



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

**WHEN:** MONDAY DECEMBER 17, 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 Session Meeting open to the general public on **MONDAY DECEMBER 17, 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** *Meeting started 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 Ryan Nichols      Commissioner Gregory Arrington

**ABSENT**

Commissioner Dr. Alex Matheson

**TOWN STAFF**

Wayne Balmer      Dave Williams      Ryan Wozniak      Laura Catanese  
Planning Administrator      Senior Planner      Planning Technician      Senior Administrative Assistant

3. **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. Members of the Commission may not discuss, consider, or act on any matter raised during 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.

**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.

*Chairman Sossaman changed the order sequence of the Agenda to hear Items #8, 9 and 10 prior to the other cases.*

**5. Consideration and possible action on GPA12-047, Box Canyon, a staff initiated request to amend the text and add a new Goal 6 to the San Tan Foothills Element of the Queen Creek General Plan, increasing the permitted residential density to 1.8 du/ac in Master Planned Communities, and providing environmental guidelines for Master Planned Communities.**

Planning Administrator Balmer presented the facts of the case to the Commission. Mr. Balmer emphasized that the concerns indicated in the letters received such as fissures, topography, infrastructure, traffic and protection of the natural environment would be addressed during a specific zoning case in the future when it is filed, and that the General Plan is not the time or place to address site specific concerns, rather the overall concept.

Commissioner Arrington confirmed with Mr. Balmer if this could be approved to be built now. Mr. Balmer indicated that a subdivision plat could be submitted for review if it complied with 1.0 dwelling units per acre. Commissioner Arrington also asked what the Town could enforce given the plan right now. Mr. Balmer stated that the Town could enforce what is in the plan currently.

Commissioner Nichols asked if each property owner could develop their property individually. Mr. Balmer indicated that they could develop independently, provided that they have legal frontage, which many properties currently lack. Properties lacking frontage depend on future development of public roads that may, or may not offer access in the future.

Troy Peterson spoke on behalf of the ten owners of the Box Canyon area. Mr. Peterson indicated that the property owners are all working together on this change, which is something that hasn't occurred in the past. He also indicated that the property has serious development challenges such as water, sewer, transportation and the owners will be working on that in the next step of the process. Mr. Peterson indicated that all of the development will be privately funded with no burden on the town, and that in order to develop under these circumstances it is not feasible at 1.0 dwelling units per acre.

Commissioner Arrington asked Mr. Peterson if a developer or builders would develop the lots. Mr. Peterson indicated that it would be a collaborative project between individual builders and the developers.

Commissioner Robinson asked Mr. Peterson how much open space would be left over after development. Mr. Peterson indicated that 20% of the property would be preserved due to slope in addition another 20% (total of 40%) from drainage features on site based on the preliminary estimates. Commissioner Robinson asked if that would include the roads, and Mr. Peterson replied that the primary collector roads are included in those numbers.

Commissioner Reyes asked Mr. Peterson what the effect of lowering the density to 1.5 DU/AC would be on the profitability of the project. Mr. Peterson stated that they would need to look at that specifically, but that the specific density would be evaluated at the next part in the process.

Commissioner Arrington asked Mr. Balmer about the General Plan Goals, and a hillside ordinance. Mr. Balmer replied that the Town does have an ordinance related to slope and the protection of those areas.

Chairman Sossaman asked for discussion from the Commission. He indicated that he was supportive of this change in an effort to better control the development and felt that this was a step in the right direction.

Commissioner Robinson stated that he was also supportive of this change and felt it would help maintain the character of the community while providing the property owners the tools to develop the property.

**MOTION: Commissioner Nichols**

To approve GPA12-047, Box Canyon, as proposed by staff.

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

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

**6. Consideration 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).**

Planning Administrator Balmer presented the facts of the case to the Commission. He emphasized that this is a land use case, not a zoning case or preliminary plat at this time, but that one would be forthcoming for a future meeting.

Commissioner Robinson asked if a traffic signal would be installed at Pegasus Parkway when Bello develops. Mr. Balmer indicated that with this project there would most likely not be a traffic signal, but when the commercial project develops the traffic volume may warrant a traffic signal and the change would be evaluated at that time.

Greg Davis, of IPlan Consulting spoke on behalf of the owner. Mr. Davis indicated that the current land use plan is not viable due to the economy and excessive supply of  $\frac{3}{4}$  and 1 acre lots, and this proposal was created to address that issue. Mr. Davis stated that there are 1000 undeveloped 1 acre lots in the Queen Creek area. Mr. Davis stated that this project is designed as an Executive level production home. Mr. Davis further went on to state that there is a preliminary plat in process which will be heard by the Commission in the coming months and the proposed density is 1.5 DU/AC. He also stated that the 30 acres of commercial along the western boundary are in preliminary design at this time. He further stated that the existing excursion zone for the Pegasus Airpark has been enlarged from the existing plan, with an increase of 90' on the north side and an additional 25 feet on the south side. This expanded excursion zone is larger (53' on the north side and 25' on the south side than the existing residential hangar setbacks approved at Pegasus today).

