later rezoning of the property.

During 2007-8 General Plan discussions, there was significant discourse about the Town's retention of one acre lots, particularly in areas with an equestrian presence. This resulted in most of the Town southwest of the Sonoqui Wash being designated Very Low Density Residential (0-1 du/ac). As a result of the changing economic conditions since 2004, the applicant is requesting reconsideration of both the existing General Plan designation and the R1-35 zoning through submittal of this case and rezoning case RZ12-077 (dependent upon approval of this General Plan amendment).

Staff is recommending the increase in density be limited to 1.4 dwellings per gross acre, or 178 units. The intent is to allow a somewhat increased density, while still allowing an appropriate transition to Pegasus Airpark to the east and retaining the "low density residential" character the Town Council intended when the General Plan was originally approved. The existing project is no longer viable, and a project with smaller lots can still provide a distinct character consistent with the goals of the General Plan, compatible with the character of the surrounding area.

QUESTIONS/COMMENTS FROM THE COMMISSION

Commissioner Nichols: The focus seems to be on the transition between properties. Did the residents ask for more of a buffer? No, the residents did not ask for any additional buffer, and only two residents came to the neighborhood meeting. The increased buffer area was developed and added as an improvement to the original design.

Commissioner Nichols: Is there a large inventory of 1 acre lots? Yes, currently the Town has a surplus of 1 acre lot properties (ranging from 1,800 – 2,200 square feet).

APPLICANT PRESENTATION: Greg Davis

The changing economic landscape was the impetus for requesting a change in density classification. There's been a drastic change in lending and it is now very difficult to obtain an unsecured loan. Consumers have also changed their spending habits as a result of the economic decline and many cannot afford to put 50% down on a new home. Several public meetings have been held and the design meets the interest of the majority. The density change request is not a radical request or even new to this community. Smaller lots coexisting with larger lots can be found in Circle G and Terra Ranch subdivisions. This design is very sustainable one and a practical land use model. The builder is agreeable to reducing lots in the subdivision from 182 to 178 but asks for the density to be increased to 1.5 du/ac instead of 1.4 du/ac. Some of the benefits of this request include:

- Improves the Town's allocation of infrastructure
- Expansion of the property tax base
- A more sustainable design than offering large lots only
- An increased absorption in both healthy/weak real estate markets.

PUBLIC HEARING

Chair Sossaman opened the Public Hearing at 7:53 p.m.

Jason Barney, Arcus Capital Solutions

In Favor: A lot of effort was made to make this project better than the original plan. Increasing the buffer allows us to offer stronger, high quality product to the customer.

MOTION: Vice-Chairman Ingram

To approve GPA12-048, Bellerio per staff recommendation with one change, as follows:
Gross density is not to exceed 1.5 dwellings per acre.

2nd MOTION: Commissioner Robinson

VOTE: All Ayes. Motion carried 6-0.

7. **Public Hearing and Possible Action on GPA-12-049, Queen Creek Station, a request by the Rose Law Group on behalf of Fulton Homes to amend the General Plan Land Use Map for 503 +/- acres of the Queen Creek Station project's 1,139 acres located on both sides of Ellsworth Road between Germann and Queen Creek roads from Employment B to Medium High Density Residential -A (3-5 du/ac), Mixed Use to Medium High Density Residential -A (3-5 du/ac), Very Low Density Residential (0-1 du/ac) to Medium High Density Residential -A (3-5 du/ac), Medium High Density Residential B (3-8 du/ac) to Medium Density Residential -A (3-5 du/ac) and Medium High Density Residential -B (3-8 du/ac) to Mixed Use. Amendment of the Transportation and Circulation Element of the General Plan is also requested to reflect that Ellsworth and Queen Creek roads retain their current alignments.**

This request incorporates several significant changes to the General Plan that were approved as part of the Queen Creek Station project in 2007. The original design included substantial commercial and mixed use areas. Two new categories were developed for the original project:

- A. MHDR-A = Medium High Density Residential Type A (up to 5 dwellings per acre)
- B. MHDR-B = Medium High Density Residential Type B (up to 8 dwellings per acre)

Significant, multi-faceted public outreach efforts for this case have been made by the Town and Fulton Homes. Informative letters from the Town and Fulton Homes were mailed to residential property owners within 1200' of the project site, and included event details of scheduled neighborhood/public meetings. Information was posted on the Town of Queen Creek website and Facebook pages at project inception (July 18). Press releases were provided to the media and the Town hosted two Open Houses (August 29 & October 11). A public hearing notice was advertised in the Gilbert Edition of the Arizona Republic. Three articles were published in the Arizona Republic and Queen Creek Independent which outlined the proposed changes. Last, but certainly not least, public hearing signs were posted on the property.

