



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

Wednesday, September 10, 2008 6:00 P.M.

Council Chambers, 22350 S. Ellsworth Road, Queen Creek, AZ 85242

THESE ARE DRAFT MINUTES WHICH HAVE NOT YET BEEN APPROVED.

1. **CALL TO ORDER** The meeting was called to order at 6:03 p.m.

2. **ROLL CALL**

Present

Chairman Ingram
Vice-Chairman Trapp-Jackson
Commissioner Perry
Commissioner Atkinson
Commissioner Fehlan
Commissioner Moore
Commissioner Sossaman

Absent

Staff

Present

Community Development Director Condit
Planning Manager Wayne Balmer
Principal Planner Brittingham
Principal Planner McCauley
Planner Williams
Community Development Assistant Moats

Absent

3. **Discussion on CU08-101/SP08-100 Alltel Wireless**, A request by Michael J. Campbell for approval of a Conditional Use Permit and Site Plan to locate a wireless communication tower. The property is located in the vicinity of the northwest corner of Rittenhouse and Riggs roads.

Planner Michael McCauley informed the Commission this will be the third tower in this location. It will be identical to what's currently on this site. Chairman Ingram asked about fencing. Mr. McCauley responded this will adjoin what's already on site. Mr. McCauley added there were no attendees at the neighborhood meeting, and no public comments have been received. There were no further questions from the Commission.

4. **Discussion on RZ06-002/SD06-003 Circle G at The Church Farm,** A request by Greg Davis of IPlan Consulting to rezone approximately 885 acres from Rural 43 Single Family Residential to Planned Area Development (PAD) with underlying zoning districts of R1-43, R1-18, R1-12, R1-7, R-2 and C-2. The applicant is also requesting approval of a preliminary subdivision plat consisting of 1745 units with an overall density of 2.17 dwelling units per acre. The project is located at the southeast corner of Signal Butte and Ocotillo roads.

Mr. Williams presented an overview of the proposed project. He noted the annexation and development agreement for this project will run concurrently with the Rezoning and Subdivision application. The development agreement is being implement solely to balance the densities.

Commissioner Sossaman asked about the densities in relation to the size of the open space and commercial areas. Principal Planner Brittingham responded these are based on previous Council approval.

Chairman Ingram questioned how much of the project falls within the School District boundaries. Mr. Williams responded the school district boundary is at the County line. He added that he had a received a letter of support from the J.O. Combs School District, which is not in the agenda packet, since it was just received today. Mr. Balmer stated the school district has signed off on this proposal.

Engineering Manager Leubner provided information on the phasing and drainage plans, which have been extensively reviewed by Town staff.

Commissioner Sossaman asked if the traffic improvements from Ocotillo Road south will be commensurate with traffic. Mr. Leubner responded the road is sized appropriately to match the amount of current traffic since it is not a six-lane road. Mr. Leubner added that at build-out the Town would increase the road to six lanes and the Town would be financially responsible.

Mr. Balmer noted that in the future, the Town will need to acquire right-of-way.

Commissioner Moore asked for clarification on the current right-of-way that is being provided, which is not wide enough for what the Town requires at build-out. Mr. Leubner responded that currently there will only be two lanes, and that the current right-of-way is sufficient to build the lanes required at this point.

Commissioner Moore asked why larger lots were not required on Parcel C, where the R1-7 is located, as a buffer from the R1-43. Mr. Williams responded the strip of land adjacent to the R1-43 parcel is County land. Property owners located here have reached an agreement with the applicant to relocate to William Lyon Homes in the County pocket, called Church Farm

Acres. This information is included in the development agreement. Mr. Williams added the buffering requirement does not meet Town standards since the R1-43 land is not in the Town limits.

Chairman Ingram noted that there is no buffer between Parcels H & I. Mr. Williams responded the trail provides the transitional buffer. Mr. Williams stated the buffering in this subdivision is consistent with the Zoning Ordinance.

Discussion followed on the front and rear yard setbacks, and the product requiring the requested setbacks to be 10' front and 20' rear. Mr. Williams clarified this is a product-driven request, however, no examples of the product have been provided by the applicant. This will be done at the Design Review stage. Commissioner Moore questioned why staff is recommending approval of setbacks for a particular product before the product comes before the Commission for approval. Mr. Williams stated the applicant would address this issue during Regular Session.

Commissioner Perry questioned the balance of densities, and asked if it was based on the number of lots or on acreage. Mr. Williams responded it is based on the number of lots. He added the applicant has exceeded the density requirement in R-7 and R-2, which is offset by additional open space.

Commissioner Fehlan questioned the lots located in the floodplains. Mr. Leubner responded that certain lots do fall within Flood Plain A and will be removed from this zone. A certificate will be filed with FEMA.

There were no further questions from the Commission. Mr. Williams noted that he has not received any public comment on this proposal. The town did re-advertise the public hearing due to the number of delays and continuances on this project.