Commissioner Nichols asked Mr. Davis about the lot inventory exhibit that was provided to the Commission. Jason Barney answered the question and stated that RL Brown and Nathan and Associates created the report, but stated that the report indicates predominantly custom 1 acre lots.

Commissioner Nichols asked about the excursion zone and where that came from. Senior Planner Williams indicated that the specifics of the report which created the excursion zone was included as part of the original subdivision as far as the width, however the actual report has not been able to be located. The excursion zone is larger than previous preliminary plats and based on that staff is supportive.

There were no public comments for GPA12-048, Bello.

**MOTION: Vice-Chairman Ingram**

To approve GPA12-048, Bello, as presented.

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

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

- 7. Consideration 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.**

Planning Administrator Balmer presented the facts of the case to the Commission. Mr. Balmer indicated that this was a collaborative effort between all 7 owners. He emphasized that this is a land use case at this time, not a zoning case or preliminary plat, but that they would be forthcoming in the near future. Mr. Balmer indicated that there was a revised memo from Doreen Cott regarding Economic Development recommendation, an email from Larry Motter, an email from Jordan Rose dated 12/17 and an accompanying draft deed restriction, all of which have been received since the previous meeting.

Chairman Sossaman asked Mr. Balmer about the staff recommendation for the residential squeezed in between the neighborhood commercial and the employment type a on the east side of Ellsworth Road and where it came from. Mr. Balmer stated that it was to provide a visibility window for the residential west of that site. Chairman Sossaman expressed that he didn't support the "finger" residential between the 2 more intense uses. Mr. Balmer indicated that it would provide a transitional use in addition to providing infrastructure to help development of the employment areas.

Commissioner Robinson asked if it should be mixed use east of the Queen Creek Parkway Alignment. Mr. Balmer stated that that could be a recommendation. Chairman Sossaman indicated that the mixed use would provide a wide variety of transitional uses.

Commissioner Robinson asked about the Transportation Advisory Committee recommendation and if it would create a better traffic circulation. Mr. Balmer replied that there may be an excess of traffic signals based on the proposed plan with offset intersections and would need further review when development occurs.

Commissioner Reyes asked Mr. Balmer about where a commuter / passenger rail station may be located. Mr. Balmer stated it would be south of Queen Creek Road west of Ellsworth Road.

Jordan Rose with the Rose Law Group spoke on behalf of the property owners. She indicated that they have 17 letters of support of the plan in addition to the support from the Ellsworth Mini-Farms Subdivision based on changes that they will be making to their zoning case. A letter will be provided to the Council prior to the meeting on December 19<sup>th</sup>, 2012. Mrs. Rose stated that the owner of the property would prefer to see a "marketing window" of residential between the Employment A and Neighborhood Commercial on the east side of Ellsworth Road.

Craig Crowley spoke on behalf of the proposal. Mr. Crowley indicated that he lives in Town Center and is supportive of the project. He feels that this would be a good thing for Queen Creek.

Chairman Sossaman asked for discussion from the Commission. Commissioner Sossaman asked the Commission what their thoughts were on including mixed use in the "finger" residential on the east

side of Ellsworth. Mr. Balmer clarified Commissioner Ingram's proposal for Mixed Use to be on the east side of Ellsworth to their property line to create a rectangle.

Commissioner Robinson stated he wasn't sure about the mixed use and asked Mr. Balmer how much employment lands the Town has. Mr. Balmer replied 8-10% designated as employment, not including the state trust land.

Commissioner Nichols, stated that he has concerns involving the land use. Commissioner Nichols indicated that he did meet with the applicant and traffic engineer. He stated that he was not in favor of low density residential in that section of Town. He felt that it was not in conformance with the vision of the General Plan. He stated that the School District is not in support for the realignment of Queen Creek Road primarily to retain the existing traffic signal at Queen Creek Road which would be retained under any scenario. He said this needs to be analyzed in the future but felt the currently approved design provided better access for the school district. He felt that Queen Creek does not need to be a major arterial road, and that could be looked at in the future as well. He felt that the offset alignment as proposed by the applicant may create more problems with traffic and put more cars on Germann Road. Overall Commissioner Nichols felt that a Queen Creek Road network that is aligned east and west of Ellsworth Road is the better solution. Commissioner Nichols stated that he was not in support of the request. Chairman Sossaman asked about the overall density and if the proposal was acceptable from that point of view. Commissioner Nichols stated that the ideal land use for transit oriented design should be at least 6 du/ac. He went on to say that a higher density at this location would be better for Queen Creek, the Gateway Airport, ASU, and the region.