The net result of the requested changes is that many of the elements that made the present Queen Creek Station project "unique" will be replaced by a new development concept that emphasizes *current* development trends and more typical types of land uses. The applicant proposes:

- Retention of Ellsworth and Queen Creek roads in their current alignments, rather than relocating them further north and east. By retaining Queen Creek Road on its' current alignment there will be a 1,400' offset between Queen Creek Road and the new road to the north. This offset will both increase traffic on Ellsworth Road, and reduce traffic on the new road further north.
- Reduce the amount of Mixed Use development proposed, and relocate the existing Neighborhood Commercial location to the northeast corner of Ellsworth and Queen Creek roads, across from Queen Creek Middle School.
- Reduce the amount of Very Low Density Residential (0-1 du/ac) adjacent to single family residential areas to the north and south of the project.
- Reduce the amount of Employment A and replace it with Medium High Density Residential A (up to 5 du/ac).

- Replace most of the Very Low Density Residential (up to 1 du/ac) and all the Medium High Density Residential B (up to 8 du/ac) with Medium Density Residential A (up to 5 du/ac).

Fulton Homes has acquired 230 acres on the west side of Ellsworth Road and would like to proceed quickly into development. The other land owners are not yet ready to proceed. In order to address these road alignment and land use questions which affect their property, Fulton Homes as applied for this General Plan amendment not only on their behalf, but on behalf of all owners within the entire original Queen Creek Station project; the only exception being the Juwi Solar facility.

Staff recommends the proposed modification of the Transportation and Circulation Element be **approved** as proposed. Staff recommends the proposed modifications to the Land Use Element be **approved, with the following exceptions:**

1. The proposed change from the proposed changes from Employment B, Mixed Use, Very Low Density Residential (up to 1 du/ac) and Medium High Density Residential B (up to 8 du/ac) to Medium High Density Residential –A (up to 5 du/ac). Staff would recommend these proposed changes be to the **Medium Density Residential (up to 3 du/ac) land use classification** in lieu of the Medium-High Density Residential-A (up to 5 du/ac) classification requested.
2. The Employment A to be reconfigured to **retain 30 acres** at the northeast corner of the proposed Queen Creek Parkway and Ellsworth Road.

QUESTIONS/COMMENTS FROM THE COMMISSION to Mr. Balmer

Commissioner Robinson: The extreme north area (top, left side of Requested Land Use Map) is not included in the proposed changes, correct? Yes, that is correct. That area will remain in the current land use classification.

Chairman Sossaman: So the changes come down to the staff recommendation of 0.3 du/ac vs. the applicant's requested 0.5 du/ac and a reduction in the Employment A area.

Commissioner Robinson: Is the southwest section on the Requested Land Use Map the Town Center? Yes, the section directly due south is the Queen Creek Marketplace.

Chairman Sossaman: Is there a change in the buffer around the Abel-Moody transmission power line? The buffer area got narrower but remains 100' as required by the utility.

Commissioner Nichols: Are any other areas in Queen Creek designated as MHDR-A or MHDR-B? How does this proposal reduce competition with Town Center Design Plan when mixed use is not in the current plan? Barney property has the same MHDR-A designation. The updated Town Center Design Plan does show mixed use land areas (updated April 7, 2010).

Commissioner Matheson: What is the Employment A difference between what staff recommends and the applicant's proposal? The same Employment A area is maintained, it just has a different configuration.

Commissioner Robinson: The focus of tonight's case is on land use development rather than rezoning decisions (Fulton's proposal shows a development concept).

Vice-Chairman Ingram: Please address the issue of how a mediator is appointed.

The Town has 7 mediators who comprise the Town Council. The Commission's duty is to make a recommendation to Council, either for or against, proper land usage. The Council can take up the issues of what is the proper density and what should the transition area be.

Commissioner Nichols: The circulation and transportation elements of this case are the largest components of the proposed changes. Would Ellsworth and Queen Creek roads stay on their

current alignment? Ellsworth Road would be straightened out while Queen Creek Road could still continue to curve north, but it would be best if the two were treated as a package.

Vice-Chairman Ingram: What is the current and proposed Mixed-Use acreage?

Staff has recommended 87 acres of land while the currently approved total is 200 acres of land (i.e. Queen Creek Market Place is 40 acres).

