



**MINUTES OF THE WORK STUDY MEETING
OF THE QUEEN CREEK PLANNING AND ZONING COMMISSION**

WHEN: WEDNESDAY, FEBRUARY 13, 2013

WHERE: TOWN HALL COUNCIL CHAMBERS

TIME: 6:00 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 Work Study Meeting open to the general public on **WEDNESDAY, FEBRUARY 13, 2013 AT 6:00 P.M.** in the Town Hall Council Chambers at 22350 South Ellsworth Road, Queen Creek, Arizona.

AGENDA

1. **Call to Order:** The meeting was called to order by Chairman Sossaman at 6:03 p.m.
2. **Roll Call** (one or more members of the Commission may participate by telephone)

PRESENT:	Chairman Stephen Sossaman	Vice-Chairman Steve Ingram	Kyle Robinson
	Dr. Alex Matheson	Ryan Nichols	Gregory Arrington
TOWN	Dave Williams, Senior Planner		
STAFF	Ryan Wozniak, Planning Intern	Laura Catanese, Senior Administrative Assistant	
3. **Public Hearing, Discussion and Possible Action on RZ12-077/SD12-078, Bello a request by Greg Davis of iPlan Consulting on behalf of Arcus Queen Creek Holdings, LLC to rezone approximately 122 acres at the northeast corner of Ellsworth and Empire Roads from R1-35 PAD to R1-35 and R1-9 PAD and approval of the preliminary plat of Bello subdivision containing 178 lots.**
Council has approved the applicant's request for a Major General Plan Amendment (GPA12-048) to modify the land use plan to reflect a density range for this property of up to 2 units per acre (December 2012).

The revised Bello plan submitted with this request reflects 178 lots, with lot sizes ranging from 11,743 to 45,986 square feet, with an average lot size of 15,985 square feet. The proposal also contains a PAD request that reduces the front, side and rear yard setbacks to reflect those typically found on smaller lots in the R1-7 and R1-5 zoning districts. Given the depth of the proposed lots, staff does not support the proposed reductions in the front and rear yard setbacks; adequate depth exists in all lots to meet the standard setbacks. Similarly, staff does not support the proposed reductions in the side yard setbacks that would allow setbacks between homes as narrow as 10', ostensibly to provide greater room of side entry garages and RV access to the rear yard.

As the applicant has not submitted proposed floor plans for the future homes it is difficult to evaluate the merits of these requests. The concept behind having larger widths in the R1-9 lots is to provide greater separation between homes than that found in subdivisions with smaller lots, which staff recommends be retained in this project. In addition, 35% of the proposed R1-9 lots are at least 108' in width and 140' in depth, which should allow ample room to meet the required setbacks. In the future, when proposed floor plans and elevations are submitted for Design Review, this is an area that could be reviewed further and revisions made at that time, if needed.

Staff recommends approval of RZ12-077/SD12-078, Bello for Rezoning and Preliminary Plat approval, subject to the conditions of approval as outlined in the staff report.

QUESTIONS/COMMENTS FROM THE COMMISSION:

Commissioner Matheson: Are the homes in Orchard Ranch all custom made? Yes, all the homes in Orchard Ranch subdivision are custom made on half acre properties.

4. **Public Hearing, Discussion and Possible Action on RZ12-099/SD12-101/DR12-102/GPA12-100, Queen Creek Station, a request by the Rose Law Group on behalf of Fulton Homes for rezoning from R1-43 to R1-5 PAD in addition to a Preliminary Plat for 677 lots on 248 +/- acres on the west side of Ellsworth Road, north of Queen Creek Road. Design review approval is also requested on 24 model homes, with three elevations for each and a minor General Plan Amendment from Employment Type A to Medium Density Residential (up to 3 dwellings per acre).**

Fulton Homes has presented a concept plan for the approximately 230 acres on the west side of Ellsworth Road they have acquired, proposing 679 lots, for an overall density of 2.87 du/ac. Staff recommends approval of the rezoning, preliminary Plat and Design Review requests, as well as the approval of a minor General Plan amendment subject to the conditions of approval as outlined in the case staff report (see "Conditions of Approval", page 4).