Chairman Sossaman asked Mr. Balmer about the staff recommendation for density on the east and west side of Ellsworth. Mr. Balmer stated that on the west side of Ellsworth it would be up to 3 DU/AC and on the east side of Ellsworth it would be up to 5 DU/AC.

Paul Basha, the Traffic Engineer for the applicant, spoke to Commissioner Nichols concerns. He indicated that he has spent the past 5 months studying the offset design and feels that it is the solution that should be implemented for traffic circulation. He stated that the premise for the aligned Queen Creek existed only for the offset Ellsworth Road as part of the 2007 plan. He stated that an aligned Queen Creek roadway would create a confusing situation and deter traffic from accessing the shopping and commercial opportunities. A segmented Queen Creek provides better access to the mixed use and commercial development in this area, and a connected roadway will not have the same effect.

Commissioner Robinson asked Mr. Basha that when the property develops (even at a higher density on the east side), will the proposed roadway design accommodate the needs? Mr. Basha indicated that it will be able to accommodate the needs.

Commissioner Robinson asked Commissioner Nichols what he thought about an increase in density on the south side of Queen Creek Parkway (west of Ellsworth). Commissioner Nichols indicated that a higher density would help it. Commissioner Robinson asked the same question on the east side. Chairman Sossaman stated that this proposal was a reduction from 8 du/ac to 5 du/ac. Commissioner Nichols was supportive of the higher density on the east side as well. Chairman Sossaman stated that all of the densities are zero to the general plan density number, and that with any number; an applicant may always propose something less than the maximum. Commissioner Nichols stated that he wasn't opposed to the lower density as it relates to a buffer.

**MOTION: Commissioner Robinson**

**To approve request GPA12-049 with inclusion of the following stipulations:**

- A. To designate the area on the east side of Ellsworth Road between the proposed commercial and Ryan Road as mixed use for a depth of approximately 1320'.
- B. The area on the west side of Ellsworth Road, south of the proposed Queen Creek Parkway to be Medium High Density residential B (Up to 8 DU/AC)
- C. The residential area east of Ellsworth Road to be Medium High Density Residential B (Up to 8 DU/AC).
- D. Approval of the modification of the Transportation and Circulation Element to reflect Ellsworth and Queen Creek Road retaining their current Alignments as proposed by the applicant.

Commissioner Nichols requested an Amendment to adopt the TAC recommendation of QC Parkway. No 2<sup>nd</sup>, motion died.

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

**VOTE: 5-1 with Commissioner Nichols voting nay. Motion carried, 5-1.**

8. **Consideration 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 identification and preservation of aggregate materials.**

Planning Administrator Balmer presented the facts of the case to the Commission. There was no public comment. Chairman Sossaman asked for discussion and having none, entertained a motion.

**MOTION: Commissioner Robinson**

To approve GPA12-050, Aggregate Resources, as recommended by staff.

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

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

9. **Consideration 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.**

Planning Administrator Balmer presented the facts of the case to the Commission. There was no public comment. Chairman Sossaman asked for discussion and having none, entertained a motion.

**MOTION: Commissioner Arrington**

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

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

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

10. **Consideration and possible action on GPA12-052, Transit-Oriented Project, a staff initiated request to add a new Goal 7 to the Transportation and Circulation Element and new Goals 7 and 8 and other text modifications to the Town Center Element of the Queen Creek General Plan to encourage and promote the use of Transit Oriented Design.**

Planning Administrator Balmer presented the facts of the case to the Commission. There was no public comment. Chairman Sossaman asked for discussion.

Commissioner Ingram asked Mr. Balmer asked a question about revising the General Plan Policy related to this. Commissioner Robinson clarified that bicycles and other modes are still included in the plan.

**MOTION: Vice-Chairman Ingram**

To approve GPA12-052, Transit-Oriented Project, with the deletion of Policy 7C (a) from Goal 7 of the Transportation and Circulation element regarding the potential for reduction of travel lanes.

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

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

**ADMINISTRATIVE ITEMS**

11. **Review** of January 9, 2013 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:** The meeting adjourned at 9:22 p.m.

**MOTION: Vice-Chairman Ingram**

To adjourn.

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

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

**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 December 17 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 18<sup>th</sup> day of December 2012.

Passed and Approved this day of 1/09/13