***Wayne Balmer called the Commission's attention to a packet of letters the Town received on this case (some by mail, some by email) that was included in the Commissioner's meeting handouts. Letters received will be included with the meeting minutes for public record.**

APPLICANT PRESENTATION: Jordan Rose, Rose Law Group

Fulton Homes is excited to be building in Queen Creek again! Our thanks to staff (Wayne Balmer) for doing their due diligence providing a coordinator effort to unite the other land owners included in this case. The majority of the landowners are in agreement over the proposed changes (3 du/ac) but Jorde Farms would prefer 5 du/ac designation. Fulton has organized 10 individual neighborhood meetings and 2 full neighborhood meetings for this proposed subdivision and has worked very hard to make it compatible with the surrounding area. All public requests received at the meetings have been satisfied with the exception of the small animal request. Fulton has designed a double wall between Queen Creek Station and Ellsworth Suburban Mini Farms to provide an appropriate buffer. In an effort to be accommodating to neighbor concerns, Fulton has updated their design plans to include:

- More greenbelts and a 220' transition area from back of home to back of home (Ellsworth Suburban Mini Farms).
- No access onto Ryan Road.
- No access onto Hawes Road; Fulton Homes has purchased the triangle portion on the map so Hawes Road will never be continued in the future.
- Provided a traffic signal onto Ellsworth Road.
- Put in a separate bridle trail.
- No more than 50% of the homes will be two-storied.

Chairman Sossaman stopped the applicant at this point to explain that this was not a rezoning case but a land use case to be judged by land use patterns, consistency with the General Plan, and reviewed for any potential adverse land use impact.

PUBLIC HEARING

Chair Sossaman opened the Public Hearing at 8:50 p.m.

Ben Rogers, 20326 E. Ryan Road, Queen Creek, AZ 85142

Opposed: I purchased my home because I wanted a lot of land. There has been a drastic reduction in open space since I purchased my property and I do not approve of the proposed change to further reduce the open space from 400' to 100'. We are willing to work with the builder but a larger buffer is needed.

Derek Neighbors, 21469 E. Lords Way, Queen Creek, AZ 85142

Opposed: It is criminal to reduce the Employment A area! Queen Creek needs to develop a strong employment base and stop relying on (housing) development fees. If Queen Creek citizens need to leave Town for work, the Town's sales revenue will plummet. Please deny this request and respect the current General Plan open space requirements.

Bryce Hagen, 20633 E. Superstition Drive, Queen Creek, 85142

Opposed: The current General Plan should be upheld and this proposal does not fit the General Plan. Fulton is not providing a sufficient transition area. Another thing to consider is that farm animals are noisy, smelly, and attract flies. Is Council ready to handle the potential complaints? Please deny this request.

Ruben Valenzuela, 20302 E. Superstition Drive, Queen Creek, AZ 85142

Opposed: Has lived in Queen Creek for 30 years. This proposal has a lot of "gray area". An increase in density will lead to an increase in traffic volumes. The buffer area needs to be larger.

Cathy Kenworthy, Queen Creek, AZ 85142

Opposed: Those likely to purchase a home in the proposed subdivision will not appreciate living next to farms with animals due to the noise, smell, and flies. Fulton Homes needs to provide a larger buffer area.

Ray Epps, 20235 E. Superstition Drive, Queen Creek, 85142

Opposed: Requested a Town appointed mediator for this case and a continuance (before any decisions made by the Commission or Council). The Town has already taken away one home per acre. Next the Town put in the 230Kv power line. Now the Town wants to significantly reduce the buffer area. This proposal will change my chosen life style drastically. What's the hurry? Stick with the current General Plan until residents and developers can meet with a mediator and find a mutually agreeable solution.

Gina Blake, Queen Creek, AZ 85142

Opposed: Progress and industry must coexist with agricultural life styles. Potential for many complaints from new residents that do not appreciate the noise, smell, and flies farm animals attract.

Bill Stevenson, 20646 E. Ryan Road, Queen Creek, AZ 85142

Opposed: Also requested that this case be continued and that a mediator be appointed to work out buffer issue.

Chair Sossaman ended the Public Hearing at 9:12 p.m.

MOTION: Commissioner Nichols

To approve GPA12-049, Queen Creek Station, as presented.

The motion dies for lack of a second.

MOTION: Commissioner Robinson

To approve GPA12-049, Queen Creek Station, with the following stipulation:

The applicant shall adhere to staff recommended changes of Medium Density Residential (up to 3du/ac) Land Use classification, with the exception of adding a 350' transition area to the north and east side of the proposed San Tan Settings project, as described by staff.