As a separate transaction Fulton Homes has acquired approximately 15 additional acres adjacent on the west to their original property. The additional acreage has been reflected in their current development concept, but it is not included as part of this application. This property will be the subject of a later minor General Plan amendment at the time rezoning is proposed.

QUESTIONS/COMMENTS FROM THE COMMISSION:

Chairman Sossaman:

Should the GPA12049 request be refused by Council on Feb. 20, the rezoning request for this case will remain unchanged, correct? Should Council not approve GPA12-049 this rezoning case will still remain the same. Staff supports the deviations to accommodate garage coverage.

5. **Public Hearing, Discussion, and Possible Action on RZ13-001/GPA13-002, Ben Franklin Charter Elementary School, a request for rezoning of 8.3 acres of land located on the north side of Queen Creek Road, ¼ mile west of Signal Butte Road from I-2 Industrial to R1-43, in addition to minor General Plan Amendment from Employment Type B to Public Quasi Public (PQP).**

The applicant is requesting rezoning of 8.3 acres from a I-2 Industrial to R1-43 Residential for a proposed Charter School. Staff has proposed a minor General Plan Amendment to accompany this application changing the designation from Employment Type B for the 8 acres to Public / Quasi Public to ensure that despite the underlying residential zoning that homes could not be constructed on the site in the future.

Schools (public or charter) may exist in any zoning district with the exception of I-1 and I-2 Industrial areas. In this case, the site is constrained by the Barney Sports Complex on the west side, homes on the east, and the future town park site on the north. Industrial development would likely not occur adjacent to this particular site. It is anticipated that there will be a partnership between the Barney Sports Complex and Ben Franklin for use of the facilities to help create a synergy between the facilities.

Arizona State Law requires expedited processing and policies for site plans for charter and public schools. As a result all charter schools and public schools are administrative reviews by staff, and this case is no different. Staff will be reviewing the school based on applicable State Law, building code, and zoning ordinance requirements as specified. Staff is supportive of the rezoning and minor General Plan amendment given the unique uses surrounding this site.

QUESTIONS/COMMENTS FROM THE COMMISSION:

There were no questions/comments from the Commission.

ADMINISTRATIVE ITEMS

6. **Review** of March 13, 2013 agenda items.

	PROJECT	CASE #	P&Z	COUNCIL
1.	Quail Creek NEC Sossaman & Twin Acres Drive	RZ13-004/SD13-005	3/13	4/03
2.	Old Post Office 22048 S. Ellsworth Road	RZ13-007	3/13	4/03
3.	Victoria Estates (Taylor Morrison)	DR	3/13	4/03
4.	Charleston Estates (Standard Pacific)	DR	3/13	4/03

7. **Report** of Town Council Action.

8. **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*

Guest Wendy Kaserman, Assistant to the Town Manager, gave a brief presentation on House Bill (HB) 2657. A task force committee was formed last May (2011) in order to simplify the State tax code. The Town supports the committee's recommendations' for the most part, with the exception being its' recommendation regarding the transaction privilege tax (TPT). Construction revenue is vital to the Town's operational budget and future growth. The committee's recommendation to modify the prime contracting system to a point of sale model will reduce Town construction revenue significantly, by exporting tax revenue to other cities/towns where materials for home construction are purchased.

9. **Adjournment:** The meeting adjourned at 6:38 p.m.

MOTION: Commissioner Matheson

To adjourn.

2nd MOTION: Commissioner Nichols

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

PLANNING AND ZONING COMMISSION

By: 
 Chairman 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 February 13, 2013 Work Study of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 20th day of February 2013.

Passed and Approved this day of 3/13/13