- 5. Discussion on CU08-020 Pegasus Airpark Helicopters and Jets,** A request by the Pegasus Airpark Flight Association to amend Stipulations #12 and #14 of Conditional Use Permit 01-97 to allow the operation of helicopters and very light jets (under 12,500 pounds) and a request for an additional fuel tank to be used for Jet-A aircraft fuel. The property is located approximately ¼ mile east of Ellsworth Road, north of Empire Road.

Mr. Williams stated this project had been continued from the July 9, 2008 Commission meeting. Since the July Commission Meeting, an additional neighborhood meeting was conducted. Also, since the last meeting, staff's position has changed slightly in that staff is recommending approval of the very light jets, but not the helicopters. He noted this is due to a policy extension from the original approvals in 1994 and 1998. Staff is recommending approval of the Jet-A fuel tank to service newer aircraft.

Commissioner Moore questioned why staff was not in support of the helicopters, noting he had been at the neighborhood meeting and did not see or hear of any problems with the helicopters, especially considering the new flight patterns proposed by the applicant.

Mr. Balmer stated that staff is following Council policy from 1994 and 1998; however, even though Council has the ultimate vote, it is the Commission's right to recommend approval of the helicopters. Mr. Balmer clarified that in looking at the 1994 and 1998 Council approvals, staff questioned if fixed-wing aircraft would've been approved or made a difference. Mr. Balmer separated the helicopters, stating they are a different issue.

Commissioner Sossaman questioned if it was an operational or sound issue that guided staff's decision, and referred to a letter submitted by a pilot who is in opposition to helicopters, but who did not provide an explanation. Mr. Balmer and Mr. Williams deferred to the applicant on this question.

Commissioner Perry stated he was not able to attend the neighborhood meeting, and requested feedback and concrete data from the Commissioners who were in attendance. He asked if noise levels were measured and how noise was perceived.

Commissioner Moore responded that a turbo prop/jet engine plane was there, and it was the loudest aircraft at the demonstration.

Chairman Ingram stated there was a major difference in sound levels (lower) due to the different flight patterns. Commissioner Moore added that the helicopters were significantly less noisy than the aircraft, and he feels it does not make sense **not** to allow new technology in the airpark.

Commissioner Perry asked for:

- Clarification on the difference between Stage 3 and Stage 4 compliance;
- A description of the difference among: turbo prop; turbo fan; and turbo jets;
- Comments about the point of impacts where noise levels are measured;

Mr. Williams deferred to the applicant to answer these questions during Regular Session.

Commissioner Perry stated he has concerns over the helicopter issues being raised in comparison to Stellar Air Park, since Stellar is a municipal airpark and Pegasus is private. Also, he feels the complaints are related to jets, not helicopters.

Commissioner Moore agreed that comparisons continue to be made to Stellar Air Park, which includes commercial activity. Commercial activity is prohibited at Pegasus. Mr. Moore also stated he was impressed with the proposed flight plan that solidifies safety in the area. He feels this flight plan eliminates most of the ability for Orchard Ranch residents to complain. He felt the hovering, take-offs and landings of the helicopters were very unobtrusive.

Mr. Balmer reminded the Commission this is not regulated by the FAA.

Vice-Chairman Trapp-Jackson stated she attended the helicopter demonstration and felt the noise was louder at lower altitudes than at higher altitudes.

Commissioner Fehlan stated she also attended the meeting and was not impressed with the demonstration. At 300 feet, the aircraft was very loud; but at 1,500 feet it was incredibly quiet. She also felt there were good safety parameters.

Chairman Ingram asked Mr. Williams to address the fact that Pegasus is one of the few places that prohibits landing helicopters. Mr. Williams provided the information and regulations for landing helicopters.

Commissioner Atkinson asked what the benefits to the Town would be in approving the very light jets. Mr. Williams responded it would open up the market, stimulate Town revenue through permit fees and bring in people with higher income levels.

There were no further questions from the Commission.

ADMINISTRATIVE ITEMS

6. **Review** of next month's agenda items.

Planning Manager Balmer noted the following items scheduled on October 8, 2008:

- Arco AM/PM carwash (SP08-080/CU08-081);
- Chick-Fil-A (SP08-129)

7. **Report** on Town Council Action

Director of Community Development Condit referred the Commission to the Minutes/Results included in their agenda packets.

8. **Communication** from members of the Commission and Staff – there was nothing to report under this agenda item.

9. **Adjournment**

Motion: Commissioner Sossaman

To adjourn.

2nd: Commissioner Moore

The Work Study Session adjourned at 6:50 p.m.

PLANNING AND ZONING COMMISSION

Steve Ingram, Chairman

ATTEST:

Laura Moats, Community Development 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 September 10, 2008 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 11th day of September, 2008

Passed and Approved this 8th day of October, 2008 .