2nd MOTION: Vice-Chairman Ingram

1st Amendment: Commissioner Nichols

To amend the main motion to include:

Property on the east side of Ellsworth Road shall be increased to Medium Density Residential (up to 5 du/ac) per the applicant's request.

2nd MOTION: Commissioner Reyes

VOTE: All Ayes. Motion carried 6-0.

8. **Public Hearing and Possible Action on GPA12-050, Aggregate Resources, a Staff initiated request to add a new Goal 6 to the Environmental Planning Element of the Queen Creek General Plan dealing with the preservation of aggregate materials.**

Earlier this year the Legislature approved Senate Bill 1598 and it became effective on June 30, 2012 when Governor Brewer signed it into law. One of the provisions of SB 1598 required local communities to identify areas containing aggregate resources (sand, gravel, rock, decomposed granite, etc.) on their General Plan and to establish policies to protect these resources from encroachment by potentially incompatible land uses. Staff is proposing a new Goal 6 be added to the Environmental Planning Element of our General Plan to establish a process for identification, for use, and for preservation of aggregate resources within the Town's Planning Area.

QUESTIONS/COMMENTS FROM THE COMMISSION

There were no questions or comments from the Commission.

MOTION: Commissioner Nichols

To approve GPA12-050, Aggregate Resources, as presented.

2nd MOTION: Commissioner Matheson

VOTE: All Ayes. Motion carried 6-0.

9. Public Hearing and Possible Action on GPA12-051, Realignment and Construction of Signal Butte & Meridian Roads, a Staff initiated request to add a new Goal 8 to the Transportation and Circulation Element of the Queen Creek General Plan related to the realignment of Signal Butte Road.

The Town in conjunction with Maricopa County and the City of Mesa undertook the Signal Butte Road Corridor Study in 2008. One of the results of the study determined that the future traffic capacity of Signal Butte Road; in Queen Creek, was insufficient to handle the anticipated traffic volume from Pinal County that would access the new SR 24 Freeway east of Ellsworth Road. As part of that study, the Town evaluated various options to realign Signal Butte Road east to merge with Meridian Road. Property owners in the area were contacted to determine interest level of participating in the realignment. Property owner Jason Barney expressed interest in accommodating the road realignment. Mr. Barney incorporated the proposed relocation in his Barney Farms project, which was approved by the Town Council in April 2010. Since then the Council has also approved a land exchange with Mr. Barney to transfer the 127 acres the Town owns as the East Park site to Mr. Barney in exchange for 127 acres on the west side of the relocated Signal Butte Road.

This proposed change would "officially" incorporate the realignment of Signal Butte and Meridian roads into the Transportation and Circulation Element of the General Plan as being a goal of the Town.

QUESTIONS/COMMENTS FROM THE COMMISSION

There were no questions or comments from the Commission.

MOTION: Commissioner Robinson

To approve GPA12-051, Realignment and Construction of Signal Butte & Meridian Roads, as presented.

2nd MOTION: Commissioner Reyes

VOTE: All Ayes. Motion carried 6-0.

10. Public Hearing and Possible Action on GPA12-052, Transit-Oriented Project, a Staff initiated request to add a new Goal 7 to the Traffic and Circulation Element and new Goals 7 and 8 and other text modifications to the Town Center Element of the Queen Creek General Plan.

The Town adopted an updated Town Center Plan in March 2011. Significant discussion centered on the future character of the area and how the Town could create a more vibrant Town Center that supported a variety of land uses that would attract activity and provide a "draw" for the community. One of the issues involved in the discussion was the concept of "walkability". How can the Town

create a more pedestrian friendly environment? The goal was to promote the use of transportation other than single occupant vehicles, including bicycles, commuter rail and a local bus system. The proposed change would include additional text in the General Plan to encourage "transit oriented design" for new projects in the Town Center. The intent is to make the area more accommodating of future transit related projects such as commuter rail and bus service

QUESTIONS/COMMENTS FROM THE COMMISSION

There were no questions or comments from the Commission.

MOTION: Commissioner Nichols

To approve GPA12-052, Transit-Oriented Project as presented.

2nd MOTION: Vice-Chairman Ingram

VOTE: All Ayes. **Motion carried 6-0.**

ADMINISTRATIVE ITEMS


11. Review of November 14 agenda items.

12. Report of Town Council Action.


13. 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.*

14. Adjournment

PLANNING AND ZONING COMMISSION

By:  For STEVE
Chairman Sossaman SOSSAMAN

ATTEST:



Laura Catanese, Senior Administrative Assistant

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 November 5 Special 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 6th day of November 2012.

Passed and Approved this day of 11/12/12